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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

SENATE—*Monday, May 7, 2012*

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal spirit, the center of our hope, we know our needs. Life has taught us that we can't walk alone. So be with our lawmakers to help, to comfort, and to sustain them. Lord, guide them through the changes and chances of their labors. Whatever light may shine or shadows may fall, empower them to meet life with a steady gaze, to walk in strength, wisdom, purity, and joy. Create in them a passion to do what is right, and give them the ability to do it. As they seek to live with honor, may their thoughts, words, and actions bring glory to You.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, we are now considering the motion to proceed to the Stop Student Loan Interest Rate Hike Act.

At 4:30 p.m. today, the Senate will proceed to executive session to consider three judicial nominations: the Nguyen nomination, a ninth circuit nominee, and the Baker and Lee nominations, which are two U.S. district court nominations from Arkansas and Illinois, respectively. At 5:30 p.m., there will be up to three rollcall votes on confirmation of the nominations.

STUDENT LOAN INTEREST RATES

Mr. REID. Mr. President, a woman from Nevada by the name of Amy Riley—a single mother from Las Vegas—was devastated when she was laid off 3 years ago because of her employer having little work. She wasn't in love with her job doing bookkeeping for a local construction company, but she loved the steady paycheck. Looking back on that pink slip, Amy views it, of course, as a setback in one sense, but she feels very good about the fact it gave her a second chance.

Like many resourceful Americans who lost their jobs after the financial and housing markets collapsed, Amy took the opportunity to return to school. She enrolled in classes at the College of Southern Nevada and completed her associate's degree at the age of 33. Going back to school transformed her life. She got involved in the political process for the first time. During her whole time at school she maintained straight A's—a 4.0 grade point average—and was elected student body president. But she also racked up $20,000 in student loan debt.

Amy doesn't regret the decision to go to the university. Not only has she gotten a second chance at college, she has shown her 14-year-old son the power of education. Still, working three part-time jobs and living on a few thousand dollars a year hasn't been easy. That is an understatement. It would have been impossible for her to get her education if she hadn't gotten her Federal student loans. But Amy will need more loans to complete her bachelor's degree at the University of Nevada-Las Vegas, where she starts classes this fall.

For most students, taking on debt is the only way to turn dreams of higher education into a reality. The average student graduates with $25,000 in loan debt. On July 1, the interest rates on Federal loans are set to double for more than 7 million students. Unless Congress acts quickly, rates will jump from 3.4 percent to 6.8 percent. That will cost Amy and millions of other students at least $1,000. For a single mom working three part-time jobs, $1,000 is the difference between completing her bachelor's degree and simply dropping out of school. In Nevada, higher interest rates will affect 26,000 students. College is already unaffordable for far too many Americans, and we cannot afford to put higher education any further out of reach. So Senate Democrats have introduced a proposal to freeze student loan interest rates at current levels for a year, without adding a single penny to the deficit. Democrats will vote to advance that proposal tomorrow, before noon, and, hopefully, the Republicans will join us.

The Republicans claim they share Democrats' goal of protecting these 7 million students I have talked about from these interest rate increases. We will see. But they insist we should pay for this proposal with unreasonable cuts to preventive health care services for millions of Americans. This is a program that is so vitally important to the health care delivery system in this country. Senators MIKULSKI, HARKIN, and others have worked very hard to maintain this program. It is so essential. Republicans know their proposal would never pass the Senate—never—and President Obama has said he would veto more cuts to crucial preventive health care. But there is already a

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

compromise on the table. Our legislation closes a loophole that allows the rich to avoid paying taxes they already owe. Our proposal is not a new tax. It would simply stop wealthy Americans from dodging the taxes they are required to pay. If Senate Republicans are truly serious about protecting 7 million students, they will work with us to pass this reasonable proposal.

EXECUTIVE SESSION

NOMINATIONS OF AJIT VARADARAJ PAI AND JESSICA ROSENWORCEL TO BE MEMBERS OF THE FEDERAL COMMUNICATIONS COMMISSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 512 and 513; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

FEDERAL COMMUNICATIONS COMMISSION

Ajit Varadaraj Pai, of Kansas, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2011.

Jessica Rosenworcel, of Connecticut, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2010.

Mr. KYL. Mr. President, I rise today to say a few words about the nomination of Ajit Pai to be a member of the Federal Communications Commission. I have supported his nomination and that of his fellow nominee, Jessica Rosenworcel, and am pleased that unrelated matters have finally been resolved and that the Senate has confirmed both nominees.

Ajit is somebody whom many of us have come to know from his years of public service, whether on the Senate Judiciary Committee, at the Department of Justice, where Ajit worked on both antitrust and legal policy matters, or in the general counsel's office of the FCC. I especially appreciate his important work on the Roberts, Miers, and Alito Supreme Court nominations during the 109th Congress, as well as his careful attention to national security matters while at the Department of Justice.

Ajit is the son of immigrants who came to this country seeking opportunity, as did the ancestors of so many of our fellow Americans. They settled in the small town of Parsons, KS, population of 10,000. During his testimony before the Senate Commerce Committee, Ajit shared his memories of the sense of community and the Midwestern values that he learned in Parsons. He worked hard in school, excelled at both Harvard College and the University of Chicago Law School, and built a career in law and policy. Today, Ajit finds himself being confirmed to this position of honor and receiving a unique opportunity to serve his Nation. I am certain that his parents, having come to this country just 40 years ago, are immensely proud of him.

We should all be grateful that individuals like Ajit choose to serve in these important positions, especially in fields where there are also opportunities in private life. He will be a member of the FCC for more than 4 years. I am grateful for his service and appreciate that he and his wife Janine have agreed to make this sacrifice for the good of our Nation.

I am very disappointed that these nominations have been delayed for so long for nongermane reasons. Good men and women simply will not volunteer to serve if they are arbitrarily forced to spend months in limbo, uncertain as to their future.

As an FCC Commissioner, Ajit will be one of five individuals overseeing an agency with 2,000 employees and a budget of $350 million. The Commission has broad regulatory authority over the Nation's communications industry. The communications landscape has evolved dramatically, not just during my lifetime but since I entered the Senate in 1995 and even in the past few years. It is sometimes difficult to remember how we functioned before we had the ability to reach most people on cell phones, to access the Internet from computers in any corner of the globe, or to watch videos of our children and grandchildren on mobile devices. Most Americans were raised in a world in which the television offered just a few channels, there was no cable news, and telephones had rotary dials.

Policymakers should be reminded that many of the technologies that we take for granted today will soon be gone, and we do not really know which technologies will become obsolete and in which direction the Nation's innovators and consumers will take us. Congress and the FCC do not make those decisions, or at least they should not. These decisions should be made by the American people in their capacity as consumers, businessmen, entrepreneurs, investors, and citizens.

Government does not create innovation or make entrepreneurs, and it should not be in the business of picking winners or losers or trying to shape private investment. The government's proper role in communications, as in other sectors of our economy, is to establish clear and stable rules that encourage competition, that give consumers choice and allow markets to thrive, and that keep bureaucratic preferences and politics to a minimum.

Ajit has made clear that he shares this understanding of his role. I think that we can expect good things from him as a member of the Federal Communications Commission.

I congratulate Ajit on this honor and am proud to have supported his nomination.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate resumes legislative session.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day?

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2343, which the clerk will report by title.

The legislative clerk read as follows:

Motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, parliamentary inquiry: We are now on the Stop The Student Loan Interest Rate Hike Act of 2012, is that not correct?

The ACTING PRESIDENT pro tempore. The Senate is on the motion to proceed to that measure.

Mr. HARKIN. Mr. President, I yield myself such time as I may consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I can't emphasize strongly enough the importance and the urgency of the legislation before us—the Stop the Student Loan Interest Rate Hike Act of 2012—which the majority leader spoke about. On July 1, unless Congress intervenes, the interest rate on Federal student loan debt is set to double from 3.4 percent to 6.8 percent. More than 7.4 million American students, including an estimated 255,000 students enrolled in Iowa colleges and universities, will be required to pay an average of $1,000 more per year of school.

The bill before us is straightforward and it is fully paid for. It keeps the interest rate at 3.4 percent, and the cost

is offset by closing a tax loophole that benefits certain high-income professional service providers.

I wish to thank Senator REID for his leadership in advancing this critical legislation. I also thank President Obama for making this legislation an urgent priority and for visiting college campuses across the country to speak out on this urgent problem facing our Nation's students and their families.

In today's global knowledge-based economy, an education beyond high school is no longer an option but a necessity. A worker with a bachelor's degree earns 85 percent more, on average, than a high school graduate. Almost two-thirds of the job vacancies between now and 2018 will require some postsecondary education, and more than half of those jobs will require at least a bachelor's degree.

You can see by this chart, as I said, 63 percent of the jobs will require at least some college education—either some college, an associate's degree or bachelor's degree or more. And that is by 2018. The demand is going to grow even beyond that. These statistics convey a very clear message: Higher education is the key to entry not only to the middle class but to a middle-class life.

Another message is equally clear, and that is America's economic competitiveness and growth depends on a highly educated and highly skilled workforce. That is why the ever-growing mountain of student loan debt is a major concern to me as the chair of the Health, Education, Labor and Pensions Committee, and also a major concern for families all across America who are struggling to get by. It is a shocking fact that total student loan debt has now surpassed total credit card debt for the first time ever, with $867 billion right now in student loans, auto loans at $734 billion, and credit cards at $704 billion. So for the first time ever, American families now owe more on school loans than they do on their car loans or on their credit cards.

Again I want to bring this closer to my own home. It affects Iowans profoundly. Nearly 72 percent of Iowa's college graduates have debt—the fourth highest percentage in the Nation. And those borrowers have an average of $30,000 in student loan debt, which is the third highest level in the Nation.

Over the past 3 years, President Obama and Congress have taken robust steps to improve college affordability and help our students succeed. From the Recovery Act and its unprecedented support for our education systems, to the student loan reforms that enabled us to help more students through larger Pell grants, and most recently our efforts to make it easier for students to repay their loans—this all happened in the last few years—we have made major strides toward the President's goal—and I hope it would be our shared goal—of reclaiming America's standing by 2020 as the country with the highest proportion of college graduates. Needless to say, it will be much harder to reach this goal if Congress allows interest rates to double on July 1.

As I said, more than 7.4 million American students will be required to pay an average of $1,000 over the lifetime of their loan for each year they borrow. Again, if you look at this chart, it shows what is happening. If the interest rate is paid at 3.4 percent, we are looking at about $883 in interest over the life of the average loan. Double that interest rate and it goes to $1,876. That is at 6.8 percent. So the average savings to the average student would be almost $1,000 a year.

I might add that the 255,404 borrowers in Iowa will save an estimated total of $254 million with this bill in front of us.

With today's tough economy, and given the very high unemployment rate among young Americans, it is absolutely unacceptable to ask middle-class families to shoulder sharply higher student loan interest payments. We must not allow this to happen.

If we look closer at the characteristics of students who will be impacted by this interest rate hike, we see that it affects middle-class families and vulnerable students from disadvantaged backgrounds at the very time when they are under enormous financial strain. If we look at who gets the subsidized loans, from this chart we can see, by family income, dependent students, their family income is less than $60,000 a year.

If we look at the independent student loan borrowers, their income is less than $50,000 a year, and 89 percent of them earn less than $50,000. Of the dependent student loan borrowers, 60 percent are from families who earn less than $60,000. I might also add that 7 out of 10 of those independent students here reported under $30,000 a year in income.

So allowing the interest rate to double would also disproportionately affect minority students who account for 40 percent of these borrowers. So 40 percent of these borrowers are minority students. This bill, again, would prevent the interest rate from doubling on July 1 for those borrowers.

So with the bill before us, we are considering a pragmatic and fiscally responsible solution to this problem that will keep interest rates low for more than 7.4 million students. Again, the bill is fully paid for, and we offset the cost by raising revenues in a way that will provide a solution to a long-standing problem in the Tax Code that has been subject to widespread abuse.

Now, let me just define how this measure is paid for. For many years we have seen avoidance of properly owed Social Security and Medicare taxes by some subchapter S stockholders who can declare that a portion of their income is effectively profit and therefore not subject to Social Security or Medicare taxes. This is not supposed to be a choice that is made at the whim of the taxpayer. It should be based on objective facts. The offset in this legislation does just that. It creates a bright-line test for a small share of subchapter S shareholders—basically, those engaged in professions such as doctors, lawyers, accountants, consultants and lobbyists—whose financial gains they have come from the work they do.

It is narrowly tailored to cover only those subchapter S organizations in which there are three or fewer stockholders, and only for those earning $250,000 on joint filings. With this bright-line test, the Medicare and Social Security trust fund will receive the funds that are properly owed, which are not received today because they are counted not as income but as profits.

My friends on the other side of the aisle have proposed a different offset to pay for keeping the interest rate at 3.4 percent. The bill that passed the House of Representatives and the legislation proposed by Senator ALEXANDER of Tennessee would offset the cost of this bill by eliminating the Prevention and Public Health Fund which was created by the Patient Protection and Affordability Care Act.

In short, rather than put an end to a widespread abuse of the Tax Code, my friends on the other side of the aisle are proposing that we eliminate the sole dedicated source of Federal funding for critical investments in preventing disease and keeping women and children and elderly families healthy. They want to eliminate the Prevention and Public Health Fund.

Many of my Republican colleagues have acknowledged the critical importance of investing in prevention and wellness, which makes the use of this offset that is eliminating it all the more troubling. Preventing disease, expanding access to screenings, encouraging people to stop using tobacco—these used to be bipartisan goals strongly supported by a vast majority of Republicans and Democrats alike. So in the affordable care act we created the prevention fund, with the express goal of ramping up our investments in these prevention and wellness initiatives, again, with Republican support.

Here are quotes from two Republican leaders. Senator KYL, on July 12, 2010, just a few months after we passed the affordable care act, said:

> One of the things we did in the health care legislation was to provide a lot of different incentives for preventive care, for screening to try to help people avoid illnesses on the theory that it would be a lot cheaper if we didn't do a lot of treatment that was unnecessary.

I couldn't agree more.

The Republican leader, Senator MCCONNELL, said in an op-ed the same year, 2010:

Congress should be able to work together on our practical ideas that the American people support, such as . . . encouraging wellness and prevention programs that have proved to be effective in cutting costs and improving care.

That was less than 2 years ago, right after passage of the health reform law. But now Republicans are making outrageous partisan attacks on the prevention fund. I find this deeply disturbing and disappointing. It is not hard to imagine the message gurus, those who hone messages, telling Republicans: Here is all you have to do. Just smear the prevention fund by calling it a slush fund.

How many times have I heard that: the prevention fund is a slush fund? I have heard it in committee, I have heard it on the floor, I have seen it in print, Republicans calling the prevention fund a slush fund. Well, this is shameful. That term ''slush fund'' is a malicious untruth. Nothing could be further from the truth. The truth is the prevention fund has been a giant step forward for public health in our Nation.

Typically, prevention and public health initiatives are an afterthought. This means important community-based interventions often go unsupported. The prevention fund is making it possible for us to make national investments in evidence-based programs that promote physical activity, improved nutrition, and reduced tobacco use. Well, these are the investments we make.

This prevention fund, which Republicans want to eliminate, invests $226 million to reduce chronic diseases, including diabetes and heart disease. That minimizes the $440 billion a year in health care costs from heart disease alone. It invests $93 million for antitobacco education and support campaigns to minimize the fact that over 6 million kids will die from smoking if the current rates persist. It invests $190 million for childhood immunization programs, again, to minimize the $3 billion a year in unnecessary health care costs right now.

I might just add the lead editorial in today's New York Times said, ''No Longer Just 'Adult Onset'.'' That is the head of it. I will not read it all, but I think there are a few pertinent paragraphs in the Times editorial. It starts off by saying:

A study of diabetes in overweight and obese youngsters bears an ominous warning about future health care trends in this country. It found that Type 2 diabetes, a new scourge among young people, progresses faster and is harder to treat in youngsters than in adults. The toll on their health as they grow older could be devastating.

This new study was published in the New England Journal of Medicine. Reading further:

Some experts suggest that young patients at risk of diabetes need to be detected earlier and treated more aggressively. But the long-term goal should be prevention of obesity and of diabetes.

Congressional Republicans, meanwhile, are bent on dismantling health care reforms that could greatly assist in curbing the obesity epidemic. The Republican-dominated House last month narrowly passed a bill that would eliminate a Prevention and Public Health Fund, established under the reform law, in part to pay for lowering the interest rate on subsidized student loans for this year.

The fund is already providing grants to state and local governments to help pay for programs to fight obesity and prevent chronic diseases, including diabetes, in the community, the workplace and among minority groups that have high rates of obesity and diabetes. Killing off this program would be hugely costly to Americans' health and future health care costs. There is no explanation for this move, except for the usual anti-health care reform demagoguery.

I ask unanimous consent to have printed in the RECORD a copy of the full editorial.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NO LONGER JUST ''ADULT-ONSET''

THE VIRULENCE OF TYPE 2 DIABETES IN CHILDREN IS YET ANOTHER REASON TO FIGHT CHILDHOOD OBESITY

A study of diabetes in overweight and obese youngsters bears an ominous warning about future health care trends in this country. It found that Type 2 diabetes, a new scourge among young people, progresses faster and is harder to treat in youngsters than in adults. The toll on their health as they grow older could be devastating.

These findings provide more evidence of why the country must get the obesity epidemic under control—to improve health and to curb soaring health care costs.

Only two decades ago Type 2 diabetes was called ''adult-onset diabetes'' because it was seldom found in young people, who suffered primarily from Type 1, in which the patient's immune system destroys cells that make insulin, a hormone needed to control blood sugar levels. Type 2—thought to be brought on by obesity and inactivity in many people—has increased alarmingly and accounts for almost a fifth of newly diagnosed cases in young people.

Obesity increases the risk of many chronic diseases. And some 17 percent of American children from age 2 to 19 are now considered obese, roughly half the rate of obesity among adults.

The new study, published in The New England Journal of Medicine, tested three ways to attain durable control of blood sugar in youngsters between the ages of 10 and 17. None worked very well. Almost half of the 699 youngsters had to add daily shots of insulin within a few years to lower their blood sugar. Metformin, the standard drug used to treat Type 2 diabetes in children, failed to control blood sugar in more than half of the children. When lifestyle changes, including one-on-one counseling on how to lead a healthy life, were added to metformin, the results were only marginally better.

When a second drug was added, the results were significantly better. But the two-drug treatment still failed in 39 percent of the recipients, and the added drug, Avandia, has been linked to heart attacks and strokes in adults.

The findings are especially ominous because poorly controlled diabetes can lead to heart disease, stroke, blindness, amputations and kidney failure. The longer one has the disease, the greater the risk, so the fact that children are starting so young bodes ill for their futures.

Some experts suggest that young patients at risk of diabetes need to be detected earlier and treated more aggressively. But the long-term goal should be prevention of obesity and of diabetes.

Congressional Republicans, meanwhile, are bent on dismantling health care reforms that could greatly assist in curbing the obesity epidemic. The Republican-dominated House last month narrowly passed a bill that would eliminate a Prevention and Public Health Fund, established under the reform law, in part to pay for lowering the interest rate on subsidized student loans for a year.

The fund is already providing grants to state and local governments to help pay for programs to fight obesity and prevent chronic diseases, including diabetes, in the community, the workplace and among minority groups that have high rates of both obesity and diabetes. Killing off this program would be hugely costly to Americans' health, and future health care costs. There is no explanation for this move, except for the usual anti-health care reform demagoguery.

MORE TIME FOR JUSTICE

STATES NEED TO EXTEND THE TIME FOR VICTIMS TO BRING CLAIMS AGAINST SEXUAL ABUSERS

Hawaii significantly strengthened its protections against child sexual abuse last month when Gov. Neil Abercrombie signed a measure extending the statute of limitations for civil lawsuits filed by child victims. At least as important, it opens a one-time two-year window to allow victims to file suits against their abusers even if the time limit had expired under the old law.

Like similar laws in California and Delaware, the Hawaii measure recognizes some wrenching realities. It can take many years, even decades, before child abuse victims are emotionally ready to come forward and tell their stories in court. But by then, they may be barred from suing by the statute of limitations. For example, many suits against the Catholic Church have been blocked because the church's covering up for pedophile priests made it hard for victims to come forward until long past the time limit for bringing civil claims.

Hawaii's new law allows child victims to bring suits up to the age of 26 (it was 20), or three years from the time the victim realizes the abuse caused injury. The law's leading opponent was the Roman Catholic Church, which has been working hard to defeat statute of limitations reform across the country.

Lobbying by the church recently succeeded in blocking reform in Pennsylvania. But lawmakers in Massachusetts seem ready to follow Hawaii's example by passing similar reforms.

In New York, Gov. Andrew Cuomo has not yet indicated that he would support a measure sponsored by Margaret Markey in the Assembly to lift the statute of limitations for one year for civil lawsuits involving child sex abuse. After that year, an accuser would have 10 years after turning 18 to make a claim, instead of five years, which is the current law. Mr. Cuomo has voiced concern about fading memories and missing evidence, but those concerns need to be balanced with justice for victims and the need to stop abusers.

Like measures in other states, the Markey bill requires that a victim obtain a certificate from a mental health professional to

show there is a reasonable basis to believe the abuse occurred before a suit can go forward.

Getting the measure through the State Senate would be an uphill climb; previous attempts have failed, and Republican leaders have again vowed to stop it. Cardinal Timothy Dolan has made defeating statute of limitations reform one of his top legislative priorities. Mr. Cuomo's strong leadership will be needed if New York is to match Hawaii's accomplishment any time soon.

Mr. HARKIN. I don't know that I can make it any more clear than the New York Times editorial, and there is not the time to mention all of the ways this fund is already making Americans healthier. But I want to mention several representative investments that are happening, again, right now.

I mentioned those right here, the $226 million for diabetes and heart disease, the $93 million for antitobacco education, the $190 million, again, for childhood immunization programs.

I might just go back to that first on the heart disease because heart disease disproportionately affects women. Most people don't know that. I think most people would say the No. 1 cause of death in women today might be breast cancer. Not so. The No. 1 cause of death for women in this country is heart disease. Some 42 million women in America are currently living with some form of heart disease, and the World Health Organization estimates that a staggering 80 percent of heart disease, diabetes, and stroke could be prevented just from changes in smoking, nutrition, and physical activity alone. That is what this prevention fund is doing right now.

Moreover, this investment by the prevention fund isn't only saving lives, but it is saving money. Right now, heart disease costs our Nation about $440 billion a year. We can reduce those costs.

I might also mention smoking. Cigarette smoking also kills an estimated 173,000 women every year. If current smoking rates persist, more than 6 million kids will die from smoking.

The new national antitobacco ad campaign called Tips From a Former Smoker is being supported by this prevention fund. I think many of us probably have seen these ads. They are extremely powerful and effective ads, and they are going to save lives. In fact, this ad campaign is expected to inspire a half million quit attempts and help at least 50,000 Americans quit smoking forever.

I might just add that within 2 days of these ads first appearing, the number of phone calls to quit-smoking lines tripled from people who wanted help in quitting smoking.

I mentioned the immunization programs for kids. These investments from the prevention fund aren't just at the national level, they are also in our communities. This fund is helping States and cities and towns to implement evidence-based programs that meet their particular local needs.

For example, in Illinois, the State has made improvements to its sidewalks and has marked crossings to increase levels of student physical activity. Because of these improvements, the number of students who are walking to school has doubled. That is a good thing. So not only is this good for their health; it is expected to save the school system about $67,000 yearly on bus costs.

In Mobile, AL, Mobile County officials enacted a comprehensive smoke-free policy expected to protect 13,000 residents and visitors from being exposed to secondhand smoke.

All across America, the prevention fund is investing in proven, locally developed programs that promote health and wellness. These evidence-based programs not only improve health but, as I said, will help us save money in health care costs.

According to a new study by the Centers for Disease Control and Prevention, programs such as the National Diabetes Prevention Program could prevent or delay nearly 885,000 cases of type 2 diabetes, saving our health care system about $5.7 billion over the next 25 years. The National Diabetes Prevention Program is a public-private partnership of health care organizations working together to prevent the type 2 diabetes the New York Times editorial was talking about. Given that in 2007 diabetes alone accounted for $116 billion in direct medical costs, it is critical we continue these investments.

Again, here is how this investment is returned, the return on investment for public health care spending. For every $1 spent on childhood immunizations, we save $16.50—proven; tobacco control programs, for every $1 we save $5; for chronic disease prevention, for every $1 we save $5.60; for workplace wellness programs, $3.27. If we want to look at it just in terms of dollars and not just in terms of lives, we are saving money also.

The prevention fund's investments in cancer prevention also provide an opportunity to save lives and money. In 2007, the direct and indirect costs of cancer, which account for nearly one out of every four deaths in the United States, totaled about $123 billion. Earlier this year, researchers found nearly half of U.S. cancer deaths could be prevented—again, through the kinds of programs the prevention fund is funding today. Preventable U.S. cancer deaths, about 50 percent; preventable deaths from heart disease, diabetes, and stroke, about 80 percent. This is what the prevention fund is going after. For the life of me, I have never understood those who want to get rid of the prevention fund, yet are willing to pump untold billions, trillions of dollars into patching, fixing, mending surgery and health care costs down the line. Perhaps my friends on the other side of the aisle never learned the old axiom of Ben Franklin about an ounce of prevention is worth about a pound of cure. Here, an ounce of prevention is worth about 10 pounds of cure or more.

The list goes on. Recently, the Trust for America's Health released a study showing that a 5-percent reduction in the obesity rate could yield more than $600 billion in savings on health care costs over a 20-year period of time—a 5-percent reduction. Studies such as this one confirm what common sense tells us, that prevention is the best medicine for our bodies and for our budgets. That is why nearly 800 organizations have spoken out against these misguided efforts to slash or eliminate the prevention fund. These organizations, such as the Young Invincibles, the U.S. Student Association, the American Diabetes Association, the Campaign for Tobacco-Free Kids, have all said: No, don't cut, don't eliminate the prevention fund.

Despite misguided efforts to cut or eliminate the Prevention and Public Health Fund, most Americans understand what is at stake. Prior to the prevention fund, for every $1 spent on health care, 75 cents went to treating people with chronic illnesses and only about 4 cents went to prevention: 75 cents taking care of people later on with chronic diseases that are preventable, only 4 cents out of every $1 went to prevention. This underinvestment has had devastating consequences. Nearly half of American adults have at least one chronic condition. Yes, you heard me right. Nearly half of American adults have at least one chronic condition, and two-thirds of the increase in health care spending between 1987 and 2000 was due to the increased prevalence of chronic diseases. So two-thirds of our budget, of the increase in spending, is on chronic diseases. Yet since we can reduce those chronic diseases through prevention, one would think we would want to increase that 4 cents a little bit—4 cents on the $1 we are spending right now. This prevention fund gives us an unprecedented opportunity to bend the cost curve.

How many times have I heard about bending the cost curve in medicine? The best way to do it is to prevent chronic diseases. The transformation of America into a true wellness society, a society that focuses on preventing diseases, saving lives and thereby money is the most cost-effective way to proceed. As we can see, to slander the prevention fund as a so-called slush fund is a shameful mischaracterization. This fund is saving lives and saving money. Eliminating this fund—as proposed by my friend from Tennessee—would be bad public policy, a serious case of misplaced priorities. The very idea that Republicans would slash prevention in public health care so a small group of high-income taxpayers can continue to

abuse the Tax Code I find simply unacceptable.

Before I close my remarks, I would like to address an egregious mischaracterization that I have heard from the other side of the aisle. Some Republicans claim Democrats, in our historic reform of the student loan program, took money that had been going to students and used it to pay for the health care bill. I have heard that a lot of times. Again, that is simply not so. The reforms passed by Democrats in Congress—I might add over vehement Republican opposition—did not take a single dime from students. Instead, the bill eliminated wasteful, taxpayer-funded subsidies to banks by converting all new Federal student loans to a more stable, reliable, cost-efficient direct loan program and redirected that money to students, to deficit reduction, and some important health care reforms.

The money did not come from students. The money came from the subsidization we have been giving to banks. Specifically, thanks to the huge savings generated by eliminating wasteful subsidies to banks, what we were able to do with that—we provided increases in the maximum Pell grant award to keep up with inflation. We provided funding for minority-serving colleges and universities. We made a major investment in community colleges, creating a community college and career training grant program. We were able to make loan repayment more manageable by capping a new borrower's loan payment at 10 percent of their net income and, for some, forgiving any remaining debt after 20 years of payment.

That was all done by stopping these wasteful subsidies to banks and putting it into the direct loan program. Again, we provided more than $10 billion in deficit reduction at the same time we were able to expand the Community Health Center Program to ensure access to lifesaving medications and to expand vital consumer protections to millions of Americans with private health insurance—protections we put in such as banning lifetime limits, requiring dependent coverage, prohibiting cancellation of coverage due to an illness. In other words, thanks to the education reform bill, students benefited, the middle class benefited, taxpayers benefited, and health care consumers benefited. For my friends on the Republican side, had they had their way and had those reforms been defeated, only the banks would have benefited.

Indeed, I kind of detect a pattern. When we Democrats were fighting to end this subsidy to banks so we could dramatically increase college grants and loans for middle-class and disadvantaged students, my friends on the other side of the aisle stood with the banks and did everything they could to kill the reforms. Likewise, today Democrats are fighting to prevent a 100-percent student loan rate hike. We want to fully pay for it by correcting a provision in the Tax Code that allows a small group of wealthy Americans to avoid paying some Social Security and Medicare taxes. Republicans are going to the mat to prevent those wealthy taxpayers from having to pay their fair share. Instead, how do they want to pay for keeping the interest rate down? By gutting the prevention fund, killing it, eliminating it—the very fund that is investing in initiatives to fight cancer and heart disease and to protect the health of our children, our women, and our elderly.

What they are proposing is bad public policy. It is bad priorities. We need to be putting the middle class first. We need to be putting students struggling to pay for college first. We need to be putting public health care and prevention first—put all those out there. To make these things possible, we should ask a small group of wealthy Americans to put their country first and stop abusing this provision, this loophole in the Tax Code. I urge my colleagues to support the Stop The Student Loan Interest Rate Hike Act and to support the offset currently in the bill.

Five years ago, the original law that reduced the student loan interest rate to 3.4 percent passed with overwhelming bipartisan support and was signed by a Republican President. I hope we can find common ground to pass this new legislation with that same kind of broad and bipartisan support.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am glad I had an opportunity to hear the distinguished Senator from Iowa, who is my friend and the chairman of the Health, Education, Labor and Pensions Committee. I wish to address the same subject he did, but I want to hasten to summarize it at the beginning to say that we agree. By we, I mean Governor Romney, the likely Republican nominee for President, President Obama, the House Republicans, I, and others agree that for the next year we should keep the interest rate on 40 percent of new student loans at 3.4 percent. There is no difference of opinion on that.

What is different is how we propose to pay for it. The distinguished Senator from Iowa has actually outlined the difference of opinion very well. What we are saying, what the Republicans are saying, is that in order to pay for the $6 billion it will cost taxpayers to keep that 3.4 percent interest rate the same for the next year, we want to give to students—give them back their own money, the money the Democrats are overcharging them on their student loans. The Senator from Iowa went through a very careful explanation on that which was largely correct. He pointed out that at the time the majority decided it would make the Secretary of Education the Nation's leading banker and put him in charge of administering what is becoming to be nearly $1 trillion worth of student debt—in other words, take it away from banks and make the government the banker—that there was about $61 billion in ''savings.'' That is from the Congressional Budget Office.

Our friends on the other side of the aisle argued those were unnecessary subsidies to banks. Let's say, for the moment, for the sake of argument, they are correct about that. That $61 billion is money students were paying in interest on their student loans. Wouldn't the logical thing to do be to let the students keep the money? If we truly cared about college tuition going up and student loans rising, wouldn't the thing to do be to say: We have done a big favor to you students—the government has been overcharging you on your student loans, all 18 or 19 million of you who have student loans—so instead of the rate of 6.8 percent, which it is for most students, we are going to lower that rate to 5.3 percent.

That is not my number. That is the number the Congressional Budget Office said. We could have that $61 billion our friends on the other side said the government is overcharging students and we could reduce the average loan of about $25,000 to a 5.3-percent rate instead of 6.8 percent and that would save the average student on the average loan about $2,200 over 10 years. But they didn't do that. They spent it on more government; $10 billion to reduce the debt and $8.7 billion to pay for the health care bill. So what we are saying is in order to freeze this rate at 3.4 percent, let's give to students the money they were paying. Instead of paying for the health care bill, let's reduce the student rates. That is the difference of opinion here.

Of course, our friends on the other side of the aisle have a better way, in their opinion. Not only do they want the students to continue to pay for other government programs, and some money for the health care bill, they want to raise taxes on job creators in the middle of the longest recession we have had since the Great Depression.

Let me go back to the beginning point here. We are talking about something that was reflected very well in the New York Times yesterday. I noticed the Senator from Iowa talked about the New York Times. Here is the national section from yesterday talking about what is going on in California.

Angry about tuition increases and cuts in courses and enrollment, a dozen students at California State University have taken their protest beyond marches . . . and declared a hunger strike.

The fasting protest was the latest display of anger at the 23 California State University campuses. The system has lost roughly $970 million in state financing since 2008.

The University of California is probably the best public university in the world. It has lost nearly $1 billion in State funding since 2008, and the students are fasting. They are upset about the tuition increases. Why is the tuition increasing? Well, the administrators say if we lose $1 billion from the State for our State universities, the money has to come from somewhere to pay for excellence in our universities, so we increased the tuition. That story has been going on all over the country. Why is that happening?

The President has put this issue on the table. I think we need to discuss it. Why are they fasting in California, protesting tuition increases? In the last year why did State funding for the University of Tennessee and Tennessee's community colleges and Tennessee Tech go down 15 percent last year? The main reason is the Federal Government's health care policies and its Medicaid mandates on States that are soaking up State dollars on Medicaid that would otherwise go to pay for public universities.

President Obama did not start this policy—it has been going on for 30 years—but he is making it much worse with his health care law. And when it takes effect next year, the Kaiser Family Foundation says that States, which already are spending one out of four of their State tax revenues on Medicaid, will see a 29-percent increase in their spending on Medicaid. What will that do? What that will do is force California, Tennessee, Connecticut, and Iowa to look in their State budgets, to take the money that most likely would have gone for the colleges and community colleges and public universities and instead spend it on Medicaid. Those Federal Medicaid mandates are soaking up money that would otherwise go to public colleges and universities, and as a result of that, universities are raising tuition. As a result of that, loans are up, students are fasting, and the President is on the campaign trail promising to fix it.

Let's talk about his fix. First, it is the political season, so Senators, and all of us, need to listen very carefully when someone begins to stir the crowd about a popular issue, and surely being able to pay for college is a popular issue. We hope all American students who want to have a college degree will be able to go and afford to go to college. Our Federal Government goes to great efforts to make that possible.

Half of the students who go to colleges and universities in America—there are 6,000 of them—have a Federal grant or loan to help pay for college. We have more than $100 billion in new loans going out this year from the American taxpayer. That is from people out there working and paying taxes—the UAW member, the teacher, their taxes are going to loan more than $100 billion to students this year. The amount of money for Pell grants this year is over $41 billion.

The University of Tennessee in Knoxville is a fine campus where the tuition is about $7,400 a year, which is a good bargain at a great university. Almost all the students show up with a $4,000 State scholarship called the HOPE scholarship. For a quarter of the students who are low income, they have Pell grants that carry them above the amount of tuition. State and local governments have made a great effort to try to make it easier for our young people and older people to continue their education, and we want to continue to do that. There is a bipartisan effort on that.

Now the specific issue at play here, and the one we are likely to vote on tomorrow, has to do with one type of those student loans, and let's try to put that in perspective.

The Democrats have a version and the Republicans have a version. I offered a version which would pay for it by giving back to students the money the government is overcharging them. The Democrats have one that would raise taxes on people who create jobs. But whatever one passes—if one were to pass—would save average students on new loans about $7 a month in interest payments for the next 10 years. That can add up. That could be $83 in a year, $830 over 10 years. But that is what we are talking about, $7 a month in savings or $7 a month in interest payments on the average loan, and that is for 40 percent of the new loans. So if you have a student loan and it is at 3.4 percent, that is not going to change. There are 40 percent who have student loans today that they took out last year at about 3.4 percent. Most everybody else is at 6.8 percent, which is a good deal lower than you could get with a private loan. A private loan is one where you go to a bank and say: I am going to college and I don't have a job so I need to borrow money. You may get it, but they are going to charge you more because you may not be able to pay it back as well as somebody else.

We have agreed on this—at least we agreed on the policy, but not how to pay for it. The President has agreed on it and Governor Romney agreed on it. For the next year we wish to take 40 percent of new loans and keep them at the 3.4 percent rate, and then later in the year—earlier next year—when we look at our entire budget, how much money we have to spend, the size of the debt, which is of great concern to all of us on both sides of the aisle, we will see what we can afford to do. That is the first question.

But I am glad the President has been going to college campuses. I am glad he has raised the issue of student loans and college tuition because as a former Governor of Tennessee who cares deeply about education and as someone who was also U.S. Education Secretary about 20 years ago, I have been trying for 20 or 25 years to get Washington to pay attention to the idea that it is ruining our public colleges and universities where these Medicaid mandates soak up the dollars that ought to go to public colleges and universities. Three-quarters of our students go to public universities such as the University of Tennessee or Iowa or Iowa State or California or the community colleges, which are our secret weapon. And even with the rising tuition, those costs are at least reasonable now. I mean tuition at a community college in Tennessee is about $3,000. Nationally the average tuition for a 4-year public university is about $8,200. It is not easy to find the money for that, but it is still within range.

What has happened in the last 25 years? I can tell you what happened in my State. I visited with the retiring president of Tennessee Tech University, a fine engineering school. He said two things: One, over the last 3 years State funding for his university—and for most in Tennessee—has gone down by 30 percent. That is not a 30-percent reduction in the rate of growth, that is a flat-out cut. And why has that been happening? Well, our current Governor, a Republican, and our former one, a Democrat, have said what I know and every Governor knows: when you make up your State budget and you get down toward the end of it, you make a choice between Medicaid and higher education. And because Medicaid is run from Washington with specific mandates on states, the States end up having a stranglehold put on them, and in effect, if they participate in the program, they are forced to make decisions about eligibility and how much they spend, and there goes the money. There goes the money and it doesn't go to the public colleges and universities, resulting in less money, higher tuition, and more loans.

The fasting students in California—if I walked up to them today and said: I bet you didn't know that President Obama's health care policies are the reason you are hungry today, they wouldn't believe that. But the fact of the matter is not just the President's policies but the policies over the last number of years have gradually soaked up money that would make the University of California a great university and left it no recourse but to become more efficient, which it should, and to raise tuition, which it is doing.

I will give an example of how much difference this makes. In the early 1980s, I was a young Governor and I was making these budgets up. I would say: Well, about this much goes to K–12 education, and the courts are running prisons, so I will have to put that in, and

then the gas tax goes to the highways. And you get down to the end of the budget and you make a choice between Medicaid, the Federal program that States pay about 30 percent of, and education. I was trying to restrict funding for Medicaid and increase funding for education. I could see where we were headed over the next several years.

I went to see President Reagan. I had made an appointment. I saw him in the Oval Office. I said: Mr. President, let me propose a grand swap. He said: What do you mean, a grand swap? I said: We will take all of K–12 education in the States and you take all of Medicaid. He thought for a moment, and he said that sounds like a pretty good idea. My reasoning was that instead of Medicaid having two masters—one in Washington and the other among all the different Governors—if it had one, it would be managed better. If Washington ran Medicaid, Washington would have to pay for it all and make sure that it could be funded.

I thought then, and I still think today, that almost all of the responsibility for kindergarten through the 12th grade belongs as close to the child as possible—first with the family, then with the classroom, and then with the State. I believe that while there has been some important advocacy from Washington over the last 30 years, if we had made that grand swap 30 years ago, the Medicaid Program would be run better today and our public schools would be performing better today.

We could argue about that, but the one thing we could not argue about is the difference in money. Back then if we made the swap, the States would have come out ahead by about $4.5 billion. In other words, the Federal Government would have taken over Medicaid and the States would have taken over K–12. The States would have given back to the Federal Government the Federal aid for education and kept their Medicaid money. Four-and-a-half billion dollars was the difference in 1981 or 1982.

What would the difference be today if we made such a grand swap? It would be $92 billion. It would be $92 billion of extra money the States would have if today the Federal Government took over all of Medicaid and the States took over all of the responsibility funding for K–12.

That would mean in a State such as California where the students are fasting, California would probably have an extra $12 billion or $13 billion. Do you think much of that would go to the University of California to continue its excellence? Sure it would. Would much of it go to Tennessee Tech, the University of Tennessee, and the community colleges? It absolutely would.

What happened over the years is that these well-intentioned Federal health care Medicaid mandates have put a stranglehold on Governors, which is why I said when we were debating the health care law that I thought any Senator who voted for it ought to be sentenced to serve as Governor for 8 years and try to implement it.

I mentioned that last year Tennessee's State funding for higher education went down 15 percent. Guess what. State funding for Medicaid went up 16 percent. So there is a direct relationship: Medicaid up, State funding for public universities down, tuition and loans go up, and that is the real problem we have today.

I am glad the President has put this issue on the table. I am glad he is talking about it, and I hope Governor Romney talks about it. I hope what they agree to do is either to repeal the health care law or to repeal the Medicaid mandates and give States more flexibility. We can't pass a law in Washington, as we did 3 or 4 years ago with the stimulus, and say we are going to give you more Medicaid money, but, Mr. Governor and Ms. Legislator, you can't reduce State funding on Medicaid.

Lieutenant Governor Ravitch of New York, a Democrat, wrote an excellent article in the Wall Street Journal. At the time it said: If you tell New York that at a time when we are reducing revenues and say we have to keep spending on Medicaid, we have to cut something else, and the State University of New York gets cut. So New York cuts the State University of New York, tuition goes up, loans go up, and students are protesting.

It is not just the student protests that I worry about. We are at a time in our history when we are in a serious brain-power competition around the world. We have a lot of Chinese scholars who go from American universities home to their universities. In a bipartisan way—and the Senator from Iowa and I were part of it—we passed something called the America Competes Act a few years ago and reauthorized it so we could properly fund science and our innovation. Government-sponsored research has been an important part of our job growth over the last 30 or 40 years. Where is that done? It is done in our national laboratories or our great research universities. Well, at least half of our great research universities are public universities, such as the University of California, the University of Michigan, the University of Tennessee, the University of Connecticut. If we keep cutting government-sponsored research and the quality of those universities, our job growth won't be nearly as good in the future.

Here is another example of how much that has changed over the years. Thirty years ago in Tennessee, the State paid 70 percent of the cost of a student to attend a State university and the student paid 30 percent. We had an implicit agreement between the government and the student, and we said: If we increase your tuition, we will increase the State contribution by the same percentage. So we kept it at about 70 and 30, and it made it possible for a lot of students to go to college. What is it today? It is 30 and 70. It is upside down. Thirty percent of the support for colleges and universities comes from the State government and nearly 70 percent comes from the students. Why is that? The main reason is Federal health care mandates that put an unrealistic amount of money on top of States, and it is about to get worse.

I mentioned earlier the Kaiser Family Foundation, which estimates that next year States that are already spending $1 out of every $4 for Medicaid will see a 29-percent increase in Medicaid funding. This fast will have to go on a lot longer in California if that is going to happen. We can't cut $1 billion out of the University of California every 3 years and have it remain the best public university in the world. It is just not going to happen. And we can't raise tuition 6 percent or 8 percent every year and make college available to the large number of students that would like to go.

So I am glad the President and our friends on the other side in this political year have raised the issue of rising tuition and student loans. We agree on the little issue before us. We would all like to take that 3.4 percent interest rate and extend it for a year. That costs $6 billion. That would affect new loans and only 40 percent of the students. But we agree on that, the President agrees, and Governor Romney agrees. That is not an issue. The issue is, do we raise taxes on job creators or do we give back to students some of the money we are continuing to overcharge them on student loans? That is the issue. The larger question—and one that I hope we all address this year in our debates and that the President and Governor Romney address in their debates—is, What about the future of our public colleges and universities, where three out of four American college students go? How are we going to maintain their quality and maintain the opportunity for access to them if we continue to impose Medicaid mandates on States that soak up the money that ought to be going for excellence in higher education and the greatest amount of opportunity for students by keeping tuition rates low? That is the real issue.

While President Obama is not responsible for what went on before he became President, he has made that condition much worse. If he is going to bring this up on the campaign trail, I hope he tells the rest of the story, which is that he and his health care and Medicaid mandate policies are a principal part of the reason and I would say the main cause going back over the years as to the reason California students are fasting, Tennessee students

saw an 8-percent increase in tuition, and all across the country college presidents know very well that the reason there have been such reductions is because of Federal Medicaid mandates.

I hope we have an opportunity tomorrow to vote not only on the Democratic proposal to keep student loan rates at 3.4 percent but also on the Republican interest rate reduction act that I have proposed, which would also keep the rates at 3.4 percent but pay for it by stopping the overcharging of students to help pay for the health care law.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, first let me say that I very much appreciate the comments of the Senator from Tennessee and his leadership on this issue. I join him in hoping we will be able to vote for the alternative he has provided, which is a more sensible way to ensure that this increase in student loan interest fees does not continue.

Many students who entered college 4 or 5 years ago believing that higher education would improve their prospects for getting a good job are now, sadly, very disappointed. The Obama economy is going to let them down. According to a recent Associated Press story, one out of two recent graduates is either unemployed or underemployed. The article cites a new analysis based on government data which found that young college graduates ''are heavily represented in jobs that require a high school diploma or less . . . that's confounding their hopes a degree would pay off despite higher tuition and mounting student loans.''

At this time, most of us agree that Congress should extend the lower interest rate on certain Stafford loans. Unless we do, interest rates will double to 6.8 percent this July. There are competing proposals to accomplish this extension, as Senator ALEXANDER pointed out. Unfortunately, the majority leader's proposal is going to make the underlying jobs problem worse by burdening job-creating businesses with new taxes and compliance costs. Let me illustrate how this occurs.

In order to pay for the $6 billion cost of extending the 3.4-percent interest rates for 1 year, the Reid bill attempts to do what nearly every bill proposed by Senate Democrats this session has done: It permanently raises taxes on job creators in order to pay for temporary spending. Worse, the majority is attempting to divert dollars that are supposed to go to Medicare or Social Security in order to fund completely unrelated spending.

In this case, the legislation singles out certain professional service businesses for a punitive tax hike, including those in the fields of health, engineering, architecture, accounting, actuarial science, performing arts, and athletics. Ironically, these are some of the fields in which there is actually demand for new employees, according to the AP story I referenced earlier.

The tax hike would hit business owners who perform services for their businesses and make $200,000 or, if they are married, $250,000. If the IRS determines that 75 percent or more of the business's gross income is what this bill describes as ''attributable'' to the services of three or fewer owners, then this bill would make the owners pay payroll taxes on 100 percent of their share of the business profits even if some of that profit had nothing to do with the owner's work. In addition, if family members also own a piece of the business, then the working owner will owe additional payroll taxes on the family members' share of the business even if that family member provides no services.

Obviously, there are several problems with this approach. Let's start with the most obvious: It takes more money from the private sector and gives it to the government at the very time when we want the private sector to have enough to create new jobs. Second, it rewrites the laws of income from labor and income from capital investment. This should not be done lightly, especially since confiscating more from small businesses means they will be less able to expand and create more jobs.

Underscoring that this proposal is a tax increase and not a mere compliance measure, a coalition of 37 organizations that represents small businesses wrote a letter explaining that it ''could increase the payroll tax burden on business owners who are already fully complying with the law. For those businesses, this provision represents a tax increase rather than a clarification of existing tax burdens.''

I ask unanimous consent that the text of this letter be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. I thank the Chair.

So a bill that is intended to help students would actually make their job prospects even bleaker when they graduate. The American Institute of Architects said of the Reid proposal:

> If we're trying to make it easier for our college graduates to get started in their career and become contributing members of society, increasing taxes on those who would most likely hire them is simply bad public policy.

Payroll taxes are already scheduled to become more punitive for the small business owners targeted by this bill. Under ObamaCare, the Medicare portion of their payroll tax will rise from 2.9 percent to 3.8 percent, and another 3.8 percent will be assessed on their investment income.

To add insult to injury, this bill exposes family-owned businesses to double taxation. For example, in a business with three family member shareholders in which only two provide substantial services, those two family members would be responsible for payroll taxes on their own incomes and then both of them would have to pay payroll taxes on the income of their third family member.

Applying this rising payroll tax to even more small business income is a terrible recipe in a time of a weak economy. At a time when businesses are struggling to hire, the last thing Congress should do is to make a bad situation worse.

Now, the other side will argue that their bill is intended to prevent cases of tax abuse, so let's look into that. According to the IRS, 4.5 million S corporation tax returns were filed in 2009. Data from the Treasury Department shows that S corporations account for nearly 40 percent of small businesses with employees. As these numbers showed, doing business as an S corporation is popular because it allows a business to avoid the double taxation of income that comes with organizing as a C corporation. The business income of these and other so-called flowthrough organizations is taxed as individual income by the IRS.

Given the prevalence of flowthrough businesses in our economy, it is not surprising that there has been some abuse from some S corporation shareholders who pay themselves small salaries in order to avoid paying Medicare and Social Security payroll taxes owed on their compensation. The IRS is well aware of this potential and has developed and implemented tools to go after firms and individuals who do not pay appropriate payroll taxes through what the IRS calls the reasonable compensation test. This test has been used for over 50 years, and the IRS has won a number of cases against taxpayers who paid themselves compensation that was deemed less than reasonable, most recently in last year's United States v. Watson decision.

The Reid bill would impose a different standard—one that is arguably more confusing and less enforceable than the current IRS reasonable compensation test. Under the Reid bill, small businesses and the IRS will be asked to determine whether 75 percent of the small business income is ''attributable'' to the services of three or fewer shareholders. How on Earth is the IRS going to determine which income is attributable to the work of a particular shareholder and not to other employees or to capital investments? For example, if a business has three physical therapists, how will the IRS know whether the business's income is substantially due to their services or whether at least part of it relates to the fact that they hired talented front

office staff, did marketing, bought a building in a good location, have a comfortable waiting room, implemented an efficient billing system, and invested in state-of-the-art medical equipment? Let's say an IRS agent manages to determine that exactly 75 percent of the business's income is attributable to the services of the three physical therapists. That means 25 percent of the business income was not due to their services, but the bill would impose payroll taxes on that portion as well. In other words, this bill would impose taxes on business income that is due to capital investment, which should not be subject to the payroll tax, and to the work of other employees who have already paid their payroll taxes. Payroll taxes should only apply to labor income, and they should only be applied once. That is current IRS policy and it is good policy.

As one commentator noted last week, the Reid proposal will be a ''jobs program for tax lawyers defending clients before the IRS.'' To determine what percentage of business income is ''attributable'' to services performed by certain shareholders of an S corporation will be a boon for lawyers and CPAs but not for the professional service businesses that wish to expand and hire.

Those of us who were here in 2010 argued against ObamaCare, among other reasons because it relied on student loans to pay for part of its costs. A more prudent way to extend the 3.4-percent interest rate on student loans is to cut at least $6 billion in ObamaCare spending, which is exactly what the House of Representatives recently voted to do. The House bill would cut spending from an unaccountable ObamaCare slush fund, formerly known as the Prevention and Public Health Fund.

This approach, which our colleague Senator ALEXANDER spoke to a moment ago, and of which I am a cosponsor, fully offsets the cost of a 1-year extension of the subsidized interest rate and directs an additional $6 billion toward debt reduction. This ensures that job-creating capital will not be diverted from small businesses to fund a temporary unrelated spending program.

Notably, President Obama's own budget request recommended cutting this very same ObamaCare slush fund, and he has already signed into law legislation that cut $5 billion from it.

Finally, I want to express my dismay at the lack of urgency from the majority about the most pressing issue facing small businesses and those college graduates seeking work; that is, the automatic tax increase for all Americans on January 1 of next year—the largest tax increase in the history of our country. The legislation on the floor today will not become law. The majority knows that. It is another political showboat. We know this because this Chamber rejected a similar tax hike 2 years ago when the majority had 59 Senate seats, and we know the House of Representatives would not pass the legislation.

As the senior Senator from Utah noted last month:

Senate Democrats are fiddling while Rome burns.

That is because, in 8 months, as I said, the largest tax increase in American history will take effect on individuals, families, and businesses. Taxes on income, capital gains, dividends, family-owned farms and estates will skyrocket. As previously mentioned, new taxes on investment and payroll from ObamaCare will also take effect.

Even without the tax increase in this Reid bill, small business owners are facing a marginal tax rate increase to nearly 41 percent, a regular payroll tax rising to 16.2 percent, and an additional 3.8-percent payroll tax on investment income. And we want these people to hire more, to create more jobs?

Instead of wasting valuable time on a bill that will never become law, I hope my colleagues on the other side of the aisle will end their obsession with class warfare and start focusing on the most pressing issue at hand: stopping policies that will do further damage to our already weak economy. Defeating the majority leader's latest tax hike proposal will be a good place to start.

EXHIBIT 1

MAY 3, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Capitol Building, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Capitol Building, Washington, DC.

DEAR SENATORS REID AND MCCONNELL: As organizations representing millions of employers, we strongly oppose the provision in S. 2343 to increase payroll taxes on S corporations and partnerships by $9 billion.

While we are sympathetic with efforts to ensure that taxpayers, including business owners, fully comply with the tax law, we are concerned that the new rules envisioned by S. 2343 are less clear and less enforceable than current law and will do little to increase compliance.

On the other hand, they could increase the payroll tax burden on business owners who are already fully complying with the law. For those businesses, this provision represents a tax increase rather than a clarification of existing tax burdens. Businesses engaged in service professions have employees and capital investments. S. 2343 would apply payroll taxes to the income attributable to both, thus blurring the line between payroll taxes imposed on wages and salary, and income taxes applied to other forms of income.

While the authors describe the targets of this provision as lobby shops and law firms, the application of the ''Professional Service Business'' definition included in the bill is much broader and could embrace a significant portion of the American economy. Closely-held businesses engaged in health, real estate, engineering, architecture, consulting, financial services, billing, and other fields could be affected. Moreover, once the line between earnings from labor and capital is removed, we are concerned that this provision could be expanded to include other, more capital intensive industries.

Under S. 2343, the active shareholders of service sector S corporations would be required to pay payroll taxes on all their income from the business—wage and business earnings alike—if the S corporation is a partner in a professional service business or if 75 percent or more of the gross income of the S corporation is attributable to the service of three or fewer shareholders.

This new approach, particularly the ''principal rainmaker'' test, is neither clear nor more enforceable than existing rules. These rules have been in effect for over half a century, and the IRS has repeatedly and successfully used them to ensure that active S corporation shareholders pay themselves a reasonable wage, most recently in Watson v. US (2011).

Legislation similar to the payroll tax provision in S. 2343 failed to move through the Senate in 2010. Like S. 2343, that provision was made public at the last minute and brought directly to the Senate floor. It was not considered by the full Finance Committee, nor was it subject to an open amending process the Senate floor. Now, two years later, we are presented with a similar policy to be debated in a similar, truncated manner.

Finally, we are concerned that the permanent payroll tax increase in S. 2343 would be used to fund a temporary program—however worthy—outside of the Medicare or Social Security programs. Moving forward, we would argue that payroll tax collections should be reserved for Medicare and Social Security and not diverted to offset unrelated federal spending.

Thank you for your consideration of our concerns.

Sincerely,

Air Conditioning Contractors of America; American Bankers Association; American Council of Engineering Companies; The American Institute of Architects; American Rental Association; American Supply Association; Associated Builders and Contractors; Associated Equipment Distributors; Associated General Contractors of America; Automotive Aftermarket Industry Association; Financial Executives International's Committee on Private Company Policy; Financial Planning Association; Financial Services Institute, Inc.; Independent Community Bankers of America; Independent Insurance Agents & Brokers of America; International Foodservice Distributors Association.

International Franchise Association; National Apartment Association; The National Association for the Self-Employed; National Association of Convenience Stores; National Association of Wholesaler-Distributors; National Electrical Contractors Association; National Federation of Independent Businesses; National Funeral Directors Association; National Grocers Association; National Multi Housing Council; National Restaurant Association; National Roofing Contractors Association; National Small Business Association; National Utility Contractors Association; Printing Industries of America; Professional Beauty Association; The S Corporation Association; Truck Renting & Leasing Association; U.S. Business and Industry Council; U.S. Chamber of Commerce; Wine & Spirits Wholesalers of America.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, there is no reason we should be having this debate

today. Freezing student loan interest rates for 1 year during tough economic times is something I believe we all agree on, so it should be relatively simple to accomplish. The President supports it, Governor Romney supports it, and a bipartisan majority in both the House and the Senate supports it. Given this kind of agreement, I see no reason why both sides could not have a good-faith discussion on where to find the $6 billion in savings in a government with a budget that spends nearly $2 trillion annually. Actually, we spend more than $2 trillion annually.

I would mention, this bill has not been to committee. I hope the American people have noticed that bills that go to committee and then come to the floor are usually successful. I hope they also notice that bills that do not go to committee and come to the floor are usually not successful; they are usually a political statement. That is what we have here again today.

This is how it works: You bring a bill that you know the other side—well, in fact, this body has already voted on the concept of this tax before and defeated it. They know with that provision in there, this common interest will fail. So why do they do it? Well, you notice this is a motion to proceed and requires a cloture vote. So 40 of us can stop this bill, and will stop this bill in the condition it is in without having gone to committee. But when we stop things, it seems those Republicans think that students ought to be paying more interest. That is the part that is wrong. The part we are disagreeing about is how to pay for it.

Pay for it? We have an economic judgment day coming in this country because of the debt we are running up on a daily basis. That is what put the world into kind of this funk anyway. I am not sure what is going to happen now that France has decided they are not going to have austerity and Greece has decided they are not going to have austerity. Now they have leaders who say they are going to fight any kind of austerity. It could put the world in a real crisis.

But what we are talking about is whether to keep the student interest rate at the low rate that it is right now, and we are going to have to vote on a bill that we are going to have to defeat because of the pay-for in it, which will make it look as though Republicans want to raise the rates on students, and that is not true.

But the majority prefers to pick a fight rather than help students during these tough economic times. What do I mean by this? After initially reaching out to my staff, indicating their willingness to work toward a bipartisan solution, they leaked their proposal before talking to us, which contained the offset they have in here.

There could be a solution. We have to counter with one and ask that there can be two side-by-side bills. That means we can have one they vote against, so we can say they did not want to keep student rates low, which is also wrong. But somehow we have to figure this out, and we have to do it in a bipartisan way. That means probably neither suggestion that is up right now is the one that is going to work.

The majority would have Americans believe their bill simply closes a loophole used by wealthy doctors and lawyers and other professionals who organize as an S corporation in order to avoid payroll taxes. Well, let me tell you about taxes. If you are in one of those small business S corporations, you pay your taxes. You pay them on the year the company earns them—not the year the dividends are distributed. The year the company earns it, you pay all of the taxes that are due on that piece of money, even though you have to leave it in your business, so you can keep reinventing your business, so you can stay in business, so you can maintain the jobs you already have, and, hopefully, add a few. That is what an S corporation does. It says: We are going to give you this big break. We are going to let you pay your taxes upfront, even though you cannot take the money out.

But what we are talking about here is payroll taxes. Payroll taxes are the money all of us put in as an investment for our Social Security and our Medicare. That is what payroll taxes are. That is what we are talking about now, charging on this money that has already had all the income taxes paid on it and, incidentally, has also had payroll taxes paid on it.

The IRS is already given the authority to check and see if people are taking out a de minimis distribution. There is an amount you have to take out of your business and you have to claim it for salary. You cannot hide it as if you were rich or something. It does not work that way. The IRS has rules. The IRS can claim those payroll taxes. But what we are talking about now is taking those payroll taxes—payroll taxes, remember, are Social Security and Medicare payments; they are investments in your Social Security and your Medicare—we are talking about taking those and subsidizing student loans.

Medicare is in trouble and, once again, we are talking about stealing from Medicare. We did that in the health care bill. We took half a trillion dollars out of Medicare and we put it into new programs. We did not put it into a doc fix. You keep hearing us talk about the doc fix. We are not paying the docs enough that they want to take any new Medicare patients. Well, we did not take the money in Medicare that might have been used and use it in Medicare to keep the Medicare system running. No. We put it into new programs so we could say this health care plan was paid for.

Now we are saying we are going to use those payroll taxes and we are going to use them to subsidize the student loans. When does Medicare ever get the money to pay for Medicare? Oh, that is right, we have a new board now—an unelected board—and this unelected board will tell us each and every year where we have to cut in Medicare in order to pay for Medicare, even though we stripped all this other money out that could have paid for Medicare. What a deal.

Well, here we go again. This tax would end the payroll taxes by shifting them into the student loans. When we are talking about pay-fors, we do all kinds of crazy things around here, and we should not be doing them. We should be a little bit more straightforward, not just with the students but with the American taxpayer. In reality, this is an irresponsible tax increase on small businesses at a time when we need small businesses creating jobs so college students have employment opportunities when they graduate.

In Wyoming, S corporations are family owned small businesses working hard to keep their businesses afloat. As I mentioned, they get to pay their taxes even if they cannot draw the money out and use it. So, for instance, small motels, small architecture firms, and groups of engineers might choose to operate as S corporations. Or they could be a full corporation, and then they would have some of the same benefits Warren Buffett has. Warren Buffett makes millions and he does not have to pay payroll taxes on that. But we did not suggest ending Warren Buffett's payroll tax-free money. We are only going to do this to the small business corporations. Sounds fair? I do not think so.

This will also hurt family businesses in another way. For example, a son who is taking over an accounting practice from his father could be hit with substantial payroll taxes if he owns, for example, 10 percent of the firm, while his father, who is no longer active in the business, retains the other 90 percent.

These are not the tax scofflaws that the majority suggests this tax will impact. They are real, small businesses that are the fabric of the American economy. Small businesses accounted for 65 percent of the 15 million jobs created between 1993 and 2009. So rather than increasing taxes on small engineering and accounting firms, we should be encouraging these businesses to hire new employees. As a former small businessman, I know this will not happen if we raise taxes on the very businesses we depend upon to turn the labor market around.

Recent reports demonstrate the need to encourage, rather than inhibit, job growth and creation. That is what we are talking about: jobs. This year,

more than 50 percent of college graduates are either unemployed or underemployed. Graduating in a bad economy, where jobs are scarce and lower wages are the norm, can have negative economic consequences for up to 15 years. With the cost of higher education increasing more rapidly than the median family income, there will continue to be greater dependence on student loans. Unless the economy improves, there will also be a lesser chance that going forward graduates will have the resources to even make minimum loan payments.

The Republican alternative puts forward a solution that takes money out of—and I know the Senator from Iowa hates the word—a slush fund, but it is a fund with rather wide possibilities, and a fund that can be designated by the Secretary. This is not the first time this has been used as an offset. Our President signed legislation that cut $5 billion from the fund to offset the payroll tax bill. Now we are talking about payroll taxes again, but our side is talking about using the same funding source the President used to pay for a payroll tax cut earlier this year. The President also proposed to cut an additional $4.5 billion out of the same fund when he submitted his budget for this year.

I had to go and look and see what some of the uses are for this fund that we would be cutting into because it is spent at the discretion of the Secretary of Health and Human Services and there are not a lot of guidelines. Many of the programs funded by this Prevention and Public Health Fund—often called a slush fund—duplicate existing health programs or waste taxpayer money on some frivolous programs.

The fund has wasted millions of taxpayer dollars and even supported potentially unlawful lobbying activity. For instance, a public health clinic in Nashville, TN, used money to offer free preventive services for dogs and cats, not women and children; $3.6 million went to the Minnesota Department of Health to create at least four regional food policy councils, to increase the access and availability of affordable healthy food; $8.4 million to the New York Fund for Public Health to implement a local tax on sugar-sweetened beverages; $3.3 million to the Washington State Department of Health to increase local preemption of tobacco marketing and taxation and support legislation that repeals preemption of tobacco marketing; $3 million to lobby lawmakers in New York for legislation requiring chain restaurants to publicly post the amounts of the calories they serve; $7 million to Jefferson County, AL, to urge Alabama lawmakers to raise tobacco taxes; $16 million to the County of Los Angeles to help secure a ban on new fast food restaurants around Los Angeles. A lot of that is lobbying activity. Yes, I suppose the end results could be prevention of health care.

This country is coming up on an economic judgment day. We do not have extra money lying around. In fact, when we are talking about pay-fors, we are only talking about paying for whatever new is put in. We do not talk about how we are going to cover the $15 trillion in debt we have out there, the $49,000 every man, woman, and child in the United States owes. It is a heavy burden.

I talked earlier about Greece. Greece only owes $39,000 per person. They are just not trusted as much as the United States. If we keep running up that debt, we are not going to be trusted either. Unfortunately, President Obama and the congressional Democrats would rather play election-year politics than find a solution that focuses on the immediate need of America's students and their families.

Neither bill is ideal. Each spends 10 years of savings in 1 year and neither produces a long-term, sustainable solution. However, the Republican proposal has the benefit of using an offset previously used by the Democrats, as I mentioned. The $5 billion from that fund was used earlier this year to help pay for the extension of the payroll tax holiday, and in this year's budget, the President proposed cutting an additional $4.5 billion.

The Democratic bill raises taxes on small businesses at a time when the Nation needs those businesses to be creating jobs so college students have employment opportunities when they graduate. It is discriminating against small businesses because it does not take in corporate dividends that people get, which are the same thing. It is the dividends they eventually are able to take out of the business. But a big corporation pays dividends to investors and those do not have payroll taxes taken out either.

So no sincere attempt was made by the Democrats to find a bipartisan solution. Both Senator REID and Senator HARKIN reached out to my staff to inquire about the possibility of funding a solution. My staff expressed a willingness to discuss possible offsets, but the Democrats released the details of their proposed S corporation tax prior to any meeting.

When my staff did meet with Senator HARKIN's office, his staff indicated the S corporation offset was the only offset the Democrats were willing to consider. That makes compromise pretty difficult. Senator REID has filed for cloture on S. 2343, the Democrats' bill we are talking about now, and a vote will be held tomorrow at noon. At this point, we have been told we are not going to have a vote on the Republican bill at all.

So cloture tomorrow will fail because there will be no opportunity to put any amendments on this bill, and this is not a perfectly drafted bill. This is something that was put together in a bit of a hurry without having bipartisan input. The reason we have 535 people in Congress is that there are a whole bunch of different viewpoints. The reason we have 22 people on a committee is that there are 22 viewpoints that go into the bill and we can see what unintended consequences there are. That did not happen on this bill.

This has been put together by two or three people or half a dozen staff members or whatever, I am not sure. But it has not had the input from both sides. So our side had to come up with a bill that follows the same procedure. I can tell you neither bill is ideal, and a solution has to be reached for these young people. We are all agreed on that. We are just not agreed on how we pay for it, and we do have a problem with paying for things around here.

I urge the majority leader to pull the bill from the floor, sit down with us, find a solution we all can agree to. This is not an issue over which election-year politics should prevent us from reaching a bipartisan agreement. I am not aware of anybody who is opposed to the extension of the reduction in the interest rate. Incidentally, that is not an interest rate reduction to everybody; it is only to those who have subsidized loans.

If someone is a student who has regular loans, they are not able to participate in this. That would require a lot more money. Again, I urge the majority leader to pull this bill, sit down, come up with a solution both sides can agree on. It is getting tougher and tougher to find pay-fors because we are getting further and further in the hole. We are not going to stop digging, so we better start digging together.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, how much time is remaining on our side?

The ACTING PRESIDENT pro tempore. There is no allocation of time.

Mr. HARKIN. Mr. President, am I correct the time for debate under this bill will expire at 4 p.m.?

The ACTING PRESIDENT pro tempore. At 4:30.

Mr. HARKIN. I thank the Chair. Mr. President, after listening to the previous three speakers, it is hard to know where to begin to correct the record with all the misstatements. Maybe I will kind of work backward. My good friend, the Senator from Wyoming, gave a whole list of different things about where this money was spent. He mentioned something about California and fast food construction. I did not get it all. But I am informed there was absolutely no money from the Prevention and Public Health Fund that went for that program.

If the Senator from Wyoming has any evidence to the contrary, I would be

more than delighted to look at it. Then there was the one about the dogs and cats in Nashville, TN. I thought the newspaper article that was in the Hill newspaper put that one to rest, but I guess it did not. It just goes on and on.

That money actually was funded by private grant money. I guess PetSmart, from what I am told, put that money in for pet spaying and neutering in Nashville, TN. Again, that money did not come from the Prevention and Public Health Fund. If the Senator from Wyoming has evidence to the contrary, I would like to look into that. Then the Senator from Wyoming mentioned the New York Department of Health using $3 million to lobby in New York for a soda tax initiative. First of all, I will tell my good friend, the Senator from Wyoming, there is an absolute prohibition on Federal moneys being used for lobbying. So if anyone has any evidence of Federal funds being used to lobby, please let us know. We would like to take them to task for that and sic the Justice Department on them.

That did not happen. It was not CDC funding. This was funding by the New York State Department of Health. Again, none of the CDC money we used in the prevention fund was used for that. Those were just three of—I do not know how many examples my friend the Senator from Wyoming had, but those are just three of them there that absolutely had nothing to do with the Prevention and Public Health Fund, but somehow this has gotten out in the popular press.

The city of Nashville received a $7.5 million grant to provide free pet spaying and neutering. You put that out there and the radio talk shows pick up on that and all that kind of stuff. Then they bat this around and it gets everyone upset. My God, we are using tax money now to neuter dog and cats in Nashville, TN. Who would not be opposed to that? It is not true. That is all. It is simply not true. As I say, if anyone has any evidence to the contrary, please let me know and we will get the Justice Department after them.

Again, I say to my friends on this side of the aisle that talk about seriousness of whether—how we are going to pay for this. I heard it said by the previous three speakers we all agree the interest rate should not go up. OK. We have before us, as I understand, two choices right now. The Republican choice is the one passed by the House of Representatives a couple weeks ago, which would eliminate the Prevention and Public Health Fund and put that money in to keep the interest rate down at 3.4 percent rather than letting it go up to 6.8 percent.

So they would eliminate the Prevention and Public Health Fund, about which I spoke at length a little while ago. Our bill would close a loophole in the Tax Code that allows certain subchapter S corporations to avoid paying their FICA taxes, their Social Security and Medicare taxes, because of the way they are arranged.

I am going to get into that in a minute and try to explain exactly how that is set up. We are not going after small businesses at all. We are simply providing more of a bright line on what are legitimate dividends from a corporation, which does not have to pay FICA taxes, and what are wages and salaries that they do have to pay FICA taxes on.

Right now, in certain subchapter S corporations, it is kind of cloudy. It is kind of cloudy. As someone on the other side said, we have seen this big increase in subchapter S corporations. Well, of course. People who have had partnerships before or sole proprietorships all of a sudden are rushing to establish subchapter S corporations, with very few stockholders, to get away from paying their legitimate taxes on Social Security and Medicare.

Our bill would close that loophole. We have these two choices in front of us. Which do we want? If those are the only two, do we want to eliminate the Prevention and Public Health Fund or do we want to put a bright line on subchapter S corporations and say if they cross that line they have to pay their Social Security and Medicare taxes? Maybe we can have that vote. Maybe we have to actually have that vote here.

I would like to see if my Republican friends want to eliminate the Prevention and Public Health Fund. Earlier this year, from our committee I passed out to every Member of the Senate how much money went to the individual States and what it was used for in the Prevention and Public Health Fund because I wanted to be transparent and above board. So I pointed out, for example—these are not private things; these are public. I pointed out to my friend from Tennessee that $4,669,362 was made available to Tennessee in this Prevention and Wellness Fund for fiscal year 2011. I listed all the things it went to: community programs to promote healthy living, detection and prevention of infectious diseases, clinical preventive services, strengthening of public health infrastructure, tobacco prevention programs, some to East Tennessee State University for the training and preparing of a public health workforce, Vanderbilt University Medical Center for clinical preventive services.

I get right down to the dollar, where it all went. I am not trying to hide anything. I say to my friend from Tennessee, ask these people where did this money go. We know where it went. Does my friend propose that we cut out all this money that went to the State of Tennessee?

Here is Arizona: $7,758,944 went to Arizona in 2011. I gave this to my friend from Arizona listing exactly where it went and what it went for in prevention and wellness. Does my friend say this ought to be eliminated? Wyoming got $1,785,534. Every bit of it is listed here, exactly where it went.

If we accept the Republicans' proposal, we do away with all of that, all prevention and public health. It has been said on the other side that even our President wanted to do away with or take money out of it. I point out that the President did propose earlier this year as a pay-for for the extension of the unemployment insurance program and for other things to keep tax rates from going up that we take $5 billion out of this program over the life. But I think the President made it very clear that was it.

In fact, we have a Statement of Administration Policy on this bill which states unequivocally that the President will veto this bill if there are any cuts in the Prevention and Public Health Fund. While I was personally opposed to the $5 billion that the President proposed taking out—and was taken out of the fund—I can say that, well, that ought to be the last penny taken out of the Prevention and Public Health Fund. Now we see that the President agrees, no more. We took $5 billion out and that is the end of it.

People keep calling it a slush fund. I have here where every dollar went in all of the States, what it went for. It did not go to neutering dogs in Nashville, TN, regardless of how many times we may read it or hear it on Rush Limbaugh or Joe Scarborough or anyplace else. It is not true. I challenge anybody, if they have that evidence, let's see it.

Again, I just think what the Republicans have offered as an offset is not serious. I cannot believe they want to do away with the Prevention and Public Health Fund. On the other hand, is our proposal serious? Do we want to really close this loophole for professional corporations under subchapter S? Yes, we do. I think that is serious. There has been a lot of abuse of people using the cover of subchapter S to avoid paying their taxes. A number of cases have come before us that I have seen where people have used subchapter S as a means of not paying their fair share of taxes.

One of the examples that just came through was former Senator John Edwards of North Carolina, a former Member of this body, a former Presidential candidate and Vice Presidential candidate. I will not get into his personal life; that is something else. But former Senator John Edwards of North Carolina claimed, over a multiyear period, that $26 million in revenue from his subchapter S corporation was unearned. He claimed he didn't really work for a large share of his income from winning court cases. By making this argument, he avoided nearly $750,000 in payroll taxes.

That is not fair. That is an inappropriate gimmick. It is a gimmick when we allow a professional to give his or her spouse and children 95 percent of the stock in their subchapter S corporation and then declare it their profit and not their work as an accountant or as a lawyer that is responsible for the income. That is a gimmick. That is why people are rushing to form these subchapter S corporations.

We have a recent case where the taxpayer was an S corporation, an accounting practice owned by a CPA and his wife. The CPA served as the corporation's president, treasurer, director, and only full-time accountant but received no salary. Imagine that. He received no salary. Instead, the CPA ''donated'' his services to the corporation and withdrew earnings from the entity in the form of dividend distribution. During the years under audit, the CPA worked for the corporation approximately 36 hours per week. In addition to testifying that his work was crucial to the continued success of the corporation's business, the CPA also indicated that dividends were drawn in lieu of salary to reduce employment taxes. Imagine that. The corporation asserted that the CPA was not an employee, and even if he was an employee dividend distributions cannot be taxed as wages.

Well, he was caught in an audit. But, we know audits are few and far between. So the court found the shareholder to be an employee who performed significant services. His wages encompassed all remuneration for services, and it constituted all wages for tax purposes. That is what is happening. That is what is happening out there.

What does our bill do? Right now, if you are in a subchapter S corporation, you, the person, get to say whether what you are making is income or dividends. I heard mentioned something about Warren Buffett. I don't know his whole deal, but it seems to me that most of his income is from dividends and capital gains. We are not talking about that. We are talking about—this would be—if we took the subchapter S situation and applied it to C corporations, which Mr. Buffett would be in, then Mr. Buffett would face a board with independent people making a decision on officers' salary.

Now with subchapter S corporations with only one, two or three stockholders, they are making their own decisions on their personal taxes, whether they are dividends or salary. What do you think people decide?

Again, an accountant tells a subchapter S corporation it can do 40 percent and it would not get audited, they do 40 percent and don't get audited, and they don't have to pay Social Security or Medicare taxes on what is really gain.

What do we do in this bill? We say: Look, if you are a professional subchapter S corporation and you have three or fewer shareholders, then we draw a bright line. If your income is over $250,000 a year for a joint filer, and if in fact there was earned income, then it would be subject to FICA taxes. That is the bright line that we are drawing. In fact, what it will do is give subchapter S corporations a better idea of whether profits are earning money or dividends.

Quite frankly, not only are we helping to raise money for the Medicare and Social Security trust funds, we are actually making it better for people out there who may not know where they fall. Is it dividends or is it earned income? Our bill only covers a very narrow share of S corporations. It deals only with certain professional corporations. It doesn't touch manufacturing or retail activities. It doesn't touch real estate activities. It covers the area where the abuse is most prevalent right now.

I want to speak for a minute on what Senator ALEXANDER was talking about earlier about the money that came from students and whether it was given back to students. He said that instead of 6.8 percent, it would have been 5.3 percent. We voted on that and it failed. So we did speak on that.

Again, what I point out is that most of this money—most of the money that we had in that $61 billion, most of that indeed went for students. I think I had it here—of that $61 billion, $36 billion went to Pell grants, helping raise Pell grants; $750 million went to bolster college access for students through the College Access Challenge Grant Program; $2.55 billion went to Historically Black Colleges and Universities and minority-serving institutions; $2 billion went to community colleges; about $10 billion was used for deficit reduction; $9.2 billion, as I said, went to certain health care activities.

Guess what one of those was that was paid for. Requiring dependent coverage—saying that a young person can stay on his or her parents' health care policy until age 26. Does that help students? Of course it helps students. How many young people who go off to college, and they are in college and maybe drop out a little while to make some money and then go back to college and maybe even graduate, but they don't have a full-time job—they can stay on their parents' policy until they are age 26.

I cannot tell you how many people I have heard from in my State of Iowa who have said what a godsend this is to them and their kids who are students. I make no apologies for the fact that some of this money out of that $61 billion that went to subsidize banks went to help students stay on their parents' health care policy.

When they say some of the money came from students, it didn't. The $61 billion all came from cutting the subsidy to banks. The great bulk of it, all but about—well, $10 million went to pay the deficit down, and $9.2 billion went to things such as banning lifetime limits, requiring dependent coverage, expanding community health centers, that type of thing. So none of it actually came from students themselves. It all came from closing the loophole where banks were making on that money.

The next thing that was said I wanted to correct was that the Medicaid expansion in the affordable care act—100 percent of that expansion is paid for in the Federal side, not the stateside. Senator ALEXANDER talked about this and was saying we are expanding Medicaid, which is a burden on the States. That would be true, but for the fact that 100 percent of this expansion is paid for by the Federal Government. I think that phases down to 90 percent in the future, but it never comes below 90 percent.

If the Senator would like to debate whether Medicaid should be all Federal, or Federal and State, we can do that and maybe even find some common ground on that, but that is not the case before us. I didn't think the debate on this bill to keep student interest rates low would now morph into a debate on health care. But if you want to have a debate on health care, I will be more than happy to do so, and whether or not we should use money from the Prevention and Public Health Fund to pay for it.

So, again, I would say no money—no money—comes out of the Medicare trust fund to pay for this bill—none—and certainly none comes out of the Social Security trust fund. The money that is raised goes to the Social Security trust fund and the Medicare trust fund. None of it is actually diverted from the trust funds.

Under the budget rules we are operating under, money raised can be used as an offset even though that money is raised for Medicare. I want to make it crystal clear that the money we are raising from closing this loophole on subchapter S corporations, none of it—none of it—actually comes out of the trust funds for student loans or to keep the interest rate low. It does go to the Medicare and Social Security trust funds.

Under the Republican proposal, we would not get any more money into Medicare or Social Security. They would just do away with the Prevention and Public Health Fund and take that money and use it to offset keeping the interest rates low, but not one nickel of that would go to Medicare or Social Security. Our bill would help those trust funds.

So our bill really has three benefits: First, it closes a tax loophole, provides for more definitive application of what is subchapter S income or dividends for a narrow class of companies—earned

income or unearned income; second, it provides money to the Social Security trust fund and Medicare trust fund, which is needed; and third, it allows the student interest rate loans, Federal subsidized loans, to stay at 3.4 percent for the next year.

Sometime in the next year, obviously, we are going to have to figure out a long-term fix for this or what we want to do on these subsidized loans in the future and how we are going to pay for this down the road. In the meantime, as everyone has said on both sides, we both agree it ought to stay at 3.4 percent for the next year.

So I guess the debate does revolve around how we pay for it. Again, from my viewpoint—not my viewpoint; the House already voted last week to kill the Prevention and Public Health Fund, and that is what the Republicans are proposing here.

Again, to refer back to where I started earlier this afternoon, I think the lead editorial in the New York Times today was quite clear in talking about the findings found in the New England Journal of Medicine about what is happening with type 2 diabetes and how devastating that is going to be in the future. They said the long-term goal should be the prevention of obesity and diabetes. The editorial said:

> Congressional Republicans, meanwhile, are bent on dismantling health care reforms that could greatly assist in curbing the obesity epidemic. The Republican-dominated House last month narrowly passed a bill that would eliminate a Prevention and Public Health Fund, established under the reform law in part to pay for lowering the interest rate on subsidized student loans for a year.

The editorial noted that there is no explanation for this move except for the usual anti-health care reform demagoguery and noted that the fund is already providing grants to state and local governments to help pay for programs to fight obesity and prevent chronic diseases, including diabetes, in the community, the workplace, and among minority groups.

So I guess that is really the argument—how do we pay for it? It comes as no surprise, I am sure, when I say that I think closing this loophole is much better than doing away with the Prevention and Public Health Fund.

With that, Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I said it before and I will say it again: Neither option is ideal. These ought to be the options we are voting on, but actually we are not going to get to vote on the two options, we are going to get to vote on one option because this is a cloture vote. And this cloture vote will fail. It will fail because it is not a good enough bill to pass. It is not a good enough bill to get 60 votes, so it will fail. And the only purpose of it failing is to say: Look at those Republicans who killed that bill.

There could be a solution, but it isn't a solution by bringing a bill directly to the floor and saying: Take it or leave it. It has to be a solution by sending it to committee and having the people there work out a way that it can be done. We have done that in our committee a number of times, and the bills that go to our committee and then come to the floor are pretty successful. But this one did not go to committee.

So it isn't really two choices we are getting, it is one choice: We can take it the way the Democrats wrote it or we can forget it.

They say this closes a loophole because of the wording regarding there being three or fewer shareholders. Now, I can already hear how people's minds are working. They are saying: OK, if I want to cheat on that—and you have now taught me how I can—I will add a fourth person. Now your bill doesn't cover it. So it is not written properly. We are not going to stop them by doing what is written in the bill, so it is not going to generate any revenue. If it doesn't generate any revenue, it will not pay for the cost of keeping the health care down.

Besides that, the IRS has guidelines that say how much one should be taking out of their business as wages, and they have to pay a payroll tax on that or they will be taken to tax court. That is the case to which the Senator from Iowa referred. It was a case of an accountant who got caught and was taken to tax court and told he couldn't cheat on his taxes. Now, we ought to have more enforcement like that. It should be pretty easy for the IRS to check and see if there are some S corporations out there that aren't paying any wages. That should be a little computer check since every return gets turned into a digital return now. Some of us help the IRS by sending our forms in digitally to begin with, which saves a lot of input on someone's part. But they can check in a matter of seconds the S corporations that have no wages, and if they have no wages, perhaps they ought to have a much lower limit than what the other side is suggesting.

If we are going to do tax reform, let's do tax reform. To do it this way is the wrong way.

I also heard the comment that this money is not being taken from Medicare and Social Security. Well, the way we do Federal accounting—and we should be ashamed of the way we do Federal accounting—that can be a true statement, but, in fact, it is not true. Here is how we do it. Here is how we cook the books as a Federal Government. We will collect this tax that should go to Medicare and Social Security and we will put bonds in a drawer and we will spend the money on the reduction in interest rates for the students. That is spending it twice because we are still showing it over here as owing it to the Social Security and Medicare folks. But we do this all the time. Do you know how much money there actually is in the drawer called Social Security? Nothing. There are bonds in there.

I used to listen to Senator Hollings, Democrat from South Carolina, talking about how we were lootin' Social Security—lootin' it—because all we do is put bonds in a drawer and we spend the money. And we have been doing that for decades. So the deficit we are talking about is probably considerably greater than what we are willing to admit. But that is exactly what we are going to be doing here once again. We are going to be lootin' Social Security and Medicare and providing some loopholes for them to keep on doing the same thing they have been doing. We are going to have to get the IRS on that and get it going better.

There ought to be a lot more options. But that is not what we are doing here. What we should be doing is getting together and figuring out more options, more ways to take care of all of the problems students are having. And they are going to be demanding a whole lot more than what we are doing.

I would remind the Democrats that the President did take $5 million from this prevention fund, and I heard him say that was enough. Well, if that was enough, how come his new budget includes taking another $4.5 billion out of that fund? So I guess he doesn't think that is enough. He thinks there is still more that can be taken—$4.5 billion. This is a $6 billion project we are talking about here, so $1.5 billion another way.

We are just talking past each other, and that is what happens any time a bill comes to the floor if this is the only place we get to debate it. Notice how many of my colleagues are listening to me right now. If there are two people on the floor, it usually means one is getting ready to speak and is not listening to what is being said. That is not a debate. That is not a way to come up with solutions. What we have to do is send these things to committee.

Senator HARKIN and I have a way of working on bills in committee, and that is to have people turn in their amendments a couple days ahead of time and we look at those. It is surprising how many times an amendment by a Republican is almost the same as an amendment by a Democrat. The trick is to get the two of them to sit down together and figure out which words need to be changed so that they can both take credit for it.

So this is a frustrating process. It is the wrong way to do it. But I have to answer one more thing yet; that is, I cited some cases where funds were being used from that prevention fund that I thought were wrong and I do think are wrong. The Senator said that if we had some information on that, if we would give it to him, he would

make sure the Department of Justice gets on it. Well, now we not only need to have the IRS working, we have to have the Department of Justice working a little bit because there is some pretty good evidence, I think, that some money has been spent for lobbying. In some cases it is called advocacy, but it is by people working the legislators over, and that, in my opinion, is lobbying.

I do hope this bill will be referred to committee, which is where it deserves to be, so that a solution can be worked out. I would hope that if we do have that cloture vote tomorrow, instead of having the bill pulled, that both sides will join in saying ''send it to committee'' and vote against cloture.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I say to my good friend from Wyoming—and he is my good friend, and we do a lot of good work together—I wish we could have this bill in our committee. I think we could work it out. But the fact is, to raise the money, it has to come from the Finance Committee, and we don't have jurisdiction over that. If we had jurisdiction over that, we could probably work it out. We have a good way of working things out in our committee. But we don't have jurisdiction over finance on this darned thing. If we did, we could probably figure it out.

Mr. ENZI. Could I amend my comments to have the Finance Committee take the bill and work out a solution?

Mr. HARKIN. Well, I think that is where this came from. I don't know.

I would also say to my friend from Wyoming, because I was listening to him, I think it is fair, if we are going to have a vote on ours, that we ought to have a vote on yours. I think that if we are going to have a vote, we ought to have a vote on ours, which is the subchapter S corporation, and see how that falls, and have a vote on whether we want to end the Prevention and Public Health Fund and use that money. I would like to have that vote. I would love to have that vote. I would love to see how my friends on the other side of the aisle want to vote on whether they want to kill the Prevention and Public Health Fund.

I would also say that on this subchapter S corporation issue, the IRS right now audits about one-half of 1 percent of the returns from subchapter S corporations. So they have to think, what are the odds they are ever going to catch me, and if they do, they pay a fine and that is it. The IRS doesn't have the personnel to do everyone.

What we are doing, I wish to say again, just to make it very clear, that because of the sort of fog that surrounds subchapter S corporations right now, the IRS simply can't audit them all. They don't have the personnel to do that, and some claim that there is a lot of questions about whether something is income or dividends. But let me repeat again what our bill does.

We create a bright-line test that affects only a narrow class of subchapter S corporations. It affects only professional subchapter S corporations, those engaged in professions such as doctors, lawyers, accountants, consultants, lobbyists, where the gain is due to the professional work. This provision does not include subchapter S gains from unrelated retail, wholesale or manufacturing activities.

The provision only covers subchapter S corporations where there are three or fewer stockholders. It only covers those earning more than $250,000 a year as a joint filer, and it only covers gains when 75% or more are attributable to 3 or fewer stockholders.

So if a subchapter S company has income that is partially from professional activities, such as lobbying, and partially from other activities, such as real estate investments, the investment income does not fall under the rule.

The Joint Committee on Taxation and the Treasury Inspector General for Tax Administration have both issued reports that show that underreporting of earned income subject to FICA taxes is a significant issue. Using IRS data, the Government Accountability Office in 2009 calculated that in 2003 and 2004 tax years the net shareholder compensation underreporting amounted to nearly $23 billion. Since then, the number of subchapter S organizations has been increasing rapidly, and I would suggest that is a main reason why.

Lastly, I just wish to point out for the record, to my friend from Wyoming, that the House bill did not go through the committee either. They brought it directly to the floor. It did not go through the Education Committee. It only went through the Rules Committee and then to the floor. So they did the same thing. They didn't go through their committee either. Again, I am hopeful we can work this out. But if we can't, I say to my friend, I hope we do have an up-or-down vote on both provisions.

There was one other thing I wished to mention before I leave the floor this afternoon and leave this debate on the student interest rate bill; that is, I heard time and time again from the other side about the fact that the President took $5 billion out of this and the fact that I said earlier: Yes, and that was the limit and that was all and he didn't want any more taken out of it. Someone said, but he has $4.5 billion in his budget to take out.

What happened, the President did put $4.5 billion in his budget to take out of the Prevention and Public Health Fund—which I hope comes as no surprise to anyone. Then, when the House and Senate earlier this year were engaged in negotiations on extending the unemployment compensation and also the payroll tax deduction, when we were engaged in that, they put that on the table. The President stuck with his $4.5 billion, the Congress added another $500 million, and they come up with a $5 million cut to the Prevention and Public Health Fund. The President said: That was in our budget. If you want to use it for that, use it for that but no more.

As I said, we have a statement of administration policy that says that if the elimination or any cuts to the Prevention and Public Health Fund are in here, he will veto the bill. I just wanted to make clear that the $5 billion and the $4.5 billion are one and the same. They are not $9.5 billion that he wanted to take out of the Prevention and Public Health Fund. I wanted to make that clear.

I see my friend from Florida is here, and I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Florida.

Mr. NELSON of Florida. I thank the chairman and the ranking member, the Senator from Wyoming, for all their hard work on bringing this important legislation to the floor.

Mr. President, I wanted to try to paint a personal face on some of the students whom I have met this past week on how it is going to impact them. But let me just set the table by saying we voted on this back in 2007 in order to give some relief to students, and we cut the loan interest from 6.8 to 3.4 for undergraduate Stafford loans.

The whole idea was, in this time of economic trial, that we would give some little break to students. Indeed, it is and has been a break. It is something on the average of $1,000 a year we were looking at a student saving in extra interest payments on these loans. When it comes right down to the personal stories, they are wrenching.

At the University of Florida, meeting with a group of students this past week, a young woman—I will not use her name because she just broke down in tears—pointed out how not only did she have Stafford loans but that her mom—who had gone through school as an adult raising a family—had gotten a degree in computer science and could not get a job, was going back to school because she had an LPN associate degree and wants a registered nurse degree where she can get a job. So the mom and the daughter both had a considerable number of loans. This young woman absolutely broke down as to what it was going to be in the way of financial burden.

Over at the University of South Florida in Tampa, student body president Matthew Diaz said: You are cutting down the dreams of an entire generation.

Another student at USF, Emmanuel Catalan, a political science major, said he is the first in his family to attend

college. He questions, if we don't give this break on interest, whether his brother and other members in his family are going to be able to pursue higher education.

Another student, Austin Prince, a sophomore microbiology and Chinese major, wondered how in the world students are going to make it in this kind of economy if they are mired in debt. He said: It reduces consumer buying power if we are paying off loans for 20 years.

At the University of Florida, Madison Todd, a political science major, said she took out the maximum amount of loans available to attend the University of Florida, and her family has been scraping together everything they could in order that she could continue her education.

Why is this important? Can we remember back to World War II, when we defeated two enemies on either side of the globe and all those GIs came home, and for the first time we had a major part of American youth under the GI bill going into college. What did that do? America was at the pinnacle of her power and influence in the world. Then, with that generation of young people getting educated as they never had before, all of a sudden we had an expanding middle class as we went into the 1950s and the 1960s.

We will also remember that was a time of attention to high technology because we suddenly found ourselves behind the Soviets in the space race, with Sputnik and then Gagarin going up. All the more kids went into math and science and technology and look what that spawned in the generations to come because of education. A lot of that came directly out of the GI bill. Are we now to adopt policies that are going to reverse that trend?

We tried to take care of it in a diminishing economy, as we slipped into the recession back in 2007, by saying it is a matter of policy that we should lower interest rates for students who want to get their education. Here we are. What this boils down to is how are we going to pay for it? It costs $6 billion for 1 year.

The House of Representatives has taken a position and that has been discussed here. Their position is take it out of the health care bill. When we take it out of health care, we are taking it out of diabetes screening, heart disease screening, cancer screening for breast and cervical cancer. Do we want to do that? I don't think so.

Do we want to take it out of antitobacco programs to try to keep kids from getting hooked on tobacco? I don't think so.

Do we want to take it out of childhood immunizations, where the spending of $1 on childhood immunizations by the Federal Government saves the government $16 in the long run? That is a ratio of 1 to 16 because of children not getting the diseases they were immunized against. Do we want to take it out of that? I don't think so.

What have we come up with in the Senate? We came up with a narrow part of the tax-paying public, subchapter S corporation individuals who pay individual tax—not corporate tax—and only those in a joint return above $250,000 gross income. They would do what? They would pay the payroll tax, Medicare, and Social Security that they do not pay under the existing law because they are treated as if they were a corporation instead of a partner which, in effect, they are, save for the tax laws.

That is the choice. If this motion does not get 60 votes in order to break the filibuster or even if it does, we have to reconcile the pay-for for the $6 billion this student loan interest bill will cost. It is my hope that common sense, that bipartisanship, that nonideological rigidity would rule the day and that we would simply ask what is best for our people and for our country.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF JACQUELINE H. NGUYEN TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

NOMINATION OF KRISTINE GERHARD BAKER TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS

NOMINATION OF JOHN Z. LEE TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Jacqueline H. Nguyen, of California, to be United States Circuit Judge for the Ninth Circuit; Kristine Gerhard Baker, of Arkansas, to be United States District Judge for the Eastern District of Arkansas; and John Z. Lee, of Illinois, to be United States District Judge for the Northern District of Illinois.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes of debate equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, for the last 4 months, the Senate has been forced to slowly work its way through the backlog created by Republican objections at the end of last year to consensus nominees. Finally, with consideration today of the long-delayed nomination of Judge Nguyen to fill a longstanding judicial emergency vacancy on the overburdened Ninth Circuit, the Senate will have completed the confirmations that could and should have taken place last year.

Today, 5 months into the year, is the first time the Senate is considering judicial nominations reported by the Judiciary Committee this year. Confirmations of the nominations of Kristine Baker to fill a judicial emergency vacancy in the Eastern District of Arkansas and John Lee to fill a judicial emergency vacancy in the Northern District of Illinois have been delayed for nearly 3 months. These nominees have the support of their home state Senators and of a bipartisan majority of the Judiciary Committee. Yet these consensus nominees have been delayed for months for no good reason.

The nominations we consider today are but three of the 22 judicial nominees available for final Senate action. Most are by any measure consensus nominees who could and should be confirmed without further delay. That would go a long way toward getting us on track to make real progress in reducing judicial vacancies that have plagued the Federal courts around the country.

I want to share with the Senate and the American people a chart comparing vacancies during the first terms of President Bush and President Obama. This chart shows that the lack of real progress during the last 3⅓ years is in stark contrast to the way in which we moved to reduce judicial vacancies during the last Republican presidency.

During President Bush's first term we reduced the number of judicial vacancies by almost 75 percent. When I became Chairman in the summer of 2001, there were 110 vacancies. As Chairman, I worked with the administration and Senators from both sides of the aisle to confirm 100 judicial nominees of a conservative Republican President in 17 months. See how sharply the line slopes as we reduced vacancies in 2001 and 2002.

We continued when in the minority to work with Senate Republicans and confirm President Bush's consensus judicial nominations well into 2004, a presidential election year. At the end of that presidential term, the Senate had acted to confirm 205 circuit and district court nominees. The chart notes where we stood in May 2004, having reduced judicial vacancies under 50 on the way to 28 that August. By comparison, see how long vacancies have remained near or above 80 and how little comparative progress we have made during the 4 years of President Obama's first term. Again, if we could move forward to Senate votes on the 22 judicial nominees ready for final action, the Senate could reduce vacancies to less than 60 and make progress.

Today also marks the first Senate action this year to address the needs of the Ninth Circuit, by far the busiest Federal appeals court in the country. The Senate should have voted on the long-delayed nomination of Judge Jacqueline Nguyen of California to the Ninth Circuit over 5 months ago, after it was reported unanimously by the Judiciary Committee. Her nomination is one of three Ninth Circuit nominations currently pending and awaiting a Senate vote to fill judicial emergency vacancies plaguing that circuit. With nearly three times the number of cases pending as the next busiest circuit, we cannot afford to further delay Senate votes on the other two nominations to the Ninth Circuit, Paul Watford of California, reported favorably by the Committee over 3 months ago, or Andrew Hurwitz of Arizona, reported favorably over 2 months ago.

There is no good reason for Senate Republicans to further delay votes on these Ninth Circuit nominees. The 61 million people served by the Ninth Circuit are not served by this delay. The circuit is being forced to handle double the caseload of any other without its full complement of judges. The Senate should be expediting consideration not only of Judge Jacqueline Nguyen, but also of Paul Watford and Justice Andrew Hurwitz, not delaying them.

The Chief Judge of the Ninth Circuit, Judge Alex Kozinski, a Reagan appointee, along with the members of the Judicial Council of the Ninth Circuit, wrote to the Senate months ago emphasizing the Ninth Circuit's ''desperate need for judges,'' urging the Senate to ''act on judicial nominees without delay,'' and concluding ''we fear that the public will suffer unless our vacancies are filled very promptly.'' The judicial emergency vacancies on the Ninth Circuit are harming litigants by creating unnecessary and costly delays. The Administrative Office of U.S. Courts reports that it takes nearly 5 months longer for the Ninth Circuit to issue an opinion after an appeal is filed, compared to all other circuits. The Ninth Circuit's backlog of pending cases far exceeds other Federal courts. As of the end of 2011, the Ninth Circuit had 13,913 cases pending before it, far more than any other circuit.

If caseloads were really a concern of Republican Senators, as they contended last year when they filibustered the nomination of Caitlin Halligan to the D.C. Circuit, they would not be delaying the nominations to fill judicial emergency vacancies in the Ninth Circuit. If caseloads were really a concern, Senate Republicans would consent to move forward with votes on Paul Watford and Justice Hurwitz and allow for up or down votes by the Senate without these months of unnecessary delays.

Given that all three are superbly qualified mainstream nominees with bipartisan support, the long delays that have plagued these nominations are hard to understand. Judge Nguyen, whose family fled to the United States in 1975 after the fall of South Vietnam, was confirmed unanimously to the district court in 2009 and the Senate Judiciary Committee unanimously supported her nomination to the Ninth Circuit last year. When confirmed, she will be the first Asian Pacific American woman to serve on a U.S. Court of Appeals in our history. She is the kind of nominee who should have been confirmed in 5 days, not 5 months.

We still await Republican agreement to vote on the other two nominees, neither of whom would have been considered controversial by past Congresses. Paul Watford was rated unanimously well qualified by the ABA's Standing Committee on the Federal Judiciary, the highest rating possible. He clerked at the United States Supreme Court for Justice Ruth Bader Ginsburg and on the Ninth Circuit for now-Chief Judge Alex Kozinski. He was a Federal prosecutor in Los Angeles. He has the support of his home State Senators and bipartisan support from noted conservatives such as Daniel Collins, who served as Associate Deputy Attorney General in the Bush administration; Professors Eugene Volokh and Orin Kerr; and Jeremy Rosen, the former president of the Los Angeles chapter of the Federalist Society.

Justice Hurwitz is a respected and experienced jurist on the Arizona Supreme Court. He also received the ABA's Standing Committee on the Federal Judiciary's highest rating possible, unanimously well qualified. This nomination has the strong support of both his Republican home State Senators, Senator JOHN MCCAIN and Senator JON KYL.

We have much more work to do to help resolve the judicial vacancy crisis that has persisted for more than 3 years. Today the Senate finally votes on 3 of the 22 judicial nominations that have been reported by the Judiciary Committee after a thorough review. Despite vacancies in nearly 1 out of every 10 Federal judgeships, Senate Republicans continue to delay votes and are stalling action on nearly 20 current judicial nominations on which the Senate could be taking final action. If confirmed those judges would serve 150 million Americans.

When the majority leader and the Republican leader came to their interim understanding in March, it resulted in votes on 14 of the 22 judicial nominations then awaiting final consideration. Because the arrangement took months to implement what the Senate could have done in hours, the backlog of judicial vacancies and judicial nominees continues. Today we are right back where we started with 22 judicial nominees awaiting action. I know that the majority leader is working to continue seeking Republican agreement to debate and vote on the remaining judicial nominees. It should not require overcoming filibusters and political standoffs for the Senate to do its job of promptly considering judicial nominations, especially when so many of them have bipartisan support and are consensus nominees.

The backlog of nominations ready for final action is not necessary or typical. It is an artificial backlog created by the refusal of Senate Republicans to consider judicial nominees at the end of each of the last 2 years and their insistence of delays of months before confirmation of consensus nominees. These practices have meant that the Senate's confirmations have barely kept up with attrition on the Federal bench. When Republicans refused to consent to consider 19 judicial nominations at the end of 2010, it took us until June of last year to work through those nominations. When they did so again at the end of last year, it took us until today, a week into May, to catch up with last year's nominations. That is not how to reduce judicial vacancies.

The Senate needs to continue working and continue consideration of judicial nominees recommended by the Judiciary Committee if we are to make real progress in reducing the burden of judicial vacancies. That is what we did in the most recent presidential election years of 2004 and 2008 and what we should be doing this year. Before we hear any more talk of slowing down or shutting off judicial confirmations, we have a long way to go. We need to work to reduce the vacancies that are burdening the Federal judiciary and the millions of Americans who rely on our Federal courts to seek justice.

At this same point in the Bush administration, we had reduced judicial vacancies around the country to under 50. Today they stand at nearly 80. And by August 2004, we reduced judicial vacancies to just 28 vacancies. Despite 2004 being a presidential election year, we were able to reduce vacancies to the lowest level in the last 20 years. At a time of great turmoil and political confrontation, despite the attack on 9/11, the anthrax letters shutting down Senate offices, and the ideologically driven judicial selections of President Bush, we worked together to promptly confirm consensus nominees and significantly reduce judicial vacancies.

In 2008, another presidential election year, we again worked to reduce judicial vacancies and by October we were able to reduce judicial vacancies back down to 34 vacancies. I accommodated Senate Republicans and continued holding expedited hearings and votes on judicial nominations into September 2008.

We lowered vacancy rates more than twice as quickly during President Bush's first term as Senate Republicans have allowed during President

Obama's first term. The vacancy rate remains nearly twice what it was at this point in the first term of President Bush. The Senate is 30 behind the number of circuit and district court confirmations at this point in President Bush's fourth year in office. We are 63 confirmations from the total of 205 that we reached by the end of President Bush's fourth year.

Today's consensus nominees are examples of those who have been unnecessarily stalled for months.

Kristine Baker, nominated to fill a judicial emergency vacancy on the Eastern District of Arkansas, has spent nearly 15 years in private practice after graduating with honors from the University of Arkansas School of Law and clerking for Judge Susan Weber Wright on the court to which she has been nominated. Ms. Baker's nomination has the bipartisan support of her home State Senators. Her nomination was favorably reported by the Judiciary Committee with the support of nearly every Senator on February 16.

John Lee, nominated to fill one of three judicial emergency vacancies on the Northern District of Illinois, has worked in private practice for almost 20 years. His personal story is remarkable. Born to a coal miner and a nurse of Korean descent, Mr. Lee immigrated to the United States when he was 5 years old and went on to graduate from Harvard College and Harvard Law School. If confirmed, he will become the second Korean-American to serve as a Federal district court judge, and the second Asian-American to serve as a Federal judge in the courts encompassed by the Seventh Circuit. Mr. Lee's nomination has the bipartisan support of his home State Senators. They both also support the confirmation of John Tharp, a former nominee of President George W. Bush, to another judicial emergency vacancy in that district. With Republican consent we could also be voting on the Tharp nomination. Both Illinois nominations were favorably reported by the Judiciary Committee with only one Senator dissenting on February 16.

Today's votes must be a starting point for considering this year's judicial nominations if we want to bring down judicial vacancies and hope to match the progress we were able to make in 2004 and 2008, both Presidential election years in which we considered the nominations of a Republican President and continued to reduce judicial vacancies. I hope that Senate Republicans will stop blocking prompt confirmation of consensus nominees. That is a destructive development and new practice that has contributed to keeping the Senate behind the curve, keeping Federal judicial vacancies unfilled, overburdening the Federal courts, and keeping Americans from securing prompt justice. The American people deserve better.

I suggest the absence of a quorum and ask unanimous consent the time be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOOZMAN. Mr. President, I rise today in support of Kristine Baker's nomination as United States District Judge for the Eastern District of Arkansas. Kris Baker is a great lawyer recognized by her peers as well as legal organizations for her dedication to litigation on a wide range of issues, from deceptive trade practices to first amendment matters.

I had the opportunity to introduce her during her confirmation hearing before the Senate Judiciary Committee. After reviewing her record and meeting with her personally, as well as meeting with those who know her, looking at her reputation, looking at her abilities, I am confident that Kris's experience makes her qualified to be the next eastern district judge of Arkansas.

Kris moved to Arkansas in 1994 to pursue a JD from the University of Arkansas School of Law. During law school, she established herself as a hard worker committed to success. She graduated with high honors, was articles editor for the Arkansas Law Review, a member of the board of advocates, and a member of the University of Arkansas first amendment national moot court team.

Kris began her legal career after graduation as a law clerk for Judge Susan Wright, then chief judge for the Eastern District of Arkansas. In 2000 she joined her current law firm, Quattlebaum, Grooms, Tull, and Burrow, and became a partner 2 years later.

Kris has earned the respect of the legal community across Arkansas, and I believe her litigation experience has given her the knowledge, the skills, and the temperament needed to successfully serve on the Federal bench.

I am honored to recommend that the Senate confirm Kristine Baker to serve the people of America as a judge for the Eastern District of Arkansas.

I note the absence of a quorum and yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, is it appropriate in the Senate schedule to start debate on the judges?

The PRESIDING OFFICER. The judges are pending.

Mr. GRASSLEY. Mr. President, today the Senate is expected to confirm three additional judicial nominees. With the confirmation of Judge Nguyen to the ninth circuit, Ms. Baker to the Eastern District of Arkansas, and Mr. Lee to the Northern District of Illinois, we will have confirmed 83 judicial nominees during this Congress.

It is somewhat ironic that today, according to press accounts, the White House is holding a forum and strategy session with administration officials and 150 supporters from across the country concerned about the judicial vacancy rate. I wonder if at this strategy session the White House took a look in the mirror when addressing the vacancy rate. Only the President can make nominations to the Senate. While we have a responsibility to advise and consent on those nominations, Senators cannot fill vacancies unless people are nominated for those positions. I would note the President has failed to do this in 47 of the 76 remaining vacancies, including 21 of 35 seats designated as judicial emergencies. That is more than 60 percent of the current vacancies with no nominee.

The White House and the Senate majority are fond of their claim that millions of Americans are living in districts with vacancies. Of course, what the other side fails to tell you is that 88 million Americans live in judicial districts where vacancies exist because the President has failed to nominate judges. Most of those seats have been vacant for more than a whole year. Once again, if the White House is serious about judicial vacancies, it holds the key to nominating and filling those vacancies. It has failed in too many instances to use that key.

Furthermore, according to the press accounts, in its invitation, the White House accused Republicans of subjecting consensus nominees to ''unprecedented delays and filibusters.'' This is a statement without factual basis, and it ignores the record of judicial nominations.

I would note that after today's confirmation, there are 12 nominees on the Executive Calendar that might fall into the category of consensus nominees. Seven nominees on the calendar had significant opposition in the committee and clearly are not consensus nominees. The substantial majority of those 12 nominees were reported out of committee less than 10 legislative days ago. Not only is there no filibuster against any of the consensus nominees, but I am not sure how there can be accusation of delay and particularly partisan delay.

Let me remind my colleagues on the other side of the aisle of the obstructionism, delay, and filibusters which they perfected. The history of President Bush's nominees to the Ninth Circuit provides some examples. President

Bush nominated nine individuals to the Ninth Circuit. Three of those nominations were filibustered. Two of those filibusters were successful. The nominations of Carolyn Kuhl and William Gerry Myers languished for years before being returned to the President. A fourth nominee, Randy Smith, waited over 14 months before finally being confirmed after his nomination was blocked and returned to the President. After being renominated, he was finally confirmed unanimously.

President Obama, on the other hand, has nominated six individuals to the Ninth Circuit. Only one of those nominees was subject to a cloture vote. After the vote failed, the nominee withdrew. Today we confirm the third nomination of this President to the Ninth Circuit. Those three confirmations took an average of about 8 months from the date of nomination. For all of President Obama's circuit nominees, the average time from nomination to confirmation is about 242 days. For President Bush's circuit nominees, the average wait for confirmation was 350 days. One might ask why President Bush was treated so differently, with so much more delay than this President has been treated or his nominees have been treated.

Another example of past Democratic obstruction and delay is in Arkansas. Today we confirm President Obama's nominee to the Eastern District of Arkansas within about 6 months of her nomination. I would note that President Bush's nominee, Jay Leon Holmes, sat on the Executive Calendar for more than 14 months awaiting confirmation. From nomination, his confirmation took over 17 months. Again, why were President Bush's nominees treated worse than this President's nominees?

I can only conclude that the White House has selective memory or different definitions when it accuses Republicans of unprecedented delay and obstructionism. I am disappointed that the President continues to blame Republicans for vacancies that have no nominee and chooses to follow the political strategy of blaming rather than working with the Senate to nominate consensus nominees. In other words, why isn't the President, instead of having a conference on why there are judicial vacancies, taking the same amount of time to get the names up here so we can work on them?

Mr. President, Jacqueline Nguyen, presently serving as a U.S. district judge, is nominated to be a U.S. circuit judge for the Ninth Circuit. Judge Nguyen received her A.B. from Occidental College in 1987 and her J.D. from the University of California, Los Angeles School of Law, in 1991. She began her legal career as an associate in the Litigation Department at the Los Angeles law firm of Musick, Peeler & Garrett where she handled litigation matters involving commercial disputes, intellectual property, and construction defects. From 1995 until 2002, Judge Nguyen was an Assistant U.S. Attorney in the U.S. Attorney's Office for the Central District of California. There, she handled the investigation and prosecution of human trafficking, immigration fraud, mail and tax fraud, and money laundering cases. In 2000, Judge Nguyen became deputy chief of the General Crimes Section. In that position, she handled the training and supervision of all new Assistant U.S. Attorneys and various types of criminal cases involving violent crimes, drug trafficking, firearms violations, and fraud.

In 2002, Governor Gray Davis appointed Judge Nguyen to the Superior Court for the County of Los Angeles. In 2009, she was nominated by President Obama to be U.S. district judge for the Central District of California. The Senate approved her nomination on December 1, 2009 by a vote of 97–0. In her capacity as a judge, she has presided over thousands of cases.

The ABA Standing Committee on the Federal judiciary unanimously rated her as ''qualified'' for this position.

Kristine Gerhard Baker is nominated to be U.S. district judge for the Eastern District of Arkansas. Ms. Baker received her B.A. from St. Louis University in 1993 and her J.D. from University of Arkansas School of Law in 1996. She served as a law clerk for the Honorable Susan Webber Wright, then the chief judge of the United States District Court for the Eastern District of Arkansas. In 1998 she became an associate in the law firm Williams & Anderson, LLP, where she handled commercial litigation cases involving breach of contract and fraud. In 2000, Ms. Baker joined the law firm Quattlebaum, Grooms, Tull & Burrow, PLLC. Her focus at the firm has been devoted to complex commercial litigation cases, including cases involving employment discrimination, securities violations, unfair competition, sic products liability, Fair Housing Act claims, and Freedom of Information Act claims. She has handled in administrative proceedings and in Federal and State court claims for discrimination, harassment, and wrongful termination as well as claims arising under the Family and Medical Leave Act, the Americans with Disabilities Act, and the Employee Retirement Income Security Act. The ABA Standing Committee on the Federal Judiciary gave her a substantial majority rating of ''well qualified'' and a minority ''qualified.''

John Z. Lee is nominated to be U.S. district judge for the Northern District of Illinois. Mr. Lee received his A.B. from Harvard College in 1989 and his J.D. from Harvard Law School in 1992. He began his legal career as a trial attorney for the United States Department of Justice, Environment & Natural Resources Division. There he represented the United States in Federal courts on issues primarily involving environmental statutes. He also served as special assistant to the counsel to former Attorney General Janet Reno.

In 1994, he left the public sector to take a job as an associate at Mayer Brown. In 1996, he joined a new firm, Grippo & Elden, as an associate. In 1999, he moved to his current firm, Freeborn & Peters. There he made income partner in 2001 and equity partner in 2004. In private practice, Mr. Lee has focused almost entirely on litigation, expanding his expertise to complex commercial disputes, including cases involving antitrust, intellectual property, employment, and business tort issues. Most of these cases were in Federal courts, particularly the Seventh and Ninth Circuits. He also represented clients in criminal investigations of antitrust and financial regulations violations. In private practice, he represents public and private companies, individual businesspersons and low-income clients pro bono. He has an ABA rating of substantial majority ''qualified,'' minority ''not qualified.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise today to speak in support of the nominations of John Lee and Jay Tharp to serve on the District Court for the Northern District of Illinois.

I have listened carefully to the statement made by the ranking Republican on the Senate Judiciary Committee. I would note several things.

First, at this point in President George W. Bush's first term, the Democratic Senate had approved 30 more judges than have been approved under the current situation with this divided Senate. Second, it would take 60 judicial nominations to be filled by the end of the year for President Obama to have received the same treatment as President George W. Bush in his first term—60. We could get a lot of that done today. Right here are 22 nominations for the judiciary that have cleared the committee. If the Senator from Iowa would like to come to the floor and join me, we could make a joint unanimous consent request to bring up all 22 immediately—every one of them—all of whom have cleared the committee. Those Senators who want to vote against those nominations may do so. They can vote no. But, unfortunately, as we can see from this calendar, the names of the nominees languished on this calendar for months—literally for months—and many times passed with a voice vote or a unanimous vote. It really does not speak well of this process that we have reached this point, this slowdown.

What many Republicans are waiting for is the so-called Thurmond rule. It is

not a rule written in a book; it refers to Senator Strom Thurmond of South Carolina, who kind of announced at one point in his career: We are going to stop considering judges as of a certain point in an election year. I have been in the Senate a few years and have heard so many different explanations about what the Thurmond rule really means, although I am not sure anyone really knows. All we know is that in a political campaign year, politics rule, and in this situation many Republicans are holding up perfectly fine nominees approved by Democrats and Republicans in committee for no other reason but the hope that they can win back the White House in November and fill the nominees with their favorites. I don't think that is fair to the nominees who have gone through the process, many of whom have been cleared by a bipartisan vote and should be confirmed in a timely fashion.

Let me speak to a particular issue that is addressed by the nominee before us. There are two nominees from Illinois to fill vacancies: John Lee and Jay Tharp. The chief judge of the Northern District, Judge Jim Holderman, sent a letter to me and Senator KIRK in February calling for Mr. Lee and Mr. Tharp to be confirmed without delay because of the heavy caseload in this court. Senator KIRK and I decided to work together on a bipartisan basis, and we did. We had a process on which we both agreed. He picked a bipartisan group to come up with his nominee and I did the same on my side. But the understanding was that at the end of the day, neither of our nominees would move forward without the approval of the other Senator. So, in fact, they were bipartisan choices, both of them. John Lee is my choice. Jay Tharp is Senator KIRK's choice. We both support one another's choice. We believe both of these nominees have the experience, qualifications, temperament, and integrity necessary to serve in the Federal judiciary.

Mr. Lee and Mr. Tharp were both nominated on November 10, 2011—6 months ago. They appeared together in a hearing before the Judiciary Committee in January. They were both reported out of committee in February on a bipartisan voice vote.

There was an agreement reached between Senator MCCONNELL and Senator HARRY REID, the majority leader, about the nominees we brought forward for a vote. I was surprised when it was announced in March that the Lee and Tharp nominations, which had been together all through the process, were separated. The deal or arrangement called for John Lee to be scheduled for a confirmation vote by May 7, but at the insistence of the Republican leader, Senator MCCONNELL, the deal did not include all of the nominees on the Senate calendar and it did not schedule a vote for Mr. Jay Tharp, Senator KIRK's nominee. I believe they should be confirmed together, just as they were nominated together and went through the committee together.

As soon as I heard about this so-called arrangement, I went first to Senator KYL and then to Senator MCCONNELL and said: Don't do this. Don't hold up Senator KIRK's nominee. He is in the hospital—now he is home, thank goodness—recovering from a stroke. We did this together. We are working together. Don't separate these two fine men. There is no reason to do it.

But I understand that this was the arrangement and they didn't want to change it—even to help Senator KIRK under these circumstances. They wanted to do only two nominees a week over a 7-week period of time, and the cutoff—the line they drew—was, unfortunately, between Mr. Lee and Mr. Tharp.

Well, I was going to propound a unanimous consent request today to include Mr. Tharp along with Mr. Lee on the vote we are about to take. There is only one reason I am not. We have received an ironclad assurance from the Senate Republican floor staff that Mr. Tharp is going to be called on a timely basis during this work period. I am going to hold them to it. I don't want to embarrass anyone, but it bothers me that the nominee of Senator KIRK is being held up by the Republican side of the aisle when it should be voted on today. There is no reason why it should not be voted on today. We should vote for both of them. But because a word has been given to me by a staff member whom I respect very much, I won't make this unanimous consent request. However, let me say this: If something happens—I don't know what it might be, and I hope it doesn't—I am prepared to come to the floor and propound that unanimous consent request not only on behalf of Senator KIRK but on behalf of my State and on behalf of my own interests in making sure that our Federal judiciary has a complement of qualified people.

Let me say a few words about each nominee—extraordinarily good nominees.

John Lee has been nominated to fill the judicial vacancy held by Judge David Coar. Mr. Lee is currently a partner at the law firm of Freeborn & Peters in Chicago, where he practices primarily in commercial litigation.

He is the son of a coal miner and a nurse. He immigrated to this country, to Chicago, at a very young age. From humble beginnings, he attended Harvard College, where he graduated magna cum laude and then earned his law degree cum laude from Harvard Law School.

After law school, Mr. Lee worked as a trial attorney in the Department of Justice Environment and Natural Resources Division. After his tenure at the Justice Department, he worked in private practice and eventually joined the firm at which he currently works. His law practice has focused on antitrust, intellectual property, environmental, and other complex commercial litigation matters. He has received numerous awards and recognitions, including being named a ''Leading Lawyer'' from 2008 through 2011 by the Leading Lawyers Network.

Mr. Lee has an outstanding record of community service, including his work as president of the board of directors of Asian Human Services of Chicago, his service on the board of directors of the CARPLS legal hotline for low-income Cook County residents, and his service on the board of the Asian American Bar Association of Greater Chicago.

This is a historic nomination for John Lee. Upon confirmation, he will be the first Korean American ever to serve as a Federal article III judge in Illinois and only the second to serve in that capacity in our entire Nation's history.

Let me say a word about Jay Tharp. Again, I am disappointed that I couldn't persuade the Republican leadership to include him today, but I have their assurance that he will be called during this work period.

Jay Tharp has been nominated to fill the Chicago district court judgeship that opened as a result of the senior status of Judge Blanche Manning. Mr. Tharp is currently a partner in the Chicago office of Mayer Brown, where he is the coleader of the firm's securities litigation and enforcement practice.

He was born into a military family as the son of a lieutenant colonel in the Marine Corps. He attended Duke University on an ROTC scholarship, received his undergraduate degree summa cum laude, and was commissioned as a second lieutenant in the Marine Corps. Jay Tharp served in Active Duty in the Marines for 6 years, achieving the rank of captain and earning the Navy Achievement Medal and the Navy Distinguished Midshipman Award.

After his military service, Mr. Tharp attended Northwestern University Law School, graduating magna cum laude, and served on the Northwestern University Law Review.

Upon graduation, he served as a judicial clerk for Judge Joel Flaum on the Seventh Circuit Court of Appeals and then worked as an assistant U.S. attorney for 6 years in Chicago.

After his tenure as a Federal prosecutor, he joined Mayer Brown, where his practice specializes in complex commercial litigation and criminal investigations. He has received numerous recognitions.

Mr. Tharp has served as an adjunct professor of trial advocacy at Northwestern University Law School, and he also serves as a member of the Law Fund Board at Northwestern, which

oversees fundraising efforts by law school alumni.

These are two extraordinarily good nominees who went through the bipartisan process together, were approved by Senator KIRK and approved by me, went through their investigative period in the White House together, came to the committee together, were reported out together, came to the calendar together but were separated out. That is unfair.

I hope by the end of this work period Mr. Tharp will join John Lee on the Federal bench. They are two exceptionally good nominees. On behalf of Senator KIRK, I will do everything to make sure this happens in the days ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I rise today to speak on behalf of a friend of mine who is going to be voted on by the Senate shortly to be a U.S. district court judge for the Eastern District of Arkansas. But before I do, I need to offer a few comments on what the Senator from Iowa and the Senator from Illinois said a few moments ago that I agree with.

It is taking too long to get these nominees to this point in the process. There are too many games that are being played. From my stand, both sides are at fault. I would hope my colleagues would stop playing games and stop even the blame game, but let's get to work and let's help clear up the backlog in the Federal judiciary.

Right now, it is underresourced. We do have a judicial emergency in this particular district I am about to talk about. As they say, justice delayed is justice denied. We need these judges on the bench, and I would hope the partisanship would stop.

In Arkansas we are very fortunate to have very strong Federal judges. We have a history of that. Part of the reason we do is because our judges are, for the most part, nonpolitical. Sure, they come from various backgrounds, but there is a consensus on these judges that they are going to be good judges, and that is the tradition we have in our State.

We have a total of eight district court judges in our State, and Kris Baker fits perfectly in that line. She has a true record of distinguished service in the legal community. She is well known and well respected, and she will be a great U.S. district court judge for the Eastern District of Arkansas.

The court right now, nationwide, is about 20 percent understaffed. That is why it is great to have someone who has an ABA ''well-qualified'' recommendation to go along with her nomination.

She came out of the Judiciary Committee on a very large bipartisan vote. The reason is she has been with a midsized law firm in Little Rock since 2000, she regularly has accepted prisoner and other appointment cases from the Federal courts, she has played a leadership role not just in the legal community but in other organizations in the larger community, and she is going to be a fantastic addition to the Federal bench, not just for Arkansas but nationwide.

Whenever I look at these nominees, I ask myself three questions: First, can they be fair and impartial? I think for Kris, absolutely the answer is yes.

Second, do they bring to the bench credentials that represent the best and the brightest in the legal community? In her case, the answer is yes.

Third—this is especially important for trial court judges—do they have the proper judicial temperament? For Kris Baker, the answer to all three of these questions is a resounding yes.

So I would ask my colleagues to give her a favorable voice vote, as I understand it, in a few moments. But that tells us how noncontroversial she is and what a great credit she has been to the legal community and how excited we are to have her as a member of the Federal judiciary.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to speak in strong support of Judge Jacqueline Nguyen's nomination. She was unanimously approved by the Judiciary Committee. She is an outstanding jurist with a 10-year track record of success as a trial judge in my State.

I recommended Judge Nguyen to President Obama to the district court in 2009 after my bipartisan judicial selection committee gave her its highest recommendation. The Senate confirmed her then unanimously 97 to 0 in 2009. I have no doubt she will be an outstanding circuit court judge, and I hope my colleagues will support her nomination.

Judge Nguyen earned her bachelor's degree from Occidental College and her law degree from the UCLA School of Law.

After law school, she practiced commercial law for 4 years with the law firm of Musick, Peeler & Garrett. She then moved into public service, becoming an assistant U.S. attorney in Los Angeles. During her 7 years there, she prosecuted a broad array of crimes, including violent crimes, narcotics trafficking, organized crime, gun cases, and all kinds of fraud.

In 2000 she received a special commendation from FBI Director Louis Freeh for obtaining the first conviction ever in the United States against a defendant for providing material support to a designated terrorist organization.

The Justice Department recognized her with numerous other awards and commendations for superior performance, and she was promoted to Deputy Chief of the General Crimes Section.

In 2002 Governor Gray Davis appointed Judge Nguyen to the Los Angeles superior court, where she established a track record of success as a distinguished jurist.

In 2009 President Obama nominated her to the district court on my recommendation, and she was confirmed unanimously.

Over nearly 10 years, as a State and Federal judge, Judge Nguyen has presided over thousands of cases, including 75 jury trials and 12 bench trials. She prizes fairness and integrity, and treats all parties fairly and with respect.

Those who know Judge Nguyen—including two former U.S. attorneys appointed by President George W. Bush—have praised Judge Nguyen for her first-rate legal mind and judicial temperament.

Debra Yang, who led the U.S. Attorney's Office from 2002 to 2006, after being appointed by President George W. Bush, submitted a letter to the Judiciary Committee in support of Judge Nguyen's nomination.

Yang says that she ''would make an excellent Federal . . . court judge.'' She also reports that her ''reputation among . . . colleagues is tremendous.''

Thomas O'Brien, who was appointed U.S. attorney by President Bush in 2007, has also submitted a letter endorsing Judge Nguyen's nomination. O'Brien says Judge Nguyen ''handled complex and controversial cases with technical finesse and grace'' and that Judge Nguyen is a ''highly qualified nominee who is intelligent, skilled, and exercises sound judgment.''

But she also has an inspiring life story. She was born in South Vietnam in the midst of the Vietnam war. She came to America at the age of 10. Her family lived in a tent in a San Diego refugee camp for 3 months before moving to Los Angeles, where her parents worked two or three jobs at a time.

Judge Nguyen and her five siblings helped their parents after school and on weekends. They helped to clean dental offices and to peel and cut apples. They helped run a small doughnut shop, which their parents scrimped and saved to open.

Judge Nguyen worked her way up—through school, as a lawyer and prosecutor, and as a trial judge. If she is confirmed today, she will be the first Asian-American female Federal appeals court judge, and I am proud to express my very strong support for her nomination.

I would like to conclude by expressing my view that it is absolutely critical that cooperation on judicial nominations continue.

Nearly 10 percent of judicial positions are currently vacant, Mr. President, as you well know—twice as many as when President Bush left office. This high vacancy rate is today being felt more than anywhere else by States in

the Ninth Circuit. California and Arizona are home to some of the busiest Federal trial courts in the Nation. This means businesses, individuals, and prosecutors already are struggling with severely overburdened Federal courts.

The Ninth Circuit is also the busiest Federal appellate court in the country. It has over 1,400 appeals pending per three-judge panel—the most of any circuit by a wide margin, and over twice the average of the other circuits.

The Judicial Conference of the United States has declared each Ninth Circuit vacancy a judicial emergency.

Judge Nguyen's confirmation today will help ease the burden, but it will not do enough. Paul Watford is another outstanding Ninth Circuit nominee from California. He was approved by the Judiciary Committee 3 months ago. Based on the calendar, he should be the next circuit court nominee to receive a confirmation vote in this body.

He has sterling qualifications. He has worked as a Federal prosecutor and an appellate attorney at a prestigious law firm. He clerked for Chief Judge Alex Kozinski and for Justice Ruth Bader Ginsburg. He is a moderate nominee, well schooled in the law. He has support on both sides of the aisle, including from two former presidents of the Los Angeles chapter of the Federalist Society.

So I hope the Senate will consider Mr. Watford's nomination very soon. It is a judicial emergency.

So, once again, I thank the leaders on both sides for agreeing to bring Judge Nguyen's nomination to the floor. I urge my colleagues to support this nomination. I hope we will continue to confirm highly qualified nominees to our Federal courts, which is especially important to the Ninth Circuit.

Mrs. BOXER. Mr. President, I wish to express my strong support for California District Court Judge Jacqueline Nguyen, who has been nominated for a seat on the Ninth Circuit Court of Appeals. When confirmed, Judge Nguyen will make history as the first Asian-American woman to serve on the Federal courts of appeals.

Judge Nguyen has had a distinguished career. She is a former Federal prosecutor who secured the first-ever conviction of a defendant for providing material support to a designated foreign terrorist group. She served as a California Superior Court judge from 2002 until 2009, when she was nominated for a seat on the U.S. District Court for the Central District of California. She was confirmed by a vote of 97 to 0.

I congratulate Judge Nguyen and her family on this important and historic day and urge my colleagues to vote to confirm this well-qualified nominee to the Ninth Circuit.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I ask for the yeas and nays on the first nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Jacqueline H. Nguyen, of California, to be United States Circuit Judge for the Ninth Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Indiana (Mr. LUGAR), and the Senator from Alaska (MS. MURKOWSKI).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''nay.''

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 88 Ex.]

YEAS—91

Akaka	Feinstein	Moran
Alexander	Franken	Murray
Ayotte	Gillibrand	Nelson (NE)
Barrasso	Grassley	Nelson (FL)
Baucus	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Bingaman	Heller	Reed
Blumenthal	Hoeven	Reid
Blunt	Hutchison	Risch
Boozman	Inhofe	Roberts
Boxer	Isakson	Rockefeller
Brown (MA)	Johanns	Rubio
Brown (OH)	Johnson (SD)	Sanders
Burr	Johnson (WI)	Schumer
Cantwell	Kerry	Sessions
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Kyl	Snowe
Chambliss	Landrieu	Stabenow
Coats	Lautenberg	Tester
Coburn	Leahy	Thune
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Manchin	Warner
Coons	McCain	Webb
Corker	McCaskill	Whitehouse
Cornyn	McConnell	Wicker
Crapo	Menendez	Wyden
Durbin	Merkley	
Enzi	Mikulski	

NAYS—3

Lee	Toomey	Vitter

NOT VOTING—6

DeMint	Inouye	Lugar
Graham	Kirk	Murkowski

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Kristine Gerhard Baker, of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of John Z. Lee, of Illinois, to be United States District Judge for the Northern District of Illinois.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid on the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS

Mr. BROWN of Ohio. Madam President, earlier today, Senator DURBIN and the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights held a hearing in Cleveland to examine efforts that could hinder the ability of Ohioans to exercise one of their fundamental constitutional rights, the right to vote. These efforts, in the guise of preventing fraud, are part of a cynical effort to impede access to the ballot. Specifically, H.B. 194 in Ohio repeals a number of commonsense measures that assist people with voting.

For 8 years I served as secretary of state of Ohio, charged with administering elections, so I understand what goes into ensuring the fundamental right to vote. Inherent in that responsibility is ensuring that voting is accessible, free of intimidation and roadblocks.

As a State, over a period of decades, Ohio legislators undertook a bipartisan—and I underscore that word ''bipartisan''—effort to help Ohioans get access to the polls. When I was secretary of state, we had significant input and assistance from Republicans as we made voting laws work for huge

numbers of people. We understood Ohioans had many priorities pulling them in many directions so we ought to make registration accessible. People could register using utility bills. The electric company included registration forms in utility bills. McDonald's, at my request, printed 1 million tray liners so people could actually fill them out to register to vote. At the Bureau of Motor Vehicles, people could register to vote. This was bipartisan. The legislature, when acting, would expand this right to vote, make sure this right to vote was protected. It was generally bipartisan.

Today, rather than protecting the right to vote, we are seeing brazen attempts to undermine it. We are told this bill and laws similar to it will reduce costs and reduce the risk of voter fraud. The overwhelming evidence, however, indicates that voter fraud is virtually nonexistent and these new laws will make it harder and more costly for hundreds of thousands of Ohioans to exercise the right to vote and more costly for the election system, meaning taxpayer—county boards of elections and all that.

Voters are simply not going to awaken one morning in Cleveland and vote and then drive to Elyria and then vote and then drive to Norwalk and then vote, then drive to Adena and then vote and then drive to Mansfield and then vote. People are not going to defraud the system that way. Why? No. 1, they are going to get caught, probably; and second, they are going to go to jail—all to take the risk of giving Barack Obama or Mitt Romney five more votes in a State of 11 million people. That is not going to happen.

Yet the people who are attacking our voting rights are claiming individuals are going to do things such as that to defraud—college students voting in college and then voting back in their hometown. People are not going to do that because the disincentives are too strong, the penalties are too harsh. There is simply no reason, so one can vote one extra time, that someone would possibly do that.

Let me tell a little bit about this new law. The new law—and what is disappointing to me—this new law repeals what was a bipartisan effort in 2006. In 2006, in response to some election problems of 2004 in the Presidential race, where people stood in long lines to vote, and there were other problems—in 2006, the Republican House and the Republican Senate in Columbus and the Republican Governor—with support from Democrats, so it was clearly bipartisan—passed voter reforms to set up early voting, to set up 1 week where voting and voter registration and early voting overlapped so people could actually register and vote during that week in early October. We did other things that made registration and voting more accessible.

But in spite of that, in spite of the consensus in Ohio about voting, now there is an effort to undercut that consensus. First, the law significantly reduces the early voting window. It takes away Saturday, Sunday, and Monday voting before the election, when over 100,000 people voted in Ohio that year, in 2008. This reduction in early voting was made despite the fact that evidence overwhelmingly indicates that limiting early voting will actually cost the taxpayers, boards of elections, money. Make no mistake, cutting Sunday voting was intended to suppress voting.

On the Sunday before election, Ohioans, who work long hours during the week, often go to the polls after church, fulfilling their civic and spiritual obligations on the same day. By ending early voting, the lines outside polling stations on election day will only get longer. The costs will only increase. This increases frustration and limits voting.

Another burden posed by H.R. 194 is that it bars poll workers from performing one of their most basic functions, helping voters find their right precinct. This law no longer requires that poll workers assist a confused, elderly, disabled or young voter in getting to their correct precinct. Here is how it works. We have tried to save money. As more people voted earlier, relieving some of the pressure on election day, the boards of elections have combined voting precincts. Instead, we will have fewer precincts in the same county and have to hire fewer poll workers. What that also means is sometimes they combine these precincts in these voting stations into one building so people might walk into a polling station and go to the wrong table. Under the law now, the poll worker is not required to help that person and say: No, you can't vote here, but you can vote across in the room next door, at this church or at this school. Someone today might walk in and the poll worker will simply say you are not eligible to vote in this precinct and they will walk home and not vote. This law discourages in many ways. Because these poll workers are people who live in the neighborhoods it discourages neighbors helping neighbors.

This is a solution in search of a problem. It is not something we need to do. There was consensus in Ohio that things needed to change after 2004. The laws enacted in 2006 led to shorter lines, more clarity, and less frustration for voters. While none of the changes I mention today make it impossible to vote, they build burdens to voting, burdens that have no good reason. That will mean fewer minority voters, fewer young voters, fewer elderly voters, fewer disabled voters. That may be what some politicians in this town want, but it is not what the people of Ohio want. Ohio deserves better when it comes to protecting our most fundamental constitutional rights.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE 65TH ANNIVERSARY OF THE LAS VEGAS NEWS BUREAU

Mr. REID. Madam President, today I rise to honor and commemorate the 65th anniversary of the Las Vegas News Bureau. Since its inception in 1947, the News Bureau has captured photos and videos of the colorful history of Las Vegas. Community leaders started the News Bureau as a way to generate publicity for Las Vegas through the use of photography and film, and in doing so, they preserved the history of the city.

The News Bureau has been at the forefront of documenting and publicizing Las Vegas as the world's leading destination for decades. Over the years, they have captured memorable moments of some of Vegas's most famous entertainers, illustrated the growth of the iconic skyline, and archived the scenic imagery of the surrounding Las Vegas landscape.

Amidst their archives, the News Bureau captured unforgettable moments of show biz legends and Las Vegas regulars, like Elvis, Liberace, Wayne Newton, and Frank Sinatra, among others. The archive also houses historical moments such as President Kennedy's trip to visit the troops at the Nevada Test Site, where the atomic bomb was detonated during the 1950s and 1960s. And alongside the many photographs of celebrities and familiar faces are millions of photos documenting the various parades, events, and tourists that helped make Las Vegas the thriving destination that it remains today.

The Las Vegas News Bureau plays a unique role in marketing southern Nevada as a one-of-a-kind destination. Their iconic images of Las Vegas provide a competitive advantage that helps distinguish Las Vegas from other destinations, while also acting as an invaluable resource to journalists and

historians alike. The unforgettable pictures of the neon lights of historic Fremont Street and glamorous images of Las Vegas show biz are more than just pieces of Las Vegas history: They represent what made Las Vegas the universally renowned city that it is today.

For the past 65 years, the News Bureau has chronicled the rise of Las Vegas into the Entertainment Capital of the World. I am proud to recognize their accomplishments before the Senate today, and I know that they will continue to tell the story of Las Vegas for years to come.

FOOD EMERGENCY

Mr. INHOFE. Madam President, today I wish to submit for the RECORD my remarks and a speech by Taiwan's top diplomat in Washington, Jason C. Yuan, of the Taipei Economic and Cultural Representative Office, who announced on April 25, 2012, the donation by his government of 1,150 metric tons of rice to Kenya through Feed the Children, a well-known and respected charity based in my home State of Oklahoma.

The food emergency in the Horn of Africa is a stark humanitarian crisis and Kenya simply has not received enough rain to feed its people. Record-high food prices, internal conflicts, and insecurity in the region have exacerbated the situation. With malnutrition and disease on the rise, some Kenyan families are required to travel long distances in search of food. It is evident that outside help must be provided.

The people of Taiwan are providing that help. Its generous gift will have an immediate impact on relieving the hardships brought on by this first drought of the 21st century.

Ronald Reagan once said that ''a hungry child knows no politics,'' meaning that the American people are always willing to open up their hearts and the blessings of their bounty to the less fortunate around the world. The people of Taiwan are doing the same thing today through this generous donation.

Some may say that this gracious donation of rice is a mere drop in the bucket compared to the overall need in Africa. Yet one must remember that every mighty wave starts with a tiny ripple.

I ask unanimous consent to have printed in the RECORD remarks from Ambassador Jason C. Yuan.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMBASSADOR JASON C. YUAN'S REMARKS AT THE TWIN OAKS ESTATE

APRIl 25, 2012

Mr. Steve Whetstone, Congressman Dan Burton, Ms. Barbara Schrage of AIT/W, Mr. Mark Powers and Ms. Kiersten Powers of Senator James Inhofe's Office, ladies and gentlemen, good morning!

On behalf of my government, I am pleased to announce that the Ministry of Foreign Affairs (MOFA) of the Republic of China (Taiwan), in cooperation with the Red Cross of the Republic of China and Feed the Children have decided to form an alliance to donate 1,150 metric tons of rice to Kenya, a country currently suffering a famine. This partnership will allow the rice donation from Taiwan to be distributed with the help of FTC in refugee camps, to ongoing relief efforts in Turkana and to primary schools in Mombasa, Kenya.

Feed the Children is one of the largest international charities, with its headquarters in Oklahoma City, Oklahoma, and based on Christian values. It has been dedicated to providing hope and resources for those without life's essentials throughout the United States and the world for decades.

Taiwan and FTC have associated in the past and successfully cooperated in 2005 to deliver 10,000 metric tons of rice to the tsunami ravaged areas in Indonesia. In 2006 Taiwan donated 52 containers of new clothing to FTC worth approximately US $17.6 million, which were later distributed to more than 16,000 children, orphans, elderly, abandoned and others in need in 11 countries (Honduras, Nicaragua, Guatemala, El Salvador, Indonesia, Sri Lanka, Cambodia, Azerbaijan, Russia, Armenia, and Ukraine). In 2007, Taiwan donated 5,000 metric tons of rice to Kenya and 5,000 metric tons of rice to Malawi through FTC, to help people in those two countries suffering from famine. In 2011, Taiwan donated 100 metric tons of rice to restart the Mombasa Kenya School Feeding Program, benefiting 27,000 children for 2 school terms.

Enhancing Taiwan's contributions to international development is one of the three lines of defense that President Ma Ying-jeou has outlined for the ROC's national security. As a maturing democracy and thriving economy, Taiwan has been shouldering our own responsibilities in the world. Humanitarian work has become an especially important platform for Taiwan's contributions to the international community. Taiwan's democracy and economic prosperity have combined to give rise to a vibrant society of numerous non-profit organizations. In almost every major disaster relief program that has occurred in the world recently, Taiwan has been an important contributor, whether this meant providing financial aid to help rebuild homes in Sichuan, or giving life-sustaining medical aid to Haitian children. Taiwan was also one of the first to arrive with emergency relief supplies and rescue teams when Japan was struck by the triple disaster of an earthquake, tsunami and nuclear incident. In fact, Taiwan ended up donating more than US $200 million to the Japanese people.

Last week, President Ma just wrapped up a 12-day official visit to Burkina Faso, Gambia and Swaziland, our three allies in Africa. Pursuing a policy of viable diplomacy that requires that all foreign assistance must be justified, legitimate and efficient, President Ma announced a donation of US $2.1 million worth of support to Mali refugee assistance efforts in Burkina Faso, and US $3 million to emergency food programs in Gambia. The project ''A Lamp Lighting up Africa'' also helps the students of our West African allies study at night with LED lamps.

The Republic of China used to be a country that received economic assistance from other countries, particularly the United States. Now that we are better off, the least we can do is to help other people in need. So we look forward to future cooperation with Feed the Children or other NGOs in the United States for the good cause. Thank you!

FREEDOM OF EXPRESSION IN ECUADOR

Mr. LEAHY. Madam President, May 3 was World Press Freedom Day. In this country, we recognize freedom of expression as our most cherished right. It forms the foundation for every other freedom, and an independent press is essential to its exercise. Yet in many countries expression is often censored and punished. Journalists are threatened, imprisoned, and killed for exposing official corruption and criticizing government repression. Not only is the media targeted and silenced, the entire population is denied access to accurate reporting.

The Senate was in recess on May 3, but I would like to call other Senators' attention to troubling events that currently pose one of the gravest threats to freedom of expression in this hemisphere. I am speaking about the actions of Ecuador's President Rafael Correa and officials in his government to silence independent broadcasters and publishers and watchdog organizations, undermining the fundamental right of free expression in ways that resemble what we have come to expect in Cuba, Nicaragua, and Venezuela.

There is no institution more fundamental to democracy than a free and independent press. A free press helps protect the rule of law, to ensure that no person or group is above the rules and procedures that govern a democratic society. A free press helps ensure transparency to prod governments to be honest and accountable to their citizens.

Unfortunately, recent events in Ecuador suggest a deliberate shift away from these democratic traditions, and this could pose grave consequences for democracy in Ecuador.

Although wavering at times, Ecuador has a history of democratic government of which its citizens can be proud. Ecuador's first Constitution, written in 1830, stipulated that ''every citizen can express their thoughts and publish them freely through the press.'' Ecuador's 1998 Constitution guarantees the right of journalists and social communicators to ''seek, receive, learn, and disseminate'' events of general interest, with the goal of ''preserving the values of the community.'' Even Ecuador's latest constitution, ratified just four years ago, protects each citizen's right ''to voice one's opinion and express one's thinking freely and in all of its forms and manifestations.'' However, it appears that these protections—a vital part of Ecuador's history of democratically elected, representative government—now only apply at the discretion of President Correa.

During President Correa's term in office, the number of state-owned media

organizations has exploded—growing from just one government-run news outlet to a media conglomerate that today is made up of more than a dozen outlets. He has pursued criminal charges against columnists and newspaper owners, including legal actions aimed at El Universo, one of Ecuador's most respected newspapers. In the El Universo case, President Correa won a $42 million award, and several journalists were sentenced to 3 years in prison following a hearing before a temporary—and recently appointed—magistrate. Although President Correa later pardoned the journalists, an Ecuadoran court rejected his pardon, and their fates remain unresolved. The fear of being charged and dragged through the expensive legal system also silences many other journalists or compels them to temper criticism of the government.

President Correa and his government are not only targeting journalists. Some 200 activists, many of them indigenous people protesting environmentally destructive mining projects, have been criminally charged and detained. The pattern of arresting or threatening to arrest social activists has suppressed the free flow of information in Ecuador, silencing dissenting voices either by legal action or self-censorship.

Perhaps most insidious to the principles of democracy, President Correa's government has ushered in new reforms that could make illegal almost all reporting about electoral campaigns. All censorship is bruising to a democracy, but electoral censorship is a fatal blow. With Presidential elections occurring in Ecuador in the next year, there is growing concern that President Correa's actions represent an attempt to influence the democratic process to his own political and personal benefit.

Dr. Catalina Botero, the special rapporteur for freedom of expression at the Organization of American States, OAS, has rightly criticized President Correa's crusade against the press. In response, President Correa has expanded his campaign of censorship beyond Ecuador's borders and targeted Dr. Botero's office, proposing to the OAS earlier this year a plan that would have restricted the ability of Dr. Botero's office to issue independent reports and cutting off some of its funding. Although the plan was rejected by the member states of the OAS, President Correa's intent remains clear. No longer content to silence his political opponents in Ecuador, he is now targeting his critics elsewhere.

President Correa has tried to cloak his actions in populist vocabulary, declaring that his censorship is motivated by a desire to free the public from the corrupt interests of the business organizations that often ran newspapers before the establishment of a law forbidding anyone with a significant stake in a media company from owning other businesses. Challenging viewpoints expressed in the media of course is legitimate, common, and healthy in any society, but preventing those views from being heard is not.

Mr. President, we should denounce attacks on the press in Ecuador and elsewhere in this hemisphere. We should strongly support Dr. Botero and her office. Protecting freedom of expression, a fundamental right enshrined in the Universal Declaration of Human Rights and the American Declaration of the Rights and Duties of Man is everyone's concern and responsibility. In doing so, we stand with the people of Ecuador and their right to be heard and for the future of their democracy.

WAR IN BOSNIA

Mr. CARDIN. Madam President, as we consider the many important issues currently before us, I believe it is worthwhile for us also to pause and recall past events that remain relevant to our work today.

As a member of the Senate Foreign Relations Committee and a long-time member and Co-Chairman of the Helsinki Commission, I would like to remind my colleagues that it was approximately 20 years ago that the conflict in Bosnia-Herzegovina began. While seeking to find a peaceful path out of the Yugoslavia which was collapsing around it, Bosnia and its people instead became chief victims of the clearly senseless violence associated with that collapse.

The ethnic cleansing of villages and the shelling of Sarajevo which we first saw in April 1992 were horrific, and little did we know how much worse things would get in subsequent months and years. It was in July and August of 1992 that we first saw the shocking pictures of the detainees in Omarska and other camps run by nationalist, militant Serbs, in northeastern Bosnia. The next year, we saw Croat militants destroy the famous bridge in Mostar for which the city got its name. In 1995, we saw Srebrenica before and after the genocide in which 8,000 people, mostly men and boys, perished.

While the United States and its friends and allies brought the conflict in Bosnia to an end with the Dayton Agreement in 1995, the action we took came too late for those who were ethnically cleansed and displaced, those who were tortured or raped, and those who were injured or killed. It is never too late, however, to provide justice. I am glad that people like Slobodan Milosevic, Ratko Mladic and Radovan Karadzic and all others indicted for war crimes, crimes against humanity and genocide were apprehended and transferred to the International Criminal Tribunal for the former Yugoslavia in The Hague. I am also glad that the United States and some other countries persevered to make this happen despite the resistance to cooperation and the protection afforded these individuals. I want to thank my colleagues who joined me in supporting justice in Bosnia as a matter of U.S. policy.

I think it is important not only to remember the victims and culprits of the conflict in Bosnia but also to remember the heroes. There were those who opposed extreme nationalism and aggression against neighbors. I particularly want to note the small group of human rights advocates and democratic forces in Serbia who opposed what Milosevic was doing allegedly in their name, even when he appeared to be getting away with it. I have met some of these courageous individuals over the years, including last July when I visited Belgrade, and they are truly inspiring people.

Today, Bosnia has recovered from the more than 3 years of brutal, destructive conflict that started 2 decades ago, and the country aspires to join both NATO and the European Union. I believe it is important that we support the people of Bosnia and their desires for integration by holding firm against the lingering forces of ethnic exclusivity, which remain particularly strong in the entity of Republika Srpska created by the Dayton Agreement, and at the same time encourage practical reforms so that Bosnia can function more effectively as a European partner. When one talks to the young people that represent Bosnia's future, as several of us have, it is clear they do not want to forget the past but they certainly do not want to repeat it. They want a future in Europe, and their political leaders need to give them that future. I hope the United States, which has invested so much in Bosnia thus far, will be there as necessary to help.

DIAGNOSTIC IMAGING SERVICES

Mr. CARDIN. Madam President, I have introduced the Diagnostic Imaging Services Access Protection Act of 2012, joined by my colleague from Louisiana, Senator DAVID VITTER. Our goal is to preserve Medicare beneficiaries' access to life-saving advanced diagnostic imaging services, such as magnetic resonance imaging, MRI, computed tomography, CT, and ultrasound.

Let me explain why this legislation is necessary. Medicare reimbursement for radiology services is based on two components: technical and professional. The technical component comprises the cost of equipment, nonphysician personnel, and medical supplies associated with the imaging process. The professional component is calculated by factoring in the radiologist's time, effort, and skill involved in interpreting images, rendering patient

diagnoses, and reporting the findings in the patient's medical record. In recent years, the Centers for Medicare and Medicaid Services sought to control imaging growth by cutting reimbursement for the technical component—reducing payment for multiple imaging services administered by the same physician to the same patient during a single office visit. This policy is referred to as the multiple procedure payment reduction, or MPPR. It is designed to take into account the efficiencies achieved by doing same-day procedures on the same patient, and for the technical component of radiology, it makes sense.

However this year, CMS decided to apply the MPPR to the professional component as well. The 2012 fee schedule rule, which took effect on January 1, cut the professional component reimbursement for radiologists by 25 percent for additional images. This payment reduction ignores the realities of medical practice. It is not supported by sound data, nor was it developed with meaningful physician input. Because each imaging study produces its own set of images that require individual interpretation, radiologists are ethically and professionally obligated to expend the same amount of time and effort interpreting each one, regardless of the number of images, the section of the body being examined, or the date of service.

Further, because radiologists are referral-based physicians who rarely order the studies they interpret, MPPR is an ineffective tool to reduce inappropriate utilization. Beneficiaries receiving multiple imaging studies often represent the sickest and most complex cases. They may have advanced cancer or be recovering from a stroke, serious car accidents, multiple gunshot wounds, or other forms of deadly trauma.

Not only will CMS' flawed policy disproportionately affect the most vulnerable patients, it may also create incentives to shift services away from the private practice setting, where the physician fee schedule applies, to the more expensive hospital outpatient setting.

Our legislation will ensure that CMS does not arbitrarily undervalue the role of the radiologist within the health care delivery system. It would cancel the MPPR cut to the professional component of radiology services through the end of 2012 and prevent it from taking effect in future years, pending more comprehensive study of the matter. Specifically, the Secretary of Health and Human Services would be prohibited from taking this action unless the reduction is based on the data, analysis, and conclusions of an independent expert panel convened by the Institute of Medicine.

A similar bill, HR 3269, has been introduced in the House of Representatives and it enjoys the strong bipartisan support of more than 240 cosponsors. I urge my colleagues to support this bipartisan and budget-neutral approach to preserving patient access to community-based diagnostic imaging services.

REMEMBERING DICK CLARK

Mrs. BOXER. Madam President, today I ask my colleagues to join me in honoring the memory of Dick Clark, one of our country's most beloved cultural icons who entertained grateful viewers in America and around the world for more than 60 years. He passed away on April 17, 2012, at age 82.

Richard Wagstaff Clark was born on November 30, 1929 in Mount Vernon, NY. As a child, Dick looked up to his older brother, Bradley, who became a pilot in the U.S. Army Air Corps during World War II and was killed in the Battle of the Bulge. Dick became depressed after his brother's death, and the only thing that lifted his spirits was music.

In some ways, Dick Clark was destined to work in the broadcasting industry. As a child, he became interested in radio after his parents took him to a live broadcast of the Jimmy Durante and Garry Moore show. Ever the affable young man, Dick participated in A.B. Davis High School's drama club and was elected class president.

After graduating from Syracuse University with a degree in business administration, Dick began working on ''Bandstand'' at Philadelphia's WFIL Radio. The popularity of this program led WFIL–TV to begin broadcasting it as an afternoon television show, which Dick started hosting in 1956. The following year, he pitched the show to the American Broadcasting Company, and it became nationally broadcast as ''American Bandstand.''

''American Bandstand'' became a phenomenon, a trendsetting show that touched people around the world across lines of race, culture, and ethnicity. ''Bandstand's'' integration of African Americans as musicians and dancers played a role breaking down racial barriers at a time when the civil rights movement was coming to the forefront. Over the next three decades, while the show moved from weekdays to Saturdays and from Philadelphia to Los Angeles, Dick Clark introduced American families to many artists who later became icons, including the Supremes, Michael Jackson, Madonna, and Prince. Aretha Franklin recently noted, ''If you didn't go on 'American Bandstand,' you hadn't made it yet.''

Over the course of his career, Dick Clark came to be known as one of the most hard-working people in show business. With Dick Clark Productions, founded in 1956, Clark produced television shows, made-for-TV movies, award shows, and beauty pageants. Unistar, which he cofounded and owned, distributed Clark's radio shows including ''Countdown America'' and ''Dick Clark's Rock, Roll & Remembers.''

In 1972 ''Rockin' Eve'' premiered, and since then generations of Americans have welcomed in the New Year with Dick Clark and watched with him as the ball dropped in New York City—a tradition that continued for 40 years. Throughout his time as host, Dick Clark only missed one New Year's Eve celebration in 2005 due to a stroke. The following year he was once again on the air welcoming the New Year with his beloved wife Kari and showing all of us that with tenacity, anything is possible.

Throughout his career, Clark left an indelible mark on the landscape of American music and television, from his 1974 creation of the American Music Awards to his productions of the Academy of Country Music Awards, Golden Globe Awards, Emmy Awards, Live Aid, and Farm Aid. For his successful career and tireless work ethic, Dick Clark was honored with Daytime and Primetime Emmy Awards, Daytime and Primetime Lifetime Achievement Awards, and inductions into the Radio Hall of Fame, the Rock 'n Roll Hall of Fame, the Academy of Television Arts & Sciences Hall of Fame, and the Philadelphia Walk of Fame.

I extend my heartfelt condolences to Dick's wife Kari, his sons Richard Augustus II and Duane, his daughter Cindy, and his grandchildren. He will be missed by the millions of people worldwide who were touched by his work.

REMEMBERING DEPUTY ROBERT PARIS

Mrs. BOXER. Madam President, I ask my colleagues to join me in honoring the memory of Deputy Robert ''Bob'' Paris, a dedicated public servant in the Stanislaus County Sheriff's Office and a kind and loyal colleague, friend, and family man. On the morning of April 12, 2012, Deputy Paris was tragically killed in the line of duty while serving an eviction notice in north Modesto.

A graduate of Tracy High School and the Ray Simon Criminal Justice Training Center in Modesto, Bob Paris joined the Stanislaus Sheriff's Department as a reserve deputy in May 1996 and became a full-time employee in 1998. During his tenure with the department, he served the community as a court bailiff, a patrol deputy, and as a member of the sheriff's water enforcement team. He was also the department's first-aid and CPR instructor at the sheriff's academy.

For the past 16 years, Deputy Paris dutifully served the citizens and communities of Stanislaus County with great pride, integrity, and valor. His

devotion to helping others, along with his passion for law enforcement, helped him become a respected member of the Stanislaus County Sheriff's Department.

Deputy Paris served Stanislaus County with honor and bravery, and I send my heartfelt sympathies to his family, friends, and colleagues.

HONOR FLIGHT NORTHERN COLORADO

Mr. UDALL of Colorado. Madam President, today I wish to speak on behalf of my colleagues and a grateful Nation as we welcome to the Nation's capital the 122 men and women of Honor Flight Northern Colorado. Together, they represent soldiers, sailors, airmen, and marines from WWII, Korea, and Vietnam. These heroes embody the dedication, honor, and selfless service that make this country great. We owe them and all servicemembers a debt that can never be repaid.

Throughout the history of our great Republic, our men and women in uniform have shielded this country from the harm that others wish to inflict on it. We have always asked a great deal from these individuals; that they leave their families to fight in an unknown land against a deadly enemy. They have always bravely answered the call, placing themselves between this country and harm's way.

On this flight are World War II veterans from every branch of service.

From the Army we have:

Robert Barnd, Loveland; Frank Brown, Fort Collins; William Castor, Loveland; Lowell Dart, Berthoud; Donald Draxler, Loveland; Jose Duran, Log Lane Village; Joseph Edwards, Scottsdale; George Emerick, Fort Morgan; Warren Garst, Fort Collins; Joseph Graham, Palo Alto; Roland Kaiser, Longmont; Victor Lazar, Sandy; David Leon, Alliance; Russell Malm, Greeley; W. Dennis McHenry, Estes Park; Raymond Mega, Longmont; Gerald Monroe, LaSalle; Bernard Nettesheim, Loveland; Richard Porter, Longmont; James Rauenbuehler, Fort Collins; Frederick Reck, Julesburg; Walter Sapp, Fort Collins; Alan Shultes, Longmont; Theodore Wahler, Loveland; Evans Woodhouse, Mead.

Army Air Corps veterans include:

Carson Bright, Longmont; Wayne Bullock, Fort Collins; Robert Duntsch, Bozeman; Marvin Fowler, Lamar; Donald Morrison, Limon; Homer Phillips, Jr., Fort Collins; Gilbert Rohde, Longmont; Charles Smoot, Loveland; Gene Thorson, Strasburg; Crowell Werner, Fort Collins.

From the Navy are:

Charles Agnew, Wheat Ridge; Eugene Bonkiewicz, Greeley; Jack Endacott, Estes Park; Robert Gillham, Peetz; William Hampton, Gering; Willis Kramer, Greeley; Harry Livingston, Estes Park; Gilbert Lopez, Denver; Armin Moser, Loveland; Reynold Olson, Estes Park; Marion Raines, Limon; Henry Schmitt, Jr., Longmont; Waldo Smith, Highlands Ranch; Fredrick Stein, Fort Collins; William Stromberg, Sr., Loveland; Clyde Treadway, Brush; Arthur Wartburg, Boulder; James White, Estes Park; Robert Williams, Johnstown.

We welcome Marine Corps veteran Lewis Ashcraft, Littleton.

And finally, from the Women's Auxiliary Corps, we have Mary Livingston, Estes Park.

Also on the flight are veterans from the Korean War.

Help me welcome Army veterans:

Darryl Anderson, Fort Morgan; Raymond Anderson, Gill; Donald Armagost, Greeley; Eugene Ball, Windsor; Harry Bell, Fort Collins; Orlis Charboneau, Pierce; Robert Cupp, Loveland; Samuel Ehrlich, Longmont; Alvin Eurich, Simla; John Hess, Loveland; Donald Hoffner, Eaton; Robert Kramer, Fort Lupton; Robert Kruger, Platteville; Lindy Leifheit, Irvine; Chester McCoy, Brush; William Miller, Fort Collins; James Ochsner, Windsor; Arnold Piel, Stoneham; Wayne Pimple, Greeley; Richard Reagan, Wellington; Gerald Rice, Fort Collins; Joseph Sellers, Ault; William Shirey, Estes Park; Norris Slechta, Berthoud.

Air Force veterans include:

James Ball, Denver; Dale Crist, Frederick; Bobbie Desmond, Loveland; Francis Fleming, Jr., Berthoud; Virgil Hanson, Greeley; Marguerite Ingram, Evans; Harry Rieger, Brush; Edward Roebuck, Greeley; Robert Stanley, Greeley; Darrell Viegut, Loveland.

From the Navy we have:

Emil Badjar, Longmont; Leslie Brumley, Greeley; Edward Eson, Greeley; Clarence Ehlbert, Fort Collins; Leslie Fraley, Jr., Fort Collins; George Frysinger III, Fort Collins; John Goad, Severance; Roman Herrmann, Longmont; Chester McGuire, Loveland; Raymond Nuss, Greeley; Louis Peterson, Longmont; Marshall Petring, Fort Collins; Gerald Ross, Fort Collins; Alan Seaman, Longmont; Clarence Strahan, Jr., Fort Collins; William Striffler, Fort Collins; Irvin Tregoning, Johnstown; Jimmie Tregoning, Greeley; Merril Tregoning, Windsor; Sam Warner, Loveland.

Representing the Marine Corps are:

Timothy Daley, Fort Collins; Richard Gero, Loveland; Billy Hettinger, Fort Collins.

And from the Women's Auxiliary Corps is Elizabeth Strahan, Fort Collins.

Veterans from the Vietnam War are on this flight as well.

From the Army we have:

Dennis Henneberg, Loveland; Donald Hess, Greeley; Jack Roberts, Greeley.

Representing the Navy are:

Edward Fast, Fort Collins; Daniel Menzies, Loveland.

And finally, Marine Corps veterans include:

Doyle Biggs, Loveland; Paul Delgado, Greeley; Steven White, Greeley.

Join me in thanking these Colorado veterans and the volunteers of Honor Flight Northern Colorado for their tremendous service to this great Nation.

RECOGNIZING THE WILLIAM J. MOTTO BIOSCIENCE SCHOLARSHIP

Mr. PORTMAN. Madam President, today I wish to recognize the establishment of the William J. Motto Annual Bioscience Scholarship at Cincinnati State Technical and Community College.

To commemorate the 35th anniversary of its founding, Meridian Bioscience, Inc., is funding a $5,000 annual scholarship to support a deserving student each year at Cincinnati State.

The scholarship is named in honor of Meridian bioscience executive chairman and Founder, William ''Bill'' Motto, who has a passion for creating opportunities for hard-working individuals who wish to improve their lives and our community.

Bill Motto founded Meridian in 1977 in the basement of his home, not far from the company's headquarters in Newtown, just outside of Cincinnati. Today, Meridian is a fully integrated life science company that manufactures, markets, and distributes a broad range of diagnostic test kits, purified reagents, and biopharmaceutical enabling technologies. In addition to products used in the early diagnosis and treatment of common medical conditions, Meridian develops and manufactures a variety of biological and nonbiological materials used in proficiency testing programs.

The scholarship will be geared toward students majoring in biosciences, as the college prepares to open a new bioscience lab in its Health Professions Building. In addition, the college has expanded its curriculum to help students become lab technicians or to pursue bachelor's or other specialized degrees.

Cincinnati State offers more than 75 associate degree and certificate programs in business technologies, health and public safety, engineering technologies, humanities and sciences, and information technologies. Cincinnati State also has one of the largest cooperative education programs in the United States, including a full slate of outstanding workforce training programs and courses. Cincinnati State's Workforce Development Center provides practical, hands-on learning experiences delivering both the professional and educational expertise so critical to effective, efficient workforce training.

Mr. President, I would like to congratulate Cincinnati State and commend Meridian Bioscience and its

founder, Bill Motto for giving back to southwest Ohio and the future leaders of bioscience fields in our State.

TRIBUTE TO RICHARD AND TIM SMUCKER

Mr. PORTMAN. Madam President, today I wish to congratulate Richard and Tim Smucker for being awarded the Harvard Business School Club of Northeastern Ohio's 2012 Leadership Award. These two brothers carry the legacy of a company created by Jerome Monroe Smucker over a century ago in 1897. Today, Smucker's employs more than 4,000 people and manages 29 domestic and 5 international brands, including Jif, Folgers, and Crisco. I have visited the company's headquarters and manufacturing facilities and seen firsthand how they have kept this great Ohio company at the forefront.

Richard Smucker has been a Smucker's director, having also served as president, co-chief executive, and executive chairman. In August of 2011, Richard was named chief executive officer of the company and continues to serve in this role.

Tim Smucker became a company director in 1973. He has also served as the company's chairman, as well as its co-chief executive. Since August of 2011, Timothy has served as the company's chairman of the board.

Mr. President, Richard and Tim Smucker received the 2012 Leadership Award for their continued and steadfast commitment to the J.M. Smucker Company, its brands, and its employees. I wish them both continued success in the future and commend them for their outstanding leadership in our State.

ADDITIONAL STATEMENTS

RECOGNIZING MAYOR MIKE WOOLSTON

● Mr. BLUNT. Mr. President, on May 22, 2011, the city of Joplin, MO, was struck by an EF5 tornado. The path of devastation was an incredible 6 miles long and almost 1 mile wide. The destruction was beyond words. Too many were lost, and lives were upended. Homes, schools, and businesses were destroyed. Joplin's mayor that terrible day was Mike Woolston. Mayor Woolston showed the world that Joplin was up to the challenge of not only surviving but rebuilding.

Mayor Woolston grew up in Joplin. Mike graduated from Joplin's Parkwood High School and Missouri Southern State University. After graduation from MSSU, Mike served his country in the U.S. Marine Corps at a number of locations at home and abroad. In 1988 Mike returned to Joplin and embarked on a career in real estate. For nearly 25 years Mike has been active in the Joplin community, serving on a number of community organizations such as United Way of Southwest Missouri, Community Blood Center of the Ozarks, American Red Cross, Salvation Army, and Joplin public schools' Bright Futures Program.

Mike was elected to the Joplin City Council in 2002. In 2010 his council peers elected him mayor. Mike was serving in that position when the most destructive tornado of the last 60 years struck the city of Joplin. Mayor Mike Woolston spent countless hours guiding the city through rescue, recovery, and eventually the beginning of the rebuilding process. Mayor Woolston's calm demeanor, positive attitude, and recognition of the thousands of others who were involved in every stage of post-tornado actions gave the citizens of the Joplin area hope for the future. As the face and voice for the city of Joplin, Mayor Woolston gave the Nation and the world a shining example of the spirit of cooperation and can-do work ethic which exemplifies Joplin, MO.

I hereby recognize and thank Michael R. Woolston for his leadership of the city of Joplin in the wake of the May 22, 2011, tornado and for his commitment to the citizens of his community.●

RECOGNIZING THE JONES BAR-B-Q DINER

● Mr. BOOZMAN. Mr. President, today I wish to recognize the owners of one of the oldest African-American-owned restaurants in America, the Jones Bar-B-Q Diner in Marianna, AR, which has been honored by the James Beard Foundation Awards.

The foundation recognized Jones Bar-B-Q as one of five restaurants from across the country in the ''America's Classics'' category at the 2012 annual awards ceremony taking place today at the Lincoln Center in New York City.

Foodies will tell you this honor is a big one. Arkansas writer Rex Nelson calls the Beard award the equivalent of the Pulitzer Prize for journalism—certainly high praise for a small operation that began on a back porch, but this is no ordinary run-of-the-mill barbecue.

This honor is a long time in the making. Jones Bar-B-Q Diner has been in operation, in some form, since at least the 1910s. Walter Jones, the founder and first pitmaster, lived in a bare wood dogtrot house and first served barbecue from the screened-in back porch on Fridays and Saturdays. The family recalls that original cooking setup as a ''hole in the ground, some iron pipes, a piece of fence wire and two pieces of tin.''

Eventually, Walter moved from selling the meat on the back porch to a small place in town called the Hole in the Wall. It was literally a window in a wall from which he would sell meat from a washtub. The modern incarnation, the Jones Bar-B-Q Diner, opened in 1964.

The business today remains true to its smalltown, family roots. Hubert Jones, Walter's son, is the present day proprietor and his son, James, tends the pits. The pork shoulder is still smoked with a simple setup over the pit. They still serve a very limited menu that centers around smoked pork hacked into bits and served on white bread with the Jones' vinegary sauce.

The James Beard Foundation—which is a not-for-profit 501(c)(3) organization dedicated to celebrating, preserving, and nurturing America's culinary heritage—only awards its ''America Classics'' distinction to restaurants with ''timeless appeal . . . that are beloved for quality food that reflects the character of their community.''

To qualify for the ''America's Classics'' award, establishments must have been in existence at least 10 years and they must be locally owned. The honorees are selected each year by the James Beard Foundation's Restaurant Committee, which is comprised of 17 people throughout the country, many of whom are notable food critics and culinary writers. The foundation is acutely aware of how special Jones Bar-B-Q Diner is to Marianna, the State of Arkansas, and southern cuisine.

I will leave you with one piece of advice. If you want some of Jones' famous smoke pork, it is best to arrive early. The diner usually opens around 7:30 a.m. Monday through Saturday and then closes by early afternoons when all the meat runs out. So get there early, bring your appetite, and be sure to congratulate the Jones family for being recognized by the James Beard Foundation. Their restaurant is definitely an integral part of the community and of Arkansas's culture. I am proud of Jones family's contribution to the Natural State's heritage and commend them for receiving this honor. The Jones Bar-B-Q Diner in Marianna truly is an American classic.●

RECOGNIZING THE ALASKA QUARTERLY REVIEW

● Ms. MURKOWSKI. Mr. President. I wish to recognize one of our Nation's literary magazines, the Alaska Quarterly Review. This quiet giant in the Alaska arts scene has earned numerous accolades and high praise. Today I want to specifically recognize the magazine for reaching its 30-year anniversary and for its continued literary excellence.

Since the magazine's birth at the Anchorage campus of the University of Alaska in 1982, the Alaska Quarterly Review has served as an instrument to give voice to Alaska writers and poets as well as also publishing excellent material from non-Alaskan authors. In

other words, while it is firmly rooted in Alaska, it has maintained a national perspective, bridging the distance between the literary centers across the country and Alaska. This balanced presentation of views over the years has earned the Review local, regional, national, and even international recognition.

The founding editor of the Review, Mr. Ronald Spatz, envisioned the Review as a way to break through stereotypes and present Alaska to the greater literary community as a partner. With the Review under his direction for three decades, he has also continued his focus on publishing new and emerging writers. After 30 years of hard work at the Review, each issue still contains the same labor of love and excitement from edition to edition.

Advances in technology have turned publishing on its head, but the Review has remained both a faithful forum for conventional work and an outlet for work that challenges accepted forms and modes of expression. It has established itself as distinctly Alaskan because it is strongly influenced by the place, the people, and the cultural traditions, without ever being restricted by its geographical location. The magazine's body of work is eclectic.

Through its stories, oral histories, folk tales, and poems, the literary magazine seeks to portray Alaska's rich and diverse Native cultures. It pays tribute to the Native language speakers and tradition bearers that keep their cultures alive through their stories and through their words. Over the years Alaskans have learned that one of the best ways to protect the social fabric of Native Alaskans is to protect their culture, thus maintaining their pride in their history and their heritage. In this vein, Ronald Spatz has published stories in Eyak, Haida, Tlingit, Tsimshian, Alutiq, Central Yup'ik, St. Lawrence Island Yup'ik, Inupiaq, and Dena'ina. The Review has done much to preserve the culture and history of Alaska and her people.

To help commemorate these achievements and reaching the 30-year benchmark, the Review is producing an ambitious photojournalism collection in their spring/summer issue. The collection, called ''Liberty and Justice (For All): A Global Photo Mosaic,'' pays tribute to photojournalists Tim Hetherington and Chris Hondros, who died in Libya in 2011. The biannual publication will also feature a special section in the fall/winter edition in the form of 60 poems by 60 different poets.

Alaska, and America, is far richer because of the Alaska Quarterly Review. I commend it and its contributors for its many achievements, as well as the University of Alaska board of regents and the leadership of the University of Alaska Anchorage for its support of the publication. It has taken a tremendous commitment to academic and artistic excellence to continue publication these 30 years. Again, congratulations to the Alaska Quarterly Review for reaching 30 years of continued literary excellence.●

RECOGNIZING THE CITIZENS' HOSE COMPANY NO. 1

● Mr. CARPER. Mr. President on behalf of Senator CHRIS COONS, Congressman JOHN CARNEY, and myself, I wish to offer my congratulations to fire chief Isaac Willis, president S. Christopher Hudson, and the entire Citizens' Hose Company No. 1 as they celebrate the Company's 125th anniversary of service to the town of Smyrna in Delaware. The success of the Citizens' Hose Company is a tribute to the many dedicated men and women who not only have served in this company but have served this community in a number of ways.

In 1885, the town of Smyrna installed water mains and fire hydrants throughout the town in preparation of the founding of the Citizens' Hose Company. Since that time the members of this company have protected the property and residents throughout this historic community. The company has reached many milestones throughout the last 125 years—initially fighting fires with a man-drawn hose tender and ladder cart to now answering fire calls using a 100-foot KME Kovatch ladder truck which, in 1999, was the first ladder truck the company purchased new. Additional milestones included the formation of the Ladies Auxiliary in 1950, as well as the expansion of the station in 1985 to accommodate office space and future growth. With over 440 members today, the Citizens' Hose Company No. 1 maintains the highest level of excellence. Over the last several years, the Citizens' Hose Company has answered an average of 475 calls per year and are on pace to keep that record in 2012.

The Citizens' Hose Company serves as a great neighbor to all in the Smyrna area. The company participates in numerous community activities throughout the year and has a renowned company band. Since 1947, the Citizens' Hose Company Band has provided music for the marching unit of the company during parades and other community gatherings. An annual participant in the Delaware Volunteer Firefighter's Association Parade, the Citizens' Hose Company has won the prestigious Governor's Cup Award a record 31 times. The company band has had the honor of playing music throughout Delaware as well as in Dublin, Ireland, New York City, and even represented the First State at the inaugural parades of both President Bill Clinton and President Barack Obama in Washington, DC.

Delaware's firefighters are dedicated and caring professionals who willingly put themselves at risk—day and night, in all kinds of weather. As their congressional delegation, we are all sincerely grateful for the continued service of the men and women of Citizens' Hose Company. The hard work and commitment of these devoted volunteers is an inspiration to us all. Moreover, the Citizens' Hose Company No. 1 has crafted a tradition of superior and selfless service.

Today, we send our warmest congratulations to the members, volunteers and families of Citizens' Hose Company No. 1 on this momentous anniversary, and we look forward to hearing of their continued success and exemplary service for another 125 years and beyond.●

RECOGNIZING 15TH ANNIVERSARY OF NUMBERSUSA

● Mr. SESSIONS. Mr. President, I wish to recognize the 15th anniversary of NumbersUSA, a national grassroots organization that advocates for immigration policies that seek to serve the national interest.

NumbersUSA was formed in 1997 by Roy Beck, a former journalist who has been recognized by the Houston Chronicle as ''one of the five leading thinkers in the national immigration debate.'' Under his leadership, NumbersUSA has grown from a mostly Internet-based organization of about 2,000 grassroots members to nearly 1.3 million activists, giving a voice to American citizens on the important issue of immigration and securing our border.

Those who were in Congress during the 2006 and 2007 debates on comprehensive immigration reform will confirm just how effective NumbersUSA is. NumbersUSA was an active leader in an outgunned coalition that stood up to virtually all the elites in Washington. The big lobbies pulled out all the stops, spent millions of dollars, and bore down hard in their push for mass amnesty. But Goliath fell to the grassroots David, whose faxes, e-mails, rallies, visits to our offices, and phone calls registered the clear message that the American people would not accept Washington rewarding lawbreaking. The overwhelming grassroots response actuated by the NumbersUSA coalition was most evident when citizens called Capitol Hill in such volume that it shut down the Senate's telephone system.

NumbersUSA approaches the important and sensitive issue of immigration by emphasizing the number of immigrants that are lawfully admitted to the United States. Their approach is captured in a statement prominently placed on their website: ''To talk about changing immigration numbers is to say nothing against the individual immigrants in this country. Rather, it is about deciding how many foreign citizens living in their own countries right

now should be allowed to immigrate in the future'' and ''about protecting and enhancing the United States' unique experiment in democracy for all Americans, including recent immigrants, regardless of their particular ethnicity.''

I commend NumbersUSA for speaking out effectively on these important issues for America. Their voice has added a valuable perspective to the discussion. I congratulate them on a successful first 15 years and wish them even greater success over its next 15 years.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of January 5, 2011, the Secretary of the Senate, on April 27, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 43. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

MESSAGE FROM THE HOUSE

At 2:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2050. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

H.R. 2096. An act to advance cybersecurity research, development, and technical standards, and for other purposes.

H.R. 2240. An act to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

H.R. 3523. An act to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes.

H.R. 3834. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes.

H.R. 4257. An act to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes.

H.R. 4628. An act to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

H.R. 4849. An act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

The message also announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 note) as amended, and the order of the House of January 5, 2011, the Speaker appoints the following member on the part of the House of Representatives to the Commission on International Religious Freedom for a term ending May 14, 2014: Mr. Samuel Gejdenson of Branford, Connecticut.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2096. An act to advance cybersecurity research, development, and technical standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3523. An act to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; to the Select Committee on Intelligence.

H.R. 3834. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes: to the Committee on Commerce, Science, and Transportation.

H.R. 4257. An act to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 2050. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

H.R. 2240. An act to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

H.R. 4628. An act to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

H.R. 4849. An act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5924. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Metconazole; Pesticide Tolerances'' (FRL No. 9345–6) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5925. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Carfentrazone-ethyl; Pesticide Tolerances'' (FRL No. 9346–5) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5926. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dimethomorph; Pesticide Tolerances'' (FRL No. 9346–6) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5927. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluoxastrobin; Pesticide Tolerances'' (FRL No. 9345–3) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5928. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Thiamethoxam; Pesticide Tolerances; Technical Correction'' (FRL No. 9344–9) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5929. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acequinocyl; Pesticide Tolerances'' (FRL No. 9346–4) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5930. A communication from the Secretary of the Commission, Division of Market Oversight, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Commodity Options'' (RIN3038–AD62) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5931. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to China; to the Committee on Banking, Housing, and Urban Affairs.

EC–5932. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Brazil; to the Committee on Banking, Housing, and Urban Affairs.

EC–5933. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–5934. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S.

exports to Chile; to the Committee on Banking, Housing, and Urban Affairs.

EC–5935. A communication from the Acting Administrator of the U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–5936. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Approval of 2011 Consent Decree to Control Emissions From the GenOn Chalk Point Generating Station; Removal of 1978 and 1979 Consent Orders'' (FRL No. 9666–3) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Environment and Public Works.

EC–5937. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Effluent Limitations Guidelines and New Source Performance Standards for the Airport Deicing Category'' (FRL No. 9667–6) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Environment and Public Works.

EC–5938. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina; Charlotte; Ozone 2002 Base Year Emissions Inventory'' (FRL No. 9666–7) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Environment and Public Works.

EC–5939. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Final Response to Petition From New Jersey Regarding SO2 Emissions From the Portland Generating Station'' (FRL No. RIN2060–AR42) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Environment and Public Works.

EC–5940. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Removal of Regulations Requiring 3% Withholding by Government Entities'' (RIN1545–BK83) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Finance.

EC–5941. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Gain Recognized with Respect to Stock in Certain Foreign Corporations Upon Distributions'' (RIN1545–BI41) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Finance.

EC–5942. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Purchase Price Safe Harbors for Sections 143 and 25'' (Rev. Proc. 2012–25) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Finance.

EC–5943. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—May 2012'' (Rev. Rul. 2012–13) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Finance.

EC–5944. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Nonresident Alien Deposit Interest Regulations'' (Rev. Proc. 2012–24) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Finance.

EC–5945. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, certification for the export of various calibers of center and rim bolt action rifles to the Country of Belgium in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC–5946. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles, including, technical data, or defense services for the design, development, manufacture, test, on-ground launch-site delivery, completion of in-orbit testing and long-term support for the MEXSAT Commercial Communication Satellite Program; to the Committee on Foreign Relations.

EC–5947. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement to include the export of defense articles, including, technical data, and defense services to the Republic of Korea for the manufacture of FA–50 Light Attack Aircraft in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–5948. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including, technical data, and defense services to support the Proton launch of the W3D Commercial Communication Satellites from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–5949. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including, technical data, and defense services to support the design, manufacturing and delivery phases of the SES–8 Commercial Communications Satellite Program for the Netherlands in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–5950. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement to France, Italy, Belgium and Spain for the design, manufacture, and delivery of Satellite Subsystems On-Board Processors for the Iridium NEXT program in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–5951. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including technical data, and defense services to the United Kingdom in support of the sale of one C–17 Globemaster III transport aircraft in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–5952. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits'' (RIN1212–AB04) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–5953. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled ''Roth Feature to the Thrift Savings Plan and Miscellaneous Uniformed Services Account Amendments'' (5 CFR Parts 1600, 1601, 1604, 1605, 1650, 1651, 1653, 1655, and 1690) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–5954. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–345 ''Raising the Expectations for Education Outcomes Omnibus Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–5955. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA 3335 EM in the State of Maryland having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–5956. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–5957. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report on applications made by the Government for authority to conduct electronic surveillance and physical searches during calendar year 2011; to the Committee on the Judiciary.

EC–5958. A communication from the Chair, U.S. Sentencing Commission, transmitting, pursuant to law, the amendments to the federal sentencing guidelines that were proposed by the Commission during the 2011–

2012 amendment cycle; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 2668. A bill to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station''.

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 435. A resolution calling for democratic change in Syria, and for other purposes.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 2516. An original bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUMENTHAL:

S. 2508. A bill to suspend temporarily the duty on carbonic dihydrazide; to the Committee on Finance.

By Mr. HARKIN:

S. 2509. A bill to suspend temporarily the duty on programmable controllers certified by the importer as designed for use in agricultural and off-road construction vehicles to control vehicle accessories and auxiliary functions; to the Committee on Finance.

By Mr. HARKIN:

S. 2510. A bill to suspend temporarily the duty on certain drive axles designed for use in off-road construction loaders and backhoes; to the Committee on Finance.

By Mr. HARKIN:

S. 2511. A bill to reduce temporarily the duty on certain forged ring gear components and certain other parts of crankshafts and connecting rods; to the Committee on Finance.

By Mr. HARKIN:

S. 2512. A bill to suspend temporarily the duty on Captan; to the Committee on Finance.

By Mr. HARKIN:

S. 2513. A bill to suspend temporarily the duty on Fosamine; to the Committee on Finance.

By Mr. HARKIN:

S. 2514. A bill to suspend temporarily the duty on orthotoluidine; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. DURBIN):

S. 2515. A bill to promote the use of clean cookstoves and fuels to save lives, improve livelihoods, empower women, and combat harmful pollution by creating a thriving global market for clean and efficient household cooking solutions; to the Committee on Foreign Relations.

By Mr. HARKIN:

S. 2516. An original bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Ms. LANDRIEU:

S. 2517. A bill to suspend temporarily the duty on tertiobutyl catechol flakes and tertiobutyl catechol with 85% water or methanol; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2518. A bill to suspend temporarily the duty on aqueous mixtures of polyvinyl alcohol and polyvinyl pyrrolidone; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2519. A bill to reduce temporarily the duty on s-Metolachlor; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2520. A bill to extend the temporary suspension of duty on glyoxylic acid; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2521. A bill to extend the temporary suspension of duty on Mandipropamid; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2522. A bill to extend the temporary suspension of duty on onitrophenol; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2523. A bill to extend the temporary suspension of duty on 1-Chloro-2-propanone; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2524. A bill to extend the temporary suspension of duty on DEMBB; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2525. A bill to extend the temporary suspension of duty on Mesotrione; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2526. A bill to suspend temporarily the duty on triflic anhydride; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2527. A bill to suspend temporarily the duty on triflic acid; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2528. A bill to suspend temporarily the duty on para-methoxyphenol or hydroquinone monomethylether; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2529. A bill to reduce temporarily the duty on certain truck cabs; to the Committee on Finance.

By Mr. KOHL:

S. 2530. A bill to suspend temporarily the duty on certain compression-ignition internal combustion piston engines; to the Committee on Finance.

By Mr. KOHL:

S. 2531. A bill to suspend temporarily the duty on certain portable personal area mosquito repellants; to the Committee on Finance.

By Mr. LEVIN:

S. 2532. A bill to suspend temporarily the duty on Laromer PE 55 F; to the Committee on Finance.

By Mr. LEVIN:

S. 2533. A bill to suspend temporarily the duty on poly(urea/formaldehyde/isobutyraldehyde); to the Committee on Finance.

By Mr. REID:

S. 2534. A bill to suspend temporarily the duty on specially designed vehicles, not elsewhere specified or indicated; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2535. A bill to renew the temporary suspension of duty on calcium chloride phosphate phosphor activated by manganese and antimony; to the Committee on Finance.

By Mr. REID:

S. 2536. A bill to suspend temporarily the duty on drinking glasses valued not over $0.30; to the Committee on Finance.

By Mr. REID:

S. 2537. A bill to suspend temporarily the duty on formaldehyde, polymer with methylphenol, 2-hydroxy-3[(1-oxo-2-propenyl)oxy]propyl ether and formaldehyde, polymer with (chloromethyl) oxirane and methylphenol, 4-cyclohexene-1,2-dicarboxylate 2-propenoate; to the Committee on Finance.

By Mr. REID:

S. 2538. A bill to suspend temporarily the duty on 2-propenoic acid, reaction products with o-cresol-epichlorohydrin-formaldehyde polymer and 3a,4,7,7a-tetrahydro-1,3-isobenzofurandione; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2539. A bill to renew the temporary suspension of duty on Basic Violet 11; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2540. A bill to renew the temporary suspension of duty on Basic Violet 11:1; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2541. A bill to suspend temporarily the duty on phosphorescent pigment; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2542. A bill to suspend temporarily the duty on Solvent Orange 115, Marigold Orange; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2543. A bill to suspend temporarily the duty on Solvent Yellow 131, Fluorescent Yellow M, Mohawk; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2544. A bill to renew the temporary suspension of duty on compound of barium magnesium aluminate phosphor, activated by europium or manganese; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2545. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the duty on sanitary towels and tampons, diapers and diaper liners for babies, and similar articles, of any material; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2546. A bill to suspend temporarily the duty on Reactive Red; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2547. A bill to renew the temporary suspension of duty on strontium halophosphate doped with europium; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2548. A bill to suspend temporarily the duty on Solvent Yellow 195; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2549. A bill to suspend temporarily the duty on Huron Yellow Dye; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2550. A bill to suspend temporarily the duty on Invisible Blue Dye; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2551. A bill to suspend temporarily the duty on Solvent Yellow 160:1, Potomac; to the Committee on Finance.

By Mr. BROWN of Ohio:
S. 2552. A bill to renew the temporary suspension of duty on yttrium oxide phosphor, activated by europium; to the Committee on Finance.

By Mr. BROWN of Ohio:
S. 2553. A bill to renew the temporary suspension of duty on lanthanum phosphate phosphor, activated by cerium and terbium; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. COONS, Ms. MIKULSKI, Mr. KOHL, and Ms. KLOBUCHAR):
S. 2554. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:
S. 2555. A bill to extend the temporary suspension of duty on certain parts and accessories of measuring or checking instruments; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2556. A bill to extend the temporary suspension of duty on oysters (other than smoked), prepared or preserved; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2557. A bill to extend the temporary suspension of duty on artichokes, prepared or preserved by vinegar or acetic acid; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2558. A bill to extend the temporary suspension of duty on artichokes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2559. A bill to suspend temporarily the duty on certain infant products; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2560. A bill to extend the temporary suspension of duty on certain bags for toys; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2561. A bill to extend the temporary suspension of duty on certain educational toys or devices; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2562. A bill to extend the temporary suspension of duty on certain cases or containers to be used for electronic drawing toys, electronic games, or educational toys; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2563. A bill to suspend temporarily the duty on certain protective cases of molded silicone for toys; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2564. A bill to suspend temporarily the duty on certain zippered cases of textile materials with textile straps for toys; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2565. A bill to suspend temporarily the duty on certain carrying cases of plastics with molded handles shaped to hold toys; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2566. A bill to suspend temporarily the duty on certain plastic stylus pens for use with toys; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2567. A bill to suspend temporarily the duty on certain headphones, AC adapters, and protective cases of molded silicone; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2568. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2569. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2570. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2571. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2572. A bill to suspend temporarily the duty on certain wide-range high sensitivity zoom security cameras; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2573. A bill to extend and modify the temporary suspension of duty on metal halide lamps designed for use in video projectors; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2574. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2575. A bill to reduce the duty on golf club putter heads; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2576. A bill to suspend temporarily the duty on certain toric shaped polarized materials; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2577. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of 80mm or less diameter; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2578. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of more than 80mm diameter; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2579. A bill to suspend temporarily the duty on insulated food or beverage bags with outer surface of man made fiber, with removable inner liner of hard plastic, certified by the importer as containing over 40 percent by weight of recycled plastics, exceeding 300 mm in length; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2580. A bill to suspend temporarily the duty on insulated food or beverage bags with outer surface of man made fiber, with removable inner liner of hard plastic, certified by the importer as containing over 40 percent by weight of recycled plastics, not to exceed 300 mm in length; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2581. A bill to suspend temporarily the duty on certain plastic device book style covers; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2582. A bill to suspend temporarily the duty on certain textile device book style covers; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2583. A bill to suspend temporarily the duty on certain textile device covers and stands; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2584. A bill to suspend temporarily the duty on certain plastic device covers and stands; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2585. A bill to suspend temporarily the duty on floor coverings and mats, of over 30% recycled Polyethylene (PE) or Ethylene-Vinyl Acetate (EVA), of the kind used for temporary cushioning for children and adults; to the Committee on Finance.

By Mrs. FEINSTEIN:
S. 2586. A bill to extend the temporary suspension of duty on certain subassemblies for measuring equipment for telecommunications; to the Committee on Finance.

By Mr. MANCHIN (for himself and Mr. ROCKEFELLER):
S. 2587. A bill to extend the temporary suspension of duty on Carbaryl; to the Committee on Finance.

By Mr. MANCHIN:
S. 2588. A bill to suspend temporarily the duty on 2-amino-5-cyano-N,3-dimethylbenzamide; to the Committee on Finance.

By Mr. MANCHIN:
S. 2589. A bill to suspend temporarily the duty on Picoxystrobin; to the Committee on Finance.

By Mr. MANCHIN:
S. 2590. A bill to suspend temporarily the duty on A5546 sulfonamide; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2591. A bill to suspend temporarily the duty on ultraviolet lamps filled with deuterium gas; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2592. A bill to extend the temporary duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2593. A bill to extend the suspension of duty on trifloxysulfuron-sodium; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2594. A bill to extend and modify the temporary reduction of duty on Thiamethoxam; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2595. A bill to extend the suspension of duty on phosphoric acid, tris (2-ethylhexyl) ester; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2596. A bill to renew the temporary suspension of duty on Triasulfuron; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2597. A bill to extend the temporary suspension of duty on benzene, 2,4-dichloro-1,3-dinitro-5-(trifluoromethyl); to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2598. A bill to suspend temporarily the duty on dichloroacetyl chloride; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2599. A bill to suspend temporarily the duty on Fenpyroximate; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2600. A bill to suspend temporarily the duty on Pyraflufen-ethyl; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2601. A bill to extend temporarily the suspension of duty on Flutolanil; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):
S. 2602. A bill to suspend temporarily the duty on Buprofezin; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2603. A bill to suspend temporarily the duty on tolfenpyrad technical; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2604. A bill to extend and modify the temporary reduction of duty on cyan 854 inkjet printing ink; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2605. A bill to extend and modify the temporary reduction of duty on cyan 1 RO inkjet printing ink; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2606. A bill to extend and modify the temporary reduction of duty on black 661 inkjet printing ink; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2607. A bill to extend and modify the temporary reduction of duty on black 820 inkjet printing ink; to the Committee on Finance.

By Mr. COONS:

S. 2608. A bill to extend the temporary suspension of duty on methyl–4-trifluoromethoxyphenyl-N-(chlorocarbonyl) carbamate; to the Committee on Finance.

By Mr. COONS:

S. 2609. A bill to extend the temporary suspension of duty on Famoxadone, Cymoxanil, and application adjuvants; to the Committee on Finance.

By Mr. COONS:

S. 2610. A bill to extend the temporary suspension of duty on Esfenvalerate technical; to the Committee on Finance.

By Mr. COONS:

S. 2611. A bill to extend the temporary suspension of duty on phenyl (4,6-dimethoxypyrimidin-2-yl) carbamate; to the Committee on Finance.

By Mr. COONS:

S. 2612. A bill to extend the temporary suspension of duty on mixtures of methyl 2-[[[[[4-(dimethylamino)-6-(2,2,2-trifluoroethoxy)-1,3,5-triazin-2-yl]amino]carbonyl]amino]-sulfonyl]-3-methylbenzoate and application adjuvants; to the Committee on Finance.

By Mr. COONS:

S. 2613. A bill to extend the temporary suspension of duty on Pyrithiobac-sodium; to the Committee on Finance.

By Mr. COONS:

S. 2614. A bill to extend the temporary suspension of duty on ethyl 2-(Isocyanatosulfonyl)benzoate; to the Committee on Finance.

By Mr. COONS:

S. 2615. A bill to extend the temporary suspension of duty on Benzyl carbazate; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CARPER):

S. 2616. A bill to suspend temporarily the duty on pyraflufen-ethyl; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CARPER):

S. 2617. A bill to suspend temporarily the duty on flubendiamide; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CARPER):

S. 2618. A bill to extend the temporary suspension of duty on mixtures of difenoconazole and mefenoxam; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CARPER):

S. 2619. A bill to extend the temporary suspension of duty on 1,3-benzenedicarbonitrile; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mr. GRASSLEY):

S. 2620. A bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2621. A bill to suspend temporarily the duty on certain rooftop cargo bags; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2622. A bill to suspend temporarily the duty on 2-aminopyridine; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2623. A bill to suspend temporarily the duty on 4-chloro-3-nitrobenzoic acid; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2624. A bill to extend and modify the temporary suspension of duty on Avermectin B; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2625. A bill to extend the temporary suspension of duty on Cyproconazole; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2626. A bill to extend and modify the temporary reduction of duty on clodinafop-propargyl; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2627. A bill to extend and modify the temporary reduction of duty on fludioxonil; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2628. A bill to extend the temporary suspension of duty on formulations of Thiamethoxam, Difenoconazole, Fludioxinil, and Mefenoxam; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2629. A bill to extend and modify the temporary suspension of duty on (R,S)—2-((2,6-dimethylphenyl)methoxyacetylamino) propionic acid, methyl ester; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2630. A bill to extend the temporary suspension of duty on Pymetrozine; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2631. A bill to extend and modify the temporary reduction of duty on azoxystrobin; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2632. A bill to extend the temporary suspension of duty on Cloquintocet-mexyl; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2633. A bill to extend and modify the temporary reduction of duty on Pinoxaden; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2634. A bill to extend the temporary suspension of duty on perfluorocarbon amines; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2635. A bill to extend the temporary suspension of duty on C5-8 perfluorocarbonalkanes; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2636. A bill to extend the temporary suspension of duty on mixtures of C5-18 perfluorocarbon alkanes, perfluorocarbon amines, and/or perfluorocarbon ethers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2637. A bill to extend the temporary suspension of duty on C1-3 perfluoroalkyl perfluoromorpholine; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2638. A bill to suspend temporarily the duty on copoly(acrylic acid/itaconic acid); to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2639. A bill to suspend temporarily the duty on bisphenol A Bis(3-methacryloyloxypropyl) ether substituted dimethacylate; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2640. A bill to suspend temporarily the duty on potassium persulfate encapsulated in cellulose acetate butyrate; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2641. A bill to extend the temporary suspension of duty on fluoropolymers containing 95 percent or more by weight of the monomer units tetrafluoroethylene, hexafluoropropylene, and vinylidene fluoride; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2642. A bill to suspend temporarily the duty on certain polycrystalline fibers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2643. A bill to extend the temporary suspension of duty on perfluorobutanesulfonyl fluoride; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2644. A bill to suspend temporarily the duty on certain catalytic converter mats of glass fibers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2645. A bill to extend the temporary suspension of duty on certain catalytic converter mounting mats; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2646. A bill to suspend temporarily the duty on ascorbic acid encapsulated in cellulose acetate butyrate; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2647. A bill to extend and modify the temporary reduction of duty on certain bicycle brakes; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2648. A bill to extend and modify the temporary reduction of duty on bicycle wheel rims; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2649. A bill to extend and modify the temporary reduction of duty on bicycle speedometers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2650. A bill to suspend temporarily the duty on wide angle reflectors; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2651. A bill to suspend temporarily the duty on baby or child carriers designed for use on bicycles; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2652. A bill to suspend temporarily the duty on bicycle speedometer parts; to the Committee on Finance.

By Mr. CASEY:

S. 2653. A bill to suspend temporarily the duty on diethenyl-benzene polymer with ethenylbenzene and ethenylethylbenzene, sulfonated; to the Committee on Finance.

By Mr. CASEY:

S. 2654. A bill to extend the temporary suspension of duty on 2 propenoic acid, polymer with diethenylbenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2655. A bill to extend the temporary suspension of duty on Styrene, ar-ethyl-, polymer with divinylbenzene and styrene beads having low ash content; to the Committee on Finance.

By Mr. CASEY:

S. 2656. A bill to extend the temporary suspension of duty on ion exchange resin powder comprising a copolymer of methacrylic acid crosslinked with divinylbenzene, in the potassium ionic form; to the Committee on Finance.

By Mr. CASEY:

S. 2657. A bill to extend the temporary suspension of duty on macroporous ion-exchange resin comprising a copolymer of styrene crosslinked with divinylbenzene, thio functionalized; to the Committee on Finance.

By Mr. CASEY:

S. 2658. A bill to suspend temporarily the duty on ion exchange resin—Methanamine, N methyl reaction products with chloromethylated divinylbenzene-styrene polymer; to the Committee on Finance.

By Mr. CASEY:

S. 2659. A bill to suspend temporarily the duty on methylated and butylated melamine-formaldehyde polymer; to the Committee on Finance.

By Mr. CASEY:

S. 2660. A bill to suspend temporarily the duty on Brine Electrolysis Ion Exchange Apparatus; to the Committee on Finance.

By Mr. CASEY:

S. 2661. A bill to suspend temporarily the duty on Agilon 400; to the Committee on Finance.

By Mr. CASEY:

S. 2662. A bill to suspend temporarily the duty on pigments based on titanium dioxide; to the Committee on Finance.

By Mr. CASEY:

S. 2663. A bill to suspend temporarily the duty on Pigment Violet 23; to the Committee on Finance.

By Mr. CASEY:

S. 2664. A bill to suspend temporarily the duty on 2,3-dichloronitrobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2665. A bill to suspend temporarily the duty on phenyl isocyanate; to the Committee on Finance.

By Mr. CASEY:

S. 2666. A bill to suspend temporarily the duty on tungsten concentrate; to the Committee on Finance.

By Mr. CASEY:

S. 2667. A bill to suspend temporarily the duty on Vacuum-Grade Ferroniobium; to the Committee on Finance.

By Mr. CASEY:

S. 2668. A bill to suspend temporarily the duty on tungsten oxide; to the Committee on Finance.

By Mr. CASEY:

S. 2669. A bill to suspend temporarily the duty on Metallic Manganese; to the Committee on Finance.

By Mr. CASEY:

S. 2670. A bill to suspend temporarily the duty on tungsten carbide; to the Committee on Finance.

By Mr. CASEY:

S. 2671. A bill to suspend temporarily the duty on 1-(2-chloroethyl)-4-ethyl-1,4-dihydro-5H-tetraxol-5-one; to the Committee on Finance.

By Mr. CASEY:

S. 2672. A bill to suspend temporarily the duty on 1,1-cyclobutanedicarboxylic acid; to the Committee on Finance.

By Mr. CASEY:

S. 2673. A bill to suspend temporarily the duty on ferroniobium; to the Committee on Finance.

By Mr. CASEY:

S. 2674. A bill to suspend temporarily the duty on N-[(4-methoxymethyl)-1-phenylmethyl-4-piperidinyl]N-phenylpropanamide-etha edioate; to the Committee on Finance.

By Mr. CASEY:

S. 2675. A bill to suspend temporarily the duty on Ancamine 2422 Curing Agent; to the Committee on Finance.

By Mr. CASEY:

S. 2676. A bill to suspend temporarily the duty on 2-butyl-5-chloro-3H-imidazole-4-carbaldhyde; to the Committee on Finance.

By Mr. CASEY:

S. 2677. A bill to suspend temporarily the duty on 1-benzyl-4-phenyl-4-piperdine carboxylic acid ethyl ester HCl; to the Committee on Finance.

By Mr. CASEY:

S. 2678. A bill to suspend temporarily the duty on 1,2,4 Triazole; to the Committee on Finance.

By Mr. CASEY:

S. 2679. A bill to suspend temporarily the duty on certain rolled glass in sheets; to the Committee on Finance.

By Mr. CASEY:

S. 2680. A bill to suspend temporarily the duty on mixtures containing fluopyram and tebuconazole; to the Committee on Finance.

By Mr. CASEY:

S. 2681. A bill to suspend temporarily the duty on mixtures containing flupyram and application adjuvants; to the Committee on Finance.

By Mr. CASEY:

S. 2682. A bill to suspend temporarily the duty on Strong Base Anionic Resin-Quaternary amine styrene divinylbenzene copolymer in the chloride form; to the Committee on Finance.

By Mr. CASEY:

S. 2683. A bill to suspend temporarily the duty on ion exchange resin of benzene, diethenyl, polymer, with ethnylbenzene and ethenylethylbenzene, chloromethylated, trimethylaminoquaternized; to the Committee on Finance.

By Mr. CASEY:

S. 2684. A bill to extend the temporary suspension of duty on Disflamoll TOF; to the Committee on Finance.

By Mr. CASEY:

S. 2685. A bill to suspend temporarily the duty on 2,5-dimethyl-2, 5-hexanediol; to the Committee on Finance.

By Mr. CASEY:

S. 2686. A bill to suspend temporarily the duty on Preventol ON Extra Preservative; to the Committee on Finance.

By Mr. CASEY:

S. 2687. A bill to suspend temporarily the duty on dimethylisopropylamine; to the Committee on Finance.

By Mr. CASEY:

S. 2688. A bill to suspend temporarily the duty on P-Toluidine; to the Committee on Finance.

By Mr. CASEY:

S. 2689. A bill to suspend temporarily the duty on poly(styrene-co-methyl methacrylate); to the Committee on Finance.

By Mr. CASEY:

S. 2690. A bill to suspend temporarily the duty on poly(methyl methacrylate); to the Committee on Finance.

By Mr. CASEY:

S. 2691. A bill to suspend temporarily the duty on p-Nitrotoluene; to the Committee on Finance.

By Mr. CASEY:

S. 2692. A bill to suspend temporarily the duty on mixtures of phenyl esters of C10–C18 alkylsulfonic acids; to the Committee on Finance.

By Mr. CASEY:

S. 2693. A bill to extend the temporary suspension of duty on micro-porous, ultrafine, spherical polyamide powders of polyamide 6; polyamide-12; and polyamide 6, 12; to the Committee on Finance.

By Mr. CASEY:

S. 2694. A bill to suspend temporarily the duty on chlorobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2695. A bill to suspend temporarily the duty on p-dichlorobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2696. A bill to suspend temporarily the duty on piperazine co-polymerized copolyamide resin high-temperature melt adhesive pellets; to the Committee on Finance.

By Mr. CASEY:

S. 2697. A bill to suspend temporarily the duty on dimethyl dicarbonate; to the Committee on Finance.

By Mr. CASEY:

S. 2698. A bill to extend and modify the temporary duty on 11-aminoundecanoic acid; to the Committee on Finance.

By Mr. CASEY:

S. 2699. A bill to suspend temporarily the duty on phosphorous sulfochloride; to the Committee on Finance.

By Mr. CASEY:

S. 2700. A bill to extend the temporary suspension of duty on pyrimethanil; to the Committee on Finance.

By Mr. CASEY:

S. 2701. A bill to extend the temporary suspension of duty on Phenmedipham; to the Committee on Finance.

By Mr. CASEY:

S. 2702. A bill to extend the temporary suspension of duty on Spirodiclofen; to the Committee on Finance.

By Mr. CASEY:

S. 2703. A bill to extend the temporary suspension of duty on 2-acetylbutyrolactone; to the Committee on Finance.

By Mr. CASEY:

S. 2704. A bill to extend the temporary suspension of duty on Fosetyl-Al; to the Committee on Finance.

By Mr. CASEY:

S. 2705. A bill to extend the temporary suspension of duty on certain smooth nonwoven fiberglass sheets of a type primarily used as acoustical facing for ceiling panels; to the Committee on Finance.

By Mr. CASEY:

S. 2706. A bill to extend the temporary suspension of duty on Iminodisuccinate; to the Committee on Finance.

By Mr. CASEY:

S. 2707. A bill to extend the temporary suspension of duty on Levapren-Levamel; to the Committee on Finance.

By Mr. CASEY:

S. 2708. A bill to suspend temporarily the duty on certain fiberglass sheets used in flooring; to the Committee on Finance.

By Mr. CASEY:

S. 2709. A bill to extend the temporary suspension of duty on Bayderm Bottom DLV-N; to the Committee on Finance.

By Mr. CASEY:

S. 2710. A bill to extend the temporary suspension of duty on thionyl chloride; to the Committee on Finance.

By Mr. CASEY:

S. 2711. A bill to suspend temporarily the duty on Di-cup Organic Peroxide; to the Committee on Finance.

By Mr. CASEY:
S. 2712. A bill to extend the temporary suspension of duty on Bayowet C4; to the Committee on Finance.
By Mr. CASEY:
S. 2713. A bill to suspend temporarily the duty on 2-chlorotoluene; to the Committee on Finance.
By Mr. CASEY:
S. 2714. A bill to suspend temporarily the duty on methanesulfonic acid; to the Committee on Finance.
By Mr. CASEY:
S. 2715. A bill to suspend temporarily the duty on chloromethylbenzene; to the Committee on Finance.
By Mr. CASEY:
S. 2716. A bill to extend the temporary suspension of duty on tetraethylammonium perfluoroctanesulfonate; to the Committee on Finance.
By Mr. CASEY:
S. 2717. A bill to suspend temporarily the duty on methanesulfonyl chloride; to the Committee on Finance.
By Mr. CASEY:
S. 2718. A bill to extend the temporary suspension of duty on disflamoll DPK; to the Committee on Finance.
By Mr. CASEY:
S. 2719. A bill to suspend temporarily the duty on mixtures containing fluopyram and prothioconazole; to the Committee on Finance.
By Mr. CASEY:
S. 2720. A bill to suspend temporarily the duty on mixtures containing fluopyram and trifloxystrobin; to the Committee on Finance.
By Mr. CASEY:
S. 2721. A bill to suspend temporarily the duty on mixtures containing fluopyram and pyrimethanil; to the Committee on Finance.
By Mr. CASEY:
S. 2722. A bill to suspend temporarily the duty on spirotetramat; to the Committee on Finance.
By Mr. CASEY:
S. 2723. A bill to suspend temporarily the duty on thiacloprid; to the Committee on Finance.
By Mr. CASEY:
S. 2724. A bill to suspend temporarily the duty on (RS)-1-(B-allyloxy-2,4-dichlorophenethyl)imidazole; to the Committee on Finance.
By Mr. CASEY:
S. 2725. A bill to suspend temporarily the duty on thidiazuron; to the Committee on Finance.
By Mr. CASEY:
S. 2726. A bill to suspend temporarily the duty on mixtures of cyprosulfamide; to the Committee on Finance.
By Mr. CASEY:
S. 2727. A bill to suspend temporarily the duty on modified aliphatic amine mixtures containing benzyl alcohol, formaldehyde, polymer with 1,3-benezenedimethanamine and phenol, 1,3-benzenedimethanamine, phenol, 4,4′-(1-methylethylidene)bis-, polymer with 2-(chloromethyl)oxirane, reaction products with ethylene-diamine; to the Committee on Finance.
By Mr. CASEY:
S. 2728. A bill to suspend temporarily the rate of duty on phenyl-2-pyridyl acetamide; to the Committee on Finance.
By Mr. CASEY:
S. 2729. A bill to suspend temporarily the duty on triethylenediamine; to the Committee on Finance.
By Mr. CASEY:
S. 2730. A bill to suspend temporarily the duty on alpha-threo phenyl-2-piperidyl acetamide; to the Committee on Finance.
By Mr. CASEY:
S. 2731. A bill to extend the temporary suspension of duty on certain pressure distillation columns; to the Committee on Finance.
By Mr. CASEY:
S. 2732. A bill to suspend temporarily the rate of duty on alpha-phenyl-2-piperdylacetic acid; to the Committee on Finance.
By Mr. CASEY:
S. 2733. A bill to extend the temporary suspension of duty on aqueous emulsion of a modified aliphatic amine mixture of: decanedioic acid, compounds with 1,3-benzene-dimethanamine-bisphenol A-bisphenol A diglycidyl ether-diethylenetriamine glycidyl phenyl ether reaction product-epichlorohydrinformaldehyde- propylene oxide-triethylenetetramine polymer; to the Committee on Finance.
By Mr. CASEY:
S. 2734. A bill to suspend temporarily the rate of duty on 4-bromobenzyl bromide; to the Committee on Finance.
By Mr. CASEY:
S. 2735. A bill to extend the temporary suspension of duty on helium; to the Committee on Finance.
By Mr. CASEY:
S. 2736. A bill to suspend temporarily the duty on 5(1,1-dimethylheptyl) resorcinol; to the Committee on Finance.
By Mr. CASEY:
S. 2737. A bill to extend and modify the temporary reduction of duty on cast stainless steel single-piece exhaust gas manifolds; to the Committee on Finance.
By Mr. CASEY:
S. 2738. A bill to extend the temporary suspension of duty on mixtures of formaldehyde polymers with aniline and with 4,4′-methylendianiline; to the Committee on Finance.
By Mr. CASEY:
S. 2739. A bill to suspend temporarily the duty on cerium nitrate; to the Committee on Finance.
By Mr. CASEY:
S. 2740. A bill to extend the temporary suspension of duty on mixtures of alkene polylmers with maleic anhydride, 2-(1-piperazinyl) ethylimides, diisononyl phthalate and bis(1-methylethyl)-naphthalene; to the Committee on Finance.
By Mr. CASEY:
S. 2741. A bill to suspend temporarily the duty on gadolinium oxide; to the Committee on Finance.
By Mr. CASEY:
S. 2742. A bill to suspend temporarily the duty on lanthanum oxide; to the Committee on Finance.
By Mr. CASEY:
S. 2743. A bill to suspend temporarily the duty on knitted or crocheted fabrics of a width exceeding 30 cm, containing by weight 5 percent or more of elastomeric yarn but not containing rubber thread; to the Committee on Finance.
By Mr. CASEY:
S. 2744. A bill to renew the temporary suspension of duty on europium oxide; to the Committee on Finance.
By Mr. CASEY:
S. 2745. A bill to extend the temporary suspension of duty on mixed xylidines; to the Committee on Finance.
By Mr. CASEY:
S. 2746. A bill to extend and modify the temporary suspension of duty on yttrium oxide; to the Committee on Finance.
By Mr. CASEY:
S. 2747. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of lanthanum phosphate, cerium-doped lanthanum phosphate, cerium phosphate, and terbium phosphate; to the Committee on Finance.
By Mr. CASEY:
S. 2748. A bill to suspend temporarily the duty on benzamine, dodecyl-, branched; to the Committee on Finance.
By Mr. CASEY:
S. 2749. A bill to extend the temporary suspension of duty on mixtures or coprecitates of yttrium oxide and europium oxide; to the Committee on Finance.
By Mr. CASEY:
S. 2750. A bill to suspend temporarily the duty on mixtures of aminocyclopyrachlor and inert ingredients; to the Committee on Finance.
By Mr. CASEY:
S. 2751. A bill to suspend temporarily the duty on n-ethyl-n-benzyl aniline; to the Committee on Finance.
By Mr. CASEY:
S. 2752. A bill to suspend temporarily the duty on picoxystrobin; to the Committee on Finance.
By Mr. CASEY:
S. 2753. A bill to suspend temporarily the duty on potassium 1,3-dioxo-1H,3H-naphthol[1,8-cd]pyran-6-sulfonate; to the Committee on Finance.
By Mr. CASEY:
S. 2754. A bill to extend the temporary suspension of duty on 4,4′-oxydianiline; to the Committee on Finance.
By Mr. CASEY:
S. 2755. A bill to extend the temporary suspension of duty on 3,3′,4,4′-biphenyltetracarboxylic dianhydride; to the Committee on Finance.
By Mr. CASEY:
S. 2756. A bill to suspend temporarily the duty on nitroaniline; to the Committee on Finance.
By Mr. CASEY:
S. 2757. A bill to extend temporary suspension of duty on pyromellitic dianhydride; to the Committee on Finance.
By Mr. CASEY:
S. 2758. A bill to extend the temporary reduction of duty on Aspirin; to the Committee on Finance.
By Mr. CASEY:
S. 2759. A bill to suspend temporarily the duty on 3,5,5-trimethylhexylamine; to the Committee on Finance.
By Mr. CASEY:
S. 2760. A bill to extend and modify the temporary suspension of duty on poly(toluene diisocyanate); to the Committee on Finance.
By Mr. CASEY:
S. 2761. A bill to suspend temporarily the duty on 2-ethylhexylamine; to the Committee on Finance.
By Mr. CASEY:
S. 2762. A bill to extend and modify the temporary suspension of duty on mixtures of tris(4-isocyanatophenyl)thiophosphate; to the Committee on Finance.
By Mr. CASEY:
S. 2763. A bill to suspend temporarily the duty on dimethyl carbonate polymer with 1,6-hexanediol and 2-oxepanone; to the Committee on Finance.
By Mr. CASEY:
S. 2764. A bill to suspend temporarily the duty on Vat Violet 10; to the Committee on Finance.
By Mr. CASEY:
S. 2765. A bill to suspend temporarily the duty on copoly(dimethyl carbonate/1,6-hexanediol); to the Committee on Finance.
By Mr. CASEY:
S. 2766. A bill to extend the temporary suspension of duty on Lambda-Cy; to the Committee on Finance.

By Mr. CASEY:

S. 2767. A bill to suspend temporarily the duty on dimethyl carbonate polymer with 1,6-hexanediol and 1,5-pentanediol; to the Committee on Finance.

By Mr. CASEY:

S. 2768. A bill to suspend temporarily the duty on oxyfluorfen; to the Committee on Finance.

By Mr. CASEY:

S. 2769. A bill to extend the temporary reduction of duty on liquid-filled glass bulbs designed for sprinkler systems and other release devices; to the Committee on Finance.

By Mr. CASEY:

S. 2770. A bill to suspend temporarily the duty on reaction product of 3,5-dimethyl-1,2-diazole with polymer of hexane-1,6-diyl diisocyanate; to the Committee on Finance.

By Mr. CASEY:

S. 2771. A bill to suspend temporarily the duty on captan; to the Committee on Finance.

By Mr. CASEY:

S. 2772. A bill to suspend temporarily the duty on oxirane, 2-methyl-, polymer with oxirane, ether with 1,2,3-propanetriol (3:1), polymer with 2,4-diisocyanato-1-methylbenzene and a-hydro-w-hydroxypoly[oxy(methyl-1,2-ethanediyl)] ether with 2-ethyl-2-(hydroxymethyl)-1,3-propanediol (3:1), caprolactam-blocked; to the Committee on Finance.

By Mr. CASEY:

S. 2773. A bill to suspend temporarily the duty on hexanedioic acid, dihydrazide, polymer with 5-amino-1,3,3-trimethylcyclohexanemethanamine, 1,3-butanediol and 1,1′-methylenebis[4-isocyanatocyclohexane], Me Et ketone oxime- and polyethylene glycol mono-Me ether-blocked; to the Committee on Finance.

By Mr. CASEY:

S. 2774. A bill to suspend temporarily the duty on N-[methoxy(methylthio) phosphinoyl] acetamide formulation; to the Committee on Finance.

By Mr. CASEY:

S. 2775. A bill to suspend temporarily the duty on N,N′N″-[(2,4,5-trioxo-1,3,5-triazine-1,3,5(2H,4H,6H)-triyl)tris[methylene(3,5,5-trimetyl-3,1-cyclohexanediyl)]]tris[hexahydro-2-oxo-1H-azepine-1-carboxamide]; to the Committee on Finance.

By Mr. CASEY:

S. 2776. A bill to extend the temporary suspension of duty on mixtures of thiophanate methyl and application adjuvants; to the Committee on Finance.

By Mr. CASEY:

S. 2777. A bill to extend the temporary suspension of duty on methyl sulfanilylcarbamate, sodium salt; to the Committee on Finance.

By Mr. CASEY:

S. 2778. A bill to suspend temporarily the duty on reaction product of 3,5-dimethyl-1,2-diazole with polymer of hexane-1,6-diyl diisocyanate; to the Committee on Finance.

By Mr. CASEY:

S. 2779. A bill to suspend temporarily the duty on poly(1,6-diisocyanatohexane-block-polyethylene-block-poly-propylene glycol monobutyl ether); to the Committee on Finance.

By Mr. CASEY:

S. 2780. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Finance.

By Mr. CASEY:

S. 2781. A bill to suspend temporarily the duty on water-dispersible polyisocyanate products based on nexamethylene diisocyanate trimer and cyclohexanamine, N,N-dimethyl-, compounds with 3-(cyclohexylamino)-1-propanesulfonic acid-blocked 1,6-diisocyanatohexane homopolymer; to the Committee on Finance.

By Mr. CASEY:

S. 2782. A bill to extend the temporary suspension of duty on Oryzalin; to the Committee on Finance.

By Mr. CASEY:

S. 2783. A bill to extend the temporary suspension of duty on 2-oxepanone polymer with 1,4-butanediol and 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, 2-ethyl-1-hexanol-blocked; to the Committee on Finance.

By Mr. CASEY:

S. 2784. A bill to extend the temporary suspension of duty on 1,2,3-propanetriol, polymer with 2,4-diisocyanato-1-methylbenzene, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, methyloxirane and oxirane; to the Committee on Finance.

By Mr. CASEY:

S. 2785. A bill to extend the temporary suspension of duty on zinc dimethyldithiocarbamate; to the Committee on Finance.

By Mr. CASEY:

S. 2786. A bill to extend and modify the temporary suspension of duty on 1,3-diisocyanatomethylbenzene, polymer with 1,6-diisocyanatohexane; to the Committee on Finance.

By Mr. CASEY:

S. 2787. A bill to extend the temporary suspension of duty on thiophanate methyl; to the Committee on Finance.

By Mr. CASEY:

S. 2788. A bill to extend and modify the temporary suspension of duty on polyisocyanate cross linking agent products containing triphenylmethane triisocyanate in solvents; to the Committee on Finance.

By Mr. CASEY:

S. 2789. A bill to extend the temporary suspension of duty on Preventol O Extra; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2790. A bill to suspend temporarily the duty on 2-benzothiazolythio butanedioic acid (2BBA); to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2791. A bill to suspend temporarily the duty on stannic oxide; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2792. A bill to suspend temporarily the duty on 1-methylimidazole; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2793. A bill to suspend temporarily the duty on copper peptide (GHK-Cu 1:1); to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2794. A bill to suspend temporarily the duty on 4-oxo-4-p-tolylbutyric acid adduct with 4-ethylmorpholine (NEM Salt); to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2795. A bill to suspend temporarily the duty on copper peptide (AHK-Cu); to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2796. A bill to suspend temporarily the duty on hydrazine hydrate, aqueous solution; to the Committee on Finance.

By Mr. KERRY (for himself and Mrs. MURRAY):

S. 2797. A bill to extend the temporary suspension of duty on leather basketballs; to the Committee on Finance.

By Mr. KERRY (for himself and Mrs. MURRAY):

S. 2798. A bill to extend the temporary reduction of duty on basketballs having an external surface other than leather or rubber; to the Committee on Finance.

By Mr. KERRY (for himself and Mrs. MURRAY):

S. 2799. A bill to extend the temporary reduction of duty on rubber basketballs; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. REID, and Mrs. MURRAY):

S. 2800. A bill to extend the temporary suspension of duty on volleyballs; to the Committee on Finance.

By Mr. KERRY:

S. 2801. A bill to suspend temporarily the duty on Pigment Yellow 180; to the Committee on Finance.

By Mr. KERRY:

S. 2802. A bill to suspend temporarily the duty on benzenesulfonic acid, 4-chloro-2-[[4,5-dihydro-3-methyl-5-oxo-1-(3-sulfophenyl)-1H-pyrazol-4-yl]azo]-5-methyl-, calcium salt; to the Committee on Finance.

By Mr. KERRY:

S. 2803. A bill to suspend temporarily the duty on butanamide, N-(2,3-dihydro-2-oxo-1 H-benzimidazol-5-yl)-2-[2-(2-methoxyphenyl) diazenyl]-3-oxo; to the Committee on Finance.

By Mr. KERRY:

S. 2804. A bill to suspend temporarily the duty on certain high-performance loudspeakers; to the Committee on Finance.

By Mr. KERRY:

S. 2805. A bill to suspend temporarily the duty on certain electrical transformers rated at 40VA; to the Committee on Finance.

By Mr. KERRY:

S. 2806. A bill to reduce temporarily the duty on fasteners, in clips suitable for use in a mechanical attaching device; to the Committee on Finance.

By Mr. KERRY:

S. 2807. A bill to suspend temporarily the duty on hand tools designed for securing plastic fasteners; to the Committee on Finance.

By Mr. KERRY:

S. 2808. A bill to reduce temporarily the duty on golf club driver heads; to the Committee on Finance.

By Mr. KERRY:

S. 2809. A bill to suspend temporarily the duty on fairway wood heads; to the Committee on Finance.

By Mr. KERRY:

S. 2810. A bill to reduce temporarily the duty on golf club iron heads; to the Committee on Finance.

By Mr. KERRY:

S. 2811. A bill to reduce temporarily the duty on golf wedge club heads; to the Committee on Finance.

By Mr. KERRY:

S. 2812. A bill to suspend temporarily the duty on hybrid golf club heads; to the Committee on Finance.

By Mr. KERRY:

S. 2813. A bill to extend and modify the temporary suspension of duty on yttrium oxides having a purity of at least 99.9 percent; to the Committee on Finance.

By Mr. KERRY:

S. 2814. A bill to extend the temporary suspension of duty on certain synthetic filament yarns; to the Committee on Finance.

By Mr. KERRY:

S. 2815. A bill to extend the temporary suspension of duty on certain untwisted filament yarns; to the Committee on Finance.

By Mr. KERRY:

S. 2816. A bill to suspend temporarily the duty on cellular plastic sheets for micron-retention filters; to the Committee on Finance.

By Mr. KERRY:
S. 2817. A bill to extend the temporary suspension of duty on certain plastic fittings of perfluoroalkoxy; to the Committee on Finance.
By Mr. KERRY:
S. 2818. A bill to suspend temporarily the duty on plastic mesh for filters; to the Committee on Finance.
By Mr. KERRY:
S. 2819. A bill to suspend temporarily the duty on plastic mesh for filters (high flow); to the Committee on Finance.
By Mr. KERRY:
S. 2820. A bill to suspend temporarily the duty on cellular plastic sheets for nano-retention filters; to the Committee on Finance.
By Mr. KERRY:
S. 2821. A bill to extend the suspension of duty on acetoacetyl-2,5-dimethoxy-4-chloroanilide; to the Committee on Finance.
By Mr. KERRY:
S. 2822. A bill to extend the suspension of duty on p-Aminobenzamide (4-aminobenzamide); to the Committee on Finance.
By Mr. KERRY:
S. 2823. A bill to extend the suspension of duty on 3-amino-4-methylbenzamide; to the Committee on Finance.
By Mr. KERRY:
S. 2824. A bill to extend the suspension of duty on Basic Blue 7; to the Committee on Finance.
By Mr. KERRY:
S. 2825. A bill to extend the suspension of duty on Basic Red 1:1; to the Committee on Finance.
By Mr. KERRY:
S. 2826. A bill to extend the suspension of duty on Basic Red 1; to the Committee on Finance.
By Mr. KERRY:
S. 2827. A bill to extend the suspension of duty on Basic Violet 1; to the Committee on Finance.
By Mr. KERRY:
S. 2828. A bill to extend the suspension of duty on 5-chloro-3-hydroxy-2-methoxy-2-naphthanilide; to the Committee on Finance.
By Mr. KERRY:
S. 2829. A bill to extend the suspension of duty on 5-chloro-3-hydroxy-2-methyl-2-naphthanilide; to the Committee on Finance.
By Mr. KERRY:
S. 2830. A bill to extend and modify the temporary reduction of duty on 3,3′-dichlorobenzidine dihydrochloride ([1,1′-biphenyl]-4,4′-diamino, 3,3′-dichloro-); to the Committee on Finance.
By Mr. KERRY:
S. 2831. A bill to renew the temporary suspension of duty on Pigment Red 187; to the Committee on Finance.
By Mr. KERRY:
S. 2832. A bill to suspend temporarily the duty on Pigment Yellow 181; to the Committee on Finance.
By Ms. COLLINS:
S. 2833. A bill to suspend temporarily the duty on alginic acid, ammonium alginate, potassium alginate, calcium alginate, and magnesium alginate; to the Committee on Finance.
By Mr. BROWN of Massachusetts:
S. 2834. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.
By Mr. BROWN of Massachusetts:
S. 2835. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to post certain IRS returns on their websites; to the Committee on Health, Education, Labor, and Pensions.
By Ms. COLLINS:
S. 2836. A bill to reduce temporarily the duty on sodium alginate; to the Committee on Finance.
By Ms. COLLINS:
S. 2837. A bill to suspend temporarily the duty on propylene glycol alginates; to the Committee on Finance.
By Ms. COLLINS:
S. 2838. A bill to extend and modify the temporary reduction of duty on viscose rayon staple fibers having a decitex of less than 5.0; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 657

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 657, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 738

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 886

At the request of Mr. UDALL of New Mexico, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 886, a bill to amend the Interstate Horseracing Act of 1978 to prohibit the use of performance-enhancing drugs in horseracing, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1107

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1107, a bill to authorize and support psoriasis and psoriatic arthritis data collection, to express the sense of the Congress to encourage and leverage public and private investment in psoriasis research with a particular focus on interdisciplinary collaborative research on the relationship between psoriasis and its comorbid conditions, and for other purposes.

S. 1297

At the request of Mr. BURR, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1561

At the request of Ms. STABENOW, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1561, a bill to amend the Internal Revenue Code of 1986 to provide for the deductibility of charitable contributions to agricultural research organizations, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1629

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1629, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1670

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1670, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1734

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware

(Mr. CARPER) was added as a cosponsor of S. 1734, a bill to provide incentives for the development of qualified infectious disease products.

S. 1751

At the request of Mr. HOEVEN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1751, a bill to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels.

S. 1809

At the request of Mr. KERRY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1809, a bill to amend the Public Health Service Act to revise and extend the program for viral hepatitis surveillance, education, and testing in order to prevent deaths from liver cancer, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1935

At the request of Ms. COLLINS, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2050

At the request of Ms. SNOWE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2050, a bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes.

S. 2060

At the request of Mr. KOHL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2060, a bill to provide for the payment of a benefit to members eligible for participation in the Post-Deployment/Mobilization Respite Absence program for days of nonparticipation due to Government error.

S. 2076

At the request of Mr. FRANKEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2076, a bill to improve security at State and local courthouses.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2143

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2143, a bill to amend the Internal Revenue Code of 1986 to clarify that paper which is commonly recycled does not constitute a qualified energy resource under the section 45 credit for renewable electricity production.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from North Carolina (Mrs. HAGAN) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2179

At the request of Mr. WEBB, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2179, a bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes.

S. 2239

At the request of Mr. NELSON of Florida, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2239, a bill to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

S. 2241

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2241, a bill to ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 Educational Assistance, and for other purposes.

S. 2244

At the request of Mr. PORTMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2244, a bill to direct the Secretary of Veterans Affairs to assist in the identification of unclaimed and abandoned human remains to determine if any such remains are eligible for burial in a national cemetery, and for other purposes.

S. 2299

At the request of Mrs. MURRAY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2299, a bill to amend the Servicemembers Civil Relief Act and title 38, United States Code, to improve the provision of civil relief to members of the uniformed services and to improve the enforcement of employment and reemployment rights of such members, and for other purposes.

S. 2320

At the request of Ms. AYOTTE, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2343

At the request of Mr. REID, the names of the Senator from California (Mrs. BOXER), the Senator from Hawaii (Mr. INOUYE), the Senator from Maryland (Ms. MIKULSKI), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mr. SCHUMER) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. 2364

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2364, a bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration.

S. RES. 429

At the request of Mr. WICKER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 429, a resolution supporting the goals and ideals of World Malaria Day.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. DURBIN):

S. 2515. A bill to promote the use of clean cookstoves and fuels to save lives, improve livelihoods, empower women, and combat harmful pollution by creating a thriving global market for clean and efficient household cooking solutions; to the Committee on Foreign Relations.

Ms. COLLINS. Mr. President, I rise today to introduce The Clean Cookstoves Support Act, which addresses a serious global environmental and public health issue. I am pleased to be joined in this effort by my friend and colleague, Senator DURBIN.

Nearly half the world's population cooks food over open fires or inefficient, polluting, and unsafe cookstoves, using firewood, dung, or coal as fuel. Smoke from these traditional cookstoves and open fires is associated with a number of chronic and acute diseases, with women and young children affected disproportionately. The World Health Organization estimates cookstove smoke to be one of the top five threats to public health in poor, developing countries. This smoke may account for nearly two million deaths annually in the developing world, which is more than the deaths from malaria, tuberculosis, or HIV.

Traditional cookstoves also create serious environmental impacts. The amount of biomass cooking fuel required each year can reach up to two tons per family, and local environmental degradation can result where demand for fuel outstrips the natural regrowth of resources. Recent studies show that emissions of black carbon, or common soot, from biomass cookstoves significantly contribute to climate change, second only to carbon dioxide in impact.

These stoves should be replaced with modern alternatives to reverse these alarming health and environmental trends. Fortunately, modern stoves, designed to burn fuel efficiently, can eliminate up to 90 percent of the black carbon produced during cooking and home heating. This would be relatively inexpensive and could be done quickly it is what scientists call the ''low-hanging fruit'' of environmental fixes.

Through the leadership of Secretary of State Hilary Clinton and the United Nations Foundation, the Global Alliance for Clean Cookstoves was formed in 2010. Recognizing the severity of the global health and environmental issues, this public-private partnership aims to save lives, improve livelihoods, empower women, and combat pollution by creating a thriving global market for clean and efficient household cooking solutions. The Alliance partners are working to help overcome the market barriers that currently impede the production, deployment, and use of clean cookstoves in the developing world.

To assist in this important endeavor, several Federal agencies the Departments of State, Energy, and Health and Human Services, including NIH and CDC, the United States Agency for International Development, the Environmental Protection Agency, and the Overseas Private Investment Corporation have committed to contribute to the Alliance in three key areas.

First: support for research and development to improve design, lower costs, and develop global industry standards and testing protocols for cookstoves. Second: diplomatic engagement to encourage a commercial market for clean stoves and promote several strategies, including reducing trade barriers, promoting consumer awareness, and improving access to financing. Third: the launch of international development projects to distribute the clean stoves to targeted areas, including refugee camps, disaster relief efforts, and long-term aid programs, as well as projects aimed at women and girls. These contributions will assist the Alliance in reaching its goal of spurring the adoption of clean cookstoves in 100 million households by 2020.

Our legislation reinforces the commitment these U.S. agencies have made to the Alliance and requires the Secretary of State in consultation with the relevant Federal agencies, and in coordination with relevant international nongovernmental organizations and private and governmental entities to work to advance the goals of the Alliance. In addition, our bill formally authorizes the agency's funding commitments to ensure that these crucial pledges toward preventing unnecessary illness and reducing pollution around the globe are met.

By supporting the work of the Alliance to replace primitive stoves with modern versions that emit far less soot, this legislation would directly benefit some of the world's poorest people and reduce harmful pollution that affects us all.

This measure addresses an important global pollutant and alleviates a serious public health and environmental concern affecting developing nations. I urge my colleagues to join us in supporting The Clean Cookstoves Support Act.

By Mr. LEAHY (for himself, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. COONS, Ms. MIKULSKI, Mr. KOHL, and Ms. KLOBUCHAR):

S. 2554. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am proud to introduce a bill to reauthorize the Bulletproof Vest Partnership Grant Act.

I am pleased that Senator COONS, Senator WHITEHOUSE, and Senator SCHUMER have joined me in this effort. When enacted, this legislation will continue for another five years the life-saving grant program that Senator Campbell and I authored in 1998. This measure will continue Congress' strong commitment to the safety and security of our Nation's law enforcement officers.

The Bulletproof Vest Partnership Grant Program, administered by the Department of Justice, provides financial assistance to State law enforcement agencies to help purchase bulletproof vests. This program is an important part of the Federal Government's overall policy to assist and support State and local law enforcement partners around the country.

In February, the Judiciary Committee held a hearing on this program and the need for reauthorization to emphasize just how important and effective this program has been. At that hearing, a representative from the Government Accountability Office testified that since 1987, data shows that body armor has saved the lives of 3,000 law enforcement officers. That is 3,000 men and women who may not otherwise have made it home to their families and loved ones. The BVP Program has assisted State and local jurisdictions with the purchase of nearly one million bulletproof vests since 1999. That is a measure of success all Senators should be proud of. I hope we can support the continuation of this program unanimously, as the Senate did most recently in 2008.

Despite the progress that has been made in the improvement of lifesaving equipment and training, there is much work to be done. The year 2011 was an especially tragic one for the law enforcement community. Last year, 163 State and Federal law enforcement officers lost their lives and thousands were injured or disabled in the line of duty. This is an increase from 2010 and a grim reminder of the sacrifices far too many individuals make in the service of their communities and fellow citizens. The Senate should continue to do its part to help reverse the trend of the last several years.

The safety and support of law enforcement officers across the United States should be something on which we can all agree. As we look toward National Police Week this month, Senators have an opportunity with this legislation to help make a difference and to show the thousands of law enforcement officers and their family members who will be in Washington that the Senate stands with them. I encourage their support and I look forward to the enactment of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2554

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bulletproof Vest Partnership Grant Act of 2012''.

SEC. 2. REAUTHORIZATION.

Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''2012'' and inserting ''2017''.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, May 10, 2012, at 10 a.m. in SD 430 Dirksen Senate Office Building to conduct a hearing entitled ''Beyond Mother's Day: Helping the Middle Class Balance Work and Family.''

For further information regarding this meeting, please contact the committee on (202) 224–5441.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, May 10, 2012, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 2374, The Helium Stewardship Act of 2012.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to *Abigail*__Campbell@energy.senate.gov.

For further information, please contact Kelly Kryc at (202) 224–0537, or Abigail Campbell at (202) 224–1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, May 17, 2012, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 2146, the Clean Energy Standard Act of 2012.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, room 304 of the Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Meagan__Gins@energy.senate.gov.

For further information, please contact Kevin Rennert at (202) 224–7826 or Meagan Gins at (202) 224–0883.

NOTICE: PUBLIC FINANCIAL DISCLOSURE REPORTS

The filing date for the 2011 Public Financial Disclosure reports is Tuesday, May 15, 2012. Senators, political fund designees and staff members whose salaries exceed 120% of the GS–15 pay scale must file reports.

Public Financial Disclosure reports should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510.

The Public Records office will be open from 9:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

MEASURES READ THE FIRST TIME—H.R. 2050, H.R. 2240, H.R. 4628, AND H.R. 4849

Mr. BROWN of Ohio. Madam President, I understand there are four bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The legislative clerk read as follows:

A bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

A bill (H.R. 2240) to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

A bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

A bill (H.R. 4849) to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

Mr. BROWN of Ohio. Madam President, I now ask for a second reading en bloc, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, MAY 8, 2012

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Tuesday, May 8, at 10 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to S. 2343, the Stop Student Loan Interest Rate Hike Act, with the time until noon evenly divided and controlled between the two leaders or their designees; and that following the remarks of the two leaders, the majority control the first 30 minutes and the Republicans control the second 30 minutes; and that following the cloture vote on the motion to proceed to S. 2343, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN of Ohio. Madam President, the first vote tomorrow will be at noon on the motion to invoke cloture on the motion to proceed to S. 2343, the Stop Student Loan Interest Rate Hike Act.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWN of Ohio. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:46 p.m., adjourned until Tuesday, May 8, 2012, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 7, 2012:

THE JUDICIARY

JACQUELINE H. NGUYEN, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

FEDERAL COMMUNICATIONS COMMISSION

AJIT VARADARAJ PAI, OF KANSAS, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2011.

JESSICA ROSENWORCEL, OF CONNECTICUT, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2010.

THE JUDICIARY

KRISTINE GERHARD BAKER, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS.

JOHN Z. LEE, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

HOUSE OF REPRESENTATIVES—*Monday, May 7, 2012*

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 7, 2012.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks O God for giving us another day. Please help us to use it well.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to meet their responsibilities during these days, to attend to the immediate needs and concerns of the moment, all the while enlightened by the majesty of Your creation and Your eternal spirit.

We give You thanks that we all can know and share the fruits of Your spirit, especially in this time the virtue of tolerance and reconciliation, of justice and righteousness, of goodwill and understanding, of patience and loving care for others.

Watch over this House and cause Your blessing to be upon each Member, that they might serve all the people with sincerity and truth.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRESIDENT FAILS YOUNG AMERICANS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last Friday, the Bureau of Labor Statistics released the latest jobs report. Sadly, for the past 39 months, our Nation's unemployment rate has remained at or above 8 percent. It is gruesomely clear that the President's failed policies are not working for young Americans but, instead, are destroying jobs, with 54 percent of college graduates under 25 unemployed or underemployed.

The most recent report confirmed that more than 500,000 of discouraged Americans have given up searching for a job in the last 2 months. If the labor force remained the same size as 2009, when the President was sworn into office, our Nation's unemployment rate would be at 11 percent. The President's policies are failing young Americans with shrinking jobs and growing deficits with devastating interest payments.

It is past time for the liberal-controlled Senate to take up the House Republicans' more than 30 bills which will help create jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

CONGRATULATING ZIPPO MANUFACTURING COMPANY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize Zippo Manufacturing Company, which is located in the Fifth District of Pennsylvania, city of Bradford, McKean County.

Zippo employs approximately 900 people in Bradford, which is a community of approximately 8,000 people, making it the largest employer in the county.

Zippo has been making lighters since 1895 and became very popular during World War II. Next month, Zippo will celebrate the production of its 500 millionth windproof pocket lighter at the company's manufacturing plant. The actual 500 millionth Zippo lighter will be classic brushed chrome with two-tone engraving and an individual serial number of ''1.''

But it's not just the number that Zippo and its employees will celebrate; it's that over the years Zippo has developed an iconic brand; it's that consumers in over 160 countries around the world buy Zippo products; it's that despite the drastic downturn in the economy, Zippo, through hard work and innovation, has continued to successfully grow its business, support our domestic manufacturers and the strength of our communities.

For these reasons, Zippo CEO Gregory Booth was recently nominated to serve on the U.S. Department of Commerce's Manufacturing Council.

I want to congratulate Zippo on this tremendous accomplishment.

HONORING LEONA MARTENS

(Mr. GARDNER asked and was given permission to address the House for 1 minute.)

Mr. GARDNER. Mr. Speaker, I rise today to honor and remember Leona Martens of Greeley, Colorado.

Leona faithfully served the community of Weld County for 22 years as the executive director of the Weld County Food Bank. While Leona lost her battle against cancer, her legacy and influence will continue the fight against hunger for generations to come. Under Leona's leadership, the Weld Food Bank grew its annual distribution from 40,000 to 8 million pounds of food. She expanded their operating facilities to 35,000 square feet, where they serve more than 10,000 residents each month.

The tremendous leadership, dedication, and passion she held for the citizens of Weld County is unrivaled, and the county has truly reaped the benefit of her work.

I had the opportunity to tour the food bank—part of it is named after her and in her memory—this past December and fully agree with her colleagues and friends who described Leona as ''an amazing leader with tremendous vision,'' a ''tireless worker,'' and ''true friend.''

Thanks to Leona's passion and tireless effort, Weld County citizens are ensured continued service and dedication.

It is my honor to stand here today to remember and recognize Leona Martens for her incredible vision, hard

work, and passion to improve the lives of the citizens of Greeley, Colorado.

COMMUNICATION FROM THE HONORABLE KAY GRANGER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable KAY GRANGER, Member of Congress:

HOUSE OF REPRESENTATIVES,
April 26, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the Northern District of Texas, for deposition testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

KAY GRANGER,
Member of Congress.

COMMUNICATION FROM THE HONORABLE PETE SESSIONS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable PETE SESSIONS, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 26, 2012.

Hon. JOHN A. BOEHNER,
Speaker,
Washington, DC.

DEAR SPEAKER BOEHNER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the Northern District of Texas, for deposition testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

PETE SESSIONS,
Member of Congress.

COMMUNICATION FROM SPECIAL ASSISTANT, THE HONORABLE ELIJAH E. CUMMINGS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Harry T. Spikes, II, Special Assistant, the Honorable ELIJAH E. CUMMINGS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 27, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents and testimony issued by the District Court of Maryland, Baltimore County, in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not ''material and relevant,'' compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

HARRY T. SPIKES, II,
Special Assistant.

COMMUNICATION FROM THE HONORABLE ELIJAH E. CUMMINGS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable ELIJAH E. CUMMINGS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 27, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents and testimony issued by the District Court of Maryland, Baltimore County, in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not ''material and relevant,'' compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

ELIJAH E. CUMMINGS,
Member of Congress.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

AUTHORIZING USE OF EMANCIPATION HALL TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA

Mr. HARPER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 105) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 105

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 24, 2012, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. HARPER) and the gentlewoman from Hawaii (Ms. HANABUSA) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. HARPER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi.

There was no objection.

Mr. HARPER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of House Concurrent Resolution 105, authorizing the use of Emancipation Hall on June 24 to celebrate the birthday of King Kamehameha, a legendary figure in Hawaiian history and culture.

On June 11, the people of Hawaii will celebrate the 96th annual Kamehameha Day, commemorating the life of Kamehameha the Great, who between 1795 and 1810 unified the islands into the kingdom of Hawaii. Known for being a fierce warrior who fought for unity and independence, King Kamehameha was highly regarded for ruling with fairness and compassion. His law, known as the Law of the Splintered Paddle, specifically protected civilians in wartime and is today a model for human rights throughout the world.

A statue of King Kamehameha graces the Capitol Visitor Center as part of the National Statuary Hall Collection. In adopting the resolution, we will authorize the use of this space for the celebration of his life and accomplishments.

I thank the gentlewoman from Hawaii (Ms. HANABUSA) for introducing this concurrent resolution, and I urge my colleagues to support it.

I reserve the balance of my time.

Ms. HANABUSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 105 authorizes the use of Emancipation Hall in the Capitol Visitor Center for a celebration on June 24, 2012. This will be the 43rd time that we have celebrated the birthday of King Kamehameha in the Nation's Capitol.

Mr. Speaker, Hawaii has a unique history. We are, of course, the 50th State, and we are the only State that comes with a kingdom as part of our history. June 11 is the recognized State holiday. King Kamehameha was born around 1758, and he unified the eight Hawaiian Islands by 1810. He is also known as King Kamehameha I. His birthday has been celebrated for about 140 years in my State, beginning in 1871 by his great-grandson King Kamehameha V.

The statue that you see in the Capitol Visitor Center today has also a fascinating history. It was commissioned for the then-kingdom by Thomas Gould, and he finished it in 1880. It was made in Italy. He was an American sculptor. The ship actually sank that was bringing the first Kamehameha statue to Hawaii, and in 1883, the second statue made its way to Hawaii. What stands in Emancipation Hall today is molded from the second statue. That is the official statue that stands in front of what we call Ali'iolani Hale, which is the home of the Hawaii Supreme Court. The first statue was discovered and stands in the Big Island, which is the birthplace of King Kamehameha.

As you look at the statue—and I invite everyone to do that—you will see that it stands approximately 8½ feet tall. He has a helmet and a feather cape, and they are made from very rare bird feathers. His left hand has a spear, and that was his statement that he was ready to defend his kingdom. But his right hand is open in a gesture, and that is to welcome people, and that is what we call the gesture of, of course, aloha.

Lei draping is the customary celebration which will also happen on June 24 here, and what you see there is a tradition that has become almost uniquely Hawaii's. Lei is the way that we bond. And the lei draping is symbolic of the bonds that people have in Hawaii, and it is a very close and strong bond. The act of presenting a lei is something that many identify with Hawaii as they come to visit our beautiful islands.

As we all know, the President was born in Hawaii, and on June 20, 2010, he issued Proclamation 8534 in honor of the bicentennial of the uniting of the islands by King Kamehameha. This is what the President had to say in that proclamation:

On this bicentennial King Kamehameha Day, we celebrate the history and heritage of the Aloha State, which has immeasurably enriched our national life and culture. The Hawaiian narrative is one of both profound triumph and, sadly, deep injustice. It is the story of Native Hawaiians oppressed by crippling disease, aborted treaties, and the eventual conquest of their sovereign kingdom. These grim milestones remind us of an unjust time in our history, as well as the many pitfalls in our Nation's long and difficult journey to perfect itself. Yet, through the peaks and valleys of our American story, Hawaii's steadfast sense of community and mutual support shows the progress that results when we are united in a spirit of limitless possibility.

This particular celebration is also very special for the people of Hawaii, and I believe for Members of this House as well. Senator DANIEL K. AKAKA will be retiring at the end of his term, and as many of you are aware of, he served 14 years in this House and the last 22 in the United States Senate. He is the epitome of aloha. He is the epitome of everything that is good about Hawaii.

In honor of him, I would like to read a portion of what he said in the June 2009 Kamehameha Lei Draping Ceremony here because I think he gave a different perspective of King Kamehameha that many of us do not know.

□ 1610

He said:

As a military leader and statesman, Kamehameha was a brilliant visionary who pursued opportunities for progress. He pioneered military strategies that included unique flanking tactics and the use of cannons on the bow of his canoes. Those revolutionary concepts enabled Kamehameha to succeed in battle and are principles recognized and taught to this day at West Point. Beyond his military accolades, Kamehameha understood that if his people were going to thrive, they must be unified. Through governance, Kamehameha brought Native Hawaiians together and established an environment where they could perpetuate their heritage and way of life. Under his leadership, the government strengthened its autonomy and self-sufficiency. These actions set the kingdom's framework for international commerce and diplomacy that brought peace and prosperity to his people.

As we all know, Senator AKAKA is the only Native Hawaiian who serves in the Congress of the United States.

It is very important for us to know that King Kamehameha was very thoughtful, even in the days that he was uniting the Hawaiian Islands. He is known in Hawaii for the Law of the Splintered Paddle, also called Kanawai Mamalahoe. What he basically said was that we have a responsibility to protect civilians at the time of war, that every human life was precious, and it was wrong for the powerful to mistreat the weak.

The context of this story is also very moving. Someone who didn't know who he was actually hit him on the head with a paddle and, of course, it splintered. When they found out that they had hit him, they all thought that their lives would come to an end. But instead, he decreed the Law of the Splintered Paddle. This is the visionary who united the Hawaiian Islands.

By this resolution, we honor this great person and also all that makes Hawaii special and unique.

Mr. Speaker, I reserve the balance of my time.

Mr. HARPER. Mr. Speaker, I reserve the balance of my time.

Ms. HANABUSA. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of House Concurrent Resolution 105, to authorize the use of the Emancipation Hall in the Capitol Visitor Center for the Lei Draping Ceremony on June 24, 2012, to celebrate the birthday of the great warrior, King Kamehameha.

I want to thank my colleagues, Ms. HANABUSA and Ms. HIRONO, for their leadership, and to all the members of the Hawaiian congressional delegation for their support of this important legislation. I also want to take this opportunity to commend my good friend, Senator DANIEL AKAKA, for his stewardship on this and many other issues benefiting the people of Hawaii. Senator AKAKA has been an integral part of the Lei Draping Ceremony for the past 36 years, and it is befitting that his outstanding service and dedication to the people of Hawaii will be recognized in next month's ceremony.

Mr. Speaker, for more than 40 years, the Hawaiian congressional delegation and the Hawaii State Society of Washington, D.C., has hosted the Lei Draping Ceremony on or about the second week of June to coincide with the celebration of King Kamehameha Day in the State of Hawaii. Because King Kamehameha's statue has been moved to the Emancipation Hall of the U.S. Capitol Visitor Center, it now requires the enactment of a congressional resolution to authorize this annual celebration; hence, House Concurrent Resolution 105 is being considered before the House today.

Mr. Speaker, for some 2,000 years, the Hawaiian Islands existed under some tremendous rivalries among the Native Hawaiian warring chiefs. After almost 10 years of fighting, King Kamehameha brought all of the Hawaiian Islands under one rule, thus fulfilling an ancient prophecy that one day a high chief will be born and will defeat the chiefs of the other islands and thereby bring all the eight Hawaiian Islands under one rule.

Mr. Speaker, King Kamehameha, while a mountain of a man—standing at 6 feet, 8 inches tall and weighing about 300 pounds and a great warrior of many feats—perhaps is better known for his foresight and for the peace and

stability he brought to the Hawaiian Islands. He was shrewd in building prosperity for his people by encouraging agricultural development and promoting commercial trade in Europe, and even with the United States.

While he was open to new ideas, he was cautious and circumspect in the old ways. It was said that before the unification of the Hawaiian Islands in 1782, King Kamehameha, during a raid, came across two unarmed fishermen, and as he attempted to slay the fishermen, his foot was caught between two rocks. In defending themselves, the two fishermen immediately hit King Kamehameha on the head with a large paddle, broke it, and left him for dead. King Kamehameha survived, and some 12 years later, the fishermen were caught and brought before the King. Rather than seeking revenge on the fishermen, King Kamehameha set them free with gifts. From then on, King Kamehameha, declared what is known now today in Hawaiian history as the Law of the Splintered Paddle, or Mamalahoe, as known among the Hawaiian people. The Law of the Splintered Paddle has become the basis of many modern human rights laws regarding the treatment of unarmed men, women, and children and that they are not to be harmed when traveling along the roadside.

In his time, King Kamehameha strived to maintain the sovereignty of his people. He created a unified legal system and did not allow non-Hawaiians to own land. These efforts came at the height of colonialism in the Pacific region, when one after another Pacific island succumbed to the colonial powers.

Mr. Speaker, I submit to you and to my colleagues and to the American people that the Native Hawaiian, King Kamehameha, was one of the greatest warrior chiefs who has ever lived among the Polynesian people. For anyone who has ever visited the Hawaiian Islands—now, proudly, the 50th State of our Nation—just think that during the late 1700s, he, with a fleet of some 900 war canoes and with some 20,000 warriors, embarked upon one of the greatest feats in military history—to unite the Hawaiian Islands under Kamehameha's rule, which took almost 10 years to achieve. And for some 100 years, King Kamehameha and his descendents ruled the Hawaiian Islands as an independent and sovereign nation.

King Kamehameha, indeed, was a true warrior of the first order. He was a master of the ancient Hawaiian martial arts, known to the Hawaiians as lua. We Samoans call it limalama. He fulfilled another prophesy, whereby anyone who would move what was known as the Naha Stone, which weighed only 4,500 pounds—Kamehameha moved the stone, again, fulfilling another prophecy that whoever was able to move the Naha Stone would rule the Hawaiian Islands. Kamehameha fulfilled that prophesy.

Of interest also, Mr. Speaker, King Kamehameha's military tactics are still being studied at our West Point Military Academy at New York.

In sports, he was a master surfer. In those days, the surfboards weighed over a hundred pounds. Can you imagine a 6-foot, 8-inch man surfing with a board that is about a hundred pounds in weight?

Another famous ancient Hawaiian sport was to jump off the high cliffs just to jump in the ocean. But one of the sports that King Kamehameha was very famous for—specialized in—was the idea that three spears would be thrown at you, and what he would do is let two spears pass you, then he would carry two spears, catch the other two spears, and bury the remaining two spears. Try that, Mr. Speaker, and see if you might be able to do this.

The bottom line, Mr. Speaker, is I want to thank the gentlelady from Hawaii (Ms. HANABUSA) for her sponsorship of this legislation. Let's pass House Concurrent Resolution 105.

And I thank my friend from Mississippi for his assistance in managing this bill.

Mr. HARPER. Mr. Speaker, I do not have any further requests for time, and I am prepared to close.

I urge my colleagues to support this legislation, and I yield back the balance of my time.

Ms. HANABUSA. Mr. Speaker, I have no further requests for time. However, I would like to, first of all, thank the gentleman from Mississippi for managing this legislation and bringing it to the floor; Speaker BOEHNER, Chairman LUNGREN, and Ranking Member BRADY for allowing it to come forward as well; and the Architect of the Capitol, the Capitol Police, and all others who will assist in this matter. And, of course, the people of Hawaii.

Mr. Speaker, I hope that we'll pass this measure, and I yield back the balance of my time.

Ms. HIRONO. Mr. Speaker, Aloha. I rise today in support of H. Con. Res. 105, which authorizes the use of Emancipation Hall in the Capitol Visitor's Center for the annual Kamehameha Day Lei Draping on June 24, 2012.

The event has been held on or around June 11th to coincide with the celebration of Kamehameha Day, a state holiday in Hawaii. The Kamehameha Day Lei Draping has been hosted by the Hawaii Congressional delegation and the Hawaii State Society of Washington DC since 1969; it parallels the lei draping ceremonies taking place at the Kamehameha statues on the islands of Oahu and Hawaii.

Commonly believed to be born in about 1758, Kamehameha came from a family of alii (chiefs) on the island of Hawaii and was raised to become a skilled warrior in the traditional ways of combat. In 1778, as a young man, Kamehameha met the world-renowned navigator, Captain James Cook, the first European to visit Hawaii. Kamehameha later led a successful campaign for control of his native island of Hawaii and subsequently conquered the islands of Maui, Molokai, Lanai, Kahoolawe, and Oahu. With the agreement by King Kaumualii of Kauai to accept Kamehameha's rule in 1810, the island chain became a united kingdom for the first time. The islands became known collectively as Hawaii from that point on.

Under Kamehameha's reign, the islands became more involved in international commerce and a center for the sandalwood trade. As his kingdom opened up to the world and began adopting many western ways, Kamehameha remained an ardent defender of traditional Hawaiian culture and way of life, including restoring sacred sites. In the words of famed British explorer Captain George Vancouver, King Kamehameha was a man with ''an open, cheerful and sensible mind; combined with great generosity of disposition.'' Greatly mourned at the time of his passing in 1819, he continues to be revered in Hawaii and remains a respected historical figure today. A holiday in his honor was decreed by Kamehameha V, his great-grandson, in 1871.

This year marks the 43rd year of the annual Kamehameha Lei Draping Ceremony, which brings together people from Hawaii from all over the Washington area. Many also travel from the islands to take part in this beautiful showcase of traditional Hawaiian culture, including hula performances, traditional Hawaiian music, and honorary chants.

This yearly celebration would not be possible without the help and assistance of the outstanding staff of the Committee on House Administration, the Office of the Architect of the Capitol, and the Office of the Sergeant At Arms. We thank them again for their support this year.

A concurrent resolution must be passed to authorize the use of the space for this event due to the Kamehameha statue location in Emancipation Hall.

I urge my colleagues to support H. Con. Res. 105.

□ 1620

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. HARPER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 105.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. HANABUSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

Ms. HERRERA BEUTLER. Mr. Speaker, I move to suspend the rules

and agree to the concurrent resolution (H. Con. Res. 106) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 106

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the ''event''), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 16, 2012, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The recognizes the gentlewoman from Washington.

GENERAL LEAVE

Ms. HERRERA BEUTLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 106.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Ms. HERRERA BEUTLER. Mr. Speaker, I yield myself such time as I may consume.

H. Con. Res. 106 would authorize the use of the Capitol Grounds for the Greater Washington Soap Box Derby on June 16, 2012.

This event occurs annually on the Capitol Grounds. The Soap Box Derby allows children to show off their dedication, hard work, and creativity as they compete for trophies. And as someone who has participated in derbies myself, Mr. Speaker, this is a good bill. The winners of each division are then qualified to compete in the National Soap Box Derby.

I am excited to urge my colleagues to support passage of this resolution.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I am delighted to support House Concurrent Resolution 106 which authorizes use of the Capitol Grounds for the Greater Washington Soap Box Derby on June 16, 2012. I would also like to offer my appreciation to the majority and to acknowledge the efforts of Mr. HOYER, who has been a consistent champion for his constituents in this event, and the entire delegation from this region, who supports this event every year.

On the date of the event, children and young adults from the Greater Washington area race down Constitution Avenue to test their craftsmanship in hand-designed and -constructed soap box vehicles in the Annual Soap Box Derby. Children between the ages of 8 and 17 will be competing for the opportunity to race in the National All-American Soap Box Derby held every August in Akron, Ohio.

Consistent with all events using the Capitol Grounds, this event is open to the public and free of charge. The organizers will work with the Capitol Police and the Architect of the Capitol to organize the details of the event.

I strongly support H. Con. Res. 106 and urge passage of this resolution.

I reserve the balance of my time.

Ms. HERRERA BEUTLER. I thought that was compelling, Mr. Speaker, and I am very excited that we are going to hear next from a gentleman who has been a big champion of the Soap Box Derby for many moons now.

With that, I will continue to reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the Representative of Washington, D.C., for yielding to me, the distinguished gentlelady, Ms. NORTON, and I want to thank my friend, Congresswoman HERRERA BEUTLER from Washington State who chairs the subcommittee, and thank her very much for facilitating this coming to the floor and thank her very much for her kind remarks as well.

Mr. Speaker—and I am pleased to call you ''Mr. Speaker''—I rise in strong support of this resolution which I am proud to sponsor, and I have sponsored for many, many years. This resolution allows the Greater Washington Soap Box Derby Association to hold its 71st Annual Greater Washington Soap Box Derby on the Capitol Grounds on June 16.

This is, and I think everybody who has been involved with the Soap Box Derby knows, a wonderful tradition that brings young people from around the area to the Capitol for a fun and educational event. It has taken place since 1938, when Norman Rocca won the inaugural race, besting 223 other contestants as his soap box racer crossed the finish line.

That race has continued for over 70 years, and it has inspired thousands of the region's young people to learn the physics behind gravity racing and the engineering used to design soap box racers.

As a Nation that wants to make things—and as the Speaker knows, I have a Make It in America agenda that I keep trying to sell that is bipartisan, and I think all of us agree that we want to make more things in America—if we are going to make more things in America and be able to export them, we will have to have people who make things. What a wonderful opportunity this is for young people to participate in making something that will then have them be successful, or, in this sense, in the race, make it, win the race.

So I think this is a wonderful enterprise. It brings young people together with their parents and teachers, and it teaches sportsmanship and hard work and pride of accomplishment. America's soap box derbies have been called the ''greatest amateur racing event in the world,'' and we continue celebrating that tradition June 16 here in Washington.

The spirit of competition that fuels these racers is the same spirit that has long energized our Nation's entrepreneurs and innovators. The young people who participate in these derbies are often sponsored by groups from their communities who recognize in them great promise for the future.

I continue to be incredibly proud of those from Maryland's Fifth District who participate, but, indeed, from the District of Columbia, Virginia, the surrounding areas. We have celebrated a number of soap box derby champions from the Fifth District, including the winners from 2007, 2008, and 2009. We have broken our string, but maybe we will get it back. But everybody is a winner. The winners in 2007 and 2008, Kacie Rader and Courtney Rayle, respectively, went on to win the national championship.

I want to thank those Members who have cosponsored this resolution, my good friends from our area, not only Ms. NORTON, who has been one of our

leaders, but also Representatives GERRY CONNOLLY, DONNA EDWARDS, JIM MORAN, CHRIS VAN HOLLEN, and FRANK WOLF. And again, I thank my good and dear friend from Washington State for her leadership on this; and my colleague and fellow Washington area representative, we are a team on this, and I want to thank Ms. NORTON for her extraordinary leadership for not only the District of Columbia but of our region, and on so many important issues to this country.

Ms. HERRERA BEUTLER. Mr. Speaker, I continue to reserve my time.

Ms. NORTON. Mr. Speaker, I appreciate the bipartisanship of this bill. To my good friend, the minority whip from Maryland, I can only say that the championship that your own district brought back is enough to make us think that our area teams might one day have a championship.

□ 1630

We know this much: these students have to construct these soap boxes themselves. I mean, this is your STEM leaders still to come, the engineers of the future.

I have no further speakers, and I appreciate all of the support of our good friends on the other side.

I yield back the balance of my time.

Ms. HERRERA BEUTLER. Mr. Speaker, I urge my colleagues to support passage of this resolution. And with that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 106.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2012

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4097) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4097

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''John F. Kennedy Center Reauthorization Act of 2012''.

SEC. 2. EXPANSION PROJECT FOR JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.

Section 3 of the John F. Kennedy Center Act (20 U.S.C. 76i) is amended by adding at the end the following:

''(c) EXPANSION PROJECT.—

''(1) AUTHORITY TO CONSTRUCT.—

''(A) IN GENERAL.—Subject to the requirements of this subsection, the Board may undertake such activities as may be necessary to construct the expansion project.

''(B) RESPONSIBILITIES OF THE BOARD.—The Board may construct the expansion project, and shall be responsible for the planning, design, engineering, and construction of the expansion project.

''(C) LIMITATIONS.—

''(i) MISSION.—All activities carried out under this paragraph shall be within the mission of the John F. Kennedy Center for the Performing Arts to serve as the national center for the performing arts.

''(ii) FUNDING.—The costs of planning, design, engineering, and construction of the expansion project shall be paid for using non-appropriated funds.

''(2) ANNUAL OPERATIONS AND MAINTENANCE COSTS.—

''(A) ESTIMATES.—Before awarding a contract for construction of the expansion project, the Board shall estimate any additional annual operations and maintenance costs (or savings) associated with the project.

''(B) BUDGET REQUESTS.—The Board shall account for any additional costs identified under subparagraph (A) in making a budget request for fiscal year 2014 and each fiscal year thereafter.

''(C) BUDGET PRIORITIES.—The Board shall base a final determination on whether to proceed with the expansion project on the ability of the Board to accommodate any additional costs identified under subparagraph (A) within the other budget priorities of the Board.

''(3) ACKNOWLEDGMENTS.—The Board may acknowledge private contributions used in carrying out the expansion project in the interior of the project, but may not acknowledge such private contributions on the exterior of the project. Any acknowledgment of private contributions under this paragraph shall be consistent with the requirements of section 4(b).

''(4) EXPANSION PROJECT DEFINED.—In this subsection, the term 'expansion project' means an addition to the south end of the building of the John F. Kennedy Center for the Performing Arts that—

''(A) is less than 100,000 square feet;

''(B) will improve the existing (as of the date of enactment of this subsection) accessibility and education functions of the Center; and

''(C) will become part of the existing (as of the date of enactment of this subsection) structure of the Center.''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H) $22,379,000 for each of fiscal years 2013 and 2014.

''(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1) $13,588,000 for each of fiscal years 2013 and 2014.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, first of all, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 4097.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker and my colleagues, today I am pleased to stand before you and offer for consideration of the House H.R. 4097, which would reauthorize the John F. Kennedy Center through 2014.

Everyone knows the Kennedy Center. It is one of the most outstanding national and cultural treasures that we have in our Capital City. I am pleased to be the sponsor of what I consider important legislation for several reasons.

First of all, in Congress, we get to do some exciting things. As chair of the Transportation and Infrastructure Committee, within our committee we have six subcommittees, and one does oversee public buildings. We've had a lot of public consternation—and rightfully so—with some of our public buildings programs under the General Services Administration. I was home last week, and everybody in America recalls the guy in the hot tub thumbing his nose at Congress and the taxpayers. That's a bad example of behavior and wasteful expenditures of taxpayers' dollars. But I'm pleased to be here to say that there are many in government that do have programs that are very beneficial for the country, and one is the Kennedy Center. What an incredible institution.

As the chairman of the Transportation and Infrastructure Committee, I get to sit on their board of trustees. Actually, I've gone to their meetings and see how they operate. Most people don't know, but most of their programs are funded through private donations, not public donations, although the building does stay under the responsibility of the Federal Government.

A lot of folks don't know a lot about the history of the Kennedy Center. The Kennedy Center—and I learned this being on the board—was actually an idea of a Republican President. Dwight David Eisenhower, in the 1950s, was determined to create a national cultural center in our Nation's Capital. This center was the idea and the genesis of one of our Presidents. Probably most people don't know that. I learned that in the rededication of the Eisenhower Theater within the Kennedy Center. After many years, it was renovated, again, mostly through private funds and donations.

I actually saw an old clip of President Eisenhower when he came up with

a plan for a national cultural center. Subsequently after that, of course, we had the assassination of our beloved President Kennedy. In 1964, they began work. In 1971, they actually opened the center and named it the Kennedy Center in honor of our late President. But a little bit about the history.

I'm also excited about this proposal because this legislation authorizes one of the first additions I know of. I know we've done some repairs and some renovations, but we're actually talking about an addition to the Kennedy Center, and it's going to be funded with private money. Only private funds will be raised for this. So it's exciting to see a public-private partnership and the great leadership of the Kennedy Center.

I have to pay a little bit of tribute to Michael Kaiser, the president. This guy works day and night to make everything happen at the Kennedy Center. And he, of course, reports to the chairman of the board, who is David Rubenstein. He does a magnificent job corralling some of the leaders of our Nation, those in business and free enterprise that come in and through their donations support the Kennedy Center.

It's incredible—Washington, D.C. programs. It truly has made the Nation's Capital a center for a whole host of cultural activities—dance and theater and symphonic music, and the list goes on and on. And many people across the Nation get to see it in their own living rooms. They don't always get to come to our Nation's Capital, but we've seen those performances that are televised. So it is a rich part of our Nation's Capital, and certainly a rich part of our Nation's culture, and we are now seeing for the first time an addition.

This addition will support the center's educational mission, and that's very important. It will be a benefit, again, both for Washington, D.C., our Nation's Capital, and for the Nation. And internationally they have programs today. The purpose of the expansion is to provide improved facilities of the Kennedy Center by adding approximately 56,000 square feet of space for classrooms, rehearsal rooms, event spaces, and offices. And for the first time, they will have a dedicated area for educational purposes, as I've outlined; other rehearsals and other functions and activities and things that don't fit into some of the theater and some of the existing facilities that they have already in the main building. So the expansion will permit the center to address its growing needs and provide greater accessibility for the center's programs and performances for the general public.

So I'm pretty excited about this proposal. Most people don't know that we worked some years, 15 years, on the visitors center. We also were raising funds. Part of the construction of that visitors center was raising funds privately. Most people wouldn't know that the author of the visitors center was Newt Gingrich, the former Speaker of the House, who made an agreement that half the funds would be raised privately for that visitors center here at the Capitol, and also some public funds. Of course, all that changed with September 11, when the Capitol was attacked and our Nation was attacked, and we had to make some dramatic changes in that whole funding, and security issues that were raised there. But, like the visitors center, we're raising funds. This is totally, again, the private sector that is building this facility and great addition to the Kennedy Center.

So with that, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

The Kennedy Center, a Presidential memorial, is one of the Nation's busiest arts facilities, presenting more than 2,000 performances annually and hosting thousands of theater-goers, visitors, and tourists. In fact, it is considered by many to be the greatest performing arts center in the world.

The Kennedy Center also provides educational programs for both teachers and students from pre-kindergarten through college across the United States.

H.R. 4097 is a bipartisan bill that authorizes the Kennedy Center for a total of $36 million for fiscal years 2013 and 2014 for maintenance, repair, and capital projects only.

□ 1640

These authorization levels are derived from the Kennedy Center's 2001 comprehensive building plan, and the funding is being held flat for fiscal year 2013 and 2014.

The bill also authorizes the Kennedy Center to construct a 100,000-square-foot addition for educational programs, using no Federal funds, and with the same restrictions on naming rights as the rest of the building.

In addition to the Kennedy Center's responsibility to run a national program promoting the arts, it is, first and foremost, a Presidential memorial, and we have a responsibility to fund its maintenance consistent with the dignity of a Presidential memorial. This memorial remains a fitting tribute to President John F. Kennedy, and I urge my colleagues to join me in supporting H.R. 4097.

Mr. Speaker, I am cosponsor of this bill, but I am pleased to note that the Kennedy Center has gone very national, and it has taken not only its own programs nationally, but it aids arts programs throughout the United States. It raises its own funds, but of course, even if this weren't a Presidential memorial, it is very hard to raise private funds for maintenance and repair of a memorial in Washington. So I think that the flat funding for 2013 and '14 is more than justified.

I'd like to commend President Michael Kaiser, yes, and the board of trustees, once again, on the art services, the cultural services they are bringing across the Nation, as well as to the Nation's Capital.

I yield back the balance of my time.

Mr. MICA. In closing, again, I think this is a very significant piece of legislation that does authorize the first addition that I know of to the Kennedy Center. Not only does it do that, it does it with the whole expansion being done with private funds. But we do have to authorize that. Again, the Federal Government is the custodian and trustee of the center.

Also, I think this bill is brought forward in a fiscally responsible approach for maintaining the facility, and we authorize the capital repair and maintenance program for the Kennedy Center at the requested level, and also in a reduction from current spending levels.

So whether it's the cultural center of the Nation, the Kennedy Center, and all other government programs either partially funded, like this, or publicly funded, we've got to do more with less taxpayers' money in a responsible fashion. This legislation does that, and I'm pleased to offer it for consideration of the House.

I urge my colleagues to support passage of this measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the bill, H.R. 4097.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 117) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 117

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event, the 31st Annual National Peace Officers' Memorial Service (in this resolution referred to as the ''event''), on the Capitol

Grounds, in order to honor the law enforcement officers who died in the line of duty during 2011.

(b) DATE OF EVENT.—The event shall be held on May 15, 2012, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 117.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENHAM. Mr. Speaker, I yield myself such time as I may consume.

H. Con. Res. 117 would authorize the use of the Capitol Grounds for the National Peace Officers' Memorial Service on May 15, 2012. I'm pleased to be a sponsor of this important resolution.

In 1962, May 15 was designated by President Kennedy as Peace Officers Memorial Day and the week in which it falls as Police Week. The memorial service began in 1982 as a gathering in Senate Park of just 120 survivors and supporters of law enforcement. Today, National Police Week draws tens of thousands of law enforcement officials and their supporters from around the world who travel to the Nation's Capital to participate in events that honor our fallen officers.

The National Peace Officers' Memorial Service, which is sponsored by the Grand Lodge of the Fraternal Order of Police, is one in a series of events which includes the candlelight vigil and seminars. These important events help us to honor and remember the sacrifice of those members of law enforcement around our Nation who have made the ultimate sacrifice.

Back home in my district, we recently felt the pain of losing a respected member of the law enforcement community, Deputy Robert Paris. He was slain in the line of duty just a few weeks ago. He was the third sworn officer to be killed while serving with the Stanislaus County Sheriff's Department. He was known in the community to volunteer for the dangerous work and had requested an assignment in the Civil Division.

When any community loses an officer, it is a tragedy, both for the family and for those whose lives benefited from their service.

Deputy Paris is survived by his parents, Robert, Sr. and Jane; sister, Krista; brother, Eric; and two children.

By passing this legislation, we will be honoring Deputy Paris and all of those who came before him. I urge my colleagues to support passage of this resolution.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

House Concurrent Resolution 117 authorizes use of the Capitol Grounds for the 31st Annual National Peace Officers' Memorial Service on May 15 on the West Front of the Capitol, a solemn and respectful public event in our Nation's Capital honoring our heroic law enforcement officers who were killed in the line of duty in 2011.

According to the National Law Enforcement Officers Memorial Fund, last year, 173 brave men and women were killed in the line of duty. Unfortunately, however, the number of officers killed in the line of duty increased 13 percent from 2010, with this year marking the first time in 14 years where more officers died from firearms-related incidents than from traffic-related incidents. Over 19,000 law enforcement officers have been killed while on duty since the first law enforcement death was recorded in 1791.

The National Peace Officers' Memorial Service is a fitting tribute to the 900,000 current law enforcement officers and all Federal, State, and local peace officers who give their lives in the daily work of protecting our families, our homes, and our workplaces. We honor these officers and their families on the Capitol Grounds for both their service and the ultimate sacrifice that some pay to maintain peace in communities across America.

Consistent with all Capitol Hill events, the memorial service will be free and open to the public. I support the resolution and urge my colleagues to join me in supporting this tribute to our fallen peace officers.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. DENHAM. Mr. Speaker, these important events help us to honor and remember the sacrifice of the members of law enforcement around our Nation that have made this ultimate sacrifice.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 117.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. NORTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1650

AUTHORIZING USE OF CAPITOL GROUNDS FOR DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 118) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 118

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF THE CAPITOL GROUNDS FOR DC SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On June 1, 2012, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 27th Annual District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the ''event'') may be run through the Capitol Grounds as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays,

and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 118.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENHAM. Mr. Speaker, I yield myself such time as I may consume.

H. Con. Res. 118 would authorize the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run that will be held on June 1, 2012.

As in years past, the Torch Run will be launched from the West Terrace of the U.S. Capitol and continue through the Capitol Grounds as part of the journey to the 27th Annual D.C. Special Olympics Summer Games.

The Special Olympics is an international organization dedicated to enriching the lives of children and adults with disabilities through athletics and competition. The Law Enforcement Torch Run began in 1981 when the police chief of Wichita, Kansas, saw an urgent need to raise funds for and to increase the awareness of the Special Olympics. The Torch Run was then quickly adopted by the International Association of Chiefs of Police. Today, the Torch Run is the largest grassroots effort that raises funds and awareness for the Special Olympics program. The event in D.C. is one of many Law Enforcement Torch Runs throughout the country and across 35 nations.

I urge my colleagues to support the passage of this resolution, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

This year marks the 27th Annual Law Enforcement Torch Run to benefit the District of Columbia Special Olympics. The torch relay event is a traditional event organized by law enforcement personnel for the D.C. Special Olympics, which takes place at Catholic University later this month. This event has become a popular event on Capitol Hill and is an integral part of the fundraising efforts for the D.C. Special Olympics, raising thousands of funds through their own sales of t-shirts. Torch Run participants will assemble at the U.S. Capitol Building on June 1, 2012, for opening ceremonies, and then they will proceed to run or walk a 2.3-mile course to Fort McNair.

Each year, approximately 2,500 Special Olympians compete in over a dozen events in the District of Columbia, and more than 1 million children and adults with special needs participate in Special Olympics programs worldwide. The goal of the competitions is to allow mentally challenged individuals to participate in events where they are accepted and respected. Confidence and self-esteem are the building blocks for the Special Olympic Games. The Special Olympics of the District of Columbia have been operating for 43 years and have been providing services to a wide swath of D.C. residents. All programs offered to Special Olympics' athletes are always free of charge.

I am truly and personally pleased to support such a worthwhile organization, and I urge Members of the House to support House Concurrent Resolution 118 as well.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 118.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DENHAM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

CONVEYANCE OF PARCEL, TRACY, CALIFORNIA

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1302) to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1302

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF PARCEL, TRACY, CALIFORNIA.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) CITY.—The term ''City'' means the city of Tracy, California.

(3) PARCEL.—

(A) IN GENERAL.—The term ''Parcel'' means the approximately 150 acres conveyed to the City for educational or recreational purposes pursuant to section 140 of division C of Public Law 105–277 (112 Stat. 2681–599; 113 Stat. 104; 118 Stat. 335).

(B) EXCLUSIONS.—The term ''Parcel'' does not include the approximately 50 acres conveyed to the City for economic development, in which the United States retains no reversionary interest, pursuant to section 140 of division C of Public Law 105–277 (112 Stat. 2681–599; 113 Stat. 104; 118 Stat. 335).

(b) CONVEYANCE.—

(1) IN GENERAL.—Notwithstanding subsections (c) through (f) of section 140 of division C of Public Law 105–277 (112 Stat. 2681–599; 113 Stat. 104; 118 Stat. 335) and subject to subsection (c), the Administrator may offer to enter into a binding agreement with the City, as soon as practicable, but not later than 180 days after the date of enactment of this Act, under which the Administrator may convey to the City, through a deed of release or other appropriate instrument, any reversionary interest retained by the United States in the Parcel, and all other terms, conditions, reservations, and restrictions imposed, in connection with the conveyance of the Parcel.

(2) SURVEY.—For purposes of paragraph (1), the exact acreage and legal description of the Parcel shall be determined by a survey that is satisfactory to the Administrator.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (b), the City shall pay to the Administrator an amount not less than the appraised fair market value of the Parcel, as determined by the Administrator pursuant to an appraisal conducted by a licensed, independent appraiser, based on the highest and best use of the Parcel, as determined by the Administrator.

(2) TREATMENT.—The determination of the Administrator under paragraph (1) regarding the fair market value of the Parcel shall be final.

(d) COST OF CONVEYANCE.—The City shall be responsible for reimbursing the Administrator for the costs associated with implementing this section, including the costs of each applicable appraisal and survey.

(e) PROCEEDS.—

(1) DEPOSIT.—The net proceeds from the conveyance under this section shall be deposited in the Federal Buildings Fund established by section 592(a) of title 40, United States Code.

(2) EXPENDITURE.—The amounts deposited in the Federal Buildings Fund under paragraph (1) shall be available to the Administrator, in amounts specified in appropriations Acts, for expenditure for any lawful purpose consistent with the authority of the Administrator.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may establish such additional terms and conditions in connection with the conveyance under subsection (b) as the Administrator considers to be appropriate to protect the interests of the United States.

(g) NO EFFECT ON COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this Act or any amendment made by this Act affects or limits the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

S. 1302 would direct the General Services Administration to sell 150 acres of land in Tracy, California, to the city of Tracy for not less than its appraised fair market value. This property is undeveloped land that was once under the custody and control of the Federal Government. However, the Federal Government maintains a reversionary interest in the property based on certain usage restrictions.

Through three separate pieces of legislation enacted since 1999, Congress has conveyed the 150 acres to the city of Tracy and has restricted its use of the land to educational and recreational uses only. Over the past decade, the city of Tracy has determined that these uses are no longer feasible, and it would like to utilize the land for economic development, thus adding to its base and to the welfare of the citizens of Tracy. In fact, the city expects significant commercial interest in the property and is optimistic that future development on the land will create hundreds of much-needed jobs.

S. 1302 would remove all restrictions currently imposed on the property by Congress and would transfer complete ownership of the land from the Federal Government to the city of Tracy. Additionally, this legislation advances the goal of the disposing of unneeded Federal property, which is something that Mr. DENHAM, who is with me today, has been very active in.

As we look at the Senate bill passed by the Senate unanimously in August of last year, I believe we see a win-win. The Federal Government takes a piece of land it has no further interest in and that it has, through congressional acts in the past, locked up for specific uses not likely to occur, and we receive full fair market value for the property. This is the way Federal land in excess should be disposed of—sold at fair market value or above and assured to be put to good use by the recipient, which, in this case, is the city of Tracy.

I urge support for this, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this important legislation, which would result in the efficient disposal of a parcel of Federal real property to the city of Tracy, California. It has been outstanding for some years.

The city of Tracy, with a population of 80,000, has been hard hit by the economic recession. Unemployment in and around Tracy stood at 16.2 percent a year ago, a level far higher than the national average. The people of Tracy are looking for every available avenue to revive their economy, and they have found such a stimulus in the potential construction of a solar field.

Congress can assist Tracy in its economic recovery by supporting S. 1302. This bill authorizes the city of Tracy to purchase, without restriction, 150 acres of Federal land previously conveyed by Congress for a specific public benefit use. The city would pay the Federal Government fair market value for the release of this reversionary interest.

□ 1700

The conveyance of land would permit Tracy to build a solar field at the site, a use which enjoys strong local support.

Tracy estimates that construction of a solar field will create approximately 200 jobs, which are much needed in the city. The project will also generate cleaner sources of energy and will alleviate the air-quality challenges that presently afflict that area. These are all powerful reasons to support the legislation.

I urge passage of S. 1302, and I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from California (Mr. DENHAM), who has been a strong advocate for both the disposal of property in a profitable way and in particular contacted us and asked us to move this legislation with a powerful and convincing argument.

Mr. DENHAM. Mr. Speaker, I rise today in support of S. 1302, a bill to convey a parcel of land in the city of Tracy.

S. 1302 is commonsense legislation that will be a win for the Federal taxpayer, the local community, and private enterprise. Simply put, this bill allows the city of Tracy to purchase at fair-market value a parcel of land from the Federal Government.

Currently, the government has a reversionary interest in a vacant parcel of its land, and the community of Tracy deeply needs it. The city would like to purchase the land from the government at fair-market value and eliminate the reversionary interest so that the local community can decide what's best for the land. This land will then be leased to a private company to develop a solar project that will provide renewable energy and economic activity to the local community.

I had the opportunity to tour this location with the mayor of Tracy, Brent Ives, who's been working on this for quite some time. He showed how this project will provide a significant economic impact to a community struggling with high rates of unemployment.

Mr. Speaker, this legislation will solve another problem created by too much government. Local control of this property will put people back to work, benefit the local economy, provide a source of renewable energy, and turn a profit for the taxpayer.

I was proud to be a cosponsor of the House version of this legislation introduced by Mr. MCNERNEY, and I urge my colleagues to support this measure.

Ms. NORTON. Mr. Speaker, I have no further speakers and I again urge passage of S. 1302 and yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Although this is a small piece of property, it's part of a vast amount of property the Federal Government currently owns, controls, and does not use. So as we take this step today, I hope all of my colleagues in the House and the Senate will look at this as at least a small contribution to a direction we should go, find ways to take government-owned property, get it in private hands, paying property tax, being developed, and creating jobs throughout the areas in which it lies.

As I urge support, I would like to thank my colleague, the gentlelady from the District of Columbia (Ms. NORTON), for her work; I would like to thank the Senate cosponsors, including Senator BOXER, for getting this to us; and I would like to thank Mr. DENHAM for bringing it to the floor at this time.

I yield back the balance of my time.

Mr. MCNERNEY. Mr. Speaker, I rise to express my strong support for S. 1302, an important bill to facilitate a land transfer in Tracy, California. I was proud to introduce identical companion legislation in the House of Representatives last year, and I am glad to see S. 1302 on a path to final enactment.

S. 1302 allows the city of Tracy to purchase 150 acres of property from the Federal Government. Congress previously conveyed the parcel to the city but placed certain restrictions on its use. This legislation waives these restrictions so long as the city purchases the property at fair market value.

Tracy has long-standing plans to build a solar energy project at the site. Building this solar field will create nearly 200 jobs, improve air quality, and increase the availability of renewable energy in California. S. 1302 will also generate revenue for the Federal treasury. This bill is a win for Tracy and a win for the taxpayers.

S. 1302 is being passed today in the spirit of bicameral, bipartisan cooperation. I would like to thank Senators BOXER and FEINSTEIN for their support of this initiative in the Senate as well as Representatives DENHAM and ISSA for their work here in the House. I look forward to seeing the President sign S. 1302 into law.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, S. 1302.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5326, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013; WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS; AND FOR OTHER PURPOSES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112–464) on the resolution (H. Res. 643) providing for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Concurrent Resolution 105, by the yeas and nays;

House Concurrent Resolution 117, by the yeas and nays;

House Concurrent Resolution 118, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AUTHORIZING USE OF EMANCIPATION HALL TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 105) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. HARPER) that the House suspend the rules and agree to the concurrent resolution.

The vote was taken by electronic device, and there were—yeas 376, nays 0, not voting 55, as follows:

[Roll No. 196]

YEAS—376

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Peters
Peterson
Petri
Pingree (ME)
Pitts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—55

Ackerman
Bonner
Brown (FL)
Burton (IN)
Butterfield
Cardoza
Carson (IN)
Coble
Ellmers
Filner
Flake
Flores
Frank (MA)
Gallegly
Gosar
Grijalva
Gutierrez
Hanna
Hinojosa
Hoyer
Johnson (IL)
Johnson, E. B.
Jones
Jordan
Kind
Kucinich
Labrador
Lamborn
Landry
Lummis
Mack
Maloney
Manzullo
McCarthy (CA)
McHenry
Moore
Murphy (CT)
Murphy (PA)
Olver
Pascrell
Paul
Pence
Perlmutter
Platts
Poe (TX)
Rohrabacher
Rothman (NJ)
Ruppersberger
Rush
Sanchez, Loretta
Scalise
Slaughter
Speier
Tiberi
Towns

□ 1855

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 196, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 117) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and agree to the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 377, nays 0, not voting 54, as follows:

[Roll No. 197]

YEAS—377

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Peters
Peterson
Petri
Pingree (ME)
Pitts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—54

Ackerman
Andrews
Bonner
Brown (FL)
Burton (IN)
Butterfield
Cardoza
Carson (IN)
Coble
Ellison
Ellmers
Filner
Flake
Frank (MA)
Gosar
Grijalva
Gutierrez
Hanna
Hinojosa
Hoyer
Johnson (IL)
Jones
Jordan
Kind
Kucinich
Labrador
Lamborn
Landry
Lummis
Mack
Maloney
Manzullo
McCarthy (CA)
McHenry
Moore
Murphy (CT)
Olver
Pascrell
Paul
Pence
Perlmutter
Platts
Poe (TX)
Rohrabacher
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Slaughter
Speier
Tiberi
Towns

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 197, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

AUTHORIZING USE OF CAPITOL GROUNDS FOR DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 118) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and agree to the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 0, not voting 56, as follows:

[Roll No. 198]

YEAS—375

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo

Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Peters
Peterson
Petri
Pingree (ME)
Pitts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—56

Ackerman
Andrews
Bonner
Braley (IA)
Brown (FL)
Burton (IN)
Butterfield
Cardoza
Carson (IN)
Coble
Costello
Ellmers
Filner
Flake
Frank (MA)
Gosar
Grijalva
Gutierrez
Hanna
Hinojosa
Hoyer
Johnson (IL)
Jones
Jordan
Kind
Kucinich
Labrador
Lamborn
Landry
Lummis
Mack
Maloney
Manzullo
McCarthy (CA)
McHenry
Meeks
Moore
Murphy (CT)
Olver
Pascrell
Paul
Pence
Perlmutter
Platts
Poe (TX)
Rohrabacher
Rothman (NJ)
Ruppersberger
Rush
Sanchez, Loretta
Scalise
Slaughter
Speier
Tiberi
Towns
Walberg

□ 1910

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 198, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House chamber today. I would like the record to show that, had I been present, I would have voted "yea" on rollcall votes 196, 197 and 198.

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, today, May 7th, I missed the three rollcall votes of the day. Had I been present, I would have voted: "yea," H. Con. Res. 105—Authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha; "yea," H. Con. Res. 117—Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; "yea," H. Con. Res. 118—Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

PERSONAL EXPLANATION

Mr. CARSON of Indiana. Mr. Speaker, on May 7, 2012, I missed rollcall votes Nos. 196–198 because of my primary election in Indiana. Had I been present, I would have voted "yea" on rollcall No. 196, "yea" on rollcall No. 197, and "yea" on rollcall No. 198.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, May 07, 2012 I had obligations that necessitated my attention in Sydney, Illinois, in my district and missed suspension votes on H. Con. Res. 105 Authorizing the use of Emancipation Hall to celebrate King Kamehameha, H. Con. Res. 117 Authorizing the use of the Capitol Grounds for National Peace Officers Memorial Service, H. Con. Res. 118 Authorizing the use of the Capitol Grounds for the DC Special Olympics Law Enforcement Torch Run.

Had I been present, I would have voted "aye" on the above stated resolutions.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 361

Mr. BACA. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 361.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

IN HONOR OF EAGLE SCOUT RALPH BOYS

(Mr. ROE of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROE of Tennessee. I rise today to honor Eagle Scout Ralph Boys, aged 93, who has finally been recognized for attaining the rank of Eagle Scout in the Boy Scouts of America 78 years after meeting the requirements for this distinguished rank.

Ralph had met all of the requirements for the rank of Eagle as a sophomore in high school in 1933, but his family relocated, and he was never able to appear in his Court of Honor to receive his badge. After college, Ralph enlisted in the Army and served many assignments throughout his military career, including on General Douglas MacArthur's headquarters staff during the Philippine campaign of World War II. After the war, Ralph served at posts in Germany, Vietnam, and the Pentagon, retiring as a lieutenant colonel in 1967.

After his retirement, he began a search to find the records of his qualification for the rank of Eagle. After several dead ends and ultimately finding that the last of his scouting records had been consumed in a fire several years earlier, he went through the requirement list with a family friend and found that Ralph's merit badges and military career of 28 years more than qualified him for the distinguished rank.

On December 22, 2011, Ralph became the third generation of his family to receive Scouting's highest honor. He had been preceded by his son, Dr. John Boys, and by his twin grandsons, John Franklin and Austin.

As an Eagle Scout myself, I would like to welcome Ralph to the ranks of Eagle Scout. Congressman MICK MULVANEY also asked to associate himself with these remarks.

EDINA SCHOOLS GAIN FIRST MINNESOTA TEACHER OF THE YEAR

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate Edina High School teacher Jackie Roehl for being named this year's Minnesota Teacher of the Year.

Out of more than 300 teachers who were nominated, Jackie was recognized for her outstanding work in reducing

the achievement gap. By using teaching methods that engaged different students from differing skills and backgrounds, she was able to teach her students more effectively and help improve test scores. After several years of researching teaching methods, surveying students as well as parents, Jackie and her team recently gained the approval to merge advanced placement classes and regular English classes into one course to make sure that all students she teaches are able to be challenged and are able to excel.

Mr. Speaker, Jackie has absolutely shown an incredible passion for her profession, for her students, and for her community. I congratulate her on her much-deserved recognition as she continues her success in teaching, in leading, and in inspiring Minnesota's youth.

THE ANNUAL NATIONAL SUBSTITUTE TEACHER RECOGNITION WEEK

(Mr. BISHOP of Utah asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Utah. This week, in conjunction with Teacher Appreciation Week, is National Substitute Teacher Recognition Week, recognizing the 270,000 men and women who fill in for permanent teachers every day in the United States.

Research by the Substitute Teacher Institute at Utah State University shows that approximately 1 year of every kid's K–12 education is conducted by those extraordinary individuals who are willing to take on the challenge of providing quality education when the permanent teacher is out of the classroom. I taught for 28 years. I have substituted for my colleagues' classes—it is a miserable job—but these members of the community who fill the void in education are worthy of our recognition.

I would also like to recognize and commend the Substitute Teacher Institute, which since 1995 has been providing activities and techniques to substitutes and has been providing leadership in its service to districts and substitute teachers nationwide. The Substitute Teacher Institute works to revolutionize the role of substitute teachers into opportunities for educational excellence.

I commend them, and I wish to commend all of those people who are substitutes in our Nation's school systems.

THE CONGRESSIONAL BLACK CAUCUS: VOTER PROTECTION

The SPEAKER pro tempore (Mr. PEARCE). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. JACKSON LEE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON LEE of Texas. This evening, Mr. Speaker, I am pleased to be anchoring the Congressional Black Caucus hour on voter protection.

At the same time that I have the privilege of hosting this very important discussion, let me make note of the fact that our very distinguished Member, Congressman CHARLIE RANGEL, is being toasted and recognized by our Members. I know that many of them will be commemorating Congressman RANGEL, who is a dear friend of mine. He served as an Assistant U.S. Attorney and as a Korean War vet, and understands, when soldiers go to battle, they go to battle so that others might have the opportunity for freedom. Certainly embodied in freedom has to be the idea of being able to vote.

So this evening, as I discuss these issues, I am delighted to acknowledge him as well as to acknowledge that this is really a bipartisan concern—and it should be a bipartisan concern, because, in essence, we should not be at this moment speaking about who you vote for as much as we are speaking about allowing you to vote for the person of your choice and to be able to cast your vote unfettered.

Mr. Speaker, that is what my discussion will be about tonight. As I do so, allow me just for a moment to be able to share, if you will, a point that I hope that we all can adhere to.

This is going to be a tough election season. There are many actors, if you will, who will be involved in this process. This is a Presidential year, so it's going to get particularly feisty. But I do believe that there is a certain collegiality and collaboration as it circles around voting and the idea of voting and of voting with equal opportunity.

□ 1920

Even in our words, we need to try and make sure that we're lifting the voters up.

I heard a comment from someone introducing the intended Republican nominee—though it was tongue in cheek with a little humor—who indicated in his remarks very loudly, ''Osama is dead.'' And in the midst of it, he indicated, ''I mean Osama bin Laden.'' I assume he was trying to make a play on words, but I really hope that we can stay above the line of decency as we recognize that we live in difficult times.

As a member of the Homeland Security Committee, we just heard publicly about a particular effort to attack our aviation assets, which was just announced today as breaking news, and we realize that we live in challenging times. For that reason, I think this discussion on voter protection is extremely important.

So let me just say to my friends that until now, historically, the voting franchise has only been expanded. This is most evident in the constitutional amendments that have been passed to protect and expand the right to vote. And since the passage of the Voting Rights Act of 1965, it really has been a bipartisan congressional prerogative to ensure access to the ballot.

President Lyndon Baines Johnson, one of the Presidents who has been touted as having the greatest legislative record, had to cobble together Republicans and Democrats from the Deep South—then called the Dixiecrats—and moderate Republicans from the North and Midwest. He successfully passed the Civil Rights Act of 1964 and successfully passed the 1965 Voting Rights Act. It was a bipartisan effort.

And I might say that many Members who have reflected to have had a chance to encounter—some are still in this House. I remember, most famously, Jack Brooks, after it was all said and done, felt that they had done the right thing.

Today I was at a middle school, and I indicated to them that I would be on the floor of the House discussing voter protection. I was inspired by those young people, middle schoolers, who were attentive to learn what their government did. As I left, telling them not how to vote but that they must vote, there was a great excitement in the room. I'm on this floor today for them and all middle schoolers, high schoolers, college students, senior citizens, new immigrants who have taken the oath with great pride, long-time voters, new voters. Those are voters who have the right to vote. That's what we're talking about.

Unfortunately, a series of laws do not go after those who did not have the right to vote, but these series of voter ID laws and new rules and regulations to stop people from voting goes after documented, legal voters with legal voting certificates who have done nothing wrong. Shame on those who would do so.

I just read, recently, that the lead person opposing the voter ID law in Pennsylvania, if I am correct—it's my recollection now—would be 93 years old. That's who we're hurting: senior citizens, people who have toiled and worked and paid their taxes, paid into Medicare. And now, because of when they were born, such as my mother Ivalita Jackson, they do not have a birth certificate. We tried, we looked, and we still have an inquiry in. God bless her.

My mother has since passed while we were in the midst of looking for the

certificate for a number of reasons, but she had her voting card and she was eligible to vote. But under new voting ID laws, she would not be eligible to vote. And here is a woman who raised her children, paid her taxes, self-educated herself, achieved a status of a vocational nurse in times when education was not gifted to her.

A recent report by the Brennan Center for Justice of NYU Law School concluded that the newly enacted State laws that would affect more than 5 million eligible voters will disproportionately disenfranchise young, low-income, elderly, and minority voters. In 2006, the Brennan Center completed a nationwide survey of voting-age citizens and found that African American voters are more than three times as likely as Caucasians to lack a government-issued ID.

The real nonsense of it all is that voter IDs are to avoid voter impersonation, and voter impersonation is a finite part of any kind of voter fraud. In fact, under the Bush administration, there was less than 20, if you will, that were prosecuted. We're talking about a country of 300 million. And this is by recollection: I think there were some 180 cases that were brought forward, and they only wound up prosecuting a finite number.

The heavy burden on minority voters seems patently unfair, and it seems to be a direct result of the great enthusiasm of all voters in 2008. I want to see that all the time. Sometimes we win and sometimes we lose.

Isn't it interesting, when the wave of Tea Party voters had such an impact in 2010 and many of them were new voters, I didn't fare well in that, meaning my party's particular position, but it was the American way. All of the sudden, even with these new voters and the will of the people being adhered to, all of the sudden these new laws come out of the very people who are new to the voting process—many of them—and were excited about voting in 2010. Now comes a sledgehammer to prevent others from voting.

In Texas, thanks to new voter ID, students may not use their school-issued IDs to vote, which is part of an effort to restrict student IDs as a valid form of identification to vote. This is the same State that will allow Texans with a concealed weapons permit to use their permits to vote, but a student who is trying to get an education, who has a State-issued ID card is not afforded the same privilege to use their student IDs.

Mind you, the Prairie View A&M case established a Supreme Court case that students could vote where they go to school. I remember that because we marched some 7-plus miles down an interstate to Prairie View A&M, thousands of us, to determine that students have a right at Prairie View A&M, that set a historical Supreme Court decision.

By the way, this was not, in essence, a liberal court. This decision was made under the Bush administration that determined that students can vote, and now the State of Texas is suggesting that they can't use their ID. Shame on them. Frankly, this seems out of whack. A student should be able to use their ID to vote.

Eleven percent of U.S. citizens, or more than 21 million Americans, do not have government-issued photo identification. Also, as many as 25 percent of all African American citizens of voting age do not have government-issued IDs.

Mandating voter IDs has a disproportionate and unfair impact on low-income individuals and racial and ethnic minorities. This also has a heavy burden on Hispanic voters in Texas. We found out that many Hispanic voters live in counties where there is no Department of Public Safety office for them to even go to.

Mr. Speaker, do we get an airplane, a helicopter? What do we tell individuals who have toiled, who have worked and are second- and third-generation Texans that just because of their aging status, maybe because of health reasons, they cannot get a voter ID? Senior citizens, voters with disabilities, and many other individuals do not have government-issued ID or the money to even acquire one.

Yes, under Texas law they can vote by mail, but I tell you, getting information to people is very hard. If you're used to going and voting on a Sunday, if you're used to being taken when your family members have the time to take you—which is weekend voting—and you're used to taking your voter certificate and now the new law says no, what an outrage.

□ 1930

But I have relief. As it relates to Texas, I have just spoken to the Justice Department and have been reissued a letter that indicates that the Texas voter ID law is invalid as it relates to the Voting Rights Act of 1965, a cause for celebration. Our primary will be May 29. That law will be invalid for both the primary and the runoff.

I've asked the State of Texas to not hide that information and to come out with a clear enunciation—not a negative announcement—that says that the Justice Department has stopped the Texas voter ID law. That doesn't help anybody understand anything. Your duty is to be impartial as a State election officer, and you are to come out and say that the current law stands—not the voter ID law that is invalid under the Voting Rights Act—until a further court determination can be made, which is not until the July 2012 court hearing.

It is important for us to work together, as State officials, to let everyone know your voting certificate is an appropriate document to allow you to vote. That is what government is supposed to do, give fair and impartial information no matter where it falls. And I look forward to working with our State government to ensure that impartial information is now promoted to all people, everyone.

Your voting certificate is a legitimate document. And if you do not have a State-issued voter ID, you can vote in your primary, whether it is Republican, Democratic, or any other primary that is viable in the State of Texas. Why is that so difficult to do? More than 21 million Americans do not have government-issued photo identification, which includes, again, 25 percent of African American voting age citizens, or more than 5.5 million people; 15 percent of those earning less than $35,000 a year; 18 percent of those age 65 and above—and more than 6 million voters; 20 percent of young voters ages 18 to 29, and it is much higher in the Hispanic community.

The photo ID proposals are not new, with calls for strict voter identification laws emerging out of the 2000 Presidential election, when conservative watchdog groups contended that laws intending to facilitate voting, such as the National Voter Registration Act of 1993, known as ''Motor Voter,'' had opened the doors to illegal voting.

That's impossible, Mr. Speaker. It didn't look like the folks who thought that they were losing suffered too much in the 2000 Presidential election. The candidate of their choice was elected and ascended to the presidency. I can't imagine why they would feel that they had been violated by the 1993 Motor Voter law, which means that you could just register to vote at your various sites around the community, including the motor vehicle department.

The Justice Department, under Attorney General Ashcroft, pledged that cracking down on so-called voter fraud would be a top priority of the Bush administration Justice Department, though ultimately, the Department's own extensive analysis found little evidence of voting improprieties. Congress passed the Help America Vote Act in 2002, establishing uniform minimum voter identification requirements, prompting calls that States should go further.

Mr. Speaker, this is for everybody. I can't stop or investigate who is coming to the polls and suggest that if you are this party or that party, stay away. Why wouldn't we want to help everyone?

Since 2001, more than 700 voter identification bills have been introduced in 46 States, according to the National Conference of State Legislatures. A dozen States have passed new voter ID laws since 2003, but only eight States require a photo ID of voters, and only two have laws as strict as those being

proposed this year. That was before. Now we have, in essence, a new day. We have some tough laws that are hurting voters. We're talking about voter protection, but we have to overcome voter suppression.

If you look at this map, you will see that we are being overwhelmed by voter photo ID requirements. I would say almost two-thirds of the States have inappropriately and incorrectly believed that they are going to make voting far more secure.

Let me tell you what an ID does: It stops you from impersonating another person. That has been the lowest level of voter fraud because you are silly to impersonate because you are going into a place that might subject you to an arrest. In the State of Texas, precinct judges have the status of a district judge on election day.

This map will show you how bad it is. Look at the red. It requires voter ID. Big Texas: that's why I need the State to announce that the voter ID law is invalid for the May 29 primary, because it looks as if we have a requirement that does not exist for this primary. Someone hear me. We are obligated to tell the 21 million-plus Texans that they have the right to vote with a voting certificate if they are registered to vote for the May 29 primary. That red is getting pretty strong. Blue, photo ID requested. The red is require photo ID only; nothing else. How absurd.

In essence, we're taking a match and burning the voting certificates that people worked so hard to get, that allow people to vote—that you tell people to register again. It also disallows organizations like the League of Women Voters and puts a very heavy hand on what happens when you register people to vote and how you have to get those registrations in. The big ''stop'' sign. That's why it's red. It's the ''stop people from voting'' law.

Then look at the photo ID requested, blue States. Then look at the photo voter ID legislation proposed. It covers 90 percent of America. How absurd. And I would be open to finding a way to ensure that that diminished, limited amount of fraud is taken care of. But this is what it does: It puts up a red stop sign. It stops people from voting. It frightens people from voting. It keeps people from voting.

And then, of course, this is another big, fat, red map which shows the States where voting changes were pursued and the types of changes enacted. I'll show it in a moment. It includes legislation introduced. Big red photo ID requirements—passed. Proof of citizenship—passed. Restrictions on voter registration—passed. Restrictions on early absentee voting—passed. Executive action, making it harder to restore voting rights. You can see the country is predominantly red with a big ''stop'' sign, stopping people from voting.

I beg of you, why would we, who have the privilege of having a document that gave citizens due process, gave us the freedoms of speech, petition, assembly, all having to do with petitioning your government, and then we have a movement that literally stops us in our tracks. Then we have Citizens United that dumps money into elections and literally skews who gets to be selected by the people.

I want everyone to see how much we need to overcome voter suppression by, in essence, protecting everyone's right to vote. I want to be very clear on this: Everyone's right to vote.

A dozen States have passed, as I have said, new voter ID laws since 2003. But voter ID proposals have a forceful momentum this year not seen in years passed—this year, meaning 2012, 2011, and going back to 2010. This is part of a broader legislative movement to limit access to the political process for disenfranchised groups at a level not seen since post-Reconstruction Era laws implementing poll taxes and literacy tests.

Now we have to know that there are those of us who come from States where the literacy tests and poll tax have not gone away even for 60 years, meaning that we have not even had that relief for 60 years.

□ 1940

There were lawsuits in the 1940s that ultimately generated an opportunity for constituents not to pay a poll tax. I remember the late Beulah Shepard, who came to Texas. If there ever was a person that talked about voting, it was sister Beulah Shepard out of Acres Homes. She always used to recite a poem about just one vote, and she gave a whole list of what one vote, one person could do. She proudly talked about the fact that she paid a poll tax to vote. And she paid a poll tax, I think she said, for her husband and others who needed to vote.

That wasn't too long in America's history and future, Mr. Speaker. What a shameful turn of events that now the late Beulah Shepard is no longer here, and how she'd be crying, turning over in her resting place, to realize that all the toiling that she did to register people to vote, to empower those who had been disenfranchised, now could not vote.

Susan B. Anthony and the Suffragettes, Sojourner Truth, who suffered because women could not vote. They were not landowners. And they tried and worked and toiled and were ridiculed, and finally women could vote. And to find now some elderly woman who does not have her voter photo ID—and I say this. Let the listening public hear. You cannot get a voter ID if you don't bring something like a birth certificate. And this is where our seniors either can't get there or they're too elderly to have access to their birth certificate. Maybe they were, in essence, brought into this world by a volunteer or midwife or family members. There's no birth certificate. Maybe it's in the deep country in the dark of night, where mom and baby did not get recognition until days or weeks afterward. Or, living as long as they lived, the birth certificate has been lost. Mr. Speaker, I've heard of veterans whose documents were burned up in a fire. They were still veterans. They still served their country. We see them every day.

And so here we have a situation where you're disenfranchising groups at a level not seen, as I said, since post-Reconstruction era laws implementing a poll tax and a literacy test. Just over the first 2 months of 2011, photo ID proposals have been introduced in 32 States and passed out of one legislative chamber in 12 States. Lawmakers across the Nation have pinpointed photo ID as a top legislative priority. The Governor of Texas designated photo ID as a legislative emergency in order to allow it to be procedurally fast-tracked to the legislature. Photo ID proposals were pre-filed before legislative sessions began in half a dozen States. And secretaries of State in a number of States have listed photo ID as a top priority.

Let me thank Chairman EMANUEL CLEAVER for leading out not only members of the Congressional Black Caucus but collaborating with other organizations, and let me thank my colleagues who have worked so hard on this issue. Let me thank Congresswoman DONNA CHRISTENSEN, who is detained at a matter that she had to attend, who's been anchoring these hour-long discussions with the American public.

But we better beware, because what you do to others comes back to you. The idea of limiting a person's access to voting and being able to vote on the cause of how you think they will vote and how you don't want those people to vote comes back to Americans who want to vote in whichever way they do. Stop me from voting, you get stopped from voting.

The idea of a photo ID is not a respecter of race. And if you're elderly and can't get to the Department of Public Safety office or in another State you can't get somewhere, if you're inhibited or prohibited, it is an impact on you no matter what background you come from.

Thank God for the Congressional Black Caucus that is a respecter of the rights of all people. We are fighting for our children. We're fighting for young people, the elderly, the disabled. And no matter who you are, if you're blocked to vote because of the voter ID, this is voter suppression—and we want to have voter protection.

The Governor of Texas designated photo ID as a legislative emergency in order to allow it to be procedurally fast-tracked through the legislature. Photo ID proposals were pre-filed before legislative sessions began in half a

dozen States. I don't know why that happened. We're bogged down with the redistricting case.

The secretaries of State in a number of States have listed photo ID as a top priority. Mr. Speaker, it does nothing. The Bush administration showed they couldn't find any fraud worth prosecuting for people who were impersonating a voter. Photo ID proposals have garnered significant momentum in a very mistaken matter—that it's going to do something. It is not.

Let us point out voter fraud. Let us, in essence, carve it out. But you are not going anywhere with voter ID laws who discriminate against the elderly, who discriminate against minorities, who discriminate against those individuals who have lived long enough and served their country long enough that they just might not remember where their birth certificate is—or even their marriage certificate.

Significant momentum is going on this, and it is wrongheaded. Opponents are having difficulty waging effective counterattacks to curb the movement on these bills as majority leaderships, emboldened by their increased numbers following in the 2010 midterm elections, are more committed than they ever have been.

Let me congratulate the State of Ohio and Congresswoman MARCIA FUDGE, where the people of that State defeated that draconian law and they will not have the burden of their voter ID law in the 2012 Presidential election. Yay for them. A battleground State where the people can vote as they choose. And we're going to all realize that Ohioans will not be encumbered by draconian laws. They will battle it out in the democratic process and they will vote, and no one can block them from voting.

In 1890, the State of Mississippi, although African Americans made up 58 percent of the population, due to the structure of voting laws that year in Mississippi, of the 134 elected delegates, only one was African American, and that was during Reconstruction. It does not take a genius to recognize that the African American vote was diluted.

We cannot allow history to repeat itself. That is why we have the Voting Rights Act and why we are ever vigilant to guard against any encroachments on the right to vote.

And so my argument is, today, that we're going to go across America—and I appreciate my colleagues who have joined in this effort to go across America—and we're going to introduce voting protection seminars to ensure that every voter—minority voters and elderly voters—has a right to vote.

Mr. Speaker, I'm very glad to have spoken to my State officials today. I will place this letter to Texas State officials in the RECORD.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 2012.

Hon. HOPE ANDRADE,
Secretary of State,
Austin, Texas.

DEAR SECRETARY ANDRADE: Thank you for taking my call today Monday, May 07, 2012 regarding the status of election law to be utilized in the 2012 Texas Primary and on a possible run off date. A formal public announcement must be made along with the production of public awareness advertisements outlining that the current law is still in place and operational.

According to Assistant U.S. Attorney Thomas Perez ''with regard to Section 9 and 15 of S.B. 14, concerning photographic identification, I cannot conclude that the state has sustained its burden under Section 5 of the Voting Rights Act. Therefore, on behalf of the Attorney General, I must object to Sections 9 and 14 of S.B. 14.'' In effect, the currently proposed photographic identification requirements and related changes may not be implemented and are not legally enforceable. The public must be made aware of the current voting requirements.

The trial date is set for Monday, July 9, 2012 and therefore all means currently permissible should be utilized to ensure the public is made aware that there is currently no requirement in the State of Texas for a state issued photographic identification in order to vote in the upcoming elections. Thank you for your cooperation and I look forward to working with you.

Very Truly Yours,
SHEILA JACKSON LEE,
Member of Congress.

With that in mind, in the name of so many great leaders, from our early Presidents who valued this historic democratic process to the drafters of the Constitution that began to open the words of this great book with the words, We have come together to establish justice, to form a more perfect Union, to ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity to ordain and establish the Constitution of the United States, voter ID laws do not equal to liberty. They do not equal giving our posterity to our children, grandchildren, the grandchildren's children and grandchildren, great-great-grandchildren. The voter ID law is oppressive and it denies the right to vote.

I cry in my heart, Mr. Speaker, for we have fallen victim to a distortion of the right of people to vote and the distortion of the blame game. And so State legislatures have attempted to say they're doing something and, Mr. Speaker, they are not. They are not.

I would like to put into the RECORD a letter from the Department of Justice dated May 4, 2012.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
WASHINGTON, DC, MAY 4, 2012.

Hon. SHEILA JACKSON LEE
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN JACKSON LEE: This responds to your recent inquiry to Assistant Attorney General for Civil Rights Thomas E. Perez, regarding implementation of Texas S.B. 14 (2011).

On March 12, 2012, the Attorney General interposed an objection, pursuant to Section 5 of the Voting Rights Act of 1965, to S.B. 14's photographic identification requirements for in-person voting. The Attorney General's objection letter is enclosed.

The photographic identification requirements and related changes in S.B. 14 therefore may not be implemented, and are legally unenforceable, until either the Attorney General's objection is withdrawn, or until Texas obtains a judgment from the United States District Court for the District of Columbia preclearing these changes under Section 5. Texas has sought such a judgment from the district court in State of Texas v. Holder. No. 1:12–cv–00128 (D.D.C. filed Jan. 24, 2012), and that case is currently set for trial beginning July 9, 2012.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,
RONALD WEILCH,
Assistant Attorney General.

Enclosure.

U.S. DEPARTMENT OF JUSTICE,
CIVIL RIGHTS DIVISION,
WASHINGTON, DC, MARCH 12, 2012.

Mr. KEITH INGRAM,
Director of Elections, Elections Division, Office of the Texas Secretary of State, Austin, Texas.

DEAR MR. INGRAM: This refers to Chapter 123 (S.B. 14) (2011), which amends the Texas Transportation Code relating to the issuance of election identification certificates, and which amends the Texas Election Code relating to the procedures for implementing the photographic identification requirements, including registration procedures, provisional-ballot procedures, notice requirements, and education and training requirements, for the State of Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your response to our January 9, 2012 follow-up to our September 23, 2011 request for additional information on January 12. 2012; additional information was received through February 17, 2012.

According to the 2010 Census, the State of Texas had a total population of 25,145,561, of whom 9,460,921 (37.6%) were Hispanic, 2,975,739 (11.8%) were black, 1,027,956 (4.1%) were Asian, and 11,397,345 (45.3%) were Anglo. Texas's total voting-age population was 18,279,737, of whom 6,143,144 (33.6%) were Hispanic, 2,102,474 (11.5%) were black, 758,636 (4.2%) were Asian, and 9,074,684 (49.6%) were Anglo. The five-year aggregate American Community Survey (2006–2010) estimates that Texas had a Hispanic citizen voting-age population of 25.5 percent.

We have carefully considered the information you have provided, as well as census data, comments and information from other interested parties, and other information, including the state's previous submissions. Under Section 5, the Attorney General must determine whether the submitting authority has met its burden of showing that the proposed changes have neither the purpose nor the effect of denying or abridging the right to vote on account of race or color or membership in a language minority group. Georgia v. United States, 411 U.S. 526 (1973): Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.52(c). With regard to Sections 9 and 14 of S.B. 14, concerning photographic identification 51.52(c). With regard to Sections 9 and 14

of S.B. 14, concerning photographic identification requirements for in-person voting and acceptable forms of photographic identification, I cannot conclude that the state has sustained its burden under Section 5 of the Voting Rights Act. Therefore, on behalf of the Attorney General, I must object to Sections 9 and 14 of S.B. 14.

We start our analysis recognizing the state's legitimate interest in preventing voter fraud and safeguarding voter confidence. Crawford v. Marion County Election Bd., 553 U.S. 181 (2008). In that vein, the state's sole justifications for changing the current practice to require photographic identification to vote in person that appear in the legislative proceedings and are presented in its submission are to ensure electoral integrity and deter ineligible voters from voting. At the same time, we note that the state's submission did not include evidence of significant in-person voter impersonation not already addressed by the state's existing laws.

The voting changes at issue must be measured against the benchmark practice to determine whether they would ''lead to a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise.'' Beer v. United States, 425 U.S. 130, 141 (1976). In support of its position that this proposed requirement will not have such a prohibited effect, the state provided two sets of registered-voter data, which were matched with two different data sources maintained by the state's Department of Public Safety (DPS). One set was current as of September 16, 2011, and the other as of early January 2012. The September data reported that there were 12,780,841 registered voters, of whom 2,785,227 (21.8%) were Hispanic. The January data reported that there were 12,892,280 registered voters, of whom 2,810,869 (21.8%) were Hispanic.

There is, however, a significant difference between the two data sets with regard to the number and characteristics of those registered voters without a driver's license or personal identification card issued by DPS. The September data indicate that 603,892 (4.7%) of the state's registered voters do not have such identification; this population consists of 174,866 voters (29.0% of the 603,892 voters) who are Hispanic and 429,026 voters (71.0%) who are non-Hispanic. The January data indicate that 795,955 (6.2%) of the state's registered voters do not have such identification; this population consists of 304,389 voters (38.2%) who are Hispanic and 491,566 voters (61.8%) who are non-Hispanic. The state has not provided an explanation for the disparate results. More significantly, it declined to offer an opinion on which of the two data sets is more accurate. Accordingly, we have considered both in reviewing your submission.

Starting our analysis with the September data set, 6.3 percent of Hispanic registered voters do not have the forms of identification described above, but only 4.3 percent of non-Hispanic registered voters are similarly situated. Therefore, a Hispanic voter is 46.5 percent more likely than a non-Hispanic voter to lack these forms of identification. In addition, although Hispanic voters represent only 21.8 percent of the registered voters in the state, Hispanic voters represent fully 29.0 percent of the registered voters without such identification.

Our analysis of the January data indicates that 10.8 percent of Hispanic registered voters do not have a driver's license or personal identification card issued by DPS. but only 4.9 percent of non-Hispanic registered voters do not have such identification. So, Hispanic registered voters are more than twice as likely as non-Hispanic registered voters to lack such identification. Under the data provided in January, Hispanics make up only 21.8 percent of all registered voters, but fully 38.2 percent of the registered voters who lack these forms of identification.

Thus, we conclude that the total number of registered voters who lack a driver's license or personal identification card issued by DPS could range from 603,892 to 795,955. The disparity between the percentages of Hispanics and non-Hispanics who lack these forms of identification ranges from 46.5 to 120.0 percent. That is, according to the state's own data, a Hispanic registered voter is at least 46.5 percent, and potentially 120.0 percent, more likely than a non-Hispanic registered voter to lack this identification. Even using the data most favorable to the state, Hispanics disproportionately lack either a driver's license or a personal identification card issued by DPS, and that disparity is statistically significant.

The state has provided no data on whether African American or Asian registered voters are also disproportionately affected by S.B. 14.

Sections 9 and 14 of S.B. 14 would also permit a voter to vote in person using military photographic identification, a United States citizenship certificate that contains the person's photograph, a United States passport, or a license to carry a concealed handgun. The state has produced no data showing what percent of registered voters lack a driver's license or personal identification card issued by DPS, but do possess another allowable form of photographic identification. Nor has the state provided any data on the demographic makeup of such voters. In addition, when the Texas Legislature was considering S.B. 14, there were a number of legislative proposals to expand the forms of identification that could be used by voters to meet this new requirement—including proposals to allow any state-issued or tribal identification with a photograph to be used for regular voting—but those proposals were rejected.

In view of the statistical evidence illustrating the impact of S.B. 14 on Hispanic registered voters, we turn to those steps that the state has identified it will take to mitigate that effect.

You have informed us that the DPS-issued ''free'' election identification certificate, which is proposed to be implemented by Section 20 of S.B. 14, would protect voters who do not already have another acceptable form of identification. The application process for these certificates will mirror the manner in which a person obtains a driver's license. First-time applicants will be required to furnish various supplemental documents and undergo an application process that includes fingerprinting and traveling to a driver's license office.

An applicant for an election identification certificate will be required to provide two pieces of secondary identification, or one piece of secondary identification and two supporting documents. If a voter does not possess any of these documents, the least expensive option will be to spend $22 on a copy of the voter's birth certificate. There is a statistically significant correlation between the Hispanic population percentage of a county and the percentage of a county's population that lives below the poverty line. The legislature tabled amendments that would have prohibited state agencies from charging for any underlying documents needed to obtain an acceptable form of photographic identification.

As noted above, an applicant for an election identification certificate will have to travel to a driver's license office. This raises three discrete issues. First, according to the most recent American Community Survey three-year estimates. 7.3 percent of Hispanic or Latino households do not have an available vehicle, as compared with only 3.8 percent of non-Hispanic white households that lack an available vehicle. Statistically significant correlations exist between the Hispanic voting-age population percentage of a county, and the percentage of occupied housing units without a vehicle.

Second, in 81 of the state's 254 counties, there are no operational driver's license offices. The disparity in the rates between Hispanics and non-Hispanics with regard to the possession of either a driver's license or personal identification card issued by DPS is particularly stark in counties without driver's license offices. According to the September 2011 data, 10.0 percent of Hispanics in counties without driver's license offices do not have either form of identification, compared to 5.5 percent of non-Hispanics. According to the January 2012 data, that comparison is 14.6 percent of Hispanics in counties without driver's license offices, as compared to 8.8 percent of non-Hispanics. During the legislative hearings, one senator stated that some voters in his district could have to travel up to 176 miles roundtrip in order to reach a driver's license office. The legislature tabled amendments that would have, for example, provided reimbursement to voters who live below the poverty line for travel expenses incurred in applying for the requisite identification.

The third and final point is the limited hours that such offices are open. Only 49 of the 221 currently open driver's license offices across the state have extended hours. Even Senator Troy Fraser, the primary author of this legislation in the Senate, acknowledged during the legislative hearing that. ''You gotta work to make sure that [DPS offices] are open.'' Despite the apparent recognition of the situation, the legislature tabled an amendment that would have required driver's license offices to be open until 7:00 p.m. or later on at least one weekday and during four or more hours on at least two Saturdays each month.

The legislation mandates a statewide voter-education effort concerning the new identification requirement, but does not provide specific standards for the program. The state, however, has yet to approve a final version of the materials designed to accomplish that goal, either for voters or for election officials. The state has indicated that it will implement a new educational program: but as of this date, our information indicates that the currently proposed plan will incorporate the new identification requirement into a general voter-education program.

The legislation requires that poll-worker training materials reflect the new identification requirements. This is particularly vital because a poll-worker can permit a voter to cast a ballot if the name as listed on the documentation is ''substantially similar to but does not match exactly'' the name on the voter registration list, and if the voter also submits an affidavit stating that he or she is the person on the list of registered voters. Though the Secretary of State's office has adopted an administrative rule to guide poll-workers in determining when names are substantially similar, the rule gives poll-workers a great deal of discretion. The state has

provided no enforcement guidelines to prevent the vagueness of this standard from leading to inconsistency or bias in its application.

Even after submitting data that show over 600,000 registered voters do not have either a driver's license or personal identification card issued by DPS—and that a disproportionate share of those registered voters are Hispanic—the state has failed to propose, much less adopt, any program for individuals who have to travel a significant distance to a DPS office, who have limited access to transportation, or who are unable to get to a DPS office during their hours of operation. This failure is particularly noteworthy given Texas's geography and demographics, which arguably make the necessity for mitigating measures greater than in other states. The state also has not developed any specific proposals to educate either voters about how to comply with the new identification requirement or poll officials about how to enforce the proposed change.

In conclusion, the state has not met its burden of proving that, when compared to the benchmark, the proposed requirement will not have a retrogressive effect, or that any specific features of the proposed law will prevent or mitigate that retrogression. Additionally, the state has failed to demonstrate why it could not meet its stated goals of ensuring electoral integrity and deterring ineligible voters from voting in a manner that would have avoided this retrogressive effect. Because we conclude that the state has failed to meet its burden of demonstrating that the proposed law will not have a retrogressive effect, we do not make any determination as to whether the state has established that the proposed changes were adopted with no discriminatory purpose.

Under Section 5 of the Voting Rights Act, the submitting authority has the burden of showing that a submitted change has neither a discriminatory purpose nor a discriminatory effect. Georgia v. United States, 411 U.S. 526 (1973): 28 C.F.R. 51.52. In light of the considerations discussed above, I cannot conclude that your burden has been sustained in this instance. Therefore, on behalf of the Attorney General, I must object to the changes affecting voting that are occasioned by Sections 9 and 14 of Chapter 123 (S.B. 14) (2011). Sections 1 through 8, 10 through 13, 15, and 17 through 22 of S.B. 14 are directly related to the procedures for implementing the photographic identification requirements, including registration procedures, provisional-ballot procedures, notice requirements, and education and training requirements. Accordingly, no determination by the Attorney General is required or appropriate under Section 5. 28 C.F.R. 51.22 and 51.35.

We note that under Section 5 you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that these proposed changes neither have the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. 28 C.F.R. 51.44. In addition, you may request that the Attorney General reconsider the objection. 28 C.F.R. 51.45. However, until the objection is withdrawn or a judgment from the United States District Court for the District of Columbia is obtained, the submitted changes continue to be legally unenforceable. Clark v. Roemer, 500 U.S. 646 (1991): 28 C.F.R. 51.10. To enable us to meet our responsibility to enforce the Voting Rights Act, please inform us of the action that the State of Texas plans to take concerning this matter. If you have any questions, you should contact Robert S. Berman (202/514–8690), a deputy chief in the Voting Section.

Because the Section 5 status of this legislation is presently before the United States District Court for the District of Columbia in State of Texas v. Holder, No. 1:12–cv–00128 (D.D.C.), we are providing the Court and counsel of record with a copy of this letter.

Sincerely,

THOMAS E. PEREZ,
Assistant Attorney General.

□ 1950

Finally, as I said, Mr. Speaker, as I hold this Constitution in my hand, I certainly want to add to my plea an extended hand to ensure that what our Founding Fathers wanted—to ensure domestic tranquility, to establish justice, to secure the blessings of liberty—will be found in the 2012 election, and that because of one's ethnic or racial background or age or gender or whether you live in the country, meaning in the rural areas of the Nation, that you will not have a stop sign, a red stop sign that will be standing at the door of a courthouse or the place where you vote. You will not have a stop sign that says: Stop, you don't deserve the blessings of liberty. You deserve to be treated in the ways of yesteryear when people were second-class and third-class citizens.

I pray, as I know my Founding Fathers would offer, prayerful prayers for all of America that we take this red map and turn it to a map of brightness with a big sign: The door is open for legal voting, unoppressed. You are protected and you are given the blessings of liberty.

I thank my colleagues of the Congressional Black Caucus. I thank all those who are working on this issue, and I look forward in the State of Texas that we work together that you can vote under the old laws and you can vote on Sunday and you can go out and vote and you can have the blessings of liberty that the Constitution has so given us.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. Speaker, I rise in the name of justice and to protect the right to vote for all citizens. I am joined by fellow members of the Congressional Black Caucus to speak about the need to protect our democracy, to protect the voice of the American people, and to ensure the right to vote continues to be treated as a right under the Constitution rather than a privilege afforded to the chosen few.

Today I join the CBC to bring additional scrutiny to the significant changes being made to voting laws across our country. We must protect the rights for all eligible citizens to vote. The right to vote is a precious and sacred one in our country. Over the past few decades, minorities in this country have witnessed a pattern of efforts to intimidate and harass minority voters through so-called "Voter ID" requirements. I am sad to report that as we head into the 21st century, these efforts continue.

I am well versed in the arguments both for and against Voter IDs. Often the arguments for Voter IDs include the notion that we must protect against fraud, yet there is little to no real evidence that rampant voter fraud exists or that it would be prevented by Voter ID cards. On balance there is significant evidence that minorities would be negatively impacted by voter ID requirements.

As a Senior Member of the House Judiciary Committee, I called for an immediate investigation of these instances. Many of these incidents of voter intimidation were occurring in predominately minority neighborhoods and have been directed at African-Americans and Latinos. It is unconscionable to think that anyone would deliberately employ the use of such forceful and intimidating tactics to undermine the fundamental, Constitutional right to vote. However, such conduct has regrettably occurred in Houston, and I urge you to take appropriate action to ensure that it does not recur.

Instances of voter intimidation are not long ago and far away. Just last year I sent a letter to U.S. Attorney General Eric Holder to draw his attention to several disturbing instances of voter intimidation that had taken place in Houston. In a single week there were at least 15 reports of abuse of voter rights throughout the city of Houston.

I am here once more in the name of freedom, patriotism, and democracy. I am here to demand that the long hard fought right to vote continues to be protected.

TEXAS LEGISLATION, SB14

I am a Representative from the State of Texas and as you are all aware, my State has recently adopted a voter identification law that is among the most restrictive in the Nation. This law passed both chambers of the Texas legislature after lengthy floor debates. The Texas House approved the measure 101–48 late in the night after more than eleven hours of debate that included some 40 proposed amendments. Although it was evident that this bill had significant opposition, the bill was fast-tracked as a "legislative emergency." The Voter ID bill was fast-tracked at a time when there were urgent threats to state services due to a $10 billion budget shortfall.

Under SB14, would require Texas voters to show a non-expired:

Texas driver's license,
state ID card,
military ID,
US passport or
citizenship ID to vote.

Texas concealed handgun license to the list.

SB14, Banned the following forms of identification:

driver's licenses from other states,
college IDs,
birth certificates and other identification documents.

Voters over 70 are not exempted from any of these requirements.

Those without the requisite ID would have to cast provisional ballots that would be counted only if the voter returned with valid ID within six days after the election.

While similar proposals were defeated in past years, Texas Gov. Rick Perry designated the legislation as an emergency to allow it to

be procedurally fast-tracked through the legislature to avoid the debates that derailed such efforts in previous years.

As a preclearance state under the Voting Rights Act, Texas had to submit any electoral changes for approval by the U.S. Department of Justice for review under the Voting Rights Act.

I hold in my hand a letter from the Department of Justice and I quote from this letter "with regard to Section 9 and 15 of S.B. 14, concerning photographic identification, I cannot conclude that the state has sustained its burden under Section 5 of the Voting Rights Act. Therefore, on the behalf of the Attorney General, I must object to Sections 9 and 14 of S.B. 14." In effect, the currently proposed photographic identification requirements and related changes may not be implemented and are not legally enforceable. Texans need to be informed about this turn of events. S.B. 14 is not legally binding. The public must be made aware that right now in the state of Texas there is no requirement for a Voter ID card in order to vote! May I remind you that no right is more fundamental than the right to vote.

THE CONSTITUTION PROTECTS OUR RIGHT TO VOTE

It is protected by more constitutional amendments—the 1st, 14th, 15th, 19th, 24th and 26th—than any other right we enjoy as Americans. Broad political participation ensures the preservation of all our other rights and freedoms. 3 State laws that impose new restrictions on voting, however, undermine our strong democracy by impeding access to the polls and reducing the number of Americans who vote and whose votes are counted.

My State is not the only State undergoing attempts to restrict voting rights. There have been several restrictive voting bills considered and approved by States in the past several years.

VOTER ID LAWS

The most commonly advanced initiatives are laws that require voters to present photo identification when voting in person. Additionally, States have proposed or passed laws to require proof of citizenship when registering to vote; to eliminate the right to register to vote and to submit a change of address within the same State on Election Day; to shorten the time allowed for early voting; to make it more difficult for third-party organizations to conduct voter registration; and even to eliminate a mandate on poll workers to direct voters who go to the wrong precinct.

These recent changes are on top of the disfranchisement laws in 48 States that deprive an estimated 5.3 million people with criminal convictions—disproportionately African Americans and Latinos—of their political voice.

Voter ID laws are becoming increasingly common across the country. Today, 31 States have laws requiring voters to present some form of identification to vote in Federal, State and local elections, although some laws or initiatives passed in 2011 have not yet gone into effect. Some must also be pre-cleared under the Voting Rights Act prior to implementation. In 16 of those 31 States, voters must (or will soon be required to) present a photo ID—that in many States must be government-issued—in order to cast a ballot.

Voter ID laws deny the right to vote to thousands of registered voters who do not have, and, in many instances, cannot obtain the limited identification States accept for voting. Many of these Americans cannot afford to pay for the required documents needed to secure a government issued photo ID. As such, these laws impede access to the polls and are at odds with the fundamental right to vote.

In total, more than 21 million Americans of voting age lack documentation that would satisfy photo ID laws, and a disproportionate number of these Americans are low-income, racial and ethnic minorities, and elderly. As many as 25 percent of African Americans of voting age lack government-issued photo ID, compared to only 8 percent of their white counterparts. Eighteen percent of Americans over the age of 65 do not have government-issued photo ID.

Laws requiring photo identification to vote are a "solution" in search of a problem. There is no credible evidence that in-person impersonation voter fraud—the only type of fraud that photo IDs could prevent—is even a minor problem. Multiple studies have found that almost all cases of alleged in-person impersonation voter "fraud" are actually the result of a voter making an inadvertent mistake about their eligibility to vote, and that even these mistakes are extremely infrequent.

It is important, instead, to focus on both expanding the franchise and ending practices which actually threaten the integrity of the elections, such as improper purges of voters, voter harassment, and distribution of false information about when and where to vote. None of these issues, however, are addressed or can be resolved with a photo ID requirement.

Furthermore, requiring voters to pay for an ID, as well as the background documents necessary to obtain an ID in order to vote, is tantamount to a poll tax. Although some States issue IDs for free, the birth certificates, passports, or other documents required to secure a government-issued ID cost money, and many Americans simply cannot afford to pay for them. In addition, obtaining a government-issued photo ID is not an easy task for all members of the electorate. Low-income individuals who lack the funds to pay for documentation, people with disabilities with limited access to transportation, and elderly Americans who never had a birth certificate and cannot obtain alternate proof of their birth in the U.S., are among those who face significant or insurmountable obstacles to getting the photo ID needed to exercise their right to vote.

Because of Texas' recently passed voter ID law, an estimated 36,000 people in West Texas's District 19 are 137 miles from the nearest full service Department of Public Safety office, where those without IDs must travel to preserve their right to vote under the state's new law.

In addition, women who have changed their names due to marriage or divorce often experience difficulties with identity documentation, as did Andrea, who recently moved from Massachusetts to South Carolina and who, in the span of a month, spent more than 17 hours online and in person trying without success to get a South Carolina driver's license.

Voter ID laws send not-so-subtle messages about who is and is not encouraged to vote. As States approve laws requiring photo ID to vote, each formulates its own list of acceptable forms of documentation. Another common thread emerging from disparate state approaches is a bias against robust student electoral participation.

Henceforth, students at Wisconsin colleges and universities will not be able to vote using their student ID cards, unless those cards have issuance dates, expiration dates, and signatures.

Currently, only a handful of Wisconsin colleges and universities are issuing compliant IDs. Nor will South Carolina, Texas, or Tennessee accept student identification at the polls.

Policies that limit students' electoral participation are particularly suspect, appearing on the heels of unprecedented youth turnout in the 2008 election.

Voter ID proposals have a forceful momentum this year not seen in years past, part of broader legislative movements to limit access to the political process for disenfranchised groups at a level not seen since post-reconstruction era laws implementing poll taxes and literacy tests. In just over the first two months of 2011, photo ID proposals have been introduced in 32 States and passed out of one legislative chamber in 12 States.

Since 2001, more than 700 voter identification bills have been introduced in 46 States, according to the National Conference of State Legislatures. A dozen States have passed new voter ID laws since 2003, but only 8 States require photo ID of voters and only two have laws as strict as those being proposed this year.

Lawmakers across the Nation have pinpointed photo ID as a top legislative priority. Just remember that the governor of Texas designated photo ID as a legislative emergency in order to allow it to be procedurally fast-tracked through the legislature, photo ID proposals were pre-filed before legislative sessions began in half a dozen States, and secretaries of state in a number of States have listed photo ID as a top priority.

I stand ever ready to fight these attempts to hinder the right to vote for seniors, minorities and low income Americans. I stand ever ready to protect the right to vote and preserve this right for future generations.

MAP OF SHAME: VOTE SUPPRESSION LEGISLATION BY STATE

Election Protection: You Have The Right To Vote

Lawyers' Committee for Civil Rights Under Law

(For more information about registration and voting laws in your state, visit www.mapofshame.com)

States with Proof of Citizenship Laws—AZ, KS, TN, AL, GA.

States with Repressive Election Legislation—OH, FL.

Governor Vetoed Photo Voter ID Law—NH, NC, MO, MN, MT.

TX*, KS*, WI*, IN, TN*, MS, AL*, GA, SC*—Require Photo Voter ID Only.

(*Law takes effect in 2012 and beyond.)

RI, HI, ID, SD, MI, OK, LA, FL—Photo Voter ID Requested.

WA, CA, NV, AK, MT, CO, NM, NE, MN, IA, MO, IL, AR, OH, NY, PA, WV, VA, NC, ME, NH, MA, CT, NJ, DE, MD—Photo Voter ID Legislation Proposed.

OR, WY, UT, AZ, ND, KY, VT—No Existing Photo Voter ID Law, No Current Legislation.

STATES WHERE VOTING CHANGES WERE PURSUED AND TYPES OF CHANGES ENACTED

Legislation introduced—AK, OR, CA, NV, MT, CO, NM, NE, KS, TX, MN, IA, MO, AR, WI, IL, TN, MS, OH, WV, VA, NC, AL, GA, FL, SC, MD, DE, NJ, CT, RI, MA, NH, ME, NY, PA, HI.

Photo ID requirements passed—KS, TX, WI, TN, AL, SC, RI.

Proof of citizenship passed—KS, TN, AL.

Restrictions on voter registration passed—TX, OH, ME, FL.

Restrictions on early/absentee voting passed—TN, GA, FL, WV, OH.

Executive action making it harder to restore voting rights—IA, FL.

AFGHANISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Thank you, Mr. Speaker.

I have an article that is dated today, Monday, May 7, 2012, from the Associated Press, Congress's Intelligence Heads: Taliban Has Grown Stronger under Obama.

Senator DIANNE FEINSTEIN and Representative MIKE ROGERS, who I just saw outside, a smart guy, former FBI agent, well respected in the areas of law enforcement and the security of this country, well, as the article points out, and there are other articles as well, I believe Human Events also had one, but this article from the AP says:

The leaders of congressional intelligence committees said Sunday they believed that the Taliban had grown stronger since President Barack Obama sent 33,000 more U.S. troops to Afghanistan in 2010.

The pessimistic report by Sen. Dianne Feinstein, D–Calif., and Rep. Mike Rogers, R–Mich., challenges Obama's own assessment last week in his visit to Kabul that the ''tide had turned'' and that ''we broke the Taliban's momentum.''

The two recently returned from a fact-finding trip to the region where they met with Afghan President Hamid Karzai.

''President Karzai believes that the Taliban will not come back. I'm not so sure,'' Feinstein said. ''The Taliban has a shadow system of governors in many provinces.''

When asked if the Taliban's capabilities have been degraded since Obama deployed the additional troops two years ago, Feinstein said: ''I think we'd both say that what we've found is that the Taliban is stronger.''

I was in Afghanistan a couple weeks ago. I was in Afghanistan a couple months before that. And as one of the Afghans pointed out, former ally—well, they are still allies, as far as they are concerned. This administration has thrown them under the bus—but they pointed out, you know, from the Taliban's perspective, they have said we, the Taliban, do not have to win a single battle. All we have to do is be here when the United States leaves.

Now, a couple of weeks ago, of course, the administration, two Cabinet members, were requesting that my dear friend, DANA ROHRABACHER, not go into Afghanistan for one reason—that President Hamid Karzai didn't want him to come in. Now, apparently, Karzai, ignorant of what is actually going on in Washington, had said that my friend, Congressman ROHRABACHER, proposed a bill that would partition or divide up Afghanistan. Well, I worked with Congressman ROHRABACHER on his very good bill, and basically it is a sense of Congress that says we support the Afghans' right to vote for their leaders.

Now, I understand Secretary Clinton inherited a State Department and a situation in Afghanistan that was not of her making. I get that. And, in fact, we sat by and even assisted as Afghanistan created a constitution based on sharia law that has now resulted in the last public Christian church closing. It's a system where the President gets to appoint governors, mayors, chiefs of police, many of the higher-level teachers, slate of legislators. He gets powerful control over so much of the purse strings. So it was amazing to see the President over kind of doing what appeared to be a victory lap around Afghanistan and back home: gee, the Taliban's back is broken, things are looking good, and we now have an agreement going forward with Afghanistan. Great news.

Well, when you find out from Afghans that actually the Afghanistan Government has a $12.5 billion budget and all the sources of revenue that Afghanistan can come up with provide $1.5 billion of their $12.5 billion budget, and the rest comes from other countries, you would presume largely from the United States, and when one considers the billions of dollars that we are spending for humanitarian projects, training farmers to farm as I've met with the teachers, American teachers teaching Afghans to farm, and they were so depressed because the billions we've spent, given basically to Afghanistan to create farming projects so the people can maintain themselves when we're gone, have not made its way to any of those projects in that region of the country. There is one region where apparently some has made it to projects, but certainly not all and probably not most of them.

So it would seem if you're the President of the United States and you go to a country whose government has a $12.5 billion budget and they can only come up with $1.5 billion of that and you're the big force behind all of the other $11 billion, it would seem to me that there shouldn't be a whole lot of negotiation that has to take place.

□ 2000

What kind of person does not understand leverage? The President accepted, of course, because it appears that the foreign policy that we've run into from President Obama's administration is we've got people around the world that hate us, want to destroy us, so we're going to give them money. We're going to buy them an office in Qatar, as we've offered the Taliban. We're going to be releasing their murdering thugs that we've got in detention, and then maybe they will like us enough to agree with us. That sounds like somebody that spent too much time community organizing and not enough time studying history. That's no way to negotiate.

If one wishes to approach an individual, and like in my situation, being a Christian, we're supposed to help the needy—''blessed are the meek.'' The Beatitudes are quite compelling.

The government has a different role. The government is to protect the people. As Romans 13 points out, if you do evil, be afraid, because the government does not bear the sword in vain. The government's role is to protect people so individually they can live the kind of life that so much of our heritage embraces. The government is supposed to protect the people; it's supposed to punish evil, and it actually is supposed to encourage good.

We've gotten so far off track. Back in the sixties, well-intentioned, we began paying young women to have children out of wedlock, born out of the best of intentions—deadbeat dads were not helping, so let's help them out. Instead, what they did is lure young women away from a high school education, in many cases—I've had many of them come before my court—and lure them into a rut they couldn't get out of.

We have senior citizens on Social Security whose religious beliefs embrace marriage as being the ultimate living situation between a man and a woman. Yet they have guilt because they know they can't live on what little they have, and they know that if they marry another person that they're living with—I've heard from folks like this—that lives on Social Security as well, then their Social Security will be reduced if they get married, so they live together.

The President's own proposal, although he's been out saying he was going after millionaires and billionaires, when you look at the specific proposals—which he finally put in print so we can see in print what he really believes—as he continues to say we're going after millionaires and billionaires, the Buffett tax, that kind of thing, you look at the specific proposal and he goes after everybody making more than $125,000 a year if you're married, $250,000 if you're filing jointly. If you're single, it can be $200,000 to $225,000. So, once again, the President wants to promote living together rather than being married, as evidenced by what he provides money for.

Now, we know that we've been told by this administration repeatedly, look, if we just show the Taliban how good a people we are and how good our motivation is, then they'll fall into line. I've said and will keep saying: You don't have to pay people to hate you; they'll do it for free. We are wasting billions. We have wasted trillions of dollars over all these many years. So this administration continues to try to buy the affection of the Taliban.

Let's see. This article was from CNN, and they reiterate:

The heads of the Senate and House intelligence Committees Sunday said the Taliban was gaining ground.

The President added, the administration was in direct discussion with the Taliban, saying the group can be a part of the country's future if they break with al Qaeda, renounce violence, and abide by Afghan laws.

We saw that same kind of effort by this administration. There was a Taliban leader who was released with the consent of this administration basically because it was the humanitarian thing to do, to let him go die in peace. Well, he was released from detention. As the Afghans, who have buried family and friends while fighting with American troops against the Taliban initially—before this administration threw them under the bus—they've said, hey, that Taliban leader that you released, the U.S. authorized the release because he was going to go die and this would be the humanitarian thing to do, guess what? He is back in Afghanistan, and he was on Afghanistan's biggest television station. He said three things. Two of them were that it is very clear to the world that the United States has lost, and that's why the United States—as everyone in the world knows who's paying attention—the United States is begging the Taliban to come just sit down and negotiate with us. Please, we know you murdered thousands of Americans. We get that. That's okay. Just sit down with us. We'll keep releasing your murdering thugs if you will just agree to sit down with us and talk. Why, we'll even buy you a wonderful office in Qatar so you will have international prestige to spread whatever goodwill you wish to spread. Well, that would be known, Mr. Speaker—if the President would pay attention—that would be known as radical jihad. That is what they wish to spread.

Here's a news report today from foxnews.com from Kabul:

The U.S. has been secretly releasing captured Taliban fighters from a detention center in Afghanistan in a bid to strengthen its hand in peace talks with the insurgent group, the Washington Post reported Monday.

Who in the world who has ever studied history comes around and says we're releasing the murdering thuggish war criminals to strengthen our own end? We're letting our enemy have their murdering thugs back to strengthen our hand. Perhaps a community organizer would think that.

The article says:

The strategic release program of higher-level detainees is designed to give the U.S. a bargaining chip in some areas of Afghanistan where international forces struggle to exercise control. Under the risky program, the hardened fighters must promise to give up violence and are threatened with further punishment, but there is nothing to stop them from resuming attacks against Afghan and American troops.

''Everyone agrees they are guilty of what they have done and should remain in detention. Everyone agrees that these are bad guys. But the benefits outweigh the risks,'' a U.S. official told the Post.

In a visit to Afghanistan last week, President Barack Obama confirmed that the U.S. was pursuing peace talks with the Taliban.

You know, there was once a policy in this country that we did not negotiate with terrorists, but that's the old days. This administration's policy is, not only do we negotiate with terrorists, we give them stuff.

□ 2010

What do you want? Do you want more of your murdering thugs released so maybe they can kill more of our Afghan allies or more American troops? Eighteen hundred, is that enough? Do you want to kill more? We hope you won't; but if you'll just say, we won't kill if you'll let us go, then we'll let you go.

It reminds me of the naivete of Secretary Madeleine Albright and President Bill Clinton who, in essence, told North Korea, look, we will give you everything you need to make nuclear weapons if you'll promise us that you will only use it to make nuclear power.

Really? North Korea basically said, really? All we have to do—you know we're liars. You've caught us in lies repeatedly. But all we have to do is tell you we'll never use it for nukes, and you'll give us all this stuff? Well, sure, yeah. Oh, yeah. Yeah, you've caught us in so many lies? What's one more?

So, guess who has nuclear weapons now that we worry about? The same people the Clinton administration gave nuclear materials and information, simply on the promise that they wouldn't use it to make nuclear weapons.

What a lovely world it would be.

Back to the article from Fox News:

We have made it clear that they, the Taliban, can be a part of this future if they break with al Qaeda, renounce violence, and abide by Afghan laws. Many members of the Taliban, from foot soldiers to leaders, have indicated an interest in reconciliation. A path to peace is now set before them, Obama said.

The upcoming NATO Summit in Chicago, the U.S. coalition will set a goal for Afghan forces to take the lead in combat operations across the country next year.

Look, Mr. Speaker, it makes sense that all of us should want peace. All of us, I know in this body, want peace. But just as we've seen signs around this Capitol since I've been in Congress saying war never brought peace, there is a naivete of some people who think if you apply individual blessedness, turn the other cheek, those kinds of things, from a government standpoint, that other governments controlled by terrorists, war criminals, mad men, that they will respond to that, when the truth is that's an individual approach.

The Nation's government must be about providing for the common defense, number one, against all enemies, foreign and domestic. We should be doing that. And that means when there are murdering thugs in the world who have sworn to do everything they can to destroy the United States of America, we have to take them seriously and take them out, if necessary. We have that obligation to the people we were sent here to protect.

When I took an oath to the United States Army, it was the same kind of oath. We were supposed to serve and protect. And best of intentions, good will does not defeat terrorists who have made clear they will not stop until they're dead and, they think, in paradise, or we are dead and our government gone.

Now, we know that the term Islamophobia, Islamophobe have come from—been pushed by the Organization of Islamic Conference as a way to further their goals. Anybody stands up to point out that there are radical Islamist jihadists who want to destroy everyone who does not believe as they do—we know that those people were behind 9/11, killing 3,000, over 3,000, innocent people, and that the only regret that those individuals had was that more people were not killed. They'd hoped that perhaps 50,000–55,000 would have been killed in the two World Trade Centers.

You can't, as the United States Government, just turn the other cheek when there are people coming into this country illegally wanting to destroy us. They're not just people coming for jobs anymore. There's the OTM, as they're classified.

So some of us who will call radical Islamic jihad what it is, a policy of a minority, a small minority of Muslims, they want to call some of us Islamophobes. Islamophobes. Give me a break.

Two weeks ago I was in Afghanistan. Karzai didn't want our friend, DANA ROHRABACHER, to go in. DANA, ever the patriot, he was persuaded by Secretary Clinton not to push the issue because talks were in such delicate shape at the time.

Delicate shape? We pull out, don't give any more money, and Karzai collapses. He'll either be out of the country with money he's stowed away, or he'll be subjugated by the Taliban if we pull out and don't provide any assistance. And we have to go begging him for talks? Excuse me? Delicate talks?

We know that President Karzai is Pashtun. He can deal with the Taliban. It appears he's dealing with them somewhat like Maliki is dealing with the Iranians who want to take over Iraq, caving, as necessary, to keep his position.

There are ways to execute foreign policy that don't cost thousands of American lives, that don't have to exist on the good intentions of people who are sworn to murder and destroy us.

The enemy of our enemy is our friend. And that was seen, once again, a couple of weeks ago in Afghanistan. Congressman ROHRABACHER had hoped to be at the meeting with our Northern Alliance friends. Most of them are part of the National Front now. I would hope that one of them would be elected President of Afghanistan.

My friend, Massoud, his older brother, might have been the one person to unite the country; but the day before 9/11 the Taliban knew that, so they assassinated him. Massoud's father-in-law, Rabbani, was assassinated last September.

General Dostum, many consider the great hero of late 2001, early 2002, when the Northern Alliance tribes defeated the Taliban on horseback, fearless warriors. And this administration thanks them by publicly calling them war criminals. These were our allies. These are the enemy of our enemy.

Yes, Muslim. No Islamophobe here, because I recognize the enemy of my enemy is my friend.

□ 2020

Those people fought with us and for us. There is something very strong in the bond—or should be—between the people of the United States who fought, buried family or loved ones, and those in the Northern Alliance who fought with us and who buried family or loved ones, friends. There is a bond there. But instead of embracing that bond and utilizing that bond, those who fought for us and with us, who did most of the fighting when the Taliban was initially defeated, have been thrown under the bus.

So when they were gathering on Sunday 2 weeks ago and when they wanted to meet with someone, three Members of Congress went. At first, we were told, Well, gee, there's just not enough security to get you there.

Then I pointed out to the person coordinating the security for our five Members of Congress, Sir, do you see that gate out there at the embassy? You're going to have to take me down before I get out the gate.

He said, Sir, we're not authorized to take down a Member of Congress.

I said, Well, then, you will not stop me. I'm going to see our friends. Massoud, who is the head of security, has assured me they're going to have bulletproof vehicles to pick us up, and I'm going with them.

Amazingly, thirty-or-so minutes after our next meeting, we had American security taking us to the meeting. We were quite safe there. They made sure of that. They didn't want anything to happen to their American visitors.

Congresswoman MICHELE BACHMANN and Congressman MICHAEL BURGESS, we would have had to have taken an additional vehicle had more than three Members gone. So JOHN CARTER, being the gentleman, said, MIKE BURGESS, why don't you go. MIKE BURGESS and MICHELE BACHMANN and I went to see our friends—Mohaqiq and numerous other leaders of the National Front.

Now, it's interesting. They pointed out—and you've probably heard—about Karzai saying, Gee, he believes so much in our Constitution—and the Constitution says, if you serve two terms, you can't run for a third term—that he may resign a year early. He said, Your people, your leaders in America seem to be eating that up.

The truth is that the people who are advising Karzai are all trying to figure out—How can we get around that prohibition from running for a third term?—and they think they may have it. They think that, if he resigns a year early and if somebody else takes over Afghanistan for a year, with or without an election, then he could say, Gee, I never served two terms. I didn't make it two terms. I resigned before the second term was up, so now I can run for a third term. Gee, the U.S. is going to have troops out by 2014. Therefore, I could run in 2014. The U.S. will not be around with any strength to enforce such an agreement of my not running. And, gee, what if the people really want me to run?

We know there has been corruption in those votes over there, but the system that's set up in Afghanistan is a system that creates conduits for fraud. We could strengthen Afghanistan if we would simply allow the people to elect their regional-provincial governors, elect their mayors, let them pick their own chiefs of police, not the President Karzai cronies. That's a system that's fraught with the kind of danger you found, fraud you found in the old Roman Empire, where they would appoint a governor of a region, but of course you had to kick back to the one who appointed you. That's the kind of system they have right now in Afghanistan.

In talking, there are some who say, Well, there are some supplies of the Taliban's coming through northern Pakistan; but most people are saying, We think the Taliban is getting most of their supplies through southern Balochistan. The Baloch have been terrorized for decades by northern Pakistan. Before 1947–48, when lines seemed to be arbitrarily drawn in creating countries, Balochistan had never been a part of Pakistan. For decades now, it has. The people have been terrorized.

After Congressmen ROHRABACHER and STEVE KING also met with Baloch leaders, the idea struck me: since these Baloch leaders are tired of being terrorized by northern Pakistan, by the leaders in Islamabad, they could be quite self-sufficient in having natural resources, which is much of what the nation would need to survive on its own; and they're our friends. There may be a lot of Muslims. This non-Islamophobe knows that the enemy of our enemies is our friend. We can support them. We can help each other. So that's why Congressman ROHRABACHER and I proposed a bill that would support the creation of an independent Balochistan. As one person in the region over there said, Wow, if Balochistan were independent, that would change everything.

Now, I know this President is not gifted on foreign policy—I get that—but it doesn't mean he can't learn. Then you look at Pakistan. While this administration is trying to play footsie with Pakistan and while they're trying to play footsie with China, who was it they let in to see our stealth helicopter? China. Who was it that they harbored in their country—the greatest enemy, public enemy number one, of the United States—and kept there, supposedly, for years? This administration wants to placate them, how they can, just like it's trying to do with the Taliban and our other leaders. Maybe we can buy them off. Maybe we can do something to show them how sweet and kind we are.

Those types of people see that as weakness. It's like blood to a shark. They're drawn to it, and they will devour us if we don't show strength rather than weakness.

So an independent Balochistan gave me an interesting idea. Congressman ROHRABACHER and I had done an op-ed that was published, and it was my conviction that we stick in there a line about the potential for an independent Balochistan. Interestingly, after that was published, there was an article published in the Pakistan Daily News. I thought I had a copy of it here. I must not. Oh, here it is. It was published back in January. It says this in the article in the Pakistan Daily Times:

> In another interesting development, Louie Gohmert, a U.S. Republican Representative, proposed that, in order to beat the Taliban, the U.S. should carve out a new, friendly state, Balochistan, from within Pakistan, to stabilize Afghanistan's western border.

The article goes on:

> Even if Mr. Gohmert does not necessarily speak for Washington, it is logical to assume that he made this observation after picking up the buzz in American political circles. The U.S. wants a consulate in Quetta, but so far, Pakistan has resisted this request. The geo-strategic location of Balochistan and its potential in minerals, gas and oil is something that interests the world's sole superpower.

So says the Pakistan Daily Times.

□ 2030

They say the Baloch resistance movement is one of the few, if not the only one, that has not been declared a terrorist movement by the U.S. The U.S.'s soft attitude towards this resistance movement does not necessarily mean that they are enamored of the complaints and aspirations of the Baloch, but that the Americans have their own vested interest there. They may now want to snip away at the roots of the Pakistan military's dual policy in the war on terror by a flanking move in Balochistan.

The Pakistan Daily Times says:

Before this loud thinking is embraced as policy by Washington, for our own territorial integrity, we should do away with our double game in the war on terror and politically settle Balochistan's issues. By helping the Afghan Taliban and other jihadi groups, we have only weakened our own country. It is time that the military realizes this folly. Indiscriminate killing of the Baloch by the military and its intelligence agencies cannot and must not be tolerated. The political leadership must talk to the Baloch resistance. Only through negotiations and a dialogue can the Balochistan issue be settled peacefully.

The enemy of our enemy should be our friend. That is why when Congresswoman BACHMANN, Congressman BURGESS, and I got to the home of my friend Massoud, with all these other National Front leaders there waiting, and I got out of the vehicle, they knew my heart. They know we are friends who have the same enemies. And there was embracing all around because it truly was good to see them, to see them alive, and to see them in their own country in Massoud's own home. They fought with us, they fought for us, and they bore the brunt of the battle against the Taliban in late 2001 and early 2002 when they were routed initially. We added over 100,000 troops, got over 100,000 under this President, and things are not going as well as they were when the Northern Alliance was fighting them with simply a matter of hundreds of Americans embedded with air support. It's not going as well as it was then.

Occupiers in Afghanistan—Russia for example. Going clear back to Alexander the Great, we know he died leaving that area, that things didn't go as well as he might have hoped. They've learned that occupiers don't do all that well in Afghanistan. Empower the enemy of your enemy. Don't try to buy off your enemy that is sworn to destroy you. Empower the enemy of your enemy.

I mentioned earlier about the Taliban leader that we released who is now back with the Taliban. I mentioned one of the three things he said. He said, It's apparent to everybody that the U.S. has lost because they're begging us to come negotiate. Another thing he pointed out, which is consistent with sharia law, is that anyone who has not been supportive of the Taliban in the past needs to first come to the Taliban—and under Karzai they've been able to be more public, and they have a public presence. He says, Come to us, ask for forgiveness, ask for our protection, and you may be spared. From my understanding of sharia law, you can avoid being killed under sharia law if you come ask forgiveness and ask for protection in just such a way as this Taliban leader—fresh from his U.S. reprieve—is out there saying.

And again, the Taliban position is, we probably can't defeat the U.S. in a single battle. We don't have to—we've just got to be here when you leave. And the heartbreaking aspect of that, for those of us who have attended too many funerals of Americans who have paid the full measure of devotion, is that if we leave and we leave a situation where the Taliban is empowered again, other Americans will have to come down the road in the future and fight the Taliban, and more American lives will be lost. It's not necessary.

Had President Carter realized in 1979, when he welcomed the Ayatollah Khomeini back into Iran as a man of peace, had President Carter realized that Americans would be dying in America to protect America because radical Islam had then been given a country in which to be nourished, you would hope he would not have taken the same steps and would not be as bitter toward so many as he is today after his failed presidency.

Perhaps even President Reagan—with the best of intentions—if he had realized that we were in a war, but only one side knew we were at war, when our precious Marines were killed in an explosion in Beirut, perhaps we wouldn't have run out so quickly. But for Heaven's sake, as American buildings, embassies, individuals were attacked—and in 1993, the first attempt on the World Trade Center, another act of war, was a signal letting us know that since 1979 these people had been at war with us. There was the Khobar towers, the USS *Cole*, further acts of war. We've been at war; we just didn't know we were. Then we come to 9/11, and we're totally shocked, totally unprepared because we did not realize there was a war going on. We just didn't know we were in a war.

Now this administration seeks to go back to September 10, and it is cleansing its training materials of any reference to Islamic jihad. It is bringing in noncitizens. It is bringing in Members of the Muslim Brotherhood to advise it. It is bringing in officers of named coconspirators in the Holy Land Foundation trial supporting terrorism. It's bringing in people who have ties supporting terrorism. It's bringing them in to dictate our policy toward radical Islam. What have they said? The first thing you've got to do is eliminate any reference to Islam, any reference to jihad. So this administration, from the Department of Justice, Department of State, Department of Defense, intelligence agencies, has been very compliant. That is ongoing. As one intelligence official said, we're blinding ourselves from the ability to see our enemy.

What's going on these days will be the subject of historic articles that will continue for centuries to ask how this Nation could be so naive and/or stupid that we would be at war and not know it for 30-plus years, and that in the fight of such a war, we would bring in people who support our enemies' actions to tell us how to fight the war. There will be articles and history books that will repeat the question: How could they not see what they were doing was going to bring either an end to America or devastation to America, one or the other?

□ 2040

Well, we know that in the news this week, we have such people down in Guantanamo, the 9/11 detainees, as they're referred to. I have got a couple of articles here. The New York Times is talking about the detainees showing defiance, Khalid Sheikh Mohammed and the other detainees: ''9/11 mastermind, four cohorts to be arraigned.'' That was last week. ''Mohammed Joined By Four Codefendants in Deferring Pleas,'' a couple of days ago. There's another article: ''Outrage as 9/11 Defense Counsel Insists Women Cover Themselves.'' What happened to the freedom the people in our military are fighting for? Amazing. ''Lawyer Defending 9/11 Suspects Wearing Burqa in Court 'Out of Respect.' ''

Well, there is a great article—and it certainly wasn't recent—that points out that these detainees are ready to plead guilty. They're ready to come in and plead guilty. And this is a New York Times article: ''Five Charged in 9/11 Attacks Seek to Plead Guilty.'' Most people had not seen that title. All they've been hearing about is how they're disrupting the pleadings. This trial could go on for years and years. They're making a mockery out of it. And the reason people haven't seen the title of this article, ''Five Charged in 9/11 Attacks Seek to Plead Guilty,'' by the New York Times is because it was published December 8 and 9 of 2008. In 2008, these detainees indicated they were willing to plead guilty.

These detainees—particularly Khalid Sheikh Mohammed—had been through a lengthy questioning by the judge. He had spelled out his role in different things, not only in the 9/11 plot but his role in other terrorist acts. He had filed a 6-page pleading where he sets out that, if we have terrorized you,

then praise be to Allah. He said, in essence, in that pleading, if you are Jewish or American, you deserve to die; you are an infidel. And he prayed that Allah would help them to continue to terrorize America.

But a sad thing happened on the way between those guilty pleas in late 2008 and here, going on 4 years later. Virtually nothing has been accomplished. In fact, we are further back from where we were in December of 2008 because we had the H&O policy—the Holder and Obama policy—of, Gee, we're going to give you the chance—this isn't what they said. But anybody who has eyes to see and ears to hear could understand that what the Taliban, what al Qaeda, what radical Islamic jihadists would hear is, We're going to give you a show trial. Why would you want to plead guilty?

So these guys, as of December '08 said, Whoa, this guy Eric Holder—hey, he's represented terrorists. He will identify with us. The President, the community organizer he is, he's going to help us. So they're going to give us a way that we can have a show trial. In fact, the Attorney General wants to give us that show trial in downtown New York. Wow. Allah be praised. We're going to get to go back to the scene of the crime and create all that chaos and all the heartache for the people of Manhattan.

Well, Congress, fortunately, said, that's not going to happen. They are going to be tried at Guantanamo. But the damage had been done by the H&O policy—the Holder and Obama policy to give them a show trial—had taken hold. It had developed the imaginations of the 9/11 plotters and planners. So now we're having a show trial. This time in Guantanamo. Fortunately, not in the middle of where so much grief and anguish took place in New York City.

Some had said at the time, Hey, this is New York City. You are an outsider. You have no business saying anything about what we do in New York City. This was an act of war against our country. The whole country suffered together and came together as one on 9/12/2001. It does pertain to the whole country.

As our friend Representative Weiner from New York chastised me, he said, We all want to see them put to death in New York, and you have no right to say otherwise. Well, having been a judge and chief justice, I know those kinds of statements would be exhibit A or B of any motion to transfer venue, that they can't possibly get a fair trial. They were not well reasoned comments.

So here we are, going on 4 years later. Justice has not been done. A travesty has been done to all the families of the victims of 9/11. They can forgive. They can turn the other cheek. But as a government, our role is different. We are to provide for the common defense. We are to punish evil. We are to encourage good. And that means, any nation in the world who has a government that wants to declare war on us, then be advised: Many of us don't believe—like in Iran, we don't believe we should go to war with Iran, but we'll take out the government that wants to go to war with us. Obviously this administration feels like we can buy time and has even given hints that they think they can live with a nuclear Iran. Well, a lot of people would not live with a nuclear Iran. A lot of people would die because of a nuclear Iran. It does not need to be allowed to happen.

One other comment, though. There is a great article today out about one of the banes of my existence, and that was TARP. George W. Bush is a great man. He got a bad rap, was accused of lying when he did no such thing. He didn't bother to defend himself when truckloads of yellow cake uranium were taken out of Iraq, feeling that history would judge him fairly. But he trusted a pitiful Secretary of the Treasury, Hank Paulson, and we had something called TARP.

There is a great article in Human Events from today. ''Inspector General report ends myth that TARP 'turned a profit.''' And David Harsanyi goes on and points out very clearly that the money hasn't been paid back, as promised. Some of it has been paid back by other giveaways and gifts and loans by the Federal Government. And the government, printing money to pay debt and then having interest on the new money they've printed, is somehow making a profit. When the truth is, as the article points out:

> It's tricky to track $700 billion of emergency funding that was haphazardly dropped into the economy by a panic-stricken government, when accounting for the Fannie Mae and Freddie Mac bailout, the American taxpayer is probably owed somewhere in the neighborhood of $237.7 billion—

But we were told it's all been paid back. Yeah, right.

> —though some estimates are far higher. And it will be more. The Treasury Department says that a large part of the money lost via TARP is the result of the housing and car bailouts, also not paid back. When the next Fannie and Freddie rescue comes—as a number of reports have indicated will be needed—taxpayers will be on the hook.

□ 2050

> Most of the banks that were ''too big to fail'' when TARP was implemented are now even bigger. The report to Congress points out that a recent working paper from Federal Reserve economists ''confirms that TARP encouraged high-risk behavior by insulating the risk takers from the consequences of failure.''

That's why you never set aside free-market principles to save the free market. If you have to do that, the free market is not worth saving. But it was worth saving and there were free-market principles that could have been followed to get us out of that mess to avoid encouraging further risk taking.

And I would commend, Mr. Speaker, people to Mike Franc's work at the Heritage Foundation that disclosed that despite the rhetoric of the President, how he's going after fat cats on Wall Street, the Wall Street executives and their immediate family donated to President Obama four-to-one over Senator MCCAIN. And they've done extremely well under this President. It's almost as if there is a deal: Look, I'll call you ''fat cats,'' I'll call you all kinds of names—millionaires, billionaires—I'll trash you, but you'll make more money than ever and then I'll put taxes on those that make over $125,000, and then I'll say I'm going after major oil, Big Oil, and probably nobody will read the bills.

I read it. I read the President's own words. He's going after independent oil companies. He's eliminating their deductions, not the major oil. He's not going to hurt major oil, from what he's proposed, but he'll put the independents out of business. The majors will make more money than ever because 95 percent of all wells drilled in the continental U.S. are drilled by independent oil and gas producers. So he says he's going after major oil, but they'll make more money than ever if he gets his way.

One other thing: This is an election year, and my colleague from Texas was really going after Texas over the voter ID. I would point out to my friend from Texas, and any others, Mr. Speaker, that the fact is that bill in Texas says, if you can't afford a State ID card, we'll give you one. There are people that volunteer to even get you there to get it done. Let's avoid fraudulent elections further.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES (at the request of Mr. CANTOR) for today and May 8 on account of personal reasons.

Mr. CARSON of Indiana (at the request of Ms. PELOSI) for today and May 8.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 298. An act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building''.

H.R. 1423. An act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore,

Oklahoma, as the ''Specialist Micheal E. Phillips Post Office''.

H.R. 2079. An act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office''.

H.R. 2213. An act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office''.

H.R. 2244. An act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office''.

H.R. 2660. An act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office''.

H.R. 2767. An act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trant Post Office Building''.

H.R. 3004. An act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building''.

H.R. 3246. An act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''.

H.R. 3247. An act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building''.

H.R. 3248. An act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 8, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5858. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Conservation Loan Program (RIN: 0560-AI04) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5859. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's annual report for fiscal year 2011 on the quality of health care furnished under the health care programs of the Department of Defense; to the Committee on Armed Services.

5860. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonel Steven A. Shaprio, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

5861. A letter from the Acting Under Secretary, Department of Defense, transmitting notification that the Department is pursuing a Multi-Year Procurement (MYP) contract for Virgina Class Submarines for Fiscal Year 2014 through 2018; to the Committee on Armed Services.

5862. A letter from the Acting Director, Federal Housing Finance Agency, transmitting Office of Minority and Women Inclusion's annual report for 2011; to the Committee on Financial Services.

5863. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Exemptions for Security-Based Swaps Issued By Certain Clearing Agencies [Release Nos.: 33-9308; 34-66703; 39-2484; File No. S7-22-11] (RIN: 3235-AL16) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5864. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Implementation of OMB Guidance on Nonprocurement Debarment and Suspension [Docket ID: Ed-2012-OS-0007] (RIN: 1890-AA17) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5865. A letter from the Inspector General, Department of Health and Human Services, transmitting the Department's report on the use of funds appropriated to carry out the Medicaid Integrity Program for Fiscal Year 2011; to the Committee on Energy and Commerce.

5866. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Department's final rule — Availability of Electric Power Sources, Regulatory Guide 1.93 received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5867. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Department's final rule — Administrative Guide for Verifying Compliance with Packaging Requirements for Shipping and Receiving of Radioactive Material, Regulatory Guide 7.7 received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5868. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Department's final rule — Water Sources for Long-Term Recirculation Cooling Following A Loss-of-Coolant Accident, Regulatory Guide 1.82 received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5869. A communication from the President of the United States, transmitting notification that the national emergency with respect to prohibiting certain transactions with and suspending entry into the United States of foreign sanctions evaders with respect to Iran and Syria, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112–105); to the Committee on Foreign Affairs and ordered to be printed.

5870. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-345, ''Raising the Expectations for Education Outcomes Omnibus Act of 2012''; to the Committee on Oversight and Government Reform.

5871. A letter from the General Counsel, General Services Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5872. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-58; Item IV; Docket 2012-0079; Sequence 2] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5873. A letter from the Director Equal Employment Opportunity, National Endowment for the Humanities, transmitting the Endowment's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5874. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Certified Business Enterprise Expenditures of Public-Private Development Construction Projects for Fiscal year 2011'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

5875. A letter from the Secretary and Chief Administrative Officer, Postal Regulatory Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5876. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule — Taking and Importing Marine Mammals; Naval Explosive Ordnance Disposal School Training Operations at Elgin Air Force Base, Florida [Docket No.: 100217098-2025-02] (RIN: 0648-AY64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5877. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures [Docket No.: 110707371-2136-02] (RIN: 0648-BB28) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5878. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Amendment 17 [Docket No.: 110901552-20494-02] (RIN: 0648-BB34) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5879. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB100) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5880. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Highly Migratory Species Fisheries; Swordfish Retention Limits [Docket No.: 110211137-2141-02] (RIN: 0648-BA87) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5881. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program [Docket Nos.: 101126522-0640-02 and 1112113751-2102-02] (RIN: 0648-XB039) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5882. A letter from the Ombudsman for the Energy Employees Occupational Illness Compensation Program, Department of Labor, transmitting the Department's 2011 Annual Report of the Ombudsman for the Energy Employees Occupational Illness Compensation Program, pursuant to 42 U.S.C. 7385s-15(e); to the Committee on the Judiciary.

5883. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2072; (H. Doc. No. 112-104); to the Committee on the Judiciary and ordered to be printed.

5884. A letter from the Attorney, Department of Homeland Security, transmitting the Department's ''Major'' final rule — Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters [Docket No.: USCG-2001-10486] (RIN: 1625-AA32) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5885. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare and Medicaid Programs; Changes in Provider and Supplier Enrollment, Ordering and Referring, and Documentation Requirements; and Changes in Provider Agreements [CMS-6010-F] (RIN: 0938-AQ01) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the provisions of H. Res. 631 the following reports were filed on May 2, 2012]

Mr. FRELINGHUYSEN: Committee on Appropriations. H.R. 5325. A bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112–462). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOLF: Committee on Appropriations. H.R. 5326. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112–463). Referred to the Committee of the Whole House on the state of the Union.

[Submitted May 7, 2012]

Mr. WOODALL: Committee on Rules. House Resolution 643. Resolution providing for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes (Rept. 112–464). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KISSELL:

H.R. 5327. A bill to extend the temporary suspension of duty on preparations based on ethanediamide, N-(2-ethoxyphenyl)-N′-(4-isodecylphenyl)-; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5328. A bill to suspend temporarily the duty on Laromer PE 55 F; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5329. A bill to suspend temporarily the duty on Poly(urea/formaldehyde/isobutyraldehyde); to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 5330. A bill to suspend temporarily the rate of duty on certain leathered footwear for women; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Ms. CHU, Ms. CLARKE of New York, Mr. GRIJALVA, Ms. HAHN, Ms. LEE of California, Ms. MOORE, Mr. POLIS, Ms. LORETTA SANCHEZ of California, and Ms. WATERS):

H.R. 5331. A bill to provide protections against violence against immigrant women, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY:

H.R. 5332. A bill to prohibit agency restrictions on conference locations; to the Committee on Oversight and Government Reform.

By Ms. BERKLEY:

H.R. 5333. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction of State and local general sales taxes, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself and Ms. DEGETTE):

H.R. 5334. A bill to amend chapter V of the Federal Food, Drug, and Cosmetic Act to expedite the development and review of breakthrough therapies; to the Committee on Energy and Commerce.

By Mr. BRALEY of Iowa:

H.R. 5335. A bill to suspend temporarily the rate of duty on certain drive axles designed for use in off-road construction loaders and backhoes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 5336. A bill to reduce temporarily the rate of duty on certain forged ring gear components and certain other parts of crankshafts and connecting rods; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself and Mr. REED):

H.R. 5337. A bill to suspend temporarily the duty on mixtures comprising poly(methyl methacrylate) and zinc acetate; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself and Mr. REED):

H.R. 5338. A bill to suspend temporarily the duty on mixtures comprising titanium dioxide, silica, and decyl(trimethoxy)silane; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself and Mr. REED):

H.R. 5339. A bill to suspend temporarily the duty on mixtures comprising titanium dioxide and decyl(trimethoxy)silane; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself and Mr. REED):

H.R. 5340. A bill to suspend temporarily the duty on manganese ferrite carrier covered with acrylic resin; to the Committee on Ways and Means.

By Mrs. CAPPS:

H.R. 5341. A bill to improve postmarket risk identification and analysis with respect to devices, and for other purposes.; to the Committee on Energy and Commerce.

By Mr. CASSIDY:

H.R. 5342. A bill to suspend temporarily the duty on phosphonic acid, maleic anhydride sodium salt complex; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 5343. A bill to suspend temporarily the duty on dimethyl hydrogen phosphite; to the Committee on Ways and Means.

By Ms. CHU (for herself, Mr. CUMMINGS, and Mr. HONDA):

H.R. 5344. A bill to prevent and respond to hazing incidents involving members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. DOLD:

H.R. 5345. A bill to suspend temporarily the duty on 3-[8-Amino-1-(2-phenyl-quinolin-7-yl)-imidazo[1,5-a]pyrazin- 3-yl]-1-methyl-cyclobutanol (OSI-906); to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5346. A bill to extend the temporary suspension of duty on Macroporous poly(divinylbenzene); to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5347. A bill to extend the temporary suspension of duty on certain ion-exchange resin powder; to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5348. A bill to temporarily suspend the duty on poly(4-(1-isobutoxy ethoxy)styrene-co-4-hydroxystyrene; to the Committee on Ways and Means.

By Mr. DOLD:

H.R. 5349. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. DOLD:

H.R. 5350. A bill to extend the temporary suspension of duty on Dinotefuran; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5351. A bill to extend the temporary suspension of duty on fenpropathrin; to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5352. A bill to extend the temporary suspension of duty on Clothianidin; to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5353. A bill to extend the temporary suspension of duty on Etoxazole; to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5354. A bill to extend the temporary suspension of duty on Permethrin; to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5355. A bill to extend the temporary reduction of duty on Flumioxazin; to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5356. A bill to suspend temporarily the duty on 3-[8-Amino-1-(2-phenyl-quinolin-7-yl)-imidazo[1,5-a]pyrazin- 3-yl]-1-methyl-cyclobutanol (OSI-906); to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5357. A bill to suspend temporarily the duty on placebos to be used in clinical trials for the drug ASP2408; to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5358. A bill to suspend temporarily the duty on placebos to be used in clinical trials for the drug ASP0777; to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5359. A bill to suspend temporarily the duty on 3-(1-Bromo-8-chloroimidazo[1,5-a]pyrazin-3-yl)cyclobutanone (OSIP-690631, bicyclic intermediate); to the Committee on Ways and Means.
By Mr. DOLD (for himself and Mr. YOUNG of Indiana):
H.R. 5360. A bill to exend the temporarily suspension of the duty on powdered ion exchange resin comprised of a copolymer of styrene, cross linked with divinyl-benzene; to the Committee on Ways and Means.
By Mr. DOLD (for himself and Mr. YOUNG of Indiana):
H.R. 5361. A bill to extend the temporary suspension of duty on 10,10′-Oxybisphenoxarsine; to the Committee on Ways and Means.
By Mr. DOLD (for himself and Mr. YOUNG of Indiana):
H.R. 5362. A bill to suspend temporarily the duty on certain macroporus adsorpent polymers; to the Committee on Ways and Means.
By Mr. DOLD (for himself and Mr. YOUNG of Indiana):
H.R. 5363. A bill to suspend temporarily the duty on 4-(1-Ethoxyethoxy) styrene-4- (t-butylcarbonyloxy) styrene-4-hydroxystyrene copolymer; to the Committee on Ways and Means.
By Mr. DOLD:
H.R. 5364. A bill to suspend temporarily the duty on placebos to be used in clinical trials for the drug ASKP1240; to the Committee on Ways and Means.
By Mr. DUNCAN of South Carolina:
H.R. 5365. A bill to reduce temporarily the rate of duty on certain machinery for molding unvulcanized rubber for tires; to the Committee on Ways and Means.
By Mr. DUNCAN of South Carolina:
H.R. 5366. A bill to reduce temporarily the rate of duty on certain machinery for molding unvulcanized rubber for tires; to the Committee on Ways and Means.
By Mr. DUNCAN of South Carolina:
H.R. 5367. A bill to reduce temporarily the rate of duty on certain machinery for molding unvulcanized rubber for tubeless radial tires; to the Committee on Ways and Means.
By Mr. DUNCAN of South Carolina:
H.R. 5368. A bill to reduce temporarily the rate of duty on certain machinery for molding unvulcanized rubber for tubeless radial tires; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5369. A bill to suspend temporarily the duty on Isoviolanthrone Crude Dry Presscake; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5370. A bill to suspend temporarily the duty on 2-Ethylhexylamine; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5371. A bill to suspend temporarily the duty on Para Nitro Aniline; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5372. A bill to suspend temporarily the duty on 4-Sulfo-1,8-naphthalic anhydride potassium salt; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5373. A bill to suspend temporarily the duty on Isononylamine; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5374. A bill to suspend temporarily the duty on Dodecyl aniline, mixed isomers; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5375. A bill to suspend temporarily the duty on n-Ethyl-n-Benzyl Aniline; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5376. A bill to suspend temporarily the duty on Altuglas® BS 100 beads, BS 110 beads, and BS 130 beads; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5377. A bill to suspend temporarily the duty on 2,5-dimethyl-2, 5 hexanediol (dimethylhexanediol); to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5378. A bill to suspend temporarily the duty on dimethylisopropylamine (DMIPA); to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5379. A bill to extend the temporary suspension of duty on certain reusable grocery bags; to the Committee on Ways and Means.
By Mr. FITZPATRICK:
H.R. 5380. A bill to extend the temporary suspension of duty on mixed xylidines; to the Committee on Ways and Means.
By Mr. FLAKE:
H.R. 5381. A bill to amend the Clean Air Act with respect to exceptional event demonstrations, and for other purposes; to the Committee on Energy and Commerce.
By Mr. FRELINGHUYSEN:
H.R. 5382. A bill to suspend temporarily the duty on poly(vinyl alcohol), whether or not containing unhydrolyzed acetate groups; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5383. A bill to suspend temporarily the duty on Basic Violet 11; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5384. A bill to suspend temporarily the duty on Basic Violet 11:1; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5385. A bill to suspend temporarily the rate of duty on Huron Yellow dye; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5386. A bill to suspend temporarily the rate of duty on Invisible blue dye; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5387. A bill to suspend temporarily the rate of duty on Solvent Orange 115; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5388. A bill to suspend temporarily the rate of duty on Solvent Yellow 131; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5389. A bill to suspend temporarily the rate of duty on Zinc sulfide, copper chloride doped; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5390. A bill to suspend temporarily the rate of duty on Solvent Yellow 160:1; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5391. A bill to suspend temporarily the rate of duty on Reactive Red; to the Committee on Ways and Means.
By Ms. FUDGE:
H.R. 5392. A bill to suspend temporarily the rate of duty on Solvent Yellow 195; to the Committee on Ways and Means.
By Mr. GRAVES of Missouri (for himself, Mr. TIPTON, Mr. CHABOT, Mr. MANZULLO, Mrs. BLACKBURN, Mr. MULVANEY, and Mrs. ELLMERS):
H.R. 5393. A bill to amend the Export Enhancement Act of 1988 to make improvements to the trade promotion policies and programs of the United States Government; to the Committee on Foreign Affairs.
By Mr. GRAVES of Missouri:
H.R. 5394. A bill to reduce temporarily the duty on 3-(difluoromethyl)-1-methyl-N-(3′,4′,5′- trifluorobiphenyl-2-yl)pyrazole-4-carboxamide; to the Committee on Ways and Means.
By Mr. GRAVES of Missouri:
H.R. 5395. A bill to extend the temporary suspension of duty on E-5-(4-Chlorobenzylidene)-2,2-dimethyl-1-(1H-1,2,4-triazol- 1-ylmethyl)cyclopentanol; to the Committee on Ways and Means.
By Mr. GRAVES of Missouri:
H.R. 5396. A bill to suspend temporarily the duty on Methyl N-(2-[[1-(4-chlorophenyl)-1H-pyrazol-3-yl]-oxymethyl]phenyl) -N-methoxycarbanose; to the Committee on Ways and Means.
By Mr. GRAVES of Missouri:
H.R. 5397. A bill to extend the temporary reduction of duty on Pyraclostrobin; to the Committee on Ways and Means.
By Mr. GRAVES of Missouri:
H.R. 5398. A bill to reduce temporarily the duty on Topremazone; to the Committee on Ways and Means.
By Mr. GRAVES of Missouri:
H.R. 5399. A bill to suspend temporarily the duty on Caramba Fungicide; to the Committee on Ways and Means.
By Ms. HOCHUL:
H.R. 5400. A bill to suspend temporarily the rate of duty on p-Toluenesulfonamide; to the Committee on Ways and Means.
By Ms. HOCHUL:
H.R. 5401. A bill to extend the temporary suspension of duty on Zeta-cypermethrin; to the Committee on Ways and Means.
By Ms. HOCHUL:
H.R. 5402. A bill to extend the temporary suspension of duty on Flonicamid; to the Committee on Ways and Means.
By Ms. HOCHUL:
H.R. 5403. A bill to extend the temporary suspension of duty on Iprodione; to the Committee on Ways and Means.
By Ms. HOCHUL:
H.R. 5404. A bill to extend the temporary suspension of duty on Clomazone; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5405. A bill to suspend temporarily the duty on solder spheres containing 2 percent or more, by weight, of silver; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5406. A bill to suspend temporarily the duty on Slurry; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5407. A bill to suspend temporarily the duty on parts of machines for punching; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5408. A bill to suspend temporarily the duty on centrifugal blowers and fans; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5409. A bill to extend the temporary suspension of duty on certain wire containing 99.9 percent or more by weight of gold and with dopants added to control wirebonding characteristics; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5410. A bill to suspend temporarily the duty on power supplies between 150 watts and 500 watts; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5411. A bill to suspend temporarily the duty on parts and accessories of oscilloscopes and spectrum analyzers; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5412. A bill to suspend temporarily the duty on axial fans; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5413. A bill to suspend temporarily the duty on parts and accessories of optical instruments and apparatuses; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5414. A bill to suspend temporarily the duty on lead-acid storage 12-volt batteries; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5415. A bill to suspend temporarily the duty on microscopes other than optical microscopes; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5416. A bill to suspend temporarily the duty on parts and accessories of microscopes other than optical; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5417. A bill to suspend temporarily the duty on insulated cable for a voltage of less than or equal to 1,000 volts; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5418. A bill to suspend temporarily the duty on lithium-ion batteries; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5419. A bill to suspend temporarily the duty on power distributors; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5420. A bill to suspend temporarily the duty on dry nickel-metal hydride batteries; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5421. A bill to suspend temporarily the duty on certain electric storage batteries; to the Committee on Ways and Means.
By Mr. HONDA:
H.R. 5422. A bill to extend the temporary suspension of duty on epoxy molding compounds, of a kind used for encapsulating integrated circuits; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5423. A bill to suspend temporarily the duty on footwear for men with outer soles and uppers of rubber or plastics, covering the ankle, other than work footwear; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5424. A bill to suspend temporarily the duty on certain footwear for girls with outer soles of rubber, plastics, leather, or composition leather and uppers of leather, not covering the ankle; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5425. A bill to suspend temporarily the duty on certain footwear with outer soles and uppers of rubber or plastics, covering the ankle, other than work footwear; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5426. A bill to suspend temporarily the duty on certain footwear; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5427. A bill to suspend temporarily the duty on certain men's footwear; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5428. A bill to suspend temporarily the duty on certain women's footwear; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5429. A bill to suspend temporarily the duty on certain non-women's footwear; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5430. A bill to suspend temporarily the duty on certain non-women's footwear; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5431. A bill to suspend temporarily the duty on certain women's footwear; to the Committee on Ways and Means.
By Mr. HUELSKAMP:
H.R. 5432. A bill to suspend temporarily the duty on certain women's footwear; to the Committee on Ways and Means.
By Mr. ISRAEL:
H.R. 5433. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 10 mm or more; to the Committee on Ways and Means.
By Mr. ISRAEL:
H.R. 5434. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 70 mm or more; to the Committee on Ways and Means.
By Mr. ISRAEL:
H.R. 5435. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 55 mm or more but not over 200 mm; to the Committee on Ways and Means.
By Mr. LOEBSACK:
H.R. 5436. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize a national elementary and secondary service-learning program that promotes student academic achievement, and for other purposes; to the Committee on Education and the Workforce.
By Mr. LUETKEMEYER:
H.R. 5437. A bill to reduce temporarily the rate of duty on Metconazole; to the Committee on Ways and Means.
By Mr. LUETKEMEYER:
H.R. 5438. A bill to extend the temporary reduction of duty on Fipronil; to the Committee on Ways and Means.
By Mr. LUETKEMEYER:
H.R. 5439. A bill to suspend temporarily the rate of duty on Dimethomorph; to the Committee on Ways and Means.
By Mr. LUETKEMEYER:
H.R. 5440. A bill to reduce temporarily the rate of duty on Boscalid; to the Committee on Ways and Means.
By Mr. LUETKEMEYER:
H.R. 5441. A bill to suspend temporarily the rate of duty on formulations of [3-(4,5-dihydro-1,2-oxazol-3-yl)-4-mesyl-o-tolyl](5-hydroxy- 1-methylpyrazol-4-yl)methanone; to the Committee on Ways and Means.
By Mr. LUETKEMEYER:
H.R. 5442. A bill to extend the temporary suspension of duty on Prohexadione calcium; to the Committee on Ways and Means.
By Mr. LUETKEMEYER:
H.R. 5443. A bill to extend the temporary reduction of duty on Ethoxyquin; to the Committee on Ways and Means.
By Mr. McDERMOTT:
H.R. 5444. A bill to reauthorize the Export-Import Bank of the United States; to the Committee on Financial Services.
By Mr. MEEHAN:
H.R. 5445. A bill to suspend temporarily the duty on Captan technical; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5446. A bill to extend the temporary suspension of duty on thiophanate methyl; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5447. A bill to extend the temporary suspension of duty on Zinc dimethyldithiocarbamate; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5448. A bill to extend the temporary suspension of duty on Oryzalin; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5449. A bill to extend the temporary suspension of duty on mixtures of lambda-cyhalothrin; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5450. A bill to suspend temporarily the duty on Methane Sulfonyl Chloride; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5451. A bill to suspend temporarily the duty on Methane Sulfonic Acid; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5452. A bill to suspend temporarily the duty on 11-Aminoundecanoic acid; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5453. A bill to extend the temporary suspension of duty on certain textured rolled glass sheets; to the Committee on Ways and Means.
By Mr. MEEHAN:
H.R. 5454. A bill to reduce temporarily the duty on Problad Plus fungicide; to the Committee on Ways and Means.
By Mr. MURPHY of Pennsylvania:
H.R. 5455. A bill to suspend temporarily the duty on Pigment Violet 23; to the Committee on Ways and Means.
By Mr. MURPHY of Pennsylvania:
H.R. 5456. A bill to suspend temporarily the duty on methylated and butylated melamine-formaldehyde polymer; to the Committee on Ways and Means.
By Mr. MURPHY of Pennsylvania:
H.R. 5457. A bill to suspend temporarily the duty on pigments based on titanium dioxide; to the Committee on Ways and Means.
By Mr. NUNNELEE:
H.R. 5458. A bill to suspend temporarily the duty on certain extrusion presses; to the Committee on Ways and Means.
By Mr. PITTS:
H.R. 5459. A bill to suspend temporarily the duty on certain smooth nonwoven fiberglass sheets; to the Committee on Ways and Means.
By Mr. PRICE of North Carolina:
H.R. 5460. A bill to extend the temporary suspension of duty on copper oxychloride and

copper hydroxide; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:

H.R. 5461. A bill to extend the temporary suspension of duty on Tetraconazole; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:

H.R. 5462. A bill to extend a temporary reduction of duty on Isoxadifen-Ethyl; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:

H.R. 5463. A bill to suspend temporarily the duty on Sethoxydim /Nicobifen; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:

H.R. 5464. A bill to suspend temporarily the duty on 1-(4,6-dimethoxypyrimidin-2-yl)-3-[2-(dimethylcarbamoyl) phenylsufamoyl]urea; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:

H.R. 5465. A bill to suspend temporarily the duty on oxyfluorfen; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:

H.R. 5466. A bill to suspend temporarily the duty on acifluorfen; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5467. A bill to suspend temporarily the duty on vacuum-grade ferroniobium or ferrocolombium; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5468. A bill to suspend temporarily the duty on standard-grade ferroniobium or ferrocolombium; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5469. A bill to suspend temporarily the duty on manganese flake; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5470. A bill to suspend temporarily the duty on polycrystalline alumina tubes and shaped bodies designed for high intensity discharge (HID) lamps; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5471. A bill to suspend temporarily the duty on metal screw type bases designed for high intensity discharge (HID) lamps; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5472. A bill to suspend temporarily the duty on preformed iodide pellets or powder composed of iodides of dysprosium, thallium sodium, holmium, thulium and calcium; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5473. A bill to suspend temporarily the duty on frit rings composed of dysprosium oxide, dysprosium monosilicate, and mullite; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5474. A bill to suspend temporarily the duty on cermets for ceramic discharge lamps; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5475. A bill to suspend temporarily the duty on polycrystalline alumina discharge tubes prefilled with metal halide salts and designated for high intensity discharge (HID) lamps; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5476. A bill to suspend temporarily the duty on ceramic bases designed for high intensity discharge (HID) lamps, with metal locking pins to allow passage of an electrical current; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5477. A bill to suspend temporarily the duty on light emitting diode (LED) cooler modules (LCM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5478. A bill to suspend temporarily the duty on light emitting diode (LED) Tubular LED (TLED); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5479. A bill to suspend temporarily the duty on light emitting diode (LED) down light modules (DLM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5480. A bill to suspend temporarily the duty on light emitting diode (LED) display modules (LDM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5481. A bill to suspend temporarily the duty on light emitting diode (LED) line modules; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5482. A bill to suspend temporarily the duty on light emitting diode (LED) twistable down light modules (TDLM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5483. A bill to suspend temporarily the duty on light emitting diode (LED) spot light modules (SLM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5484. A bill to suspend temporarily the duty on light emitting diode (LED) drivers; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5485. A bill to suspend temporarily the rate of duty on certain narrow woven fabrics; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5486. A bill to suspend temporarily the rate of duty on outer soles and heels, of rubber or plastics; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5487. A bill to extend the temporary suspension of duty on low expansion stoppers, lids, and other closures, and for other purposes; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5488. A bill to extend the temporary suspension of duty on low expansion laboratory glassware, and for other purposes; to the Committee on Ways and Means.

By Mr. REICHERT:

H.R. 5489. A bill to modify and extend the suspension of duty on certain cases or containers used for electronic drawing toys, electronic games, or educational toys or devices; to the Committee on Ways and Means.

By Mr. REICHERT:

H.R. 5490. A bill to suspend temporarily the duty on certain injection-molded ABS or PP cases or containers to be used for electronic drawing toys or electronic games; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5491. A bill to renew the temporary suspension of duty on certain viscose rayon yarn; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5492. A bill to renew the temporary suspension of duty on certain twisted yarn of viscose rayon; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5493. A bill to renew the temporary suspension of duty on certain artificial filament single yarn; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 5494. A bill to suspend temporarily the duty on certain power panels specifically designed for wind turbine generators; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 5495. A bill to suspend temporarily the duty on certain switchgear assemblies and panel boards specifically designed for wind turbine generators; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5496. A bill to amend the Harmonized Tariff Schedule of the United States to make a technical correction relating to sanitary towels (pads) and tampons, diapers and diaper liners for babies and similar articles; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5497. A bill to suspend temporarily the rate of duty on certain warp knit open-work fabrics; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5498. A bill to suspend temporarily the rate of duty on plastic laminate sheets; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5499. A bill to suspend temporarily the rate of duty on 2-cyclo-hexylidene-2-phenyl-acetonitrile; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5500. A bill to extend and modify the temporary reduction of duty on Methylionone; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5501. A bill to suspend temporarily the rate of duty on mixtures of 1-(1,2,3,4,5,6,7,8-octahydro-2,3,8,8-tetramethyl -2-naphthalenyl)-ethan-1-one (and isomers); to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5502. A bill to extend the temporary suspension of duty on mixtures of (acetato) pentammine cobalt dinitrate with a polymeric or paraffinic carrier; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5503. A bill to suspend temporarily the rate of duty on 1,3-Propanediaminium, N-[3-[[[dimethyl[3-[(2-methyl-1-oxo-2-propenyl)amino] propyl] ammonio]acetyl]amino]propyl]-2-hydroxy-N,N,N′,N′,N′-pentamethyl-, trichloride, polymer with 2-propenamide; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska:

H.R. 5504. A bill to suspend temporarily the rate of duty on Dichloroacetyl Chloride; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska:

H.R. 5505. A bill to suspend temporarily the rate of duty on Profenofos; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska:

H.R. 5506. A bill to suspend temporarily the rate of duty on Sedaxane; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska:

H.R. 5507. A bill to reduce temporarily the rate of duty on S-N-ALKYL-ANILIN; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5508. A bill to extend the temporary suspension of duty on electrically operated pencil sharpeners; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5509. A bill to suspend temporarily the duty on 4-Vinylbenzenesulfonic acid, sodium salt hydrate; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5510. A bill to extend the temporary suspension of duty on certain smooth

nonwoven fiberglass sheets of a type primarily used as acoustical facing for ceiling panels; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5511. A bill to suspend temporarily the duty on 4-Vinylbenzenesulfonic acid, lithium salt; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi (for himself, Mr. HARPER, Mrs. EMERSON, and Mr. NUNNELEE):

H.R. 5512. A bill to amend title 28, United States Code, to realign divisions within two judicial districts; to the Committee on the Judiciary.

By Mr. TIPTON (for himself, Mr. COFFMAN of Colorado, Mr. GRAVES of Missouri, Mr. GARDNER, Mr. MANZULLO, Mr. CHABOT, Mr. HINOJOSA, and Mr. MULVANEY):

H.R. 5513. A bill to require the collection of up-to-date information on tariff and non-tariff laws, regulations, and practices of foreign countries affecting exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WALBERG:

H.R. 5514. A bill to suspend temporarily the rate of duty on Modified Vinylchloride-Hydroxypropylacrylate copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5515. A bill to suspend temporarily the rate of duty on Vinyl chloride-Hydroxypropyl acrylate copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5516. A bill to suspend temporarily the rate of duty on Vinyl acetate-Alkeneoic acid Copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5517. A bill to suspend temporarily the rate of duty on Diacid Modified Vinyl acetate-Vinyl chloride copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5518. A bill to suspend temporarily the rate of duty on Polyvinylacetate for use in food; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5519. A bill to suspend temporarily the rate of duty on Acrylate Modified Vinyl acetate-Vinyl chloride copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5520. A bill to suspend temporarily the rate of duty on Vinylacetate-Vinylchloride copolymer; to the Committee on Ways and Means.

By Mr. WALSH of Illinois:

H.R. 5521. A bill to amend the Housing and Community Development Act of 1974 to set-aside community development block grant amounts in each fiscal year for grants to local chapters of veterans service organizations for rehabilitation of their facilities; to the Committee on Financial Services.

By Mr. WILSON of South Carolina:

H.R. 5522. A bill to extend the temporary suspension of duty on 1,4-Benzenedicarboxylic acid, polymer with N,N′Bis(2-aminoethyl)-1,2-ethanediamine, cyclized, methosulfate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5523. A bill to suspend temporarily the duty on fuel injectors each functional in a common rail fuel system with a pressure greater than 1200 bar; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5524. A bill to suspend temporarily the duty on cast-iron engine crankcases for marine propulsion engines, each measuring more than 1.1 meters in length; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5525. A bill to suspend temporarily the duty on forged steel crankshafts other than for vehicles of chapter 87, each measuring 1868 millimeters or more in length; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5526. A bill to suspend temporarily the duty on plain shaft sputter bearings without housing (other than spherical bearings), each weighing 260 grams or more; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5527. A bill to suspend temporarily the duty on fuel injection pumps (for compression-ignition engines), each weighing 60 kilograms or more and functional in a common rail fuel system with a pressure greater than 1200 bar; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5528. A bill to suspend temporarily the duty on pistons for marine propulsion engines, each weighing 12 kilograms or more; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5529. A bill to suspend temporarily the rate of duty on certain woven fabrics of synthetic filament yarn, including woven fabrics obtained from materials of heading 5404, of yarns of different colors; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5530. A bill to suspend temporarily the rate of duty on certain woven fabrics of synthetic staple fibers, containing 85 percent or more by weight of polyester staple fibers; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5531. A bill to suspend temporarily the rate of duty on woven fabrics of polyester staple fibers mixed mainly with or solely with man-made filaments; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5532. A bill to suspend temporarily the duty on certain woven fabrics of synthetic filament yarn; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5533. A bill to suspend temporarily the duty on certain pile fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5534. A bill to suspend temporarily the rate of duty on woven fabrics of artificial staple fibers containing less than 85 percent by weight of artificial staple fibers, mixed mainly or solely with man-made filaments, of yarns of different colors; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5535. A bill to suspend temporarily the duty on certain warp knit fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5536. A bill to suspend temporarily the rate of duty on textile fabrics of man-made fibers impregnated, coated, covered or laminated with polyurethane; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5537. A bill to suspend temporarily the duty on certain warp knit fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5538. A bill to suspend temporarily the rate of duty on ''Long pile'' fabrics of man-made fibers; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5539. A bill to suspend temporarily the duty on certain knitted or crocheted fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5540. A bill to suspend temporarily the duty on pile fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5541. A bill to suspend temporarily the rate of duty on Rubberized textile fabrics of cotton, other than those of heading 5902; to the Committee on Ways and Means.

By Mr. MCCAUL (for himself, Mr. ANDREWS, and Mr. SAM JOHNSON of Texas):

H. Con. Res. 122. Concurrent resolution expressing the sense of Congress that the United States should resume normal diplomatic relations with Taiwan, and for other purposes; to the Committee on Foreign Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mrs. CAPPS, Mr. LATOURETTE, Mrs. MCCARTHY of New York, Mr. REYES, Mr. GONZALEZ, Ms. HAHN, Mr. ROTHMAN of New Jersey, Ms. NORTON, Mr. MORAN, Ms. LEE of California, Mr. SCHRADER, Mr. DINGELL, Ms. BORDALLO, Mr. LEWIS of Georgia, Ms. RICHARDSON, Mr. COHEN, Ms. SPEIER, Ms. WASSERMAN SCHULTZ, Mr. LEVIN, Mr. FALEOMAVAEGA, Mr. LARSEN of Washington, Mr. JACKSON of Illinois, Mr. HANNA, Mr. RUSH, Ms. SLAUGHTER, Ms. MOORE, Mr. CARNAHAN, Ms. HIRONO, Mr. RAHALL, Mr. OLVER, Ms. MCCOLLUM, Mrs. ELLMERS, Mr. BRALEY of Iowa, Mr. ISRAEL, Mr. CLARKE of Michigan, Mr. BLUMENAUER, Ms. BROWN of Florida, Ms. SCHWARTZ, Mr. HIGGINS, Ms. LINDA T. SÁNCHEZ of California, Mr. LANGEVIN, Mr. BARLETTA, Ms. CHU, Mr. BOSWELL, Mr. FILNER, Mr. MCGOVERN, Mr. CICILLINE, Ms. DELAURO, Mrs. MALONEY, Ms. FUDGE, Mr. CARSON of Indiana, Mr. LOEBSACK, Mr. SABLAN, Mr. HOLT, Mr. RUPPERSBERGER, Mr. COBLE, Ms. WILSON of Florida, Mr. PASTOR of Arizona, Mr. SHERMAN, Ms. BONAMICI, Ms. CLARKE of New York, and Mr. BILBRAY):

H. Res. 644. A resolution recognizing National Nurses Week on May 6 through May 12, 2012; to the Committee on Energy and Commerce.

By Mr. KISSELL (for himself, Mr. HANNA, Mrs. HARTZLER, Mr. GRAVES of Missouri, and Mr. LOEBSACK):

H. Res. 645. A resolution supporting the goals and ideals of National Teacher Day; to the Committee on Oversight and Government Reform.

By Mr. TURNER of New York:

H. Res. 646. A resolution expressing the sense of the House that Village Voice Media Holdings, LLC should eliminate the ''adult entertainment'' section of the classified advertising website Backpage.com; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

195. The SPEAKER presented a memorial of the House of Representatives of the State of Wyoming, relative to House Joint Resolution No. 08 expressing support for designation by the Congress of the fourth Saturday in July a National Day of the Cowboy; to the Committee on Oversight and Government Reform.

196. Also, a memorial of the House of Representatives of the State of Wyoming, relative to Joint Resolution No. 01 urging the

Congress to pass legislation to open the section 1002 study of the coastal plain of the Arctic National Wildlife Refuge; to the Committee on Natural Resources.

197. Also, a memorial of the House of Representatives of the State of Wyoming, relative to House Joint Resolution No. 03 urging Congress to propose the Parental Rights Amendment to the states for ratification; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

Mr. FRELINGHUYSEN:

H.R. 5325

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

Mr. WOLF:

H.R. 5326

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. KISSELL:

H.R. 5327.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section I of the Constitution: All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. DINGELL:

H.R. 5328.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. DINGELL:

H.R. 5329.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. BONAMICI:

H.R. 5330.

Congress has the power to enact this legislation pursuant to the following:

By Ms. SCHAKOWSKY:

H.R. 5331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Ms. BERKLEY:

H.R. 5332.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the U.S. Constitution, which states: ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Ms. BERKLEY:

H.R. 5333.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, . . .''

By Mr. BILBRAY:

H.R. 5334.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 18 of the U.S. Constitution which reads that Congress has the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. BRALEY of Iowa:

H.R. 5335.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BRALEY of Iowa:

H.R. 5336.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. BUERKLE:

H.R. 5337.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution states that ''Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . . .'' Furthermore, according to Article 1, Section 8, Clause 18, Congress has power to ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. BUERKLE:

H.R. 5338.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution states that ''Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . . .'' Furthermore, according to Article 1, Section 8, Clause 18, Congress has power to ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. BUERKLE:

H.R. 5339.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution states that ''Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . . .'' Furthermore, according to Article 1, Section 8, Clause 18, Congress has power to ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. BUERKLE:

H.R. 5340.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution states that ''Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . . .'' Furthermore, according to Article 1, Section 8, Clause 18, Congress has power to ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mrs. CAPPS:

H.R. 5341.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CASSIDY:

H.R. 5342.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. CASSIDY:

H.R. 5343.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Ms. CHU:

H.R. 5344.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 12, 13, 14 and 18.

By Mr. DOLD:

H.R. 5345.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:

H.R. 5346.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5347.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5348.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5349.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5350.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5351.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5352.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5353.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5354.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5355.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5356.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. DOLD:
H.R. 5357.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises. . .''

By Mr. DOLD:
H.R. 5358.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises. . .''

By Mr. DOLD:
H.R. 5359.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises. . .''

By Mr. DOLD:
H.R. 5360.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises. . .''

By Mr. DOLD:
H.R. 5361.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises. . .''

By Mr. DOLD:
H.R. 5362.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises. . .''

By Mr. DOLD:
H.R. 5363.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises.''

By Mr. DOLD:
H.R. 5364.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises. . .''

By Mr. DUNCAN of South Carolina:
H.R. 5365.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. DUNCAN of South Carolina:
H.R. 5366.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. DUNCAN of South Carolina:
H.R. 5367.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. DUNCAN of South Carolina:
H.R. 5368.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. FITZPATRICK:
H.R. 5369.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:
H.R. 5370.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:
H.R. 5371.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:
H.R. 5372.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of

the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:

H.R. 5373.

Congress has the power to enact this legislation pursuant to the following:

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:

H.R. 5374.

Congress has the power to enact this legislation pursuant to the following:

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:

H.R. 5375.

Congress has the power to enact this legislation pursuant to the following:

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:

H.R. 5376.

Congress has the power to enact this legislation pursuant to the following:

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK

H.R. 5377.

Congress has the power to enact this legislation pursuant to the following:

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:

H.R. 5378.

Congress has the power to enact this legislation pursuant to the following:

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:

H.R. 5379.

Congress has the power to enact this legislation pursuant to the following:

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FITZPATRICK:

H.R. 5380.

Congress has the power to enact this legislation pursuant to the following:

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FLAKE:

H.R. 5381.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress provided by Article I, section 8 of the United States Constitution, specifically clause 3 (relating to the power to regulate interstate commerce).

By Mr. FRELINGHUYSEN:

H.R. 5382.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Ms. FUDGE:

H.R. 5383.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5384.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5385.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5386.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5387.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5388.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5389.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5390.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5391.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. FUDGE:

H.R. 5392.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. GRAVES of Missouri:

H.R. 5393.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. GRAVES of Missouri:

H.R. 5394.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 5395.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 5396.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 5397.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 5398.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 5399.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Ms. HOCHUL:

H.R. 5400.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. HOCHUL:

H.R. 5401.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. HOCHUL:

H.R. 5402.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. HOCHUL:

H.R. 5403.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. HOCHUL:

H.R. 5404.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. HONDA:

H.R. 5405.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. HONDA:

H.R. 5406.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. HONDA:

H.R. 5407.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. HONDA:

H.R. 5408.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. HONDA:

H.R. 5409.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

By Mr. HONDA:

H.R. 5410.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5411.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5412.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5413.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5414.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5415.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5416.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5417.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5418.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5419.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5420.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5421.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 5422.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HUELSKAMP:

H.R. 5423.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''

By Mr. HUELSKAMP:

H.R. 5424.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''

By Mr. HUELSKAMP:

H.R. 5425.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''

By Mr. HUELSKAMP:

H.R. 5426.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''

By Mr. HUELSKAMP:

H.R. 5427.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''

By Mr. HUELSKAMP:

H.R. 5428.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''

By Mr. HUELSKAMP:

H.R. 5429.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''

By Mr. HUELSKAMP:
H.R. 5430.
Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''
By Mr. HUELSKAMP:
H.R. 5431.
Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''
By Mr. HUELSKAMP:
H.R. 5432.
Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.''
By Mr. ISRAEL:
H.R. 5433.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 of the Constitution of the United States.
By Mr. ISRAEL:
H.R. 5434.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 of the Constitution of the United States.
By Mr. ISRAEL:
H.R. 5435.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 of the Constitution of the United States.
By Mr. LOEBSACK:
H.R. 5436.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.
By Mr. LUETKEMEYER:
H.R. 5437.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.
By Mr. LUETKEMEYER:
H.R. 5438.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.
By Mr. LUETKEMEYER:
H.R. 5439.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.
By Mr. LUETKEMEYER:
H.R. 5440.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.
By Mr. LUETKEMEYER:
H.R. 5441.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.
By Mr. LUETKEMEYER:
H.R. 5442.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.
By Mr. LUETKEMEYER:
H.R. 5443.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.
By Mr. MCDERMOTT:
H.R. 5444.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8.
By Mr. MEEHAN:
H.R. 5445.
Congress has the power to enact this legislation pursuant to the following:
Section 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5446.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5447.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5448.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5449.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5450.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5451.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5452.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5453.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Mr. MEEHAN:
H.R. 5454.
Congress has the power to enact this legislation pursuant to the following:
Section. 8.
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts

and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. MURPHY of Pennsylvania:

H.R. 5455.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.

By Mr. MURPHY of Pennsylvania:

H.R. 5456.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.

By Mr. MURPHY of Pennsylvania:

H.R. 5457.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.

By Mr. NUNNELEE:

H.R. 5458.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing, and Spending Clause: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States . . .''

By Mr. PITTS:

H.R. 5459.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution, which says ''The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;'' and Article I, Section 8, Clause 3, which grants Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. PRICE of North Carolina:

H.R. 5460.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. PRICE of North Carolina:

H.R. 5461.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. PRICE of North Carolina:

H.R. 5462.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States,''

By Mr. PRICE of North Carolina:

H.R. 5463.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. PRICE of North Carolina:

H.R. 5464.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. PRICE of North Carolina:

H.R. 5465.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. PRICE of North Carolina:

H.R. 5466.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. REED:

H.R. 5467.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5468.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5469.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5470.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5472.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5473.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5474.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5476.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5477.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5478.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5479.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5480.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5481.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5482.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5483.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5484.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5485.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5486.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5487.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REED:

H.R. 5488.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties, imposts and excises

By Mr. REICHERT:

H.R. 5489.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. REICHERT:

H.R. 5490.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROTHMAN of New Jersey:

H.R. 5491.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. ROTHMAN of New Jersey:

H.R. 5492.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. ROTHMAN of New Jersey:

H.R. 5493.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. SCHAKOWSKY:

H.R. 5494.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. SCHAKOWSKY:

H.R. 5495.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mrs. SCHMIDT:

H.R. 5496.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .''

By Mrs. SCHMIDT:

H.R. 5497.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .''

By Mrs. SCHMIDT:

H.R. 5498.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .''

By Mrs. SCHMIDT:

H.R. 5499.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .''

By Mrs. SCHMIDT:

H.R. 5500.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .''

By Mrs. SCHMIDT:

H.R. 5501.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .''

By Mrs. SCHMIDT:

H.R. 5502.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .''

By Mrs. SCHMIDT:

H.R. 5503.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, of the United States Constitution:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; . . .''

By Mr. SMITH of Nebraska:

H.R. 5504.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8. Specifically: Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SMITH of Nebraska:

H.R. 5505.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8. Specifically: Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SMITH of Nebraska:

H.R. 5506.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8. Specifically: Clause 1: The Congress shall have Power To lay and

collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SMITH of Nebraska:

H.R. 5507.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. STIVERS:

H.R. 5508.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States grants Congress the explicit power to lay and collect taxes, duties, imports and excises.

By Mr. STIVERS:

H.R. 5509.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States grants Congress the explicit power to lay and collect taxes, duties, imports and excises.

By Mr. STIVERS:

H.R. 5510. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States grants Congress the explicit power to lay and collect taxes, duties, imports and excises.

By Mr. STIVERS:

H.R. 5511.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States grants Congress the explicit power to lay and collect taxes, duties, imports and excises.

By Mr. THOMPSON of Mississippi:

H.R. 5512.

Congress has the power to enact this legislation pursuant to the following:

clause 9 and clause 18 of section 8 of Article I of the Constitution; and section 1 of Article III of the Constitution.

By Mr. TIPTON:

H.R. 5513.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WALBERG:

H.R. 5514.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. WALBERG:

H.R. 5515.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. WALBERG:

H.R. 5516.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. WALBERG:

H.R. 5517.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. WALBERG:

H.R. 5518.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. WALBERG:

H.R. 5519.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. WALBERG:

H.R. 5520.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. WALSH of Illinois:

H.R. 5521.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution, which states that ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

By Mr. WILSON of South Carolina:

H.R. 5522.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. WILSON of South Carolina:

H.R. 5523.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. WILSON of South Carolina:

H.R. 5524.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. WILSON of South Carolina:

H.R. 5525.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. WILSON of South Carolina:

H.R. 5526.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. WILSON of South Carolina:

H.R. 5527.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. WILSON of South Carolina:

H.R. 5528.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. YOUNG of Indiana:

H.R. 5529.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5530.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5531.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5532.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5533.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5534.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5535.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5536.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5537.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5538.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5539.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5540.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

By Mr. YOUNG of Indiana:

H.R. 5541.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 in which Congress has the explicit power to lay and collect taxes, duties, imposts and excises.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 14: Mrs. CAPPS.
H.R. 59: Mr. UPTON.
H.R. 85: Mr. HONDA.
H.R. 139: Mr. NEAL and Mr. FILNER.
H.R. 157: Mr. CRAVAACK and Mr. THOMPSON of Pennsylvania.
H.R. 186: Mr. MICHAUD.
H.R. 265: Ms. SCHAKOWSKY, Mr. HONDA, and Mr. RUSH.
H.R. 266: Mr. RUSH and Mr. HONDA.
H.R. 267: Mr. HONDA and Mr. RUSH.
H.R. 327: Ms. KAPTUR.
H.R. 451: Mr. FILNER.
H.R. 469: Ms. HANABUSA.
H.R. 529: Mr. BACA.
H.R. 555: Mr. HONDA.
H.R. 718: Mr. MURPHY of Connecticut.
H.R. 719: Mr. LABRADOR.
H.R. 721: Ms. HAHN and Ms. MCCOLLUM.
H.R. 733: Mr. LONG and Mr. AMODEI.
H.R. 860: Mr. SIRES, Mr. TIPTON, and Ms. SLAUGHTER.
H.R. 876: Ms. ROYBAL-ALLARD and Ms. MOORE.
H.R. 891: Mr. JOHNSON of Ohio.
H.R. 927: Mr. LIPINSKI.
H.R. 973: Mr. JOHNSON of Ohio.
H.R. 1004: Mr. BUCHANAN.
H.R. 1005: Mr. LATOURETTE.
H.R. 1063: Mrs. CAPPS.
H.R. 1112: Mrs. EMERSON.
H.R. 1145: Mr. HANNA.
H.R. 1218: Mr. BARLETTA.
H.R. 1331: Mr. KISSELL.
H.R. 1370: Mr. LUETKEMEYER, Mr. BARTLETT, Mrs. BACHMANN, and Mr. BACHUS.
H.R. 1397: Ms. BONAMICI.
H.R. 1404: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1409: Mr. CALVERT.
H.R. 1417: Ms. LEE of California.
H.R. 1588: Mr. BOREN and Mr. SMITH of Nebraska.
H.R. 1639: Mr. RIBBLE and Ms. HIRONO.
H.R. 1653: Mr. ROONEY.
H.R. 1672: Mr. COHEN.
H.R. 1792: Mr. PLATTS, Mr. TURNER of New York, and Mr. LATOURETTE.
H.R. 1802: Ms. HIRONO, Mr. CONYERS, and Mr. MCGOVERN.
H.R. 1850: Mr. MCCAUL and Mr. SCOTT of South Carolina.
H.R. 1862: Mr. MURPHY of Connecticut.
H.R. 1876: Ms. ROYBAL-ALLARD.
H.R. 1897: Mrs. BIGGERT, Mr. ROYCE, and Mr. GUINTA.
H.R. 1909: Ms. JACKSON LEE of Texas.
H.R. 1956: Mr. BOUSTANY, Mr. YOUNG of Florida, Mr. GRIFFIN of Arkansas, and Mr. YODER.
H.R. 1960: Ms. PINGREE of Maine.
H.R. 2012: Ms. CLARKE of New York.
H.R. 2106: Mr. POE of Texas, Mr. BARTLETT, Mr. SULLIVAN, and Mr. YODER.
H.R. 2139: Mr. WELCH and Mr. PETERS.
H.R. 2182: Mr. ROSS of Arkansas.
H.R. 2206: Mr. HECK.
H.R. 2269: Mr. TONKO and Mr. PLATTS.
H.R. 2288: Mr. MILLER of North Carolina.
H.R. 2299: Mr. RENACCI.
H.R. 2315: Ms. BORDALLO, Ms. CHU, and Mr. HASTINGS of Florida.
H.R. 2353: Mr. KING of Iowa.
H.R. 2382: Mr. CAMPBELL.
H.R. 2418: Mr. KING of Iowa.
H.R. 2514: Mr. PENCE and Mr. LABRADOR.
H.R. 2529: Mr. HARRIS.
H.R. 2569: Mr. LONG, Mr. FARENTHOLD, Mr. CONAWAY, Mr. MCKINLEY, Mr. PENCE, and Mr. ROYCE.
H.R. 2637: Mr. HINOJOSA.
H.R. 2679: Mrs. CAPPS.
H.R. 2697: Mr. GERLACH, Mr. HUIZENGA of Michigan, and Mrs. MCCARTHY of New York.
H.R. 2751: Mr. RANGEL.
H.R. 2774: Mr. LAMBORN.
H.R. 2795: Mr. ELLISON.
H.R. 2866: Ms. HIRONO.
H.R. 2902: Mrs. NAPOLITANO and Mr. MCNERNEY.
H.R. 2921: Mr. PETERS.
H.R. 2955: Mr. WALZ of Minnesota.
H.R. 2981: Mr. HOLT.
H.R. 3000: Mrs. BONO MACK.
H.R. 3059: Mr. FLORES and Ms. VELÁZQUEZ.
H.R. 3090: Mr. AMASH.
H.R. 3173: Mr. JONES, Mr. LATOURETTE, Mr. MICHAUD, Mr. MCCAUL, and Mr. NUNNELEE.
H.R. 3187: Mr. MARCHANT, Ms. CHU, Mr. NEUGEBAUER, Mr. FILNER, Mr. ELLISON, Mr. LEVIN, Mr. LYNCH, Mr. GERLACH, Mr. ROYCE, Mr. RYAN of Ohio, Mr. NUNES, Mr. SMITH of Texas, Mr. LANCE, Mr. SIRES, Mr. ROTHMAN of New Jersey, and Ms. ROS-LEHTINEN.
H.R. 3238: Mr. ACKERMAN.
H.R. 3242: Mr. CONYERS.
H.R. 3264: Mr. PENCE.
H.R. 3288: Mr. SCHOCK and Mr. PERLMUTTER.
H.R. 3352: Mr. GENE GREEN of Texas and Ms. HIRONO.
H.R. 3358: Mr. BASS of New Hampshire.
H.R. 3368: Mr. LARSEN of Washington and Mr. ELLISON.
H.R. 3423: Mr. CARNEY, Mr. DOLD, Mrs. DAVIS of California, and Mr. HIMES.
H.R. 3442: Mr. MCGOVERN.
H.R. 3444: Mr. YODER.
H.R. 3475: Mr. BOUSTANY.
H.R. 3502: Mr. ELLISON.
H.R. 3506: Ms. FUDGE and Mr. ROTHMAN of New Jersey.
H.R. 3526: Mr. HIGGINS and Mr. PRICE of North Carolina.
H.R. 3596: Mr. MARKEY.
H.R. 3612: Mr. POSEY, Mr. HOLT, Mr. RAHALL, and Mr. MCCOTTER.
H.R. 3625: Mr. RUPPERSBERGER.
H.R. 3645: Mr. RANGEL.
H.R. 3665: Ms. HIRONO, Ms. BONAMICI, Mr. ELLISON, Mr. MCDERMOTT, Mr. RANGEL, and Mr. KUCINICH.
H.R. 3667: Mr. LOEBSACK.
H.R. 3676: Mr. YOUNG of Alaska.
H.R. 3705: Mr. MCGOVERN.
H.R. 3728: Mrs. NOEM.
H.R. 3770: Mr. NUNNELEE.
H.R. 3783: Mr. ANDREWS and Mr. RENACCI.
H.R. 3786: Ms. KAPTUR.
H.R. 3806: Mr. BISHOP of Utah.
H.R. 3808: Mr. ROYCE.
H.R. 3818: Mr. DINGELL.
H.R. 3828: Mr. HURT.
H.R. 3838: Ms. WATERS.
H.R. 3839: Mr. WOLF, Mr. SCHILLING, and Mr. KING of Iowa.
H.R. 3857: Mr. RANGEL.
H.R. 3889: Mr. CASSIDY and Mr. ROSS of Florida.
H.R. 3903: Mr. COSTELLO.
H.R. 3994: Mr. YODER, Mr. BISHOP of Utah, and Mr. ROKITA.
H.R. 4005: Ms. JACKSON LEE of Texas.
H.R. 4045: Mr. CONNOLLY of Virginia.
H.R. 4049: Mr. HIMES.
H.R. 4070: Mr. DEFAZIO, Ms. RICHARDSON, Ms. BERKLEY, Mr. RANGEL, Mr. GRIMM, and Mr. RIVERA.
H.R. 4075: Mr. AMODEI.
H.R. 4077: Mr. MILLER of North Carolina and Mr. CONYERS.
H.R. 4082: Ms. RICHARDSON and Mr. JOHNSON of Georgia.
H.R. 4095: Mr. KISSELL.
H.R. 4114: Mr. STUTZMAN and Mr. FLORES.
H.R. 4133: Ms. HERRERA BEUTLER, Mr. GOODLATTE, Ms. HAHN, Mr. SCHIFF, Mr. CRENSHAW, Mr. MCCARTHY of California, Mr. MICA, Mr. TIERNEY, Mr. LATOURETTE, Mr. QUIGLEY, Mr. GUINTA, Mr. QUAYLE, Mr. STIVERS, Mr. LUCAS, and Mr. FRANKS of Arizona.
H.R. 4134: Mr. WILSON of South Carolina, Mr. ROKITA, Mr. GONZALEZ, and Mr. HOLT.
H.R. 4137: Mr. CONNOLLY of Virginia and Ms. JENKINS.
H.R. 4154: Ms. NORTON.
H.R. 4155: Mrs. MALONEY, Mr. GIBBS, and Mr. RANGEL.
H.R. 4160: Mr. FARENTHOLD and Mr. HUIZENGA of Michigan.
H.R. 4168: Mr. RAHALL.
H.R. 4169: Mr. CONNOLLY of Virginia, Mr. HOLT, Mr. HIMES, Mr. MURPHY of Connecticut, Ms. BASS of California, and Mr. SIRES.

H.R. 4215: Mr. WELCH.
H.R. 4227: Ms. HAHN, Mr. STARK, Mr. MARKEY, Mr. JACKSON of Illinois, Mr. HASTINGS of Florida, Mr. ACKERMAN, and Mr. HONDA.
H.R. 4228: Mr. JOHNSON of Ohio and Mr. LONG.
H.R. 4235: Mr. GRIMM.
H.R. 4238: Mr. LARSON of Connecticut, Mr. MARKEY, and Mr. ROSS of Arkansas.
H.R. 4256: Mr. SCOTT of South Carolina, Mr. SHUSTER, Mr. HENSARLING, and Mr. BUCHANAN.
H.R. 4269: Mr. MCCOTTER, Mr. LANKFORD, Ms. JENKINS, Mr. GRAVES of Missouri, Mr. HULTGREN, Mr. LUETKEMEYER, and Mr. NUNNELEE.
H.R. 4271: Mr. VAN HOLLEN and Mr. SHERMAN.
H.R. 4278: Mr. PEARCE and Mr. MARINO.
H.R. 4282: Mr. STARK.
H.R. 4286: Mr. CARNAHAN, Mr. KUCINICH, Ms. BORDALLO, Mr. TOWNS, Mr. ELLISON, Mr. SABLAN, Ms. NORTON, and Mr. WELCH.
H.R. 4287: Mr. RANGEL, Mr. RUNYAN, Ms. BORDALLO, Mr. CONYERS, Mr. MCGOVERN, and Mr. LARSEN of Washington.
H.R. 4290: Mr. KUCINICH, Ms. SCHAKOWSKY, and Ms. CASTOR of Florida.
H.R. 4296: Mr. LYNCH.
H.R. 4301: Mr. PITTS and Mrs. MYRICK.
H.R. 4329: Mr. CONNOLLY of Virginia.
H.R. 4335: Mr. YOUNG of Alaska.
H.R. 4345: Mr. BOSWELL and Mr. LUETKEMEYER.
H.R. 4370: Mrs. BACHMANN.
H.R. 4377: Mr. ROONEY, Mr. FRANKS of Arizona, and Mr. WEST.
H.R. 4379: Ms. WATERS.
H.R. 4388: Mr. PLATTS, Mr. YOUNG of Alaska, and Mr. GARDNER.
H.R. 4405: Mr. COHEN.
H.R. 4454: Mr. LANDRY, Mr. RIVERA, Mr. HULTGREN, Mrs. ELLMERS, and Mr. SCHWEIKERT.
H.R. 4626: Mr. DENT.
H.R. 4643: Mrs. MYRICK.
H.R. 4816: Ms. HAHN, Ms. PINGREE of Maine, Mr. RUPPERSBERGER, Ms. TSONGAS, Mr. KIND, Mr. FARR, Ms. WOOLSEY, Mr. MICHAUD, Mrs. DAVIS of California, Mr. OLVER, Ms. FUDGE, Mr. CAPUANO, Mr. ACKERMAN, and Ms. SCHAKOWSKY.
H.R. 4965: Mr. SHUSTER, Mr. RIBBLE, Mr. ROONEY, Mr. FLAKE, Mr. WALDEN, Mr. YOUNG of Alaska, Mr. HANNA, Mr. SCHILLING, Mr. SOUTHERLAND, Ms. JENKINS, Mr. GRAVES of Missouri, Mr. JONES, Mr. FARENTHOLD, Mr. DENHAM, Mr. STUTZMAN, Mr. POMPEO, Mr. BARROW, Mr. SCHRADER, Mr. CARTER, Mr. CONAWAY, and Mr. TIPTON.
H.R. 4970: Mr. MCCOTTER.
H.R. 5129: Mr. KING of New York.
H.R. 5303: Ms. BERKLEY, Mr. BILIRAKIS, Mr. TURNER of New York, Mrs. SCHMIDT, Mr. SMITH of New Jersey, Ms. SCHWARTZ, and Mr. RIVERA.
H.J. Res. 103: Mr. HURT and Mr. BARTON of Texas.
H.J. Res. 106: Mr. ROYCE.
H.J. Res. 107: Mr. MCCLINTOCK.
H. Con. Res. 63: Mr. BACA and Mr. PALLONE.
H. Con. Res. 110: Mr. MCCOTTER.
H. Con. Res. 119: Mr. RANGEL, Mr. CLARKE of Michigan, Mr. GRIJALVA, Mr. RUSH, Ms. FUDGE, and Ms. CLARKE of New York.
H. Res. 130: Ms. HAHN.
H. Res. 177: Ms. MOORE and Ms. KAPTUR.
H. Res. 282: Mr. DENHAM.
H. Res. 367: Mr. BONNER.
H. Res. 374: Mr. CONAWAY.
H. Res. 557: Mr. HIGGINS and Mr. GRIMM.
H. Res. 568: Mr. FARENTHOLD, Mr. PERLMUTTER, Mr. BUCSHON, Mr. CUELLAR, Ms. HAHN, Mr. GUTIERREZ, Mr. CRENSHAW, Ms. FUDGE, Mr. HENSARLING, Mr. SMITH of Washington, and Mr. LUCAS.
H. Res. 583: Ms. ROYBAL-ALLARD, Ms. WOOLSEY, and Mr. UPTON.
H. Res. 589: Mr. LEVIN.
H. Res. 608: Mr. GRIMM and Mr. CONYERS.
H. Res. 610: Mr. HULTGREN.
H. Res. 615: Mr. PAUL.
H. Res. 618: Mr. SMITH of Washington, Mr. GARAMENDI, Mr. ROTHMAN of New Jersey, Mr. TOWNS, Mrs. BLACKBURN, Ms. KAPTUR, Mr. RUSH, Ms. NORTON, and Mr. COLE.
H. Res. 621: Mr. LARSON of Connecticut, Ms. KAPTUR, Mr. ISRAEL, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, Mr. LARSEN of Washington, Ms. ESHOO, Mr. RANGEL, Mr. GUTIERREZ, Ms. WASSERMAN SCHULTZ, Ms. TSONGAS, Mr. PETERS, Ms. NORTON, Mr. RUSH, and Mr. MORAN.
H. Res. 623: Mr. KISSELL and Mr. COLE.
H. Res. 640: Mr. HINCHEY, Mr. LEVIN, Ms. RICHARDSON, Ms. SPEIER, Mr. PALLONE, Mr. CARNAHAN, Mr. KEATING, and Ms. SLAUGHTER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

[Omitted from the Record of April 27, 2012]

H.R. 1588: Mr. CARNAHAN.

[Submitted May 7, 2012]

H.R. 361: Mr. BACA.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

41. The SPEAKER presented a petition of The Borough Of Oakland, New Jersey, relative to Resolution 12-46 requesting the assistance of the appropriate Federal State, and County agencies in assist the Borough in addressing the flood control measures needed to prevent or reduce flooding along the Ramapo River and Allerman Brook; to the Committee on Transportation and Infrastructure.

42. Also, a petition of the Council of St. Charles Parish, Louisiana, relative to Resolution No. 5896 requesting the Congress to support H.R. 104 Ramp Act; jointly to the Committees on Transportation and Infrastructure and Rules.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5326

OFFERED BY: MR. GOWDY

AMENDMENT NO. 1: Page 21, line 23, insert ''(reduced by $1,000,000)'' after the dollar amount.

Page 101, line 10, insert ''(increased by $1,000,000)'' after the dollar amount.

H.R. 5326

OFFERED BY: MR. DAVIS OF ILLINOIS

AMENDMENT NO. 2: Page 44, line 7, after the dollar amount, insert ''(decreased by $10,000,000)''.

Page 47, line 17, after the dollar amount, insert ''(increased by $10,000,000)''.

H.R. 5326

OFFERED BY: MR. POMPEO

AMENDMENT NO. 3: Page 5, lines 17 through 21, after each dollar amount, insert ''(reduced to $0)''.

Page 6, line 7, after the dollar amount, insert ''(reduced to $0)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $219,500,000)''.

H.R. 5326

OFFERED BY: MR. LYNCH

AMENDMENT NO. 4: Page 7, line 11, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 43, line 15, after the dollar amount, insert ''(increased by $4,000,000)''.

Page 44, line 23, after the dollar amount, insert ''(increased by $4,000,000)''.

H.R. 5326

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 5: Page 78, beginning on line 17, strike ''(6)'' and all that follows through ''(7)'', and insert (6).

Page 78, line 23, strike ''(8)'' and insert ''(7)''.

H.R. 5326

OFFERED BY: MR. LEWIS OF GEORGIA

AMENDMENT NO. 6: At the end of the bill (and before the spending reduction account) insert the following:

SEC. 541. None of the funds provided by this Act may be obligated for the purpose of closing the regional field offices of the Antitrust Division of the Department of Justice.

H.R. 5326

OFFERED BY: MR. CRAVAACK

AMENDMENT NO. 7: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out the activities of the Climate Change Education program of the National Science Foundation.

H.R. 5326

OFFERED BY: MR. DUNCAN OF SOUTH CAROLINA

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement the National Ocean Policy developed under Executive Order 13547 (75 Fed. Reg. 43023, relating to the stewardship of oceans, coasts, and the Great Lakes).

H.R. 5326

OFFERED BY: MR. TURNER OF OHIO

AMENDMENT NO. 9: Page 3, line 15, after the dollar amount, insert ''(increased by $5,000,000)''.

H.R. 5326

OFFERED BY: MR. HARRIS

AMENDMENT NO. 10: Page 13, line 2, after the dollar amount, insert ''(reduced by $542,000)''.

Page 13, line 14, after the dollar amount, insert ''(reduced by $542,000)''.

Page 13, line 15, after the dollar amount, insert ''(reduced by $542,000)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $542,000)''.

H.R. 5326

OFFERED BY: MR. WESTMORELAND

AMENDMENT NO. 11: Page 74, line 13, insert ''(reduced by $128,000,000)'' after the first dollar amount.

Page 74, line 13, insert ''(reduced by $128,000,000)'' after the second dollar amount.

Page 101, line 10, insert ''(increased by $128,000,000)'' after the dollar amount.

H.R. 5326

OFFERED BY: MS. RICHARDSON

AMENDMENT NO. 12: Page 32, Line 4, after the dollar figure insert ''(decreased by $30,000,000)''.

Page 46, Line 8, after the dollar figure insert ''(increased by $26,000,000)''.

Page 46, Line 10, after the dollar figure insert ''(increased by $26.000.000)''.

H.R. 5326

OFFERED BY: MS. RICHARDSON

AMENDMENT NO. 13: Page 32, line 4, after the dollar amount insert ''(reduced by $35,000,000)''.

Page 43, line 15, after the dollar amount insert ''(increased by $30,000,000)''.

Page 43, line 17, after the dollar amount insert ''(increased by $30,000,000)''.

EXTENSIONS OF REMARKS

RECOGNIZING ASTHMA AWARENESS MONTH MAY 1, 2012

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize May as Asthma Awareness Month. Nearly 26 million Americans, including more than 7 million children are affected by asthma. I am encouraging Americans to fight against asthma by learning more about the disease and how it affects families and their communities.

As part of Asthma Awareness Month, there are many public and private organizations working hand and hand to honor those who are taking on the challenge of fighting this chronic respiratory disease. The U.S. Environmental Protection Agency, EPA, is honoring exceptional health plans, health care providers and communities in action for their efforts to improve the lives of people with asthma in underserved communities across the country.

There are many triggers during the spring season making it particularly difficult for asthma patients. The annual economic cost of asthma, including direct medical costs from hospital stays and indirect costs such as lost school and work days, amount to approximately $56 billion. The EPA is working hard to clean the air we breathe and reduce the environmental causes of asthma and other respiratory illnesses. We can ease this financial burden on Americans by supporting the EPA and legislation such as the Diesel Emissions Reduction Act, DERA.

Maintaining an active lifestyle is important in staying healthy and if symptoms are properly managed Americans who suffer from asthma can stay active. Here are some simple steps: learn your triggers and avoid them in your home and neighborhood. With a doctor's help, you can create an asthma action plan to help you effectively manage your asthma and reduce exposure to triggers. Taking the appropriate medications and avoiding your triggers. Check local air quality conditions at airnow.gov and make informed decisions about participating in outdoor activities. In addition a downloadable Air Quality Index mobile app is available for smart phones.

Mr. Speaker, this month, it is important to support the nearly 26 million Americans who suffer from asthma. I am encouraging Americans to educate themselves on the chronic respiratory disease, asthma.

SPREAD THE WORD TO END THE WORD

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. CASTOR of Florida. Mr. Speaker, today I rise to recognize and commend the efforts of the Spread the Word to End the Word Campaign; a grassroots organization founded by college and high school students toward promoting greater awareness and respect for people with intellectual and developmental disabilities.

Created by young people with disabilities and their typical peers, Spread the Word to End the Word promotes the undeniable truth that everyone matters, everyone is accepted and, most importantly, everyone is valued. Today, young activists across the country are leading local efforts to raise awareness and collect pledges from peers and the community to vow not to use the word ''retarded'' and recognize the first Wednesday of every March as a national awareness day for The Spread the Word to End the Word campaign.

Best Buddies and Special Olympics participants across the nation have enthusiastically taken the pledge to stop the derogatory use of the word ''retarded,'' and have collectively encouraged hundreds of thousands of others to do the same. I am proud to speak about this amazing group of young activists who are spreading hope each and every day; not just in their own communities but across the country and the world by making communities inclusive of people of all ability levels.

I am proud to have taken the pledge, and I thank all who also pledge to think of others before they speak and, in so doing, promote universal human dignity.

IN RECOGNITION OF THE RIVERBANK LIONS CLUB

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. CARDOZA. Mr. Speaker, we rise today to recognize the chartering of the Riverbank Lions Club and its chartering members for their commitment to community and humanitarian service.

Lions Club International was founded in 1917 by a group of business leaders who desired working towards the betterment of their community and the world. Boasting over 46,000 clubs and 1.35 million members, it is now the world's largest service organization. Together, they strive to promote the organization's mission to ''empower volunteers to serve their communities, meet humanitarian needs, encourage peace, and promote international understanding.'' Through community volunteer work, implementing programs to encourage good health and youth empowerment, as well as community and environmental awareness programs, they are truly working to make the world a better place to live.

On May 5, 2012, the Riverbank Lions Club joined this prestigious organization with the chartering of its chapter in Riverbank, California. This group will undoubtedly uphold the Lions' vision and help those in need through community service and fundraising projects.

Members of the chartering club are: Linda Abid-Cummings, Annabelle Aguilar, Tom Aja, Mia Alcala-Van Houten, Cynthia Avila, Lynette Bradley, James ''Doc'' Dachenhaus, Charlie Grom, Carrie Higby, Patty Hughes, Chip Langman, Sharon Langman, Don Langman, Laura Wilson, Leta Larkin, Sandy Lucas, Dotty Nygard, Billy Powell, Bill Redford, Jennifer Redford, Dawn Rios, Angie Timpone, and Joe Timpone.

Mr. Speaker, we thank you for the opportunity to honor the Riverbank Lions Club here today. Further, we appreciate you joining us in congratulating its members on the chartering of their new chapter and to recognize their commitment to service.

A TRIBUTE TO THE LIFE OF ED HUNT

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Edward Woodrow Hunt, who passed away on April 21, 2012 at the age of 69. Mr. Hunt served as Fresno County's District Attorney for two decades, from 1982 to 2002. He was a passionate prosecutor, who sought justice for victims and was instrumental in the passage of California's ''Three Strikes'' law.

Mr. Hunt was born on July 27, 1942 in Huntsville, Alabama to Ed and Ethel Hunt. He demonstrated his dedication to public service early in his life, when he enlisted in the United States Air Force in 1961. He served proudly until 1964. His military work brought him to California's San Joaquin Valley, where he worked as an aircraft mechanic at the Castle Air Force Base in Atwater, California.

A proud product of Valley schools, Mr. Hunt graduated from California State University, Fresno with a Bachelor's degree in Business Administration, and earned his law degree from the San Joaquin College of Law.

Early in his career, Mr. Hunt worked as a Deputy District Attorney, where his love of public service grew. His zest for the law and service led him to seek election to become Fresno County's District Attorney.

After a demanding 1982 election cycle, the voters selected Mr. Hunt as their District Attorney. As Fresno's Chief Law Enforcement Officer, Mr. Hunt hit the ground running, and worked diligently to take action against those who had violated the law. Not only was he an impeccable District Attorney, he was also an important partner in ensuring the well-being and safety of our Valley, and eventually the entire State.

When two former California Assembly Members, myself and Mr. Bill Jones, co-authored legislation for our State's ''Three Strikes and You're Out,'' which eventually was placed on the ballot as an initiative by the people of California, Mr. Hunt was one of its staunchest supporters. California's ''Three Strikes'' law sought to increase sentences for repeat offenders in order to significantly decrease crime. Mr. Hunt recognized the value of the proposition and worked hard to earn the support of the California District Attorneys Association.

An exceptional and savvy prosecutor, Mr. Hunt was truly a valuable asset for the people of Central California. During his tenure, he helped reduce crime rates, and established specialty prosecution teams, including the Multi Agency Gang Enforcement Consortium (MAGEC), a nationally recognized gang unit.

He will be sorely missed by friends and family. He is survived by his wife, Linda; his daughter Tami; and stepson Steve Sirman.

Mr. Speaker, I ask my colleagues to join me in honoring the life and service of Mr. Edward Woodrow Hunt. His service to our Valley will ensure that his legacy lives on for years to come.

HONORING THE LIFE OF FRANK MOTTA, A DEDICATED SAMARITAN AND PUBLIC SERVANT

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mrs. MCMORRIS RODGERS. Mr. Speaker, it is with great sorrow that I rise today to honor the life Frank Motta, a Good Samaritan who paid the ultimate price for helping his community. Frank—known in Eastern Washington as a man who would stand up for what was right no matter the cost—passed away in March after being assaulted while trying to break up an underage drinking party. His legacy of utmost care and concern for others will be remembered and sorely missed by the community.

Frank, a Vietnam veteran, served in the United States Air Force from 1964–1968, receiving an Honorable Discharge as well as 2 Presidential Unit Citations, 2 Outstanding Unit Awards, and 2 Vietnamese Crosses for Gallantry. He continued his service to the country by taking a prominent role in Central Washington youth education, working for over 30 years as an English teacher, football coach, principal, and assistant superintendant. He received degrees and certifications in education from California State University at Fullerton, Azusa Pacific University, Washington State University, and Central Washington University. One of his greatest honors was receiving the Young Educator of the Year Award from the Othello High School in 1979, which recognized his tremendous service to the youth of Central Washington.

After retiring from his education career, Frank continued his service as a volunteer in the Spokane VA. His compassion and concern ultimately earned him a full-time position. His coworkers remember him as a man with an unwavering commitment to serve those who served us, saying he's had a true impact on every employee in the hospital.

While we mourn the loss of this dedicated servant and everyday hero, it is with great joy that we remember his life of commitment to others. We are honored to have had such a tremendous man as a part of our community, and ask that his passing serve as a reminder to us all that we are meant to live for one another, and a life built around dedication to others is a life truly lived. May he live on in the heart of service everywhere.

IN RECOGNITION OF MR. LLOYD RODUNER

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. CARDOZA. Mr. Speaker, together with Congressman JIM COSTA, I rise today to recognize Mr. Lloyd Roduner on the event of his retirement as Chairman and Division Five Director for the Lower San Joaquin Levee District.

Lloyd was born in Merced in 1932 and grew up on his family's farm. He graduated from Merced High School where he served as the student body president. Lloyd then went on to attend Cal Poly on a scholastic scholarship. After college, Lloyd served in the Army from 1952–1954. He was stationed in San Diego and served as a food inspector. When he left the Army, he went back to work at his family's ranch.

Lloyd, along with his brother Richard, runs the family business, W.P. Roduner Cattle & Farming Company. He was also a member of the California Beef Council and the California Cattlemen's Association. In addition, he was the charter president of the El Nido Lion's Club in 1964.

Lloyd faithfully served the Lower San Joaquin Levee District since October 1985. Through his wisdom, vision and leadership he earned the respect of local, State and Federal officials and entities in support of the District. In doing this he was able to lead and guide other directors, staff and personnel in operating and maintaining the District in the most efficient and economical way possible. He always kept in mind the benefits of the District for its landowners.

Lloyd has a passion for horses and roping which he learned from his father. He was an accomplished showman of horses since he was fifteen and just retired from this five years ago. Many generations of his family are ropers and as soon as his grandchildren were old enough, he taught them. Lloyd has been married to his wife, Patricia, since 1955. They have two children, Michael and Lloydeen, and eight grandchildren and six great-grandchildren.

Mr. Speaker, along with Congressman JIM COSTA, I ask that my colleagues join me in honoring Mr. Lloyd Roduner for his years of dedication and service to the Lower San Joaquin Levee District.

HONORING ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. MCDERMOTT. Mr. Speaker, I am proud to represent the most diverse Congressional District in Washington State—more than 100,000 Asian Americans and Pacific Islanders live in the 7th Congressional District. Fourteen percent of my constituents are of Asian American and Pacific Islander descent. Their contributions throughout Washington State and across our country have been integral to our Nation's success.

During this commemorative month, we also should remind ourselves of past treatment of these groups, which has been marred by discrimination and bigotry. This year marks the 70th year since the signing of Executive Order 9066, which authorized the Japanese American internment during World War II, and the 130th year since the passage of the Chinese Exclusion Act of 1882.

Only by learning and remembering our history can we hope to avoid repeating its difficult lessons. I applaud the efforts of organizations dedicated to telling the history of Asian Americans and Pacific Islanders. Seattle's Wing Luke Asian Museum, the Seattle Asian Art Museum, the Filipino American National Historical Society, and the Japanese American Legacy Project are among those committed to preserving and narrating the stories of the Asian Americans and Pacific Islanders who helped to shape our common history.

I have been privileged to introduce numerous measures to honor the legacies of Asian Americans in my district including legislation to designate a federal courthouse in Seattle, the William Kenzo Nakamura United States Courthouse. Mr. Nakamura, a member of the storied 442nd Regimental Combat Team, posthumously received the Medal of Honor in recognition of his extraordinary bravery during World War II.

Asian Americans and Pacific Islanders long have made and continue to make very meaningful contributions to our country and to our society. This month, we honor them.

MEGA PHARMACY BENEFIT MANAGER (PBM)—MERGER OF EXPRESS SCRIPTS AND MEDCO

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ROSS of Arkansas. Mr. Speaker, I feel compelled to make a statement because I'm

concerned with the newly created mega pharmacy benefit manager (PBM). The Federal Trade Commission recently concluded its investigation into the merger of Express Scripts and Medco, two of the three largest PBMs. PBMs are primarily responsible for implementing and administering benefit plans that are care-effective and lower prescription drug spending. Now, approximately 135 million Americans will be forced to rely on this new mega PBM to manage their prescription drug benefits. This merger also creates the nation's largest mail-order pharmacy, accounting for close to 60 percent of all mail-order prescriptions processed in the U.S.

PBMs claim to reduce prescription drug costs; in fact, they are contributing to the increase in healthcare spending. They create artificial barriers that limit patient choice and competition through referring patients to their own mail-order operations. PBMs also switch patients to more expensive medications allowing these companies to collect rebates from drug makers. Employers and health plans end up paying more for these expensive drugs.

Since 2000, the number of large PBMs has declined and the concentration among the ''Big Three'' PBMs has increased. The merger of Express Scripts and Medco reduces the options for large plans from three to two. This new mega PBM will control over 40 percent of the national prescription drug volume.

Mr. Speaker, given the possible concentration of market share by the mega PBM, I urge my fellow colleagues to demand transparency and accountability in this industry.

IN HONOR OF RICHARD TYLER-TIGERMAN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the life and achievements of Richard Tyler-Tigerman, who recently passed away at the age of 89. Richard was a remarkable man, beloved by all who had the great fortune to know him. Our nation is a more cultured place for his lifetime of efforts.

Richard became best known in my hometown of Carmel, California, as the Director of the Sunset Cultural Center. In that role he helped develop the Sunset Center—at one time the elementary school that I attended as a boy—into a world renowned performing arts center. And while he was expanding the national and international cultural impact of the Sunset Center, he never lost sight of his neighbors and made sure that he and the Sunset Center were still a local community resource. Richard was a true cultural icon in Carmel, always welcoming, convivial, and engaging.

Richard Tyler-Tigerman was born September 28, 1922, in Chicago, the ninth son of Hungarian immigrants. Apart from a two year stay in New York, where Richard participated in a WPA-sponsored children's theatre project, Richard grew up in Chicago. His mother Minna, a classically trained singer herself, encouraged him and he got his break on stage playing Robin Hood in a high school production. He later studied theater at the University of Chicago until World War II started. He enlisted in the United States Army which eventually took him to the Philippines where he worked with different entertainment groups that came to lift troop morale. After the war, Richard studied theatre in Florida and Chicago on the G.I. Bill. Then, at Northwestern University, he taught and turned professional. For the rest of his life he remained a professional performance man: music, theater, recitals, opera, musical comedy, and eventually directing and producing. He directed the Chicago premiere of Leonard Bernstein's opera ''Trouble in Tahiti'' to wonderful reviews.

He came to Carmel in 1975 to take on the directorship of the Sunset Center, a post he held until his retirement in 1990. He helped revive the Center, which had been struggling ever since the city of Carmel had converted the old school into a performing arts and cultural center. Richard saw his signal accomplishments there as presenting a performance pattern of dance companies, stimulating and interesting professional theater, opera, and people of note, a film series chosen by the audience, and a series of varied and interesting entertainers. He continued beyond retirement to advise local officials who sought his insights about the unique artistic heritage of that city. He served on numerous civic boards and committees, including the Monterey Film Commission, Arts Habitat, and the State Theatre Preservation Group.

His partner of thirty-eight years is Constantine ''Dino'' Cocalis, with whom he shared a home and traveled extensively, particularly to the Greek isles. Richard had one son, Craig Ellis Tigerman, of Rock Island, IL. Grandchildren include Christopher Lee Gibrich of Grand Prairie, TX, Bethany Judith Kump of Rock Island, Chelli Marie Esser of Apple Valley, MN, Justin Thomas Wilson Tigerman of Chicago and Rock Island, and a step-grandchild, Richard Michael Albertson of Carbondale and Moline, IL. Great-grandchildren include Andrew James Doyle and Owen Benjamin Kump of Rock Island, and Sophia Marylyn Esser of Apple Valley. Two more great-grandchildren are on the way later this year.

Mr. Speaker, I know I speak for the whole House in extending our condolences to his loved ones and friends for their loss, and in honoring Richard's contribution to our lives. The world is a better place because of Richard Tyler-Tigerman's presence.

DR. JAMES L. DOTI

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor the accomplishments and contributions of a visionary in higher education, Dr. James L. Doti, on the start of his third decade as President of Chapman University.

Dr. Doti has devoted his academic career to Chapman University and has transformed it from a small local college to a prominent nationally ranked university.

Under his leadership, Chapman University has attracted exceptional faculty and students, including international and national award winners, noted scholars, best-selling authors, highly respected researchers and world-renowned performers.

Dr. Doti is an accomplished and active scholar, having published numerous articles, co-authoring two textbooks and serving as co-editor of a collection of readings in private enterprise.

Among his many accolades, Dr. Doti has received the George Washington Honor Medal from the Freedoms Foundation at Valley Forge and has been inducted into the Horatio Alger Association of Distinguished Americans.

In addition, Dr. Doti has played a critical role in establishing the School of Law and the Dodge College of Film and Media Arts at Chapman, both of which have achieved national distinction in their fields.

I congratulate President Doti on his exemplary service to higher education and wish him continued success.

HONORING GEORGE WASHINGTON UNIVERSITY STUDENT ACTIVISTS DURING THE ''LAST COLONY MARCH AND RALLY FOR D.C. DEMOCRACY''

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. NORTON. Mr. Speaker, in a week spent commemorating the 150th anniversary of the District of Columbia Compensated Emancipation Act, which was signed into law on April 16, 1862, freeing the first slaves in the United States. District residents were again reminded of the denial of freedom and democracy that exist at home. On Thursday, April 19, 2012, leaders of the D.C. Statehood Student Association and George Washington University students marched from The George Washington University campus to the Capitol as part of the ''Last Colony March and Rally for D.C. Democracy.'' Six of them engaged in acts of civil disobedience and were arrested.

Along the three-mile route from Kogan Plaza to Upper Senate Park, others joined the young activists, calling for action on important matters of D.C. democracy, ranging from budget autonomy to full congressional representation. The six activists, Brian Crawford, Corante Henderson, Moo Ho Bae II, Markus Batchelor, Matt Laurinavicus, and Patrick Kennedy, went into the street at Constitution Avenue and First Street, where they sat down and blocked traffic, and were arrested for their act of civil disobedience.

Their courage shows that the civil disobedience that began here one year ago will continue until Congress grants D.C. full democracy. On April 11, 2011, the D.C. Mayor and six members of the D.C. Council were among 41 people who were arrested on Capitol Hill in a large display of civil disobedience. They protested the action of Congress and the administration in trading away the District's right to

spend its local funds on abortion services for low-income women.

I ask the House of Representatives to join me in recognizing the courageous acts of Brian Crawford, Corante Henderson, Moo Ho Bae II, Markus Batchelor, Matt Laurinavicus, and Patrick Kennedy, students at The George Washington University and leaders in the D.C. Statehood Student Association. They exemplify the time-honored tradition of using civil disobedience to combat injustice, and remind us that the District's great struggle for democracy is expanding and will continue until freedom and equality come to the District of Columbia.

IN RECOGNITION OF NATIONAL TEACHER APPRECIATION WEEK

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to observe National Teacher Appreciation Week and to thank teachers across the nation for their dedication. Teachers touch the lives of so many children throughout their careers and have a unique role in bringing together families and communities to develop our Nation's most valuable resource, our children.

Our former First Lady Eleanor Roosevelt first introduced the idea of a National Teachers' Day in 1953. Mrs. Roosevelt said, ''I think, at a child's birth, if a mother could ask a fairy godmother to endow it with the most useful gift, that gift would be curiosity.'' Thankfully, our children do have such figures in their lives: the teachers who instill curiosity and a love of learning. I think we can all point to a teacher in our past who inspired imagination and a sense of discovery.

As a former preschool teacher, I understand the difficulties teachers face today. With growing class sizes, shrinking budgets, and harsh scrutiny of standardized testing, this important profession has become more challenging than ever, and we must do more to reaffirm our commitment to educators.

Education is the key to our economic success. The quality of our education system affects us as a country and as individuals who provide for ourselves and our families. We cannot remain competitive without an educated and passionate workforce, and supporting our teachers is the wisest investment we can make in our country's future.

Mr. Speaker, I rise today to give a heartfelt thanks to the hardworking teachers of the 37th Congressional District and across the Nation. I encourage students, parents and school officials to participate in the events of National Teacher Appreciation Week.

THE FEDERAL RESERVE AND THE 1%

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. KUCINICH. Mr. Speaker, an op-ed in the April 19, 2012 Wall Street Journal by Mark Spitznagel explains how the Federal Reserve's monetary easing program, in place since the financial crisis of 2008, has continued the massive transfer of wealth from the Middle Class directly to the richest.

[From the Wall Street Journal, Apr. 19, 2012]

HOW THE FED FAVORS THE 1%

(By Mark Spitznagel)

A major issue in this year's presidential campaign is the growing disparity between rich and poor, the 1% versus the 99%. While the president's solutions differ from those of his likely Republican opponent, they both ignore a principal source of this growing disparity.

The source is not runaway entrepreneurial capitalism, which rewards those who best serve the consumer in product and price. (Would we really want it any other way?) There is another force that has turned a natural divide into a chasm: the Federal Reserve. The relentless expansion of credit by the Fed creates artificial disparities based on political privilege and economic power.

David Hume, the 18th-century Scottish philosopher, pointed out that when money is inserted into the economy (from a government printing press or, as in Hume's time, the importation of gold and silver), it is not distributed evenly but ''confined to the coffers of a few persons, who immediately seek to employ it to advantage.''

In the 20th century, the economists of the Austrian school built upon this fact as their central monetary tenet. Ludwig von Mises and his students demonstrated how an increase in money supply is beneficial to those who get it first and is detrimental to those who get it last. Monetary inflation is a process, not a static effect. To think of it only in terms of aggregate price levels (which is all Fed Chairman Ben Bernanke seems capable of) is to ignore this pernicious process and the imbalance and economic dislocation that it creates.

As Mises protégé Murray Rothbard explained, monetary inflation is akin to counterfeiting, which necessitates that some benefit and others don't. After all, if everyone counterfeited in proportion to their wealth, there would be no real economic benefit to anyone. Similarly, the expansion of credit is uneven in the economy, which results in wealth redistribution. To borrow a visual from another Mises student, Friedrich von Hayek, the Fed's money creation does not flow evenly like water into a tank, but rather oozes like honey into a saucer, dolloping one area first and only then very slowly dribbling to the rest. The Fed doesn't expand the money supply by uniformly dropping cash from helicopters over the hapless masses. Rather, it directs capital transfers to the largest banks (whether by overpaying them for their financial assets or by lending to them on the cheap), minimizes their borrowing costs, and lowers their reserve requirements. All of these actions result in immediate handouts to the financial elite first, with the hope that they will subsequently unleash this fresh capital onto the unsuspecting markets, raising demand and prices wherever they do.

The Fed, having gone on an unprecedented credit expansion spree, has benefited the recipients who were first in line at the trough: banks (imagine borrowing for free and then buying up assets that you know the Fed is aggressively buying with you) and those favored entities and individuals deemed most creditworthy. Flush with capital, these recipients have proceeded to bid up the prices of assets and resources, while everyone else has watched their purchasing power decline.

At some point, of course, the honey flow stops—but not before much malinvestment. Such malinvestment is precisely what we saw in the historic 1990s equity and subsequent real-estate bubbles (and what we're likely seeing again today in overheated credit and equity markets), culminating in painful liquidation. The Fed is transferring immense wealth from the middle class to the most affluent, from the least privileged to the most privileged. This coercive redistribution has been a far more egregious source of disparity than the president's presumption of tax unfairness (if there is anything unfair about approximately half of a population paying zero income taxes) or deregulation.

Pitting economic classes against each other is a divisive tactic that benefits no one. Yet if there is any upside, it is perhaps a closer examination of the true causes of the problem. Before we start down the path of arguing about the merits of redistributing wealth to benefit the many, why not first stop redistributing it to the most privileged?

HONORING MEDAL OF HONOR RECIPIENTS

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. THORNBERRY. Mr. Speaker, today I wish to recognize the thirteen Medal of Honor recipients who trained in Mineral Wells, Texas, at Camp Wolters during World War II and at Fort Wolters during the Vietnam War. On March 23, 2012, the Fort Wolters Gate Committee joined with the citizens of Mineral Wells to honor these brave men with two ceremonies on Medal of Honor Day.

These thirteen outstanding individuals are First Lieutenant Eli L. Whiteley, First Lieutenant James M. Sprayberry, First Lieutenant Charles L. Thomas, First Lieutenant Vernon Baker, First Lieutenant Jack L. Knight, Second Lieutenant Audie L. Murphy, Staff Sergeant Edward A. Carter, Jr., Chief Warrant Officer Michael J. Novosel, Chief Warrant Officer Frederick Edgar Ferguson, Captain Ed Freeman, Captain Jon E. Swanson, Major Patrick H. Brady, and Major William E. Adams.

The Medal of Honor is our nation's highest military honor that can be bestowed upon an individual service member by the United States government. It is given to men and women of the Armed Forces who set themselves apart through their uncommon courage, selflessness, and valor which goes above and beyond the call of duty. The recipients of this prestigious award are not only leaders among those with whom they serve, they are also the role models to whom future generations of Americans will always look. I am honored to

be able to join in recognizing these heroes before Congress today.

HONORING THE LEGENDARY CAROLE KING

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. BOREN. Mr. Speaker, I rise today to say a few words about my friend Carole King.

Carole King is a music legend, with hundreds of pop hits, including the recognizable ''I Feel the Earth Move.'' She has won four Grammys, and is a member of the Songwriters Hall of Fame and the Rock and Roll Hall of Fame.

Many of her songs have been featured in commercials, TV shows, and movies, and she has worked with many music icons such as Eric Clapton and Celine Dion.

In addition to her fame as a musician, King is also a strong activist for environmental issues. She is often here in our offices on Capitol Hill fighting for the protection of our wildlife and ecosystems, both in her native Idaho and worldwide.

While Carole and I do not always agree on the issues, I have always been impressed by her tenacity. She is truly dedicated to this cause, and her perseverance is something to be admired. Many of us do not have the opportunity to meet someone like Carole. She has a great heart and is a great asset to America.

I want to congratulate Carole King on all of her accomplishments. It has been a pleasure to work with her over the years.

MALAWI PRESIDENT JOYCE BANDA SWEARING-IN ADDRESS ON APRIL 7, 2012

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. COHEN. Mr. Speaker, I would like to submit the April 7, 2012 swearing-in address by Malawi President Joyce Banda.

This is a unique occasion.

May his soul rest in peace.

I am not here to give a long speech considering the circumstances we are in. Let us focus on mourning our father, former President Mutharika.

I also would like to report to all you people that this afternoon I had a cabinet meeting. We felt the holy spirit in that room. It was a good meeting, as a nation we should realize that, because it was significant and marks a starting point for healing the wounds of this nation . . .

I thank you all for showing me great humility and honor as I accept the huge responsibility. I also thank you all for the peaceful transition and I appeal to the nation to mourn the former president with dignity and thank all of you who have come to witness this occasion from all walks of life, irrespective of political, spiritual, regional backgrounds . . .

I want to ask all of us to move into the future with hope and the spirit of oneness and unity. I sincerely hope there is no room for revenge, that we shall stand united . . .

As a God fearing nation we shall allow God to come before us because if we do not do that, we have failed.

IN HONOR OF ANDREW F. SIMMONS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, Andrew F. Simmons, a native of Yonkers, has spent a good deal of his adult life in improving housing in his hometown. He began a partnership with Yonkers 15 years ago in assisting with the development of affordable homes in the distressed southwest area.

Since 1999 he had managed numerous development projects, including the Gazette Building Waterfront Development. He was contractor for the Hamilton Heights renovation project, the Metro North Train Station demonstration projects in Yonkers and Croton-Harmon.

He has helped to lead the completion of the pre-development of three two-family homes and worked as general contractor and developer of an additional three two-family homes. Further, he is developing an affordable twelve-unit condo on the Hudson River.

Andrew Simmons developed Think Services, a consulting firm which works with Community Development Corporations with design phase, budget and community inclusion in project development.

I am proud to join with the Women's Civic Club of Nepperhan in honoring Andrew Simmons for his outstanding work in developing and building homes for those who need it most.

IN HONOR OF GEORGIA STATE REPRESENTATIVE BOB HANNER

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to one of Southwest Georgia's most respected public officials, Georgia State Representative Bob Hanner. Representative Hanner, first elected as a member of the Georgia General Assembly in 1975, recently announced that he will not run for re-election after serving 37 years in Georgia's House of Representatives.

His longevity of dedicated public service and steadfast representation of his constituents in Chattahoochee, Lee, Quitman, Stewart, Terrell and Webster counties, are just a few of the many reasons as to why Representative Hanner has been an invaluable member of the Georgia General Assembly.

Representative Hanner hails from Parrott, Georgia and is a graduate of both Gordon Military and Southwestern Colleges. He served in the U.S. Coast Guard in Vietnam from 1967–1968.

Following his collegiate career and military service, he worked in the private sector as a farmer and an estate planner. Prior to being elected to the Georgia General Assembly, he also served as a member of the Terrell County Hospital Authority.

Representative Hanner's first election to the Georgia General Assembly was in a September 1975 runoff in what was then the 130th House District. He successfully claimed 2,811 votes of the 5,442 votes cast in the special election runoff.

Over the course of his distinguished legislative career, he has served as a member of the House Appropriations and Rules Committees and as Secretary of the House Committees on Natural Resources & Environment, and Public Safety and Homeland Security. For the last 15 years, Representative Hanner has served as the Chairman of the Natural Resources Committee and he co-chaired a state-wide water management study committee.

In conjunction with his legislative responsibilities and other important duties associated with his public service, Representative Hanner has played an active role in several civic and community service organizations in Southwest Georgia. He is a member of the P.T. Schley Masonic Lodge #229 in Dawson, Georgia; the Terrell County Chamber of Commerce; and has served as a past director of the United States Jaycees.

It cannot be disputed that Representative Hanner has achieved numerous successes throughout his life. However, none of this would have been possible without the grace of God and the support of his loving wife, Linda. Mr. and Mrs. Hanner are the proud parents of three magnificent children.

Mr. Speaker, I ask my colleagues to join me in saluting an outstanding legislator and one of Georgia's most respected public figures, Representative Bob Hanner, on the occasion of his well-deserved retirement.

MILITARY COMMISSIONS

HON. MICK MULVANEY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. MULVANEY. Mr. Speaker, no one in this body was untouched by the tragedy of Sept. 11, 2001, which will stand in our history as one of the most infamous crimes ever perpetrated against the people of the United States. It not only cast a shadow of despair over America, but also thrust us into a different kind of global conflict, fighting an unconventional, adaptive enemy that has adopted the mass murder of innocent civilians as a weapon of war.

More than four years ago, we apprehended the alleged mastermind of the 9/11 plot, Khalid Sheikh Mohammad. He and four others are awaiting trial in the Guantanamo Bay detention facility on charges that include 2,973 individual acts of murder. That trial will take place before a reformed military commission.

I believe that such commissions are the appropriate venue for this proceeding. They are

modeled on the federal civilian criminal justice system. They protect the rights of the accused. They respect the rule of law. They reflect our core values as Americans. They are transparent. In short, they provide an instrument that is fair, principled, accountable, and effective, one that satisfies the imperative of justice rather than the thirst for revenge.

This confidence is underscored by the fact that Brig. Gen. Mark Martins is the chief prosecutor of the military commissions at Guantanamo Bay. Gen. Martins is a lawyer of tremendous skill, and a man of great integrity, character, and judgment. Reflecting his commitment to this case, he recently declined promotion in order to see these matters through to their conclusion. As the war against terrorism moves to the legal arena, we are indeed fortunate that Gen. Martins is leading the effort to ensure that justice is fairly dispensed to those charged with the horrific acts of 9/11.

Recently, Mr. Speaker, Gen. Martins and the reformed military commission were the subjects of a news report from National Public Radio. With your permission, I would like to include the text of that report in my remarks and urge that my colleagues take a moment to read this article and learn more about the man that Gen. David Petraeus described as ''one of those rare individuals who always seems to end up in the toughest assignments and always performs exceedingly well in them.''

A PROSECUTOR MAKES THE CASE FOR MILITARY TRIALS

(By Dina Temple-Raston)

The chief prosecutor for the military commissions at Guantanamo Bay, Cuba, is arguing a difficult case: that the commissions are not only fair, but can take pride of place alongside the civilian criminal justice system.

Brig. Gen. Mark Martins is the chief prosecutor for the commissions, the courts at the naval base that try high-profile terrorism suspects.

He has been called Guantanamo's detox man largely because he has made it his mission to show that the military commissions system at Guantanamo is no longer a toxic version of victor's justice.

When the Bush administration resurrected the commissions system in the days after the 9–11 attacks, it was seen as a convenient way to process the hundreds of detainees at Guantanamo.

The fullness of time, Martins argues, has turned the commissions into something more: something that actually resembles an adversarial judicial process.

''Law is being applied, judges are interpreting laws, counsel are arguing for different pieces of a particular motion,'' Martins told NPR in an interview. ''Justice is being done, we're just absolutely committed to that. We've worked hard on reforms. Congress has been involved twice. The Supreme Court has ruled upon this.''

''The current system is fair, but I understand that people will have to see that for themselves,'' said Martins, who graduated first in his class at West Point, studied as a Rhodes scholar and then went to Harvard Law School.

CLOSED-CIRCUIT TV FEEDS OF TRIALS

Actually watching the proceedings used to be one of the system's basic shortcomings.

Proceedings were all secret. To see what was going on in the courtroom required traveling to Guantanamo and getting a bevy of clearances. Not anymore. The curious can now watch the trials on closed-circuit television feeds at selected army bases. To get in, citizens just need to show a picture ID, officials say.

Court transcripts are available online. So are motions. Martins says this new transparency is part of a broader effort to convince naysayers that the military commissions aren't so different from civilian courts.

To underscore the point, eight Justice Department attorneys are part of the prosecution teams working on two of the marquee trials the military commissions are hearing: the trial of Abd alRahim al-Nashiri, the man who allegedly planned the attack against the USS *Cole* in Yemen in 2000, and the trial of the alleged Sept. 11 mastermind, Khalid Sheikh Mohammed, and his alleged co-conspirators.

Those Justice Department lawyers work for Martins. He assigns them to cases, and they answer to him as well as the Justice Department.

BLENDING MILITARY AND CIVILIAN SYSTEMS

Martins himself is no stranger to the Department of Justice.

For seven months in 2009, between deployments, Martins worked at Justice on President Obama's Detention Policy Task Force.

Then, three years ago, he became the first soldier to have his promotion ceremony held in the Justice Department's Great Hall. The country's top civilian lawyer, Attorney General Eric Holder, spoke at the ceremony as did Gen. David Petraeus who, at the time, was the head of the United States Central Command. Petraeus and Martins have worked together for more than two decades.

At the ceremony, Petraeus praised Martins: ''Above all he is one of those rare individuals who always seems to end up in the toughest assignments and always performs exceedingly well in them.''

Petraeus was Martins' first boss when Martins was a junior JAG officer with the 101st Airborne at Fort Campbell, Ky. Years later, Martins helped Petraeus during the surge of U.S. troops in Iraq. Then Martins served in Afghanistan. He was in charge of a field team that was supposed to transform lawless areas in Afghanistan into law abiding ones. Now he's being asked to transform the military commissions at Guantanamo.

SUPPORT FROM THE JUSTICE DEPARTMENT

Martins has some unexpected allies on this mission, including key people at the Justice Department. Just last month, Holder, the attorney general, called the military commissions ''essential to the effective administration of justice.''

And he isn't alone. Lisa Monaco, the assistant attorney general for National Security at Justice, said the reformed military commissions have the ''same fundamental guarantees of fairness that are the hallmark of criminal trials.''

This is a far cry from the grumbling that could be heard coming out of the Justice Department when Congress passed a law that essentially required that detainees at Guantanamo be tried on base.

Still, critics have reservations.

''One of the biggest problems is that today's military commissions carry with them the baggage of the military commissions from the Bush era and there is no way to get around that,'' says Karen Greenberg, director of the Center on National Security at Fordham Law School.

That's why Greenberg says Martins has a Sisyphean task of correcting the commissions' difficult history. For example, the Bush era military commissions allowed hearsay evidence and coerced statements—statements that might have come from torture and while the reformed commissions, as Martins calls them, no longer permit that, the old system still manages to cast a pall over the new.

''There are other problems,'' says Greenberg. ''Basic things like attorney-client privilege. Defense attorneys and their clients at Guantanamo have their mail read. This might be okay under some sort of military commission, but it carries with it the legacy that was part of the Bush administration's policy. The Bush administration treated defense attorneys as if they were collaborating with the enemy and that sense hasn't really gone away.''

Martins acknowledges the difficulty: he says the Bush-era commissions system in 2001 was flawed. But the case he is making is that today's system is something else altogether.

Now commissions give those on trial a meaningful opportunity to mount a defense. ''I believe that as people watch this system and see it is sharply adversarial, it has all the protections that are demanded by our values . . . that they will see that this is a system they can have confidence in,'' says Martins.

PLANS TO RETIRE FROM THE MILITARY

Martins would like to remain in the post for two more years, but has asked the military to allow him to retire after he finishes his current assignment as chief prosecutor.

''I've decided to request that this be my last assignment in the military,'' he told NPR in an interview. ''That will afford a measure of continuity of the commissions process and it will enable me to stay at least until November 2014.''

The departure of a chief prosecutor at Guantanamo has happened before, but under very different circumstances.

One chief prosecutor who preceded Martins was accused of rigging the military commissions process to ensure convictions.

Another quit after he said he felt pressured to include evidence derived from torture in commissions proceedings. He later said that he left because he didn't feel he could do that in good conscience.

Martins says his decision comes out of a need to make the commissions right. He says he wants to finish the job he started.

That job will be under even more scrutiny in the coming weeks. That's when Khalid Sheikh Mohammed and four other men accused of taking part in the 9–11 attacks are expected to be arraigned in a Guantanamo courtroom. Martins is keenly aware that everyone will be watching.

IN HONOR OF ELAINE DAVID

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, Elaine David comes to us from Nova Scotia when her parents moved here to relocate in Mount Vernon where she graduated from high school, and by taking weekend and evening courses while working, she also graduated from Elizabeth Seton College.

As a hobby, she and her sister-in-law took classes in floral design and with the encouragement of her family, opened her own flower shop.

Elaine carried over that dedication into her community life. She is a devoted member of the Macedonian Baptist Church of Mount Vernon, a past member of the Black Women's Political Caucus of Westchester, and a member of several floral trade associations. She has received awards from Westchester School for Special Children, the Westchester Chapter of the National Association of Negro Professional Women's Club, the Empire State Funeral Directors Association and the Yonkers Chamber of Commerce.

For more than two decades Elaine David has served her community and the people in it faithfully and with devotion. I am happy to join with the Women's Civic Club of Nepperhan in honoring her for this dedication and thank her for all she has given.

HONORING COLONEL GEORGE D. BURROW

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. CARTER. Mr. Speaker, I would like to take this opportunity to honor a decorated war veteran who has made countless sacrifices for our great nation. Retired Colonel George D. Burrow, an American hero, has received numerous medals and recognitions for his unwavering service.

Colonel Burrow was born on May 6, 1932 in Port Arthur, Texas. He began his military career in 1950, when he joined the Texas National Guard. By 1958, he graduated from Officer Candidate School as a Distinguished Military Graduate with an Army commission. Shortly after becoming an officer, Mr. Burrow became airborne and aviator qualified.

Colonel Burrow served five tours overseas during times of crisis, including in Germany, Korea and Vietnam. During these conflicts, Mr. Burrow built the reputation of a genuinely modest, superior warrior that executed his missions with phenomenal efficiency and brilliance.

One of the many examples of Burrow's impressive leadership was his guidance over the Bravo Troop of the famed 1st Squadron, 9th Calvary during the Vietnam War. Burrow commanded the 27 Huey helicopters of Bravo Troop and the legendary group of choppers acquired the nickname ''Burrow's Barbarians.'' Bravo Troop accounted for more than 2,000 confirmed enemy kills between April 1967 and February 1968.

Colonel Burrow demonstrated unparalleled bravery and perseverance during battle. He was shot down a total of 13 times in Vietnam. When asked about how he managed to survive these seemingly hopeless events, he doesn't boast of his courage and inordinate ability to lead. Instead, Burrow praises his fellow service men that courageously fought alongside him and often times rescued Colonel Burrow and his men.

Colonel George Burrow retired after 39 years of service to the United State of America; his medals include the Distinguished Service Cross, Silver Star, Distinguished Flying Crosses (3rd Award), Legion of Merit, Bronze Star (2nd Award), Air Medal (34th Award), Purple Heart (31st Award), DOD Meritorious Service Medal, Army Meritorious Service Medal, Joint Service Commendation Medal, Army Commendation Medal (3rd Award), Korean Defense Service Medal, Army Service Medal, Good Conduct Medal, National Defense Service Medal, Vietnam Cross of Gallantry, Combat Infantry Badge, Expert Infantry Badge, Master Army Aviator Wings, Parachute Badge, and Joint Chief of Staff Badge. Furthermore, to continue the remembrance of Burrow's service, he was inducted into the Infantry Hall of Fame in 1979.

Mr. Speaker, Retired Colonel George Burrow celebrated his Eightieth Birthday on May 6th, 2012 and it is a great honor for me to recognize an American hero on this day. I will conclude this account of Colonel Burrow's selfless accomplishments by asking my colleagues to join me in reflecting on, and recognizing him, as one of America's greatest men.

IN HONOR OF JAMES L. SIMMONS, JR.

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, James L. Simmons, Jr., is a Yonkers native who has been giving back to his community for years. For many of those years he was owner/operator of a hair care salon in Yonkers while also serving as a community planner for affordable housing.

In 1999 Mr. Simmons started a partnership with the city of Yonkers to assist in developing affordable homes in distressed areas of southwest Yonkers. Under his leadership as Director of the Center for Urban Rehabilitation and Empowerment, CURE, as it is known, acquired numerous parcels of land in southwest Yonkers with the aid of the Bureau of Planning and Development.

With the land, Mr. Simmons, as general contractor, then obtained various grants and loans to complete two- and three-family homes. He acquired another parcel of land on which he built twelve condominium units and named the development after his late mother.

He had worked on numerous developments including the Waterfront Development Project Gazette Building, and he is now in the predevelopment stage of Cook's Landing, his largest project, which will be 77 affordable rental units.

Mr. Simmons has served on the Yonkers Community Advisory Committee and has received numerous awards for his achievements. He currently serves on the board of the Yonkers Community Action Program and is commissioner of the Yonkers Municipal Housing Authority Board of Commissioners.

I am proud to join with the Women's Civic Club of Nepperhan in honoring James Simmons for his outstanding work in developing and building homes for those who need them most.

IN RECOGNITION OF OFELIA RUDER'S 50 YEARS OF SERVICE WITH THE CUBAN HEBREW CONGREGATION OF MIAMI

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. ROS-LEHTINEN. Mr. Speaker, today I recognize a remarkable woman who has meant so much to our South Florida community—Ofelia Ruder. Ofelia has dedicated her life in service to the Cuban Hebrew Congregation of Miami for the last 50 years, starting out as Secretary in 1962 and eventually becoming its Executive Director.

For the last half-century, Ofelia has been the cornerstone of the Cuban Hebrew Congregation in Miami Beach. Through her tireless work on behalf of the congregation she has become an influential leader and role-model, not just for the Cuban-Jewish community, but for South Florida as a whole.

What started out as a small group of Jewish Cuban families in 1961, many of whom having been forced to flee their home country for a second time, the Cuban Hebrew Congregation has become a dynamic and thriving institution that represents a cultural and educational epicenter for Judaism in South Florida. The Cuban Hebrew Congregation's community, ''El Circulo,'' with Ofelia at the forefront, has been committed to outstanding service to the Jewish community. For more than half a century Ofelia has been actively engaging our entire community, committed to improving our South Florida community and instilling the importance of community service and unity among those around her.

In addition to her numerous accomplishments, Ofelia is a proud mother of two sons, Albert and Bernie, who have continued her legacy of public service and have become dedicated public servants themselves.

On behalf of ''El Circulo'' and the entire South Florida community, I wish to congratulate and thank Ofelia for her 50 years of service with the Cuban Hebrew Congregation. I expect to hear ever greater things yet from Ofelia and the Cuban Hebrew Congregation.

IN HONOR OF NICHELE JOHNSON AND BROTHER ARTHUR MUHAMMAD

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, Nichele Johnson and her husband Arthur Muhammad are continuing working for the youth of Mount Vernon and they raise four daughters of their own. Nichele is Corporation Council for the City of Mount Vernon but it is her work with our young people and their families as a counselor and mentor that led to her being honored tonight by the Henry Allen Educational & Learning Foundation. Her husband, Brother Arthur Muhammad can usually be found on streets where troubled youth congregate, there and in

the classrooms of Mount Vernon High School where he engages with some of our city's most troubled youth.

Nichele was raised to embrace her multicultural heritage, to appreciate the power of prayer, and to contribute to society. This manifests itself through her counseling, her giving out food at soup kitchens, to gathering clothing for the needy.

Brother Arthur combines a soft-spoken demeanor with, when necessary, the firmness of one who knows what he is talking about. The respect he has earned often leads to his being called on as a mediator for all age groups.

The Henry Allen Educational & Learning Foundation is honoring Nichele and Brother Arthur who have worked to help all in need, no matter what the need. I am proud to join with the Foundation in praising the work of Nichele Johnson and Brother Arthur Muhammed for what they have done so much to make Mount Vernon a better place to live.

HONORING JUNE BURKART

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. YOUNG of Alaska. Mr. Speaker, I rise today in memory of a dedicated wife, proud supporter of our military and veterans, and most importantly, a great Alaskan. On April 26, 2012, Alaska lost one of its hardest working and most dedicated daughters, Mrs. June Burkart.

Mrs. Burkhart was a loving wife and mother whose life was defined by service to her family and community. For decades she served on the boards of countless organizations that supported Alaskans, most recently raising significant funds for the Wounded Warriors Program. As an avid outdoor lover, she worked to ensure that any wounded warrior who wished to hunt or fish had the opportunity to do so through the Safari Club International Alaska Chapter.

For days, I can continue praising her many accomplishments and the many ways that she improved my life and the lives of anyone who knew her. Her memory will continue to live on in our hearts and souls. I hope that June's family, and especially her husband Roy, can take comfort in the bond they had with June as it will be with them always. I hope the precious memories the family has of her will bring them comfort, and that they will come to find, in the lovely words of Hugh Robert Orr:

''They are not dead who live in lives they leave behind. In those whom they have blessed, they live a life again, and shall live through the years eternal life, and shall grow each day more beautiful, as time declares their good, forgets the rest, and proves their immortality.''

IN HONOR OF CANTOR ERIK CONTZIUS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, the Cantor fills a special role within the Jewish community; leading worship, officiating at lifecycle events, teaching adults and children, conducting synagogue music programs, and offering pastoral care.

Ten years ago Cantor Erik Contzius brought his talent, his commitment to Reform Judaism and unique personality to Temple Israel of New Rochelle. All the congregants have been touched by him, from the training of children to become B'nai Mitzhvahs, to making the High Holidays alive with sound, to entertaining us with song. He holds a special place at Temple Israel of New Rochelle.

Cantor Contzius founded Kol Simkha, the Temple's youth choir, as soon as he arrived in New Rochelle. A decade and hundreds of students later, Kol Simkha is going strong, singing the beloved prayers at Family Services. Cantor Contzius has cultivated many young voices in the congregation, giving them a chance to be heard during special services and on his own album, Teach My Lips a Blessing.

Cantor Contzius has given many distinguished solo presentations, most recently with the Westchester Chorale, singing the Darius Milhaud Service Sacré. Within the synagogue, he performed with its own jazz band, Yidlock, as part of the annual Follies show, and with the Chordsmen, a barbershop quartet.

In November of 2010, the Cantor's original composition, ''Ma Ashiv Ladonai,'' was premiered at the Vatican—a true honor.

He was raised in Parsippany, N.J., received his B.A. in Psychology from Rutgers College and went on to study abroad at the University of York, England. He received his Master of Sacred Music degree from the Hebrew Union College-Jewish Institute of Religion, School of Sacred Music, studying in Israel and New York.

Before becoming a part of the Temple Israel family, along with his wife Monica and son Jacob, he served as Cantor at Reform Congregation Keneseth Israel of Elkins Park, PA, and Temple Israel of Omaha.

I enthusiastically join with Temple Israel of New Rochelle in honoring Cantor Erik Contzius for the joy, guidance and leadership he has provided over the past decade and wish him many more years among us.

RECOGNIZING MAY AS NATIONAL FOSTER CARE MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. RICHARDSON. Mr. Speaker, as a cosponsor of H. Res. 242, Recognizing May As National Foster Care Month, I rise to recognize this month dedicated to celebrating selfless foster families who open their hearts and their homes for children in need as well as rededicate myself to ensuring that every child has an opportunity for a brighter future.

I am honored to be a charter member of the Congressional Caucus for Foster Youth, a caucus that allows Members to gain a better understanding of the current state of foster care throughout the nation and identify potential federal policy modifications that could improve outcomes for the children in our country's foster care systems. On February 24, 2012, in an effort to address many of the ongoing issues foster youth face, members of the Congressional Caucus on Foster Youth launched a national listening tour which began in my district.

Mr. Speaker, currently there are over 463,000 children living in foster care. These children have been placed in homes on the account of the physical, sexual and emotional abuse they have endured with their biological caretaker. My state of California currently has the largest foster care population with the number of youths in foster care tripling since 1981.

Sixty-five percent of children who are not placed in a permanent home emancipate themselves from the system often left unemployed, without a place to live and resorting to homeless shelters. Less than 3 percent go on to college and emancipated females end up four times more likely to receive public assistance compared to the overall population of the United States.

Almost 30,000 children who are victims of abuse and neglect are entrusted to the care of the Los Angeles County Juvenile Dependency Court system. The court's primary mission is to ensure that these youth are safe, happy and secure. As a result, Los Angeles established the country's first courthouse especially designed for children and families.

Mr. Speaker, it is vital that we provide more programs, events, activities, and funding that will educate Americans about the success of children placed in permanent homes, debunk myths about the process and acknowledge the thousands of children who could potentially become a part of these statistics. Through these efforts we can increase the rate of adoption, decrease the rate of homelessness among the youths in this group and help develop future leaders and innovative thinkers of tomorrow.

I would like to take a moment to recognize the families who have opened their hearts and homes to foster children. Foster parents play a critical role in the lives of some of the most vulnerable youth in California and across the country. They help hold our nation's social fabric together by ensuring that thousands of young people in this country stay on track towards successful futures.

In addition, I would like to commend SHIELDS for Families, an internationally recognized organization in my district that transforms the lives of parents by providing them with resources to prevent children from going into the foster care system. This month, we celebrate these unsung heroes and their efforts to change the lives of these children.

Mr. Speaker, I am a proud cosponsor H.R. 2012, Foster Care Mentoring Act, focused on connecting foster youth with responsible and

caring adults and I look forward to working with my colleagues to enact legislation that addresses the very real and persisting needs of young people in our foster cares system.

During this month, we recognize all those who are helping to improve the lives of children in foster care but it also serves as a reminder that more must be done. These children deserve to grow up in a loving home that is safe, happy, and most importantly one they can call their own.

IN HONOR OF ELEAZER AND SARI KLEIN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, Eleazer and Sari Klein are admirably refreshing in that despite their impressive accomplishments, they remain a sincerely caring, responsive and unassuming couple. Both have much to be proud of. They come from families who have created worlds of good in diverse arenas. They use their talents to run successful businesses and support organizations of Torah and chesed. And for all this, it is clear that they take most pride in raising children who are a credit to their families.

Eleazer's father, Rabbi Dr. Bernard Klein, z''l, originally from Munkatch, survived the Holocaust, and went on to receive Smicha from Torah Vodaath, attend Columbia University and become a practicing Rav and Chairman of the Department of History, Philosophy and Political Science at the City University of New York. Mrs. Shirley Klein, amu''sh, granddaughter of Rav Yosef Chaim Sonnenfeld zt''l, was a teacher and educator with a Masters in Education. Together, they infused their children with the primary goals of commitment to family, education and placing Torah values above all.

Sari's family, the esteemed Gotlib/Fink Family, remains one of the most respected families in Belgium. Her role models, Sari's parents and grandparents, realized success in business, but always kept at the top of their priorities raising a refined Torah family as well as doing their utmost to be Osek B'Tzarchei Tzibur. In a heart-warming gesture of generational bonding, Sari took their son, Michael, to Antwerp, to provide him the privilege of hearing his great-grandfather, Chazzan Fink, lead the tefillos this past Yom Kippur.

Catching a glimpse of Eleazer's modest demeanor walking into shul, ready to lain any kria, always with a sefer in his hand, one would be hard pressed to believe his imposing bio—Senior Partner in Schulte Roth & Zabel's corporate law department, rated one of NY's top attorneys by Super Lawyers, Senior Editor of the Yale Law Journal, noted legal speaker and author. And yet, he helped found the Agudah of Madison in Flatbush, is the first to deliver mishloach monos every Purim to his Rosh Yeshiva of Torah Vodaath, Rav Yisroel Reisman, Shlit''a, and makes himself available to dispense clarifying advice to anyone in need. With Smicha from Rav Pam zt''l, Eleazer maintains a very strong relationship with his Rabbeim, exemplifying what they taught: impeccable integrity, unflagging menschlikeit.

A graduate of Michlala and Stern, Sari, too is not complacent with past accomplishments. Juggling many roles—owner and manager of Virgo Business Centers which offers turnkey business offices, steadfast, sensitive confidante to friends on both sides of the ocean, organized chesed supporter—she takes overwhelming joy in being emotionally in tune with her husband and children. Truly, it is the Klein children who personify all that their parents and grandparents stand for—quietly strong, well mannered, articulate. Calling their children the Klein's ''masterpieces'', Rabbi Chaim Pechter, Menahel, comments, ''You cannot impose such things on children. Their behavior testifies to generations of midos tovos and hanhagos tovos in a home of Torah, Kedusha and Tahara.''

As Sari says, ''It's all about appreciating what you have and instilling the correct values into your children.'' It is our heartfelt brocha that all these extraordinary attributes, exemplifying ''Mah Tovu Ohalecha'' continue in their doros, ad bli dai.

May I have the honor of joining in congratulating Eleazer and Sari Klein as Guests of honor at the 13th Anniversary Dinner of Yeshiva Ohavei Torah.

HONORING ST. JUDE CHILDREN'S RESEARCH HOSPITAL

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mrs. BLACKBURN. Mr. Speaker, St. Jude Children's Research Hospital is a beacon of light in Tennessee. Built five decades ago on the belief that ''no child should die in the dawn of life,'' St. Jude is a place where children afflicted with disease, and parents burdened by lost hope, can find healing and the promise of tomorrow.

In its first ten years, the hard working medical team of St. Jude brought to 50 percent the survival rate for the most common form of childhood cancer. Building on that hard work and success, the research team of St. Jude continued to break through childhood disease barriers. Serving 7,800 active patients a year, the medical and professional staffs, along with volunteers around the country, serve the most vulnerable among us regardless of their ability to pay.

St. Jude Children's Research Hospital is a glimmer of hope to the families of children faced with medical lost causes. I am thankful for the noble work of all those who are a part of the St. Jude community and look forward to the next 50 years of healing and hope. I rise today in support of St. Jude and ask my colleagues to join with me as we celebrate half a century of service to our children.

HONORING THE 40TH ANNIVERSARY OF THE STOUGHTON AREA SENIOR CENTER

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. BALDWIN. Mr. Speaker, I rise today to honor the 40th anniversary of the Stoughton Area Senior Center and to recognize its outstanding commitment and contribution to our community.

The Stoughton Area Senior Center began operating out of the basement of Our Saviors Lutheran Church as a social gathering place for local seniors in 1972 and eventually relocated to the First Federal Bank building in 1994. Situated along the banks of the Yahara River, the Senior Center's distinctive Norwegian-style building not only provides essential support and programming, but also greets all of Stoughton's residents and visitors as they drive down Main Street and into town. Over the years both my staff and I have had the privilege of holding public meetings at the Senior Center.

The Senior Center is committed to the enrichment of the lives of seniors and their families through a wide array of programs. However, this building is a hub for much more than a few games of bingo or euchre. The vision and dedication of staff and volunteers has led to the development of innovative programs like Zumba and Tai Chi, classes on health insurance and economics, and support groups for families. A team of Case Managers strive to help seniors remain independent by providing information and guidance about local services. Additionally, the Senior Center prides itself on its nutritional program, which is funded through the Older Americans Act and directed by the staff nutritionist. Last year, the Senior Center served 4,531 meals in-house and delivered 15,140 more meals directly to homes.

From these vital services to community partnerships to annual pool tournaments, the Senior Center could not operate without the devotion and hard work of volunteers. Throughout the years, countless volunteers of all ages have contributed to and supported the Senior Center. In 2011, a total of 177 volunteers contributed a staggering 11,111 hours of service.

The Stoughton Area Senior Center believes that, ''Aging brings changes. You make life choices. We provide options.'' For the past 40 years, the Stoughton Area Senior Center has provided options, invaluable services, and programming for our seniors and community. I offer hearty congratulations to the staff, volunteers, community partners, and the City of Stoughton for remaining committed to providing the highest level of service to our seniors. I wish the Stoughton Area Senior Center the very best and many more years of continued success.

IN HONOR OF CALVIN JONES

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, Calvin Jones, called CJ, has been involved with the Mount Vernon Boys and Girls Club, and counseling the youth of Mt. Vernon for more than 40 years. CJ first came to the Mt. Vernon Boy's Club at the age of 12 after he and another boy were seen fighting by then Director Dick Cuputo who stopped the fight and asked them to instead join the Club.

He would ask CJ, now a member, to help with odd jobs around the Boys Club and through his efforts and merit CJ was made a ''Lifetime Member'' of the Boys Club. In 1972 CJ was recruited by his brother James, who was Athletic Director and a basketball coach at the North Side unit of the Mount Vernon Boys and Girls Club, to become a basketball coach. Since then CJ has been a mentor and counselor for thousands of children who have grown to become men and women living and serving in communities across America.

CJ has always stressed education and being a ''Student Athlete'' over just being an athlete. He continues to work at the Mount Vernon Boys and Girls Club as the Athletic Director and Head/Director of the Mount Vernon ''Elite'' AAU Basketball program.

Calvin Jones is being honored by the Henry Allen Educational & Learning Foundation for his decades of good work for and among the youth of Mount Vernon. His motto, relevant to all of us, is that we should listen to our children because they have a lot to say and need to be heard.

I am proud to join with the Foundation in honoring CJ for his work in inculcating wise counsel into our young boys and girls, the fruit of which is growing and thriving across the country.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,671,916,356,611.36. We've added $5,045,039,307,693.28 to our debt in just over 3 years. This is debt our Nation, our economy, and our children could have avoided with a balanced budget amendment.

ON THE OCCASION OF THE 50TH ANNIVERSARY OF ORCHARDS CHILDREN'S SERVICES

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. PETERS. Mr. Speaker, I rise today to mark the 50th Anniversary of Orchards Children's Services of Southfield, Michigan. For five decades, Orchards has been providing critical support services to families and youth in need across Southeast Michigan.

It was 1958 when the founding women of Orchards, all members of the National Council of Jewish Women, gathered to address a growing dilemma in communities across the region: inadequate resources available for families of at-risk youth. All too often, at-risk youth would end up being removed from their families and moved to facilities outside of Michigan. This led to the separation of many families and to moments of crisis for them. It was just four years later that Orchards was born—first as a single residence serving just seven young boys, then later with additional homes serving adolescent boys and girls.

After officially launching as an independent child care agency in 1987, Orchards has grown and expanded its programs to meet the changing needs of at-risk youth in a community uniquely challenged by long-term economic uncertainty. However, in-spite of these obstacles, Orchards has endured and its thousands of clients have achieved a brighter future. Today, Orchards' programs include foster care and adoption services, a complete array of services for strengthening family cohesiveness and a set of programs geared toward providing at-risk youth with the opportunities necessary to ensure a well-rounded development.

The importance of Orchards' services, in a time of unprecedented pressure and financial crisis for families across Southeast Michigan, cannot be overstated. Each year, Orchards serves over four thousand children and families, two thousand of them with its family preservation services, and all of them are at-risk. And even more telling, the average age of the youth Orchards supports is eight, which underscores the existing need for these critical services at an early age. In just one measure of its success, 96 percent of the youth in the Detroit School System that are served by Orchards complete their high school education and graduate—a figure almost three times the current rate system wide.

Mr. Speaker, for half of a century, Orchards Children's Services has been an orchard for its clients; a place where they can grow and prosper. Many times, Orchards' employees and supporters have been there during seminal moments of crisis to support at-risk youth and their families with critical social services. There is no doubt that Orchards' work has strengthened the core of Michigan's communities, its families, and our greatest asset, our children. I am so pleased to recognize Orchards on achieving this significant milestone, and I wish its CEO Michael Williams, its Board Chairperson Carol Klein and its employees, supporters and clients many decades of success to come.

IN HONOR OF DEACON MIRIAM LOPEZ

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, Miriam Lopez is a retired New York City police officer who worked jointly with federal agencies because of her expertise in laws that governed firearms and explosives. She was in charge of the inspection of fire arm dealers in New York City and the tri-state area and the renewal or removal of the dealers' licenses.

After retiring from the Police Department, Deacon Lopez became more involved in the church and with youth. She had mentored teenagers for years through the Police Athletic League program, and now she is a member of the Generation X Ministry in Kingdom Baptist Church, serves as a Deacon for the congregation, and is the office and bookstore manager. Her passion for youth and the community has led her to pursue mission work, which is her next endeavor. Deacon Lopez is mother, grandmother, sister and daughter as well as a pillar of strength to the community she serves.

Deacon Miriam Lopez is being honored by the Henry Allen Educational & Learning Foundation and I join with the Foundation in congratulating her for her years of working with our youth.

HONORING MAURICE AND SOPHIE CONTI

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today to recognize the bravery and selflessness of Maurice and Sophie Conti of Muir Beach, California. On October 13, 2008, the Contis, along with their young children Massimo and Annabelle, led the rescue of three sailors stranded by the sinking of their yacht some 60 miles from Fiji. The Contis have been recognized internationally for putting their own lives at risk in the service of others, and their example is a true credit to the sailing community and the people of Marin County.

On the night of October 12, 2008, the Australian and New Zealand crew of the Timella issued a distress call after running aground on the Takau Lakaleka reef in Fijian waters. After contacting the Australian and New Zealand High Commissions, the Contis quickly realized that no other vessel was in a position to assist the Timella. In the darkness, they set out on the two-and-a-half hour voyage to meet the stranded sailors, whose ship and life raft had both already sunk by the time of their arrival.

While Sophie Conti handled the Contis' catamaran in swells measuring 10 to 15 feet, Maurice Conti carefully navigated the reef to reach the crew of the Timella by dinghy. Coordinating with rescue teams based in New Zealand, the Contis then brought the stranded sailors safely to Fiji.

The Contis were awarded the International Maritime Organization Award for Exceptional

Bravery at Sea in 2009, and Cruising Club of America has awarded them the 2009 Rod Stephens Trophy for Outstanding Seamanship. This month, Maurice and Sophie Conti are also receiving New Zealand Bravery Medals from the government of New Zealand.

Mr. Speaker, I ask you to join me in thanking the Conti family for their courage. They represent the best of the maritime tradition, and they are exemplary ambassadors for the civic-minded spirit of our community.

RECOGNIZING MAY AS STROKE AWARENESS MONTH AND HIGH BLOOD PRESSURE AWARENESS MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize the month of May as Stroke Awareness Month and High Blood Pressure Awareness Month. I encourage Americans to fight against stroke and high blood pressure and support individuals and their families who suffer from these devastating and debilitating afflictions.

In the United States, stroke is the third leading cause of death and the leading cause of long-term disability. In fact, one in four deaths in California is related to heart disease and stroke. While all ages, races and classes are at risk, African Americans are disproportionately at risk of experiencing high blood pressure and are almost twice as likely as other groups to experience a stroke.

As we enter into the month of May, we can all spread knowledge on prevention, changing the risk factors over which we have control. The Stroke Association of Southern California has reported that 70 percent of strokes are preventable through lifestyle changes, control of risk factors, and medical care. Several dangerous factors include physical inactivity and obesity, excessive alcohol consumption, and smoking.

The good news is that efforts aimed at prevention are working. Between the years 2000 and 2008, stroke mortality rates in California have declined from an average of 61.2 deaths per 100,000 people to 38.9 deaths per 100,000 people. We can continue this trend by raising awareness of risk factors and reducing inequalities in access to information and healthcare.

Mr. Speaker, American families deserve healthy and happy lives. This month let us rededicate ourselves to helping our families and neighbors become more aware of the risks and causes of high blood pressure and stroke.

IN RECOGNITION OF HOPKINS JUNIOR HIGH

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. STARK. Mr. Speaker, I rise today to recognize the remarkable achievement of the Hopkins Junior High School Science Team of Fremont, California for winning the National Science Bowl. This is the second time in four years that Hopkins Junior High School has won the National Science Bowl, sponsored by the Department of Energy.

Hopkins Junior High owes their success to team members Karthik Bharathala, Dhruv Muley, Catherine Zeng, Brian Tseng, Mark Choi and their teacher Paul Ricks, who practiced tirelessly for this year's competition. Clearly, that practice certainly paid off.

In the National Science Bowl, judged by United States Energy Secretary Steven Chu, five member teams compete against each other in a fast paced Jeopardy style format where teams try to be the first to correctly answer an oral question posed about science or math. Nearly 14,000 students participated in regional tournaments and more than 100 teams competed in the Nationals.

This accomplishment is evidence of the quality of Fremont's public schools. The dedication of students, teachers and parents has led to this great success, and I ask my colleagues to join me in congratulating them. We are incredibly proud of the Hopkins Junior High Science Team and their coach for this outstanding achievement.

IN HONOR OF MICCERICA THOMAS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, those who give back to their communities as especial treasures for the actively seek to better their inheritance. Miccerica Thomas grew up in Mount Vernon on a quiet street where her parents owned their home. She began her studies in the city's public schools and graduated from Roosevelt High School in Yonkers. She went on to achieve a degree in Business Accounting from Westchester Community College. While she now lives in White Plains, she continues to devote most of her time to Mount Vernon.

When she began working with Henry Allen over eleven years ago, she knew she had found an organization where she would be committed to for the long haul. At that time Henry was producing the Two Fools Charity Basketball Games out of his own pocket. He had the idea of giving back to the elementary school that he went to when he came to New York after losing his parents. Miccerica volunteered to help out and has never left.

Whether seeking donations, stuffing bags or making phone calls, Miccerica is an essential component of the small team that has made an idea a reality. When it was impossible for anyone to be on site while workmen were constructing the new computer lab, Miccerica jumped in a car and came to Mount Vernon to supervise. When a child lost her telephone at a game, Miccerica scoured the bleachers looking for it.

When not working with the Henry Allen Educational & Learning Foundation, Miccerica can be found shopping for her favorite items—shoes, or working with the White Plains Housing Authority's summer basketball games.

Her son, Quan, and daughter, Roben, are currently in college pursuing psychology and forensic science studies. While they're away at school she concentrates spending more time with her adopted daughters, Kassandra and Carolyn.

I enthusiastically join with the Henry Allen Educational & Learning Foundation in honoring Miccerica Thomas for the good work she has done with the Foundation for the people of Mount Vernon.

IN SUPPORT OF THE EXPORT-IMPORT BANK

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. McDERMOTT. Mr. Speaker, we have spent months in this House watching the Republicans create an unstable business environment and hurt U.S. jobs while they delay the reauthorization of the Export-Import Bank. While the Export-Import Bank supports hundreds of thousands of American jobs every year at no cost and no risk to the taxpayer, the Republicans have been stuck between their radical tea-party ideology of pure free-markets on one side and the Republican Majority's relationship with Delta Airlines on the other. We now have a compromise that does not extend the Bank for as long as it needs to be or for as much as it needs to be long-term. We also have a real lack of understanding in the Congress and in the Public of what this Export-Import Bank does.

Over 50 countries have export-import banks and all of the them are growing right now. While they are competing and running faster, the Republicans have us sitting on our hands and unilaterally disarming. I could fill this chamber with the bipartisan, non-partisan, expert studies telling us for decades that we here in the United States don't do a good job promoting our exports.

My constituents, the port in my district and the huge number of exporting businesses in my district need the same kind of support from their government that all of their Chinese, and Indian, and European competitors are getting.

The current deal that's being worked on only reauthorizes the Export-Import Bank for a few years. My bill uses the same bipartisan framework that exists today and would authorize it for 10, through 2021.

Building on this bipartisan framework, my bill would also truly expand the Export-Import Bank's lending authorities, doubling it to $200 Billion. The Export-Import Bank makes money for the taxpayer, is virtually no risk, and the lending authority should be big enough so that it will actually keep up with our exports into the foreseeable future. This higher authority, along with the longer extension, will create the stability businesses and their workers need.

Finally, my bill asks the Government Accountability Office to study the Export-Import Bank and compare it to the Export-Import Banks its competing against in other countries around the world. How are we competing now that we have real stability and a cap that's responsible but doesn't constrain us? What can

the ExIm Bank do better? This is the kind of forward analysis Congress needs to help our exporters.

Mr. Speaker, it's long past time for us to get the lobbyists out of the way of all other American businesses so that we can create jobs here at home.

PHARMACY BENEFIT MANAGERS

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. JACKSON of Illinois. Mr. Speaker, I rise today to express my strong support of H.R. 4215—The Medicare Pharmacy Transparency and Fair Auditing Act. This bill, introduced by Ms. MCMORRIS-RODGERS and Mr. ROSS, has bipartisan support and will result in more competitive practices in the Pharmaceutical industry. H.R. 4215 will require increased regulation of Pharmacy Benefit Managers, also known as PBMs, to ensure that consumers are receiving the care they deserve at competitive and fair costs.

Mr. Speaker, within the pharmaceutical industry there is a pressing issue concerning the lack of transparency surrounding PBM business practices. We cannot afford to allow these businesses to continue as usual in the pharmaceutical industry. The recent Express Scripts and Medco merger means that ''the big three'' PBMs will now control benefits for 72% of all Americans. I believe this makes it much more important that we act decisively and pass this legislation.

PBMs have engaged in practices that include: negotiating with drug manufacturers at the same time as employers and health plans to ensure they secure prescription drug plans that will benefit themselves, switching customers to higher priced plans and benefitting from both the rebate and higher payment without any benefit to the health plan provider and employer, and also repeatedly changing pharmacy audit rules which makes it more difficult to ensure compliance. Mr. Speaker, these are only a few of the issues that plague loosely regulated PBMs and the pharmaceutical industry. We must bring this to an end.

H.R. 4215 will provide a greater level of transparency in PBM business practices, interactions with Medicare Part D, and other pharmaceutical stakeholders. It will increase regulation on PBMs, which are currently regulated in only a handful of states, and make certain that our Nation's pharmaceutical consumers are adequately protected. This should not be seen as a partisan issue, but rather, a quality of life issue that affects every single American.

Mr. Speaker, let's act now to pass this legislation and put a stop to anti-competitive practices in the prescription drug market. Let's protect consumers from being forced to pay higher prices for their medication. Let's do our part to lower healthcare costs, and ensure the best care for our constituents.

RECOGNIZING MICHELLE SCOTT FOR RECEIVING THIS YEAR'S FEDERAL SERVICE AWARD

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize Michelle Scott of Raleigh, North Carolina, for receiving this year's Federal Service Award at the Department of Justice's annual victim's service awards. Having worked with crime victims for the past 12 years, she has shown great dedication to the people of North Carolina. The award she received recognizes service providers, other professionals, or volunteers, for their exceptional contributions and extraordinary impact on behalf of crime victims in Indian Country, on military installations, in national parks, or in other areas under federal jurisdiction.

Since 2003, Ms. Scott has led the biannual Federal Domestic Violence Conference in North Carolina. In response to the requirements of Title I of the Justice for All Act of 2004, Ms. Scott led the judges and prosecutors in the Eastern District of North Carolina to place the victim at the forefront of criminal proceedings. Ms. Scott developed and implemented model victim-witness training programs in Kosovo and Albania for judges, prosecutors, victim advocates, law enforcement offices, and non-governmental agencies.

I would like to express my sincere congratulations to Michelle Scott on receiving this year's Federal Service Award. I join with her family, friends, and colleagues in offering my praise and admiration for her work on behalf of crime victims here and abroad. I applaud what Michelle has done for the citizens of North Carolina and in Kosovo. We are lucky to have such a champion of victim's rights in our great state.

The 2nd district of North Carolina thrives on strong leaders like Michelle, who work hard every day to protect and serve the people of our community. I look forward to hearing about her future achievements, and may God continue to grant her success and happiness in all her endeavors.

HONORING THE 150TH ANNIVERSARY OF THE TRACY RANCH

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. COSTA. Mr. Speaker, I rise today to congratulate the Tracy Ranch on the occasion of its 150th anniversary celebration. The Tracy Ranch has made a significant and historical impact on agriculture in Kern County. During its 150 year history, the Tracy Ranch has become a family-held operation that grows cotton, wheat, potatoes, tomatoes, almonds and pistachios. Beef raising rounds out the operations of Buttonwillow Land & Cattle Company, a partnership made up of three families: the Freys, Selvidges and Tracys.

The Tracy Ranch legacy officially began in 1862 when Ferdinand Tracy and Wellington Canfield formed the partnership Canfield & Tracy, a rangeland cattle operation. Their herds roamed the lower San Joaquin Valley, grazing on wild grass in an untamed dominion ruled by the likes of rattlesnakes, jackrabbits, coyotes and waterfowl. In 1875, Ferdinand married Ellen Baker, the widow of Colonel Thomas Baker. In 1898, Ferdinand's nephew, William Tracy, established what would be today's headquarters and historical park on Wildwood Road, 5 miles northeast of Buttonwillow. This era was marked by the raising of Belgian draft horses and later, ostriches. His marriage in 1904 to the daughter of another pioneer family, Fannie C. Rowlee, would yield six children.

With the death of William Tracy in 1941, his widow Fannie Tracy rallied her widespread children and their spouses back to the ranch. The result was a turning point that saved a ranch ravaged by bad luck of the 1920s and the Great Depression of the 1930s. Fueled by the talents and resources of the Freys, Selvidges and Tracys, made urgent by World War II, the ranch was transformed from an equine epoch into a mechanized farming operation. Today in the fifth generation, diversity is their strength. The Tracy Ranch is respected and should be honored for the achievement of their unity.

Mr. Speaker, I ask my colleagues to join me in recognizing the hard work and dedication that the Tracy Ranch has put forth. Reaching its 150th year, the Tracy Ranch is joined today by only a handful of other surviving Kern County operations with roots going back to early California. I congratulate the Tracy Ranch on its many years of dedicated and successful work in California, and wish the families many successful years to come.

IN HONOR OF RICHARD SOSIS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ENGEL. Mr. Speaker, Richard Sosis is a committed social activist who has contributed to his communities through his work as a teacher and an attorney. He was born in 1941 in the Bronx to Phil, a union activist father, and Muriel, a mother active in tenant's-rights causes including the unsuccessful integration of Parkchester. His parents worked for racial and economic justice, rearing Richard in a household where politics was a constant conversation, even bringing him to demonstrations for civil rights causes.

This turned near tragic when the family attended a concert in Peekskill featuring Paul Robeson which was attacked by local racists protesting an integrated gathering. On the bus ride home, rocks smashed the bus windows and Muriel had to remove pieces of glass from his hair.

Not unexpectedly, Richard joined the civil rights and anti-war struggles of his youth. At CCNY he was a leader in gathering support for Freedom Rides and marches on Washington to press for greater civil rights for all Americans.

In 1963 he graduated and taught social studies teacher in a Queens middle school. In

1964 he entered St. John's University School of Law, graduating in 1967, passing the bar and becoming a practicing attorney. For eight years he had two full-time jobs—a teacher in Queens and as a lawyer in Bay Ridge, Brooklyn.

In 1971 Richard married Marion McBride, and they bought a brownstone in Cobble Hill. In 1975 their daughter Karin was born and in 1978 their son Andrew was born. Andrew passed away several years ago, and Karin lives and works in central Africa.

After Karin's birth Richard focused on teaching, with one of the first programs teaching law in a NYC public school. In 1995 he pursued his legal practice full-time.

Richard and Marion divorced in 1989, and Richard moved to Hillcrest Avenue and was elected President of the PTA at Albert Leonard Middle School. He met math teacher Judith Bobrow, and in 1991 they were married. Judith and Richard had a daughter Leah, in 1994, who is a senior and on the high honor roll at New Rochelle High School.

Richard has been on the Board of the New Rochelle Bar Association, and served as its president from 2007 to 2009. He continues his work with the Lawyer-in-the-Classroom program, which partners local attorneys with teachers and schools across the city.

Richard is the current Chair of the New Rochelle Zoning Board, having served on the board as a member and chair for almost 10 years.

For his years of service to his communities, I join with the New Rochelle Democratic Club in honoring Richard Sosis and wish him every success.

COMMEMORATING CINCO DE MAYO AND CONTRIBUTIONS OF LATINO AMERICANS

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. RICHARDSON. Mr. Speaker, May 5 is the 150th anniversary of Cinco de Mayo which marks the historic triumph of the Mexican people over the French Army in Puebla. This holiday commemorates the Battle of Puebla where General Zaragoza and his ragtag band of patriots fought off the powerful and large French Army for their independence.

This battle and victory is an example of the many common bonds Mexicans and Americans have, such as, liberty and democracy.

This is also an example of the Mexican people's positive influence on the American people and culture through their continuous struggle for freedom. Today, young Mexican women and men serve in the Armed Forces defending our country from those who would do us harm.

Mr. Speaker, there are over 44 million Mexican-Americans living and contributing to the United States through their tenacious work ethic, positive energy and love for this country. As a representative of the 37th Congressional District of California which is home to over 300,000 constituents with Mexican and Latino heritage, it is my honor to rise in celebration of the Mexican and Latino people's struggles and achievements.

I am proud that Latinos have risen to leadership roles in every sector of American life—politics, law, medicine, entertainment, the media, sports, business, and the arts. Today there are 30 Latino Members of the United States Congress, including 7 California Democrats. I am privileged to serve with them in our fight to create jobs for Latinos and Latinas; make college more affordable for Latino young people, including by preventing interest rates on need-based student loans from doubling in July; and protecting Social Security and Medicare for the millions of Latino seniors who rely on these programs.

So on this glorious day let me wish my constituents, and all Americans, a very Happy Cinco de Mayo.

TRIBUTE TO CAPTAIN DAN UTLEY

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. GUTHRIE. Mr. Speaker, I rise to report the tragic loss of a young man who was born and raised in Kentucky's second district.

Captain Dan Utley, born in Bowling Green, Kentucky in 1979, and who was raised and educated in Glasgow, Kentucky, before graduating from the University of Louisville, was killed in action while serving in the U.S. Army in Mali on April 20, 2012, while on a training mission to help the people of that country combat terrorism.

Captain Utley was 33 years old. And I am told that in those 33 years he touched many lives with his intellect, his compassion, and his warmth. He was a sharp young man who, at every turn in his life, made the kind of selfless choices that define what it means to be an American hero. And make no mistake—Dan Utley and the members of America's Armed Forces who die defending our nation are indeed heroes. They put defending their country, their families, and our freedom ahead of their own lives.

During his Army service, Captain Utley served in many posts, all of them challenging and proof of his skill and talent. His deployments included serving in South Korea for 24 months, in Kuwait for 12 months, in Afghanistan for 13 months, and in Mali for seven months. It was in that North African country that Captain Utley lost his life.

A recent news article published by Reuters outlined the challenges facing Mali:

> Within weeks, Mali has plunged from being a sovereign democracy to a fractured territory without a state, occupied by competing rebel groups in the north while politicians and coup leaders in the south jostle for control of the capital Bamako.
>
> There is no sign the broken nation can be put back together soon—raising concerns among neighbors and Western powers of the emergence of a lawless ''rogue state'' exploited by al Qaeda and criminals.
>
> ''We have never been in such a dire situation at any other time in our history,'' said Mahmoud Dicko, influential head of the Islamic High Council in the poor former French colony once seen as a poster child for electoral democracy in West Africa.

Captain Utley was there because America is engaged in a worldwide fight against al Qaeda and other terrorist networks. His devotion to his country and to the less fortunate people of the third world took him to one of the most dangerous places on Earth. He made the ultimate sacrifice while serving the people of Mali and so that everyone back home can continue to enjoy freedom and safety. I am humbled every time I hear of one of these young men and women who have given their life so that their fellow citizens can enjoy their own life, liberty, and the pursuit of happiness.

Dan served with distinction during each of his missions. He served as a tactical communications platoon leader, an operations officer while in Kuwait, as aide-de-camp for the 160th Signal Brigade, and as a brigade civil affairs officer in the 101st Airborne. After completing a civil affairs qualifications course, Dan was assigned to F Company, 91st Civil Affairs Battalion (Airborne) as a Team Leader.

During the course of his service, Dan Utley won several awards and commendations, including the Bronze Star Medal, the Defense Meritorious Service Medal, the Army Commendation Medal, the Joint Service Achievement Medal, the Army Achievement Medal, the Joint Meritorious Unit Award, the National Defense Service Medal, the Afghanistan Campaign Medal with Combat Star, The Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, and the NATO Medal. Captain Utley also received the Basic Parachutist Badge and his Thailand Jump Wings.

What I've been told about Dan Utley is what I think every parent ultimately wants for their children—that they grow up with a strong desire to serve their fellow man, their country, and their community. That they grow up with an incredible work ethic. That they grow up with compassion and a desire to make a difference.

Dan Utley lived that kind of life, and I couldn't agree more with Dr. Gary Gregg, the Director of the McConnell Center at the University of Louisville where Captain Utley was a graduate, who lamented, ''America has lost one of its rising stars.'' And to my friend, the Senior Senator from Kentucky, MITCH MCCONNELL, I offer my sympathy on the loss of one of the greatest McConnell Scholars who has passed through the wonderful program that he set up at the University of Louisville to nurture the next generation of leadership for our Commonwealth.

Dan Utley is no longer with us, but he had already grown into a great leader, an American hero, and will forever serve as an example to others who seek positions of leadership. If every person who desires a chance to lead had the heart and values of Dan Utley, I imagine we would be living in a much better world.

Today, I offer condolences to Captain Utley's widow, Captain Katie M. Utley, who we also thank for serving in America's military; to Captain Utley's father, Charles L. Utley; his mother, Linda H. Utley; his brother and sister-in-law, Charles L. Utley II and Maria; his brother and sister-in-law, Matthew R. Utley and Michelle; his nephews, Matthew Ryan Utley and Mason Robert Utley; his niece, Marleigh

Rose Utley; his maternal grandmother, Pauline Haynes; his parents-in-law, Chris and Peggy Michael; his brother-in-law, Matthew Michael; and many other friends and family members.

I am saddened by this loss, but heartened at the enduring courage of those who serve in America's Armed Forces. Kentucky is home to a great many families who have lost loved ones in the War on Terrorism and in previous conflicts in which our country has been engaged. We mourn always for their loss, and remain eternally grateful for their sacrifice.

HONORING ELMER ELLIS LIBRARY AT THE UNIVERISTY OF MISSOURI

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor Elmer Ellis Library at the University of Missouri on its 150th year of service in the Federal Depository Library Program, a program whose origins date back to 1813, when Congress first authorized the printing and distribution of copies of the Journals of the House and Senate, and other documents the chambers had ordered printed. One hundred and fifty years is a long time to do anything, especially, I would argue, to keep track of our government's too-numerous-to-name documents. Of course, I say that in jest—retention and preservation of tangible and digital information is critical, and future generations and scholars need an accurate record of the proceedings and actions of their government.

Since 1813, depository libraries have safeguarded the public's right to know by collecting, organizing, maintaining, preserving and assisting users with information from the federal government. Government documents span a wide range—from agency information, appropriations, census data and technical reports to Supreme Court decisions and insertions into the CONGRESSIONAL RECORD, such as my remarks today.

I also would like to take this opportunity to recognize Elmer Ellis Library on its recent receipt of the Federal Depository Library Program Spotlight Award, which highlights that not only is the library one of the oldest participants of the program, starting its program in 1862 in the midst of the Civil War, it also has one of the largest collections in the country, housing 1.5 million federal and Missouri state documents. Unbelievably, some of these documents date back to the founding of our nation.

Since the Federal Depository Library Program's inception in 1813, much has changed. Depository libraries still act as the bridge between our nation's government and its services, offering free access and assistance to interested individuals. However, technology has transformed the way we create, process, store and distribute information. This means depository libraries must face the challenge of migrating government information to newer formats. Congress appreciates all of depository libraries' hard work and hopes to help move forward on these issues with them.

In closing, Mr. Speaker, I ask all my colleagues to join me in congratulating Elmer Ellis Library and its current coordinator, Marie Concannon, on reaching this significant milestone. Here's to another 150 years of Elmer Ellis Library's chronicling this body's steps and missteps!

IN HONOR OF THE 68TH ANNIVERSARY OF THE USS YF–415 TRAGEDY

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. LYNCH. Mr. Speaker, I rise today to remember and to honor the sacrifice of the men who lost their lives in a tragic accident on May 11, 1944, sixty-eight years ago. This tragedy occurred just fourteen miles off the coast of Massachusetts.

On that fateful day, the nine member crew of the USS YF–415 and twenty-one men from the Hingham, MA, Ammunition Depot were disposing of obsolete ammunition. The ship was loaded with one hundred fifty tons of ammunition and explosives. While they were performing their duties, the ammunition caught fire. The resulting fire and subsequent explosions lasted for nearly forty minutes. The ship went down and seventeen lives were lost. The USS *Zircon*, a weather observing ship, was fortunately nearby, and rescued fourteen men from the ocean.

From that day until July 20, 2003, the ship lay, undiscovered, at the bottom of the Atlantic Ocean. Amateur divers located the ship and reported it to the United States Navy. Once the United States Navy properly identified the ship, Navy divers were dispatched to investigate its remnants. Unfortunately, they were unable to find any trace of the missing men.

Mr. Speaker, it is fitting that today, we remember those men who lost their lives in the service of the United States of America sixty-eight years ago. Their courage and their devotion to their duty continue to inspire us today. It is appropriate that we as a nation express our condolences to their families who have suffered and endured their loss all these many years.

Mr. Speaker, I would like to add the names of these brave men into the RECORD so that all Americans may recognize their service and their sacrifice: William J. Bradley, Adell Braxton, Joseph F. Burke, Raymond N. Carr, Truman S. Chittick, George M. Cook, James Cox, Jr., Freddie Edwards, Jr., F.E. Federle, James S. Griffin, Charles R. Harris, Raymond L. Henry, Julian Jackson, Yee M. Jin, Mike Peschunka, Vernon Smith, James B. Turner.

CONGRESSIONAL ARTS COMPETITION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, once again, I come to the floor to recognize the great success of strong local schools working with dedicated parents and teachers. I rise today to congratulate and honor a number of outstanding high school artists from the 11th Congressional District of New Jersey. Each of these talented students participated in the 2012 Congressional Arts Competition, ''An Artistic Discovery.'' Their works of art are exceptional!

Sixty young men and women participated. That is a wonderful response, and I would very much like to build on that participation for future competitions.

Mr. Speaker, I would like to congratulate the three winners of our art competition. First place was awarded to Jessica Menchon from Mt. Olive High School for her oil on canvas entitled, ''History of Waterloo Village.'' Second place was awarded to Vicki Liu from Ridge High School for her acrylic entitled, ''Shameless.'' Third place was awarded to Rachel Elias from Montville High School for her charcoal and chalk pastel entitled, ''Looking Up.''

Honorable Mentions were awarded to: Marlaina Lutz from Roxbury High School for her photograph entitled, ''Swallow and Hummingbird'' and Nicolas McMillen from Parsippany Christian School for his photograph entitled, ''Brotherly Tree.''

Mr. Speaker, I would like to recognize each artist for their participation by indicating their high school, their name and the title of their contest entries for the official RECORD.

Boonton High School; Emily DiLaura ''Spring Labor.''

Franchesca LeBrun ''Portrait (Self);'' Sara Leslie ''When I Was a Little Girl;'' Sabrina Noel ''My Dog Trixie.''

Chatham High School; Zachary Blake ''Job Interview;'' Laura Cheong ''Boxful;'' Megan Gesell ''Autumn Change;'' Natalie Smith ''Untitled.''

Hopatcong High School; Katelyn Downey ''Capitol Building;'' Katlyn Garcia ''The North Tower;'' Gregory P. Smyth III ''Sussex Swans.''

Livingston High School; Sharon Aliev ''Gossip Girls;'' Andrea Cao ''Another Plague;'' Laura Lin ''Breath;'' Christina Torrens ''Fracture.''

Madison High School; Teri Minogue ''Reflection;'' Kyle T. Smith ''Falling Snow.''

Millburn High School; Alexandra Bass ''Section of a Collection;'' Zoe Denenberg ''Liberty.''

Millburn High School; Emily Draper ''Roses.''

Montville High School; Alexa D'Arienzo ''Goddess in Despair;'' Nicolette Russo ''Dripping;'' Jesse Stathis ''Apart of Me.''

Morris Catholic High School; Austin Dimore ''Behind the Mask;'' Lucas Milone ''Swamp Tree;'' Darius Osario ''Koi Pond;'' Diamante Soto ''The Dancer.''

Morris Knolls High School; Stefanie Fischer ''Watchtower;'' Emily Kovach ''Venice;'' Kathleen McGlynn ''America.'' Abigail Schaefer ''King of Spades.''

Mt. Olive High School; Emily Coughlah ''Stasis;'' Michael DiCola ''Hidden Beneath;'' Lori Tatum ''Autumn Glow.''

Parsippany Christian School; Troy Costa ''Reunion;'' Elisee Jean-Pierre ''The Lonely Bench;'' Daniel McMillen ''Root Life.''

Parsippany High School; Ashley Del Rio ''Untitled.''

Pequannock High School; Emily Grimaldi ''Great Apple Massacre;'' Thomas Kozell

''Lovely Agony;'' James Quinn ''Cosmos Hair;'' Joaquin Roca ''Bloody Mary.''

Pope John XXIII High School; Kelly King ''Government.''

Ridge High School; Clair Chin ''In This Day and Age;'' Laura Cursi ''Freedom's Reflection;'' Sophie Harris ''Modern World.''

Roxbury High School; Brianna Krop ''My 3rd Period Daydream;'' Cara Resiak ''One Fish, Two Fish, Me Fish, You Fish;'' Elizabeth Synalovski ''Madison.''

Sparta High School; Melissa Hespelt ''Four Eyed.''

Watchung Hills Regional High School; Steve Dodge ''Windows;'' Jesse Kukucka ''Creep;'' Carly Vautin ''Plant;'' Briarma Wallisch ''Unforgotten.''

Each year the winner of the competition has their art work displayed with other winners from across the country in a special corridor here at the U.S. Capitol. Thousands of our fellow Americans walk through the exhibition and are reminded of the vast talents of our young men and women. Indeed, all of these young artists are winners, and we should be proud of their achievements so early in life.

Mr. Speaker, I urge my colleagues to join me in congratulating these talented young people from New Jersey's 11th Congressional District.

IN RECOGNITION OF THE SERVICE OF OSCAR T. KADLE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I respectfully ask for the House's attention today to honor Mr. Oscar T. Kadle.

Oscar T. Kadle was born April 2, 1921 in Four Mile, Alabama. He married Martha Brooks on February 22, 1958 and they have always lived in the Saks community. He was drafted into the Army in 1941 first stationed at Fort McPherson, Georgia and then Fort Bliss in El Paso, Texas, for boot camp. He left Fort Bliss and went to Hawaii on his way to the South Pacific where he served his country during World War II.

Oscar took part in the invasion of Saipan in 1944. After Saipan he was sent to Iwo Jima. In 1945, he was on a ship headed for mainland Japan for an invasion there. The ship was stopped before arriving in Japan, and the soldiers were left sitting in the ocean for two days waiting for orders. The first Atomic Bomb was dropped on Hiroshima at this time. Oscar's ship was ordered back to Iwo Jima. The war ended not long after this and Oscar was headed home to be discharged from the Army at Fort Shelby, Mississippi.

After returning home Oscar went to work for Seven Up Bottling Company for 25 years. He left Seven Up to go into the plumbing business and later went to work for Davis & Daniels Construction where he worked for 15 years until his retirement.

Oscar was very active in the construction of Harvest Media Center in 1995 and later in the construction of the Harvest Church of God Sanctuary. He was saved in 1985 while he was driving back home from a job in Tuscaloosa. Oscar started attending Harvest Church of God in 1985.

Mr. Speaker, I honor Mr. Kadle today and thank him for his outstanding service to our country.

THE SATELLITE SENTINEL PROJECT: MONITORING WAR CRIMES IN SUDAN

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Mr. MCGOVERN. Mr. Speaker, in late 2010 a remarkable and innovative project was established to use real-time satellite imagery to monitor and document the humanitarian and human rights situation on-the-ground in Sudan. The idea was the brainchild of activist and actor George Clooney and came into being through a remarkable collaboration between Clooney's humanitarian foundation Not on Our Watch, the Harvard Humanitarian Initiative in Cambridge, Massachusetts, and the incredible generosity of DigitalGlobal, the commercial satellite company that has donated thousands of images of activities taking place on-the-ground in Sudan. Through these images, the world has seen images in southern Sudan that may be mass graves, and others documenting military attacks on civilian targets. The project is an invaluable tool not only for understanding what is happening in real-time in Sudan, but in providing evidence that may one day be used in international trials for war crimes committed against Sudan's defenseless civilian population. A story about how this project was set up and the team of Harvard faculty, students and interns who monitor and analyze the satellite imagery was published in the April 29th edition of the Boston Globe Sunday Magazine. I salute the Satellite Sentinel Project and all its collaborators for their singular contribution in documenting the human rights and humanitarian reality in Sudan.

Attachment:

[From the Boston Globe Sunday Magazine, Apr. 29, 2012]

SPYLAB: HOW A TEAM OF HARVARD GEEKS IS USING A SATELLITE—PLUS A LITTLE HELP FROM GEORGE CLOONEY—TO REWRITE THE RULES OF HUMANITARIANISM

(By Michael Blanding)

Late-afternoon light slants outside the windows of a Harvard Square conference room where half a dozen twenty- and thirty-somethings huddle around a table covered with laptops, several cups of coffee, and one falafel sandwich. It could be a grad student study session, at least until a young woman named Brittany Card stands up in front of a white board covered in drawings of soldiers and tanks in Sudan.

''I'm just going to go through the sitrep from memory, so everyone's on the same page,'' Card begins, sounding more like a general in uniform than a 23-year-old in pearls and a plum-colored dress. Her situation report on the afternoon of March 27 goes on to cite massive troop movements, aerial bombardments, and a flurry of acronyms. As she talks, the group looks at satellite images of scrub desert and buildings projected on a pull-down screen at the far end of the room.

Last year, South Sudan split from Sudan, and the North African countries have teetered on the verge of war ever since. A day earlier, Card continues, the fragile cease-fire seemed to snap. It appeared that Sudan Armed Forces (SAP) had bombed an oil field in South Sudan; meanwhile, southern militias from the Sudan People's liberation Army (SPLA) had apparently attacked an oil field in the north. The question was, who started the fighting—and what would happen next?

Card is the data analysis coordinator for The Satellite Sentinel Project, which has been asking questions like this since late 2010, when a foundation cofounded by actor George Clooney put up the money for an audacious project to use satellites to spy on combatants in an active conflict zone. Operating out of the Harvard Humanitarian Initiative, the project's goal is to protect civilians, but to do that the team has had to learn to think like military commanders.

''Is this a SAF play or a southern play?'' asks Satellite Sentinel Project's director of operations, Nathaniel Raymond, a 34-year-old with mussed-up hair and tortoiseshell glasses.

''Whoever's play it is,'' replies Benjamin Davies, the 34-year-old fast-talking deputy director, ''we had rapid events take place'' on the border.

And while they weren't watching. like everyone else, they had been focused on Sudan's Kauda Valley, where the Sudanese government has hemmed in rebels and civilians alike, blocking food shipments and conducting bombing raids that drive them into the surrounding Nuba Mountains.

The team begins throwing out ideas for what could be happening.

Davies theorizes the Sudan military could finally be preparing for an assault on the Kauda Valley. No, Raymond says; they would have seen more activity from all the troops in that area. ''It's like The Two Towers. You look out, and there are a lot of orcs and torches,'' he says. If you're stuck in the Nuba Mountains, he adds, ''you are saying, 'Where is Gandalf right about now? Can you text him again?' ''

The group is fond of movie analogies. Before the night is through, they'll reference Harry Potter, The Matrix, WarGames, and The Hunt for Red October as part of their unusual mix of war-room bravado, nonprofit earnestness, and dorm-room antics.

Suddenly a thought occurs to Raymond: What if the SAF troop buildup in Kauda is a trick to draw in southern rebels? He slams the table. ''Oh man, it's obvious. You draw them in and then you hit their flanks.'' He points to an area in Sudan by the cities of Muglad and Babanusa, where tanks dropped off by train would have an uncontested route to the border. In minutes, Card finds that the nomads usually seen in the region are much farther south—that could mean they've been driven out. The team's manager of imagery analysis, Isaac Baker, 32, calls up satellite shots that show roads being built from Muglad and tanks stationed in Babanusa. The evidence is mounting.

This theory would be a change from the one the Satellite Sentinel Project has been building. Just a week earlier, on March 16, Clooney and other activists led a protest in front of the Sudanese Embassy in Washington, D.C., to draw attention to the plight of the refugees in the Nuba Mountains. ''It's about to start raining, and once it starts raining there, thousands of people are going

to die,'' the actor said. He then crossed a police line and was arrested, and his message was broadcast everywhere from CNN to TMZ.

Now, however, the Harvard group suspects everyone was looking at the wrong spot. If their theory proves true, they will have predicted an invasion before it happened. If it's not, they will have wasted thousands of dollars in free imagery from a satellite company that has already given them millions' worth, and taken their eyes off the real conflict ''How confident do we feel about this?'' Raymond asks.

They decide to go for it. Since the images won't come in until tomorrow, all they can do now is wait. It's close to 9 p.m. when the group breaks up. ''It's addictive, isn't it?'' says Jody Heck, a Harvard sophomore. ''I have to study for a 10 o'clock exam tomorrow''

Using satellites to search for war crimes in the Sudan was George Clooney's idea. He had started making trips to the country six years ago. In October 2010, just months before South Sudan voted to declare independence, he returned with the Enough Project, a Washington-based nongovernmental organization working to end genocide and other crimes against humanity. ''If entertainment is going to trump news,'' Clooney says by phone from Los Angeles, ''then entertainment should go where the news is.''

Whenever violence had occurred in Sudan in the past, the government had always been able to deny it Sitting in the desert one night with Enough's cofounder, John Prendergast, Clooney asked, ''Why is it that you can Google Earth my house, but you can't do the same thing to war criminals?'' There had to be away, he continued, they could turn satellites into the humanitarian equivalent of paparazzi.

They could certainly try, figured Jonathan Hutson, Enough's communications director. He had previously worked with Nathaniel Raymond at Physicians for Human Rights in Cambridge, where they had used them to investigate mass graves in Afghanistan. A few nights after Clooney's trip, Hutson found himself in the actor's suite at D.C.'s Willard InterContinental, eating pizza and setting up a conference call with Google and the United Nations. Their goal, Hutson says, was to figure out a way to ''stop a war before it starts:''

It took less than three months for the Enough team to launch the Satellite Sentinel Project, with $750,000 in seed money from Not on Our Watch, the humanitarian foundation Clooney started with actors Don Cheadle, Brad Pitt, Matt Damon and others. Hutson got Raymond to direct the operations of the project, and Raymond got Harvard to host it. Finally commercial satellite company DigitalGlobe agreed to donate images—which can cost thousands of dollars apiece—and helped train Isaac Baker and student interns to analyze the footage.

With four staff members and a half-dozen interns, the new team quickly learned to search for clues of impending attacks. Nine after launching the project, they detected SAF troops gathering within 40 miles of the Sudanese village of Kurmuk. After the Satellite Sentinel Project issued a report about it over the Internet, more than 1,500 villagers fled across the border to Ethiopia. By the time the invasion took place, there were few people left to kill. ''We saw that coming and went all Paul Revere up in that,'' Raymond says.

The project's ability to warn civilians of impending violence ''is unique in my experience,'' says Stephen Wood, an ex-CIA analyst who is vice president of DigitalGlobe's Analysis Center. Just as important, though, is how they document past abuses. ''We've watched villages being absolutely destroyed, and being able to help explain how dire that is has been very significant.''

Last summer, for instance, the Satellite Sentinel Project alleged Sudan was killing civilians and burying them in mass graves in the town of Kadugli. Yet in a Washington Post article, the United States' special envoy to Sudan said US intelligence reports showed no evidence such graves actually existed.

The team kept looking. ''We had multiple people speaking to us saying bodies were being buried near a [particular] water tower,'' recalls Benjamin Davies. One day, Ben Wang, an 18-year-old intern from Tufts, was looking at satellite images when he noticed the tower had moved. He pointed to a hole in the ground where it had been. ''The grave is there,'' he said.

Over the next month, the team watched the tower move back to its original place, covering up the grave. In August, they released a report and, by year's end, Time magazine reported that the International Criminal Court was investigating war crimes based largely on information gathered by the group.

As Satellite Sentinel Project reports were increasingly being cited by Congress members and UN officials, the team began to realize something new was happening. Rather than remaining passive observers, they were affecting the actions of the combatants. The Sudan Armed Forces started hiding their tanks inside tarps and bunkers, camouflaging them not from the enemy on the ground but from a satellite 300 miles above it. Major offensives began starting on American holidays—Thanksgiving, Presidents' Day weekend—as if the fighters hoped the people watching in Cambridge would be away from their computers. Then this past January, days after the project issued a report mentioning road construction, 29 Chinese workers helping build the road for the SAF—innocents in the conflict—were kidnapped by Sudanese rebels. They weren't released for 11 days. ''It was the sum of all fears,'' Raymond says. ''It's what we work every day to avoid.''

Raymond and the others at Harvard may toil on laptops half a world away from any violence, but their work isn't virtual. Every member of the team has had ''Sudan dreams,'' as they call their nightmares of shooting and being shot. ''There is an immense intimacy to the violence; Raymond says. ''We are not sifting through reports to create a static archive of events. We are actually affecting the ways in which perpetrators make decisions.''

It's a heady responsibility for a team whose eldest member is 34. But while members hasten to add that Harvard professors and DigitalGlobe analysts are advising their moves, there is something about the digital generation of activists that uniquely suits them to the task. ''We could not reproduce this with people who have been trained in other [nongovernmental organizations],'' says Davies. The qualities said to characterize Generation Y—the ability to multitask on multiple technologies, a facility for social networking and teamwork, and even the individual sense of entitlement over deference to hierarchy—all help this group analyze data and make decisions quickly. ''People overvalue expertise,'' says Raymond, perhaps the first time those words have been spoken at Harvard. ''Critical thinking and the ability to learn complex systems is more important than some one walking in with six PhDs.''

The amateur satellite sleuths were put to the test in March when Clooney was set to meet with President Obama and testify before the Senate Foreign Relations Committee. On a recent trip to the Nuba Mountains, he'd witnessed a rocket attack and interviewed children who had lost limbs from bombings—but his testimony would not be proof. And while the Satellite Sentinel Project had satellite images from the time showing smoke from alleged bombings, they couldn't find the ''shooter''—artillery or aircraft—that caused it ''We are presenting a report with the biggest movie star in the world meeting with the president of the United States,'' recalls Raymond. ''You want to find the shooter.''

Baker kept at it. After days of triangulating from nearby airstrips and squinting at his computer screen, he finally noticed a speck he hadn't seen before—it was an Antonov AN–26, a Soviet-era cargo plane Sudan uses as a makeshift bomber. ''This was literally the smoking gun,'' says Davies.

Two days later, Clooney showed the satellite image to the Senate committee, with the Antonov outlined in blue. He credited the Harvard team with the evidence.

''Their level of expertise is incredible, but more than that is their level of commitment,'' Clooney says now. ''Sometimes they are up all night trying to figure this stuff out, for no other reason than they are trying to save lives. And they don't get enough acknowledgment for that.''

It looks as if the project staff has been up all night. It's March 29, two days after they'd decided to search for the flanking attack, and they're again gathered around their conference table. Eyes are bleary, and the group is quiet. They've got the satellite images they asked for, but not the proof of an imminent invasion. ''We wanted a softball,'' Davies says. ''Sometimes you don't get that.''

Baker, as he tends to do, is still searching his laptop screen for overlooked clues. Davies starts projecting Beyonce videos from YouTube on the screen. ''We see a lot of dead bodies in here,'' he says. ''Beyonce is deadbody kryptonite.''

After more than an hour, Bakes finds some new checkpoints and signs of tank movements, but still no smoking gun. Raymond prepares to call it a night.

In the days to come, Baker will find two tanks that could signal an invasion. By late April, news reports would indicate the region edging ever closer to wax. After South Sudan seized the oil-rich Sudanese town of Heglig, Sudan bombed a bridge in South Sudan, killing several civilians. Despite pleas from the United Nations and African Union, the violence would continue. The team may have been incorrect about the location of attacks, but they had accurately predicted SAF was mobilizing for a fight.

That realization is still weeks away, though, and tonight the mood is somber. ''Should we move [the satellite's focus] south or stay tight on the border?'' Raymond muses aloud.

The question is a fraught one. After providing some $16 million in pro bono imagery and analysis, DigitalGlobe has been negotiating new pay rates going forward. While Clooney has helped raise an additional million dollars for the project over the past year, much of that money has already been spent. That means even as violence escalates in Africa; the future of the Satellite Sentinel Project is in doubt. ''I am doing the best I

can to raise money through speaking engagements,'' Clooney says. ''I believe we are going to be able to keep this up. The question is can we find ways to sustain it.''

For now, though, it's time for the team to regroup. ''This is not a bad day; this is a good day,'' says Raymond, rallying the troops with a kind of battlefield speech. Redirecting the satellite ''was the right thing to do,' he says. ''We needed to make sure we were seeing the whole picture.''

HONORING MARGARET BRACEY PLEASANTS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the life of Ms. Margaret Bracy Pleasants, a Florida-born teacher and active member of her community. Ms. Pleasants was 79 years of age.

Ms. Pleasants placed great value in her involvement in various civic organizations and social clubs. Despite moving several times throughout her life, Ms. Pleasants was always an active member of her community, and made lasting connections with her neighbors. From her humble beginnings in Jacksonville, Florida, to her eventual move to Texas and California, Ms. Pleasants always left a lasting impression on those around her.

Ms. Pleasants was blessed with musical talents, and used them in service to her local church.

Ms. Pleasants always wanted to become an educator, and it was her dream to inspire future generations. She taught at the Bryant Academy and later at Jack Yates High School in Houston, Texas. Ms. Pleasants inspired her students and taught them the value of life. While teaching at Whaley Middle School in California, Ms. Pleasants formed the Human Relations Club, a group focused on bringing multicultural events to the entire student body. She used her love of different cultures to inspire her students, expand their horizons, and help them to embrace cultural diversity.

Mr. Speaker, Margaret Pleasants enjoyed many simple pastimes and was always eager to share in those experiences with others. She understood well the importance of living in the moment and bestowing those values upon future generations. While her passing comes as a great loss to many, we may continue to look to her life for inspiration.

20TH ANNIVERSARY OF THE OCCUPATION OF SHUSHA IN AZERBAIJAN

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 2012

Ms. FOXX. Mr. Speaker, given the significance of this week to the U.S.-Azerbaijan bilateral relationship, it is important to commemorate the 20th Anniversary of the Occupation of Shusha in Azerbaijan. Shusha lies within the Nagorno-Karabakh region of Azerbaijan and is another painful reminder of the ongoing conflict between Azerbaijan and Armenia in the region.

Twenty years ago today, Armenian forces stormed the strategically important town of Shusha, which lies on a hill just over three miles away from the Nagorno-Karabakh capital of Stepanakert. The town was attacked at the break of dawn from three sides, trapping Azeri military units and civilians on their hilltop.

For hours the town was shelled, killing and wounding thousands of men, women, and children, and the attacking forces have occupied it ever since.

As a result of this tragic incident, the rich history and culture of Shusha remains inaccessible to the Azeri people who are prohibited from visiting the ancient Azeri museums, religious sites, musical schools, and historical sites of their past.

Despite four United Nations resolutions insisting that the Nagorno-Karabakh region—and by extension, the town of Shusha—legally belongs to Azerbaijan, the region remains wartorn and steeped in conflict.

Today we remember those who died defending their homeland and support those who are still affected, unable to return to the homes from which they were separated.

My hope is that this anniversary will provide another opportunity to work together to ensure a peaceable, lasting resolution to the Nagorno-Karabakh conflict so that people from both nations will no longer suffer.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 8, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 9

10 a.m.

Banking, Housing, and Urban Affairs

Economic Policy Subcommittee

To hold hearings to examine the National Flood Insurance Program, focusing on the need for long-term reauthorization and reform.

SD–538

Appropriations

Department of Homeland Security Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Coast Guard.

SD–138

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President.

SD–342

Judiciary

To hold an oversight hearing to examine the Office of the Intellectual Property Enforcement Coordinator.

SD–226

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on proposed budget estimates for fiscal year 2013 for Central Command and Africa Command Programs.

SVC–217

2 p.m.

Banking, Housing, and Urban Affairs

Financial Institutions and Consumer Protection Subcommittee

To hold hearings to examine limiting Federal support for financial institutions.

SD–538

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine the need for privacy protections, focusing on perspectives from the Administration and the Federal Trade Commission.

SR–253

Judiciary

To hold hearings to examine the nominations of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, Paul William Grimm, to be United States District Judge for the District of Maryland, John E. Dowdell, to be United States District Judge for the Northern District of Oklahoma, Mark E. Walker, to be United States District Judge for the Northern District of Florida, and Brian J. Davis, to be United States District Judge for the Middle District of Florida.

SD–226

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine building and maintaining an effective human resource workforce in the Federal government.

SD–342

Intelligence

To receive a closed briefing on certain intelligence matters from officials of the intelligence community.

SH–219

3:30 p.m.

Appropriations

Financial Service and General Government Subcommittee

To hold hearings to examine expanding broadband access, promoting innovation, and protecting consumers in a communications revolution, focusing on fiscal year 2013 resource needs for

the Federal Communications Commission.

SD–138

MAY 10

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine S. 2374, to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies.

SD–366

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine the nominations of Patricia K. Falcone, of California, to be an Associate Director of the Office of Science and Technology Policy, Executive Office of the President, Marietta S. Robinson, of Michigan, to be a Commissioner of the Consumer Product Safety Commission, and William P. Doyle, of Pennsylvania, and Richard A. Lidinsky, Jr., of Maryland, both to be a Federal Maritime Commissioner.

SR–253

Finance
To hold hearings to examine Medicare physician payments, focusing on understanding the past so we can envision the future.

SD–215

Foreign Relations
To hold hearings to examine the North Atlantic Treaty Organization (NATO), focusing on Chicago and beyond.

SD–419

Health, Education, Labor, and Pensions
To hold hearings to examine helping the middle class balance work and family.

SD–430

Judiciary
Business meeting to consider S. 2276, to permit Federal officers to remove cases involving crimes of violence to Federal court, S. 2554, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017, and the nominations of David Medine, of Maryland, to be Chairman, James Xavier Dempsey, of California, Elisebeth Collins Cook, of Illinois, Rachel L. Brand, of Iowa, and Patricia M. Wald, of the District of Columbia, all to be a Member of the Privacy and Civil Liberties Oversight Board.

SD–226

Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine current readiness of U.S. forces in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

SR–232A

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing on proposed budget estimates for fiscal year 2013 for Pacific Command Programs.

SVC–217

MAY 16

10 a.m.
Veterans' Affairs
To hold hearings to examine seamless transition, focusing on a review of the Integrated Disability Evaluation System.

SH–216

MAY 17

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine S. 2146, to amend the Public Utility Regulatory Policies Act of 1978 to create a market-oriented standard for clean electric energy generation.

SD–366

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine creating positive learning environments for all students.

SD–G50

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine fulfilling the Federal trust responsibility, focusing on the foundation of the government-to-government relationship.

SD–628

MAY 22

9:30 a.m.
Armed Services
SeaPower Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

11 a.m.
Armed Services
Readiness and Management Support Subcommittee
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SD–G50

2 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

3:30 p.m.
Armed Services
Airland Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

5 p.m.
Armed Services
Personnel Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

MAY 23

9:30 a.m.
Armed Services
Strategic Forces Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

2:30 p.m.
Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2013.

SR–222

MAY 24

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2013.

SR–222

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine programs and services for native veterans.

SD–628

MAY 25

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2013.

SR–222

CANCELLATIONS

MAY 10

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine new tax burdens on tribal self-determination.

SD–628

SENATE—*Tuesday, May 8, 2012*

The Senate met at 10 a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord, our refuge and strength, You have called our Senators to this place and time. May they be mindful of the responsibility to be faithful stewards of their vocation. Protect them in the hour of temptation so that they will exercise self-control and glorify You. Lord, use their talents and skills to strengthen our Nation and to bless the people of our world. Infuse them with such a spirit of gratitude that they will offer thanks to You by living according to Your will. Remind them that You are with them and will guide them.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 8, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering the motion to proceed to the Stop Student Loan Interest Rate Hike Act. The time until noon will be divided between the two parties, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

At noon there will be a cloture vote on the motion to proceed to S. 2343, which is the Stop Student Loan Interest Rate Hike Act. Following that vote, the Senate will recess until 2:15 p.m. to allow for our weekly caucus meetings.

MEASURES PLACED ON THE CALENDAR—H.R. 2050, H.R. 2240, H.R. 4628, AND H.R. 4849

Mr. REID. Mr. President, I understand there are four bills at the desk due for a second reading, and I would ask the Chair to move these forward.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

A bill (H.R. 2240) to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

A bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

A bill (H.R. 4849) to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

Mr. REID. Mr. President, I now object to further proceedings with respect to each of these bills.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under rule XIV.

STUDENT LOAN INTEREST RATES

Mr. REID. Mr. President, over the last 2 weeks, Senate Republicans have repeatedly claimed they support efforts to keep interest rates low for Federal student loans. In fact, Presidential nominee Mr. Romney has said the same. There is only one way to prove this, and that is to end the needless filibuster of Democrats' plan to stop rates from doubling this summer.

Democrats have proposed legislation to freeze student loan interest rates at current levels for a year without adding a single penny to the deficit. Our plan adds no new taxes. I repeat, Mr. President: Our plan adds no new taxes. It would simply stop wealthy Americans from avoiding the taxes they already owe. Our legislation would prevent 7 million students from paying $1,000 more over the life of each of their loans. Yet Republicans appear poised to filibuster this worthy measure. They are sending a clear message they would rather protect wealthy tax dodgers—and that is what they are—than help promising students achieve their dreams of higher education.

Republicans will try to explain away their ''no'' votes by claiming they oppose the way the legislation is paid for. They propose radical cuts to a preventive health care fund instead—a proposal they know we oppose.

Mr. President, we have already cut that plan to the bare bones. We have used this on other programs to cut and we have done it in the right way. Any fluff that was in that program is gone. Some say we have cut far too much out of it.

The prevention fund is, as we speak, helping States fight chronic illnesses such as heart disease, cancer, stroke, and diabetes. These chronic diseases I have just mentioned are responsible for 7 out of 10 deaths in America today. Imagine, 7 out of 10 deaths are caused from heart disease, cancer, stroke, and diabetes. Yet Republicans want to use this program to pay for the student loan interest rate stabilization—a program that stops these diseases from going forward. It is a preventive program.

These diseases are responsible for three-quarters of the Nation's health care spending. So anything we can do to cut those back is the right thing to do. Common sense indicates we need to be treating those 26 million Americans with diabetes. Around America today there are 26 million people who are taking medicine for diabetes, and it is sad to say that includes a rapidly growing number of children. These 26 million people use up much of our health care delivery system, and diabetes increases the risk of developing other costly, life-threatening, chronic diseases such as heart disease, stroke, kidney failure, and many other maladies that come from simply having diabetes.

This prevention fund the Republicans want to use to pay for this stabilization program for student loans also pays for successful tobacco cessation programs that avert billions of health care costs to treat emphysema, heart disease, and cancer, among others. It

finances immunizations for preventable childhood illnesses such as measles and whooping cough.

These diseases are back because there have been too few immunizations. Last year, measles reached a 15-year high in our country. After nearly being wiped out in the 1950s, whooping cough has resurfaced. There have been major articles—I read one—that are stunning. As a kid, I received a whooping cough shot. I hadn't heard of it, but it is back. This is a terrible disease that we now have in America. As I say, it has come back. It produces violent coughs that can go on for as much as 6 months. People can die as a result of coughing so hard. There has been a real bad outbreak of whooping cough in California, and the disease in America has reached its highest rate in 50 years. Yet the Republicans want to cut back on these immunizations. That is not a good idea.

These diseases I have talked about are completely preventable with the proper immunizations the prevention fund supports. Yet Republicans want to axe investments in preventive care that save the country money and save lives. We have already made cuts, as I have indicated, difficult cuts to this program. We cannot afford to make more drastic cuts that would put Americans' health at risk.

While we do not support Republicans' plan to cut programs that combat diabetes, heart disease, or cancer, we are happy if they want a vote on some alternative. But let us get on this bill. Republicans need to stop filibustering our legislation—in this instance, the Stop Student Loan Interest Rate Hike Act. If they want some other way to pay for it, let us take a look at it. Let them offer it. The stakes are too high to let partisanship get in the way.

The average student graduates with $25,000 in debt. These young people are running up these loans because they want to, because education is so important in our country. But too many young people are putting off buying a house, starting a family, or opening a business because they are saddled with this crushing student loan debt. We don't need to load that burden even more. Democrats are determined to protect millions of students from increasing interest rates—almost 30,000 in Nevada alone.

If Republicans truly share our goal, they will vote to advance this legislation today.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ELECTION YEAR LEGISLATION

Mr. MCCONNELL. Mr. President, it is not exactly a State secret that Senate Democrats have turned the floor into an extension of the Obama campaign over the past few months, and that what happens here these days has a lot more to do with what some political consultant out in Chicago thinks is good for the President's reelection than what the American people think would be good for the country as a whole.

Separation of powers notwithstanding, the Democrats' top message man recently admitted Senate Democrats and the White House are ''attached at the hip,'' meaning, of course, the Senate has ceased to be a place where problems are resolved and has become instead a place where Democrats produce campaign material.

Today's vote on student loan rates is a perfect example of this cynical election year strategy in action. Rather than working with Republicans to help young people in this country weather the effects of the Obama economy, Democrats have sought to distract them from it. Never mind the fact that Democratic leaders supported the bill that will cause interest rates on certain college loans to spike on July 1. Never mind the fact that President Obama was so concerned about this issue when this legislation passed he didn't even show up for the vote. Never mind the fact that Democrats have known this problem was coming for literally years but deliberately waited until 2 months before their temporary fix was due to expire to do anything about it.

Never mind any of that. What matters now for Democrats is they find a way to drive a wedge between Republicans and a constituency they are looking to court ahead of the November elections. That is what today's vote is all about for them.

For Republicans, well, we don't think young people should have to suffer any more than they already are as a result of this President's failure to turn the economy around. We just disagree we should pay for a fix by diverting $6 billion from Medicare and raising taxes on the very businesses we are counting on to hire these young people.

But as I said, solving the problem isn't what this is about for Senate Democrats and the White House they are coordinating with. Finding a solution to this problem actually isn't difficult at all. What is difficult is getting Democrats to agree to it in an election year. For them, it is about putting the other party on the spot.

Look, Republicans have a solution to this problem. We have asked for a vote on it. Even Senator HARKIN, who opposes our approach, thinks we should at least get that vote. But following the President's lead, Senate Democratic leaders have decided to put the finger of blame instead on us instead of solving the problem—which, of course, is completely ridiculous.

Here we are nearly 3½ years into this President's first term, and he is still blaming his predecessor. He got nearly everything he wanted for 2 years. He borrowed and spent trillions. He took over the student loan industry. He took over health care. He imposed his regulations. It is his economy now. Yet he is still blaming others.

My view is, if you are going to ask the American people to take responsibility for their actions, pay their fair share, and play by the rules, it is time the President led by example and did the same.

Three months ago, the President told the American people that it is time to apply the same rules from top to bottom. The President said: No bailouts, no handouts, and no cop-out. An America built to last, he said, insists on responsibility from everybody. Yet day after day, week after week, what do we get from Democratic leaders in the Senate and from the President himself but more cop-outs.

Here is the real issue behind today's votes. Right now, more than half of college graduates cannot find a decent job. Close to half of them are back at home living with their parents. As a Wall Street Journal article from late last year put it: The U.S. labor market may be in a malaise, but young adults are in a crisis.

The real solution, of course: progrowth policies that make it easier for U.S. businesses to hire. But in the short term, Republicans are ready to offer temporary relief, just as we did for working Americans early this year by extending the payroll tax holiday.

To pay for this fix, Republicans propose to end an ObamaCare slush fund that Democrats and the President himself have already drawn from to cover other expenses.

This is a pay-for Democrats and the President have already used.

This is perfectly reasonable. It is a solution to a problem both parties want to address. It passed the House with bipartisan support. If Democrats want to solve the problem, they should embrace it too or, at the very least, offer a bipartisan solution of their own. The White House has done neither.

The real enemy of recent college graduates is this President's economic policies. Until Democrats are willing to admit that, we will keep falling behind. And the real losers will be the young people we should be working together on a bipartisan basis to help.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2343, which the clerk will report by title.

The legislative clerk read as follows:

Motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Washington.

Mrs. MURRAY. Mr. President, we are here today because unless Congress acts, the interest rate for many of our students—over 100,000 of them in my home State of Washington—is going to double in 55 days.

On July 1, the law we passed that held rates on federally subsidized Stafford loans to 3.4 percent will end, and rates are going to jump overnight to 6.8 percent. That is going to add $1,000 to the cost of loans for these young people, and it is going to be another huge strain for students and families who are already fighting to afford college and still struggling in this tough economy.

This isn't an abstract issue for me. For me it is very personal. Pell grants and student loans were what allowed my six brothers and sisters and me to go to college when my dad got sick and had to leave his job. They were what made college affordable for us, and they were what allowed each one of us to pursue careers and give back to our communities. Because our government was there for us, at a very tough time for us, those seven kids in my family grew up to be a firefighter, a lawyer, a computer programmer, a sports writer, a homemaker, a middle-school teacher, and a United States Senator—a pretty good investment by our country. And our family's story is not unique.

In fact, last week I went across my home State of Washington listening to student after student describe the real-life impacts this interest rate hike will have on their livelihood. The Columbian, a newspaper in Vancouver, Washington, wrote a story on the roundtable I held last week with local students. As the Columbian reported: the rate hike would impact students like Dora Hernandez, a first-generation college student at Washington State University in Vancouver. They reported that: Dora became a mother at the age of 18, 2 months after she graduated from high school. She worked two to three jobs at a time to support herself and her child. It was at one of those jobs working the concession stand on a college campus that inspired her to improve her own life by earning a postsecondary degree. She received some financial aid, but she will still have $29,000 in student loans to pay back when she graduates this month, she told me, proudly standing right in front of that concession stand she used to work at. She has no job lined up yet. She said:

I was flabbergasted to find out how much student loan debt I've accrued. Honestly, I'm scared. I hope Congress finds a way to keep interest rates on student loans down for students like me.

The Columbian also reported the story of Diane Robinson, a 24-year-old single mom who told me she decided to enroll at Clark College after a divorce left her with absolutely nothing. She told me:

I would not be here without the loans. It would be impossible.

Through her tears, Diane told me that she was raised to repay her debts and worries about her looming student loan payments every single day. She said:

If there is an increase on student loan interest rates, it will compromise my quality of life. Repaying the debt I have accrued will be essential for me to have a happy future.

For millions of Americans, affordable college has been the ticket to the middle class. And for millions of small business owners, finding local workers with the education skills they need has been what has allowed them to expand and grow in our communities. We cannot afford to let that slip away. We can't allow access to college to become unattainable for so many of our families. As we all know, college costs are rising too quickly right now anyway. In fact, since 1985, the cost of a college education has increased by 559 percent because States have had to cut back their support for higher education and operating costs have increased. Student loan debt has spiked, and for the first time in U.S. history, the national student debt burden has surpassed $1 trillion. That is more than the total amount of credit card debt.

So the last thing our students right now need—the very last thing—is for interest rates on this critical loan program to double. We cannot afford to allow that to happen. At a time when mortgage rates are under 4 percent, we should be doing everything possible to keep rates low for students today. In fact, we should be investing in our future and trying to get more high school students to continue their education. We should not be doubling interest rates on a critical loan program that students count on. It does not make sense.

The Stop the Student Loan Interest Rate Hike Act that is before us is a commonsense measure that will prevent a rate hike on more than 7.4 million college students, and it pays for it by closing a tax loophole that allows certain wealthy professionals to dodge paying their fair share of taxes. So I hope we can move to this today.

I want to add, it is not just the students I talked about, Dora and Diane, who are speaking out against this rate hike. In fact, if our Republican colleagues do decide to block our ability to go to this bill today, I know that students all across our country are going to continue to make their voices heard about this—whether it is in person or in letters or on Twitter or on Facebook—and we will bring those stories right here to the Senate over and over until Republicans see that the students of America are not going to take no for an answer on this critical issue that will affect their lives far into the future.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I rise in support of the same legislation, and I appreciate the work of Senator MURRAY and Senator KLOBUCHAR.

I introduced this legislation with Senator HARKIN of Iowa and Senator REED of Rhode Island, and in the last couple of weeks I have been to the Cayuga County Community College, a community college in Cleveland, Ohio State University, Wright State University near Dayton, and the University of Cincinnati. There were student bodies, student government people in both political parties there. There is virtually universal support among students for this legislation. We have no business letting the interest rate double. The vote that will take place in less than 1 hour gives us an opportunity to help students in a huge way.

The average Ohio graduate of a 4-year university has a $27,000 student debt. If we are going to pile more money on that debt by allowing the interest rate to go from 3.4 to 6.8 percent, it means that student is less likely to be able to buy a house, less likely to probably start a family, and less likely to be able to start a business. It saps wealth from our community. If we can keep this interest rate at 3.4 percent, it will pay dividends much more than the cost of this.

I would close by saying this was a bipartisan arrangement. Back in 2007, when Senator KLOBUCHAR and I were in our first year in the Senate, President Bush signed legislation brought forward and passed by a Democratic Senate and a Democratic House, with Republican support. So it had broad bipartisan support to lock in 3.4 percent for 5 years. Why are people making it partisan now?

The fact is we should pass this legislation today. We should pay for it in a way by closing these tax loopholes that are called the Newt Gingrich-John Edwards tax loopholes, where both of them—Newt Gingrich, a Republican,

and John Edwards, a Democrat—in their private sector lives have legally been able to avoid tens of thousands of dollars in taxes. Lobbying firms, consulting firms, all have used this loophole. Governor Romney wanted to close this loophole when he was Governor of Massachusetts. It is something we should move forward on and put the partisanship aside and pass this. This is good for individual students, just like the GI bill after World War II was good for millions of individual students. Look what it did for our society as a whole. It made us a richer country, a more prosperous country, a more egalitarian country. What is not to like about that? That is why we should pass this legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise to speak in support of the Stop the Student Loan Interest Rate Hike Act.

I want to first acknowledge my colleague Senator BROWN of Ohio for his leadership. They have Ohio State, we have the University of Minnesota, and both of us have met with students from these States who have told us firsthand what they are experiencing every single day. I have talked to students at the University of Minnesota and Minnesota State in Mankato, where my father-in-law taught for many years, and they have told me about their own situations, where they may have five siblings and there is absolutely no way their parents, both of whom are working, can afford to send their kids to college without loans.

I have talked to a young woman in Mankato whose mom was helping with the tuition, and then suddenly her mom lost her job and she couldn't help anymore, parents who have gone out on disability who can no longer help anymore.

We have to ask ourselves as a country, when those things happen, when you have a student who may be the first in their family to ever go to college, are we going to turn our back on them and say: No, we don't want you to go to college? Well, that is not going to work in our country. That is not going to work, because in Minnesota the numbers just came out, and up to 2018, of all the new jobs created, 70 percent are going to require some kind of postsecondary education. Half of them are going to require 1-year to 2-year degrees, the other half are going to require 4-year degrees or more. We know those facts. We know how we are going to be able to compete in this world, and that is by having educated workers. To do that, we cannot turn our back on the students who may be in a situation where they can work part time.

There was one girl I met at the University of Minnesota who was working a 50-hour paid job every week in addition to the classload, in addition to going to school. These students are working hard, and we must make sure they are able to complete their college and complete their degrees. College tuition and fees have been rising more rapidly than household income over the last two decades, and it is becoming more and more difficult for students and their families to afford these costs.

We know that student loan debt has reached record levels. College seniors owed an average of $25,000 in student loan debt upon graduating in 2010, with a total loan debt reaching $1 trillion. This is what we are dealing with.

I know when I had student loans I paid them off, and, Mr. President, you will be happy to know that I met my husband right after I had paid off my loans and he still owed over $20,000 in student loans, but I married him anyway. I have had firsthand experience in what it is like to pay off these loans but never in these amounts our students today are facing. While it is normally good to be above average, my home State is, unfortunately, above average in student loan debt. We rank fourth in the Nation. The average Minnesota student graduates from college with more than $29,000 in loan debt.

As college costs skyrocket and student loan debt climbs, we have to consider what this means for students today and what effect this will have on our future. At a time when our global economy demands more of our workforce, we must focus on the foundation of our future prosperity, and that is education, particularly in science, technology, engineering, and math. To advance in those fields, you need at least a 2-year degree or a 4-year degree. We know that. We must do more to expand higher education opportunities and make college affordable for our students. It is one of the best investments we can make in the long-term success for America. That is because education doesn't just pay off for students, it also pays off for our country in the form of a skilled workforce and a competitive economy.

We have seen this in my own State, where we are home to one of the best skilled, most educated workforces in the country. That is the reason we are first per capita for Fortune 500 companies. I can tell you it is not the weather. These companies did not elect to move to Minnesota and to stay in Minnesota because of our winters. They came in large part because of the educated workforce, because we had people who could do the jobs and create the inventions. At 3M, Minnesota Mining and Manufacturing, they have as many inventions as they have employees. They average one invention for each employee. That is a fact. Look at the numbers. Why is that? Because we have the educated workforce to fill those jobs.

We also know that students today, both those in college and those who are considering college, face many unexpected obstacles, including the pressure to pay for higher education. As I mentioned, when I visited students at the University of Minnesota and also Minnesota State at Mankato, I heard firsthand about their experiences and how hard they were working to get those degrees. These students face many hardships and many sacrifices, but they continue to move forward and they are determined to get their education. The reality is that students can work, save money, and be totally responsible about saving for and paying for college, but life can bring unexpected challenges, and students need help through access to low-interest loans. That is all we are talking about here, low-interest loans.

Interest rates on Stafford student loans are set to double from 3.4 percent to 6.8 percent on July 1 of this year. Unless Congress intervenes, 7 million students will see higher interest rates on their student loans—a dramatic increase in the interest rate that does not make sense at a time when the economy is still struggling to recover and students are facing ever higher college costs and young graduates are having a hard time finding jobs. I know how valuable these loans are to students, and that is why I am a cosponsor of the Student Loan Affordability Act, which would prevent the rate hike and ensure college remains affordable. That would affect this doubling of the interest rate for, in my State alone, 200,000 students. Think what we want those 200,000 students to do. We want those students to be out there inventing the next Post-it note for 3M. We want them out there inventing the next pacemaker. We want them out there inventing the next Google. That is what this is about. That is how our economy has run. We are a country that makes and invents products, makes them and exports them to the world. The only way we do that is with affordable education.

I have heard from hundreds of Minnesotans who say the costs are putting a strain on their families and making college seem out of reach. This is unacceptable, and we must act now.

I know this firsthand, as I explained, not only from what I have seen in my State, what I have seen in the interrelationship between education and business, but in my own life. My grandpa was an iron ore miner. He worked 1,500 feet under the ground in the mines in north Minnesota. He never graduated from college. He never even graduated from high school. He saved money in a coffee can in the basement of their little house, this small house where they literally only had a shower in the basement. He saved money in that coffee can to send my dad and his brother to college. They were the first in that family of Slovenian immigrants—the first to go to college. They went to college. My uncle

became an engineer living in Rochester, MN. My dad went to the 2-year junior college, got a degree from what is now Vermilion Community College, then went on to the University of Minnesota, got his journalism degree, joined the AP, and then went on to the Minneapolis Star and Tribune, where he became an award-winning journalist. He traveled the world. He got to interview everyone from Ginger Rogers to Mike Ditka to Ronald Reagan. That is my dad's life, and it all started because his parents believed in education but, most importantly, his country believed in education—the United States of America. That is what this issue is about. It is about progress, it is about families, and it is about moving this country forward.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, we just passed the deadline for students to decide where they are going to college this fall. This is one of the biggest financial decisions students will ever make. Nationally, student loan debt is over $1 trillion. It is higher than credit card debt. Over 60 percent of the class of 2010 graduated with outstanding student loans, college graduates. In Minnesota we are fourth in the country for the level of debt college graduates take with them. It is $29,000. This is hurting us as a nation in competition with other countries. It was not too many years ago that the United States was No. 1 in the world in the percentage of its adult population that had graduated from college. Now we are something like 16th. That is going to hurt us.

We have to do something about student debt. Behind every one of these statistics, there are stories. I had students from the board of MNSCU—it is a Minnesota organization of colleges and universities—in my office, and there must have been about 15 or 20 of them. I said to them: How many of you work at least 10 hours a week while going to school? All of them. How many of you work 20 hours a week? Most of them. How many of you work at least 30 hours a week while going to school? A lot of them. How many of you work 40 hours a week while going to school? How many of you work full time while going to school? A few of them, a number of them. That is no way to go to school.

Time after time when I talk to kids, I hear their stories.

Mike Flannery is a graduate of Hennepin Technical College. He was forced to take out private student loans because Federal loans were not enough to pay for his college costs. He graduated from his associate's program with a total debt of $34,750. Michael is now struggling to deal with this massive debt load, and he told me he will likely have to drop out of his summer coursework due to college costs. He currently owes $45,250 and is still working toward his bachelor's degree.

No wonder it takes our students 6 years to graduate—or longer. It is now not really a question; you have to graduate from college or at least get a 2-year degree to get a good-paying job in this country. In the next 7 years, 70 percent of jobs in Minnesota will require some type of postsecondary credential. Yet right now only 40 percent of working-age Minnesotans have one.

If we are going to compete with other countries, we have to do something about this. What can we do? We have to get long-term costs under control. There is a lot to do there, but that is the long term. In the short term, at least we should do no harm. On July 1 Stafford loans, subsidized Stafford loans are set to double, from 3.4 to 6.8 percent. That is unconscionable.

This legislation was written in 2007, and that said it would double. If you look at interest rates, what they have done from 2007 to now, they have just shot down. This makes no sense whatsoever. This is going to affect over 7.5 million students nationwide, over 200,000 in Minnesota. If we fail to take action, this will cost every student in Minnesota about $1,000 in increased loan costs over the life of the loans. That is real money.

We have an offset here we have tried to do. It is about S corporations. I don't want to get into the details of this. Basically what it is—let's say you have an S corp. You are a businessman, and at the end you take your salary and profits, and most honest businessmen pay taxes on all of that, including their withholding tax, their FICA. So you pay FICA on $107,000, approximately, in withholding tax. That pays into Social Security and Medicare. That is what FICA is.

There are others who take advantage of a loophole. It is a loophole. It is legal. Let's say you are a businessman and you make $300,000. Well, you pay yourself a salary of $40,000 and you pay your FICA on that. Then at the end of the year you take out the profits. Now, these profits are not capital gains. They pocket the business's profits without paying payroll taxes. This is as clearly a loophole as anything that exists in our Tax Code. This is exactly the type of loophole that everyone, not just our friends on the other side of the aisle but that we are talking about taking out of the Tax Code so that we can maybe not raise marginal rates as much or, on the other side, they say we can take out the loopholes and lower it. If you can't get rid of this loophole, there is no loophole you can get rid of. This is so obviously a wrongheaded loophole. That extra money they take at the end of the year, it is not considered capital gains, it is income. They pay the top rate on that income—it is above the top rate. This offset would affect only people making over $250,000.

We need to pass this legislation. This is a loophole we need to close because it just makes sense. It is a loophole that I don't think anyone can really defend. I really don't. I would love to hear someone try to defend this one. Again, I have heard over and over that we just have to close some loopholes, these crazy loopholes. This is the one we need to do so our kids can have a manageable debt, so they are not paying exorbitant costs on their debt.

We have to be realistic about all of this, about what it takes to make it in this country. You need a college education or you need some postsecondary education. We have a skills gap in this country we need to close. Kids are borrowing and borrowing, and we are doing this generation a disservice. We have to look at reality.

I heard Mitt Romney the other day in Ohio. He said to kids: Look, take a chance on yourself. Borrow money from your parents to start a business.

That is not what is happening in this country. Kids cannot accumulate an average of $29,000 in debt and still be able to borrow from their parents. If they could borrow from their parents, they wouldn't have an average of $29,000 in debt; they would be borrowing from their parents.

The reality is we are putting a burden on our children that we should not be putting on them. We should close this loophole that there is no rhyme or reason for so these students can be paying a reasonable interest rate and not some exorbitant interest rate. This is just common sense.

I urge my colleagues on both sides of the aisle to vote for this bill and then we can move on to some other things.

Mr. LEAHY. Today the Senate will vote on a vital piece of legislation that I am proud to cosponsor, to prevent the rise in interest rates on need-based student loans. Without action, millions of students across the country will see their interest rates double on their subsidized Stafford loans on July 1. At the very least, these students deserve a debate on this vital pocketbook question that affects millions of young Americans and their families.

I have always strongly believed in the importance of a college education. I was the first in my family to have the opportunity to go to college. Every young person should have the chance to pursue higher education. Education is a path out of poverty, a road to personal growth, and an access ramp to professional accomplishment and economic security. Everyone wins when access to education expands.

It should go without saying that student loan costs should not rise so high that students cannot repay. Yet in recent years, average college tuition rates have increased faster than inflation, far outpacing student financial aid. Since 1985, the cost of attending college has increased by 559 percent,

and last schoolyear alone, instate tuition and fees at public 4-year institutions averaged 8.3 percent higher than the previous year.

I hear from Vermonters constantly about their struggles to afford college and their concerns about student loan debt after they graduate. Skyrocketing tuition is making it increasingly difficult for families to afford higher education. Many students are forced to take on significant debt, and too often they are not able to complete college because of soaring costs. For those students who do go on to graduate, record student loan debt has made getting ahead in today's job market next to impossible for many students. Unfortunately, along with the pressure from student loan debt has come an increase in default rates among borrowers, which will affect a student's financial stability for decades.

Especially during these difficult economic times we need to be doing more to address the rising costs of higher education and the growing need for student financial aid. We have made significant investments in higher education and making college more affordable in recent years through historic investments in the Pell Grant Program, moving to a universal system of direct loans, and through the President's recent Executive order to reduce monthly payments for low-income borrowers. While these measures have certainly helped students, more must be done to ensure every American has access to a college education.

While there is agreement on the need to prevent the interest rate increase, division remains on the way to finance the yearlong extension. The House passed a bill largely along partisan lines that would fund the student loan measure by eliminating the Prevention and Public Health Fund, created under the affordable care act. Prevention funding is vitally important in helping to lower health care costs and improving the health of Americans through chronic disease screenings, tobacco education, and immunization programs. An estimated 15 percent of college seniors have chronic diseases and could benefit from this funding. We should not force on students a choice made by Congress, not by students, between disease prevention and lower interest rates.

The solution we offer is far better for students and for the Nation. The bill to which I hope we proceed today would prevent student loan interest rates from doubling by closing a loophole in the Tax Code. Right now, certain businesses can avoid paying employment taxes on their employees' paychecks. This measure would ensure that businesses employing individuals making over $250,000 would be subject to the same Medicare and Social Security taxes every business must pay. This is a commonsense reform that we should all support.

Each opportunity for a young American to earn a college education is also an opportunity for the Nation's future. Our country's ability to compete in the global marketplace in the future depends on our children's ability to finance their education. This does not need to be a partisan issue and should be one where we can find widespread agreement.

We must not tell the 7.4 million students who rely on subsidized Stafford loans that their interest rates will double because protecting a tax loophole is more important than their ability to afford college. I urge every Senator to help us move ahead today to support our students, their futures, and our country's future.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HELLER. Mr. President, I rise in support of efforts to prevent an increase in the student loan rates.

For millions of Americans, education is the key to success and a better future for themselves and for their families. Workers with a bachelor's degree today earn about 70 percent more each year than those with only a high school diploma. We all want a better life for our children and for our grandchildren, and for many of them, a college education is part of achieving that goal.

However, higher education carries an increasingly substantial pricetag. One of my children has already completed her higher education, both my sons are currently in college, and my youngest is preparing for her posthigh school education. I know firsthand the financial strain on both the college students and their families.

The inflation-adjusted cost of college has almost tripled over the last 25 years, while median family income over the same period of time has risen only about 10 percent. Fees keep rising rapidly, soaring 8.3 percent last year at public universities and 4.5 percent at private institutions. In 2009, more than half of all public college graduates were in debt, with an average loan burden of nearly $20,000. For private college graduates, the percentage and amount of debt is even greater. The loan burden itself is substantial, and the last thing graduates need to worry about is high interest rates on these loans.

I was proud to vote for the initial efforts to keep student loan interest rates low back when I was serving in the House in 2007. Now I am a proud cosponsor of the Interest Rate Reduction Act which has been offered by my friend, the Senator from Tennessee, Mr. ALEXANDER. This legislation prevents student loans from doubling from 3.4 percent to 6.8 percent, and I truly hope Congress will be able to come together with a bipartisan agreement soon to prevent this increase from going into effect on July 1.

While student loan rates should be addressed, I am even more worried about the overall economic climate facing college grads. Recent reports found that more than half the bachelor degree holders under the age of 25 last year, which was 1.5 million young Americans, were jobless or underemployed. Of the 1.5 million languishing in the job market, half were underemployed. These young would-be professionals are either unemployed and unable to start paying their loans or have a job that may only provide enough for them to barely scrape by paycheck to paycheck. Instead of becoming the workforce of the next generation, the majority of recent graduates are finding their personal lives and finances mired in this ailing economy. Parents who have been laid off or who have seen their savings diminish have not been able to help their children through their education as they may have planned or wanted to. Our children and grandchildren are paying the price for Washington's failure to lead our Nation out of this economic crisis.

Addressing student loan rates is important and we need to accomplish that work promptly, but our work for America's colleges students and recent graduates is far from over. Congress should be doing something every day to provide more stability and certainty for businesses so they will create jobs and hire these graduates. We need to pass a budget and review expiring tax provisions. We need to get bureaucratic redtape out of the way and let American job creators do what they do best. Let's not put off until tomorrow what we can do today to make sure good-paying jobs will be available for graduates who have worked so hard to provide for a better future and let's pass a bipartisan measure that keeps student interest rates low.

Thank you. I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator suspend his request?

Mr. HELLER. I will.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I rise to speak about the issue that is currently under debate; that is, student loan interest rates.

For many students across this great country, the month of May marks the end of the school year and, for some, it means graduating after years of hard

work and moving on to another chapter in their life. Americans have always been people who celebrate hard work and the doors that hard work open for all of us.

Our country was founded on the promise that people could come here to find the opportunity to realize their dreams. So one of the most devastating consequences of the recent economy is that college students are beginning this new chapter in their lives when opportunities are harder and harder to come by. Sadly, today's college graduates are more likely to end up unemployed or underemployed and struggling with student loan debt at the same time. They are more likely to end up with those circumstances than they are to land their dream job.

Unfortunately, college costs have been increasing faster than the cost of living. Sixty-five percent of graduates who got a bachelor's degree in 2010 graduated with debt. So as our economy continues to lag, stopping interest rates on subsidized Stafford student loans from doubling could provide much needed relief. That is why I am a cosponsor of legislation introduced by my colleague LAMAR ALEXANDER which extends the current 3.4-percent interest rate for an additional year. It needs to be done.

It cannot be denied that access to education is imperative to ensuring a prosperous future for Nebraska's young people and for all Americans. It should be our goal to foster an economic atmosphere where jobs will flourish, our economy thrives, and opportunities abound for young people and, for that matter, for all Americans. That is why I am so disappointed that today we will vote on a bill that takes such a different approach to paying for the student loan interest rate extension.

The bill we will vote on taxes small businesses and raids funds that would otherwise go to shore up the Social Security and Medicare trust funds. Providing relief for students, protecting seniors' benefits, and fueling our Nation's job engine should not be mutually exclusive goals. We should not be pitting one sector of our population against another. Yet that is what we will do later on today.

This bill sacrifices one of those goals I just mentioned and puts another in jeopardy to achieve a third. I believe that is counterproductive. Why? In part because the future of our young people is so dependent on the availability of jobs in America.

This bill would raise taxes on job creators at a terrible time. The U.S. economy only grew by 1.7 percent in the last year, and our unemployment rate has been over 8 percent now for 39 consecutive months. Taxing job creators has a chilling effect on hiring. It isn't straightforward to promise students the American dream while making it harder for them to get a job—often the first step toward realizing their dreams.

The bill is also enormously unfair to seniors. By diverting tax revenues that would otherwise go to Social Security and Medicare, it ignores the warning flags we just received yet again about these programs. A recent trustees' report verifies that both these programs are on unsustainable paths. Medicare is projected to be insolvent by 2024 and Social Security by 2033—two dates that are well within sight. But instead of helping to strengthen these programs for the future, this bill spends the money elsewhere. The legislation ignores reality and, sadly, that has been all too familiar.

The health care law also siphoned funding from Medicare to the tune of $½ trillion. This money was used to pay for new entitlements in the law, not to extend the life of Medicare. The law's supporters have sometimes claimed it somehow did both—that magically we could count the same dollar twice—but anyone who looked at that disagreed with it, and basic math tells us we can't save and spend the same dollar two times. That was just one of many budget gimmicks used to mask the true cost of the health care bill.

Student loans help shoulder the massive cost of the health care law as well. That law, interestingly enough, nationalized the student loan industry, generating $60 billion over the decade, according to the Congressional Budget Office. But instead of using that money to address the doubling of student loan interest rates that was on the horizon, Congress and the President spent a portion of that money to help pay for the health care law—simply amazing. It is just one more example of a government that claims to know best when their only remedy is to rob from Peter to pay Paul. Sadly, the misguided government solution we will vote on today will be counterproductive for our job creators, for our economy, and for our Nation's job seekers, our soon-to-be graduates.

But don't take my word for it. There is a long list of organizations representing millions of employers and hard-working employees sounding an alarm over the tax increase being proposed in the bill we will vote on today. They are the people who build our homes, fix our air-conditioners, run the corner convenience store, own restaurants, print the flyers we distribute and the church bulletins we receive on Sunday. They all say the pay-for in this bill is bad policy. They don't buy the notion that it is a simple tax clarification. They identify it in plain English as a permanent payroll tax increase.

They go on to say in a letter to Senate leaders that a payroll tax increase should not be diverted from Medicare and Social Security to a temporary program. That letter, dated May 3, 2012, to Senators REID and MCCONNELL and signed by dozens of organizations is in my hand and was printed in yesterday's RECORD.

Senator ALEXANDER has proposed a good option that doesn't slap the job creators with a tax increase and doesn't divert funds that would otherwise go to Medicare and Social Security, and I support his proposal. I would also be open to supporting other pay-fors other than the irresponsible one we will face today. It is time to look for practical solutions that can actually pass the Senate and help the American people. Americans are getting sick and tired of election-year voting where we face legislation that we all know is designed to fail with this singular focus of generating good campaign talking points. While extending the student loan interest rate is important, a prosperous future depends on more than just that low interest rate. Young Americans would have greater prospects for the future in an economy that generated jobs and its growing income. The budgets would be less drained if the price of gas and health insurance didn't continue to escalate, and they would have more stability down the road if their future wasn't threatened by strained entitlement programs and a Federal debt that is now larger than the entire Nation's economy.

Lately, instead of solving these problems, legislation simply looks for yet another scapegoat, another political gotcha, a bill that is designed to fail to get a 30-second spot. Here in the Senate we should not be in the scapegoat- or gotcha-finding business. We should be in the solution-finding business. That is why I am proud to cosponsor Senator ALEXANDER's legislation that does the right thing for our country's students. This bill provides relief for students during a difficult economic time, and it uses money from a fund created from the health care law to pay for the extension. Identical language has already passed in the House, and it is here for the Senate to consider.

The President has already signed legislation into law using this very health care fund as an offset. The President even included cuts to this fund in his own deficit-reduction proposal. But now, when it is politically expedient to oppose those cuts, he has conveniently changed his mind. Well, these flip-flops don't go unnoticed by the American people.

I hope we can consider Senator ALEXANDER's legislation soon and the President will reconsider his threat to veto it. There has been a lot of finger pointing on this issue, but in reality everybody agrees interest rates on the Stafford loan should not double when the economy is struggling. The only disagreement is over how to pay for the relief. It is unfortunate that an area

with so little disagreement has yet again morphed into a political football.

Sadly, with this being a Presidential election year, I fear there will be more of this political gamesmanship. But I stand ready to work with anyone interested in solving the problem.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. Mr. President, I rise today to talk about the student lending program that I understand we may be voting on a little bit later today. I want to first say, like my colleague, I have talked with a number of students in Tennessee and people who used to be students in college who have a tremendous amount of loan obligation they have to deal with. Our hearts go out to folks whose careers start with a large amount of debt, and we hear lots of stories about the size of this debt.

So I want to start by saying that I certainly empathize with much of what is happening in the student lending program as it relates to the recipients on the one hand. On the other hand, as it relates to how we deal with this issue, which also relates to these young people—I mean, at the end of the day, these massive deficits we are piling up are also going to be an obligation to them in one form or another. I want to speak to that for one moment.

First of all, I want to say that my friend from Tennessee, the senior Senator, has done as good a job as any of laying out what is driving tuition costs in the first place. The reason students are having to borrow so much money to go to college these days is due to what we have done in Washington. What I mean by that is if we look at the Medicaid Programs in West Virginia or Tennessee, what we have seen over the course of the last couple of decades is that Medicaid costs have been rising dramatically in our own States. Because State governments are forced to fund these huge Medicaid costs, they don't have the same resources available to fund public higher education.

So what is happening is these State governments, which are compelled by us, by the way, to fund these Medicaid Programs—let me make a point. Most people realize that with the passage of the health care bill a couple of years ago, we are going to have upwards of 25 million more Americans across this country on Medicaid. That was the largest part of the health care expansion that took place.

In my own State of Tennessee they have already projected over a 5-year period that it is going to cost them over $1 billion to fund what this Congress mandated as it relates to health care just a few years ago. That is $1 billion that is not going to be available for higher education. So when we campaign around the country and talk about wanting to deal with student lending, I think we ought to be looking at Congress because Congress is actually the one driving the exorbitant tuition rates in the first place by these mandates that we are placing on State governments. It is kind of appalling.

As a matter of fact, in our own State, at a time when Medicaid costs rose 15 percent, in order to make our State's budget balance the State legislature invested 15 percent less in higher education. Again, what is happening is young people—such as the ones who are sitting in front of me—are having to pay exorbitant tuition costs because the States around our country are not able to invest in higher education. Therefore, it is being sloughed off on the backs of students as they enter college.

Let's talk about the loan program itself. First of all, a loan program that charges 6.8 percent, which is what the program is getting ready to do, loans money to all comers—in other words, everybody who comes to get a loan—and there is no collateral in place. It is not like a home mortgage where there is collateral. There is no downpayment. As we know, these loans don't begin to be repaid until years down the road. The U.S. Government is not even breaking even at 6.8 percent. So this whole notion that this student lending program—again, as part of the health care bill—was going to create $50 billion or $60 billion to fund a new health care entitlement was wrong in the first place. With the interest rate at 6.8 percent there is no way taxpayers are coming out even. It is not possible.

As a matter of fact, CBO issued a report in March that said if they used fair accounting standards at the 6.8 percent level, the Federal Government was actually subsidizing student loans by 12 percent. So this whole notion of saying, well, the U.S. Government's borrowing costs is low, and therefore we ought to be making loans at 3.4 percent—by the way, I would love for us to be able to offer rates as low as we can to students. But the fact is we are already losing money at the 6.8-percent level. There is no way, with no money down, no collateral, payments being made down the road, taking all comers, and default rates that will exist that we could possibly be coming out at 6.8 percent. I think CBO has clearly stated that by virtue of the report that came out in March.

Let me come up with a third point. What we are getting ready to do is to discuss a bill that spends $6 billion of our taxpayer money, and Congress is considering spending the $6 billion in this 1 year to give students who apply—futuristically, by the way. This has nothing to do with students who are already in college today and have student lending. But for this 1 year, for loan originations to student lending, we are going to keep the rate at 3.4 percent, which is going to cost an additional $6 billion this year.

So what is Congress considering? Congress is considering paying for that $6 billion over the next 10 years. So instead of saying we are going to spend $6 billion and do what most Americans have to do on a daily basis—if we are going to spend a dollar this year, we have to save a dollar someplace else—what is Congress considering? Spreading the cost over the next 10 years. What is that going to do? Accumulate additional tremendous debt. What is that going to do for the students who are now seeking these loans? Candidly, it piles up additional money they are going to have to pay back.

Let me close by saying this: I know this is campaign season. I know candidates on both sides of the aisle are around college campuses in this country talking to students about their future. What I find unbelievable—and I think these students, by the way, are a lot brighter than people give them credit for as they are campaigning around on college campuses. But, basically, I think these students understand that as politicians are going around trying to offer them deals, they understand that at the same time Washington is piling up tremendous amounts of debt on these students, and not only are they going to have their student loans to repay, but they are going to have all of the trillions and trillions of dollars of debt that Congress is adding on in order to curry favor with citizens of all walks of life in our Nation. That is what happened in Western democracies. We are seeing it play out right now in Europe.

But what I think these students are quickly figuring out is that we are really not giving them anything. Basically, we are taking with the other hand. I think the numbers will carry this out. If, in fact, we do deal with this pending student lending program over the course of the next 6 weeks—and my guess is we may well do that—I hope we will be honest with these college students and at least pay for this expenditure by not spending money on something else so we are not, in essence, giving them something today but taking away something much bigger from them over the long haul.

I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, the vote we will take today will affect millions of Americans. If we do not enact legislation before July 1 of this year, approximately 7.4 million students will see the interest rate on their student loans double.

Nearly 200 student government leaders, representing more than 2.5 million college students across the Nation, have asked us to come up with a bipartisan solution to keep the interest rate from doubling this July.

Hundreds of thousands of students, parents, educators, and concerned citizens have called and written to their Senators and Representatives with a simple message: Don't double the rate.

For them, student loan debt is not a trivial matter. It is a matter of going to school, and it is a matter, ultimately, of the jobs they take and their ability to pay off those loans during their working life.

Without action, students will pay, on average, an additional $1,000 for every year they have to take student loans, if we let this rate double.

Two-thirds of the class of 2010 graduated owing student loans, with an average debt of over $25,000. They are walking out of school with a degree and a huge debt. If we do not fix this problem, beginning today, that debt will be larger for their successes in the years ahead.

Student loan debt collectively has passed the $1 trillion mark—exceeding credit card debt. In fact, there are some who speculate this is the new bubble that is coming upon our economy. This is a serious issue.

The good news is that there seems to be for at least the principle of preventing this increase—an emerging bipartisan consensus that we should not allow the rate to double. The bad news is that my colleagues on the other side have chosen to use the student loan interest rate as another opportunity to attack health care. They have proposed to pay for the extension by cutting funds to the Prevention and Public Health Fund, reducing access to immunizations and services that seek to prevent cancer, diabetes, heart disease, to name a few.

The President has already said he would veto this attempt to pit health care against education—health care, which benefits all, but particularly benefits those low-income and middle-income American families and, of course, these education programs that are a lifeline and a mainstay for middle-income Americans.

The other aspect of attacking this prevention fund is, in the long term, if we are ever going to get our hands around the cost of health care in this country—and both sides recognize this is one of the critical obstacles we face in the future—we have to have better prevention. It is difficult to understand how people can say: Let's not do prevention, but we have to cut health care costs. If we could have an effective prevention program, we could, indeed, over years, and with increasing success, reduce or at least begin to flatten that proverbial health care cost curve.

It is interesting to note, the other side is proposing to use health care to pay for this proposal to help middle-income families, but they do not always insist on paying for everything they want to do. They will, frankly—and, I think, eagerly—extend the Bush tax cuts without any pay-for. The House recently passed the so-called Small Business Tax Cut Act with no offsets. And that costs $46 billion—nearly enough to pay for the student loan interest rate at 3.4 percent permanently.

Following this logic, students and their families across the country are probably wondering: Well, why isn't the risk of doubling their interest rate treated the same way as benefiting the wealthiest Americans through tax cuts and businesses through tax cuts? Don't they count as much? Shouldn't they count as much?

We propose to pay for this 1-year extension by closing an egregious loophole in the Tax Code that has enabled certain high-wage earners to avoid paying their fair share into Social Security and Medicare by misclassifying their wages as profits through subchapter S corporations. It is a very small subset of corporations that are doing this, and our proposal is targeted.

This is not the small manufacturing plant that is organized as a subchapter S corporation or the pharmacy or the lumber dealer. These are consultants, these are high-paid attorneys, these are professionals who have chosen to put between themselves and their company or their partnership in another entity purely for the purpose of minimizing their payroll tax exposure. That is a loophole that should be cut regardless of other measures we are considering.

Essentially, this is a very small group of people, as I said. In order to be subject to this proposal, you would have to have 75 percent or more of your gross revenues from professional services. This does not apply to the manufacturer or the merchant. It is lawyers, accountants, lobbyists, and similarly positioned individuals. And it is further restricted to only those who earn more than $250,000 filing jointly. So this is not the struggling underpaid professional. These are people who are doing reasonably well in this very complicated and competitive society.

According to the Joint Committee on Taxation, in 2009 about 15 percent of all S corporations were service businesses as defined in this bill. Yet this small subset is responsible for billions of dollars in lost revenue to Medicare and Social Security.

In a 2009 report, the Government Accountability Office found that in the 2003 and 2004 tax years, individuals used this loophole to underreport over $23 billion in wage income.

This is a loophole that should be closed. I hope my colleagues on the other side of the aisle will take a serious look at it and join us in supporting this bill.

We have 54 days to prevent the interest rate from doubling on subsidized student loans. We have no time to waste.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, in a little over a half an hour we will have a vote on whether we are even going to proceed to the bill that will keep interest rates on our subsidized Stafford loans at 3.4 percent for the next year or whether they will go up double on July 1.

This is just a vote on going to the bill. For the life of me, I cannot understand why the Republicans do not even want to go to the bill. Well, perhaps they are afraid if the vote really comes down to the bill itself and the, quote, offset, that maybe some of my friends on the other side of the aisle will think that students may be a little bit more important than a few wealthy people in this country who are not paying their fair share of taxes. But they are going to hide behind this motion to proceed. So that is what the vote is at noon. Are we going to even go to the bill so we can debate it, offer amendments, vote it up or down? Republicans do not even want to go there. They do not even want to proceed to the bill.

They have clouded it up in a lot of rhetoric about offsets and how we are going to pay for this. It comes down to a choice. We have a serious offer, a serious offer, a serious offset, one which is widely recognized as a terrible loophole. By closing that loophole—which affects a microcosm of individuals in this country—we are able to pay for keeping the interest rate at 3.4 percent for another year.

My friends on the other side of the aisle say, well, they want to keep the 3.4-percent interest rate, but they want to pay for it by eliminating—eliminating—killing the Prevention and Public Health Fund that goes to help make sure our kids do not get diabetes, to make sure we fight obesity, that we cut down on smoking in this country, that we make sure kids get their vaccinations—all the things that go to save us money in health care. That is the prevention fund. They want to take that money away from there. They want to end that program. That is their offset.

Well, if that is what they want, fine. But let's get to the bill. If they want to offer that as an offset, fine, we will

vote on it. But they do not even want to go to the bill. Their priorities are not the students. Their priorities are protecting a small class of individuals in this country who use the Tax Code to avoid paying their fair share of Social Security and Medicare taxes.

We have heard all about: job creators, job creators; oh, we Democrats are going after these job creators. Well, the offset we have only affects subchapter S corporations, and only subchapter S corporations that have three or less stockholders—three or less. These are usually family members. They do not create any jobs—three or less. If you have five or ten or more, you are not covered by this; only if you have three or less, and only—only—if you have more than $250,000 a year in income. It is very narrowly drawn, very narrowly drawn. But the Joint Tax Committee scores this saying that over 10 years, by closing this loophole, we put $6 billion into the Medicare trust fund and $3 billion into the Social Security trust fund. So there is $9 billion there of money where people using this loophole—a few people using this loophole—are able to escape paying their share of Medicare and Social Security taxes.

We are saying, let's close that loophole. Let's use those savings, put them into the Medicare and Social Security trust funds. Under the scoring system here, any revenue that is raised or mandatory cuts go to offset any increases in mandatory spending. Well, that is kind of budget jargon around this place. All it means is, by closing this loophole, we are able to do two important things: one, put more money into the Social Security and Medicare trust funds, and keep the interest rate for students at 3.4 percent for another year. Not a bad deal. I think a very good deal. But my friends on the other side are not going to go there. They want to kill the Prevention and Public Health Fund.

Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The majority has 8 minutes remaining.

Mr. HARKIN. Mr. President, I yield the floor at this time and reserve the remainder of our time.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I can understand the Senator from Iowa's concern about the reduction of the prevention and public health fund, which he put in the health care bill. I know he has a longstanding interest in that subject.

But let's be clear about this. It is not just Republicans who think that fund isn't the best use of taxpayer money; it is almost all the Democrats on that side of the aisle. In February, the Middle Class Tax Relief and Job Creation Act was passed. It was voted on in the Senate, and every Democrat except six voted to take $5 billion out of the prevention and public health fund we are talking about to pay for it. It is not only the Democrats on that side who have supported taking from the fund, it is the President of the United States.

President Obama, in his Fiscal Year 2013 budget proposal, proposed taking $4 billion away from the fund, and then in his 2011 deficit reduction package, he proposed taking $3.5 billion from the fund. So it is a bipartisan proposal. We are a government that is borrowing 40 cents of every $1 we spend. If we are going to spend some money, we have to save some money, at the very least.

What we are proposing on the Republican side is the same goal the Democrats have, the same goal that both President Obama and Governor Romney have, which is to take this 3.4-percent interest rate for new subsidized loans, for 40 percent of students who take out loans, and extend it at that rate for another year, while we also take a look at what the long-term prospects could be. We agree on that. We agree that 3.4 percent ought to continue to be the rate on new loans for another year. The President agrees. Governor Romney agrees.

We don't agree with Senator REID's proposal on how to pay for it. We have suggested paying for it by reducing spending in the health care law and reducing it in a way that all but six Democratic Senators have supported or at least from the fund they have supported reducing before and from the fund the President has supported reducing before.

Why are we suggesting saving from the health care law? There is a reason for that. It is because those who passed the health care law are overcharging students on student loans in order to help pay for it. Here is why I say that. The government is borrowing money, according to the CBO and the way it scores student loan spending today, at 2.8 percent and loaning it to students at 6.8 percent. The truth is, that 6.8 percent is a pretty good interest rate for a student who is maybe unemployed today. My colleague from Tennessee, Senator CORKER, was here talking about that earlier. There might be other ways of looking at this spending differently. But the way the Congressional Budget Office scores this spending today, it says the government is borrowing money at 2.8 percent and loaning it at 6.8 percent and that the government is making, in effect, a profit—that is my word—because the CBO says that based on the amount of money the government is receiving from the student loans, it makes a profit or a savings of $61 billion over 10 years.

What did our friends on the other side do with that $61 billion? The Senator from Iowa very carefully explained that yesterday. They spent it—all except $10 billion, which they used for deficit reduction. They could not keep their hands off it. They spent $8.7 billion of that excess money from student loans to help pay for the health care law.

We are saying that if we are looking for money to keep the interest rate at 3.4 percent, if we are trying to help students, why don't we give back to the students the money we are taking from them to pay for the health care law. We are overcharging students, according to the way the CBO looks at the loans, by $8.7 billion to help pay for the health care law. We propose in our bill to freeze the rate at 3.4 percent, give the students back the money we are overcharging them, and use the excess money—over $6 billion—to reduce the deficit, which we need to do at a time when we are borrowing 40 cents of every $1 we spend.

That is what the Interest Rate Reduction Act I have proposed does. It freezes it at 3.4 percent and gives back to students the money the government is overcharging them on student loans to pay for it. That is the same bill the House of Representatives passed. If we can get a vote on that here and pass it in the Senate, we can send it to the President, and he could go around the country saying he has worked with the Congress and has produced a way to help students save money.

The President needs to also say a couple more things. It is not much money—$7 a month on average student loans. But this is the political season, and students need to be aware of that. I have talked about tuition going up and student loans going up. But if we do what we have agreed we should do, what the House has already voted to do, and freeze this interest rate on 40 percent of new student loans at 3.4 percent for 1 year, it saves the average student on the average loan $7 a month. That is for 10 years. It adds up eventually to $830, but it is $7 a month. We should talk about the rest of the story too.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 14 minutes.

Mr. ALEXANDER. I thank the Chair. The rest of the story is about why tuition is going up. As a result, why are loans going up? There are several reasons. The main reason, which every college president and every Governor knows—and the Presiding Officer who was the Governor of West Virginia—college tuition is rising at public universities and community colleges across the country, where three out of four of our students go, is because of Federal Medicaid mandates on States that are soaking up dollars that would otherwise go to the University of West Virginia, the University of Tennessee, the University of Iowa, and other public institutions. Every college President knows that and every Governor

knows that. That didn't just start 3 years ago. That was going on when I was Governor 25 or 30 years ago. I even came to Washington and said to President Reagan: You take all of Medicaid and we will take all of kindergarten through the 12th grade education. We want out of this situation every year of having to use State dollars to fund one-third or whatever you think we ought to be paying for Medicaid.

If we had made that swap 30 years ago, if the Federal Government had taken over all of Medicaid and the States had taken over all of kindergarten through the 12th grade education, the States would have come out about $4.5 billion ahead. If we made it today, if the Federal Government took all of Medicaid and the States took all of elementary and secondary education, the States would have $92 billion extra to spend. Where would it go?

I know that a lot of it would go to education—maybe most of it—especially to higher education and to public universities. The reason students are fasting and striking in California, when tuition is going up, is because California has reduced spending to its public universities by $1 billion since 2008. What the students don't seem to know is that the reason California has had to reduce spending to its public universities is because Washington has insisted that California, Tennessee, West Virginia, Iowa, and every other State increase their share of spending on Medicaid, and that soaks up the money that would otherwise go to public universities and community colleges.

In my own State, last year, Medicaid spending was up 16 percent and higher education spending was down 15 percent. What was the result? Up went tuition 8 percent and up went student loans. So it is a good thing, I suppose, that Democrats and Republicans and Governor Romney and President Obama have all agreed that for 1 year we want to freeze the rate on new subsidized Stafford student loans at 3.4 percent and save the average students who get those new loans $7 a month.

What students and families who are struggling to pay for college need to know is that until we repeal this health care law or until we repeal these Medicaid mandates on States, those college tuition rates will be going through the roof. The Kaiser Family Foundation says States, which now spend about 1 out of every 4 State tax dollars on Medicaid, will see a 29-percent increase on average in the next year as the health care law goes into effect. Where do you suppose that 29 percent increase will come from? It will come from the State budgets. The Governor will sit there and choose primarily between spending for community colleges and universities. More of it will go to Medicaid and less to community colleges and universities. So their quality will go down and their tuition will go up. The students will be fasting in California and they will be thinking it is their legislators in California who are the problem, while it is really the legislators in Washington, DC who are the problem because they are the ones imposing the Medicaid mandates on states.

I have tried to be fair in saying this problem is not an invention of President Obama's and of the new health care law; this has been a trend for 25 or 30 years. But President Obama and the new health care law have made this problem worse. This debate, while it may save students $7 a month in interest payments and while we think the fairest way to do it is to take the money we are overcharging them and give it back to them, this debate at least highlights the issue I hope I hear the President and Governor Romney talk about this fall, which is about who is responsible for rising college tuition and student loan debt.

I believe the main person and main group responsible are those who insist on continuing Medicaid mandates on States that soak up the dollars that should be going to public colleges and universities.

I yield the floor and reserve the rest of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, how much time do we have?

The PRESIDING OFFICER. Eight minutes. The other side has 9 minutes.

Mr. HARKIN. Mr. President, I always enjoy engaging in good debate with my friend from Tennessee. He is a very thoughtful Senator, a very thoughtful member of our Committee too, and a good friend. Having been a former Secretary of Education, he has a depth and wellspring of knowledge about education, and I respect that greatly.

We obviously see things a little bit differently, but that is the nature of the animal here. I say to my friend that without getting into a point-by-point rebuttal, I wish to make it clear the President did put in his budget taking some money out of the prevention fund. I assume my friend knows I was not much in favor of that proposal. Then it was used later on to extend the unemployment insurance and also the payroll tax cut until the end of this year. That money was used for that. I was not very supportive of that. I thought we should have taken the money from elsewhere. At least the President has said that is it, no more. We will take a nick out of that prevention fund but no more. That is why he issued a statement of administration policy saying he would veto this bill if it had any cuts to the Prevention and Public Health Fund.

I used the analogy a while ago that the cut the President proposed, which was supported on our side, to extend the payroll tax cuts to the end of the year, I likened that to taking a couple pints of blood—we can take a couple pints of blood and still get our health back and go on. The proposal of my friend from Tennessee takes all our blood or all the prevention fund money. When we do that, we are dead. That is the analogy I have used. They took a couple pints of blood, which I was opposed to, but the prevention fund is still alive and healthy and is doing its job. It is going to do even more of its job in the future, as long as we don't take any more money out of it, and the President has said he will not do that.

I wanted to make that clear. That happened one time; no more. Even though Senators supported it on our side—and there were people who supported that on our side—they have said no more; we are not taking more out of that fund.

Lastly, I cannot help but also talk about this $61 billion the Senator from Tennessee keeps talking about. As I said yesterday, he is right in one way; that we did spend it. The question is, What did we spend it on? Well, as I said, $36 billion went to increased Pell grants. I don't think my friend from Tennessee would want to cut Pell grants. I think he is a pretty good supporter of Pell grants. That is where $36 billion of that went. And $750 million went to the College Access Challenge Grant Program, $2.55 billion went to historically Black colleges and universities, and $2 billion went for community colleges. So my friend may be right. Maybe we could reduce those interest rates a little bit. But what that money is being used for is basically students.

Now, I will be honest about this. Ten billion dollars went for decreasing the deficit. I don't think my friend from Tennessee would be opposed to that. And $9.2 billion went to other health care programs, including requiring dependent coverage in the health care bill. In other words, how many students now are covered under their parents' policies until they are age 26? They didn't have that before. Now they have it. So some of this money was used to invest in that or community health care centers. Yes, we did do that by providing some of the money from that—$9.2 billion of that—for some specific types of items in that health care bill.

Lastly, Mr. President, I just have to ask a question. Are we having a health care debate here or an education debate? I thought we were talking about education. We are talking about whether student loan interest rates on subsidized Stafford loans are going to double on July 1. Now it has morphed into some kind of big health care debate.

I have heard it said that the other side wants to keep the interest rates at 3.4-percent for a year. OK, fine. The question is, How do we pay for it? That is really the question. We have offered

in good faith, I believe, a serious proposal: closing the loophole that affects a very small sliver of people in this country who are using this sort of a fog surrounding Subchapter S corporations to escape paying their fair share of Medicare and Social Security taxes.

Yesterday, someone on the other side said: Well, we can audit them. We can do IRS audits.

The IRS only audits one-half of 1 percent of subchapter S corporation filings. So if there is kind of a fog out there and I get to decide as a taxpayer, as a subchapter S corporation, whether I get paid or whether it is dividends, what am I going to say? Dividends. Because my odds are 95.5 percent that they are never going to audit me—95.5 percent. Those are pretty good odds.

That is why the Joint Tax Committee said that by closing this loophole—by closing this loophole—we save over $9 billion, put into the Social Security fund and Medicare fund, and at the same time be able to keep the interest rate for students at 3.4 percent. That is a serious offer. The offer from the other side is not serious. They want to kill the prevention fund. That is not serious at all, but that is where they are coming from.

Well, I say let's have a vote. Let's at least move the bill. That is what the vote is at noon, is moving the bill, getting it out there so we can have a debate on the bill and how we pay for it. Obviously, my friends on the other side of the aisle don't even want to bring up the bill. They do not want to bring it up. They are going to vote against cloture, against bringing up the bill to even discuss it and vote on it.

Mr. President, I will close by urging all Senators to support the cloture motion so that we can get to the bill and students and their families will know that we are serious about this and that on July 1 their interest rates are not going to double on our middle-class families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I appreciate the comments and the courtesies of the chairman of the Committee on Health, Education, Labor and Pensions, and I recognize his leadership and his interest in these subjects.

The Senator asked the question: who connected health care to student loans? It was the Democrats who connected health care to student loans. Think about this. Here we were debating a new health care law a few years ago, and what happened? The Democrats—the majority—said: While we are at it, while we are supposedly fixing health care, we are going to take over the entire student loan program. We are going to take Arnie Duncan, who is a terrific Secretary of Education, and we are going to make him banker of the year, banker of the century, and we will put him in charge of making more than $100 billion in new loans every year to students all over America.

So as a part of the health care law, they got rid of the student loan program, most of which was handled by people you would expect to be making loans—that is, banks—and put it all in the government. They did that on the theory that the banks were making too much money.

It reminds me of people who think that if it can be found in the Yellow Pages, the government ought to be doing it. Autos, student loans—just put it all in the government.

So if we are going to do that, if we are going to connect the two, student loans and banks—and then the Congressional Budget Office comes along and says: Well, OK, if the government takes over the student loan program, it will save $61 billion, that $61 billion ought to go to the students who are getting the loans. That is my view. That is our view. And the Congressional Budget Office estimates that if we applied that $61 billion savings to student loans, we could have reduced the interest rates to about 5.3 percent and save the average student $2,200 over 10 years.

So it wasn't anybody on this side of the aisle who suggested during the health care debate that we ought to suddenly say: While we are at it, let's take over the student loan program.

All we are saying today is this: We agree with President Obama, we agree with Governor Romney, and we agree with the House of Representatives that the interest rate for new subsidized Stafford student loans should stay at 3.4 percent for the next 12 months. That will save the average student about $7 a month in interest payments. The only difference we have is how we propose to pay for it. The Democrats want to raise taxes on people and small businesses who are creating jobs while we are still in the midst of the greatest recession since the Great Depression. We say that since the government is borrowing money at 2.8 percent and loaning it to students at 6.8 percent and since the Congressional Budget Office said there was a savings of $61 billion when the Federal Government took over the student loan program and that $8.7 billion of the savings went to pay for the health care law, we ought to take the money the government is overcharging students and use it to pay for keeping this rate lower for another year. That is what we Republicans are saying and is where we have a difference in opinion with the other side.

So I hope my colleagues will vote no on the motion to proceed. We have a different proposal that we believe is superior and is the same as the one that passed the House. We would like a chance to offer the Interest Rate Reduction Act and give the students the benefit of our proposal, which will give the overcharged money back to them. We would like to have a vote on that.

Therefore, I recommend that we keep the rate at 3.4 percent; that we use the money we recognize as the savings we are taking from students, by overcharging them for student loans, as the best way to pay for it. Hopefully, the majority leader will allow us to consider the Interest Rate Reduction Act that we have proposed.

I thank the Chair, and I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the following cloture motion, which the clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 365, S. 2343, the Stop the Student Loan Interest Rate Hike Act of 2012.

Harry Reid, Jack Reed, Sheldon Whitehouse, Jeff Merkley, Charles E. Schumer, Kay R. Hagan, Jeanne Shaheen, Robert P. Casey, Jr., Kent Conrad, Sherrod Brown, John F. Kerry, Dianne Feinstein, Mary L. Landrieu, Barbara Boxer, Patty Murray, Bernard Sanders, Barbara A. Mikulski, Richard J. Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Ms. SNOWE (when her name was called). Present.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Indiana (Mr. LUGAR).

The PRESIDING OFFICER (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—52

Akaka	Casey	Kerry
Baucus	Conrad	Klobuchar
Begich	Coons	Kohl
Bennet	Durbin	Landrieu
Bingaman	Feinstein	Lautenberg
Blumenthal	Franken	Leahy
Boxer	Gillibrand	Levin
Brown (OH)	Hagan	Lieberman
Cantwell	Harkin	Manchin
Cardin	Inouye	McCaskill
Carper	Johnson (SD)	Menendez

Merkley	Rockefeller	Udall (NM)
Mikulski	Sanders	Warner
Murray	Schumer	Webb
Nelson (NE)	Shaheen	Whitehouse
Nelson (FL)	Stabenow	Wyden
Pryor	Tester	
Reed	Udall (CO)	

NAYS—45

Alexander	DeMint	McConnell
Ayotte	Enzi	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Brown (MA)	Heller	Reid
Burr	Hoeven	Risch
Chambliss	Hutchison	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker

ANSWERED ''PRESENT''—1

Snowe

NOT VOTING—2

Kirk Lugar

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 45. One Senator announcing present. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise to express deep disappointment in the vote that just took place a few hours ago where our Republican colleagues voted to filibuster our efforts to make sure student loans in this country do not double from 3.4 percent to 6.8 percent in July.

I think everybody understands that young people in our country today, in the midst of this terrible recession, are facing extraordinary challenges. They are paying three to four times as much as their parents paid for a college education regardless of whether they attend a private or public college. When they receive their diplomas, they have no guarantee, given the state of the economy today, that they are going to be able to get a job and earn the income to pay off those debts.

Given the challenges college students are facing today, the least we can do is to keep student loan interest rates at a low rate for another year. The interest rate on subsidized Stafford loans has been steadily reduced since Congress passed the College Cost Reduction and Access Act of 2007. But if Congress does nothing, interest rates on subsidized Stafford loans are set to double from 3.4 percent to 6.8 percent on July 1, 2012.

When we talk about Stafford loans, we are talking about loans for students from low- and moderate-income backgrounds. Subsidized Stafford loans are need based and targeted to students who otherwise might not be able to attend college. Nearly one-third of undergraduates have benefited from these low-interest Federal loans. If the interest rate doubles this year, the rate hike will impact up to 9 million students, and we must not allow that to happen.

Among the students who will be impacted are 19,000 young people from the State of Vermont. In my State nearly 70 percent of college graduates are carrying student loan debt—70 percent. On average that debt is $30,000, which puts Vermont at the sixth highest student loan debt load in the country.

Everybody understands that in order to get ahead in the economy today, it is very important that one has a college degree. The cost of college education is soaring. In the State of Vermont—and I have talked to many of these young people in my State and throughout this country—students are leaving college deeply in debt. Nineteen thousand students in the State of Vermont are on Stafford loans. If interest rates double from 3.4 to 6.8 percent, it will make their current situations, which are very difficult, much worse.

So I hope our Republican colleagues will end their filibuster. I hope we can get back to work as soon as possible in passing a bill which will maintain Stafford loan rates at 3.4 percent.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I ask unanimous consent that the time from 2:15 until 5:15 be equally divided and controlled between the two leaders or their designees and that all quorum calls during that period also be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, before I speak about the details of the impact of not helping students in this difficult economic climate with student loans that they can afford, I wish to say that I was stunned that my Republican friends refused to give us a vote to proceed to the issue.

I think every student in America should turn their focus on this Chamber because the Republican Party made it impossible for us to lower the student loan rates today. They made it impossible. This is going to mean thousands of dollars over the life of a student's loans. So while the Republicans are calling for major tax cuts for billionaires and millionaires of $100,000, $200,000 a year in cuts, they don't have the heart to help middle-class students get a break on their interest rates for higher education. I find it appalling.

If anyone wants to know the difference between the parties, start with this. Whom do we fight for when we are here? We all say we are for the next generation. We all have the speeches—oh, they are terrific; they are beautiful—each party. But when push comes to shove, who is voting to help our students get an interest rate they can afford so they are not shackled to a high interest rate at a time of historic low interest rates? Democrats are on their side. All we have to do is look at the vote today if nothing else. One does not have to understand any more than the Republicans blocked us from debating the importance of lowering interest on student loans.

So I will be back to put in the record individual stories from my constituents. But let's wake up, America. Parents, wake up. Students, wake up. The Democrats proved today that we are on your side. The Republicans proved they are not. Period. That vote says it all. It is not complicated. They will make it complicated. They will talk about procedure and this and that. The bottom line is the bottom line. The Republicans voted not to allow us to vote on ways and methods to lower interest rates for our students. So don't be fooled. We will hear speeches on why they voted no, and they will come up with things. The bottom line is they wouldn't even let us debate this issue. I am stunned. I assumed we would be on this bill.

So when Americans look at the Senate floor and don't see much activity except for a few of us coming to speak, and they thought today was the day we were going to vote to lower interest rates on student loans, wake up to reality. It is called a filibuster. We were stopped by the Republicans once again, just as they have stopped us time and time again. They come to the floor with every reason one can imagine.

We have news. We have two independent scholars who wrote a very important paper. They are nonpartisan. What they said in this paper is that they used to think it was both sides that were stopping progress. Now we

know it is one side. It is the Republican side. Today is yet another example. I hope everyone within the sound of my voice—and we will hear stories about what is happening, and I hope people will write us all and e-mail us with their stories and tell us what it means to them to have to spend thousands more unnecessarily on student loans. Give us the stories. Let us tell the stories.

I hope Americans will send us those stories, and I hope we will send a message to those who voted to filibuster this very important legislation today that they are not on the side of the American people. They are not on the side of working families. They are not on the side of the middle class. They are not on the side of economic progress. They are not on the side of economic growth.

I thank the President for the time, and I yield the time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Wow. That was interesting. I remember when the Senator who just spoke before me, before we left for our district work period, was praising the Republicans for working with her—one Republican specifically—and about how appreciative she was for working together and taking the time in a bipartisan manner to move forward on a very important piece of legislation that she was spearheading. We didn't filibuster that. We didn't filibuster the postal bill or the Violence Against Women Act or the crowdfunding bill or the insider trading bill. But all of a sudden we are filibustering now.

The bottom line is we want to have the opportunity to have an alternative proposal and to have a full and fair debate. I think the American people are smart. I know the American people are smarter than that.

I stand before my colleagues today to reference that most students and parents know in July the fixed interest rates on subsidized government student loans are set to double. That was very eloquently pointed out just now. But let's be clear. The vast majority of the Members of this body want to prevent that from happening. I think that is a no-brainer.

Unfortunately, today we voted on a bill that is not bipartisan. It is very clear it is not bipartisan to raise taxes on subchapter S corporations, which are the people who are doing some of the very serious job creation in this country. It is not going to pass the House, and it is not going to pass muster with the American people. It was not negotiated in good faith, and it has no chance of passing in the House of Representatives, as I said.

Once again, we are preparing for an unnecessary political battle. That is kind of what happens. We have a rough spot with a political battle, then we do two or three things that are good. Then we get stuck again, and then we do two or three things that are really good. It is unnecessary. We need to work in good faith and negotiate a compromise instead.

A 100-percent Democratic bill isn't going to pass, I say to my colleagues. A 100-percent Republican bill isn't going to pass. It needs to be a bipartisan, bicameral bill that the President will sign. That is how we passed some of the most important pieces of legislation dealing with ethics on the insider trading bill that I was proud to sponsor with Senator GILLIBRAND in a bipartisan manner. We got it through and out of this Chamber and passed and signed by the President in record time.

We just passed the postal bill, the Violence Against Women Act, the crowdfunding, the jobs package. We need to work in the same manner on this matter.

With so many recent graduates unemployed or underemployed, Members of Congress need to work together to keep the interest rates where they are currently. Rather than wasting time trying to blame the other side, let's try to build some bridges as we did before we left—or I thought we had done. I was looking forward to coming back after the week off and getting right back at it and working on important things such as cybersecurity and the student loan issue.

So let's allow people of good faith to figure out how to solve these very real problems. That is why today, as I have referenced to many of my colleagues in our weekly caucuses and through e-mail, I am offering a bill that would extend the 3.4-percent rate for another year, without raising taxes, as is being proposed, or cutting sacred programs, which is also being proposed.

My bill, the Subsidized Stafford Loan Reduced Interest Rate Extension Act, would extend the subsidized rate for a year. To pay for it, I suggest using a noncontroversial option: reducing Federal improper payments.

We have all heard about the amazing amount of waste that goes on just by paying people who are dead who should not be getting their payments and also paying other entities that have either already been paid or are being improperly paid. It is millions and—sorry, billions and billions of dollars.

The bill establishes a government-wide ''Do Not Pay List,'' and requires new audit pilot programs across Federal agencies to provide more tools to battle back and make sure we can recapture those moneys.

Let me give a few examples of the improper payments so the folks up there in the gallery listening and those who are watching on TV can kind of reference it. These are payments I hear about working as the ranking member of the Subcommittee on Federal Financial Management—a committee where Senator CARPER and I have been diligently working in a bipartisan manner, once again, to try to solve problems.

Medicaid, which is the primary source of health coverage for over 50 million Americans, made an estimated $21.9 billion of our tax dollars in improper payments in 2011. The Federal-State Unemployment Insurance programs made an estimated $13.7 billion in improper payments in 2011.

SSI made an estimated $4.6 billion in improper payments in 2011.

I think, if I am not mistaken, we are looking for $6 billion to pay for this student loan extension. I just referenced almost $38 billion, $39 billion. We need $6 billion. That is it.

We spend over $1 billion in payments that are sent to dead people, as I said. Mr. President, $1 billion we pay. Can you believe that? We pay $1 billion to people who are dead. There are billions in payments that are sent to the wrong recipient, billions in incorrect amounts sent to the right recipients, and billions in payments where documentation is missing and where the recipient is not using the funds for the intended purpose.

All we have to do is be marginally successful—just marginally successful—to recover the $6 billion we need to pay for this very important student loan program. When government is so wasteful, raising taxes should not always be the first thing we look at.

How about reestablishing the trust with the American taxpayers—the people who are listening in the gallery and on TV. Why is it every single time we are going to raise taxes on one particular group or another? This time we are going after the small business owners, the subchapter S corporation owners.

I am not saying my bill is the only answer. But it does provide a neutral starting point for both sides to come together in a truly bipartisan manner, as we have done before, to find a solution with which we can all live. I am willing to work with my colleagues, and I am willing to consider all options that will allow us to move forward. If we fail to act, we will burden our students who are going to college with an extra $1,000 in student loan interest—just because we could not find a compromise. Pretty simple.

The student loan situation, as we are all discussing and has been discussed throughout this country through various media outlets and the like—and they are focusing more and more and more on this issue, which I think is critical—we need to start a national conversation about addressing the primary issue affecting families with kids in college: the cost of annual tuition, room and board.

Between 2000 and 2010, the cost of tuition, room and board rose 36 percent, and that is after adjusting for inflation. That means students are now

paying one-third more for the same education they would have gotten 10 years ago. Looking at previous decades shows a similar trend: From 1990 to 2000, the increase was 26 percent; from 1980 to 1990, it was 37 percent.

Why are students paying so much more for the same education? As we know, it is a huge problem for families.

While tuition is skyrocketing, there is still a total lack of transparency when it comes to schools' financial decisions. If the recent reports of outrageous administrator and faculty compensation packages are any indication, it would seem students and parents—students and parents—are funding administrators' and faculty members' million-dollar salaries.

Instead of being surprised by every new exposé of outrageous pay packages, I propose increasing transparency by requiring schools to post their financial disclosures online, right in front, right on their Web sites, so everyone can see them. This would not be hard to do. In fact, the IRS already requires nonprofit institutions of higher education to file the IRS Form 990 yearly, which includes disclosure of the compensation packages for the highest paid employees. It also provides a financial snapshot of schools' finances and also how schools choose to spend tuition dollars.

Making the information available so easily online will increase transparency and allow students and parents and the general public to check the schools' spending decisions—way before they make headline news. On the outrageous pay issues, sunlight may help begin to solve the spending problem associated with the high cost of education.

No one disputes the importance of a college education, but we are setting our students up for failure by giving them above-market student loans and not requiring our schools to be transparent about their financial operations.

So my suggestion is, let's work together. Let's not fail our students. It is time we finally focused the Federal Government on how we can set our students up for success instead of failure.

Thank you. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, here we are with an empty Senate Chamber, while families across the country are wondering whether they are going to have to come up with more money to pay higher interest rates on student loans beginning July 1. It is going to happen unless we take action.

We have tried to take action, but, frankly, my friends on the other side, the Republicans, won't even let us go to the bill. We had our vote almost 3 hours ago. We recessed for our party conferences, as we do every Tuesday. Here we sit, without being able to even proceed to the bill because the Republicans voted against closing down debate and moving to the bill and offering amendments and having an up-or-down vote.

The pattern is all too familiar, as we know, over the last few years: more and more filibusters, more and more cloture motions to end the debate. It is unfair to families and students all over America.

Here I address my comments to students. They are the ones who are trying to get a higher education, because they know that is the pathway, the gateway to middle-class America. Young people today know that the jobs of the future will require a higher education. They understand that. So many are scrambling to put together resources to pay for college. We had a young woman this morning, Clarise McCants, who spoke with us. She is the first in her family to go to college. She is from Philadelphia, and she goes to Howard University. She comes from a very poor background and a poor family. She relies on Pell grants, a work-study program, and summer work jobs, plus her subsidized loans. If I am not mistaken, she has somewhere in the neighborhood of $13,000 or $15,000 right now in debt. The last thing Clarise McCants needs is to have an additional $1,000 a year put on her student loan interest. That is what will happen on July 1, unless we act here. It is unfair to her and to millions of students all over the country that we sit here and do nothing, while they wonder whether they are going to have to pay more in interest charges on July 1. It is unfair.

We have on our side a solid proposal to keep the interest rates down for the next year at 3.4 percent, where they are now, rather than having them double to 6.8 percent. To do that, to pay for it, we have proposed that we close a glaring loophole in the Tax Code that applies only to subchapter S corporations. A lot of people say, what does that gobbledygook mean? A subchapter S corporation is for very small corporations. Compared to the giant corporations you normally think of, they are very small. Within that small universe of subchapter S corporations, as they are called, there is even a smaller universe. That small universe is comprised of professionals such as lawyers and accountants, people who give advice and do their own work, and they form a small corporation.

Because of the fog that surrounds whether someone is paid a salary or is paid from dividends, many people who form these subchapter S corporations are not paying their fair share of Social Security and Medicare taxes. We have proposed that we draw a bright line so that people know whether they are getting paid a salary or wages, or whether it is coming out of dividends. The Joint Tax Committee says this will raise for us $9 billion over the next several years. That is enough to help us pay for keeping the interest rates low. Our proposal is three things: closing the tax loophole, it puts more money into the Medicare and Social Security trust funds, and third, it helps us keep interest rates low for students in this country.

You would think that would be a no-brainer. I think most people would say that is kind of a no-brainer. But our friends on the Republican side refuse to let us even bring the bill up for debate and a vote. My Republican friends have suggested a different way of paying for this. They want to protect those few people in the subchapter S corporations—very wealthy people—from paying those taxes. They have suggested—the Republicans—that instead we take all the money to pay for keeping interest rates low out of the Prevention and Public Health Trust Fund—it is known as the prevention fund—which is in the Affordable Care Act. Again, that would drain all the money out. It would completely eliminate the program.

I suggest that people look at today's headline in USA Today this morning. It says that 42 percent of the adult population by 2030 is expected to be obese. Out of that, one out of four will be severely obese. The same report was also in the Washington Post this morning. The study predicts that 42 percent of Americans will be obese by 2030, which will shorten life, and they will incur large medical expenses. In fact, if obesity stays at its current level and doesn't increase, the savings and projected health care costs will be considerable—about $550 billion, $½ trillion. That is what the prevention fund is doing. It is out there working every day—it has only been in existence a couple years now—putting things in place to prevent people from being obese, to prevent kids from getting the adult onset of diabetes at 10, 11, and 12 years of age. In 1980, only 15 percent of Americans were obese. Today, it is about 34 percent.

What if we had in place in the 1980s, 1990s, and in the last decade the prevention fund that we have, which does all of the things necessary to help people make healthy choices and lead healthy lives and not become obese? Think of the savings we would have in our health care system today if we had a prevention fund like that in 1980, and rather than having 34 percent obese people in America today, we had 15 or 16 percent. Well, projecting that forward to 2030, if we don't act now, 42 percent will be obese. Again, it will cost us $550 billion in the next 20 years.

Preventing this, which we know we can do—we have evidence-based proof

that certain interventions and programs work. Not only does it keep obesity down, but diabetes and heart disease, and related illnesses will be lessened, thus saving us even more money. The prevention fund is what the Republicans want to kill, eliminate. I think that is disappointing and disturbing, after all that we know and have seen in the past on prevention and public health and what we can do to prevent illness, obesity, and diabetes in children, to say we are not going to put the resources forward to prevent that.

We know that for every dollar we invest in prevention, we are reaping anywhere from $3 to $10, or more, in the first couple years. Here we are at an impasse again. Once again, the Senate is at an impasse because we cannot move to a bill. We can't amend it, vote on it, or debate it—other than talking about it right now as I am doing. The Republicans refuse to let us even get to the bill.

We will continue to tell the American people what is at stake here and what the differences are. These are policy differences. The American people should know what those policy differences are. The Republicans say they want to keep the student interest rate at 3.4 percent. We say we do, too. Well, OK, what is the difference? The policy difference is in how we pay for it, how we pay to make sure we keep the interest rates low.

I think the logical thing would be to have the bill come to the Senate floor and offer amendments. If the Republicans want to offer an amendment to take the money out of the prevention fund and kill and eliminate the fund, let them do it, and we will vote on it; we will see if we have the votes to do that. They can debate it if they want, and we will be glad to debate and discuss closing this tax loophole on subchapter S corporations. I think that would be a healthy debate and a policy difference that the American people should see, and they can decide between the two sources of how we are going to pay for this.

We are going to continue to talk about this because I think the American people should know what is at stake here in this filibuster that we have in front of us right now. I know my friends on the other side say that President Obama wanted to take some money out of the prevention fund. Well, that did happen, in order to extend for 1 year the unemployment insurance provisions and also the payroll tax cut this year. They seem to think that since we have already taken some money out of the prevention fund, we can kill the whole thing.

My analogy this morning was that it is one thing to take a couple pints of blood, but it is another to take all your blood. So they took some nicks out of the prevention fund, which I didn't support, but the fund is still healthy, alive, and doing its job. It could do more if it had more money. Nonetheless, it is still there doing its job.

The Republicans are saying drain all the blood out and kill the whole thing. I don't think the American people want to go there. It seems to me that it doesn't make common sense that we would pit the health of the American people—and women's health especially, children's health, and the elderly, who are benefitting right now from this prevention fund. There are immunizations, childhood checkups, and provisions that go out into communities for healthier living in our communities. There is better nutrition for our kids in schools, fresh fruits and vegetables, and more physical activity. That is all in the prevention fund. That is what they want to do away with. It is too bad that they are trying to pit the health of women and children and the future against students. That is not right.

As I have said many times—and keep saying—I have heard from the other side that we are going after job creators. If we raise the taxes, you see, on subchapter S corporations—if we close that loophole, we are hurting job creators. First of all, the provisions in our bill on subchapter S only affect a corporation with three or fewer stockholders—hardly job creators. I mean, if somebody wants to start a corporation with 5, 10, 15, 20, that is different. This doesn't touch them. It only touches someone who has less than three shareholders, if their income is over $250,000 a year as a joint filer, and if they are a subchapter S corporation.

Some say: Well, you know, they can get audited. I had an example I used the other day of a person who was claiming he didn't have to pay Social Security and Medicare taxes because he wasn't a subchapter S corporation. The individual was pretty ingenious. He had set up a subchapter S corporation, and he contributed—donated—his time.

In exchange he got dividend payments—profits—from this subchapter S, as did his wife and his child. There were three—he, his wife, and child, and he did not pay Social Security taxes. Well, he happened to get audited, and the Justice Department took him to court, to Tax Court, and the Tax Court found out he really was being paid. He was making a salary, an income, and he had to pay Social Security taxes on that.

Well, when I used that example, my friends on the Republican side said: Well, that is just it. All we have to do is just audit them, and we don't have to close this loophole. I had to point out that only ½ of 1 percent of all filings of subchapter S corporations are ever audited. So if someone is out there and there is not a bright line as to whether they are salaried or are getting dividends—it is kind of a fog out there—why wouldn't they err on the side of saying: I don't have to pay those taxes because the odds are 99.5 to 1 they will never get audited. Those are pretty good odds—99.5 percent of the time no one is ever audited. If they are audited, they get a slap on the wrist, pay a little fine, and move on.

So what our bill does is to provide certainty. It provides certainty to subchapter S corporations that if they fall on this side of the line, they are salaried, if they have less than three shareholders. If they fall on the other side, they can get dividends, and that way they don't have to pay Social Security and Medicare taxes. Quite frankly, I think that would be in the best interest of everyone, including the subchapter S corporations.

Mr. President, I ask unanimous consent to have printed in the RECORD the article that appeared in the Washington Post this morning by David Brown—the study that predicts 42 percent of Americans will be obese in 2030.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Washington Post, May 7, 2012]

STUDY PREDICTS 42 PERCENT OF AMERICANS WILL BE OBESE IN 2030

(By David Brown)

In 2030, 42 percent of American adults will be obese, and about one-quarter of that group will be severely obese, a condition that shortens life and incurs large medical expenses, a new study predicts.

This view into the future is less ominous than one published four years ago that predicted that 51 percent of the population would be obese in 2030. Nevertheless, the trend fortells a huge drag on the health and economic welfare of the United States.

''If we don't do anything, this is going to really hinder any efforts to contain future health-care costs,'' Justin G. Trogdon, an economist and one of the authors of the projection, told experts Monday at the start of the two-day ''Weight of the Nation'' conference in Washington.

However, if obesity stays at its current prevalence—34 percent of adults—and does not increase, the savings in projected health-care costs will be considerable, about $550 billion, the authors said. The most recent evidence, in fact, suggests that obesity rates are plateauing.

''Regardless which is correct, we still have a very serious problem,'' William H. Dietz, head of the Centers for Disease Control and Prevention's obesity program, said of the scenarios.

Obesity related ailments—diabetes, heart disease, kidney failure—consume at least 9 percent of health-care spending in the United States. Some researchers believe the cost may be twice that estimate. Total health spending is about $2.6 trillion a year.

The new study, published in the American Journal of Preventive Medicine, used obesity prevalence data from 1990 through 2008 to extrapolate future trends. The information came from the Behavioral Risk Factor Surveillance System, a federally funded telephone survey. People underestimate their weight when asked on the phone; that fact was compensated for in the mathematical model.

The researchers also incorporated variables, measured in each state, that affect

obesity rates. These included the price of gasoline, which discourages walking when it is low; access to the Internet (and other technologies), which encourages sedentary behavior as it increases; and restaurants per 10,000 people, which increases eating out and weight gain when the number goes up.

In 2030, 42 percent of people are projected to be obese, and 11 percent severely obese. Obesity is a body mass index (BMI) of 30 or more, which is 186 pounds for someone 5 feet, 6 inches tall. Severe obesity is a BMI of 40 or more—248 pounds for someone that height.

Cynthia L. Ogden, an epidemiologist at the CDC, told the conference that, in general, obesity rates changed little in the 1960s and 1970s, rose steeply in the 1980s and 1990s, and have been leveling off in the past decade.

For men, obesity prevalence doubled but has changed little in the past eight years, with no difference between blacks, whites and Mexican Americans (which are the three groups for which there are good data). For white women, the obesity prevalence has not changed in 12 years. It has risen slightly in black women and Mexican American women, although that increase mostly occurred early in that 12-year period.

There are some exceptions to this general picture of stability.

Obesity is rising in higher-income men. Severe obesity is increasing in both sexes. It was 6.2 percent in women in 1999 and 8.1 percent in 2010. For men, it was 3.1 percent in 1999 and 4.4 percent in 2010.

Eric A. Finkelstein, a researcher at Duke University who led the new study, said that just in the past 50 years has it been possible for millions of people to be both sufficiently inactive and to have access to enough food to become severely obese.

''The world has changed in ways that allow people to be that overweight,'' he said.

The reason for the plateauing of the obesity prevalence is uncertain. It almost certainly reflects many factors, including an approach to a natural limit of the epidemic and the success of efforts to fight it by encouraging exercise and educating people about better eating habits.

Mr. HARKIN. Mr. President, I hope the Republicans will talk among themselves. I hope they will listen to the students and their families who don't want to be hung out there this week and next week and on and on and on not knowing whether they are going to have to pay higher interest rates on their student loans. Let's have cloture. Let's bring up the bill, and then let's vote on it. If they have amendments, fine, we will vote on them. But at least let's move the bill.

Mr. President, with that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EPA RULES AND REGULATIONS

Mr. BARRASSO. Mr. President, I would like to spend a little time today talking about what has become known across the country as the Obama economy. This administration, after nearly 4 years, has failed to get this country and to get our economy moving again. Even worse, as I look at it, this administration seems to be taking steps that appear to be methodically and deliberately sabotaging certain parts of our Nation's economy. They are doing this in sectors of the economy that, apparently, to me, they just don't like. And they are doing it by issuing thousands and thousands of pages of redtape on the very people in this country who have successfully created jobs for Americans in the past.

This administration has finalized 1,330 rules that have been deemed economically significant. They have proposed over 1,300 additional economically significant rules. So what does this mean, the words ''economically significant''? Well, those are rules that have an annual impact on the economy of $100 million or more.

Fifty-seven coal-fired powerplants have already announced their closure because of the cumulative effect of these rules on just this one industry. The EPA is proposing regulations on whole sectors of the economy, whether it is issuing new storm water regulations for existing buildings to requiring costly Clean Water Act permits. They are doing this for ditches on family farms.

Thousands of American jobs have already been lost, and others are on the chopping block due to these rules. These are not new laws that have been passed but are rules coming from this administration. Each time the EPA claims the benefits of the rules vastly outweigh the costs. The costs are real in terms of real dollars to the economy, but the benefits are unknown. The administration claims the benefits are in so-called ''saved future health care costs.'' That is how they define it, ''saved future health care costs.''

The EPA and this administration have a history of understating the costs and of overstating, in my opinion, the benefits. The EPA's math on the benefits and the costs of their rules is not even close to being accurate. This has been verified in testimony before the Senate Environment and Public Works Committee, on which I serve as a member.

The EPA rules that set new burdensome limits on emission of pollutants, such as carbon dioxide, mercury, and sulfur dioxide, can have serious costs to plants and factories that then have to update their facilities with costly equipment or simply close to be under the new standard, and these are new standards—not the old standards but new standards.

Those reductions yield few quantifiable benefits to the economy. That is not me saying that, it is the EPA's own models. They admit the reductions yield very few quantifiable benefits to the economy. The costs are usually significant to the businesses in terms of actual expenses, as well as to the public in terms of people looking for jobs and in terms of jobs that are lost.

The EPA knows no one would buy into their rules with such high pricetags. So in order to inflate the so-called ''benefits'' of their rules, the EPA says: As a result of having less emissions from plants and factories, there must also be reductions in particulate matter, or dust, at the same time. They then make the inaccurate conclusion that reductions in dust will somehow yield billions of dollars in health benefits because folks will have healthier lungs and visit the doctor fewer times.

These reductions in dust are often in areas where the dust level today is already well within public health safety standards that are set by the EPA. So the folks aren't actually getting sick in those areas anyway. So if people aren't already getting sick in the areas where the EPA is trying to regulate the air, then how is it they can claim they are going to save billions of dollars in fewer visits to the hospital by reducing dust levels even further than today's safe levels?

What we know now is the EPA is cooking the books. At the same time, they are missing the real public health threat they, themselves, the EPA, is making worse; that is, the public health threat from high unemployment. I recently released a report entitled ''Red Tape Making Americans Sick—A New Report on the Health Impacts of High Unemployment.'' Let me repeat that: ''Red Tape Making Americans Sick—A New Report on the Health Impacts of High Unemployment. Studies Show EPA Rules Cost Americans Their Jobs and Their Health.''

This is a report submitted by the Subcommittee on Clean Air and Nuclear Safety by the minority subcommittee staff.

I ask unanimous consent to have printed in the RECORD the Key Findings and Recommendations and the Executive Summary of this report.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RED TAPE MAKING AMERICANS SICK—A NEW REPORT ON THE HEALTH IMPACTS OF HIGH UNEMPLOYMENT

STUDIES SHOW EPA RULES COST AMERICANS THEIR JOBS AND THEIR HEALTH

Minority Subcommittee Staff Report; Subcommittee on Clean Air and Nuclear Safety—Senator John Barrasso, M.D., Ranking Member, March 2012.

EPA RED TAPE INCREASES UNEMPLOYMENT WHILE WORSENING PUBLIC HEALTH

KEY FINDINGS AND RECOMMENDATIONS

Congressional testimony and scientific research reveals that unemployment from Environmental Protection Agency (EPA) regulations: increases the likelihood of hospital visits, illnesses, and premature deaths in

communities due to joblessness; raises healthcare costs, raising questions about the claimed health savings of EPA's regulations; hurts children's health and family well-being.

EPA claims of health benefits from current and future Clean Air Act regulations are misleading and incomplete. The agency must adequately examine the negative health implications of unemployment into their cost-benefit analysis before making health benefit claims to the public and Congress.

The Full Senate Environment and Public Works Committee and the Subcommittee on Clean Air and Nuclear Safety should conduct additional hearings to responsibly investigate the health implications of higher unemployment as a result of federal regulations.

EXECUTIVE SUMMARY

President Obama's Administration continues to claim that new EPA Clean Air Act regulations for ozone, greenhouse gases, electric utilities, domestic oil and gas producers, and manufacturers deliver significant economic benefits. Specifically, the agency says that these regulations will yield billions of dollars in benefits for the U.S. economy in the form of fewer premature deaths, sick days, hospital visits, cases of bronchitis, and heart attacks.

Mr. BARRASSO. Mr. President, this is a comprehensive report, and it contains expert testimony before the Senate Environment and Public Works Committee from the best scientific medical research, from institutions such as Johns Hopkins, Yale University, and others. This key medical research and testimony on the impact of unemployment on public health is irrefutable.

The report concludes that high unemployment increases the likelihood of hospital visits, illnesses, and of premature death in communities. That is high unemployment; high unemployment raises health care costs, raising further questions about the claimed health savings of the EPA's regulations. High unemployment also hurts children's health and family well-being.

On June 15, 2011, Dr. Harvey Brenner of Johns Hopkins University testified before the Senate Environment and Public Works Committee. Here is what he said:

The unemployment rate is well established as a risk factor for elevated illness and mortality rates in epidemiological studies performed since the early 1980s.

So this has been a well-known fact now for over 30 years. Continuing the quote:

In addition to influences on mental disorder, suicide and alcohol abuse and alcoholism, unemployment is also an important risk factor in cardiovascular disease and overall decreases in life expectancy.

I speak as a physician, someone who has practiced medicine in Wyoming, taking care of Wyoming families for a quarter of a century, and I can assure you this is perfectly in keeping with my experience in my years of practicing medicine.

Yale researcher Dr. William T. Gallo's paper on the impact of late-career job loss reports:

Results suggest that the true costs of late career unemployment exceed financial deprivation, and include substantial health consequences.

''Substantial health consequences.'' He goes on to say:

Physicians who treat individuals who lose jobs as they near retirement should consider the loss of employment a potential risk factor for adverse vascular health changes.

What does that mean? Well, it means a stroke, high blood pressure, or heart disease. These are all major killers, major things that result in disability and long-term health problems, increasing the cost of care.

Let's look now at the impact of joblessness on children. The National Center for Health Statistics concluded:

Children in poor families were four times as likely to be in fair or poor health as children in families that were not poor.

I have seen firsthand how economic challenges affect Americans' health and their quality of life. In my medical opinion, this country faces a worsening health threat from unemployment, with well over 30 months of unemployment rates over 8 percent.

I have urged the EPA to seriously consider the impacts of these rules and the new rules they continue to come out with and how they have a bad impact on families—on pregnant women, on children, on the elderly. The EPA has not looked at the serious health impacts their rules result in. The EPA continues to hide behind computer models—not real people—that churn out inflated, fictitious so-called ''benefits of health.''

The time to get serious about public health is now. In fact, there was a USA Today article published Monday of last week, and I brought a copy along because it was very disturbing. On the front page of USA Today, Monday, April 30, 2012, the police are tying domestic violence to the economy. The headline reads: ''Domestic violence rises in sluggish economy, police report.'' The article states:

Police are encountering more domestic violence related to the sluggish economy, a national survey of law enforcement agencies finds.

These are law enforcement agencies across the country, their national survey. The article quotes Camden, NJ, police chief Scott Thompson, who stated it is ''impossible'' to separate the economy from the domestic turmoil in the city where unemployment is 19 percent. Camden police chief Scott Thompson went on to say:

When stresses in the home increase because of unemployment and other hardships, domestic violence increases. We see it on the street.

So these types of reports of increased domestic violence due to unemployment are not just being reported in Camden, NJ.

The article cites Chuck Wexler, executive director of the Washington-based law enforcement think tank, who expressed serious concerns with the rising violence. He said:

You are dealing with households in which people have lost jobs or are in fear of losing their jobs. This is an added stress that can push people to the breaking point.

I agree. It is certainly what I saw as well in my days of medical training and medical practice.

The health crisis from unemployment under this administration is getting worse.

On May 4, 2012, the Christian Science Monitor, in their article on the unemployment rate, said:

While the economy added 115,000 net jobs in April, some 350,000 Americans gave up looking for work.

So for every one new job that was added, three people gave up looking for work. That has the effect of reducing the unemployment rate because, by the Federal Government's way of calculating it, those people no longer count as part of the labor force. As a result, the share of Americans who are part of the labor force—either working or actively looking for work—has reached a 30-year low. You can add those numbers and look at those and say ''350,000 people'' and put that to the list of folks who are now at risk for serious health impacts due to the Obama economy.

If we want to make Americans healthy, we need to get Americans back to work. We need to get the EPA out of the business of making folks unemployed across this country. Each new job is a job that will put food on the table for struggling families and help keep medical costs under control. New jobs will keep thousands of Americans out of the doctor's office and on the playground. Creating jobs will keep those nearing retirement from paying for more prescription drugs so they can spend more time and money on their grandchildren. Creating jobs will ensure that the next generation will be healthier than the last.

Let's work together to improve public health by reducing this administration's redtape that is putting so many Americans out of work. The health and happiness of the American people depends upon it.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEMINT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK

Mr. DEMINT. Mr. President, I wish to make a few comments about free markets, free enterprise, and the role of government, particularly as it relates to the Export-Import Bank.

When people ask me if I am pro-business or pro-labor, I say I am neither. I

am pro-freedom. Freedom is the only political principle that cannot be bent to serve special interests. Remember how 7-Up used to call itself the uncola? Well, freedom is the un-special interest.

Freedom, protected by the Constitution and the rule of law, works for everyone. It allows everyone—left or right, young or old, rich or poor—to make their own choices according to their own values.

Government's job shouldn't be to tilt the field for one team or another but to guarantee a level playing field for everyone. That is why I am against forcing workers to join unions. I am against congressional earmarks for favored groups, government bailouts for Wall Street, and energy subsidies, both for oil companies and for green energy companies.

Let's look at recent events surrounding the Boeing Company, one of South Carolina's most important employers. As a South Carolinian, as an American, and as a guy who likes cool airplanes, I love Boeing. When Boeing's home State labor union ganged up with President Barack Obama's National Labor Relations Board to try to sue Boeing for building a new factory in north Charleston, I strongly supported Boeing's freedom to build factories wherever they please. More recently, dust has been kicked up over the extension of the Export-Import Bank, a Federal program that subsidizes American businesses' exports. Because Boeing receives export-import subsidies and because I favor winding down the Ex-Im Bank instead of increasing its budget, some asked if I went from being pro-Boeing to anti-Boeing. Neither. I am just being pro-freedom.

In both cases, my guiding principle is the same: liberty. Freedom isn't perfect, but it is fair. And any time government hands out favors, they are being unfair to someone. When Washington picks winners and losers, in the end taxpayers always lose, and the Ex-Im Bank is no exception. The Ex-Im Bank started out decades ago with a lending cap of $5 million to help American companies sell into a global economy that barely existed. Today, the cap has ballooned to $100 billion in a booming global economy. And what have the American people gotten for their money? They have gotten $10 million in loans benefiting the now bankrupt Solyndra, millions of dollars in loans to another solar company to sell solar panels to itself in another country, and $600 million in loans to Enron projects before Ken Lay went to prison—all this after Ex-Im has already sought its own $3 billion taxpayer bailout.

This isn't a criticism of an agency or an administration but of government subsidies in the first place. When government stays out of markets, businesses focus on their customers; quality improves, prices fall, and everyone wins. When government steps in, businesses turn their attention from their customers to their Congressmen and hire influence peddlers instead of innovators. Competition sags, the pace of innovation slows, prices rise, and product quality suffers.

Defenders say the Ex-Im Bank is needed because Europe subsidizes their exports, but Europe says the same about our Export-Import Bank. We are in a bidding war with other countries for the biggest subsidies. Still, exporters say the cost of doing business in America is too high to compete. I agree. We have the highest corporate tax rate in the world, so let's cut taxes. Let's reform our insane $1.75 trillion per year regulatory state. Let's reform education and liberate our children from failing schools and create a better prepared workforce for the future. Let's repeal the government takeover of health care and put an end to predatory lawsuits filed against innocent businesses. In short, let's fix the rules of our game to make all of our exports competitive rather than rigging them for one company or product at a time.

Our policies should make the United States the best place in the world to buy, sell, farm, manufacture, patent, invent, invest, innovate, and educate—for everyone in every industry.

Look at what today's ad hoc economic policymaking has done to America—where a collection of narrow special interests vies for the favoritism of discredited politicians while we mount unsustainable debt onto the backs of our children and grandchildren. That is what I am against. What I am for is a level playing field, a set of clear rules that guarantee the freedom of entrepreneurs to make and sell what they want, and the freedom of customers to buy what they want.

I am not for big business or big labor. I am for big freedom for everyone.

Thank you, Mr. President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mr. MERKLEY. Madam President, I rise to address the motion to proceed we are currently debating. Essentially, this is a motion to proceed to a bill that would sustain the 3.4-percent interest rate on Stafford student loans.

Earlier, we had a vote to attempt to conclude the debate over whether we should get to the bill. That has to have a supermajority of 60 under the rules of the Senate and we didn't have that supermajority. My colleagues across the aisle voted against debating whether to sustain the 3.4 percent on student loans or, to put it differently, they voted to block this effort and preserve the 6.8 percent as the rate we will go to shortly if we don't address this legislation.

I certainly think students at every institution in Oregon would be appalled the Senate isn't willing to hold a debate over the doubling of the cost of student loans. This has a tremendously powerful impact on the affordability of education across America. We are at a point in the history of the world where our nations are interconnected. We have a global knowledge economy. The nations that prepare their children well not only will have the best future for those individual children, but they will have the best economy down the road.

What is the impact of doubling the cost of student loans? Certainly, for many students it means they will not complete their education. They are facing diminished job prospects, they are facing expensive tuition, and there are only so many part-time jobs they can take while still attempting to complete their coursework. At some point they will say the burden is too heavy—the debt burden is too heavy—the hurdles are too high. Then we all lose. Our children will lose the opportunity to fulfill their potential to pursue their dreams and our economy loses because we are not the best prepared around the world.

Indeed, today, across America we are becoming the first generation of parents whose children are getting less education than we got. I would like to see that debated on the floor of the Senate. I would like to hear a Senator stand and say they are proud of the fact that America is failing its children. I would like to hear that defended because I certainly have a different view. I have a view that in terms of the opportunity for our children and the success of our economy, we have to address the issue of the affordability of college tuition.

The folks who can capture this issue the best are students themselves, so I have come to the floor to read a letter from one of the students in my home State who is making the case that we should debate this issue, that we should address affordable college. Here is what he has to say:

Senator Jeff Merkley, my name is Mario Parker-Milligan. I'm the student body president at Lane Community College in Eugene, Oregon. My job as president gives me many opportunities to discuss issues that students find important to them and often I find myself lobbying or advocating for issues that don't directly affect me. Today that is different.

Today, I find myself seeing a federal and statewide disinvestment in higher education institutions across the nation and dramatically here in Oregon. At the same time, more and more students are needing need-based aid while it too is being diminished. Students are graduating from college but our

debt loads are increasing and we are finding fewer jobs upon graduation. With all of these other barriers—low federal and state investment pricing students out of tuition, low financial aid leads to high student debt, and few jobs upon graduation—the prospect of having Stafford Loans' interest rates doubling is a haunting thought. Students are continuing to pay more and get less for our education.

Today, the average student is graduating with twenty-five thousand dollars of loan debt. I have over eighteen thousand dollars of loan debt today. An interest rate of six point eight percent on top of thousands of dollars we owe in this economy doesn't seem smart either. I am not close to being done with my education and am fearful to continue to take out loans when I think of how long it will take to pay it back. Students rely heavily on student loans in order to complete college in a timely manner, otherwise many of us are forced to work 2–3 jobs while attempting to go to college full time, which usually results in prolonged stays and more debt.

As a member of the board of directors for both the Oregon Student Association (OSA) and the United States Student Association (USSA), both associations working to break down barriers to higher education, I hear stories of students that are having to choose whether or not they put food on the table or keep lights on at home. Affordability is a leading barrier to a quality education and raising interest rates will only continue to price students out of an education. Please vote to maintain the Stafford Loan interest rates at 3.4%. Don't Double Our Debt. Sincerely, Mario Parker-Milligan—of Eugene, OR.

I think Mario does voice the concerns of hundreds of thousands of students across America who are working hard to complete their coursework to pursue their dream—to gain the skills to provide both a purpose in life, a life mission, if you will, and a stable financial foundation. The prospect of coming out of college with debts that come close to a mortgage on a home is indeed daunting.

I must say, I view this through the lens of my own experience as a child of a working family. My father was a millwright and then a mechanic, and no one in my family had ever gone to college. I was the first, and the prospect of debt was a consideration that worried my family with this unfamiliar course that I was undertaking. I feel very fortunate that in the end the combination of work-study, affordable loans, and scholarship meant that I graduated from my undergraduate education without the heavy debt burden—a very modest burden—not the very heavy burden students are bearing today. That indeed gave me the range of options to pursue in life that I might not have had if I had to immediately find a job that would help me pay back those very high loans that students are facing. And those are the students who complete their education. So many more will find that they only make it partway through because the debt becomes too high. So I am disturbed—very disturbed—that the Senate body, once known as the world's greatest deliberative body, voted today not to debate this issue, not to take it up.

My colleagues may be voicing their concern about the specific aspects of the bill. I would say to them that they should come to the floor and offer amendments and we should debate those amendments. But let's not fail the students of America. I believe the majority leader has reserved the right for reconsideration, and that in a matter of a few days we might well have another vote on this topic. I would ask my colleagues to reconsider, to end their filibuster aimed at preventing us from keeping the 3.4-percent interest on Stafford loans—that they would reconsider and say, yes, there is a responsibility to debate this issue.

It shouldn't just be on Stafford loans in that we also certainly have a big challenge maintaining Pell grants and keeping those grants competitive with the rising tuition. We should debate other strategies about how to make our investment in higher education more efficient. Maybe all those debates don't have to happen on this bill; maybe this bill should be restricted to Stafford loans. But for this body to reject the notion of debating an issue central to the success of our university students, the success of our children, and the success of our economy is just wrong. Let's change that vote. Let's get on to this bill in due course in a short amount of time.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I am speaking today on the need to Stop the Student Loan Interest Rate Hike Act of 2012.

It is obvious how hard it is to pay for college these days. It is not just hard for poor people—and we have some programs that help poor people out at the Federal level, Pell grants in particular, and that is a good thing. But you can be making well above the Pell grant allowance level, well above the income that you need for a Pell grant, and have a difficult time paying for college.

College is extremely expensive. The average private college cost a year is over $30,000, and the average public cost has gone way up. With all the cutbacks at all the Federal, State, and local levels, it is about $17,000. If you figure that if you are an average family anywhere in America making $65,000 or $70,000, $17,000 a year after you pay your taxes and pay your mortgage and pay for the necessities of life is a heck of a lot of money. Wisely, the Federal Government has provided some loans. A few years ago, under the leadership of Senator Kennedy, we decided to have the Federal Government pay for those loans because when the banks did it, it ended up being far more expensive than it had to be. Those loans were originally 6.8 percent around when the banks did it. They went down and down, and they settled to a nice level of 3.4 percent.

Now 3.4 percent is still interest. Particularly these days it is not such a low rate of interest given that the cost of money is quite low, but it is a lot better than 6.8 percent. But, unfortunately, the law that Senator Kennedy shepherded and many of us voted for and President Bush signed—I believe it was in 2007—expires come July 1.

What will that mean? That will mean millions of students throughout America will pay a lot more interest on the loans that are a necessity for going to college.

We all know how important college is. We all know these days the statistics show that the unemployment rate among college grads is one-third that of high school grads. We know that at your income level, you make thousands of dollars more each year if you have a college degree. There was a recent study that even showed you live longer if you got to college. I don't know what the correlation was, but it was a broad-based study. It was trumpeted in many of our leading newspapers. So a college degree is very important, and one of the ways we measure America versus other countries in terms of our future is what is the percentage of our kids who get a college degree. Unfortunately, that has been declining. We used to be first. Now I don't think we are even tenth, and it is declining because of the cost of college. So a high interest rate on top of the basic cost—$17,000, $36,000, whatever—is bad for students, bad for their families, and, frankly, bad for America.

In New York, my State, 423,000 college students would pay $341 million more in loan payments if we didn't pass this legislation.

I would say one other thing, and that is that this affects almost all college students. You say, Well, I started college last year and I am at 3.4. You are at 3.4 for your freshman year if you are a freshman in college. But when you go to your sophomore year and renew your loans July 1, you are going right up to 6.8 percent. So it affects everybody in college except—luckily for them—the senior class that is graduating this year.

It will also affect the new class of freshmen who are coming in, and I would bet many of them are watching this debate and deciding whether they can go to college or they can go to the college of their choice—one that they deserve to go to because of their grades and record and accomplishments—

based on this bill. And so, wisely, Senator JACK REED and Senator TOM HARKIN and Senator SHERROD BROWN have put in legislation that would keep the rate at 3.4 percent.

When they first did this—and President Obama has been fully supportive and he has talked about this at length on campuses throughout America and in other places throughout America. When they put it in, amazingly enough most of our Republican colleagues, in places such as the Club for Growth and American Enterprise Institute, said: We are against it. Let the students pay 6.8 percent. That was sort of the 21st century analog of Marie Antoinette saying, Let them eat cake, because in these days college is much more of a necessity than it ever used to be, even for jobs like machine welder or auto mechanic. These days, our cars are filled with computers and you often need some college education, at least a 2-year college education, to be proficient in skills that maybe 40 years ago you just needed a wrench for. So it was amazing to me that so many of our colleagues on the other side of the aisle said they were against keeping the rate at 3.4 percent.

They began to get a lot of flak, I am sure, from families across the country. So they decided they couldn't be against it, per se, and so in the House they actually—and the President was making a lot of hay with this and scoring a lot of points. So over in the House they then decided, Okay, we can't say we are against this. Of course, we all want to pay for it, and so we will propose a bill that pays for it by cutting preventive services in health care.

There are two points about that. One, our preventive services in health care are needed, whether it is child immunization, whether it is diabetes prevention—the fastest growing disease around—whether it is mammograms which wouldn't start this year but would start next year as a result of the prevention money—prevention is vital to keeping health care costs down and keeping America healthy. To say the only way we will give you student loans is to take away preventive health care is akin to telling a family: Your little grandson cannot get immunizations if you want your children to be able to pay for their college. It does not make sense and everyone knew it.

The second point is everyone knew it at the time. I don't think there was a person in this town who thought that paying for it by cutting prevention would have a chance in this body. But, frankly, I think that is what some of my colleagues in the other body wanted. Their MO for the last year and a half has been obstruct without fingerprints. In other words, they want to obstruct everything. They want the government to be a mess. They want people to be unhappy so they will change things in the election.

But they know, if they are caught obstructing, it is not going to work out too well for them. In the first half of this year, I have to give them credit, they carried out this strategy of obstruction without fingerprints quite well. Part of it is because the media likes to say ''on the one hand, on the other hand.'' There is a very good article, tangential to this, by Norm Ornstein at the American Enterprise Institute and Thomas Mann, a senior fellow at the Brookings Institution, one from a conservative group and one a more liberal group, which basically laid this out.

In the second half of the last year and now this year their little strategy of obstructing without fingerprints is not working. It didn't work on the debt ceiling. It didn't work on the payroll tax cut. It didn't work on the highway bill. It didn't work on the postal bill, and, ''gloriosky,'' we are passing legislation because they can no longer obstruct without fingerprints. Faced with the choice of being caught obstructing or not obstructing, they stopped obstructing. Good for America. Good for bipartisanship. If it was good for them on the other side, fine.

On this one, they are back to their old ways because they put in this pay-for they know cannot pass. What was the pay-for we put in? We thought it would pass. We thought it had bipartisan support. It was one of the things considered in various groups in committees, bipartisan, on how to pay for the deficit. I think this was considered in the august group of last year.

What we say is simply this. If you are a partnership—a big law firm, accounting firm—there are some of them, a small number, not most, most did it the right way, but they want to avoid the payroll tax. How do they do it? They say we are giving our partners dividends as opposed to salaries, and they do not pay a payroll tax, the payroll tax we all pay up to the first hundred-and-some-odd thousand dollars of salary.

That seems reasonable and fair. It was a loophole. It was called a loophole when John Edwards was caught doing it in his law firm, by Rush Limbaugh, by others as well—many conservatives. They called it a loophole that ought to be closed. I wish I had the language.

I will ask unanimous consent to add to the RECORD the language of several leading conservative commentators and gurus about what a loophole this was.

Anyway, we put this in and we thought they would accept it. Of course, to our surprise last night not a single Republican voted to move forward and debate this bill. We will let them put their pay-for on the floor to substitute for ours. They are not even willing to do that. Leader REID said this over and over. I just heard him say it at 2:15 when we had a little gathering by the Ohio Clock.

We are here on the floor tonight, and I see the Senator from Ohio and the Senator from Maryland—we are here on the floor tonight to ask families and students throughout America to let their Senators know they want this legislation passed and they want the games to stop.

On my Facebook page, and on the Facebook page of many of my colleagues, is a description of the bill, of what people need to do. We ask people to send us, on our Facebook pages, their stories—why they need it, why it is so important to them. Senator JEFF MERKLEY already read a letter from a student from Oregon. Senator STABENOW got over 70 responses already of students from Michigan. We also hope they let our colleagues on the other side of the aisle know how important it is they vote for this bill.

The bottom line is simple. This should be a no-brainer. If there were ever an example of Washington tying itself in a knot, this is the issue. If our colleagues on the other side of the aisle have other pay-fors, we will take a look at them—but make them real. Make them truly subject to bipartisan compromise as opposed to something they know we cannot accept.

I heard the Senator from Massachusetts, Mr. BROWN, introduced something, but the CBO scored it as not bringing in any money. We have all agreed we should not increase the deficit to do this and we should find a way to pay for it. Our preferred way is closing a loophole that everyone admits is abusive and a way to get around the payroll tax. But we are willing to sit and listen to other suggestions from the other side of the aisle so we can help our college students.

The bottom line is we have to pass this bill. It is an extremely important bill for the future of our country because every time a young man or a young woman deserves to go to a college of their choice and doesn't go, goes to a different one that less suits their needs because they cannot afford it, they lose, their family loses, and America loses. Let's stop the games. Let's come together. Let's pass this bill, and let's make sure students of this and future generations are able to afford the college education that is so important to a better future for their lives.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Ohio.

Mr. BROWN of Ohio. I ask unanimous consent the time from 5:15 to 7 p.m. be equally divided and controlled between the two leaders or their designees and that all quorum calls during that period also be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I wish to follow up on Senator SCHUMER's call to action, if you will, because it appears that things that used

to be bipartisan, whether it was the debt ceiling or the Transportation bill or a whole host of other things, has become far too partisan. Back in 2007, the Republican President and Democrats in the House and Senate and Republicans in the House and Senate—but Democratic majorities—froze interest rates for college loans, subsidized Stafford student loans at 3.4 percent for 5 years. All we want to do is we want to continue this. We want to continue it by closing a tax loophole. One political party that does not seem very enthusiastic about freezing these rates anyway seems to be standing in the way. I think the only way this is going to change is if students all over the country come and tell their stories.

They can come to my Web site, tell their stories about school financing and how difficult it has been for them. They can come to brown.senate.gov/collegeloanstories and tell us their stories.

This past week, I have been to a community college in Cleveland and I have been to Ohio State University in Columbus, Wright State University near Dayton, and the University of Cincinnati and heard many of these stories. I invite students around Ohio—we are asking for them to tell their personal stories. I think, in the end, personal stories will convince my colleagues they should not make this partisan. They should not stand in the way. They should work with us so we can freeze this student loan interest rate at 3.4 percent because I think it will matter.

In my State—and I know the Commonwealth of Pennsylvania, the State of the Presiding Officer, is not much different than that—the average 4-year student in Ohio who graduates has a $27,000 accumulated debt for their 4 years of college. That means those students will have more difficulty—probably will not be able to buy a home or probably will have to delay it, delay getting married or starting a business. I think it is very immoral for us to pile more debt on top of what they already have. If we want to build a prosperous society the way we did with the GI bill—the GI bill provided individual opportunity for millions of students in the 1940s and 1950s, young men and women returning from the war, and it not only helped those millions of students but lifted the country as a whole and created a more vibrant society because we helped so many individuals with the GI bill in those days. This is comparable to that—men and women who want to go to St. Clair Community College or want to go to the Mansfield Campus at Ohio State or want to go to Hiram College or Ohio University in Athens. They want to go to school. We cannot load this much debt onto them.

As we put this on our Web site, we expect students to write in and tell their stories. I know they will. We have five stories. I will share a couple of these for today and save a couple more.

Bonnie of Elyria, a mother and teacher, writes:

I would really like to be able to send my three boys to college. As a public school teacher, I have worked hard to instill in my students the idea of continuing education. However, my own children will most likely have to take out student loans to pursue a college education.

Our teachers are not so well paid that they can afford to pay these tuition bills themselves, obviously.

With soaring tuition rates, my children will graduate college with more debt than me or my husband had after graduating from college more than 35 years ago.

This is not a good way to start a career or a life on their own.

This woman gets it. She was a teacher in Ohio. She knew there was sort of an assault on her profession from the Governor and the legislature last year when they tried to take away collective bargaining rights. We know teachers do not make a lot of money, and if their children are to go to school, even less-expensive schools, they so often need to take out student loans. We don't want to raise their interest rates.

Katie, from Marion, writes—Marion is a community just north and west of Columbus.

I urge you to vote against raising Stafford loan rates. I live with my fiance, who is also attending college full time, and our household brings in less than $35,000 a year. I am working part time in order to attend college full time. With college tuition and expenses being so expensive, adding in the normal cost of living, it is a struggle to make ends meet every month.

I understand and respect the legislative process and, unlike many people I know, I still have faith it can be effective. I know that compromises have to be made for change to occur.

However, I am worried that by the time everyone is on the same page, the Government will have either taken so long to come up with a solution or cut funding so much, that the average American can no longer afford to pursue a college degree.

. . . I hope that if nothing else, you take away from this that there are Ohioans in this for the long run. We will not accept anything less than what we deserve, and education is not negotiable.

The last one I will read is by RaShya, of Toledo.

I am a second year law student at the University of Minnesota law school. I am a native of Toledo, OH and received my BA in political science with honors and an MBA in finance from the University of Toledo.''

I am the product of a single-parent home and a first-generation college graduate. My mother is a cancer survivor and my father was shot and killed when I was ten. I am the eldest of three children.

My education has been a miracle of sorts and allowed me to change the circumstances of my environment.

It was only possible through scholarship money and federal loans. I am deeply saddened by the rate hikes that loom in July of this year.

Making education less accessible hurts others that grew up in circumstances similar to mine. This economy requires a good college education but the promise of employment is still uncertain.

Raising loan rates hurts students. Please vote to extend the rate cuts that threaten to expire this July.

Those three letters so speak for themselves where students just want an opportunity. They are not asking for welfare or a handout, they just want to keep interest rates low so they can go to college without such a huge, onerous, burdensome debt they will never get out from under it. Why would we do this to this generation? My wife was the first in her family to go to college. Her dad carried a union card, worked at the illuminating company. Her mother was a home care worker who went back to work when Connie started college to try to help them pay—and she graduated.

She had very little help from her family financially because she was the eldest of four children. She got low-interest loans, and she graduated with only a couple thousand dollars of debt from Kent State University.

Those days seem to be behind us. We should at least aim for that kind of situation today where young people get a better chance, more of a fighting chance when they come out of school.

I urge my colleagues to listen to these stories and to read some of them and to vote accordingly when we bring this bill back to the floor. Today there was a vote, and more than 40 of our colleagues said: We are not even going to allow this bill on the floor to debate. That is pretty unconscionable to me when we hear the stories of these young people.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, what is the pending order of business?

The PRESIDING OFFICER. The Senate is in divided time until 7 p.m.

Mr. DURBIN. Is it in morning business or are we on an issue?

The PRESIDING OFFICER. We are on the motion to proceed.

Mr. DURBIN. I thank the Chair.

Mr. President, we voted at noon today on whether we were going to start the debate on the student loan interest rate bill.

For those who are following it, the largest Federal loan to college students, the Stafford loan, has a current interest rate of 3.4 percent. That interest rate expires on July 1 and doubles to 6.8 percent, meaning any students taking out a loan after that date will pay twice as much in interest.

The practical impact of that is fairly clear: If you were to borrow $20,000 to

go to college through a Federal Stafford loan and paid 3.4 percent on that $20,000, you would find that you were paying $4,000 less than you would pay if you were at 6.8 percent. So it adds roughly 20 percent to the cost of that student's loan over the life of repayment. That is a significant expense.

Most of us are aware, or should be, that students across America are going more deeply and deeply into debt to go to college. Average college indebtedness: $24,000. But an average does not tell the story because if you have one hand over a flame and one hand in a freezer, on average you have to feel just fine. But in this case, students are going much more deeply into debt than $24,000, and the interest rate on the loan is significant.

So it would seem this is a pushover. Who disagrees with this idea that lessening the burden on students in college is good for our country—because more students will seek higher education—good for the student—less of a burden when they graduate—good for their families—because many of them cosigned on these loans?

In fact, this is one of those rare issues where both President Obama and Governor Romney agree: Don't let the interest rate go up from 3.4 percent to 6.8 percent. So today we resumed the motion to proceed, which literally means, if adopted, we would begin debate on the student loan interest rate bill to keep it at 3.4 percent and not let it double July 1.

We heard from both sides of the aisle that everyone agreed we had to do this. It sounded pretty easy. Then the vote was called. At the end of the vote, not one single Republican Senator had voted to proceed to the debate on the bill—not one. One Senator, Ms. SNOWE, voted present. Every other Republican Senator who was present voted no.

How did this become a partisan issue? We have President Obama and Governor Romney agreeing, most Americans agreeing we do not want the cost of student loans to go up, and it fell flat on its face on the Senate floor at noon today. Not a single Republican would vote for it.

I don't understand it. They say, well, we don't like the way you pay for it. It costs $6 billion to lower the interest rate that we would otherwise collect. We pay for it by changing the Tax Code, closing a tax loophole primarily used by accountants and attorneys under subchapter S corporations to avoid paying their regular income tax on their income. They get through this S corporation what are called income dividends and they don't pay the regular income tax rate or the withholding tax that ordinary income is subject to. I think closing that loophole is reasonable. It produces $6 billion and pays for the student loan interest rate to stay down. I can accept that.

Some on the Republican side say, no, that is a tax increase. They—many of them—have categorically said we will never, ever, never vote for a tax increase, no matter what it is. So they walked away from the student loan bill. They say they have a better way to do it. Senator REID came to the floor and said, fine, we will call the bill and you can offer your way to do it. Pay for it a different way. Let's bring it up for debate. Let both sides debate it and let's vote on it, and then let's move forward. No, they would not accept that. They all voted against proceeding to the bill.

For anybody who is following what is going on here, this is what is known as a filibuster. The Senate is infamous for them now. We filibuster everything, even bills that are bipartisan, which everybody agrees on. No, we are going to drag this out hour after weary hour, eating up the time of the Senate, and people will be asking for a cable refund because nothing is happening on the C–SPAN channel because they are watching a filibuster. Not much happens. Yes, Members such as I will come from time to time to give a speech and explain what is going on, but nothing substantive is going on. We are not considering the bill.

Sadly, what we are failing to do is going to affect a lot of innocent people; 7.4 million students will be affected if we don't change this interest rate—365,000 in my State of Illinois. These Stafford loans, Federal Government loans, are mainly directed toward families in lower income situations, so that students can borrow money to get through school.

Let me confess my conflict here. I would not be standing here today without government loans. I borrowed money from the Federal Government to go to college and to law school under the National Education Act and then paid it back; otherwise, I could not have gone to school; I couldn't have afforded it. These loans are needed across the board. We know it from personal experience.

In 2007 and 2008, 30 percent of all undergraduates took out federally subsidized Stafford loans—about 1 out of 3. The average was about $3,400 a loan 4 or 5 years ago. This year, it is up to 8 million students. As I mentioned, 365,000-plus borrowers in my State, and, as I mentioned, failure to reduce that interest rate will add to the cost of the loan they have to pay back. These borrowers, 7.4 million students, including 1.5 million African-American borrowers and over 986,000 Hispanic borrowers, will face this new penalty, this loan increase. It is clear to me that we should be spending time here dealing with this.

I learned it firsthand when I went home last week and visited campuses. In Chicago, I went to DePaul. Downstate, I went to Bradley University in Peoria. In Decatur, I went to Millikin University. In each place, students came forward to explain what they were facing in terms of student loans. I will enter into the RECORD the experiences they shared with me.

One of them was Amy. Amy goes to DePaul University in Chicago and is an art major. Her sister Michelle came to join us at the press conference. Here is Amy's situation. Amy comes from a working family who cannot help her pay, so she works and borrows to try to get through school. She is an art major. Her student loan indebtedness at the end of June will be, for 4 years, $80,000. But she says that a bachelor's in art is not good enough and thinks she needs a master's. She thinks it will be another $60,000 she needs to borrow. I said: That is $140,000, young lady, and you are 25 or 26 years old. She will be borrowing not only the government loan but way beyond that into private loans. The government loan is 3.4 percent. The private loans for students in school range from 8 to 18 percent—much like credit card debt, they are so expensive.

This young lady thinks she is doing the right thing. She was told go to school, get an education, and follow her dream. Her dream is at the end of a very long, expensive road and $140,000 in debt. Michelle, her sister, decided she wanted to be a teacher and teach grade school. She looked at the indebtedness she would have to incur and decided to move back home to Indiana and go to the local public college and try to get as many credits as she could at a low price, and perhaps finish at DePaul when it is time. She thought: If my debt is too much, I would not be able to teach or make enough money to pay my loan back. That is a real-life story of two sisters who are doing the right thing and are facing student loan debt.

How could we explain that we are going to raise the interest rate on either one of them? At this point paying back their student loans will make it virtually impossible for Amy, who could be $80,000 to $140,000 in debt, and how is Michelle going to be the teacher we want her to be?

At Bradley University in Peoria, a student named Rose told me that if the interest rate on her loans doubled, which will happen if the filibuster continues by the Republicans, she might have to move in with her parents after graduation or make sacrifices in order to make her loan payments. Rose estimates that increasing interest rates will cost about $4,000, because she plans on graduating with about $20,000 in debt.

I also met Deshawn from Alton, IL, a freshman majoring in economics and political science at Bradley. He wants to be an international lawyer some day. He is a first-generation college student, and he realizes that without

student loans he doesn't have a chance to realize his dream.

What is the difference of opinion here about how to pay for these decreases in the interest rate from 6.8 to 3.4? As I mentioned, we would close the tax loophole on subchapter S corporations, which are used by accountants and attorneys to avoid paying the ordinary income tax and withholding.

There is another proposal out of the House that I think is really bad. They say we should pay for keeping student loans affordable by reducing preventive health care programs. We have a fund that we have created that pays for, among other things, preventive care, childhood immunizations. So if the money is taken out of that fund, fewer American children will be receiving the vaccines and the inoculations which we want for all of our kids to keep them safe. Is it important that kids receive these vaccinations? I think it is very important.

Senator REID said at a press conference here that the incidence of a return of whooping cough—most people thought that was long gone—in the United States is at the highest level in 50 years, and the incidence of the return of measles in this country is at the highest level in 15 years. Childhood immunizations are important to keep our kids healthy and safe.

There is also money in this prevention fund, which the House Republicans want to cut out, calling it a slush fund, to be used for diabetes prevention. You cannot pick up a newspaper or a magazine without reading about the incidence of obesity, the growing number of overweight children, and the increasing incidence of diabetes among our children. In fact, forms of diabetes that used to be confined to adults in America are now being found in children in America. They have to be treated with pretty powerful drugs to overcome this disease of diabetes.

The House Republicans say let us reduce the amount of money we are using for public education and treatment to reduce the incidence of diabetes and instead spend it on student loans. What a Faustian bargain that is. It is a bargain with the devil. We are going to put at risk children when it comes to immunizations and diabetes, in order to help grown children, young adults, pay their student loans.

Is that what it has come to? We are so determined to not touch the Tax Code and the loopholes in it that we are going to risk the health of our children or the cost of a college education for our kids as well?

I think the approach in the House is not defensible. I hope that at the end of the day we can make sure we do this in a responsible way.

FOR-PROFIT SCHOOLS

Mr. President, I want to mention 2 other things quickly. One of the real problems with debt in this country relates to for-profit schools. Go to Yahoo or Google, put in ''college and university'' and step back. What is about to hit you is an avalanche of ads for for-profit schools. I don't need to recount the names on the floor. Everybody knows them. These are the schools that are advertising constantly: Come to our school. They run ads on television. One, I think, tells the story and shows a lovely young lady in a robe and pajamas, who has her laptop on her bed and says: You know, you can go to college in your pajamas now. I am going to XYZ for-profit school getting my college degree.

Here is what is happening: These for-profit schools are inundating the Internet and recruiting young people who otherwise might not go to college, many of them, and 10 percent—here are three numbers—of kids graduating from high school end up in these for-profit schools. So what the for-profit schools are looking for is young people who are in lower income family categories because they qualify for the most Federal assistance—Pell grants and Federal student loans. Ten percent of the students at the for-profit schools and 25 percent of all Federal aid for education goes to these schools—more than 2½ times, based on the number of students, the amount you might imagine.

Hang on, it gets more challenging. Almost half of the student loan defaults in America come from for-profit schools. Why? The kids get too deeply in debt and end up dropping out because the debt is overwhelming or they finish and get a worthless diploma and cannot find a job. That is the story. So the student debt in traditional schools, public universities, private, not-for-profit universities, is one thing; on the for-profit side that debt is mounting, particularly through private student loans.

Here is the kicker, and you know this, Mr. President, because you studied this issue too. Student loans are the only private loans in America not dischargeable in bankruptcy. What it means is that you are carrying it for a lifetime. You will carry it until you pay. That young lady $140,000 in debt could not have a clue what she has done to the rest of her life by getting that deeply in debt. I have students contacting me with over $100,000 in debt for a 4-year education, and they find out the diploma is worthless. There is one school, Westwood College, which operates out of Denver, CO, and has a campus in Chicago. They are under investigation now by our State attorney general. Too many young people have been watching too many crime shows, and Westwood College knows it. They call them and say how would you like a bachelor's degree in law enforcement. Maybe they are watching ''Hawaii 5–0'' and ''CSI'' and they like that stuff. Good, come on out.

I will tell you a story of one student. She went to Westwood College and it took 5 years to get a bachelor's degree in law enforcement. She took that diploma to the police departments and sheriffs' departments around the Cook County area, and they said: That is not a real college. We don't recognize that as a real diploma.

There she was with a worthless diploma and in debt $80,000 for a student loan. Now she is living in her parents' basement. She can't borrow another nickel to go to a real college, and she owes, obviously, $80,000 and is struggling with two jobs to try to pay it off.

There is another part of the story that we should not ignore. Many of these schools, particularly the for-profit schools, realize that hooking the kids into this loan is not enough, so they have the parents cosign. Sometimes the grandparents cosign. Six weeks ago, the New York Times ran a story of a woman who had her Social Security check garnished because she owed on a student loan. It wasn't hers, it was her granddaughter's loan. She cosigned, and her granddaughter defaulted, and now the grandmother has her Social Security check being docked because she owes on the loan. This is a horrible situation. It will be a worse situation if the interest rate on July 1 doubles.

So we have this Republican filibuster against bringing down the interest rate on student loans, and yet we now have an empty floor. Whoever thought it was a good idea for us not to debate and not to vote on this interest rate increase is long gone. They are not even here. I think that is the real unfairness of the filibuster. If a Senator or Senators stop the business of the Senate and say we can't even take up the bill or consider an amendment, then I think they owe it to the Senate to be here and explain their point of view.

I hope that tomorrow, when the dawn of a new day breaks and the Senate opens, some Republicans will come to the floor and explain this filibuster on college student loans. It is unfair to the students and to the families of our country. People definitely need a college education—many of them do—in order to succeed in life. Some need training. Even those who need skilled training may end up at a community college or taking a course that requires a loan to get through.

I hope the Republicans who started this filibuster, who said we cannot even take up, consider, or debate the student loan interest rate issue, will be here tomorrow to explain why, to explain why they think this is not worth the time of the Senate to debate. Until then, we will just languish in this filibuster.

THE DREAM ACT

Mr. DURBIN. Mr. President, it was 11 years ago that I introduced a bill called the DREAM Act. Just this last week, I

was back in Chicago to attend a fundraising dinner for a group I really respect. It is called the Merit music program. About 20 years ago, when a lady passed away, she left a legacy to the Merit music program, and the legacy said that the money she was leaving and any money that was raised should go into the public schools of the city of Chicago to offer young people a free musical instrument and music lessons if they were interested.

This program has been an amazing success. It turns out it has created an avenue and opportunity many young people never dreamed of having, and some of them have talents that are incredible. I was there at their dinner last week when the violinists came in—kids from all over the public schools of Chicago—and they did a magnificent job. They feel so good about themselves. They develop a talent, and they have a 100-percent college placement rate from the Merit music program. There is a linkage there. I know the Senator from Colorado, who has taken over as our Presiding Officer, knows this, as he was an educator in the city of Denver. Many of these kids for the first time realize that they are worth something, that they can do something and do it well. And it is that confidence and pride that not only takes them through the experience of playing music but the experience of life and the experience of the classroom. It makes a big difference in their lives.

Eleven years ago I got a call from the director of the program, Duffy Adelson. Duffy was there last week. Duffy is a wonderful woman who has committed her life to the Merit music program. She said: I have an issue. One of the students at the Merit music program is an amazing young girl who plays concert piano. She has been accepted at major music schools, including the Manhattan school of Music in New York. She is Korean. Her mother, when she was filling out the application for the Manhattan school of Music, came to the box that said ''citizenship, nationality.''

The girl turned to her mother—her name is Teresa Lee—and said: USA, right?

Her mom said: No. You see, I brought you here when you were 2 years old on a visitor's visa and I never filed any papers. Your dad is a citizen, I am a citizen, and your brother and sister, who were born here, are citizens, but we don't know what your status is.

The daughter said: What are we going to do?

She said: We will call DURBIN.

Well, first they called the Merit music program, and then Merit called me, and my staff found out that the law was clear. This young girl, who has spent 16 years in the United States, has to leave the United States for 10 years and then reapply to come back. She must leave for 10 years. That is the law. I thought to myself, the mom didn't file the papers. Mom did something wrong. Why would we not let this young woman do something right?

So when I was drafting the DREAM Act, I said: If you graduate high school and you have no serious problems when it comes to convictions or moral issues and you either complete service in the military or 2 years in college, we will put you on a path—a long path—toward becoming legal and becoming a citizen. That is the DREAM Act.

The DREAM Act has been here for 11 years. I have tried to pass it on the floor repeatedly. I can get 50-plus votes—I did the last time I called it—but the Senate has this magic number of 60, a supermajority. It has even passed the House of Representatives. But I have never been able to put 60 votes together here.

Over the years, the support from the other side of the aisle has been decreasing. As it decreases, it gets more difficult. Over the years, as well, a lot of people have stepped up and spoken on behalf of this DREAM Act. Colin Powell said: We would love to have these young people in our military. Secretaries of Defense, such as Secretary Gates, said the same thing. President Obama was a cosponsor of the bill. These are young talented people who can make a difference. But before I tell you the story of one of them here, I want to tell you the end of the story of Teresa Lee.

Teresa Lee attended the Manhattan school of Music and majored in concert piano. She met and married a young man who was an American citizen, and that made her legal in America. And she played at Carnegie Hall. How about that? Eleven years ago our government's law said she had to leave the country for 10 years. Instead, she came to the Manhattan School of Music, made it through, and has made a success of her life. There were a couple of people who stepped up and made sure that success was a reality in Chicago, and they were with the Merit music program. They had literally underwritten her college education because she couldn't qualify for any help—no Federal loans or grants, nothing—because she wasn't a citizen of the United States. This is a perfect example of a talent that would have been lost or wasted if she hadn't had good circumstances and if we don't have the DREAM Act for others who face the same thing.

Let me tell another story about Ayded Reyes. This is a photo of Ayded Reyes. She is a runner. I learned about her from an article on ESPN.com. Ayded was brought to the United States from Mexico when she was 2 years old. She grew up in San Diego, CA. In high school, she was an honors student who played three sports and was an active volunteer in her community. Among other activities, Ayded volunteered at the Children's Hospital and Sherman Heights Community Center, where she tutored students and worked with the elderly. She was also a member of the National Honor Society and graduated from high school with a 3.98 grade point average. This Senator wishes he could have had an average like that.

Ayded was accepted at the University of California at San Diego, but she was unable to attend for financial reasons. Because she does not have legal status in the United States, Ayded is ineligible for Federal student loans or any other Federal aid. Instead, she attends Southwestern Community College, where she has flourished as a student athlete. She maintains a 3.50 grade point average, and her dream is to become an obstetrician. She has also become the top-ranked women's junior college cross-country runner in the State of California. Among other awards, she has been given Athlete of the Year at Southwestern College and Pacific Coast Athletic Conference Track and Field Athlete of the Year. Ayded has been offered athletic scholarships by more than a dozen top 4-year colleges, but she can't accept them because she is subject to deportation. She is not here legally.

I have spoken to other students who have similar challenges, whose dreams can't be fulfilled unless we give them a chance. Just recently, I heard about a student who didn't know which way to turn, didn't know if the DREAM Act would ever pass, and applied for a visa to take his college education and go to work in Canada. The Canadians welcomed him. We need talent like that in Canada, they said. So they took him and we deported him. Are we a better nation for that? Who got the best of that bargain? A person who was educated in the United States, succeeded in the United States, and dreamed of being an American citizen is now living in Canada. To me, that is not the kind of thing we need to see in our country.

As I said, just because the parents made the mistake, got something wrong, these young people should be given a chance to do something right.

I am going to continue to work on passing the DREAM Act, and I hope I can appeal across the aisle to Republicans as well. Why is this a partisan issue? Don't we all believe we shouldn't punish a young person for the crimes or sins of their adult parent? That is what is at work here. It is a basic question of justice. These young people, such as Ayded, grew up in America pledging allegiance to the flag, believing this was their home. All they want is a chance to make their home—the home of their dreams—a better place.

I hope my colleagues will take the time to meet some of the DREAMers. That is what they call themselves now. They have Web sites. They have stepped out into the light of day to introduce themselves to America. That is

our only hope for this passing, where people come to meet these young people and realize what amazing people they are. I think they will understand that giving them a chance is only fair, it is totally American, and it is something we should do as soon as possible.

Mr. President, at this point I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I rise to express deep concern on behalf of families and students all across Michigan who are very upset at the vote earlier today where we did not get enough votes—the supermajority needed to be able to get beyond the filibuster that is going on on the floor by colleagues on the other side of the aisle, and therefore we can't actually get to the vote on the bill that would lower or maintain the lower student loan interest rates for students all across America and certainly in Michigan.

We know what will happen July 1 if we can't get beyond this. We actually have a majority of Members, 53 Members. I am very proud that all of our Members on this side of the aisle voted, in fact, to support the effort to maintain the low student loan interest rate. We didn't have the supermajority because it takes bipartisan votes to be able to get there and overcome the filibuster on the other side of the aisle. But we have enough votes, and we just want to vote. We have enough votes to be able to pass this bill, the Stop the Student Loan Interest Rate Hike Act. We have enough votes, and we just need to have the opportunity to be able to vote.

What does this mean for middle-class families and students in Michigan and all across the country? We are at a time when middle-class families are struggling to make ends meet and no more so than in Michigan, where we have gone through the deepest recession for the last decade of anyplace in the country. We need to be making college more affordable for Michigan students and students across America and their parents, not less affordable. We ought to be doing what will actually add to what we have done to support lower interest rates, more access to student loans, not taking that away, which is what is happening right now on the floor of the Senate because of the filibuster.

Higher education costs are already rising. Michigan students are graduating with mountains of student debt while high school graduates are being priced out of the opportunity to be able to go to college. In fact, the average Michigan student is graduating with over $25,000 in student debt. That is a heck of a place to start when you come out of college and you are looking for a job and trying to get started in a professional life or trying to continue your professional life and at the same time support your family. That is a lot of money. And we should not be adding to that, because we are talking about additional debt on top of that $25,000 average if, in fact, we can't pass this bill.

We have right now more than 300,000 Michigan students—those who have borrowed money because they believe in themselves, they believe in the future, and they want to get the skills and the degrees they need to be able to go into the workplace, to be successful for themselves and their families—300,000 students who are going to see their Stafford student loan interest rate double if we don't pass this bill.

We need a sense of urgency, like every single family feels right now that finds themselves burdened by loans. They made the decision, and we have been supportive of that, making loans available and lowering the interest rate over the last several years so more people can go to college and be able to get the skills they need and be able to be successful in the workplace. We should be continuing to support that and doing even more to help them lower the cost, not allowing the student loan interest rate to double come July 1.

Folks in Michigan are scratching their heads right now. Let me share stories I have received. I have received a lot of input, a lot of stories from people not only throughout today but before today, but certainly folks who watched the vote this afternoon are horrified at what this means personally to them, for their children or for their families. We have received a number of e-mails to our office, and I am very thankful to people who are sharing their stories. I would like to share just a few of them on the floor of the Senate.

Liz from Traverse City wrote:

PLEASE, please don't let them raise the interest rates on student loans. I have two sons at MSU and I'm a single mom. I work a full time and 2 part-time jobs and they work, and without the Federal loans they wouldn't be able to go to college—even with the full MET I worked on all their lives.

So she put money into a Michigan program to be able to save money and put money aside. But this is somebody who is working one job and two part-time jobs on top of her full-time job, and her sons are working, and they still have student loans to be able to piece it together to be able to go to college.

She said:

Please help—our 3 person family is working very hard to get through school.

And I would suggest that they are. And, Liz, thank you for caring about your sons and working as hard as you are working.

We need to make sure we don't add costs to Liz and her two sons in July. On top of everything they are doing to be able to create an opportunity for those two sons to be able to go to college, to be able to have a better life and a future for themselves, we shouldn't be adding costs to them.

Lars from Ann Arbor wrote:

As a student at the University of Michigan, I find it hard to keep up with current events, but I try in earnest, and this is an issue that affects me more than most others at this time. I'm footing the bill for my college education largely myself, as my mother and father—a high school art teacher and GM retiree, respectively—do what they can to help in the short term. I'd like you to work on behalf of keeping the interest rates lower.

So Lars is going to the University of Michigan—a great university—and he is footing most of his college bill himself. His mom, a teacher, and his dad, a GM retiree, are doing what they can to help, but he has to have student loans. Why on Earth would we be adding to his costs come July when he is working very hard, with the support of his family, to be able to create a great life with a great education from a great university?

Kasondra from Grand Blanc wrote:

I am not what they consider a 'typical' student. I am a single mom of two obtaining my bachelor's degree in Social Work. As a student and as a mother, I am attempting to lift myself and my family out of poverty by doing the right thing, getting a college education. While it has been tough and there are days I wished I could give up, I am pursuing my dream, and I will be graduating with honors in one year. If the rate increase happens, I cannot afford paying back my student loans while raising two children. Please, do not let the interest rate expire on July 1.

Kasondra, congratulations for all you are doing as a single mom of two, as you said, lifting your family out of poverty. We in Michigan are a tough bunch. We don't give up. But I know how hard it can be trying to hold it all together during these times, and I want to thank you for doing that. And you are absolutely right, it would really be outrageous to see the interest rate on your loans when you are graduating next year with honors—congratulations for that. But to be able to know that you are going to at least have the interest rate on your loans continue as they have been I know would be a relief and a help to you.

Angelica from Ypsilanti wrote:

My name is Angelica, I am a 40 year old mother of three who has returned to school to finally get my degree. I have recently been accepted at Eastern Michigan University and am starting classes in June. Without affordable student loans I would not be able to attend school. I want to make a positive difference. Getting my degree will give me and my family a better standard of living and get out of the terrible cycle of poverty.

This bill is critical to making the dream of higher education a reality for Americans and ensuring our workforce is prepared to compete in a 21st century global economy.

Angelica, again, congratulations. As a mom of three, 40 years old, making the decision to go back to school, getting accepted, creating a plan for how you are going to be able to use student loans and be able to hold it all together financially as you are moving forward, it is really outrageous to think that there is a filibuster going on right now to stop us from voting on something that would help you.

We have the votes. This is not about whether we have the votes to maintain the low interest rate. We have the votes. We are being blocked procedurally from getting to the vote, and that is something that is very hard for me to understand.

Michael in Mount Pleasant wrote:

I am a student at Central Michigan University studying Information Technology and I am also putting myself through school by whatever means possible. The amount of student loan debt I will have to pay after a 4-year degree casts a looming shadow. We are always taught to look toward the future and to jump at any opportunity that presents itself as an opportunity to better oneself. We as students are now looking at a future filled with uncertainty. Please do whatever it takes to do what you know is right, and save our future from an impending financial defeat.

Well, Michael, again working very hard, has a path, knows what he wants to do, puts a plan in place, like most students and most families, to figure out how he is going to be able to pay it both now in terms of the costs and paying back the student loans. And if we can't get a vote on this bill, we are pulling the rug out from under Michael.

Jennifer in Michigan wrote:

For me, it means I'll be very unlikely to finish grad school. We say the US (especially Michigan) needs to invest in technology, yet they want to do things like this that will result in an uneducated society.

Jennifer, I am with you. This makes absolutely no sense whatsoever, at a time when we know we have to outeducate and outinnovate to be able to outcompete in a global economy. Doing things that add costs for middle-class families, working families, to add costs for loans? You are bearing the brunt. You are getting a loan. You are believing in yourself and your future. We ought to be doing everything we can to support that, not adding more costs.

That is unfortunately what will happen if we cannot get beyond this filibuster on the floor of the Senate, to have a real vote, a final vote. We have the votes. We are just being blocked from getting to the vote by the procedures of the Senate.

Kathryn in Michigan:

When I heard the interest for student loans is going to double, my heart sank. How is this even possible? My daughter is 21 years old, a psychology major at Western Michigan University.

That is another great university in Michigan.

I am so very proud of her as any parent would be. With interest rates set to double, how can these students possibly even begin to think of paying these loans back? All this does is discourage kids from going to college at all and once again only the privileged will be allowed to succeed. Please once again we need your help. There has to be a light at the end of this dark tunnel for these kids and for our nation.

''There has to be a light at the end of this dark tunnel for these kids and for our nation.'' I could not agree more. We have to make sure the light they see is not from an oncoming train. We have to make sure the light they see is actually their way through the tunnel of debt that comes with college loans, and out into a future that is brighter for themselves, for their families. That is the hope, that is the promise of college education.

We have a responsibility to make sure we are doing everything possible to support the hopes and dreams, the hard work, the sacrifice that is going on in college after college, in home after home, where people are making tough decisions in order to give their kids a brighter future.

I was proud to help author the legislation in 2007 that cut the interest rate to where it is now, 3.4 percent. I was pleased to help lead the effort as well to reform the student loan program and expand college access. Those were good things to do—not bad things, good things. People have benefited. Three hundred thousand people in Michigan right now have benefited from that opportunity, the commitment we made to support young people, people going back to college, to have a brighter future through a college education.

Now is not the time to turn that around. The Stop The Student Loan Interest Rate Hike Act is commonsense legislation. It does not add a dime to the deficit. It is fully paid for. It is something that needs to get done now so that there is certainty for families across Michigan and across the country. Education really is the road to opportunity in this great country and Michigan is home to world-class universities and community colleges. They are conducting cutting-edge high-tech research to help transform the economy. Our schools serve to open doors and create opportunities for thousands and thousands of graduates every year.

I am always honored when I have the opportunity to speak at a graduation, as I have done this year, and to see the pride and relief on the faces of students who have worked so hard—and their parents, their pride and the commitment they make to their children. I know how that feels as a parent sitting in the audience as your kids graduate and walk across that stage with their diploma.

This is ingrained in us as Americans. It is the foundation of who we are, to create an opportunity for people to go to school K–12 and then be able to have a chance to go on to college so they can have the best shot at success. That is what we have had as a foundation in terms of our values as a country. This is not the time to turn it back. We need to be making it easier, not harder, for students to achieve a college education which greatly improves their chances of getting a good-paying job and being successful in life.

We are at a moment where we had a vote today where it was very clear we have enough votes to pass this bill, to make sure that student loan rates do not double. We have enough votes to pass it. We just do not have support from across the aisle, we do not have the bipartisan votes we need to get to a supermajority to stop the filibuster. That is what is going on right now. We need to vote. Folks do not have to agree with it. They can vote no on the final bill. Let us vote. On behalf of the people we represent, let us vote on the bill. On behalf of 300,000 students and their families in Michigan, on behalf of hundreds of thousands of others who are looking for the opportunity to go to college, to be able to work hard and take all the risks that come with that to be able to have a better life, I ask we simply allow a vote. Let us vote on this bill.

It is time to get on and let people know we get it, we understand what families are going through, we understand the squeeze middle-class families are going through on every front right now, and we will make sure that access to college, a higher education, is not just there for the wealthy and connected but that it is available to everybody because we are a stronger country because of that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

20TH ANNIVERSARY OF NEVADA'S HISPANIC MUSEUM

Mr. REID. Mr. President, I rise today to recognize and honor the Hispanic Museum of Nevada—Museo Hispano de

Nevada—for its 20 years of service to our community.

For the last two decades, Museo Hispano de Nevada has been guided by its mission: ''dedicated to promote awareness, education and resources of the diverse Hispanic cultures and traditions to enhance intercultural understanding among community members.'' This institution has played a critical role in educating Nevadans about the diversity of Latino heritage and promoting pride and cultural understanding.

The Museo Hispano de Nevada has sponsored numerous field trips and workshops, shedding light on the different cultural traditions of the Latino population and enabling future generations to learn about their heritage through historic artifacts and art exhibits. These programs and activities have served as learning tools for educating our community about the diversity in my home State of Nevada, where 26 percent of the population is Latino, accounting for 46 percent of growth in the Silver State.

As someone who has directly witnessed the importance of having a museum dedicated to preserving the history and telling the stories of Latinos in my home State, I am proud to be an original cosponsor of the Smithsonian American Latino Museum Act, S. 1868. It is my hope that a museum illuminating the richness of the Latino culture and history, as well as the numerous contributions Hispanics have made to the United States, will be built in our Nation's Capital in the near future.

I would also like to recognize Lynnette Sawyer, executive director of the museum, for her outstanding leadership and commitment to the museum. I extend a warm felt thanks to the staff and countless individuals who have worked over the years to make this great institution a resource for all Nevadans. Please join me in congratulating the Hispanic Museum of Nevada for 20 years of great work honoring the rich diversity among Hispanics and their many contributions to our great State. I wish the Museo Hispano de Nevada continued success in their future endeavors.

TRIBUTE TO RUBEN CURTIS ''R.C.'' WALKER

Mr. MCCONNELL. Mr. President, I rise today in honor of a man who has always been ready and willing to answer the call of distress in his hometown of London, KY, in Laurel County: Mr. Ruben Curtis Walker, better known by what everyone typically calls him, ''R.C.'' He has served as a member of numerous first-response teams for the local people of his community for almost 60 years.

A life-long passion for service in the rescue field began for R.C. in 1952, when he joined the London Fire Department. He has maintained some kind of position there, whether volunteer or paid, ever since. R.C. has a deep desire to extend a helping hand to those in need. He enjoyed his job and he enjoyed the work he was doing for his community so much, in fact, that in 1962 Fire Chief Gilmore Phelps noticed his display of passion and asked him to start the first-ever Laurel County fire department. R.C. took on the challenge and met it with flying colors. He went on to run an excellent fire department for 18½ years before finally stepping down as chief.

Having always been active in his community and anxious to help out, R.C. didn't just devote his time to the new County Fire Department; he was involved across the board in the service arena. He was deputy coroner, then eventually coroner in 1966, the same year that he ran for county sheriff. He opened the Bowling-Walker funeral home in 1965. He has also been deputy sheriff in Laurel County, and the county jailer from 1989 to 1993.

However diverse the life of R.C. Walker was, he did not stray far from the fire department. His first love was fire and rescue, and that is where he is most at home. Although he does not fight fires with the department today, he does still participate in other activities with the firemen, many of whom refer to him as 'Pap.'

Mr. Walker is not only a devoted public servant, but also a beloved family man. Aside from firefighter, he holds a few other titles—like husband, father, and grandfather. He and his wife of 25 years, Marie, have four children, Eddie, Steven, Stewart, and Deborah Greenwall. R.C. is dearly cherished by all who know him. I can say with certainty that his family, the boys at the fire department, and the local citizens of Laurel County feel safe knowing a man as honest and caring as Ruben Curtis Walker is watching out for them.

I ask my colleagues in the United States Senate to join me in commemorating Mr. Ruben Curtis Walker for the great many contributions he has made to his local community.

There was recently an article printed in the Sentinel-Echo: Silver Edition, a Laurel County, KY local newspaper magazine, which highlighted the countless accomplishments of R.C. Walker throughout his colorful life. I ask unanimous consent the article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel-Echo: Silver Edition, November 2011]

HE'S DONE IT ALL

(By Carol Mills)

He has been a first responder in many ways—firefighter, rescue worker, sheriff's deputy, coroner, and jailer.

Ruben Curtis ''R.C.'' Walker joined the London Fire Department in 1952, and has been a volunteer fireman for the city or county most of his life.

He has also been with the London-Laurel County Rescue Squad most of the time.

''I've really enjoyed being a firefighter. I've always been helpful on the rescue squad whether I was with the city or county. I remember rescuing this fellow out of an electric line. When they were clearing the bottom out to put the new sanitation system in, I got a call from the funeral home they found somebody they thought was dead down there. He was putting a new blade on a bulldozer and he swung his boom around and he got it into 6,900 volts of electricity. I jumped in the truck and pulled it away from the electric line. The door was open on the truck, so I took a running go and jumped in. He was passing in and out, but he wasn't dead.''

Back then, the funeral homes transported patients to the hospital because the ambulance service was established on Jan. 1, 1977.

''It's just wonderful that I could be of help to somebody. I've been through a lot of situations. I devoted the biggest majority of my life to fire and rescue. My son, Steven, is a sergeant in the state police and my son, Stewart, is chief of the city police.

''Gilmore Phelps was chief in 1952, and he talked me into joining the fire department with them,'' Walker recalled. ''I was working around a florist and a grocery store here in town, Acton's Grocery, here on Main Street. I was with the city in '54 when I starting working at House Funeral Home on East Fourth Street.''

In 1958, Walker left House Funeral Home, but he was still with the city fire department. He started working with Laurel Funeral Home on South Main Street where the Laurel Judicial Center is now.

''There used to be a big home there and we used it,'' he recalled. ''And I sold cars for a while. In the meantime, while I was at Laurel Funeral Home, they talked me into starting the county fire department.''

Walker was appointed the first Laurel County fire chief when the department was organized in 1962, a position now held by Tommy Johnston. Walker was chief for 18-and-a-half years before stepping down after getting injured.

In the meantime in 1965, he opened the Bowling-Walker Funeral Home on Dixie Street where the London-Laurel County Farmers Market is now. He sold out his part in the funeral business after he had back surgery.

While at Bowling-Walker, he was a deputy coroner and, when he ran for sheriff in 1966, he was the coroner. He has been a deputy with the Laurel County Sheriff's Office, too.

''That's why my boys picked up the police business.''

He then ran for Laurel County Sheriff in 1970.

''I won the nominee on the Republican (ticket) out of 14 and then the Democrats beat me in the fall,'' Walker recalled. ''I then went back to House Funeral Home in 1973 and worked until '80. In 1982, I went to work for Laurel Funeral Home, which had moved to (Ky.) 192 on the hill behind the school, Laurel County High.''

Walker was Laurel County jailer from 1989 until 1993. When he was elected, he came back to the London Fire Department and has been there ever since.

Walker has been married to his wife, Marie, for 25 years and he has another son, Eddie, who lives in Texas, and a daughter, Deborah Greenwall, an attorney in Louisville.

''I've got a good relationship with the children and grandbabies,'' Marie Walker said.

Now at 77, Walker does not actively fight fires, but continues to participate in any of the department's other activities.

''I don't do much. They kind of take care of me. Some of them call me 'Pap.'''

ASIAN-PACIFIC AMERICAN HERITAGE MONTH 2012

Mrs. FEINSTEIN. Mr. President, I rise today to honor the Asian and Pacific Islander community in the United States and celebrate the tremendous contribution these Americans have made to our Nation.

There are an estimated 17.3 million residents of Asian descent in our country and 5.6 million Asian-Pacific Americans living in California. I am proud that our State has the largest Asian population in the country.

California also boasts the highest number of Asian-owned businesses at 508,969, and the U.S. Armed Forces has more than 265,000 Asian-American veterans.

In 1977, Senators DANIEL INOUYE and Spark Matsunaga of Hawaii introduced a resolution in the Senate and President Jimmy Carter signed a joint resolution officially establishing Asian-Pacific American Heritage Week to honor the first Japanese immigrants to the United States and the Chinese individuals who worked on the Transcontinental Railroad. In 1992, May was officially designated Asian-Pacific American Heritage Month.

This year's Asian-Pacific American Heritage Month theme, ''Striving for Excellence in Leadership, Diversity and Inclusion,'' is embodied in the accomplishments of numerous Asian-Pacific Americans.

In Congress, my colleagues, Senators DANIEL INOUYE and DANIEL AKAKA, are joined by California Representatives JUDY CHU, MIKE HONDA, and DORIS MATSUI as examples of good public servants.

A number of California cities are led by Asian-Pacific Americans, including: Mayor Ling-Ling Chang of Diamond Bar, Mayor Edwin Lee of my hometown of San Francisco, Mayor Jean Quan of Oakland, Mayor Richard Sun of San Marino, Mayor Jeremy Yamaguchi of Placentia, and Mayor Vincent Yu of Temple City.

Additionally, it is appropriate to acknowledge the outstanding contributions of Asian-Pacific Americans who sit on the bench in California.

Judge Edward M. Chen just finished his first year as a U.S. district court judge in San Francisco.

Associate Justice Goodwin Liu was recently appointed to the Supreme Court of California.

Judge Jacqueline H. Nguyen has served with distinction as the first Vietnamese-American Federal judge since 2009, and was nominated to the Ninth Circuit Court of Appeals in 2011. She has won confirmation to the Ninth Circuit, which makes her the first Asian-American female Federal appellate judge in the Nation.

Public service is by no means the only area in which Asian-Pacific Americans have made great strides forward.

National Basketball Association phenomenon Jeremy Lin, a California native, has provided inspiration well beyond the Asian-Pacific American community. From young children to adults, the Harvard-educated athlete has proven to millions that no dream is too big to achieve.

Asian-Pacific American Heritage Month is particularly relevant in 2012, as we recognize the 70th anniversary of the Japanese-American relocation during World War II, under Executive Order 9066.

I remember this shameful page in our history. As a young girl, my father took me to the Tanforan Racetrack, near San Francisco, which was a staging point for Japanese Americans en route to more permanent detention centers. Seeing the barbed wire, and the men, women, and children housed in horse stables and small buildings on the infield of the racetrack was an experience I will never forget.

It is important that our Nation acknowledge mistakes, no matter how far in the past. I am proud to have cosponsored and voted in support of a resolution expressing congressional regret for decades of legislation targeting Chinese people for physical and political exclusion, as well as reaffirming the commitment of the Senate to preserve civil rights and constitutional protection of all Asian-Pacific Americans.

The future of the Asian-Pacific American community is bright, and I have no doubt it will see many triumphs in the years ahead. Today, it is my honor to recognize the ongoing determination, ambition, and success of Asian-Pacific Americans during Asian-Pacific American Heritage Month.

TAIWAN'S PRESIDENTIAL INAUGURATION

Mr. WYDEN. Mr. President, on May 20 the world will see an encouraging sight. On that day, President Ma Ying-jeou of the Republic of China will be sworn in for a second term on the island of Taiwan. I was so pleased to see yet another free, fair, democratic election take place on January 14. I want to take a moment to wish President Ma and the people of Taiwan success and prosperity as their young democracy continues to flourish and serve as an example for other countries in the region.

The difference in governance can be striking when Taiwan is compared to some of its neighbors in the region. Taiwan's experiment with democracy is less than two decades old, but it has demonstrated spectacular progress, holding direct democratic elections in every Presidential election since 1996. The people of Taiwan vigorously exercise their right to vote—three out of every four Taiwanese citizens voted in the January elections—and they feel empowered to petition their government, voice their grievances, peacefully assemble, and, in general, enjoy many of the political freedoms that Americans hold dear.

Taiwan is an important economic partner of the United States and is a robust and growing market for American exports. Just last month, as chair of the Senate Finance Subcommittee on International Trade, I held a hearing on agricultural export opportunities to Asia. As Asia continues to experience impressive economic growth, it is important to remember that Taiwan is the sixth largest destination for American agricultural exports. More can be done to improve bilateral trade between our two countries though, and I hope President Ma and his colleagues in the Legislative Yuan will move quickly to resolve the outstanding issues surrounding American beef imports.

President Ma made good progress in his first 4 years in improving cross-strait relations and has worked hard to promote peace and prosperity in the region. I commend both sides' work in developing and signing the Economic Cooperation Framework Agreement between the People's Republic of China and the Republic of China. I am confident that President Ma will continue to work to ensure cross-strait stability and cultivate an environment free from intimidation.

The people of Taiwan have much to be proud of as they celebrate the inauguration of President Ma. The relationship between the people of the United States and the people of Taiwan is based on shared values and common interests. I look forward to seeing Taiwan grow and prosper, and want the Taiwanese people to know that they have an unshakeable ally in the United States as they continue forward as a young democracy.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. MARTHA SMITH

● Mr. CARDIN. Mr. President, today I wish to recognize the accomplishments of Martha Smith, Ph.D., who is retiring as president of Anne Arundel Community College, AACC, in Anne Arundel County, MD. For 18 years, Dr. Smith has been the visionary and driving force behind many of the accomplishments of AACC. Her tireless dedication and unwavering enthusiasm have been instrumental in bringing extraordinary educational opportunities to the students of AACC. Under her leadership, AACC has grown to meet the needs of

students and employers in Anne Arundel County and throughout the State of Maryland. The college has focused on high-growth industries and opportunities presented by the base realignment and closure, BRAC, process. As a result, its enrollment has increased from 40,000 to 53,000 students and the number of degree and certificate programs has nearly doubled. The campus locations have grown to include Glen Burnie and Arundel Mills, as well as nine new buildings.

Dr. Smith has led AACC's growth and success by keeping her finger on the pulse of workforce trends, student goals, and employer needs. This year, she announced nine new associate's degree programs in fields such as juvenile justice and early childhood education. Under her leadership, AACC opened the Centers for Cyber and Professional Training and Applied Learning and Technology and introduced a new degree in information systems security, evincing the increased demand for highly trained cyber security professionals. In response to the growing needs of Maryland's health care and tourism industries, Dr. Smith has overseen the expansion of the physician assistant certificate program and she cut the ribbon on AACC's new Hospitality, Culinary Arts and Tourism Institute.

Dr. Smith's considerable expertise and leadership in the areas of workforce development and education has enabled her to serve in many leadership roles with local, State, and national organizations. As a passionate advocate for high-quality, affordable education for all students who want to pursue higher education, her role on national community college and workforce investment boards has been instrumental in building partnerships and making changes that have strengthened the community college system and enabled more students to be successful. During Dr. Smith's tenure, AACC has garnered numerous awards and honors, including Community College of the Year from the National Alliance for Business.

I ask my colleagues to join me in congratulating Dr. Smith on her 18 years of accomplishments as president of Anne Arundel Community College, in thanking her for her inspired leadership and public service, and in wishing her well in her retirement.●

RECOGNIZING SACO & BIDDEFORD SAVINGS INSTITUTION

● Ms. SNOWE. Mr. President, it is my privilege and honor to recognize and commend Saco & Biddeford Savings Institution, the oldest bank in Maine, which this month celebrates its milestone 185th anniversary.

Saco & Biddeford Savings Institution, located in Saco, ME, opened its doors on May 23, 1827. It is hard to believe, but at that time—7 years after Maine was granted Statehood—relatively few banks existed in the United States and none in Maine. However, in February of 1827, 48 citizens of Saco changed this path by appealing to the State legislature for a banking charter. Since that time, this community bank has taken remarkable strides and made breakthrough achievements, including opening the first branch of any bank in Maine. Further, in 1922, it began encouraging Maine's youth to save and learn the value of fiscal responsibility when it started the first school savings program in the State's history.

Whether a customer is interested in personal banking, obtaining a mortgage, or even starting or investing in a small business, Saco and Biddeford Savings offers a broad array of services and products. Today, this bank has expanded beyond Saco and includes locations in Biddeford, Old Orchard Beach, Scarborough, South Portland, and Westbrook. As the eleventh largest Maine-based community bank for total assets, it continues to grow, recently announcing total assets of over $759 million. Notably, Saco & Biddeford Savings continues to be a leader in the community, employing 165 individuals, and was named by Best Companies Group in 2011 as one of the ''Best Places to Work in Maine.''

As is evidenced by their remarkable success for nearly two centuries, this financial institution is highly regarded for its impeccable customer service and outstanding charitable contributions. In 2011 alone, Saco & Biddeford Savings donated nearly $350,000 to local charities. Already, in 2012, this community bank has donated to 14 local food pantries and meal programs and assisted with the Project Heat Telethon which ultimately raised $223,550 to assist Maine families with fuel costs. Saco & Biddeford Savings' generosity to the community demonstrates why Southern Maine has embraced this organization for 185 years.

Throughout our Nation's great history, we have experienced tremendous highs and lows, particularly in our financial sector. While this has presented unique challenges to banking establishments, Saco & Biddeford Savings Institution's ability to thrive and prosper for 185 years is a monumental achievement. I am proud to extend my congratulations to everyone at Saco & Biddeford Savings Institution on their 185th anniversary. I offer my best wishes for their continued success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 298. An act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building''.

H.R. 1423. An act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Micheal E. Phillips Post Office''.

H.R. 2079. An act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office''.

H.R. 2213. An act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office''.

H.R. 2244. An act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office''.

H.R. 2660. An act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office''.

H.R. 2767. An act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trant Post Office Building''.

H.R. 3004. An act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building''.

H.R. 3246. An act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''.

H.R. 3247. An act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building''.

H.R. 3248. An act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. INOUYE).

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4097. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 1302. An act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 105. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

H. Con. Res. 106. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 117. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

H. Con. Res. 118. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 44. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2050. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

H.R. 2240. An act to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

H.R. 4628. An act to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

H.R. 4849. An act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5959. A communication from the Deputy Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Specification for 15kV and 25kV Primary Underground Power Cable'' (7 CFR Part 1728) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5960. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace; Cocoa Beach, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–0099)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5961. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Columbia, SC'' ((RIN2120–AA66) (Docket No. FAA–2011–1196)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5962. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Area Navigation (RNAV) Routes; Seattle, WA'' ((RIN2120–AA66) (Docket No. FAA–2011–1358)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5963. A communication from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Value Engineering'' (RIN2125–AF40) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5964. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certifications granted in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Commerce, Science, and Transportation.

EC–5965. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2011 Annual Report to the President and Congress; to the Committee on Commerce, Science, and Transportation.

EC–5966. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Agency Rules of Practice'' (RIN2126–AB38) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5967. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company (GE) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2006–25738)) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5968. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Mooney Aviation Company, Inc. (Mooney) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0275)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5969. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0272)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5970. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0288)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5971. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0273)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5972. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1225)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5973. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1224)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5974. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0355)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5975. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DG Flugzeugbau GmbH Sailplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1342)) received during adjournment of the Senate in the Office of the President of the Senate

on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5976. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Division Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–1194)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5977. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney (PW) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–1176)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5978. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1090)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5979. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1414)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5980. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2007–27223)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5981. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1324)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5982. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0913)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5983. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–1113)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5984. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0025)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5985. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2007–0109)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5986. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Model BD 100 1A10 (Challenger 300) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1064)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5987. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–0908)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5988. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1060)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5989. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0858)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5990. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0723)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5991. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0296)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5992. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0331)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5993. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0303)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5994. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Railroad Workplace Safety; Adjacent-Track On-Track Safety for Roadway Workers'' (RIN2130–AB96) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5995. A communication from the Principal Deputy General Counsel, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Standards of Ethical Conduct for Employees of the Bureau of Consumer Financial Protection'' ((RIN3209–AA15) (Docket No. CFPB–2012–0016)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–5996. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Further Definition of 'Swap Dealer,' 'Security-Based Swap Dealer,' 'Major Swap Participant,' 'Major Security-Based Swap Participant' and 'Eligible Contract Participant' '' (RIN3235–AK65) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–5997. A communication from the Deputy Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Pennsylvania Regulatory Program'' (Docket No. PA–155–FOR) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Energy and Natural Resources.

EC–5998. A communication from the Director, Office of Surface Mining, Department of

the Interior, transmitting, pursuant to law, the report of a rule entitled ''Iowa Regulatory Program'' (Docket No. IA–016–FOR) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Energy and Natural Resources.

EC–5999. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oklahoma Regulatory Program'' (Docket No. OK–033–FOR) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Energy and Natural Resources.

EC–6000. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the authorization of the Minnesota River, Marsh Lake Ecosystem Restoration project; to the Committee on Environment and Public Works.

EC–6001. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application, Review, and Reporting Process for Waivers for State Innovation'' (RIN1505–AC30) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Finance.

EC–6002. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 ''Joint Communique'' and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 ''Joint Statement''; to the Committee on Foreign Relations.

EC–6003. A communication from the Acting Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau for Africa, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–87. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to reconsider the recommendations of the 2012 United States Air Force Structure Change Report and to deliver no fewer than four C–27J aircraft to the 110th Airlift Wing of the Air National Guard as previously committed; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 215

Whereas, The Michigan Air National Guard, being the air force militia of the state, has a long and proud history with the state of Michigan and the city of Battle Creek; and

Whereas, The Battle Creek Air National Guard Base is currently home to the 110th Airlift Wing of the Air National Guard, which currently hosts a flying mission of C–21 passenger aircraft, and the 110th Air Operations Group, which provides critical support to the 17th Air Force, or United States Air Forces Africa; and

Whereas, The units of the 110th Airlift Wing of the Air National Guard have had a history in Battle Creek, Michigan, since 1947; and

Whereas, The 110th Airlift Wing is a tremendous source of civic pride in the greater Battle Creek area, as it has been one of the most decorated Air National Guard units in the nation, receiving the Air Force Outstanding Unit Award in 1992, 1998, 2000, 2004, and 2011, an honor bestowed on fewer than 10 percent of Air Force units annually; and

Whereas, The citizens of Battle Creek have, over the years, committed unmatched support for the Air National Guard in Battle Creek, including in 1984 by a 4 to 1 majority when voters pledged to extend the runway from 7,003 to 10,003 feet to meet the needs of the Air National Guard, in 2006 when the city's economic development authority purchased 74 acres of residentially zoned, vacant property to preclude encroachment, and when Battle Creek proactively contributed resources and sought matching funds for the construction of a new air traffic control tower to address line of sight issues and construct a parallel runway to enhance safety; and

Whereas, The defense industry, including the Battle Creek Air National Guard Base, the Hart-Dole-Inouye Federal Center, and the Fort Custer Army National Guard Base, is integral to the local community, and its components are vital, both as symbols of civic pride and as cornerstones of the local economy; and

Whereas, The defense industry is vital to the economy of the city of Battle Creek, with approximately 3,000 local jobs tied to defense; and

Whereas, The Battle Creek Air National Guard Base contributes $22.2 million in total wages and salaries and a total of $26 million in gross regional product to Calhoun County; and

Whereas. More than $22 million in taxpayer funding has been invested in the Battle Creek Air National Guard Base from 2001 to 2011, $16.7 million of which represents the federal share and $5.2 million of which was invested by the state of Michigan. The 110th Airlift Wing has been the recipient of $477 million in operational funding from 2001 to 2011, including military construction, personnel, and operations and maintenance; and

Whereas, The existing infrastructure and trained personnel at the Battle Creek Air National Guard base are ideally suited to support the C–27J, and the Battle Creek Air National Guard base is second to no other location in the nation for C–27J mission support; and

Whereas, C–27J aircraft based in Southwest Michigan, due to its central location, will provide superior response capabilities in FEMA Region 5 and the region served by the 51st Civil Support Team; and

Whereas, Locating an MQ–1/9 RSO element at the Battle Creek Air National Guard Base instead of the previously committed C–27J aircraft would result in a loss of approximately 70 jobs with the 110th Airlift Wing; and

Whereas, Delivering neither the four C–27J aircraft or an MQ–I/9 RSO element to the Battle Creek Air National Guard Base would result in significant harm to the economy of the city of Battle Creek, as well as jeopardizing the significant investments made by die citizens of Michigan and the United States by making the Battle Creek Air National Guard Base vulnerable to future Base Closure and Realignment Commission (BRAC) recommendations; and

Whereas, The Battle Creek Air National Guard Base has already been targeted for closure by the BRAC Commission. In 2005, as a result of recommendations by the BRAC Commission, the Battle Creek Air National Guard Base lost 161 jobs and a squadron of A–10 Thunderbolt II aircraft was reassigned to Selfridge Air National Guard Base. The BRAC Commission also considered the closure of the Hart-Dole-Inouye Federal Center in Battle Creek, which houses integral elements of the Defense Logistics Agency of the United States Department of Defense; and

Whereas, The loss of employment positions with the 110th Airlift Wing at the Battle Creek Air National Guard Base would have a significant impact on the local economy; and

Whereas, Any negative impacts on the Battle Creek Air National Guard Base would also have other serious consequences, including potential ramifications for other organizations that utilize W.K. Kellogg Airport, including the Western Michigan University College of Aviation; and

Whereas, The Michigan House of Representatives has already urged the United States Department of Defense to deliver no fewer than four C–27J aircraft to the 110th Airlift Wing of the Air National Guard in Battle Creek; and

Whereas, Any negative impact on the 110th Airlift Wing of the Air National Guard at the Battle Creek Air National Guard Base will have immeasurable consequences for the city of Battle Creek and the state of Michigan, both in terms of economic ramifications, as well as in terms of community pride and disaster readiness: Now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to reconsider the recommendations of the 2012 United States Air Force Structure Change Report and to deliver no fewer than four C–27J aircraft to the 110th Airlift Wing of the Air National Guard as previously committed or, in the event that such aircraft are not currently available, to deliver an MQ–1/9 RSO element to the Battle Creek Air National Guard Base until such time as no fewer than four C–27J aircraft become available, and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, United States Secretary of Defense, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–88. A memorial adopted by the Legislature of the State of Florida urging Congress to repeal the Sarbanes-Oxley Act of 2002; to the Committee on Banking, Housing, and Urban Affairs.

SENATE MEMORIAL NO. 1822

Whereas, the Sarbanes-Oxley Act was enacted on July 30, 2002, in Pub. L. No. 107–204, and

Whereas, the stated purpose of the act is ''to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws . . . ,'' and

Whereas, this federal legislation was passed with the best of corrective intentions after the discovery of corporate fraud and accounting scandals that cost investors and retirees billions of dollars, and

Whereas, the Sarbanes-Oxley Act, in spite of the good intentions that motivated its passage, has created an extremely complex maze of federal regulations that are costly and damaging to public companies and diminish the companies' ability to compete

against foreign financial entities that are not subject to its regulations, and

Whereas, the costs that businesses must bear to comply with the extensive provisions of the Sarbanes-Oxley Act are unnecessary and crippling, disproportionately affecting smaller businesses, and

Whereas, financial market scholars have observed that the Sarbanes-Oxley Act has produced the unfortunate consequence of discouraging American businesses from listing with New York stock exchanges and listing instead in England where the markets and stock exchanges are less heavily regulated, and

Whereas, the Sarbanes-Oxley Act is a very costly example of Federal Government intrusion that imposes unnecessary regulatory costs on American businesses and interferes with basic free market principles, and

Whereas, instead of preventing fraud and ensuring transparency, the extensive regulations created by the Sarbanes-Oxley Act have thwarted the creation of new public companies, driven business away from domestic stock markets, and cost the industrial sector billions of dollars: Now therefore, be it

Resolved, by the Legislature of the State of Florida, That the Congress of the United States is urged to repeal the Sarbanes-Oxley Act of 2002 to remove the damaging obstacles that the act has created for American public companies and replace it with reasonable non-intrusive measures to protect investors; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

POM–89. A memorial adopted by the Legislature of the State of Florida urging Congress to pass H.R. 2918, the Taiwan Policy Act of 2011; to the Committee on Foreign Relations.

SENATE MEMORIAL NO. 1486

Whereas, H.R. 2918, the Taiwan Policy Act of 2011, was introduced on September 14, 2011, and is currently pending before the 112th Congress, and

Whereas, H.R. 2918 seeks to encourage and strengthen the commercial, cultural, and other interests between the people of the United States and Taiwan, as set forth in the Taiwan Relations Act which was enacted in 1979 (Public Law 96–8; 22 U.S.C. ss. 3301 et seq.) and which has served for 33 years as the foundation of United States-Taiwan relations, and

Whereas, we are reminded that the Taiwan Relations Act has functioned to ensure peace and stability in the Western Pacific and that it continues to be a priority of the United States to maintain that international stability, and

Whereas, this nation must be vigilant to encourage the secure future of Taiwan and must do all that is within our ability to encourage the military self-defense capabilities of Taiwan, and

Whereas, economically, Taiwan is the ninth largest trading partner with the United States and that trade translated into approximately $57 billion in 2010, and

Whereas, both nations realize that it is in the best economic interests of the United States and in the national security interests of Taiwan that these two nations continue to cultivate the intricate ties between them: Now therefore, be it

Resolved by the Legislature of the State of Florida, That the Congress of the United States is urged to pass H.R. 2918, the ''Taiwan Policy Act of 2011,'' in recognition that the passage of the act is a necessary step toward nurturing and maintaining the diverse interests that bind the people of the United States and the people of Taiwan; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COONS:

S. 2839. A bill to extend the temporary suspension of duty on 2-amino-4-methoxy-6-methyl-1,3,5-triazine; to the Committee on Finance.

By Mr. COONS:

S. 2840. A bill to extend the temporary suspension of duty on 2-methyl-4-methoxy-6-methylamino-1,3,5-triazine; to the Committee on Finance.

By Mr. SCHUMER:

S. 2841. A bill to suspend temporarily the duty on certain PCBTF with antioxidant; to the Committee on Finance.

By Mr. SCHUMER:

S. 2842. A bill to suspend temporarily the duty on certain PCBTF with acid acceptor; to the Committee on Finance.

By Mr. SCHUMER:

S. 2843. A bill to suspend temporarily the duty on certain PCBTF; to the Committee on Finance.

By Mr. SCHUMER:

S. 2844. A bill to suspend temporarily the duty on certain PCBTF with corrosion inhibitor; to the Committee on Finance.

By Mr. SCHUMER:

S. 2845. A bill to suspend temporarily the duty on metal screw type bases designed for high intensity discharge (HID) lamps; to the Committee on Finance.

By Mr. SCHUMER:

S. 2846. A bill to suspend temporarily the duty on preformed iodide pellets or powder composed of iodides of dysprosium, thallium sodium, holmium, thulium and calcium; to the Committee on Finance.

By Mr. SCHUMER:

S. 2847. A bill to suspend temporarily the duty on polycrystalline alumina tubes and shaped bodies designed for high intensity discharge (HID) lamps; to the Committee on Finance.

By Mr. SCHUMER:

S. 2848. A bill to suspend temporarily the duty on cermets for ceramic discharge lamps; to the Committee on Finance.

By Mr. SCHUMER:

S. 2849. A bill to suspend temporarily the duty on frit rings composed of dysprosium oxide, dysprosium monosilicate, and mullite; to the Committee on Finance.

By Mr. SCHUMER:

S. 2850. A bill to suspend temporarily the duty on ceramic bases designed for high intensity discharge (HID) lamps, with metal locking pins to allow passage of an electrical current; to the Committee on Finance.

By Mr. SCHUMER:

S. 2851. A bill to suspend temporarily the duty on polycrystalline alumina discharge tubes prefilled with metal halide salts and designated for high intensity discharge (HID) lamps; to the Committee on Finance.

By Mr. SCHUMER:

S. 2852. A bill to suspend temporarily the duty on certain PCBTF with antistatic; to the Committee on Finance.

By Mr. PRYOR:

S. 2853. A bill to extend the temporary suspension of duty on Ipconazole; to the Committee on Finance.

By Mr. PRYOR:

S. 2854. A bill to extend the temporary suspension of duty on triacetonamine; to the Committee on Finance.

By Mr. PRYOR:

S. 2855. A bill to extend the temporary suspension of duty on Bifenazate; to the Committee on Finance.

By Mr. PRYOR:

S. 2856. A bill to extend the temporary suspension of duty on Butralin; to the Committee on Finance.

By Mr. PRYOR:

S. 2857. A bill to extend the temporary suspension of duty on Paraquat dichloride (1,1′-dimethyl-4,4′-bipyridinium dichloride); to the Committee on Finance.

By Mr. PRYOR:

S. 2858. A bill to suspend temporarily the duty on paraquat dichloride and inerts; to the Committee on Finance.

By Mr. PRYOR:

S. 2859. A bill to extend the temporary suspension of duty on Pentaerythritol tetrakis[3-(dodecylthio)propionate] (CAS No. 29598 76 3); to the Committee on Finance.

By Mr. PRYOR:

S. 2860. A bill to suspend temporarily the duty on 4,4′-methylene bis(2-chloroaniline); to the Committee on Finance.

By Mr. PRYOR:

S. 2861. A bill to suspend temporarily the duty on 2,2′-(2-methylpropylidene) bis(4,6-dimethylphenol); to the Committee on Finance.

By Mr. PRYOR:

S. 2862. A bill to suspend temporarily the duty on Daminozide; to the Committee on Finance.

By Mr. PRYOR:

S. 2863. A bill to suspend temporarily the duty on 4,4′-butylidenebis[3-methyl 6 tert butylphenol]; to the Committee on Finance.

By Mr. PRYOR:

S. 2864. A bill to suspend temporarily the duty on 2,2′-methylenebis[4 methyl 6 tert butylphenol]; to the Committee on Finance.

By Mr. PRYOR:

S. 2865. A bill to suspend temporarily the duty on bis(2,3-dibromopropyl ether) of Tetrabromobisphenol A; to the Committee on Finance.

By Mr. PRYOR:

S. 2866. A bill to suspend temporarily the duty on 4,4′-thiobis[2-(1,1-di-methylethyl)-5-methyl-phenol]; to the Committee on Finance.

By Mr. PRYOR:

S. 2867. A bill to suspend temporarily the duty on 2,5-bis(1,1-dimethylpropyl)-1,4-benzenediol; to the Committee on Finance.

By Mr. PRYOR:

S. 2868. A bill to extend the temporary suspension of duty on Phosphoric acid, tris(2-ethylhexyl) ester; to the Committee on Finance.

By Mr. PRYOR:

S. 2869. A bill to extend the temporary suspension of duty on N,NN-Hexane-1,6-diylbis(3-(3,5-di-tert-butyl-4-hydroxyphenylpropionamide)) (CAS No. 23128–74–7); to the Committee on Finance.

By Mr. PRYOR:

S. 2870. A bill to extend the temporary suspension of duty on 2-(4-Tert-

butylphenoxy)cyclohexylprop-2-ynyl sulfite (Propargite) (CAS No. 2312–35–8); to the Committee on Finance.

By Mr. PRYOR:

S. 2871. A bill to extend the temporary suspension of duty on etridiazole; to the Committee on Finance.

By Mr. BAUCUS:

S. 2872. A bill to extend the temporary reduction of duty on certain golf bag bodies; to the Committee on Finance.

By Mr. BAUCUS:

S. 2873. A bill to suspend temporarily the duty on 3-trifluoromethyl-4-nitrophenol; to the Committee on Finance.

By Mr. BAUCUS:

S. 2874. A bill to suspend temporarily the duty on fabrics of man-made fibers consisting of one or two layers of expanded polytetrafluoroethylene sheeting layered between an outer knit fabric wholly of nylon and another outer woven fabric containing by weight 65 percent or more of micro fiber polyester; to the Committee on Finance.

By Mr. BAUCUS:

S. 2875. A bill to suspend temporarily the duty on diaper pads with an outer layer of water-resistant laminated knitted fabric of polyester and with other fabric layers of either blends of hemp and cotton or polyester microfleece; to the Committee on Finance.

By Mr. BAUCUS:

S. 2876. A bill to suspend temporarily the duty on diaper pads with an outer layer of water-resistant laminated knitted fabric of polyester and with a layer or layers of certified organic cotton; to the Committee on Finance.

By Mr. BAUCUS:

S. 2877. A bill to suspend temporarily the duty on diaper pads with an outer layer of water-resistant laminated knitted fabric of polyester with an inner layer or layers of certified organic cotton; to the Committee on Finance.

By Mr. BAUCUS:

S. 2878. A bill to suspend temporarily the duty on diaper shells each having a water-resistant outer layer of laminated knitted fabric of polyester and a lining of mesh fabric wholly of polyester; to the Committee on Finance.

By Mr. BAUCUS:

S. 2879. A bill to renew the temporary suspension of duty on vulcanized rubber felt-bottom boots for actual use in fishing waders; to the Committee on Finance.

By Mr. BAUCUS:

S. 2880. A bill to extend the temporary suspension of duty on vulcanized rubber lug bottom boots for actual use in fishing waders; to the Committee on Finance.

By Mr. BAUCUS:

S. 2881. A bill to suspend temporarily the duty on certain glass snow globes; to the Committee on Finance.

By Mr. BAUCUS:

S. 2882. A bill to suspend temporarily the duty on certain acrylic snow globes; to the Committee on Finance.

By Mr. BAUCUS:

S. 2883. A bill to renew the temporary suspsension of duty on certain footwear consisting of an outer sole affixed to an incomplete or unfinished upper; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. WHITEHOUSE, and Mr. BROWN of Ohio):

S. 2884. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Mrs. HUTCHISON, Mr. CORNYN, Mr. PRYOR, and Mr. BOOZMAN):

S. 2885. A bill to amend title 10, United States Code, to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack perpetrated within the United States; to the Committee on Armed Services.

By Mr. MENENDEZ:

S. 2886. A bill to suspend temporarily the duty on 3-amino-1,2-propanediol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2887. A bill to reduce temporarily the duty on Trilon MGDA; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2888. A bill to reduce temporarily the duty on Tinopal; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2889. A bill to extend the temporary suspension of duty on capers, prepared or preserved by vinegar or acetic acid, in containers holding 3.4 kg or less; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2890. A bill to extend the temporary suspension of duty on pepperoncini, prepared or preserved otherwise than by vinegar or acetic acid, not frozen; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2891. A bill to extend temporary reduction of duty on pepperoncini, prepared or preserved by vinegar; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2892. A bill to extend the temporary suspension of duty on capers, prepared or preserved by vinegar or acetic acid, in immediate containers holding more than 3.4 kg; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2893. A bill to provide for the reliquidation of certain entries of top-of-the-stove stainless steel cooking ware from the Republic of Korea between January 1, 1999 and January 22, 2003, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2894. A bill to suspend temporarily the duty on butane, 1-chloro; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2895. A bill to suspend temporarily the duty on 1,3,5-triazine, 2,4,6-tris(2-propenyloxyl)-; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2896. A bill to suspend temporarily the duty on hexane, 1,6-dichloro-; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2897. A bill to provide for the reliquidation of certain entries of orange juice from Brazil, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2898. A bill to suspend temporarily the duty on cyasorb 2908; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2899. A bill to suspend temporarily the duty on HAS; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2900. A bill to suspend temporarily the duty on bis-phenol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2901. A bill to suspend temporarily the duty on cyasorb 3346; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2902. A bill to suspend temporarily the duty on cyasorb 1164; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2903. A bill to suspend temporarily the duty on 2-ethylhexyl salicylate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2904. A bill to extend the temporary suspension of duty on 2-phenylbenzimidazole-5-sulfonic acid; to the Committee on Finance.

By Mr. CONRAD:

S. 2905. A bill to reduce temporarily the duty on mixtures of Paraquat technical and Emetic PP796; to the Committee on Finance.

By Mr. CONRAD:

S. 2906. A bill to extend and modify the temporary suspension of duty on Propiconazole; to the Committee on Finance.

By Mr. CONRAD:

S. 2907. A bill to extend and modify the temporary suspension of duty on difenoconazole; to the Committee on Finance.

By Mr. CONRAD:

S. 2908. A bill to extend the temporary suspension of duty on cyprodinil; to the Committee on Finance.

By Mr. MERKLEY:

S. 2909. A bill to require closing costs to be paid by the enterprises with respect to certain refinanced mortgage loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEVIN:

S. 2910. A bill to suspend temporarily the duty on certain fuel injection pumps; to the Committee on Finance.

By Mr. LEVIN:

S. 2911. A bill to suspend temporarily the duty on certain pistons for marine propulsion engines; to the Committee on Finance.

By Mr. LEVIN:

S. 2912. A bill to suspend temporarily the duty on certain fuel injectors; to the Committee on Finance.

By Mr. LEVIN:

S. 2913. A bill to suspend temporarily the duty on certain plain shaft sputter bearings; to the Committee on Finance.

By Mr. LEVIN:

S. 2914. A bill to suspend temporarily the duty on certain forged steel crankshafts; to the Committee on Finance.

By Mr. LEVIN:

S. 2915. A bill to suspend temporarily the duty on certain cast-iron engine crankcases for marine propulsion engines; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2916. A bill to extend the temporary suspension of duty on methyl salicylate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2917. A bill to extend the temporary suspension of duty on Propiconazole; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2918. A bill to extend the temporary suspension of duty on mixtures of Imazalil and application adjuvants; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2919. A bill to renew the temporary suspension of duty on 2-(2′-hydroxy-5′-methacrylyloxyethylphenyl)-2
Hbenzotriazole; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2920. A bill to renew the temporary suspension of duty on Tralopyril; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2921. A bill to suspend temporarily the duty on Canagliflozin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2922. A bill to suspend temporarily the duty on Imazalil in bulk active form as the active ingredient in fungicides for citrus fruit; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2923. A bill to suspend temporarily the duty on mixtures of Propiconazole and 3-iodo-propynol butylcarbamate and application adjuvants; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2924. A bill to renew the temporary suspension of duty on Pyrimethanil; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2925. A bill to suspend temporarily the duty on polymer, caprolactone-diethylene glycol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2926. A bill to suspend temporarily the duty on carbonic acid, dimethyl ester, polymer with 1,6-hexanediol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2927. A bill to extend the temporary suspension of duty on E-caprolactoneneopentylglycol copolymer; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2928. A bill to suspend temporarily the duty on helvetolide; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2929. A bill to suspend temporarily the duty on hirvenal; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2930. A bill to extend the temporary suspension of duty on dodecahydro-3a,6,6,9atetramethylnaphtho(2,1-b)furan; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2931. A bill to suspend temporarily the duty on damascenone; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2932. A bill to suspend temporarily the duty on Muscenone Delta; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2933. A bill to suspend temporarily the duty on N510; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2934. A bill to renew the temporary suspension of duty on certain viscose rayon yarn; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2935. A bill to renew the temporary suspension of duty on certain twisted yarn of viscose rayon; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2936. A bill to provide for the reliquidation of certain entries of industrial nitrocellulose from the United Kingdom; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2937. A bill to suspend temporarily the rate of duty on extract of licorice; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2938. A bill to suspend temporarily the rate of duty on certain licorice extract derivatives; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2939. A bill to extend the temporary suspension of duty on e-caprolactone-2-ethyl-2-(hydroxymethyl)-1,3-propanediol polymer; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2940. A bill to suspend temporarily the duty on poly(2,2′-bis(4-cyanatophenyl)propane); to the Committee on Finance.

By Mr. MENENDEZ:

S. 2941. A bill to suspend temporarily the duty on neon, compressed; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2942. A bill to extend the temporary suspension of duty on cerium sulfide pigments; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2943. A bill to extend the temporary suspension of duty on lutetium oxide; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2944. A bill to extend the temporary suspension of duty on mixtures of coprecipitates of yttrium phosphate and cerium phosphate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2945. A bill to extend the temporary suspension of duty on mixtures of coprecipitates of yttrium oxide and europium oxide; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2946. A bill to provide for the reliquidation of certain entries of high-density, fiberboard-core laminate wall and floor panels, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2947. A bill to provide for the reliquidation of certain entries of polyester fleece sheet sets entered on or after January 29, 2009, and on or before October 27, 2009; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2948. A bill to extend the temporary reduction of duty on Aspirin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2949. A bill to provide for the liquidation or reliquidation of certain entries of digital still image video cameras; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2950. A bill to extend the temporary suspension of duty on Methidathion; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2951. A bill to extend the temporary suspension of duty on Paclobutrazol; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2952. A bill to suspend temporarily the duty on certain power converter panels specifically designed for wind turbine generators; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2953. A bill to suspend temporarily the duty on certain bamboo kitchen devices; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2954. A bill to suspend temporarily the duty on certain bamboo baskets; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2955. A bill to extend the temporary suspension of duty on mixtures of cyhalothrin (cyclopropanecarboxylic acid, 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-, cyano(3-phenoxyphenyl)methyl ester, [1a(S*), 3a(z)]-(+-)-); to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2956. A bill to suspend temporarily the duty on certain plastic children's wallets; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2957. A bill to suspend temporarily the duty on certain coupon holders; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2958. A bill to suspend temporarily the duty on certain electric wine bottle openers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2959. A bill to suspend temporarily the duty on certain inflatable swimming pools; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2960. A bill to suspend temporarily the duty on Profenofos; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2961. A bill to suspend temporarily the duty on certain switchgear assemblies and panel boards specifically designed for wind turbine generators; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2962. A bill to suspend temporarily the duty on Dragasantol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2963. A bill to suspend temporarily the duty on Cyclogalbanat; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2964. A bill to suspend temporarily the duty on Citronitile; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2965. A bill to suspend temporarily the duty on Amberwood F; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2966. A bill to suspend temporarily the duty on Allyl Hetoate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2967. A bill to extend the temporary suspension of duty on Frescolat MGA; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2968. A bill to extend the temporary suspension of duty on Frescolat ML; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2969. A bill to suspend temporarily the duty on Hydrolite 6; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2970. A bill to suspend temporarily the duty on Menthol-D; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2971. A bill to extend the temporary suspension of duty on neo heliopan hydro; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2972. A bill to extend the temporary suspension of duty on Allyl Cyclo Hexyl Propionate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2973. A bill to suspend temporarily the duty on Allyl Caproate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2974. A bill to suspend temporarily the duty on 3-Methylylbenzyl Chloride; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2975. A bill to extend the temporary suspension of duty on methyl cinnamate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2976. A bill to suspend temporarily the duty on Ethyl Salicilate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2977. A bill to extend the temporary suspension of duty on 1,1,2-2-tetrafluoroethene, oxidized, polymerized; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2978. A bill to extend the temporary suspension of duty on 9, 10-Anthracenedione, 2-(1,1-dimethylpropyl)- (CAS No. 32588–54–8) and 9,10-anthracenedione, 2-(1,2-

dimethylpropyl)-; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2979. A bill to suspend temporarily the duty on 1,2-propanediol, 3-(diethylamino)-, polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, propylene glycol and reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene, 2-ethyl-1-hexanol-blocked, acetates (salts); to the Committee on Finance.

By Mr. MENENDEZ:

S. 2980. A bill to suspend temporarily the duty on 4,4' dichlorodiphenylsulfone; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2981. A bill to suspend temporarily the duty on diphosphoric acid, polymers with ethoxylated reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2982. A bill to suspend temporarily the duty on Neononyl Acetate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2983. A bill to suspend temporarily the duty on Phenylethyl Isobutyrate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2984. A bill to extend the temporary suspension of duty on trimethyl cyclo hexanol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2985. A bill to extend the temporary suspension of duty on ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced, ethoxylated; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2986. A bill to extend the temporary suspension of duty on certain magnesium peroxide; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2987. A bill to suspend temporarily the duty on phosphonic acid, maleic anhydride sodium salt complex; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2988. A bill to suspend temporarily the duty on tetrakis(hydroxymethyl) phosphonium sulfate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2989. A bill to extend the temporary suspension of duty on oxiranemethanol, polymers with reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2990. A bill to suspend temporarily the duty on mixtures of N-[2-(2-oxoimidazolidine-1-yl)ethyl]-2-methylacrylamide, methacrylic acid, aminoethyl ethylene urea and hydroquinone; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2991. A bill to extend the temporary suspension of duty on methoxycarbonyl-terminated perfluorinated polyoxymethylene-polyoxyethylene; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2992. A bill to extend the temporary suspension of duty on 1-propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized, reduced hydrolyzed; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2993. A bill to extend the temporary suspension of duty on 1-propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2994. A bill to extend the temporary suspension of duty on diaminodecane; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2995. A bill to extend the temporary suspension of duty on PHBA; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2996. A bill to extend the temporary suspension of duty on thymol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2997. A bill to extend the temporary suspension of duty on majantol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2998. A bill to extend the temporary suspension of duty on hydrolite 5; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2999. A bill to extend the temporary suspension of duty on methyl salicylate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3000. A bill to extend the temporary suspension of duty on allyl isosulfocynate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3001. A bill to extend the temporary suspension of duty on Agrumex; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3002. A bill to extend the temporary suspension of duty on Anisic Aldehyde; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3003. A bill to extend the temporary suspension of duty on vinylidene chloride-methyl methacrylate-acrylonitrile copolymer; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3004. A bill to extend the temporary suspension of duty on propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-,methyl polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and reduced methyl esters of reduced polymerized, oxidized tetrafluoroethylene, compounds with trimethylamine; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3005. A bill to suspend temporarily the duty on ethene,1 chloro-1,2,2-trifluoro; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3006. A bill to suspend temporarily the duty on vinylidine fluoride-trifluoroethylene copolymer; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3007. A bill to suspend temporarily the duty on 1,1,2-2-tetrafluoroethylene, oxidized, polymerized, reduced; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3008. A bill to reduce temporarily the duty on product mixtures containing Clothianidin and Bacillus Firmus; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3009. A bill to extend the temporary suspension of duty on Mesosulfuron-methyl; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3010. A bill to extend the temporary suspension of duty on phosphoric acid, lanthanum salt, cerium terbium-doped; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3011. A bill to suspend temporarily the duty on dimethyl hydrogen phosphite; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3012. A bill to reduce temporarily the duty on product mixtures containing Fenoxaprop, Pyrasulfotole, Bromoxynil Octanoate, Bromoxynil Heptanoate, and Mefenpyr; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3013. A bill to suspend temporarily the duty on mixtures of phosphonium, tetrakis(hydroxymethyl)-, chloride, polymer with urea, phosphonium, tetrakis(hydroxymethyl)-, chloride, formaldehyde; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3014. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3015. A bill to extend and modify the temporary suspension of duty on Clothianidin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3016. A bill to extend and modify the temporary reduction of duty on Triadimefon; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3017. A bill to extend the temporary suspension of duty on Spiromesifen; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3018. A bill to extend the temporary suspension of duty on 2-chlorobenzyl chloride; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3019. A bill to suspend temporarily the duty on propoxycarbazone-sodium; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3020. A bill to extend the temporary suspension of duty on Permethrin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3021. A bill to extend the temporary suspension of duty on 4-chlorobenzaldehyde; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3022. A bill to reduce temporarily the duty on product mixtures containing Fenoxaprop, Pyrasulfotole, Bromoxynil Octanoate, Bromoxynil Heptanoate, and Mefenpyr-diethyl; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3023. A bill to suspend temporarily the duty on B-Cyfluthrin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3024. A bill to extend the temporary suspension of duty on Cyfluthrin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3025. A bill to extend and modify the temporary reduction of duty on B-Cyfluthrin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3026. A bill to extend the temporary suspension of duty on Propoxur; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3027. A bill to extend and modify the temporary reduction of duty on monocarboxylic fatty acids derived from palm oil; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3028. A bill to extend the temporary suspension of duty on D-Mannose; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3029. A bill to extend the temporary suspension of duty on ion-exchange resins consisting of copolymers of acrylic acid and diethylene glycol divinyl ether; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3030. A bill to extend the temporary suspension of duty on certain ion-exchange resins; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3031. A bill to extend the temporary suspension of duty on dimethyl malonate; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BURR, Mr. CARPER, Mr. COBURN, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KIRK, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. VITTER):

S. Res. 447. A resolution congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 13th annual National Charter Schools Week, to be held May 6 through May 12, 2012; considered and agreed to.

By Mr. LEE (for himself, Mr. PAUL, and Mr. DEMINT):

S. Con. Res. 44. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; placed on the calendar.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Idaho (Mr. CRAPO) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 1166

At the request of Mrs. MURRAY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1166, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims of family members, and for other purposes.

S. 1251

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1251, a bill to amend title XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1270

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1270, a bill to prohibit the export from the United States of certain electronic waste, and for other purposes.

S. 1299

At the request of Mr. MORAN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1461

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1461, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1703

At the request of Mr. PRYOR, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Illinois (Mr. DURBIN) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 1703, a bill to amend the Department of Energy Organization Act to require a Quadrennial Energy Review, and for other purposes.

S. 1796

At the request of Mr. PRYOR, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1796, a bill to make permanent the Internal Revenue Service Free File program.

S. 1863

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1863, a bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation.

S. 1878

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1878, a bill to assist low-income individuals in obtaining recommended dental care.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1881

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1881, a bill to establish an integrated Federal program to respond to ongoing and expected impacts of climate variability and change by protecting, restoring, and conserving the natural resources of the United States and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities.

S. 1984

At the request of Mr. KERRY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1984, a bill to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

S. 1990

At the request of Mr. LIEBERMAN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 1993

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1993, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 2123

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2123, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 2165

At the request of Mrs. BOXER, the name of the Senator from New York

(Mr. SCHUMER) was added as a cosponsor of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2205

At the request of Mr. MORAN, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Nevada (Mr. HELLER), the Senator from Florida (Mr. RUBIO) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2224

At the request of Mr. CORKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2224, a bill to require the President to report to Congress on issues related to Syria.

S. 2233

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2233, a bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States.

S. 2241

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2241, a bill to ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 Educational Assistance, and for other purposes.

S. 2280

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 2288

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2288, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2342

At the request of Mr. TESTER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2342, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 2343

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. 2344

At the request of Mr. VITTER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2344, a bill to extend the National Flood Insurance Program until December 31, 2012.

S. 2346

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2346, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product''.

S. 2366

At the request of Mr. ALEXANDER, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 2366, a bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

S. 2368

At the request of Mr. ENZI, his name was added as a cosponsor of S. 2368, a bill to ensure economy and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 2554

At the request of Mr. LEAHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2554, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S.J. RES. 38

At the request of Mr. GRAHAM, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S.J. Res. 38, a joint resolution disapproving a rule submitted by the Department of Labor relating to the certification of nonimmigrant workers in temporary or seasonal nonagricultural employment.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

At the request of Mr. THUNE, his name was added as a cosponsor of S. Res. 380, supra.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 447—CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS OF CHARTER SCHOOLS ACROSS THE UNITED STATES FOR ONGOING CONTRIBUTIONS TO EDUCATION, AND SUPPORTING THE IDEALS AND GOALS OF THE 13TH ANNUAL NATIONAL CHARTER SCHOOLS WEEK, TO BE HELD MAY 6 THROUGH MAY 12, 2012

Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BURR, Mr. CARPER, Mr. COBURN, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KIRK, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. VITTER) submitted the following resolution; which was considered and agreed to:

S. RES. 447

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, and innovation;

Whereas, in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas 40 States, the District of Columbia, and Guam have passed laws authorizing charter schools;

Whereas, as of the date of approval of this resolution, 5,275 charter schools are serving more than 2,000,000 children;

Whereas in fiscal year 2011 and the 18 previous fiscal years, Congress has provided a total of more than $3,000,000,000 in financial assistance to the charter school movement through grants for planning, startup, implementation, dissemination, and facilities;

Whereas numerous charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher and additional individual goals than the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove their ongoing success to parents, policymakers, and the communities served by the charter schools;

Whereas more than 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools; and

Whereas the 13th annual National Charter Schools Week is scheduled to be held May 6 through May 12, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for—

(A) ongoing contributions to education;

(B) the impressive strides made in closing the persistent academic achievement gap in the United States; and

(C) improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 13th annual National Charter Schools Week, a week-long celebration to be held May 6 through May 12, 2012, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

SENATE CONCURRENT RESOLUTION 44—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2014 THROUGH 2022

Mr. LEE (for himself, Mr. PAUL, and Mr. DEMINT) submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 44

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2014 through 2022.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant federal properties.
Sec. 202. Deficit-reduction reserve fund for selling excess federal land.
Sec. 203. Deficit-reduction reserve fund for the repeal of davis-bacon prevailing wage laws.
Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining federal vehicles.
Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the troubled asset relief program.
Sec. 206. Reserve fund for the repeal of the 2010 health care laws.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

Sec. 301. Discretionary spending limits for fiscal years 2013 through 2022, program integrity initiatives, and other adjustments.
Sec. 302. Point of order against advance appropriations.
Sec. 303. Emergency legislation.
Sec. 304. Adjustments for the extension of certain current policies.

Subtitle B—Other Provisions

Sec. 311. Oversight of government performance.
Sec. 312. Application and effect of changes in allocations and aggregates.
Sec. 313. Adjustments to reflect changes in concepts and definitions.

TITLE IV—RECONCILIATION

Sec. 401. Reconciliation in the Senate.

TITLE V—CONGRESSIONAL POLICY CHANGES

Sec. 501. Policy statement on social security.
Sec. 502. Policy statement on medicare.
Sec. 503. Policy statement on medicaid.
Sec. 504. Policy statement on tax reform.
Sec. 505. Policy statement on government asset sales.
Sec. 506. Policy on repealing Obamacare.

TITLE VI—SENSE OF CONGRESS

Sec. 601. Regulatory reform.
Sec. 602. Rescind unspent or unobligated balances after 36 months.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: $1,961,929,000,000.
Fiscal year 2014: $2,144,992,000,000.
Fiscal year 2015: $2,376,945,000,000.
Fiscal year 2016: $2,558,632,000,000.
Fiscal year 2017: $2,715,114,000,000.
Fiscal year 2018: $2,846,304,000,000.
Fiscal year 2019: $2,984,528,000,000.
Fiscal year 2020: $3,135,231,000,000.
Fiscal year 2021: $3,292,091,000,000.
Fiscal year 2022: $3,453,764,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: $308,529,000,000.
Fiscal year 2014: $409,619,000,000.
Fiscal year 2015: $441,979,000,000.
Fiscal year 2016: $460,171,000,000.
Fiscal year 2017: $483,239,000,000.
Fiscal year 2018: $511,287,000,000.
Fiscal year 2019: $541,052,000,000.
Fiscal year 2020: $579,382,000,000.
Fiscal year 2021: $621,407,000,000.
Fiscal year 2022: $667,810,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: $3,269,496,000,000.
Fiscal year 2014: $3,224,788,000,000.
Fiscal year 2015: $3,346,856,000,000.
Fiscal year 2016: $3,398,941,000,000.
Fiscal year 2017: $3,556,922,000,000.
Fiscal year 2018: $3,726,387,000,000.
Fiscal year 2019: $3,934,486,000,000.
Fiscal year 2020: $4,100,004,000,000.
Fiscal year 2021: $4,248,159,000,000.
Fiscal year 2022: $4,411,172,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: $3,311,724,000,000.
Fiscal year 2014: $3,266,962,000,000.
Fiscal year 2015: $3,365,480,000,000.
Fiscal year 2016: $3,407,980,000,000.
Fiscal year 2017: $3,552,489,000,000.
Fiscal year 2018: $3,716,960,000,000.
Fiscal year 2019: $3,916,975,000,000.
Fiscal year 2020: $4,080,281,000,000.
Fiscal year 2021: $4,218,719,000,000.
Fiscal year 2022: $4,378,447,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2013: $651,795,000,000.
Fiscal year 2014: $394,970,000,000.
Fiscal year 2015: $218,535,000,000.
Fiscal year 2016: $30,347,000,000.
Fiscal year 2017: $30,624,000,000.
Fiscal year 2018: $43,345,000,000.
Fiscal year 2019: $25,554,000,000.
Fiscal year 2020: $58,950,000,000.
Fiscal year 2021: $122,373,000,000.
Fiscal year 2022: $171,316,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2013: $16,687,208,000,000.
Fiscal year 2014: $17,282,608,000,000.
Fiscal year 2015: $17,705,767,000,000.
Fiscal year 2016: $17,971,116,000,000.
Fiscal year 2017: $18,223,074,000,000.
Fiscal year 2018: $18,473,929,000,000.
Fiscal year 2019: $18,727,530,000,000.
Fiscal year 2020: $18,933,497,000,000.
Fiscal year 2021: $19,058,907,000,000.
Fiscal year 2022: $19,106,426,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: $11,856,466,000,000.
Fiscal year 2014: $12,353,582,000,000.
Fiscal year 2015: $12,668,280,000,000.
Fiscal year 2016: $12,794,224,000,000.
Fiscal year 2017: $12,858,947,000,000.
Fiscal year 2018: $12,900,730,000,000.
Fiscal year 2019: $12,953,800,000,000.
Fiscal year 2020: $12,970,225,000,000.

Fiscal year 2021: $12,919,109,000,000.
Fiscal year 2022: $12,819,071,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
Fiscal year 2013: $675,120,000,000.
Fiscal year 2014: $731,427,000,000.
Fiscal year 2015: $772,640,000,000.
Fiscal year 2016: $821,698,000,000.
Fiscal year 2017: $872,014,000,000.
Fiscal year 2018: $919,303,000,000.
Fiscal year 2019: $965,008,000,000.
Fiscal year 2020: $1,010,593,000,000.
Fiscal year 2021: $1,055,547,000,000.
Fiscal year 2022: $1,102,093,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
Fiscal year 2013: $720,436,000,000.
Fiscal year 2014: $758,457,000,000.
Fiscal year 2015: $797,609,000,000.
Fiscal year 2016: $839,879,000,000.
Fiscal year 2017: $887,426,000,000.
Fiscal year 2018: $939,147,000,000.
Fiscal year 2019: $995,537,000,000.
Fiscal year 2020: $1,032,447,000,000.
Fiscal year 2021: $1,093,921,000,000.
Fiscal year 2022: $1,153,017,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:
Fiscal year 2013:
(A) New budget authority, $5,539,000,000.
(B) Outlays, $5,543,000,000.
Fiscal year 2014:
(A) New budget authority, $5,701,000,000.
(B) Outlays, $5,709,000,000.
Fiscal year 2015:
(A) New budget authority, $5,868,000,000.
(B) Outlays, $5,842,000,000.
Fiscal year 2016:
(A) New budget authority, $6,047,000,000.
(B) Outlays, $6,019,000,000.
Fiscal year 2017:
(A) New budget authority, $6,231,000,000.
(B) Outlays, $6,201,000,000.
Fiscal year 2018:
(A) New budget authority, $6,434,000,000.
(B) Outlays, $6,402,000,000.
Fiscal year 2019:
(A) New budget authority, $6,651,000,000.
(B) Outlays, $6,617,000,000.
Fiscal year 2020:
(A) New budget authority, $6,867,000,000.
(B) Outlays, $6,832,000,000.
Fiscal year 2021:
(A) New budget authority, $7,088,000,000.
(B) Outlays, $7,052,000,000.
Fiscal year 2022:
(A) New budget authority, $7,320,000,000.
(B) Outlays, $7,283,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2022 for each major functional category are:
(1) National Defense (050):
Fiscal year 2013:
(A) New budget authority, $696,600,000,000.
(B) Outlays, $713,500,000,000.
Fiscal year 2014:
(A) New budget authority, $699,900,000,000.
(B) Outlays, $713,900,000,000.
Fiscal year 2015:
(A) New budget authority, $724,900,000,000.
(B) Outlays, $732,100,000,000.
Fiscal year 2016:
(A) New budget authority, $749,500,000,000.
(B) Outlays, $749,500,000,000.
Fiscal year 2017:
(A) New budget authority, $766,700,000,000.
(B) Outlays, $759,100,000,000.
Fiscal year 2018:
(A) New budget authority, $784,800,000,000.
(B) Outlays, $777,100,000,000.
Fiscal year 2019:
(A) New budget authority, $812,700,000,000.
(B) Outlays, $796,700,000,000.
Fiscal year 2020:
(A) New budget authority, $835,600,000,000.
(B) Outlays, $819,800,000,000.
Fiscal year 2021:
(A) New budget authority, $857,900,000,000.
(B) Outlays, $841,500,000,000.
Fiscal year 2022:
(A) New budget authority, $881,100,000,000.
(B) Outlays, $864,300,000,000.
(2) International Affairs (150):
Fiscal year 2013:
(A) New budget authority, $38,024,000,000.
(B) Outlays, $41,175,000,000.
Fiscal year 2014:
(A) New budget authority, $36,214,000,000.
(B) Outlays, $41,078,000,000.
Fiscal year 2015:
(A) New budget authority, $32,615,000,000.
(B) Outlays, $37,851,000,000.
Fiscal year 2016:
(A) New budget authority, $34,605,000,000.
(B) Outlays, $39,104,000,000.
Fiscal year 2017:
(A) New budget authority, $36,288,000,000.
(B) Outlays, $39,950,000,000.
Fiscal year 2018:
(A) New budget authority, $36,754,000,000.
(B) Outlays, $39,928,000,000.
Fiscal year 2019:
(A) New budget authority, $38,239,000,000.
(B) Outlays, $41,199,000,000.
Fiscal year 2020:
(A) New budget authority, $39,017,000,000.
(B) Outlays, $42,036,000,000.
Fiscal year 2021:
(A) New budget authority, $39,856,000,000.
(B) Outlays, $42,873,000,000.
Fiscal year 2022:
(A) New budget authority, $40,168,000,000.
(B) Outlays, $43,043,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2013:
(A) New budget authority, $11,390,000,000.
(B) Outlays, $11,875,000,000.
Fiscal year 2014:
(A) New budget authority, $10,781,000,000.
(B) Outlays, $10,925,000,000.
Fiscal year 2015:
(A) New budget authority, $10,190,000,000.
(B) Outlays, $10,175,000,000.
Fiscal year 2016:
(A) New budget authority, $10,043,000,000.
(B) Outlays, $9,984,000,000.
Fiscal year 2017:
(A) New budget authority, $10,281,000,000.
(B) Outlays, $10,200,000,000.
Fiscal year 2018:
(A) New budget authority, $10,953,000,000.
(B) Outlays, $10,850,000,000.
Fiscal year 2019:
(A) New budget authority, $11,201,000,000.
(B) Outlays, $11,075,000,000.
Fiscal year 2020:
(A) New budget authority, $10,976,000,000.
(B) Outlays, $10,848,000,000.
Fiscal year 2021:
(A) New budget authority, $11,231,000,000.
(B) Outlays, $11,064,000,000.
Fiscal year 2022:
(A) New budget authority, $11,044,000,000.
(B) Outlays, $10,879,000,000.
(4) Energy (270):
Fiscal year 2013:
(A) New budget authority, $1,924,000,000.
(B) Outlays, $8,075,000,000.
Fiscal year 2014:
(A) New budget authority, $1,765,000,000.
(B) Outlays, $4,807,000,000.
Fiscal year 2015:
(A) New budget authority, $934,000,000.
(B) Outlays, $2,035,000,000.
Fiscal year 2016:
(A) New budget authority, $1,043,000,000.
(B) Outlays, $2,080,000,000.
Fiscal year 2017:
(A) New budget authority, $1,260,000,000.
(B) Outlays, $2,125,000,000.
Fiscal year 2018:
(A) New budget authority, $1,292,000,000.
(B) Outlays, $2,170,000,000.
Fiscal year 2019:
(A) New budget authority, $1,323,000,000.
(B) Outlays, $2,215,000,000.
Fiscal year 2020:
(A) New budget authority, $1,081,000,000.
(B) Outlays, $1,808,000,000.
Fiscal year 2021:
(A) New budget authority, $1,105,000,000.
(B) Outlays, $1,844,000,000.
Fiscal year 2022:
(A) New budget authority, $1,138,000,000.
(B) Outlays, $1,892,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2013:
(A) New budget authority, $24,988,000,000.
(B) Outlays, $28,975,000,000.
Fiscal year 2014:
(A) New budget authority, $23,662,000,000.
(B) Outlays, $27,094,000,000.
Fiscal year 2015:
(A) New budget authority, $20,775,000,000.
(B) Outlays, $24,013,000,000.
Fiscal year 2016:
(A) New budget authority, $22,093,000,000.
(B) Outlays, $24,128,000,000.
Fiscal year 2017:
(A) New budget authority, $23,753,000,000.
(B) Outlays, $25,075,000,000.
Fiscal year 2018:
(A) New budget authority, $25,130,000,000.
(B) Outlays, $25,172,000,000.
Fiscal year 2019:
(A) New budget authority, $26,291,000,000.
(B) Outlays, $26,137,000,000.
Fiscal year 2020:
(A) New budget authority, $26,460,000,000.
(B) Outlays, $26,216,000,000.
Fiscal year 2021:
(A) New budget authority, $27,487,000,000.
(B) Outlays, $27,199,000,000.
Fiscal year 2022:
(A) New budget authority, $27,265,000,000.
(B) Outlays, $26,961,000,000.
(6) Agriculture (350):
Fiscal year 2013:
(A) New budget authority, $9,822,000,000.
(B) Outlays, $9,775,000,000.
Fiscal year 2014:
(A) New budget authority, $9,390,000,000.
(B) Outlays, $9,357,000,000.
Fiscal year 2015:
(A) New budget authority, $8,666,000,000.
(B) Outlays, $8,620,000,000.
Fiscal year 2016:
(A) New budget authority, $8,760,000,000.
(B) Outlays, $8,710,000,000.
Fiscal year 2017:
(A) New budget authority, $8,423,000,000.
(B) Outlays, $8,375,000,000.

Fiscal year 2018:
(A) New budget authority, $8,506,000,000.
(B) Outlays, $8,456,000,000.
Fiscal year 2019:
(A) New budget authority, $8,588,000,000.
(B) Outlays, $8,537,000,000.
Fiscal year 2020:
(A) New budget authority, $8,671,000,000.
(B) Outlays, $8,618,000,000.
Fiscal year 2021:
(A) New budget authority, $9,687,000,000.
(B) Outlays, $9,621,000,000.
Fiscal year 2022:
(A) New budget authority, $9,822,000,000.
(B) Outlays, $9,753,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2013:
(A) New budget authority, $13,261,000,000.
(B) Outlays, $950,000,000.
Fiscal year 2014:
(A) New budget authority, $1,068,000,000.
(B) Outlays, $874,000,000.
Fiscal year 2015:
(A) New budget authority, $3,900,000,000.
(B) Outlays, $814,000,000.
Fiscal year 2016:
(A) New budget authority, $5,351,000,000.
(B) Outlays, $832,000,000.
Fiscal year 2017:
(A) New budget authority, $7,049,000,000.
(B) Outlays, $2,125,000,000.
Fiscal year 2018:
(A) New budget authority, $6,172,000,000.
(B) Outlays, $2,170,000,000.
Fiscal year 2019:
(A) New budget authority, $9,910,000,000.
(B) Outlays, $3,101,000,000.
Fiscal year 2020:
(A) New budget authority, $9,579,000,000.
(B) Outlays, $3,164,000,000.
Fiscal year 2021:
(A) New budget authority, $2,999,000,000.
(B) Outlays, $3,227,000,000.
Fiscal year 2022:
(A) New budget authority, $1,185,000,000.
(B) Outlays, $2,838,000,000.
(8) Transportation (400):
Fiscal year 2013:
(A) New budget authority, $17,078,000,000.
(B) Outlays, $27,075,000,000.
Fiscal year 2014:
(A) New budget authority, $6,958,000,000.
(B) Outlays, $18,791,000,000.
Fiscal year 2015:
(A) New budget authority, $8,203,000,000.
(B) Outlays, $19,129,000,000.
Fiscal year 2016:
(A) New budget authority, $8,169,000,000.
(B) Outlays, $19,136,000,000.
Fiscal year 2017:
(A) New budget authority, $8,275,000,000.
(B) Outlays, $19,125,000,000.
Fiscal year 2018:
(A) New budget authority, $8,439,000,000.
(B) Outlays, $19,096,000,000.
Fiscal year 2019:
(A) New budget authority, $8,657,000,000.
(B) Outlays, $19,049,000,000.
Fiscal year 2020:
(A) New budget authority, $9,401,000,000.
(B) Outlays, $20,792,000,000.
Fiscal year 2021:
(A) New budget authority, $10,926,000,000.
(B) Outlays, $22,128,000,000.
Fiscal year 2022:
(A) New budget authority, $9,793,000,000.
(B) Outlays, $22,231,000,000.
(9) Community and Regional Development (450):
Fiscal year 2013:
(A) New budget authority, $10,459,000,000.
(B) Outlays, $19,000,000,000.
Fiscal year 2014:
(A) New budget authority, $8,265,000,000.
(B) Outlays, $17,043,000,000.
Fiscal year 2015:
(A) New budget authority, $8,348,000,000.
(B) Outlays, $13,838,000,000.
Fiscal year 2016:
(A) New budget authority, $10,611,000,000.
(B) Outlays, $14,144,000,000.
Fiscal year 2017:
(A) New budget authority, $12,652,000,000.
(B) Outlays, $14,875,000,000.
Fiscal year 2018:
(A) New budget authority, $14,022000,000.
(B) Outlays, $15,190,000,000.
Fiscal year 2019:
(A) New budget authority, $14,349,000,000.
(B) Outlays, $15,062,000,000.
Fiscal year 2020:
(A) New budget authority, $14,365,000,000.
(B) Outlays, $14,916,000,000.
Fiscal year 2021:
(A) New budget authority, $15,547,000,000.
(B) Outlays, $16,135,000,000.
Fiscal year 2022:
(A) New budget authority, $15,512,000,000.
(B) Outlays, $16,082,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2013:
(A) New budget authority, $56,341,000,000.
(B) Outlays, $57,875,000,000.
Fiscal year 2014:
(A) New budget authority, $52,978,000,000.
(B) Outlays, $53,499,000,000.
Fiscal year 2015:
(A) New budget authority, $50,710,000,000.
(B) Outlays, $50,180,000,000.
Fiscal year 2016:
(A) New budget authority, $54,699,000,000.
(B) Outlays, $54,080,000,000.
Fiscal year 2017:
(A) New budget authority, $56,797,000,000.
(B) Outlays, $56,100,000,000.
Fiscal year 2018:
(A) New budget authority, $57,622,000,000.
(B) Outlays, $56,854,000,000.
Fiscal year 2019:
(A) New budget authority, $58,400,000,000.
(B) Outlays, $57,590,000,000.
Fiscal year 2020:
(A) New budget authority, $59,907,000,000.
(B) Outlays, $59,059,000,000.
Fiscal year 2021:
(A) New budget authority, $60,799,000,000.
(B) Outlays, $59,930,000,000.
Fiscal year 2022:
(A) New budget authority, $60,885,000,000.
(B) Outlays, $60,071,000,000.
(11) Health (550):
Fiscal year 2013:
(A) New budget authority, $353,800,000,000.
(B) Outlays, $348,000,000,000.
Fiscal year 2014:
(A) New budget authority, $337,591,000,000.
(B) Outlays, $326,887,000,000.
Fiscal year 2015:
(A) New budget authority, $351,655,000,000.
(B) Outlays, $330,821,000,000.
Fiscal year 2016:
(A) New budget authority, $361,046,000,000.
(B) Outlays, $340,432,000,000.
Fiscal year 2017:
(A) New budget authority, $374,026,000,000.
(B) Outlays, $349,175,000,000.
Fiscal year 2018:
(A) New budget authority, $385,327,000,000.
(B) Outlays, $360,180,000,000.
Fiscal year 2019:
(A) New budget authority, $399,456,000,000.
(B) Outlays, $371,797,000,000.
Fiscal year 2020:
(A) New budget authority, $413,929,000,000.
(B) Outlays, $383,778,000,000.
Fiscal year 2021:
(A) New budget authority, $443,416,000,000.
(B) Outlays, $411,012,000,000.
Fiscal year 2022:
(A) New budget authority, $472,571,000,000.
(B) Outlays, $438,342,000,000.
(12) Medicare (570):
Fiscal year 2013:
(A) New budget authority, $585,288,000,000.
(B) Outlays, $585,220,000,000.
Fiscal year 2014:
(A) New budget authority, $617,452,000,000.
(B) Outlays, $617,414,000,000.
Fiscal year 2015:
(A) New budget authority, $650,316,000,000.
(B) Outlays, $650,265,000,000.
Fiscal year 2016:
(A) New budget authority, $624,673,000,000.
(B) Outlays, $624,626,000,000.
Fiscal year 2017:
(A) New budget authority, $623,319,000,000.
(B) Outlays, $623,271,000,000.
Fiscal year 2018:
(A) New budget authority, $625,754,000,000.
(B) Outlays, $625,706,000,000.
Fiscal year 2019:
(A) New budget authority, $653,437,000,000.
(B) Outlays, $653,384,000,000.
Fiscal year 2020:
(A) New budget authority, $665,758,000,000.
(B) Outlays, $665,702,000,000.
Fiscal year 2021:
(A) New budget authority, $632,639,000,000.
(B) Outlays, $632,583,000,000.
Fiscal year 2022:
(A) New budget authority, $663,152,000,000.
(B) Outlays, $663,095,000,000.
(13) Income Security (600):
Fiscal year 2013:
(A) New budget authority, $458,510,000,000.
(B) Outlays, $462,945,000,000.
Fiscal year 2014:
(A) New budget authority, $388,595,000,000.
(B) Outlays, $391,402,000,000.
Fiscal year 2015:
(A) New budget authority, $382,123,000,000.
(B) Outlays, $383,981,000,000.
Fiscal year 2016:
(A) New budget authority, $384,516,000,000.
(B) Outlays, $385,762,000,000.
Fiscal year 2017:
(A) New budget authority, $385,722,000,000.
(B) Outlays, $386,070,000,000.
Fiscal year 2018:
(A) New budget authority, $394,436,000,000.
(B) Outlays, $394,212,000,000.
Fiscal year 2019:
(A) New budget authority, $400,998,000,000.
(B) Outlays, $400,516,000,000.
Fiscal year 2020:
(A) New budget authority, $416,931,000,000.
(B) Outlays, $416,354,000,000.
Fiscal year 2021:
(A) New budget authority, $405,108,000,000.
(B) Outlays, $404,451,000,000.
Fiscal year 2022:
(A) New budget authority, $417,175,000,000.
(B) Outlays, $416,541,000,000.
(14) Social Security (650):
Fiscal year 2013:
(A) New budget authority, $53,216,000,000.
(B) Outlays, $53,296,000,000.
Fiscal year 2014:
(A) New budget authority, $31,892,000,000.
(B) Outlays, $32,002,000,000.
Fiscal year 2015:
(A) New budget authority, $35,135,000,000.
(B) Outlays, $35,210,000,000.
Fiscal year 2016:
(A) New budget authority, $38,953,000,000.
(B) Outlays, $38,991,000,000.
Fiscal year 2017:
(A) New budget authority, $43,140,000,000.
(B) Outlays, $43,140,000,000.
Fiscal year 2018:
(A) New budget authority, $47,590,000,000.

(B) Outlays, $47,590,000,000.
Fiscal year 2019:
(A) New budget authority, $52,429,000,000.
(B) Outlays, $52,429,000,000.
Fiscal year 2020:
(A) New budget authority, $57,425,000,000.
(B) Outlays, $57,425,000,000.
Fiscal year 2021:
(A) New budget authority, $62,604,000,000.
(B) Outlays, $62,604,000,000.
Fiscal year 2022:
(A) New budget authority, $68,079,000,000.
(B) Outlays, $68,079,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2013:
(A) New budget authority, $119,099,000,000.
(B) Outlays, $119,750,000,000.
Fiscal year 2014:
(A) New budget authority, $121,154,000,000.
(B) Outlays, $121,456,000,000.
Fiscal year 2015:
(A) New budget authority, $123,497,000,000.
(B) Outlays, $123,506,000,000.
Fiscal year 2016:
(A) New budget authority, $131,075,000,000.
(B) Outlays, $130,702,000,000.
Fiscal year 2017:
(A) New budget authority, $128,369,000,000.
(B) Outlays, $127,870,000,000.
Fiscal year 2018:
(A) New budget authority, $127,819,000,000.
(B) Outlays, $127,274,000,000.
Fiscal year 2019:
(A) New budget authority, $134,992,000,000.
(B) Outlays, $134,425,000,000.
Fiscal year 2020:
(A) New budget authority, $139,848,000,000.
(B) Outlays, $139,274,000,000.
Fiscal year 2021:
(A) New budget authority, $142,925,000,000.
(B) Outlays, $142,327,000,000.
Fiscal year 2022:
(A) New budget authority, $142,670,000,000.
(B) Outlays, $142,079,000,000.
(16) Administration of Justice (750):
Fiscal year 2013:
(A) New budget authority, $47,182,000,000.
(B) Outlays, $48,925,000,000.
Fiscal year 2014:
(A) New budget authority, $45,833,000,000.
(B) Outlays, $48,070,000,000.
Fiscal year 2015:
(A) New budget authority, $45,232,000,000.
(B) Outlays, $46,805,000,000.
Fiscal year 2016:
(A) New budget authority, $46,682,000,000.
(B) Outlays, $47,840,000,000.
Fiscal year 2017:
(A) New budget authority, $47,921,000,000.
(B) Outlays, $48,875,000,000.
Fiscal year 2018:
(A) New budget authority, $48,995,000,000.
(B) Outlays, $49,910,000,000.
Fiscal year 2019:
(A) New budget authority, $50,0690,000,000.
(B) Outlays, $50,945,000,000.
Fiscal year 2020:
(A) New budget authority, $51,208,000,000.
(B) Outlays, $51,980,000,000.
Fiscal year 2021:
(A) New budget authority, $52,229,000,000.
(B) Outlays, $53,015,000,000.
Fiscal year 2022:
(A) New budget authority, $52,207,000,000.
(B) Outlays, $52,976,000,000.
(17) General Government (800):
Fiscal year 2013:
(A) New budget authority, $17,292,000,000.
(B) Outlays, $19,000,000,000.
Fiscal year 2014:
(A) New budget authority, $18,113,000,000.
(B) Outlays, $18,791,000,000.
Fiscal year 2015:
(A) New budget authority, $17,574,000,000.
(B) Outlays, $17,908,000,000.
Fiscal year 2016:
(A) New budget authority, $17,752,000,000.
(B) Outlays, $17,888,000,000.
Fiscal year 2017:
(A) New budget authority, $19,100,000,000.
(B) Outlays, $19,125,000,000.
Fiscal year 2018:
(A) New budget authority, $19,082,000,000.
(B) Outlays, $19,096,000,000.
Fiscal year 2019:
(A) New budget authority, $19,466,000,000.
(B) Outlays, $19,049,000,000.
Fiscal year 2020:
(A) New budget authority, $20,345,000,000.
(B) Outlays, $19,888,000,000.
Fiscal year 2021:
(A) New budget authority, $20,278,000,000.
(B) Outlays, $19,823,000,000.
Fiscal year 2022:
(A) New budget authority, $20,320,000,000.
(B) Outlays, $19,866,000,000.
(18) Net Interest (900):
Fiscal year 2013:
(A) New budget authority, $226,273,000,000.
(B) Outlays, $226,273,000,000.
Fiscal year 2014:
(A) New budget authority, $241,665,000,000.
(B) Outlays, $241,665,000,000.
Fiscal year 2015:
(A) New budget authority, $278,158,000,000.
(B) Outlays, $278,158,000,000.
Fiscal year 2016:
(A) New budget authority, $329,553,000,000.
(B) Outlays, $329,553,000,000.
Fiscal year 2017:
(A) New budget authority, $377,828,000,000.
(B) Outlays, $377,828,000,000.
Fiscal year 2018:
(A) New budget authority, $419,849,000,000.
(B) Outlays, $419,849,000,000.
Fiscal year 2019:
(A) New budget authority, $456,458,000,000.
(B) Outlays, $456,458,000,000.
Fiscal year 2020:
(A) New budget authority, $483,401,000,000.
(B) Outlays, $483,401,000,000.
Fiscal year 2021:
(A) New budget authority, $497,066,000,000.
(B) Outlays, $497,066,000,000.
Fiscal year 2022:
(A) New budget authority, $508,481,000,000.
(B) Outlays, $508,481,000,000.
(19) Allowances (920):
Fiscal year 2013:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2014:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2015:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2016:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2017:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2018:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2019:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2020:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2021:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2013:
(A) New budget authority, $138,200,000,000.
(B) Outlays, $138,200,000,000.
Fiscal year 2014:
(A) New budget authority, $152,800,000,000.
(B) Outlays, $152,800,000,000.
Fiscal year 2015:
(A) New budget authority, $160,700,000,000.
(B) Outlays, $160,700,000,000.
Fiscal year 2016:
(A) New budget authority, $230,400,000,000.
(B) Outlays, $230,400,000,000.
Fiscal year 2017:
(A) New budget authority, $204,200,000,000.
(B) Outlays, $204,200,000,000.
Fiscal year 2018:
(A) New budget authority, $175,400,000,000.
(B) Outlays, $175,400,000,000.
Fiscal year 2019:
(A) New budget authority, $145,800,000,000.
(B) Outlays, $145,800,000,000.
Fiscal year 2020:
(A) New budget authority, $119,800,000,000.
(B) Outlays, $119,800,000,000.
Fiscal year 2021:
(A) New budget authority, $71,000,000,000.
(B) Outlays, $71,000,000,000.
Fiscal year 2022:
(A) New budget authority, $74,000,000,000.
(B) Outlays, $74,000,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the Federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 206. RESERVE FUND FOR THE REPEAL OF THE 2010 HEALTH CARE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by repealing the Patient Protection and Affordable Care Act of 2010. The Chairman may also make adjustments to the Senate's pay as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2013 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2013, $1,093,000,000,000 in new budget authority and $1,181,000,000,000 in outlays;

(2) for fiscal year 2014, $1,030,000,000,000 in new budget authority and $1,143,000,000,000 in outlays;

(3) for fiscal year 2015, $1,061,000,000,000 in new budget authority and $1,130,000,000,000 in outlays;

(4) for fiscal year 2016 $1,106,000,000,000 in new budget authority and $1,156,000,000,000 in outlays;

(5) for fiscal year 2017, $1,140,000,000,000 in new budget authority and $1,174,000,000,000 in outlays;

(6) for fiscal year 2018, $1,171,000,000,000 in new budget authority and $1,201,000,000,000 in outlays;

(7) for fiscal year 2019, $1,210,000,000,000 in new budget authority and $1,230,000,000,000 in outlays;

(8) for fiscal year 2020, $1,240,000,000,000 in new budget authority and $1,261,000,000,000 in outlays;

(9) for fiscal year 2021, $1,276,000,000,000 in new budget authority and $1,292,000,000,000 in outlays; and

(10) for fiscal year 2022, $1,299,000,000,000 in new budget authority and $1,323,000,000,000 in outlays; as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—After the reporting of a bill or joint resolution relating to any matter described in subsection (a)(2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(1) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(2) following any adjustment under paragraph (1), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S.Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress)(relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Senate and the House of Representatives in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such

point of order being sustained, such material contained in such conference report shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House of Representatives amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House of Representatives amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) ADJUSTMENT.—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains 1 or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) COVERED POINTS OF ORDER.—The Chairman of the Committee on the Budget of the Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) QUALIFYING LEGISLATION.—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act, consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139); and

(2) amend the Internal Revenue Code of 1986, that may establish a single, flat tax rate as necessary to conform with the annual revenue levels specified herein consistent with section 7(d) of the Statutory Pay-As-You-Go Act of 2010.

(d) DEFINITION.—For the purposes of this section, the terms ''budgetary effects'' or ''effects'' mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(e) SUNSET.—This section shall expire on December 31, 2012.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse, or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the High Risk list reports of the Government Accountability Office's. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the Senate of the United States. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $457,000,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Committee on Agriculture, Nutrition, and Forestry shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $563,000,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $2,652,000,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $1,432,000,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula starting in 2013 to smoothly phase down so that starting with workers born after 1985, it will reach a flat benefit of $1,200 in 2012 dollars indexed between 2012 and the year in question by the increase in average wages.

(2) Effective 2013, reduce benefits on a progressive basis for single beneficiaries with incomes over $55,000 and married couples with incomes over $110,000 so that individuals and married couples who file taxes jointly, with more than $110,000 and $165,000, respectively, in non-Social Security income will receive no benefit.

(3) From 2013 to 2022, the normal retirement age will rise to 68 for workers born in or after 1959. After 2031, the normal retirement age will be indexed to longevity, adding about 1 month every 2 years according to current projections.

(4) The normal retirement age will be increased by 4 months per year starting with individuals born in 1954 and stopping when it reaches age 68 for individuals born in or after 1959.

(5) From 2013 to 2031, the early retirement age rises to 65 for workers born in or after 1964. After 2031, the early retirement age will be indexed to longevity, adding about 1 month every 2 years according to current projections.

(6) The early eligibility age will be increased by 3 months per year starting with individuals born in 1953 and stopping when it reaches age 65 for individuals born in or after 1964.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) In 2017, Medicare is reformed to provide a premium support payment and a selection

of guaranteed health coverage options from which recipients can choose a plan that best suits their needs overseen by a separate independent agency.

(2) Preserves the traditional Medicare FFS option administered by HHS.

(3) For each region, the base Federal premium support would be initially set at 88 percent of the average of 3 lowest bids.

(4) Provides for enhanced risk adjustment to ensure continuity in coverage and market stability.

(5) Raises the age of eligibility gradually over 10 years, increasing from 65 to 68, resulting in a 3.6 month increase per year and subsequently increased or decreased based on longevity.

(6) The Federal based premium support amount would be reduced or phase out for upper income seniors and increased for lower income seniors.

SEC. 503. POLICY STATEMENT ON MEDICAID.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure fiscal sustainability at the Federal level while protecting the most vulnerable and promoting beneficiary independence as follows:

(1) Medicaid is reformed to provide direct Federal premium support for low-income, nondisabled, nonelderly individuals.

(2) The Federal Government would provide at least $2,000 for an individual and at least $3,500 in premium support for a family and up to $9,000 for the lowest income families.

(3) Current Federal Medicaid funding for acute and long-term care services provided to the disabled and elderly (dual eligibles) would be converted into a fixed payment to the States adjusted on a per capita basis for medical inflation.

(4) States would be permitted to design and manage more appropriate care and service delivery to the disabled and elderly populations remaining in the program.

SEC. 504. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction shall enact legislation to ensure the adoption of a new tax system that replaces all existing taxes collected by the Federal Government including but not limited to income, payroll, gift and estate taxes, and excises except those dedicated to specific Trust Funds, with a new flat tax featuring a consumed-income tax base structure that is economically neutral with respect to saving and investment, reduces tax complexity, and provides for a globally competitive single tax rate as follows:

(1) The new tax will have a single flat tax rate consistent with and sufficient to collect the annual revenue levels specified herein. The individual tax code shall include no deductions, exemptions, exclusions, or credits except as follows:

(A) A deduction for charitable contributions to institutions qualifying as charitable organizations under current law.

(B) An elective deduction for home mortgage interest subject to the condition that if and only if the borrow elects the deduction the lender would then owe tax on all resulting income.

(C) A deduction for higher education tuition and fees.

(D) A standard deduction for seniors equal to the sum of the flat Social Security benefit amount plus the value of the Medicare defined contributions.

(E) An exclusion for seniors of up to $10,000 in wage and salary income.

(F) The current law Earned Income Credit.

(G) A $3,500 nonrefundable tax credit for families ($2,000 for individuals) to purchase health insurance. The new individual tax would tax all income and other proceeds used for consumption and exclude all saving.

(2) The business tax code shall apply the same rate as the individual tax code, and shall levy tax on total revenue from the domestic sale of goods and services less purchases of goods and services from other firms less wages, salaries, and related employee costs. All credits currently applicable to business income would be repealed except the Alternative Simplified Credit for research and development expenditures.

(3) Individuals and businesses would be subject to taxation solely on income generated within the United States. A border tax adjustment system would be developed in consultation with the World Trade Organization to neutralize tax differences for goods and services entering and leaving the United States proper.

(4) Tax reform shall be enacted with due care through transition provisions to avoid insofar as possible retroactive tax increases or decreases arising from the accrued tax consequences of decisions made under current tax law.

SEC. 505. POLICY STATEMENT ON GOVERNMENT ASSET SALES.

(a) FINDINGS.—The Senate finds the following:

(1) The Federal Government owns and controls vast assets, including huge swaths of commercial land, especially in the West; power generation facilities; valuable portions of the electromagnetic spectrum; underutilized buildings; and financial assets.

(2) Control of these numerous and varied assets is 1 key expression of a government much too large and intrusive.

(3) Given the Federal Government's excessive spending, which has driven trillion-dollar-plus deficits for 4 straight years, and generated debt burdens that are stifling present-day economic growth and threatening the Nation's future prosperity.

(4) Divesting itself of these assets would make an important contribution to reducing Government's debt and interest costs.

(b) POLICY ON ASSET SALES.—It is the policy of this budget resolution that the House and Senate shall each develop a package of asset sales and transfers of government activities to the private sector. These proposals, which are to yield revenues or savings of at least $260,000,000,000 through fiscal year 2028, shall be submitted to the respective chambers for enactment in fiscal year 2013.

(c) ASSUMPTIONS REGARDING ASSET SALES.—The assets in the package must include, though not be limited to, the following:

(1) Land administered by the Bureau of Land Management and the Department of Agriculture.

(2) Federal buildings and other real estate.

(3) Mineral rights.

(4) Electromagnetic spectrum.

(5) Facilities administered by the Power Marketing Administrations and by the Tennessee Valley Authority.

(6) Federal loans and other financial assets.

(7) Amtrak.

(d) ASSUMPTIONS REGARDING TRANSFER OF GOVERNMENT ACTIVITIES.—Transfers of government activities to the private must include, though not be limited to, the following:

(1) The Neighborhood Reinvestment Corporation.

(2) The Government Printing Office.

(3) The Architect of the Capitol.

(4) The Bureau of Reclamation.

SEC. 506. POLICY ON REPEALING OBAMACARE.

(a) FINDINGS.—The Senate finds the following:

(1) The quality of United States health care, as well as the stability of the nation's economy and the Federal budget, depend on solving the genuine cost and delivery challenges in the health sector.

(2) But the pervasive government intrusiveness and $1,390,000,000,000 cost of Obamacare are precisely the wrong prescription for problems that have developed grown from faulty government policy, particularly on the part of the Federal Government.

(3) Obamacare will generate fewer choices, less access, and greater dependence on the Government for health care, while increasing taxes, regulation and mandates on individuals and businesses.

(4) A majority of Americans continue to oppose this one-size-fits-all ''remedy,'' a Government takeover of one sixth of the economy that was rammed through Congress despite a clear lack of consensus.

(b) POLICY ON OBAMACARE.—It is the policy of this budget resolution that Congress should repeal Obamacare and develop a fresh strategy built on a patient-centered, market-based solution.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies.

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the policy of Congress to vote on the Regulation from the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater than $100 million in economic aggregate may not be implemented as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily required regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed $100,000,000 in aggregate economic costs.

SEC. 602. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

It is the sense of Congress that—

(1) any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months;

(2) revised allocations and aggregates resulting from these adjustments resulting

from the required rescissions shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution; and

(3) for purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Subcommittee on Primary Health and Aging of the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, May 15, 2012 at 10 a.m. in SD–430 Dirksen Senate Office Building to conduct a hearing entitled ''The High Cost of High Prices for HIV/AIDS Drugs and the Prize Fund Alternative.''

For further information regarding this hearing, please contact the subcommittee on (202) 224–5480.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, May 16, 2012 at 10 a.m. in SD–430 Dirksen Senate Office Building to conduct a hearing entitled ''Identifying Opportunities for Health Care Delivery System Reform: Lessons from the Front Line.''

For further information regarding this meeting, please contact the committee on (202) 224–7675.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, May 17, 2012 at 10 a.m. in SD–G50 Dirksen Senate Office Building to conduct a hearing entitled ''Beyond Seclusion and Restraint: Creating Positive Learning Environments for All Students.''

For further information regarding this meeting, please contact the committee on (202) 228–3453.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on May 17, 2012 in room SD–628 of the Dirksen Senate Office Building at 2:15 p.m. to conduct a hearing entitled ''Fulfilling the Federal Trust Responsibility: The Foundation of the Government-to-Government Relationship.''

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 8, 2012, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 8, 2012, at 10 a.m., to conduct a hearing entitled ''Expanding Refinancing Opportunities to Improve the Housing Market.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 8, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 8, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on May 8, 2012, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Joe Mahoney, a fellow in Senator BINGAMAN's office, be granted the privilege of the floor during consideration of today's bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Marissa Wizig of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHISTLEBLOWER PROTECTION ENHANCEMENT ACT OF 2012

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 358, S. 743.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 743) to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the special counsel, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

[Omit the parts printed in boldface brackets and insert the part printed in italic]

S. 743

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Whistleblower Protection Enhancement Act of **[**2011**]** *2012*''.

TITLE I—PROTECTION OF CERTAIN DISCLOSURES OF INFORMATION BY FEDERAL EMPLOYEES

SEC. 101. CLARIFICATION OF DISCLOSURES COVERED.

(a) IN GENERAL.—Section 2302(b)(8) of title 5, United States Code, is amended—

(1) in subparagraph (A)(i), by striking ''a violation'' and inserting ''any violation''; and

(2) in subparagraph (B)(i), by striking ''a violation'' and inserting ''any violation (other than a violation of this section)''.

(b) PROHIBITED PERSONNEL PRACTICES UNDER SECTION 2302(b)(9).—

(1) TECHNICAL AND CONFORMING AMENDMENTS.—Title 5, United States Code, is amended in subsections (a)(3), (b)(4)(A), and (b)(4)(B)(i) of section 1214, in subsections (a), (e)(1), and (i) of section 1221, and in subsection (a)(2)(C)(i) of section 2302, by inserting ''or section 2302(b)(9) (A)(i), (B), (C), or (D)'' after ''section 2302(b)(8)'' or ''(b)(8)'' each place it appears.

(2) OTHER REFERENCES.—(A) Title 5, United States Code, is amended in subsection (b)(4)(B)(i) of section 1214 and in subsection (e)(1) of section 1221, by inserting ''or protected activity'' after ''disclosure'' each place it appears.

(B) Section 2302(b)(9) of title 5, United States Code, is amended—

(i) by striking subparagraph (A) and inserting the following:

''(A) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation—

''(i) with regard to remedying a violation of paragraph (8); or

''(ii) *other than* with regard to remedying a violation of *paragraph (8)* **[**any other law, rule, or regulation**]**;''; and

(ii) in subparagraph (B), by inserting ''(i) or (ii)'' after ''subparagraph (A)''.

(C) Section 2302 of title 5, United States Code, is amended by adding at the end the following:

''(f)(1) A disclosure shall not be excluded from subsection (b)(8) because—

''(A) the disclosure was made to a person, including a supervisor, who participated in

an activity that the employee or applicant reasonably believed to be covered by subsection (b)(8)(A)(ii);

''(B) the disclosure revealed information that had been previously disclosed;

''(C) of the employee's or applicant's motive for making the disclosure;

''(D) the disclosure was not made in writing;

''(E) the disclosure was made while the employee was off duty; or

''(F) of the amount of time which has passed since the occurrence of the events described in the disclosure.

''(2) If a disclosure is made during the normal course of duties of an employee, the disclosure shall not be excluded from subsection (b)(8) if any employee who has authority to take, direct others to take, recommend, or approve any personnel action with respect to the employee making the disclosure, took, failed to take, or threatened to take or fail to take a personnel action with respect to that employee in reprisal for the disclosure.''.

SEC. 102. DEFINITIONAL AMENDMENTS.

Section 2302(a)(2) of title 5, United States Code, is amended—

(1) in subparagraph (B)(ii), by striking ''and'' at the end;

(2) in subparagraph (C)(iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) 'disclosure' means a formal or informal communication or transmission, but does not include a communication concerning policy decisions that lawfully exercise discretionary authority unless the employee or applicant providing the disclosure reasonably believes that the disclosure evidences—

''(i) any violation of any law, rule, or regulation[, and occurs during the conscientious carrying out of official duties]; or

''(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.''.

SEC. 103. REBUTTABLE PRESUMPTION.

Section 2302(b) of title 5, United States Code, is amended by amending the matter following paragraph (12) to read as follows:

''This subsection shall not be construed to authorize the withholding of information from Congress or the taking of any personnel action against an employee who discloses information to Congress. For purposes of paragraph (8), *(i)* any presumption relating to the performance of a duty by an employee whose conduct is the subject of a disclosure as defined under subsection (a)(2)(D) may be rebutted by substantial evidence, *and* (ii)[. For purposes of paragraph (8),] a determination as to whether an employee or applicant reasonably believes that such employee or applicant has disclosed information that evidences any violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety shall be made by determining whether a disinterested observer with knowledge of the essential facts known to and readily ascertainable by the employee *or applicant* could reasonably conclude that the actions of the Government evidence such violations, mismanagement, waste, abuse, or danger.''.

SEC. 104. PERSONNEL ACTIONS AND PROHIBITED PERSONNEL PRACTICES.

(a) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(1) in clause (x), by striking ''and'' after the semicolon; and

(2) by redesignating clause (xi) as clause (xii) and inserting after clause (x) the following:

''(xi) the implementation or enforcement of any nondisclosure policy, form, or agreement; and''.

(b) PROHIBITED PERSONNEL PRACTICE.—

(1) IN GENERAL.—Section 2302(b) of title 5, United States Code, is amended—

(A) in paragraph (11), by striking ''or'' at the end;

(B) in paragraph (12), by striking the period and inserting ''; or''; and

(C) by inserting after paragraph (12) the following:

[''(13) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the following statement: 'These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order 13526 (75 Fed. Reg. 707; relating to classified national security information), or any successor thereto; Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosures that could compromise national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Control Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by such Executive order and such statutory provisions are incorporated into this agreement and are controlling.' ''.

[(2) NONDISCLOSURE POLICY, FORM, OR AGREEMENT IN EFFECT BEFORE THE DATE OF ENACTMENT.—A nondisclosure policy, form, or agreement that was in effect before the date of enactment of this Act, but that does not contain the statement required under section 2302(b)(13) of title 5, United States Code, (as added by this Act) for implementation or enforcement—

[(A) may be enforced with regard to a current employee if the agency gives such employee notice of the statement; and

[(B) may continue to be enforced after the effective date of this Act with regard to a former employee if the agency posts notice of the statement on the agency website for the 1-year period following that effective date.]

''(13) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the following statement: 'These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.'.''.

(2) AGENCY WEBSITES.—Agencies making use of any nondisclosure policy, form, or agreement shall also post the statement required under section 2302(b)(13) of title 5, United States Code, (as added by this Act) on the agency website, accompanied by the specific list of controlling Executive orders and statutory provisions.

(3) NONDISCLOSURE POLICY, FORM, OR AGREEMENT IN EFFECT BEFORE THE EFFECTIVE DATE.—With respect to a nondisclosure policy, form, or agreement that was in effect before the effective date of this Act, but that does not contain the statement required under section 2302(b)(13) of title 5, United States Code, (as added by this Act) for implementation or enforcement—

(A) it shall not be a prohibited personnel practice to enforce that policy, form, or agreement with regard to a current employee if the agency gives such employee notice of the statement; and

(B) it shall not be a prohibited personnel practice to enforce that policy, form, or agreement after the effective date of this Act with regard to a former employee if the agency complies with paragraph (2).

(c) RETALIATORY INVESTIGATIONS.—

(1) AGENCY INVESTIGATION.—Section 1214 of title 5, United States Code, is amended by adding at the end the following:

''(h) Any corrective action ordered under this section to correct a prohibited personnel practice may include fees, costs, or damages reasonably incurred due to an agency investigation of the employee, if such investigation was commenced, expanded, or extended in retaliation for the disclosure or protected activity that formed the basis of the corrective action.''.

(2) DAMAGES.—Section 1221(g) of title 5, United States Code, is amended by adding at the end the following:

''(4) Any corrective action ordered under this section to correct a prohibited personnel practice may include fees, costs, or damages reasonably incurred due to an agency investigation of the employee, if such investigation was commenced, expanded, or extended in retaliation for the disclosure or protected activity that formed the basis of the corrective action.''.

SEC. 105. EXCLUSION OF AGENCIES BY THE PRESIDENT.

Section 2302(a)(2)(C) of title 5, United States Code, is amended by striking clause (ii) and inserting the following:

''(ii)(I) the Federal Bureau of Investigation, the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

''(II) as determined by the President, any executive agency or unit thereof the principal function of which is the conduct of foreign intelligence or counterintelligence activities, provided that the determination be made prior to a personnel action; or''.

SEC. 106. DISCIPLINARY ACTION.

Section 1215(a)(3) of title 5, United States Code, is amended to read as follows:

''(3)(A) A final order of the Board may impose—

''(i) disciplinary action consisting of removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, or reprimand;

''(ii) an assessment of a civil penalty not to exceed $1,000; or

''(iii) any combination of disciplinary actions described under clause (i) and an assessment described under clause (ii).

''(B) In any case brought under paragraph (1) in which the Board finds that an employee has committed a prohibited personnel practice under section 2302(b)(8), or 2302(b)(9)(A)(i), (B), (C), or (D), the Board may impose disciplinary action if the Board finds that the activity protected under section 2302(b)(8), or 2302(b)(9)(A)(i), (B), (C), or (D) was a significant motivating factor, even if other factors also motivated the decision, for the employee's decision to take, fail to take, or threaten to take or fail to take a personnel action, unless that employee demonstrates, by preponderance of evidence, that the employee would have taken, failed to take, or threatened to take or fail to take the same personnel action, in the absence of such protected activity.''.

SEC. 107. REMEDIES.

(a) ATTORNEY FEES.—Section 1204(m)(1) of title 5, United States Code, is amended by striking ''agency involved'' and inserting ''agency where the prevailing party was employed or had applied for employment at the time of the events giving rise to the case''.

(b) DAMAGES.—Sections 1214(g)(2) and 1221(g)(1)(A)(ii) of title 5, United States Code, are amended by striking all after ''travel expenses,'' and inserting ''any other reasonable and foreseeable consequential damages, and compensatory damages (including interest, reasonable expert witness fees, and costs).'' each place it appears.

SEC. 108. JUDICIAL REVIEW.

(a) IN GENERAL.—Section 7703(b) of title 5, United States Code, is amended by striking the matter preceding paragraph (2) and inserting the following:

''(b)(1)(A) Except as provided in subparagraph (B) and paragraph (2) of this subsection, a petition to review a final order or final decision of the Board shall be filed in the United States Court of Appeals for the Federal Circuit. Notwithstanding any other provision of law, any petition for review shall be filed within 60 days after the Board issues notice of the final order or decision of the Board.

''(B) During the 5-year period beginning on the effective date of the Whistleblower Protection Enhancement Act of [2011] *2012*, a petition to review a final order or final decision of the Board that raises no challenge to the Board's disposition of allegations of a prohibited personnel practice described in section 2302(b) other than practices described in section 2302(b)(8), or 2302(b)(9)(A)(i), (B), (C), or (D) shall be filed in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction as provided under paragraph (2).''.

(b) REVIEW OBTAINED BY OFFICE OF PERSONNEL MANAGEMENT.—Section 7703(d) of title 5, United States Code, is amended to read as follows:

''(d)(1) Except as provided under paragraph (2), this paragraph shall apply to any review obtained by the Director of the Office of Personnel Management. The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the Board issues notice of the final order or decision of the Board, a petition for judicial review in the United States Court of Appeals for the Federal Circuit if the Director determines, in the discretion of the Director, that the Board erred in interpreting a civil service law, rule, or regulation affecting personnel management and that the Board's decision will have a substantial impact on a civil service law, rule, regulation, or policy directive. If the Director did not intervene in a matter before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the Court of Appeals. The granting of the petition for judicial review shall be at the discretion of the Court of Appeals.

''(2) During the 5-year period beginning on the effective date of the Whistleblower Protection Enhancement Act of [2011] *2012*, this paragraph shall apply to any review obtained by the Director of the Office of Personnel Management that raises no challenge to the Board's disposition of allegations of a prohibited personnel practice described in section 2302(b) other than practices described in section 2302(b)(8), or 2302(b)(9)(A)(i), (B), (C), or (D). The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the Board issues notice of the final order or decision of the Board, a petition for judicial review in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction as provided under subsection (b)(2) if the Director determines, in the discretion of the Director, that the Board erred in interpreting a civil service law, rule, or regulation affecting personnel management and that the Board's decision will have a substantial impact on a civil service law, rule, regulation, or policy directive. If the Director did not intervene in a matter before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the court of appeals. The granting of the petition for judicial review shall be at the discretion of the court of appeals.''.

SEC. 109. PROHIBITED PERSONNEL PRACTICES AFFECTING THE TRANSPORTATION SECURITY ADMINISTRATION.

(a) IN GENERAL.—Chapter 23 of title 5, United States Code, is amended—

(1) by redesignating sections 2304 and 2305 as sections 2305 and 2306, respectively; and

(2) by inserting after section 2303 the following:

''§ 2304. Prohibited personnel practices affecting the Transportation Security Administration

''(a) IN GENERAL.—Notwithstanding any other provision of law, any individual holding or applying for a position within the Transportation Security Administration shall be covered by—

''(1) the provisions of section 2302(b)(1), (8), and (9);

''(2) any provision of law implementing section 2302(b)(1), (8), or (9) by providing any right or remedy available to an employee or applicant for employment in the civil service; and

''(3) any rule or regulation prescribed under any provision of law referred to in paragraph (1) or (2).

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any rights, apart from those described in subsection (a), to which an individual described in subsection (a) might otherwise be entitled under law.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by striking the items relating to sections 2304 and 2305, respectively, and by inserting the following:

''2304. Prohibited personnel practices affecting the Transportation Security Administration.
''2305. Responsibility of the Government Accountability Office.
''2306. Coordination with certain other provisions of law.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section.

SEC. 110. DISCLOSURE OF CENSORSHIP RELATED TO RESEARCH, ANALYSIS, OR TECHNICAL INFORMATION.

(a) DEFINITIONS.—In this subsection—

(1) the term ''agency'' has the meaning given under section 2302(a)(2)(C) of title 5, United States Code;

(2) the term ''applicant'' means an applicant for a covered position;

(3) the term ''censorship related to research, analysis, or technical information'' means any effort to distort, misrepresent, or suppress research, analysis, or technical information;

(4) the term ''covered position'' has the meaning given under section 2302(a)(2)(B) of title 5, United States Code;

(5) the term ''employee'' means an employee in a covered position in an agency; and

(6) the term ''disclosure'' has the meaning given under section 2302(a)(2)(D) of title 5, United States Code.

(b) PROTECTED DISCLOSURE.—

(1) IN GENERAL.—Any disclosure of information by an employee or applicant for employment that the employee or applicant reasonably believes is evidence of censorship related to research, analysis, or technical information—

(A) shall come within the protections of section 2302(b)(8)(A) of title 5, United States Code, if—

(i) the employee or applicant reasonably believes that the censorship related to research, analysis, or technical information is or will cause—

(I) any violation of law, rule, or regulation[, and occurs during the conscientious carrying out of official duties]; or

(II) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(ii) such disclosure is not specifically prohibited by law or such information is not specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs; and

(B) shall come within the protections of section 2302(b)(8)(B) of title 5, United States Code, if—

(i) the employee or applicant reasonably believes that the censorship related to research, analysis, or technical information is or will cause—

(I) any violation of law, rule, or regulation[, and occurs during the conscientious carrying out of official duties]; or

(II) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(ii) the disclosure is made to the Special Counsel, or to the Inspector General of an agency or another person designated by the head of the agency to receive such disclosures, consistent with the protection of sources and methods.

(2) DISCLOSURES NOT EXCLUDED.—A disclosure shall not be excluded from paragraph (1)

for any reason described under section 2302(f)(1) or (2) of title 5, United States Code.

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to imply any limitation on the protections of employees and applicants afforded by any other provision of law, including protections with respect to any disclosure of information believed to be evidence of censorship related to research, analysis, or technical information.

SEC. 111. CLARIFICATION OF WHISTLEBLOWER RIGHTS FOR CRITICAL INFRASTRUCTURE INFORMATION.

Section 214(c) of the Homeland Security Act of 2002 (6 U.S.C. 133(c)) is amended by adding at the end the following: ''For purposes of this section a permissible use of independently obtained information includes the disclosure of such information under section 2302(b)(8) of title 5, United States Code.''.

SEC. 112. ADVISING EMPLOYEES OF RIGHTS.

Section 2302(c) of title 5, United States Code, is amended by inserting '', including how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures'' after ''chapter 12 of this title''.

SEC. 113. SPECIAL COUNSEL AMICUS CURIAE APPEARANCE.

Section 1212 of title 5, United States Code, is amended by adding at the end the following:

''(h)(1) The Special Counsel is authorized to appear as amicus curiae in any action brought in a court of the United States related to [any civil action brought in connection with] section 2302(b) (8) or (9), or as otherwise authorized by law. In any such action, the Special Counsel is authorized to present the views of the Special Counsel with respect to compliance with section 2302(b) (8) or (9) and the impact court decisions would have on the enforcement of such provisions of law.

''(2) A court of the United States shall grant the application of the Special Counsel to appear in any such action for the purposes described under subsection (a).''.

SEC. 114. SCOPE OF DUE PROCESS.

(a) SPECIAL COUNSEL.—Section 1214(b)(4)(B)(ii) of title 5, United States Code, is amended by inserting '', after a finding that a protected disclosure was a contributing factor,'' after ''ordered if''.

(b) INDIVIDUAL ACTION.—Section 1221(e)(2) of title 5, United States Code, is amended by inserting '', after a finding that a protected disclosure was a contributing factor,'' after ''ordered if''.

SEC. 115. NONDISCLOSURE POLICIES, FORMS, AND AGREEMENTS.

[(a) IN GENERAL.—

[(1) REQUIREMENT.—Each agreement in Standard Forms 312 and 4414 of the Government and any other nondisclosure policy, form, or agreement of the Government shall contain the following statement: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order 13526 (75 Fed. Reg. 707; relating to classified national security information), or any successor thereto; Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by such Executive order and such statutory provisions are incorporated into this agreement and are controlling.''.

[(2) ENFORCEABILITY.—

[(A) IN GENERAL.—Any nondisclosure policy, form, or agreement described under paragraph (1) that does not contain the statement required under paragraph (1) may not be implemented or enforced to the extent such policy, form, or agreement is inconsistent with that statement.

[(B) NONDISCLOSURE POLICY, FORM, OR AGREEMENT IN EFFECT BEFORE THE DATE OF ENACTMENT.—A nondisclosure policy, form, or agreement that was in effect before the date of enactment of this Act, but that does not contain the statement required under paragraph (1)—

[(i) may be enforced with regard to a current employee if the agency gives such employee notice of the statement; and

[(ii) may continue to be enforced after the effective date of this Act with regard to a former employee if the agency posts notice of the statement on the agency website for the 1-year period following that effective date.]

(a) IN GENERAL.—

(1) REQUIREMENT.—Each agreement in Standard Forms 312 and 4414 of the Government and any other nondisclosure policy, form, or agreement of the Government shall contain the following statement: ''These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.''.

(2) AGENCY WEBSITES.—Agencies making use of any nondisclosure policy, form, or agreement shall also post the statement required under paragraph (1) on the agency website, accompanied by the specific list of controlling Executive orders and statutory provisions.

(3) ENFORCEABILITY.—

(A) IN GENERAL.—Any nondisclosure policy, form, or agreement described under paragraph (1) that does not contain the statement required under paragraph (1) may not be implemented or enforced to the extent such policy, form, or agreement is inconsistent with that statement.

(B) NONDISCLOSURE POLICY, FORM, OR AGREEMENT IN EFFECT BEFORE THE EFFECTIVE DATE.—With respect to a nondisclosure policy, form, or agreement that was in effect before the effective date of this Act, but that does not contain the statement required under paragraph (1) for implementation or enforcement—

(i) it shall not be a prohibited personnel practice to enforce that policy, form, or agreement with regard to a current employee if the agency gives such employee notice of the statement; and

(ii) it shall not be a prohibited personnel practice to enforce that policy, form, or agreement after the effective date of this Act with regard to a former employee if the agency complies with paragraph (2).

(b) PERSONS OTHER THAN GOVERNMENT EMPLOYEES.—Notwithstanding subsection (a), a nondisclosure policy, form, or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such policy, form, or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure policy, form, or agreement shall also make it clear that such forms do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law, consistent with the protection of sources and methods.

SEC. 116. REPORTING REQUIREMENTS.

(a) GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) REPORT.—Not later than [40 months] *48 months* after the date of enactment of this Act, the Comptroller General shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the implementation of this title.

(2) CONTENTS.—The report under this paragraph shall include—

(A) an analysis of any changes in the number of cases filed with the United States Merit Systems Protection Board alleging violations of section 2302(b) (8) or (9) of title 5, United States Code, since the effective date of this Act;

(B) the outcome of the cases described under subparagraph (A), including whether or not the United States Merit Systems Protection Board, the Federal Circuit Court of Appeals, or any other court determined the allegations to be frivolous or malicious;

(C) an analysis of the outcome of cases described under subparagraph (A) that were decided by a United States District Court and the impact the process has on the Merit Systems Protection Board and the Federal court system; and

(D) any other matter as determined by the Comptroller General.

(b) MERIT SYSTEMS PROTECTION BOARD.—

(1) IN GENERAL.—Each report submitted annually by the Merit Systems Protection Board under section 1116 of title 31, United States Code, shall, with respect to the period covered by such report, include as an addendum the following:

(A) Information relating to the outcome of cases decided during the applicable year of the report in which violations of section 2302(b) (8) or (9) (A)(i), (B)(i), (C), or (D) of title 5, United States Code, were alleged.

(B) The number of such cases filed in the regional and field offices, the number of petitions for review filed in such cases, and the outcomes of such cases.

(2) FIRST REPORT.—The first report described under paragraph (1) submitted after the date of enactment of this Act shall include an addendum required under that subparagraph that covers the period beginning on [January 1, 2009 through] *the effective date of this Act and ending at* the end of the fiscal year [2009] *in which such effective date occurs.*

SEC. 117. ALTERNATIVE REVIEW.

(a) IN GENERAL.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

''(k)(1) In this subsection, the term 'appropriate United States district court', as used with respect to an alleged prohibited personnel practice, means the United States district court for the judicial district in which—

''(A) the prohibited personnel practice is alleged to have been committed; or

''(B) the employee, former employee, or applicant for employment allegedly affected by such practice resides.

''(2)(A) An employee, former employee, or applicant for employment in any case to which paragraph (3) or (4) applies may file an action at law or equity for de novo review in the appropriate United States district court in accordance with this subsection.

''(B) Upon initiation of any action under subparagraph (A), the Board shall stay any other claims of such employee, former employee, or applicant pending before the Board at that time which arise out of the same set of operative facts. Such claims shall be stayed pending completion of the action filed under subparagraph (A) before the appropriate United States district court and any associated appellate review.

''(3) This paragraph applies in any case in which—

''(A) an employee, former employee, or applicant for employment—

''(i) seeks corrective action from the Merit Systems Protection Board under section 1221(a) based on an alleged prohibited personnel practice described in section 2302(b)(8) or (9)(A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542; or

''(ii) files an appeal under section 7701(a) alleging as an affirmative defense the commission of a prohibited personnel practice described in section 2302(b)(8) or (9)(A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542;

''(B) no final order or decision is issued by the Board within 270 days after the date on which a request for that corrective action or appeal has been duly submitted, unless the Board determines that the employee, former employee, or applicant for employment engaged in conduct intended to delay the issuance of a final order or decision by the Board; and

''(C) such employee, former employee, or applicant provides written notice to the Board of filing an action under this subsection before the filing of that action.

''(4) This paragraph applies in any case in which—

''(A) an employee, former employee, or applicant for employment—

''(i) seeks corrective action from the Merit Systems Protection Board under section 1221(a) based on an alleged prohibited personnel practice described in section 2302(b)(8) or (9)(A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542; or

''(ii) files an appeal under section 7701(a)[(1)] alleging as an affirmative defense the commission of a prohibited personnel practice described in section 2302(b)(8) or (9)(A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542;

''(B)(i) within 30 days after the date on which the request for corrective action or appeal was duly submitted, such employee, former employee, or applicant for employment files a motion requesting a certification consistent with subparagraph (C) to the Board, any administrative law judge appointed by the Board under section 3105 of this title and assigned to the case, or any employee of the Board designated by the Board and assigned to the case; and

''(ii) such employee has not previously filed a motion under clause (i) related to that request for corrective action *or that appeal*; and

''(C) the Board, any administrative law judge appointed by the Board under section 3105 of this title and assigned to the case, or any employee of the Board designated by the Board and assigned to the case certifies that—

''(i) under *the standards* [standard] applicable to the review of motions to dismiss under rule 12(b)(6) of the Federal Rules of Civil Procedure, including rule 12(d), the request for corrective action *or the appeal* (including any allegations made with the motion under subparagraph (B)) would not be subject to dismissal; and

''(ii)(I) the Board is not likely to dispose of the case within 270 days after the date on which [a]*the* request for [that] corrective action *or the appeal* has been duly submitted; or

''(II) the case—

''(aa) consists of multiple claims;

''(bb) requires complex or extensive discovery;

''(cc) arises out of the same set of operative facts as any civil action against the Government filed by the employee, former employee, or applicant pending in a Federal court; or

''(dd) involves a novel question of law.

''(5) The Board shall grant or deny any motion requesting a certification described under paragraph (4)(ii) within 90 days after the submission of such motion and the Board may not issue a decision on the merits of a request for corrective action within 15 days after granting or denying a motion requesting certification.

''(6)(A) Any decision of the Board, any administrative law judge appointed by the Board under section 3105 of this title and assigned to the case, or any employee of the Board designated by the Board and assigned to the case to grant or deny a certification described under paragraph (4)(ii) shall be reviewed on appeal of a final order or decision of the Board under section 7703 only if—

''(i) a motion requesting a certification was denied; and

''(ii) the reviewing court vacates the decision of the Board on the merits of the claim under the standards set forth in section 7703(c).

''(B) The decision to deny the certification shall be overturned by the reviewing court, and an order granting certification shall be issued by the reviewing court, if such decision is found to be arbitrary, capricious, or an abuse of discretion.

''(C) The reviewing court's decision shall not be considered evidence of any determination by the Board, any administrative law judge appointed by the Board under section 3105 of this title, or any employee of the Board designated by the Board on the merits of the underlying allegations during the course of any action at law or equity for de novo review in the appropriate United States district court in accordance with this subsection.

''(7) In any action filed under this subsection—

''(A) the district court shall have jurisdiction without regard to the amount in controversy;

''(B) at the request of either party, such action shall be tried by the court with a jury;

''(C) the court—

''(i) subject to clause (iii), shall apply the standards set forth in subsection (e); and

''(ii) may award any relief which the court considers appropriate under subsection (g), except—

''(I) relief for compensatory damages may not exceed $300,000; and

''(II) relief may not include punitive damages; and

''(iii) notwithstanding subsection (e)(2), may not order relief if the agency demonstrates by a preponderance of the evidence that the agency would have taken the same personnel action in the absence of such disclosure; and

''(D) the Special Counsel may not represent the employee, former employee, or applicant for employment.

''(8) An appeal from a final decision of a district court in an action under this subsection shall be taken to the Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction.

''(9) This subsection applies with respect to any appeal, petition, or other request for corrective action duly submitted to the Board, whether under section 1214(b)(2), the preceding provisions of this section, section 7513(d), section 7701, or any otherwise applicable provisions of law, rule, or regulation.''.

(b) SUNSET.—

(1) IN GENERAL.—Except as provided under paragraph (2), the amendments made by this section shall cease to have effect 5 years after the effective date of this Act.

(2) PENDING CLAIMS.—The amendments made by this section shall continue to apply with respect to any claim pending before the Board on the last day of the 5-year period described under paragraph (1).

SEC. 118. MERIT SYSTEMS PROTECTION BOARD SUMMARY JUDGMENT.

(a) IN GENERAL.—Section 1204(b) of title 5, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) by inserting after paragraph (2) the following:

''(3) With respect to a request for corrective action based on an alleged prohibited personnel practice described in section 2302(b)(8) or (9)(A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542, the Board, any administrative law judge appointed by the Board under section 3105 of this title, or any employee of the Board designated by the Board may, with respect to any party, grant a motion for summary judgment when the Board or the administrative law judge determines that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.''.

(b) SUNSET.—

(1) IN GENERAL.—Except as provided under paragraph (2), the amendments made by this section shall cease to have effect 5 years after the effective date of this Act.

(2) PENDING CLAIMS.—The amendments made by this section shall continue to apply with respect to any claim pending before the Board on the last day of the 5-year period described under paragraph (1).

SEC. 119. DISCLOSURES OF CLASSIFIED INFORMATION.

(a) PROHIBITED PERSONNEL PRACTICES.—Section 2302(b)(8) of title 5, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'' after the semicolon;

(2) in subparagraph (B), by adding ''or'' after the semicolon; and

(3) by adding at the end the following:

''(C) any communication that complies with subsection (a)(1), (d), [or] *and* (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.);''.

(b) INSPECTOR GENERAL ACT OF 1978.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a)(1), by adding at the end the following:

''(D) An employee of any agency, as that term is defined under section 2302(a)(2)(C) of title 5, United States Code, who intends to report to Congress a complaint or information with respect to an urgent concern may report the complaint or information to the Inspector General (or designee) of the agency [of] *at* which that employee is employed.'';

(2) in subsection (c), by striking ''intelligence committees'' and inserting ''appropriate committees'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''either or both of the intelligence committees'' and inserting ''any of the appropriate committees''; and

(B) in paragraphs (2) and (3), by striking ''intelligence committees'' each place that term appears and inserting ''appropriate committees'';

(4) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''intelligence''; and

(ii) in subparagraph (B), by inserting ''or an activity involving classified information'' after ''an intelligence activity''; and

(B) by striking paragraph (2), and inserting the following:

''(2) The term 'appropriate committees' means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, except that with respect to disclosures made by employees described in subsection (a)(1)(D), the term 'appropriate committees' means the committees of appropriate jurisdiction.''.

SEC. 120. WHISTLEBLOWER PROTECTION OMBUDSMAN.

(a) IN GENERAL.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking subsection (d) and inserting the following:

''(d)(1) Each Inspector General shall, in accordance with applicable laws and regulations governing the civil service—

''(A) appoint an Assistant Inspector General for Auditing who shall have the responsibility for supervising the performance of auditing activities relating to programs and operations of the establishment;

''(B) appoint an Assistant Inspector General for Investigations who shall have the responsibility for supervising the performance of investigative activities relating to such programs and operations; and

''(C) designate a Whistleblower Protection Ombudsman who shall educate agency employees—

''(i) about prohibitions on retaliation for protected disclosures; and

''(ii) who have made or are contemplating making a protected disclosure about the rights and remedies against retaliation for protected disclosures.

''(2) The Whistleblower Protection Ombudsman shall not act as a legal representative, agent, or advocate of the employee or former employee.

''(3) For the purposes of this section, the requirement of the designation of a Whistleblower Protection Ombudsman under paragraph (1)(C) shall not apply to—

''(A) any agency that is an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))); or

''(B) as determined by the President, any executive agency or unit thereof the principal function of which is the conduct of foreign intelligence or counter intelligence activities.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 8D(j) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking ''section 3(d)(1)'' and inserting ''section 3(d)(1)(A)''; and

(2) by striking ''section 3(d)(2)'' and inserting ''section 3(d)(1)(B)''.

(c) SUNSET.—

(1) IN GENERAL.—The amendments made by this section shall cease to have effect on the date that is 5 years after the date of enactment of this Act.

(2) RETURN TO PRIOR AUTHORITY.—Upon the date described in paragraph (1), section 3(d) and section 8D(j) of the Inspector General Act of 1978 (5 U.S.C. App.) shall read as such sections read on the day before the date of enactment of this Act.

TITLE II—INTELLIGENCE COMMUNITY WHISTLEBLOWER PROTECTIONS

SEC. 201. PROTECTION OF INTELLIGENCE COMMUNITY WHISTLEBLOWERS.

(a) IN GENERAL.—Chapter 23 of title 5, United States Code, is amended by inserting after section 2303 the following:

''§ 2303A. Prohibited personnel practices in the intelligence community

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' means an executive department or independent establishment, as defined under sections 101 and 104, that contains an intelligence community element, except the Federal Bureau of Investigation;

''(2) the term 'intelligence community element'—

''(A) means—

''(i) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

''(ii) any executive agency or unit thereof determined by the President under section 2302(a)(2)(C)(ii) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

''(B) does not include the Federal Bureau of Investigation; and

''(3) the term 'personnel action' means any action described in clauses (i) through (x) of section 2302(a)(2)(A) with respect to an employee in a position in an intelligence community element (other than a position of a confidential, policy-determining, policy-making, or policy-advocating character).

''(b) IN GENERAL.—Any employee of an agency who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to any employee of an intelligence community element as a reprisal for a disclosure of information by the employee to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose), or to the head of the employing agency (or an employee designated by the head of that agency for such purpose), which the employee reasonably believes evidences—

''(1) a violation of any law, rule, or regulation[, except for an alleged violation that occurs during the conscientious carrying out of official duties]; or

''(2) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

''(c) ENFORCEMENT.—The President shall provide for the enforcement of this section in a manner consistent with applicable provisions of sections 1214 and 1221.

''(d) EXISTING RIGHTS PRESERVED.—Nothing in this section shall be construed to—

''(1) preempt or preclude any employee, or applicant for employment, at the Federal Bureau of Investigation from exercising rights currently provided under any other law, rule, or regulation, including section 2303;

''(2) repeal section 2303; or

''(3) provide the President or Director of National Intelligence the authority to revise regulations related to section 2303, codified in part 27 of the Code of Federal Regulations.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by inserting after the item relating to section 2303 the following:

''2303A. Prohibited personnel practices in the intelligence community.''.

SEC. 202. REVIEW OF SECURITY CLEARANCE OR ACCESS DETERMINATIONS.

(a) IN GENERAL.—Section 3001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''Not'' and inserting ''Except as otherwise provided, not'';

(2) in paragraph (5), by striking ''and'' after the semicolon;

(3) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(4) by inserting after paragraph (6) the following:

''(7) not later than 180 days after the date of enactment of the Whistleblower Protection Enhancement Act of 2011—

''(A) developing policies and procedures that permit, to the extent practicable, individuals who [challenge] in good faith *appeal* a determination to suspend or revoke a security clearance or access to classified information to retain their government employment status while such challenge is pending; and

''(B) developing and implementing uniform and consistent policies and procedures to ensure proper protections during the process for denying, suspending, or revoking a security clearance or access to classified information, including the provision of a right to appeal such a denial, suspension, or revocation, except that there shall be no appeal of an agency's suspension of a security clearance or access determination for purposes of conducting an investigation, if that suspension lasts no longer than 1 year or the head of the agency certifies that a longer suspension is needed before a final decision on denial or revocation to prevent imminent harm to the national security.

''Any limitation period applicable to an agency appeal under paragraph (7) shall be tolled until the head of the agency (or in the case of any component of the Department of Defense, the Secretary of Defense) determines, with the concurrence of the Director of National Intelligence, that the policies and procedures described in paragraph (7) have been established for the agency or the

Director of National Intelligence promulgates the policies and procedures under paragraph (7). The policies and procedures for appeals developed under paragraph (7) shall be comparable to the policies and procedures pertaining to prohibited personnel practices defined under section 2302(b)(8) of title 5, United States Code, and provide—

''(A) for an independent and impartial fact-finder;

''(B) for notice and the opportunity to be heard, including the opportunity to present relevant evidence, including witness testimony;

''(C) that the employee or former employee may be represented by counsel;

''(D) that the employee or former employee has a right to a decision based on the record developed during the appeal;

''(E) that not more than 180 days shall pass from the filing of the appeal to the report of the impartial fact-finder to the agency head or the designee of the agency head, unless—

''(i) the employee and the agency concerned agree to an extension; or

''(ii) the impartial fact-finder determines in writing that a greater period of time is required in the interest of fairness or national security;

''(F) for the use of information specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs in a manner consistent with the interests of national security, including ex parte submissions if the agency determines that the interests of national security so warrant; and

''(G) that the employee or former employee shall have no right to compel the production of information specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs, except evidence necessary to establish that the employee made the disclosure or communication such employee alleges was protected by subparagraphs (A), (B), and (C) of subsection (j)(1).''.

(b) RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b) is amended by adding at the end the following:

''(j) RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.—

''(1) IN GENERAL.—Agency personnel with authority over personnel security clearance or access determinations shall not take or fail to take, or threaten to take or fail to take, any action with respect to any employee's security clearance or access determination because of—

''(A) any disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose) or the head of the employing agency (or employee designated by the head of that agency for such purpose) by an employee that the employee reasonably believes evidences—

''(i) a violation of any law, rule, or regulation[, and occurs during the conscientious carrying out of official duties]; or

''(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

''(B) any disclosure to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee reasonably believes evidences—

''(i) a violation of any law, rule, or regulation[, and occurs during the conscientious carrying out of official duties]; or

''(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

''(C) any communication that complies with—

''(i) subsection (a)(1), (d), [or] *and* (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.);

''(ii) subsection (d)(5)(A), (D), [or] *and* (G) of section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q); or

''(iii) subsection (k)(5)(A), (D), [or] *and* (G), of section 103H of the National Security Act of 1947 (50 U.S.C. 403 3h);

''(D) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation;

''(E) testifying for or otherwise lawfully assisting any individual in the exercise of any right referred to in subparagraph (D); or

''(F) cooperating with or disclosing information to the Inspector General of an agency, in accordance with applicable provisions of law in connection with an audit, inspection, or investigation conducted by the Inspector General,

if the actions described under subparagraphs (D) through (F) do not result in the employee or applicant unlawfully disclosing information specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs.

''(2) RULE OF CONSTRUCTION.—Consistent with the protection of sources and methods, nothing in paragraph (1) shall be construed to authorize the withholding of information from the Congress or the taking of any personnel action against an employee who discloses information to the Congress.

''(3) DISCLOSURES.—

''(A) IN GENERAL.—A disclosure shall not be excluded from paragraph (1) because—

''(i) the disclosure was made to a person, including a supervisor, who participated in an activity that the employee reasonably believed to be covered by paragraph (1)(A)(ii);

''(ii) the disclosure revealed information that had been previously disclosed;

''(iii) of the employee's motive for making the disclosure;

''(iv) the disclosure was not made in writing;

''(v) the disclosure was made while the employee was off duty; or

''(vi) of the amount of time which has passed since the occurrence of the events described in the disclosure.

''(B) REPRISALS.—If a disclosure is made during the normal course of duties of an employee, the disclosure shall not be excluded from paragraph (1) if any employee who has authority to take, direct others to take, recommend, or approve any personnel action with respect to the employee making the disclosure, took, failed to take, or threatened to take or fail to take a personnel action with respect to that employee in reprisal for the disclosure.

''(4) AGENCY ADJUDICATION.—

''(A) REMEDIAL PROCEDURE.—An employee or former employee who believes that he or she has been subjected to a reprisal prohibited by paragraph (1) of this subsection may, within 90 days after the issuance of notice of such decision, appeal that decision within the agency of that employee or former employee through proceedings authorized by paragraph (7) of subsection (a), except that there shall be no appeal of an agency's suspension of a security clearance or access determination for purposes of conducting an investigation, if that suspension lasts not longer than 1 year (or a longer period in accordance with a certification made under subsection (b)(7)).

''(B) CORRECTIVE ACTION.—If, in the course of proceedings authorized under subparagraph (A), it is determined that the adverse security clearance or access determination violated paragraph (1) of this subsection, the agency shall take specific corrective action to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had the violation not occurred. Such corrective action shall include reasonable attorney's fees and any other reasonable costs incurred, and may include back pay and related benefits, travel expenses, and compensatory damages not to exceed $300,000.

''(C) CONTRIBUTING FACTOR.—In determining whether the adverse security clearance or access determination violated paragraph (1) of this subsection, the agency shall find that paragraph (1) of this subsection was violated if a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual, unless the agency demonstrates by a preponderance of the evidence that it would have taken the same action in the absence of such disclosure, giving the utmost deference to the agency's assessment of the particular threat to the national security interests of the United States in the instant matter.

''(5) APPELLATE REVIEW OF SECURITY CLEARANCE ACCESS DETERMINATIONS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

''(A) DEFINITION.—In this paragraph, the term 'Board' means the appellate review board established under section 204 of the Whistleblower Protection Enhancement Act of [2011] *2012*.

''(B) APPEAL.—Within 60 days after receiving notice of an adverse final agency determination under a proceeding under paragraph (4), an employee or former employee may appeal that determination to the Board.

''(C) POLICIES AND PROCEDURES.—The Board, in consultation with the Attorney General, Director of National Intelligence, and the Secretary of Defense, shall develop and implement policies and procedures for adjudicating the appeals authorized by subparagraph (B). The Director of National Intelligence and Secretary of Defense shall jointly approve any rules, regulations, or guidance issued by the Board concerning the procedures for the use or handling of classified information.

''(D) REVIEW.—The Board's review shall be on the complete agency record, which shall be made available to the Board. The Board may not hear witnesses or admit additional evidence. Any portions of the record that were submitted ex parte during the agency proceedings shall be submitted ex parte to the Board.

''(E) FURTHER FACT-FINDING OR IMPROPER DENIAL.—If the Board concludes that further fact-finding is necessary or finds that the agency improperly denied the employee or former employee the opportunity to present evidence that, if admitted, would have a substantial likelihood of altering the outcome, the Board shall remand the matter to the agency from which it originated for additional proceedings in accordance with the rules of procedure issued by the Board.

''(F) DE NOVO DETERMINATION.—The Board shall make a de novo determination, based on the entire record and under the standards

specified in paragraph (4), of whether the employee or former employee received an adverse security clearance or access determination in violation of paragraph (1). In considering the record, the Board may weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact. In doing so, the Board may consider the prior fact-finder's opportunity to see and hear the witnesses.

''(G) ADVERSE SECURITY CLEARANCE OR ACCESS DETERMINATION.—If the Board finds that the adverse security clearance or access determination violated paragraph (1), it shall then separately determine whether reinstating the security clearance or access determination is clearly consistent with the interests of national security, with any doubt resolved in favor of national security, under Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information) or any successor thereto (including any adjudicative guidelines promulgated under such orders) or any subsequent Executive order, regulation, or policy concerning access to classified information.

''(H) REMEDIES.—

''(i) CORRECTIVE ACTION.—If the Board finds that the adverse security clearance or access determination violated paragraph (1), it shall order the agency head to take specific corrective action to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had the violation not occurred. Such corrective action shall include reasonable attorney's fees and any other reasonable costs incurred, and may include back pay and related benefits, travel expenses, and compensatory damages not to exceed $300,000. The Board may recommend, but may not order, reinstatement or hiring of a former employee. The Board may order that the former employee be treated as though the employee were transferring from the most recent position held when seeking other positions within the executive branch. Any corrective action shall not include the reinstating of any security clearance or access determination. The agency head shall take the actions so ordered within 90 days, unless the Director of National Intelligence, the Secretary of Energy, or the Secretary of Defense, in the case of any component of the Department of Defense, determines that doing so would endanger national security.

''(ii) RECOMMENDED ACTION.—If the Board finds that reinstating the employee or former employee's security clearance or access determination is clearly consistent with the interests of national security, it shall recommend such action to the head of the entity selected under subsection (b) and the head of the affected agency.

''(I) CONGRESSIONAL NOTIFICATION.—

''(i) ORDERS.—Consistent with the protection of sources and methods, at the time the Board issues an order, the Chairperson of the Board shall notify—

''(I) the Committee on Homeland Security and Government Affairs of the Senate;

''(II) the Select Committee on Intelligence of the Senate;

''(III) the Committee on Oversight and Government Reform of the House of Representatives;

''(IV) the Permanent Select Committee on Intelligence of the House of Representatives; and

''(V) the committees of the Senate and the House of Representatives that have jurisdiction over the employing agency, including in the case of a final order or decision of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, or the National Reconnaissance Office, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

''(ii) RECOMMENDATIONS.—If the agency head and the head of the entity selected under subsection (b) do not follow the Board's recommendation to reinstate a clearance, the head of the entity selected under subsection (b) shall notify the committees described in subclauses (I) through (V) of clause (i).

''(6) JUDICIAL REVIEW.—Nothing in this section shall be construed to permit or require judicial review of any—

''(A) agency action under this section; or

''(B) action of the appellate review board established under section 204 of the Whistleblower Protection Enhancement Act of ⟦2011⟧ *2012*.

''(7) PRIVATE CAUSE OF ACTION.—Nothing in this section shall be construed to permit, authorize, or require a private cause of action to challenge the merits of a security clearance determination.''.

(c) ACCESS DETERMINATION DEFINED.—Section 3001(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b(a)) is amended by adding at the end the following:

''(9) The term 'access determination' means the ⟦process for determining⟧ *determination regarding* whether an employee—

''(A) is eligible for access to classified information in accordance with Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto, and Executive Order 10865 (25 Fed. Reg. 1583; relating to safeguarding classified information with industry); and

''(B) possesses a need to know under that Order.''.

(d) RULE OF CONSTRUCTION.—Nothing in section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b), as amended by this Act, shall be construed to require the repeal or replacement of agency appeal procedures implementing Executive Order 12968 (60 Fed. Reg. 40245; relating to classified national security information), or any successor thereto, and Executive Order 10865 (25 Fed. Reg. 1583; relating to safeguarding classified information with industry), or any successor thereto, that meet the requirements of section 3001(b)(7) of such Act, as so amended.

SEC. 203. REVISIONS RELATING TO THE INTELLIGENCE COMMUNITY WHISTLEBLOWER PROTECTION ACT.

(a) IN GENERAL.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b)—

(A) by inserting ''(1)'' after ''(b)''; and

(B) by adding at the end the following:

''(2) If the head of an establishment determines that a complaint or information transmitted under paragraph (1) would create a conflict of interest for the head of the establishment, the head of the establishment shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director of National Intelligence *and, if the establishment is within the Department of Defense, to the Secretary of Defense*. In such a case, the requirements of this section for the head of the establishment apply to ⟦the recipient⟧ *each recipient* of the Inspector General's transmission. ⟦The Director of National Intelligence⟧ *Each recipient of the Inspector General's transmission* shall consult with the members of the appellate review board established under section 204 of the Whistleblower Protection Enhancement ⟦Review⟧ Act of ⟦2011⟧ *2012* regarding all transmissions under this paragraph.'';

(2) by designating subsection (h) as subsection (i); and

(3) by inserting after subsection (g), the following:

''(h) An individual who has submitted a complaint or information to an Inspector General under this section may notify any member of Congress or congressional staff member of the fact that such individual has made a submission to that particular Inspector General, and of the date on which such submission was made.''.

(b) CENTRAL INTELLIGENCE AGENCY.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q) is amended—

(1) in subparagraph (B)—

(A) by inserting ''(i)'' after ''(B)''; and

(B) by adding at the end the following:

''(ii) If the Director determines that a complaint or information transmitted under paragraph (1) would create a conflict of interest for the Director, the Director shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director of National Intelligence. In such a case, the requirements of this subsection for the Director apply to the ⟦recipient of the Inspector General's submission; and⟧ *Director of National Intelligence. The Director of National Intelligence shall consult with the members of the appellate review board established under section 204 of the Whistleblower Protection Enhancement Act of 2012 regarding all transmissions under this clause.*''; and

(2) by adding at the end the following:

''(H) An individual who has submitted a complaint or information to the Inspector General under this section may notify any member of Congress or congressional staff member of the fact that such individual has made a submission to the Inspector General, and of the date on which such submission was made.''.

SEC. 204. REGULATIONS; REPORTING REQUIREMENTS; NONAPPLICABILITY TO CERTAIN TERMINATIONS.

(a) DEFINITIONS.—In this section—

(1) the term ''congressional oversight committees'' means—

(A) the Committee on Homeland Security and Government Affairs of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on Oversight and Government Reform of the House of Representatives; and

(D) the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the term ''intelligence community element''—

(A) means—

(i) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

(ii) any executive agency or unit thereof determined by the President under section 2302(a)(2)(C)(ii) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

(B) does not include the Federal Bureau of Investigation.

(b) REGULATIONS.—

(1) IN GENERAL.—[The] *In consultation with the Secretary of Defense, the* Director of National Intelligence shall prescribe regulations to ensure that a personnel action shall not be taken against an employee of an intelligence community element as a reprisal for any disclosure of information described in section 2303A(b) of title 5, United States Code, as added by this Act.

(2) APPELLATE REVIEW BOARD.—Not later than 180 days after the date of enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Attorney General, and the heads of appropriate agencies, shall establish an appellate review board that is broadly representative of affected Departments and agencies and is made up of individuals with expertise in merit systems principles and national security issues—

(A) to hear whistleblower appeals related to security clearance access determinations described in section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b), as added by this Act; and

[(B) that shall include a subpanel that reflects the composition of the intelligence committee, which shall be composed of intelligence community elements and inspectors general from intelligence community elements, for the purpose of hearing cases that arise in elements of the intelligence community.]

(B) that shall include a subpanel that reflects the composition of the intelligence community, which shall—

(i) be composed of intelligence community elements and inspectors general from intelligence community elements, for the purpose of hearing cases that arise in elements of the intelligence community; and

(ii) include the Inspector General of the Intelligence Community and the Inspector General of the Department of Defense.

(c) REPORT ON THE STATUS OF IMPLEMENTATION OF REGULATIONS.—Not later than 2 years after the date of enactment of this Act, the Director of National Intelligence shall submit a report on the status of the implementation of the regulations promulgated under subsection (b) to the congressional oversight committees.

(d) NONAPPLICABILITY TO CERTAIN TERMINATIONS.—Section 2303A of title 5, United States Code, as added by this Act, and section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b), as amended by this Act, shall not apply [to adverse security clearance or access determinations] if the affected employee is concurrently terminated under—

(1) section 1609 of title 10, United States Code;

(2) the authority of the Director of National Intelligence under section 102A(m) of the National Security Act of 1947 (50 U.S.C. 403–1(m)), if—

(A) the Director personally summarily terminates the individual; and

(B) the Director—

(i) determines the termination to be in the interest of the United States;

(ii) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security; and

(iii) not later than 5 days after such termination, notifies the congressional oversight committees of the termination;

(3) the authority of the Director of the Central Intelligence Agency under section 104A(e) of the National Security Act of 1947 (50 U.S.C. 403–4a(e)), if—

(A) the Director personally summarily terminates the individual; and

(B) the Director—

(i) determines the termination to be in the interest of the United States;

(ii) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security; and

(iii) not later than 5 days after such termination, notifies the congressional oversight committees of the termination; or

(4) section 7532 of title 5, United States Code, if—

(A) the agency head personally terminates the individual; and

(B) the agency head—

(i) determines the termination to be in the interest of the United States;

(ii) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security; and

(iii) not later than 5 days after such termination, notifies the congressional oversight committees of the termination.

TITLE III—SAVINGS CLAUSE; EFFECTIVE DATE

SEC. 301. SAVINGS CLAUSE.

Nothing in this Act shall be construed to imply any limitation on any protections afforded by any other provision of law to employees and applicants.

SEC. 302. EFFECTIVE DATE.

This Act shall take effect 30 days after the date of enactment of this Act.

Ms. STABENOW. I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill, (S. 743), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

BRIAN A. TERRY BORDER PATROL STATION

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 390, H.R. 2668.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2668) to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station.''

There being no objection, the Senate proceeded to consider the bill.

Mr. LEVIN. I am pleased that the Senate will pass the Brian Terry Memorial Act today, and that it has the overwhelming support of my colleagues.

Agent Terry, a native of Flat Rock, MI, dedicated his life to public service and the protection of our country and its citizens. He served honorably in the U.S. Marine Corps and continued his service as a police officer with the cities of Ecorse and Lincoln Park in Michigan prior to joining the U.S. Border Patrol. He was a member of the 699th Session of the Border Patrol Academy assigned to the Naco Border Patrol Station within the Tucson Sector. Tragically, in December 2010, while on patrol 14 miles north of the U.S.-Mexico border, Agent Terry was shot and killed during an armed confrontation with suspected criminals.

Agent Terry gave everything in the defense of our country. As we sit here today, thousands of agents are putting their lives on the line to secure our borders and protect our Nation. Agent Terry exemplified that courage and heroism, and we honor him today with this legislation that will designate the station of the U.S. Border Patrol located at 2136 South Naco Highway in Bisbee, AZ, as the Brian A. Terry Border Patrol Station.

I thank my colleagues for their support of this worthy tribute to Agent Terry.

Ms. STABENOW. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2668) was ordered to a third reading, was read the third time, and passed.

CONGRATULATING CHARTER SCHOOLS ACROSS THE UNITED STATES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 447, submitted early today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 447) congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 13th annual National Charter Schools Week, to be held May 6 through May 12, 2012.

There being no objection, the Senate proceeded to consider the resolution.

Ms. STABENOW. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 447) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 447

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, and innovation;

Whereas, in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas 40 States, the District of Columbia, and Guam have passed laws authorizing charter schools;

Whereas, as of the date of approval of this resolution, 5,275 charter schools are serving more than 2,000,000 children;

Whereas in fiscal year 2011 and the 18 previous fiscal years, Congress has provided a total of more than $3,000,000,000 in financial assistance to the charter school movement through grants for planning, startup, implementation, dissemination, and facilities;

Whereas numerous charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher and additional individual goals than the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove their ongoing success to parents, policymakers, and the communities served by the charter schools;

Whereas more than 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools; and

Whereas the 13th annual National Charter Schools Week is scheduled to be held May 6 through May 12, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for—

(A) ongoing contributions to education;

(B) the impressive strides made in closing the persistent academic achievement gap in the United States; and

(C) improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 13th annual National Charter Schools Week, a week-long celebration to be held May 6 through May 12, 2012, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

ORDERS FOR WEDNESDAY, MAY 9, 2012

Ms. STABENOW. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Wednesday, May 9, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day, and that the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Ms. STABENOW. Mr. President, it is the majority leader's intention to resume the motion to proceed to S. 2343, the Stop the Student Loan Interest Rate Hike Act, upon convening tomorrow. We expect to equally divide the first hour, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. STABENOW. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Wednesday, May 9, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARIA LOPEZ DE LEON, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016, VICE JAMES BALLINGER, TERM EXPIRED.

EMIL J. KANG, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018, VICE BENJAMIN DONENBERG, TERM EXPIRING.

NUCLEAR REGULATORY COMMISSION

KRISTINE L. SVINICKI, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2017. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL D. DUBIE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. BOBBY V. PAGE

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. WILLIAM R. PHILLIPS II

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL LESLIE J. CARROLL
BRIGADIER GENERAL BRYAN R. KELLY
BRIGADIER GENERAL PETER S. LENNON
BRIGADIER GENERAL GARY A. MEDVIGY
BRIGADIER GENERAL DAVID W. PUSTER
BRIGADIER GENERAL MEGAN P. TATU
BRIGADIER GENERAL DANIEL L. YORK
BRIGADIER GENERAL JAMES V. YOUNG, JR.

To be brigadier general

COLONEL DOUGLAS F. ANDERSON
COLONEL DANNY C. BALDWIN
COLONEL WILLIAM P. BARRIAGE
COLONEL LEANNE P. BURCH
COLONEL MITCHELL R. CHITWOOD
COLONEL STEPHEN K. CURDA
COLONEL ARLAN M. DEBLIECK
COLONEL CHRIS R. GENTRY
COLONEL NORMAN B. GREEN
COLONEL LEWIS G. IRWIN
COLONEL PHILLIP S. JOLLY
COLONEL ROBERT A. KARMAZIN
COLONEL TROY D. KOK
COLONEL WILLIAM S. LEE
COLONEL TAMMY S. SMITH
COLONEL MICHAEL S. TUOMEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. THOMAS H. COPEMAN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. RICHARD W. HUNT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. PAUL A. SOHL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JOHN F. KIRBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRIAN B. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRUCE F. LOVELESS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRIAN K. ANTONIO
CAPT. LUTHER B. FULLER III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN JOHN D. ALEXANDER
CAPTAIN BRET C. BATCHELDER
CAPTAIN RONALD A. BOXALL
CAPTAIN ROBERT P. BURKE
CAPTAIN DAVID J. HAHN
CAPTAIN ALEXANDER L. KRONGARD
CAPTAIN ANDREW L. LEWIS
CAPTAIN BRUCE H. LINDSEY
CAPTAIN DEE L. MEWBOURNE
CAPTAIN JOHN P. NEAGLEY
CAPTAIN PARTICK A. PIERCEY
CAPTAIN MARKHAM K. RICH
CAPTAIN CHARLES A. RICHARD
CAPTAIN CYNTHIA M. THEBAUD
CAPTAIN BRAD WILLIAMSON
CAPTAIN RICKY L. WILLIAMSON

HOUSE OF REPRESENTATIVES—*Tuesday, May 8, 2012*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 8, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

LINCOLN HIGH SCHOOL AND TRUCK EXCISE TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, last week an outstanding group of young men and women from Portland, Oregon's Lincoln High School placed first in the ''We the People Competition,'' a contest sponsored by the Classroom Law Project. It is an extraordinary program that allows young men and women to dive deeply into the constitutional process, the legislative process, and understand what it all means for contemporary America in an all-too-often dysfunctional political arena.

Over the years, it's been my privilege to work with instructors and students on these programs, to have watched them prepare, particularly in Portland High Schools Lincoln and Grant that have vied for the State title for more than 2 dozen years, and of course the national contest as well.

This is testimony to a dedicated core of teachers and citizen volunteers, often prominent judges and lawyers, and alumni of the program who continue their involvement long after they cease to be students. A special shoutout this year to Lincoln instructor Tim Swinehart, local attorney Steve Griffith and his volunteer team, and the extraordinarily supportive principal, Peyton Chapman.

As I met with the Lincoln team earlier this spring in preparation for the national championships, it was clear to me that this was a stellar team even by the standards of this terrific program. That they won this year with a team largely composed of sophomores makes it all the more an extraordinary accomplishment. I would willingly grant them voting privileges here in Congress. They actually would fit right in and I think do an excellent job.

I urge my colleagues to become acquainted with their local high school constitution competition. I hope the day will come when Congress again gives the financial support to the Classroom Law Project for the civic education that today is so important and so critical to preparing students to participate as citizens. You, like me, will feel better about the future of the Republic because of the result.

One way Congress could honor the hard work of the young people who are the future of our country would be for us to get down to business in enacting legislation that improves the country they will inherit. One piece of legislation all teed up and ready to go is H.R. 4321, the Heavy Truck Fairness Act of 2012, that I've been working on for a number of years. I have been pleased to introduce it in this Congress with my friend and colleague, JIM GERLACH, from Pennsylvania.

This legislation would be deficit neutral, according to the CBO. It would convert the current 12 percent excise tax on heavy trucks and trailers in a revenue-neutral way with an equivalent increase in the truck fuel tax. One of the immediate benefits would be to provide stability to a highly volatile revenue source for the highway trust fund. This large, upfront 12 percent tax on new trucks and equipment is highly sensitive to changes in technology requirements and the economy. Replacing it instead with a slight increase in the fuel tax for the industry would smooth out the revenues for the Federal Government, while it would remove a huge disincentive for upgrading equipment for America's trucking fleets.

It would represent a significant increase in business for the people who manufacture this equipment because it would remove a 12% financial disincentive. It would provide extra American manufacturing and sales, like at a local freightliner truck manufacturing facility in my district. It would allow people who operate a fleet of any size, whether a one-truck operation or a large national trucking company, to reduce their costs with newer, more fuel-efficient engines that would reduce day-to-day maintenance, and reduce fuel costs. They would break down less often, and they would also produce less air pollution and fewer carbon emissions. It's hard to think of something that would be a better expression of our responsibility to boost the American economy, save energy, reduce emissions, and benefit so many people—from those who manufacture, to those who sell and service, to the people who operate, and, yes, the customers of America's fleet of trucks. Everybody benefits, and we end up with a highway trust fund that is more stable and predictable over time.

I sincerely hope that this is a provision that can find its way into law this year, maybe as early as the transportation conference committee, or in the elaborate dance that will surround the treatment of the expiring tax provisions later this year. Whatever the legislative vehicle, we ought to make the vehicles in America's fleet less expensive and more efficient.

NATIONAL TEACHER DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MEEHAN) for 5 minutes.

Mr. MEEHAN. Mr. Speaker, I rise today in celebration of National Teacher Day and to say thank you to the many who dedicate themselves to the education of our children. I suspect there's not a person in this body that can't think back to a teacher who made a significant difference in their lives.

I call attention, as well, to two particularly well-performing schools in my district. Just the other day, I had an opportunity to visit one of them, the Rose Tree Elementary School in Media. The other is the Coebourn Elementary School in Brookhaven. Both of those schools have been recognized because they have been named National Blue Ribbon Schools for 2011.

Yesterday, while visiting the Rose Tree Elementary School and talking with the children and the bright faces,

the attention from the kids really riveted me because they were really listening. I spoke with the amazing educators, staff, and students at this Blue Ribbon ceremony.

Now, the Blue Ribbon is one of the most prestigious awards our Nation gives for educational excellence, and Rose Tree Elementary is certainly most deserving. The Rose Tree students have attained 100 percent proficiency in science for 3 consecutive years. I got a chance to visit some of the classrooms and to watch and to see how they engage the children, not just in the science but, once again, develop the creativity so that the kids were using the lessons that they learned in practical ways.

In 2010, the school was also ranked number one in Pennsylvania in writing. I want to focus on that as much too because I was impressed not just by the reading level, but the fact that the students were listening, comprehending, and then re-expressing themselves. The skills developed at that level are going to last a lifetime.

The school is led by Karen Daugherty, one of seven principals in the entire country to receive national recognition for her commitment to educating children by overcoming challenging circumstances. I commend Ms. Daugherty and all of the 2011 Terrel H. Bell Award recipients.

I encourage the communities of Brookhaven and Media to join me in recognition of their Blue Ribbon schools. And further, Mr. Speaker, I call on all Americans to take some time today to thank a teacher for making a difference in their lives.

□ 1010

REPUBLICAN RECONCILIATION RUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, America has always been a nation of diverse cultures, but when faced with disasters, we come together in recognition of our shared values. From World War II to 9/11 to Hurricane Katrina, Americans came together when needed.

That's why it's so sad to see House Republicans draft a budget reconciliation bill that carries dangerous implications for millions of Americans and will fundamentally erode our shared values.

Of course, this is nothing more than political theater because authorization for budget reconciliation has to pass both the House and Senate, which it hasn't. But that hasn't stopped the House Republican majority from trying to deem it to be so. Therefore, the Republican majority has directed six House committees to use this reconciliation ruse to find drastic and damaging investment cuts, not to reduce the deficit, mind you, but to prevent any cut in military spending which they originally agreed to and to give the richest 1 percent yet another big tax cut.

Last year, Congress agreed, in a bipartisan fashion, after the majority brought us to the brink of default, to cut $2.1 trillion from Federal deficits, establishing automatic cuts designed to be universally painful to encourage us to reach an agreement on a long-term deficit reduction proposal that more equitably spreads the burden.

A bipartisan majority of the supercommittee, including every Senate Republican, did come up with just such a plan to put everything on the table—spending cuts, revenue increases, entitlement reform—but it needed a supermajority; and, sadly, every Republican House Member on that committee voted ''no,'' which leaves us where we are today: facing damaging automatic cuts to defense and nondefense spending.

But Republican reconciliation ruses won't stop the automatic cuts to the Nation's seniors and disadvantaged. It doubles down on the pain.

The Republican reconciliation ruse literally takes food out of the mouths of needy children and senior citizens. It eliminates social services block grants providing assistance to States and localities across the Nation to serve millions of disadvantaged Americans. It ends the Meals on Wheels program for 1.7 million seniors. It guts the Supplemental Nutrition Assistance Program, formerly known as food stamps, that serves 46 million of our fellow Americans every month. Under their plan, 1.8 million people would lose the most basic of assistance. In addition, 300,000 low-income children lose their free and reduced lunches at school.

This reconciliation ruse once again singles out Federal employees for ever more sacrifices. Federal workers already have contributed $60 billion to deficit reduction through a 2-year pay freeze. They've contributed another $15 billion through recent changes to their retirement system. The Ryan budget demands an additional 3-year pay freeze. The new proposal goes further and cuts paychecks by 5 percent to shift more of the burden to employees. This draconian measure would add another $79.8 billion in the sacrifice put on the backs of Federal workers, more than double the $75 billion they've already made.

The reconciliation ruse actually will increase health care costs for millions of American families. It eliminates tax credits that help lower-income families maintain affordable health insurance premiums. In fact, 350,000 people will actually lose their health insurance with their plan.

Of course, Mr. Speaker, the one glaring omission in the Republican reconciliation ruse is, not surprisingly, revenue. While millions of lower- and middle-income families are being forced to sacrifice, what do Republicans ask of the wealthiest 1 percent? Nothing.

Over the last 4 years, oil and gas companies made a profit of $290 billion. Private companies should make profits, and it's a good thing. But in that same time frame, they lobbied to keep their $16 billion in tax breaks, representing less than 6 percent of their profits, but it sure would make sure a lot of hungry kids go to bed with full bellies at night.

The Ryan budget actually seeks to cut the top income tax bracket from 35 percent to 25 percent. Who pays the current top tax bracket? Those making more than $388,000 each year. Not only are they not asked to join in any of the shared sacrifice, but they're actually offered a new Christmas present early, just for them.

Mr. Speaker, it's time to call the Republican budget plan what it is: an outright attack on American values. How else do you explain shifting the burden from partisan priorities entirely to the middle class and those who are less fortunate? That's never been an American value.

I urge my colleagues to reject this ruse, to reject the reconciliation process, and to work toward a comprehensive and responsible and bipartisan deficit agreement reflective of our Nation's values.

YUCCA MOUNTAIN NUCLEAR WASTE DISPOSAL SITE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, before I talk about Yucca Mountain, let me just respond to my colleague from Virginia.

Since 2002, food stamps have increased 267 percent, and this reconciliation bill will cut, I think, about 3 percent. Again, since 2002, food stamps have increased 267 percent.

The Senate has not passed a budget in 3 years, so it's very difficult to admonish the House on the budget process when the Senate still has yet to pass a budget.

And what we're really concerned about is the hollowing out of our military force. If the sequestration goes on as planned, we'll have the smallest Air Force in the history of this country that we've ever seen before the Air Force was enacted, the smallest Navy since, I believe, 1915, and a huge decrease in our standing force. That's what the debate is about, and I look forward to having that chance on the floor.

As the chairman of the Environment and the Economy Subcommittee, one of my jurisdictional responsibilities is

high-level nuclear waste. I've come to the floor numerous times to explain to you, Mr. Speaker, the various locations that we store high-level nuclear waste and compare it to where, by law, we should.

By law, we should, based upon the 1982 Nuclear Waste Policy Act and an amendment in 1987, we should be storing it underneath a mountain in a desert. So let's compare that location to a place in Perry, Ohio.

Perry, Ohio, has 452 metric tons of uranium of spent fuel on-site versus zero at Yucca Mountain. The waste is stored aboveground in pools and casks. The waste would be stored in Yucca Mountain 1,000 feet underground.

The waste at Perry would be 12 feet above the groundwater. At Yucca Mountain, it would be 1,000 feet above the water table. And at Perry, it is located on Lake Erie, 35 miles from Cleveland, where Yucca Mountain, the waste is 100 miles from the Colorado River and probably 100-or-so-odd miles from Las Vegas, Nevada.

Clearly, in a comparison and contrast, if you want a safe and secure location—of course we also own the land around Yucca Mountain—clearly, it's easy to determine that Yucca Mountain is a much safer place than on one of our Great Lakes.

So then I talk about, well, have the Senators addressed this in their past? Because the reason why we're not moving forward on Yucca Mountain is Majority Leader REID has stopped it, along with President Obama.

Well, Senator BROWN, when he was a House Member, voted for Yucca Mountain in 2002. So did Senator PORTMAN. Both are Senators from the State of Ohio right now.

Senator MITCH MCCONNELL has stated, and so he supports Yucca Mountain:

> When it comes to nuclear energy, we have seen this administration abandon plans and millions in taxpayer dollars before without much consideration of the consequences. Take, for example, its unwillingness to follow through on the nuclear storage site, Yucca.

We've already spent about $15 billion at Yucca Mountain, and Leader MCCONNELL is addressing that issue.

Senator PAUL, so far, has been silent. We hope that he comes out with a stated position.

So what does that do to our tally of where Senators are? And we've reached over the 50-vote mark, based upon our analysis of past statements and past votes. With 51 Senators who would vote ''yes,'' that would be a simple majority if the Senate moved by majority standards. Nineteen are undecided—Senator PAUL is our recent add—and 20 who identify, based on their past statements, having voted ''no'' or have made statements in opposition to Yucca Mountain.

Why is this important? It's important because we've spent over almost three decades now trying to find a safe, secure location to store high-level nuclear waste. With the Japanese event of last year, Fukushima Daiichi, and the debate on containment vessels and high-level nuclear waste, it is time now to move public policy, or the other body needs to impress upon Leader REID that it is imperative for this country to have a centralized location.

□ 1020

With these 51 and, hopefully, more that we will identify in the next couple of weeks, we will have close to a 60-seat identification to say it can stop a filibuster, it can stop the majority leader, and it can move to do what we all know is in our best interest: to finally gather up in one centralized location our high-level nuclear waste.

RESOLUTION SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Allow me to say happy Teachers' Day to every teacher and also to say that it is an honor and privilege to offer a resolution recognizing National Nurses Week, which is May 6 through 12. This year's theme is ''Nurses: Caring, Leading, Advocating.'' Since 1994, National Nurses Week has served as an opportunity to recognize nurses for their hard work, patience, and service, as well as for their contributions to improving our Nation's health care system.

Throughout my career as a registered nurse, I've had no greater privilege than to provide health care to those who have courageously served our country. As a former chief psychiatric nurse at the Veterans Administration Medical Center in Dallas, I know firsthand the importance of providing quality care to those coming home from war. Through Joining Forces, which is a health care and treatment program for military personnel that was recently launched by the Obama administration, more than 500 nursing schools and 150 nursing organizations will work together to ''meet the unique health care needs of servicemen and -women, veterans, and their families.''

Nurses provide an invaluable service on a daily basis in settings such as hospitals, clinics, schools, workplaces, correctional facilities, and through their service in the military and during natural disasters. With over 3 million strong, nurses comprise the largest sector of the health care workforce, and year after year, nurses are voted the most trusted of all professionals. For the 12th time in 13 years, in a Gallup survey, nursing ranked first for honesty and ethical standards in 2011.

While our country shifts toward a nationwide focus on prevention and promotion, I believe it is the nurses who should stand at the forefront of this reformation. Mr. Speaker, nurses save lives, provide critical care, and advocate on behalf of their patients 52 weeks a year. They deserve more than 1 week of recognition for their tireless work within health care.

I want to thank my many congressional colleagues who cosponsor this bill in honoring nurses. My colleagues Congresswoman LOIS CAPPS and Congresswoman CAROLYN MCCARTHY are also nurses. They have worked with me to promote this resolution, and they are champions of the nursing profession.

This week, remember to thank nurses for the admirable and selfless contributions they make to our community.

HOW ABOUT WE STOP BEING STUPID?

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the President of the United States traveled to Afghanistan last week to sign the Strategic Partnership Agreement with President Karzai, and while this agreement is intended to signal the beginning of the end of the Afghanistan war, instead it actually looks like it could lock the United States into a military commitment for years to come.

The agreement calls for our Armed Forces to be involved beyond 2014 in the ''training, equipping, advising, and sustaining'' of Afghan security forces so that Afghanistan can combat terrorism and ''secure and defend itself against internal and external threats.''

The irony in that statement, Mr. Speaker, is rich. When are we going to realize that the internal threats facing Afghanistan gather more strength with every day that American boots are on the ground? Insurgents are energized and animated. They bolster their recruitment and increase their numbers because of their resentment over a U.S. military occupation that is now in its 11th year—11th year. We will not bring stability to Afghanistan until we fundamentally alter our bilateral relationship to emphasize peaceful, civil engagement over military engagement. The good thing about this Strategic Partnership Agreement, however, is that it does include provisions relating to democracy promotion, economic development, and assisting in the reforming of the Afghans' governing institutions. These programs need to be the centerpiece of our Afghan strategy, along with major investments in development aid across the board.

The war won't truly wind down until the White House commits—I mean

commits—to spending more on diplomacy and more on development and reconstruction than they're spending on the military occupation. We need a dramatic shift in resources—more to rebuild Afghan infrastructure, more to fight poverty, more to reduce infant and maternal mortality, more to send children, especially girls, to school. As long as we maintain a military presence in Afghanistan, as long as fighting is the focal point of our relationship, we will be preventing and undermining the important humanitarian work that needs to be done.

Mr. Speaker, investing in the Afghan people is not just the right thing to do because of our common humanity, it is the smart thing to do from the standpoint of our national security objectives. That's why I call my plan SMART Security. It needs to be implemented not just in Afghanistan, but in other unstable parts of the world where terrorism poses a grave threat.

Thomas Friedman of The New York Times is on board with the principles behind SMART Security. In a column last week, he talked about how a $13 million scholarship program for Lebanese students is doing a lot more to advance our values in that country than $1.3 billion in military aid to Egypt. He quotes a schoolteacher in Jordan who talks about how the former is for ''making people'' and how the latter is for ''killing people.''

What is the point of our engagement, Mr. Speaker, with the rest of the world—to make people or to kill people? That's a very important question for us to answer. As Friedman puts it:

> So how about we stop being stupid? How about we stop sending planes and tanks to a country where half the women and a quarter of the men can't read, and start sending scholarships instead?

How about we stop being stupid, Mr. Speaker? How about we make the shift to a SMART Security approach? How about we make that shift now and begin that shift with bringing our troops home?

PRIVATE SECTOR GROWTH SUFFOCATED BY HIGH TAXES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. I rise today to highlight an example of how private sector businesses grow and contribute to our society when they're not suffocated by unnecessarily high taxes, and I rise to dispel a myth that our colleagues continue to perpetuate about energy taxes.

On April 24, The Wall Street Journal ran an article calling Apple Incorporated ''the most valuable company'' in the world. Am I happy about that? Am I happy about Apple's success? You bet I am, and so are most people in the United States. Later that week, on April 28, The New York Times wrote a similar article that reported on Apple's creative but legal tax strategy that saves them billions in tax payments each year. The Times article reported ''the company paid cash taxes of $3.3 billion around the world on its reported profits of $34.2 billion last year, a tax rate of 9.8 percent.'' Comparatively, Wal-Mart paid a tax rate of 24 percent.

□ 1030

When Apple was asked for comments on their exceptionally low tax rate, they responded:

> By focusing on innovation, we've created entirely new products and industries, and more than 500,000 jobs for U.S. workers—from the people who create components for our products to the people who deliver them to our customers.

They also mentioned:

> In the first half of fiscal year 2012, our U.S. operations have generated almost $5 billion in Federal and State income taxes.

Mr. Speaker, Apple's experiences are instructive to us. First, the Federal Tax Code is too complicated. It allows only the largest companies who can afford to hire Tax Code interpreters to benefit from lower taxes. We should simplify the Tax Code by closing the loopholes and lower rates across the board to boost American competitiveness for all companies large and small.

Both history and Apple's experience underscore how increasing taxes without accompanying comprehensive reform has never and will never represent a sustainable, long-term strategy to any budgetary problems. On the contrary, cutting taxes does create economic growth, which fuels Federal revenue windfalls for reducing the deficit. These lessons should be applied to the entire Tax Code. Instead of increasing taxes on American energy producers, we should focus on simplifying the Federal code to encourage the development of domestic energy resources which, in turn, bolsters employment opportunities here at home.

Again, am I pleased about Apple's success? Absolutely. But we never hear from our Democrat friends about the low tax rates paid by companies like Apple. However, they attack domestic energy producers and ignore the simple truth that it is the American people who actually own these companies and benefit from the respective profits that they make. According to the American Petroleum Institute, mutual funds and other firms hold almost 30 percent of oil stocks; pension funds hold 27 percent; individual investors hold 23 percent; 14 percent is held in individual retirement accounts; other institutional investments hold 5 percent; and corporate management holds just 1.5 percent.

Despite what liberal Democrats would have you believe, increasing domestic energy production not only helps lower prices and produce jobs; it also helps boost stocks, mutual funds, IRAs, and pension funds owned by millions of Americans.

Democrats constantly talk about subsidies to oil and energy companies. Our energy companies don't receive any subsidies. That is a myth that they perpetuate. Solyndra got a subsidy—lots of these new energy types get subsidies—but not the traditional energy companies. It's time that we as government officials get out of the way. Instead of increasing the bureaucracy and red tape, we need to focus on creating an environment for American private sector businesses to better compete in the global marketplace and give back to local communities in the form of jobs rather than sending more money to the Federal Government.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 35 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

We thank You once again that we, Your creatures, can come before You and ask guidance for the men and women of this assembly.

Send Your spirit of wisdom as they enter into a difficult week and consider the appropriations needed for so many agencies charged with administering the various functions of government serving the citizens of the United States.

Please keep all the Members of this Congress and all who work for the people's House in good health, that they might faithfully fulfill the great responsibility given them by the people of this great Nation.

Bless us this day and every day. May all that is done here this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. PITTS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. PITTS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

BABY PILLS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, on the back of today's Wall Street Journal, which I have in my hands, is featured a shocking story about pills coming from China containing human flesh. South Korean authorities intercepted tens of thousands of capsules and confirmed that they were composed of ground up pieces of aborted fetuses and were marketed as ''stamina boosters.''

This horror again reiterates why we should be concerned with pharmaceuticals coming from mainland China. These human flesh capsules are both abhorrent and a threat to health, possibly containing superbacteria. It is revolting to discover that there are individuals in China who will attempt to pass off such an abomination as medicine.

The Journal goes on to note that it was just last month that regulators cracked down on pills from China containing high amounts of chromium, a known carcinogen. Today's grim news reminds us to be vigilant in protecting the safety of our drug supply chain and to carefully monitor health products coming from China. These pills are a terrible affront to human dignity and a serious danger to health.

STUDENT LOAN INTEREST RATES

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, unless Congress acts, millions of students will see their student loan interest rates double from 3.4 percent to 6.8 percent on July 1 of this year. This issue is important to students, parents, teachers, and businesses all across my home State of Rhode Island. It will result in more than 43,000 students paying more than $34 million in additional interest costs. We must act on this issue.

But some in this Chamber have put partisanship ahead of good public policy and propose extending these rates by cutting funding for preventative health care. Today the Senate will be voting on cloture for a bill that would extend low-interest student loans by closing a tax loophole. I would like to especially thank my State's senior Senator, JACK REED, for his leadership in highlighting this issue on the Senate side and making sure that Congress acts in the best interests of working families.

I urge my colleagues in the House to reconsider their course of action and to not propose a false choice between the welfare of our young people and public health. We owe it to our young people to ensure that we prevent these rates from doubling.

SALUTE TO THE 150TH HERITAGE CELEBRATION OF THE GREAT FREDERICK FAIR

(Mr. BARTLETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT. Mr. Speaker, I rise today and urge my colleagues to join me in saluting the 150th Heritage Celebration of what is now known as the Great Frederick Fair of Frederick County, Maryland. I have been attending it now for a third of its life, for 50 years. It will take place May 19 and 20 at the E-ventplex at the Frederick Fairgrounds.

Our Civil War and influenza outbreaks were among the events which precluded consecutive exhibitions since the inception of the first fair with competitions and exhibitions of livestock and other entries organized by the Frederick County Agricultural Society in 1821.

The first such event was entitled the Cattle Show and Fair and was held on May 23 and 24, 1822, at George Creager's Tavern at the Monocacy Bridge. Today the Frederick County Agriculture Society still exists, with 250 life members.

The next venture was the Farmers Club, organized on November 22, 1849, which then held an exhibition where the Maryland School for the Deaf now stands on October 12 14, 1853.

The present site of the Great Frederick Fair was purchased at 797 East Patrick Street in the early 1900s. Construction began in 1911 with the grandstand, which is still used today. The Great Frederick Fair is a testament to the ongoing contributions of farmers to the economy and civic life of Frederick County, Maryland. You need to come. It's the best fair in Maryland.

REPUBLICAN RECONCILIATION BUDGET BILL

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I've been a Member of Congress for almost a year now, and in that time, I don't think anyone would accuse me of not trying to be bipartisan. I enjoy my Republican friends. I like working together to get things done.

But bipartisanship does not equal silence. Budgets are a reflection of our values, and the Republican reconciliation budget bill coming to the floor this week runs contrary to everything I believe in. The Republican budget makes drastic cuts to schools, to health care, to investment in our children's future, and it also guts valuable programs like Meals on Wheels for our seniors. Yet it does not ask for a single contribution from the wealthiest among us, nor the most profitable corporations in the world.

Being a friend means being able to tell them when they're wrong, and to my Republican friends, this budget doesn't reflect who we are as a Nation. It's wrong.

□ 1210

PRESCRIPTION DRUG ABUSE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, in a devastating trend the Centers for Disease Control is calling a public health epidemic, prescription drug death rates in the United States have more than tripled since 1990. In a strange twist of fate, addictive prescription painkillers are killing our children, causing a lifetime of pain for grief-stricken parents.

This week, the parents of Michael David Israel join other parents on Capitol Hill to call for changes to prevent these tragedies. The Centers for Disease Control is recommending the implementation of prescription drug monitoring programs, State-run electronic databases used to track the dispensing of controlled drugs to patients. States must move quickly to implement this technology, and the Federal Government should support this commonsense transition to electronic medical records.

Avi and Julie Israel and other parents in Washington this week have shown amazing strength despite unthinkable sorrow. Their pain will never

be relieved, but we have an obligation to move quickly to ''Save the Michaels of the World.''

STUDENT LOANS

(Mr. COURTNEY asked and was given permission to address the House for 1 minute.)

Mr. COURTNEY. Mr. Speaker, on July 2, we will celebrate the 150th anniversary of President Abraham Lincoln's signing of the Morrill Act, a Federal mandate for every State to establish a land grant college.

What an inspiring example. In the darkest days of the Civil War, we have leaders who understood that making college a national priority was too important to be ignored. Sadly, the day before that anniversary, July 1—53 days from today—we risk breaking faith with that vision when Stafford student loan interest rates double from 3.4 percent to 6.8 percent.

For 3 months, I have put forth a bipartisan bill, with over 150 cosponsors, to permanently fix this problem. Yet all we have gotten from the Republican leadership is a Band-Aid bill that is a dead letter—cynically wiping out a fund to prevent cancer, heart disease, and diabetes to pay for only 1 year of student loan relief.

Sorry, Mr. Speaker. The American people are smarter than that. They want a real bill, paid for fairly, that helps students, not fearful politicians.

STUDENT LOAN INTEREST RATE

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, right now, student loan debt is higher than credit card debt for the first time in history. College costs are growing each year, forcing students to take out more loans to get the same education—an education that gives them the keys to the American middle class. And the Republican's response? Play political games that could result in interest rate hikes from 3.4 percent to 6.8 percent on July 1 for student loans, affecting over 7 million students, making the average graduate pay an additional $1,000 in interest payments each year if rates are allowed to double. Ohio students alone will end up paying nearly $300 million in extra interest payments over the next year.

Recent graduates have high unemployment rates and are the least prepared to deal with these increased payments. But House Republicans are content to plunge them deeper into debt while instead fighting for more tax breaks for millionaires, many of whom pay lower rates than the middle class.

It's time for Republicans to come to the table and compromise. It seems logical that Congress would not stand in the way of making college more affordable by doubling the interest rates of college loans, but the Republican Party in this House is not acting logically. What a crying shame.

KEEPING STUDENT LOAN INTEREST RATE LOW

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, when the President alerted the country that student loan interest rates would double July 1, our Republican friends called it a fake controversy, that they always intended to take care of it. Why, then, was it nowhere to be found in the Republican Ryan budget? Why do they want to pay for it with the health care funds of the parents and grandparents of the Class of 2012?

This year's class will graduate with an unemployment rate for their age group that is twice the national average. Keeping their loan rates low should be this session's no-brainer. If student loan rates go to 6.8 percent, they will be paying above the mortgage interest rates of many Americans. Treasury is borrowing at virtually zero.

Congress has not given the Class of 2012 a jobs bill. One graduation gift we can give them is the current 3.4 percent interest rate.

TEACHER APPRECIATION DAY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise in recognition of National Teacher Appreciation Day. Let us honor all of our teachers for their passion and dedication to educating America's future.

Today, I would like to recognize Mrs. Pam Krey, a resident of the district that I represent, who has dedicated her life to education. Before launching her Anaheim Union High School District career as an administrator for 25 years, she taught at all levels in the Anaheim City School District. Mrs. Krey has said:

> The single most important thing we can do for our students is to create a place for high levels of learning that is safe, caring, and focused on developing the academic and social skills that can take them to whatever their goals and dreams may be.

In addition to serving as principal, Mrs. Krey also served the community of Anaheim in Orange County. She's an active member of the Anaheim Police Chief's Advisory Board, the Cops 4 Kids Board, and Youth Leadership of America. She has received numerous awards throughout the years, including Teacher of the Year, Special Education Friend of Education, the Outstanding Contribution to Education Award from the Orange County Department of Education, and Disney's Community Services Award.

Mrs. Krey will be retiring at the end of this academic year as principal from the very school she attended as a teenager.

I encourage everyone to thank their teachers today.

REPUBLICAN BUDGET

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, Democrats are committed to reducing the deficit in a balanced way. In contrast, Republicans will bring up a bill this week that breaks our bipartisan agreement, erasing the hard work on both sides to reach compromise. This was the agreement that resulted in us allowing to raise the debt ceiling and put in place the supercommittee that could have reached a more balanced approach to budgeting, with both revenues and budget cuts. But my Republican colleagues rejected increased revenues that were needed.

This wasn't simply a gentleman's agreement that was arrived at that will put in place sequester. This compromise was signed into law as our pledge to each other and to the Nation to work together to solve our most challenging issues.

Republicans are reneging on that agreement. They've decided that cutting the programs which would help heat my constituents' homes, put food on their tables, and send their children to college is the right approach to rebuilding a strong economy. They've decided that denying health coverage to thousands of Americans is better than repealing tax cuts to millionaires. They've decided that going it alone is more important than working with Democrats.

Democrats have a plan to put our fiscal house back in order. It's been 500 days since the GOP took over and we're still waiting for theirs. We can do better, and I urge them to work with us.

HOUSE REPUBLICAN BUDGET RECONCILIATION PACKAGE

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, once again, Republicans are going to pass a budget reconciliation that gives tax breaks to the wealthiest Americans, Big Oil, and companies that ship American jobs overseas.

The Center on Budget and Policy Priorities says that this Tea Party budget that gives away $3 trillion would provide those making over a million dollars a year with an average tax cut of $394,000 a year.

And how do the Republicans pay for this little bonus? Well, Mr. Speaker, they do it by ending the Medicare guarantee and balancing their budget on the backs of the middle class and America's most vulnerable: our seniors, women, and children. That means that 326,000 women will lose breast cancer screenings, 300,000 fewer children will be with health insurance, and 1.7 million seniors are going to go without Meals on Wheels.

This Tea Party budget is an embarrassment. We can all do better, and Democrats know that because we support a balanced approach that creates jobs and expands opportunities. Republicans ought to know better. Actually, Mr. Speaker, they ought to do better by honoring the American people.

□ 1220

STAFFORD LOANS IN HAWAII

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, the Senate is now debating the Stafford loan or the student loan bill—their version. And their version is better because their version pays for it by closing big tax loopholes. It requires us to now look at what the House passed. We paid for a 1-year extension by repealing the preventative health care provisions. What does that mean? It means that women and children will suffer.

For my State, Mr. Speaker, it meant that the State preventative grants will be gone, and that's what we need to prevent heart attacks, to address the concerns of, in particular, women and children and those who are in need.

But what does it mean when we let this interest rate go up? For me, it is 16,681 students, average loans of $4,000-plus, total amount of loans in the State of $67-plus million. This is going to be an additional $16 million to them. Mr. Speaker, we can do better.

NATIONAL TEACHER DAY

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, most of us remember a teacher who made us look at the world a little differently, introduced us to a new idea or changed the way we thought.

For me, that teacher was Betty Miles. For 2 years at Atherton High School in Louisville, my English teacher introduced me to an entire universe of thought and language, and I am forever grateful.

Across the country, millions of people like Betty Miles are introducing young Americans to new concepts that will stick with them for a lifetime. Their work is critical for our most fundamental national interest: to build and maintain a strong and vibrant economy and to remain at the forefront of global innovation and ideas. And their daily sacrifices on behalf of growing generations are nothing short of heroic.

Much in the way teachers change the lives of their students, their voices also shape debate in Washington. As we consider the future of public education in this country, we must also continue to hear from those on the ground to better address the challenges facing our school systems.

Mr. Speaker, today on National Teacher Day, I encourage everyone to not only thank their teachers, but to ask them this essential question: How can we do better?

OBSTACLES TO HIGHER EDUCATION

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, if we don't act within the next 53 days, what we are going to see is the student loan interest rate double from 3.4 percent to 6.8 percent for more than 7.5 million students. I understand that basically that means a student would rack up an additional $1,000 in debt each year that the student interest rate stayed at 7 percent instead of 3 percent. The fact of the matter is, we have to do something about this.

Last week during our district office week, I went to Rutgers University, Mr. Speaker, and I met with students. They were in the middle of their final exams. They reject outright this Republican idea that we should take money from women's or children's health care, from the prevention fund, to pay for this. There has got to be a better way of doing it that we must approach on a bipartisan basis. But I heard the stories at Rutgers about the students and how much debt, crushing debt, they had. Not only those who had debt from their undergraduate days, but also many students who have to go on to graduate school or law school or medical school and accumulate even more debt.

We need to address this problem immediately with regard to the student interest rate. We have got to keep it low. But we also have to address the larger issue of college affordability over the long term. There has to be more money for student loans and for grants. College affordability is something that we need to address in a major way, Mr. Speaker.

PROVIDING FOR CONSIDERATION OF H.R. 5326, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013; WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS; AND FOR OTHER PURPOSES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 643 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 643

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 614 is amended in section 2(a) by inserting ''and the allocations of spending authority printed in Tables 11 and 12 of House Report 112-421 shall be considered for all purposes in the House to be the allocations under section 302(a) of the Congressional Budget Act of 1974'' before the period.

SEC. 3. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on May 10, 2012, providing for consideration or disposition of any measure reported by the Committee on the Budget relating to section 201 of House Concurrent Resolution 112.

The SPEAKER pro tempore (Mr. MARCHANT). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS) pending which I yield myself such time as I

may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, I always look around when I hear the Reading Clerk reading the rule because I can't tell if folks are glossing over or if they are excited about it, like I am. If you paid close attention to the Reading Clerk this morning, Mr. Speaker, you're excited about it. You're excited about it because we're here to do the first appropriations bill of the FY 2013 cycle. Now, Mr. Speaker, as you know, there is about two-thirds of the budget that is the mandatory spending—that budget that gets spent whether Congress shows up to work or not. It's just money that gets borrowed from our children and goes right out the door.

This one-third of the budget, the discretionary spending side, is the part that doesn't go out the door unless the House comes together and passes a bill, sends it to the Senate, and gets the Senate to pass a bill, and it goes to the President's desk for signature. This is the first of those bills that we're going to have a chance to do in this Congress. And as we began the year last year, we are going to begin the year this year—with an open rule.

Mr. Speaker, as you know, an open rule allows any Member of this body to bring any idea that they have and offer it as an amendment to the underlying bill. You don't have to be a high-ranking Republican to get an amendment to this bill. You don't have to be a senior Democrat to get an amendment to this bill. You just have to be a representative of constituents back home, and you can show up on this floor and have a say. This is going to be Congress at its best, Mr. Speaker. When you hear it read, it sounds like a lot of legalistic mumbo jumbo, but when you see it in action, it is this House as our Founding Fathers intended this House to be.

This is House Resolution 643, Mr. Speaker, and it is an open rule for consideration of H.R. 5326, the fiscal year 2013 Commerce-Justice-Science appropriations bill.

You know, last year, Mr. Speaker, we only got through 6½ of the appropriations bills in this House before it became apparent the process was going to break down, and we went to a minibus to finish the deal. But we considered 350 amendments—350 different ideas, Mr. Speaker—350 lines that came from the body right here that said we have a better way than what the committee has reported to us.

□ 1230

Now, this is a special day, as my colleague from Florida knows, because this appropriations bill passed out of subcommittee by a voice vote—a voice vote. Democrats and Republicans came together in subcommittee, passed this bill, and sent it on to the full committee where, again, Mr. Speaker, Democrats and Republicans came together to pass out of full committee this bill on a voice vote, and now we bring it to the House floor today. Goodness knows, we may be able to pass this rule on a voice vote, I say to my colleague from Florida, and perhaps the underlying legislation as well. This is the House working as the folks back home intended the House to work.

Now, this is funding for the Commerce Department, Mr. Speaker. All of those programs intended to grow jobs in this country, to promote trade in this country, Commerce Department, funded under this bill. This is the bill that funds the Justice Department, funds our U.S. Marshals, funds our FBI, funds those parts of our society that we know need special attention, Mr. Speaker, in these difficult times.

This is the bill that funds NASA, Mr. Speaker. This is the bill that funds the National Science Foundation. This is the bill that funds the U.S. Trade Representative and the International Trade Commission. Mr. Speaker, I will quote the subcommittee chairman, FRANK WOLF, who said:

> This legislation builds on significant spending reductions achieved in last year's bill while continuing to preserve core priorities. Those priorities continue to be job creation, fighting crime and terrorism—with a focus on cybersecurity—and boosting U.S. competitiveness through smart investments in science. This bill makes job creation a priority by maintaining and expanding manufacturing and job repatriation initiatives.

Mr. Speaker, these are tough times. I don't know if you've seen all the young people outside this Chamber today, Mr. Speaker, folks in town with their schools, folks in town visiting Washington, D.C. You know, 40 cents out of every dollar that this Chamber spends, Mr. Speaker, we borrow from those children. We heard lots of 1-minutes this morning about the student loan program. Of course, every penny that goes out the door is a penny that we borrowed from the next generation of Americans.

This bill, passed out of subcommittee and full committee on a voice vote, represents a 1-percent reduction from the President's request in this title. A lot of folks in this body would like it to be more than 1 percent. I suspect we'll have some amendments on this floor during this wonderful open amendment process that will in fact try to change that number to be greater than 1 percent. But what folks came together to say is these are priorities for this country. These all are important funding priorities that only the national and the Federal Government can do. So we want to fund those in a responsible way that both focuses on not borrowing from the next generation, but still maintaining important core priorities that I think we would all agree are important to this Federal Government.

Mr. Speaker, with that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume. And, again, I thank my friend and colleague, Mr. WOODALL, for yielding me the customary 30 minutes.

I also appreciated his comments about the fact that we are borrowing from the next generation. I gather that the previous generation borrowed from us. I don't know when the borrowing stops, but at least that seems to be the way of the world until we get to a point where we can be self-sustaining, as rightly we should be.

This rule provides for consideration of Commerce-Justice-Science appropriations for fiscal year 2013.

Many of my Republican colleagues have been patting themselves on the back for the open rule associated with this bill. They claim that this effort demonstrates transparency and their commitment to regular order. Putting aside for the moment whether a single open rule in 304 days makes for an open legislation process, the fact is that now the Republicans are using this rule to correct a mistake they made in their previous effort to deem and pass the Ryan budget.

It seems, Mr. Speaker, that the deem and pass didn't work the first time around. It was supposed to break the spending agreement made by my friends in the Republican Party in the Budget Control Act, but they bungled that effort a couple weeks ago and now have to try to go back on their word. It seems to me that if you're going to break an agreement that you made in good faith, you ought to get it right the first time. Doing this twice just calls attention to what little regard there is for bipartisan cooperation and agreement.

I heard my colleague, Mr. WOODALL, comment about this coming out of the subcommittee and the committee by voice vote, and there is no disagreement in that regard. I guess to some that is to be a commendable effort. But he also suggested that we may very well, if we were to choose, carry this on voice vote. I would disabuse him of that notion. That is not going to happen. The deem and pass was wrong the first time around, and it's still wrong the second time around—and shouldn't have been placed in here—and it will be wrong the third, fourth, and however many more times around there are, in spite of open rules, if you put it in it, until the Republicans have repudiated every last promise they made.

If breaking the Budget Control Act agreement wasn't enough, the Republican majority is also using this rule to silence Members on the upcoming reconciliation legislation being considered by this body later this week. Rather than using regular order—and I stick a tack in that to compliment my colleague on the Rules Committee, who does believe and has made it manifestly clear that he believes in regular

order—but rather than using regular order to debate the merits of breaking their promises, Republicans are imposing martial law to prevent Members from properly considering the legislation and having their say.

Forcing same-day consideration—that's what we mean when we say ''martial law''—of the legislation simply reinforces the majority's intent to use this legislation for partisan gain. Instead of working with Democrats on a bipartisan process, Republicans want to jeopardize funding for essential government programs so they can both go back on their agreements and force the House to consider the legislation sight unseen.

This is an unfortunate situation because Democrats would have been pleased to support this open rule. Had the Republicans followed regular order, Democrats would support this rule; and I, for one, would argue that we should do so by voice if it had been that way. If the Budget Committee Democrats end up taking the entire 3 days that they are entitled to under the rules of the House before they finish their views, we could consider the reconciliation bill on Monday instead of Thursday.

This is no way to run a budget process and no way to conduct the business of the House. I'd be amused at the Republicans' failed efforts here, Mr. Speaker, except that I'm dismayed to point out that millions of Americans depend on the programs considered under the appropriations process.

An agreement was made with the Budget Control Act, and under the agreement the Republicans promised certain levels of funding for essential programs. That funding is now in jeopardy because the majority wants to spend time trying to go back on what they promised. Let me remind this body that the House and Senate both passed the Budget Control Act. The Senate has not passed the Ryan budget.

□ 1240

And deeming and passing does nothing but force this body, as I say all the time, to pretend that the budget, as offered, is in effect.

As I said in the Rules Committee when the Republicans tried to do this the first time around, if we're going to pass legislation that pretends things exist, then I guess we don't need either the Senate or the President of the United States since we can just pretend that the laws have passed when, in fact, they have not.

I don't have my copy of ''I'm Just a Bill,'' and my colleague wasn't here when I read it in committee at one point in time, but I'm pretty sure it doesn't mention that the way to pass legislation is to first pass one agreement and then try twice to pretend it never happened.

I don't know what that looks like in a cartoon version, but probably less like ''Schoolhouse Rock'' and more like Wile E. Coyote falling straight off a cliff, because if we're going to get out of the business of reality and into the business of pretending, let's just pretend that every American has a job, that every student can go to college, and that no child goes to bed hungry. Let's pretend that the billions we wasted on unnecessary wars were, instead, actually invested right here in the United States of America. Let's pretend that Thanksgiving is in June and Christmas is in July and the election season is over and the deficit is gone.

And since we've now pretended that everything is fine in our great country, let's go tell all of the unemployed, the middle class, the hungry and the poor that their problems aren't real. Or better yet, let's just pretend those people don't exist, because that's exactly what I believe the majority's budget does.

Rather than using the power of the Federal budget to lead this country into a new era of economic growth, Republicans want to cut taxes for those that are wealthy among us, including those of us that serve in the House of Representatives, cut services for everyone else, and then feel like they've set the country on the right track.

Instead of spending our time debating the merits of the appropriations legislation before us, we're, again, trying to convince the majority to stick with the promises they made in the first place.

Rather than uniting in bipartisan fashion to support an open and transparent legislative process, Republicans are using partisan gimmickry to silence debate.

Rather than debating this legislation under the Budget Control Act, we have to debate whether the Republican majority should even have to keep their promises.

And rather than considering whether the inadequate levels of funding in this legislation, particularly in certain arenas—let me use one: the COPS program that I thought it was wrong when Democrats cut that program, and I think it's wrong now that Republicans are talking about less money for a program that all of us know is desperately needed in our various communities.

We have to consider doing more for struggling Americans, and we have to consider whether we ought to be cutting even more, as my colleagues would have it.

I reserve the balance of my time.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I'll tell you, I don't actually prepare remarks when I come down here to sit opposite my friend from Florida, because I always know his opening statement is going to be that line by line by line that reminds me of absolutely everything that I want to say. And generally speaking, it reminds me of absolutely everything I'm proud of, and sometimes things that my friend from Florida wishes had not happened.

You know, folks ask me back home, Mr. Speaker—I'm a freshman here. They say, ROB, what have you learned in your first term in Congress? And I say, What I have learned is that when you watch the House floor on C–SPAN, it looks like theater. And what I've learned is that the comments from my friends on the other side of aisle, it's not theater at all, it is heartfelt belief in absolutely every word that comes out of their mouth. And that's instructive, because if it were theater, we could go into a dark back room somewhere and try to sort it out around the edges. But when it's heartfelt belief about what direction we ought to take this country, it requires the full and open hearing that we give it here on the House floor.

Mr. Speaker, I don't know if you were here for the deem and pass of the budget several Congresses ago before I was elected, but the gentleman's absolutely right. Deeming a budget as being passed by both Houses of Congress is a terrible way to run this institution. He is absolutely right.

Now, I'm proud that he and I did not shirk our responsibilities. We passed a budget here in this House under yet another open process. We asked any Member of this House that had an idea about what the budget ought to look like in this country to bring that budget to the floor of this House and we'd have a vote and a debate on it. And we did, and we passed a budget here in the House of Representatives.

Now, sadly, our friends on the Senate side have chosen for the 3rd year in a row not to pass a budget. And I would say again, those areas on which we agree, Mr. Speaker, the gentleman's absolutely right. In the absence of actually having a budget that has passed the Senate—and not just because they haven't passed one, Mr. Speaker, but because they have said affirmatively and apparently with some pride they do not plan on passing a budget. So what's the responsible body here on the other side of the Capitol supposed to do? Well, what we said is we need to move forward with our appropriations process, and so we are going to move forward under the budget that has passed this entire U.S. House of Representatives.

Now, the truth is we did that in a rule a couple of weeks back and we got it wrong. This is not the first time we've had to make up for the Senate's mistake. You would think, as often as we've had to take up for those folks,

we'd have figured out how to do it right. But sadly, we didn't get it quite right, and I hope we don't get into the habit of getting it right. I hope we get into the habit of actually passing a budget over there, bringing a budget to conference, and having a budget that controls all of Capitol Hill.

But in an effort to make up for what's not happening there, we did absolutely, in this rule that's before us today, Mr. Speaker, specify that the caps that we created, the 435 of us created in the budget that we passed, will be the caps that regulate the activity that the 435 of us engage in for the rest of the year. And I welcome the Senate to join in that debate.

You know, to be fair to my colleague from Florida, we just see the Budget Control Act differently. I think we both voted for the Budget Control Act last fall. I viewed it as budget caps. In fact, if you open up the legislation, it says budgetary caps. And when I read the word ''caps,'' Mr. Speaker, what I see is you can't spend any more than that. I was never under any illusion that I was obligated to spend absolutely all of it.

And, candidly, I think that's one of the issues we have here in this body, Mr. Speaker. You may hear other speakers come down here today on the other side of the aisle who believe exactly that, that because we signed an agreement with the President that we would not spend a penny more than $1.047 trillion this year that we are, in fact, now obligated to spend every single penny of that $1.047 trillion.

As we talked about, 40 cents out of every dollar that we spend in this town, Mr. Speaker, is borrowed, borrowed from our children, from our grandchildren. Forty cents out of every dollar is money that we do not have but we are borrowing against the next generation's prosperity to spend on our priorities today.

My friend from Florida brings up the COPS program. The COPS program is a neat program, provides dollars to local law enforcement agencies to help them succeed in their local law enforcement mission. But the clever little secret that sometimes we don't talk about, Mr. Speaker, is that my community back home takes all the tax money out of their pocket and they send it to Washington, D.C. We don't have access to any money in my part of the world, my little Seventh District there in northeast Georgia. There's no money that we get back that we didn't send in to begin with.

We can prioritize those local priorities locally. We can control those outcomes locally. Forty cents out of every dollar we're borrowing. Not one budget.

I mentioned earlier, Mr. Speaker, that in this open process we allowed every Member of Congress to bring any budget they wanted to the House floor for debate and consideration. Not one of those budgets, not one, balanced next year. Not one. Not one budget. And some of the brightest leaders I hope that our Nation has to offer, Mr. Speaker, sit here in these chairs in this body, and not one of them had a proposal for how to right this ship next year. Not one.

So the question is: What, do we just quit trying? Do we just quit trying, Mr. Speaker? Do we just concede that the economic security of this Nation is just going to drip, drip, drip away with deficit spending year after year after year? Are we going to concede that the 50 percent increase in the public debt that's occurred over the last 4 years is just the way it's going to be; that's a pattern that is going to continue, instead of a pattern that needs to be stopped?

□ 1250

But here is the good news. I have heartfelt feelings on that issue, and my friend from Florida has heartfelt feelings on that issue. The rule that we from the Rules Committee, Mr. Speaker—my colleague from Florida and I—have brought to the floor today is going to open up that debate so that absolutely all Members can have their passions and feelings heard on this issue.

One more point of pride, Mr. Speaker, because I really do like coming down here on open rule days.

What we don't talk about sometimes from that Budget Control Act is that those caps—that $1.047 trillion I mentioned earlier, which is the most that we could possibly spend—that's only good from October 1 to the first week of January because that very same agreement said that in the failure of the Joint Select Committee last fall to act—and I will tell you it was quite the failure—it was going to lead to 8 percent across-the-board reductions in every single account that we're talking about here on the floor today—8 percent across-the-board reductions.

What our budget does and what our caps do is recognize that failure, Mr. Speaker, that the House representatives on that Joint Select Committee and that the Senator representatives on that Joint Select Committee did not come to an agreement on deficit reduction. Thus those caps, those 8 percent across-the-board reductions, are barreling down the road towards this institution, Mr. Speaker, and picking up speed every day.

Now, we can either tell the American people that all is well and let's go ahead and spend the maximum amount possible—but, oh, watch out; here come those across-the-board cuts that nobody planned for—or we can do the responsible thing, and the responsible thing is to plan for that contingency. I say ''contingency.'' I dare say, Mr. Speaker, it's almost a certainty that we're not going to find a way around those across-the-board cuts but that we can find a way around them with the budget that this institution passed. With the numbers that this institution passed, we can replace those revenues—replace that spending that was going to be saved with across-the-board cuts—with targeted cuts, with targeted cuts to programs that we in this body agree on.

Mr. Speaker, I didn't come to this body to do across-the-board cuts. There is good spending and there is bad spending. I didn't come to this body to use the meat ax to go after everything. I came to this body to set the priorities that my constituents sent me here to set. Far from being an abomination of the process, this House-passed budget, this House reconciliation bill that's coming at the end of this week—and yes, this first appropriations bill, the FY 2013-cycle—is the way this process is supposed to be done.

I rise in strong support of this rule, Mr. Speaker, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I am going to offer an amendment to the rule to make sure that we bring up the bill by Mr. TIERNEY of Massachusetts in order to prevent a doubling of student loan interest rates, which would be fully paid for by repealing tax giveaways for big oil companies.

To discuss our amendment to the rule, I am very pleased at this time to yield 2 minutes to the distinguished gentleman from California, the ranking member of the Education and the Workforce Committee, Mr. MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman from Florida for yielding.

Mr. Speaker, I rise today in opposition to this rule. This rule provides for the consideration of the Commerce-Justice appropriations, but it adds some extraneous matters, things like martial law for reconciliation. If we are going to consider other matters in this rule, we ought to be allowed, as the gentleman from Florida said, to be able to consider the question of the doubling of the interest rates of student loans.

The House Democrats, months ago, asked for this action to be taken so that interest rates would not double on students this July 1, doubling from 3.4 percent to 6.8 percent. Calls for bipartisanship were met with silence, silence, silence, and silence for months. All of a sudden, the Republicans in Congress started to understand this issue when President Obama took it to the parents and to the students of this country and explained to them what was at stake. Then, 2 weeks ago, the Republicans surprised us with a bill on the floor when they said they all now agree with it. Even though they had voted against

it 2 weeks earlier, they agreed that there shouldn't be a doubling of the student loan rates.

But what did they decide to do?

In deciding on not doubling the student loan rates, they gave the House a choice in which they would take it out on women's health, denying women early screenings for breast cancer, for cervical cancer, denying newborn infants early screenings for birth defects. That's how they decided they would pay for it.

We tried to offer a Democratic alternative, the legislation of Mr. TIERNEY of Massachusetts, which would have taken away the unjustified, unfair tax breaks to the largest oil companies in the country at a time of record profits and use some of that money to pay for making sure that the interest rates don't double, but the Republicans wouldn't allow us to offer that.

Today, what we're trying to do is to defeat the previous question so that we will be able to offer the Democratic substitute, which would keep the interest rates from doubling. We would pay for it by taking away the unfair tax cuts to the largest oil companies and not do what the Republicans did, which is to say you can have your student loan subsidy, but you're going to have to take it out of the hides of newborn infants, of children's immunizations, and of the preventative care and early screenings for women with cervical and breast cancer.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional minute.

Mr. GEORGE MILLER of California. We know that that decision, that early screening, is a matter of life and death for those women, but that was of no matter to the Republicans. Now we see today a recent poll out that suggested over half of the country supports the student loans not doubling, paying for it in the manner in which the Democrats did, as opposed to 30 percent of the country that think the Republicans are on the right track in going after women's health, children's health and children's immunizations.

So I would hope that we will defeat the previous question, that Mr. HASTINGS will be allowed to move to consider the legislation by Mr. TIERNEY, and that we can put this issue to rest so that families and students now sitting around trying to figure out how they're going to pay for the college educations of their children who have just been accepted to college or who are continuing in college can do that with the peace of mind of knowing that the interest rates won't double on July 1.

Mr. WOODALL. I yield myself such time as I may consume to say I've just gotten the sad news that our friends on the Senate side hadn't just stuck it to us by not passing a budget last year and didn't just stick it to us by not passing a budget this year, but have just stuck it to us one more time by failing to move forward on the student loan legislation there.

I don't know what to do down here, Mr. Speaker. I mean, on the one hand, my colleagues say—rightfully so—that they don't want us just running on our own down here, doing our own thing all the time, pretending as if the Senate doesn't exist. On the other hand, we've dealt with the student loan issue—we've preserved rates at their current low levels—and the Senate can't get its work done. I don't know what more we can do.

Folks are prepared to go over for a vigil outside the Senate Chamber. I want you to put me on your invitation list. I'll go by there with you, and we'll see what we can do to shake things up over there, but those 6-year term limits are not quite as effective at motivating action as are 2-year term limits here on the House side.

Mr. Speaker, this bill before us today isn't actually about student loans. You might not have believed that in listening to the last speaker. It's about the Commerce Department; it's about the Justice Department; and it's about science funding in this body. Now, the good news is we're going to be able to deal with all of these issues one by one by one.

I came to this Chamber, Mr. Speaker, in wanting to move away from the 2,000-page bills that I'd seen in past Congresses. I came to this Chamber in wanting to deal with one issue at a time, in wanting to deal with things so you didn't have to vote for all or nothing but so that you could vote for the individual items that you actually believe in and vote against those items that you don't believe in. That's the process we have today.

This is the first of a dozen different bills that are going to come down through this Chamber, and folks will be able to offer amendments line item by line item. If I didn't say it before, Mr. Speaker, I want to say it now: that that's actually what can happen here. This isn't a ''take it or leave it'' proposition today. This rule, again, I can't take all the credit for. I was actually tied up in the reconciliation markup yesterday. My friend from Florida was actually as responsible as anyone for bringing a rule to the floor that would allow every single line of the underlying bill to be considered by the 435 folks in this Chamber.

As you know, Mr. Speaker, you have a subcommittee, and that's a small group of folks who knows a lot about the issue on which it works. This is the Commerce, Justice, Science Subcommittee over there. Then you have a full committee, and the full committee has a lot of really smart people who know a lot about their topic here. In this case, that's the Appropriations Committee, the full Appropriations Committee, and, of course, they both passed that out by a voice vote.

If you're like me, Mr. Speaker, if you serve on the Budget Committee and on the Rules Committee, you don't ever get a say in appropriations spending. There are a lot of really smart guys on that subcommittee and a lot of really smart men and women on that full committee. But what about my say? What about the 920,000 people I represent, Mr. Speaker? And that's the solution that the Rules Committee brought out last night.

They said you have not gotten your say yet for the Seventh District of Georgia, Mr. WOODALL, but you will get it during this process—and not just you, but you and you and you and you. Every single Member of this House, by virtue of the fact that they were elected by American citizens back home, will have the opportunity to come to this floor and have their voices heard.

□ 1300

Mr. Speaker, this isn't a tough decision today. This is one of the proudest decisions we get to make in this House, and that is to have its membership work its will and report out the very best bill that we can, send that over to the Senate, and see what happens next.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased to yield 2 minutes to the distinguished gentleman from Connecticut, my good friend, Mr. COURTNEY.

Mr. COURTNEY. Mr. Speaker, I rise in opposition to the rule and to allow the Tierney amendment to move forward, which would allow a real solution to the 53-day ticking time bomb for college students and middle class families all across this country.

Today, literally, as we're standing here, high school seniors are getting notices in the mail about whether they've been admitted to college; students are now packing up and leaving for the end of the spring term already thinking about next year; financial aid offices are trying to plan with families about how to pay for next year's tuition; and yet what they have before them is a situation where on July 1, the rates will double from 3.4 percent to 6.8 percent.

On July 23, the President of the United States stood on that podium and challenged Congress to avoid that rate increase from going through. And for 3 months, we had a Republican majority which stonewalled this issue with no bill, no markup, no hearing. I filed legislation the day after that speech. We have over 150 cosponsors to permanently lock in the lower rate. Yet, as Mr. MILLER indicated, what we heard from the House Republicans was a bill 10 days ago which bypassed committees, nothing from the Education

and the Workforce Committee, rammed it through the Rules Committee, and paid for in the most disgraceful, grotesque fashion.

It wipes out a fund to pay for prevention of heart disease, diabetes, cancer, and early-childhood diseases. That is not a solution. The President made it clear when that scam was presented that it would be vetoed immediately. It is a dead letter. It is time for us to, yes, debate a CJS appropriations bill, which is very important. But those kids, those families need a horizon before them as they deal with one of the most exciting opportunities and challenges before them, which is how to pay for higher education.

We should defeat this rule. We should allow a motion to go forward which will defuse this ticking time bomb for middle class families all across America, push aside that joke of a bill that passed 10 days ago, and get down to the business of addressing middle class families' needs and young people's needs to help solve the problems of this country and give them the opportunity to succeed.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I actually had this conversation with some schoolchildren in my district over the break, as I'm sure everybody in this body did. They call it a break, Mr. Speaker. The truth is, it's a district work period. You're working every bit as hard down in your home State as you are here and probably harder back home.

I was talking to young people and I said, Does anybody here have a parent that just let's them eat anything they want to, drink all the soda they want, eat all the candy they want? There wasn't a single hand that went up. Apparently, parents had some discipline incorporated in the lives of each one of these children. I asked, Who thinks their parents love them? The answer was every child in that room felt loved by their parents. They didn't get everything they wanted all the time, there were limits to it, but they felt loved.

Mr. Speaker, we're in the business of spending other people's money. It's not my money; it's not my colleague from Florida's money. It is other people's money in this body. Not only are we spending every penny of the money that they send us, Mr. Speaker. We are borrowing even more. If you think about it, we talk about how we borrow 40 cents out of every dollar that we spend. What that means, Mr. Speaker, is we collect every penny that America is willing to give us, and we borrow 66 percent more. Communities back home aren't operating under that kind of funny mathematics. They understand they can only spend the money that they have. Families back home aren't operating under those kinds of funny mathematics. It's only here.

So in the case of these programs—again, student loans are in absolutely no way at issue in the underlying bill, and they are absolutely in no way at issue in this rule. But just to touch on that topic for a moment—and we had the Speaker of this House come down and give a passionate plea for votes in support of the very provision that is being discussed here today. Not only did he speak on behalf of those provisions; this Chamber passed it.

We talk about the ticking time bomb. That's the ticking time bomb in action in the Senate. This body has acted. Now, what did we do? I happen to be one of those folks who took out student loans, Mr. Speaker. So I know a little bit about the student loan process. I happened to take mine out from a private institution. We were using competition to keep the marketplace regulated in those days. Now the Federal Government is the only place you can go for a student loan. That was courtesy of my friends on the other side of the aisle. Again, it was heartfelt. They believed in their heart that it was going to be a better program if only the Federal Government ran it instead of letting private financial institutions who lend money for a living manage it.

But 6.8 percent is the below-market rate that's available for folks who borrow Stafford loan money. You may have had a Stafford loan, Mr. Speaker. Other folks out here might have had a Stafford loan. But there are two kinds of Stafford loans. There is the Stafford loan that you pay interest on after you've borrowed the money. Imagine that, you borrow the money, you pay interest on it. Then there is the Stafford loan that's called the subsidized Stafford loan. That's a much smaller piece of the pie, Mr. Speaker.

We have the loans that families have to go out and get on their own to help pay for their children's education. We have savings that folks are going out and spending on their children's education. We have grant programs that are scholarship programs all that are out there to help with education. We have the PLUS program out there, which is a loan that parents and students can take out together. Then, in addition to all those programs, we have the Stafford loans, which, again, some of them are loans you pay interest on immediately and some of them—a very small fraction of them—are loans that are subsidized while you're in school.

This conversation we're having here today is about whether or not this subsidized Stafford loan, that was over 7 percent when I borrowed it—it's 6.8 percent in normal times; but the rate was reduced to 3.4 percent by my colleagues. This conversation is about whether or not that rate should be allowed to return to normal levels.

Again I say to folks, there is no money that's coming out of anybody's pocket in this room. This is America's money, America's money that we're borrowing, that we're spending. If we want to borrow that money to cut artificially low rates in half, make them artificially lower, we absolutely can. Not only can, we did. We talk about this as if it is something that might happen one day. We did it. It was 2 weeks ago. I was down here on the House floor. In fact, I sat right over there. I remember the vote happening. It's done here.

Did we pay for it, Mr. Speaker? We did. We paid for it with a program that I would characterize as a slush fund. It is $15 billion that exists over there in the Health and Human Services Department. It came out of the Affordable Care Act. The President looked at it and said, You know what, that really was too much of a slush fund. He cut it by almost a third. Now we said, You know what, perhaps we should go after the rest of it because accountability is an issue here, Mr. Speaker.

We hear folks talk about prevention and cancer and women and children. I wish that's where the money went. I went and got the list of where those projects are, Mr. Speaker. In my part of the world, it was a $2.5 million grant to the county I grew up in to help with obesity training in schools. I'm in favor of that. I think we ought to absolutely work on obesity. I hope my home school district is already working on those issues. In other parts of the country, New York, for example, this is money that went to lobby in favor of soda taxes. That's right. This money that is being described by my friends on the other side of the aisle as critical to protecting the health of women so that they can get breast cancer screenings was spent in New York City to lobby in favor of job-killing taxes for my home State of Georgia.

This is not about women and children, Mr. Speaker. This is about unaccountability when you start handing out slush funds to bureaucrats. In Philadelphia, it was to lobby against cigarettes. Is that something we ought to do? Well, golly, we can go out and do that on our own every day. Does the Federal Government need to borrow from our children and our grandchildren to help Philadelphia lobby against cigarette taxes? In California, it's going to put up signs so folks can find the local parks in the name of obesity training, Mr. Speaker. Do we need signs to help us find the local parks? We have them in our community. I thought they had them in other communities. Do I need to borrow from my children and my grandchildren to put up more signs for parks? Mr. Speaker, we don't.

□ 1310

This is not a priority that the American people stood up and voted for. This is a slush fund that is used by bureaucrats to focus on whatever their priority of the day is. And what's so

disappointing is that this responsible government endorsed by a vote of this full House, is being described by my colleagues as an assault on women's health. It is offensive to me.

There are so many things that we legitimately disagree about. Go back where we began, Mr. Speaker. We disagree from the heart about so many directions in this country. There is not one person in this body—not one—that wants to put women's health at risk. Not one.

This is about responsible government and cutting out the waste, cutting out the low-priority spending, cutting out the dollars that come from taxpayers' pockets in my district to spend for job-killing legislation in New York.

Mr. Speaker, we're going to have a full debate on this, a full debate. Every Member of this body will be able to bring their voice to the floor. I look forward to that full debate. I believe in this country. I believe in this institution. I believe that full debate is going to take us exactly where we need to be.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my very good friend, Mr. TIERNEY from Massachusetts.

Mr. TIERNEY. I thank the gentleman for acknowledging this.

Americans need to know that their family member is going to be able to afford a college degree, whether it is a 2-year degree or a 4-year degree. Too many people are afraid that their child is not going to be able to get through college. Too many students don't think they can meet the cost of it. And that's what we need to deal with.

Public dollars for schools, Pell Grants, lower interest rates, work-study, those are things that we've done together to allow people to have the opportunity of college so that everybody can try to achieve their goal, to have an equal opportunity to achieve those goals with things we have done together in the past.

We have been helping businesses find very educated and skilled people to drive our economy. It doesn't matter if you earn $20,000, $30,000, $60,000 or if you are suddenly unemployed because you lost a job. It feels the same if your kids are pushed out of school if they can't afford to pay for it. Getting a degree really makes a difference for many people, whether or not they're going to be able to get a good job. And helping them do that is something we've all decided to invest in.

Carrying a huge loan debt, it may mean that you have to delay starting a family, delay buying a house, taking a job that you otherwise wouldn't take. Pell Grants, work-study, lower interest rates, all of those things for higher education, one of the opportunities that we all helped to create so that people that have long been benefiting from special favors, from tax loopholes, corporations and people that are extremely wealthy, they need to do their part. That's simply what we're asking them to do.

We can keep this country moving forward if we can invest in our future. What we want to do is find a way and make a time that those who have benefited so extraordinarily realize that they too have to step up to the plate and join the rest of us to help pay for those opportunities to make sure that we can move forward.

This is a good time to invest in America and Americans. We have 250 tax expenditures in the Tax Code. Those are special tax rates, special favors, credits, deductions. Our friends on the other side of the aisle apparently think that's what America should borrow for, that that is what they should borrow for and pay corporations that made $130 billion last year, to give them more money instead of helping people get through college and get a degree that they need to get a good job.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman 1 additional minute.

Mr. TIERNEY. I filed a bill last week that would have lowered the interest rates, back at a time when the Republican budget would have let it double, back when the Speaker and the chairman of the Education Committee and the second-ranking Member of the Republican Party all voted to keep it at 6.8 percent. I filed a bill, and I found a way to pay for it. It was paid for by taking one tax credit from Big Oil that made $130 billion last year, one tax credit that they weren't originally intended to have even benefited from but had managed to sort of squeak their way into eventually.

So there's a way to pay for it. Now, if you didn't agree with it, the Republicans didn't agree with it, then they could have found one that wasn't noxious, one that everybody could agree on. But instead, they finally came around to deciding that they wanted to lower the interest rates because they couldn't take the political heat when the President was out there talking to American families. And American parents and American students said, What are you doing? Why are you borrowing and giving oil companies $130 billion of profits plus tax credits when we could be having a way to make sure that our family members get the education they need to get a job and move forward in their lives?

So the Republicans finally came along and said, Okay, we will lower the interest rates. We can't take the heat. But we are going to find a poison pill. We are going to look at what the President has planned to do with preventive funds, which are screenings for breast cancer, screenings for cervical cancer, immunizations for children; and we'll use that.

I will suggest to my friends on the other side, stop waiting for the Senate. Use some leadership. Come across the aisle and look at those 250 tax expenditures. Let's find one we can agree on, not wait for the Senate and not blame it on them. Let's move forward on that. Stop being so partisan and stop being so ideological. And let's move forward.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds to say to my friend from Massachusetts that there is only one bill in this institution that abolishes not just the oil company tax credits that he wants to go after, not just all the corporate welfare that he wants to go after, not just all the benefits and exclusions and exemptions that the wealthy in this country utilize to lower their tax bills. There is one bill in this Congress that abolishes every single special exemption, deduction, carve-out, and giveaway in the entire United States Tax Code. It's H.R. 25. I'm the sponsor of that legislation. I join you in your desire to eliminate all those special interest tax breaks and deductions. I welcome your cosponsorship of that legislation.

I reserve the balance of my time.

Mr. HASTINGS of Florida. I would inform my colleague that I am the last speaker. I don't know whether he is, but I am prepared to close.

Mr. WOODALL. As am I.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time, and I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, the majority tried once 2 weeks ago to go back on what they agreed to. It did not work. So now here we are again, trying to ''re-deem'' ourselves. But this is no way to run an economy, no way to run a budget process, and no way to stick up for the millions of struggling Americans who need us to focus on improving the economy.

We can ''pretend'' that the Ryan budget has passed when, in fact, it has not. We can deem it or come here to redeem it. But while we are living in legislative fantasyland, millions of other Americans will still be struggling to find jobs, to pay off their student loans, to access affordable health care and decent housing, and, really, in the final analysis, just to survive in an economy that—not just this year or last, not just in the last decade or the decade before—but in an economy that

favors those who have the most, rather than look out for those who have the least.

In the celebrated cartoon that carries Wile E. Coyote, he used to pretend that there was going to be some kind of rubberized floor mat when he landed off a cliff, only to find that soon after that, he was in a very long and painful fall to the bottom.

I've said before and I will repeat: we are better people than what's happening here. I agree with my friend from Georgia (Mr. WOODALL) that we see things differently. And in our heart of hearts, both of us and many of the Members of this body are in agreement and want things to be better.

□ 1320

As long as Republicans insist on replacing substantive debate with partisan gimmicks, broken promises, and misplaced priorities, the fall to the bottom is going to seem very long and is likely to be very painful for millions of Americans.

I would urge my colleagues to oppose this rule for the reason that it is deeming something that is being pretended to be passed. I'd ask them to oppose this rule for the reason that it includes in it martial law that disallows the open discussion that my colleague rightly points to in an open rule. But this particular provision disallows that as it pertains to the reconciliation. And that is just no way for us to go about trying to come to terms with the enormous consequences and circumstances that we face by not having faced them many, many, many years ago.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I thank my colleague from Florida for joining me here for this debate today. And there really are some things that we disagree about here in this body at large. But one thing we don't disagree about is the importance of bringing open rules to this floor to debate appropriations bills.

This appropriations bill that we're bringing under this rule, Mr. Speaker, is a 1 percent reduction from the levels the President has proposed. As we hear folks talk about the doom and the gloom and the kicking of children and the punishing of women—1 percent. There's a long, hard fall to the bottom coming all right, and it's coming in the American economy. And I'll tell you who gets hurt the most in a bad economy: it's the poorest and the weakest among us. We all know it.

We're asking for 1 percent less than what the President proposed in the name of taking a small step in the right direction. You could have gotten me for 20 or 25 percent less, just to be clear. You could've gotten me on board if we'd gone 20 or 25 percent less. But this body is trying to move in a responsible fashion.

There's only one budget that's passed in this town, Mr. Speaker. The President's budget didn't pass. It got zero votes last year in the Senate. It got zero votes this year in the House. It didn't even get introduced last year in the House. There's only one budget in this town that has passed. That's the one that came out of the open process that we had right here.

We can take our toys and go home or we can try to do our appropriations bills under the one proposal that has garnered a majority vote in this entire Nation. I vote for the latter. And a vote for this rule is a vote for the latter.

Let's go ahead and start that process. Let's go ahead and do for the American people what we promised them we would do; and that is, operate this institution so that everybody has a voice, and at the end of the day we move our very best legislation forward.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 643 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new section:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4816) to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4816.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308 311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. With that, Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 643, if ordered; and approval of the Journal, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 235, nays 174, not voting 22, as follows:

[Roll No. 199]

YEAS—235

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Paul
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—174

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—22

Bonner
Butterfield
Cantor
Carson (IN)
Costa
Donnelly (IN)
Ellmers
Filner
Gibson
Hinojosa
Jones
Kucinich
McHenry
Moore
Palazzo
Pence
Reichert
Royce
Ruppersberger
Schakowsky
Slaughter
Tonko

□ 1348

Messrs. ENGEL, CROWLEY, PETERSON, CLEAVER, RICHMOND, PASCRELL and RANGEL and Ms. TSONGAS changed their vote from ''yea'' to ''nay.''

Mr. PAUL changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 199, had I been present, I would have voted ''nay.''

Ms. SCHAKOWSKY. Mr. Speaker, on rollcall No. 199, had I been present, I would have voted ''nay.''

Mr. FILNER. Mr. Speaker, on rollcall 199, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''nay.''

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 181, not voting 22, as follows:

[Roll No. 200]

AYES—228

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Paul
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed

Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—22

Bonner
Butterfield
Cantor
Carson (IN)
Chaffetz
Donnelly (IN)
Ellmers
Filner
Gibson
Hinojosa
Jones
Kucinich
McHenry
Meehan
Moore
Myrick
Palazzo
Pence
Reichert
Royce
Slaughter
Tonko

□ 1357

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MEEHAN. Mr. Speaker, on rollcall No. 200, I was unavoidably detained. Had I been present, I would have voted "aye."

Mrs. MYRICK. Mr. Speaker, I was unable to participate in the following vote. If I had been present, I would have voted as follows: Rollcall vote 200, H. Res. 643—Providing for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes—I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 200, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 296, nays 108, answered ''present'' 3, not voting 24, as follows:

[Roll No. 201]

YEAS—296

Ackerman
Aderholt
Akin
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Capps
Carnahan
Carney
Carter
Cassidy
Chabot
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Cooper
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeGette
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Flake
Fleischmann
Fleming
Flores
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Harper
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Higgins
Himes
Hirono
Hochul
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neugebauer
Noem
Nunes
Nunnelee
Olson
Pascrell
Paul
Pearce
Pelosi
Perlmutter
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rangel
Reed
Rehberg
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schiff
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stutzman
Sullivan
Sutton
Thompson (PA)
Thornberry
Tierney
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Young (FL)
Young (IN)

NAYS—108

Adams
Andrews
Baldwin
Bass (CA)
Benishek
Bishop (NY)
Boswell
Brady (PA)
Brown (FL)
Burgess
Capuano
Cardoza
Castor (FL)
Chandler
Coffman (CO)
Conaway
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Davis (IL)
DeFazio
Denham
Dent
Dold
Duffy
Fattah
Fincher
Fitzpatrick
Forbes
Foxx
Fudge
Gardner
Garrett
Gerlach
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Guinta
Hanna
Harris
Hastings (FL)
Heck
Herrera Beutler
Hinchey
Holden
Holt
Hoyer
Hunter
Jackson (IL)
Johnson (OH)
Jordan
Kind
Latham
Lee (CA)
Lewis (GA)
LoBiondo
Lynch
Maloney
Manzullo
Matheson
McCotter
McDermott
McGovern
Miller (FL)
Miller, George
Mulvaney
Neal
Nugent
Olver
Pallone
Pastor (AZ)
Paulsen
Peters
Peterson
Poe (TX)
Quayle
Rahall
Renacci
Ribble
Rooney
Rush
Ryan (OH)

Sánchez, Linda T.	Speier	Walberg
Sanchez, Loretta	Stivers	Walden
Sarbanes	Terry	Walsh (IL)
Schakowsky	Thompson (CA)	Waters
Schilling	Thompson (MS)	Woodall
Shuler	Tiberi	Yoder
Sires	Tipton	Young (AK)
	Visclosky	

ANSWERED ''PRESENT''—3

Amash	Gohmert	Owens

NOT VOTING—24

Bonner	Filner	Moore
Butterfield	Gibson	Palazzo
Cantor	Hinojosa	Pence
Carson (IN)	Jones	Reichert
Chaffetz	Kucinich	Slaughter
DeLauro	Lankford	Stark
Donnelly (IN)	Luján	Tonko
Ellmers	McHenry	Yarmuth

□ 1404

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 201, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. CARSON of Indiana. Mr. Speaker, on May 8, 2012, I missed rollcall votes Nos. 199–201 because of my primary election in Indiana. Had I been present, I would have voted "no" on rollcall No. 199, "no" on rollcall No. 200, and "yes" on rollcall No. 201.

PERSONAL EXPLANATION

Mr. TONKO. Mr. Speaker, on rollcall Nos. 199, 200, and 201, I was absent. I had travelled to the 21st Cong. Dist. in New York with the President for his visit. Had I been present, I would have voted "nay" on No. 199, "nay" on No. 200, and "yes" on No. 201.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5326, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 643 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5326.

The Chair appoints the gentleman from Utah (Mr. BISHOP) to preside over the Committee of the Whole.

□ 1406

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. WOLF) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume.

I am pleased to begin the consideration of H.R. 5326, making appropriations for fiscal year 2013 for Commerce, Justice, Science, and Related Agencies. The bill provides funding for programs whose impacts range from the safety of people in their homes and communities to the farthest reaches of space.

The bill before the House today reflects a delicate balancing of needs and requirements. We have drafted what I consider to be a responsible bill for FY 2013 spending levels for the departments and agencies under the subcommittee's jurisdiction. We've had to carefully prioritize the funding in this bill and have had to make hard choices about how to spend scarce revenue.

I want to thank Chairman ROGERS for supporting us with a fair allocation and in helping us to move the bill forward. I also want to thank the ranking member, Mr. FATTAH, who has been an effective and valued partner and colleague, and I am grateful. I appreciate his principled commitment and his understanding of the programs in the bill.

I also would like to thank the members of the subcommittee for their help and assistance, as well as to thank Congressman NORMAN DICKS, the ranking member of the full committee.

I want to recognize the subcommittee staff, including our clerk, Mike Ringler; Leslie Albright; Stephanie Myers; Diana Simpson; Colin Samples and Scott Sammis; as well as Darek Newby and Bob Bonner from the minority staff, for their work in preparing the bill before us today.

I also want to recognize a number of the majority and minority associate staff members—all of their names and the offices that they are connected with.

Dan Scandling and Thomas Culligan in my office; Michelle Anderson-Lee in Mr. Fattah's office; Robert LaBranche and Ryan Stalnaker in Mr. Culberson's office; Mark Dawson and Megan Medley in Mr. Aderholt's office; Mike Sharp in Mr. Bonner's office; Tyler Grassmeyer, Steven Gilleland and Jessica Talbert in Mr. Austria's office; Jason Lawrence in Mr. Grave's office; Patrick Carroll in Mr. Yoder's office; Megan O'Donnell in Chairman Rogers' office; Jeff Lowenstein and Tim Bergreen in Mr. Schiff's office; Ken Takeda, A.J. Bhadelia and Eric Werwa in Mr. Honda's office; Jheanelle Brown and Matt Alpert in Mr. Serrano's office; and Pete Modaff and Colin Sheldon in Ranking Member Dicks' office.

The bill totals $51.1 billion in discretionary spending, which is a reduction of 3.1 percent below the current fiscal year and 1.4 percent below the President's request.

□ 1410

Since the beginning of the 112th Congress, the committee has cut $13.2 billion, reducing the total amount of the CJS bill by over 20 percent over the 3 fiscal years. We have focused limited resources on the most critical areas: fighting crime and terrorism—including a new focus of preventing and investigating cyberattacks—and boosting U.S. competitiveness and job creation by investing in science, exports, and manufacturing.

For the Department of Commerce, the bill includes $7.7 billion, an increase of $96 million above FY12. The bill makes critical investments in manufacturing, export promotion, and job creation, including a task force and an EDA grant program to incentivize U.S. companies to bring their manufacturing and services activities back to the United States, particularly back to the U.S. from China.

For NIST, the bill includes $830 million, including $128 million for the Manufacturing Extension Partnership, MEP, program and $21 million for an advanced manufacturing competitive research program to make the American manufacturing sector a source of job growth.

The bill also makes critical investments in weather forecasting and disaster preparedness to save lives and protect property, including funding above the President's request for the National Weather Service operations and for tsunami preparedness. Also included is an increase of $126 million for the weather satellite acquisitions, including the full amount requested for the new JPSS satellite. This funding is necessary to better protect Americans from natural disasters such as tornados, hurricanes, and tsunamis, just like we've seen in the Midwest this year, Kansas, Alabama, and places like that this year. It is also with regard to snowstorms and drought.

Science. A primary area of focus in the bill this year is scientific research, innovation, and competitiveness.

Investments in scientific research are key to long-term economic growth and job creation. The bill includes $7.3 billion for the National Science Foundation, an increase of $299 million, or 4.3 percent above FY12, for basic research and science education. This funding will go toward the types of research that will keep America's economy strong by setting the groundwork for the development of new technologies.

Developing a well-educated STEM workforce is also critical to America's competitiveness. More than $1 billion is provided throughout the bill for

science education, including $876 million for NSF to improve the quality of science education.

NASA. The bill includes $17.6 billion, including funding above the aggregate request, to keep the development schedule for the Orion crew vehicle and heavy-lift rocket. Commercial crew development is funded at $500 million, consistent with the current authorization and the report accompanying the House budget resolution.

To find the fastest, safest, and most cost-effective means of achieving a U.S. capability for access to the international space station, the bill directs NASA to winnow the commercial partners and advance the schedule for moving to traditional government procurement methods. Continuing on the current path runs a high risk of failure by one or more companies receiving government subsidies, similar to what we last saw last year with Solyndra, and leaving the taxpayer with no tangible benefits in exchange for a substantial investment. We do not need a space Solyndra. I say this to Members on both sides of the aisle. We have heard Solyndra thrown around. We do not need a space Solyndra.

We have received letters from Neil Armstrong, Gene Cernan, and James Lovell endorsing the committee's approach to commercial crew as ''reasonable and appropriate.''

According to the GAO, we have invested $100 billion in the station, so we need to develop our own capability to get our astronauts up there to use it quickly rather than relying on the Russians and paying the Russians.

The bill also includes $570 million—which is $18.4 million above the request—for aeronautics research. Aerospace is a pillar of the American manufacturing sector and one of the leading exports. This is an industry that creates thousands of jobs in America. This investment will boost our aviation competitiveness so America continues to be number one.

The bill includes $5.1 billion for NASA science programs, including $1.4 billion for planetary science. This amount restores cuts in the President's request that would have inhibited progress on all planetary science goals, including flagship missions to Mars and Europa.

For the Department of Justice, the bill includes $27.1 billion, $11 million above the current level.

The top mission priority of the Justice Department is defending national security from both internal and external threats. The bill includes $8.3 billion, an increase of $148 million, for the FBI, including an increase of $23 million to prevent and combat cyberintrusions. Director Mueller has predicted that cyber will soon overtake terrorism as the Bureau's number one threat. The increase will be the first step in building a nationwide capability for cyberinvestigations that complements the other cyberinitiatives under consideration in the House.

The bill restores funding for the National Gang Intelligence Center, which the President wanted to terminate. Every district in this country has violent gangs running throughout your districts, such as MS–13 and many other groups. If you've been down along the border, you will see many of the gangs in Mexico have operations up here. To shut that down and terminate it, this is a major threat to the country. It also provides an additional funding for FBI's Safe Streets Task Forces. Now is not the time to retreat in an effort to combat the growing gang problem, not only on the border but throughout the country.

Bureau of Prison operations are funded at the requested level of $6.8 billion, an increase of $269 million above FY12, to activate newly constructed prisons and ensure safe and secure Federal prison facilities in light of, unfortunately, continued population growth.

This bill includes $1.85 billion for justice programs that provide grants for States, localities, and nonprofits. Despite the reduction, the bill prioritizes proven high-priority programs, including justice assistance grants, SCAAP. The administration was at $70 million on SCAAP. We're at $165 million.

It also includes funding for missing and exploited children programs and DNA grants.

The bill includes funding for prescription drug monitoring grants. And I want to give a lot of credit to Chairman ROGERS for his effort here.

It also includes a significant increase in DEA's Tactical Diversion Squads to address our Nation's fastest growing drug problem: prescription drug abuse.

The funding for violence against women and for victims of trafficking is increased above the current level and above the President's request. There's more money in here for violence against women than this administration put.

We recently marked the fifth anniversary of the shootings at Virginia Tech. Following this terrible tragedy, Congress passed a bill to improve the National Instant Background Check System, NICS, a critical tool for keeping firearms out of the hands of prohibited persons. But the NICS is only as effective as the State databases on which it relies. This bill includes $12 million to improve NICS records, $7 million more than the 2012 request.

Finally, we're asking the Office of Inspector General to do a follow-up review of the justice task force that looked at cases affected by flawed FBI lab practices in 1990. A new OIG review is a necessary next step to ensure that prosecutors follow through on task force findings and that defendants' rights are upheld. No one should get sentenced to jail for life when we know there is information that has not been shared. So we've had the OIG review and take a look at this.

In closing, that is a summary of the bill before us today. It provides increases where needed to maintain and strengthen operations of critical law enforcement. It carries on the fight against terrorism, crime, and drugs and provides important increases to boost scientific research, innovation, and competitiveness. It provides strong support for all the various NASA missions. It represents our best take on matching needs with scarce resources.

We have tried hard to produce the best bill we possibly could within the resources we had, And I would hope that all Members would support the bill.

Mr. Chair, I reserve the balance of my time.

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	465,000	526,439	467,737	+2,737	-58,702
Offsetting fee collections	-9,439	-9,439	-9,439	---	---
Direct appropriation	455,561	517,000	458,298	+2,737	-58,702
Bureau of Industry and Security					
Operations and administration	69,721	68,049	67,333	-2,388	-716
Defense function	31,279	34,279	33,667	+2,388	-612
Total, Bureau of Industry and Security	101,000	102,328	101,000	---	-1,328
Economic Development Administration					
Economic Development Assistance Programs	220,000	182,000	182,000	-38,000	---
Disaster relief category	200,000	---	---	-200,000	---
Subtotal	420,000	182,000	182,000	-238,000	---
Salaries and expenses	37,500	37,719	37,500	---	-219
Total, Economic Development Administration	457,500	219,719	219,500	-238,000	-219
Minority Business Development Agency					
Minority Business Development	30,339	28,689	28,689	-1,650	---
Economic and Statistical Analysis					
Salaries and expenses	96,000	100,269	96,000	---	-4,269
Bureau of the Census					
Salaries and expenses	253,336	259,175	253,336	---	-5,839
Periodic censuses and programs	635,000	711,250	625,357	-9,643	-85,893
Total, Bureau of the Census	888,336	970,425	878,693	-9,643	-91,732
National Telecommunications and Information Administration					
Salaries and expenses	45,568	46,925	45,568	---	-1,357
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding	2,678,000	2,933,241	2,933,241	+255,241	---
Offsetting fee collections	-2,678,000	-2,933,241	-2,933,241	-255,241	---
Total, United States Patent and Trademark Office	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services	567,000	648,000	621,173	+54,173	-26,827
(transfer out)	(-9,000)	(-9,000)	(-9,000)	---	---
Industrial Technology Services	128,443	149,000	149,000	+20,557	---
Manufacturing extension partnerships	(128,443)	(128,000)	(128,000)	(-443)	---
Advanced manufacturing technology consortia	---	(21,000)	(21,000)	(+21,000)	---
Construction of research facilities	55,381	60,000	60,000	+4,619	---
Working Capital Fund (by transfer)	(9,000)	(9,000)	(9,000)	---	---
Total, National Institute of Standards and Technology	750,824	857,000	830,173	+79,349	-26,827

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities	3,022,231	3,042,460	2,968,371	-53,860	-74,089
(by transfer)	(109,098)	(119,064)	(119,064)	(+9,966)	---
Promote and Develop Fund (transfer out)	(-109,098)	(-119,064)	(-119,064)	(-9,966)	---
Subtotal	3,022,231	3,042,460	2,968,371	-53,860	-74,089
Procurement, Acquisition and Construction	1,817,094	1,965,736	1,931,948	+114,854	-33,788
Pacific Coastal Salmon Recovery	65,000	50,000	65,000	---	+15,000
Fishermen's Contingency Fund	350	350	350	---	---
Fisheries Finance Program Account	-11,000	-4,000	-4,000	+7,000	---
Fisheries Enforcement Asset Forfeiture Fund	8,000	---	---	-8,000	---
Offsetting receipts	-8,000	---	---	+8,000	---
Sanctuaries Enforcement Asset Forfeiture Fund	1,000	---	---	-1,000	---
Offsetting receipts	-1,000	---	---	+1,000	---
Total, National Oceanic and Atmospheric Administration	4,893,675	5,054,546	4,961,669	+67,994	-92,877
Departmental Management					
Salaries and expenses	57,000	56,000	55,000	-2,000	-1,000
Renovation and Modernization	5,000	2,040	---	-5,000	-2,040
Office of Inspector General	26,946	28,753	28,753	+1,807	---
Total, Departmental Management	88,946	86,793	83,753	-5,193	-3,040
Total, title I, Department of Commerce	7,807,749	7,983,694	7,703,343	-104,406	-280,351
Appropriations	(7,607,749)	(7,983,694)	(7,703,343)	(+95,594)	(-280,351)
Disaster relief category	(200,000)	---	---	(-200,000)	---
(by transfer)	118,098	128,064	128,064	+9,966	---
(transfer out)	-118,098	-128,064	-128,064	-9,966	---
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	110,822	127,667	110,322	-500	-17,345
National Drug Intelligence Center	20,000	---	---	-20,000	---
Justice Information Sharing Technology	44,307	33,426	33,426	-10,881	---
Tactical Law Enforcement Wireless Communications	87,000	---	---	-87,000	---
Total, General Administration	262,129	161,093	143,748	-118,381	-17,345
Administrative review and appeals	305,000	313,438	313,438	+8,438	---
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---	---
Direct appropriation	301,000	309,438	309,438	+8,438	---
Detention Trustee	1,580,595	---	---	-1,580,595	---
Office of Inspector General	84,199	85,985	84,199	---	-1,786
United States Parole Commission					
Salaries and expenses	12,833	12,772	12,772	-61	---
Legal Activities					
Salaries and expenses, general legal activities	863,367	903,603	863,367	---	-40,236
Vaccine Injury Compensation Trust Fund	7,833	7,833	7,833	---	---
Salaries and expenses, Antitrust Division	159,587	164,753	159,587	---	-5,166
Offsetting fee collections - current year	-108,000	-115,000	-115,000	-7,000	---
Direct appropriation	51,587	49,753	44,587	-7,000	-5,166
Salaries and expenses, United States Attorneys	1,960,000	1,974,378	1,965,000	+5,000	-9,378

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Trustee System Fund	223,258	227,407	223,258	---	-4,149
Offsetting fee collections	-223,258	-227,407	-223,258	---	+4,149
Direct appropriation	---	---	---	---	---
Salaries and expenses, Foreign Claims Settlement Commission	2,000	2,139	2,000	---	-139
Fees and expenses of witnesses	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service	11,456	12,036	11,456	---	-580
Assets Forfeiture Fund	20,948	20,948	20,948	---	---
Total, Legal Activities	3,187,191	3,240,690	3,185,191	-2,000	-55,499
United States Marshals Service					
Salaries and expenses	1,174,000	1,203,488	1,188,488	+14,488	-15,000
Construction	15,000	10,000	10,000	-5,000	---
Federal Prisoner Detention	---	1,668,235	1,647,383	+1,647,383	-20,852
Total, United States Marshals Service	1,189,000	2,881,723	2,845,871	+1,656,871	-35,852
National Security Division					
Salaries and expenses	87,000	90,039	90,039	+3,039	---
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement	527,512	524,793	521,793	-5,719	-3,000
Federal Bureau of Investigation					
Salaries and expenses	3,376,000	3,403,030	3,320,657	-55,343	-82,373
Counterintelligence and national security	4,660,991	4,747,991	4,864,350	+203,359	+116,359
Subtotal	8,036,991	8,151,021	8,185,007	+148,016	+33,986
Construction	80,982	80,982	80,982	---	---
Total, Federal Bureau of Investigation	8,117,973	8,232,003	8,265,989	+148,016	+33,986
Drug Enforcement Administration					
Salaries and expenses	2,347,000	2,403,504	2,396,504	+49,504	-7,000
Diversion control fund	-322,000	-352,600	-352,600	-30,600	---
Subtotal	2,025,000	2,050,904	2,043,904	+18,904	-7,000
Construction	10,000	---	---	-10,000	---
Total, Drug Enforcement Administration	2,035,000	2,050,904	2,043,904	+8,904	-7,000
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses	1,152,000	1,153,345	1,153,345	+1,345	---
Federal Prison System					
Salaries and expenses	6,551,281	6,820,217	6,820,217	+268,936	---
Buildings and facilities	90,000	99,189	90,000	---	-9,189
Limitation on administrative expenses, Federal Prison Industries, Incorporated	2,700	2,700	2,700	---	---
Total, Federal Prison System	6,643,981	6,922,106	6,912,917	+268,936	-9,189
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs	412,500	268,000	415,000	+2,500	+147,000
(by transfer)	---	(145,000)	---	---	(-145,000)

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Justice Programs:					
Research, evaluation and statistics	113,000	136,000	112,000	-1,000	-24,000
State and local law enforcement assistance	1,162,500	781,500	962,500	-200,000	+181,000
(by transfer)	---	(221,000)	---	---	(-221,000)
Juvenile justice programs	262,500	245,000	209,500	-53,000	-35,500
Public safety officer benefits:					
Death benefits	62,000	62,000	62,000	---	---
Disability and education benefits	16,300	16,300	16,300	---	---
Subtotal	78,300	78,300	78,300	---	---
Total, Office of Justice Programs	1,616,300	1,240,800	1,362,300	-254,000	+121,500
Community Oriented Policing Services:					
COPS programs	198,500	289,587	72,500	-126,000	-217,087
Total, State and Local Law Enforcement Activities	2,227,300	1,798,387	1,849,800	-377,500	+51,413
Total, title II, Department of Justice	27,407,713	27,463,278	27,419,006	+11,293	-44,272
TITLE III - SCIENCE					
Office of Science and Technology Policy	4,500	5,850	5,850	+1,350	---
National Aeronautics and Space Administration					
Science	5,090,000	4,911,200	5,095,000	+5,000	+183,800
Aeronautics	569,900	551,500	569,900	---	+18,400
Space Technology	575,000	699,000	632,500	+57,500	-66,500
Exploration	3,770,800	3,932,800	3,711,900	-58,900	-220,900
Space Operations	4,233,600	4,013,200	3,985,000	-248,600	-28,200
Education	138,400	100,000	100,000	-38,400	---
Cross-agency Support	2,995,000	2,847,500	2,843,500	-151,500	-4,000
Construction and environmental compliance and restoration	390,000	619,200	598,000	+208,000	-21,200
Office of Inspector General	37,300	37,000	38,000	+700	+1,000
Total, National Aeronautics and Space Administration	17,800,000	17,711,400	17,573,800	-226,200	-137,600
National Science Foundation					
Research and related activities	5,651,000	5,915,280	5,874,693	+223,693	-40,587
Defense function	68,000	68,000	68,000	---	---
Subtotal	5,719,000	5,983,280	5,942,693	+223,693	-40,587
Major Research Equipment and Facilities Construction	167,055	196,170	196,170	+29,115	---
Education and Human Resources	829,000	875,610	875,610	+46,610	---
Agency Operations and Award Management	299,400	299,400	299,400	---	---
Office of the National Science Board	4,440	4,440	4,440	---	---
Office of Inspector General	14,200	14,200	14,200	---	---
Total, National Science Foundation	7,033,095	7,373,100	7,332,513	+299,418	-40,587
Total, title III, Science	24,837,595	25,090,350	24,912,163	+74,568	-178,187

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses	9,193	9,400	9,193	---	-207
Equal Employment Opportunity Commission					
Salaries and expenses	360,000	373,711	366,568	+6,568	-7,143
International Trade Commission					
Salaries and expenses	80,000	82,800	83,000	+3,000	+200
Payment to the Legal Services Corporation					
Salaries and expenses	348,000	402,000	328,000	-20,000	-74,000
Marine Mammal Commission					
Salaries and expenses	3,025	3,081	3,025	---	-56
Office of the U.S. Trade Representative					
Salaries and expenses	51,251	53,041	51,251	---	-1,790
State Justice Institute					
Salaries and expenses	5,121	5,121	5,121	---	---
Total, title IV, Related Agencies	856,590	929,154	846,158	-10,432	-82,996
TITLE V - RESCISSIONS					
Emergency steel, oil gas guarantees prgm (rescission)	-700	---	---	+700	---
NTIA, Information Infrastructure grants (rescission)	-2,000	---	---	+2,000	---
NTIA, Public Telecommunications Facilities, Planning and Construction	-2,750	---	---	+2,750	---
Foreign Fishing Observer Fund (rescission)	-350	---	---	+350	---
Digital TV Transition Public Safety Fund (rescission)	-4,300	---	---	+4,300	---
DOJ, Working Capital Fund (rescission)	-40,000	-26,000	-26,000	+14,000	---
DOJ, Assets Forfeiture Fund (rescission)	-675,000	-675,000	-675,000	---	---
FBI, Salaries and expenses (rescission)	---	-162,226	---	---	+162,226
US Marshals Service,salaries and expenses (rescission)	-2,200	-14,400	---	+2,200	+14,400
ATF (rescission)	---	-12,400	---	---	+12,400
ATF Violent Crime Reduction Program (rescission)	---	-1,028	-1,028	-1,028	---
DEA, Salaries and expenses (rescission)	-10,000	-15,600	---	+10,000	+15,600
FPS, Buildings and facilities (rescission)	-45,000	-75,000	-64,700	-19,700	+10,300
Violence against women prevention and prosecution programs (rescission)	-15,000	-6,000	-12,000	+3,000	-6,000
Office of Justice programs (rescission)	-55,000	-43,000	-43,000	+12,000	---
Community oriented policing services (rescission)	-23,605	-12,200	-12,200	+11,405	---
NASA (rescission)	-30,000	---	---	+30,000	---
Total, title V, Rescissions	-905,905	-1,042,854	-833,928	+71,977	+208,926
Grand total	60,003,742	60,423,622	60,046,742	+43,000	-376,880
Appropriations	(60,709,647)	(61,466,476)	(60,880,670)	(+171,023)	(-585,806)
Rescissions	(-905,905)	(-1,042,854)	(-833,928)	(+71,977)	(+208,926)
Disaster relief category	(200,000)	---	---	(-200,000)	---
(by transfer)	118,098	494,064	128,064	+9,966	-366,000
(transfer out)	-118,098	-128,064	-128,064	-9,966	---

Mr. FATTAH. Mr. Chair, I yield myself such time as I may consume.

I want to start out first and foremost by thanking my colleague and the chairman of the subcommittee, FRANK WOLF, for continuing to be a model chairman for the Appropriations Subcommittee. He is a professional; he's principled, and he has involved us, the minority, in every level of the distributions as we've developed this bill.

I would also like to thank my staff and the committee staff on both the majority and minority side for their work on this bill, along with all those who have had input in it.

□ 1420

Now I start out in this process with a number of priorities. First and foremost in the science arena, neuroscience. And I want to thank the chairman—I will speak about it in some detail in a minute—but for his collaboration and this effort around brain research.

Manufacturing. We will talk about the support in this bill, the hundreds of millions of dollars to continue to position our country in terms of manufacturing. We now lead the world in manufacturing, and we want to continue that, but we have real competition that we have to contend with.

And then also in the area of steering our young people away from antisocial activity, youth mentoring. And the chairman, in the chairman's mark, as passed in the subcommittee and the full committee, and as we bring this bill to the floor, again makes significant improvements in our investment around youth mentoring.

So let me start with the Department of Commerce. There are healthy funding levels for research at NIST, the National Institute of Standards and Technology, and for the NOAA satellite programs, which are so important to our weather forecasting challenges as a Nation.

In the chairman's mark, he very wisely rejected the proposed cuts that were going to be made in both the technical capabilities and the personnel at the National Weather Service, including air quality and the tsunami warning system and wind profile measurements, in which we've already invested tens of millions of dollars as a Nation.

The bill provides funding at or near the requested level for the Department of Justice law enforcement agencies, including an increase above the request for the FBI and to augment its capabilities in terms of cyberinvestigation and surveillance. I know that all of the members of the committee and all of the Members of the House understand the very significant challenges that the country faces in terms of cybersecurity. And the chairman has appropriately focused resources in that regard.

The bill provides an increase for the Office on Violence Against Women grant programs. Of course these are programs that we are dealing with the authorization of in a different part of our processes, but they are very important in terms of support for women who face abuse. And also, there's a small increase for Crime Victims Fund programs.

The chairman's mark in the bill, as passed from the full committee, provides a healthy increase for the National Science Foundation, the world's premiere national entity focused on basic scientific research.

The bill makes a strong commitment, as the chairman has noted, to NASA science and also fully funds the James Webb Space Telescope and makes a significant investment in commercial crew and in space technology. And even though I don't go as far as the chairman, I do support the idea that we need to move as rapidly as possible to this new focus on having American enterprise compete for opportunities to participate fully and at a much more cost-effective level in terms of our space exploration. The bill makes a significant increase in terms of future robotic missions to Mars, and we make a requirement in the language that this be part of a sample return mission, as the National Academy of Sciences' report indicates.

Due in some part to the limits on the allocation, there are a number of areas in the bill which we should try to improve as we move through this process. And we'll hear some of that in the amendment process, and we will do as much as we can in the conference process that will follow. But because this bill is based on the Ryan budget, it is less than the Senate counterpart, which was moved out of committee $731 million higher in its allocation. This will have to be reconciled in this process.

I hope that as we go about that, we can look at the EDA, the Economic Development Administration, and look at the Census Bureau. And most importantly, to me, the Legal Services Corporation and the COPS program are areas where I hope that we are able to raise to additional levels of funding. The State and local grant programs also take a significant decrease off of what we would hope that they could be.

But I want to focus a little bit of my comments on the fact that in full committee, there were a number of nonfinancial items added to the bill. One related to firearms, another related to swimming pool regulations for the disabled. There are always going to be disagreements around regulatory issues, but I'm not sure that this bill is the appropriate place. In fact, I would suggest that this bill is not the appropriate place to try to reconcile those issues. And I'm sure that as we move through, there will be additional input as to how we might deal with this question.

But let me talk in some detail for a minute about some of the great initiatives that I think we were able to come to agreement on. And again, I want to thank the chairman and the staff. For our country and for my caucus, there's nothing more important than manufacturing. And we see that the Manufacturing Extension Partnership receives $128 million, with a special carve-out for the National Innovative Marketplace, a Web-like portal that will help our manufacturers compete for manufacturing initiatives at the Federal level. I think it's very important. The $21 million requested by the President was met in this bill for a new Advanced Manufacturing Technology Consortia program at NIST. And also, we provide $149 million to the National Science Foundation for their advanced manufacturing initiative.

We continue a program authorized under the America COMPETES Act that we funded last year to help small manufacturers bring technology onto the plant floor. And I would note that the chairman held, as his last hearing, a hearing on manufacturing. And I think it really brought light to the subject of what the country can and needs to do in terms of helping our manufacturers compete with competitors abroad and much larger countries that are trying to overtake us in terms of manufacturing.

I would like to personally thank the chairman for fully funding the Office of Science and Technology Policy in the White House, which has taken the lead in this neuroscience initiative that has been a bipartisan agreement to really try to build a collaboration of Federal agencies focused on some of the challenges that we have in terms of brain research, Alzheimer's, Parkinson's, autism, and addiction, which is a big issue for the chairman of our full committee, Chairman ROGERS, and for many of the people that we represent. There are issues related to traumatic brain injury affecting our veterans. So this collaboration is critically important, and I want to thank the chairman for fully funding that office, which is leading this effort, and the other important work that it does.

There is a lot more that I could say. Let me conclude, however, because we're going to spend a long time on the floor, and I will have plenty of chances to speak about the Youth Mentoring Initiative, which funds a variety of national groups that do work. But I think the shining light at the very top of the pyramid is the Boys & Girls Clubs, with some 4,000 clubs all across our country, on all of our military bases, and also in sovereign Native American reservations and lands, working with over 4 million young people, along with Big Brothers and Big Sisters and a number of other organizations which work to help American youth move in positive directions in their lives.

So I think that the bill that we bring to the House, even though it is not the bill in every respect that I would bring—and obviously there is room for improvement, and that's the part of the process that we'll go through on the floor and in conference—this is a bill that had complete unanimous, bipartisan support out of subcommittee and was voice-voted out of the full committee. And I am happy to join my colleague, the chairman, as we present it now for House action.

I reserve the balance of my time.

Mr. WOLF. I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full committee.

Mr. ROGERS of Kentucky. I thank the chairman for yielding the time.

I rise in strong support of this bill. This bill, the first for fiscal '13, marks one of the earliest starts to the appropriations process in recent memory, which is a good sign for moving all 12 bills before the September 30 end of the fiscal year.

□ 1430

I look forward to an open and transparent process as we consider each of the bills, staying faithful to our commitment to smart, reduced levels of spending to help do our part in controlling the Federal deficit.

I want to especially commend Chairman WOLF, Ranking Member FATTAH, members of the subcommittee, and my colleague and ranking member, NORM DICKS, and all of the staff who have hard work invested in this bill.

The Appropriations Committee has held more than 100 hearings and briefings since January, which helps us determine the best use of limited tax dollars that we must spread out over a great number of vital Federal programs, services, and Agencies. The Commerce, Justice, and Science Appropriations bill is in line with the House-passed budget resolution. It totals $51.1 billion, which is $1.6 billion below current level and below the pre-stimulus, pre-bailout level of 2008.

Within this total, the committee prioritized programs and services that:

One, protect our people from threats at home, abroad, and in cyberspace;

Two, that maintain the competitiveness of American industry and businesses; and,

Three, that encourage the scientific research that has kept America at the forefront of the world in innovation.

Some of these critical investments include $8.3 billion for the FBI; $468 million for the International Trade Administration; $830 million for the National Institute of Standards and Technology; and $2.4 billion for the Drug Enforcement Agency. In addition, this bill includes various provisions to promote freedom and liberty, while also fulfilling our moral obligation to the most vulnerable among us. The bill helps to uphold our Second Amendment rights; prevent violence against women; help victims of trafficking, and missing and exploited children; and bring under control our country's fastest-growing drug threat—the abuse of prescription drugs—which the CDC has now labeled a national epidemic.

We were able to fund these programs at adequate, responsible levels while cutting spending—including terminating 37 duplicative, unnecessary, or lower-priority programs.

Not all of these decisions were easy to make, and I know many of my colleagues will have amendments to offer as we debate the bill. But I am proud of the work that this committee and this subcommittee has done to ensure responsibility and sustainability in these Federal budgets. While making important reductions that curtail unnecessary overhead and wasteful inefficiencies, this bill makes judicious and sensible investments in programs that make America the great Nation that it is, an America that's safe and secure, an America that leads the way in scientific development and innovation, and an America that helps get its people back to work.

I urge my colleagues to support the bill, and I thank the chairman for yielding.

Mr. FATTAH. I yield such time as he may consume to the ranking member of the full committee, the gentleman from Washington State (Mr. DICKS).

Mr. DICKS. Mr. Speaker, I thank Ranking Member FATTAH for yielding to me and for his hard work on this important bill.

As we begin the floor consideration of the first of the 2013 appropriations bills, I would like to state as a preface that I regret the majority's decision to not abide by the bipartisan Budget Control Act. Reducing the overall allocation for fiscal year 2013 by an additional $19 billion I think is both unnecessary and economically unwise. I believe the reduced discretionary allocation in the Ryan budget threatens to stall economic growth and job creation, and in the near term it introduces uncertainty in our appropriations process that might imperil our ability to produce these bills in a timely manner.

That said, I remain committed to working collaboratively with the majority as we continue through the appropriations process this year because I remain cautiously optimistic that this reduced allocation is merely temporary. At the end of the process, I believe the House and Senate will come to an agreement that reflects the Budget Control Act level of $1.047 trillion rather than the level of $1.028 trillion that is based on the Ryan budget.

With regard to the bill before us, I want to thank Chairman WOLF, Ranking Member FATTAH, Chairman ROGERS, and their staffs for their hard work on this bill. The majority worked closely with our side to put this bill together, and there were many issues on which we were able to reach agreement.

While the level of funding in this bill may not be as low as a strict proportional reduction based on the Ryan budget, it is nevertheless not adequate to meet the needs in some areas. In comparison, the CJS bill in the other body has passed through committee with only one dissenting vote, and it is $731 million higher than the House allocation. Clearly, there is significant bipartisan support for this higher allocation.

The House bill contains several funding levels that will be difficult for Democrats to support. The COPS hiring program is cut by 76 percent, even as State and local budgets continue to recover from historic losses in revenue. The Legal Services Corporation is also cut when it should be getting an increase, as has been proposed by the President and supported in the other body.

I'm also concerned that some important NOAA programs have been cut, in part to pay for necessary new satellites. While I support the development and deployment of new satellites, it is important that we find a way to pay for them without making such drastic reductions in other important NOAA programs.

Let me state that there were some very positive aspects of this bill. In particular, I want to thank the chairman and ranking member for funding the Pacific Coast Salmon Recovery Fund at this year's enacted level and for once again funding an increase to the Mitchell Act program. These are vitally important programs in the Pacific Northwest.

I'm also pleased that the subcommittee mark contains $6.4 million for research in ocean acidification. The measurable increase in acidity in the world's oceans is already having an economic effect on the shellfish industry in the Pacific Northwest, interfering with the formation of the shells of oysters, mussels, clams, and other organisms, such as phytoplankton.

I also appreciate that this bill provides significant increases for our Federal law enforcement agencies, especially an additional $23 million for the FBI to investigate cyberintrusions. The bill also includes an important increase in funding for youth mentoring programs, which provide crucial support to at-risk youth in underserved communities and also to military kids, many of whom are struggling to adapt to the multiple deployments of one or both parents.

I want to echo the words of Ranking Member FATTAH about the Boys and Girls Club of America. I find that the Boys and Girls Club have been one of the outstanding organizations and have

done so much to help youth with their after-school programs.

I thank the gentleman, again, for yielding to me.

Mr. WOLF. I yield such time as he may consume to the chairman of the full Committee on Science, the gentleman from Texas (Mr. HALL).

Mr. HALL. I, of course, rise in support of H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act 2013. This bill includes over $30 billion for four key agencies under the Science, Space, and Technology Committee's jurisdiction: the National Aeronautics and Space Administration, the National Science Foundation, the National Institute of Standards and Technology, and the National Oceanic and Atmospheric Administration.

It's a very strong bill, and I want to commend the gentleman from Virginia, Chairman WOLF, for his continued passionate support for science and space issues in a challenging fiscal environment. Mr. WOLF is a true champion of science, and this bill is reflective of that. I also appreciate Chairman WOLF's work to address my concerns and priorities as chairman of the Science, Space, and Technology Committee, and want to highlight a few specific areas of importance to us in this bill.

□ 1440

With regards to NASA, this legislation recognizes the budget realities that we must confront by responsibly imposing measured reductions across the Agency's portfolio. Importantly, this bill maintains development of a new heavy-lift launch system and crew capsule. It maintains a healthy space science enterprise, continues to support innovative aeronautics research, and funds the administration's commercial crew program at the authorized level of $500 million. Our committee will continue to provide oversight on the commercial crew program and work with the appropriators to support a program that has the best chance to succeed on schedule, with appropriate safeguards for the crew, and with the best use of taxpayer dollars.

With regards to the National Science Foundation, the modest increase for the Foundation is appropriate, as basic research and development play a critical role in our economic success. I strongly encourage NSF to broadly use this funding for fundamental research which keeps the United States at the very leading edge of discovery and not to blur this essential role with other initiatives that are best left to the private sector.

Chairman WOLF has also worked to sustain the programs of the National Institute of Standards and Technology, NIST, that directly benefit our Nation's competitiveness. The critical link between fundamental measurement science and our economic success allows NIST to innovate new ways to help U.S. companies excel within a global marketplace and create high-paying jobs.

With respect to NOAA, I thank Chairman WOLF for his continued strong support and oversight of NOAA's satellite programs and for his efforts to restore balance to NOAA's research portfolio. The bill does this, in part, by redirecting the administration's proposed significant increases for climate science to higher priority weather research that will help to protect lives and property through improved severe-weather forecasting. This topic is important to all regions of our Nation and, most recently, to northeast Texas, where an outbreak of tornadoes and severe weather in April caused significant damage to homes and property, including in my home county in Royse City. Regarding these weather research priorities, I hope to work with you as the bill moves to conference to preserve and enhance this particular NOAA priority.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, April 17, 2012.

Hon. FRANK WOLF,
Chairman, Commerce, Justice, Science and Related Agencies Appropriations Subcommittee, House Appropriations Committee, U.S. Capitol, Washington, DC.

DEAR CHAIRMAN WOLF: On April 2, President Obama delivered a speech highly critical of the recently passed House Republican budget. The speech included the direct and serious charge that approval of the Republican budget will result in degraded storm warnings. Specifically, the President stated:

''Over time, our weather forecasts would become less accurate because we wouldn't be able to afford to launch new satellites. And that means governors and mayors would have to wait longer to order evacuations in the event of a hurricane.''

I object to the President's characterization of this issue, and believe it is important that we set the record straight with respect to the origin, outlook, and mitigating options associated with the potential weather satellite data gap referenced by the President. More importantly, I would like to work with you in our respective leadership roles on the relevant authorizing and appropriating Committees to redirect questionable priorities in the President's budget and place a greater emphasis on saving lives and property through improved weather forecasting. Recent tornado outbreaks across the country—including in and around my Congressional district and Northeast Texas—serve as a reminder of the importance of accurate and timely severe storm forecasts.

As you know, the Science, Space, and Technology Committee's fiscal year 2013 (FY13) Views and Estimates (V&E) communicated general concerns with and recommendations regarding the President's budget request for the National Oceanic and Atmospheric Administration (NOAA). These views were delivered to the Budget Committee on March 9, 2012. However, in light of the President's remarks, as well as NOAA's failure to send Congress its budget until March 19—ten days after the Budget Committee V&E deadline—I believe it is important to reiterate and expand upon key concerns with the President's budget.

Regarding the President's suggestion that the Republican budget will result in a satellite data gap, the Committee views explicitly addressed this issue, noting:

[T]he Committee remains extremely concerned about the potential for a data gap between the time that NPP expires and the first JPSS satellite is launched in 2018. Furthermore, the Committee does not agree with NOAA's characterization of the gap as a result of insufficient funding in prior fiscal years. For years, this program and its predecessor have been plagued with cost overruns, poor management, agency infighting, technical problems and contractor mistakes. The program restructuring in 2010 increased costs and delayed the program schedule. Furthermore, in the two years since the Administration announced the separation of the original program, NOAA has not re-baselined the JPSS budget as required under P.L. 110–161 and P.L. 109–155. This inaction and delay is troubling, and significantly hinders the Committee's ability to conduct proper oversight and undertake a complete assessment of the program's future. Additionally, the Committee is extremely concerned that NOAA has not developed a viable plan for acquiring necessary data if the gap materializes as expected. The Committee recommends an immediate focus on such an effort and believes that any such plan should be developed in a scientific manner, utilizing the resources and expertise of other NOAA line offices.

These concerns remain and provide important context to the President's misleading charges. Additionally, it is important to note that while the Joint Polar Satellite System the President refers to is a key component of two- to five-day forecasts, significant increases in warning times for tornadoes must come from better models, advanced radar technology, and more measurements from ground-based and aerial sensors that directly measure wind speed, direction, temperature and moisture. These relatively inexpensive Earth-bound observing and computing systems provide the most vital information for severe storm forecasting, and are unfortunately the types of systems President Obama is actually proposing to cut.

Finally, I believe the President's request misses critical opportunities to advance much higher priority weather-related research and technology development that will increase the accuracy and timeliness of severe storm forecasting, ultimately improving protection of American lives and property. Instead, the Administration has chosen to direct virtually all of its $29 million (7.6 percent) increase for Oceanic and Atmospheric Research to climate research. In fact, proposed FY 2013 climate spending of $213 million is over $60 million more than the level approved by your Subcommittee in last year's House-passed appropriations bill.

Simply diverting some of this increase for climate research to research on Earth-based observing systems and development of weather forecasting innovations would greatly improve allocation of taxpayer resources and pay important dividends to the country. In particular, I recommend a shift of funding of $13 million to the President's anemic weather research request of less than $70 million for the following four areas:

1. Unmanned Aircraft Systems ($6 million), which will allow for testing and use of instruments to significantly enhance atmospheric observations, particularly in severe weather such as hurricanes and tornadoes.

2. Graphic Processing Unit (GPU) supercomputing R&D ($5 million) to enable weather forecast models to run much faster and more accurately with significantly greater detail.

3. Weather radar advanced algorithm and software development ($2 million) to maximize the utility and use of new dual-polarization radar hardware capabilities.

4. Observing System Simulation Experiments (OSSEs $3 million) to objectively and quantitatively assess the potential benefit of alternative weather data systems to improve global weather prediction, hurricane track intensity and forecasting, tornado warning times, and the prediction of local severe storm outbreaks. At a recent SST Committee hearing, a broad cross-section of stakeholders recommended NOAA fund OSSEs to better guide weather data system decision-making and also inform options associated with minimizing the loss of forecast accuracy in the event of continued satellite launch delays and resulting gaps.

Although I support maintaining resources for important climate research activities such as the National Integrated Drought Information System, I would also recommend an additional shifting of funding of $10 million from climate research to the National Weather Service to fund observing systems such as the NOAA Profiler Network and the National Mesonet. These on-the-ground systems have already proven vital for providing data increasing the accuracy of short-term weather forecasts and severe storm warnings.

Taken together, these initiatives, with a small relative cost paid for by simply diverting a portion of the President's requested increase for climate research, could provide tremendous returns in terms of lives saved, out-year budget savings and the avoidance of billions of dollars in property loss and damage.

Thank you for considering this important request. I look forward to working closely with you as you develop and advance the FY13 Commerce, Justice, Science, and Related Agencies appropriations legislation.

Sincerely,

REP. RALPH M. HALL,
Chairman.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentlelady from the great State of Ohio (Ms. KAPTUR) who is a senior member of the House Appropriations Committee.

Ms. KAPTUR. I thank Ranking Member FATTAH for yielding me this time.

Mr. Chairman, I reluctantly rise today to oppose the fiscal year 2013 Commerce, Justice, Science and Related Agencies appropriations bill, but I want to commend Chairman WOLF and Ranking Member FATTAH for their truly diligent work on this bill.

The bipartisanship shown during the markup of the bill was remarkable in today's political climate and a tribute to both Members' willingness to compromise in order to move legislation forward, doing the work we were sent here to do.

I would also like to thank the Appropriations staff for their hard work on the first fiscal year 2013 bill the House will consider. From my perspective, the Appropriations staff is the hardest working committee staff in Congress and deserves recognition for all their efforts.

Mr. Chairman, the legislation we are considering today fails to make the necessary investments to promote economic growth in jobs across this country. It also fails to provide significant resources for law enforcement officials, particularly local law enforcement, as they face difficulties from austerity cutbacks by State and local governments.

The total funding for this bill is the result of the Republican leadership breaking the agreement made in the Budget Control Act. The agreed-upon funding levels were an attempt to get our fiscal house in order in a fair and balanced way. It is unfortunate that the Republicans are going back on their word and slashing funding for programs that create jobs and support law enforcement.

Importantly, funding cutbacks for the Economic Development Administration fail to meet President Obama's request for that important initiative to strengthen America's manufacturing base.

In addition, the underlying bill fails to provide State and local law enforcement with the Federal support they deserve. Cutting nearly $400 million from State and local programs at the Department of Justice is not only unacceptable but dangerous, in my view.

A particular concern for me is the lack of resources provided to meet the President's request for additional funding to combat financial and mortgage fraud. The President requested additional resources for the FBI, the Criminal Division, Civil Division, Civil Rights Division, and U.S. Attorneys. Less than half of the funding requested for the FBI is provided in this bill. No other funding is provided to investigate and prosecute financial and mortgage fraud.

The CHAIR. The time of the gentlewoman has expired.

Mr. FATTAH. I yield the gentlelady an additional 30 seconds.

Ms. KAPTUR. I thank the gentleman.

Let me just state for the record that the average return on investment for one corporate fraud agent was approximately $54 million over the last 3 years in fines and restitution that they get back for our taxpayers because of their work. What a tremendous return on investment that is for every taxpayer dollar, recovering those funds from combating financial and mortgage fraud makes total common sense.

Finally, I oppose the provision in the bill that repeals existing prohibitions on reductions in force at NASA. There was an agreement we reached as a Congress on how to do that. This bill does not conform to that restructuring proposal.

For these reasons, I oppose the bill in its current form and, again, commend Chairman WOLF and Ranking Member FATTAH for bringing us to this point.

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Chairman, I rise today for the purpose of a colloquy with the chairman to discuss the importance of assessing our global competitiveness in manufacturing through an online tool that will calculate the costs of manufacturing in the United States versus overseas. I would like to recognize and thank the chairman for including the online manufacturing tool in last year's Commerce, Justice, and Science Appropriations Act.

On the Energy and Commerce Committee, we've been working to find ways to highlight the shift in U.S. manufacturing competitiveness. According to a recent analysis by the Boston Consulting Group, China's overwhelming manufacturing cost advantage is shrinking, and by 2015, the cost gap between the United States and China will virtually close.

Companies need to reassess their manufacturing strategy with a rigorous analysis of the costs for manufacturing overseas compared to the cost in the United States. I'm excited by the online tool that will be developed by the Department of Commerce to assist U.S. companies in determining the costs of manufacturing overseas, and I commend the chairman for his work in promoting U.S. competitiveness.

Mr. WOLF. Will the gentleman yield?

Mr. KINZINGER of Illinois. I yield to the gentleman.

Mr. WOLF. I want to thank you, Mr. KINZINGER, for your work and for bringing up this important topic.

The Department of Commerce can play a pivotal role in educating companies on the benefits of manufacturing in the U.S. We need to ensure that the Department is using innovative tools such as online calculators to assist companies. This online tool has the potential to not only educate companies but also provide clarity in advantages and disadvantages of manufacturing in the U.S.

Also, I think people ought to know this is not only a tool; this is almost a moral issue. We just went through and had hearings with Congressman CHRIS SMITH when Congress was away. The country of China had Chen and beat up his wife and did a lot of other things. So not only is it this issue, it is a moral issue. And Apple, if you have an iPad, it is made in China; iPhone, made in China; iPod, made in China, and those jobs ought to be coming home. So we also have language in there to provide for grants to repatriate, to bring these jobs back.

China is a trouble. They have a one-child policy. Fifty million men cannot find wives. They have corruption in the military, and they are unraveling. And this is a great opportunity, using this tool, but just for the American manufacturers to come home, to come back

to the United States. So I thank the gentleman for raising the issue.

Mr. KINZINGER of Illinois. Reclaiming my time, I thank you and I look forward to it, and I appreciate your leadership on this issue.

Mr. FATTAH. Mr. Chairman, I am glad there is a recognition of the importance of manufacturing, and the chairman has done a yeoman's job in making sure we, in a number of ways, attack this.

I would like to yield 3 minutes to my colleague on the committee, the gentleman from New York (Mr. SERRANO).

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Mr. SERRANO. I thank the gentleman for the time.

First of all, I'd like to congratulate Chairman WOLF and Ranking Member FATTAH for their work, but especially for their continued desire to work together, to work in a bipartisan fashion to bring about this bill that's on the floor today.

Now, for those of us on our side, we know that there are folks on the other side that speak only about budget cuts, but when it comes to Chairman WOLF, there is a desire to balance the desire of having those budget cuts along with making sure that these bills in fact accomplish servicing the American people.

So I stand ready with the ranking member to be supportive of this bill, with the understanding that there are two things that have to happen that are very serious to that final vote. One of them is a continued commitment that as this process goes along we will work to make the bill better than it is now, and that we will work to remedy those situations that exist within the bill now that need to be taken care of.

Secondly, that in the large and, perhaps, vast amendment process that we will have—which is a good sign of being able to have this kind of an open rule—the bill doesn't get brought back to a situation where some of us cannot be supportive of it. I single out, for instance, just two agencies that need betterment, and not necessarily to be destroyed. That's the Census Bureau and the Legal Services Corporation. Both of those agencies serve a vital purpose in our society. They come under heavy attack on so many occasions. I think it's important to know that many of us will be looking to make sure that we don't step back even further than the bill speaks to now on these two agencies, and as I said before, that we work jointly to make the bill even better than it is today, but understanding fully the work that Chairman WOLF and Ranking Member FATTAH have done during this period of time is important to me and important to many members of this committee, and of the whole House.

Mr. WOLF. I yield to the gentleman from Kansas (Mr. YODER) for such time as he may consume.

Mr. YODER. Mr. Chairman, I rise today in support of the Commerce-Justice-Science 2013 appropriations bill, our first appropriations bill of the upcoming fiscal year. I'd like to commend the chairman and Members of both parties in their efforts to put together some bipartisan reforms in this legislation, and also to find ways to reduce spending to get our national debt back in line.

Like many Americans, I am concerned about the national debt crisis facing this country—almost $16 trillion now in national debt that we've racked up; that is a factor now—and the economic decisions we have to make every day in this country. It will be a burden that we'll pass on to our kids and grandkids for generations to come. So any opportunities that we have to reduce spending and find ways to get our budget back in line should be supported by this Congress as we attempt to become fiscally responsible.

We've had a spending epidemic in this city for far too long, many times not finding any cure on this House floor and no support for reducing spending. So I want to commend the committee for actually reducing spending in this legislation below the 2008 levels, below the pre-stimulus levels, to try to put us back on a track towards fiscal responsibility.

It used to be in Washington the idea that a spending cut was not getting the amount of increase that you requested. You requested a 3 percent increase, you only got a 2 percent increase, and an agency felt they were cut. So we're turning that on its head. We're changing the course of business in this town and actually reducing spending from one year to the next, and it's a good first start. Certainly, there are many miles to go and additional reductions to make in all areas, but this legislation heads us in the right direction, and it does so in a responsible way. Not only does the legislation reduce spending, but it re-prioritizes spending to those things that have the greatest value to the American people and make the greatest impact on the economic challenges our country is facing.

Not only does it increase support for the FBI and different law enforcement agencies, but it also supports the National Science Foundation with an increase in spending, the Commerce Department, and our Trade and Patent Offices, those types of bottleneck agencies that make a difference on whether small business owners, entrepreneurs can create jobs and grow and expand the economy.

So we need to get Washington out of the way and create these efficiencies, and this legislation goes in the right direction towards cleaning up some of those problems and supporting the programs that have the greatest impact by re-prioritizing spending.

So if you're focused like I am on reducing spending, like many Americans are on this national debt crisis, but you also want to see Washington spend less resources on endless bureaucracy in Washington, D.C., and more on the types of programs that help Americans back home, this is the right type of legislation; it strikes the right balance.

My hope is that the two political parties can work together to support this legislation. Let's get it moving. And let's start producing the types of priorities and the types of bills that the American people want to see us continue to work on, continue to see us be productive on, working together to reduce the national debt, reduce spending, but finding ways to re-prioritize spending on those things that matter most.

I'd like to commend the chairman and the committee for working together.

Mr. FATTAH. I would note that the chairman and I are both in a significant minority on this floor in voting for the Bowles-Simpson proposal, so we're for a balanced fiscal approach, but we also know that we have to make important investments.

I yield such time as he may consume to the gentleman from the Commonwealth of Massachusetts (Mr. KEATING) to enter into a colloquy on an important matter related to marine science.

Mr. KEATING. I thank the gentleman from Virginia for his leadership and his willingness to preserve resources for marine mammal stranding response in the fiscal year 2013 Commerce-Justice-Science appropriations bill.

I understand that the House Report 112–463 includes language encouraging NOAA to maintain funding for essential marine mammal stranding grants. The competitive Prescott Marine Mammal Rescue Assistance grant program is a cost-effective, community-oriented program that works with stranded mammals, enables the collection of data to prevent future strandings, and deals with the practical dilemma communities face with beached dolphins weighing 200 to 500 pounds, as well as with right whales.

Based on conversations with the chairman and ranking member, I will not be offering my amendment specifying this grant at this time. I look forward, rather, to working with the gentleman from Virginia towards inserting this language in conference.

Mr. WOLF. Will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. WOLF. I thank the gentleman from Massachusetts for raising the issue, and I promise we will work with him and our colleagues in the Senate during the conference to ensure an adequate level of funding for this program.

I reserve the balance of my time.

Mr. FATTAH. I yield 2 minutes to my fraternity brother, the gentleman

representing the great State of Michigan (Mr. CLARKE) to talk about the importance of science and STEM-related education.

Mr. CLARKE of Michigan. Thank you, Chairman WOLF and Ranking Member FATTAH, members of the greatest fraternity there is.

As a member of the Science, Space, and Technology Committee that authorizes the National Science Foundation, I wanted to thank the leaders of this budget for fully funding the National Science Foundation's education budget according to the President's recommendation. This is going to help us provide more education to our young people, especially youth from the inner city, who very rarely get a chance to be educated in the areas of science, technology, engineering, and mathematics, because this is the only way—one of the most powerful ways—that our young people can get the education and training that they need to get good-paying jobs.

This funding in this budget will help centers such as the Detroit Science Center better reach out to these young people. And we're looking forward to the soon reopening of the Detroit Science Center. Again, we thank this budget for the support of the National Science Foundation, which will be able to help provide resources on a competitive basis to centers around the country such as the Detroit Science Center.

Mr. WOLF. Mr. Chairman, I reserve the balance of my time.

Mr. FATTAH. On behalf of the Democrats, I yield back the balance of our time. We have no further speakers.

Mr. WOLF. Mr. Chairman, I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Chair, I am in strong support for funding the National Sea Grant College Program in H.R. 5326, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

First, I want to commend the Administration and my colleagues in the Congress for not making any significant budgetary changes for our National Sea Grant College Program, or Sea Grant, given our budget limitations and push for fiscal responsibility.

The National Sea Grant College Program, through the National Oceanic and Atmospheric Administration, continues to play a significant role in the stewardship of our lakes and oceans. Our coastal communities have continued to work closely with Sea Grant's national network of more than 30 universities in all parts of the U.S. including our Territories. Like our land-grant universities, Sea Grant conducts research, training, and extended science-based projects that are beneficial for the conservation and use of our aquatic and coastal resources. I strongly believe that we as a nation are not investing enough in Sea Grant as we have done so with land-grant universities.

In the last decade, the U.S. has imported an astonishing almost 20 million tons of seafood from around the world. I feel that this is an opportunity, through the many training and research programs by Sea Grant, we can continue to diversify and support a more sustainable seafood supply. Sea Grant also prepares and supports our local communities by providing the necessary data and scientific information so that they may be able to make sound decisions that would provide for better water quality, more sustainable and healthy ecosystems, or adaptation to climate change.

I want to recognize the positive strides Sea Grant has made not only in our Territories but also our coastal and Great Lake states. I urge my colleagues to support funding for our National College Sea Grant Program.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, funding for research, innovation, and STEM education is an investment in our future, perhaps one of the most important investments we make as a nation. China, the European Union, and many other countries understand this and are poised to surpass the United States in innovation capacity and in the creation of a highly skilled 21st century workforce, if they have not already. According to an analysis carried out by the Information Technology and Innovation Foundation, the United States ranks second to last of the 44 countries and regions analyzed in terms of progress in innovation-based competitiveness over the last decade. It used to be that the world's best and brightest flocked to our shores. Now many of our own best and brightest are finding better opportunities in other countries, and we are losing our edge in the competition for top talent from around the world.

In 2007, and again in 2010, the U.S. Congress enacted legislation—the America COMPETES Act—that recognized the importance of increased investment in research, innovation, and STEM education. The funding trajectories we put forth in those bills were developed while our budget situation was healthier than it is today. While falling short of the authorized levels, we nevertheless have still managed to come together on a bipartisan basis with the Administration to ensure that funding for scientific research remains relatively unscathed as many other important programs and initiatives suffer deep cuts. This is particularly the case with the CJS bill before us today. I want to thank Chairman WOLF, Ranking Member FATTAH, Chairman ROGERS, and Ranking Member DICKS and for their to funding science and STEM education even as they made very difficult cuts in other worthy programs.

In particular, I want to commend the Appropriators for their enduring support for the National Science Foundation. The NSF is the only agency to fund basic research across all of science and engineering, and its support for education research has transformed the way we think about teaching and learning. The returns on our 65-year investment in the National Science Foundation include such critical discoveries as the hole in the ozone layer and the warming of the Arctic and such inspiring discoveries as new planets in the cosmos above and breathtaking creatures in the deep seas below. Our relatively modest investments have also led to such economically important technologies as fiber optics, the bar code, computer-aided design, cloud computing, and to a large extent the internet. But perhaps NSF's most important investment is the investment it makes in human capital—both in the great scientists and innovators of tomorrow and in the workforce at all level that will fill the jobs that would not be possible without those scientists and innovators.

While I am very pleased with the overall funding levels proposed for NSF, I do want to make a couple of specific comments. First, in their report on NSF, the Appropriators raise a few important oversight issues, especially with respect to management of research facilities. The Science, Space, and Technology Committee is undertaking a series of oversight hearings in preparation for a reauthorization of NSF next year. We've already held two hearings this year focused solely on facilities. I look forward to working with the Appropriators as we refine our own guidance to the agency through a careful and deliberative process. Second, I remain concerned that the agency continues to flat-fund its broadening participation programs and is now proposing a significant cut to its informal STEM education program even though the National Academies found that out-of-school learning provides a special opportunity to provide science learning experiences for millions of students who don't have access to such experiences in their under-resourced schools. We can't afford to continue leaving behind such a large and growing percentage of our brainpower. Given the overall growth in the Education Directorate proposed in this bill, I hope we can work together to ensure that NSF does not let up in its commitment to broadening participation in STEM.

Turning to NASA, it is clear that NASA is a critical part of the nation's research and development enterprise, as well as being a source of inspiration for our young people and a worldwide symbol of American technological prowess and good will. We need NASA to succeed. While fiscal challenges require difficult decisions, those decisions should not come at the expense of losing critical capabilities.

I'm pleased to see that the House bill restores a portion of the 21% cut to our planetary exploration program—a program that has been a highly successful scientific undertaking that has captured the imaginations of people around the world. Planetary science has also been an increasingly international effort, especially in plans for future Mars exploration. The rationale to back out of our plans for Mars collaborations with Europe was never clear, and this restoration of planetary funding provides the opportunity to resume our engagement in that effort and sustain critical U.S. capabilities.

Regarding the Commercial Crew development program, I have witnessed the enthusiasm from aspiring commercial crew companies testifying before the House Science, Space and Technology Committee and I wish them well. But as a steward of the taxpayers' dollars, I cannot let enthusiasm override the need for hardheaded oversight. NASA has yet to provide Congress with a convincing explanation of why it reversed course and scrapped its plan to use FAR-based contracts—contracts that allow NASA to ensure that its safety

and performance requirements are met for whatever systems it funds—in favor of a agreements that cannot mandate that safety requirements be met. We don't have the luxury of paying for a ''hope for the best'' strategy that risks having us pay more down the road the problems that inevitably arise when that hope-based approach collides with reality. That is why I support a commercial crew development approach that returns to FAR-based contracts as soon as actionable.

I am pleased that the House bill provides increases for the Space Launch System and Multi-Purpose Crew Vehicle—also known as Orion—over the amounts in the budget request, although even these levels are significantly below authorized amounts. It is essential that both the SLS and Orion remain on track for planned flight tests in 2014 and 2017. With respect to Orion, I hope that by the time the House and Senate have completed their negotiations on this appropriations bill, funding for that important capability will be at least at the level in the Senate's Committee-passed. We need to ensure that the development of Orion includes sufficient funding to enable preparations for its use as a back-up or alternative to commercially provided crew and cargo transportation in a timely manner in the event those commercial vehicle programs are delayed.

With respect to NOAA, I am pleased to see the CJS appropriations includes the full requested level of funding for the Joint Polar Satellite System, JPSS. It is vitally important that during a time where every region of this country is experiencing various extreme weather phenomena, we ensure that we make the needed investments in our premier weather and climate observational and forecasting tools. This year alone, this country has witnessed in every region and on every coastline some of the most extreme, record-breaking weather events. We must ensure that Americans are provided accurate short—and long—term weather forecasts—forecasts that are critical to saving lives and properties and to making informed plans.

Finally, I am very pleased that the bill before us today recognizes the important role that the National Institute of Standards and Technology plays in fostering innovation and industrial competitiveness. In this bill, NIST's research budget receives a level of funding that will allow it to continue its important work with industry to advance the nation's technology infrastructure. I am also pleased that the research budget, along with a decision to continue robust funding for the Manufacturing Extension Partnership program and to initiate funding for the promising Advanced Manufacturing Technology Consortia program, will help U.S. manufacturers compete and flourish in the global marketplace.

One of the keys to our ability to grow the economy for the future lies in our ability to spur innovation-based economic development in regions throughout this country. The America COMPETES Reauthorization Act of 2010 recognized how critical regional innovation is to our competitiveness and authorized a regional innovation program at the Economic Development Administration. This program built on initiatives already underway at EDA, but provided the agency with the tools and flexibility that it needed to ensure the biggest bang for its buck by funding the projects with the greatest innovative potential. I am disappointed that this bill does not follow the Senate's lead by providing a separate line item of funding for this regional innovation program. If our shared goal is to promote innovation and economic growth, we should fund these activities under the program that was developed specifically with this goal in mind and not continue to require these activities to be funded through programs that were developed for other economic development purposes.

Mr. GEORGE MILLER of California. Mr. Chair, I oppose H.R. 5326, the FY13 Commerce, Justice, Science and Related Agencies Appropriations and am deeply concerned about provisions included in the bill that will roll back important civil rights protections and undermine key protections for youth in the juvenile justice system.

SECTION 540: EQUAL EMPLOYMENT OPPORTUNITY COMMISSION RIDER TO UNDERMINE THE AGE DISCRIMINATION IN EMPLOYMENT ACT

Despite passage of the Age Discrimination in Employment Act, ADEA, forty-five years ago, older workers continue to face discrimination in the workplace. They are demoted, denied promotions and fired simply because of their age. While the ADEA provides important protections, older workers continue to be hard hit during these difficult economic times. The challenges they face are substantial. As compared to their younger colleagues, older workers have greater difficulty finding new employment and are twice as likely to be out of work for 99 weeks or longer. The EEOC reports that the number of age discrimination charges filed increased by over 70 percent between 2006 and 2011. And according to the AARP, 60 percent of workers interviewed report experiencing or witnessing age discrimination in the workplace.

The protections afforded older workers have been under assault in recent years. In 2009, the Supreme Court rolled back workplace protections for older workers in Gross v. FBL Financial decision. In this case, the Supreme Court held that victims of age discrimination must meet a higher burden than other forms of workplace discrimination when bringing a claim. Rather than having to prove age was a motivating factor for an adverse employment action, older workers are now required to show age was the decisive factor when raising an ADEA claim.

The bill before us today would be another significant setback for older workers in this country. H.R. 5326 would prohibit funds made available by the Act to be used to implement, administer, or enforce the Equal Employment Opportunity Commission's, EEOC, final regulations on Disparate Impact and Reasonable Factors Other than Age under the ADEA published in March 2012. According to the EEOC, the rider in H.R. 5326 ''would undermine vigorous enforcement of the nation's age discrimination laws at a time when older workers are particularly vulnerable.''

The EEOC regulation at issue should not be controversial. It gives employers greater clarity on how to avoid unlawful disparate impacts under the ADEA. This clarity should be welcomed not rejected. EEOC's intent behind the regulation is straightforward, ''to bring . . . existing [EEOC] regulation into conformance with . . . Supreme Court precedent and to explain the meaning of RFOA [Reasonable Factor Other than Age] defense to employees, employers, and courts.''

Eliminating this regulation would create new confusion on what standards—even outdated ones—might apply in its stead. As a result, H.R. 5326 would create legal uncertainty and uneven results in these cases and would also eliminate important tools for EEOC to use to help employers comply with their obligations under the law.

Instead of spending time rolling back the rights of older workers and creating more legal uncertainty for those who are victims of age discrimination, Congress should be fighting for the rights of older workers in the workplace and working together on a bipartisan basis to reverse the Supreme Court's decision in Gross v. FBL Financial Group.

I am also deeply concerned that H.R. 5326 would fund the EEOC at a level which is $7 million less than the President's request. Last year, the agency received nearly one-million discrimination charge filings—the fourth straight year of record filings. The EEOC must have the resources necessary to combat workplace discrimination and retaliation. Without it, workers will see longer waits as case backlogs increase and the agency's ability to enforce nondiscrimination protections will be undermined.

SECTION 218: DEPARTMENT OF JUSTICE RIDER TO WEAKEN AMERICANS WITH DISABILITIES ACT PROTECTIONS

The Americans with Disabilities Act of 1990, ADA, is intended ''to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.'' The ADA provides nondiscrimination protection to ensure that individuals with disabilities have access to and can participate in all aspects of society.

A component of these protections requires that public accommodations construct facilities to be accessible and that existing facilities become accessible when it is ''readily achievable.'' The ''readily achievable'' expectation is defined as ''easily accomplishable and able to be carried out without much difficulty or expense.'' There is considerable flexibility to determine what is achievable based on a business' particular circumstances.

The Department of Justice has the authority to carry out the mandate to eliminate discrimination against individuals with disabilities under the ADA. In doing so, the Department of Justice finalized regulations in September 2010 which included regulations regarding accessibility of swimming pools. These regulations are based on accessibility standards established by the Access Board that takes into consideration the needs of individuals with disabilities as well as the needs of business.

To comply with the regulation, businesses would need to make an assessment and take steps to accomplish what is ''readily achievable'' for swimming pool accessibility for that business. For some businesses that may require fixed or portable lifts, while for other business if may not require doing anything until increasing accessibility is ''readily achievable'' for that business. H.R. 5326 rolls back protections within the ADA by prohibiting the

Department of Justice to use funds to implement the standards for swimming pool accessibility. This bill would establish an extremely dangerous precedent weakening the Department of Justice's authority to enforce the ADA weakening critical civil rights protections.

Regardless of whether a person has a disability or not, that person should have the right to access swimming pools. To enable individuals with disabilities to participate fully in their communities, their communities must be accessible to them. Congress should focus on increasing access to community life rather than establishing dangerous precedents which prevent individuals from accessing their communities.

TITLE II

I am strongly opposed to the funding cuts for Title II of the Juvenile Justice Delinquency and Prevention Act, JJDPA. The JJDPA was first written in 1974 with the goal of supporting states' actions to prevent youth crime and provide certain core protections for children. The law rightfully recognized that clear biological differences between teenagers and adults meant that youth should not be treated in the same manner as adults. Without question, youth must be held accountable for their actions. But justice should not be driven by fads or politics. The juvenile justice system in this country currently affects thousands of children and youth, and the core protections in JJDPA are critical to efforts that help reduce youth crime, keep our communities safe, and ensure our juvenile justice system preserves basic rights for the children it serves. The juvenile justice system can be a place of redemption and rehabilitation or a place where children are thrown away. The funding cuts to Title II of JJDPA threaten the existence of these protections, and if this appropriation were enacted, our nation's children, families, and communities would undoubtedly suffer.

Ms. HIRONO. Mr. Chair, I rise in reluctant opposition to H.R. 5326, the Commerce-Justice-Science Appropriations bill for FY2013.

This spending bill provides funding for essential agencies, including the National Oceanic & Atmospheric Administration, Census Bureau, Economic Development Administration, FBI, Drug Enforcement agency, U.S. Attorneys and Marshalls, NASA, and the National Science Foundation.

I recognize that Chairman WOLF had a difficult task because of the sharply reduced allocations included in the Ryan Budget, which I opposed. The bipartisan agreement represented by the Budget Control Act of 2011 already made sharp cuts to spending levels. The decision by this Republican-led Congress to break that agreement to make even deeper cuts on the programs Americans rely on will make it very difficult to come up with a final spending agreement with the Senate. The Obama Administration has issued a Statement of Administration Policy expressing strong opposition to H.R. 5326.

This bill underfunds programs that are critical to Hawaii, including programs that support fisheries and ocean stewardship programs. It includes a $20 million cut to the Legal Services Corporation, denying legal aid to tens of thousands in underserved communities, as well as many military families. Funding for the Community Oriented Policing Services, COPS, program in the bill is well below the administration's request. Fortunately, we were successful in passing an amendment to increase funding for COPS by $126 million (equivalent to the FY 2012 level), but many other amendments to this bill have made it even worse. For instance, amendments were adopted that would: Prevent use of Department of Justice funds in the legal defense of the Affordable Care Act; Prohibit funding to implement the National Ocean Policy; Eliminate funding for science-based climate change education efforts that will help prepare students for careers in science, technology, engineering, and mathematics; Prohibit funding of Census Bureau collection of detailed housing, economic, and demographic statistics.

I expect this bill will pass today. I only hope that it can be improved in conference with the Senate so I can vote for the final spending agreement.

Mr. LATHAM. Mr. Chair, because of limited funding resources, the Subcommittee was not able to provide funding, as requested by the Office of Juvenile Justice, for a needed evidence-based competitive juvenile justice demonstration grant program. This type of a program would allow for new, innovative practices that may well lead to comprehensive change which, in turn, would likely produce better outcomes in treating at-risk juveniles.

A number of Members requested that the Subcommittee consider amending the Administration request to provide, within existing levels of funding in this bill, competitive grant program funding for qualified non-profit, private youth and family service organizations that can provide an Integrated Continuum of treatment services and programs for at-risk youth and their families.

We believe this approach is still important because it is estimated that 70 percent of youth in the juvenile justice system suffer from mental health issues, substance abuse, and/or learning disabilities. Most of these juveniles require an integrated, comprehensive treatment in order to allow them to succeed within their peer groups and families, in school, on jobs, or in their communities. Just as important, the families of most at-risk juveniles also require services and treatment programs to ensure that a juvenile's home environment is addressed.

There is a wide range of existing national, regional and state-wide, nonprofit qualified youth and family serving organizations that can provide evidenced-based, integrated continuum treatment services and programs for at-risk juveniles and their families. However most, if not all, of the existing program funding opportunities only provide funding for limited services and treatments for at-risk juveniles. They do not allow, where necessary, services and treatment programs for the families of juveniles.

Using an integrated continuum is critical to providing programs and services (including mental health and drug treatment), for both juveniles and their families, that will result in juveniles being permanently returned to improved home environments and becoming productive citizens. Early evidence suggests that an integrated approach is preferable to isolated and limited programs, because the integrated approach shows more promising potential for keeping youth out of the juvenile justice system and avoiding further arrest and recidivism.

Mr. Chair, I hope we can work with you, through the process, as your bill moves forward, to see if we can find a way to dedicate some resources to this integrated continuum of comprehensive services and treatment programs for both at-risk juveniles and their families.

Mr. LARSON of Connecticut. Mr. Chair, I rise today in opposition to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act for FY 2013. While there have been several amendments that have improved the bill, including the increase in COPS funding, I still cannot support the measure in its current form.

One program that is particularly hard hit by this bill and is important for many of my constituents, and citizens across the country, is the Legal Services Corporation. The Legal Services Corporation is the largest funder of civil legal aid for low-income Americans, and makes aid available to some 60 million people nationwide. Once again, the Republican majority is proposing to cut millions of dollars from its budget, and leave thousands of the poorest among us underserved just when they need help the most.

The mission of the Legal Services Corporation is to provide at-risk citizens like the elderly, veterans, and single mothers with legal assistance when they need help from a trained lawyer or paralegal. The people we are talking about helping are mothers trying to protect their children from an abusive spouse; senior citizens trying to prevent their homes from being foreclosed on; and veterans trying to secure the benefits they are entitled to.

The economic downturn and the collapse of the housing market left many of our families in greater need of legal aid than ever before. We must make sure that access to well-trained legal assistance is not only available to wealthy Americans who can pay for it out of pocket, but also to the least among us.

In Connecticut, the cuts to funding will probably mean another round of layoffs in addition to the cuts the program was already forced to make last year. This will again decrease the number of trained staff available to handle calls when citizens who are confused and intimidated by the legal system reach out for help. Millions of dollars in additional cuts will mean that tens of thousands of calls from people seeking advice will go unanswered, and thousands of ongoing cases will remain unresolved.

Mr. Chair, for this reason, and for several others, I have decided that I cannot support this bill in its current form and hope that through negotiations we are able to find some way of rolling back these destructive cuts to a successful, longstanding program that benefits millions of our fellow Americans.

Mr. VAN HOLLEN. Mr. Chair, I rise to oppose H.R. 5326, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year 2013.

This bill violates the bipartisan agreement Congress struck with the President last August when we enacted the Budget Control Act of 2012. That legislation created a framework to

reduce the deficit by two trillion dollars. It provided balanced spending caps that reduced the nation's deficit while protecting our national priorities and the fragile economic recovery. The House Republican Leadership decided to ignore this agreement months after it was enacted by demanding an additional $19 billion in cuts in this bill and other appropriations bills. This bill is $1.6 billion less than the fiscal year 2012 Commerce, Justice, Science bill and about $731 million less than the Senate's version. These unnecessary cuts reduce our investments in key areas like law enforcement, access to justice for the poor, scientific research, efforts to protect of environment and funding for our space program.

These cuts are unnecessary and force Members of Congress to makes decisions to cut one necessary program at the expense of another critical program. For example, the original bill funds the Community Oriented Policing Services Hiring Grants Program (COPS) at $217 million less than the level requested by the Administration. An amendment was adopted to increase funding for the COPS grants to current level, but it took critical funding from NASA. If the Republican leaders would have abided by the Budget Control Act agreement, we would have been able to fund critical COPS grants and NASA. Maryland's economy depends on money to keep cops on the street and fund NASA facilities like the Goddard Space Flight Center in Greenbelt, MD.

I also strongly oppose the inadequate funding levels for the Legal Services Corporation, which is the single largest funder of civil legal aid for low-income Americans. The bill funds the Legal Services Corporation at level that is $74 million below the President's request. The Obama Administration stated that tens of thousands of low-income Americans, including many military families and veterans, would be denied assistance with civil legal problems if these cuts are adopted. This would prevent them from receiving fair treatment in the courts. Our justice system should be open to everyone, not just those who can afford representation.

I also strongly object to the plethora of ideological policy riders added to the bill to hamstring the Obama Administration's efforts to reduce border violence, protect the environment and uphold civil rights protected under the U.S. Constitution. The bill prevents federal law enforcement's ability to investigate and curb gun trafficking along U.S. Mexican border. The bill prevents the Administration from continuing efforts to prevent overfishing and protecting our oceans and wildlife. The bill prevents the Department of Justice from challenging state voter suppression laws, state immigration laws that potentially violate the U.S. Constitution, and the ability for the federal government to offer federal benefits to legally married same-sex couples.

I hope my colleagues will join me in opposing this harmful legislation. I will monitor the progress of this bill in the Senate and conference. I am hopeful that future changes and improvements will give me a chance to vote on a more acceptable alternative.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $467,737,000, to remain available until September 30, 2014, of which $9,439,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $11,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

□ 1500

AMENDMENT OFFERED BY MR. PETERS

Mr. PETERS. I rise to offer an amendment on this paragraph.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 65, line 1, after the dollar amount, insert ''(reduced by $17,000,000)''.

Page 76, line 16, after the first dollar amount, insert ''(increased by $1,790,000)''.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. PETERS. Mr. Chairman, there's a lot of talk here in Washington about the need to cut our budget deficits; and while that is certainly true, we also need to be talking about another deficit, and that's our country's trade deficit.

Last year, the United States ran a trade deficit of $558 billion. If you look just at the trade in goods, this number jumps to an astounding $737 billion.

According to a recent report by the Economic Policy Institute, the growth in the U.S. trade deficit with China alone has led to the loss of almost 3 million American jobs in the last 10 years.

Too often, the U.S. opens its markets to foreign competition without reciprocal access. And while we play by the rules here in the United States, other countries impose unfair tariffs, duties, and technical barriers, and even use techniques like currency manipulation to game international trade rules.

China aggressively uses trade policies, including currency manipulation, to protect and subsidize their domestic industries, while undermining American companies. In response to the World Trade Organization case that the United States brought against China, the Chinese Government recently imposed new retaliatory duties on American-made vehicles which are clearly in violation of WTO requirements.

Additionally, China consistently advances policies to force technology transfers from non-Chinese companies and obtain the intellectual property that drives these advanced technologies. China has also used these policies to help gain an advantage in a number of different industries, including wind turbines and water purification.

Given the aggressive actions taken by China and other countries, we simply cannot afford not to use every tool at our disposal to combat unfair trade practices. This is why Representative MICHAUD and I have joined with our colleagues from across the aisle, Representatives MCCOTTER and LATOURETTE, to put forward a bipartisan amendment to fully fund the new Interagency Trade Enforcement Center, or ITEC.

President Obama created ITEC to enhance the administration's capabilities to proactively challenge unfair trade practices around the world, including in China. ITEC represents a new, aggressive ''whole-of-government'' approach to addressing unfair trade practices and will serve as the primary

forum within the Federal Government for executive Departments and Agencies to coordinate enforcement of international and domestic trade rules.

It is now up to us here in Congress to fund ITEC and give it the teeth it needs to aggressively attack unfair and illegal foreign practices. It is certainly a step in the right direction that the Appropriations Committee provided $15 million of the requested $26 million in funding for ITEC to get it off the ground. But with our Nation running a half-a-trillion-dollar trade deficit, now is not the time for half measures.

We must do everything possible to level the playing field for American workers and American companies. Our budget-neutral, bipartisan amendment will fully fund ITEC by making a small reduction in the Cross Agency Support in NASA, an item funded at $2.84 billion. This amounts to a reduction of less than sixth-tenths of 1 percent for this item. And while I certainly support NASA, this reduction does not come from their core budget items of education, exploration, or aeronautics.

American workers are the best in the world, and they can out-compete anybody, but Congress must pass legislation to ensure that they compete on a level playing field.

Whether you believe in aggressively moving forward with additional trade agreements, or you believe that we need to rethink American trade policy, we should all agree that we cannot and must not let foreign governments cheat because when they do, American workers and American firms lose.

A vote against this common sense amendment is a vote to allow China and other nations to continue gaming international trade laws. Stand up for American workers. Fully fund ITEC, and vote ''yes'' on the Peters-McCotter-Michaud-LaTourette amendment.

I yield back the balance of my time.

Mr. MCCOTTER. I move to strike the last word.

The Acting CHAIR (Mrs. MILLER of Michigan). The gentleman from Michigan is recognized for 5 minutes.

Mr. MCCOTTER. I rise in support of the bipartisan Peters-McCotter-Michaud-LaTourette amendment to fully fund the Interagency Trade Enforcement Center.

Common sense is afoot. I know the novelty is frightening to many in this Chamber. However, let us start by examining some of the premises behind this necessary amendment.

First, despite what many claim, we do not live in a period of time where we have free trade. We live in a period of time of negotiated trade; and, as such, trade must be reciprocal, not suicidal.

The United States, throughout our lifetimes, has been the economic engine of the world. It has remained so because we are a free people, free to engage in contracts, free to engage in research and development, free to innovate, free to manufacture, free to show the world what we can achieve economically as well as politically.

What this amendment will do is something that is a long time coming. It is to treat other nations' unfair trade practices as a comprehensive problem. No more Whack a Mole, no more pretending the problem doesn't exist. What we need to do is, quite simply, take a ''root and branch'' approach to those mercantilist countries whose own oppression leads to the lack of necessary freedom for their people to be able to achieve and compete with the United States.

A refusal to support this amendment simply shows that we will continue to go on the same old tired path of watching the best workers and the best entrepreneurs in the world be cheated out of their pursuit of prosperity, and us all be cheated out of a healthier, more vibrant economy.

I urge my colleagues to embrace this bipartisanship, this common sense, so that, together, we can strike a blow for free and fair trade and protect American jobs by allowing for free and fair competition amongst nations.

I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. The bill already includes important increases for trade enforcement, including $15 million for the Interagency Trade Enforcement Center, an increase of nearly $11 million.

We pushed KIRK to add Chinese speakers. He wouldn't even do it. He wouldn't even do it. We have pushed him to do it.

This is a bad amendment. The offset is a problem. Sometimes you can come here and be for one thing but also want to protect the other.

The Cross Agency Support Account is not free money that can be cut without consequences. The committee has already extracted more than $150 million of savings from this account relative to fiscal year 2012, and NASA will not be able to absorb the additional reductions through efficiencies.

NASA has already been cut. Now we want to cut it more. These cuts will include critical programmatic functions. These are the functions that they want to kind of cut in there. Cybersecurity, cybersecurity to fend off relentless attacks by China. Their computers have been hit. While NASA is a civil Agency, much of its technology also has military applications, and protecting this information is a national and economic—that area they will be taking money from that.

Human space flight safety oversight. We learned the hard way on the *Challenger* and *Columbia* tragedies that relentless attention to safety is necessary. Cuts to this account could hamstring NASA's efforts to minimize the risk of loss of life or property.

Verification and validation of mission-critical software that operates the satellites and the space station. We spend billions of dollars on these space projects, and those investments could easily be wasted by fundamental software errors if such software isn't rigorously tested.

□ 1510

This account also deals with medical support services to keep the astronauts and ground workers healthy. Many NASA employees work regularly in hazardous environments, and I don't want to be responsible for endangering them. The procurement account, which is the operation of agency-wide testing, is a big source for jobs. It funds nearly 10,000 contractor workers, and nearly 8,000 are government employees, FTEs, who carry out these activities.

This cuts vital, important things for NASA. If you want to cut NASA, then you ought to cut this. If you support sticking it to NASA and cutting NASA—if you're against the Orion, if you're against the commercial crew, if you're against all the things they do for space safety—support this amendment. If you want to protect NASA, then I urge you to oppose this amendment.

Lastly, I take a backseat to no one in this body in criticizing the Chinese Government. Frankly, this administration has been weak in aggressively pushing with regard to trade and things like that. We forced and urged and told KIRK to put Chinese speakers on. We put the money in for Chinese speakers when they didn't ask for it.

If you want to protect NASA, I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. In part, I rise out of a desire to have my cake and eat it, too.

I agree with the gentleman, Mr. PETERS, that trade enforcement is critically important. This administration has put a premium on it in that regard, bringing case after case—the tire case—against the Chinese. We could go through the laundry list. There is an $11 million increase embedded in the bill, as it has come to the floor, over last year's appropriation. I am not sure you can find a part of this budget in which there has been a more significant increase. However, it is not at the level of what the administration had requested.

I could support moving additional dollars in this direction, but this target of the Cross-Agency account at NASA, which we're going to see repeated dozens of times on the floor, I think is not the appropriate way to go.

We don't want to rob our space agency of the important resources it needs to protect our astronauts, to protect its cybersystems. We have to be careful here.

So I would say to the gentleman that, no matter what the result on the amendment, I will be glad to work with him as we go forward in the conference to try to find additional resources for trade enforcement. I think this administration has done a great job in fighting the good fight, but they do need the resources. The chairman has provided $11 million in additional resources, but if we can find a few more dollars in that direction, I think it's a worthy investment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. PETERS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WOLF. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert ''(reduced by $13,748,940)''.

Page 4, line 21, after the dollar amount, insert ''(reduced by $2,019,990)''.

Page 6, line 7, after the dollar amount, insert ''(reduced by $1,125,000)''.

Page 6, line 18, after the dollar amount, insert ''(reduced by $860,670)''.

Page 6, line 23, after the dollar amount, insert ''(reduced by $2,880,000)''.

Page 7, line 5, after the dollar amount, insert ''(reduced by $7,600,080)''.

Page 7, line 20, after the dollar amount, insert ''(reduced by $1,367,040)''.

Page 11, line 11, after the dollar amount, insert ''(reduced by $18,635,190)''.

Page 13, line 2, after the dollar amount, insert ''(reduced by $89,051,130)''.

Page 13, line 14, after the dollar amount, insert ''(reduced by $89,051,130)''.

Page 13, line 15, after the dollar amount, insert ''(reduced by $89,051,130)''.

Page 17, line 6, after the dollar amount, insert ''(reduced by $1,650,000)''.

Page 21, line 23, after the dollar amount, insert ''(reduced by $3,309,660)''.

Page 22, line 23, after the dollar amount, insert ''(reduced by $383,160)''.

Page 23, line 9, after the dollar amount, insert ''(reduced by $25,901,010)''.

Page 26, line 14, after the dollar amount, insert ''(reduced by $60,000)''.

Page 27, line 7, after the dollar amount, insert ''(reduced by $343,680)''.

Page 28, line 4, after the dollar amount, insert ''(reduced by $35,654,640)''.

Page 29, line 7, after the dollar amount, insert ''(reduced by $2,701,170)''.

Page 30, line 15, after the dollar amount, insert ''(reduced by $245,550,210)''.

Page 31, line 15, after the first dollar amount, insert ''(reduced by $71,895,120)''.

Page 32, line 4, after the dollar amount, insert ''(reduced by $34,600,350)''.

Page 34, line 3, after the dollar amount, insert ''(reduced by $204,606,510)''.

Page 59, line 4, after the dollar amount, insert ''(reduced by $175,500)''.

Page 65, line 1, after the dollar amount, insert ''(reduced by $85,305,000)''.

Page 70, line 6, after the first dollar amount, insert ''(reduced by $8,982,000)''.

Page 70, line 20, after the dollar amount, insert ''(reduced by $133,200)''.

Page 71, line 20, after the dollar amount, insert ''(reduced by $275,790)''.

Page 73, line 17, after the dollar amount, insert ''(reduced by $10,997,040)''.

Page 74, line 7, after the dollar amount, insert ''(reduced by $2,490,000)''.

Page 74, line 13, after the first dollar amount, insert ''(reduced by $510,000)''.

Page 74, line 17, after the dollar amount, insert ''(reduced by $510,000)''.

Page 76, line 8, after the dollar amount, insert ''(reduced by $90,750)''.

Page 76, line 16, after the first dollar amount, insert ''(reduced by $1,537,530)''.

Page 76, line 24, after the dollar amount, insert ''(reduced by $153,630)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $874,593,990)''.

Mr. BROUN of Georgia (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. This amendment would reduce the administrative spending salaries and expense accounts in the underlying bill by just 3 percent.

During this time of fiscal crisis, it is imperative that Congress works to get both entitlement as well as discretionary spending under control. As we all know, over the last 2 years, House Members have voted to reduce their own administrative accounts, their Member Representational Allowances, by just over 11 percent. Yet, over that same period, many agencies have seen much lower cuts in their spending and have even seen increases in their spending.

For example, under this bill, the National Telecommunications and Information Administration would see a 12 percent increase in its salaries and expense accounts between FY11 and FY13. The Federal Prison System would receive an additional 9 percent increase in salaries and expenses. The Office of the U.S. Trade Representative would receive a 7 percent increase. The U.S. Marshals, FBI, and Drug Enforcement Administration would all receive a 6 percent increase.

Now, some may argue that these agencies perform important tasks. Certainly, we can all agree that those employed by law enforcement agencies, which are funded by this bill, are deserving of the pay that they receive; but, Madam Chairman, the fiscal writing is on the wall: The U.S. Government is broke. We here in Congress must face the facts and stop the denial of our economic position and crisis that we're in. If we are serious about reducing spending, if we are serious about reducing our deficit, we have to ask every agency to follow Congress' lead to take small reductions in their administrative funding.

To be clear, a 3 percent reduction in these accounts would, in many cases, still result in less than a 10 percent reduction in funding from the FY11 funding levels. While this amount is small, it would pay dividends, rich dividends, resulting in nearly $875 million in savings in this bill alone.

It is long past time to get serious about spending. Madam Chairman, this amendment represents a balanced way to achieve significant savings. I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. FATTAH. I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Let me give just one example, and then I will just stand in opposition to the amendment.

On page 30, line 15, this amendment would cut the FBI by $245 million. Now, we know of the important work being done on behalf of the safety of Americans throughout the world by the FBI and, most particularly, here in our own country. Our job under the Constitution is to figure out what appropriations are needed. Under our Constitution, the Ways and Means Committee is responsible for figuring out how to pay for it. We can't say that somehow the safety of our citizens is too expensive for the wealthiest, greatest country on the face of the Earth. I stand in opposition to this amendment.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman.

Mr. BROUN of Georgia. I want to remind my good friends on the other side, those who oppose this, that if my amendment is passed, the FBI still gets a 6 percent increase in what their funding is over today. So they still not only continue their funding but have an increase over current funding levels. This would just reduce the administrative costs, not the funding for the FBI agents out in the field. It's not going to interfere with the security of American citizens.

Mr. FATTAH. In reclaiming my time, you are, indeed, a person who provides a lot of leadership here in the House, and you lead our Thursday prayer efforts. I want to thank you for all the work that you do, but in this instance, I disagree with you.

I have met with Director Mueller right in my office. The FBI needs additional resources. The chairman has provided $128 million in this committee bill. This cuts $245 million when we're trying to deal with the principal responsibility for the world these days in providing protection against terrorist attacks. We just saw in the news today a new device that was attempted to be used to bring down an American commercial airliner. If such a device were to go off, it would cost our economy more, not just in lives, but in real economic costs if we had to reshape our airline industry. It would be, I think, foolish of us as a Nation to retreat from investments at this time in the FBI.

On that point, on page 30, line 15, I oppose this amendment, and I ask my colleagues to do likewise.

I yield back the balance of my time.

□ 1520

Mr. WOLF. Madam Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I want to thank the gentleman from Georgia (Mr. BROUN). His heart is in the right place, and I think the whole concept of getting control of the budget is very important. But I rise in opposition.

It would cut the FBI, DEA, NIST, U.S. Trade Rep and the National Science Foundation. Some of the increases are in here because the House Intelligence Committee approached us. As Mr. ROGERS said:

> There are two kinds of companies in America: those who have been hit by cyberattacks and know it, and those who have been hit by cyber by the Chinese and do not know it.

Many of those important functions the Intel Committee has asked us to carry in order to help and many others would be severely hurt. So I thank the gentleman for the amendment. I think what he's trying to do is important, but I think this would be the wrong way to do it.

I urge a ''no'' vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. MCCLINTOCK

Mr. MCCLINTOCK. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert ''(reduced by $277,824,000)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $277,824,000)''.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCCLINTOCK. Madam Chairman, this amendment cuts more than a quarter-billion dollars in unauthorized appropriations from the International Trade Administration.

What does the International Trade Administration do? Well, it's got some legitimate functions in forcing trade agreements and treaties, and this amendment leaves those functions untouched. But ITA also—and this is from their own material—''provides counseling to American companies in order to develop the most profitable and sustainable plans for pricing, export, and the full range of public and private trade promotion assistance, as well as market intelligence, and industry and market-specific research.''

That's all well and good, Madam Chairman, but isn't that what businesses and trade associations and the chambers of commerce are supposed to do with their own money? Why should taxpayers be subsidizing the profits of individual businesses? If a specific business or industry is the beneficiary of these services, shouldn't they be the sole financiers of those services, either individually or collectively through trade associations?

It's true this program has been around for generations, but Franklin Roosevelt—who was hardly a champion of smaller government—had the right idea when he slashed its budget back in 1932 and closed 31 of its offices. The problem is that reform didn't take. Today the ITA has some 240 offices.

The ITA's authorization lapsed way back in 1996. That's 16 years ago. It's not been reviewed or authorized by Congress since then, but we still keep shoveling money out the door at them. Although it hasn't been reviewed by Congress in all of these years, it has been thoroughly weighed by the Congressional Budget Office, the Office of Management and Budget, and most recently the President's fiscal commission, and they have all found it sadly wanting.

The Simpson-Bowles report summed it up quite nicely when they said:

> Services provided by ITA's U.S. commercial services and other divisions directly providing assistance to U.S. companies should be financed by the beneficiaries of this assistance. While the agency charges fees for those services, its fees do not cover the costs of all of its activities. Additionally, it is argued that the benefits of trade-promotion activities are passed on to foreigners in the form of decreased export costs.

Simpson-Bowles goes on to say:

> According to a study by the Office of Management and Budget, businesses can receive similar services from State, local, and private sector entities. The CBO option to eliminate ITA's promotion activities or charge the program's beneficiaries saves $267 million in 2010 and $1.6 billion through 2014.

Madam Chairman, if the CBO, the OMB, and the President's fiscal commission agree this is wasteful, and Congress hasn't bothered to reauthorize it since it expired 16 years ago, why do we continue spending money that we don't have duplicating services that the beneficiaries of those services either don't need or are quite capable of funding on their own? If the companies that we are told directly benefit from all of these essential services are not willing to fund them, maybe that's just nature's way of telling us that we shouldn't be fleecing our constituents' earnings to pay for them either. Why would we tap American taxpayers to subsidize the export activities of foreigners, as Simpson-Bowles notes?

Madam Chairman, the rules of the House were specifically written to prevent this type of unauthorized expenditure. And they provide for a point of order to be raised if it is included in an appropriations bill, which is what we're talking about right now. But alas, that rule is routinely waived when these measures are brought to the floor, making this amendment the only possible way of ferreting out this kind of duplicative program and outright waste.

This is a prime example of corporate welfare. We ought to be done with it.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Less than 1 percent of American businesses export to any other country. We've been engaged in a process to increase the level of exports, in part with the reauthorization of the Export-Import Bank. A number of these other activities are connected. But this is an activity that has borne fruit. I've met with businesses and the people who run these efforts around the country, and they're doing real work, helping real businesses all across our country, and it creates real jobs.

I'm against the amendment. And I guess if you don't think that we should be focused on jobs and exports, you could oppose it. As for myself—and I would ask those who want to support American jobs—partly we have to do that through selling to the 90 percent of consumers who are somewhere else other than in our own country. So I support continued funding for this effort.

I yield back the balance of my time.

Mr. WOLF. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. This would be a draconian cut. I heard that 5,000 of the 6,000

products in Wal-Mart are made in China. We want to export our jobs. We want to export our products. We want to make cars in Michigan and send them around the world. We want to make things and export them. We want to develop applesauce and export it. We want to export. So I have a long list I'm not going to say, and there are so many things in this bill that are not authorized. There are four pages of things that are not authorized, and if we didn't do things that weren't authorized, then we would have to shut this place down and move off to some other place.

I just think it's a bad amendment. I understand what the gentleman is doing to save money. But I think we need to export and create jobs, and I want to see American products sold in China, American products sold in England, American products sold in Berlin, American products sold in Indonesia. So I urge a ''no'' vote for the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. TURNER OF OHIO

Mr. TURNER of Ohio. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 15, after the dollar amount, insert ''(increased by $5,000,000)''.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. TURNER of Ohio. Madam Chair, my amendment increases by $5 million the minimal level of funding for the International Trade Administration in the amount that they must devote to cracking down on unfair Chinese trade practices.

We must ensure that U.S. manufacturers and workers can compete on a level playing field in the global marketplace. Unfortunately, unfair trade practices from countries like China make this increasingly difficult.

□ 1530

Since the year 2000, there has been a 300 percent increase in the amount of goods imported from China to the United States. Moreover, the Import Administration, tasked with cracking down on unfair trade practices, has for years experienced a growing workload of cases involving trade with China. In my own Dayton community, paper producers and their employers have been hurt by unfairly subsidized imports of thermal-coated paper from China and Indonesia.

For the last several years, Congress has directed the International Trade Administration to devote the same level of funding, $11.4 million, for China anti-dumping and countervailing duty enforcement and compliance activities.

Given the rise in Chinese imports and the increased complexity of cases the ITA must evaluate, we must ensure that efforts to protect U.S. manufacturers and employees from unfair trade practices receive sufficient dedicated funding. My amendment simply increases the minimal amount that the International Trade Administration must use for these activities by $5 million, from $11.4 million to $16.4 million using existing resources provided for under this bill.

I want to thank Chairman WOLF for working with me on this amendment, and I urge all of my colleagues to support the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. TURNER of Ohio. I yield to the gentleman.

Mr. FATTAH. We would agree to the amendment.

Mr. WOLF. Will the gentleman yield?

Mr. TURNER of Ohio. I yield to the gentleman.

Mr. WOLF. I accept the amendment. I think it's a good amendment. The committee continues to support the International Trade Administration, particularly with regard to China. And I won't go on. But I thank the gentleman for the amendment, and I completely agree with it. I urge all Members to support it.

Mr. TURNER of Ohio. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. TURNER).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $101,000,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3721), and for grants, $182,000,000, to remain available until expended; of which $5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; and of which up to $5,000,000 shall be for loan guarantees under section 26: *Provided*, That the costs for loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds for loan guarantees under such section 26 are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $70,000,000.

AMENDMENT OFFERED BY MR. MICHAUD

Mr. MICHAUD. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 17, after the dollar amount, insert ''(increased by $38,000,000)''.

Page 7, line 11, after the dollar amount, insert ''(reduced by $38,000,000)''.

The Acting CHAIR. The gentleman from Maine is recognized for 5 minutes.

Mr. MICHAUD. I rise today to offer an amendment to restore funding to the Economic Development Administration. EDA is the only Federal Agency with the single mission of creating high-quality jobs here at home. The investments made by EDA in all of our districts lead to economic development and job creation.

By law, EDA projects require a 50 percent local share and must leverage significant private sector investment. As a result, EDA funding goes to projects that have been developed and vetted by local leaders and businesses. Their investments are competitive, merit-based, and are based on regional comprehensive economic development strategies. As a result, EDA projects reflect local priorities and contribute

to broader economic development in the area. But most importantly, all EDA investments must result in the creation and retention of high-quality jobs.

The program has a strong track record of success in my home State of Maine and throughout the country. In fact, between 2005 and 2010, EDA investments have helped to create over 314,000 jobs nationwide. At a time when our economic recovery continues to be slow and millions of Americans are out of a job, it does not make sense to cut the one Federal program singly dedicated to funding projects to put them back to work.

My amendment will maintain level funding for EDA, and it is offset by cuts to the periodic census and programs account, which is currently funded at 3½ times that of EDA. Even though the next census is 8 years away, the overall census program was cut by just under $10 million. EDA was cut by $38 million. Reducing the census account by $38 million is only a 6 percent decrease. By cutting EDA by the same amount is a 17 percent decrease in their funding. Some might come to the floor today to criticize EDA or its investment.

I agree that we should do everything we can to make sure this and other Federal programs work well. But cutting EDA's funding or eliminating it altogether would be shortsighted at a time when we need every job-creating tool at our disposal.

My amendment continues level funding for a program that is uniquely designed to address almost any economic development activity. It continues funding for a program that has specific tools and expertise to address chronically poor and distressed areas, post-disastrous economic recovery, and the consequences of plant closures or downsizing.

I am offering this amendment because I believe it is the wrong time to turn our backs on investments in our communities that will make a real difference and because I believe that it is the right time to get our priorities right and insist on Federal investments that are focused on job creation. I offered this amendment last year, and more than 300 Members of the House joined me in voting to restore EDA funding. I urge my colleagues to join me once again this year and help pass this amendment to restore the funding to EDA and to support a proven job creator.

I yield back the balance of my time.

Mr. POMPEO. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. I rise in opposition to this amendment. Just because you call something ''economic development'' does not make it so. We could name an Agency many things. This administration is one that most folks have never heard of. I had never heard of it before I came to Congress 16 months ago. This is a classic case of the Federal Government taking from one and giving to another, often for the benefit of private companies.

You'll see in a minute that I have got an amendment that takes a very different approach to economic development and how we ought to attack this problem. But I heard the distinguished gentleman from Maine talk about job creation. It's one thing for elected officials to go to a ribbon-cutting and stand in front of a facility and talk about jobs and say those are all the jobs that we created when, in fact, those jobs were created by taking money from taxpayers. Where elected officials often don't want to go is to stand in front of the unemployment line or talk about folks who had to pay too much in taxes or stand there and tell someone why that company got money and the company over on the other side didn't get this particular grant from the Economic Development Administration.

I have seen this Agency up close and personal. It is a very, very political use of capital. This is not the free market that we all know. This is an agency that distributes money all over the country, very, very intentionally into 400-plus districts all across America with the aim of making sure that this Agency continues to exist in perpetuity. This is precisely the kind of stimulus that we have demonstrated time and time again in America. It doesn't work. And for that reason, I oppose increasing the funding for the Economic Development Administration.

I yield back the balance of my time.

Ms. KAPTUR. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. I rise in strong support of the Michaud amendment to keep level funding for the Economic Development Administration, and I want to thank Congressman MICHAUD for offering this important amendment. He is a true leader in protecting American manufacturing jobs and businesses from unfair free trade agreements and works tirelessly to promote jobs and economic development here at home.

I want to say to our dear colleague from Kansas, when you look across America—and I realize this may be just your first term—but, you know, the whole State of Kansas is held up by the Federal Government, all those agricultural subsidies, CRP, rural development, wetlands reserve, etc. When one takes a look at the whole Farm Credit Administration, for heaven's sake, not every community in America has those sorts of props under them. And agriculture is a success story. Agriculture is doing very well. We, in Ohio, understand that. But there are parts of Ohio that aren't covered by programs like your State benefits from. And that's where you need Agencies like the Economic Development Administration, in those corners of America that actually manufacture but may not grow things.

□ 1540

Mr. POMPEO. Will the gentlewoman yield?

Ms. KAPTUR. I'll be more than pleased to yield to the gentleman when I finish.

Madam Chairman, the Republican majority claims their priority is to create jobs and promote economic development. However, here we are today with an appropriations bill that drastically cuts resources for the only government agency whose sole mission is economic development.

EDA's diverse portfolio of construction, technical assistance, finance and investment planning programs are designed to help communities build upon their regional assets to foster job creation and business expansion. Particularly at a time when banks are hoarding capital and not lending, EDA's capacity becomes even more important and vital.

The American Society of Civil Engineers gave America's infrastructure a D grade and estimated that over the next 5 years, $2.2 trillion is needed to upgrade our Nation's infrastructure—ports, for example, to ship some of that Kansas grain. That's why I'm a strong supporter of EDA, and particularly of its Public Works program, which funds a variety of infrastructure projects that can help America address our aging infrastructure.

I don't understand why Republicans don't want to help fund investments in America's infrastructure, the greatest job creator we can possibly have in this year of 2012.

EDA's work is generating real returns. So the argument of being concerned with the deficit falls short when you consider EDA. Every dollar in EDA funding is expected to leverage nearly $7 worth of private investment. We've seen it in State after State after State. In fiscal year 2010, EDA created or retained about 48,500 jobs and generated nearly $6 billion in private investment. What a good story that is.

Mr. Chairman, I support Mr. MICHAUD's amendment to restore EDA funding to FY12 levels, and I'd be very pleased to yield to the gentleman from Kansas for any comments he might have.

Mr. POMPEO. Thank you very much for yielding.

You said that, because I'm in my first term, maybe I didn't understand. Perhaps it's because you've been here a couple of years that you don't appreciate how jobs are really created in the real world, not here in Washington, D.C.

You talked about Kansas. You may have forgotten that the air capital of the world, where 60, 70 percent of all aircraft are manufactured—indeed, the business I was in for a decade—was good manufacturing jobs. What we didn't need was more taxes and more government spending. What we needed was the government out of the way.

Ms. KAPTUR. I'm really glad the gentleman stated that because, as a member of the Defense Subcommittee, I know exactly where the R&D comes from for fighter aircraft, for all of our support craft, for all of our Air Guard, and I know how the commercial sector benefits and why we lead the world in terms of airline exports and so forth. But that doesn't abrogate the argument, that doesn't nullify the argument I offered that the whole State of Kansas is doing very well and has a very close relationship to the Federal Government.

Agriculture achieves a special place in this economy, but that's not true in many other sectors, and particularly where we're talking about aging infrastructure, which belongs to all of us. EDA is really vitally important. It's an important ingredient in helping us to modernize coast-to-coast.

So I just want to say to the gentleman from Maine, thank you so very much for keeping the program level. We're not talking about egregious spending here. We're talking about trying to help to rebuild this country. And we know the most important investment we can make in order to create jobs in this country—after assuring unemployment benefits for those out of work, which gets spent immediately in the economy—is investment in infrastructure.

It's too bad that the Republicans can't seem to move a highway bill, a transportation bill out of this Congress. That would be the best thing we could do to create more jobs in this country in the year of 2012. But in any case, passing the gentleman's amendment to fully fund EDA makes common sense and it certainly makes job sense.

I yield back the balance of my time.

Mr. SERRANO. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. I don't think the issue here should be looked at as whether or not the EDA needs more help. It's why, again, we are bashing the Census Bureau. I really think that it's surprising that we would do it on this side, since we will note for the next many hours that there's plenty of folks on that side that will want to do that.

When I first got on this subcommittee years ago and I had the privilege of being ranking member to Chairman ROGERS and then ranking member to Chairman WOLF, I could never figure out what the attack was on the Census Bureau. Then it dawned on me—and I may be totally wrong—that some folks would just like the Census Bureau to do just enough, meaning if you count yourself, that's fine; but if you have to go out and do extra dollars to count folks who ordinarily may not count themselves, then that's not good for some folks and the results may be something they don't want to see. That's the only explanation I could come up with for the fact that—as we will see in the next hours—there will be many desires to cut the Census Bureau and, in some cases, get rid of the whole department.

What we need to know and remind ourselves is that there's probably very few vital functions of agencies like the Census Bureau that are more important than this one. Plans, policies, redistricting, other decisions in this country are based on that count that takes place every 10 years. Unlike other things we do in this Congress and in this country, this is a constitutional mandate, to count the people amongst the States, and every 10 years the Census Bureau gears up for it.

We have found in the past that when we make cuts to the Census Bureau, it ended costing us more money later when we tried to get back some of that money. And then States that may be supportive now of cuts later run to us and say, No, we need a better count; we need a fairer count; we need a count that will make my State show the true growth in population.

So I suspect at the end of today when this vote is taken, there will be a mass vote, as has been in the past, for this amendment. But I really think it is totally foolish to continuously bash the Census Bureau and continuously desire not to have a proper count in this country. It is a vital issue and it's one that we should continue to protect. That's why I would be one of the few voting against this amendment.

I yield back the balance of my time.

Mr. FATTAH. I rise in support of the spirit of this amendment, and I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I also have reservations about the offset. But let me talk first about EDA.

It's critically important—and I'm sorry, I want to apologize to the gentlelady from Ohio—we don't want, in this debate, to substitute insult for insight. I think that what we want to do is focus on the issue at hand. We do need to create jobs.

The EDA is a program that I think almost everyone should be able to support because it's local decisionmaking, investing in communities of interest. It's worked in every State of the country to help communities work through difficult economic circumstances when plants close and the like. It's a return of taxpayers' money to their communities for economic development activities.

What we need to do as we go forward is think about how we pay for this. This is a $38 million increase that the offset of the census will have political attractiveness. But the truth is that we can't substitute that for our constitutional responsibilities to conduct a census and to do it properly. And we have to prepare for it.

So I want to work with the gentleman as the bill goes through the process to try to find additional dollars for EDA, but I hope that at the end of the day we're able to provide more revenues for the census, to do our job as a Congress to fully fund our constitutional responsibilities to have a census and to do it correctly.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. MICHAUD).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MICHAUD. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maine will be postponed.

□ 1550

AMENDMENT NO. 3 OFFERED BY MR. POMPEO

Mr. POMPEO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, lines 17 through 21, after each dollar amount, insert ''(reduced to $0)''.

Page 6, line 7, after the dollar amount, insert ''(reduced to $0)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $219,500,000)''.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. Madam Chair, I rise today to talk about something that Congress doesn't often get a chance to do. I talk to my constituents, and they often tell me, you know, we never get rid of anything. Programs just continue on and on. They grow. They go away for a little bit, and then they come back.

We have a real opportunity here. My amendment is to eliminate the entire Economic Development Administration. We are $16 trillion in debt. This gives Members on both sides an opportunity to start addressing a serious spending problem in a real way. This is an amendment that has bipartisan support that I will talk about in just a little bit. Having spent over $1.5 billion on grants, the EDA does nothing but simply pick winners and losers by region, by industry, by community, and

by particular businesses. It is very similar to earmarks.

This administration uses the EDA to advance local projects and narrowly benefit a particular company or group. At its core, it is nothing more than a wealth-redistribution program, a stimulus bill built up in the nature of an Agency that has been around since 1965.

Let me describe how it works. It begins by taking dollars from all across the country. That money flows to Washington, DC and before it ever goes back out, over 20 percent of it is consumed here in Washington, DC, no value returned. Then it asks companies and communities to apply for free money from the Federal Government to renovate a movie theater or build a road, for a new industrial park. Some of these projects are ridiculous; some of them perhaps not so bad. However, each one is a local project that the Federal Government has no business being involved in, and almost every one of these projects would advance without taxpayer resources.

A frequent flier, the EDA Administrator travels all around the country for groundbreakings and ribbon-cuttings, taking credit for creating jobs when it was really private companies that would have created them anyway. He proudly took credit for a $1.6 billion steel plant in Minnesota with a $1.4 million EDA grant. This is one-tenth of 1 percent of the project. I promise you that the CEO of that steel plant had no idea that that money was in his capital structure.

Now, you might not be familiar with EDA projects, so let me talk about just a couple. In 2008, the EDA provided $2 million to begin construction of the Harry Reid Technology Park. As best I can tell, that facility continues to be empty.

Sometime later, the EDA granted money for a culinary amphitheater, some $2 million of your taxpayer money.

Then, $1.5 million for what I am sure is a beautiful theater, but what business does the Federal Government have in providing money for a theater such as this? We have many in Kansas, too. We didn't happen to get this particular grant. We didn't strike the EDA lottery.

And, finally, half a million dollars as far back as the 1980s to build replicas of Egyptian pyramids. To this day, you can't drive to this facility that is uncompleted. Half a million dollars of taxpayer money spoiled and wasted.

I urge my colleagues to join me in supporting this amendment. Groups like the Business Coalition for Competition, Club for Growth, Heritage Action—folks who believe in the private sector's capacity to create jobs support this.

I will close with this thought. I talked about this bill being bipartisan. The Simpson-Bowles Commission included the elimination of EDA in its projections. It said this Agency ought to go away, on a bipartisan basis. But more, perhaps surprisingly, in 2008, I want to quote from then-Senator now-President Barack Obama who criticized the EDA as ''little more than a fund for corporate welfare.''

Madam Chair, I agree with the President, and I hope my colleagues will join me in supporting the Pompeo amendment to this bill.

With that, I yield back the balance of my time.

Mr. WOLF. Madam Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. It would zero out EDA. Last year the House voted 305–127 to, strangely enough, increase funding for EDA by $80 million. This year, we are funding the EDA at $219.5 million, which is $38 million less than the base appropriation provided to EDA last year. Last year and this year, we in the subcommittee directed the EDA to designate a portion of its grant funding to work with companies to bring back their outsourced manufacturing activities to economically distressed communities in the United States.

So we have asked them to change their whole thrust of the grants, to not do what the gentleman says—and I think he makes some valid points here—but to now have it whereby a community can work to incentivize to bring a company back from China or back from Mexico. Last year, the House voted 305–127 to increase the funding to EDA by $80 million. This year, we were at $219.5 million, $38 million less, so I urge a ''no'' vote.

I yield back the balance of my time.

Mr. MICHAUD. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Maine is recognize for 5 minutes.

Mr. MICHAUD. Madam Chair, I rise today in strong opposition to this amendment to eliminate funding for EDA. As was mentioned earlier, EDA is the only Federal program whose focus is to create jobs. The program funds merit-based competitive grants for projects that also require local funding. EDA's grant decision process is void of political influence and awards grants based on merit. The economy is improving, but we're not back on our feet yet; 12 million Americans are out there still looking for work. Now is not the time to eliminate this program.

My friend from Kansas calls EDA a wealth-distribution program and argues that it picks winners and losers. The financial crisis picked winners and losers. In contrast, the EDA is bound by law to provide investments only to communities experiencing economic distress; 305 Members of the House from both parties, including the gentleman from Kansas, voted to fully fund this program last year. So I urge my colleagues to once again support the EDA in a vote against this amendment to eliminate the program.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. And I think the gentleman might be in opposition. Last year he voted to increase by $80 million to EDA as we went through this process; and today he comes and says he wants to zero it out.

Let me just put this in some context. We have seen gas prices go down for the last 5 weeks in a row; 200,000 homeowners today have their principals being reduced. We have 4.25 million jobs created over 26 months by the private sector. Our economy, unlike those in Europe—Britain has slumped into a double-dip recession; we have 25 percent unemployment in Spain—America is coming back. So this notion that somehow we need to kind of just stop trying to help communities move in the right direction I don't think makes a lot of sense to me. So I join the chairman on the majority side asking that we oppose this amendment.

If there are some people somewhere who don't want economic development assistance from the Federal Government, they don't need to apply. These are merit-based competitive grants, locally decided; and it is helping communities all across our country. We had testimony in the Appropriations Committee from Members on both sides of the aisle about work being done by EDA in Alabama and all across our country. So the notion that we should support this amendment to zero this Agency out, to me, doesn't move us in the right direction. We want to go forward as a country. I move to oppose this amendment.

I yield back the balance of my time.

Mr. McCLINTOCK. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. McCLINTOCK. Madam Chairman, I rise in strong support of the amendment offered by the gentleman from Kansas.

The new House Republican majority was elected last year with the specific charge to bring wasteful spending under control. We can't blame the Senate or the President if there is waste in the budget anymore. Money doesn't get spent by this government unless the House says it gets spent. In a very real constitutional sense, the buck starts here.

Now, here we have an appropriations bill originating in this House that still has outrageously wasteful and indefensible programs in it, and the flagship of

that waste is the $182 million in unauthorized—there's that word again—in unauthorized spending for the Economic Development Administration. This is solely and simply a slush fund that gives away money for the most dubious of local projects. Local projects that benefit local communities should be funded locally. We shouldn't be robbing St. Petersburg to pay St. Paul. We have to ask ourselves, if these projects are so important to local communities, why are those local communities unwilling to pay for them?

□ 1600

If the communities that directly benefit from these projects are unwilling to pay for them, why are we spending Federal money that we don't have?

To add insult to insanity, this particular Agency is sitting right now on $845 million. Why on Earth would we provide it with another $180 million? We ought to abolish this Agency and recover the unspent funds, not throw good money after bad.

Tim Carney hit it on the head in The Washington Examiner last October when he wrote this:

Nearly every Republican voted against President Obama's stimulus in 2009, arguing that the deficit was too high, that government shouldn't be in the game of picking winners and losers, and that Washington doesn't create jobs. But the EDA adds to the deficit, picks winners and losers, and purports to create jobs. If Republicans vote to continue the EDA, they flaunt their hypocrisy to critics.

I have to agree.

I appreciate that the appropriations bills are making incremental improvements in the status quo, but these are times that demand much, much more than that. When Members vote for these appropriations bills, they become responsible for the spending in them and for the waste in them. And I, for one, do not intend to explain to my constituents that a ''culinary amphitheater'' was worthy of $2 million of their hard-earned taxes. This spending is simply indefensible. Doling out grants with little, if any, accountability, this ought to be the poster child for waste in government.

I appreciate the fact that the leadership has agreed to an open amendment process, giving us the opportunity to correct this particular oversight on the floor. But the fact of the matter is that the House is ill-equipped to comprehensively address this kind of waste from the floor, and we must do better in both the authorizing and the Appropriations Committees in combing these bills earlier in the process for these kind of unconscionable and indefensible expenditures.

I commend the gentleman from Kansas for offering the amendment. I wholeheartedly support it.

Madam Chairman, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Madam Chairwoman, my district has historically lagged behind others in the Commonwealth and in the Nation, which is why I have made the economic development of rural Kentucky my top priority since coming to Congress.

Creating jobs in a mountainous region without sufficient roadways or suitable water infrastructure might seem an insurmountable challenge, but I've always encouraged my constituents and community leaders to ''plan their work and work their plan.'' With the help of EDA, this is what we've done in southern and eastern Kentucky.

The Economic Development Administration is one of the few entities in our Federal Government uniquely qualified to address the needs of communities with chronically high unemployment or facing enormous setbacks due to natural disasters. EDA's grants, awarded in a competitive fashion, leverage over $10 from the private sector for every Federal dollar invested and are targeted at facilities that are essential for private industry to remain or locate in these underachieving areas. As a result of these targeted investments in water systems, workforce training centers, intermodal facilities or broadband networks, struggling communities around the country have seen the creation of some 314,000 jobs in the last 7 years.

I wholeheartedly concur with the sponsor of the amendment that the role of the Federal Government isn't to create jobs, but instead, to create the conditions favorable for private sector job creation. By partnering with local area development districts, leveraging public and private dollars, and engaging the local workforce, EDA does just that.

This bill provides $220 million for the agency—which is already $38 million below the current level—rejects the administration's request to shift funds away from vital public works programs, and supports a loan guarantee program to development innovative manufacturing technologies that will keep rural areas competitive nationally and globally. With unemployment in rural areas around the country still hovering at well above the national average, this is an investment we cannot afford to lose. I urge a ''no'' vote, and I yield back the balance of my time.

Mr. RAHALL. Madam Chair, I rise in opposition to the amendment offered by the gentleman from Kansas, Mr. POMPEO, to eliminate funding for the Economic Development Administration (EDA).

The importance of EDA cannot be overstated. Established in 1965, EDA empowers economically distressed communities, among them communities that I represent, to develop and revitalize their economies based on their needs and resources. These funds allow rural communities to be active participants in today's economy by helping to create and retain jobs.

The EDA underwrites basic infrastructure needs, such as water and sewer systems and the expansion of broadband services that help to attract jobs and stimulate economic development. While much of the Nation takes for granted the ability to turn on the faucet and have clean drinking water flow out, countless families in rural America do not. For them, answering such a basic human need is a daily struggle. For them, the EDA is a Godsend.

EDA funding has helped to provide the needed infrastructure for development of industrial parks in my State. These up-to-date facilities create modern spaces that enable existing local businesses to grow and entice other businesses to locate to these livable, rural towns that boast ready workforces.

Those who would undo EDA surely cannot understand what a huge difference the seed money it provides is making in our tough economic times. They must not have seen how it expands the reach and effectiveness of educational institutions or leads to better employment for working men and women. They must not get how the relatively small investments the EDA makes are helping struggling communities to transform themselves into economic engines.

There is nothing frivolous about the EDA. This is an agency that is meat-and-potatoes government at its best. The funds it provides are not handouts. To the contrary, these are investments that are enabling our citizens to pull themselves up by their own bootstraps.

In addition to anecdotal stories though, EDA's success has been proven by an independent study that found that EDA investment in rural areas generates between 2.2 and 5 jobs per $10,000 in incremental EDA investment, translating to a cost of between $2,001 and $4,611 to produce a single job. As the Nation's economy emerges from the recession, EDA is one of the most efficient ways that the Federal government can assist in economic recovery and prevent another downturn.

I have seen firsthand the benefit of a coordinated effort of EDA investments. Between 2006 and 2011, EDA made 25 investments in my district totaling approximately $10 million. These projects are expected to help create approximately 1,125 jobs and help attract approximately $98.5 million in private investment.

I urge the House to recognize the value of EDA as a necessary component to revitalizing our economy, ensuring that the United States remains an economic force, and creating new jobs for American workers.

I urge my colleagues to join me in opposing Mr. POMPEO's amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. POMPEO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POMPEO. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Kansas will be postponed.

AMENDMENT OFFERED BY MR. CICILLINE

Mr. CICILLINE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 17, strike ''grants'' and insert ''grants, including grants authorized under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722)''.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. Madam Chairman, in an effort to drive innovation and regional collaboration, the America COMPETES Reauthorization Act of 2010 mandated the creation of a Regional Innovation Program within the Economic Development Administration. This program is intended to encourage and support the development of regional innovation strategies, including regional innovation clusters and science and research parks.

The President's fiscal year 2013 budget requested $25 million to fund the Regional Innovation Strategies Program. Funding for the Regional Innovation Program would support the Economic Development Agency's interagency effort to build regional innovation clusters, including the Jobs and Innovation Accelerator Challenge.

The Jobs Accelerator is a competitive interagency grant that supports the advancement of high-growth regional industry clusters, very important all across America and particularly important in my home State of Rhode Island.

EDA is currently working in partnership with other Federal agencies, including the Department of Labor's Employment and Training Administration and the Small Business Administration, to promote regional collaboration to spur job growth and economic development.

The Jobs Accelerator aggregates existing investments and technical assistance from multiple Federal agencies to strengthen regional industry clusters—networks of interconnected firms and institutions working to accelerate job growth, business formation and expansion, innovation, workforce training, and small business development. A targeted investment in this program will help Federal, State, and local entities leverage existing resources, spur regional collaboration, and advance economic recovery and job-creation efforts in high-growth industries.

Through the Regional Innovation Program, local leaders are empowered to maximize existing assets and are provided resources to ensure that historically underrepresented communities, including those hardest hit by unemployment and economic decline, are able to participate in and benefit from the regional cluster.

My amendment is simple and straightforward. It does not create any new program or authorization. It does not increase or decrease a single account in the appropriations bill for the Departments of Commerce, Justice, Science, and related agencies. Rather, this amendment serves to specifically cite the Regional Innovation Program to focus attention on this vitally important job-creating initiative as the appropriation process moves forward.

The Regional Innovation Program has been specifically supported and cited in both the fiscal year 2012 and fiscal year 2013 Senate CJS Appropriations Committee report.

We have to recognize that innovation is critically important to America's ability to compete in the global economy. Supporting the development of regional innovation clusters will strengthen our capacity to create and retain new jobs and sustain our economic recovery.

The Regional Innovation Program will help Federal, State, and local entities leverage existing resources, spur regional collaboration, and support economic recovery and job creation in these high-growth industries. I urge my colleagues to support this very straightforward and simple amendment.

Mr. WOLF. Will the gentleman yield?

Mr. CICILLINE. I yield to the gentleman.

Mr. WOLF. Madam Chair, this costs no money. We have no objection to the amendment and accept the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CICILLINE. I yield to the gentleman.

Mr. FATTAH. We are prepared to accept the amendment.

Mr. CICILLINE. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The amendment was agreed to.

□ 1610

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,500,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

AMENDMENT OFFERED BY MR. SCALISE

Mr. SCALISE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 7, after the dollar amount, insert ''(reduced by $7,500,000)''.

Page 17, line 6, after the dollar amount, insert ''(reduced by $10,706,000)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $18,206,000)''.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Madam Chair, the amendment that I bring to the desk brings the two Agencies, EDA and Commerce, back to the pre-2008 spending levels. And as we're focusing on bringing overall spending in this bill, the CJS bill, to pre-2008 levels, I wanted to also bring those two Agencies in line on their overhead, and that's specifically what my amendment deals with.

I want to first applaud the chairman, the gentleman from Virginia, for the work that he and his committee have done to start the process of reducing spending. We recognize that Washington has a spending problem, and some of us here are willing to do something about it and start forcing Washington to live within its means, and that means we have to start the process of setting priorities.

One of the things that was done in the original CJS bill that's been filed is to implement a 52 percent cut to the programs that are implemented, for example, in EDA. And, again, I applaud the gentleman for making those improvements and those reforms in the base of the bill to actually bring the spending in those programs in line with pre-2008 levels.

But one thing that was not done was the spending for the salaries and expenses, the overhead of those Agencies. So as the agencies are being trimmed back, their salaries and overheads are not being subsequently trimmed back, and so that's what we do in this amendment. We actually reduce spending to the point where we will save $18.2 million that will reduce the Federal deficit.

Again, this is one small step in a large number of steps that we need to take as a body, but I want to talk a little bit about what these cuts will mean and what the subsequent corresponding cuts will mean to the cuts that have already been made in the programs themselves.

I think there have been some good examples that have been shown of these programs, what EDA does and some of the money that's wasted. And when you go and you look through what these Agencies have spent money on—again, this is money we don't have—they've spent money on things like building a replica of the Great Pyramids, building a replica of the Great Wall of China.

Two million dollars was spent giving money that we don't have to a city to build an amphitheater with a wine

tasting room. I'm sure there are a lot of people in that amphitheater would like going to a wine tasting room, but there are a lot of places you can go in the private sector that already do that without borrowing money from China to go and build these things with money we don't have.

And so, again, as the committee did the work of cutting 52 percent of the EDA program, they did make some cuts in the overhead, but not to bring it to the 2008 levels. So, as the bill currently stands, in its base form, these two Agencies will see a 25 percent increase in their overhead from the 2008 budget. So, in that 4-year period, even with the cuts that have already been made, these two Agencies still have a 25 percent increase in their spending.

Now, keep in mind this is coming at a time when States, when local governments, when families in our districts back home have been cutting back, have actually been making due with less to live within their means, as everyone should when times get tough. And yet, in Washington, even though 42 cents of every dollar that's spent here is borrowed money, Washington still hasn't cut back subsequently to live within its means; and we've got to start that process, and that means setting priorities.

These Agencies would still have, combined, $74 million to spend on their overhead. But at least it brings them back to their 2008 levels, just as the programs that they're administering have been brought back to 2008 levels.

So think about it. You know, we're asking people to do more with less. If my amendment doesn't pass, they would be asked to do less with more. The programs that they administer are being cut, and yet the salaries and overhead are not being cut subsequently.

We just had a district work period this last week. I go back home and I talk to small businesses throughout my district in southeast Louisiana, and what they tell me, the things that are holding them back from creating jobs are the regulations, the red tape, and the excessive spending coming out of Washington. Yet, if you look at this, you know, nobody in my district said that they need to see the Great Wall of China being built with taxpayer money. But what they do say is what's holding them back from creating jobs is borrowing money from China to spend on programs that we just can't afford to fund.

So while I applaud the cutting of those programs, because the programs in the base of this bill have been cut, what hasn't been cut subsequently is the overhead to go along with it to bring it to those pre-2008 levels. This is a step we need to take to not only save $18.2 million that will reduce the deficit, but to start sending the signal that we're living within our means.

Madam Chair, I yield back the balance of my time.

Mr. FATTAH. I rise to oppose the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. My colleague mentioned small businesses. It brings to mind that, in today's financial times, it shows that we have the highest enthusiasm for hiring and economic optimism in the small business community that we've had in this country in a very long time.

Over $70 billion was made available through the Obama administration for small business loans, through 2009 and 2010, and we now see the results of it. We see millions of private sector jobs being created. Our economy has seen a decrease over 11 months from an unemployment rate of 9.1 percent to now 8.1 percent, and most economists agree it's going to drop into the 7 percent number over the next few months.

This notion that we can cut programs and, therefore, we should cut administration sounds like a lot of common sense. But when you think about it, whether one Member comes over to the floor today or 100 Members, we still have to have staff on the floor. There's still security; there are still lights. There are still expenses in an agency when you have to run any part of the program. So if you have to run a loan program, if you have to run other programs, you need the expertise and the staff to do it. Whether you cut the program back a little bit—it's like a classroom in a school. Unless you're going to eliminate an entire classroom, you need to hire the teacher; you need to have the lights on.

So I would just suggest that, even though the gentleman may be focused on trying to do something, he says, about the deficit, that, in reality, unless he's actually trying to cripple the Commerce Department as it competes with much larger countries like China and India, economic competitors like the European Union, trying to work on behalf of the American businesses, our Commerce Department, we cannot afford to be cutting back and cutting in a way that actually does harm to our economy. So I rise in opposition to this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCALISE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

The Clerk will read.

The Clerk read as follows:

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $28,689,000.

AMENDMENT OFFERED BY MS. CLARKE OF NEW YORK

Ms. CLARKE of New York. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 18, after the dollar amount, insert ''(increased by $5,311,000)''.

Page 11, line 11, after the dollar amount, insert ''(reduced by $5,311,000)''.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. CLARKE of New York. Madam Chair, I rise today in support of additional funding for the Minority Business Development Agency. An offset for this amendment is by $5.3 million from the $79 million increase to the National Institute for Standards and Technology.

Madam Chair, minority firms currently provide 5.8 million people with employment, and we know that they have the untapped potential to create even more. That's why, Madam Chair, Ms. CHU of California, Mr. COHEN of Tennessee, who are cosponsors of this amendment, and myself, along with 33 of our colleagues, sent a letter to the CJS Subcommittee in March seeking MBDA funding levels at $34 million, in direct response to the then-planned closure of the MBDA regional offices and to expand MBDA's network of business centers.

□ 1620

In 2010, MBDA secured $1.6 billion in contracts and $2.2 billion in financing for minority firms. That same year, they realized a 125 percent return on their investment.

Our Nation's economy will not and cannot fully recover until all small businesses are active participants in a robust recovery. The MBDA's mission of supporting minority businesses is absolutely fundamental to the overall recovery of the economy.

Madam Chair, I yield at this time to my colleague, the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I want to thank my colleague from New York for yielding to me.

This is a particularly important amendment because minority business development agencies give people a hand up, not a hand out.

The fact is the folks on the other side are always talking about opportunities in businesses and in small business, and this is the ideal type of Federal Government program in which small

business—minorities—are given opportunities to get knowledge about contracting opportunities with the Federal Government and to get a share and get financing capabilities. Minorities have long been denied the opportunity to get adequate financing from our banking system, and they have been less than properly represented in the number of contracts they get from the Federal Government.

The Minority Business Development Agency just put an office in my district in Memphis, Tennessee, which has the largest metropolitan population, African American population, in this country. Yet it wasn't until this year that a minority business office was placed there—the first one in the history of the State of Tennessee.

There is a lot more that needs to be done to give people an opportunity. In this recession, small business has been hurt and minorities have been hurt, and minorities have been hurt in a disproportionate manner. With this amendment, the Minority Business Development Agency can thrive and give people opportunity—give people jobs, give people contracts—and make economic development go throughout all of America.

I urge my colleagues to support this amendment, the Clarke-Cohen-Chu amendment, and to have a hand up, not a hand out.

Ms. CLARKE of New York. I thank the gentleman for his remarks, and I yield back the balance of my time.

Mr. WOLF. I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in opposition to the gentlelady's increase. The bill already funds the Minority Business Development Agency at the level requested by the administration of nearly $29 million. The administration has not asked for more money.

Also, the offset would not be good. It would cut the scientific research activities at NIST that are vital to increasing our competitiveness, giving the edge to American manufacturing and also doing a lot of work in the area of cyber. Funding the sciences and research programs has been a top priority of both political parties, so I urge my colleagues to reject this increase and to vote down the amendment.

I yield back the balance of my time.

Mr. FATTAH. I rise in support of the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. This amendment, in all likelihood, is not going to pass in the House today.

The chairman is correct that the appropriations request from the administration was fully met in the bill, but I do want to associate myself with the remarks of the gentlelady from New York.

I share a birthday with DICK DURBIN, who is the majority leader in the Senate, and with the gentlelady from New York. We all happened to be born on the same day, but at least between me and DURBIN, she is at least the best among us.

This effort to increase our focus on underserved communities is an important one, and that is why I am happy that she, along with the gentleman from Tennessee, have brought this amendment forward. I think that, in order to increase economic opportunity in our country, we need to be focused on this agency. It's not so much whether we save an office here or there. Rather, it's that we need to put increased focus on loans and technical assistance and contracting opportunities for businesses that have been left out. I know the chairman agrees with me in this regard. We need to continue to look for ways to increase the opportunities for this agency in order to serve these communities.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. CLARKE).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $96,000,000, to remain available until September 30, 2014.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $253,336,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs, provided for by law, $625,357,000, to remain available until September 30, 2014: *Provided*, That from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

AMENDMENT NO. 4 OFFERED BY MR. LYNCH

Mr. LYNCH. Madam Chair, I believe I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 11, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 43, line 15, after the dollar amount, insert ''(increased by $4,000,000)''.

Page 44, line 23, after the dollar amount, insert ''(increased by $4,000,000)''.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. LYNCH. Madam Chair, I rise to offer an amendment to H.R. 5326, making appropriations for the Departments of Commerce, Justice, Science, and Related Agencies bill.

My amendment would increase by $4 million the amount appropriated for fiscal year 2013 for the Office of Justice Drug Courts Program. The $4 million added to the Drug Courts Program will be offset by decreasing the amount by $4 million in the funding for periodic censuses and related programs.

To say that there is a drug addiction problem in the United States is an understatement. We're dealing with an epidemic that is in every city and town in this country and that reaches across every demographic. Addiction does not discriminate as it shatters lives, breaks up families, and costs hundreds of billions of dollars annually. In fact, according to the National Institute on Drug Abuse, estimates of the total overall costs related to substance abuse in the United States, including productivity and health- and crime-related costs, exceed $600 billion annually.

Drug courts are specialized court dockets designed to handle cases involving drug and/or alcohol dependent offenders who are commonly charged with offenses such as the possession of a controlled substance or other nonviolent offenses determined to have been caused or influenced by their addictions. These cases are handled through a comprehensive program of supervision, drug testing, treatment services, and immediate sanctions and incentives that are designed to reduce the recidivism rates of these particular offenders. People who don't comply with the requirements of drug courts go to jail. They go to jail quickly and for various periods of time. It's a ''get tough'' policy. Particular offenders have their recidivism rates reduced by helping them overcome their substance abuse problems, which are the primary and predicate causes of their criminal activities.

Drug courts coordinate the efforts of judiciary, prosecution, defense bar, probation, law enforcement, treatment, mental health, social services, and child protection services to break the cycle of substance abuse, addiction, and crime. If we can break that cycle, we will all benefit.

Drug courts work. Drug courts save money. They reduce crime and they restore families. According to the National Association of Drug Court Professionals, the drug court approach reduces crime by as much as 45 percent more than other sentencing options. In fact, nationally, 75 percent of drug courts graduates remain arrest-free for at least 2 years after leaving the program, and reductions in crime by those offenders is long term.

In addition to reducing crime, drug courts save money, and that is a theme

that has become very popular around here lately. As reported by the National Association of Drug Court Professionals, for every dollar nationwide invested in drug courts, taxpayers save as much as $27. This substantial savings comes from avoiding criminal costs, prison costs, reduced victimization, and health care utilization—all areas in which vast sums of money are spent.

Most importantly, drug courts help restore and preserve families. According to statistics, family reunification rates for drug offenders are 50 percent higher for drug court participants. As people struggle through addiction, they lose a sense of themselves and become isolated from everyone they've known. Reuniting with their families can be the first step in returning to normalcy and to becoming again productive members of their communities.

The underlying bill provides $41 million in drug court funding, which is $6 million over the FY 2012 level. For that, I would like to thank Chairman FRANK WOLF and Ranking Member CHAKA FATTAH.

However, drug courts have been historically underfunded since 2001. So this $4 million increase would bring funding for the National Drug Court Program in line with its historical average of $45 million since 2001. I appreciate the good work of the census, and I believe that this modest offset can be accounted for in the coming years, but the work of the drug courts meets an immediate and critical need.

□ 1630

Mr. WOLF. Will the gentleman yield?

Mr. LYNCH. I yield to the gentleman from Virginia.

Mr. WOLF. I have no objection to the amendment. I think it's a good amendment. The committee has also been very supportive. Also based on the recommendation of Mr. MEEHAN, they have broadened it now with regard to veterans, too.

But I thank the gentleman, and we accept the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. LYNCH. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I also can support this amendment.

I led the effort in the Pennsylvania legislature to create drug courts in our State. I'm a big supporter, and I think that the chairman—in the bill before us, we've already increased this account, but I think that the amendment as offered by my colleague is something that we would support.

Mr. LYNCH. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $45,568,000, to remain available until September 30, 2014: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

U.S. PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $2,933,241,000 to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2013, so as to result in a fiscal year 2013 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2013, should the total amount of such offsetting collections be less than $2,933,241,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $2,933,241,000 in fiscal year 2013 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2013 for official reception and representation expenses: *Provided further*, That in fiscal year 2013 from the amounts made available for ''Salaries and Expenses'' for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112 29): *Provided further*, That within the amounts appropriated, $2,000,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $621,173,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the ''Working Capital Fund'' *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $149,000,000, to remain available until expended, of which $128,000,000 shall be for the Manufacturing Extension Partnership, and of which $21,000,000 shall be for the Advanced Manufacturing Technology Consortia.

AMENDMENT OFFERED BY MR. QUAYLE

Mr. QUAYLE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, line 18, after the dollar amount insert ''(reduced by $21,000,000)''.

Page 11, line 20, after the dollar amount insert ''(reduced by $21,000,000)''.

Page 101, line 10, after the dollar amount insert ''(increased by $21,000,000)''.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. QUAYLE. Madam Chair, this amendment would strike the new Advanced Manufacturing Technology Consortia, also called AmTech, and apply the $21 million that was provided in the bill to the spending-reduction account. This new program is intended

to establish a public-private partnership initiative that would provide Federal grants to identify and support research projects focused on long-term industrial needs.

We all recognize the importance of advanced manufacturing and the value of collaboration and innovation policy. My hometown of Phoenix has a strong high-tech base and great research universities. I also serve as the chairman of the Subcommittee on Technology Innovation, which has jurisdiction over NIST. Our committee has a long bipartisan record of support for NIST and its contributions.

That being said, in the current budget environment, I simply do not believe it is appropriate to be establishing and funding a new program. Even without the new $21 million Advanced Manufacturing Technology Consortia, this budget is still nearly 8 percent higher than was provided last year.

Madam Chair, when you look at the amount of debt that we've accumulated over the course of many years and you look at the budget process that we're going through right now, this AmTech was actually requested for the funding last time around when we were going through the appropriations process, and we rightfully did not fund this new program. There are already programs in place for manufacturing, and there are other places that we can go in the private sector to be able to deal with that in the research and developing new ways to be innovative in advanced manufacturing. It is not the time to be wasting another $21 million in spending that we don't have in order to put forth a new program.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. WOLF. Madam Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. The amendment would cut $21 million we provided for NIST to establish an Advanced Manufacturing Technology Consortia, or AmTech.

Revitalizing the manufacturing sector is important to a strong economy. Is America going to be making anything? Aren't we all tired of going into Wal-Mart and seeing ''made in China''? We have to begin to make things in this country. AmTech would be a competitive-grants program designed to leverage existing or establish new industry-led consortia to develop roadmaps for key long-term industrial research needs and support research at universities and government labs. AmTech will address multiple components of the innovation cycle from discovery to commercialization to accelerate the pace of innovation through the various industrial sectors.

These are precisely the types of programs that we need now to support American manufacturing and innovation, and NIST has a strong track record of proven success in supporting American manufacturing. Manufacturing should be the cornerstone of the economy, and this amendment would help stop it.

I'm going to digress for just a second. When this Congress on two different occasions was asked by the administration to do away with the so-called ''payroll tax,'' that cost this Congress $125 billion. By doing that, both sides of this Congress and the administration gave Jimmy Buffett a break and Warren Buffett a break, and they created no new jobs. We took $250 billion and literally threw it away and jeopardized the Social Security program. They said they were going to pay for it by borrowing from the general fund. The general fund is broke. This is manufacturing, and we need a manufacturer. We need to create jobs in this country.

I know the gentleman has got a great record on the cutting, but this is not the place we want to do it. And I urge a ''no'' vote and yield back the balance of my time.

Mr. FATTAH. Madam Chair, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, there is nothing more important in our country than the revival of manufacturing. Over the first decade of this century, we lost so many manufacturing jobs.

At the front edge of this recovery is manufacturing. So that's 370,000 new jobs. To take our Federal laboratories, which we invest billions of dollars that we have—I've visited Sandia and Los Alamos and the Fermi Lab and the Argonne Lab. We have tens of thousands of scientists and researchers there. This consortia program will allow them to work with local manufacturers and communities to help build our manufacturing base so that as we compete across the globe to build it here and sell it everywhere, that we have the manufacturing capabilities to do it.

I think this is an amendment that is unwise. We have a budget that is built not only on the agreement last year, but on the Ryan budget. We're operating within the 302(b) allocation. So for people to rise and say we don't have the money, no, this is money that's been allocated by the majority Republican Congress to spend on behalf of moving our country forward. So we should have a debate on what's important. I think manufacturing is important. I hope that we will reject this amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. QUAYLE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. QUAYLE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c 278e), $60,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $2,968,371,000, to remain available until September 30, 2014, except that funds provided for cooperative enforcement shall remain available until September 30, 2015: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $119,064,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': *Provided further*, That of the $3,102,435,000 provided for in direct obligations under this heading, $2,968,371,000 is appropriated from the general fund, $119,064,000 is provided by transfer, and $15,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $207,013,000: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act.

AMENDMENT NO. 10 OFFERED BY MR. HARRIS

Mr. HARRIS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, line 2, after the dollar amount, insert ''(reduced by $542,000)''.

Page 13, line 14, after the dollar amount, insert ''(reduced by $542,000)''.

Page 13, line 15, after the dollar amount, insert ''(reduced by $542,000)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $542,000)''.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. HARRIS. Madam Chairman, first I want to congratulate the committee for doing its work to help curb the rise in government spending.

I rise to offer an amendment to provide level funding for NOAA's Climate Portal program, rather than the increase in the funding requested by the President and included in the bill as it currently stands.

The Climate Portal program is actually a Web site run by NOAA; and in committee testimony, Dr. Lubchenko suggested that this was a science Web site. This is where you can share climate science information and make decisions.

□ 1640

Madam Chairman, the request is a 56 percent increase in funding. Now, the only thing that's gotten a 56 percent increase over the last 4 years is the size of the Federal deficit and the debt. So my amendment merely reduces the level of funding to the current level.

But I want to read, as you click on some of these topics, what the science is at this port. I am going to read from an article just published on the Web site on May 2. It talks about farming.

''The rain was as loud as pennies falling on the roof of the truck's cab.'' Later on in the paragraph, ''We had been watching Johnson work in his field until the fat drops of rain sent us racing for cover.'' Next paragraph, ''The machine behind the tractor makes it easier than ever for him to roll the grass into submission, thousands of stalks pointing accusingly at the device that just pancaked them.''

Madam Chairman, that's not a scientific article. That's something I read to my children at bedtime. But this is what NOAA is advancing as a scientific Web site to share scientific information and is asking for a 56 percent increase in their funding.

My amendment is simple. Let's just level-fund the Web site. Let's revert it to a truly scientific nature and come back next year, if and when our finances are better.

Mr. WOLF. If the gentleman will yield, I think it's a good amendment, and I accept the amendment.

Mr. HARRIS. With that, I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. It is our understanding that this affects climate change research, and we think that we should not support the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. HARRIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HARRIS. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT OFFERED BY MS. HANABUSA

Ms. HANABUSA. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 2, after the dollar amount insert ''(increased by $1,600,000)''.

Page 32, line 4, after the dollar amount insert ''(reduced by $1,900,000)''.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HANABUSA. Madam Chairman, first I would like to say that this is a bipartisan amendment. Congressman YOUNG from Alaska has joined in the amendment, as well as Congresswoman BORDALLO, Congressman SABLAN, and the gentleman from Washington, Congressman DICKS.

So, Madam Chairman, this is a very important issue, and it's not asking for much in terms of funding. It's asking for funding to be restored to the fiscal year '12 level.

And let's look at what we're talking about here. We're talking about the Marine Debris line, which funds NOAA's Marine Debris Program, which was really established and mandated by the Marine Debris Research, Prevention, and Reduction Act of 2006. As you know, the program works to map, identify, assess, remove, and prohibit marine debris.

Marine debris is, of course, the worst pollution that we're dealing with in our oceans, but it has become even more relevant to us after the tsunami, the earthquake, and, of course, Fukushima Daiichi in Japan on March 11, 2011. And we have, I'm sure, all sat there in amazement as reports have been made of a soccer ball being found, I believe, in Alaska and a motorcycle in Canada. Definitely, the debris is hitting North America.

I represent Hawaii, and we are on watch as well. All indications are that the debris is making its way. It will hit the northern Hawaiian Islands maybe in the later part of this year. But definitely we expect that the coast will be hit by 2013 as well as Hawaii and other islands.

And think about what this means. You are not talking about a ship. You are not talking about things being dropped in the ocean. You are talking about whole cities. I'm sure we can all recall seeing, in Japan, that tsunami coming in and wiping out cities. And think about where that went.

I think the problem that we, many of us, have is that we stand there in awe of what happens, but we don't think about what the consequences are. And the consequences here are major. That is floating in the ocean, and it is making its way to us.

That is why this amendment has been proposed, and that is why I believe this amendment has the sponsors that it does have, because we are simply asking to be restored to the level of fiscal year 2012. What that will give us—remember, at that point, we were merely monitoring. We didn't have any clear evidence as to what was happening. Now we know.

All this does is say restore it to at least that level so that the Marine Debris Program can do its work and map, identify, assess, remove, and prohibit more marine debris from hitting our shores. Think about the consequences for us.

Madam Chairman, that is why I ask that we all support this amendment and, on page 13, line 2, increase the amount by $1.6 million, just to the fiscal year 2012 level.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HANABUSA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIMM

Mr. GRIMM. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 42, line 3, after the dollar amount, insert ''(increased by $18,000,000)''.

Page 42, line 12, after the dollar amount, insert ''(increased by $18,000,000)''.

Page 13, line 2, after the dollar amount, insert ''(reduced by $18,000,000)''.

Page 13, line 14, after the dollar amount, insert ''(reduced by $18,000,000)''.

Page 13, line 15, after the dollar amount, insert ''(reduced by $18,000,000)''.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Madam Chair, I rise today to offer an amendment I introduced along with my colleagues, Mr. KING of New York, Mr. BARLETTA, and Mr. RUNYAN, that would ensure funding is maintained for regional information sharing activities, such as the Regional Information Sharing System, RISS, a program established by Congress over 30 years ago as a nationwide resource for law enforcement to share criminal and intelligence information.

The House FY2013 CJS appropriations bill requests $27 million in funding for this important program, a 40

percent reduction over past years. Our amendment would restore regional information sharing activities to the fiscal year 2011 funding level of $45 million. In the fiscal year 2013 Commerce, Justice, and Science Appropriations Act, it is fully offset by reducing funding for NOAA climate research.

RISS is a valuable tool that helps nearly 9,000 Federal, State, and local law enforcement agencies in all 50 States, the District of Columbia, and U.S. territories. They share information more effectively in order to combat terrorism, dangerous criminals, gangs, and sex offenders.

Since 2000, RISS support has yielded $942.5 million in narcotics, property, and case seizures alone, a 223 percent return on Federal investment, and contributed to more than 57,360 arrests. These numbers don't lie. It's clear that regional information sharing more than pays for itself. These positive results have spurred a greater demand for RISS services. However, with RISS experiencing funding cuts in fiscal year 2012, Agency needs could not always be met.

□ 1650

With these additional cuts in fiscal year 2013, RISS will need to implement widespread layoffs and potentially dismantle critical intelligence centers. So in order to maximize the ability of law enforcement to combat crime and keep our community safe, regional information-sharing activities must remain adequately funded.

I strongly urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. WOLF. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I wish we could have worked something out. I visited the RISS center up in Bucks County. My dad was a Philadelphia policeman. I take a back seat to no one on the issue of crime.

But it doesn't cut the climate. We don't go down to that. What we're cutting, basically, is weather. What we're cutting is a National Oceanic and Atmospheric Administration research and facilities issue. The account the gentleman is proposing would cut funds for the National Weather Service and the satellite office that process all the data with regard to weather—hurricanes, tornados.

As we go on, no matter what the outcome of this amendment, it doesn't cut climate service. Also, this is the same level fiscal year as it was in the 2012 level and the request. Some Members come down and want more cuts; others want an increase. This bill is below the President's numbers. It is below last year. It is a good program, but it's balancing out.

So I would urge people to vote ''no,'' and as we go to conference, I'll tell the gentleman, we'll work on it. As of now, I urge a ''no'' vote. If you vote ''yes,'' then the money is coming out of the weather. If there's a hurricane, a tornado, a snowstorm, a problem, then you make your own judgment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIMM. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,931,948,000, to remain available until September 30, 2015, except that funds provided for construction of facilities shall remain available until expended: *Provided*, That of the $1,946,948,000 provided for in direct obligations under this heading, $1,931,948,000 is appropriated from the general fund and $15,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2014: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 13, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $15,000,000)''.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Thank you, Madam Chairman.

My amendment would reduce funding for the Pacific Coastal Salmon Recovery program to the President's FY13 request of $50 million.

I love salmon. I love to eat them. I love to fish for them. I'm a conservationist, and conservation issues are what started my political activism. But we also are in an economic crisis as a Nation.

Let's be clear, this program is basically an earmark, and we should be eliminating it altogether. But that's not what my amendment does. I'm simply asking that we revert to funding levels back to those requested by the President. If $50 million in funding is good enough for the administration, that's exactly the amount of taxpayer money that this program should receive—and not a cent more.

Given our current economic emergency, everyone needs to pull their weight when it comes to cutting spending. Congress has had to slash its own budget. Agencies across the Federal Government are tightening their belts left and right, and our Nation's families are reining in spending to deal with our failing and flailing economy. Yet the Pacific Coast Salmon Recovery is requesting $65 million in their funding—a $15 million increase in their budget from what the President himself has recommended for this year.

I urge my colleagues to support my amendment to simply save American taxpayers $15 million by maintaining the status quo for the Pacific Coastal Salmon Recovery funding.

I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. First of all, I take umbrage at the use of the word ''earmark'' by my colleague. This is no earmark. This is a national program. This affects California, Nevada, Oregon, Washington, Alaska, and Idaho. These States, after a whole series of endangered species listings that go coastwide, are trying to save these salmon runs.

As someone who comes from Washington State, I have been in the midst of an effort to try to recover our salmon runs. We have marked our fish. We have gone to selective harvests. We're protecting our wild runs. We're trying to do everything we can to recover these salmon runs.

Today, on the Columbia River in Washington State, we will be very fortunate to get 600,000 salmon back. At a time in the thirties we would have 20 million fish coming back every year: wild chinook salmon, coho salmon, and others.

So I think this is a very good program. We have worked hard to make sure the money is used for strong habitat restoration work and that we have worked to improve our hatcheries. We've done hatchery reform. We've done everything we can to restore the habitat for these fish.

Again, this is a national program that was created during the Clinton administration. It is strongly supported in the Pacific Northwest by both Democrats and Republicans. I see my good friend from Alaska, Mr. YOUNG, has arrived on the floor; and I just want you to know that Alaska, where we still have many wild fish, also participates in this program from time to time.

So I urge that we vote ''no'' on this amendment. This is a national program. It has been in existence for 12 years. It is doing a good job; but we're fighting a very difficult problem, and we still need to keep working on this because of the endangered species listing, and we still have work to be done. And to cut this back, I think, is a mistake. I urge my colleagues to vote ''no'' on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DICKS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2013, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: *Provided*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $55,000,000: *Provided*, That the Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $28,753,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. (a) Section 105(f) of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55) is amended—

(1) by striking ''paragraph (2)'' and inserting ''subsection (e)(2)''; and

(2) by striking ''this subsection'' and inserting ''subsection (e)''.

(b) The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by subsection (a) of this section, are hereby adopted by reference.

SEC. 106. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 108. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 109. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

This title may be cited as the ''Department of Commerce Appropriations Act, 2013''.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice,

$110,322,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

□ 1700

AMENDMENT NO. 1 OFFERED BY MR. GOWDY

Mr. GOWDY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 23, insert ''(reduced by $1,000,000)'' after the dollar amount.

Page 101, line 10, insert ''(increased by $1,000,000)'' after the dollar amount.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Madam Chairwoman, for well over a year now, committees of Congress have been trying to answer basic, fundamental questions about an ill-conceived, ill-executed firearms operation called Fast and Furious. A Border Patrol agent was killed, hundreds of Mexican citizens have been killed, thousands of weapons are unaccounted for and likely to be used in future crimes. But the Department of Justice and the Attorney General specifically will not provide documents properly, legitimately requested, so I am left with no choice, Madam Chairwoman, but to offer an amendment cutting the Department of Justice appropriation.

Congress has been patient—indeed too patient in my judgment—and I understand that for some everything is a political exercise, but surely the Department of Justice can rise above petty, partisan politics and comply with a subpoena. The Department of Justice expects others to comply with subpoenas, yet they will not do so themselves. For those watching at home, what would happen to them if they ignored a summons for jury duty? What would happen to them if they ignored a grand jury subpoena? What would happen if a committee of Congress demanded documents and they summarily refused to cooperate? Madam Chairwoman, they would be sanctioned, fined, and probably jailed.

The Department of Justice is not just one more agency within the Federal Government. And the Attorney General is not just one more political appointee put in place to advance one agenda or the other. Lady Justice is blindfolded for a reason. She can see who is in front of her, she just chooses not to. The Attorney General is the chief law enforcement officer for the United States, and that is a role that is far and beyond politics. Citizens must have confidence in institutions of justice, and they must have confidence in the top law enforcement official in the country. And how can they possibly have either if the Department of Justice is withholding documents?

Madam Chairwoman, it did not have to come to this. It should not have come to this. But there are basic questions the public and Congress have a right to have answered, such as: Who in the Department of Justice approved the tactic of gun walking? Why was the criminal chief advocating for the tactic of gun walking on February 4, 2011, in Mexico, which is the very same day a demonstrably false letter was written to United States Senator CHUCK GRASSLEY denying the tactic. On the very same day Lanny Brewer is advocating for it, a letter is sent under Department of Justice letterhead denying the tactic. How did such a demonstrably false letter ever get drafted and sent on DOJ letterhead? Was gun walking alluded to in the wiretapping applications? And if so, who missed it? When the President said he did not approve of Fast and Furious and neither did Eric Holder, how did he know that? He said that in March of 2011.

These are but five questions that we do not have the answer to despite one solid year of asking.

So, Madam Chairwoman, this is not about politics to me. It's about respect for the rule of law. It's about answers. It's about accountability. It's about acceptance of responsibility. I will not, I cannot stand idly by while oversight of this body is ignored. It is time we did the jobs we swore allegiance to the Constitution to do, even if others will not.

With that, I yield back the balance of my time.

Mr. WOLF. Madam Chair, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in support of the gentleman's amendment. I have had a difficult time getting answers out of the Justice Department. Many times before the Attorney General comes up, we have six or seven letters there, and the night before the hearing we get one letter that says, in answer to your letter of October 1, October 15, and October 28—and so I completely support the amendment, and I urge Members to support this to send a message. I think it is important for the Justice Department to respond. Particularly, they are the Justice Department. So I thank the gentleman for the amendment and urge its support.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Let me try to make a broader point here. We fund the Department of Justice to deal with crime and the protection of our country and our citizens. The crime rate has gone down each and every year of this administration. Violent crime is down. Homicides are down. The Department of Justice is intertwined in inextricable ways with the prevention of terrorist attacks on our homeland and on our citizens, and they have had an extraordinary record.

Now there may be occasions in the House for committees to do whatever it is that they need to do. I know there have been seven hearings in which the Attorney General has testified. I know that thousands of pages of documents have been turned over. But the last thing we should be doing is stripping away resources from a department whose responsibility to all of its agencies is to protect the people who have elected us. They have a responsibility in terms of antiterrorism.

I was out at the opening of the Terrorist Screening Center in Virginia, and to see the various organizations under the mantle of the Department of Justice working hand in hand to make sure that some 300-plus million Americans are safe, I think it has been an extraordinary job done by Attorney General Holder. I think anyone in our country knows this is a political matter. What we need to do is to do our actual work here, and our work here is to deal with appropriations to figure out what the resources are that the Department of Justice needs to do its work.

And yes, there will be a day for politics. That day is on the first Tuesday in November. Today is not the day for that. Today is the day for this Congress to do its work. I oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. SCHOCK). The question is on the amendment offered by the gentleman from South Carolina (Mr. GOWDY).

The amendment was agreed to.

□ 1710

AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 23, after the dollar amount, insert ''(reduced by $22,418,000)''.

Page 43, line 15, after the dollar amount, insert ''(increased by $22,418,000)''.

Page 43, line 17, after the dollar amount, insert ''(increased by $22,418,000)''.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. RUNYAN. Mr. Chairman, my amendment transfers $22.418 million from the General Administration Fund to the Edward Byrne Memorial Justice Assistance Grant program, bringing the Byrne/JAG total to $392.48 million, the same as the Senate mark.

The Edward Byrne Memorial Justice Assistance Grant program provides valuable services to local police departments all around the United States. These grants help to enhance law enforcement capabilities by providing

funding to local law enforcement agencies through improving officer safety via equipment, technology, and training. Better equipment and trained police officers are a necessity to keep our communities and our constituents safe.

This amendment is deficit neutral, while increasing funding for support of local law enforcement organizations all over the United States. It is also supported by the Fraternal Order of Police.

During tough fiscal times such as these, we must prioritize and ensure we are providing appropriate funding for those programs we need the most. The Byrne/JAG funding should be appropriated as mentioned above in an effort to best serve our constituents.

I urge support of my amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I yield to the distinguished gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I thank the ranking member.

We rise in opposition because the offsets we think are ill-advised in terms of its cuts, particularly to the Civil Rights Enforcement Office, and a number of others. We request a ''no'' vote on the amendment.

Mr. DICKS. And it's $22 million. This is a big-time cut, and this would affect sensitive civil rights cases. So I urge a ''no'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

The Clerk will read.

The Clerk read as follows:

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $33,426,000, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $313,438,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the ''Immigration Examinations Fee'' account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $84,199,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $12,772,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $863,367,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 9, after the dollar amount, insert ''(increased by $13,500,000)''.

Page 25, line 9, after the dollar amount, insert ''(increased by $21,500,000)''.

Page 30, line 15, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 61, line 13, after the dollar amount, insert ''(reduced by $44,000,000)''.

Page 63, line 20, after the dollar amount, insert ''(reduced by $38,000,000)''.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, my amendment to H.R. 5326 would fully fund the Department of Justice's financial and mortgage fraud enforcement activities as well as the new Residential Mortgage-Backed Securities Working Group.

In announcing this initiative during the State of the Union, President Obama said that the new unit will ''hold accountable those who broke the law, speed assistance to homeowners, and help turn the page on an era of recklessness that hurt so many Americans.'' President Obama recognized that additional resources were needed to prosecute crimes against homeowners and mortgage investors.

Since the start of the financial crisis of 2008, there have been 3.5 million foreclosures. While it's clear that there was extensive fraud in the origination and securitization of mortgage loans, these cases were complicated and time consuming. Without a coordinated task force with significant resources, the greatest crime in the history of our housing market will go unpunished. However, so far, the RMBS Working Group is off to a slow start.

The RMBS Working Group cochair, New York Attorney General Schneidermann, all but affirmed my concerns when he essentially admitted to the Congressional Progressive Caucus during a special public forum that the RMBS Working Group does not yet have the resources it needs to establish a robust infrastructure commensurate with the charge of investigating the 2008 financial crisis.

To fund this effort, the President requested a $55 million increase in the budget for the Financial Fraud Enforcement Task Force to help facilitate an increase in staffing for the RMBS Working Group. However, as noted in the Minority Views, H.R. 5326 only provides a small portion of the increase that's needed. So I have worked to find additional funds from within the NASA appropriations that I don't anticipate will endanger any program. Considering the retirement of the space shuttle program and a shift in NASA's priorities, I believe we should use the funds in these accounts to help bring justice to defrauded investors, homeowners, and consumers.

My amendment pulls from NASA Aeronautics' budget of $569.9 million in appropriations—a fair target since NASA only requested $551.5 million. I am making up the other portion of the funds needed to neutralize the impact on budgetary outlays by pulling $38 million from NASA's Space Operations' $3.9 billion in appropriations.

In subtracting from these accounts, my amendment would increase the FBI's budgets by $9 million, increase DOJ's legal activities appropriation by $13.5 million, and increase the appropriations for U.S. Attorneys by $21.5 million, all in efforts to fully comply with the Obama administration's $55 million request.

The FBI needs the funding to increase its capacity to investigate financial and mortgage fraud schemes. The requested 40 new agents and four forensic accountants will create two hybrid squads to target the most significant, complex financial crimes, and

remaining resources will be allocated to FBI field offices to increase financial and mortgage fraud efforts.

The criminal division within DOJ needs additional resources to prosecute the most significant financial crimes—including mortgage fraud, corporate fraud, and sophisticated investment fraud—coordinate multi-district financial crime cases, and assist U.S. Attorneys offices in financial crime cases with significant money-laundering and asset-forfeiture components.

The civil division within DOJ needs funding to expand civil enforcement efforts to continue to obtain recoveries from individuals and companies who have defrauded the government by violating the terms of Federal contracts, grants, loans, and subsidies.

□ 1720

The Civil Rights Division within DOJ needs funding to expand civil enforcement efforts, including investigations of predatory lending, pricing discrimination, matters involving allegations of potentially fraudulent behavior.

And lastly, the U.S. Attorneys need additional resources to expand criminal investigations and prosecutions of mortgage fraud.

I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in opposition to the amendment.

We share the gentlewoman's concern for the importance of investigating and prosecuting financial crime; however, the bill already includes a program increase of $6.6 million to the FBI for this purpose, one of the very few increases included under the Justice Department. The bill also includes the requested resources for the FBI to continue the additional positions provided in fiscal year 2009 to enhance the investigation of white collar and financial crimes.

Further, the amendment's proposed offsets are a problem. The aviation industry is one of the few bright spots in our domestic manufacturing sector. It is a large source of high quality and one of the only American industrial sectors to report consistent trade surpluses. $14.44 million will be taken out of that.

This success has been built on the back of NASA's aeronautics program, which develops new, cutting-edge technology for transfer to the industry. This technology makes American airplanes and airspace safer and more efficient, reliable, and sustainable. Pulling back from our aeronautics program today only ensures that we will fail to produce the innovation needed to fuel our exports in the next decade, which will, in turn, imperil America's leadership in industry, with major economic and national security implications.

I'm also concerned about the amendment's proposed reductions to NASA's Space Operations account, which would affect our ability to effectively manage and utilize the $100 billion international space station. We have spent $100 billion on the space station, and I think to take this cut out of that would be a mistake.

So, for all of those reasons, I urge a ''no'' vote on the amendment.

I yield back the balance of my time.

Mr. MILLER of North Carolina. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of North Carolina. Mr. Chairman, I did not want to cut the spending for NASA either, but the financial crisis of 2008, from which we are still suffering, cost Americans trillions of dollars. And even more importantly, it has undermined deeply Americans' faith that our Nation really does believe in the rule of law, that the same laws apply to all of us equally. They have not seen anything that justifies a belief that that has happened in this case.

What happened in the financial crisis was not a perfect storm of unforeseeable economic forces. What happened was a visible hand of fraud, or at least a hand that would be visible if anyone would just look.

But despite the fact, the compelling evidence of real misconduct, fraud and probably criminal fraud, there has certainly not been an investigation. There certainly have not been prosecutions to reassure Americans that, yes, there is a rule of law, and those same laws apply to you no matter who you are, what your station in life is.

If we seriously pursued those claims of fraud, those allegations of fraud, criminal fraud charges, every defendant would have a defense team that would make the O.J. defense team look like a public defender 2 years out of law school handling 100 other cases. We would be swamped by the opposition.

But that is certainly no reason not to pursue those charges. In fact, that is all the more reason to go forward and to pursue criminal fraud, to assure Americans that you do not get out of the rule of law; you do not get a ''get out of jail free'' card because you are rich and powerful.

In contrast, the savings and loan crisis, which was nothing compared to the crisis that we are still in, there were 1,000 agents from the FBI who were assigned to investigate. There were ample lawyers to bring the claims; and, in fact, almost 1,000 figures from the savings and loan crisis, in fact, were criminally prosecuted and went to jail, with a 90 percent conviction rate.

The current task force, the one the President announced at the State of the Union, has now, we understand, 50 to 60 lawyers and accountants working on the largest financial crisis in history since the Great Depression. The results of this are going to depend upon the kind of resources that that task force has.

It is important that we compensate the people who were the victims of that fraud, and the task force will have the legal power to do that. Even more importantly, it will satisfy Americans' sense of justice, the sense of justice that has been offended, that the people who have suffered the most from the financial crisis really were blameless. And they do believe that there were people who were not blameless, whose misconduct, including criminal misconduct, caused it. We need to satisfy their sense of justice.

Mr. Chairman, I want to satisfy my sense of justice. I support Ms. WATERS' amendment.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I totally support the efforts of this amendment to increase the resources we've put into mortgage fraud. And I've written to the Attorney General on this, and we have about $11 million, I think, appropriated in the bill in this regard. We need to find more.

I'm opposed to these offsets, and the idea that they won't do damage to NASA programs, I think, is wrong. It's easy to go after NASA.

I think that there's broad agreement, however, that the mortgage fraud that took place, as evidenced by the settlement that Attorney General Holder and attorney generals from dozens and dozens of States brought together with the largest banks that are helping to redress some of these problems. So we need to do more. We'll work together to try to find that.

I am opposed to this amendment, as written.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was rejected.

AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 9, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 37, line 23, after the dollar amount, insert ''(increased by $5,000,000)''.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. RUNYAN. Mr. Chairman, my amendment transfers $5 million from the Department of Justice Legal Activities, Salaries and Expenses, General Legal Activities to the Office of Violence Against Women.

The Office of Violence Against Women serves as an invaluable resource for battered and abused women in all of our communities. The office provides grants that have helped to enhance Federal, State, and local responses to sexual assault, domestic violence, stalking and dating violence, as well as providing domestic shelters and services to victims of domestic violence.

Abused women in our communities frequently have nowhere and no one to turn to. The programs provided by the Violence Against Women Act and the Office of Violence Against Women are the only safe haven for many women. These programs must be funded at a level that ensures these vital services can continue.

This amendment is deficit-neutral, while increasing funding for the Office of Violence Against Women.

During this period of budgetary constraints, we must prioritize the programs we need the most. My amendment clearly states that the Office of Violence Against Women is a priority.

I urge all of my colleagues' support on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $159,587,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $115,000,000 in fiscal year 2013), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the general fund estimated at $44,587,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $1,965,000,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $223,258,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, $223,258,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,000,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $10,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $11,456,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,948,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,188,488,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $10,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,647,383,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered ''funds appropriated for State and local law enforcement assistance'' pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading ''General Administration, Detention Trustee'' shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, $90,039,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking, and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $521,793,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $8,185,007,000, of which not to exceed $216,000,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information

technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $80,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,043,904,000; of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,153,345,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That, in the current fiscal year and any fiscal year thereafter, no funds appropriated under this or any other Act shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to section 478.118 of title 27, Code of Federal Regulations, or to change the definition of ''Curios or relics'' in section 478.11 of title 27, Code of Federal Regulations, or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $6,820,217,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2014: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a nonprofit entity which has operated such program in the past notwithstanding the fact that such nonprofit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchasing and acquiring facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $90,000,000, to remain available until expended, of which not less than $66,965,000 shall be available only for modernization, maintenance and repair, and of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); and for related victims services, $415,000,000, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $189,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $25,000,000 is for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $3,500,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to ''Research, Evaluation, and Statistics'' for administration by the Office of Justice Programs;

(4) $10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating

violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act;

(6) $23,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $36,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $9,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $41,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $11,500,000 is for the safe havens for children program, as authorized by section 1301 of the 2000 Act;

(12) $5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $4,500,000 is for the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(14) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(15) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act, which may be transferred to ''Research, Evaluation, and Statistics'' for administration by the Office of Justice Programs; and

(16) $500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

□ 1730

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. PETERS of Michigan.

The first amendment by Mr. BROUN of Georgia.

An amendment by Mr. MCCLINTOCK of California.

An amendment by Mr. MICHAUD of Maine.

An amendment by Mr. SCALISE of Louisiana.

Amendment No. 3 by Mr. POMPEO of Kansas.

An amendment by Mr. QUAYLE of Arizona.

Amendment No. 10 by Mr. HARRIS of Maryland.

An amendment by Mr. GRIMM of New York.

The second amendment by Mr. BROUN of Georgia.

An amendment by Mr. RUNYAN of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. PETERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. PETERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 261, not voting 29, as follows:

[Roll No. 202]

AYES—141

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Benishek
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Critz
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Dold
Ellison
Engel
Fattah
Fitzpatrick
Fortenberry
Frank (MA)
Garamendi
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hochul
Holt
Israel
Jackson (IL)
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Levin
Lipinski
Loebsack
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McNerney
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Ross (AR)
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schilling
Schrader
Schwartz
Serrano
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Velázquez
Visclosky
Walz (MN)
Watt
Welch
Woolsey
Yarmuth

NOES—261

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Canseco
Capito
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Costello
Crawford
Crenshaw
Cuellar
Culberson
Davis (IL)
Davis (KY)
Denham
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Emerson
Eshoo
Farenthold
Farr
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hahn
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Meeks
Mica
Miller (FL)
Miller, Gary
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Paul
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sarbanes
Scalise
Schiff
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Wasserman Schultz
Waters
Waxman
Webster
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—29

Becerra
Bonner
Butterfield
Camp
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)

Ellmers
Filner
Gibson
Hirono
Honda
Jenkins
Johnson (GA)
Jones
Kucinich
Lee (CA)
McHenry
Moore
Pascrell
Pelosi
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1802

Mr. AL GREEN of Texas, Ms. EDWARDS, Messrs. GRIMM, DAVID SCOTT of Georgia, and CLYBURN, Ms. HAHN, Mr. HINOJOSA, Ms. FUDGE, Messrs. HOYER, CLEAVER, MEEKS, WAXMAN, DAVIS of Illinois, and Mrs. LUMMIS changed their vote from ''aye'' to ''no.''

Mr. JACKSON of Illinois, Ms. BERKLEY, Mr. GEORGE MILLER of California, Mrs. LOWEY, and Messrs. HANNA and CONYERS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 202, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 137, noes 270, not voting 24, as follows:

[Roll No. 203]

AYES—137

Adams
Akin
Amash
Amodei
Bachmann
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Campbell
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Davis (KY)
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Harper
Harris
Hartzler
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
King (IA)
Kline
Labrador
Lamborn
Landry
LoBiondo
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McClintock
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Olson
Paul
Petri
Poe (TX)
Polis
Pompeo
Posey
Quayle
Ribble
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Runyan
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Shimkus
Smith (NE)
Smith (TX)
Southerland
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tipton
Towns
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Wilson (SC)
Woodall
Yoder
Young (AK)
Young (IN)

NOES—270

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Calvert
Camp
Canseco
Capito
Capps
Capuano
Carnahan
Carney
Cassidy
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Forbes
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nunes
Nunnelee
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Stutzman
Sutton
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Westmoreland
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (FL)

NOT VOTING—24

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
Lee (CA)
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1808

Mr. AKIN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 203, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 121, noes 287, not voting 23, as follows:

[Roll No. 204]

AYES—121

Adams
Akin
Amash
Amodei
Barton (TX)
Bishop (UT)
Black
Bono Mack
Boustany
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Culberson
Denham
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Flake
Fleming
Flores
Foxx
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith (VA)
Guinta
Harper
Hartzler
Hastings (WA)
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Jordan
King (IA)
Labrador

Lamborn
Lance
Landry
Lankford
Long
Lummis
Mack
McClintock
McMorris Rodgers
Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Paul
Pearce
Petri
Pompeo
Posey
Price (GA)
Quayle
Ribble
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Upton
Walberg
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—287

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Calvert
Camp
Capito
Capps
Capuano
Carnahan
Carney
Carter
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harris
Hastings (FL)
Hayworth
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nunes
Olver
Owens
Pallone
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1813

Mr. MULVANEY changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 204, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. MICHAUD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maine (Mr. MICHAUD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 218, not voting 23, as follows:

[Roll No. 205]

AYES—190

Ackerman
Alexander
Altmire
Austria
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Capito
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Crawford
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dicks
Dingell
Dold
Doyle
Duncan (TN)
Ellison
Engel
Eshoo
Fattah
Fitzpatrick
Frank (MA)
Garamendi
Gibson
Goodlatte
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Hanna
Harris
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchey
Hochul
Holden
Holt
Hoyer
Hurt
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
Kissell
Landry
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Luetkemeyer
Luján
Lynch
Manzullo
Marino
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McIntyre
McNerney
Meeks
Mica
Michaud
Miller (NC)
Murphy (CT)
Nadler
Neal
Noem
Olver
Owens
Pallone
Paul
Paulsen
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Richardson
Rogers (KY)
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schilling
Schock
Schwartz
Scott (VA)
Scott, David
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Welch
Wilson (FL)
Womack
Woolsey
Yarmuth

NOES—218

Adams
Aderholt
Akin
Amash
Amodei
Andrews
Bachmann
Barletta
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capps
Carter
Cassidy
Chabot
Chaffetz
Clay
Coble
Coffman (CO)
Cole
Conaway
Conyers
Costa
Cravaack
Crenshaw
Culberson
Davis (KY)
Dent
DesJarlais
Deutch
Diaz-Balart
Doggett
Dreier
Duffy
Duncan (SC)
Edwards
Emerson
Farenthold
Farr
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grijalva
Guthrie
Hall
Harper
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jackson (IL)
Jenkins
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latta
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Long
Lowey
Lucas
Lummis
Lungren, Daniel E.
Mack
Maloney
Marchant
Markey
McCarthy (CA)
McCaul
McClintock

McKeon
McKinley
McMorris Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Napolitano
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Pearce
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schakowsky
Schmidt
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tipton
Turner (NY)
Upton
Van Hollen
Velázquez
Walberg
Walden
Walsh (IL)
Waxman
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1817

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on Rollcall 205, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. SCALISE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. SCALISE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 233, not voting 24, as follows:

[Roll No. 206]

AYES—174

Adams
Akin
Amash
Amodei
Bachmann
Barton (TX)
Benishek
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Cuellar
Culberson
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
King (IA)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Lewis (CA)
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Paul
Paulsen
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Ribble
Rigell
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—233

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Berg
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Capito
Capps
Capuano
Carnahan
Carney
Carter
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibbs
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nunes
Olver
Owens
Pallone
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rivera
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth

NOT VOTING—24

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
Maloney
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1820

Mr. GRIMM changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 206, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 3 OFFERED BY MR. POMPEO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. POMPEO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 129, noes 279, not voting 23, as follows:

[Roll No. 207]

AYES—129

Adams
Akin
Amash
Amodei
Bachmann
Bachus
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Dreier
Duffy
Duncan (SC)
Farenthold
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Guthrie
Harper
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Long
Lummis
Mack
Marchant
McCaul
McClintock
McCotter
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Paul
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Ribble
Rigell
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (TX)
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Walberg
Walsh (IL)
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

NOES—279

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nunes
Olver
Owens
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Southerland
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth
Young (AK)

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1824

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 207, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. QUAYLE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. QUAYLE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 147, noes 259, not voting 25, as follows:

[Roll No. 208]

AYES—147

Adams
Akin
Alexander
Amash
Amodei
Bachmann
Bachus
Barton (TX)
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Conaway
Culberson
Denham
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunnelee
Paul
Paulsen
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Ribble
Rigell
Roby
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—259

Ackerman
Aderholt
Altmire
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Hanna
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich

Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nunes
Olson
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Westmoreland
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth

NOT VOTING—25

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
Langevin
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Roybal-Allard
Rush
Slaughter
Whitfield

□ 1827

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 208, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 10 OFFERED BY MR. HARRIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. HARRIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 219, noes 189, not voting 23, as follows:

[Roll No. 209]

AYES—219

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—189

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Calvert
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Gallegly
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kissell
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1832

Messrs. ROONEY and POSEY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 209, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. GRIMM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. GRIMM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 209, noes 199, not voting 23, as follows:

[Roll No. 210]

AYES—209

Ackerman
Adams
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Baldwin
Barletta
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bishop (UT)
Black
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Capito
Chabot
Clarke (MI)
Cleaver
Coble
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Critz
Crowley
Cuellar
Davis (KY)
DeLauro
Denham
Dent
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Gallegly
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guinta
Guthrie
Harper
Hartzler
Hayworth
Heck
Hensarling
Herger
Himes
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Jordan
Kelly
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Larsen (WA)
Larson (CT)
Latham
Latta
Lewis (CA)
LoBiondo
Loebsack
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marino
McCarthy (CA)
McCaul
McKeon
McMorris Rodgers
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Palazzo
Paulsen
Perlmutter
Peterson
Petri
Platts
Poe (TX)
Price (GA)
Quayle
Rahall
Rangel
Reed
Rehberg
Renacci
Ribble
Richardson
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Tiberi
Tonko
Towns
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walz (MN)
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yarmuth
Young (AK)

NOES—199

Aderholt
Altmire
Amash
Andrews
Baca
Barrow
Bartlett
Barton (TX)
Bass (CA)
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonamici
Boren
Brown (FL)
Campbell
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chaffetz
Chandler
Cicilline
Clarke (NY)
Clay
Clyburn
Coffman (CO)
Cohen
Cole
Conyers
Costello
Crawford
Crenshaw
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Dreier
Edwards
Ellison
Engel
Eshoo
Farenthold
Farr
Fattah
Flores
Foxx
Frank (MA)
Fudge
Garamendi
Gardner
Gingrey (GA)
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harris
Hastings (FL)
Hastings (WA)
Heinrich
Herrera Beutler
Higgins
Hinchey
Hinojosa
Holt
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
Kingston
Labrador
Langevin
Lankford
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Long
Lowey
Lucas
Lummis
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKinley
McNerney
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Neal
Noem
Nunnelee
Olson
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pearce
Pelosi
Peters
Pingree (ME)
Pitts
Polis
Pompeo
Posey
Price (NC)
Quigley
Reyes
Richmond
Rivera
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Smith (TX)
Speier
Stark
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Tipton
Tsongas
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Wolf
Womack
Woolsey
Yoder
Young (FL)
Young (IN)

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1837

Messrs. SCHOCK and CLARKE of Michigan changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 210, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 168, noes 239, not voting 24, as follows:

[Roll No. 211]

AYES—168

Adams
Akin
Amash
Amodei
Bachmann
Barletta
Barrow
Barton (TX)
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Conaway
Cravaack
Culberson
Davis (KY)
Dent
Diaz-Balart
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleischmann
Flores
Forbes
Foxx
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kinzinger (IL)
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Mack
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McIntyre
Meehan
Mica
Miller (FL)
Miller (MI)
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Pearce
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Thompson (PA)
Thornberry
Tiberi
Turner (NY)
Turner (OH)
Upton
Walberg
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (IN)

NOES—239

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Benishek
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen

Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
DesJarlais
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fleming
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gonzalez
Griffin (AR)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kingston
Kissell
Kline
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Markey
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McKeon
McKinley
McMorris Rodgers
McNerney
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rivera
Rogers (AL)
Rogers (KY)
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—24

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield
Wilson (FL)

□ 1841

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 211, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. RUNYAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 325, noes 81, not voting 25, as follows:

[Roll No. 212]

AYES—325

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Capito
Capuano
Carnahan
Carter
Cassidy
Chabot
Chaffetz
Cicilline
Clarke (MI)
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Conaway
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinojosa
Hochul
Holden
Holt
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Pallone
Paul
Paulsen
Pearce
Perlmutter
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—81

Ackerman
Amash
Baca
Blumenauer
Brown (FL)
Burgess
Campbell
Capps
Carney
Castor (FL)
Clarke (NY)
Clyburn
Connolly (VA)
Conyers
Cooper
Cummings
Davis (CA)
Deutch
Dicks
Edwards
Ellison
Engel
Farr
Fattah
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hastings (FL)
Higgins
Hinchey
Hoyer
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Lee (CA)
Levin
Lewis (GA)
Long
Lowey
Lummis
Maloney
McClintock
McCollum
McDermott
Meeks
Miller (NC)
Moran
Nadler
Napolitano
Neal
Owens
Pastor (AZ)
Pelosi
Peters
Polis
Quigley
Rangel
Reyes
Roybal-Allard
Ruppersberger
Sánchez, Linda T.
Sarbanes
Scott, David
Serrano
Speier
Stark
Thompson (MS)
Tonko
Towns
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—25

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chandler
Chu
Costa
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1846

Mr. AL GREEN of Texas changed his vote from "aye" to "no."

Mr. DAVIS of Illinois changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on Rollcall 212, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. I would like to engage in a colloquy with Chairman WOLF.

There has been a dramatic increase in financial and mortgage fraud as a result of the recent economic crisis, and additional resources are needed to protect the American people and exact justice for them. The FBI is tasked with upholding and enforcing the criminal laws of the United States, but it has limited resources in the areas of financial and mortgage fraud.

□ 1850

In fiscal year 2011, the FBI had approximately 3,000 pending mortgage fraud investigations compared with roughly just 700 investigations in fiscal year 2005. Also, in fiscal 2011, the FBI had more than 2,500 corporate and security fraud investigations, representing a 50 percent increase since fiscal year 2008. Nearly 70 percent of the pending investigations involve losses exceeding $1 million. And according to the Department of Justice, the average return on investment for one corporate fraud agent was approximately $54 million over the past 3 years. That's an incredible return on investment.

While I support hiring even more agents than the President does, the committee was only able to provide $6.61 million, less than half the request. During the Appropriations Committee markup, the chairman indicated he would be open to finding the necessary funds the President requested to protect the American people from financial and mortgage fraud, but the subcommittee's 302(b) allocation prevented him from doing so. The Senate version of this bill does fully fund the President's request.

I ask the chairman to further elaborate on what was said in committee and inquire if the chairman is open to adding additional support should this bill go to conference.

Mr. WOLF. Will the gentlewoman yield?

Ms. KAPTUR. I would be very honored to yield to the gentleman from Virginia.

Mr. WOLF. The FBI was one of the few agencies in this bill to receive funding above its requested level, and I've always been a strong proponent of providing the necessary resources for law enforcement personnel to protect the American people.

As you noted, the bill includes a program increase of $6.6 million above the current level for agents and support personnel to combat financial fraud. The Senate has reported their CJS total a higher allocation. I think they were $781 million above us. As we go to conference with the Senate, the gentlelady can rest assured that we will work to ensure that the FBI has the resources that they need.

Ms. KAPTUR. Reclaiming my time, I want to thank the chairman very much for trying so hard and urge my colleagues on both sides of the aisle to look at the return on investment in one agent exacting justice for the American people with a return of $54 million over 3 years per agent. That's an amazing figure. We owe so much to them.

I thank the chairman very much for his openness, and I yield back the balance of my time.

Mr. MEEHAN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MEEHAN. Mr. Chairman, I rise to express my deep appreciation to the members of this committee who, in their wisdom, saw the ability to support the concept of veterans treatment courts.

Many of our veterans are returning from commitments overseas in which they are having not just one, but two, three, and sometimes four tours of duty. By virtue of the nature of that duty, we're seeing an unusually high number of veterans that are returning with posttraumatic stress syndrome. Oftentimes that stress-related activity leads some of these veterans to act out in ways that sometimes cross the laws of our country. Somebody might get engaged in a fight in a bar. More frequently, we're seeing many of these veterans that are dealing with the issue by alcohol and drug addiction.

There is an opportunity—and I say this as a former prosecutor at both the county and Federal level—to appropriately divert these cases to a place where they can be handled with the treatment that the veterans deserve. Veterans treatment courts are an obligation, in my mind, to these returning veterans to allow us to most effectively deal with the underlying issues that have come as a result of the commitment that they made to our Nation by their service.

I want to express my deep appreciation to Chairman WOLF and to the members of the committee for their forward-thinking support and urge the support of all of the Members of this body for the appropriation in support of veterans treatment courts.

Mr. WOLF. Will the gentleman yield?

Mr. MEEHAN. I am happy to yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I want to thank the gentleman from Pennsylvania for bringing the issue of funding for veterans treatment courts to the attention of the CJS Subcommittee for its assistance.

At the behest of the gentleman from Pennsylvania, we had the honor of welcoming the Pennsylvania Supreme Court Justice Seamus McCaffery to the subcommittee, where he testified about the importance of supporting veterans treatment courts.

I also want to thank Mr. FATTAH for being very supportive. Also, Mr. YODER was very supportive. I'm not sure he is here, but he spoke out very much for it and the entire committee. So I want to thank the gentlemen again. I appreciate it very much.

Mr. MEEHAN. I just want to take one second to express, as well, my appreciation to my good friend, the gentleman from Pennsylvania (Mr. FATTAH), who, from the outset, was one of the original cosponsors that helped to bring this concept to this body. I thank him for his support and encouragement.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); and other programs; $112,000,000, to remain available until expended, of which—

(1) $45,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act;

(2) $40,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act; and

(3) $27,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Adam

Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); and other programs, $962,500,000, to remain available until expended as follows—

(1) $370,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $5,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), and $4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention;

(2) $165,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $20,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(4) $13,500,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386 and for programs authorized under Public Law 109–164;

(5) $41,000,000 for drug courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(6) $4,000,000 for a veterans treatment courts program;

(7) $9,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(8) $15,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(9) $1,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review;

(10) $7,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403;

(11) $20,000,000 for implementation of the Adam Walsh Act and related activities;

(12) $20,000,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act;

(13) $1,000,000 for the National Sex Offender Public Website;

(14) $12,000,000 for grants to assist State and tribal governments and related activities, as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110–180);

(15) $6,000,000 for the National Criminal History Improvement Program for grants to upgrade criminal records;

(16) $125,000,000 for DNA-related and forensic programs and activities, of which—

(A) $117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program);

(B) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program Grants, including as authorized by section 304 of Public Law 108–405;

(17) $4,500,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(18) $38,000,000 for assistance to Indian tribes;

(19) $1,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(20) $7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(21) $12,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79); and

(22) $70,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), of which $6,000,000 is for a program to improve State, local and tribal probation supervision efforts and strategies:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

AMENDMENT NO. 2 OFFERED BY DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, line 7, after the dollar amount, insert ''(decreased by $10,000,000)''.

Page 47, line 17, after the dollar amount, insert ''(increased by $10,000,000)''.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Chairman, I rise to raise the awareness of a gradual but persistent scaling back of the Second Chance Act funding and urge my colleagues to support my amendment calling for a $10 million increase in 2013 funding.

As all of us know, States are facing historic fiscal challenges and are being forced to make difficult budget choices. These choices are only made more difficult when prisons are packed to capacity and communities lack effective resources for dealing with offenders who return.

The number of individuals in prisons and jails remain unacceptable. As a matter of fact, our country, the United States of America, is the most incarcerated nation on the face of the Earth, not only in actual numbers, but also in proportion of population. If current projections continue, State and Federal prisons will grow another 13 percent in the next year, which will add an additional 192,000 prisoners at a cost of $27.5 billion. In light of these challenges, the need for the Second Chance Act is greater now than ever before.

The Second Chance Act is a commonsense response to reduce recidivism and improve outcomes for people released from prisons, jails, juvenile facilities and returning to their communities. Research confirms that comprehensive coordinated services can help formerly incarcerated individuals find stable employment and housing, thereby reducing recidivism.

Last month, the Equal Employment Opportunity Commission issued updated enforcement guidance on employers' use of arrest and conviction records when making employment decisions. In its guidance, the EEOC cited that hiring policies that include blanket exclusions of people with criminal records have a disparate ratio impact and therefore violate Title VII of the 1964 Civil Rights Act.

The new rules call for employers to assess applicants on an individual basis, rather than excluding everyone with a criminal record through a blanket policy. The new policy also encourages employers to give applicants a chance to explain their criminal record before they are rejected outright and marks a momentous advancement in the employment arena for individuals who have been incarcerated.

In addition, the Second Chance Act grants are working in improving public safety. The Moms and Babies program in Illinois' Decatur Correctional Center, a Second Chance grantee, has served 34 women. To date, no program participants have returned to prison. That's a 0 percent recidivism rate. In San Mateo, California, of the 224 participants in their Second Chance program, 61 have been returned to jail. That's a recidivism rate of 28 percent, well below the statewide average of 58 percent.

At the Federal level, reentry has become a high priority for many of the Cabinet agencies in President Obama's administration.

□ 1900

The Federal Interagency Reentry Council, established by Attorney General Holder in January of 2011, represents a significant executive branch

commitment to coordinating reentry efforts and advancing reentry policies.

If we don't know anything else, we do know one thing: We know that when individuals return home from jail and prison, if they don't get any help, chances are that 67 percent, or two-thirds of them, will have done what we call ''re-offend'' within a 3-year period of time. Those who get help oftentimes do not re-offend. And the more help they get, the less they will re-offend, thereby proving that the funds work. I urge passage of this amendment.

I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Before I make a statement, I want to congratulate Congressman DAVIS for his work, and I see Congressman BOBBY SCOTT there, too. I think this is very important. I support it completely. And I want to kind of put it in the framework of where we are.

I rise in opposition to the amendment. The bill represents the best efforts to thoughtfully and effectively fund the important programs under its jurisdiction. I am an ardent supporter of efforts to improve outcomes for people returning to communities from prisons and jails.

The Second Chance Act grants help with employment assistance, substance abuse, and does a lot of good work, as Congressman DAVIS said. That is why this bill, our bill here, provides $70 million for Second Chance Act programs, $70 million, which is an increase of $7 million above 2012. And interestingly enough, it's $45 million above the amount provided in the bill reported by the Senate Appropriations Committee. The Senate Appropriations Committee had 780 or $781 million greater allocation than we had, and yet we are $45 million above the amount provided.

In addition to providing the necessary funds for Second Chance, the committee was also committed to recommending significant funding for the SCAAP program. This bill includes $165 million for SCAAP, which is still $75 million below the FY 2012 levels. So SCAAP was below it, and now we're taking more from it.

So I oppose this $10 million reduction in SCAAP funding because SCAAP is an important program that assists State and local governments with the cost of incarcerating undocumented criminal aliens. The cost is a direct result of the Federal failure to control illegal immigration. So for that reason, we have an increase. We are at $70 million. We have an increase of $7 million over 2012. There are not many programs that are higher.

But also, when you compare this with the Senate, which had a very high allocation, we are $45 million above the amount required. And I know the gentleman from Pennsylvania (Mr. FATTAH) is a strong supporter of this program too. So we can go to conference. But to take $10 million out of SCAAP now would not be a good idea.

So for that reason, I urge a ''no'' vote and yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in support of the Davis amendment.

The United States locks up a higher portion of its population than any country on Earth. And one of the contributing factors is the high rate of recidivism—people who get out of prison and then turn around, mess up, and return to prison.

Before the Second Chance Act of 2008, the Department of Justice's statistics reflected that about two-thirds of the offenders released from prison—two-thirds—were re-arrested within 2 years. Now that's down in some States to one-half. In my home State of Virginia, which has taken full advantage of the Second Chance Act and has enacted additional initiatives, the rate is down in the 30 percent range. So additional funding of this amendment will be very useful, and it shows that you can save money and reduce crime.

Now we need a lot more money than even this amendment would provide. Each year, 9 million individuals are released from jails, over 720,000 are released from State and Federal prisons, and they need a lot more assistance than even this amendment would do. But this amendment is a major step in the right direction. At least 95 percent of State prisoners will be released at some point, and they have a myriad of needs which, if unmet, will contribute to the risk of re-incarceration.

There are significant mental health problems that the Second Chance Act can address. Substance abuse is highly correlated with crime. Education—those who do not have adequate education will find themselves back in prison. And employment—those who, basically because they don't have an education, have trouble getting jobs, and having a felony record even exacerbates that problem. The Second Chance Act initiatives go a long way in helping. Basic secondary education, vocational training, and intense supervision all contribute to reductions in recidivism.

So, Madam Chair, if we are to lower crime rates, you can't think of a better investment than this amendment that we're considering today. We can save money and reduce crime and reduce victims. Please support the Davis amendment.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Madam Chairman, I move to strike the requisite number of words.

The Acting CHAIR (Ms. FOXX). The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I rise to support the Second Chance amendment of the gentleman from Illinois and thank him for his long work and the work that he has done with many of us in this Congress on this issue. This has been a long journey. I think, if I recollect, it was 7 years in the making, I will say to Congressman DAVIS, before the bill itself was actually passed.

I want to focus on two points: One, I understand the account of which this money is coming from, and I would make the argument that we have seen a sufficient decrease in the number of undocumented aliens coming across the border, and we've seen a greater handling of the individuals. And frankly, the question is whether these funds should be used in what is a strictly Federal issue, which is the control of immigration in this Nation.

So I would make the argument that this is an appropriate utilization of these funds, these extra funds that would add to Second Chance because, one, it brings it to the President's mark, viewing this through the administration's eyes but really through the Department of Justice's eyes that the Second Chance legislation works. It does work.

And I will tell you why it is enormously important. When I see those individuals who have had an experience in the criminal justice system, one of the things they ask about is, Can we go to work? Second Chance prepares these individuals for work. It helps them be responsible contributors to the workforce. It helps, if you will, shepherd them or give them a roadmap into the workforce. It provides the lifeline to staying out of trouble. Everyone that you come across says to anyone that will hear them, We want to work. Again, Second Chance creates the opportunity for them to work.

And also, I think it assists the enforcement guidance on employers' use of arrest and conviction records when making employment decisions. Again, we understand that people who run afoul of the law must, in essence, pay the price. But when they seek to rehabilitate themselves, the Second Chance legislation has been a lifeline.

I, myself, have had to discuss issues of discrimination against people who have rehabilitated themselves. One case comes to mind. A gentleman who was supporting his family had been out of trouble and had finished with his particular issue for 17 years.

□ 1910

He was still getting the response that they could not hire him because of an arrest and conviction record. The Second Chance steps in in a positive manner, gives these people the opportunity for just that—the second chance. The

additional funding, I believe, would be the right direction to take, make us equal with the President's mark, still be fair to the account in which it comes from, allow that account to be preserved, but in fact gives the $10 million to help save and rehabilitate many more lives that really can make America better.

I support Mr. DAVIS' amendment and the funding for the Second Chance program.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I'll be brief. Earlier on in the career of the gentleman from Chicago, I flew out to Chicago early one morning to meet with a whole host of people he had convened as he was developing the concept for this bill. I think the entire country is appreciative and has benefited from the work of DANNY DAVIS and BOBBY SCOTT on the Second Chance Act. I was one of the original cosponsors. It's a very significant statement.

The chairman is right when he says that he's one of the bigger supporters of this effort. There's a confluence of energy around reentry, from the most conservative sides of the political spectrum to the most liberal. We all realize that some 90-plus percent of the people who are incarcerated are coming home, and the only question becomes: Are they going to come home in a position not to further victimize and end up being re-incarcerated?

This is an important effort. This is a program that's probably one of less than a dozen in this bill that has gotten an increase in this bill, and the Senate is significantly lower, with a higher allocation. I guess preachers preach to the choir when only the choir shows up at church on Sunday. But I think the point has been made.

The use of the program that we want to cut the money from is probably not one that we would support at the end of the day because it's also needed, but I think the spirit of this amendment will be reflected in our conference deliberations.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. DAVIS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WOLF. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

The Clerk will read.

The Clerk read as follows:

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); and other juvenile justice programs, $209,500,000, to remain available until expended as follows—

(1) $33,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process;

(2) $90,000,000 for youth mentoring grants;

(3) $18,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(4) $67,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110 401) shall not apply for purposes of this Act); and

(5) $1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of each amount may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

AMENDMENT OFFERED BY MS. WASSERMAN SCHULTZ

Ms. WASSERMAN SCHULTZ. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 48, line 20, after the dollar amount, insert ''(reduced by $30,000,000) (increased by $30,000,000)''.

Page 49, line 4, after the dollar amount, insert ''(reduced by $30,000,000) (increased by $30,000,000)''.

The Acting CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Thank you, Madam Chair.

I rise to ask for my colleagues' support for an amendment to protect our most vulnerable constituents—our children. This bipartisan amendment is a simple one. It says that child victims of sexual predators should not be forced to fight for funding scraps if deep cuts to the Department of Justice occur.

This amendment fences off $30 million within the Department of Justice's Juvenile Justice Missing and Exploited Children Programs account for Internet Crimes Against Children Task Forces. It ensures that even in this time of painful budget cuts, we will protect the most precious and most vulnerable among us.

Over the last decade, child pornography trafficking has exploded into a multibillion-dollar global industry. The majority of both demand and supply is based in the United States and, sadly, most often involves parents or adults that the victim knows and trusts. Tragically, the demand for images of young children being sexually exploited, raped, and even tortured can only be supplied through the continued sexual abuse of more children. Literally every image of child pornography is a crime scene photo.

Several years ago, law enforcement informed Congress that it could identify hundreds of thousands of individuals perpetrating child exploitation offenses online, but admitted and acknowledged that it was investigating fewer than 2 percent of these known individuals because of a lack of resources that left them outnumbered and overwhelmed. The vast majority of these identifiable sexual predators remained at large and their young victims beyond rescue.

Congress and the President responded by passing and signing into law the PROTECT our Children Act, which provides desperately needed resources for the vital Internet Crimes Against Children Task Forces. These task forces are teams of local, State, and Federal law enforcement agencies and prosecutors that lift the digital fingerprints, rescue the children, and hold perpetrators accountable.

The ICAC task forces rescue child victims in real time—victims like Alicia Kozakiewicz, who was sexually assaulted at age 13 by a man who befriended her online and abducted her from her Pittsburgh home. She was rescued by the FBI and the Virginia ICAC task force.

Congress is already funding this effort at only half of its authorization. Yet the law is making a difference.

So please join Congressman SHULER, Judiciary Chairman LAMAR SMITH, and me in supporting this important amendment that will give State, local, and Federal law enforcement the resources they need to protect our most vulnerable.

I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I support the amendment. We accept the amendment. The Internet Crimes Against Children program is one of several programs funded under the Missing and Exploited Children activities account. This program helps State and local law enforcement agencies develop an effective response to cyber-enticement and child pornography cases.

So I commend the gentlelady and accept it and yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Assuming this role from my caucus, the first visit I made was to the Center for Missing and Exploited Children in Virginia. This work is very, very important that the gentlelady from Florida has pointed out because of the pervasiveness of the Internet and the need for more resources.

The Senate bill has a carve-out of some $21 million. This would be a carve-out of $30 million. I rise to say that I also support this amendment, and I thank the chairman for his agreement.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

The amendment was agreed to.

Mr. ELLISON. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Madam Chair, I had submitted an amendment which I was going to move to withdraw. Instead of adding complication, I'll just discuss the amendment that I would have introduced and try to be right to the point.

My colleague RÁUL GRIJALVA and I and several Members of the Congress are concerned about the impact of the ''stop shoot first laws'' amendment. That's what we call it because we're concerned about the shoot first amendments.

This amendment would have encouraged States to repeal shoot first laws by imposing a 20 percent penalty on Byrne/JAG grants for States with these laws. The shoot first laws make our country less safe, undermine our criminal justice system, and encourage vigilantism. These laws allow armed individuals to confront unarmed people in public and, in some tragic cases, even shoot them in cases where such a confrontation could have been avoided.

□ 1920

Ten years ago, State shoot first laws were basically unknown. Then groups like the National Rifle Association and the American Legislative Exchange Council (ALEC) began promoting shoot first laws in States around the country. ALEC is an organization that ghostwrites bills for State legislators who hold a certain political perspective. And their efforts are paid for by and large by global corporations and are spread in States across the country.

In 2005, ALEC and the NRA convinced Florida to pass the first shoot first law. And since then, they have convinced 23 more States to enact similar laws. The shoot first laws are unnecessary. Americans already have the right to self-defense. Even more, as the Trayvon Martin has tragically highlighted, shoot first laws make it harder for law enforcement to do their job. Despite what was a clear case for trial, George Zimmerman's statement that he had shot in self-defense was enough to prevent prosecution.

Shoot first laws make prosecutions harder because they presume that the use of deadly force is reasonable and put the burden of proof on a prosecutor. With shoot first laws, individuals need only claim that they believed that they were threatened, and the only person who can dispute that is the person who was killed.

These laws also make our States less safe. After Florida enacted its law, the number of justifiable homicide cases in the State per year increased by three times.

While I urge States to repeal these laws, I understand that a point of order could have lied against the amendment, and, therefore, I won't offer it in order to have it withdrawn, but I would like to say, Madam Chair, that these shoot first laws are not good. I wish we could take an approach similar to the .08 law, where the Federal Government would actually withhold financial funds until States complied with .08; .08 actually made our country safer on the roads, and I think repeal of these shoot first laws would do the same.

I wish I could offer this amendment today, but we will do it some other time at a more appropriate place, and with that, I yield back the balance of my time.

Mr. JOHNSON of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Madam Chair, I rise to strike the last word in support of the Ellison amendment.

I would also like to respond to what my colleague from Minnesota (Congressman ELLISON) spoke about in terms of the amendment that he was going to offer which he decided not to offer, but it would have imposed a 20 percent penalty to Byrne/JAG grants for States with shoot first laws. Shoot first laws are also known as ''stand your ground'' laws.

In 2005, Florida passed the first State law explicitly expanding an armed person's right to use deadly force against an unarmed person in ''any place where he has a right to be,'' even if the confrontation could be safely avoided. Florida's law, like so many similar laws in other States, was the result of collusion by some of the Nation's wealthiest corporations, along with the National Rifle Association, through a secretive organization called the American Legislative Exchange Council, or ALEC.

ALEC promotes model legislation written by its corporate members and disseminated to conservative State lawmakers around the country. In fact, about 60 percent of all State legislators are members of ALEC. The Florida stand your ground law was written by an NRA lobbyist. After the law passed in 2005, the NRA presented the bill to ALEC's Criminal Justice Task Force and boasted that the presentation was well received. The corporations and State legislators on the task force voted unanimously to approve the bill as an ALEC model. And as a result, more guns are being sold.

Now 24 States have similar sweeping laws like Florida. Membership fees are not public, but reports do show that the NRA was a cochair of a recent seminar that ALEC held. This is a group that will do anything to help corporate sponsors accomplish their legislative objectives regardless of the value that it has towards regular citizens. They are just interested in profits. So ALEC, along with NRA, has supported these shoot to kill laws, and they are something that needs to be avoided.

And so with that, I will end my remarks, ask for passage of the pending amendment, and yield back the balance of my time.

Mr. FATTAH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Obviously we are dealing with some fairly sensitive matters in terms of the Justice Department appropriations. There is an ongoing case somewhat related to—and I think directly related to—the spirit of the comments of the last two gentlemen. So I don't want to comment on the actual case at hand, but I think that there is a great deal of concern in many sections of the country about what the circumstances are under which a shooting and a killing can take place when you have an unarmed teenager. So this is an issue that is being handled in our court of law. We are a country of laws, and we need to let the judicial process take its appropriate course.

But I thank the two gentlemen for offering their points of view and for withdrawing the amendment.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require

additional funding for such disability and education payments, the Attorney General may transfer such amounts to ''Public Safety Officers Benefits'' from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''), $72,500,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided—

(1) $12,500,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) $20,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities; and

(3) $40,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd 3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation.

AMENDMENT OFFERED BY MR. GRIMM

Mr. GRIMM. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 50, line 25, after the dollar amount, insert ''(increased by $126,000,000)''.

Page 51, line 12, after the dollar amount, insert ''(increased by $126,000,000)''.

Page 65, line 1, after the dollar amount, insert ''(reduced by $126,000,000)''.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Madam Chairman, I rise today to offer a truly bipartisan amendment with my good friends, Representatives PIERLUISI, KING, and PASCRELL. This amendment is to fund the highly successful COPS hiring program at the fiscal year 2012 level. This will ensure that we have sufficient police officers on our streets to prevent and to respond to crime and to keep our neighborhoods safe.

Our local police departments count on the COPS hiring program to help them hire additional officers to combat crime in our local communities and to provide true community policing. The money to fund the COPS hiring program comes from reducing in a corresponding amount the appropriation for cross-agency support within NASA, an approach that was adopted by the House in February 2011. Although we do not in any way oppose the work of NASA that is funded through this offsetting account, we are determined to offer a budget-neutral amendment and to give the House an opportunity to work for robust funding for COPS in an eventual conference with the Senate.

In this tough economic time, our officers understand the need for sacrifices and for cutbacks. However, during these trying times we often see increases in crime. Therefore, I feel, and my colleagues agree, that it is essential that law enforcement agencies across the Nation have the necessary resources to protect the American people. I encourage strong support for the Grimm-Pierluisi-King-Pascrell amendment, and I yield back the balance of my time.

□ 1930

Mr. PIERLUISI. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Puerto Rico is recognized for 5 minutes.

Mr. PIERLUISI. Madam Chair, along with my colleagues—Mr. GRIMM, a former FBI agent; Mr. PASCRELL, the cochair of the Law Enforcement Caucus; and Mr. KING, the chairman of the Homeland Security Committee—I'm offering this bipartisan amendment to increase funding for the COPS hiring program in order to bring such funding in line with the fiscal year 2012 enacted level of $166 million.

The base bill provides only $40 million for this program, which is clearly not sufficient. Forty million dollars is $126 million below the fiscal year 2012 enacted level, over $217 million below the President's request, and $175 million below the amount proposed by the Senate companion bill.

The COPS program was created by title I of the Violent Crime Control and Law Enforcement Act of 1994. I was Attorney General of Puerto Rico at the time, and I'm proud to have worked with my fellow AGs to help secure passage of that bill.

As someone whose own family has been deeply touched by violent crime and who has spent countless hours talking with families that have been similarly affected, I am unyielding in my belief that the most solemn duty of government is to safeguard its citizens. Whether you live in Staten Island, South Orange or San Juan, you deserve to feel safe in your home and in your community. The COPS program is rooted in this simple premise and has done much to make it a reality.

The mission of the COPS program is to enhance the security of our citizens. Under the program, the Federal Government awards grants to State and local law enforcement agencies so they can hire and train police officers, purchase and use new crime-fighting technologies, and develop innovative policing strategies.

To date, over 160 million in COPS grants have been awarded to law enforcement agencies in Puerto Rico, which, unfortunately, has the highest homicide rate in the country. These grants have put more than 3,500 new police officers on Puerto Rico's streets. Over $6 million has gone to improve safety for students and teachers in the island's schools. And about $9 million has been awarded for crime-fighting technology. Nearly every one of Puerto Rico's municipalities has benefited from COPS grants.

Each of my colleagues could no doubt cite similar statistics, but even these numbers cannot adequately capture the impact that COPS funding has had in the communities we represent. The number of lives saved, the number of crimes prevented, and the number of families spared the pain of losing a loved one, these numbers are simply beyond calculation.

To increase funding for the COPS hiring program by $126 million, our amendment reduces funding for the NASA cross-agency support account by an equivalent amount. In the fiscal year 2010 cycle, the House, in a strong bipartisan vote of 228–203, adopted an amendment that followed this same approach.

I respectfully urge my colleagues to support this bipartisan amendment, which is supported by the International Brotherhood of Police Officers, and I yield back the balance of my time.

Mr. WOLF. Madam Chair, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in opposition to the amendment.

The cross-agency support account is not free money. It's not a place that you can just—I think they ought to change the name, ''cross-agency support.'' That's like Dietrich Bonhoeffer, it's kind of cheap grace; you can just kind of go someplace and get some money there because it's just a cross-agency support account.

Why don't we want to cut this cross-agency support account? Because NASA will not be able to absorb this. They will literally not be able to absorb this. This deals with safety, it deals with security, and the mission's success. Cybersecurity measures fend off relentless attacks by China and others. While NASA is a civil agency, much of its technology has military applications.

But let's get it from the cross-agency support account. What does it mean? It

doesn't mean anything. Yes, it does. It is a very important function with regard to NASA. Human space flight safety oversight, it comes partly out of that. We have learned the hard way from the *Challenger* and the *Columbia* tragedies that relentless attention to safety is necessary.

Cuts to this account will hamstring NASA's efforts to minimize the risk of loss of life and property. But, hey, let's go to the cross-agency support account. It doesn't mean anything because nobody cares. Yet it does; it's validation and mission critical software.

Medical support services keep astronauts and ground-crew workers healthy. Many NASA employees work regularly with regard to hazardous issues. Procurement support. This account is a question of a lot of jobs. I can go on and on and on.

If you wanted to kind of find it, maybe you should have gone some other place; but to take it out of NASA and to put a spear right at NASA's heart, I think, is a mistake.

If you want to be for this—and my father was a Philadelphia policeman, the City of Philadelphia, 21 years—if you want to be for this, fine. I think you should have found another spot. And we would have been trying to work with you once we get to conference because the Senate, what is it, $781 million off? But I'll tell you, if you care about NASA—well, maybe they don't care about NASA. So if you don't care about NASA, I urge strong support for this. If you do care about NASA, I urge you to reject the amendment.

I yield back the balance of my time.

Mr. HOLT. Madam Chair, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Madam Chair, I rise in support of this amendment, of which I am a cosponsor.

Over the last several years, we've watched the majority attempt to eliminate—and actually eliminate at least temporarily—the most successful crime-fighting program in the last 20 years, the Community Oriented Policing Services, or COPS, program.

Since this program's creation under President Clinton, it has literally put tens of thousands of police on the beat around the Nation, and it has promoted sensitive, effective policing across America.

The benefits are real. Crime rates in every category decreased as a result of this program. And when this program is gutted, communities feel the effects directly and immediately. The committee should have found the money to keep the COPS program strong, but evidently they gave it lower importance, which is why we are here with this amendment.

Last fall, the city of Trenton was forced to lay off nearly a third of its uniformed officers. It's been reported that our State's capital now has the same number of police on its rolls as it did in 1932. The city had hoped to soften the blow of the budget-driven layoffs through a COPS grant that would have allowed Trenton to hire back at least 18 officers; but unfortunately, because this Congress failed to fund the COPS program, Trenton got no money to hire the laid-off officers, and the people of Trenton are paying the price in a very real way.

Last year, something on the order of 150 people were shot within the city—more than twice, way more than twice the previous year. Street robberies, aggravated assaults, burglaries up alarmingly. And people in the community tell me these trends are continuing to this day.

We need more money to rehire more police. We need it now before more Trentonians and other Americans lose their lives or suffer injury or property loss.

Now, I support NASA. I don't like the offset that we're using for this, but we can't allow the COPS program to wither. I wish the committee had funded this program—as it should be funded—with enough money to meet the legitimate needs of Trenton and other municipalities around America.

Every time I talk with law enforcement officials, I ask: How great is the need? How much can you actually do? And every time they tell me the need vastly exceeds the resources; and with the resources, they could do a better job.

This past grant cycle, the COPS office received $2 billion in requests for assistance from around the country, but they only had about $200 million on hand. That's unacceptable. Crime doesn't take a holiday. We need to fully fund the COPS program in order to beat back violent crime around America to make cities more livable, to make America the place where we all want to live. My hope is that we'll be able to meet that goal during the appropriations conference process because the subcommittee didn't do it, which is why we're here now.

This amendment is a step in that direction. And I thank my colleagues—Representative PASCRELL, Representative GRIMM, Representative REICHERT, who is not able to be here tonight—and the other sponsors for their strong leadership in this effort.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

□ 1940

Mr. PASCRELL. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PASCRELL. I must say, Chairman WOLF, you've always been a sensitive person—I don't say this to blow smoke; I really mean this—and it's a tough decision when you have to make priorities. We come to the floor to fight for what we believe in, and I think you respect that, and I'm sure the gentleman from Staten Island respects that as well, and we all do here, my good friend from Philadelphia, Congressman FATTAH. We'd like to do all of these things and more. But not only did we run out of applications—think about that. People, we said, stop, don't apply any longer. You've got 11,000, 12,000 cops laid off, police officers in this country. Tell me that doesn't have consequences.

Tell me, what are those consequences? Smaller warrant squads. The last two police officers killed in North Jersey, killed by two guys on the lam. We didn't have enough people to go look for them. That's not acceptable in a society which depends upon law and order. So you can't talk out of both sides of your mouth about law and order.

We need police on the streets. This is about community policing. And I would say to my good friend from Virginia, these are two programs that, tonight, we're speaking about one of the police, the COPS Program, and the Fire Act. Leader HOYER could tell us about that. But they're two bills that are run—no other bills are run better in the Federal Government. I think we would want to duplicate that. Having provided a huge cut in the past, from $166 million all the way down to $40 million, we can't do that with 11,000 and 12,000 police officers laid off.

Our amendment would restore the program. Of course, this is really just a drop in the bucket because it only really hires close to 1,000 police officers. We've already laid off 12,000. And a lot of positions have not been filled. There was no one in that position to begin with.

So, look, the program, the account that we're talking about in NASA I think is $2.8 billion. This is a small part of it. I would rather do it some other way, Mr. Chairman, through the Chair. I would rather do it another way.

My hometown laid off 125 police officers. Same story in other towns in New Jersey. Fewer cops on the beat means more crime on our streets, plain and simple.

If I can't come up here and fight for the guys and gals who defend us day in and day out, and if there is an attack, be it a natural disaster or some manmade disaster, it's the police and firefighters and EMTs who are going to be there long before the Federal Government. We need to protect them.

Mr. WOLF. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman.

Mr. WOLF. My dad was a policeman in the city of Philadelphia. Actually,

you know, with my dad, I couldn't say they were cops because it was a derogatory term. My dad was a policeman, and I loved my father.

And when we go to conference, we will attempt to really deal with this. And I think Mr. FATTAH and I agree. NASA's not the place to go.

I'm very sympathetic. We're given a budget that many of these guys, some guys over on our side want to take the budget down even more. The Republican Study Committee wanted to take it down even more. I mean, will some guys who voted for the Republican Study Committee come down here and be for this?

So, listen, I am committed to do everything we can when we go to conference. The allocation was different.

Mr. PASCRELL. Reclaiming my time, Mr. Chairman, I understand what you're saying.

Mr. WOLF. Just let me say, I will do everything we can as we go to conference, depending on how the allocation is, to see what we can really do, because I want to do everything we can.

Mr. PASCRELL. Mr. Chairman, it cannot be depending on the allocation. We've got to fight for the allocation. We've got to fight for what we want.

I want us all to listen on both sides of the aisle. What is dragging down the economy at this section, at this point, when you look at it objectively, if you try to look at it objectively, is that we have lost between 600,000 and 700,000 public sector jobs.

So we are adding private sector jobs, even though we only added 116,000 last year, and we've got to do a little bit better than that so we can catch up for people that are coming into the market, and defend and go after those people who want to drop out and become phantoms and then they don't exist at all on the numbers. That doesn't help us either.

But we've got to stop this trend down to the bottom. We're losing teachers, police officers, and firefighters at an unprecedented rate. And if you think that's going to solve our problems, nationally or locally, I don't think that that's the route to go.

I urge a ''yes'' vote on the amendment.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I join the chairman in saying that there are two things that are going to happen when this bill becomes the law of the land. There's going to be additional dollars for COPS, and NASA's not going to be cut.

So I understand that the makers of the amendment have to find an offset. It's an offset that's not going to be acceptable when we come to a final resolution on this bill, but you need an offset to come to the floor.

And you came to the floor to make a point that needs to be made, which is that when people call 911, there needs to be a cavalry on the way and not just the hope that there might be some help. So we thank you for bringing the amendment forward.

When we finalize this bill, there will be additional dollars for the COPS program.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIMM. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107–296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered.

Mr. HOYER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. HOYER. Madam Chair, over two decades ago, the first President Bush signed into law the bipartisan and historic Americans with Disabilities Act. I was proud to sponsor that legislation and have worked over the last 20 years to make sure that it was effective and strengthened.

Contained in the bill before us in an unprecedented measure that would significantly erode the Justice Department's authority to protect access for those with disabilities to swimming pools.

Now, one might say, Access to swimming pools? But I want my colleagues to think about, if you have a mobility impairment, if you have some neurological impairment, that swimming is one of the most effective activities in which you can participate to get your motor skills back in an environment that will not allow you to sink. Therefore, you have an environment in which you can exercise your muscles. So many of you have seen that and know that to be the case.

□ 1950

This is an incredibly important accessible facility for those with disabilities. In any event, those with disabilities ought to have access, certainly, to public facilities; and we can make it so.

Now, I'm not going to offer an amendment to strike this language; but I hope, Mr. Chairman and Mr. Ranking Member, that this will be struck. I hope that we will listen to the literally tens of letters that you've gotten and that I've gotten.

For many Americans with disabilities, swimming pools are an important source of physical activity and emotional comfort. The provision in question would roll back the Justice Department's 2010 accessibility regulations, undermining standards for new pool construction and for the upgrading of existing facilities. This would constitute a serious setback to Americans with disabilities, including many of our veterans—and I want you to think about this—many of our veterans wounded while serving our Nation overseas. As all of you know, many of these injuries they've received are to their limbs. Again, their exercise programs are facilitated in swimming pools, supported by water. So this would constitute, as I said, a serious setback.

The 2010 accessibility regulations this provision would eliminate do not place an undue burden on pool operators who cannot afford to make their facilities accessible. Some of you will remember Steve Bartlett, who was a Member of this Congress, a mayor of

Dallas, still in town—a wonderful friend of mine—and a conservative Republican from Texas. He and I spent literally hundreds of hours working on this legislation together. One of the things we did was to make sure that businesses would know that what they were asked to do was affordable and that they could do it with relative ease, realizing full well that one can't expect a small business, in particular, to incur a large expense notwithstanding the objective is a worthy one. So we had a practical approach to this, and we had language that said it had to be readily achievable and affordable for the enterprise. Certainly, we can continue to do that for these facilities which are so important to so many people with disabilities.

I want to say that Mr. WOLF is one of the most conscientious Members of this House and one of the most courageous Members of this House. He and I have had the opportunity to work together for over three decades on legislation.

I hope, Mr. Chairman, the House and Senate conferees will look carefully at the damage this provision will cause in the lives of so many Americans with disabilities and will strike it from the final version.

I commend my colleagues who have come here to draw attention to it, and I thank them for continuing to stand up for those with disabilities, including veterans and their right to equal access and opportunity.

When George Bush signed on July 26, 1990, the Americans with Disabilities Act, he said it was the most significant civil rights act in over a quarter of a century, since the sixties. He said it ensured that all individuals would have access to the full enjoyment of facilities in this country of opportunity and of freedom.

This amendment may be well intended, but its effect would be very detrimental. Again, I urge the chairman and the ranking member—and I will certainly be working with my Senate colleagues as well—to make sure this language is not in the final bill because this would be detrimental. As I will remind you once again, so many veterans are coming back in need of this kind of access.

I yield back the balance of my time.

NATIONAL COUNCIL
ON INDEPENDENT LIVING,
Washington, DC, May 8, 2012.

TRENT FRANKS, Chairman,
Subcommitee on the Constitution, Committee on the Judiciary, House of Representatives, Washington, DC.

JERROLD NADLER, Ranking Member,
Subcommittee on the Constitution, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANKS AND RANKING MEMBER NADLER: These comments are submitted by the National Council on Independent Living (NCIL) for the record of the April 24, 2012 hearing on ''The Department of Justice's Guidance on Access to Pools and Spas Under the ADA.''

NCIL is the longest-running national, cross-disability, grassroots organization run by and for people with disabilities. Founded in 1982, NCIL represents thousands of organizations and individuals including: Centers for Independent Living (CILs), Statewide Independent Living Councils (SILCs), individuals with disabilities, and other organizations that advocate for the human and civil rights of people with disabilities throughout the United States. There are currently over 700 physical locations across America actively providing Independent Living services to people with disabilities.

This hearing was held to address the proposed legislation in the House that is set to address the concerns of the DOJ's decision to extend the rule RIN 1190 NYD Delaying the Compliance Date for Certain Requirements of the Regulations Implementing Titles II and III of the Americans with Disabilities Act. We have serious concerns with Congress preventing an executive branch agency from enforcing its own regulations such as what is written in H.R. 4256 and H.R. 4200. We must let you know that we find both these bills to be intrusive.

We disagree with both bills. They try to accomplish giving the hospitality and hotel industry an opportunity to provide accessibility to the public in the least efficient manner or even at all. H.R. 4256 attempts to address technical requirements that have been negotiated over years in the rulemaking process that has worked well for all other aspects of accessibility. This bill is broader than H.R. 4200 because it prohibits any court enforcement of the new regulations for a year (while DOJ is changing the standards, as required by this bill), including enforcement by private plaintiffs.

To include Title II in the language of the resolution, even though it would appear by the rest of the language that the resolution concerns Public Accommodations only, under 28 CFR Part 36; creates confusion and uncertainty about exactly how far this resolutions impact and jurisdiction could be interpreted to go. The resolution calls for a one year extension to the effective date, which we in the community disagree with its necessity.

The ADA has been in effect for 21 years, and all the ADA pool rules have undergone extensive review for more than 10 years, with multiple comment periods and many opportunities for hotels to learn about their responsibilities. The new requirements already had a generous phase-in period of 18 months. Congress should not restrict enforcement of these, or any, ADA requirements.

In response to comments that referred to the hospitality industry not having adequate time to implement this rule, the burden of providing access to swimming pools and the cost for implementing this rule, we strongly disagree with all of these claims. Providing access to swimming pools is achievable and not burdensome. The ADA's accessibility requirements for barrier removal in existing facilities are very reasonable—they only require what is ''easily accomplishable'' and able to be carried out without much difficulty or expense. The rules are carefully crafted to take the needs of covered entities, such as small businesses including hotels, into account. In other words, hotel owners need not comply with the standards in the new regulations unless doing so would be inexpensive and simple. No extension or enforcement ban is needed.

We also believe that it is not acceptable for the Department of Justice to backtrack on ADA requirements because an industry exerts pressure. To do so is an invitation to other industries to say, ''Roll back our requirements, too.'' Today it's the hotel industry. What weakening changes will come tomorrow? What other human and civil rights laws will be adjusted? In reference to the expense this would cause for the hospitality industry, there are Tax Incentives which have always been available and under-utilized by businesses. IRS Tax code 44 and 190 provide generous credits (dollar for dollar) and deductions (reduction in gross reported to IRS) that let the hotel owner get the money back (1/2 in credit the rest in deductions) so cost should not be an issue.

The Disability and Business Technical Assistance Centers (DBTACs) has done a targeted education project for the ''hospitality'' industry for several years now and have repeatedly reached out to the organizations representing hotels. They can be reached at 800–949–4232 anywhere in the country.

The House bill H.R. 4256 represents an extraordinarily prejudicial precedent. This bill would deny any federal official, which can include judges, U.S. attorneys, and other enforcing authorities, any power to administer or enforce the new DOJ ADA regulations regarding pools. It removes the waiting period and adds a clause that dismisses any suits filed after March 15, 2012. It also tries to clarify their portable vs. fixed lifts concern, something that should be done by DOJ.

The amendment would affect Title II State and Local Governments, which have been covered for access into the water since 1990. This is seen as a targeted process to undermine the strong federal enforcement role urgently needed and sometimes reached under the ADA. Passage of this bill could initiate a trend to render civil rights laws completely powerless and ineffective, even though they remain public law. This amendment would firmly take this part of the ADA backward. It is our belief that congress should craft strong civil rights protections to end discrimination, not remove the government's enforcing authority.

In the notice of proposed rulemaking, the Department of Justice requested comments on extending the compliance date ''in the interest of promoting clear and consistent application of the ADA's requirements to existing facilities.'' The NCIL community has serious concerns with the number of years it has taken to explain ''readily achievable barrier removal''. Extensive technical assistance has been provided to explain to many public accommodation pool owners that the requirements are based on what they can afford to do today on their existing structures, with an obligation to provide better access when it can be afforded. Nothing has changed with that concept since the ADA was passed in 1990. It should not take another 6 months to ''understand''.

To include Title II entities in this extension is a huge step backward! Program access has been a requirement all along, and most state and local government-run pools and swimming facilities should already have addressed access into to the water for their programs. An extension is inappropriate as they have already been responsible for equal access to the water for years.

The part that is confusing is not for new construction and altered facilities having pools and spas, but at existing pools there is some confusion that has been partly created by the DOJ, as the Department responded in a letter February 21st to the American Hotel and Lodging Association (AHLA) when they asked for clarification on the provision of pool lifts. In that letter, the Department addresses several concerns raised in the ''eleventh hour'' of the rulemaking process by

AHLA representatives—including some regarding ''fixed'' pool lifts versus ''portable'' pool lifts. The Department has created part of the problem in its convoluted definition of why a pool lift must be ''fixed'' which is not addressed in the rule, the scoping, or in the technical requirements of the 2010 ADA Standards for Accessible Design.

In addressing concerns by AHLA regarding existing hotels, the DOJ stated that where it is not readily achievable for a hotel owner to install a fixed pool lift, that a portable pool lift may be used if it can be attached to the pool deck while in use. That seems like a good idea to reduce liability for the hotel owner, and makes the unit more stable for the user, who also must be able to use the unit independently. However, it is a matter of technical assistance advice that, with additional helpful information could be given without an extension in the effective date for compliance. Many of these discussions should have already taken place multiple times, given the length of time this rulemaking has taken, and to reiterate the principles of readily achievable barrier removal once again to the organizations pleading ignorance should not take an additional 6 months.

The NCIL membership is very disappointed that an exception was made in the rulemaking process by the current Administration, and strongly objects to the proposed rule extending the compliance date for public accommodations and effectively abolishing the program access requirements including pool lifts at swimming pools, parks, and resorts run with State funds through yet another swimming season—to September 2012. We insist the rulemaking proceed and become effective immediately following the 60 day extension.

Submitted by: L. Dara Baldwin, MPA—Policy Analyst, The National Council on Independent Living.

Submitted For: Mark Derry—Chair of the ADA/Civil Rights Committee for The National Council on Independent Living.

SUBMITTED TESTIMONY OF THE NATIONAL DISABILITY RIGHTS NETWORK

HEARING ON ''THE DEPARTMENT OF JUSTICE'S GUIDANCE ON ACCESS TO POOLS AND SPAS UNDER THE ADA''

House Committee on the Judiciary, Subcommittee on the Constitution Tuesday, April 24, 2012

As the nonprofit membership organization for the federally mandated Protection and Advocacy (P&A) Systems and Client Assistance Programs for people with disabilities, the National Disability Rights Network (NDRN) would like to thank Chairman Franks, Ranking Member Nadler and the Subcommittee for the opportunity to submit written testimony for today's hearing on the Department of Justice's Guidance on Access to Pools and Spas under the Americans with Disabilities Act. Over twenty years after the passage of the Americans with Disabilities Act (ADA), the accessibility of swimming pools and other recreational facilities remains a problem for people with disabilities around the country. NDRN encourages the Judiciary Committee to work with the Department of Justice and with swimming pool owners to ensure that people with disabilities are able to enjoy swimming pools and other recreational facilities to the same extent as others in our society.

As a part of the training and technical assistance that NDRN provides to the Protection and Advocacy agencies, NDRN holds many face-to-face meetings in hotels throughout the country. As such, NDRN routinely books hotel rooms and wants our staff, the staff of the P&A agencies, and other participants to have the opportunity to enjoy all the amenities provided by the hotels. As a disability rights organization whose staff and membership include people with disabilities, we are committed to holding our conferences and meetings at locations that provide full accessibility.

The effective date for swimming pool owners to become compliant with ADA standards was originally March 15, 2012, but the Department on its own chose to extend that time until May 21, 2012. Based on the history of these standards discussed below, NDRN believes that this first extension was unnecessary and sees no reason (politically, practically, or in the furtherance of public policy) to extend this compliance date any longer. The 2010 ADA Accessibility Standards did not create the requirement for accessibility for pools and spas; it only provides more detailed specifications of how to provide that accessibility.

Protection and Advocacy programs across the country have represented people with disabilities seeking access to public swimming pools. For example, P&As in Pennsylvania, Ohio, and Colorado have successfully negotiated agreements with owners of pools to provide pool lifts to allow individuals with disabilities to use those pools. Despite these modest successes, most people with disabilities throughout the country continue to be unable to access swimming pools on the same basis as their non-disabled peers.

The Department's process to develop accessibility guidelines for swimming pools began over 7 years ago on September 30, 2004, when the Department published an Advance Notice of Proposed Rulemaking (ANPRM), 69 FR 58768. This ANPRM requested feedback about the Department's proposal to adopt the Access Board's 2004 revisions to the ADA Accessibility Guidelines (ADAAG), which included provisions for swimming pool accessibility. The Department then published a Notice of Proposed Rulemaking almost 4 years ago on June 17, 2008 seeking public comment, 73 FR 34508. The Final Rule was formally published in the Federal Register on September 15, 2010, 75 FR 56254, and gave owners and operators of existing pools 18 months before the specific regulations became enforceable.

Enough time has passed to allow swimming pool owners to make their pools comply with the ADA. Over 18 months has passed from the date the final rule was announced, over 4 years has passed from first proposal of a final rule, and over 7 years has passed from first the first proposal to adopt the ADAAG standards for pools and spas. Moreover, the requirement to remove barriers to accessibility to swimming pools for people with disabilities has been part of the statutory requirement under the Americans with Disabilities Act since it was passed in 1990, almost 22 years ago. The need for pools and spas to be accessible for people with a disability is not some new idea, but one that has been in federal law for more than 2 decades.

Additionally, the Department's regulations provide more than sufficient flexibility since the requirement is removal of physical barriers that is ''readily achievable,'' or easily accomplishable and able to be carried out without much difficulty or expense.

The swimming pool owners have raised concerns about the Department of Justice requirement that they install fixed rather than portable lifts. The Americans with Disability Act Accessibility Guidelines, or ADAAG, include specific guidelines regarding the installation of pool lifts. See http://www.access-board.qov/ada-aba/final.cfm#a1009. Generally, portable pool lifts cannot meet the ADAAG standards, because they cannot be installed or independently operated by people with disabilities. As the Department of Justice has indicated, however, if an entity chooses to use a lift complying with the ADAAG standards that is removable or otherwise designated as ''portable,'' it may do so, as long as while the lift is provided at the pool, it is affixed in some manner to the pool deck or apron.

NDRN is pleased that some members of the hotel industry have realized that over the course of 22 years the ADA applies to the accessibility of their pools and have taken a proactive approach and installed pool lifts. For example, in recent negotiations with a hotel chain to hold a conference, NDRN raised the issue of whether the swimming pools were accessible for people with disabilities, and were assured that all the hotels were in compliance with all current ADA laws and regulations concerning the pool and had a pool lift. In addition, they were prepared to comply with any and all revisions to Title 3 of the ADA that may occur, and took, ''great pride in ensuring . . . our properties meet and exceed any government regulation.''

As NDRN continues to contract for our business meetings as well as our staff making their own personal summer travel and vacation plans, we believe that people with disabilities should be able to enjoy the same recreational amenities and opportunities as every other American. Delaying the effective date of the regulations any further will mean another season where people with disabilities will be denied the opportunity to use pools when they travel on vacations with their families or on business. This is unacceptable.

Mr. FLAKE. I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. To the gentleman's point, the minority whip, I think all of us want to protect the ADA and the goals of the ADA. That's why this amendment was offered in the committee. It was to strike this language.

What will happen—I think we can all see it—is if these new regulations are allowed to go into effect—at the end of this month, I believe, it will come—there isn't the equipment even available to put it into use. The liability issues are so huge to have a stanchion, basically, with a lift at every pool and a power source right by the water, in every body of water. If there is a resort with 10 pools, 10 lifts. If there are three Jacuzzis, three more lifts. If it's an apartment complex with a small, little pool, they'll still have to do it. Municipalities that have public pools will have to do that as well. What will happen is too many of them will say, We can't expose ourselves to the cost or the liability, and so we'll simply close our pools.

Whether they be military or anyone else, what does that do to access for the disabled? What good is it if a pool

is closed down because the owner simply can't deal with the cost or the liability? I guarantee you, if this happens, if this goes into effect, then you're just going to be granting waivers based on some kind of spoil system or on whether or not they think they can afford it. It's just not workable. What we need is a workable regulation.

Mr. NADLER. Will the gentleman yield on this point?

Mr. FLAKE. I yield to the gentleman from New York for a very brief time.

Mr. NADLER. Is the gentleman aware that, if the equipment is not ready, then under the law it is not readily achievable and that it doesn't have to be done at that point and that the DOJ has already met with the industry and has told them this?

Mr. FLAKE. In reclaiming my time, it's all well and good to say that; but what these owners will say is their liability comes as soon as the lawyer walks by and the pool doesn't have it. They're not going to risk having the liability. They're not going to risk doing that. So you'll have less access because it's simply not ready. Having this go into effect in less than a month from now, at the end of this month, is simply not reasonable.

What we're about is trying to find a solution that is reasonable and affordable and that will increase accessibility for the disabled. This doesn't do it. That's why the amendment was offered in the committee. It was to take this back and have something reasonable.

All of us have the same goal here; but the regulations, as they're put forward, are not reasonable. Think about that for a minute: a small apartment complex that has a pool open to the public and then imposing that kind of cost and liability on them. Even with the equipment, when it does become available, it's more likely that they will simply shut the pool down because they won't want to deal with that liability. We have resorts in Arizona that have had portable lifts available for years and years. Some of them inform us that they've never been asked once—or one time in 10 years.

There are ways to do this. It's reasonable and prudent to say you ought to have a portable lift available; but a fixed stanchion, or a lift, for every body of water? It just is unreasonable and too costly. So that's why the amendment was offered, and that's why the language is in this bill. I would urge that it be retained.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. We had this discussion in the full committee.

You have on one side the Paralyzed Veterans Association and the National Association of Blind Veterans—every veterans group you can imagine. On the other side, you have hotel owners, who say, Look, we either can't afford it or nobody will ever want to use it or we can't get the equipment. What we have in the middle is a set of facts, which is that this regulation has been developed over a long period of time, starting back in 2004, in that, if you have a financial hardship and if you can't do it, you can waive it. If the equipment is not available, if it's not achievable, there are tax credits for it.

The issue here is really whether there is enough heart among the hotel owners to make sure that Americans who are disabled have the same opportunities. That's the real question here. So we don't have a vote on this. There is no amendment pending. I just want the House to be clear that one of the reasons you don't authorize on an appropriations bill is that this is a matter for the Judiciary Committee. They've held a hearing on it.

There is a set of facts that gets kind of bottled up when we're dealing with this spending of dollars; but there is no reason here for a country as big as ours and as wealthy as ours to have so little heart and compassion for those who are less fortunate, who are disabled, so that they can have access as they travel and deal with public accommodations.

I yield back the balance of my time.

Mr. NUNNELEE. I move to strike the last word.

The Acting CHAIR. The gentleman from Mississippi is recognized for 5 minutes.

□ 2000

Mr. NUNNELEE. Madam Chair, this measure is not about undermining the Americans with Disabilities Act. This measure is not about denying access. If it were, I would be part of leading the charge to defend that access in the Americans with Disabilities Act. The reason for that is because when I was in college, I lost my eyesight. When I graduated from college, I was blind. I'd been denied a job because of my blindness. I would defend every person's right to access, and I would defend the Americans with Disabilities Act. But this proposal is about finding a reasonable solution to a problem rather than imposing a one-size-fits-all dictate from the bureaucracy of Washington.

There seems to be a serious disconnect between the people that are writing the regulations and those that have to comply with them. Portable lifts accomplish the same access, and they are much easier to install and can be installed at a lower cost. These fixed lifts are much more costly to install, and the net effect is that hotels and municipalities will simply close their swimming pool rather than comply with this new regulation. Many hotels have already begun to comply by ordering portable lifts and making those available, but that money and effort will be wasted because the Department of Justice has decided that only fixed lifts will meet the regulation.

The problem here is that the bureaucrats who don't have to live with the consequences of the rules they write really don't care how much it costs the small business owners. They just want to tell other people what to do, no matter what the real world consequences are.

Our goal is not to deny access. Our goal is to find a reasonable way for businesses to comply with this new regulation in a fair and reasonable manner and in a cost-effective manner that will ensure access to every American.

Madam Chair, I yield back the balance of my time.

Mr. NADLER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, I rise to speak against an amendment added during committee markup of the Commerce-Justice-Science appropriations bill, the one that we've been talking about, that would prevent the Department of Justice from enforcing regulations regarding access to swimming pools under the ADA, the Americans with Disabilities Act.

Since passage of the ADA in 1990, Congress has never acted to weaken the ADA's promise of increased opportunity and access for our neighbors, friends, family, and colleagues with disabilities. Today, however, this House is poised to strip the Justice Department of its ability to enforce certain accessibility rules. We are at this unfortunate and unwarranted juncture because of an aggressive advertising and lobbying campaign that misrepresents what the ADA is and what the Department of Justice rules require.

Congress should not roll back reasonable, balanced, and negotiated civil rights standards that have long enjoyed bipartisan support based on an alarming misunderstanding and misrepresentation of the ADA and Department of Justice regulations, nor should we override a nearly decade-long regulatory process that began under the administration of President George W. Bush and concluded after extensive public notice and comment by adopting the guidelines that the United States Access Board developed in 2004 during the George W. Bush administration.

Certain members of the hotel industry and their lawyers have claimed that Department of Justice rules require all pool owners to install fixed lifts in every pool, that this is costly and burdensome, and that owners who cannot afford to install lifts will have to shut down their pools or face civil penalties. These claims are simply false.

As required by Congress when it passed the ADA in 1990, the Justice Department has now issued rules to increase access to newly constructed and existing swimming pools, rules that have been under development for almost 15 years. New pools must be built with either a sloped entry into the pool or a pool lift, under these new rules. For existing pools, owners will have to do what is ''readily achievable'' based on the size and resources of the owner's business and the prospective cost of the improvement.

If it is readily achievable, which is defined in the ADA as ''easily accomplishable and able to be carried out without much difficulty or expense,'' a business should take the same steps to improve an existing pool that it would take if it were building a new pool. This means that if a fixed lift can be installed easily and inexpensively, it should be. If installing a fixed lift is too expensive and difficult, it is not legally required. The law did not impose a one-size-fits-all requirement. The law is quite flexible.

Fixed lifts are superior to portable lifts because a fixed lift provides a safer and more independent means of getting in and out of a pool for a person with a disability. A fixed lift is available whenever a pool is open without the need for staff to locate the lift, ensure it is in proper operating condition, and provide timely and safe installation while the disabled person waits. This allows a person with a disability to swim whenever a pool is open, just like everybody else.

While those pushing this amendment have raised concerns about lift safety, the United States Access Board has found no evidence of increased safety risks from pool lifts. The same measures already in place at a hotel's pool, such as prohibiting unsupervised children from using a pool, should prevent misuse of a pool lift as for other pool equipment like diving boards, slides, deck chairs, or tables.

This unnecessary amendment will harm countless Americans and veterans who rely upon the ADA. And we have heard from a number of organizations and individuals who oppose legislation prohibiting DOJ from enforcing its regulations. I would like to include some of the letters and testimony sent to the House Judiciary Committee's Constitution Subcommittee, where I serve as ranking member, in the RECORD.

Opposition to the amendment comes from organizations that work with a broad spectrum of persons with disabilities, including the National Center for Independent Living, the Association of University Centers on Disabilities, the American Association of People with Disabilities, and the National Disability Rights Network, to name a few.

A father and swim coach in Georgia wrote that swimming has helped his son—a medalist at the Athens and Beijing Paralympics—make friends, earn respect, achieve goals, and make the best of his disability.

A dozen veteran organizations wrote similarly of the benefit of rehabilitation and recreational opportunities for wounded and disabled veterans and servicemembers. These Americans have paid a high price in service to their country. They should be able to count on the ADA to ensure equality and opportunity here at home.

Before today, our commitment to the ADA was a shared one. It would be unfortunate if that were to change under Republican leadership in the House. I call upon my colleagues to ensure that this ill-advised amendment is not included in any bill sent to the President for his signature. These regulations which have not yet been imposed, which the Justice Department has said may be postponed another few months if necessary, are in the spirit of the ADA—they are proper; they are well considered; and they oughtn't to be set aside by lobbyist-driven amendments.

With that, I yield back the balance of my time.

MAY 4, 2012.

DEAR SENATOR/REPRESENTATIVE: We the undersigned veterans organizations are writing in support of the Department of Justice's (DOJ) final rule detailing requirements for accessible entry and exit for pools and spas under the Americans with Disabilities Act (ADA).

Our organizations strongly support the principles of the ADA, because they ensure independence and reintegration for wounded servicemembers and disabled veterans. After a decade of war, we must ensure that the ADA continues to stand for equal treatment and non-discrimination in access to rehabilitation, employment, educational, and recreational opportunities.

Specifically, Congress must not weaken the principles of the ADA by delaying or otherwise inhibiting DOJ's enforcement of the pool and spa accessibility regulatory requirements. DOJ published the final rule on accessibility in September 2010 after engaging in six years of public outreach, which included multiple opportunities for all stakeholders to provide comments. Although the final rule was to go into effect on March 15, 2012, DOJ delayed compliance until May 21.

We believe that our nation's disabled veterans and wounded warriors have waited long enough for access to pools and spas. The January 2012 guidance issued by DOJ clarifying the intent of the final rule for existing pools and spas did not change the requirements DOJ published in September 2010. The gold standard for new construction is a fixed pool lift. It is logical that fixed pool lifts would be required for existing pools and spas if ''readily achievable.'' Readily achievable means that an existing pool or spa would only need to have a fixed pool lift if it was not costly or burdensome.

Readily achievable is the flexibility that was built into the ADA to ensure that a one-size-fits-all approach would not be required. Thus, if it is not readily achievable for a small, family-owned business to install a fixed lift for a pool or spa, then they are not required to under the ADA. The ADA's inclusion of the readily achievable standard represents the compromise between the needs of people with disabilities and the costs of accommodations.

If Congress intercedes by delaying implementation or hindering enforcement of DOJ's final rule, we fear that a dangerous precedent will have been set for the future of the ADA. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. It is now time for Congress to step back and let the regulatory process function as was envisioned when the ADA was passed by a bipartisan Congress 22 years ago.

If you have any questions, please contact Heather Ansley, Vice President of Veterans Policy for VetsFirst, a program of United Spinal Association, at (202)–556–2076, ext. 7702 or by e-mail at hansley@vetsfirst.org.

Sincerely,

Blinded Veterans Association, Disabled American Veterans, Iraq and Afghanistan Veterans of America, Jewish War Veterans, National Association for Black Veterans, Paralyzed Veterans of America, Veterans for Common Sense, Veterans of Foreign Wars, Veterans of Modern Warfare, VetsFirst, a program of United Spinal Association, Vietnam Veterans of America.

MAY 7, 2012.

Hon. TRENT FRANKS,

Chairman, Judiciary Committee Subcommittee on the Constitution, Rayburn House Office Building, House of Representatives, Washington, DC.

Hon. JERROLD NADLER,

Ranking Member, Judiciary Committee Subcommittee on the Constitution, Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANKS AND RANKING MEMBER NADLER: I write to you today as a swimming coach with twelve years of experience working with disabled swimmers of whom my son, Lantz, is one. I respectfully request that my son and my athletes and all individuals with disabilities have access to aquatic recreational opportunities just as individuals without disabilities. I have recently been informed that Congress is considering legislation that would prevent the Department of Justice from enforcing its own regulations and keep public pools from being accessible as required by the ADA. I am very concerned about this legislation. I strongly encourage you and your colleagues to act to ensure that individuals with disabilities have the ability to access swimming pools and other facilities.

My son has swum since he was nine years old. Swimming has provided him a way to make friends, earn respect, achieve goals and make the best of his disability (cerebral palsy). He has progressed to the highest level of disability swimming having swum and medaled in the Athens, Greece and Beijing, China Paralympics. Swimming has enabled him to develop a more positive image of himself as well as provide a role model for other children with disabilities.

I have coached swimmers with all kinds of disabilities, from amputees to swimmers with cerebral palsy, as well as my son, to traumatic brain injuries, to swimmers paralyzed from the waist down, to blind swimmers, to gunshot and shrapnel injuries and all sorts of hip and shoulder injuries. The swimmers who need the lifts the most are the ones who have no use of their legs since it is dangerous for the swimmers and their assistants who help them in and out of the pool. Without the lifts most of these swimmers will not try to transfer themselves out

of their wheel chair and into the pool because of the risk of further injury.

It is critical that all individuals, including individuals like my son with a disability, have the opportunity to participate in physical activity and sport. Research has shown that physical activity significantly enhances the physical, mental, social, and emotional wellbeing of an individual with a disability. I have seen this numerous times as an individual with a disability realizes that they can participate in physical activity and achieve goals and benefits by their efforts. The pride of self returns when the swimmer sees that he or she can get better, swim faster and most of all achieve! Yet many individuals with disabilities face barriers to accessing physical activity opportunities and the result is that obesity rates for adults and children with disabilities are 57% and 38% higher, respectively, than rates for adults and children without disabilities (Centers for Disease Control and Prevention). Swimming is a beneficial activity for many people with mobility impairments (more than 13 million Americans who use a wheelchair, walker, cane or other aid to assist in mobility), as it enables individuals with disabilities to be active with fewer limitations (U.S. Census).

Our program provides access to adapted swimming for many individuals. Regrettably too many families, do not have the same opportunities. Please, do not limit the ability of the Department of Justice to ensure full access to swimming pools and spas for individuals with disabilities.

Thank you for considering this request.

Sincerely,

FRED LAMBACK.

ASSOCIATION OF UNIVERSITY CENTERS ON DISABILITIES,
May 7, 2012.

DEAR REPRESENTATIVE: On behalf of the Association of University Centers on Disabilities (AUCD), I am writing to urge you to oppose Representative Carter's amendment to the Commerce, Justice, and Science Appropriations Bill that would prevent the Justice Department from using its funds to enforce the ADA regulations to increase access for people with disabilities to swimming pools.

On March 15, the 2010 Standards for Accessible Design went into effect, setting accessibility requirements for built-in facilities including swimming pools. These standards were adopted as part of the revised regulations for Title II and Title III of the Americans with Disabilities Act of 1990 (ADA). Unfortunately, the regulations were met with strong opposition by the hotel industry due to a misunderstanding as to what they require and the ''readily achievable'' standard the ADA applies to ensure reasonable enforcement.

The readily achievable standard has been supported and recognized by the business community since the passage of the ADA in 1990. The standard, since its inception twenty-two years ago, provides the Justice Department with flexibility to determine what is achievable based on a covered entity's particular circumstances, and to prevent the Department from applying a rigid one-size-fits-all standard. In the case of the accessibility regulations for pool lifts, therefore, if it is too costly or burdensome for a small, family-owned business to install a fixed pool lift at their facility, the new regulations do not require that they do so. Furthermore, pool owners that fail to comply with the regulations are not subject to large damage awards largely in part to the fact that individuals cannot obtain money damages against hotels for violations of ADA's accessibility requirements.

The hotel industry has known about this issue for a decade, and has participated in every step of the way. They were given 18 additional months (past the publication of the finalized rules in September 2010) to prepare before the standards went into effect. As a result of the forgoing built in protections in the ADA, this amendment is not needed to protect small hotel owners.

Additionally, it is crucial to understand, that access to swimming pools is important for people with disabilities—it helps them participate in their communities, spend time with their families and, for many, is a critical means of exercise and maintaining good health.

If Congress intercedes by passing this amendment, we fear a dangerous precedent will have been set that could chip away at other provisions of the ADA. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. Accordingly, AUCD urges you to protect the ADA by opposing amendments that will take away the right of the Department to enforce such critical regulations.

Sincerely,

A. ANTHONY ANTOSH,
President, Association of University Centers on Disabilities.

CONSORTIUM FOR CITIZENS WITH DISABILITIES,
May 8, 2012.

Hon. TRENT FRANKS,
Chairman, Subcommitee on the Constitution Commitee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

Hon. JERROLD NADLER,
Ranking Member Subcommittee on the Constitution Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN FRANKS AND RANKING MEMBER NADLER: The undersigned members of the Consortium of Citizens with Disabilities (CCD) submit these comments for the record of the April 24, 2012 hearing on ''The Department of Justice's Guidance on Access to Pools and Spas Under the ADA.'' CCD is a coalition of national disability-related organizations working together to advocate for public policy that ensures full equality, self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

1. The Justice Department acted entirely within its authority in conducting its rulemaking process and interpreting its own regulations concerning swimming pool access.

We submit this statement to respond to arguments made at the hearing by the hotel industry that the Justice Department's rulemaking concerning swimming pool access and its interpretation of its own regulations constituted a lawless process that violated the Administrative Procedures Act, that the Department issued ''new and arbitrary rules'' in 2012 that circumvented the regulatory process, and that congressional action is necessary to ''restore order to the regulation-making process.''

These claims are unfounded. That the Justice Department reached different conclusions than those that the industry might have preferred does not render the process illegal or improper. On the contrary, the Justice Department's swimming pool regulations were the product of a years-long, fair, considered, and objective process that included the consideration and conclusions of the U.S. Access Board under President George Bush.

The Justice Department's Rulemaking Process Was Thorough, Extensive and Fair

The Justice Department's rulemaking concerning pool lifts involved a lengthy and considered process that involved all stakeholders, including the hotel industry, throughout. The regulations at issue implement a law that was passed nearly 22 years ago. The U.S. Access Board began looking at the issue of pool access in 1996, adopted standards concerning pool access under President Bush in 2002, and incorporated those standards into its ADA Accessibility Guidelines in 2004. In 2004, the Justice Department issued an Advance Notice of Proposed Rulemaking concerning the extent to which the Access Board's accessibility guidelines should be adopted as part of the Department's own regulations. As Representative Nadler noted at the hearing, the hotel industry's comments submitted in response to that ANPRM contemplated, even then, the possibility that fixed pool lifts would be required. The Access Board's pool access requirements formed the basis for the Justice Department proposed regulations in 2008, and its final regulations in 2010.

The Access Board's extensive consideration of pool access included a detailed research study undertaken on its behalf by the National Center on Accessibility (NCA) in 1996. The study evaluated different methods and standards for their appropriateness, facilitation of independent use, degree of consistency with existing building standards, level of safety, and impact on pool design. With the assistance of a national advisory panel, the NCA undertook a comprehensive review of literature, a national survey of hundreds of people with disabilities, a national survey of hundreds of swimming pool operators, managers, aquatic directors, and adaptive aquatic instructors, and actual on-site pool testing of identified designs and devices by people with disabilities. This on-site testing examined the appropriateness, independent use, and safety of the identified means of pool access by people with diverse disabilities.

The extensive process of deliberation by the Access Board, and subsequent deliberations by the Justice Department, took into account the interests of all stakeholders, including cost and safety concerns. If there was anything extraordinary about this rulemaking process, it was the thorough and detailed consideration involved. In light of this extensive process, the idea that it was somehow improper for the Justice Department to issue standards without further study is absurd.

The Department's Interpretation of its Own Regulations was Eminently Reasonable and Entitled to Deference

The hotel industry's biggest complaint is that in January 2012, the Justice Department clarified in a technical assistance document that covered entities may have to install a ''fixed'' pool lift in existing pools if doing so is readily achievable. The industry claims that this was a ''new and arbitrary'' standard, since the regulations themselves do not explicitly state that pool lifts must be fixed rather than portable.

The Department's accessibility standards, however, have always applied to fixed or ''built-in'' elements. Any doubt about this is resolved by the Department's own regulations, which explicitly state: ''The 1991

Standards and the 2010 Standards apply to fixed or built-in elements of buildings, structures, site improvements, and pedestrian routes or vehicular ways located on a site.''

Far from being unlawful, the Department's interpretation of its own regulations is perfectly permissible and eminently reasonable. Agencies have the authority to interpret their own regulations and routinely do so. In fact, agencies receive deference in resolving ambiguities in their own regulations. See Auer v. Robbins, 519 U.S. 452, 461 63 (1999). An agency's interpretation of its own regulations is controlling unless ''plainly erroneous or inconsistent with the regulation.'' Id. at 461. Nothing about the Department's interpretation of its regulations to require fixed pool lifts where readily achievable is ''plainly erroneous'' or in any way inconsistent with the regulation itself.

2. The Justice Department's regulations do not impose high cost burdens on hotels.

Despite the hotel industry's allegations that compliance with the regulations would be so costly and burdensome that pools will shut down rather than comply, the regulations require the installation of a fixed pool lift in existing pools only where it is ''readily achievable''—that is, where it can be accomplished ''without significant difficulty or expense.'' If installing a fixed lift is not affordable and easy, it is not required. The idea that this requirement is so burdensome that it will shut down pools is entirely unfounded.

The ''readily achievable'' standard was imposed by Congress in the ADA itself, and has been used for nearly 22 years. In fact, this standard was sought by business leaders in order to avoid a ''one size fits all'' standard for existing facilities and have instead a more flexible, individualized standard that would take into account factors such as the size, nature, and resources of a particular business. Business owners benefit from this flexible test, but must of course make the determination about whether it is readily achievable to meet accessibility standards. That is hardly unreasonable, much less unlawful.

3. The Justice Department's regulations do not create particular safety risks.

The U.S. Access Board concluded after extensive investigation that pool lifts pose no greater safety risks than any other pool equipment. In studying this issue, the Access Board consulted with hundreds of swimming pool operators, managers, aquatic directors, adaptive aquatic instructors, and people with disabilities, and conducted on-site testing of all types of pool access methods by people with different disabilities. Based on this extensive evidence, the Board rejected the hotel industry's speculation about safety concerns. If Congress intervened every time a trade association hired its own expert to disagree with the experts whose conclusions formed the basis for a regulation, the entire federal regulatory process—which already provides for ample stakeholder involvement—would be threatened.

Moreover, the hotel industry's suggestion that the Justice Department cannot require fixed lifts until it has studied the safety issues further, and that those safety issues cannot be fully understood as long as fixed lifts are not required, appears intended to prevent the Justice Department from ever acting on this issue. In her testimony on behalf of the American Hotel and Lodging Association, Ms. Vu stated that the Justice Department's finding that there is no evidence of child safety risks reflects the fact that there has never before been a requirement to have permanent pool lifts, and the issue must be studied further before the Justice Department can act. Yet Ms. Vu and her client vigorously oppose the imposition of any requirement to install permanent pool lifts. If Congress were to grant their request, according to Ms. Vu's logic, there would never be a sufficient basis for the Justice Department to act on this issue; absent any requirement to install permanent lifts, further study would always be needed. We urge you to see past this specious reasoning.

4. Access to swimming pools is important for people with disabilities.

The opportunity to swim is important for people with disabilities, as it is for everyone. Ensuring that people with disabilities have access to everyday activities and can participate in all aspects of society has always been a core civil right promoted by the ADA. The April 24th testimony of Ms. Camacho and Ms. Cody confirmed the experiences of so many people with disabilities: swimming is not only a means of recreation and relaxation, but also an important avenue for children and adults with disabilities to interact with their peers and their families, and participate in their communities. In addition, swimming is a critical way for many people with disabilities to exercise and gain strength in order to facilitate greater independence. This point is illustrated well by Ms. Camacho's testimony that swimming helped her to gain the strength she needed to get in and out of a car independently, to transfer in and out of bed on her own, and to go to the bathroom by herself.

5. People with disabilities attended the hearing due to their own interest and well-founded concern, rather than as a consequence of exploitation.

We were troubled by Chairman Franks' remarks that the numerous individuals with disabilities who came to the hearing had been ''exploited'' into taking actions that were against their own interests. People with disabilities deserve more credit than is suggested by the presumption that the individuals who attended the hearing lacked the ability to think for themselves and were simply pawns in the schemes of others. We are quite confident that the individuals with disabilities who chose to attend the hearing did so of their own accord, out of deep and abiding concerns about the legislation's potential consequences for their lives.

Those concerns go far beyond the desire for access to swimming pools. As many of the individuals who attended the hearing made clear, the Justice Department's ADA regulations and its interpretations of those regulations have played an extremely significant role in promoting their rights to live in their homes and communities rather than institutions, and to participate fully in society. Individuals with disabilities are deeply and rightfully concerned about efforts to undermine the Justice Department's authority to interpret and enforce its ADA regulations.

Thank you for your consideration of these comments.

Sincerely yours,

ACCSES, American Association of People with Disabilities, American Foundation for the Blind, The Arc of the United States, Association of University Centers on Disabilities, Autistic Self-Advocacy Network, Bazelon Center for Mental Health Law, Disability Rights Education and Defense Fund, Easter Seals, National Association of Councils on Developmental Disabilities, National Council on Independent Living, Paralyzed Veterans of America, United Cerebral Palsy, United Spinal Association.

NATIONAL COUNCIL
ON INDEPENDENT LIVING,
May 8, 2012.

Hon. TRENT FRANKS,
Chairman, Subcommittee on the Constitution, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

Hon. JERROLD NADLER,
Ranking Member, Subcommittee on the Constitution, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN FRANKS AND RANKING MEMBER NADLER: These comments are submitted by the National Council on Independent Living (NCIL) for the record of the April 24, 2012 hearing on ''The Department of Justice's Guidance on Access to Pools and Spas Under the ADA.''

NCIL is the longest-running national, cross-disability, grassroots organization run by and for people with disabilities. Founded in 1982, NCIL represents thousands of organizations and individuals including: Centers for Independent Living (CILs), Statewide Independent Living Councils (SILCs), individuals with disabilities, and other organizations that advocate for the human and civil rights of people with disabilities throughout the United States. There are currently over 700 physical locations across America actively providing Independent Living services to people with disabilities.

This hearing was held to address the proposed legislation in the House that is set to address the concerns of the DOJ's decision to extend the rule RIN 1190 NYD Delaying the Compliance Date for Certain Requirements of the Regulations Implementing Titles II and III of the Americans with Disabilities Act.

We have serious concerns with Congress preventing an executive branch agency from enforcing its own regulations such as what is written in H.R. 4256 and H.R. 4200. We must let you know that we find both these bills to be intrusive.

We disagree with boyh bills. They try to accomplish giving the hospitality and hotel industry an opportunity to provide accessibility to the public in the least efficient manner or even at all. H.R. 4256 attempts to address technical requirements that have been negotiated over years in the rulemaking process that has worked well for all other aspects of accessibility. This bill is broader than H.R. 4200 because it prohibits any court enforcement of the new regulations for a year (while DOJ is changing the standards, as required by this bill), including enforcement by private plaintiffs.

To include Title II in the language of the resolution, even though it would appear by the rest of the language that the resolution concerns Public Accommodations only, under 28 CFR part 36; creates confusion and uncertainty about exactly how far this resolution's impact and jurisdiction could be interpreted to go. The resolution calls for a one year extension to the effective date, which we in the community disagree with its necessity.

The ADA has been in effect for 21 years, and all the ADA pool rules have undergone extensive review for more than 10 years, with multiple comment periods and many opportunities for hotels to learn about their responsibilities. The new requirements already

had a generous phase-in period of 18 months. Congress should not restrict enforcement of these, or any, ADA requirements.

In response to comments that referred to the hospitality industry not having adequate time to implement this rule, the burden of providing access to swimming pools and the cost for implementing this rule, we strongly disagree with all of these claims. Providing access to swimming pools is achievable and not burdensome. The ADA's accessibility requirements for barrier removal in existing facilities are very reasonable—they only require what is ''easily accomplishable'' and able to be carried out without much difficulty or expense. The rules are carefully crafted to take the needs of covered entities, such as small businesses including hotels, into account. In other words, hotel owners need not comply with the standards in the new regulations unless doing so would be inexpensive and simple. No extension or enforcement ban is needed.

We also believe that it is not acceptable for the Department of Justice to backtrack on ADA requirements because an industry exerts pressure. To do so is an invitation to other industries to say, ''Roll back our requirements, too.'' Today it's the hotel industry. What weakening changes will come tomorrow? What other human and civil rights laws will be adjusted?

In reference to the expense this would cause for the hospitality industry, there are Tax Incentives which have always been available and underutilized by businesses. IRS Tax code 44 and 190 provide generous credits (dollar for dollar) and deductions (reduction in gross reported to IRS) that let the hotel owner get the money back (1/2 in credit the rest in deductions) so cost should not be an issue.

The Disability and Business Technical Assistance Centers (DBTACs) have done a targeted education project for the ''hospitality'' industry for several years now and have repeatedly reached out to the organizations representing hotels. They can be reached at 800–949–4232 anywhere in the country.

The House bill H.R. 4256 represents an extraordinarily prejudicial precedent. This bill would deny any federal official, which can include judges, U.S. attorneys, and other enforcing authorities, any power to administer or enforce the new DOJ ADA regulations regarding pools. It removes the waiting period and adds a clause that dismisses any suits filed after March 15, 2012. It also tries to clarify their portable vs. fixed lifts concern, something that should be done by DOJ.

The amendment would affect Title II State and Local Governments, which have been covered for access into the water since 1990. This is seen as a targeted process to undermine the strong federal enforcement role urgently needed and sometimes reached under the ADA. Passage of this bill could initiate a trend to render civil rights laws completely powerless and ineffective, even though they remain public law. This amendment would firmly take this part of the ADA backward. It is our belief that Congress should craft strong civil rights protections to end discrimination, not remove the government's enforcing authority.

In the notice of proposed rulemaking, the Department of Justice requested comments on extending the compliance date ''in the interest of promoting clear and consistent application of the ADA's requirements to existing facilities.'' The NCIL community has serious concerns with the number of years it has taken to explain ''readily achievable barrier removal''. Extensive technical assistance has been provided to explain to many public accommodation pool owners that the requirements are based on what they can afford to do today on their existing structures, with an obligation to provide better access when it can be afforded. Nothing has changed with that concept since the ADA was passed in 1990. It should not take another 6 months to ''understand''.

To include Title II entities in this extension is a huge step backward! Program access has been a requirement all along, and most state and local government-run pools and swimming facilities should already have addressed access into the water for their programs. An extension is inappropriate as they have already been responsible for equal access to the water for years.

The part that is confusing is not for new construction and altered facilities having pools and spas, but at existing pools there is some confusion that has been partly created by the DOJ, as the Department responded in a letter February 21 to the American Hotel and Lodging Association (AHLA) when they asked for clarification on the provision of pool lifts. In that letter, the Department addresses several concerns raised in the ''eleventh hour'' of the rulemaking process by AHLA representatives—including some regarding ''fixed'' pool lifts versus ''portable'' pool lifts. The Department has created part of the problem in its convoluted definition of why a pool lift must be ''fixed'' which is not addressed in the rule, the scoping, or in the technical requirements of the 2010 ADA Standards for Accessible Design.

In addressing concerns by AHLA regarding existing hotels, the DOJ stated that where it is not readily achievable for a hotel owner to install a fixed pool lift, that a portable pool lift may be used if it can be attached to the pool deck while in use. That seems like a good idea to reduce liability for the hotel owner, and makes the unit more stable for the user, who also must be able to use the unit independently. However, it is a matter of technical assistance advice that, with additional helpful information could be given without an extension in the effective date for compliance. Many of these discussions should have already taken place multiple times, given the length of time this rulemaking has taken, and to reiterate the principles of readily achievable barrier removal once again to the organizations pleading ignorance should NOT take an additional 6 months.

The NCIL membership is very disappointed that an exception was made in the rulemaking process by the current Administration, and strongly objects to the proposed rule extending the compliance date for public accommodations and effectively abolishing the program access requirements including pool lifts at swimming pools, parks, and resorts run with State funds through yet another swimming season—to September 2012. We insist the rulemaking proceed and become effective immediately following the 60-day extension.

Submitted by: L. Dara Baldwin, MPA—Policy Analyst, The National Council on Independent Living.

Submitted for: Mark Derry—Chair of the ADA/Civil Rights Committee for The National Council on Independent Living, President/CEO.

Mr. FARR. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, I rise in opposition to this amendment.

I rise in opposition because I know what it's like to live with and to travel with a disabled person—my brother-in-law, a very distinguished retired lawyer who actually was injured in a diving accident and is paralyzed from the waist down.

I never fully had an appreciation for ADA until I started living with him and realized, as he said, that the ADA was not a zoning ordinance about construction; the ADA is a civil right that this Congress enacted 22 years ago. It was remarkable legislation. And to govern that legislation, we have an access board who are not made up of, as someone said, bureaucrats, but they're made up of citizens who are appointed, I guess, all by the President.

And I watched, because my brother-in-law was appointed to that board under President Clinton. I've watched that board as they go through all kinds of issues dealing with people with disabilities very conscientiously, thorough hearings, lots of discussions about how to implement it, and I'm just shocked that Congress would think that we ought to take away an access.

I'm sure these same debates were given when people said, well, we shouldn't do curb cuts; they cost money, and there is nobody standing on that curb that needs it. Ladies and gentlemen, curb cuts make a big difference not just for people that are disabled, but just for elderly people who can't be that lift.

By the way, you and I are all, as my friends like to say, temporarily able-bodied persons, because you never know when you're going to be in the next accident.

□ 2010

So I think that the statements that were made are right on on this side. There is a lot of misinformation going on about these proposed regulations.

I represent the Tourism Caucus. I'm the chair of the bipartisan caucus on tourism. And, yes, a lot of my hoteliers have come in and said, You can't do this. But you know what? There's an exemption in there. For small hotels for whom the pool lift is too expensive to buy it, they're exempted. The regulation also allows hoteliers to do either a permanent or portable lift. There is a lot of discussion here that says, It's all portable. It's mandatory.

By the way, the disability community is a big traveling community. There is a lot of money in that community. And I will just give a kudo, because one of the hotels that is very conscientious about this and has a reputation for being extremely well-suited for disabilities is the Four Seasons Hotel. That is not a cheap hotel.

So there are conscientious hoteliers out there that want to reach this market. There are people that want to get access, and we should never, never take

away something that is so essential to quality of life. Indeed, I think our role here is to protect the domestic tranquility of this country. And a lot of that domestic tranquility is people with disabilities, including many of our soldiers.

I want to make sure that we defeat this amendment.

I yield back the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. Madam Chairman, this is one of those moments in Congress where I swear we are almost talking about completely different things and the reality that I live in. I am blessed to represent Scottsdale, Arizona, one of the resort centers of the country. Come visit us. It's a wonderful place.

About a month and a half ago, I went and visited one of the resorts right down the street from where I grew up. They have seven pools, when you count the Jacuzzis. And I am walking through the resort with the manager, who I've known since high school, and he is just looking at me with these huge eyes saying, Have they lost their minds?

The first thing he points out to me is they've had a portable lift for a decade, and no one's ever asked for it. The second point he made—and he was emphatic on this—20 years ago, because of their tort liability, the insurance on their pools, they got rid of all of their diving boards. And now we're going to demand that they build fixed structures up against a Jacuzzi? I can't wait to see who is going to be standing there monitoring the beer drinking and not climbing on top of those and leaping into the Jacuzzi, using it as a swimming pool diving board.

Is anyone familiar with the concept of ''attractive nuisance''? Those who oppose the amendment, are you going to also step up and say, Well, we're going to provide you tort liability when someone jumps off and ends up in horrible shape? Because 20 years ago, we made a point to remove these types of hazards from the sides of pools and Jacuzzis.

But the third thing—and he was just livid on the point, saying, I have seven pools in my resort. We're barely making it today, and you're telling me that I am going to grind through my concrete, grind through my cool decking, grind through my patios to put power extension, build fixed lifts near every pool and Jacuzzi when no one's even asked for the portable one for 10 years?

What's wonderful about the amendment, if you actually read it and move away from some of the rhetoric, is it makes it very clear that this is about building permanent structures next to those pools and Jacuzzis. If they're going to mandate a portable with the other caveats, okay, fine. Live with that. We already have lots of experience with that. And that way you avoid the attractive nuisance near every pool—not the cost, not the tearing up, not the everything else that goes along with this.

At some point, our love and respect and wanting to help our brothers and sisters, particularly those that have mobility issues, we're there for them. We love them. We want to help. But we also have to have some bit of rationality. Let's actually step up and deal with this rationally, because I fear that the law of unintended consequences is going to be that some of my resorts are going to close down those Jacuzzis, close down those pools for access from anyone when there was a pragmatic solution, which is embracing the portable lifts. That was from every call I have made, up and down through Scottsdale. And if you have been there, you know we have resorts everywhere. I have not had a single manager of a resort call me back and say, Yes, we even use our portable one.

Mr. FATTAH. Will the gentleman yield for a moment?

Mr. SCHWEIKERT. Absolutely.

Mr. FATTAH. Have you called the Paralyzed Veterans of America or any of those types of organizations? Did you just call the hoteliers?

Mr. SCHWEIKERT. Reclaiming my time, yes, we actually had a whole meeting in my office with them and actually had the whole discussion about both the attractive hazard of what happens when, you know, because of this, we create the next paralyzed American, and they looked at me with their eyes and said, You know, we hadn't thought about that. And as long as that resort has that portable one, we get our need taken care of. There is that pragmatic reality.

Mr. FATTAH. If the gentleman would continue to yield, so you are saying that the groups that have been identified as being for these regulations, you have convinced them to the contrary?

Mr. SCHWEIKERT. No. No. We sat down and had a wonderful conversation. I believe they left understanding how impractical what was happening here, also how there is a much more pragmatic, much more cost-effective, and a much safer solution for the community.

Mr. FATTAH. I thank the gentleman for yielding.

The last I heard, the Paralyzed Veterans were for these provisions.

Mr. SCHWEIKERT. I met with actual people from Scottsdale with mobility issues. So I actually met with real constituents that are real people, not some organization.

Mr. FATTAH. I thank the gentleman for yielding.

Mr. SCHWEIKERT. Madam Chairwoman, I yield back the balance of my time.

Mr. HOLT. Madam Chair, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. I want to join my colleagues in speaking in favor of enforcement of the Americans with Disabilities Act regulations, particularly my colleague STENY HOYER from Maryland, one of the authors of the ADA. And I rise to oppose any efforts to strip the Department of Justice's enforcement of these regulations.

My friend from Arizona is correct. It sounds as if we're in parallel universes talking about different things here, but let me tell you what we are talking about.

We are talking about equality of opportunity in America. Yes, we want to do all we can to give all possible access to swimming. It is important for all sorts of reasons.

We have, in this country, more and more people with disabilities, veterans returning from Afghanistan, people living to older ages. There are many people who can benefit greatly from access to swimming pools. And what we're talking about here is that principle of access, not just what it means for an individual with disabilities but what it means for the American ideal of equality of access.

The regulation and the law, itself, talk about a standard of readily achievable steps. ''Readily achievable,'' that's the key point here. Fixed lifts in a swimming pool, for example, are required only where installation is easy and inexpensive.

The readily achievable standard has been the governing legal principle for increasing access to facilities since the ADA's passage 22 years ago. These particular regulations have gone through extensive review to be consistent with that standard of ''readily achievable.''

□ 2020

For an existing pool, it means removing barriers that, to the extent that it is readily achievable, to do so. Let me continue on that point. A small, family-owned hotel, for example, does not have to take the same steps as a large commercial hotel. And some businesses complain that, Well, hardly anyone has ever used the access accommodations they have made. That's like saying, well, the public accommodations provisions of the Civil Rights Act needn't apply because an African American or a Muslim hardly ever comes to this restaurant.

We're talking about civil rights here—the American ideal of equal access for all.

I could go over and over again what this regulation actually says, but I will place in the RECORD what the Consortium for Citizens With Disabilities has said. They write in opposition to any congressional effort to roll back, or

prevent enforcement of, the Justice Department's regulations about swimming pool access for people with disabilities.

The Consortium for Citizens With Disabilities includes a myriad of organizations, such as the American Association for People With Disabilities, the American Foundation for the Blind, the Brain Injury Association of America, the National Council on Independent Living, the National Disability Rights Network, the National Multiple Sclerosis Society, and the Paralyzed Veterans of America, I tell my colleague. These are just some of the organizations that say this is an important principle of civil rights. And yes, also it will allow lots of individuals to have healthier lives and to be able to cope with their disabilities.

I would also include in the RECORD a letter from the Disability Rights Education and Defense Fund, where they, too, urge Members of Congress to oppose any effort to prevent using the funds to enforce the Americans with Disabilities Act regulations for greater access for people with disabilities to swimming pools.

I yield back the balance of my time.

DISABILITY RIGHTS EDUCATION DEFENSE FUND,
Berkley, CA, May 8, 2012.

DEAR REPRESENTATIVE: The Disability Rights Education and Defense Fund (DREDF) is a leading national law and policy center that advances the civil and human rights of people with disabilities through legal advocacy, training, education and public policy and legislative development.

On behalf of the DREDF, I am writing to urge you to *oppose* Representative Carter's amendment to the Commerce, Justice, and Science Appropriations Bill, H.R. 5326. This bill would *prevent* the Department of Justice from *using its funds to enforce the American's with Disabilities Act (ADA) regulations related to greater access for people with disabilities to swimming pools*. The Department of Justice must have the authority to enforce the ADA, which is crucial to protecting core civil rights principles and ensuring people with disabilities have access to all activities allowing them to participate in all aspects of society. Weakening civil rights enforcement of the DOJ sets a dangerous precedent.

The ADA was enacted over 21 years ago, and all the new ADA rules have undergone extensive review for more than 10 years, with multiple comment periods and many opportunities for hotels and other facilities with swimming pools to learn about their responsibilities. The new requirements set by the 2010 Standards for Accessible Design went into effect on March 15 and already included a generous phase-in period of 18 months, which has been extended already by two months. These standards were adopted as part of the revised regulations for Title II and Title III of the ADA. Unfortunately, the regulations were met with strong opposition by the hotel industry due to a misunderstanding as to what they require and the ''readily achievable'' standard, which is carefully crafted to take the needs of covered entities large and small, such as hotels, into account.

The readily achievable standard has been supported and recognized by the business community since the passage of the ADA in 1990. The standard, since its inception twenty-two years ago, provides the Justice Department with flexibility to determine what is achievable based on a covered entity's particular circumstances, and to prevent the Department from applying a rigid one-size-fits-all standard. In the case of the accessibility regulations for pool lifts, therefore, if it is too costly or burdensome for a small, family-owned business to install a fixed pool lift at their facility, the new regulations do not require that they do so. Furthermore, pool owners that fail to comply with the regulations are not subject to large damage awards largely in part to the fact that individuals cannot obtain money damages against hotels for violations of ADA's accessibility requirements.

The hotel industry has known about this issue for a decade, and has participated in every step of the way. They were given 18 additional months (past the publication of the finalized rules in September 2010) to prepare before the standards went into effect. As a result of the foregoing built-in protections in the ADA, this amendment is not needed to protect small hotel owners.

Additionally, it is crucial to understand that access to swimming pools is important for people with disabilities—it helps them participate in their communities, spend time with their families and, for many, is a critical means of exercise and maintaining good health and physical rehabilitation.

ADA accessibility requirements providing access to swimming pools and spas is doable, not burdensome and are, in fact, reasonable. If Congress intercedes by passing this amendment, we fear a dangerous precedent will have been set that could chip away at other provisions of the ADA and other civil rights legislation. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. DREDF urges you to protect the ADA by opposing amendments that will take away the right of the Department to enforce such critical regulations.

Sincerely,

SUSAN HENDERSON,
Executive Director.

CONSORTIUM FOR CITIZENS WITH DISABILITIES,
Washington, DC, April 23, 2012.

DEAR REPRESENTATIVE: The undersigned members of the Consortium for Citizens with Disabilities (CCD), representing people with disabilities, family members, and professionals in the disability field, write in opposition to any Congressional effort to roll back, or prevent enforcement of, the Justice Department's September 15, 2010 regulations setting forth requirements to ensure that swimming pools are accessible to people with disabilities. These regulations, the product of an extensive and considered process of deliberation, were originally scheduled to go into effect on March 15, 2012 and are now slated to take effect in May 2012.

H.R. 4200, introduced on March 16, 2012, would deprive the Justice Department of the authority to enforce its own regulations implementing the ADA with respect to the accessibility of swimming pools. H.R. 4256, introduced on March 26, 2012, would prohibit any court enforcement of the Justice Department's new regulations concerning pool accessibility for a period of one year from enactment of the bill and require the Justice Department to issue new regulations with weaker substantive standards (permitting portable pool lifts even where installing a permanent lift would be readily achievable). These bills present a number of serious concerns.

First, the prospect of Congress preventing an executive branch agency from enforcing its own regulations is very troubling. The regulations at issue were promulgated by the Department of Justice—the agency charged by Congress with enforcement of the ADA—and based on standards issued by the United States Access Board, a federal agency devoted to developing and maintaining standards to ensure accessibility for individuals with disabilities. The ADA requires the Justice Department's accessibility regulations to be consistent with Access Board standards. Both the Access Board and the Justice Department have extensive expertise in setting appropriate accessibility standards that take into account the needs of people with disabilities as well as those of business owners. Congress need not and should not step in to deprive the agencies it designated to issue accessibility standards of the authority to enforce those standards.

Moreover, the opportunity to swim is important to individuals with disabilities just as it is to everyone else. People with disabilities should be able to enjoy swimming pools for recreation and exercise. If enacted, H.R. 4200 and H.R. 4256 would deprive many people with disabilities of access to swimming pools, and would create uncertainty among pool owners about the standards with which they must comply in order to meet the ADA's requirements with respect to pool access.

The regulations at issue do not present a significant burden to hotels or other pool owners. For pools already built when the new regulations take effect, the regulations do not require owners to satisfy the new accessibility requirements. If doing so is not ''readily achievable''—that is, ''easily accomplishable and able to be carried out without much difficulty or expense''—they need not do so.

In addition, individuals with disabilities are not entitled to damages in ADA lawsuits challenging the inaccessibility of public accommodations.

The hotel industry has been aware of—and involved with—the development of the new pool accessibility standards for a decade. The Access Board initially issued standards for pool accessibility in 2002 guidelines for recreational facilities. In 2004, the Access Board incorporated those standards into its new Accessibility Guidelines. The new regulatory standards come directly from those 2004 guidelines. The Justice Department first published an Advance Notice of Proposed Rulemaking requesting feedback concerning the Access Board standards in 2004, followed by a second Advance Notice of Proposed Rulemaking in 2008. The final rule was adopted on September 15, 2010, and gave existing pools another eighteen months to comply with the new requirements.

In conclusion, we oppose any effort to roll back regulations providing accessible swimming pools for people with disabilities. These places of public accommodation have had years of notice and substantial opportunity to prepare for these requirements.

Sincerely,

ACCSES, American Association of People with Disabilities; American Foundation for the Blind; American Network of Community Options and Resources; Association of University Centers on Disabilities; The Arc of the United States; Bazelon Center for Mental Health Law; Brain Injury Association of America; Council of Parent Attorneys and

Advocates, Inc.; Daniel Jordan Fiddle Foundation; Disability Rights Education and Defense Fund; Easter Seals; Epilepsy Foundation; Helen Keller National Center; Mental Health America; National Association of Councils on Developmental Disabilities; National Council on Independent Living; National Disability Rights Network; National Down Syndrome Society; National Multiple Sclerosis Society; Paralyzed Veterans of America; United Cerebral Palsy; United Spinal Association.

Mr. CARTER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I am the person who introduced this language. At the time that I introduced it, I started my conversation by saying I am not opposed to—in fact, I am in favor of—access to swimming facilities and hot tubs and other bodies of water by the disabled in this country. But the facts are in this case that, yes, this has been looked at for a long time and everybody recognizes the fact that access to swimming pools and possibly hot tubs or therapeutic facilities is important for the people who are disabled. I agree. I agree with everything my colleagues have said on the other side of the aisle. Sometimes, when you're dealing with bureaucrats, you cannot get their attention to have a little bit of common sense. And you have to get their attention. And the purpose behind this is to get the Justice Department to back off until they can listen to some common sense.

My colleague on this side of the aisle has tried to point out that what the Justice Department has said, and has not been willing to clarify otherwise, is, regardless of what the regulation which was passed originally says, their ruling in January of this year was that it would be a fixed facility. That means it has to be placed permanently by the side of the body of water. That means it would be placed permanently beside every hot tub, placed permanently beside every kiddie pool, placed permanently beside every swimming pool that anybody has at any location. That would be a fixed device.

I don't know how big this device is, but I would assume it's taller than I am because it has to lift someone and put them somewhere. And I also happen to know that there are 13-year-old kids around every swimming pool in the country that figure if there's something you can climb up on and dive off of, you're going to do it.

So the swimming pool people, both publicly and privately—and let me tell you that lots of communications from public pool managers in my district, say, We don't want to close our pool this summer, but they've set a deadline we can't meet. They've required something that we cannot physically get because the manufacturers are not prepared to do it. And even though they're willing to push the deadline down the line, they're setting up a situation of danger which could easily be resolved by what we've been using already in many of the pools in our area of Texas, and that is a portable device that does exactly the same thing, but when it is not in use it is moved away from the side of the pool to a safe place where someone cannot harm themselves.

What if a child climbed up on the one fixed next to the hot tub which is 3-feet deep and dove into it? He may be stupid, but kids are stupid sometimes. We would have another disabled person.

And so the consequences of this and the cost are something that we should say, How about a little common sense, Justice Department, and answer the question: Can we use a portable device? And so far they have not answered, because they wrote the last thing in January. They set the deadline of May 15 and extended it. And all we want is an answer to that question.

I want everyone to have access to a swimming pool, and I want the disabled to have a device that's safely able to locate them there and that can safely be put away when there's no one in need of that device so that nobody else can be hurt by false use of that device.

I'm not against the disabled, and nobody on our side of the aisle is, even though our colleagues seem to accuse us of that. But I started this conversation—and my colleague on my committee knows this—and I finished the conversation by saying: All I want is to allow them to have access and let the Justice Department say something besides ''fixed device'' so that we can go forward. If we can get that, we solve this issue. It's not about putting aside the ADA. It's not about being against the disabled. It's about common sense. And the folks that have five pools can have a device to sit around in a safe place to be moved out to accommodate whoever needs this device.

It's common sense, it's good judgment, and it's a safety issue for children. And nobody wants to deprive anybody of going swimming.

So to make this very clear, I think this is something that I agree with, my opponents on the other side of the aisle agree with, and we should be in agreement and bipartisan in trying to get a commonsense resolution.

I yield back the balance of my time.

Madam Chairman, I rise in strong opposition to the proposed amendment. *

Mr. NUNNELEE from Mississippi and Mr. FLAKE from Arizona are cosponsors of this amendment.

OPENING STATEMENT

My amendment prohibits the DOJ from using funds to implement the regulation and guidance that would require every public pool and spa in America to have a permanent pool lift. This would not only affect hotels and resorts, but governmental entities such as public pools as well.

Let me make this clear, I am not against disabled Americans having access to pools and spas. But what I am against is unreasonable regulations that don't pass the common sense test.

Over the past year, hotel owners and city managers asked the Department of Justice to clarify the accessible means of entries for swimming pools and spas. This past January, the Justice Department responded to this request by issuing revised guidance. The guidance that was issued is alarming, to say the least.

The revised guidance only allows a place of accommodation to have a portable pool lift under a very narrow set of circumstances. The guidance also doesn't allow a city or place of accommodation to share a pool lift between multiple pools and hot tubs. Furthermore, the revised guidance requires a pool lift to be pool side and fully operational during all pool hours, but does not address the safety risks posed by children playing on and climbing on the pool lift, which I imagine would make a pretty good climb and dive target for a 13-year-old.

It just doesn't make sense that if a hotel owner or city pool has multiple pools and hot tubs in one location that you would have to purchase a permanent lift for each pool and spa. Doesn't it make more sense to allow for one portable lift per location?

A major concern is the cost of purchasing and installing permanent pool lifts. In speaking with hotel owners and pool lift manufacturers in recent weeks, the costs of pool lifts can range from $2,500 to over $9,700. The cost of installation can range from $500 to over $3,000 in States such as California. If a hotel owner with a small pool and hot tub in California needs to install two (2) permanent lifts (one at each body of water), the costs for purchasing and installing the two lifts could range from $11,000 at the low end to $25,400 at the high end.

It is significant to note that for hotels that have had pool lifts in place for years; we have reports that guests with disabilities have not been using the lifts. A hotel owner very close to my district, in Austin, Texas, reported that twelve (12) years ago he constructed a pool at his hotel. At that time, Austin had a requirement that all hotels must have a lift for their guests with disabilities. During the 12 years that he has maintained the pool lift at the hotel, he never had a guest request or use the pool lift. Based on his information and belief, none of the hotels in Austin has ever had a guest use their pool lifts. (See attached Affidavit of Hitesh ''H.P.'' Patel.)

And we haven't even discussed how in six weeks, approximately 309,000 pools or spas would have to purchase and install their own individual permanent lift. According to the Association of Pool and Spa Professionals, while present production capacity by pool lift manufacturers is a transient figure, greatly affected by many factors, it is reported that the manufacturers can produce between 2,500 and 5,000 lifts a month at this time. Can you believe that a bureaucrat in the Justice Department really thinks that 309,000 facilities can become compliant by May 15th, when production can't support that?

Madam Chairman, there is a little something called common sense that is missing here in Washington DC. My amendment will only prohibit the Department of Justice from requiring

a permanent point of entry, not a portable one, and will buy time for the Authorizing committee to pass the Pool Safe Act and bring some common sense back to this city. Let's send a clear message to the Justice Department that this regulation and guidance is not acceptable and that if they won't listen to the American people, then the Congress will act.

ADDITIONAL TALKING POINTS

Hotels with fewer than 100 rooms are most negatively impacted by the pool lift mandate. The high costs of purchase and installation, along with the non-use by guests, makes it economically unrealistic for these small business owners. The end result will be that many simply close their pools, which is not a benefit to anyone.

In its comments submitted to the DOJ, the Association of Pool & Spa Professionals (APSP) cited reports by P.K. Data Inc. that there are approximately 310,000 public pools, 85,000 of which are classified as ''lodging'' and 30,000 classified as ''clubs.'' It is estimated that approximately 33% or 38,000 of these pools are accompanied by a spa, for a total estimate of 153,000 pools or spas likely to fall under Title III, the majority of which are hotel pools and spas. The other public pools such as ''community,'' Parks and Recreation, and Schools likely fall under Title II.

In 2010, the Department of Justice (''D0J'') adopted updated standards for accessible design to replace the 1991 standards. These updated standards included requirements for hotels to make pools and spas accessible for our guests with disabilities. The deadline for compliance was March 15, 2012.

On January 31, 2012—only six (6) weeks before this deadline—the DOJ issued a new Guidance Document on the 2010 ADA standards for pools. This new Guidance Document contained significant revisions to the 2010 ADA Standards concerning existing swimming pools. This was done without providing advance notice to pool owners. The January 31 changes in the ADA requirements included:

(a) For all existing, altered and newly constructed pools, they must install a ''fixed'' pool lift. If installation of a fixed lift is not readily achievable, the owner may only then consider alternatives such as use of a portable pool lift that complies with the 2010 Standards.

(b) Pool lifts must be at poolside and fully operational during all open pool hours.

(c) Sharing of accessible equipment between pools is not permitted.

As a result of these rules, there was confusion in the hotel industry and among the pool lift manufacturers.

AFFIDAVIT OF HITESH (HP) PATEL, CHA, CHO

1

I am Hitesh (HP) Patel. I am over the age of 21 and suffer no legal disability. I am competent in all respects to testify as to the statements contained herein. My statements set forth below are based upon my personal knowledge, and I authorize the use of this Affidavit for any and all purposes allowed by law.

2

I am a Board member of the Asian American Hotel Owners Association (AAHOA). I am a resident of the City of Austin, Texas. I own and operate a Holiday Inn Express hotel in Austin, Texas.

3

Twelve (12) years ago when we constructed the pool at our Holiday Inn Express hotel, the City of Austin had a requirement that all hotels must have a portable lift for their guests with disabilities.

4

During the 12 years that I have had a portable pool lift at my Holiday Inn Express hotel, we have never had a guest request or use the pool lift.

5

I am a Board Member of the Austin Hotel Lodging Association. Based on my information and belief, none of the hotels in Austin has ever had a guest use their pool lift.

I affirm, under penalty of perjury, under the laws of my State, that the foregoing is true and correct.

Signed Hitesh Patel, 4/24/12.

Ms. WASSERMAN SCHULTZ. Madam Chair, I rise today out of concern for the language in this bill that would hinder the access of people with disabilities to swimming pools.

The standards that this language would undermine were based on standards first adopted under the Bush Administration. They are common-sense, flexible, and an important step for our constituents with disabilities.

Yet the language in this bill would prohibit the Department of Justice from enforcing these regulations, even though swimming venues only need to satisfy these standards if doing so is ''readily achievable'' and does not cause an undue burden.

These regulations would allow disabled Americans seeking to swim for physical relief, emotional therapy, or simple enjoyment the ability to do so, thus enjoying the same benefits that you or I would receive from swimming. And the regulations ensure that no business faces an undue hardship in doing so.

I'm disappointed that this language made its way into the bill.

Sometimes it feels like there is little we can agree on here, and I would hope that providing physical, emotional, and social relief to Americans struggling with physical disabilities while not imposing on businesses would be something we could come together on. I hope that as this bill goes to conference, this harmful language is removed so that all Americans—regardless of abilities—can enjoy one of life's simple pleasures.

Mr. ROTHMAN of New Jersey. Madam Chair, I rise in strong support of the Department of Justice's (DOJ) final rule detailing requirements for accessible entry and exit for pools and spas under the Americans with Disabilities Act (ADA), and in opposition to a provision included in the Commerce, Justice, and Science FY13 Appropriations Bill to inhibit DOJ's enforcement of this important rule.

Over twenty years after the passage of the Americans with Disabilities Act, the accessibility of swimming pools and other recreational facilities remains important to people with disabilities around the country. The 54 million Americans living with disabilities deserve to finally be able to enjoy these facilities to the same extent as others in our society.

The Department's process to develop accessibility guidelines for swimming pools began over 7 years ago on September 30, 2004, and the DOJ published the final rule on September 2010 after receiving feedback from all stakeholders and the public. DOJ delayed compliance until May 21, 2012 and issued guidance at the beginning of this year, clarifying the intent of the final rule.

The final rule ensures that small, family-owned business are not overburdened, by only requiring installation of fixed pool lifts for existing pools and spas if it is ''readily achievable,'' meaning that it is not overly costly or burdensome. It strikes an appropriate balance between the needs of Americans living with disabilities and our businesses.

The need for pools and spas to be accessible for people with disabilities is not a new idea, but one that has been in federal law for more than 2 decades. The requirement to remove barriers to accessibility to swimming pools for people with disabilities has been part of the statutory requirement under the Americans with Disabilities Act since it was passed in 1990, almost 22 years ago. The regulatory process is functioning just as it was intended to.

People with disabilities should be able to enjoy the same recreational amenities and opportunities as every other American. Delaying the effective date of the regulations any further will mean another season where people with disabilities will be denied the opportunity to use pools when they travel on vacations with their families or on business.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 207. Notwithstanding any other provision of law, during the current fiscal year and any fiscal year thereafter, section 102(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (Public Law 102–395) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and

contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A 76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

□ 2030

AMENDMENT OFFERED BY MR. HUIZENGA OF MICHIGAN

Mr. HUIZENGA of Michigan. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 212.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HUIZENGA of Michigan. Madam Chair, I rise in support of my amendment to strike section 212 of this bill, H.R. 5326.

Madam Chair, Congress should be taking steps to encourage the creation of more private sector jobs, not growing government. Legislative provisions that prohibit, impede, interfere, obstruct, encumber, or delay contracting out opportunities, or even require insourcing, require these things to be done, are counterproductive to reducing the deficit, limiting the size of government, and creating private sector jobs.

Madam Chair, I was one of the founding members of what has been dubbed the Yellow Pages Caucus, a group of people who came to Washington and said, hey, if the private sector can go out and do this, maybe we need to think about whether the government should be doing it and taking those opportunities away from those people who are advertising in the Yellow Pages or in the modern equivalent, on those Google searches that might be on people's iPads.

Well, not only do Federal Agencies duplicate oftentimes private business, but many engage in unfair government competition with the private sector. This amendment would allow A 76 competition within the Bureau of Prisons for the performance of commercial activities within the organization. By allowing the private sector to compete for these services, it forces the Bureau of Prisons to take a hard look at the things that it is currently doing and find savings for us hardworking taxpayers. It is only common sense that these A 76 provisions force government to be more efficient.

Now, what is an A 76? An A 76 is a circular or a letter that is produced by the Office of Management and Budget. And in this it says that whenever possible, and to achieve greater efficiency and productivity, the Federal Government should conduct competition between public Agencies and the private sector to determine who should perform the work.

We are going out and saying, hey, where does it make sense to go do this? Who can go and do this cheaper and deliver a better product?

It requires these executive Agencies to annually prepare lists of activities considered both commercial and inherently governmental. All we're doing with this amendment is to say that the Bureau of Prisons ought to be holding to the exact same requirements that all of the other Departments and all of the other Bureaus must do in the Federal Government. A 76 forces government Agencies to keep up with the lowest bid the private sector can offer, and it forces government to cut costs and increase efficiencies.

Now the other interesting thing is that with this section 212, we wonder oftentimes what does section 212 do. Section 212 exempts the Bureau of Prisons from doing this activity. This makes no sense to me, Madam Chair. This makes no sense to me that we would take an organization like the Bureau of Prisons and say don't worry about it folks, we trust you. We think you're doing this as efficiently as possible.

Well, Madam Chair, I believe in that old idiom that Ronald Reagan came up with: trust, but verify. I would like to see the Bureau of Prisons do that exact thing. I think they ought to go out and demonstrate that they can in fact and should in fact be doing these activities that they are.

It's estimated, and this is from the Office of Management and Budget from July 2003, page 2 of a report that they have, ''Competitive Sourcing Conducting Public-Private Competition in a Reasonable and Responsible Manner,'' is the title of that, they estimate that this act of competition alone generates cost savings from 10 40 percent on average. So what we are really talking about is we cannot even ask about or study how we can save the hardworking taxpayers of America these moneys in the Bureau of Prisons. If it is good enough for the Department of Defense, if it's good enough for Treasury, if it's good enough for all of these other Departments and all these other areas, why can't it be an option to save those same dollars in the Bureau of Prisons.

I ask you, Madam Chair, does this make sense to you? It sure doesn't to me.

Well, during this continued period of economic uncertainty and unsustainable Federal spending, Americans are looking to Congress for commonsense, taxpayer-first solutions to reduce the cost of services provided by their Federal Government. This amendment allows our Nation's free market system to fairly compete. The role of government should be to govern, not to operate businesses inside of the government.

And with that, Madam Chair, I ask for my colleagues to support my amendment to section 212.

And with that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. HUIZENGA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HUIZENGA of Michigan. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 214. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings ''Research, Evaluation, and Statistics'', ''State and Local Law Enforcement Assistance'', and ''Juvenile Justice Programs''—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 215. The Attorney General may, upon request by a grantee and based upon a determination of fiscal hardship, waive the requirements of sections 2976(g)(1), 2978(e)(1) and (2), and 2904 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1), 3797w–2(e)(1) and (2), 3797q–3) and section 6(c)(3) of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)) with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2010 through 2013 for Adult and Juvenile Offender State and Local Reentry Demonstration Projects and for State, Tribal, and Local Reentry Courts authorized under part FF of title I of such Act of 1968,

and for the Prosecution Drug Treatment Alternatives to Prison Program authorized under part CC of such Act of 1968, and Grants to Protect Inmates and Safeguard Communities under such Act of 2003.

SEC. 216. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 217. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 218. None of the funds made available to the Department of Justice in this Act may be used for the purpose of implementing the requirement for public entities, places of public accommodation, and commercial facilities to provide a permanent means of accessible entry to pools and spas under the revised regulations for titles II and III of the Americans with Disabilities Act of 1990 (28 CFR 35.101 et seq.; 36.101 et seq.).

SEC. 219. None of the funds made available by this Act may be used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

This title may be cited as the ''Department of Justice Appropriations Act, 2013''.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,850,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,095,000,000, to remain available until September 30, 2014, of which up to $14,500,000 shall be available for a reimbursable agreement with the Department of Energy for the purpose of re-establishing facilities to produce fuel required for radioisotope thermoelectric generators to enable future missions: *Provided*, That not less than $150,000,000 shall be for Mars Next Decade: *Provided further*, That no funds shall be obligated for Mars Next Decade unless and until the National Research Council has certified to the Committees on Appropriations that the chosen mission concept will lead to the accomplishment of Mars sample return as described in the most recent planetary science decadal survey: *Provided further*, That, in the event that the National Research Council determines that the Mars Next Decade mission concept will not lead to the accomplishment of Mars sample return, all funding provided for Mars Next Decade shall be reallocated to the development of a Jupiter Europa orbiter, consistent with the priorities established in the aforementioned decadal survey: *Provided further*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $569,900,000, to remain available until September 30, 2014.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $632,500,000, to remain available until September 30, 2014.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $3,711,900,000, to remain available until September 30, 2014: *Provided*, That not less than $1,024,900,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $1,857,000,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 metric tons and which shall have an upper stage and other core elements developed simultaneously: *Provided further*, That of the funds made available for the Space Launch System, $1,454,200,000 shall be for launch vehicle development and $402,800,000 shall be for exploration ground systems: *Provided further*, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the ''Construction and Environmental Compliance and Restoration'' heading.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $3,985,000,000, to remain available until September 30, 2014.

EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $100,000,000, to remain available until September 30, 2014, of which $9,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $24,000,000 shall be for the National Space Grant College program.

CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,843,500,000, to remain available until September 30, 2014.

AMENDMENT OFFERED BY MR. JOHNSON OF GEORGIA

Mr. JOHNSON of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 65, line 1, insert ''(reduced by $26,000,000)'' after the dollar amount.

Page 73, line 17, insert ''(increased by $7,143,000)'' after the dollar amount.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Madam Chair, our country is emerging from the worst recession in generations. Million of Americans, our neighbors, friends and constituents, are still out of work. Millions of those we represent have been out of work for more than 99 weeks. It's difficult for anyone who has not experienced long-term unemployment to fully understand the economic and emotional hardship caused by long-term unemployment.

We all agree that we must help these Americans who are too often unemployed due to no fault of their own. That's why I have serious concerns regarding the recent news reports about blatant discrimination against the unemployed. According to news reports, employers are posting job advertisements stating ''must be currently employed'' or ''no unemployed candidates will be considered at all.''

□ 2040

This, Madam Chair, is unacceptable. A policy where employers discriminate against the unemployed is unfair, unreasonable, and callously ignores the effects of the recession on millions of highly qualified workers who are unemployed through no fault of their own. Such a policy also disproportionately hurts minorities, as we suffer from higher unemployment rates.

If this trend of employers discriminating against the unemployed continues, it will only prolong the suffering of people victimized by the unemployment crisis. Discriminating against the unemployed will not help America on its path to economic recovery.

My amendment is simple. It will increase funding for the Equal Employment Opportunity Commission to the President's budget request level so the commission can adequately investigate discrimination against the unemployed and other victims of discriminatory hiring practices. My amendment is supported by the National Employment Law Project, the Leadership Conference on Civil Rights, the American Federation of Government Employees, the Asian American Justice Center, the American Association of University Women, the National Employment Lawyers Association, and the NAACP Legal Defense and Educational Fund.

This amendment is just common sense, and I ask all of my colleagues to support this amendment. With these funds, the commission will be able to more effectively fight discriminatory hiring practices.

We can and will debate the value of different job-creation proposals, but ending discrimination against the unemployed is beyond debate. Being unemployed is a status that should not disqualify anyone from a job.

I urge my colleagues to support this amendment to provide a needed boost to millions of Americans, and I yield back the balance of my time.

Mr. WOLF. Madam Chair, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in opposition to the amendment. The bill already includes a $7 million increase for the EEOC, which will allow the agency to continue making progress in addressing its backlog with discrimination complaints. And in a context of a reduced total allocation in which many agencies and accounts in this bill have been level funded or even cut, that $7 million increase is a substantial show of support.

Lastly—and I'm not going to go into detail—this again cuts NASA by $26 million. NASA has gradually been cut down and down, in addition to where it takes it from.

I would ask for a ''no'' vote on the amendment, and I yield back the balance of my time.

Ms. DELAURO. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. I rise in support of the amendment being offered by my colleague from Georgia (Mr. JOHNSON).

I rise in support of this amendment to restore funding for the Equal Employment Opportunity Commission to the President's budget request level.

We all know that while we have had 26 straight months of private sector growth, we are still facing a very tough economy right now. The unemployment rate is still unacceptably high at over 8 percent, and more than 5 million Americans have been out of work for more than 6 months. But now the deck is stacked even further against them. Companies across the country have begun to require current employment to be considered for available positions, and these discriminatory practices are eliminating employment opportunities.

Very simply stated, what has happened here is if you are unemployed, what you are being told is you need not apply for a job. It is really incredulous to think about, in this economy today, people looking for a job want to work, and they are being told that, since you don't have a job, we're not going to give you an opportunity to apply for a job. No one is saying give the person the job, but at least level the playing field and let someone apply for the job because they are unemployed and if they are unemployed.

A National Unemployment Law Project survey of four of the top search Web sites—Careerbuilder.com, Indeed.com, Monster.com, and Craigslist.com—found over 150 job advertisements that specified applicants must be currently employed, and that no one who is unemployed will be considered. My God, when did we deny opportunity for people to make their way in the United States of America? It is unjust. It's unfair for employers to discriminate against those looking for work like this. And that's why we need to really fully fund an Equal Employment Opportunity Commission.

All Americans, regardless of their employment status, should have the same opportunities for employment. That is why we need to make sure that the Equal Employment Opportunity Commission has the necessary funding to investigate and to fight discrimination against the unemployed.

I urge my colleagues to join us in standing up for the millions of qualified Americans who want to work again, but who are being denied that opportunity, being denied the opportunity to find a good job and the chance to find that good job.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WOLF. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $598,000,000, to remain available until September 30, 2018: *Provided*, That hereafter, notwithstanding section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145), all proceeds from leases entered into under that section shall be deposited into this account: *Provided further*, That such proceeds shall be available for a period of 5 years and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the two preceding provisos shall be available for obligation for fiscal year 2013 in an amount not to exceed $3,791,000: *Provided further*, That

each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $38,000,000, of which $500,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent (or, in the case of ''Construction and Environmental Compliance and Restoration'', 15 percent) by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

Section 1105 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18431) is amended by striking ''The Administrator may not'' and all that follows through ''inefficiency.''.

The National Aeronautics and Space Administration shall submit a spending plan, signed by the Administrator, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the enactment of this Act. This spending plan shall be provided at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 30102(c) of title 51, United States Code, is amended—

(1) in paragraph (2) by striking ''and'' at the end;

(2) in paragraph (3) by striking the period at the end inserting ''; and''; and

(3) by adding at the end the following:

''(4) refunds or rebates received on an ongoing basis from a credit card services provider under the National Aeronautics and Space Administration's credit card programs.''.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,942,693,000, to remain available until September 30, 2014, of which not to exceed $500,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 68, line 14, after the dollar amount insert ''(reduced by $1,089,453,000)''.

Page 69, line 8, after the dollar amount insert ''(reduced by $29,320,000)''.

Page 69, line 19, after the dollar amount insert ''(reduced by $109,350,000)''.

Page 70, line 6, after the first dollar amount insert ''(reduced by $17,360,000)''.

Page 70, line 20, after the dollar amount insert ''(reduced by $620,000)''.

Page 71, line 1, after the first dollar amount insert ''(reduced by $2,370,000)''.

Page 101, line 10, after the dollar amount insert ''(increased by $1,248,473,000)''.

Mr. FLAKE (during the reading). I ask unanimous consent to dispose of the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Madam Chair, this amendment would return National Science Foundation funding to its pre-stimulus level, and it would save the taxpayers about $1.2 billion.

Just before voting against the stimulus bill a while ago, I stood in this same Chamber and stated what I thought was pretty obvious at that time: that the only thing that this stimulus bill would stimulate is more spending later, and I think we have found that to be the case.

□ 2050

Leave it to the NSF, an agency that doles out billions of dollars testing theories, to prove me right on this.

In the 4 years leading up to the stimulus bill, funding for the NSF averaged more than $5.7 billion. That's not exactly a drop in the bucket, even by Washington standards. By comparison, in the 4 years since the stimulus bill passed, NSF average spending has climbed 31 percent to a staggering $7.6 billion.

For whatever reason, rather than draw down from this inflated level, Congress appears content to maintain it. The bill before us today funds the NSF at $7.3 billion for fiscal year 2013. That's $300 million more than last year.

While I acknowledge that the NSF does some noble work, it also has drawn its fair share of criticism. Notably, there was a recent investigation by our colleague in the Senate, Senator TOM COBURN. He identified $3 billion in mismanagement by the agency. The report uncovered a lot of highly questionable research projects that would be laughable if the taxpayers weren't paying the tab. Just a few of them here:

$755,000 to find out how rumors start. Again, $755,000 to find out how rumors start;

$315,000 to answer if playing FarmVille on Facebook helps people make friends;

And then there's the infamous $559,000 for a project to have shrimp run on a treadmill.

To me, that hardly sounds like justification to give the NSF more money. Rather, Congress ought to make the necessary commonsense cuts to programs like the NSF that have been far too long bloated from the stimulus legislation.

This amendment would employ a reasonable approach to do that. It would simply reduce NSF funding to the highest pre-stimulus level of $6 billion. This would save the taxpayers, again, more than $1 billion.

I think we have to remember that this discretionary budget that we are dealing with this year, we'll do 12 appropriation bills for somewhere just over $1 trillion. Our deficit is more than that, meaning that everything we consider in our process this year, the appropriations process, is money we are borrowing from our kids and our grandkids. When that is the case, I think that we need to be a little more prudent about the programs that we increase funding for. I don't think there's a justification to increase funding for the National Science Foundation this year.

And when you look back to 2008, which is where this would bring us back to if this amendment passes, as I said before, that wasn't the year where ''Grapes of Wrath'' music was exactly playing in the background. That was a year that we spent a lot of money. But we're spending more now, even given the current deficit that we're running and the current debt that we've piled up.

So I would urge support for the passage of this amendment.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Even though I agree with my colleague from Arizona about some of the issues related to trade embargoes with neighboring countries, in this matter I absolutely oppose him.

Now, he says that the National Science Foundation, we should cut it; we should cut it to some mathematical certainty to the 2008 number. Let me

just take a minute because I don't want the House to act without information.

This is the premiere science research agency in the world. It is not the only one. We are not shadowboxing with ourselves. We have a country of 309 million people. Singapore, which is a country of 4.8, less than 5 million people, probably less people than in the Phoenix area alone, invests some $7 billion in their National Science Foundation. They're stealing talent from us today, hired away some of our top cancer researchers and other scientists, right? We have China, a much larger country. It's built over the last 5 years 100 science-only universities.

The nation that leads in innovation and science will lead the world economically and militarily. The notion that we can unilaterally retreat in terms of investments and the development of future generation of scientists—now, the gentleman and I agreed in committee that when we have nonnative-born students here who are foreigners but who are in school here who get terminal degrees, we should invite them to stay. If we follow through with his cuts at the National Science Foundation, what we're saying to American-born students is, if you're pursuing terminal degrees in the hard sciences, that somehow we're going to cut the legs from up under you.

I think this works at cross purposes. The idea that we would retreat in any respect, in terms of scientific research, should be rejected by this House if what we're trying to do is to ensure America's global leadership.

Now, if this is a math exercise, we should just zero out the National Science Foundation. If we're just trying to save money, then let's zero it out. If we're trying to lead the world, as we have, in science, then we have to make these investments. We should even do more.

I thank the chairman for where he set the bar, and I hope that the House, on a bipartisan basis, rejects this notion that we should cede to our economic competitors scientific superiority for our children and grandchildren and their generations that will follow.

I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in opposition.

I want to thank the gentleman from Arizona (Mr. FLAKE). He's a good Member and very consistent in trying to cut, but I rise in opposition to this amendment, which would reduce NSF funding by $1.2 billion from the levels provided in the bill.

This amendment challenges broad, long-standing, bipartisan agreement on the needs to prioritize Federal investments in basic research, math and science and physics and chemistry and biology in order that America can be number one. This agreement is based on a strong and unambiguous link between investments in research and development and growth and employment and productivity and GDP. This link has been documented repeatedly by expert researchers, economists, and analysts working in administrations and congressional majorities in both parties, as well as private and nonprofit entities.

The link is also well-known and understood internationally, where major foreign competitors, including the European Union, China, and South Korea are investing strongly, are investing much higher, at a much higher level than we are, at a much higher level than we are in research, in the hopes of producing or attracting high-value economic activity. We have already lost a good deal of competitive advantage that we previously held over those countries, and if we fail to keep pace with them in research and development, our situation will only worsen.

Unfortunately, this amendment would contribute to precisely that scenario by not only eliminating any potential growth in NSF basic research next year, but actually reducing basic research expenditures by nearly $1 billion.

As a father of five kids, my wife and I, we have 16 grandkids. I want the 21st century to be the American century and not the Chinese century.

I urge strongly, I urge a ''no'' vote for this amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $196,170,000, to remain available until expended: *Provided*, That none of the funds may be used to reimburse the Judgment Fund established under section 1304 of title 31, United States Code.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $875,610,000, to remain available until September 30, 2014.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $299,400,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2013 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,440,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $14,200,000, of which $400,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,193,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil

Rights Commission Act of 1983 (42 U.S.C. 1975a): *Provided further*, That there shall be an Inspector General at the Commission on Civil Rights who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978: *Provided further*, That an individual appointed to the position of Inspector General of the Government Accountability Office (GAO) shall, by virtue of such appointment, also hold the position of Inspector General of the Commission on Civil Rights: *Provided further*, That the Inspector General of the Commission on Civil Rights shall utilize personnel of the Office of Inspector General of GAO in performing the duties of the Inspector General of the Commission on Civil Rights, and shall not appoint any individuals to positions within the Commission on Civil Rights: *Provided further*, That of the amounts made available in this paragraph, $250,000 shall be transferred directly to the Office of Inspector General of GAO upon enactment of this Act for salaries and expenses necessary to carry out the duties of the Inspector General of the Commission on Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $366,568,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $83,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $328,000,000, of which $302,400,000 is for basic field programs and required independent audits; $4,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $17,000,000 is for management and grants oversight; $3,400,000 is for client self-help and information technology; and $1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of sections 505, 533 and 535 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

□ 2100

AMENDMENT NO. 11 OFFERED BY MR. WESTMORELAND

Mr. WESTMORELAND. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 74, line 13, insert ''(reduced by $128,000,000)'' after the first dollar amount.

Page 74, line 13, insert ''(reduced by $128,000,000)'' after the second dollar amount.

Page 101, line 10, insert ''(increased by $128,000,000)'' after the dollar amount.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. Mr. Chairman, my amendment is to reduce funding by $128 million for the Legal Services Corporation in the fiscal year 2013 CJS appropriations bill, bringing this funding down to only $200 million for FY13. The $128 million would then be moved to the spending reduction account for deficit reduction.

The main focus of the Legal Services Corporation, at least in the eyes of every farmer, rancher, poultry producer I have met, is to harass those in the agriculture business.

Some examples of this unwarranted harassment include filing surprise lawsuits against farmers for problems found related to housing and transportation, payment issues related to work visas and visa applications, border-crossing fees, et cetera, all without allowing the farmers and the migrant workers to attempt arbitration. Some of those are of Legal Services Corporation's representatives actively soliciting clients by knowingly trespassing on farm property or by waiting for migrant workers outside of Wal-Mart stores and other places and informing such workers that, if they sue their employers for even the most minor of issues, they will receive monetary settlements.

These lawsuits cost our farmers hundreds of thousands of dollars in legal fees each year and, in some cases, cause their financial ruin. In 2008, in one specific case in Georgia, that of a farmer who did not want to mention his name for fear of retribution, his costs alone in legal fees were $525,000.

Furthermore, Federal LSC funding is redundant. According to a 2008 report—and I only use the 2008 report because there has not been a comprehensive report since 2008—for the Center for Justice, Law and Society at George Mason University, the total State, county and local expenditures for indigent defense services that same year were almost $4.5 billion. Federal defender organizations, which also use Federal funds for indigent defense services, received $849 million in Federal funds for the same purpose that year. Combined with the almost $351 million in funds that Congress appropriated to the Legal Services Corporation in 2008, the total amount dedicated to indigent defense services that year was almost $5.7 billion.

The American taxpayers do not want their money wasted on an organization like this. The agriculture community cannot afford to keep fighting the frivolous lawsuits that the Legal Services Corporation has filed, and we cannot afford to keep funding them in the current budgetary climate. Local legal services programs supplement the Legal Services Corporation's grants with funds from a variety of government and private sources.

This is not the only source of funding. Non-LSC funding sources include State and local grants; some interest on lawyers' trust account programs; Federal programs, such as title XX; the Social Services Block Grant; the Older Americans Act; the Violence Against Women Act; the Community Development Block Grants; and private grants from entities such as the United Way, foundations, and national, State and local bar associations. In addition, private attorneys accept referrals to provide legal services to the poor primarily through the Legal Services Corporation's funding of pro bono programs.

The LSC does not provide legal services directly. Rather, it funds local legal services providers referred to by the LSC as grantees. Grantees may include nonprofit organizations that have as a purpose the provision of legal assistance to eligible clients, private attorneys, groups of private attorneys or law firms, State or local governments, and certain sub-State regional planning and coordination agencies.

In its FY 1996 budget resolution, the House assumed a 3-year phase-out of the Legal Services Corporation, recommending the appropriation of $278 million. Here is what the budget report said:

> Too often, lawyers funded through Federal Legal Services Corporation grants have focused on political causes and class action lawsuits rather than helping poor Americans solve their legal problems. A phase-out of Federal funding for the LSC will not eliminate free legal aid to the poor. State and local governments, bar associations and other organizations already provide substantial legal aid to the poor.

With that, I think this is a good reduction in order to start to eliminate the funding, and I hope that we can pass this amendment and then, further, the reduction.

I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in opposition to the amendment.

The bill that we are considering tonight provides $328 million for legal services, which is a reduction to the fiscal year 2006 level. It is almost $100 million below the FY 2010 level, and we are $74 million below the request by the administration. LSC helps many people. Last year, 2.3 million people were provided assistance in more than 300,000 family law cases, 105,000 domestic violence cases, thousands of veterans benefit cases, 25,000 unemployment cases, and 20,000 foreclosure cases.

Those cuts would result in 400,000 fewer people being served nationwide and in 160,000 fewer cases closed. This includes returning veterans who are seeking benefits, and it includes elderly victims of foreclosure. The elderly have been taken advantage of in so many cases. It also includes women who are seeking safety for themselves and for their children from domestic violence.

I understand that there are some concerns about LSC-funded programs. Our committee has carried numerous restrictions on political activity by the LSC grantees, to include: lobbying, abortion litigation, class action lawsuits. These restrictions cover both LSC funds, as well as private funds.

The administration proposes to eliminate several of these restrictions, but the House bill does not. The committee conducted vigorous oversight over the LSC in March. We heard testimony from a sheep herder who has concerns about the LSC grantee's violating restrictions. We have included language directing LSC to rigorously enforce the restrictions on political activity. Wherever there is any political activity, we are going to shut it down. We are facing an extremely difficult time, and I think many poor people would be hurt. As a result of that, I would ask for a ''no'' vote on the amendment.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I rise to join the chairman in opposing this amendment.

Mr. Chairman, under our Constitution is the idea that, in a land of laws, we will not deny people an opportunity to have representation as they seek redress. We have thousands of veterans who have returned home after service who have faced foreclosures and have gone to the Legal Services Corporation to seek redress to hold onto their homes. We've had women who have been faced with abuse and who are in need of restraining orders and other types of assistance who use Legal Services. In fact, three out of four of the clients for Legal Services are women who are seeking an opportunity through a court of law to gain their rights.

To deny them this opportunity in a situation where we are already underfunding Legal Services—and to cut it, to zero it out in terms of Federal support—makes no real sense except if you think poor people have too much access to quality legal representation or, as some would suggest, that they need fewer food stamps or less job training or affordable housing. There seems to be some kind of notion here that poor people have it going too well for them in our country and that what they need is some kind of opportunity to pursue liberty without any kind of assistance or a hand up.

□ 2110

I'm opposed to this amendment. Legal services is one of the proudest accomplishments of a Republican administration, but we come to a day where for some reason there seems to be some partisan approach to this matter. In truth, I think all of us should hope that people throughout the country could have access to lawyers when they are in need of them, because our system requires legal representation in a court of law. And not for Democrats and Republicans, but for Americans seeking to have their case heard.

I hope that we reject this amendment. And I think the House will reject it because even in a Republican majority House, I think there's an understanding that in our Constitution that not having access to the courts really in some ways strips away people's opportunity to truly be an American and for America to live up to its ideals.

Mr. Chair, I yield back the balance of my time.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, I would like to echo the comments made by the ranking member, Mr. FATTAH.

I remember the days I worked very closely with Chairman WOLF, and at that time also with the Subcommittee Chairman ROGERS, as their ranking member, and it was always understood that the Legal Services Corporation was a bipartisan effort. In other words, we understood the need for it. And as the chairman has said, we understood the need to protect this program.

There were always discussions as to how much money we should allocate it, but there was never a desire to get rid of it. There was even discussion tonight not only of what a waste of money this program is, but also perhaps doing away with it totally. This really strikes at something much deeper than just this particular amendment. And it is, as Mr. FATTAH has said, Where are we going when we believe that services as essential as legal services should not be made available to people who cannot afford any other access?

We keep mentioning—and maybe people think that some of us are trying to be funny—that Richard Nixon understood then the need for this program to exist, and President Nixon understood the need for it to grow to a point where it could be that access point for people.

So I just hope that both Mr. FATTAH and I are correct, that this will not get the support that some people think it will get; that, in fact, this amendment will be defeated. And one of the best messages we could send tonight, as we deliberate, is that in the desire to cut the budget, that we cannot just throw away every gain we've made over this last generation. This is one of the most important programs we have, and we should maintain it.

Mr. Chairman, I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. I yield to my dear friend and colleague from Georgia, and I appreciate what he is doing with this amendment.

Mr. WESTMORELAND. Mr. Chairman, I want to thank my colleague for yielding.

I want to again emphasize that, according to a 2008 report by the Center for Justice, Law, and Society at George Mason University, the total State, county, and local expenditures for indigent defense services that same year was almost $4.5 billion. Federal defender organizations, which also used Federal funds for indigent defense services, received an additional $849 million in Federal funds for the same purpose that year. Combined with the almost $351 million in funds that the Congress appropriated that year, it brings the total to $5.7 billion. Of that $5.7 billion total, only 6.1 percent was appropriated by Congress, assuming total non-Legal Services Corporation funding for indigent defense services has not increased since then.

My amendment to reduce the agency by $128 million down to $200 million would result in a 2.5 percent decrease in overall indigent defense service funding. Reducing the Legal Services Corporation funding to $200 million, as my amendment would do, would reduce overall CJS funding by 0.0039 percent. Mr. Chairman, if we can't cut 0.0039 percent, then we're going to have a lot bigger problems on our hands at the end of the day.

Mr. BROUN of Georgia. Mr. Chairman, reclaiming my time, I appreciate my colleague's amendment on this. It makes sense. It is a very miniscule cut, and Congress needs to face the fact that America is broke. We don't have the money to keep spending. Both parties are guilty of spending money that we don't have, spending money that eventually is going to have to be paid for by our grandchildren's children. We just have to stop the spending addiction that we have here in Washington.

I'm an addictionologist, a medical doctor, and I've done addiction medicine. Addiction medicine has a saying that ''if there is no denial, there is no addiction.'' There is denial here in this Congress. There is denial that we have a fiscal crisis as a Nation. This is just a miniscule cut, not much at all.

I support the gentleman's amendment. I hope my colleagues will support it and we can pass this minimal cut in this program.

Mr. Chair, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, first of all, there is a difference in indigent legal representation in criminal cases and civil cases. The criminal defense, it's required by the Constitution that you have to provide that, and whatever it costs, the defendant is entitled to representation. In civil court, you don't have that technical requirement. But some of the cases where people need but cannot afford attorneys deal with some of the most important parts of our life: housing, family law, divorce, child custody, consumer ripoffs, health care, things where you actually need representation that legal aid provides.

Legal aid programs cannot meet the needs of their demands right now. Most legal aid programs, as the gentleman from Virginia said, turn down a lot more than they can take. And because of the recession, the demand is much higher than it has been in the past.

When you talk about rights, rights without remedies are no rights at all. When rights in our democracy depend on the generosity of a few pro bono attorneys, we're actually violating our democratic values.

As my colleague again mentioned, traditional Federal funding is down and another traditional funding for legal aid services—Interest on Lawyers Trust Account—is also way down because interest rates are at historic lows.

Mr. Chairman, we should support our democratic principles and support legal aid services and oppose this amendment.

I yield back the balance of my time.

Mr. COHEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chair, I was off campus, and I got a notice from my staff that this amendment was here.

I kind of knew it was coming, but I find it shocking. In these economic times, there is more of a need for legal services than there has ever been a need for legal services. There are more people that have been economically hurt because of this economy who haven't been able to get jobs because we haven't passed a transportation bill to put people to work, we haven't passed jobs bills to put people to work. When people are out of work and they're economically deprived, they are more likely to have domestic violence in their homes. It's a direct cause and a direct relationship. They're more likely to be behind in their payments on their house and have problems with their mortgage where they need legal services because they're facing foreclosure. More people are in need of help than ever before, and yet we're taking legal services away from poor people who are the Purple Hearts, the victims of this recession/depression, whichever we're having. This is just hard to fathom. It's unfair, it's unwise, and it violates every Judeo-Christian principle that I can conjure up and imagine.

□ 2120

What you do unto the least of these, you do unto me. And when you take people who are being foreclosed upon, victims of domestic violence, or whatever other purpose and taking away the opportunity to get legal representation, that is un-American.

Now you have a right to legal representation in a criminal case because of the Constitution. In a civil case, it's really up to this Congress to provide funds for Legal Services Corporation to give people that opportunity. And while there is no constitutional amendment, we've got the words of Supreme Court Justice Hugo Black, who said, There can be no equal justice where the kind of trial a man gets depends on the amount of money he has, or the type of representation.

And if you can't get representation, you are not going to have any chance to win in court. And justice should be blind. People should have an opportunity to go to court, particularly for economic distress. And we're seeing more and more of that.

So slashing funds to Legal Services is the wrong thing to do. It hurts the most vulnerable. It hurts the poorest.

There was a group that met out here in Statuary Hall, Come Pray With Me. And Come Pray With Me was saying that we need to have the values that religion has, and they should be a part of this Congress. Well, there should be a separation of church and State, no question about it. But there should be values that are in the Judeo-Christian heritage, which goes to the Muslim heritage, which is that we care about those who are at the bottom and we give them a hand up. And it's not the wealthy we care about, but the poor. We want to give them help.

This is the type of situation, with Legal Services, where we need to help people. And we need to call on the values that we've been taught from generation to generation and put them into effect, not just talk about them in Statuary Hall when the Christian Broadcasting Network is putting them on television, but put them into effect when we have an opportunity to act. And this Legal Services amendment is one where we have a chance to act because you are helping people who are in distress and need help and need fair, just opportunities that the Legal Services Corporation can provide.

I know these are tough budgetary times, but this is not the place to cut, and it's not the people to cut. So I would ask that we not do this.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 74, lines 13 through 19, after each dollar amount, insert ''(reduced to $0)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $328,000,000)''.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I rise today to strike $328 million in funding for the Legal Services Corporation. Now, at no point in the past 32 years has any party in Congress felt that this agency was important enough to reauthorize it. That's just the fact.

Now let me put it another way. Since 1980, Congress has been appropriating the Legal Services Corporation an average of over $400 million a year while at the same time, again, deeming it unworthy of reauthorization.

Why has Congress not felt compelled to reauthorize the Legal Services Corporation? Perhaps it's because the Legal Services Corporation has become so far removed from its original intended purpose which was, yes, to provide attorneys for the poor.

In 1975, Congress created the Legal Services Corporation to provide free legal assistance to the poor in civil matters. Currently, they provide less than 6 percent of the need-based legal services in this country. Today, the States, bar associations, and private organizations provide the majority of the pro bono legal services to the poor.

The Legal Services Corporation has, in effect, become bounty hunters who attack farmers and other employers. Instead of representing the needy, they have chosen to focus their attention on another activity—actively lobbying, even though it is against the rules, for the advancement of their chosen Big Government priorities.

Fifteen years ago, Senator Phil Gramm explained his opposition to the program by saying, ''They're being advocates for the existing welfare bureaucracy, and while they may have a right to do it, they don't have a right to do it with taxpayers' money.''

Now every phone book in America has plenty of attorneys in it that will be happy to take any good case on a contingency fee. A recent analysis by The Washington Times found that the Legal Services Corporation—instead of spending your taxpayer dollars on what they were appropriated to do—purchased ''a decorative natural stone wall, more than 100 casino hotel rooms that were never occupied, limousines, and first-class airfare,'' rather than providing the need-based legal services that the funds were actually appropriated for.

The Legal Services Corporation has clearly been poor stewards of taxpayer dollars, and the constituency they were originally intended to serve simply does not need them, Mr. Chairman.

Tough decisions need to be made. This is not one of them. Certainly there is an attorney that will take any legitimate case that any citizen of this country has, whether they be poor or not. The Legal Services Corporation is duplicative; it's nonessential; it's unauthorized. I encourage my colleagues to defund it completely.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I hope that the House would handle this amendment appropriately, relative to what has been said about Legal Services.

I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment, too.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I think the arguments have already been made to the gentleman from Georgia, and the same argument would also hold true here.

And let me say one other thing. If any Member has any information with regard to lobbying or any violation of the law, I hope they'll call, because we have made clear that the committee carries numerous restrictions on political activity from LSC grantees, including lobbying abortion litigation and class action lawsuits. And they cover both the LSC funds as well as the private funds. So if anybody has any information on either side, we will hold a public hearing and deal with the issue. But based on this, this zeros it out. So I rise in opposition to the amendment.

I yield back the balance of my time.

Mr. SCOTT of Virginia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, the suggestion has been made that we depend on volunteer attorneys. We don't ask for physicians to volunteer. We don't depend on volunteer homebuilders or grocers or police officers or teachers. We shouldn't depend on essential services by asking only volunteers to meet the need. There are volunteer attorneys who volunteer a lot of time. But in terms of essential services, we shouldn't have a system where we depend on those volunteers. I would hope we would defeat this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively.

Section 501(a)(2)(A) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104–134) is amended by striking ''on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code'' and inserting ''triennially by the Bureau of the Census''.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,025,000.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 76, line 8, insert ''(reduced by $181,500)'' after the dollar amount.

The Acting CHAIR. The gentleman is recognized for 5 minutes on his amendment.

□ 2130

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

My amendment would reduce the budget for the salaries and expenses of the Marine Mammal Commission by just 6 percent. The underlying bill is suggesting that Congress allot the same amount of Federal funding for the Marine Mammal Commission as last year—more than $3 million—when, in fact, every other office on Capitol Hill endured a 6 percent cut just this year. It seems only fair that in the midst of our current economic crisis we should ask Federal Commissions without any extreme need or urgent purposes to bear the same reductions. I believe that the Marine Mammal Commission falls under this criteria and that it should be able to find 6 percent worth of savings if they comb through every corner of their budget.

Mr. Chairman, we reduced our budget in our offices by much more than this. I think the Marine Mammal Commission can trim their budget by just 6 percent, and I urge my colleagues to support this very simple amendment that would save nearly $200,000.

I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I support the amendment. I urge adoption, and yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I support my colleague in his amendment. Hopefully, he'll withdraw some of the other ones, and we're in business.

I yield back the balance of my time.

Mr. COHEN. I move to strike the last word.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Do you know if the Marine Mammal Commission has anything to do at all with the dolphins that help us in security, that they get these sonars attached to them and they do a lot of security work for us? Isn't this what they do?

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. COHEN. I yield to the gentleman.

Mr. BROUN of Georgia. They study marine mammals. I think probably you're correct on that, but I'm not certain.

Mr. COHEN. So the dolphins that they train and that they study save us in the way of security and they do jobs that humans don't have to do, so they save human lives. And you're talking about $200,000 and the cost of one SEAL. To me, a SEAL in the United States Navy is worth a lot more than $200,000. I would rather those dolphins be understood and trained and be able to do that security work and save us. They are marine drones and they are protecting our country and saving human lives. That's why I say this is penny wise and pound foolish

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. COHEN. I yield to the gentleman.

Mr. BROUN of Georgia. I appreciate the gentleman's comments. Certainly, the Navy SEALs are important, and so are the dolphins. What this is going to do is just cut expenses and salaries of the Commission itself. So it doesn't reduce the funding of the dolphin program. Certainly, there are some things that the Marine Mammal Commission can continue doing. This is not going to hurt those programs.

So I urge the adoption of my amendment.

Mr. COHEN. I thank the gentleman for his response, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was agreed to.

Mr. LIPINSKI. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Chairman, I rise to respectfully request to engage in a colloquy with the distinguished gentleman from Virginia, Chairman WOLF.

As you know, I've been a strong supporter of science, education, and innovation programs to spur economic growth and job creation. I greatly appreciate the strong funding levels for these programs in this bill, especially the NSF, and also, Chairman WOLF, your eloquent defense of NSF on the floor here a short time ago.

I specifically would like to thank you for inviting me to testify before the CJS panel this year to share my strong support for the NSF Innovation Corps program, which provides NSF grantees with an opportunity to learn from and collaborate with entrepreneurs in order to increase the likelihood that their research can be turned into new products. This program will turn our investments in science and research into American innovation and American jobs and will produce enormous value for the relatively small cost of $19 million. The early results of I-Corps are promising: out of the first 21 grantees, 19 are pursuing commercialization of their technology in, hopefully, future American jobs.

Chairman WOLF, I understand this bill does not provide line items for most NSF funding, but I hope you agree that the I-Corps programs are a wise investment that will educate America's brightest so they can make the best use of Federal research funding to boost America innovation and job growth.

Mr. WOLF. Will the gentleman yield?

Mr. LIPINSKI. I yield to the chairman.

Mr. WOLF. I thank the gentleman for his support for Federal science Agencies and his advocacy for programs like this one, which ensure that taxpayer investment in research and development provides returns to the economy in the forms of jobs, revenue, and export opportunities. I'll be happy to work with the gentleman as the bill continues through the appropriations process to ensure that I-Corps and related efforts receive the appropriate amount of support.

Mr. LIPINSKI. Reclaiming my time, I want to thank the gentleman for his response and, again, for his commitment to this program. I look forward to working with you on ensuring success of the I-Corps program and more generally for the continued increases in NSF and science funding as we lead the way to American innovation and American jobs.

I yield back the balance of my time.

The Acting Chair. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $51,251,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $111,600 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) $5,121,000, of which $500,000 shall remain available until September 30, 2014: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

AMENDMENT NO. 5 OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 78, beginning on line 17, strike ''(6)'' and all that follows through ''(7)'', and insert (6).

Page 78, line 23, strike ''(8)'' and insert ''(7)''.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. SESSIONS. Mr. Chairman, tonight I offer an amendment which would strike provision 6 of section 505 of the legislation, which would impose a moratorium on contracting out activities currently performed by Federal employees.

These challenging economic times require Congress to not only reassess the size and scope of the Federal Government, but I think it's important to make better stewardship of taxpayer dollars and to give the government an opportunity to get the best dollar for and on behalf of the American taxpayer. Legislative provisions that prohibit or otherwise interfere with contracting out or in-sourcing are counterproductive to reducing spending, limiting the size of government, and creating private sector jobs. My amendment to strike this provision, which I am proud to offer with Congressman JUSTIN AMASH of Michigan, does not affect inherently governmental activities. It allows only for increased private contracting.

Mr. Chairman, the Heritage Foundation has reported that subjecting Federal employee positions which are commercial in nature to a private-public cost comparison would generate, on average, a 30 percent cost savings, regardless of who wins that competition. Rather than preventing market competition that would improve service and lower costs, we should be encouraging Agencies to find the best way to deliver services to citizens of this great Nation. This is exactly what this amendment does.

Our Nation's unemployment rate stands at 8.1 percent. We must allow the private sector the ability to create jobs without an unfair disadvantage, and I think we get more results for our money. I urge all my colleagues to support this commonsense amendment that would ensure cost-savings competition in the Federal Government. Congress should be looking to use all the tools it can to help save taxpayer dollars.

□ 2140

Mr. FATTAH. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman.

Mr. FATTAH. I'm trying to clarify, your amendment is amending page 78, line 17, of the bill?

Mr. SESSIONS. I believe that is correct, sir.

Mr. FATTAH. Okay. It would seem to me that you are limiting the committee's oversight of their ability to receive information about what is taking place; is that accurate? Is that your intent?

Mr. SESSIONS. No, sir, it is not.

Mr. FATTAH. Is it your intent to deprive the Appropriations Committee of this important information?

Mr. SESSIONS. I do not believe in any way that we would limit this committee at all; no, sir. It is simply to allow this to take place except where there are inherently governmental policies in place, inherently governmental activities.

Mr. FATTAH. I thank the gentleman for yielding.

Mr. SESSIONS. Mr. Chairman, I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Maybe I don't completely understand the amendment, and it pains me to oppose the amendment from my good friend, but this is basically, from the way that we read it, a notification requirement exists so that the Congress can track significant changes in an Agency's activities over the course of the entire fiscal year.

There isn't any reason to believe, unless I misunderstand this—and if I do, I apologize—removing the requirement would result in the administration choosing to contract out government function with any greater frequency or scope. It does, though, guarantee that they will execute any existing plan without any congressional oversight. So, really, regardless of how you feel about the merits of contracting out, we should be able to agree that it's in the best institutional interest for the Congress to know.

Basically, it would be like, and I may be wrong, we are giving this authority. We are saying, Eric Holder, you take this and you can do whatever you want to do and do not tell us. And believe me, he would take this and he would not tell us. I write Eric Holder seven letters, and I get back one letter thanking me and he quotes each and every date and never answers the question.

Basically, I think you have to have the requirement of a 15-day notification to allow the committee to sort of look at it and see what they were doing. But basically, I think it could be viewed, and perhaps I misunderstand the amendment, turning over much more congressional authority to the executive branch; and since we are on the bill dealing with the Justice Department and I've had some really difficult times with Eric Holder—you think Fast and Furious, we try to get information on so many things—if they didn't have to come up before the committee, I think they would have unfettered rights to do whatever. So based on my understanding of it, I urge a ''no'' vote on the amendment.

Mr. SESSIONS. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Texas.

Mr. SESSIONS. I appreciate the subcommittee chairman yielding, my very dear friend, and the gentleman from Pennsylvania.

The way I read this, section 505 begins with ''none of the funds provided under this act'' and continues to say, ''contracts out or privatizes any function or activities presently performed by Federal employees,'' which is under section 505(6), and it is this (6) that contracts out or privatizes any function: ''No funds can be for contracts or privatization of any function or activities performed by Federal employees.''

Now, to me that's pretty straightforward. I'm simply saying that we would amend that and say we're going to strike that to where there is nothing in there that says none of these funds provided in this section shall be provided where you can contract out or privatize any function. That's all I'm simply trying to say. It would be equally a part of any funds in section 505 to say it could be contracted out.

Mr. FATTAH. If the gentleman would yield for a second, or if you run out of time, I will take time and I will yield to you, either way.

Mr. WOLF. I yield to the gentleman.

Mr. FATTAH. Just so we can clarify, so section 505 begins on line 4 on page 78, ''none of the funds.'' It ends on page 79 on line 3, but lines 1 through 3 say, ''approved by the Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance.'' So everything that precedes this says you can't use any of these funds unless you notify us ahead of time and we don't disapprove.

This whole section, 505, if the gentleman would follow, is a requirement to prenotify, for instance in this instance, the Republican majority here in the House, that an administration official is planning to do something. Right? And what you do by taking this out would say if they planned on doing a private contract, they wouldn't have to tell you. They wouldn't have to notify Chairman WOLF or the committee or the staff and they could go ahead and act, and there is no way that you would know about it.

So all I'm saying is that this language actually is a notice to our committee of administrative action as delineated on page 78. And so I just think that the purpose of your intent and what you are actually accomplishing are two different things.

Mr. SESSIONS. I appreciate that, and if I could engage the gentleman, what is that line that you were suggesting?

Mr. FATTAH. I'm saying if you go over to page 79, the top three lines, ''as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance.''

The Acting CHAIR. The time of the gentleman from Virginia has expired.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I yield to my good friend from Texas.

Mr. SESSIONS. Mr. Chairman, I withdraw my amendment at this time.

Mr. FATTAH. I thank the gentleman, and I yield back the balance of my time.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories, or its possessions.

(2) The term ''promotional items'' has the meaning given the term in OMB Circular A 87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of the first quarter of fiscal year 2013, and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than $720,000,000 during fiscal year 2013 from the fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601).

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) For fiscal year 2013 and thereafter, the Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 515. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 516. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire an information technology system unless the head of the entity involved, in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, has made an assessment of any associated risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire an information technology system described in an assessment required by subsection (a) and produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China unless the head of the assessing entity described in subsection (a) determines, and reports that determination to the Committees on Appropriations of the House of Representatives and the Senate, that the acquisition of such system is in the national interest of the United States.

SEC. 517. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 518. (a) Notwithstanding any other provision of law or treaty, in the current fiscal year and any fiscal year thereafter, none of the funds appropriated or otherwise made available under this Act or any other Act

may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 519. Notwithstanding any other provision of law, in the current fiscal year and any fiscal year thereafter, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 520. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 521. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 522. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 523. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for fiscal year 2013.

SEC. 524. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 525. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 526. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2013, from the following accounts in the specified amounts—

(1) ''Working Capital Fund'', $26,000,000;

(2) ''Legal Activities, Assets Forfeiture Fund'', $675,000,000, of which $314,000,000 shall be permanently rescinded;

(3) ''Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Reduction Program'', $1,028,000;

(4) ''Federal Prison System, Buildings and Facilities'', $64,700,000;

(5) ''State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs'', $12,000,000;

(6) ''State and Local Law Enforcement Activities, Office of Justice Programs'', $43,000,000; and

(7) ''State and Local Law Enforcement Activities, Community Oriented Policing Services'', $12,200,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2013 specifying the amount of each rescission made pursuant to subsection (a).

SEC. 527. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 528. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States, unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 529. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 530. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 531. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 532. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are ''Energy Star'' qualified or have the ''Federal Energy Management Program'' designation.

SEC. 533. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States Government receiving funds appropriated in this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 534. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 535. (a) The head of any department, agency, board or commission funded by this Act shall submit quarterly reports to the Inspector General, or the senior ethics official for any entity without an inspector general, of the appropriate department, agency, board or commission regarding the costs and contracting procedures relating to each conference held by the department, agency, board or commission during fiscal year 2013 for which the cost to the Government was more than $20,000.

(b) Each report submitted under subsection (a) shall include, for each conference described in that subsection held during the applicable quarter—

(1) a description of the subject of and number of participants attending that conference;

(2) a detailed statement of the costs to the Government relating to that conference, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services; and

(C) a discussion of the methodology used to determine which costs relate to that conference; and

(3) a description of the contracting procedures relating to that conference, including—

(A) whether contracts were awarded on a competitive basis for that conference; and

(B) a discussion of any cost comparison conducted by the department, agency, board or commission in evaluating potential contractors for that conference.

SEC. 536. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 537. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 538. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 539. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 540. None of the funds made available by this Act may be used to implement, administer, or enforce the final regulations on ''Disparate Impact and Reasonable Factors Other Than Age Under the Age Discrimination in Employment Act'' published by the Equal Employment Opportunity Commission in the Federal Register on March 30, 2012 (77 Fed. Reg. 19080 et seq.).

□ 2150

Mr. WOLF (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 101, line 4, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 541. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MRS. BLACK

Mrs. BLACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Attorney General to originate or join in any lawsuit that seeks to overturn, enjoin, or invalidate—

(1) Oklahoma Taxpayer and Citizen Protection Act of 2007 (HB 1804), which became effective on November 1, 2007;

(2) Missouri House Bill 390, First Regular Session 2009, 9th General Assembly, which became effective on August 28, 2009;

(3) the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), which was signed into law in Arizona on April 23, 2010;

(4) The Illegal Immigration Enforcement Act (HB 497), which was signed into law in Utah on March 15, 2011;

(5) Indiana Senate Enrolled Act No. 590, First Regular Session, 117th General Assembly (2011), which was signed into law on May 10, 2011;

(6) the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (HB 56), which was passed by the Alabama State legislature on June 9, 2011;

(7) South Carolina Act No. 69 (SB 20), which was signed into law on June 27, 2011;

(8) the Illegal Immigration Reform and Enforcement Act of 2011 (HB 87), which became effective in the State of Georgia on July 1, 2011; or

(9) an Act to amend the Indiana Code concerning education (HB 1402), which became effective in the State of Indiana on July 1, 2011.

The Acting CHAIR. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACK. Mr. Chairman, I'm here tonight to talk about my amendment that would prohibit the Obama administration from filing lawsuits against Arizona, South Carolina, Alabama, and other States over their immigration enforcement laws.

In the last 3 years, eight States have adopted immigration enforcement measures to address the illegal alien population in their States. In response, the Department of Justice and Eric Holder have pursued unprecedented lawsuits against these States.

Mr. Chairman, there are over 10 million unauthorized aliens in this country, and States must be able to enforce the law if the Federal Government refuses to. And the States should not have to live in fear of Federal retribution for trying to keep their citizens safe. This amendment would deny the Obama administration and Eric Holder funding for these ridiculous lawsuits. And until the Supreme Court decides the case against Arizona's S.B. 1070, Congress must use our power of the purse to stop these political lawsuits and allow states to uphold the law.

Mr. Chairman, I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Let me speak briefly on this matter.

I thank the gentlelady for bringing this amendment.

The Constitution of our United States, which was written in Philadelphia, suggests three branches of government—the executive branch, the legislative branch, and the judicial branch.

I would oppose an amendment like this in a Democratic-majority Congress trying to impede a Republican administration's Justice Department from acting to, in their belief, represent the legitimate, authentic view of the Constitution in a Federal matter.

To fight in court is one thing. To take away someone's right to have a lawyer—that is to say, the Justice Department can't go into court on behalf of the executive branch when they feel the Constitution is being violated—I think is a bad precedent. I think that for those who are interested in protecting and upholding our Constitution, to support it, this is a vote that you will regret having on your record as you look back on your service in the Congress.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. As a member of the House Judiciary Committee, I can appreciate the frustration that many times we feel as Members of Congress on actions by the Federal Government, but there are two points that I'd like to make:

One, immigration has been defined as an issue under the jurisdiction of the Federal Government. No matter what Attorney General is in place and what position they take, they take it as a representative of the executive, but also of the people of the United States of America.

To highlight Attorney General Eric Holder for fulfilling the responsibilities of an AG, which is to defend against laws that are discriminatory under Federal law, to maintain the integrity of the Federal responsibility of certain laws—which happens to be immigration—would be, I believe, a highlighting or a targeting of a member of the President's Cabinet—and I agree with my ranking member, Mr. FATTAH—of any administration for doing their duty.

So I would just say that I am empathetic to all of our frustrations when we deal with attempting to represent our constituencies. Attorney General Holder, in his pursuit of lawsuits, is representing the American people, but also representing the administration and pursuing justice accordingly under the law. I would hope that we would be able to recognize the frustration, but to reject the underlying amendment.

I yield back the balance of my time.

Mr. NADLER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. I, too, rise in opposition to this amendment.

We have had amendments and even bills on the floor in the past that were just as misguided, and they all take the same form or a similar form: either an amendment to say that no fund shall be expended for the Justice Department to argue for this in court or against that in court. That's one form of the amendment, and this is one of those. Or, we've had court-stripping bills: No court shall have jurisdiction to consider an appeal in the case of X versus Y, or no court shall have jurisdiction to consider a case on a subject matter of—whatever.

All of these are wrong and misguided, whatever the merits of the specific claim may be, because they are violations of the separation of powers and of the proper functioning of the different branches of government.

The Justice Department must argue for the executive branch's interpretation of the law and for its opinion as to constitutionality. That's its job. Our job is to enact laws. The judiciary's job is to state what the law is. The executive branch is to enforce the law, and for the Justice Department, on a nonpolitical basis—not dictated, certainly, by Congress; we don't want to politicize the Justice Department—to argue in defense of the Constitution as it sees it. Therefore, this amendment is wrongheaded. An amendment or a bill to strip the court of the ability to make a decision as to constitutionality on a given subject would be just as wrongheaded.

□ 2200

So, regardless of one's feelings on immigration, regardless of whether you think that the Federal Government has the sole power of enforcement and that State enforcement of immigration laws is preempted by Federal law, which is one point of view, which the Justice Department is arguing, or that it is not, which is the other point of view, which is what some States are arguing in court, that's for the Court to decide.

Now, Congress might decide to be very clear and say that this immigration law, whatever it is, does not—we do not wish to preempt State law. We could say that. But interpreting what we have said, if we haven't been clear on it, that's the job of the courts, and, in arguing that, the administration's point of view of the Justice Department.

We should not be politicizing the Justice Department. We should not be using the power of the purse to say that the Justice Department cannot argue in a certain case or argue a certain point of view. And certainly, that's even worse; to say they can intervene in a case but on side A but not side B is a perversion of the separation of powers, and we should not be considering—we should not pass this amendment. It would pervert the separation of powers and the safeguards of our liberty.

I yield back the balance of my time.

Mr. BARLETTA. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. BARLETTA. I wish I didn't have to stand here tonight in strong support of this amendment, but the simple fact is that the Federal Government's lack of action made us do this. The Federal Government, through its deliberate inaction for at least the last 15 years, has created this problem, the problem of unchecked illegal immigration.

From the border States to the heartland, from our largest cities to our smallest boroughs, every American has seen the impact of illegal immigration. An underground workforce that takes away jobs from American citizens and our legal immigrants, overcrowded classrooms that make it harder for children to learn, health care systems forced to the brink of bankruptcy because of unreimbursed costs, victims of crimes committed by people who

should not even be in the United States.

Local municipal leaders called out to the Federal Government and asked for help. I know because I was one of them. I saw serious problems in my hometown back in 2005. I came here to Washington to ask for help, and Washington turned its back on me and my citizens.

Higher up, State officials across America called out to the Federal Government. They cried out for enforcement of existing immigration laws. They asked for tougher border security. Elected officials at all levels—sheriffs, mayors, Governors, county commissioners, city councilmen, State representatives—all asked for Federal help.

What have they received? More words, more empty promises, more inflated statistics.

So States acted on their own. They acted to protect their citizens. They acted to protect their budgets. They acted to uphold their constitutional duty to the people that they serve. Most importantly, they enacted laws that work in harmony within the existing Federal framework to slow the effects of illegal immigration. Let me repeat that. They enacted laws that work in harmony within the existing Federal framework.

In fact, just about a year ago, across the street from this building, the United States Supreme Court said that the State of Arizona has the right to impose penalties on businesses that knowingly hire illegal aliens. In upholding that Legal Arizona Workers Act, the Supreme Court ruled there is a high threshold for striking down a State law on the grounds that it conflicts with a Federal law.

As they take effect, these laws are working exactly as intended, within the federally allowed framework. Illegal immigration is slowing. Illegal aliens are self-deporting.

And what has been the Federal Government's response? To file more lawsuits, more taxpayer-funded lawsuits that attempt to punish States for upholding and working within Federal laws.

So the Federal Government creates the illegal immigration problem through decades of inaction, lax enforcement, and looking the other way. States step in to protect the jobs of their residents, the balance of their budgets, and the safety of their residents. Then the Federal Government turns around and sues the States, sues the States, and they use taxpayer dollars to do it. It's ridiculous. It's unfair.

Instead of using tax dollars to sue States, the Department of Justice and other branches in this government should start focusing on enforcing existing immigration laws. And until they do, the Department of Justice should not receive one Federal tax dollar to sue States.

That's what this amendment does, and I encourage my colleagues to vote ''yes.''

I yield back the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. Mr. Chairman, I will try to speak somewhat quickly.

Being from the State of Arizona and having been a legislator in Arizona, having been a County Treasurer from Arizona, and now often find myself in forums having to explain, or trying to at least in some way figure out how to explain, why my Federal Government, why my Justice Department is suing my State.

And if you think about what we saw last year when we had the employer sanctions lawsuits, the Supreme Court ruled in our favor. We were at the Supreme Court standing out there a couple of weeks ago, suing our State again.

But one of the explanations of why does a State like Arizona stand up and have to do these types of laws, understand what you've done to my county, what you've done to my State in education, incarceration, and health care.

If we were having the debate right now of how the Federal Government was going to step up and do its job and reimburse the citizens of Arizona for what was a Federal cost but their failure, maybe we wouldn't be standing here supporting the gentlewoman's amendment. But I don't see that happening in this body.

So, in that case, let Arizona, let States stand up and defend themselves by, in our case, enforcing the actual Federal law.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I find this argument very interesting that people like to cast both blame and aspersions that we are sort of different from all our States, that the Federal Government is one thing and the States are different.

I have an amendment in a moment, and I hope all these people will support it, which would prohibit the Federal Government from enforcing laws on legal use of marijuana in those States for medical purposes. It's the exact same argument.

So if you're going to make this argument that, you know, we're only going to be selective, we're going to tell the Justice Department that in immigration laws we're going to prohibit you from enforcing Federal provisions, and turn around and yet allow you to enforce Federal provisions that give States that have legally enacted in their own rights, and law enforcement is supportive of them, to have medical marijuana, it seems very inconsistent.

It also seems very inconsistent to say, well, what about those States that have taken a different approach and allow undocumented folks to have a driver's license? Many States have allowed that. The Federal Government doesn't go in and say you can't do that.

What about those States that allow undocumented children graduating from high school with great grades and getting accepted to colleges to have access to scholarships, called the DREAM Act? States have DREAM Acts. The Federal Government does not.

It seems to me that this argument is just choose your blame and go after the Justice Department. I hope that the people who vote for this amendment, if that's what they want to do, will also vote for the amendment that restricts the Federal Government from enforcing State-enacted medical marijuana laws.

I yield back the balance of my time.

Mr. CULBERSON. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, the first coin ever minted in the Republic of Mexico contained the motto, ''Liberty in Law,'' something we understand so well in this country, that there can be no liberty without law. And fundamental to that is law enforcement, and this is a law enforcement issue.

This is a no-brainer. It really illustrates how utterly out of touch the Democrat minority is with the Nation's concern with the lack of law enforcement at our border.

My good friend from Arizona, who was the County Treasurer in Maricopa County, the largest county in Arizona, just pointed out to me that you experienced cost to your local taxpayers of $1.3 billion a year because of the cost of undocumented illegal aliens in Maricopa County.

□ 2210

In my work on the Homeland Security Appropriations Subcommittee, I've discovered that the Federal Government is only prosecuting about 15 percent of the illegal aliens entering the country in the Tucson sector. So 85 percent of those that they even catch are released, and they return voluntarily across the border so that they come right back.

There are wildly different levels of enforcement up and down the border. The people of the United States, all of us, understand particularly in the State of Texas, which I am so proud to represent, the importance of a healthy relationship with Mexico and the importance of a guest worker program that allows people to come and go freely with our number two trading partner in the world. Canada is our number

one trading partner, and Mexico is our number two trading partner. We need a healthy back-and-forth relationship with our friends in Mexico, and the only way to do that is to have the laws enforced equally and fairly as to everyone.

There is no liberty without law enforcement. It is the first responsibility of our State officials to enforce the law. We know under the Constitution that the police powers are reserved to the States under the 10th Amendment because the Founders understood that the local sheriff, the Governor, and the State police were primarily responsible for protecting the lives and property of the people of their States and their communities.

How many times does it happen every day that a bank robber is arrested or a money launderer is arrested by the State police or a county sheriff, and then because there are Federal charges involved the local prosecutor will hand the individual over to Federal prosecutors for prosecution? Entering the country illegally, crossing the border, is a Federal violation. Those individuals are often picked up by State or local police, who work every day arm in arm with Federal law enforcement authorities to protect the lives and property of the people of America. This is a no-brainer. Local and State law enforcement authorities do it every day.

Enforcing the law is fundamental to who we are as a Nation, because as the Republic of Mexico said on the first coin they ever minted: liberty in law. It's fundamental to who we are as Americans. If we are going to restore the healthy relationship that we've always enjoyed with the people of Mexico, it begins with secure borders, with the uniform—equal—enforcement of the law and by ensuring that the people who come here do so legally and properly so that we know who you are, how long you're going to stay, when you're going home, and that you're not accessing government benefits and costing the people of Maricopa County or the people of the United States money that we simply cannot afford.

As generous as we are, we are out of money. This Nation is living on borrowed income that our kids and grandchildren will have to pay off. It's unacceptable. This new constitutional conservative majority in the House is determined to see the budget balanced, our laws enforced, our borders secured, and this Nation of laws—the greatest democracy ever created in the history of the world—returned to the constitutional set of principles on which it was founded. That begins with liberty in law, which this amendment so wisely attempts to restore. So I strongly support the amendment, and I urge its adoption.

I yield back the balance of my time.

Mr. BILBRAY. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. BILBRAY. Mr. Chairman, I hope both sides consider the fact of what has happened over the last year or two.

The fact is that this amendment is here before us because we have an extraordinary situation that has happened in certain local communities and States where the Federal Government has actually intervened and filed lawsuits based on the fact that the administration felt that local communities being involved in the enforcement of Federal immigration law was somehow encroaching on the ability of the Federal Government to enforce the law when, in fact, if you read their statement against a State like Arizona, the encroachment was not because they were enforcing some new law or some off-the-wall approach, but the fact that they were enforcing the law. In fact, in the case of Arizona, it said that Arizona's enforcing of immigration law infringed on the ability or prerogative of the executive branch not to enforce the law at any time the executive branch chooses.

Now, I think, as legislators—Democrats and Republicans—but most importantly as Americans, we need to stand up for the fact that the executive branch is here to enforce the law, not to pick which laws to enforce and which ones to ignore. We make the laws, Mr. Chairman, not the White House. We make the laws that the White House is supposed to be enforcing. Sadly, we have seen in the last few years the executive branch claiming the right to choose which laws to enforce and which laws not to enforce. In the Arizona case, they specifically stated that they chose not to enforce the law, thus, that Arizona's enforcing of the Federal law is some kind of encroachment on the executive prerogative.

You and I—Democrats and Republicans—and Americans across the country who believe in the separation of powers should stand up and say, Executive, you do not have the power to legislate from the White House. That's our job. You do not have the authority to pick and choose what laws you enforce.

We all remember the police officer who says, Sir, I do not make the laws. I just enforce them.

All we're asking here is that the executive branch understand that they are not here to choose which laws are honorable and appropriate to be enforced. It is our prerogative to pass those laws and to tell the executive branch, Your job is to enforce it.

Definitely, it is not the executive's right to use taxpayer money to sue States for the cooperation and implementation of laws that this body and bodies before us have passed to make the Federal law. The enforcement of those Federal laws is an essential point, not just on immigration control, but as to the entire concept that this Republic was founded on.

With that, I yield back the balance of my time.

Mr. GARAMENDI. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. I yield to my colleague from Pennsylvania.

Mr. FATTAH. I thank the gentleman.

Let me sum this up because there is a lot of passion. The Constitution might be an inconvenient thing, yet it is the basis for all of our law, but let's move beyond that.

This is an appropriations bill. This amendment, no matter what its result, is not going to be in this bill and this bill have the President's signature. So this is the beginning of a whole set of amendments having nothing to do with how much money we're going to spend but, rather, having to do with various political passions. Most, if not all of the amendments, are going to be stripped from this bill. So we're going to spend hours here, and we're going to debate these things, but they're not going to be part of the bill as it finally becomes the law of the land. We're not going to resolve immigration policy in this bill.

So I am going to recede from using all of this time, and I want to thank my colleagues for their comments. The truth of the matter is that this is actually an appropriations bill, and these matters are going to get settled in some other way.

I thank the gentlelady for offering the amendment. It does violate, within the Constitution, the notion of the separation of powers. I believe that, even in a Democrat-controlled Congress and with a Republican President, I would vote against denying the executive branch the right to have its lawyers go to court and argue whatever point of view they wanted to argue.

Mr. GARAMENDI. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

Mr. FATTAH. Mr. Chairman, I ask for a recorded vote on the last amendment.

The Acting CHAIR. The gentleman's request is not timely.

Will the gentlewoman from Texas clarify which amendment she is offering?

Ms. JACKSON LEE of Texas. I am offering amendment 381.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided by this Act for the Department of Justice are revised by reducing the amount made available for ''Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses'', and increasing the amount made available for ''Office of Justice Programs—State and Local Law Enforcement Assistance'' (and the amount specified under such heading for DNA-related and forensic program activities and, within such specified amount, the amount further specified for section 2 of the DNA Analysis Backlog Elimination Act of 2000), by $34,000,000.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I really do thank the chairman and ranking member of this committee. This is a difficult hurdle and a difficult task, but I do believe that this is an amendment that can draw bipartisan concern.

□ 2220

And I say that because all of us have daughters, wives, and sisters. This amendment deals with the Debbie Smith DNA Backlog Grant program that my colleague from New York sponsored and many of us cosponsored and saw authorized through the Judiciary Committee. The amendment seeks to restore $34 million to the backlog of rape kit tests that are plaguing the justice system across America.

If we go back more than a decade, New York City reported having 17,000 untested rape kits. In 2004, the Department of Justice indicated there was a backlog of hundreds of thousands of untested DNA kits. This is the only way that law enforcement can ensure that the cases are prosecuted and the right person is prosecuted. This is the only way women who have been violated and sexually abused can have their day in court.

As someone having dealt with a victim of rape, having sat on the board of one of our community women's centers, I know the stories that they've told. We have seen rape increase among our younger women, teenagers, even though during the Bush administration—and we supported it—there was an influx of dollars to the Advancing Justice account. We have still seen thousands of backlog cases. For example, in my own city of Houston—it has been acknowledged in San Antonio, Dallas, and Houston, and other cities across the State of Texas have acknowledged a significant backlog of untested rape kits in their police storage facility, at least 4,000 kits in Houston and 16,000 in Dallas and San Antonio. These are only cities in one State.

Mr. Chairman, I believe in the ability to make the added $34 million just for the simple action of justice to millions of women that are yet unaccounted for or to be able to move the backlog, which, Mr. Chairman and my colleagues, has not even been assessed. The reason why the numbers are as low as people might assume they are—and I do not believe 17,000 or 22,000 is low—is because the records of the individual jurisdictions are not kept. So these dollars would help to access additional resources directly pointed toward the backlog.

I know that a lot of work was done, but the grant program under this bill, under the DOJ, as I indicated, is down 378 million, or 17 percent. This simply tries to close the gap on the hurt and the harm that have been done to those who have suffered a rape. Remember, justice delayed is justice denied. A rape kit that is now in storage containers around the Nation, because law enforcement doesn't have the resources at the local level to pierce the backlog, means that prosecutors are not able to prosecute the cases and women remain without justice, women who have been brutalized, women who have suffered the devastation of rape, many of whom suffer with, if you will, the devastation of that act for many years. Many of us know that many women ask the question, was it their fault. We've moved beyond that. But I believe this amendment would at least provide the necessary resources in order to provide the overcoming of this terrible backlog.

My colleagues, please help us. Please help us render justice and provide for the solving or the piercing of the backlog of rape kits that have not been tested throughout the Nation.

I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Mr. Chairman, we have $125 million. We are at the administration's request of $125 million for DNA, $117 million for the DNA backlog. The gentlelady is accurate, it is a very important program. The Debbie Smith DNA Backlog Grant program provides grants to States and units of local law enforcement and local governments to conduct DNA analysis and backlog. But we're at the administration's request. And what this will do is cut from ATF $34 million. It would require the RIFing of a number of ATF employees; it would impact on the Violent Crime Impact Teams in dozens of cities. The foundation of the Violent Crime Impact Team program is the identification and targeting, disruption, arrests, and prosecution of the worst of the worst criminals possible. We have met the administration's request. We are at $125 million. It is an important program. There will be $117 million for the DNA backlog. So we've met the request. It would devastate the ATF is what it would do.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. WOLF. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Chairman WOLF, I appreciate the work of this committee, and it's a committee that attracts the Judiciary Committee. And I have been a supporter of the work of the ATF for many years.

As I looked at the numbers, the ATF has $1,153,345,000. Their work is important. But we're only asking for $34 million because the backlog, as I indicated, has really not been assessed. I appreciate the $125 million. It is my understanding that we're below the mark. I appreciate that. But the point I want to make is that there are backlogs that have not been documented across America. It is far exceeding the $125 million. I just simply ask to be allowed to take $34 million out of the $1 billion of ATF. I certainly support work that they do, but the backlog has been going on and on and on since the Bush administration. We've never been able to solve the backlog on these rape kits.

Mr. WOLF. Reclaiming my time, we have fully funded this. This would require a reduction of ATF salaries and expense accounts. A cut of this magnitude would result in the loss of 268 ATF personnel, including 111 agents. That's more than 4 percent of ATF's onboard agent staffing. It would require that each ATF remaining staff be furloughed for 5 days.

We're at the amount. It's very important. You have my commitment. We'll fight to make sure that we save the amount. I don't know where the Senate is on this. It's very important. But to go above what the administration asked and to devastate the ATF, I think, would not be a good idea. So I'm committed to the program, but we're at the level; and I don't think we should go higher and devastate the ATF and bring about the number of RIFs and furloughs and reductions, particularly in so many important roles the ATF does.

Ms. JACKSON LEE of Texas. May I inquire of the chairman one more question, please.

Mr. WOLF, what can we do? We're at what the mark is. Again, I'm looking at different numbers. You're obviously the chairman. I see a shortchange. But the point is this is attempting to respond to the rape kits in jurisdictions that have not been accounted for.

Mr. WOLF. I think we should. I completely agree with you. And If there is any additional allocation and we can go, we will. But we're at the request, and I don't think that we can now devastate the ATF. But, yes, I completely agree with you.

ADAM SCHIFF is on the committee. I don't see Mr. SCHIFF here. He's been a strong advocate of this, as has the chairman. This is not a good amendment; but the program is good, and we'll continue. If we get a better allocation and things happen, we'll be very sympathetic to it . But I ask, based on

the fact that we have met the administration level, $117 million for the DNA backlog, that we don't devastate the ATF.

Mr. FATTAH. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I think that maybe if the gentlewoman would withdraw the amendment, we would work with her to make sure that we think we've met what is needed to make sure that every one of these kits is analyzed. And if that's not the case, then we can revisit it between now and conference. But the chairman and I would be glad to work with you to make sure this is done because, as he said, we agree that this is vitally needed. We think we've met the requirements as needed.

□ 2230

Ms. JACKSON LEE of Texas. Well, if the gentleman would just yield for a moment so I could respond.

The Acting CHAIR. The time of the gentleman from Virginia has expired.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I yield to the gentlelady from Texas.

Ms. JACKSON LEE of Texas. In the spirit of how important this is and to reinforce the fact that there are rape kits that are unaccounted for because there is not any data kept—so I don't think we have met the numbers. But I am willing to work with the chairman and the ranking member to determine how we can move in our next steps.

I will tell you and I do acknowledge that we're doing the work, but we don't have enough money to do all the work that we need to bring justice to women across this Nation.

I ask unanimous consent to withdraw the amendment and will work with the chairman and ranking member.

Mr. FATTAH. I yield back the balance of my time.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

The Acting CHAIR. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Mr. Chairman, I bring this amendment forward tonight, just as I do every single year for these appropriations bills, because it is so important that we get the out-of-control spending here in Washington, D.C., under control. We all know that at this point in time, we are borrowing 40 cents of every single dollar that we spend. And as we look at this appropriations bill that is before us, we're talking about another $51.1 billion. So the amendment tonight makes a 1 percent across-the-board haircut. It would be $511 million.

Now I know all of the arguments. Since I have been doing these since I came to Congress, I know all of the arguments that I am going to have: Well, this is a carefully crafted bill. We have worked diligently on this bill. We have sought to get the costs down in these appropriations.

And I truly appreciate the diligence that goes into this. But I have to tell you, on behalf of the men and women that I represent, the mom and pop stores in my district—which are primarily run by mom at this point in time—on behalf of so many of our small farms, our realtors who are all cutting back more than 1 percent, more than 10 percent. Many have revenues that are off 25 or 30 percent. We need to require the bureaucracy to get in behind here and cut another penny.

It should be done for our children and our grandchildren. Indeed, if you want to look at what is happening to them, the share of the national debt for my two grandsons is $50,000 each. That is the burden that we are placing on them because we will not cut a little further. We will not reduce what the bureaucracy has to spend. We are not making the requirements of them that our companies and businesses and stores are having to make of the work that they do every single day.

Now we all know that across-the-board spending cuts work. We've seen them work in our States. We saw it work in Tennessee when a Democrat Governor went in and cut not 1 percent but 9 percent across the board. This is what you do when you want to get your spending under control. It's what we, as a body, should do to prevent DOJ activism because reining that in and preserving our Constitution is priceless. It is a step that we need to take and do that heavy lift. It is our job to be good stewards of the taxpayers' money. It is our job to make certain that we stop borrowing money and spending money that we don't have for programs that many of our constituents do not want and certainly our children and grandchildren do not want. It is time for us to make additional cuts into this budget. So I offer, again, the 1 percent across-the-board cut. It will make a $511 million reduction to the spending in this appropriation.

With that, I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I appreciate what the gentlelady said. Frankly, what we should do here is—I'll take the amendment tonight and support it, and we can reform Social Security. I mean, we gave Jimmy Buffett and Warren Buffett a big break on Social Security with the payroll tax. We literally bankrupt the Social Security system.

So if there is an amendment, I will take an amendment. If you want to take an amendment tonight, I will take it to close the loophole.

In 2010, everyone here who paid their taxes paid more taxes than GE. They fought 57,000 pages of tax reform. And they were one of the highest taxpayers in China. If you've got a GE taxpaying amendment, I'll take it tonight.

But every dollar is not the same. Let's cut Eric Holder more than we cut Director Mueller. Let's cut some climate issue over at NOAA, where nobody knows, more than we cut cyberterrorism. Let's cut something else rather than cutting the DA's backlog. To take it across the board is just not a good idea.

Across-the-board cuts—and I think the gentlelady had it right—really does kind of impact on the work that's gone on in the bill. It says $1 in one agency is just as dispensable and the same as any other agency. I agree with her that we've got to do everything we can.

I was one of the people here who supported Simpson-Bowles. I never signed a Grover Norquist tax pledge. I want to do whatever we can to deal with this issue. I want to put everything on the table. But now we're going through the appropriations process. And to go across the board, FBI and Eric Holder—if I had to make it, I would take $2 of Eric Holder and give $2 to Director Mueller, but not across the board. I urge a ''no'' vote on the amendment.

I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I want to commend Mr. WOLF for what he just said. I agree with him, and I think it's a violation of our oath of office to do as she has suggested. So I hope we can vote this down.

I yield back the balance of my time.

Mr. SERRANO. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. I rise to oppose the amendment and, in many ways, agree with Chairman WOLF.

When you present an across-the-board cut, it always sounds good. And, yes, I will say we've worked diligently on this bill, and it's been many months in putting it together.

But what's interesting in it is that every time you speak about an across-the-board cut, people get excited, and they say, Boy, that sounds good. But these days, those cuts don't hold the same strength that they used to hold in the past because in the past, there were times—and I was part of it, and so were many people on that side—when we felt that we had to grow some accounts.

So one could argue that a 1 percent or a 2 percent or a whatever percent cut taking place made sense. But it's interesting to note now—and I wonder how many people who would present these amendments know that these budgets, these bills that come before you, have been cut dramatically already. Last year and this year, they've been cut dramatically. The allocations given to the subcommittees to put together these bills are not the allocations of the past. There isn't a single bill on the floor—perhaps Defense, the only exception—that is really growing the budget. On the contrary, it's a cut and a cut and a cut.

So the bigger question is, at what point does it end? At what point do we feel that we don't need a government, that we don't need a budget? Will zero be satisfactory to people who want to cut? Zero, not spend a single penny in the Federal Government? This bill, as presented by Mr. FATTAH, by Chairman WOLF, by the leaders of this subcommittee and this committee, is not a bloated bill. It is a streamlined bill. So it's easy to stand up and say, another 1 percent, another 3 percent, another 5 percent. But where does it end?

□ 2240

At what point do we say that we have a responsibility to fund a government, understanding what people are living through and understanding what we must do for the American people?

But we can't destroy every agency, and that's what these cuts do.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I just want the House to be aware that this would be a cut in the FBI budget of close to a hundred million dollars. There will be a cut to the DEA. We just had a major incident in which the Federal Government and our law agencies are working right now involving a mother and three children from Tennessee, where there's been a murder and kidnapping and trying to track these people down.

The idea that cutting a dozen agents doesn't affect our ability to apprehend criminals or to protect the public, I think, really would be malfeasance on the House to just pass an across-the-board cut. If you want to cut an amount of money, let's examine where you want to cut it at. But it's very easy to come and just say, Well, let's slash across the board.

It is true that we've held lots of hearings. It is true that we visited with our law enforcement agencies. I've been out to the counterterrorism training center. I've met with Director Mueller. This will be a cut that has an impact.

So this is not frivolous, and the House Appropriations Committee has the responsibility of figuring out what needs the Nation has that need to be funded. It is the Ways and Means Committee, under our Constitution, that is supposed to figure out how to pay for it.

I don't hear anyone running to the floor asking for an across-the-board tax increase because they see that as being onerous, but to cut FBI agents who are in hot pursuit of criminals, we think that's fine.

I think it's wrong. I ask that we oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that I be permitted to request a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The Acting CHAIR. Is there objection?

Without objection, a recorded vote is requested on the amendment offered by Mrs. BLACK of Tennessee.

There was no objection.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount appropriated or otherwise made available by this Act, other than an amount required to be appropriated or otherwise made available by a provision of law, an amount made available under the heading ''United States Marshals Service'', an amount made available under the heading ''Federal Bureau of Investigation'', or an amount made available under the heading ''National Aeronautics and Space Administration'', is hereby reduced by 12.2 percent.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

I listened very intently to the debate on the last amendment, and we have an amendment that actually cuts more than just Mrs. BLACKBURN's 1 percent. I listened very carefully to what my dear friend from Virginia, whom I have the utmost respect for and what he was saying, and I do have a tremendous respect for him and hope with my amendment his blood pressure won't go up.

This is a very straightforward amendment. It would simply reduce the overall sending for much of the underlying bill by 12.2 percent.

It's no secret that we as a Nation are facing an economic emergency. Entitlement spending remains out of control; discretionary spending continues to grow; and should the President's health care plan, God forbid, be upheld by the Supreme Court, we could be facing the largest expansion of Federal Government spending in recent history and the greatest attack upon our freedom.

While the budget passed by the House last month would rein in government spending, it would take decades for it to be balanced. Mr. Chairman, we don't have decades to wait around for this budget—which is far better than the President's request—to right our fiscal ship.

During the budget debate, 135 House Members joined me in supporting the Republican Study Committee's budget substitute, which prioritized spending in such a way that it would have balanced in just 5 years. I'm not sure we have 5 years, Mr. Chairman, but the Republican Study Committee's budget would balance in 5 years.

The RSC budget represents a realistic view of the dire situation we're facing and the tough choices which must be made to get our Nation back on the right track fiscally. However, this view isn't for the faint of heart. The RSC budget would have reduced the 302(a) allocations relative to those seen in the underlying bill by 24.4 percent.

My amendment is meant to be a compromise. I'm here to be a compromiser tonight, a halfway point between the level approved in the House-passed budget, which is used in the underlying bill, and the level recommended by the RSC and supported by over 100 Members of this body.

My amendment would also exempt the U.S. Marshals Service. It would exempt the FBI and NASA. It would allow these agencies to continue to further our national security objectives.

It is long past time to get serious about our fiscal situation, and my amendment would be a profound step toward getting Federal spending under control.

I urge support of my amendment, and I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. This would be great news for the prisoners in prison because it would cut the prison system by $600 million and we'd have to let a lot of people out of prisons or we couldn't operate them. But I commend the gentleman. He's been very consistent throughout the night. I think this would be an impact on DEA probably in the rage of $200 million, when we think of the drugs coming into the country.

So, while I appreciate the gentleman's compromise spirit of taking it down from 25 percent to half that, I urge a ''no'' vote on the amendment, and yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I was trying to figure out if we cut 12 percent of the weather satellites budget, how would the satellite actually function with 12 percent less of its capacity?

We have, in Georgia, which the gentleman is from, and from many of our others States the most severe weather that the country has ever seen over the last 20 months. We've had more billion-dollar-plus incidents than we've ever had. And when we have forecasting through our satellite systems that we're launching through the Weather Service, we actually save lives and money by being able to delineate exactly where the storms or tornadoes or hurricanes are going to hit. And it takes time to be able to evacuate people and the like.

So his cuts to the National Weather Service under this 12 percent approach, especially with exempting certain agencies, would have a disproportionate effect. And I think that for farmers and for others, the lack of weather information would be very problematic in our economy and would actually threaten lives.

So I would reject this amendment. I thank the gentleman for offering it. I hope the House has the wisdom to also reject it, and I yield back the balance of my time.

□ 2250

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, I had intended to offer an amendment regarding the civil rights division, and recognizing the structure of the amendment, I chose to raise a point of concern, as I did with the date rape, and I look forward to working with the chairman and the ranking member, particularly on the date rape backlog that I believe is epidemic across America.

But in looking at the appropriations bill, I noticed $40 million, 4 percent less than requested, for certain areas in the Justice Department which would include the solicitor general, the tax division, the criminal division, civil division, but more importantly, the civil rights division. And it is well important to recognize how valuable civil rights are to Americans. No matter what your political perspective, there is always someone raising the point, I don't want my civil rights violated.

And so obviously, as I have interacted with the civil rights division, particularly as they are engaging in the results of the discrimination in lending and foreclosures, a large responsibility, particularly looking at the impact of subprime mortgages, and as they look at the enormity of voting rights, and we have had a siege of attacks with voting ID laws passed across America. And one would argue there is nothing wrong with voting ID laws, and you are absolutely right. But when they have been determined to impact minorities in a discriminatory fashion, then it is sad when the civil rights division may be limited in funding.

In the State of Texas, for example, our State law has been ruled invalid under section 5 of the Voting Rights Act because it discriminates against Hispanics, African Americans, and even the elderly, based upon the requirement of getting a photo ID from the Department of Public Safety. It is not the fault of the Department of Public Safety, but those officers are not located in many places where communities of color live, and, therefore, they are disproportionately impacted in being prevented from having the right to vote.

We have gone through many States' redistricting, and in some instances those cases have gone before the Department of Justice and the Federal court.

So civil rights, I am well reminded that it was the civil rights department of both the Kennedy administration and the Johnson administration that came to the aid of civil rights leaders and activists, particularly in the 1960s under the Johnson administration. On occasion, they had to be rescued by the Department of Justice.

And so I raise great concern when we find ourselves in a place where we would cut those funds such that they might impact the rendering of justice. It is well known that we have tough times, but I hope that as we make our way through the Congress, that we will find that it is important that we ensure that the funding that is rendered to the particular group of lawyers that come to the defense of civil rights of all Americans, that we ensure the full funding of that particular subset of the division under the Department of Justice.

And so my intent would be to add this comment to the RECORD, and with that I yield back the balance of my time.

AMENDMENT OFFERED BY MR. SOUTHERLAND

Mr. SOUTHERLAND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to develop, approve, or implement a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) that are not already developed, approved, or implemented for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. SOUTHERLAND. Mr. Chairman, the Southerland-Grimm amendment prohibits funds in the CJS Appropriations Act from being spent on limited access programs otherwise known as catch shares. Ladies and gentlemen, what I'm referring to here is nothing less than a battle to prevent freedom in our oceans. I want to make sure that I am very clear that our amendment only addresses the New England coast, the South Atlantic, the Mid-Atlantic and the Gulf of Mexico. I also want to make sure that it is clear that this amendment only deals with new annual catch limits, not any old programs that are currently in place.

Catch shares are no different than any other inside-the-Beltway style tactic determined to destroy American freedom. By capping the amount of fish that may be caught annually——

Mr. DICKS. Will the gentleman yield?

Mr. SOUTHERLAND. I yield to the gentleman from Washington.

Mr. DICKS. I have been here since the Magnuson-Stevens Act was enacted. Catch shares are done by local councils of fishermen. It doesn't come out of Washington, D.C. Every region of the country has a regional group, and they determine what these catch shares should be. This is not an implemented program from Washington, D.C.

I mean, the gentleman at least owes it, at 5 minutes to 11, to give an accurate description of this amendment and

this program, which is a program that many people, especially on the West Coast, by the way, think is a good program that's helping us protect the fishery.

Mr. SOUTHERLAND. Reclaiming my time, in an attempt to answer your question, while you were here since Magnuson-Stevens, my family was continuing 200 years of living on the coast in the Gulf of Mexico. So though I respect your time here, we were there experiencing the crushing impacts of what catch shares do.

Mr. DICKS. Isn't the local group down there in your area making the decision?

Mr. SOUTHERLAND. Reclaiming my time, I want to make it very clear that this amendment does not affect the West Coast.

Mr. DICKS. Oh, I know that. First the East Coast and then the West Coast.

Mr. FRANK of Massachusetts. Will the gentleman yield to me to help support his amendment? I am in support of the gentleman's amendment. Will the gentleman yield to me?

Mr. SOUTHERLAND. They are welcome to get their own time, Mr. Chair, so I would like to finish my statement.

The Acting CHAIR. The gentleman from Florida controls the time.

Mr. SOUTHERLAND. It is very clear that these catch shares in the bodies of water that I made reference to are an effort by a select group to take away the individual fishing rights of individual citizens and to implement a cap-and-trade system where fish are traded like a commodity. The only problem, the American people own this natural resource. This is not like a crop where a farmer has planted this in a field. And so I want to be very clear that this does not affect any existing programs. It just says that no dollars may be used for new—new—programs.

I would like to submit for the RECORD this extensive list of organizations and associations that represent tens of thousands of fishermen, commercial, boats for hire as well as individuals.

I yield back the balance of my time.

THE LIST BELOW REPRESENTS THE VAST MAJORITY OF THE WORKING AND RECREATIONAL FISHERMEN OF THE GULF OF MEXICO

National associations

National Association of Charterboat Operators, Recreational Fishing Alliance, Food and Water Watch.

Regional associations

Southeastern Fisheries Association, Southern Offshore Fishing Association, Fishing Rights Alliance, America Alliance of Fishermen and Communities.

State associations

Florida: Florida Keys Commercial Fishermen's Association, Florida Guides Association, Organized Fishermen of Florida.

Alabama: Alabama Seafood Association.

Louisiana: Louisiana Shrimp Association.

Texas: Recreational Fishing Alliance, Texas Chapter; Texas Shrimp Association.

Local associations

Florida: Panama City Boatmen Association, Marco Island Charter Captains Association, Pensacola Charter Boat Association, Pensacola Recreational Fisherman's Association, Islamorada Charter Boat Association, Destin Charter Boat Association, Key West Charter Boat Association, Organized Fishermen of Florida, Marathon Chapter, SFA East Coast Fisheries Section, Directed Sustainable Fisheries, Inc.

Mississippi: Mississippi Charter Boat Captains Association.

Texas: Port Aransas Boatmen, Inc., Coastal Bend Guides Association.

Seafood dealers

Florida: Greg Abrams Seafood, Water Street Seafood, Key Largo Fisheries, Raffield Fisheries, A.P. Bell Fish Company, Inc., Star Fish Company of Cortez, Inc., Madeira Group, Inc., Pelican Seafood, David Barber Seafood, Seafood Atlantic, Kings Seafood, Madeira Beach Seafood Co., Saveon Seafood Co., Stokes Fish Company, Sunnyland Seafood, RS Enterprise, #1 Discount Corner, Blendedin, Inc., Capt. Alex Seafood, Capt. Eddie's Seafood, Inc., Gary's Seafood Specialties, Inc., Hull's Seafood, Mermaid Foods, Inc., A.M Fishing Products, Starboard, Inc., Dixon Seafood, John Mantia & Sons, DFI Seafood, Fortune Fish Co., Nachman's Native Seafood, Seacore Seafood Inc., Sea Farms Inc., Billy's Stone Crab, MB Seafood Company, Inc., Cape Canaveral Shrimp Co., Wild Ocean Seafood Market, Top Tuna, Inc.

Alabama: Bryant Seafood, ABC Sport Fishing, Anna's Seafood, Bryant Products, Fish Bones, Get Seafood, JD Seafood, PJ Seafood, Ranch Seafood, Safe Harbour Seafood, Wallace Seafood Trader, Z-Packed Seafood,

Mississippi: Clark Seafood.

Louisiana: Dean Blanchard Seafood, Sharko Seafood Intl, Inc., Griffin Seafood.

Bait and tackle shops

Florida: Fishermens Ice and Bait.

Restaurants

Florida: Rusty Belly Restaurant, Dixie Crossroads Seafood Restaurant, Captain's Table.

Marinas

Florida: Hubbards Marina, Captain Anderson's Marina, Smith's Yacht Basin, Madeira Marine Services, Mexico Beach Marina.

Texas: Woody's Sport Center, Fishermen's Wharf.

Marine support businesses

Duys Marine Electronics, Watkins Oil Company, Inc., Addictive Bottom Cleaning, The Grove of Mexico Beach, Sun Dance Realty, The Shell Shack, Emerald Coast Jewelry, Frost Pottery Garden, Shoreline Styles, Iveys Nail Spa, Catheys Ace Hardware, Parker Realty of Mexico Beach, The Driftwood Inn, El Governor Hotel, Toucans Restaurant, Metcalf Electric, Forgotten Coast Property Management and Rentals, Gulf Foods of Mexico Beach, The Trading Post Cape San Blas, Beach Barber Shop, Harmon Real Estate and Rentals.

Fishing vessels

Florida: Sea Leveler Charters, FN Sea Leveler, F/V Out Of Hand, F/V Zora, Sea Aye Charters, Bottom Dollar Charter Fishing, F/V Bottom Dollar, Jodie Lynn Charters, F/V Capped Off, Cool Beans Fishing Charters, F/V Leo B, F/V Daytona, FN Crosswinds, F/V Raw Dog, Floridaze Adventures, F/V Michelle Marie, F/V Honey Bee, F/V Miss Rita F/V Villager F/V Sea Cat F/V Guardian F/V Bluewater I F/V Taurus F/V God's Grace F/V Gulf Search, F/V Bandit II, F/V Cando, F/V Kingfisher, F/V Crabco, F/V Trevco, F/V Careless, F/V Miss Vicki, F/V BNB, F/V Johnny O, F/V Mary L, F/V Redman, F/V Overkill, F/V Miss Kim, F/V Daniel 1, F/V Galilee, F/V Hard Times, F/V Capt AL, F/V Bird Dog 1, F/V Miss Irene, F/V Benjamin K, F/V Round Tuit, F/V Barbara J, F/V Petes Dream, F/V Cynthia J, F/V Life Force, F/V Miss Beth II, F/V Gale Force, F/V Rachel J. Belle, Inc., F/V Lisa M. Belle, Inc., F/V Kalije Belle, Inc., F/V Karen J. Belle, Inc., F/V Savannah Belle, Inc., F/V Liberty Belle, Inc., F/V Sea Hawk, Inc., F/V Blendedin, Inc., F/VJessie B. Bell, Inc., F/V Rebel, Inc., F/V She's A Belle, Inc., F/V Thunder Belle, Inc., F/V Joanne, Inc., F/V Mystic 1., Party Boat Capt Anderson, F/V Leo Too, F/V Aegeus II, F/V Scat II, F/V Flash, F/V Tar Baby, F/V Full Circle, F/V Charisma, F/V Bottom Line, F/V Arrowhead, F/V Wild Catch, F/V Top Tuna, F/V Phat Kat, F/V Four O's, F/V Pirates Pride, F/V Fish Trap, F/V Prescription, F/V Onna Bender, F/V Miss Tracy, F/V Miss Sierra, F/V Captain's Table, F/V Captain's Table II, F/V Big Catch, F/V Second Wind, F/V Patriot, F/N Prowler, F/N Big Chief, F/V Down Easter, F/V Neil L, F/V Out Of Hand, F/V The Obsession, FN Sea Leveler, F/V Relentless II, F/V Point Blank, F/V Tight Work, F/V Tiburon, F/N Night Quest, F/V Sea Wrangler, F/V Crusader, F/N No Limit, Mexico Beach Charters, F/N Miss Mary, F/V Nauti-Dogg, F/V Calamari Express, F/N Big Time, ACME Ventures Fishing, F/V Wile E Coyete.

Alabama: F/V Alexandra Pearl, F/V Angela C, F/V Appalachian Girl, F/V Datt Parker, F/V David's Pride, F/V Debra Lee, F/V Dirty White Boys, F/V Diversifide, F/V Emily Ariel, F/V Erica Lynn, F/V Escape, F/V Eunice Lemay, F/V Fairplay, F/V Free-N-Deed, F/V Kala Michelle, F/V Kimberly Ann, F/V Mama Sharon, F/V Miss Ann, F/V Miss Loraine, F/V Nixie, F/V Open Sea, F/V Qwest, F/V Sea Weed 2, F/V Seaman Pride, F/V Southbound, F/V WBS, F/V Wild Dream Two, F/V Gladiator, F/V Liberty, F/V Day Break, F/V Posidon, F/V Lucky Nam, F/V Thuy Trang, F/V Gladiator IV, F/V Fellowship, F/V May Flower, F/V Miss Amy, F/V Miss Jennifer, S/F/V LA8283FJ, S/F/V LA8373FP, F/V Lucky Star, S/F/V LA3032CA, F/V Blue Fin, F/V Blue Fin II, S/F/V LA7411FD, S/F/V LA4611CA.

Mississippi: Party Boat Silver Dawn III, Party Boat Happy Hooker, Party Boat Kessler Dolphin II, Party Boat Skipper, Party Boat Miss Hospitality.

Texas: Party Boat La Pesca, Party Boat Dolphin Express, Party Boat Osprey II, Party Boat Osprey, Party Boat New Buccaneer, Party Boat Texas Cavilier, Party Boat Big Thunder, Party Boat New Pelican, Party Boat Gulf Eagle, Party Boat Kingfisher, Party Boat Adventurer, Party Boat Scat Cat, Party Boat Wharf Cat, Party Boat Dolphin.

Fishermen

Florida: Alan Coe, Jason Whitaker, Donna McRoberts, Louis Michael Primicero, Andrea Fitzwater, Steven E. Brand, Emily Klizek, Roberto Ramirez, Damian Martinez, Carl Barquist, Samantha Cobb, Libia Paulino, Alex Burr, Jennifer Jette, Rian Busse, Stan Mickle, Antonio Giambanco, Herb Sullivan, Capt. Albert Quatraro, Ron Rincones, Brock Anderson, Robert Johnson, Charter boat teaser, Inc, mark brown, sc, Capt. David Grubbs, Capt Tim Fletcher, Bill Houghton, Sam Chavers, Rusty Hudson, George Armexy, Robert Roberts, Mitch Rice, Gary Reed, Daryl Reed, Alex Mallieis, Matt Mallieis, Danny Fiddler, Mike Cardin, Mark

Raffield, Tim Chaiffin, Capt. Thomas M. Coleman, Billy Moore, Noah Gibson, Scott Woods, Scott Tubb, Homer Jones, Joseph Mims, Matt Mayfield, Joshua Sprinkle, Shane Schoon, Jim Bonnell, Darrell Knepp, David Johnson, Shawn Watson, Mark Dube, Tim McGrath, Jeff Ursery, Capt. Brian Holland, Capt. Dave Malouf, Capt. Brian Spaeth, Capt. Steve Thoristeem, Capt. Jason Kossert, Capt. Bob Spaeth, Capt. Sam Nastari, Capt. Butch Hewlett, John Stalides, Kirk Stewart, Russell Boats, Mike Nichols, Ed Duller, Rich Castellano, Martha Lee Beneduci, Al Dopirak, John Cox, Capt. Mitch Gale, Joe Pillsbury, Capt. Gary Nichols, Capt. Kelly Nichols, George Gieger, former SAFMC member from FL, Jerry Andrews, Capt. Robbie Fuller, Capt. Bobby Fuller, Mark Hubbard, owner 3 party boats in John's Pass, FL, Greg Abrams, Walter Bell, Karen Bell, former GMFMC member, Karl Lessard, former GMFMC Member and Chairman from FL, Jerry Sansom, Executive Director OFF, Capt. Tim Daniels, Capt. Ernie Piton, Capt. Bobby Pillar, Capt. Billy Niles, Capt. George Niles, Capt. Jason Yarbrough, Capt. Josh Nicklaus, Capt. Vicki Gale, Capt. Jeff Cramer, Steve Reis, Capt. Johnny Brown, Capt. Bob Zales, II, Keith Bowan, Mason Bowan, Tom Adams, Larry Jones, Chip Blackburn, Jimmy Hull, Dewey Hemilright, Jim Busse, Capt. James Turner, Andrea Vautier, Capt. Chuck Guilford, Mike E. Schnurbusch, Thomas Moors, Joshua McCoy, Duane Grove, Sherri McCoy, John Tobeyyansen, Fred Collins, Alvin Sanders, Mel Miller, Stewart Miller, Waylon Mills, William Mills, II, Hubert Potter, Marty Scott, Johnny Brown, Patrick Putslow, William Wamble, Chris King, Richard Turner, Mark Raffield, Danny Fidler, Mike Carden, Milton Alexander, Gary Key, Tim Chaffin, Anthony Chiodo, Kristy Chiodo, Doug Wiggin, Don Harper, Laura Harper, John Amick, Freddie Knowles, Donnie Harper, Danny Harper, Russell Stewart, III, Mike Moore, Trey Helms, Sherrie Hook, Kristy Miller, Stephenie Oberst, Maria Adams, William Hanson, Allen Byrd, Angelo Petrandis, Mitch Holman, Carolyn Holman, Pat Floyd, Jarvis Olson, Jeffrey Long, Zak McCool, G.P. Floyd, Chris Bucalo, Holly Stricker, Robert Wemple, Paul Cavanaugh, Raymond Zakaluzny, Kenny Evans, Ralph Neil Logan, James A. Reeves, Erica L. Anson, Barrett Colby, Tony Goiillo, Jimmy Reeves, James Capiti, Brent Hancock, Stan Mitchelle, Scott Bussen, Andy Fish, Johnny Fish, Greg Rapp, Dustin Rapp, Robbie Knapp, Billy Knight, Joe Palermo, Frank Booth, John Miller, Mike Egner, Leonard Gero, Nichole McCoy, Jimmy Shick, Chip Blackburn, Nate Odum, Henry Hauch, Matt Wegner, John Tendler, Carol Tendler, Sally Childs, Bill Fauth, Teresa Hunter, George Hunter, Marie Stephens, Dena Frost, Jay Frost, Tracy Wilson, Lionne Fulk, Ivey Chapman, Helen Laplante, Duane Wrona, Al Cathey, Lee Cathey, Cathey Parker Hobbs, Ralph Hobbs, Maurice Bosstick, Curtis Cain, Gary Carlton, Fred Buskins, Capt. Dick Swikert, Diane Wallace, Nancy Compton, Jim Compton, John Rand, Shawna Wood, Amy Haag, Peggy Wood, B. J. Shaw, Teresa Lineberger, Wiley Petty, Scott Gordon, Jay Metcalf, Teresa Carlton, Candi Daniel, Capt. Luke Daniel, Capt. John Wilson, Lisa Guilford, Andrew Wyrosidick, Nike Wyrosidick, Ike Godwin, Todd Godwin, Michelle Catrett, Chris Hubbard, Ryan Harmon, Michelle Corbel, Randall Cowan, James Stanley, Jerry Metz.

Alabama: Cindy Adams, Lea Adams, Steven Adams, Tim Adams, Bruce Alexander, Phillip A. Alexander, Tracy Allen, Mark Averitt, Darlene Baird, Jason Baird, Shane Baird, Mellisa Bartholomew, Scott Black, Josh Blackwell, Terry Boyd, Kevin A. Brannon, Phillip Brannon, Beth Bryant, Glen Bryant, Robert L. Bryant, Brent Buchanan, David Buchanan, Jimmy Lewis Buckley, Jerry Burleson, Teddy Jerome Bussie, Gilbert Calloway, Jennifer Calloway, M. C. Calloway, Shelby Calloway, Mike Cassey, Joe Carver, Doug Coleman, Barry Collier, Mark Collier, Richard M. Collier, Sean Collier, Troy Cornelius, Billy Cunningham, Larry S. Davis, Douge Duvall, William Eddins, Mitch Fore, Jack Gaines, David Grazzier, Joseph Anthony Nelson, II, Justin Nelson, Lloyd Nielson, Mathew Noel, Paul Noel, Tommy Phillips, Trung Phan, Urban Poole, Charles Pope, Timothy E. Rice, Ron Rifley, David Roberts, David Rogers, David Rogers, Jr., Robert Rutledge, Noah Gibson, Ted Clark Gillespie, Bernnie Ray Goldman, Ann Marie Guidroz, Beth Guidroz, Clay Guidroz, Clayton Guidroz, Jr., Renay Guidroz, Mathew Haidt, Willie Harris, Deral Holeman, Robert Neal Horton, Wendall A. Howerin, Jan Isham, Connie Johnson, Daryl Ray Johnson, Zeb Jones, Farrell Ryan, Shawn Ryan, Eathan Saunders, Harry Saunders, Kevin Saunders, Jr., Kevin Saunders, Sr., Sebastian Saunders, Polly Saunders, Alan Savell, Jeremy Schoon, Thurman Seaman, Randy Shutt, David Simms, Jr., David Simms, Sr., Robert Sprinkle, Vernon Steele, James Stewart, Homer O. Ladnier, Kieth Ladnier, Chris Laforce, Joseph Laskey, Mark Lewis, Julia Lochrico, King Marchand, Lane Moralis, Terry Moralis, Clayton Morgan, Harry Mund, Bradley Murph, Alvin Nelson, Allen Still, M.L. Strange, Glenn G. Swift, Brian Swindle, Claude Teed, Chuck Turner, Richard Turner, Tyler Vantt Hoff, Cecil Wainwright, Angela Wallace, Blake Wallace, Brent Wallace, Brittan Wallace, Bruce Wallace, Eddie Wallace, Erin Wallace, Heather Wallace, Violet Wallace, Bobby Wescovich, Stacy Wester, Roy White, Bryan Wilkerson, Deloyd Williams, Greg Williams, Martin Young, Brent Zirlott, Jeremy Zirlott, Simon Zirlott, Kim Vo, Amy Vo, Khai Nguyen, Khanh Nguyen, Chuc Nguyen, Dung Nguyen, Nam Nguyen, Chau Kha, Ai Tran, Mang Sov, Minh Chau, Anh Tran, Van Tran, Tuan Tran, Jay Trotter, James Braddock, Frank Kruth, Thi Lo, Lien Nguyen, Nam Truong, Hong Truong, Smay Son, Tiet Thach, Glenn Bryant, Pete Barber.

Mississippi: Jay Trochesset, James McClellon, James Young, Tom Becker, Kenny Barhanovich, Phil Horn.

Louisiana: Clint Guidry, President LA Shrimp Assn.

Rhode Island: Tina Jackson, President AAFC.

Texas: Michael Hall, Phil Calo, Ed Schroeder, Kelly F. Owens, Mary Ann Heinmann, Bobby Grumbles, Paul Dirk, Capt. Mike Nugent, Mike Holmes, Ed Schroeder, Tom Hilton, Glenn Martin, Former Mayor Port, TX, Bobby Grumbles, Hefner Appling.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I've got a letter and let me read you this letter because I think it really picks up what this program is about so that Members understand that this is a program that is going to help the fishermen, not hurt them:

We are writing to ask your continued support for the groundfish trawl program in the FY12 and FY13 National Marine Fisheries Service budget.

Today, a year after the implementation of catch shares in our fishery, things are beginning to improve. We are seeing higher prices for several key groundfish species. We have greater flexibility in when and how we fish. Discards are down dramatically. Gear innovation is on the rise. Fishermen, processors, fishery managers, and others are coming together to make this new program work. While the new management system will require ongoing improvement to maximize economic and biological performance, the early trends are positive.

As we continue into the second year of the catch share program, a fundamental challenge confronts us—observer and program management costs.

The high cost of observers—a key element of the catch share program—is a subject of deep concern to many of us. While overtime we will assume more of these costs, we continue to require Federal assistance during the transitional phase to help support the cost of observers.

□ 2300

So here we have a group of people who think that this is the program of the future. It is decided upon by a regional council under the Magnuson-Stevens Act. Every region can make decisions that affect the fishery in their area. In our area of the world, this is highly regarded.

The gentleman from Alaska isn't on the floor, but he'll tell you the people up in Alaska on halibut, this has been a great salvation. We're protecting the lives of these people so they don't have to rush out, catch all their fish in 1 or 2 days. They have a share, and they can do it over a reasonable period of time. It adds safety to this program.

But the last thing it is is coming out of D.C. This isn't NOAA or NMFS. This is the regional council in the gentleman's part of the world, in the Northeast, on the Atlantic coast off of Florida. These regional councils, they're the ones that make the decisions.

I thought that our good friends on the other side were for authority being used at the local level. So I urge you all, do not buy into this amendment. We should defeat this.

By the way, the gentleman from Washington is the chairman of the Natural Resources Committee. The gentleman from Florida (Mr. SOUTHERLAND) is a member of that committee. If he's got a complaint, why don't you go to your own committee and work on it rather than coming here and screwing up an appropriations bill where we don't need riders, frankly. We appreciate your concern, but go talk to the chairman, and you guys sit down and write some laws if you can get them passed.

Mr. Chairman, I yield back the balance of my time.

Mr. GRIMM. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Mr. Chairman, I rise in support of my friend and colleague from Florida.

I represent an island. And I respect the letter that was just read, but I have to be honest, those that I'm speaking to in my district that have made their living for generations on the water disagree. I have been contacted by many of my constituents that have great concerns that this will hamper their ability to earn a living.

I want to add, when we talk about the economy and growing the economy and creating jobs, think about those that have a charter boat and they bring out people from all over that come and vacation and go fishing. Think of all the ancillary business that that brings—all of the hotels, all of the restaurants, all of the shopping that they do. I think that is also relative.

At this time, I'd like to yield to the gentleman from Massachusetts, who has been waiting.

Mr. FRANK of Massachusetts. I thank the gentleman.

I strongly support the amendment. The gentleman from Washington has the regional councils confused with the people who fish. There's a regional split here. If the people on the west coast are happy with this, good luck to them.

Here's what happened.

In the Magnuson-Stevens Act passed in the lame duck of 2006, we said that provisions that would provide for these kinds of limitations were to be voted on by the people in the fishery. There would have to be a vote of the people in the fishery. What happened was, in Washington, they decided that there were areas where they wouldn't get the fishermen to vote for it—maybe on the west coast, they would; on the east coast, they wouldn't. So they invented—Washington did—catch shares, which is a way to have exactly the same impact as what we have in the bill, but without a referendum. We went to court. The judge said, Well, you've got a good argument, but I've got to go with the administrator.

If this amendment passes, if the people in the fishery—the fishermen—want to vote for something that will, in effect, be catch shares, they can put it into effect. And if they vote ''no,'' it will be no.

The regional councils, they are not only fishermen, they are appointees. NMFS has had a major impact.

So let's be very clear: If you think the fishermen ought to be able to decide, that's what the law says. This catch shares is an invention to get around the law. If this amendment passes, catch shares will not be around, but the law that we passed in 2006 that allows for the fishermen to vote if they want to implement it will still be there. If people on the west coast want it, fine.

Mr. DICKS. Will the gentleman yield? That's not what the amendment says.

Mr. FRANK of Massachusetts. No, excuse me. That is what the amendment says. The amendment says you can't have what they call catch shares. If it passes, you will go back to the underlying Magnuson-Stevens Act, which did come out of committee.

Do you know who amended the bill? Not here in the appropriations process, NMFS. If there are no catch shares, that means you can't do this without a vote of the fishermen. You will go back to the underlying statute, Magnuson-Stevens, which will say that if the people in the fishery want to vote for it, they can; otherwise, it doesn't happen.

I thank my friend for yielding.

Mr. GRIMM. In closing, I just want to say that I urge all of my colleagues to join me in supporting our fishermen and support this amendment.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. PINGREE of Maine. Mr. Chairman, I rise in strong opposition to this amendment.

Mr. GRIMM said that he represents an island. I live on an island. I live in the heart of the fisheries in the State of Maine, and I join my colleagues in Maine in supporting this. I'm sorry to see my good friend from Massachusetts is in opposition, but it shows that there are differences in the fisheries. I guarantee you that the fishermen in my State would say this is not to circumvent the law; this is a law that is now working in our State and highly successful. This amendment would block the use of catch shares from managing our Nation's fisheries by superseding the Regional Fishery Management Council process set up by Congress.

I live in the heart of a district where people have lost a tremendous amount of fish and are looking for ways to make sure that they have a fisheries industry to pass along to their children and grandchildren. The sectors management system in Maine has done that; it has allowed innovative fishermen, like members of the Maine Coast Fishermen's Association, to manage their small business in a way that works best for them in their own way of managing it.

By having an allocation and the flexibility to fish on their own schedule—which I can tell you is far safer and far more profitable—fishermen can enter into contracts with processors and avoid the ''race to fish,'' improving their bottom line and their safety. And it's been proven over and over again.

Some Maine fishermen have even developed community-supported fisheries co-ops, which bring local fish to the tables of local consumers, strengthening our communities while getting fishermen a better price for their catch.

It is critical for coastal communities and working waterfronts that fishermen are allowed to utilize the best management tools for their particular fishery. Catch shares may not be the best option for every fishery, but that decision should be left to the industry, the management experts, and the scientists in their region where the fishery occurs.

In order to help our fishermen, we should be focused on improving the stock assessments, implementing cooperative research programs, addressing monitoring challenges, and ensuring fair enforcement. This amendment would do none of these things. Instead, it would take a critical management tool out of the toolbox to keep our fishermen on the water.

I urge my colleagues to join me in supporting fishermen by keeping all options available for wise fisheries management by opposing this amendment and sticking with the fishermen in the State of Maine who have found this highly successful—far more safe for the industry and much more profitable for them. Any other argument is just plain wrong.

Mr. DICKS. Will the gentlelady yield?

Ms. PINGREE of Maine. I yield to the gentleman from Washington.

Mr. DICKS. I have a letter here from the Atlantic Trawlers Fishing, Inc, the Associated Fisheries of Maine, and a whole bunch of other groups, and they say:

Dear Member of Congress:

Please don't micromanage our fisheries from Washington, D.C.

We represent thousands of hardworking fishing men and women from all over the country who want local fishermen to write the rules governing their fisheries instead of having Congress dictate them through an appropriations rider.

Through the Nation's primary fishing law, the Magnuson-Stevens Act, Congress has given regional fishery management councils made up of fishing industry representatives and others the power to write the rules governing fishing in their area.

But in a move that would tie the hands of local fishermen, Representative Steve Southerland recently sent a letter to the appropriators seeking a rider to the Commerce-Justice-Science appropriation bill that would prohibit the ''future development and implementation of new 'catch share' programs for any fishery under the jurisdiction of the Fishery Management Councils'' in certain regions.

Such a rider would prevent councils from eliminating command-and-control regulations that burden our small businesses, imperil our jobs, drive up our fuel costs, even put our lives at greater risk—

Shame on you. That was an edit, by the way.

—and often don't successfully conserve fish populations.

Although catch shares have proven successful in commercial fisheries around the world and in the United States (today, fully half the fish caught in U.S. Federal waters are under catch share management), they may not be right for every fishery. But that is a determination best made by the councils, which have local representation, not legislators in Washington, D.C. Congress

micromanaging Federal fisheries through appropriations riders is big government at its worst.

□ 2310

Ms. PINGREE of Maine. Reclaiming my time, how much time do I have left?

The Acting CHAIR. The gentlewoman has 30 seconds remaining.

Ms. PINGREE of Maine. So just to be clear, the Catch Shares Program, as you've heard over and over again, suits the fishermen of my district. It serves them well. It brings about a tremendous amount more safety. When they had allocations, they had to go out whenever the day was, whatever the weather was. With catch shares they can make that determination on their own. They can get a better price for their fish.

If the Port Clyde fishermen were up this late, which I feel confident they're not, and they saw Congress debating the opportunity to take away this right that has been very successful for them, they would be shocked and angry and frustrated and down here tomorrow with their boats and their boots.

I yield back the balance of my time.

Mr. DUNCAN of South Carolina. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. DUNCAN of South Carolina. I yield to the gentleman from Florida.

Mr. SOUTHERLAND. You know, what's amazing is I always hear stuff that's not true. I was very clear. The letter that my colleague, Mr. Chairman, read, clearly stated that it would eliminate programs, catch share programs currently in bodies of water all around America; and that's just not true. That's not what it says.

My amendment is crystal clear. New catch shares in New England, Mid-Atlantic, South Atlantic and Gulf of Mexico—that's four bodies of water.

Now, I also want to make it very clear that every time that opponents or proponents of catch share stand up they want to talk about commercial fishermen. And I have commercial fishermen in my district, and I'm concerned about our commercial fishing industry.

But I'm also concerned about the individual freedoms and liberties of the American people, and the proponents of the catch share program never want to talk about the individual rights and freedoms of the American people.

This is a public resource, a natural resource. This is not just for a small select group of commercial fishermen that are backed by very, very wealthy environmentalists to decide alone.

This is an issue that is worthy for the American people to speak on. And this is the people's House. And so I stand here, yes, as a Member of the people's House, but I also stand here as someone who's lived on the Gulf of Mexico, as a family, for over 200 years. I know what I'm talking about.

And you just quoted something that was untrue, Mr. Chairman, and I have a problem with that. Geez.

Mr. DICKS. Will the gentleman yield?

Mr. SOUTHERLAND. I yield to the gentleman.

Mr. DICKS. This was from an east coast group of Atlantic fishermen. This wasn't west coast people. I quoted and I gave the title of the people who were——

Mr. SOUTHERLAND. I reclaim my time, sir. When the gentleman stood up he mentioned——

The Acting CHAIR. The gentleman from South Carolina controls the time.

Mr. DUNCAN of South Carolina. I reclaim my time, and I yield to the gentleman from Massachusetts.

MR. FRANK of Massachusetts. The gentleman from Washington is turning this on its head; and standing on your head is dangerous in any circumstances; but in the water, it's bad for your breathing.

What we have in the law are individual transferrable quotas. It was written into Magnuson-Stevens, and it does exactly what catch shares are supposed to do, with one difference.

The gentleman says Washington is micromanaging. No, it was the National Marine Fisheries Service that twisted the law. The law says they can do this for new ones. The gentleman's right, it doesn't disrupt anything. It allows them to do it subject to a vote of the people in the fishery.

I would say to my friend from Maine that may be what they think in Maine. I represent the fishing port in the United States that brings in the most money, and the people there want to be able to vote for themselves. They do not, as does the gentleman from Washington, identify the regional councils as the voice of the fishermen. They have a lot of complaints about that, including the NMFS intervention.

So this is the question. It is not whether or not we should have the system that the gentlewoman from Maine mentioned, whether or not you should be able to allocate and come together.

There is one point at issue here: should the fishermen themselves have to vote for it. In the Magnuson-Stevens Act, it said you can do any of that new if the fishermen voted it. The NMFS didn't like the notion of a fishermen vote, so they came up with catch shares and said the fishermen don't have to vote.

So all of the benefits the gentlewoman from Maine claims, everything else can be done. The difference is the gentleman from Washington apparently thinks the councils are fishermen. The councils do not, in my experience of 20 years of representing a large fishing port, represent the fishermen. The fishermen represent the fishermen.

And so the question is not whether or not we allow this kind of allocation in shares, but should it be subject to a vote of the fishermen, as the Magnuson-Stevens Act said, or should this wiggle room that NMFS came up with allow it to go to the council with NMFS people and others sitting on it, State officials sitting on it, as opposed to the fishermen.

So the gentleman's amendment is very clear. It will allow those kinds of allocations. It would allow any of those things. It allows everything that you get in catch shares, except it calls them individual transferrable quotas, as it did in the law, not catch shares; and it's subject to a vote of the people in the fisheries.

That's the sole issue here in this amendment: should the people who are the fishermen themselves be able to vote on this, or should NMFS be able to tell the council and the council should be able to do it.

Mr. DUNCAN of South Carolina. Reclaiming my time, I appreciate the gentleman from Massachusetts lending his voice to this debate in favor of it.

I yield to the gentleman from Florida.

Mr. SOUTHERLAND. I'd like to thank the gentleman from Massachusetts. I agree with his comments.

Again, I want to be just very clear. I think that the amendment is crystal clear. I think that all Americans who believe——

The Acting CHAIR. The time of the gentleman from South Carolina has expired.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I rise in opposition to this amendment. This amendment affects fisheries under the jurisdiction of NOAA, as written in the actual amendment in the South Atlantic, Mid-Atlantic, New England, Gulf of Mexico fishery management council areas; and it prohibits these catch shares from any funds being used.

Now, I believe that the 15 Federal catch shares programs have worked well. I think that they have had a great deal of social, economic, and biological benefit. They deal with the essential challenge here, which is overfishing. And it also deals with some of the dangerous conditions related to kind of this race to fish, or derby kind of atmosphere because it creates some order. And order is useful, and is done at a local level.

Now, our committee is an appropriations committee. It is not the place for this to be worked out. This is not the hour for it to be worked out. But if the House has to take a vote on this, I think that we should understand our responsibilities in terms of stewardship here.

There's a difference between saying, well, it shouldn't be the regional council, it should be the fishermen and saying that there should be no funds of

NOAA used to organize these catch shares. They're two different things. They are not the same.

So I join the gentlelady from Maine, I join my ranking member from Washington State, and I ask the House and I'll be asking members of my caucus to vote ''no'' on this amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise as a Representative from a great fishing community, Monterey, California. Many of you may have heard about Monterey because it was the sardine port of the world, the largest sardine port in the world; and it certainly was written about in Steinbeck's famous ''Cannery Row.''

We don't catch sardines anymore. They're all gone. We fished them all out, destroyed an entire industry. No programs there to help people in the 1950s when that whole Cannery Row closed down.

It took about 50 years to rebuild it as a tourist industry, but the sensitivities of all the Italian and Portuguese fishermen that were in that community are still there today.

We have a catch share program on the west coast, and people endorse it wholeheartedly.

□ 2320

I've been listening to this debate. Unfortunately, the debate hasn't really gone to the amendment. Let me read what the amendment is:

None of the funds made available by this Act may be used to develop, approve or implement a new limited access privilege program.

It doesn't say anything about fishermen's votes or catch shares or anything like that. This is just taking a tool out of the toolbox and saying you can't even use it, that you cannot use it. There hasn't been a program developed, approved or implemented yet. So why are we trying to say you can't use any of these funds to go and do that? It's because the process is from the bottom up. That's the way it was worked out in all of these fisheries. So we're taking a meat ax to, really, a weak fish, a delicate fish. We're taking a meat ax to a delicate fish.

I think the process here of Congress is overreaching, and it is prohibiting a tool to be used to work out with local fishermen, which are all the things the gentlelady from Maine said. Fishermen want to be able to have certainty in that they can go out and fish within the quota. They don't want to have to go out, because the season is so short, when the storms are high—because that's the window—and risk their lives. They want to be able to have more. If all the fish are caught at the same time, the price for fish goes down. This way, you can spread it out. Then, as you've heard, revenue goes up for fishermen. They have a sustainability, and the fishery doesn't get pounded so hard. It can replenish itself.

There are all the good things in here that any farmer would tell you were absolutely logical in farming practices. So why wouldn't we want to apply that to farming the sea? You are using this amendment to say, before you even think about it, before you even discuss it, we're not going to allow you to even consider it. We're going to take the money away from the administration and prohibit it from doing it.

Don't leap before you look. It is not broken. It does not need to be fixed yet.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOUTHERLAND).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

Mr. LANGEVIN. I move to strike the last word.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Chairman, I rise in opposition to language included in the FY13 Commerce-Justice-Science appropriations bill that strips the Justice Department's authority to implement accessibility standards for swimming pools under the Americans with Disabilities Act, which was an amendment offered and discussed earlier this evening.

As cochair of the bipartisan Disabilities Caucus and as a person who has lived with a disability for over 30 years, I am very troubled by any attempt to weaken the ADA. However, I am even more surprised to see such language included in an appropriations bill used to fund the Federal Government.

In 2010, the Department of Justice issued regulations requiring that public and commercial pools be made accessible by either a ramp or a fixed pool lift. This rule was intended to break down one of many barriers to recreational activities that people with disabilities face. I understand that some businesses, such as hotels and motels, believe that meeting these requirements would impose an undue cost burden, so I would like to take a moment to dispel some of the misunderstandings that have formed around this issue.

The Justice Department's regulation only requires existing pool facilities to satisfy the accessibility standards if it is ''readily achievable,'' which simply means that it is ''easily accomplished and able to be carried out without much difficulty or expense.'' This has been the governing legal principle of the ADA since its passage 22 years ago. It ensures that businesses are given the flexibility to determine whether they have the resources to make accessibility improvements rather than requiring a one-size-fits-all approach; and contrary to some misconceptions, individual parties cannot sue to get money damages as a result of noncompliance.

It is also worth pointing out that this is not a last-minute regulation rushed through by any one administration. The United States Access Board first adopted pool access standards in 2002 and incorporated those standards into its ADA Accessibility Guidelines in 2004. This rule applies those same standards to the 2010 regulation at issue, and businesses have had 18 months to prepare and give feedback on this rule. In fact, they were recently granted another 2-month extension to delay implementation until May 21, 2012.

I recognize the challenges facing many small businesses, so I feel it is important that regulations do not impose an undue burden on them. However, if this language to strip the DOJ's authority is approved, a burden will be borne by people with disabilities everywhere—whether they are trying to access commercial pools or public pools like those run at State and local recreation facilities.

Swimming is a recreational activity that provides numerous social, physical, and medically therapeutic benefits; and it has played a crucial role in the rehabilitation, overall health and increased quality of life for millions of people with disabilities, including our injured military servicemembers and disabled veterans who participate in adaptive sports and recreational swimming as a means of fitness, inclusion, and empowerment. Many veterans service organizations and disability rights groups have expressed as much in letters opposing this language, including Disabled American Veterans, Iraq and Afghanistan Veterans of America, Jewish War Veterans, VetsFirst, in addition to the National Council on Independent Living, American University Centers on Disabilities, and the Consortium for Citizens with Disabilities, which encompasses many additional disability, health and veterans groups.

Mr. Chairman, this language sets a dangerous precedent for civil rights enforcement, and it would mark the first time that Congress has weakened the enforcement of the ADA. So I ask my colleagues to oppose this language in any final bill that is conferred with the Senate. Once you pull that thread, you

risk unraveling the protections of the most important civil rights bill for people with disabilities as well as that which binds us all together in a higher calling of equal rights for all.

I yield back the balance of my time.

ASSOCIATION OF UNIVERSITY CENTERS ON DISABILITIES,
Silver Spring, MD, May 7, 2012.

DEAR REPRESENTATIVE: On behalf of the Association of University Centers on Disabilities (AUCD), I am writing to urge you to oppose Representative Carter's amendment to the Commerce, Justice, and Science Appropriations Bill that would prevent the Justice Department from using its funds to enforce the ADA regulations to increase access for people with disabilities to swimming pools.

On March 15, the 2010 Standards for Accessible Design went into effect, setting accessibility requirements for built-in facilities including swimming pools. These standards were adopted as part of the revised regulations for Title II and Title III of the Americans with Disabilities Act of 1990 (ADA). Unfortunately, the regulations were met with strong opposition by the hotel industry due to a misunderstanding as to what they require and the ''readily achievable'' standard the ADA applies to ensure reasonable enforcement.

The readily achievable standard has been supported and recognized by the business community since the passage of the ADA in 1990. The standard, since its inception twenty-two years ago, provides the Justice Department with flexibility to determine what is achievable based on a covered entity's particular circumstances, and to prevent the Department from applying a rigid one-size-fits-all standard. In the case of the accessibility regulations for pool lifts, therefore, if it is too costly or burdensome for a small, family-owned business to install a fixed pool lift at their facility, the new regulations do not require that they do so. Furthermore, pool owners that fail to comply with the regulations are not subject to large damage awards largely in part to the fact that individuals cannot obtain money damages against hotels for violations of ADA's accessibility requirements.

The hotel industry has known about this issue for a decade, and has participated in every step of the way. They were given 18 additional months (past the publication of the finalized rules in September 2010) to prepare before the standards went into effect. As a result of the forgoing built in protections in the ADA, this amendment is not needed to protect small hotel owners.

Additionally, it is crucial to understand, that access to swimming pools is important for people with disabilities—it helps them participate in their communities, spend time with their families and, for many, is a critical means of exercise and maintaining good health.

If Congress intercedes by passing this amendment, we fear a dangerous precedent will have been set that could chip away at other provisions of the ADA. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. Accordingly, AUCD urges you to protect the ADA by opposing amendments that will take away the right of the Department to enforce such critical regulations.

Sincerely,

A. ANTHONY ANTOSH,
President.

MAY 4, 2012.

DEAR SENATOR/REPRESENTATIVE: We the undersigned veterans organizations are writing in support of the Department of Justice's (DOJ) final rule detailing requirements for accessible entry and exit for pools and spas under the Americans with Disabilities Act (ADA).

Our organizations strongly support the principles of the ADA, because they ensure independence and reintegration for wounded servicemembers and disabled veterans. After a decade of war, we must ensure that the ADA continues to stand for equal treatment and non-discrimination in access to rehabilitation, employment, educational, and recreational opportunities.

Specifically, Congress must not weaken the principles of the ADA by delaying or otherwise inhibiting DOJ's enforcement of the pool and spa accessibility regulatory requirements. DOJ published the final rule on accessibility in September 2010 after engaging in six years of public outreach, which included multiple opportunities for all stakeholders to provide comments. Although the final rule was to go into effect on March 15, 2012, DOJ delayed compliance until May 21.

We believe that our nation's disabled veterans and wounded warriors have waited long enough for access to pools and spas. The January 2012 guidance issued by DOJ clarifying the intent of the final rule for existing pools and spas did not change the requirements DOJ published in September 2010. The gold standard for new construction is a fixed pool lift. It is logical that fixed pool lifts would be required for existing pools and spas if ''readily achievable.'' Readily achievable means that an existing pool or spa would only need to have a fixed pool lift if it was not costly or burdensome.

Readily achievable is the flexibility that was built into the ADA to ensure that a one-size-fits-all approach would not be required. Thus, if it is not readily achievable for a small, family-owned business to install a fixed lift for a pool or spa, then they are not required to under the ADA. The ADA's inclusion of the readily achievable standard represents the compromise between the needs of people with disabilities and the costs of accommodations.

If Congress intercedes by delaying implementation or hindering enforcement of DOJ's final rule, we fear that a dangerous precedent will have been set for the future of the ADA. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. It is now time for Congress to step back and let the regulatory process function as was envisioned when the ADA was passed by a bipartisan Congress 22 years ago.

If you have any questions, please contact Heather Ansley, Vice President of Veterans Policy for VetsFirst, a program of United Spinal Association, at (202) 556 2076, ext. 7702 or by e-mail at hansley(a)vetsfirstorg.

Sincerely,

Blinded Veterans Association; Disabled American Veterans; Iraq and Afghanistan Veterans of America; Jewish War Veterans; National Association for Black Veterans; Paralyzed Veterans of America; Veterans for Common Sense; Veterans of Foreign Wars; Veterans of Modern Warfare; VetsFirst, a program of United Spinal Association; Vietnam Veterans of America.

CONSORTIUM FOR CITIZENS WITH DISABILITIES,
Washington, DC, April 23, 2012.

DEAR REPRESENTATIVE: The undersigned members of the Consortium for Citizens with Disabilities (CCD), representing people with disabilities, family members, and professionals in the disability field, write in opposition to any Congressional effort to roll back, or prevent enforcement of, the Justice Department's September 15, 2010 regulations setting forth requirements to ensure that swimming pools are accessible to people with disabilities. These regulations, the product of an extensive and considered process of deliberation, were originally scheduled to go into effect on March 15, 2012 and are now slated to take effect in May 2012.

H.R. 4200, introduced on March 16, 2012, would deprive the Justice Department of the authority to enforce its own regulations implementing the ADA with respect to the accessibility of swimming pools. H.R. 4256, introduced on March 26, 2012, would prohibit any court enforcement of the Justice Department's new regulations concerning pool accessibility for a period of one year from enactment of the bill and require the Justice Department to issue new regulations with weaker substantive standards (permitting portable pool lifts even where installing a permanent lift would be readily achievable). These bills present a number of serious concerns.

First, the prospect of Congress preventing an executive branch agency from enforcing its own regulations is very troubling. The regulations at issue were promulgated by the Department of Justice—the agency charged by Congress with enforcement of the ADA—and based on standards issued by the United States Access Board, a federal agency devoted to developing and maintaining standards to ensure accessibility for individuals with disabilities. The ADA requires the Justice Department's accessibility regulations to be consistent with Access Board standards. Both the Access Board and the Justice Department have extensive expertise in setting appropriate accessibility standards that take into account the needs of people with disabilities as well as those of business owners. Congress need not and should not step in to deprive the agencies it designated to issue accessibility standards of the authority to enforce those standards.

Moreover, the opportunity to swim is important to individuals with disabilities just as it is to everyone else. People with disabilities should be able to enjoy swimming pools for recreation and exercise. If enacted, H.R. 4200 and H.R. 4256 would deprive many people with disabilities of access to swimming pools, and would create uncertainty among pool owners about the standards with which they must comply in order to meet the ADA's requirements with respect to pool access.

The regulations at issue do not present a significant burden to hotels or other pool owners. For pools already built when the new regulations take effect, the regulations do not require owners to satisfy the new accessibility requirements. If doing so is not ''readily achievable''—that is, ''easily accomplishable and able to be carried out without much difficulty or expense''—they need not do so.

In addition, individuals with disabilities are not entitled to damages in ADA lawsuits challenging the inaccessibility of public accommodations.

The hotel industry has been aware of—and involved with—the development of the new pool accessibility standards for a decade. The Access Board initially issued standards for pool accessibility in 2002 guidelines for recreational facilities. In 2004, the Access Board incorporated those standards into its new Accessibility Guidelines. The new regulatory standards come directly from those

2004 guidelines. The Justice Department first published an Advance Notice of Proposed Rulemaking requesting feedback concerning the Access Board standards in 2004, followed by a second Advance Notice of Proposed Rulemaking in 2008. The final rule was adopted on September 15, 2010, and gave existing pools another eighteen months to comply with the new requirements.

In conclusion, we oppose any effort to roll back regulations providing accessible swimming pools for people with disabilities. These places of public accommodation have had years of notice and substantial opportunity to prepare for these requirements.

Sincerely,

ACCSES; American Association of People with Disabilities; American Foundation for the Blind; American Network of Community Options and Resources; Association of University Centers on Disabilities; The Arc of the United States; Bazelon Center for Mental Health Law; Brain Injury Association of America; Council of Parent Attorneys and Advocates, Inc.; Daniel Jordan Fiddle Foundation; Disability Rights Education and Defense Fund; Easter Seals; Epilepsy Foundation; Helen Keller National Center; Mental Health America; National Association of Councils on Developmental Disabilities; National Council on Independent Living; National Disability Rights Network; National Down Syndrome Society; National Multiple Sclerosis Society; Paralyzed Veterans of America; United Cerebral Palsy; United Spinal Association.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DAVIS of Illinois.

An amendment by Mr. GRIMM of New York.

An amendment by Mr. HUIZENGA of Michigan.

An amendment by Mr. JOHNSON of Georgia.

An amendment by Mr. FLAKE of Arizona.

Amendment No. 11 by Mr. WESTMORELAND of Georgia.

An amendment by Mr. AUSTIN SCOTT of Georgia.

An amendment by Mrs. BLACK of Tennessee.

An amendment by Mrs. BLACKBURN of Tennessee.

An amendment by Mr. BROUN of Georgia.

An amendment by Mr. SOUTHERLAND of Florida.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. DAVIS OF ILLINOIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. DAVIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 99, noes 311, not voting 21, as follows:

[Roll No. 213]

AYES—99

Andrews	Green, Al	Neal
Baldwin	Green, Gene	Pallone
Bishop (GA)	Gutierrez	Pascrell
Blumenauer	Hahn	Peters
Bonamici	Hanabusa	Pingree (ME)
Brady (PA)	Hastings (FL)	Polis
Brown (FL)	Hirono	Price (NC)
Capuano	Holt	Quigley
Carnahan	Jackson (IL)	Rangel
Castor (FL)	Jackson Lee (TX)	Richmond
Chu	Johnson (GA)	Sánchez, Linda T.
Cicilline	Johnson (IL)	Schakowsky
Clarke (MI)	Johnson, E. B.	Schrader
Clarke (NY)	Kaptur	Scott (VA)
Clay	Keating	Scott, David
Cleaver	Kildee	Serrano
Clyburn	Landry	Sewell
Cohen	Langevin	Smith (WA)
Conyers	Larsen (WA)	Thompson (MS)
Cooper	Lee (CA)	Tierney
Costa	Levin	Tonko
Crowley	Lewis (GA)	Towns
Cummings	Lynch	Van Hollen
Davis (IL)	Maloney	Velázquez
DeGette	Markey	Visclosky
Deutch	McCollum	Wasserman Schultz
Dingell	McDermott	Waters
Doyle	McGovern	Watt
Edwards	Meeks	Welch
Ellison	Michaud	Wilson (FL)
Fattah	Miller (NC)	Woolsey
Fitzpatrick	Moran	Yarmuth
Frank (MA)	Nadler	
Fudge		

NOES—311

Ackerman	Burton (IN)	Engel
Adams	Calvert	Eshoo
Aderholt	Camp	Farenthold
Akin	Campbell	Farr
Alexander	Canseco	Fincher
Altmire	Capito	Flake
Amash	Capps	Fleischmann
Amodei	Carney	Fleming
Austria	Carter	Flores
Baca	Cassidy	Forbes
Bachus	Chabot	Fortenberry
Barletta	Chaffetz	Foxx
Barrow	Chandler	Franks (AZ)
Bartlett	Coble	Frelinghuysen
Barton (TX)	Coffman (CO)	Gallegly
Bass (CA)	Cole	Garamendi
Bass (NH)	Conaway	Gardner
Becerra	Connolly (VA)	Garrett
Benishek	Costello	Gerlach
Berg	Courtney	Gibbs
Berkley	Cravaack	Gibson
Berman	Crawford	Gingrey (GA)
Biggert	Crenshaw	Gohmert
Bilbray	Critz	Gonzalez
Bilirakis	Cuellar	Goodlatte
Bishop (NY)	Culberson	Gosar
Bishop (UT)	Davis (CA)	Gowdy
Black	Davis (KY)	Granger
Blackburn	DeFazio	Graves (GA)
Bonner	DeLauro	Graves (MO)
Bono Mack	Denham	Griffin (AR)
Boren	Dent	Griffith (VA)
Boswell	DesJarlais	Grijalva
Boustany	Diaz-Balart	Grimm
Brady (TX)	Dicks	Guinta
Braley (IA)	Doggett	Guthrie
Brooks	Dold	Hall
Broun (GA)	Dreier	Hanna
Buchanan	Duffy	Harper
Bucshon	Duncan (SC)	Harris
Buerkle	Duncan (TN)	Hartzler
Burgess	Emerson	Hastings (WA)
Hayworth	McIntyre	Runyan
Heck	McKeon	Ruppersberger
Heinrich	McKinley	Ryan (OH)
Hensarling	McMorris Rodgers	Ryan (WI)
Herger	McNerney	Sanchez, Loretta
Herrera Beutler	Meehan	Scalise
Higgins	Mica	Schiff
Himes	Miller (FL)	Schilling
Hinchey	Miller (MI)	Schmidt
Hinojosa	Miller, Gary	Schock
Hochul	Miller, George	Schwartz
Holden	Mulvaney	Schweikert
Hoyer	Murphy (CT)	Scott (SC)
Huelskamp	Murphy (PA)	Scott, Austin
Huizenga (MI)	Myrick	Sensenbrenner
Hultgren	Napolitano	Sessions
Hunter	Neugebauer	Sherman
Hurt	Noem	Shimkus
Israel	Nugent	Shuler
Issa	Nunes	Shuster
Jenkins	Nunnelee	Simpson
Johnson (OH)	Olson	Sires
Johnson, Sam	Olver	Smith (NE)
Jordan	Owens	Smith (NJ)
Kelly	Palazzo	Smith (TX)
Kind	Pastor (AZ)	Southerland
King (IA)	Paulsen	Speier
King (NY)	Pearce	Stark
Kingston	Pelosi	Stearns
Kinzinger (IL)	Perlmutter	Stivers
Kissell	Peterson	Stutzman
Kline	Petri	Sullivan
Labrador	Pitts	Sutton
Lamborn	Platts	Terry
Lance	Poe (TX)	Thompson (CA)
Lankford	Pompeo	Thompson (PA)
Larson (CT)	Posey	Thornberry
Latham	Price (GA)	Tiberi
LaTourette	Quayle	Tipton
Latta	Rahall	Tsongas
Lewis (CA)	Reed	Turner (NY)
Lipinski	Rehberg	Turner (OH)
LoBiondo	Renacci	Upton
Loebsack	Reyes	Walberg
Lofgren, Zoe	Ribble	Walden
Long	Richardson	Walsh (IL)
Lowey	Rigell	Walz (MN)
Lucas	Rivera	Waxman
Luetkemeyer	Roby	Webster
Luján	Roe (TN)	West
Lummis	Rogers (AL)	Westmoreland
Lungren, Daniel E.	Rogers (KY)	Whitfield
Mack	Rogers (MI)	Wilson (SC)
Manzullo	Rohrabacher	Wittman
Marchant	Rokita	Wolf
Marino	Rooney	Womack
Matheson	Ros-Lehtinen	Woodall
Matsui	Roskam	Yoder
McCarthy (CA)	Ross (AR)	Young (AK)
McCarthy (NY)	Ross (FL)	Young (FL)
McClintock	Roybal-Allard	Young (IN)
McCotter	Royce	

NOT VOTING—21

Bachmann	Filner	Paul
Butterfield	Honda	Pence
Cantor	Jones	Reichert
Cardoza	Kucinich	Rothman (NJ)
Carson (IN)	McCaul	Rush
Donnelly (IN)	McHenry	Sarbanes
Ellmers	Moore	Slaughter

□ 2350

Messrs. WALZ of Minnesota, CONAWAY, BROOKS, WHITFIELD, LUJÁN and BECERRA, Ms. ROYBAL-ALLARD, Mr. HOYER, and Ms. LORETTA SANCHEZ of California changed their vote from ''aye'' to ''no.''

Messrs. CROWLEY, WELCH, COSTA, Ms. HANABUSA, Messrs. MARKEY, VAN HOLLEN, and Ms. WATERS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 213, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. GRIMM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from New York (Mr. GRIMM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 204, not voting 21, as follows:

[Roll No. 214]

AYES—206

Ackerman
Altmire
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bass (NH)
Becerra
Berg
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chabot
Chandler
Cicilline
Clarke (MI)
Clay
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Duncan (TN)
Ellison
Emerson
Engel
Eshoo
Farr
Fitzpatrick
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Gibson
Griffith (VA)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Hartzler
Hayworth
Heck
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Israel
Jackson (IL)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Keating
Kelly
Kildee
Kind
King (NY)
Kissell
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lowey
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCotter
McDermott
McGovern
McIntyre
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Peters
Peterson
Pingree (ME)
Platts
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Richardson
Richmond
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schilling
Schrader
Schwartz
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Velázquez
Walz (MN)
Waters
Welch
West
Wilson (FL)
Woolsey
Yarmuth
Young (IN)

NOES—204

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Bachus
Bartlett
Barton (TX)
Bass (CA)
Benishek
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chaffetz
Chu
Clarke (NY)
Cleaver
Clyburn
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Diaz-Balart
Duffy
Duncan (SC)
Edwards
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Guthrie
Hall
Hanna
Harper
Harris
Hastings (FL)
Hastings (WA)
Heinrich
Hensarling
Herger
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Lankford
Latham
Latta
Lee (CA)
Lewis (CA)
Lofgren, Zoe
Long
Lucas
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCollum
McKeon
McKinley
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (CT)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Pearce
Perlmutter
Petri
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schiff
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Thornberry
Tipton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Wasserman Schultz
Watt
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)

NOT VOTING—21

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Dreier
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Waxman

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2354

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 214, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. HUIZENGA OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. HUIZENGA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 211, not voting 21, as follows:

[Roll No. 215]

AYES—199

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Barletta
Barton (TX)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Capito
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cravaack
Crawford
Crenshaw
Davis (KY)
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Guinta
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Herger
Herrera Beutler
Hinchey
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Petri
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita

Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—211

Ackerman
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Canseco
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Goodlatte
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Harper
Hastings (FL)
Heinrich
Hensarling
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
Kind
King (NY)
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Sires
Smith (NJ)
Smith (TX)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Yarmuth

NOT VOTING—21

Bachmann
Bartlett
Butterfield
Cantor
Cardoza
Carson (IN)
Denham
Donnelly (IN)
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2357

Mr. FRANKS of Arizona changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall No. 215, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 96, noes 314, not voting 21, as follows:

[Roll No. 216]

AYES—96

Ackerman
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Biggert
Bishop (GA)
Boswell
Brady (PA)
Braley (IA)
Capuano
Carnahan
Castor (FL)
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cohen
Conyers
Cooper
Critz
Crowley
Davis (IL)
DeGette
DeLauro
Doggett
Doyle
Ellison
Farr
Fattah
Fitzpatrick
Flake
Frank (MA)
Hahn
Hanabusa
Higgins
Himes
Hirono
Holden
Israel
Jackson (IL)
Johnson (GA)
Johnson (IL)
Keating
Kind
Langevin
Larson (CT)
Lee (CA)
Levin
Loebsack
Lowey
Lynch
McCarthy (NY)
McCollum
McDermott
Meeks
Michaud
Miller (NC)
Murphy (CT)
Nadler
Pascrell
Pastor (AZ)
Peters
Pingree (ME)
Price (NC)
Quigley
Rangel
Richardson
Richmond
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Scott, David
Serrano
Sires
Smith (WA)
Speier
Stark
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Wasserman Schultz
Watt
Welch
Woolsey
Yarmuth

NOES—314

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Capps
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Chu
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Emerson
Engel
Eshoo
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hinchey
Hinojosa
Hochul
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCotter
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Paulsen
Pearce
Pelosi
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Waters
Waxman
Webster
West
Westmoreland

Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—21

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers
Filner
Gutierrez
Honda
Jones
Kucinich
Markey
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 0000

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 216, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 121, noes 291, not voting 19, as follows:

[Roll No. 217]

AYES—121

Adams
Akin
Amash
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burton (IN)
Campbell
Canseco
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Denham
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Jordan
Kelly
King (IA)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Latta
Long
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
Mica
Miller (FL)
Miller, Gary
Mulvaney
Neugebauer
Nugent
Olson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Quayle
Rehberg
Ribble
Rigell
Roby
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Southerland
Stearns
Stutzman
Sullivan
Thornberry
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (FL)
Young (IN)

NOES—291

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Burgess
Calvert
Camp
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fleischmann
Flores
Forbes
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Nunnelee
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)

NOT VOTING—19

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 0004

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 217, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 11 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 246, not voting 20, as follows:

[Roll No. 218]

AYES—165

Adams
Akin
Amash
Amodei
Barrow
Barton (TX)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Denham
DesJarlais
Duffy
Duncan (SC)
Fincher
Flake
Fleming
Flores
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Guinta
Hall
Harris
Hartzler
Hastings (WA)
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam

Jordan
Kelly
King (IA)
King (NY)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latta
LoBiondo
Long
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Petri
Pitts
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Ribble
Roby
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (NE)
Smith (NJ)
Southerland
Stearns
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Turner (NY)
Upton
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—246

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capito
Capps
Capuano
Carnahan
Carney
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kinzinger (IL)
Kissell
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Smith (TX)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers
Filner
Gohmert
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 0007

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 218, I was away from the Capitol due to prior commitment to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 122, noes 289, not voting 20, as follows:

[Roll No. 219]

AYES—122

Adams
Akin
Amash
Barton (TX)
Benishek
Berg
Bilbray
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Carter
Chabot
Chaffetz
Coffman (CO)
Conaway
Culberson
Denham
DesJarlais
Duffy
Duncan (SC)
Fincher
Flake
Fleming
Flores
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Guinta
Harris
Hastings (WA)
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kline
Labrador
Lamborn
Landry
Long
Mack
Manzullo
Marino
McCarthy (CA)
McClintock
McKeon
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Paulsen
Pearce
Petri
Pitts
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Ribble
Rogers (MI)
Rohrabacher
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Shimkus
Smith (NE)
Southerland
Stearns
Stutzman
Thornberry
Tipton
Walberg
Walsh (IL)
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—289

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Calvert
Camp
Capito
Capps
Capuano
Carnahan
Carney
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gohmert
Gonzalez
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Palazzo

Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rokita
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 0010

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 219, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MRS. BLACK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 173, not voting 20, as follows:

[Roll No. 220]

AYES—238

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Dent
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—173

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rivera
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Denham
Donnelly (IN)
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 0014

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 220, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 251, not voting 20, as follows:

[Roll No. 221]

AYES—160

Adams
Akin
Amash
Amodei
Austria
Bachus
Bartlett
Barton (TX)
Benishek
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Culberson
Davis (KY)
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Harper
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Lynch
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Petri
Pitts
Poe (TX)
Polis
Pompeo
Price (GA)
Quayle
Ribble
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tipton
Upton
Walberg
Walden
Walsh (IL)
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—251

Ackerman
Aderholt
Alexander
Altmire
Andrews
Baca
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Forbes
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
Kind
King (NY)
Kingston
Kissell
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Maloney
Marino
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nugent
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Ross (FL)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 0016

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 221, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 105, noes 307, not voting 19, as follows:

[Roll No. 222]

AYES—105

Adams
Akin
Amash
Benishek
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
DesJarlais
Dreier
Duncan (SC)
Duncan (TN)
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Harris
Hartzler
Hensarling
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Johnson (IL)
Jordan
King (IA)
Labrador
Lamborn
Lance
Landry
Latta
Long
Lummis
Mack
Manzullo
Marchant
McClintock
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nunes
Nunnelee
Olson
Petri
Poe (TX)
Pompeo
Price (GA)
Quayle
Ribble
Rohrabacher
Rokita
Rooney
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Southerland
Stearns
Stutzman
Sullivan
Thornberry
Walberg
Walsh (IL)
Westmoreland
Wilson (SC)
Woodall
Young (AK)
Young (IN)

NOES—307

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Calvert
Camp
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul

Holden
Holt
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nugent
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (FL)

NOT VOTING—19

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 0019

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SOUTHERLAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. SOUTHERLAND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 191, not voting 20, as follows:

[Roll No. 223]

AYES—220

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capuano
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Courtney
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Fincher
Flake
Fleischmann
Fleming
Flores
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibson
Gingrey (GA)
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Harris
Hartzler
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Keating
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McGovern
McIntyre
McKeon
McKinley
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pallone
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Reyes
Ribble
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tierney
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—191

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Buerkle
Capito
Capps
Carnahan
Carney
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foxx
Fudge
Garamendi
Gibbs
Gonzalez
Goodlatte
Granger
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Hurt
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Kildee
Kind
Kingston
Kissell
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matsui
McCollum
McDermott
McMorris Rodgers
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Olver
Owens
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Rigell
Roby
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Wittman
Woolsey
Yarmuth
Young (FL)

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers
Filner
Herger
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 0025

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH of Nebraska) having assumed the chair, Mr. HASTINGS of Washington, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice,

Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

ADJOURNMENT

Mr. HUIZENGA of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 27 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, May 9, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5886. A letter from the Executive Director, Comptroller of the Currency, transmitting the Office of Minority and Women Inclusion's annual report for FY 2011; to the Committee on Financial Services.

5887. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations: Randolph County, Arkansas; [Docket ID: FEMA-2012-0003] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5888. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations: City of Mandevile, Louisiana; [Docket ID: FEMA-2012-0003] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5889. A letter from the Director, Public and Congressional Affairs, National Credit Union Administration, transmitting the Office of Minority and Women Inclusion's annual report for 2011; to the Committee on Financial Services.

5890. A letter from the Director, Office of Standards, Regulations and Variances, Department of Labor, transmitting the Department's final rule — Examinations of Work Areas in Underground Coal Mines for Violations of Mandatory Health or Safety Standards (RIN: 1219-AB75) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5891. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notice that the Deputy Secretary has issued the required determination to waive certain restrictions on the maintenance of a Palestine Liberation Organization (PLO) Office and on expenditure of PLO funds for a period of six months; to the Committee on Foreign Affairs.

5892. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-137, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5893. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Foreign Affairs.

5894. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's annual report for FY 2011 prepared in accordance with the and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5895. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-350, ''Wrongful Death Temporary Act of 2012''; to the Committee on Oversight and Government Reform.

5896. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-349, ''Medical Marijuana Cultivation Center Temporary Amendment At of 2012''; to the Committee on Oversight and Government Reform.

5897. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-348, ''Advisory Neighborhood Commissions Boundaries Temporary Act of 2012''; to the Committee on Oversight and Government Reform.

5898. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-347, ''Fresh Healthy Mobile Cart Vending Pilot in Underserved Areas Temporary Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

5899. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-346, ''DISB Fingerprint-Based Background Check Authorization Act of 2012''; to the Committee on Oversight and Government Reform.

5900. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's report for fiscal year 2011 on the amount of acquisitions from entities that manufacture articles, materials, or supplies outside of the United States; to the Committee on Oversight and Government Reform.

5901. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Biobased Procurements [FAC 2005-58; FAR Case 2010-004; Item I; Docket 2010-0004, Sequence 2] (RIN: 9000-AM03) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5902. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Representation Regarding Export of Sensitive Technology to Iran [FAC 2005-58; FAR Case 2010-018; Item II; Docket 2010-0018, Sequence 1] (RIN: 9000-AL91) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5903. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Justification and Approval of Sole-Source 8(a) Contracts [FAC 2005-58; FAR Case 2009-038; Item III; Docket 2010-0095, Sequence 1] (RIN: 9000-AL55) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5904. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-58; Small Entity Compliance Guide [Docket FAR 2012-0081, Sequence 3] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5905. A letter from the Chairman, National Labor Relations Board, transmitting the Board's FY 2011 Buy American Act report; to the Committee on Oversight and Government Reform.

5906. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2012 through March 31, 2012 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 112-106); to the Committee on House Administration and ordered to be printed.

5907. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery; Economic Data Collection; Correction [Docket No.: 110207103-2041-02] (RIN: 0648-BA80) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5908. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB070) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5909. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Annual Catch Limit Amendment for the South Atlantic [Docket No.: 100812345-2142-03] (RIN: 0648-AY73) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5910. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Interim Action [Docket No.: 120316196-2195-01] (RIN: 0648-BB89) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5911. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2012 and 2013 Harvest Specifications for Groundfish [Docket No.: 111207737-2141-02] (RIN: 0648-XA711) received April 16, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

5912. A letter from the Chief Privacy and Civil Liberties Officer, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPCLO Order No.: 009-2012] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5913. A letter from the Clerk, United States Court of Appeals for the First Circuit, transmitting the judicial opinion of the United States Court of Appeals for the First Circuit for Lawson v. FMR, et al., No. 10-2240; to the Committee on the Judiciary.

5914. A letter from the Secretary, Department of Transportation, transmitting the Department's 2012 annual report on recommendations made by the Intelligent Transportation Systems Program Advisory Committee; to the Committee on Transportation and Infrastructure.

5915. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Locomotive Safety Standards [Docket No.: FR-2009-0095; Notice No. 3] (RIN: 2130-AC16) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5916. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Memorandum of Understanding between the United States and the Government of the Republic of Bolivia concerning the imposition of import restrictions on archaeological material from the pre-Columbian cultures and certain ethnological material from the colonial and republican periods of Bolivia, pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

5917. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — National Forest System Land Management Planning (RIN: 0596–AD02) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Natural Resources and Agriculture.

5918. A letter from the Assistant Secretary, Department of Defense, transmitting an additional legislative proposal that the Department of Defense requests to be enacted during the second session of the 112th Congress; jointly to the Committees on Rules, Energy and Commerce, Transportation and Infrastructure, Armed Services, Foreign Affairs, Ways and Means, the Judiciary, Financial Services, Oversight and Government Reform, and Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Kentucky: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2013 (Rept. 112–465). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 2764. A bill to amend the Homeland Security Act of 2002 to establish weapons of mass destruction intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; with an amendment (Rept. 112–466). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 3140. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to prioritize the assignment of officers and analysts to certain State and urban area fusion centers to enhance the security of mass transit systems (Rept. 112–467). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 2179. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to United Service Organizations, Incorporated, and for other purposes; with an amendment (Rept. 112–468). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PASCRELL (for himself, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. DOGGETT, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 5542. A bill to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself and Mr. MCDERMOTT):

H.R. 5543. A bill to amend the Social Security Act to expand the authority of the Secretary of the Treasury to access the National Directory of New Hires for purposes of tax administration; to the Committee on Ways and Means.

By Mr. CRAVAACK:

H.R. 5544. A bill to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Mr. GARAMENDI, and Ms. WOOLSEY):

H.R. 5545. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. BACA:

H.R. 5546. A bill to amend the Elementary and Secondary Education Act of 1965 to provide States and high-need local educational agencies with flexibility in using Federal funds provided under such Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BENISHEK:

H.R. 5547. A bill to suspend temporarily the duty on 4-Acetyltoluene; to the Committee on Ways and Means.

By Mr. BENISHEK:

H.R. 5548. A bill to suspend temporarily the duty on 2,3-Dichloro-5,6-dicyano-1,4-benzoquinone; to the Committee on Ways and Means.

By Mr. BENISHEK:

H.R. 5549. A bill to suspend temporarily the duty on recombinant staphylococcal protein A (56kDa); to the Committee on Ways and Means.

By Mr. BILBRAY:

H.R. 5550. A bill to extend the temporary suspension of duty on liquid crystal display (LCD) panel assemblies; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5551. A bill to reduce temporarily the duty on golf club driver heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5552. A bill to suspend temporarily the duty on fairway wood heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5553. A bill to reduce temporarily the duty on golf club iron heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5554. A bill to reduce temporarily the duty on golf club putter heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5555. A bill to reduce temporarily the duty on golf wedge club heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5556. A bill to suspend temporarily the duty on hybrid golf club heads; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5557. A bill to reduce temporarily the rate of duty on certain girls' shorts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5558. A bill to reduce temporarily the rate of duty on certain girls' trousers and breeches; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5559. A bill to reduce temporarily the rate of duty on certain footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5560. A bill to suspend temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5561. A bill to suspend temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5562. A bill to reduce temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5563. A bill to reduce temporarily the rate of duty on certain boys' shirts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5564. A bill to suspend temporarily the rate of duty on certain footwear; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 5565. A bill to reduce temporarily the duty on mixtures containing Imidacloprid

and Cyfluthrin or its β-Cyfluthrin isomer; to the Committee on Ways and Means.

By Mrs. CHRISTENSEN (for herself, Mr. PIERLUISI, Ms. BORDALLO, Mr. SABLAN, and Mr. FALEOMAVAEGA):

H.R. 5566. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the territories; to the Committee on Energy and Commerce.

By Mrs. CHRISTENSEN:

H.R. 5567. A bill to designate the facility of the United States Postal Service located at 4605 Tutu Park Mall in St. Thomas, United States Virgin Islands, as the ''Kenneth Leslie Harmon Post Office''; to the Committee on Oversight and Government Reform.

By Mr. CLAY:

H.R. 5568. A bill to extend the temporary suspension of duty on p-cresidinesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5569. A bill to extend the temporary suspension of duty on N-ethyl-N-(3-sulfobenzyl)aniline (3-[(ethylphenylamino)methyl]-benzenesulfonic acid); to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5570. A bill to extend the temporary suspension of duty on synthetic indigo powder, (3H-indol-3-one, 2-(1,3-dihydro- 3-oxo-2H-indol-2-ylidene)-1,2-dihydro-); to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5571. A bill to extend the temporary suspension of duty on 2-methyl-5-nitrobenzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5572. A bill to extend the temporary suspension of duty on 2,4-disulfobenzaldehyde; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5573. A bill to extend the temporary suspension of duty on 2-amino-5-sulfobenzoic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5574. A bill to extend the temporary suspension of duty on 2,5-bis[(1,3-dioxobutyl)amino]benzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5575. A bill to extend the temporary suspension of duty on Direct Yellow 119; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5576. A bill to extend the temporary suspension of duty on 2-amino-6-niotrophenol-4-sulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5577. A bill to extend the temporary suspension of duty on 4-[(4-aminophenyl)azo]benzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5578. A bill to extend the temporary suspension of duty on Basic Yellow 40 chloride based; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5579. A bill to suspend temporarily the duty on Solvent Violet 13; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5580. A bill to suspend temporarily the duty on synthetic and natural beta carotenes; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5581. A bill to suspend temporarily the duty on chlorophyllin; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5582. A bill to suspend temporarily the duty on Basic Red 51; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5583. A bill to suspend temporarily the duty on 2-Aminotoluene-5-sulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5584. A bill to suspend temporarily the duty on 2,6- Xylidine; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5585. A bill to suspend temporarily the duty on 4-Aminobenzoic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5586. A bill to suspend temporarily the duty on Solvent Violet 13; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5587. A bill to suspend temporarily the duty on Solvent Violet 11; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5588. A bill to suspend temporarily the duty on 2-Amino-3-cyano thiophene; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5589. A bill to suspend temporarily the duty on Disperse Yellow 241; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5590. A bill to suspend temporarily the duty on Disperse Blue 359; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 5591. A bill to modify and extend the temporary reduction of duty on β-cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 5592. A bill to suspend temporarily the duty on mixtures containing β-cyfluthrin; to the Committee on Ways and Means.

By Mr. CONYERS:

H.R. 5593. A bill to provide a remedy for survivors and descendants of the victims of the Tulsa, Oklahoma Race Riot of 1921; to the Committee on the Judiciary.

By Mr. ELLISON:

H.R. 5594. A bill to suspend temporarily the duty on plastic mesh for filters; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5595. A bill to suspend temporarily the duty on plastic mesh for filters (high flow); to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5596. A bill to extend the temporary suspension of duty on Perfluorobutanesulfonyl fluoride; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5597. A bill to extend the temporary suspension of duty on C1-3 Perfluoroalkyl perfluoromorpholine; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5598. A bill to extend the temporary suspension of duty on mixtures of C5-18 perfluorocarbon alkanes, perfluorocarbon amines, and/or perfluorocarbon ethers; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5599. A bill to extend the temporary suspension of duty on C5-8 Perfluorocarbonalkanes; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5600. A bill to suspend temporarily the rate of duty on Encapsulated Ascorbic Acid; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5601. A bill to suspend temporarily the rate of duty on Encapsulated Potassium Persulfate; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5602. A bill to suspend temporarily the rate of duty on Bisphenol A Bis(3-methacryloyloxypropyl)ether substituted dimethacylate; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5603. A bill to suspend temporarily the rate of duty on Copoly(acrylic acid/itaconic acid); to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5604. A bill to suspend temporarily the rate of duty on certain polycrystalline fibers designed for use in pollution control devices for motor vehicles; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5605. A bill to suspend temporarily the rate of duty on certain catalytic converter mounting and thermal insulation mats; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5606. A bill to suspend temporarily the rate of duty on certain children's wallets; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5607. A bill to suspend temporarily the rate of duty on certain bamboo baskets; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5608. A bill to suspend temporarily the rate of duty on certain bamboo kitchen devices; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5609. A bill to suspend temporarily the duty on certain electric wine bottle openers; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5610. A bill to suspend temporarily the duty on certain coupon holders; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5611. A bill to suspend temporarily the duty on certain swimming pools; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5612. A bill to extend the temporary suspension of duty on certain plastic fittings of perfluoroalkoxy; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5613. A bill to suspend temporarily the duty on cellular plastic sheets for nano-retention filters; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5614. A bill to suspend temporarily the duty on cellular plastic sheets for micron-retention filters; to the Committee on Ways and Means.

By Mr. HIMES (for himself and Mr. MURPHY of Connecticut):

H.R. 5615. A bill to amend title 4 of the United States Code to limit the extent to which States may tax the compensation earned by nonresident telecommuters; to the Committee on the Judiciary.

By Ms. JENKINS:

H.R. 5616. A bill to extend the temporary suspension of duty on certain turn or turned footwear with outer soles of leather and uppers of leather; to the Committee on Ways and Means.

By Ms. JENKINS:

H.R. 5617. A bill to extend the temporary reduction of duty on certain footwear with uppers of vegetable fibers; to the Committee on Ways and Means.

By Ms. JENKINS:

H.R. 5618. A bill to extend the temporary suspension of duty on certain work footwear for women; to the Committee on Ways and Means.

By Ms. JENKINS:
H.R. 5619. A bill to extend the temporary reduction of duty on certain footwear with uppers of vegetable fibers; to the Committee on Ways and Means.
By Mr. KIND:
H.R. 5620. A bill to authorize the Secretary of Defense to provide funding assistance to State training centers certified by the Federal Emergency Management Agency as capable of providing emergency response training; to the Committee on Armed Services.
By Mr. LATHAM:
H.R. 5621. A bill to suspend temporarily the duty on Fosamine; to the Committee on Ways and Means.
By Mr. LATHAM:
H.R. 5622. A bill to suspend temporarily the duty on Captan; to the Committee on Ways and Means.
By Mr. LATHAM:
H.R. 5623. A bill to suspend temporarily the duty on parts of gearing, gear boxes, and other speed changers; to the Committee on Ways and Means.
By Mrs. MCMORRIS RODGERS:
H.R. 5624. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, to amend title III of the Public Health Service Act to extend discounts under the 340B program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
By Mr. MURPHY of Connecticut:
H.R. 5625. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Commerce.
By Mr. MURPHY of Connecticut:
H.R. 5626. A bill to authorize the Secretary of the Interior to make grants to facilitate certain acquisitions of property for conservation purposes, and for other purposes; to the Committee on Natural Resources.
By Mr. PAUL:
H.R. 5627. A bill to extend the temporary suspension of duty on lutetium oxide; to the Committee on Ways and Means.
By Mr. PAUL:
H.R. 5628. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and europium oxide; to the Committee on Ways and Means.
By Mr. PAUL:
H.R. 5629. A bill to extend the temporary suspension of duty on cerium sulfide pigments; to the Committee on Ways and Means.
By Mr. PAULSEN (for himself, Mr. MCDERMOTT, Mr. BOUSTANY, and Mr. LEWIS of Georgia):
H.R. 5630. A bill to amend the Internal Revenue Code of 1986 to provide an increased penalty in certain cases of fraudulent understatement of a taxpayer's liability by a tax return preparer; to the Committee on Ways and Means.
By Mr. POLIS:
H.R. 5631. A bill to suspend temporarily the duty on certain rolling travel bags with a removable backpack or daypack; to the Committee on Ways and Means.
By Mr. POLIS:
H.R. 5632. A bill to suspend temporarily the duty on certain rolling travel bags without a removable backpack or daypack; to the Committee on Ways and Means.
By Mr. POLIS:
H.R. 5633. A bill to suspend temporarily the duty on certain rolling backpacks with a removable backpack or daypack; to the Committee on Ways and Means.
By Mr. POLIS:
H.R. 5634. A bill to suspend temporarily the duty on certain rolling backpacks without a removable backpack or daypack; to the Committee on Ways and Means.
By Mr. POLIS:
H.R. 5635. A bill to suspend temporarily the duty on certain rolling duffel bags with a removable backpack or daypack; to the Committee on Ways and Means.
By Mr. POLIS:
H.R. 5636. A bill to suspend temporarily the duty on certain rolling duffel bags without a removable backpack or daypack; to the Committee on Ways and Means.
By Mr. TOWNS:
H.R. 5637. A bill to extend the temporary suspension of duty on certain golf bags; to the Committee on Ways and Means.
By Ms. VELÁZQUEZ:
H.R. 5638. A bill to direct the Secretary concerned to develop and implement policies and procedures to prevent and respond to hazing in the Armed Forces, and for other purposes; to the Committee on Armed Services.
By Mr. GOSAR:
H.R. 5639. A bill to reduce temporarily the duty on Hexythiazox Technical; to the Committee on Ways and Means.
By Mr. GOSAR:
H.R. 5640. A bill to extend the temporary suspension of duty on Pyridaben Technical; to the Committee on Ways and Means.
By Mr. GOSAR:
H.R. 5641. A bill to suspend temporarily the duty on Eptam Technical; to the Committee on Ways and Means.
By Mr. GOSAR:
H.R. 5642. A bill to suspend temporarily the duty on mixtures containing Fenazaquin; to the Committee on Ways and Means.
By Mr. GOSAR:
H.R. 5643. A bill to suspend temporarily the duty on Imidan Technical; to the Committee on Ways and Means.
By Mr. GOSAR:
H.R. 5644. A bill to suspend temporarily the duty on Zoxamide; to the Committee on Ways and Means.
By Mr. GOSAR:
H.R. 5645. A bill to suspend temporarily the duty on mixtures containing Azadirachtin A; to the Committee on Ways and Means.
By Mr. HUIZENGA of Michigan (for himself, Mrs. HARTZLER, Mrs. ELLMERS, Mr. BOREN, and Mrs. ROBY):
H.R. 5646. A bill to prohibit funds appropriated for the Department of Homeland Security from being used to pay for an abortion, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
By Mr. NADLER (for himself, Mrs. MALONEY, Ms. SPEIER, Mrs. DAVIS of California, Ms. FUDGE, Mr. GEORGE MILLER of California, Mr. HIGGINS, Mr. RANGEL, Mr. JACKSON of Illinois, Mr. GRIJALVA, Mr. ROTHMAN of New Jersey, Ms. LEE of California, Mr. MCDERMOTT, Mrs. CAPPS, Ms. DELAURO, Ms. NORTON, Mr. ENGEL, Ms. SCHAKOWSKY, Ms. HAHN, Mr. CONYERS, Mrs. LOWEY, Mrs. CHRISTENSEN, Ms. MOORE, Mr. FARR, Ms. CHU, Ms. RICHARDSON, Ms. MCCOLLUM, Mr. CROWLEY, Mr. PASCRELL, Mr. HINCHEY, Ms. BROWN of Florida, Mr. MORAN, Mr. ACKERMAN, Mr. BOSWELL, Mr. OLVER, Mr. BRADY of Pennsylvania, Mr. CLARKE of Michigan, Ms. WOOLSEY, Mr. LEWIS of Georgia, Ms. LINDA T. SÁNCHEZ of California, Mr. HONDA, Mr. TOWNS, Mr. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. BERMAN, Ms. WATERS, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. MARKEY, Ms. MATSUI, Ms. TSONGAS, Ms. CLARKE of New York, Mr. HINOJOSA, Mr. CARNAHAN, Mr. SHERMAN, Ms. DEGETTE, Ms. SUTTON, Mr. LANGEVIN, Mr. BACA, Ms. PINGREE of Maine, Mr. SERRANO, Mr. ELLISON, Mr. KUCINICH, Ms. ESHOO, Mr. LARSEN of Washington, and Ms. SLAUGHTER):
H.R. 5647. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
By Mr. OWENS (for himself and Mr. HARPER):
H.R. 5648. A bill to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting; to the Committee on Energy and Commerce.
By Mr. SCHILLING (for himself, Mr. OWENS, and Mr. MCINTYRE):
H.R. 5649. A bill to amend the Commodity Exchange Act to clarify the exemptions for captive finance companies from the definition of major swap participant and from the swap clearing requirement; to the Committee on Agriculture.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

[Omitted from the Record of May 7, 2012]

Ms. BONAMICI:
H.R. 5330.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.

[Submitted May 8, 2012]

By Mr. PASCRELL:
H.R. 5542.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.
By Mr. LEWIS of Georgia:
H.R. 5543.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defense and general Welfare of the United States.''

By Mr. CRAVAACK:
H.R. 5544.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.
By Mr. THOMPSON of California:
H.R. 5545.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. BACA:
H.R. 5546.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
By Mr. BENISHEK:
H.R. 5547.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1.
The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,
By Mr. BENISHEK:
H.R. 5548.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1.
The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,
By Mr. BENISHEK:
H.R. 5549.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1.
The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,
By Mr. BILBRAY:
H.R. 5550.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power ''To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. BILBRAY:
H.R. 5551.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power ''To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. BILBRAY:
H.R. 5552.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power ''To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. BILBRAY:
H.R. 5553.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power ''To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. BILBRAY:
H.R. 5554.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power ''To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. BILBRAY:
H.R. 5555.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power ''To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. BILBRAY:
H.R. 5556.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power ''To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. BLUMENAUER:
H.R. 5557.
Congress has the power to enact this legislation pursuant to the following:
US Constitution, Article I, Section 8.
By Mr. BLUMENAUER:
H.R. 5558.
Congress has the power to enact this legislation pursuant to the following:
US Constitution, Article I, Section 8.
By Mr. BLUMENAUER:
H.R. 5559.
Congress has the power to enact this legislation pursuant to the following:
US Constitution, Article I, Section 8.
By Mr. BLUMENAUER:
H.R. 5560.
Congress has the power to enact this legislation pursuant to the following:
US Constitution, Article I, Section 8.
By Mr. BLUMENAUER:
H.R. 5561.
Congress has the power to enact this legislation pursuant to the following:
US Constitution, Article I, Section 8.
By Mr. BLUMENAUER:
H.R. 5562.
Congress has the power to enact this legislation pursuant to the following:
US Constitution, Article I, Section 8.
By Mr. BLUMENAUER:
H.R. 5563.
Congress has the power to enact this legislation pursuant to the following:
US Constitution, Article I, Section 8.
By Mr. BLUMENAUER:
H.R. 5564.
Congress has the power to enact this legislation pursuant to the following:
US Constitution, Article I, Section 8.
By Mrs. CAPITO:
H.R. 5565.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)
Article I, Section 8, Clause 18 (necessary and proper clause)
By Mrs. CHRISTENSEN:
H.R. 5566.
Congress has the power to enact this legislation pursuant to the following:
Article 1 of the U.S. Constitution that grants Congress the authority to tax and spend for the general welfare.
By Mrs. CHRISTENSEN:
H.R. 5567.
Congress has the power to enact this legislation pursuant to the following:
''Article I, Section 8, Clause 7 of the Constitution, which provides: The Congress shall have Power To establish Post Offices and post Roads.''
By Mr. CLAY:
H.R. 5568.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. CLAY:
H.R. 5569.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. CLAY:
H.R. 5570.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. CLAY:
H.R. 5571.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. CLAY:
H.R. 5572.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. CLAY:
H.R. 5573.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. CLAY:
H.R. 5574.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. CLAY:
H.R. 5575.
Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5576.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5577.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5578.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5579.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5580.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5581.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5582.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5583.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5584.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5585.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5586.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5587.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5588.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5589.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5590.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLEAVER:

H.R. 5591.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 5592.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CONYERS:

H.R. 5593.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Section 5 of the Fourteenth Amendment to the United States Constitution, Congress shall have the power to enact appropriate laws protecting the civil rights of all Americans.

By Mr. ELLISON:

H.R. 5594.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5595.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5596.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5597.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5598.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5599.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5600.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5601.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5602.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5603.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5604.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5605.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5606.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5607.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5608.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5609.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5610.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5611.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. ELLISON:

H.R. 5612.

Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1
Article 1, Section 8, Clause 3
By Mr. ELLISON:
H.R. 5613.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1
Article 1, Section 8, Clause 3
By Mr. ELLISON:
H.R. 5614.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1
Article 1, Section 8, Clause 3
By Mr. HIMES:
H.R. 5615.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . .''
By Ms. JENKINS:
H.R. 5616.
Congress has the power to enact this legislation pursuant to the following:
pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.
By Ms. JENKINS:
H.R. 5617.
Congress has the power to enact this legislation pursuant to the following:
Pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.
By Ms. JENKINS:
H.R. 5618.
Congress has the power to enact this legislation pursuant to the following:
pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.
By Ms. JENKINS:
H.R. 5619.
Congress has the power to enact this legislation pursuant to the following:
pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.
By Mr. KIND:
H.R. 5620.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress ''to provide for the common Defense'', ''to raise and support Armies'', ''to provide and maintain a Navy'' and ''to make Rules for the Government and Regulation of the land and naval Forces'' as enumerated in Article I, section 8 of the United States Constitution.
By Mr. LATHAM:
H.R. 5621.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,
By Mr. LATHAM:
H.R. 5622.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,
By Mr. LATHAM:
H.R. 5623.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,
By Mrs. McMORRIS RODGERS:
H.R. 5624.
Congress has the power to enact this legislation pursuant to the following:
The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, clause 3 to regulate Commerce among the several States.
By Mr. MURPHY of Connecticut:
H.R. 5625.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
By Mr. MURPHY of Connecticut:
H.R. 5626.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
By Mr. PAUL:
H.R. 5627.
Congress has the power to enact this legislation pursuant to the following:
Constitutional Justification: A Bill To extend the temporary suspension of duty on lutetium oxide.
Justification: This is authorized by Article I, Section 8 of the US Constitution.
By Mr. PAUL:
H.R. 5628.
Congress has the power to enact this legislation pursuant to the following:
Constitutional Justification: A Bill To extend the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and europium oxide.
Justification: This is authorized by Article I, Section 8 of the US Constitution.
By Mr. PAUL:
H.R. 5629.
Congress has the power to enact this legislation pursuant to the following:
Constitutional Justification: A Bill To extend the temporary suspension of duty on cerium sulfide pigments.
Justification: This is authorized by Article I, Section 8 of the US Constitution.
By Mr. PAULSEN:
H.R. 5630.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8.
By Mr. POLIS:
H.R. 5631.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. POLIS:
H.R. 5632.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. POLIS:
H.R. 5633.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. POLIS:
H.R. 5634.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. POLIS:
H.R. 5635.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. POLIS:
H.R. 5636.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. TOWNS:
H.R. 5637.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted under the constitutional authority of Article I, Section 8, Clause 1.
By Ms. VELÁZQUEZ:
H.R. 5638.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 14
To make Rules for the Government and Regulation of the land and naval Forces.
By Mr. GOSAR:
H.R. 5639.
Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.
By Mr. GOSAR:
H.R. 5640.
Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.
By Mr. GOSAR:
H.R. 5641.
Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.
By Mr. GOSAR:
H.R. 5642.
Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.
By Mr. GOSAR:
H.R. 5643.
Congress has the power to enact this legislation pursuant to the following:
This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to regulate Commerce with foreign nations.
By Mr. GOSAR:
H.R. 5644.
Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.

By Mr. GOSAR:

H.R. 5645.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to ''Lay and collect Taxes, Duties, Imposts and Excises''; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to ''regulate Commerce with foreign nations.

By Mr. HUIZENGA of Michigan:

H.R. 5646.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under the Spending Clause in Article I, Section 8, Clause 1 of the Constitution.

By Mr. NADLER:

H.R. 5647.

Congress has the power to enact this legislation pursuant to the following:

clauses 3 and 18 of section 8 of Article I of the Constitution and section 5 of Amendment XIV to the Constitution.

By Mr. OWENS:

H.R. 5648.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SCHILLING:

H.R. 5649.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 157: Mrs. BLACK, Mr. BONNER, and Mr. CONAWAY.

H.R. 265: Mr. THOMPSON of Mississippi.

H.R. 300: Mr. CLEAVER, Mr. CONNOLLY of Virginia, and Mr. GUTIERREZ.

H.R. 469: Mr. DOYLE.

H.R. 555: Ms. WATERS.

H.R. 610: Mr. ROSKAM.

H.R. 719: Mr. TERRY.

H.R. 808: Mr. RANGEL.

H.R. 860: Mrs. NOEM, Ms. GRANGER, and Mr. HEINRICH.

H.R. 905: Mr. FLORES.

H.R. 930: Mr. OLVER, Mr. BACA, Mr. RANGEL, Mr. MCGOVERN, Mr. BRALEY of Iowa, and Mr. LARSEN of Washington.

H.R. 931: Mr. LANDRY and Mr. BACHUS.

H.R. 972: Mr. WESTMORELAND.

H.R. 1167: Mr. PENCE.

H.R. 1195: Mr. FARENTHOLD.

H.R. 1219: Ms. PINGREE of Maine, Mr. SCHILLING, Mr. MILLER of Florida, and Mr. FARENTHOLD.

H.R. 1236: Mr. CROWLEY.

H.R. 1265: Mr. RICHMOND and Mr. WOMACK.

H.R. 1310: Mr. JOHNSON of Ohio.

H.R. 1327: Mr. KINGSTON, Mr. HANNA, Mr. GUTHRIE, Mr. CLARKE of Michigan, and Mr. HECK.

H.R. 1397: Mr. AL GREEN of Texas.

H.R. 1402: Mr. PRICE of North Carolina.

H.R. 1404: Ms. WATERS.

H.R. 1416: Mr. LANCE and Ms. BONAMICI.

H.R. 1426: Mr. COFFMAN of Colorado and Mr. DEFAZIO.

H.R. 1474: Mr. LUETKEMEYER and Mr. JOHNSON of Ohio.

H.R. 1509: Mr. COFFMAN of Colorado.

H.R. 1546: Mr. ROGERS of Kentucky.

H.R. 1620: Mr. YOUNG of Alaska.

H.R. 1639: Mr. PASTOR of Arizona, Mr. BURTON of Indiana, and Mr. SCHWEIKERT.

H.R. 1685: Ms. HAHN.

H.R. 1700: Mr. JOHNSON of Ohio.

H.R. 1704: Mr. HOLT, Mr. ROTHMAN of New Jersey, and Mr. WHITFIELD.

H.R. 1733: Mr. DEFAZIO.

H.R. 1755: Mr. JOHNSON of Ohio.

H.R. 1842: Ms. CLARKE of New York.

H.R. 1956: Mr. FARENTHOLD, Mr. OLSON, Mr. FINCHER, Mr. DUNCAN of Tennessee, Mr. BURGESS, Mr. ALEXANDER, and Mr. FITZPATRICK.

H.R. 2016: Mr. CICILLINE.

H.R. 2020: Mrs. DAVIS of California.

H.R. 2069: Mr. RENACCI.

H.R. 2077: Mr. JOHNSON of Ohio.

H.R. 2086: Mr. STIVERS.

H.R. 2104: Mr. BUCSHON, Mr. SHERMAN, Mr. MARKEY, and Mr. NEAL.

H.R. 2148: Mr. BENISHEK.

H.R. 2168: Mr. CONYERS.

H.R. 2182: Mrs. CHRISTENSEN.

H.R. 2194: Mr. TOWNS.

H.R. 2198: Mr. MCHENRY.

H.R. 2288: Mr. TIERNEY.

H.R. 2353: Mr. JOHNSON of Ohio.

H.R. 2457: Mr. RENACCI.

H.R. 2569: Mr. BUCSHON and Mr. GUTHRIE.

H.R. 2617: Ms. ROYBAL-ALLARD.

H.R. 2679: Ms. MATSUI.

H.R. 2697: Mr. JOHNSON of Ohio.

H.R. 2741: Mr. JOHNSON of Georgia.

H.R. 2787: Mr. HINOJOSA and Mr. DOYLE.

H.R. 2866: Mr. CHANDLER.

H.R. 2969: Mr. MARKEY, Ms. CHU, Mr. ACKERMAN, and Ms. HAHN.

H.R. 3000: Mr. SCOTT of South Carolina.

H.R. 3032: Mr. BRALEY of Iowa and Mr. SHUSTER.

H.R. 3059: Mr. HUIZENGA of Michigan.

H.R. 3066: Mr. STEARNS.

H.R. 3086: Mr. TONKO.

H.R. 3125: Mrs. CAPPS and Ms. BASS of California.

H.R. 3199: Mr. WESTMORELAND.

H.R. 3236: Mr. KISSELL and Mr. GIBSON.

H.R. 3252: Mr. GRIMM.

H.R. 3288: Mr. LARSEN of Washington.

H.R. 3324: Mr. CARNAHAN.

H.R. 3364: Ms. BALDWIN and Ms. ROYBAL-ALLARD.

H.R. 3367: Ms. SLAUGHTER.

H.R. 3395: Mr. PLATTS and Mr. BRADY of Pennsylvania.

H.R. 3418: Mr. MATHESON.

H.R. 3481: Mr. CRAWFORD.

H.R. 3487: Mr. TIPTON, Mr. PEARCE, Mr. MILLER of Florida, Mr. WALBERG, and Mrs. BONO MACK.

H.R. 3489: Mr. BARROW.

H.R. 3586: Mr. CRAVAACK.

H.R. 3591: Mr. RYAN of Ohio, Mr. HIGGINS, Mr. SCHRADER, and Mr. KING of New York.

H.R. 3596: Mr. WATT.

H.R. 3605: Mr. BERMAN and Mr. SHERMAN.

H.R. 3627: Mr. HANNA, Mr. GONZALEZ, Mr. RUPPERSBERGER, Mr. RUSH, and Mr. REHBERG.

H.R. 3634: Mr. JOHNSON of Ohio.

H.R. 3643: Mr. WALSH of Illinois.

H.R. 3665: Ms. WOOLSEY and Mr. MICHAUD.

H.R. 3670: Mr. STUTZMAN.

H.R. 3785: Mr. POSEY.

H.R. 3808: Mr. KING of New York.

H.R. 3828: Mrs. BLACK.

H.R. 3831: Mr. ROTHMAN of New Jersey.

H.R. 3848: Mr. GRAVES of Missouri, Mr. MULVANEY, and Mr. NUNNELEE.

H.R. 3849: Mr. KLINE.

H.R. 3863: Mr. COLE.

H.R. 3895: Mr. HANNA.

H.R. 3905: Ms. KAPTUR.

H.R. 3914: Mr. TONKO.

H.R. 4005: Mr. POE of Texas.

H.R. 4057: Ms. PINGREE of Maine, Mr. HIGGINS, Mr. CASSIDY, and Mr. LIPINSKI.

H.R. 4066: Mr. NEAL.

H.R. 4087: Mr. PRICE of North Carolina and Mr. MCGOVERN.

H.R. 4091: Mr. STIVERS.

H.R. 4093: Mr. SCHWEIKERT, Ms. JENKINS, and Mr. CONAWAY.

H.R. 4104: Mr. HANNA, Mr. RUNYAN, Mr. MCCARTHY of California, Mr. JOHNSON of Ohio, Ms. RICHARDSON, Mr. DREIER, Mr. COBLE, Mr. BERG, Mr. SAM JOHNSON of Texas, Mr. CAMP, Mr. GOWDY, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mr. BARTLETT, Mrs. BONO MACK, Mr. BONNER, Mr. CARTER, Mrs. BLACKBURN, Mr. GERLACH, Mr. BARLETTA, Ms. KAPTUR, Mrs. SCHMIDT, and Mr. CHABOT.

H.R. 4124: Mr. KING of New York.

H.R. 4125: Mr. YOUNG of Florida.

H.R. 4128: Mr. HURT.

H.R. 4132: Mr. DEUTCH, Mr. HASTINGS of Florida, and Mr. PLATTS.

H.R. 4133: Mr. KINZINGER of Illinois, Mr. ISSA, Mr. BRALEY of Iowa, Mr. GRIFFITH of Virginia, Ms. HOCHUL, Mr. HUNTER, Mr. PALAZZO, Mr. PITTS, Mrs. ROBY, Mr. ROYCE, Mr. JORDAN, Mr. JOHNSON of Ohio, Mr. VELÁZQUEZ, Mr. NEUGEBAUER, Mr. LATHAM, and Mr. CUMMINGS.

H.R. 4134: Mr. ALEXANDER.

H.R. 4155: Mr. BENISHEK.

H.R. 4156: Mr. CASSIDY, Mr. KING of New York, Mr. FILNER, Mr. MCGOVERN, Mr. MULVANEY, Mr. TONKO, Mr. COBLE, Mr. WELCH, and Mr. DOYLE.

H.R. 4157: Mr. MCCOTTER, Mr. DUFFY, Mr. COSTA, Mr. MARINO, and Mr. CONAWAY.

H.R. 4160: Mr. SCOTT of South Carolina.

H.R. 4165: Mr. GUTIERREZ, Mr. GERLACH, Mr. JOHNSON of Georgia, and Mr. NUNES.

H.R. 4169: Mr. JOHNSON of Georgia.

H.R. 4192: Mr. MILLER of North Carolina, Mr. MEEKS, Ms. MATSUI, and Mr. RICHMOND.

H.R. 4199: Ms. CHU.

H.R. 4201: Mr. FLORES, Mr. GARAMENDI, and Mrs. BLACK.

H.R. 4212: Mr. BONNER.

H.R. 4215: Mr. BRALEY of Iowa, Ms. SCHAKOWSKY, and Mr. HINOJOSA.

H.R. 4229: Mr. TONKO, Mr. CRITZ, Mr. CARNAHAN, Mr. DINGELL, Mr. ROSKAM, Mr. RUPPERSBERGER, and Mr. JOHNSON of Ohio.

H.R. 4256: Mr. GOODLATTE.

H.R. 4268: Mr. PAUL.

H.R. 4271: Mr. CARNAHAN, Mr. CLARKE of Michigan, Ms. CHU, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Mr. QUIGLEY and Mr. CARNEY.

H.R. 4273: Mr. LANKFORD, Mr. BARROW, Mr. WHITFIELD, and Mr. POMPEO.

H.R. 4278: Mr. DENHAM, Mr. PETERSON, Mr. LUETKEMEYER, and Mr. LATHAM.

H.R. 4290: Mr. FILNER and Mr. CICILLINE.

H.R. 4292: Mr. HIGGINS, Mr. LYNCH, and Mr. RAHALL.

H.R. 4296: Mr. MCGOVERN, Mr. WITTMAN, and Mr. LATHAM.

H.R. 4302: Ms. HAHN.

H.R. 4322: Mr. TERRY and Mr. LATTA.

H.R. 4350: Mr. ACKERMAN, Mr. HONDA, Mr. HINCHEY, Mr. CAPUANO, Mr. CONNOLLY of Virginia, and Mr. CARSON of Indiana.

H.R. 4377: Mr. AMODEI.

H.R. 4405: Mr. HERGER and Mr. SCHOCK.
H.R. 4454: Mr. LATTA and Mr. DESJARLAIS.
H.R. 4470: Mrs. DAVIS of California, Mr. SERRANO, Ms. HAHN, Ms. WOOLSEY, and Mr. FILNER.
H.R. 4471: Mr. OLSON.
H.R. 4607: Mr. GRIFFIN of Arkansas.
H.R. 4631: Mr. LOEBSACK, Mr. BURGESS, Mr. LANDRY, and Mr. LUETKEMEYER.
H.R. 4643: Mr. ROSKAM.
H.R. 4740: Mr. JONES.
H.R. 4970: Mr. TIPTON and Mr. TERRY.
H.R. 4972: Ms. BORDALLO, Mr. MORAN, Mr. GRIJALVA, and Ms. NORTON.
H.R. 4979: Ms. MOORE.
H.R. 4982: Mr. COLE.
H.R. 4983: Mr. BARLETTA.
H.R. 4984: Mr. BARLETTA.
H.R. 4985: Mr. BARLETTA.
H.R. 5050: Mr. TOWNS and Ms. PINGREE of Maine.
H.R. 5195: Mr. MCGOVERN, Mr. REYES, Mrs. MALONEY, Ms. RICHARDSON, Mr. CONNOLLY of Virginia, and Mr. COSTELLO.
H.R. 5284: Mr. BRALEY of Iowa.
H.R. 5303: Mr. SIRES, Mr. JOHNSON of Ohio, Mr. ISRAEL, and Mr. HIGGINS.
H.R. 5321: Mrs. BLACKBURN.
H.R. 5331: Mrs. NAPOLITANO.
H.R. 5512: Mr. CARNAHAN.
H. J. Res. 90: Mr. BISHOP of Georgia and Ms. WOOLSEY.
H. Con. Res. 87: Mr. CRAVAACK.
H. Con. Res. 122: Mr. PITTS and Mr. BURTON of Indiana.
H. Res. 220: Ms. RICHARDSON.
H. Res. 298: Mr. GONZALEZ, Ms. NORTON, Ms. WASSERMAN SCHULTZ, and Mr. BARROW.
H. Res. 490: Mr. ROONEY and Mr. SCHOCK.
H. Res. 568: Mr. BRADY of Pennsylvania, Mr. HASTINGS of Washington, Mr. PETRI, Mr. QUAYLE, Ms. VELÁZQUEZ, Mr. GRIFFITH of Virginia, and Mr. HUNTER.
H. Res. 589: Mr. HOLT.
H. Res. 606: Mr. ROE of Tennessee.
H. Res. 609: Mr. HIMES, Ms. SCHAKOWSKY, and Mr. WOLF.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5326

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 14: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enforce section 221(a) of title 13, United States Code, with respect to the American Community Survey.

H.R. 5326

OFFERED BY: MRS. BLACK

AMENDMENT NO. 15: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Attorney General to participate in any lawsuit that seeks to overturn, enjoin, or in any other way invalidate—

(1) Oklahoma Taxpayer and Citizen Protection Act of 2007 (HB 1804), which became effective on November 1, 2007;

(2) Missouri House Bill 390, First Regular Session 2009, 9th General Assembly, which became effective on August 28, 2009;

(3) the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), which was signed into law in Arizona on April 23, 2010;

(4) The Illegal Immigration Enforcement Act (HB 497), which was signed into law in Utah on March 15, 2011;

(5) Indiana Senate Enrolled Act No. 590, First Regular Session, 117th General Assembly (2011), which was signed into law on May 10, 2011;

(6) the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (HB 56), which was passed by the Alabama State legislature on June 9, 2011;

(7) South Carolina Act No. 69 (SB 20), which was signed into law on June 27, 2011;

(8) the Illegal Immigration Reform and Enforcement Act of 2011 (HB 87), which became effective in the State of Georgia on July 1, 2011; or

(9) an Act to amend the Indiana Code concerning education (HB 1402), which became effective in the State of Indiana on July 1, 2011.

H.R. 5326

OFFERED BY: MR. GOWDY

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enforce section 221(a) of title 13, United States Code, with respect to the American Community Survey.

H.R. 5326

OFFERED BY: MS. CLARKE OF NEW YORK

AMENDMENT NO. 17: Page 6, line 18, after the dollar amount, insert ''(increased by $5,311,000)''.

Page 11, line 11, after the dollar amount, insert ''(reduced by $5,311,000)''.

H.R. 5326

OFFERED BY: MR. WALSH OF ILLINOIS

AMENDMENT NO. 18: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading ''Department of Justice—State and Local Law Enforcement Activities—Office of Justice Programs—State and Local Law Enforcement Assistance'' may be made available to any State or local government that violates section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373).

H.R. 5326

OFFERED BY: MR. PETERS

AMENDMENT NO. 19: Page 3, line 10, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 65, line 1, after the dollar amount, insert ''(reduced by $17,000,000)''.

Page 76, line 16, after the first dollar amount, insert ''(increased by $1,790,000)''.

H.R. 5326

OFFERED BY: MR. GRIMM

AMENDMENT NO. 20: Page 42, line 3, after the dollar amount, insert ''(increased by $18,000,000)''.

Page 42, line 12, after the dollar amount, insert ''(increased by $18,000,000)''.

Page 13, line 2, after the dollar amount, insert ''(reduced by $18,000,000)''.

Page 13, line 14, after the dollar amount, insert ''(reduced by $18,000,000)''.

Page 13, line 15, after the dollar amount, insert ''(reduced by $18,000,000)''.

H.R. 5326

OFFERED BY: MR. CICILLINE

AMENDMENT NO. 21: Page 5, line 17, strike ''grants'' and insert ''grants, including grants authorized under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722)''.

H.R. 5326

OFFERED BY: MS. HANABUSA

AMENDMENT NO. 22: Page 13, line 2, after the dollar amount insert ''(increased by $1,600,000)''.

Page 32, line 4, after the dollar amount insert ''(reduced by $1,900,000)''.

H.R. 5326

OFFERED BY: MRS. BLACK

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Attorney General to originate or join in any lawsuit that seeks to overturn, enjoin, or invalidate—

(1) Oklahoma Taxpayer and Citizen Protection Act of 2007 (HB 1804), which became effective on November 1, 2007;

(2) Missouri House Bill 390, First Regular Session 2009, 9th General Assembly, which became effective on August 28, 2009;

(3) the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), which was signed into law in Arizona on April 23, 2010;

(4) The Illegal Immigration Enforcement Act (HB 497), which was signed into law in Utah on March 15, 2011;

(5) Indiana Senate Enrolled Act No. 590, First Regular Session, 117th General Assembly (2011), which was signed into law on May 10, 2011;

(6) the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (HB 56), which was passed by the Alabama State legislature on June 9, 2011;

(7) South Carolina Act No. 69 (SB 20), which was signed into law on June 27, 2011;

(8) the Illegal Immigration Reform and Enforcement Act of 2011 (HB 87), which became effective in the State of Georgia on July 1, 2011; or

(9) an Act to amend the Indiana Code concerning education (HB 1402), which became effective in the State of Indiana on July 1, 2011.

H.R. 5326

OFFERED BY: MR. HUELSKAMP

AMENDMENT NO. 24: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available under this Act, may be used in contravention of the Defense of Marriage Act (Public Law 104–199).

H.R. 5326

OFFERED BY: MR. HUELSKAMP

AMENDMENT NO. 25: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available under this Act, may be used to oppose in court any provision of Public Law 104–199.

H.R. 5326

OFFERED BY: MR. DENHAM

AMENDMENT NO. 26: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement section 10011(b) of Public Law 111–11.

H.R. 5326

OFFERED BY: MR. DENHAM

AMENDMENT NO. 27: At the end of the bill (before the spending reduction account) insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 541. None of the funds made available by this Act may be used to provide services from or for the Executive Office for United States Attorneys (including the offices of United States attorneys), the United States Marshals Service, or employees of the Department of Justice, to carry out activities located at a newly constructed Federal courthouse located on a site between Broadway, Hill, First, and Second Streets in Los Angeles, California.

H.R. 5326

OFFERED BY: MR. ENGEL

AMENDMENT NO. 28: At the end of the bill (before the short title), insert the following:

SEC. 542. None of the funds made available by this Act may be used to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

H.R. 5326

OFFERED BY: MR. JOHNSON OF GEORGIA

AMENDMENT NO. 29: Page 65, line 1, insert ''(reduced by $26,000,000)'' after the dollar amount.

Page 73, line 17, insert ''(increased by $7,143,000)'' after the dollar amount.

H.R. 5326

OFFERED BY: MR. JONES

AMENDMENT NO. 30: Page 101, after line 10, insert the following new section:

SEC. 542. None of the funds made available by this Act may be used by the National Oceanic and Atmospheric Administration for magicians or comedians.

H.R. 5326

OFFERED BY: MR. JONES

AMENDMENT NO. 31: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to develop or approve a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

H.R. 5326

OFFERED BY: MR. GARDNER

AMENDMENT NO. 32: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

H.R. 5326

OFFERED BY: MR. GARDNER

AMENDMENT NO. 33: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to deduct from the pay of Federal employees amounts for the payment of dues for a labor organization.

H.R. 5326

OFFERED BY: MR. HUIZENGA OF MICHIGAN

AMENDMENT NO. 34: Strike section 212.

H.R. 5326

OFFERED BY: MR. AUSTIN SCOTT OF GEORGIA

AMENDMENT NO. 35: Page 74, lines 13 through 19, after each dollar amount, insert ''(reduced to $0)''.

Page 101, line 10, after the dollar amount, insert ''(increased by $328,000,000)''.

H.R. 5326

OFFERED BY: MR. CHAFFETZ

AMENDMENT NO. 36: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for the purpose of implementing section 36.302(c)(9) of title 28, Code of Federal Regulations.

H.R. 5326

OFFERED BY: MR. DUNCAN OF SOUTH CAROLINA

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Justice or any other Federal agency to litigate the case *United States of America* v. *The State of South Carolina and Nikki R. Haley* (Civil Action No. 2:11-cv-02958-RMG), regarding Act No. 69, as enacted by the State of South Carolina on June 27, 2011.

H.R. 5326

OFFERED BY: MR. DUNCAN OF SOUTH CAROLINA

AMENDMENT NO. 38: At the end of the bill (and before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used to litigate against any of the several States on behalf of the National Labor Relations Board pertaining to secret ballot union elections.

H.R. 5326

OFFERED BY: MR. SOUTHERLAND

AMENDMENT NO. 39: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to develop, approve, or implement a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) that are not already developed, approved, or implemented for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

H.R. 5326

OFFERED BY: MR. SCALISE

AMENDMENT NO. 40: At the end of the bill (before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used to implement, administer, or enforce the Equal Employment Opportunity Commission (EEOC) Enforcement Guidance Number 915.002 concerning ''Consideration of arrest and conviction records in employment decisions''.

H.R. 5326

OFFERED BY: MS. WILSON OF FLORIDA

AMENDMENT NO. 41: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by title II of this Act shall be available to any State that has in effect laws or policies that provide immunity from criminal prosecution or civil action, rather than making a defense available, to an individual who was a participant in an event involving the use of lethal force.

H.R. 5326

OFFERED BY: MR. LANKFORD

AMENDMENT NO. 42: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to administer the survey, conducted by the Secretary of Commerce, commonly referred to as the ''American Community Survey''.

H.R. 5326

OFFERED BY: MR. SCHWEIKERT

AMENDMENT NO. 43: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Department of Justice to bring any action against any State for implemention of [a State law requiring voter identification].

H.R. 5326

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 44: At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided by this Act for the Department of Justice are revised by reducing the amount made available for ''Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses'', and increasing the amount made available for ''Office of Justice Programs—State and Local Law Enforcement Assistance'' (and the amount specified under such heading for DNA-related and forensic program activities and, within such specified amount, the amount further specified for section 2 of the DNA Analysis Backlog Elimination Act of 2000), by $34,000,000.

H.R. 5326

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 45: At the end of the bill, before the short title, insert the following:

Section ____, Expressing the Sense of Congress that the Department of Justice Division of Civil Rights requires the appropriate funding to ensure that it can continue to serve its purpose especially at a time when there have been increases in the need for the Division to investigate, litigate and provided outreach to those whose civil rights have been violated.

Whereas, the Division of Civil Rights was created to enforce the Civil Rights Act.

Whereas, the Civil Rights Division is a vital resource to protect our civil rights. They investigate and litigate discrimination in lending and foreclosures.

Whereas, the need for strong federal enforcement has increased in recent years with the disproportionate targeting of minorities for subprime mortgages and other discriminatory practices.

Whereas, the Civil Rights Division enforces voting rights which is one of the most important areas of Civil Rights Division's responsibilities.

Whereas, The Civil Rights Division review the thousands of submissions made each year by state and local jurisdictions seeking administrative preclearance for election-related changes as required by the Voting Rights Act.

Whereas, The Civil Rights Division has a duty to representing the Attorney General in these types of lawsuits, and to enforce the federal voting rights statutes that are aimed at guaranteeing American voters the opportunity to participate equally in fair and open elections free from discrimination.

Resolved, That it is the Sense of Congress that the Department of Justice, General Legal Services, under which the Division of Civil Liberties is funded should be funded at FY 10 levels.

H.R. 5326

OFFERED BY: MR. WEBSTER

AMENDMENT NO. 46: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to conduct the survey, conducted by the Secretary of Commerce, commonly referred to as the ''American Community Survey''.

EXTENSIONS OF REMARKS

REVEREND PATRICK J. GENELLO

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise today with a heavy heart as people in my hometown of Hazleton, Pennsylvania, mourn the loss of a beloved spiritual leader, the Rev. Patrick J. Genello.

Father Pat, as he was known to the parishioners of Holy Rosary Parish, passed away unexpectedly, leaving a hole in the hearts of those who worshipped inside his church for the past 17 years.

A son of the late Joseph and Arline Piazza Genello, Father Pat was born in Scranton on May 15, 1957. He received his early education at William Prescott School and graduated from Scranton Central High School. In 1975, Father Pat attended St. Pius X Seminary, and graduated from the University of Scranton in 1979 with a Bachelor of Arts degree in theology and philosophy. He completed his studies for the priesthood at St. John's Seminary in Brighton, Massachusetts, where he received a Master of Divinity degree in May 1983. He served his diaconate ministry at St. John the Evangelist Parish, Honesdale, from May 14, 1983, until his ordination. His Eminence, the late John Cardinal O'Connor, D.D. and Ph.D., who at the time was bishop of Scranton, ordained Father Pat into the priesthood on November 5, 1983, in St. Peter's Cathedral, Scranton.

After his ordination, Father Pat received a degree in counseling from Marywood University.

Father Pat first served as assistant pastor of Most Precious Blood Parish, Hazleton; then at St. Lucy's Parish, Scranton. He was appointed director of religious formation at Bishop Hannan High School, Scranton, on September 5, 1989. Father Pat was appointed pastor of Holy Rosary Parish in Hazleton on June 30, 1995, and that is where he remained until his death.

In addition to his parochial duties, Father Pat was a dedicated student of Holy Scripture. He accompanied the late Rev. Robert J. Barone, S.T.D., and served as the videographer on many trips to the Holy Land and Middle East. He and Father Barone, with the help of the Diocese of Scranton's Catholic Television, produced the very popular ''The World of Saint Paul'' television series.

Father Pat played a substantial role in the Greater Hazleton community. He hosted dinners for the United Way at Thanksgiving and at Christmas in the parish hall. He served as chaplain for the Hazleton Fire Department. He was the driving force in establishing a September 11, 2001, memorial on the parish grounds, and he conducted an annual service marking the event.

As an avid New York Yankees fan, Father Pat would often conduct a post-game analysis of the game with his parishioners and friends. An accomplished musician specializing in the guitar, he loved music of all kinds.

Father Pat remained close with members of his family, especially his niece, Maria, and nephew, Michael.

Mr. Speaker, today, the Rev. Patrick J. Genello's entire family—both his biological family and his spiritual family—is shocked by his sudden passing. The Greater Hazleton area will miss his pastoral leadership, his religious knowledge, and his community spirit.

HONORING RANDY SATER FOR HIS EXCEPTIONAL POLICE CAREER

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. ROSKAM. Mr. Speaker, I am pleased to rise today to congratulate Deputy Police Chief for the Village of Bloomingdale, Randy Sater, on his exceptional career.

Randy began his career of service and commitment to the Village of Bloomingdale in 1982. During his time of service, Randy has led in many different capacities. He served early on as a Detective and was later promoted to Sergeant. After nearly four years as Sergeant, Randy was assigned as Watch Commander. Most recently, he was promoted to Deputy Chief of Operations. Through his commitment to a wide array of leadership posts, Randy has demonstrated great integrity.

From his start in the police force, Randy has been an active member of the community and has taken important leadership roles. Since 1994, Randy has served as Neighborhood Watch Coordinator. He has also worked with the youth in the community through the Character Counts Coalition. Since its inception in 1998, Randy has served on the Board of Directors of the Coalition and as Chair of the Coalition for a number of those years. The Character Counts Coalition works to uphold six pillars of character: trustworthiness, respect, responsibility, fairness, caring, and citizenship. Without a doubt, Randy has carried out these six pillars of character in his own life. Valuing the safety and well-being of those in his community, he has also taken leadership as a B.A.S.S.E.T. (Beverage Alcohol Sellers and Servers Training) instructor since 2005. It is evident that Randy's involvements and reach has positively impacted the lives of many.

Mr. Speaker and Distinguished Colleagues, please join me in recognizing Deputy Chief Randy Sater on his successful career.

IN HONOR OF PRESIDENT MA YING-JEOU

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. ENGEL. Mr. Speaker, I would like to congratulate Taiwanese President Ma Ying-jeou on his reelection, and on his second inauguration, which takes place on May 20, 2012. This is a great achievement for President Ma, and for Taiwan—a country that held only its fifth direct Presidential election since it began doing so in 1996.

I take pride in the fact that Taiwan, an ally of the United States, is serving as a beacon for democracy in Southeast Asia. Through his term, President Ma has maintained strong ties with countries in the region, including a constructive relationship with China, and has continued the democratic traditions which have allowed Taiwan to prosper. I call on my colleagues to join me in congratulating President Ma, and wishing him the best of luck as he undertakes four more years as the leader of Taiwan.

TRIBUTE TO JAMES GIBSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a good friend, who is being honored on May 12, 2012 by his church Rock Hill Baptist Church for his lifetime of service to the community. Mr. James Gibson, a youthful 89-year-old, is a stalwart of the community in Saluda, South Carolina, and is very deserving of this recognition.

James Gibson was the third of six children born to Eddie and Mae Bell Dozier Gibson. He attended the historic Cane Brake school, which was one of the first Rosenwald schools in South Carolina.

Upon graduation, Mr. Gibson joined the U.S. Marine Corps and served in World War II. When he left the military, he continued to serve his country by joining the Civil Service. After 30 years, he retired from Fort Jackson in Columbia, South Carolina. In retirement, he has enjoyed watching the Bible Channel and reading his Bible. He gardens and enjoys walks as well.

Mr. Gibson is a dedicated member of the community. He was a Shriner for more than 40 years, and a member of the C.C. Johnson Consistory for over four decades. He is Past Worshipful Master (PWM) of Peerless Lodge #214 and PWP of Peerless Chapter #335 OES. Mr. Gibson is a 33rd degree Mason and a member of the United Supreme Council.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

He is also extremely dedicated to Rock Hill Baptist Church. He has served as Adult Sunday School Teacher, Chairman of Trustees, and was Chairman of the Deacon Board for 25 years.

He married Annie Barnes Gibson in 1947. The couple have three children and two granddaughters.

Mr. Speaker, I ask you to join me in congratulating James Gibson on this great honor. He has served his country and Saluda County with distinction. It is fitting that his contributions are being recognized by his fellow citizens for all that he has done to give back to the community.

RECOGNIZING THE 20TH ANNIVERSARY OF THE UNIQUE RATIFICATION OF THE 27TH AMENDMENT TO THE UNITED STATES CONSTITUTION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. MARCHANT. Mr. Speaker, I rise to call attention to an important milestone in American constitutional history. This month, May 2012, marks the 20th anniversary of the unusual ratification of the 27th Amendment to the Constitution of the United States, which provides quite simply that any change in the level of compensation which Members of Congress receive from the United States Treasury must take effect until an election of Representatives shall have intervened.

This particular constitutional amendment (sometimes referred to as the ''Madison Amendment'') underwent the most unorthodox path to ratification of any amendment ever successfully incorporated into the Federal Constitution thus far in our Nation's history. This amendment was originally proposed by Congress on September 25, 1798 but, despite the obvious wisdom of the amendment's purpose, it was not fully approved by enough State legislatures until 202 years later. When lawmakers in more than the required 38 states provided their approvals in May 1992, the 27th Amendment to the U.S. Constitution was finally ratified.

Altering the United States Constitution was never meant to be an easy task. The Founding Fathers wisely composed Article V of the Constitution—which sets forth the process for amending it—in such a manner as to make changes in the document difficult to accomplish without a clear consensus. However, so strong was the common-sense appeal of what we know today as the 27th Amendment that State legislators of diverse political philosophy were able to agree in a bipartisan fashion that such a provision correctly belonged in the U.S. Constitution. As a former member of the Texas House of Representatives back in the late 1980s, I was privileged to have played a direct role myself in the 27th Amendment's idiosyncratic route to ratification. On May 25, 1989, I proudly cast a final ''aye'' vote on House Joint Resolution No. 6 by which the 71st Texas Legislature endorsed this sound and prudent one-sentence addition to America's highest legal document.

Now, two decades after its ratification was duly achieved, it is appropriate to reflect upon the lesson which the 27th Amendment has taught America, not only about the constitutional amendment process itself, but also about citizen action in influencing the law-making process. To that end, I respectfully request that a June 1, 1992 article from People magazine be included in the RECORD at the conclusion of my remarks. The focus of this article is a gentleman named Gregory Watson, whom I had the pleasure to know during my tenure at the State Capitol in Austin while he was employed by a few of my colleagues in the Texas Legislature.

Mr. Speaker, we in the Congress debate every now and then about various proposed additions that some of us advocate to the Federal Constitution. The extraordinary ratification of its 27th Amendment furnishes to us ample evidence that, while perhaps rather time-consuming, it remains worthy of our attention, and merits utilization of our resources, to continue discussion about needed refinements to our Nation's great charter.

[From People magazine, June 1, 1992]

THE MAN WHO WOULD NOT QUIT

A TENACIOUS TEXAN WINS HIS 10-YEAR FIGHT FOR A NEW CONSTITUTIONAL AMENDMENT

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

It only took 202 years, but last week United States Archivist Don Wilson officially certified that the U.S. Constitution has a new amendment. Given the current hostility to Congress, the new measure captured the mood of a fed-up electorate. It prevents Congress from giving itself pay raises retroactively or in mid-term, which it has done from time to time. Despite the new amendment's popularity, it would probably never have become law if 30-year-old Gregory Watson, an obscure administrative assistant to a Texas state legislator, had been a less persistent man. Ten years ago, while a student at the University of Texas-Austin, he began a one-man campaign to enact the Twenty-seventh Amendment. His reason? He got a C on a term paper.

The paper, for a government class, argued that the amendment could—and should—be passed. At the time, the proposal, originally drafted by James Madison in 1789, had been ratified by only eight states, six of them during the 18th century. Watson says his professor felt the amendment was a legal dead letter, even though it had no time limit, and gave him the low mark. ''I was very disgusted,'' he says ''but undaunted.''

He ran his campaign the old-fashioned way—by mail, writing to legislators in states that had yet to pass the amendment. He spent $6,000—all of it his own money. He refused all outside help. ''I wanted to do it by myself,'' he says. ''I wanted to prove that one person could do it alone.''

Prove it, he did. On May 7, Michigan became the 38th—and deciding—state to OK the amendment, which had to be ratified by three-quarters of the states in order to take effect. Later that same day New Jersey voted its approval, and on May 12, Illinois joined in. Watson, who is single, was jubilant. ''I wanted to show the American people what can be done if they just put forth a little elbow grease,'' he says. ''You can wield a great deal of power, and one person can still make a difference in this country.''

IN HONOR OF MARTIN AND WENDY MAYER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. ENGEL. Mr. Speaker, to watch Parents of the Year, Martin and Wendy Mayer is to suggest a concept described by a valet of Britain's royal family. ''Working for aristocracy,'' he said, ''is like being a swan. On the surface, you must look like you're gliding effortlessly, but underneath, you're paddling like crazy.'' The Mayers' chesed for our Mamleches Cohanim looks easy, but their earnest sharing and resolving the tzoros of others is deliberate and thorough. The catering company provides the perfect venue for their unassuming communal service as they take care of many food needs for organizations and individuals behind the scenes, always seeing the world through the eyes of others. Professionally, the sensitivity and attentiveness at Menagerie Caterers has earned its reputation as the premier caterer in the greater metro area, from the smallest simchas to large, gala affairs.

Midos like this come from hard work. Martin absorbed the essence of his East Side neighborhood—no shtick, no embellishments, just pure erhlickeit and yashrus. He's the capable friend and reliable confidant that everyone needs. As part of East Side's Hatzolah, Martin had the zechus of regularly attending to Rav Moshe Feinstein zt''l, imbibing from his lofty midos. Martin's own parents, z''l, and their courageous strength also deeply affected his life. Joining together from opposite sides of concentration camp fences, Staff Sergeant Herman (Hanoch) Mayer of the US Army Air Corps won medals and citations as a WWII hero who helped liberate the camps. With his own money, he bought medicine, food, and blankets for survivors, even transporting one woman to a hospital for immediate care. Martin's mother, Mrs. Freida (Elizabeth) Mayer survived Auschwitz and Birkenau on less than substandard rations, because she gave of her food to her weaker sister who also survived. Her intense care for her family continued, as she raised her children with unbounded love, often carrying hot lunches to them in school.

Martin and his sisters' beloved esteem for their parents prompted them to establish various memorial tributes: The Bais Medrash of the Agudah of Passaic (HaRav Sacks), the Bikur Cholim room of Englewood Hospital, which Martin supplies, a Sefer Torah written for them and more. Martin's fondest quotes from his Dad pertain to ''if you're going to do something, do it right.'' It was unthinkable for Herman Mayer to be late for shul.

For her part, Wendy's gracious warmth keeps the home running smoothly despite Martin's erratic catering schedule. Besides working in real estate, Wendy tirelessly supports every need for their shul, yeshivos or business. Her selflessness moves her to host communal events and family simchas, create extraordinary cakes or sew decor for school productions, down to every beautiful detail. A caterer's wife might well use her husband's resources for large crowds, but Wendy makes everything herself. The only thing more inviting

than her kindness is her fragrant fresh challah. Like her parents, Barbara & Nathan Finkel, Wendy's simchas hachaim and winning smile make everyone feel welcome.

Doing for others flows into the next generation as YOT graduating talmid, Moshe and YOT alumnus Aryeh are known around town as helping hands and smiling big brothers to neighborhood kids. May the honor they bestow upon their parents, as well as their support of Ohavei Torah and other institutions, be a continual source of brocha and hatzlocha for the entire Mayer family.

I am grateful for the opportunity to join with Yeshiva Ohavei Torah in honoring Martin and Wendy Mayer as Parents of the Year.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. JORDAN. Mr. Speaker, I was absent from the House Floor during yesterday's three rollcall votes.

Had I been present, I would have voted in favor of H. Con. Res. 105, H. Con. Res. 117, and H. Con. Res. 118.

SALUTING THE WORLD WAR II VETERANS OF TENNESSEE

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. COOPER. Mr. Speaker, I rise to honor the World War II veterans who have flown to Washington DC, today from Nashville, TN with Music City Honor Flight. This Honor Flight is part of a nationwide effort to bring as many World War II veterans as possible to the memorial created here in honor of their service and in honor of the fallen.

Through their selflessness, these brave men and women who served in World War II saved our country and changed the course of history. We can never adequately repay them for their sacrifice. Whether Soldiers, Sailors, Airmen, Marines, or Coast Guardsmen, they heroically served their Nation during our time of greatest need. It is my high privilege to welcome them to the Nation's Capital.

I am proud to read into the CONGRESSIONAL RECORD the names of each of these distinguished veterans so that they can be recognized for their brave service and so that the Congress of the United States of America can express its gratitude.

Orville Jerome Aasen, Lyttleton C. Anderson Jr., Clarence Arand, James L. Bass, James B. Batey, Jr., Douglas Beard, Dempsie G. Binkley, Winston Bowling, Eugene W. Brock, Charles J. Brown, Edward L. Buquo, Roger L. Burgess, Hugh Lafayette Callens, Russell M. Campbell, Frank A. Cantwell, James W. Carroll, Francis A. Centimole, Robert E. Chadwell, James Robert Clower, Alfred Damon Corley, James D. Craig, Fred M. Creasy, Rayford H. Danley, James L. Davis, Gerald Alvin Davis, Lloyd F. Driver, James W. Duke, Edward Eugene Durham, Lloyd C. Fisher, David Ray Fussell, Murray O. Fussell, Charles H. Gannon, Gerald Allen Gilman, Harry R. Guttridge, Herald D. Hackett, Thomas Hall Jr., Jones B. Hamlett, Wesley W. Harmon, Jackson Harris, Samuel A. Harris, William J. Harvey, Eldon H. Hatcher Jr., Harley Walter Heilman, Irvan Hardeman Hendon, Wayne Hill, Vernard E. Hixson, Leonard Hollender, Edward L. Holton, Lawrence H. Horn, Edward W. Hudson, Robert W. Hull, Nathaniel B. Johnson Jr., Robert C. Jones, Clinton D. Keel, John W. King, James Fowler Lancaster, Earl Eugene Lerch, George Lukon, Nelson Lyne, Dock H. Lyons, Joseph O. Maddux, Harry Eugene Margrave, Carl M. Martin, Henry C. McCall, Jr., Carl E. Meeks, Ledlie J. Miller Jr., Charles A. Mitchell, Dr. John Myers, Robert M. Nabors Jr., James J. Panipinto, Andrew S. Parker, Baxter Lewis Perry, David M. Pettus, Carlos F. Plott, W H Reeves, Samuel Ralph Rehorn, Eugene R. Rhue, Clarence Richards, Robert McCulloch Rock, Elmer Julius Sager, David Y. Sharpe, Milton Shearer, Robert Love Simpson, William Paul Sitton, Fred L. Stacey, John E. Stephens, Robert Merrill Stoops, Harry Richard Sturm, Glenn Swanson, James F. Tacker, Jr., Denison Taylor, W. Glenn Tinsley, Jess Titus, Glenn Tompkins, Eddie G. Wall, James E. Waugaman, Robert Conway Wilhite, Ross Williams, William E. Wingo, Henry C. Winstead, Talmadge R. Woodall, Charles Richard Zartman.

HONORING THE 95TH ANNIVERSARY OF THE JUNIOR LEAGUE OF ST. PAUL

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Ms. MCCOLLUM. Mr. Speaker, today I rise to honor the 95th anniversary of the Junior League of St. Paul, JLSP.

The Junior League of St. Paul was founded in 1917 by Elizabeth Ames Jackson, a native of St. Paul and two of her friends Elizabeth Crunden Skinner and Anne Turney White. This chapter was the 19th Junior League created in the United States following the founding of the first Junior League in New York City in 1901.

The Junior League is committed to promoting voluntarism, developing the potential of women and improving communities through the effective action and leadership of trained volunteers. During its early years, the JLSP collaborated with local community organizations, including the World War I Red Cross Relief Campaign and the Community Chest, to help build a better St. Paul and reflect the overall mission of the organization.

Over the years, the Junior League of St. Paul moved beyond only collaborating with local, existing organizations, to fostering new organizations. As the community evolved, so did the JLSP. From the creation the Children's Hospital Association, Keystone Community Services, United Arts and Lifetrack Resources to the Hmong Art Project, Silent Witness, and most recently Building Bonds through Reading and Play the Junior League of St. Paul has a long legacy of responding to needs of the community and laying the foundation for organizations that continue to provide needed programs and services to residents in St. Paul and the surrounding communities.

These charitable and educational activities go beyond simply helping the members of the community—they also provide meaningful volunteer opportunities and leadership development to the women who are involved with the JLSP. The skills and talents the members develop through League activities help them in other aspects of their lives.

The Junior League of St. Paul has been a valuable asset to St. Paul through their efforts to identify and take on the challenges they see impacting the community. Their hard work is reflected in the numerous organizations they have worked with, the many people who have been served by various JLSP programs, and by its members current and past. I am proud to comment the Junior League of St. Paul on 95 years of success and wish them much success in the years to come.

Mr. Speaker, in honor of the 95th anniversary of the Junior League of St. Paul, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

CONGRATULATING THE GULF COAST COMMUNITY FOUNDATION

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BUCHANAN. Mr. Speaker, I rise to congratulate the Gulf Coast Community Foundation on being named the silver award winner for excellence in communications by the 2012 Wilmer Shields Rich Awards Program. Sponsored by the Council on Foundations, the awards program recognizes affective communications efforts to increase public awareness of foundations and corporate giving programs throughout the United States. The Gulf Coast Community Foundation received the honor for its 2012 Agenda for Action in the category of annual or biennial reports.

Since 1995, The Gulf Coast Community Foundation and donors have been a community asset through its philanthropy work. The Gulf Coast has welcomed more than 500 charitable funds, created by generous donors, and have invested more than $127 million in grants in the areas of arts and culture, health and human services, education, civic and economic development, and the environment.

In addition to awarding grants to nonprofit organizations and scholarships to qualified students for postsecondary education, Gulf Coast creates and funds initiatives designed to effect long-term, systemic change in the communities it serves. Current initiatives include a STEM education initiative to improve student achievement in science, technology, engineering, and math in Sarasota and Charlotte county schools. Gulf Coast also offers low-interest disaster-relief loans to critical local health or human service nonprofit organizations rebuilding in the aftermath of a disaster.

I am proud to honor the Gulf Coast Community Foundation, the largest community foundation in Florida, on having been named the

silver award winner for excellence in communications by the 2012 Wilmer Shields Rich Awards Program. I would also like to recognize its exceptional efforts to enrich Florida communities. We hope to see the foundation continue to grow and have a lasting impact for community.

IN HONOR OF ELI AND CHEDVA TREITEL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. ENGEL. Mr. Speaker, a poignant episode in the Chumash reveals a strength of character few can claim. Leah's seemingly odd response to Rachel's request for the Dudaim, ''Is it not enough you took my husband? Now you want these too?'' begs a question. Didn't Leah know what Rachel did for her? Meforshim explain, Rachel must have given Leah the simonim in a way that concealed the truth. Doing for others is certainly praiseworthy; doing inconspicuously and with great personal sacrifice warrants the crown called ''a good name''.

In this regard, Ohavei Torah is especially proud to honor its parents, Eli & Chedva Treitel, with the Keser Shem Tov award. Few positions are as thankless as that of Shul Gabbai. How remarkable it is that the diverse mispallelim of Monsey's Ateres Rosh feel unanimously blessed to have a true ''Yehoshua'' caring for all the needs of their shul: material, emotional and spiritual. The secret lies in one word: respect. The unparalleled kovod that Eli shows each person and every single shul need never fails. He keeps track of every aliya and chiyuv, buys and sets up Seudah Shlishis each week, sits on the board of directors and locks up the shul each night. For over 10 years, he does it all, notwithstanding his demanding position as Loan Officer for Meridian Capital, one of the largest Mortgage Brokers in the country.

A talmid of Ner Yisroel, Eli's personal avoda reflects equal dedication. It is unheard of for him to miss his early Daf Yomi. Together with Chedva, they share an uncanny ability to make everyone comfortable, traversing all community sectors and ages. Recently, a young man felt reassured enough to open up to Eli about a misunderstanding with his Rebbe. Eli's insight and empathy helped the teen mend the rift, prompting the Rebbe to remark that such helpful advice must have come from an exceptional advisor.

Like her husband, Chedva pursues shalom and chesed. Active in her children's schools and shul functions, her main priority remains always being vigilant about the feelings of others by seeing everyone in a positive light. Her soft-spoken, friendly and unassuming manner belies how much she actually accomplishes, often anticipating needs before being asked. Nothing is too difficult—extra driving, rearranging her schedule, full course dinners for neighbors in need and of course, quality time for each of her children. As Rabbi Pechter describes, ''The respect and warmth they afford to everyone is unparalleled.'' This type of humility, honesty and gentle demeanor make their son Lippy a pleasure to have as a talmid at Ohavei Torah as well.

Both Eli and Chedva's parents model the midos that make their children and grandchildren so well-liked. Eli's parents have upheld the tzarchei tzibor in LA for 50 years: Barbara Treitel as the beloved Hebrew reading specialist at Yavneh Hebrew Academy, now teaching her third generation and Stanley Treitel who tirelessly works on multiple political projects and community affairs on behalf of Klal Yisrael. Chedva's parents, Reuben & Sandra Botnick, noted attorney and real estate broker, respectively, are part of the founding family of Toronto's orthodox community.

Eli and Chedva's children are a great source of pride to their family and community: Lippy, a senior at YOT, Rachaeli, a freshman at Ateres Bais Yakov in Monsey and Michal and Chaim, who attend Yeshiva of Spring Valley. Just as the Treitel Family carries the responsibilities of the community, may the they merit to carry their Keser Shem Tov with overflowing brocha, ad meah v'esrim shana.

I proudly join with Yeshiva Ohavei Torah in honoring this wonderful couple.

A TRIBUTE TO HANNAH JORGENSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. LATHAM. Mr. Speaker, I rise today to honor and congratulate Hannah Jorgensen, a 13-year-old, 4–H'er of Adair, Iowa, who has been named the State's top middle school youth volunteer for 2012 by the Prudential Spirit of Community Awards.

The Prudential Spirit of Community Awards program is our country's largest youth recognition program based entirely on volunteer community service. Since 1995, 345,000 American youths have participated in this program, with only 102 State honorees chosen each year. Hannah's path to this prestigious award began with her efforts through Reach Out Iowa, a federally funded grant that supports young people who benefit their local communities through service. To accomplish this goal, Hannah worked with her peers to create and provide pillowcases and care packages for the emergency homeless shelter, MICAH House in Council Bluffs, Iowa. Hannah felt the MICAH House mission of ''providing a safe, secure and nurturing environment for families and single women who are experiencing the crisis of homelessness'' was the perfect partner to assist in her efforts. Shortly after working with the children of MICAH House, Hannah quickly made plans to do much more than she originally had planned.

Through her efforts with MICAH House, Hannah discovered that the facility was sorely in need of books for children, most notably educational books related to agriculture. Hannah made it her personal mission to raise enough money to donate a total of 500 books to be split between MICAH House and the inner-city schools she would visit while in Washington, D.C. Hannah persuaded the members of the Corn & Soybean Association of Adair County to reach into their own pockets, as well as recruit the help of the Iowa Corn Growers Association and the Iowa Soybean Association to raise a total of nearly $1,000. With this support, Hannah doubled her initial goal and sent each location a total of 500 new children's books to be read and enjoyed for years to come.

Mr. Speaker, it is with great pride that I recognize and applaud Miss Jorgensen for her sincere dedication to positively impact the lives of others in her community and beyond. Hannah's commitment to a cause greater than herself is a testament to the high-quality character and unwavering work ethic instilled in Iowans both young and old. I know I speak for all of my colleagues in the United States Congress in congratulating Hannah, thanking her supportive family, and thanking all of those involved in this wonderful project for their life-changing efforts both at home in Iowa, and in our Nation's capital.

HONORING ILLINOIS AIR NATIONAL GUARD TECH. SGT. JACOB CURTIS, RECENTLY NAMED A 2012 AIR NATIONAL GUARD AIRMAN OF THE YEAR

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in honoring Tech. Sgt. Jacob Curtis, of the Illinois Air National Guard, who was recently selected as a 2012 Air National Guard Outstanding Airman of the Year.

Tech. Sgt. Jacob Curtis, of Fairview Heights, Illinois, serves with the Illinois Air National Guard 126th Air Refueling Wing's Security Forces Squadron at Scott Air Force Base. He recently received a phone call from Maj. Gen. William L. Enyart, the Adjutant General of the Illinois National Guard, to notify him that he was named one of the 2012 Air National Guard Outstanding Airmen of the Year, the highest national achievement the Air National Guard has to offer.

Tech. Sgt. Curtis will now be in the running to be one of the Air Force's 2012 Twelve Outstanding Airmen of the Year, and he has already received numerous awards in his military career. He was named the NCO of the Quarter in 2011, Squadron NCO of the Year in both 2008 and 2011, Mission Support Group NCO of the Year in 2011, and 126th Air Refueling Wing NCO of the Year in 2011.

Col. Peter Nezamis, commander of the 126th Air Refueling Wing, called Tech. Sgt. Curtis a ''gifted and giving professional'' and made reference to his family's sacrifice for their country as they have endured numerous overseas deployments. Curtis has recently returned from a 6 month deployment in support of Operation Enduring Freedom.

During his deployment in Afghanistan, while at Bagram Airfield, Tech. Sgt. Curtis took decisive action when a nearby building was hit by indirect enemy rocket fire. There were several casualties and Curtis, the first to reach the

scene, saw that one airman had suffered a broken leg that had lacerated his femoral artery. Curtis tied a tourniquet around the airman's leg and stayed with him until medical personnel arrived.

In addition to this act of heroism, Curtis was also recommended for this award because of his ''dedication to duty, superior knowledge, and unwavering volunteerism.''

Mr. Speaker, I ask my colleagues to join me in honoring Tech. Sgt. Jacob Curtis on being named a 2012 Air National Guard Outstanding Airman of the Year, and in wishing him and his family the very best in the future.

REMEMBERING UNITED STATES ARMY STAFF SERGEANT DAVID NOWACZYK

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with immense sadness and great respect that I rise to remember Staff Sergeant David P. Nowaczyk for his bravery and willingness to fight for his country. Sergeant Nowaczyk was assigned to A Company, 2nd Battalion, 12th Infantry Regiment, 4th Brigade Combat Team, 4th Infantry Division, out of Fort Carson, Colorado. While serving on his third tour in Afghanistan, Sergeant Nowaczyk was killed when his vehicle struck an enemy improvised explosive device in Kunar Province, Afghanistan.

David Nowaczyk, from Dyer, Indiana, graduated from Lake Central High School in 1997, where he was a member of the wrestling and football teams. Later, in September 2005, he enlisted in the Army. Throughout his career, Sergeant Nowaczyk earned several medals, honors, and commendations for his service, including: a National Defense Service Medal, a Global War on Terrorism Expeditionary Medal, an Army Service Ribbon, two Army Commendation Medals, two Bronze Stars, and the Purple Heart, awarded posthumously.

Friends describe David as a loyal, kind man who would be willing to do anything for the people in his life. His family describes him as a good son and a great father who was willing to drop anything to be there for his family. Residents in the community are remembering Sergeant Nowaczyk as a dedicated warrior and a true American hero. Sergeant Nowaczyk leaves behind a beloved host of family and friends. He is survived by his devoted wife, Rachel, his adoring daughter, Kiley, and his loving stepson, Conner. David also leaves to cherish his memory his dear mother, Patti, and proud father, Andrew. He will also be greatly missed by his sister, Megan, with whom he was very close. Sergeant Nowaczyk also leaves behind many other friends and family members, as well as a grateful, yet deeply saddened community.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring a fallen hero, United States Army Staff Sergeant David Nowaczyk. Sergeant Nowaczyk sacrificed his life in service to his country, and his death comes as a great loss to our Nation, which has once again been shaken by the realities of war. Sergeant Nowaczyk will forever remain a hero in the eyes of his family, his community, and his country. Thus, let us never forget the sacrifice he made to preserve the ideals of freedom and democracy.

HANOVER TOWNSHIP POLICE DEPARTMENT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor the Hanover Township Police Department, which will celebrate its 100th anniversary on May 14, 2012.

Hanover Township was founded in 1770 by Captain Lazarus Stewart who fought for Connecticut against the Pennsylvanians in the Wyoming Valley. For his services, Captain Stewart and his company of 40 men were granted the tract of land which became Hanover Township. Captain Stewart named the town after his hometown of Hanover in Dauphin County. In the 1820's, coal was discovered and by 1838, mining became a leading industry in the area. However, prior to the 1900s Hanover Township had very little in the way of municipal services.

Therefore in 1912, the Hanover Township Commissioners established a paid police force to secure the safety of persons and property within Hanover Township. The first force consisted of six officers and was led by Police Chief James H. Campbell. Today, there are fourteen officers, eight cruisers and a K–9 unit which provide for the safety of Hanover Township residents under the leadership of Police Chief Albert Walker.

Mr. Speaker, for the last 100 years, the Hanover Township Police Department has proudly served the citizens of Hazleton, Pennsylvania. Therefore, I commend all those officers who have dedicated their lives to protecting their community and to all those who have gone on to their eternal rest.

TRIBUTE TO JOHN GIBSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a community leader and a good friend who is being honored for his service by Rock Hill Baptist Church in Saluda, South Carolina on May 12, 2012. Mr. John Gibson, who will be 92 years old later this month, has been an active member of the Saluda County community for most of his life. He is very deserving of this recognition.

John Gibson was born to the late Eddie and Mae Bell Dozier Gibson on May 26, 1920. He is the oldest of six children. He was educated in Florida public schools, and then graduated from one of the first Rosenwald Schools in South Carolina—Cane Brake in Saluda.

Following graduation, Mr. Gibson joined the Army. After entering civilian life, he worked at Fairfield Tractor Company in Columbia until his retirement. In retirement he has enjoyed his hobbies of fishing and gardening.

Throughout his life, Mr. Gibson has been dedicated to his community. He is life member of the NAACP. He has been a faithful member of the Friendship Union and the Ridge Hill Education Association. Mr. Gibson is a member of Peerless Lodge #214 and is a Master Mason.

He is also very dedicated to his church, Rock Hill Baptist Church. He served as Vacation Bible School Director and Sunday School Superintendent. He is also very involved in the church's Bible study groups, and currently serves as Deacon Emeritus.

In 1940, he married Lois Williams, and they were blessed with four children. He also has five grandchildren and one great-grandchild.

Mr. Speaker, I ask you to join me in congratulating John Gibson on a life well lived. He is an important unsung hero that has selflessly served his country and his community. I applaud the community for recognizing his many contributions and honoring him in this wonderful way.

HONORING REAR ADMIRAL (RADM) THOMAS F. ATKIN FOR HIS SERVICE IN THE U.S. COAST GUARD

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. MARCHANT. Mr. Speaker, I rise today to recognize a leader and constituent for his extraordinary service in the United States Coast Guard. Rear Admiral (RADM) Thomas F. Atkin served his country for 34 years in the Coast Guard and on July 1st, RADM Atkin will retire as the Assistant Commandant for Intelligence and Criminal Operations at Coast Guard Headquarters. We all owe him a debt of gratitude for his extraordinary commitment to service and to our country.

RADM Atkin distinguished himself throughout his career in the fields of law enforcement, tactical border security operations and intelligence. As a Coast Guard Flag Officer, he served in multiple key leadership positions where he was responsible for directing homeland security and homeland defense policy. RADM Atkin's positions included serving as Chief of both the Maritime Homeland Security and Defense Policy in the Office of the Secretary of Defense, and the Counterterrorism Division in the Chief of Naval Operations Office. Additionally, RADM Atkin played extremely large roles in overseeing a number of significant operations. While serving as the first Commander of the Coast Guard's Deployable Operations Group, RADM Atkin was the driving force behind the development of the 3,000-member Deployable Specialized Forces, which provided some of the most advanced law enforcement, disaster response, and anti-terrorism and counter-terrorism capabilities to the Coast Guard and the Nation. He also served with distinction as the Deputy Principle Federal Official in the aftermath of Hurricanes Katrina and Rita, where he guided

life-saving response and relief efforts. RADM Atkin's efforts after these massive disasters were critical in recovery, not only for the Gulf Region, but also for the Nation as a whole. His other Flag Officer assignments included Assistant Commandant for Operational Planning and Policy and acting Assistant Commandant for Maritime Safety, Security and Stewardship.

In addition to his remarkable operational achievements, RADM Atkin also devoted himself to the Coast Guard leaders of the future through his commitment as a mentor, football and lacrosse coach, and mathematics instructor at the Coast Guard Academy. These extraordinary accomplishments reflect just a small portion of RADM Atkin's distinguished 34-year career in the service of his country.

The son of Nancy and Lawrence Atkin (CAPT, U.S. Navy, retired) and native of Duncanville, Texas, RADM Atkin is a graduate of the United States Coast Guard Academy, where he earned a Bachelor of Science degree in mathematical sciences. He also earned a Master of Science degree in management science from the University of Miami. He has two sons, Levi and Joseph.

RADM Atkin's other operational assignments included Commanding Officer, Tactical Law Enforcement Team (TACLET) North in Chesapeake, VA; Commanding Officer, TACLET Gulf in New Orleans, LA; Operations Officer, TACLET Seven in Miami, FL; Navigator, Coast Guard Cutter *Alert* in Cape May, NJ; Deputy Group Commander in New Orleans, LA; and Coast Guard Liaison to Joint Task Force One Six Zero at the U.S. Naval Base in Guantanamo Bay, Cuba. His staff assignments included Chief, Office of Law Enforcement and Intelligence for the Eighth Coast Guard District, New Orleans, LA and Fisheries Enforcement Officer for the Eighth Coast Guard District, New Orleans, LA. His personal military awards include multiple awards of the Coast Guard Distinguished Service Medal, the Legion of Merit, the Meritorious Service Medal and the Coast Guard Commendation Medal.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing the incredible career of Rear Admiral Thomas F. Atkin. We must always honor those who devoted their lives to serving our country. I am extremely proud to have him as a constituent, and I cannot thank him enough for everything he has done to protect our freedom.

HONORING DR. HOWARD COHEN AND PATRICIA COHEN

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with profound respect and sincere appreciation that I rise once again to recognize two of Northwest Indiana's most charitable citizens, and two dear friends, Dr. Howard Cohen and his wife, Patricia. Throughout the years, Howard and Patti have been recognized many times for their contributions to the northwest Indiana community. On Tuesday, May 15, 2012, Dr. and Mrs. Cohen will be honored by the Rotary Club of Hammond, Indiana as the 2012 recipients of the Heinze Vocational Service Award, a recognition bestowed annually upon individuals exhibiting outstanding leadership qualities and a commitment to community service.

It would be impossible to speak of the great contributions of Patti and Howard to northwest Indiana without boasting of the immense impact both have had at Purdue University Calumet PUC in Hammond. Fittingly, the event at which they will be lauded for their outstanding leadership will take place at the university, where Howard served as Chancellor from 2001 until his retirement in 2011. Under Howard's leadership, PUC's expansion was remarkable, and his commitment to the university continues today. During his tenure, students at PUC witnessed the construction of the Academic Learning Center, as well as the establishment of nine centers and institutes focused on applied research. Student housing, which had previously not existed at PUC, was also added to the campus during that time. While these visible additions to the school are quite impressive, it is Howard's commitment to raising academic standards, expanding the educational curriculum, and exposing students to a system of instruction that translates far beyond the walls of a classroom that are the true testament to his leadership.

Without question, Patti Cohen shares responsibility for these achievements and the progress that was made over the last decade. Patti has represented PUC on trips to universities in countries throughout the world including: China, Poland, Spain, Oman, and Costa Rica. She was also instrumental in promoting the university and creating a welcoming atmosphere for students, parents, and visitors. Patti also served on numerous committees and was active in the planning and hosting of many campus and community events.

In addition to their outstanding contributions to Purdue University Calumet, Patti and Howard Cohen are also to be commended for their dedication to the entire northwest Indiana community. With the same dedication, they have served the people of northwest Indiana through their involvement in local organizations and their service on various boards. Although their efforts encompass many different aspects of society, all contribute to one central goal: the improvement of the quality of life for the people of northwest Indiana and beyond.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in congratulating Howard and Patti Cohen on being named the 2012 recipients of the Heinze Vocational Service Award by the Rotary Club of Hammond, Indiana. Leaders in the truest sense of the word, their selfless commitment to their community is to be commended, and they are most deserving of this prestigious honor.

HONORING MR. AIME KALANGWA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Mr. Aime Kalangwa, a remarkable individual who has been an inspiration in the Miami community.

Aime is an 18-year-old refugee originally from the Democratic Republic of Congo. An ongoing civil war in his country left him, and his brother, orphaned by the age 15. Being the only survivors from their family they attempted to find political asylum in neighboring countries. Eventually they found refuge in the United States, and were brought to Miami in January of 2011.

After arriving in the United States, Aime and his brother were adopted by Stephen and Melissa Kepper, constituents of Florida's 21st District. The Kepper's themselves are extraordinary individuals, whose dedication to children is unmatched. Not only did they adopt Aime and his brother, but they also adopted two children from Florida's foster care system. In August of 2011 Aime and his brother moved into their new home, and Aime shortly began his senior year of high school. During this time he had to overcome many cultural and language barriers, and worked daily with his tutors to pass his classes and learn English.

One of Aime's hardest classes to learn was American history. His tireless efforts were enriched on a recent trip to Washington, DC, where he received a tour of the U.S. Capitol building from Jay Pierson of the Speaker's office, and visited numerous other museums and national landmarks. His hard work did not go unnoticed and towards the end of his senior year Aime received an award for Outstanding Achievement in American History at his Senior Awards Night. He will also be receiving his diploma on June 3, 2012.

Aime now plans to attend Broward College to study Criminal Justice. When he graduates from the refugee program at 22 years old he has the possibility of obtaining U.S. citizenship. Aime has grown from an orphan in the Democratic Republic of the Congo to hopefully becoming a U.S. citizen in the very near future. He is the epitome of the American dream, and an inspiration to us all.

Mr. Speaker, I am honored to pay tribute to Mr. Aime Kalangwa and I ask my colleagues to join me in recognizing this outstanding individual.

IN HONOR OF LUKE STANTON NACHBAR

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. FARR. Mr. Speaker, I rise today to recognize the dimming of a great light in our community. Luke Stanton Nachbar was a loving husband and father and a vibrant spark for all those around him. He died last week of cancer at the young age of 46. His departure tears a hole in the fabric of the Monterey Bay Area community that I represent here in Congress. While we all recognize the pain and loss felt by his family, especially his young children, and wife, we will also feel his loss in the public life of many communities.

I first met Luke in 1996 when he came to my Washington, DC, office as a freshly minted

Monterey Institute of International Studies graduate and returned Peace Corps volunteer on a Sea Grant fellowship looking for a job. Lost in the mists of time are the exact reasons why we made the mistake of not hiring him. But he soon landed a prime position with the office of New Hampshire Senator Judd Gregg. That job ultimately led the National Oceanic and Atmospheric Administration to tap him as a specialist in Congressional Affairs for the Policy, Planning and Analysis division of NOAA's National Ocean Service based in Monterey. In true Luke Nachbar fashion, he convinced his management that that he could best accomplish the job from Monterey rather than Silver Spring. So Luke was able to build a career in national ocean policy while raising his children with his wife on the central coast on Monterey Bay.

Everybody who knew Luke recognized his expansive and cheerful personality. He was ever the optimist, which translated professionally into an unwavering can do attitude—always an asset when dealing with Congress. Personally, his optimism translated into support for the Detroit Tigers and love of poker. One could never fail to notice his presence in a room. He always made the company around him more cheerful.

The greatest tragedy of Luke's early death is his children's loss of their father. Quinn, Flint, and Rainn were the center of Luke's life. No words can make up for their loss but I hope they never forget one important lesson that Luke epitomized—one person can make a difference and make the world a better place. I also want to offer my own personal condolences to Luke's wife, Seaberry Nachbar.

Mr. Speaker, I know I speak for the whole House in expressing gratitude for the public service Luke Nachbar gave to his country and community and to share with his family and friends our deep sense of loss.

IN RECOGNITION OF THE RETIREMENT OF GENERAL ANN E. DUNWOODY

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BROOKS. Mr. Speaker, I would like to pay tribute to General Ann E. Dunwoody, Commanding General, U.S. Army Materiel Command, on the occasion of her retirement following 37 years of exemplary service to the United States Military. Being from Huntsville, Alabama, home to Redstone Arsenal and U.S. Army Material Command and as a Member of the House Committee on Armed Services, I have had the honor of knowing General Dunwoody and witnessing her patriotism and dedication to this great Nation.

General Dunwoody's service is marked by many firsts. She is the 82nd Airborne Division's first female battalion commander, she is Fort Bragg's first female general officer, she is the Combined Arms Support Command's first female commander, she is our Nation's first female four-star general, and she is the U.S. Army Materiel Command's first female commander. These historic achievements forever mark General Dunwoody as a true pioneer.

General Dunwoody's many stellar achievements in uniform, including her deployment to Saudi Arabia with the 82nd Airborne in the Persian Gulf War, are a tribute to her character and ability, but she is admired most for her compassionate leadership and for the steadfast courage she has shown in the defense of our Nation. General Dunwoody is, first and foremost, a proud, fourth-generation U.S. Army Soldier.

As General Dunwoody and her husband, Colonel Craig Brotchie (U.S. Air Force, Retired), begin the next phase of their lives, I want to express, on behalf of the American people, the warmest regards and heartfelt gratitude of the Nation for all that they have done and all that they are.

On behalf of all those touched by her service, we wish General Dunwoody good luck, good ground, and Godspeed. Army Strong!

JIM BERK

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BERMAN. Mr. Speaker, I along with Representative BASS of California are pleased to pay tribute to Mr. Jim Berk for his outstanding contributions to young people and education in the arts in our community.

Mr. Berk began his impressive career in public education at the age of 21 as a music teacher at Carson High. He reopened Carson's music department and quickly built it into one of the largest programs in the State of California. When he left Carson High, Jim went to Alexander Hamilton High School in Los Angeles. Together with a committed group of educators, teachers, and parents, Jim founded the Hamilton High School Academy of Music, which is now the largest comprehensive performing arts magnet program in the western United States. The Music Academy is now a treasure in our school system. For 1,000 students every year, it is a special place with a richly diverse campus that provides world class arts education that transforms lives.

Mr. Berk's commitment to the students of Hamilton High deepened when he was appointed Principal of the Alexander Hamilton High School Complex in 1990. He became the youngest principal in the history of the Los Angeles Unified School District, and in that position he instituted an interdisciplinary curriculum combining both academic studies with the arts. During his tenure, an astounding 96 percent of graduating seniors at Hamilton went on to pursue higher education, attendance improved an impressive 22 percent, hitting 94 percent overall, and the schools rating jumped from the 34th percentile to the 81st in state assessment scores.

This year, Hamilton High's Academy of Music is celebrating its 25th year. At a time when so many arts and music programs in public schools are struggling, the community of support that has grown around Hamilton's program is working to ensure that it has the resources it needs to continue in its proud tradition of excellence. In the 25 years since Jim Berk helped to make the Academy of Music a reality, it has maintained a reputation as a crown jewel of public arts education, even as he has carried his skills and dedication to other endeavors.

Mr. Berk's long-standing commitment to our public schools was only the start of his many contributions to our community and to the arts. As the founding executive director of the National Academy of Recording Arts & Sciences Foundation, he helped to shape the Foundation's commitment to cultivating an understanding and appreciation of the contribution that recorded music has made to American culture through musical events that engage the recording community, as well as the general public. Mr. Berk later became President and CEO of Hard Rock Café International where he also served as CEO of the Hard Rock Foundation. Through the Foundation Mr. Berk helped to provide education, social action grants, and thousands of hours of volunteer services to local charities and schools.

Mr. Berk continues to make a difference in the community through his current position as CEO of Participant Media, an entertainment company that focuses on socially relevant, commercially viable feature films, documentaries, television, and digital media. During Mr. Berk's tenure, Participant Media launched TakePart.com, a social action website that hosts an extensive network of cause-related sites covering an array of social issues as well as ways for individuals to take action. The company has also invested in Me to We, a social enterprise which promotes a socially responsible, globally-focused approach to living for young people who want to help change the world through their daily choices as consumers.

Mr. Speaker and distinguished colleagues, we ask you to join us in recognizing Jim Berk for his years of service and dedication to arts education and our community.

IN RECOGNITION OF THE MOBILE TURKISH COFFEE HOUSE PROJECT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Mobile Turkish Coffee House, currently touring the East Coast to promote friendship between Turkish and American people. Led by Gizem Salcigil White, this all-volunteer, non-profit project has decorated a food truck with images of Turkey and is travelling to Washington, D.C.; Baltimore, Maryland; New York City; New Haven, Connecticut; and Boston, Massachusetts to share free Turkish coffee with Americans in order to facilitate "coffee conversations" between Turkish and American people.

The United States of America and the Republic of Turkey have close diplomatic ties and they cooperate on many issues. The Mobile Turkish Coffee House project is promoting awareness of this friendship through fun cultural events. In addition to sharing free coffee, the Mobile Turkish Coffee House is hosting educational events throughout the East Coast.

The events feature expert lectures and free tastings followed by short role-plays that reflect Turkish traditions and values.

Turkish coffee is world-renowned. This unique coffee was recently submitted to UNESCO's World Heritage list by the Republic of Turkey's Ministry of Culture and Tourism as a cultural inheritance that should be protected. The Ottoman Empire brought coffee to Europe, from which it made its way to the United States. Both Americans and Turkish people enjoy coffee; through this project both peoples can learn more about our shared history.

Mr. Speaker and colleagues, please join me in congratulating Gizem Salcigil White and all the volunteers who have made The Mobile Turkish Coffee House a reality. As they spread their message of goodwill, we recognize their spirit of friendship and commend them for their efforts to promote peace and international camaraderie.

CELEBRATING TAIWAN'S PRESIDENT MA YING-JEOU'S SECOND INAUGURATION

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to celebrate Ma Ying-Jeou's second inauguration as president of the Republic of China (Taiwan) on May 20, 2012. I am honored to celebrate President Ma Ying-Jeou's second inauguration because of his diplomacy skills, work on improving the relationship between Taiwan and mainland China, and efforts to reduce crime along the Taiwan Strait.

Since President Ma Ying-Jeou took office, his pursuit of an open society is evident. Many of the world's great religions are openly and enthusiastically practiced in Taiwan. These denominations include Buddhism, Taoism, Christianity and many more. Labor unions, NGOs and various activist groups are also free to operate in Taiwan. Taiwan is, further, home to many languages, dialects and cultures from across Asia.

For Taiwan, the fifth direct presidential election on January 14, 2012, is a milestone. This election is testament to Taiwan's embrace of democracy. Under President Ma Ying-Jeou's time in office, Taiwanese citizens finally experience and exercise democracy. Taiwan is a shining example not only for Asia but for the entire world.

Mr. Speaker, I am proud to recognize President Ma Ying-Jeou's second inauguration, and ask my colleagues to join me in congratulating President Ma on his second inauguration and honor him for the lasting influence he has made on Taiwan.

IN REMEMBRANCE OF OLGA ''BETTY'' DOUGHERTY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Olga ''Betty'' Dougherty, a dedicated civic activist in Lakewood, Ohio, and a volunteer to the Democratic Party and Democratic candidates in Northeast Ohio.

Born on October 8th, 1917, in Ashtabula, Ohio, Olga Tratnik, was known as Betty. In her early 20s, Betty worked as a housekeeper before landing a job at General Electric until she retired.

Betty was a passionate volunteer, working with many different organizations to improve the world around her. She was with the St. Clair Superior Coalition for 20 years. She was a longtime member of the Lakewood Democratic Club. Following her retirement, in the early 1990s, Betty became more politically involved and began volunteering for Democratic Cleveland City Council candidates in her ward. She eventually worked her way into larger races and was an avid volunteer for Ohio State Representative Mike Foley, Ohio State Senator Michael Skindell and myself.

In 1997, during my first term in Congress, Norfolk Southern announced its plan to triple the number of freight trains along the track through Lakewood as part of its acquisition of Conrail. Betty was then living in the Westerly apartments near my Lakewood District Office. She was active in opposing the merger because of the effect the increased freight levels would have on the safety of the people of Lakewood and surrounding communities. Betty and several other seniors who lived in the Westerly began a daily count of the number of trains, contradicting NS's contention that there were only 13 trains a day as there was in 1995. Known as the ''Senior Monitors,'' Betty and her colleagues reported their train counts at every meeting of the people organized to oppose to the merger. Often the Senior Monitors' numbers were much higher than Norfolk Southern's, in the 20–24 range. The Senior Monitors' data was significant in helping me and the local communities negotiate the historic cap on the number of trains at the 1995 level, rather than a higher number based on 1997 numbers. Thanks to Betty's help and so many others working with her to protect safety in Lakewood, that cap of 14 trains per day on the Nickel Plate Line through Lakewood, Rocky River and Bay Village, is in effect today.

Betty was also a world traveler and joined travel groups where she would be paired up with another single lady on adventures all over the world. Throughout her travels she collected hundreds of recipes and enjoyed hosting her friends and neighbors for dinner parties.

Mr. Speaker and colleagues, please join me in honoring the great life and achievements of Betty Dougherty.

HONORING THE LIFE OF FRANK MOTTA, A DEDICATED SAMARITAN AND PUBLIC SERVANT

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, it is with great sorrow that I rise today to honor the life Frank Motta, a Good Samaritan who paid the ultimate price for helping his community. Frank—known in eastern Washington as a man who would stand up for what was right no matter the cost—passed away in March after being assaulted while trying to break up an underage drinking party. His legacy of utmost care and concern for others will be remembered and sorely missed by the community.

Frank, a Vietnam veteran, served in the United States Air Force from 1964–1968, receiving an Honorable Discharge as well as 2 Presidential Unit Citations, 2 Outstanding Unit Awards, and 2 Vietnamese Crosses for Gallantry. He continued his service to the country by taking a prominent role in Central Washington youth education, working for over 30 years as an English teacher, football coach, principal, and assistant superintendant. He received degrees and certifications in education from California State University at Fullerton, Azusa Pacific University, Washington State University, and Central Washington University. One of his greatest honors was receiving the Young Educator of the Year Award from the Othello High School in 1979, which recognized his tremendous service to the youth of Central Washington.

After retiring from his education career, Frank continued his service as a volunteer in the Spokane VA. His compassion and concern ultimately earned him a full-time position. His coworkers remember him as a man with an unwavering commitment to serve those who served us, saying he's had a true impact on every employee in the hospital.

While we mourn the loss of this dedicated servant and everyday hero, it is with great joy that we remember his life of commitment to others. We are honored to have had such a tremendous man as a part of our community, and ask that his passing serve as a reminder to us all that we are meant to live for one another, and a life built around dedication to others is a life truly lived. May he live on in the heart of service everywhere.

IN REMEMBRANCE OF FORMER STATE REPRESENTATIVE, REVEREND MICHAEL DeBOSE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of former state representative, Reverend Michael DeBose.

A lifelong resident of Cleveland, Ohio, Rev. DeBose graduated from Urban League Street Academy and Cleveland State University. He also studied at Myers College and the Moody Bible Institute. He began his professional career with the Cuyahoga Metropolitan Housing Authority and City of Cleveland. He eventually went to work for the Cuyahoga County Sanitary Engineer Department as a building and grounds superintendent and vehicle maintenance supervisor.

In 2002, Rev. DeBose began serving as a Member of the Ohio House of Representatives from the 12th District, representing the areas of Garfield Heights, Maple Heights, Cleveland

Wards 1 and Ward 2, as well as part of Cleveland Ward 3. He was an avid advocate for raising the minimum wage and promoting cancer screenings. He served as State Representative for four consecutive terms until he reached the term limit at the end of 2010.

In addition to his civil service, Rev. DeBose was an active member of the Greater Cleveland community. He was a member of the Cleveland School Board and was essential to the establishment of the Cleveland School of the Arts' parent-teacher association. Rev. DeBose was also an associate pastor at Zion Chapel Missionary Baptist Church and served as chaplain for the Ohio Legislative Black Caucus.

I offer my condolences to his wife, the former Cheryl Ann Andrews; children, Shalimar Keyhan DeBose, Michael Kareem DeBose II and Krystal Keyhan DeBose; three grandsons; four brothers and four sisters.

Mr. Speaker and colleagues, please join me in remembering the late Reverend Michael DeBose.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mrs. MALONEY. Mr. Speaker, on April 26, 2012, I missed votes on various amendments to and final passage of H.R. 3523, the Cyber Intelligence Sharing and Protection Act.

On the Langevin amendment, rollcall No. 184, which would expand eligibility to participate in the voluntary information sharing program created in the bill to include critical infrastructure owners and operators and ensure that all critical infrastructure entities are able to receive vital cybersecurity information and better secure their networks against cyberthreats, I would have voted ''yea.''

On amendments including rollcall Nos. 185, 186, 187, 188, 189, and 190, I would have voted ''yea.''

On the Democratic Motion to Recommit, I would have voted ''yea,'' and on final passage of H.R. 3523, I would have voted ''no.''

I strongly support efforts to improve information sharing among the various stakeholders critical to keeping Americans safe from cyber threats, but not at the expense of our civil liberties. This legislation does not effectively protect privacy and ensure that Americans' rights are upheld.

IN HONOR OF THE VIETNAMESE COMMUNITY OF CLEVELAND AND THE 37TH ANNIVERSARY OF THE FALL OF SAIGON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance and recognition of the 37th anniversary of the fall of Saigon. This historical date commemorates the end of the Vietnam War, and represents the beginning of a new life for tens of thousands of Vietnamese people, as they began their hopeful journey to America.

On April 30, 1975, the ancient city of Saigon fell to the conquest of communist troops. This action solidified the communist takeover of South Vietnam. Thirty-seven years later, I rise to honor the memory and sacrifice of the hundreds of thousands of South Vietnamese soldiers, American soldiers and civilians who made the ultimate sacrifice in the name of liberty.

Despite the violent takeover and the rule of repression that followed, the culture, spirit and hope reflected by the Vietnamese people remained steadfast. After the fall of Saigon, thousands of Vietnamese, determined to rebuild their lives, began a treacherous exodus out of Vietnam. Their daring escape was on foot, through thick jungles and over jagged mountains. They escaped by boat, through snake-infested rivers and across turbulent seas. They became refugees in many nations, including America, with nothing more than the clothes on their backs and the hope for freedom in their hearts.

Mr. Speaker and colleagues, please join me in honoring and remembering the hundreds of thousands of men and women who struggle for peace and freedom, then and now. We also honor agencies and churches such as The Vietnamese Community of Greater Cleveland and St. Helena Catholic Church, which offer havens of support, services and hope to immigrants from all over the world. The Vietnamese culture, through the care and commitment of its people, has flourished in Cleveland and across America, yet remains forever connected to its ancient cultural and historical traditions that spiral back throughout the centuries, connecting the old world to the new, spanning oceans and borders in the ageless quest for peace—from Vietnam to America.

COMMEMORATING THE CENTENNIAL OF THE BIRTH OF RAOUL WALLENBERG

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize the heroic actions of Raoul Wallenberg, a Swedish citizen and diplomat, who, together with other courageous individuals, helped 100,000 Hungarian Jews escape Nazi authorities during World War II. As we continue to honor the memories of all those who suffered and perished during the Holocaust, we cannot forget the extraordinary men and women who risked their very own lives to take a stand against injustice and save their fellow man. This year marks the centennial of Wallenberg's birth, and although his ultimate fate remains unknown, we must ensure that this and future generations know of his great deeds.

Wallenberg was born on August 4, 1912 in Lidingö, Sweden, to a prominent Lutheran family. He studied architecture at the University of Michigan in Ann Arbor, and graduated with honors in 1935. The following year, Wallenberg went to work at a bank in Haifa, Palestine, and was deeply moved by the stories of Jews who had escaped Nazi persecution in Germany. After returning to Sweden, he became associated with Koloman Lauer, a Hungarian Jew who owned an import and export firm. Wallenberg traveled freely through Germany, Nazi-occupied France, and Hungary, where he witnessed the plight of European Jews firsthand.

On March 19, 1944, Hitler invaded Hungary and began a massive deportation of Hungary's estimated 700,000 Jews to the concentration camp Auschwitz-Birkenau. Earlier that year, President Franklin Delano Roosevelt established the War Refugee Board in order to help Jews and other groups persecuted by the Nazi and Axis powers. Working together with the Swedish government and prominent Swedish Jews, including Lauer, the War Refugee Board sought to send a special envoy to Budapest to rescue as many Hungarian Jews as possible. Wallenberg, then only 31 years old, was appointed first secretary at the Swedish Legation in Budapest with full diplomatic privileges and the financial support of the War Refugee Board.

Wallenberg used all means necessary to protect Jews from the German and Hungarian authorities, employing several hundred Jews under the protection of the Swedish Legation, redesigning the so-called ''Schutzpass,'' and securing approximately 15,000 such protective passes. On October 15, 1944, the fascist Arrow Cross Party seized power in Hungary and installed a pro-Nazi regime that terrorized, deported, and murdered tens of thousands of people. Still, Wallenberg remained in Budapest to continue his efforts and established ''Swedish Houses,'' which served as places of refuge for over 25,000 Jews.

On November 20, 1944, Adolph Eichmann began the ''death marches,'' the deportation of thousands of starving and tortured Jews by foot along the 125-mile-long road between Budapest and the Austrian border. Wallenberg directly confronted German soldiers along the way in order to provide protective passes, food, and medicine to Jews. In January 1945, he saved the remaining Jews living in Budapest's largest ghetto from massacre with the help of Pál Szalay, an Arrow Cross senior official.

When the Russian army arrived in Budapest on January 17, 1945, Wallenberg disappeared after being taken into Soviet custody. He was reportedly imprisoned in Lubyanka prison in Moscow, and died on July 19, 1947 from a heart attack. However, reports from former Soviet prisoners as recent as 1981 suggest that Wallenberg may have survived after 1947, and his fate remains shrouded in mystery to this day. He has since become the subject of numerous humanitarian honors, including that of Yad Vashem's ''Righteous among the Nations;'' has been named an honorary citizen of the United States, Canada, and Israel; and has been memorialized through countless monuments, statues, works of art, social institutions, and street names around the world.

Mr. Speaker, Raoul Wallenberg and his colleagues in the Swedish Legation saved at least 100,000 Jews in Hungary from extermination, including the late Congressman Tom

Lantos and his wife Annette. As we celebrate the centennial of Wallenberg's birth, let his story inspire and embolden our ongoing efforts to bring an end to discrimination and hate-inspired violence in our communities through greater leadership and cooperation among all peoples.

IN RECOGNITION OF MAGOS HUNGARIAN FOLK BAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Magos Hungarian Folk Band, and welcome them to Cleveland, Ohio, for their performance at St. Emeric's Church Hall on April 29, 2012.

The Magos Band's philosophy is to learn and present Hungarian folk music in its archaic form and perform it to the young generation. Their music is classified as Táncház, drawing inspiration from the Carpathian basin, including Hungary, Transylvania and parts of Slovakia.

The Magos Hungarian Folk Band is comprised of violinists Csaba Soós and Márton Kovács, Dávid Horváth on bass, Tamás Enyedi on cimbalom, Márton Fekete playing the brácsa, and vocals by Ágnes Enyedi. The band gained fame after winning the 2011 Folkbeats Competition in Budapest, Hungary. Their prize was a concert tour of North America. In addition to a concert, the Magos Band will also be hosting a traditional Hungarian dance party after each of their shows.

Mr. Speaker and colleagues, please join me in recognizing the Magos Hungarian Folk Band and welcoming them to the City of Cleveland.

INTRODUCTION OF THE ''JOHN HOPE FRANKLIN TULSA-GREENWOOD RIOT ACCOUNTABILITY ACT''

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the ''John Hope Franklin Tulsa-Greenwood Riot Accountability Act of 2012,'' along with Representative NADLER, and additional cosponsors. This legislation will create a Federal cause of action to allow the survivors of the Tulsa-Greenwood Riot of 1921 to seek a determination on the merits of their civil rights and other claims against the perpetrators of the Riot in a Federal court of law.

This legislation is named in honor of the late Dr. John Hope Franklin, the noted historian, who was a first-hand witness to the destructive impact that the riot had on the African-American community of Tulsa. Dr. Franklin made numerous scholarly contributions to the understanding of the long term effects of the riot on the city and worked to keep the issue alive in history and on the minds of policymakers. On April 24, 2007, he served as a witness, testifying in favor of the legislation, and its passage would be a fitting tribute to his memory and to a community which has never received its fair day in court.

The Greenwood neighborhood of Tulsa, Oklahoma, was one of the nation's most prosperous African-American communities entering the decade of the Nineteen Twenties. Serving over 8000 residents, the community boasted two newspapers, over a dozen churches, and hundreds of African-American-owned businesses, with the commercial district known nationally as the ''Negro Wall Street.'' In May 1921, all that came to an end as 42 square blocks of the community were burned to the ground and up to 300 of its residents were killed by a racist mob. In the wake of the violence, the State and local governments quashed claims for redress and effectively erased the incident from official memory.

The 1921 Tulsa Race Riot was one of the most destructive and costly attacks upon an American community in our nation's history. However, no convictions were obtained for the incidents of murder, arson or larceny connected with the riot, and none of the more than 100 contemporaneously filed lawsuits by residents and property owners were successful in recovering damages from insurance companies to assist in the reconstruction of the community.

The case of the Tulsa-Greenwood Riot victims is worthy of Congressional attention because substantial evidence suggests that governmental officials deputized and armed the mob and that the National Guard joined in the destruction. The report commissioned by the Oklahoma State Legislature in 1997, and published in 2001, uncovered new information and detailed, for the first time, the extent of the involvement by the State and city government in prosecuting and erasing evidence of the riot. This new evidence was crucial for the formulation of a substantial case, but its timeliness raised issues at law, and resulted in a dismissal on statute of limitation grounds. In dismissing the survivor's claims, however, the Court found that extraordinary circumstances might support extending the statute of limitations, but that Congress did not establish rules applicable to the case at bar. With this legislation, we have the opportunity to provide closure for a group of claimants—many over 100 years old—and the ability to close the book on a tragic chapter in history.

Racism, and its violent manifestations, are part of our nation's past that we cannot avoid. With the prosecution of historical civil rights claims, both civil and criminal, we encourage a process of truth and reconciliation which can heal historic wounds. In this case, the Court took ''no great comfort'' in finding that there was no legal avenue through which the plaintiffs could bring their claims. The ''Tulsa-Greenwood Riot Accountability Act'' would simply give Tulsans and all Oklahomans, white and black, victims and non-victims, their day in court. Without that opportunity, we will all continue to be victims of our past.

IN REMEMBRANCE OF MRS. GINA THOMPSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mrs. Gina Thompson, a supporter and leading voice for environmental, social and political improvement.

Gina was born on January 28, 1938 in Los Angeles, California. She was raised by her mother, Greta and stepfather, William Dooling. Gina attended Santa Monica College and soon after married Ed Angell. They had a son, Christopher.

Several years later, Gina remarried her husband of 55 years, John Thompson. While the family of three was living in Malibu, Gina was diagnosed with breast cancer. She vowed that if she overcame the disease, she would devote her life to helping others. This is when Gina's career in philanthropy blossomed.

Beginning as a volunteer, Gina was ultimately appointed the executive director of the Center for the Healing Arts in Los Angeles. She eventually went on to the same position with The Hermes Project before to Nicasio, California. She continued her work with nonprofit organizations as the executive director for the Dharma Foundation.

Gina was also extremely involved in politics, and served as a fundraiser and organizer for both my own and President Obama's campaigns. Spirituality was another aspect that was important in Gina's life. She was a fundraiser for Spirit Rock Meditation Center and assisted master Mingtogn Gu in bringing the Wisdom Healing Qigong Center to Petaluma.

I offer my condolences to her husband, John Thompson and son, Christopher Angell.

Mr. Speaker and colleagues, please join me in honoring the life of Mrs. Gina Thompson.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,675,791,363,404.17. We've added $5,048,914,314,491.09 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

JACOB GULLA

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise to congratulate Jacob Gulla who scored a one hundred percent on the 2012 National Financial Capabilities Challenge.

The National Financial Capabilities Challenge is annually administered by the U.S. Department of the Treasury and the U.S. Department of Education. The challenge is designed to increase the financial knowledge and capability of high school students across the United States.

This year, 80,024 students took the test and Pennsylvania had the highest number of participating schools and educators. In addition, Pennsylvania had the highest number of students who scored in the top 20th percentile in the nation and ranked as the fourth highest state with students who scored a one hundred percent on the test.

Mr. Speaker, financial capability empowers individuals to make informed choices, avoid pitfalls, know where to go for help, and take other actions to improve their present and long-term financial well-being. Today, I commend Jacob Gulla for his hard work and dedication to taking control of his financial future, which is evident in his accomplishment.

IN HONOR OF REVEREND DAN SEWELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Reverend Dan Sewell, who was named the 2012 Fairview Park Citizen of the Year by the Fairview Park Community Council.

Rev. Sewell, a lifelong resident of Fairview Park, Ohio was born in 1955. He graduated from Fairview Park High School in 1973 and earned a Master of Theology Degree from Fuller Seminary. He has been married to his wife, Karen, for 37 years and they have four daughters.

In 1989, Rev. Sewell became the pastor of the New Hope Church. Under his leadership, the church has become a staple in the community, hosting hunger drives and other various community service opportunities. Rev. Sewell is also the longest-serving member of the Fairview Park Ministerial Association which supports the Fairview Park Hunger Center and National Day of Prayer gatherings.

He has also been involved with Fairview Park's annual Summerfest, serving as a bake-off judge, talent judge, and musical performer. Additionally, Rev. Sewell was instrumental in developing Fairview Park's ''Everyone is Our Neighbor'' campaign as a response to crime in the community.

Mr. Speaker and colleagues, please join me in congratulating Reverend Dan Sewell as he is honored by the Fairview Park Community Council as the 2012 Fairview Park Citizen of the Year.

RECOGNIZING NATIONAL TEACHER APPRECIATION WEEK AND THE SELFLESS WORK OF AMERICA'S EDUCATORS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. MARCHANT. Mr. Speaker, I rise today to recognize our Nation's teachers, and particularly those of Texas' 24th Congressional District. Yesterday marked the beginning of National Teacher Appreciation Week, and today, May 8, 2012, is Teacher Appreciation Day. This annual week celebrates the encouragement, support and discipline selflessly provided by America's educators. Teaching is a difficult job that requires significant talent. Most, if not all, of America's educators devote their careers to enriching the lives of our children. Almost everyone holds dear the memory of at least one teacher in particular who made a significant impact on their life. We can never fully thank our teachers for their hard work and dedication.

We rely on teachers to shape the minds of America's next generation. Nearly 5 million students in Texas depend on our State's educators to provide them with the vital knowledge needed to succeed in life. This is a massive job that comes with an even greater responsibility. Teachers accept this responsibility with great pride. I am extremely honored to recognize the amazing work of our teachers. I cannot thank them enough for their commitment to the children in Texas and across the country.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing the selfless work of America's educators. We must always recognize those who dedicate their careers to enriching the lives of our children.

HONORING JAN GILBERT FOR 30 YEARS OF ADVOCACY WORK IN NEVADA

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Ms. BERKLEY. Mr. Speaker, today I urge my colleagues to join me in recognizing the achievements of Ms. Jan Gilbert, for her 30-year career of advocating for income equality, human rights, and women's health.

This year, Ms. Gilbert is retiring from her current position at the Progressive Leadership Alliance of Nevada (PLAN) after 30 years of advocacy on behalf of the voiceless. I am delighted to honor her service and leadership as a champion for justice in the State of Nevada.

In 1982, Jan's work began by serving the community through the League of Women Voters of Nevada as president of the Carson City chapter. In 1990, Jan advocated for the passage of Question 7 to reaffirm women's reproductive rights. Jan's commitment to empowering citizens to become active participants in their government prompted her to cofound PLAN, a statewide organization that offers a unified force for social, environmental, and economic integrity in Nevada.

Jan coauthored the 2002 Wider Opportunities for Women's Self Sufficiency Standard for Nevada. She also served as the cofounder of Nevada's Empowered Women's Project, representing low-income women. In addition, Ms. Gilbert has been instrumental in promoting social justice among Nevadans as the air of the Child Abuse Prevention, Family Support, and Respite Subcommittee of the Nevada Department of Health and Human Services Grants Management Advisory Committee. Jan has worked tirelessly for low-income women on welfare and facilitated the passage of ''make work pay'' that allowed women to remain on welfare after they started working. She helped increase the welfare grant level for recipients along with aiding in the creation of childcare funding for welfare recipients while they worked.

Finally, Jan's proudest accomplishment was the 2009 passage of the Domestic Partner Registry. She worked vigorously to pass this measure for Nevada and she was responsible for obtaining the last remaining vote to secure its passage and override a gubernatorial veto. Since October 1, 2009, committed couples in Nevada can legally register their partnership and be recognized by the State.

During Jan's years of service, she has received a number of distinguished awards, including the Mike O'Callaghan Humanitarian of the Year Award, the Hannah Humanitarian Award, the Public Citizen of the Year Award, and the Women's Role Model Award, recognizing her gallant efforts. Most recently, she was named a 2012 ''Champion of Change'' by the White House.

As the Representative for Nevada's First Congressional District, it gives me immense pride to recognize Jan Gilbert and the remarkable work she has done for Nevada. She has made our State a more just, impartial, and equal place for all. I congratulate Jan and her family on a well-earned retirement, but I am sure her love for service and civic engagement will continue to benefit the Silver State in many exciting and innovative ways.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE CITY CLUB OF CLEVELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 100th anniversary of the City Club of Cleveland.

Established in 1912 as a non-partisan forum for debate, the City Club of Cleveland is the country's oldest independent continuous free speech forum. It is often referred to as ''America's Citadel of Free Speech.'' The mission of the City Club of Cleveland is to inform, educate and inspire citizens by presenting significant ideas and providing opportunities for dialogue in a collegial setting. The speaking events held at the City Club of Cleveland can

be heard across the nation through the radio, television, podcasts and on YouTube.

Throughout the past century, the City Club of Cleveland has hosted some of the country's fiercest debates and inspiring speeches. Perhaps the most well-known speech delivered at the City Club of Cleveland was Senator Robert F. Kennedy's ''Mindless Menace of Violence'' speech delivered on the day following the assassination of Martin Luther King, Jr. Other notable speakers include Bill Clinton, Theodore Roosevelt, Geraldine Ferraro, W.E.B. DuBois, Sandra Day O'Connor, Cesar Chavez, Rosa Parks, Henry Kissinger and Ken Burns.

The City Club of Cleveland is celebrating its centennial year with several events. On May 18, 2012, Ted Turner will receive the Citadel of Free Speech Award. The City Club of Cleveland is also hosting an Anniversary Essay Contest, Encore Speakers Series and Centennial Gala Celebration this fall.

Mr. Speaker and colleagues, please join me in recognition of the 100th anniversary of the City Club of Cleveland.

NATIONAL MARROW DONOR REGISTRY TODAY SURPASSES 10 MILLION VOLUNTEERS READY TO GIVE THE LIVING GIFT OF LIFE

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to share with my colleagues some good news about a life-saving program begun by this House 25 years ago. The National Marrow Donor Program (NMDP), now publicly known as Be The Match, marks another major milestone today as it has signed up its 10 millionth potential volunteer bone marrow donor on its Be The Match Registry®.

With a small appropriation of funds in 1986, the National Marrow Donor Program began to recruit potential bone marrow donors in the Fall of 1987. The registry started with a list of 10,000 volunteers who had signed up at small bake sales and community events all over the country with the hope that their donation of bone marrow would save the life of a man, woman or child with leukemia or any one of 60 otherwise fatal blood disorders.

With the odds of finding a matched, unrelated marrow donor at greater than 20,000 to one, federal support was required to establish a registry large and diverse enough to find donors for patients in need of a second chance at life. Today, the Be The Match Registry is the largest and most diverse listing of potential marrow donors and cord blood units in the world and has direct relationships with registries in 37 other nations.

Because of the committed volunteer registry members, Be The Match has facilitated more than 50,000 transplants for patients with leukemia, lymphoma and other life-threatening diseases over these past 25 years. Half of the 50,000 procedures facilitated by Be The Match were performed in the last five years alone—demonstrating the great momentum behind transplant therapy. By 2015, Be The Match plans to double the number of transplants it facilitates annually, to more than 10,000.

Today, Be The Match continues to grow to meet the needs of patients whose best—and often only—hope for a cure is a marrow or cord blood transplant. Each of the 10,000,000 volunteers, and every additional member of the registry we recruit, represents hope to the thousands of patients who search for a match every year.

Mr. Speaker, I want to congratulate and thank all of the members of this House who have been a partner with me in establishing this modern miracle of a program that has given hope to thousands of families here in the United States and all around the world. And I invite all of my colleagues to join me in commending the NMDP and Be The Match for recruiting 10 million registry members in every Congressional District, and for the dedication of its staff members and thousands of volunteers to the noblest of causes to save the life of another person.

RECOGNIZING THE 2012 RECIPIENTS OF THE McGOWAN COURAGE AWARD

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. JORDAN. Mr. Speaker, I appreciate the opportunity to share positive stories about young people from Ohio's Fourth Congressional District who overcome adversity. Today, I am pleased to share the stories of seven such individuals.

Alex Armstrong, Clear Fork High School. Alex refuses to allow Asperger's Syndrome to get in the way of pursuing his passion for music. He is a field commander for Clear Fork's marching band, participates in the stage and concert bands, and plays the organ at his church. Alex's leading roles in National Honor Society, the French Club, and the Tech Team are an inspiration to his teachers, who attest to his hard work and friendliness.

Katie Cabrera, Crestview High School. Challenged by family circumstances that have forced her to take control of her own health care decisions, Katie has the respect and admiration of her teachers and school staff for the responsibility she shows in dealing with diabetes. Her confidence, courage, and independence are a model to young people and adults alike. Katie plans to attend college after graduation.

Emily York, Lexington High School. A devastating motorcycle accident four years ago left Emily with third-degree burns over most of her body. She has endured multiple surgeries, skin grafts, and a serious leg infection resulting in amputation. After spending more than 18 months away from home in hospitals, Emily has returned to school, where her dedication is a model to her fellow students. She plans to study art therapy.

Mercedes Sawyer, Madison Comprehensive High School. Mercedes has suffered strokes and seizures caused by a rare and untreatable mitochondrial disease. She has fought this disease with diet changes and regular exercise, which has boosted her energy level and allowed her to participate in soccer, swimming, and track. A volunteer with the United Mitochondrial Disease Foundation, she will attend the University of Iowa this fall.

Travon Slaughter, Mansfield Senior High School. Coping with chronic pain and muscular atrophy caused by a stroke he suffered in the womb, Travon's positive attitude and sense of humor have won him the admiration of his teachers and fellow students. He entered the Early Childhood Career Tech Program, has worked at Madison Early Childhood Learning Center, and has plans to start his own daycare center.

Claire Engelken, Ontario High School. Claire has earned the respect of her peers and teachers for the way she has dealt with Asperger's Syndrome and scoliosis. Her passion for planning and for improving her communication skills continues to be an asset to her in her schoolwork. Claire has worked with the Pathway Program and wants to further develop her love of animals by working in an animal shelter or veterinary office after graduation.

Caitlyn James, St. Peter's High School. Caitlyn will not allow the challenges she faces at home to overwhelm her positive spirit, strong faith, and commitment to fight injustices. She recently made a presentation at a child abuse prevention awareness event that she coordinated at St. Peter's. Caitlyn plans to continue her selfless service to others following graduation and is considering serving in the Armed Forces.

Mr. Speaker, the Rotary Club of Mansfield, Ohio, will present these seven students with the McGowan Courage Award today. I am proud to join the Rotary in acknowledging their significant achievements and wishing them continued success in their lives.

IN HONOR OF POLISH CONSTITUTION DAY, 2012

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Poles, Polish-Americans on the occasion of Polish Constitution Day.

Polish Constitution Day is a day when people of all cultures join with the people of Poland to celebrate the rich culture, traditions and history of Poland. After almost five centuries of struggle and perseverance, the Governmental Statute of Poland became the first written constitution in Europe on May 3, 1791. The Polish Constitution established the separation of government powers, freedom of religion, and abolished elements of serfdom, all of these are key elements of freedom and democracy.

The Polish American Congress strives to make Americans of Polish heritage more successful and involved U.S. citizens by encouraging them to assume the responsibilities of leadership. Since its foundation over sixty years ago, the group has created programs to successfully integrate people of Polish decent

in the U.S. and enrich Cleveland's social fabric. These programs include the Displaced Persons Program, which allowed almost 150,000 Polish immigrants to enter the U.S. after World War Two. The group also won American veterans benefits for Polish Veterans of both World War One and World War Two. The Polish American Congress has played a crucial role in the Polish Community, and in its many years of support and service has been an invaluable contribution to the City of Cleveland and this nation.

Mr. Speaker and colleagues, please join me today, Polish Constitution Day, in honoring the struggles, courage and triumphs of the people of Poland and honoring all people of Polish descent. Through their successive struggles for freedom, the people of Poland have given the world hope.

WILLIAM DIGIGLIO

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise to congratulate William Digiglio who scored a one hundred percent on the 2012 National Financial Capabilities Challenge.

The National Financial Capabilities Challenge is annually administered by the U.S. Department of the Treasury and the U.S. Department of Education. The challenge is designed to increase the financial knowledge and capability of high school students across the United States.

This year, 80,024 students took the test and Pennsylvania had the highest number of participating schools and educators. In addition, Pennsylvania had the highest number of students who scored in the top 20th percentile in the nation and ranked as the fourth highest state with students who scored a one hundred percent on the test.

Mr. Speaker, financial capability empowers individuals to make informed choices, avoid pitfalls and take other actions to improve their present and long-term financial well-being. Today, I commend William Digiglio for his hard work and dedication to taking control of his financial future, which is evident in his accomplishment.

IN CELEBRATION OF ASIAN/PACIFIC AMERICAN HERITAGE DAY, 2012

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Asian/Pacific American Heritage Day 2012 and to celebrate the many cultural and societal contributions of the Asian American and Pacific Islander communities throughout Northeast Ohio.

Asian/Pacific American Heritage Day provides us with an opportunity to celebrate the numerous achievements of Asian Americans and Pacific Islanders throughout Northeast Ohio and across the nation. Cultural diversity is a foundation of our community and it has allowed our residents to experience traditions from around the world.

The heritage of Asian Americans has been preserved and reflected by each generation. It shows the spirit, hope and courage of all of our ancestors who braved treacherous journeys along the road to freedom and opportunity in America.

This year's celebration will take place at Cleveland City Hall Rotunda and feature Mayor Frank Jackson, Ms. Margaret W. Wong, and Mr. Blaine A. Griffin, the Director of Community Relations Board.

Mr. Speaker and colleagues, please join me in celebrating Asian/Pacific American Heritage Day and honoring the contributions of all Asian Americans and Pacific Islanders in our Greater Cleveland community.

TRIBUTE TO HONOR FLIGHT NORTHERN COLORADO

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. GARDNER. Mr. Speaker, I rise on the occasion of Honor Flight Northern Colorado's eighth flight to Washington, D.C. bringing Veterans of WWII, Korea, and Vietnam to see their memorials. On behalf of a grateful delegation, state, and country, we welcome these heroes.

The 122 Veterans on this flight include 48 from the Korea conflict, and 8 Purple Heart recipients from the Vietnam War. The Honor Flight program, founded in 2005, was intended to first honor all WWII Veterans that could make the trips, but then to afford the same to those from the Korea and Vietnam eras. We are, this day, honoring those Veterans from Korea (the Forgotten War) and Vietnam, our longest conflict in modern times, as they get to see their memorials. These trips are provided to our Veterans at no cost to them or their families.

The fact that these soldiers, sailors, airmen, Marines, and Coast Guardsmen would uproot themselves from their homes and families and put themselves in harm's way for our country is very humbling. The sacrifices they—and the families they left behind—made are truly incredible. The debt of gratitude we owe them can never be repaid, for without their honor, courage, commitment, and above all—sacrifice we would not able to enjoy the freedoms have today.

Please join me in thanking Charles Agnew, Lewis Ashcraft, Robert Barnd, Eugene Bonkiewicz, Carson Bright, Frank Brown, Wayne Bullock, William Castor, Lowell Dart, Donald Draxler, Robert Duntsch, Jose Duran, Joseph Edwards, George Emerick, Jack Endacott, Marvin Fowler, Robert Gillham, Warren Garst, Joseph Graham, William Hampton, Walter Hayword, Roland Kaiser, Willis Kramer, Victor Lazar, David Leon, Verne Lewellen, Harry Livingston, Mary Livingston, Gilbert Lopez, Russell Mam, W. Dennis McHenry, Raymond Mega, Gerald Monroe, Donald Morrison, Bernard Nettesheim, Reynolds Olson, Homer Phillips Jr., Richard Porter, Marion Raines, James Rauenbuehler, Frederick Reck, Gilbert Rohde, Walter Sapp, Henry Schmitt Jr., John Shedd, Alan Schultes, Bill Shupe, Waldo Smith, Charles Smoot, Fredrick Stein, William Stromberg Sr., Gene Thorson, Clyde Treadway, Theodore Wahler, Arthur Wartburg, Crowell Werner, James White, Robert Williams, Evans Woodhouse, Darryl Anderson, Raymond Anderson, Donald Armagost, James Ball, Eugene Ball, Harry Ball, Leslie Brumley, Orlis Charboneau, Dale Crist, Robert Cupp, Timothy Daley, Bobbie Desmond, Edward Eson, Clarence Ehrlich, Alvin Eurich, Francis Fleming, Jr., James Flynn, Leslie Fraley, Jr., George Frysinger III, Richard Gero, John Goad, Virgil Hanson, Roman Herrmann, John Hess, Billy Hettinger, Donald Hoffner, Marguerite Ingram, Robert Kramer, Robert Kruger, Lindy Leifheit, Chester McCoy, Chester McGuire, William Miller, Raymond Nuss, James Ochsner, Louis Peterson, Marshall Petring, Arnold Piel, Wayne Pimple, Richard Reagan, Gerald Rice, Harry Rieger, Edward Roebuck, Gerald Ross, Alan Seaman, Dick Sears, Joseph Sellers, William Shirey, Norris Slechta, Robert Stanley, Elizabeth Strahan, Clarence Strahan, Jr., William Striffler, Darrell Viegut, Sam Warner, Doyle Biggs, Paul Delgado, Edward Fast, Dennis Henneberg, Donald Hess, Daniel Menzies, Jack Roberts and Steven White for their dedication, commitment, and service to this great nation.

75TH ANNIVERSARY OF MARYMOUNT MANHATTAN COLLEGE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mrs. MALONEY. Mr. Speaker, I rise today to honor the 75th Anniversary of Marymount Manhattan College. Since opening its doors in 1936, Marymount Manhattan has evolved from a two-year Catholic women's college, founded by the Religious of the Sacred Heart of Mary, into a four-year nonsectarian liberal arts college of 2,095 students who can choose from 18 individual majors and 40 minors.

Faithful to the vision of its founders, Marymount Manhattan has a long history of reaching out to diverse populations in need of higher education. Over the years, Marymount Manhattan's mission as an urban, independent, coeducational liberal arts college has expanded to include a greater variety of students, including men, nontraditional students, and students from a variety of ethnic and geographic backgrounds. A record number of 130 international students from 60 countries were part of the student body in the fall of 2011. The College's growth has also resulted in a greater diversity of academic opportunities in the Fine and Performing Arts, Natural Sciences, Social Sciences, Accounting and Business Management, and the Humanities and its commitment to intellectual excellence and community service in my home state of New York deserves to be recognized and applauded.

The faculty at Marymount Manhattan College is passionate about their work and their academic integrity is reflective of their talent as educators. Marymount Manhattan College's size offers the luxury of individual attention and allows for ease in cross-disciplinary studies to provide a well-rounded academic experience.

Marymount Manhattan College's commitment to community service is best exemplified by its Bedford Hills College Program, which successfully transforms and rehabilitates women incarcerated through educational and intellectual pursuits. The Bedford Hills College Program graduates many students summa cum laude and is a proven success, elevating the quality of these women's lives and improving our society.

Mr. Speaker, it is with great honor that I recognize Marymount Manhattan College's commitment to providing its students with a robust intellectual atmosphere, fostering a diverse student body, and serving the community. I commend their 75 years of success and I am sure this is only an indication of continued growth and achievement for many more years to come.

HONORING BRENT HODSON

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Brent Hodson, a resident of Fremont, California, who is being honored at the Friends of Scouting Community Leadership Breakfast in Newark, California, on May 18, 2012.

Mr. Hodson and his wife of forty-five years, RaeDene, have lived in Fremont since 1975. He was an employee of the Washington Hospital Healthcare System for over 35 years, retiring in February 2012, as the Chief of Community Support Services. He has served in a variety of positions at Washington Hospital Healthcare System and has provided exemplary leadership.

Mr. Hodson holds a Bachelor of Science degree in Psychology from Weber State College in Ogden, Utah, and a Bachelor of Science degree in Physical Therapy from the University of California, San Francisco.

Mr. Hodson has been a community activist for many years. He served for nine years on the Fremont Chamber of Commerce Board of Directors, including one year as Board Chair. He has been a strong advocate and closely associated with Fremont Chamber of Commerce Leadership program, serving on the steering committee since 1997. Mr. Hodson currently serves as a member of the Board of the Newark Chamber of Commerce and is a past president of the Fremont Rotary Club. He is currently the President of the Fremont, California Stake of the Church of Jesus Christ-Latter Day Saints.

The honor Mr. Hodson is receiving at the Friends of Scouting Community Leadership Breakfast is well deserved. The breakfast will benefit the Mission Peak District Boy Scouts of America.

Mr. Hodson participated in Boy Scouts as a youth and he has been the Scout Master of Troop 160 and the Centerville Ward Institutional Representative for Boy Scouts of America. He has also served as a troop and post committee member for all Centerville Ward units and for the Washington Hospital Medical Explorer Post, as well as serving as Young Men's President, teacher and advisor. Mr. Hodson has also chaired several Friends of Scouting fundraising campaigns.

I join in thanking Mr. Hodson for his commitment and dedication to Scouting and for serving as a model of community leadership.

NATIONAL TEACHER DAY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. REICHERT. Mr. Speaker, on the occasion of National Teacher Day, I want to thank the teachers around this country for giving so generously of themselves to their students, their communities and their schools. Teachers make a difference in young people's lives every day and in myriad ways. I know personally the positive change they made in my life. Teachers educate our young people not just in math and English, but in more difficult subjects such as sharing, expressing themselves and solving differences. The value they add to students cannot be measured. I also want to single out the teachers in the District I represent, Washington's 8th, because I've had the pleasure of visiting and interacting with so many there. Every single time I visit a school, I see students responding positively to teachers' guidance and encouragement.

Our teachers never stop working. They work both in and outside the walls of their classrooms. They help coach athletes. They inspire students in the community. Our teachers act as positive role models for children that may not otherwise have them. They spend weekends and evenings grading papers and tests. They brighten their classrooms with inspirational and thoughtful artwork. They engage young people in the kind of conversations necessary to be leaders in future generations. They help supply students with the everyday life skills that they need to succeed.

That is why I sponsored the Teacher Tax Relief Act, a bill increasing the maximum tax deduction available to teachers for out of pocket expenses from $250–$500 and a bill making professional development costs an eligible expense—in that way, teachers can continue to their own educations and continue to be effective in the classroom.

Today, Mr. Speaker, on National Teacher Day, I thank all teachers for their service to America's future generations. All of our teachers deserve the respect and support of students, parents and their communities. My pledge today is to support teachers in this House as much as possible.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes:

Ms. KAPTUR. Mr. Chairman, I rise today to support the amendment by Congressman DAVIS to H.R. 5326, the Departments of Commerce and Justice, Science, and Related Agencies Fiscal Year 2013 Appropriations bill to provide the U.S. Department of Justice (DOJ) with the resources it requested for Second Chance Act programs.

First, I want to thank Congressman DAVIS for offering this amendment. He is the champion of helping offenders reenter the community and our country is a better place because of Mr. DAVIS's efforts.

Second Chance Act programs provide employment assistance and job-skills training, substance abuse treatment, housing assistance, family-based programming, individual and group mentoring and victim support for offenders reentering their communities.

The Republican CJS Appropriations Bill shortchanges Second Chance Act programs by $10 million but provides $95 million more than DOJ requested for other programs. There is clearly money available to fully fund Second Chance Act programs.

We should be fully funding Second Chance Act programs because the number of individuals in prison and jails is at an all-time high. Federal and state corrections facilities held one of every 201 U.S. residents in 2010 or 1.6 million individuals.

These individuals will eventually come back into the community and Second Chance Act programs can help them with this transition so they do not end up back in prison.

Studies show that more than four in 10 offenders returned to state prison within three years of their release.

However, Second Chance Act programs have proved to help reduce this rate and we need to keep the momentum going by providing full funding in FY 13.

We need to do everything we can to help these individuals stay out of prison not only because it is the right thing to do but also because the cost of incarcerating people is ballooning. If current trajectories continue, state and federal prisons will grow by 13 percent by 2013, adding an additional 192,000 prisoners at a cost of $27.5 billion.

Mr. Chairman, I urge my colleagues to support Mr. DAVIS's amendment.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes:

Mr. CONNOLLY of Virginia. Mr. Chair, I rise to express my great disappointment that H.R. 5326, the Commerce, Justice, Science and Related Agencies Appropriations Bill for Fiscal Year 2013, does not preserve funding for vital community gang prevention, which has enjoyed bipartisan support in the past.

This bill eliminates a $5 million grant program for our state and local law enforcement partners that supported competitive, evidence-based programs to reduce gun crime and gang violence. It also eliminates a $5 million grant program that supported gang and youth violence education, prevention and intervention in our communities.

These grants are essential for helping our local and state partners contain the growth in gang violence in their communities and educate young people about the perils of joining a gang. In my Northern Virginia district, we used these funds to partner local law enforcement agencies with their state and federal counterparts in a regional gang task force, which is coordinating prevention and enforcement efforts.

A decade ago, gang participation and gang-related crime was on an upswing in our community. Thanks to this federal partnership and other local initiatives—like the expansion of after school programs, which I helped lead at the local level—we were able to stem the growth of gang activity in our community. In fact, we reduced gang participation by 50 percent among our students. It is because of this partnership that Northern Virginia continues to have one of the lowest crime rates in the nation.

I appreciate the Committee acknowledging in the report for this bill the importance of partnering with local and state law enforcement agencies to combat the proliferation of multi-jurisdictional gangs. That is why these two competitive grant programs, which provide critical gang prevention support in our communities, ought to be maintained.

I urge my colleagues to reconsider these unfortunate cuts and revisit this issue when we ultimately go to conference with the Senate to fund the Justice Department for Fiscal Year 2013. We have stood shoulder-to-shoulder with our local and state partners to prevent gang violence, and we cannot step away from that partnership now when gang violence continues to be a significant threat in so many communities, as the Committee itself acknowledges.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes:

PERSONAL EXPLANATION

Ms. HIRONO. Mr. Chair, on rollcall Nos. 202 ''yes''; 203 ''no''; 204 ''no''; 205 ''yes''; 206 ''no''; 207 ''no''; 208 ''no''; 209 ''no''; 210 ''no''; 211 ''no''; and 212 ''no''.

Had I been present, I would have voted as indicated.

HONORING THE LIFE AND SERVICE OF ROBERT STEWART

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to honor of the life of Walnut Hill's beloved Robert Stewart. Throughout the area, Mr. Stewart was known for his selfless nature, immense generosity, dedicated service to his local community, and never-ending love for his family. This man was a hero to our Northwest Florida community, and he will be greatly missed.

Robert Stewart served as a volunteer fireman for over thirty years and as Chief of the Walnut Hill Fire Department for the latter fifteen of those years. During his time in service, he saved the lives of countless Walnut Hill citizens. According to Mr. Stewart, one of his most memorable emergency calls was near the end of his career on March 9, 2001. Two teenage girls were trapped in a car that had lost a battle with a tree leaving their tiny sports car split entirely in half—two pieces of car left on the side of Highway 99. Mr. Stewart, along with his team, diligently worked to extract the teenage girls from the car. Due to Mr. Stewart and his team's heroic efforts, both girls survived. What made this call different from any other was the girls came back to the Walnut Hill Volunteer Fire Department to thank the team for saving their lives. Mr. Stewart was never one to ask or demand the appreciation, but when it occurred, he was always grateful.

Robert Stewart has been labeled a hero on many other occasions. Another such incident was a wreck that occurred on State Line Road that left a family's car upside down in a ditch filled with water. Mr. Stewart was the first to respond to the scene, and he safely removed three children from the car. The mother of the children called him a hero, but true to his modest and humble character, he responded with ''I am just doing my job.''

Mr. Stewart is survived by his wife, Diann; children, Sam and Kelly; and grandchildren, Tanner and Andrew. Those fortunate enough to have met Mr. Stewart would agree that they were truly blessed by his warm heart and generosity. His impact on the Walnut Hill Community will never be forgotten. To some, Mr. Stewart will be remembered as an invaluable leader of the Walnut Hill Volunteer Fire Department, but to the friends and family he leaves behind, Mr. Stewart will most fondly be remembered as a loving and committed family man.

Mr. Speaker, on behalf of the United States Congress, I rise to honor the life of Robert Stewart and his living legacy. Our community has truly suffered a great loss with his passing. My wife Vicki joins me in sending our most heartfelt condolences to the entire Stewart family.

IN RECOGNITION OF MR. BILL A. KEFFLER

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. SESSIONS. Mr. Speaker, I rise today to recognize Mr. Bill A. Keffler, the City Manager for the City of Richardson, Texas. After thirty-five years of dedicated service, he is retiring on May 31, 2012.

Mr. Keffler began his public service with the City of Richardson in 1977. He has served the city in numerous capacities, including as Deputy City Manager, Assistant City Manager, Assistant to the City Manager, and as an Administrative Assistant. In 1995, he became the City Manager, the position he has served in with distinction to this day.

As the Member of Congress who represents the City of Richardson, I have had the pleasure of working closely with Mr. Keffler and seen firsthand the impact of his devotion and commitment to the citizens of Richardson. He possesses a keen understanding of the city's needs and issues as well as the importance of actively engaging the community in developing policy solutions and strategic planning. Mr. Keffler undertook bold initiatives in economic development, fiscal responsibility, and community revitalization. As a result of Mr. Keffler's actions in positioning the City of Richardson for growth and stability, the city and the North Texas region stand stronger than ever before.

Mr. Speaker, I ask my colleagues to join me in congratulating Mr. Keffler on thirty-five years of dedicated service to the city of Richardson. I wish him all the best in his future endeavors. May God bless him and his family.

RECOGNIZING SUPERINTENDENT RONALD BLOCKER FOR 12 YEARS OF SERVICE TO ORANGE COUNTY

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. WEBSTER. Mr. Speaker, it is my honor to recognize Orange County Public School Superintendent Ronald Blocker and congratulate

him on 12 years at the helm of Central Florida's largest public school system. We are grateful for his service to our students, our teachers and our community.

Assuming the charge of Superintendent for Orange County in July 2000, Mr. Blocker's committed leadership has led to the highest graduation rate and the lowest dropout rate in the history of the county's education system. Mr. Blocker has shepherded an education system that prepares high school students for their transition into undergraduate programs through dual enrollment or for their vocational development through technical programs that partner with local companies. He has worked to provide each student with many opportunities to succeed, from Honors and Advanced Placement classes to magnet and technical programs with customized curriculum. The vision cast by Mr. Blocker is one of purpose and opportunity.

During his service as OCPS Superintendent, Mr. Blocker has been recognized many times for his outstanding leadership. Among his awards and recognitions, Mr. Blocker was selected as Florida's Superintendent of the Year in 2011, named 2010 Reading Leader of the Year by Just Read, Florida!, received the Chairman's Award in 2009 from the Metro Orlando Economic Development Commission, and recognized by the Florida Art Education Association as Superintendent of the Year in 2008.

I am grateful to Mr. Blocker for his leadership and guidance as Superintendent and wish him and his family the best as he continues to serve his state and his community. I am confident that he will continue to inspire others to give back to their community and to serve one another.

SENATE—*Wednesday, May 9, 2012*

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our refuge, help us to never doubt Your generous love. You gave us Heaven's best gift and desire to freely give us more than we can ask or imagine. Even when we sin, You still love us. Great is Your faithfulness.

Give to our lawmakers gifts that only You possess. Give them this day the gifts of courage to admit mistakes, grace to rise when they fall, and peace that the world cannot give. Give them this day the gifts of forgiveness for the past, courage for the present, and hope for the future. Keep them calm in the quiet center of their lives so that they may be serene in the swirling stresses of life.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 9, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

Mr. REID. Madam President, I move that the Senate resume consideration of the motion to proceed to S. 2343, and I ask unanimous consent that the time until 2 p.m. be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

Motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Madam President, the clerk just read the matter before the Senate, which is to prevent the interest rate on loans students receive to go to school—the money they borrow—from doubling from 3.4 percent to 6.8 percent. That is the pending matter before the Senate.

Yesterday the Republicans continued to filibuster our plan to prevent that from happening. We do not want the rates to double. We don't want them to go up at all. There are 30,000 people in Nevada who are depending on our doing something to freeze those rates. But what is worse, in my estimation—and I think that of the American people—is that Republicans seem proud of blocking this legislation. Not a single Republican voted to allow the debate to go forward.

This isn't an issue of saying: OK, if I vote for this, this will be the legislation. They would not even let us go forward to debate it. They have said they like the bill, except they do not like the way it is paid for. Fine. Let's get on the bill and offer amendments to pay for it. But no—every single Republican voted no. Every single Republican said: We are not going to allow a debate.

The American people certainly shouldn't be surprised because this has been going on for 3 years, almost 4 years. Everything is a fight. They are blocking legislation that would allow us to stop the increase of the rate on student loans. That is wrong. And the person who signed this legislation into law, making this interest rate such as it is, was President Bush. So I hope Republicans will come to their senses and work with us to accomplish this, but I am not holding my breath because, as I indicated, they seem proud they have stopped another piece of legislation altogether.

Now, what does this mean, that they are hanging together to stop legislation, to stop progress? Well, as we work to create jobs and make college affordable, our colleagues—my Republican friends on the other side of the aisle—operate under a different set of priorities.

In the House, for example, there are efforts now underway to undo a hard-fought agreement of last August to cut more than $2 trillion from the deficit over the next decade. That agreement came after threats by the tea party-driven House—and now 40 percent of the people over here are tea party advocates—to shut down the government. And they wanted to do that in a couple of different ways: not allowing us to continue funding for government programs, and then, for the first time ever, there was a knockdown, drag-out fight over weeks and weeks as to whether we should increase the debt ceiling in this country. During President Reagan's time in running the country, this had been done dozens of times. But, no, these folks will do nothing without a big fight. As a result of that, we came to an agreement that was bipartisan. Now, some say the agreement was forced upon the Republicans, but they voted for it, an agreement to reduce the deficit, and the deficit we couldn't reduce before August of last year. We said: OK, fine, if we don't do something about it this year, then there will be automatic cuts called sequestration.

Now the House is doing everything they can to walk away from the agreement we made and the bipartisan vote we took. They are doing everything they can. They have a Republican budget, the so-called Ryan budget. And I say ''so-called'' because they are trying to make a reconciliation bill, but they can't do it because they are not following the law to do that. So they not only have reneged on this bicameral, bipartisan agreement to reduce spending, but they have fundamentally skewed priorities because they hand out even more tax breaks to multimillionaires and shield corporate defense contractors, all at the expense of hard-working, middle-class families, the elderly, and those who can least afford it. That is what they are doing in the House. They are going to have a so-called rule today and vote on it shortly thereafter. They would slash investments to strengthen our economy and just shred our social safety nets.

I want to quote from President Dwight Eisenhower. And let me remind everybody that he was a Republican. He was a tremendous President, and each day that goes by, people are looking at him more favorably. Here is what he said:

Every gun that is made, every warship launched, every rocket fired, signifies in the final sense a theft from those who hunger and are not fed, those who are cold and not clothed.

This isn't some leftwing, socialistic-leaning liberal. That was Dwight Eisenhower—a five-star general who led the invasion of Normandy and did many other things, such as starting the National Highway System. Let me repeat what he said:

Every gun that is made, every warship launched, every rocket fired, signifies in the final sense a theft from those who hunger and are not fed, those who are cold and not clothed.

I didn't make that up. That is what he said. In a balanced world—one where a strong national defense and a strong social safety net are both valuable pillars of a successful society—that need not necessarily be true, is what President Eisenhower said. But the Republican plan would enshrine into law a set of unbalanced priorities and ensure the kind of terrible math General Eisenhower envisioned.

Unlike defense contractors and billionaires, ordinary Americans don't have high-priced lobbyists to protect them. That is our job. That is our job. There is not a person on this side of the aisle who doesn't believe it is good that we have wealthy people in America. We have Senators here, Democrats, who are wealthy—certainly not all Democrats, but there are some. We don't look down on people who are rich, but we do have to look out for people who are in need of our help. Most of these rich people have all kinds of lobbyists here to help them, but the people in Henderson, Ely, and Winnemucca, NV, don't have people here to help them. They have us. So Republicans are going after those who can't fight back—hard-working Americans and struggling families.

Let's review a little bit of history again. The sequester isn't the first bipartisan agreement to reduce the deficit. When I became the Democratic leader, I thought—having served on the Committee on Foreign Affairs in the House of Representatives and being very interested in America's involvement in foreign affairs, I took a trip to Central and South America. That was so necessary. And I took Democratic and Republican Senators with me. I was very careful in picking two Senators whom I wanted on that trip. One was Judd Gregg, a very fine Senator from New Hampshire, who has retired, I am sorry to say. I recommended that Senator Gregg be a part of President Obama's initial Cabinet. He agreed to take the job, but something came up, and he didn't do it. But he is a wonderful man. I also wanted KENT CONRAD on that trip. And I don't know which one knows more about the inner workings of the finances of this country, Gregg or CONRAD, but they are both good, and I wanted them to go together, and they did.

Senators Gregg and CONRAD spent hours and hours seated in that airplane working on doing something about the deficit. They both believed it needed some really difficult, hard work, and they decided to do what the base-closing commission did; that is, prepare legislation and give it to a commission that would send it back to us. There would be no amendments, no filibuster, just an up-or-down vote. That was their legislation. They wrote that and brought it to the floor.

As the leader, I decided I would move to proceed to it, and so I did move to proceed to it, thinking it should be a slam dunk. But seven Republicans, who had cosponsored the legislation, voted against it. I couldn't bring it to the floor. That was where Bowles-Simpson came from, as a result of the Republicans walking away from their own efforts to reduce the deficit.

Now, Bowles-Simpson was very difficult. There were 18 members, and they had to get 14 of the 18 to approve it. That didn't work. They couldn't get that many people to vote for it.

In the meantime, President Obama was working as hard as he could with the lead spokesman of the Republicans, the Speaker of the House, JOHN BOEHNER. JOHN BOEHNER said: I didn't get elected to do small things, I want to do big things. And President Obama, to his detriment with his base, said: I will do something to change Social Security and Medicare. And all these things he agreed to do publicly. But the Republicans—JOHN BOEHNER—could never go against Grover Norquist. The Republicans shake in their boots. They will not do anything, even though the American people by a more than 70 percent majority say people making more than $1 million a year should contribute to what the problems are in this country. So that fell apart.

Then we had the Gang of 6 Senators—three Republicans, three Democrats—who had been on the Bowles-Simpson Commission, who said we should do something about this. They were in the press, they had press conferences, and this was going down the road and doing all kinds of great things. While that was going on, there was a decision made, and a law was passed to create a supercommittee, to which I appointed Senator PATTY MURRAY of Washington to run. No one in the Senate, Democrat or Republican, has more respect than PATTY MURRAY. She worked so hard with the other 11 Members of Congress to come up with something.

A few days before they were to arrive at a decision—and the Gang of 6 members are out here doing all this stuff all the time—I get a letter signed by virtually every Republican Senator saying: We are not going to raise revenue for anything. The supercommittee didn't work there. The Gang of 6 is gone. So we passed this last August to fund government for 2 years and to say if we don't arrive at another $1.2 trillion in deficit reduction during this year, it automatically kicks in at the end of this year or the beginning of next year.

So that is where we are, and the Republicans in the House are trying to change that. So that is what this little history lesson has been all about.

I don't like to sequester. I wish we didn't have to do it. It was a hard pill to swallow, but it was the right thing to do. If we are ever going to reduce the staggering deficit, we are going to have to make some hard decisions. So that is what this is all about. But that is the point: It is hard to do; therefore, we have to do it, to sequester—which, in effect, would take almost $500 billion from domestic programs and almost $500 billion from defense programs. They were designed to be tough enough to force two sides to reach a balanced deal. It hasn't happened yet.

As I said earlier with General Eisenhower's statement, I didn't make that up. That is what he said. My complaint about the Republicans being so unreasonable about everything is something where I am not a lone wolf crying in the wilderness. We have two long-time nonpartisan watchers of Congress, one from the American Enterprise Institute, which is a conservative think tank, another from Brookings Institute that wrote an article saying: It is the Republicans. Can't you see what they are doing? Here is one thing they said:

We have been studying Washington politics in Congress for more than 40 years, and never have we seen them this dysfunctional. In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican party.

They further said:

The GOP has become an insurgent outlier in American politics. It is ideologically extreme; of scornful compromise; unmoved by conventional understanding of facts, evidence and science; and dismissive of the legitimacy of its political opposition.

What brave men to do that, to write these comments—which are true. I have been saying that I don't want to fight about everything. Republicans insist on balancing the budget on the backs of the middle class, seniors, students, single mothers, and those who could least afford it. That is what they are doing over there today. It is their refusal to compromise that leaves us facing the threat of sequester, and it is difficult but it is balanced.

Going back to the August budget agreement now in order to protect wealthy special interests is no solution. Neither is refighting the battles

of last year. Democrats agree we must reduce our deficits and make hard choices, but we believe in a balanced approach that shares the pain as well as the responsibility.

Is the sequester the best way to achieve that balance? No. But Republicans refuse to consider a more reasonable approach—one, for example, that asks every American to pay his fair share while making difficult choices to reduce spending. Democrats will not agree to a one-sided solution that lets the superwealthy off the hook while forcing the middle class and those in greatest need to bear all the hardship.

Democrats believe we can protect Americans' access to health care, create jobs while investing in the future, and protect the poor and elderly. But we can't do it alone. It will take work and compromise, and so far Republicans have been unwilling to make a serious effort to achieve that result.

Republicans have rejected our balanced approach. Their one-sided solution to across-the-board cuts would take away from the many to give to the few.

Here is what the plan would do—not all of it, but here is what their plan would do. Remember, they are taking it up over there in the House today.

It would cut Medicaid benefits, increasing the number of uninsured children, parents, seniors—and that is in addition to people with disabilities—by hundreds of thousands, just eliminate them. It would also put seniors in nursing homes at risk. Some of them would have to move out of the nursing home, I guess.

It would punish Americans who receive tax credits to purchase health insurance when their financial circumstances change, causing 350,000 Americans to have no coverage. This would add to the tens of millions who already exist that way.

It would weaken Wall Street reforms, protecting big banks at the expense of consumers. Their legislation would once again target middle-class workers, food inspectors, air traffic controllers, Border Patrol agents, drug enforcement, and FBI agents. They would have to be laid off.

It would cut funding for preventive health care programs that fight chronic illnesses—such as heart disease, cancer, strokes, and diabetes—that cause 70 percent of the deaths in America. Preventive care would be reined in.

It would slash block grant funding in the United States to help 23 million children, seniors, and disabled Americans live independently and out of poverty.

No segment of the population is immune from this painful, absurd Republican plan—except maybe millionaires, billionaires, and wealthy corporations. The Republican proposal cuts Meals on Wheels and reduces food assistance for almost 2 million needy people. One of the Republican candidates running for President said President Obama is the Food Stamp President.

There are more poor people. Our economy has been in bad shape. People are struggling. The millionaires are doing fine. And in addition to what I have already mentioned, this thing that they are taking up in the House today cuts off almost 300,000 children from free school lunches at a time when one in five children lives in poverty.

The U.S. Conference of Catholic Bishops said the Republican plan fails ''a basic moral test.'' This budget sets very clear priorities. The problem is what they are taking up in the House sets up the wrong priorities.

President Franklin Roosevelt said:

> Human kindness has never weakened the stamina or softened the fiber of a free people. A nation does not have to be cruel to be tough.

So Republicans would do well to remember our Nation is judged not only by the strength of its military, but also by the strength of its values, so says General Eisenhower and President Roosevelt.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SKEPTICAL AMERICANS

Mr. MCCONNELL. Madam President, with President Obama officially on the campaign trail now, it is hard not to be reminded of the kind of candidate he was the last time around and to marvel at the difference.

At some point the postpartisan healer who pledged to unite Red and Blue America became the ''divider in chief,'' a deeply divisive President who never seems to miss an opportunity to pit one group against another and who is now determined to win reelection not by appealing to America's best instincts but all too often to its worst.

Even the New York Times editorial page, this very morning, says the country is more divided than it was 4 years ago under this President. Some have argued that the transformation we have witnessed proves that the President was a liberal ideologue all along, that the task of governing revealed his true instincts. That may be true. But there is an even simpler explanation than that, and one that in some ways is even more disappointing. It is the idea that the President said what he needed to say to get elected then and that he will say whatever he needs to say to get reelected now.

It encapsulates why the American people are so very skeptical of politicians. The President's policies may have disappointed. A health care bill that was supposed to lower costs is causing them to rise. A stimulus bill that was supposed to create jobs was better at generating punch lines. But one of the greatest disappointments of this Presidency is the difference between the kind of leader this President said he was and the kind he has turned out to be.

How did that happen? Well, I think the President just put too much faith in government. Let's face it; there isn't a problem we face that this President didn't think the government could solve. Despite all the evidence to the contrary, he still can't seem to shake the idea that more government is the answer for what ails us.

When the stimulus failed, it wasn't the government's fault; it was the Republicans. When the health care bill caused health care costs to rise, the same thing. When trillions are spent and jobs don't come, it is ATM machines, it is the weather, it is bankers, it is the rich, it is Fox News—it is anything other than the government.

This is why the sickening waste of taxpayer dollars we have seen so many times over the last 3 years—whether it was at a solar company such as Solyndra or at a lavish party that Federal bureaucrats threw for themselves in Vegas—is viewed not as a symptom of a larger problem in Washington but as a problem to be managed, something to acknowledge and then move beyond because they just don't seem to see it. The President seems to view government the way some parents view their children: It can do no wrong.

So if there is a problem to solve, a challenge to tackle, the solution is always the same: more government, more government. And the results are always the same: a disappointment to be blamed on somebody—anybody—else.

I think the President summed it up pretty well during a speech he gave in New York just yesterday. This is what he said:

> The only way we can accelerate job creation that takes place on a scale that is needed is bold action from Congress.

Really? The only way to accelerate job creation is through Congress? Not the private sector? Hasn't the experience of the last 3½ years taught this President anything at all about the limitations of government action?

Madam President, 3½ years and $5 trillion later, there are nearly a half million fewer jobs in the country than the day the President took office. That is not what most people would describe as a good return on investment. Yet that is all we get—the same government-driven solutions he has been pushing for 3½ years.

Nearly 13 million Americans who are actively looking for jobs can't find one. Millions more have given up looking for a job altogether as the worker participation rate is the lowest it has been in 30 years.

More than half of all college graduates—the best prepared to enter the workforce—can't find a good job. More than half of college graduates can't find a job. And this President is proposing the same old ideas that have failed before. Some government action failed? Then just do it again on a larger scale. That is the approach this President has taken. It is his approach still. It is the clearest sign he is literally out of ideas.

But he is unwilling to try something different. He is unwilling to confront the fact that a government that might have worked well a half century ago is outdated and in desperate need of reform. So he is resorting to the same old political gimmicks and games that he criticizes others for using.

Earlier this year the President mocked those who, every time gas prices go up, dust off their three-point plans to lower them, especially in an election year. That was the President. Yet yesterday he was proposing a five-point plan of his own to revive the economy, a to-do list in effect for Congress.

The cynicism is literally breathtaking. Here is a President who, in the morning, worked hand-in-hand with Senate Democrats to ensure that legislation to freeze interest rates on student loans wouldn't pass, and in the afternoon gave a recycled speech in which he pleaded for an end to the very gridlock he was orchestrating. There is perhaps no better illustration of how far this President has come from the heady days of his last campaign.

Look: Americans voted this President into office on a promise of bipartisan action.

Orchestrating political show votes on student loans and giving Congress a post-it note checklist of legislative items to pass before the election is not what the American people expected.

They expected us to work together and they still do.

The President knows as well as I do that the solution to our economic problems lies not in a Post-It-Note congressional agenda dictated from a lectern in New York, but through a sound limited-government pro-growth plan, which includes comprehensive tax reform, a true all-of-the-above energy policy and the elimination of burdensome regulations that are hurting business and hindering job creation.

Republicans have been calling for these policies for years and the President at one time or another has claimed to support them. These are proposals where Republicans and Democrats can find common ground. In other words, a plan designed not to control free enterprise from Washington but to liberate it. We just need the President to show some courage and leadership.

We will get this economy going not by handing out more special favors and credits to favored industries and groups, but by simplifying the code, clearing out the loopholes, and lowering rates for everybody.

In less than 8 months, Americans will be hit with the biggest tax increase in history—unless we act.

The President knows as well as I do how devastating this would be for the American people—for everyone.

People who are already struggling will have to do with even less. Businesses that are already struggling just to keep afloat will see Washington getting an even bigger take than it already is.

This looming tax hike will be absolutely devastating. Yet here we are less than 8 months away from it, and the President is busy orchestrating failure in the Senate and waving around some 5-point plan cooked up by some high-paid political consultant in Chicago.

Now, I am not in the business of giving the President campaign advice. But I am in the business of trying to get the best possible outcome for the American people. And here is an issue—tax reform—where I know the two parties have a shot at working together to help this economy, and restore the American Dream for all those who've started to doubt whether it will even be there in a few years.

So I would respectfully ask the President to ignore his campaign consultants for once and do what's right for the nation as a whole. Republicans in Congress are ready to work with you, Mr. President, on the kind of comprehensive reforms that you yourself have called for in the past.

Working together might not help your campaign, but it would help the country. So my message to you is this: We are ready when you are.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. I ask consent to address the Senate as in morning hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

STARTUP ACT

Mr. MORAN. Madam President, once again, it is that time of year when many proud parents will watch their children walk across the graduation stage to receive their diplomas. Two years ago, I watched my oldest daughter saunter across her college graduation stage and it was one of those moments for me in which I realized our country faces tremendous, enormous challenges, and if we fail to act our children's future will be at significant risk.

I believe all Members of Congress, in fact every American, has the responsibility to be a good steward of what has been passed on to us. At that graduation event, I renewed my commitment to do my part to turn our country around.

My fear is we are not doing enough, that we as Americans and especially we as Members of this Congress are not doing enough to offer our children a bright future. In the last 2 weeks, I have read headlines that caught my attention. They would catch every American's attention.

First, the amount of student loan debt has surpassed $1 trillion for the first time in American history. Americans now have more combined student loan debt than combined credit card debt.

Second, the AP recently reported that one out of every two college graduates this year will be unemployed or underemployed. Unfortunately, it is not just college graduates who are having trouble finding a job and paying their bills. The Department of Labor reported just last week that more than 12 million Americans are still looking for work and our economy only added 115,000 jobs in April, the lowest number of jobs added in 5 months. This makes 39 straight months of unemployment rate over 8 percent.

Our first priority in Congress must be to strengthen our economy so more jobs can be created, more Americans can get back to work, and more graduates can pursue their dreams. Data tells us that for close to three decades, companies less than 5 years old created almost all the new net jobs in America, averaging 3 million jobs each year. While startups provide the gasoline to fuel America's economic engine, new businesses are hiring fewer employees than in the past and make up a smaller share of all companies than in previous years.

Troubling data out last week from the Census Bureau shows that the startup rate fell to the lowest point on record for new firm births in 2010. While startup companies are so important to job creation, their numbers are now falling too. Given the disproportionate impact new businesses have on the economy, it makes sense to craft targeted policies that help entrepreneurs start businesses and that make it easier for these young businesses to grow.

A former NASA engineer now in the technology field gave me a useful analogy. He described the process of designing a rocket or an airplane, in which there are two forces at play that determine whether the rocket will launch or plane will fly: thrust and drag. So much of what we want to do around here tends to focus on the thrust, spending money and creating programs, when what we ought to be doing is focusing on reducing the drag.

Rather than spend money on government programs, Congress must and should enact policies that create an environment in which many entrepreneurs and their young companies have a better shot at success, and in the process of pursuing success they

put people to work—reduce the drag so the private sector can create jobs.

To create this environment where these startup companies can be successful, I have introduced the Startup Act with Senator WARNER. The Startup Act reforms the Federal regulatory process to ensure that the cost of compliance does not outweigh the benefits of regulations. The Startup Act alters the Tax Code to create incentives that will facilitate the financing and growth of new businesses. The Startup Act accelerates the commercialization of university research so more good ideas move out of the laboratory and into the marketplace, where they can create jobs for Americans.

Perhaps most important, the Startup Act helps America win the global battle for talent.

On a recent trip to Silicon Valley, I met with startups, entrepreneurs, and some of the leading technology companies in the world—and they were just startup companies a few years ago. While I heard many encouraging stories of success, their No. 1 concern was attracting and retaining highly skilled employees. One business I met said they had plans to hire dozens—I think the number was 68—foreign-born but U.S.-educated individuals and to hire them here in the United States, but they were unable to get the visas necessary to have these workers work in the United States. Rather than lose that talent, this company hired the employees but placed them at various international offices in countries with immigration policies that encouraged the retention and attraction of highly skilled foreign-born workers.

Another company told me that with the talent increasing overseas, it will soon be easier for them to open offices and plants in other countries rather than have the work done in the United States.

The last thing we want is for American businesses to have a better business climate in places outside the United States. It is not just the loss of those dozens of jobs to some other country; many of those people in those businesses will become entrepreneurs themselves and create their own businesses, hiring even more people down the road. So we lose this talent, this skill on two occasions—first, the direct jobs today and ultimately the jobs these entrepreneurs will create in the future.

The future of our economic competitiveness depends upon America winning the global battle for talent. Foreign-born Americans have a strong record of creating businesses and employing Americans. Data shows us that 53 percent of immigrant founders of U.S.-based technology and engineering companies completed their highest degree at an American university, and rather than send these talented, highly educated individuals who have been educated in the United States back home once they graduate, we should do much more to allow them to remain in the United States, where their skills, their talents, and their intellect, as well as their new ideas, can fuel U.S. economic growth.

We are not talking about illegal immigration; we are talking about legal immigration. It makes no sense to educate these talented, foreign-born students in America and then send them to their home countries to compete against Americans for jobs.

The Startup Act will help America win this global battle for talent. The Startup Act creates entrepreneur visas for foreign entrepreneurs who register a business and employ Americans in the United States. By encouraging more entrepreneurs to stay in America, they will not only start more businesses but they will employ more Americans and strengthen our economy. The Startup Act also creates a new STEM visa for foreign students who graduate from an accredited U.S. university with a master's or Ph.D. in science, technology, engineering or mathematics. Our own Department of Commerce projects that STEM jobs will grow by 17 percent in the years ahead. We have to retain more highly skilled and highly talented and educated individuals, the ones we educate in America, for us to remain competitive in a global economy. We are going to make sure our own U.S.-born and educated citizens have those job opportunities as well. We do not want to risk the loss of the next Mark Zuckerberg to Brazil or India. Doing so will fuel America's economic growth and result in the creation of jobs here in America by retaining these folks.

Despite the overwhelming evidence, Congress should address this issue. Congress's conventional wisdom says not much will get done. My guess is 80 percent of my colleagues in Congress would agree with the proposals contained in this legislation. Particularly, 80 percent I think would agree with the aspect of the legislation dealing with STEM visas. But we are told that because we cannot do everything, we cannot do anything. That excuse is no longer a good one and should not be accepted. We cannot continue to operate under the sentence that always says we can't do anything in an election year. Our country desperately needs us to act now, not later. In fact, in the short time I have been a Member of the Senate—about 14, 15 months—six other countries have changed their laws to encourage these types of individuals to work in their countries, to create jobs, to support entrepreneurship, innovation, and job creation in those countries. In just the little over 1 year I have been a Member of the Senate, six other countries have advanced further than we have while we have waited because we cannot do anything because it is an election year.

America cannot turn a blind eye to those developments or to use the upcoming elections as an excuse to do nothing, yet again, on an issue that is so critical to our future. Congress should work to make it easier for companies to grow because in a free market, when people have a good idea and work hard, they not only enhance their own with success but the lives of so many others through the products and jobs they create.

If we do not take the steps now to win the global battle for talent, our country's future economic growth will be limited. That means college grads and young people will have fewer opportunities, and higher rates of unemployment may become the norm instead of the exception. Allowing talented, foreign-born U.S. students and entrepreneurs to remain in the United States will create jobs for more Americans.

I will continue to work with my colleagues in the Senate to implement policies such as those contained in the Startup Act so more entrepreneurs can turn their ideas into reality, that they will have the chance for success. We owe the next generation of Americans the opportunity to pursue their dreams—that those who this month walk across the graduation stages in high schools and colleges and universities, technical colleges and community colleges across our country, will have the opportunity to pursue what we all know as the American dream.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL FLOOD INSURANCE PROGRAM

Mr. VITTER. Madam President, I come to the floor again to urge all of us to join together on a bipartisan basis and to reauthorize the national flood insurance program, to do it now, to do it quickly because time is running out. On May 31 the entire National Flood Insurance Program will expire. When the clock strikes midnight that day, it will be gone unless we act, and act we must. This is an important program for the country.

In my neck of the woods, in south Louisiana in particular, almost every real estate closing is dependent on this program because those properties need flood insurance for there to be a closing, which is very typical in many other parts of the country. So here we are trying to get out of a real estate-led recession, trying to bolster the economy, and we are on the verge of letting the entire National Flood Insurance Program expire yet again.

What is so frustrating about this is there are not big disagreements about

how to get this done. This is not an overly partisan issue; we are not bitterly divided. This is merely an issue of getting floor time in the Senate.

The House acted last year in a bipartisan way, and the Senate committee on which I serve has acted. I have worked very closely with my subcommittee chair JON TESTER, and we have acted in a bipartisan way. We have put together a good 5-year reauthorization bill, but we need to move this on and off the Senate floor to get this done before the end of the month.

Again, I urge the distinguished majority leader, Senator REID, to give this important matter floor time. We all come here and talk about needing to improve the economy. We all come to the floor and talk about jobs. Well, it is absolutely necessary in all of those categories, with all of those issues in mind, to extend the National Flood Insurance Program. And let's not just put a bandaid on it again and let it limp along with a very short-term extension. Let's do the full 5-year reauthorization, which we can do, which is well in sight.

Groups around the country, particularly those working in the real estate industry and in this part of the economy, strongly support this effort.

Madam President, I ask unanimous consent to have printed in the RECORD several items, including a letter to Senator REID and Senator MCCONNELL signed by dozens of associations all along the political spectrum, urging this action.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 7, 2012.

Hon. HARRY REID,
U.S. Senate,
Washington, DC.
Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: On behalf of the undersigned associations, we respectfully urge the Senate to move quickly to reauthorize the National Flood Insurance Program (NFIP) and avoid a costly lapse in the program on May 31, 2012.

As you know, more than 5.6 million policyholders in 21,000 communities nationwide depend on the NFIP as their main source of protection against property losses that result from flooding. Without flood insurance, many residential and commercial real estate transactions across the country will come to a stop, as federally backed mortgage loans cannot legally be secured without this critical protection. Failing to reauthorize the NFIP could jeopardize nearly 40,000 mortgage closings per month, according to the National Association of REALTORS.

In 2011, Hurricanes Irene and Lee caused significant flooding from North Carolina to Maine. Those storms followed more than one hundred natural catastrophe events and significant spring 2011 flooding in several states across the country. We are about to enter hurricane season again, and America cannot afford a lapse of the program. Failure to reauthorize the NFIP would further stress already struggling real estate markets, potentially cost the government billions of dollars in uncompensated relief efforts, and put millions of consumers at risk.

In July 2011, the House of Representatives passed a bi-partisan measure, H.R. 1309, by a vote of 406–22. On September 9, 2011, the Senate Banking Committee unanimously approved its version of the 5-year bill. Both proposals include a long-term reauthorization and important reforms that will optimize the current program, make needed improvements to the floodplain mapping and appeals processes, and other key reforms that will encourage program participation and put the NFIP back on the path to sound financial footing.

We urge the full Senate to act now to reauthorize this program and avoid the costly consequences that would result in a lapse from failure to act.

Sincerely,

American Bankers Association; American Bankers Insurance Association; American Insurance Association; American Land Title Association; American Resort Development Association; Chamber Southwest LA; Consumer Bankers Association; Council of Insurance Agents and Brokers; Credit Union National Association; The Financial Services Roundtable; Houma-Terrebonne Chamber of Commerce; Independent Community Bankers of America; International Council of Shopping Centers; Independent Insurance Agents and Brokers of America; Mortgage Bankers Association; NAIOP, Commercial Real Estate Development Association; National Association of Federal Credit Unions; National Association of Home Builders; National Association of Mutual Insurance Companies; National Association of REALTORS®; National Apartment Association; National Multi-Housing Council; National Ready Mixed Concrete Association; Property Casualty Insurers Association of America; Reinsurance Association of America; Risk and Insurance Management Society, Inc. (RIMS).

Mr. VITTER. Madam President, I ask unanimous consent to have printed in the RECORD another letter along the same vein addressed to Senator TESTER, the subcommittee chair, and myself, the ranking member on the subcommittee, again strongly supporting this effort. Let's do it. Let's do it now. This is the SmarterSafer coalition, and this letter is dated May 9.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICANS FOR SMART NATURAL CATASTROPHE POLICY,
May 9, 2012.

Hon. JON TESTER,
Chair, Economic Policy Subcommittee, Senate Banking Committee, Washington DC.
Hon. DAVID VITTER,
Ranking Member, Economic Policy Subcommittee, Senate Banking Committee, Washington, DC.

DEAR SENATORS TESTER AND VITTER: As a diverse coalition of taxpayer advocates, environmental organizations, insurance industry interests, housing groups and others, we thank you for your efforts to reauthorize and reform the National Flood Insurance Program (NFIP). The hearing you are holding today is a positive step to getting the full Senate to consider and pass the Banking Committee-passed bill to reform NFIP, which as you know is in need of serious reform. The program is currently almost $18 billion in debt to federal taxpayers and that amount is likely to increase if reforms to the program are not implemented. Without significant reform, the NFIP will not be sustainable and American taxpayers will continue to be asked to bailout the program time and time again.

The Senate Banking Committee has already unanimously reported out a bill that makes a number of needed reforms to put the flood insurance program on sound financial footing and the House passed NFIP reform with over 400 votes. The bill will phase out risky, unwarranted subsidies that have undermined the financial stability of the program; will allow NFIP to purchase reinsurance to help NFIP pay future claims while protecting taxpayers from these otherwise inevitable costs; will require FEMA to ensure maps are updated and accurate so that people understand and can better prepare for their risks; and will streamline and strengthen mitigation programs to help decrease flood risks and strengthen flood-exposed communities, homes, and businesses.

The Banking Committee has taken a needed step to reforming the nation's flood insurance program and Smarter Safer joins a range of stakeholder groups in applauding this legislation. We urge the full Senate to quickly pass this needed reform to NFIP so that the House and Senate can begin to resolve the differences and quickly get a bill to the President's desk.

We look forward to working with you on this issue and thank you for all of your efforts to pass this critical legislation.

Sincerely,

SMARTERSAFER.

Environmental Organizations: American Rivers, Ceres, Clean Air-Cool Planet, Defenders of Wildlife, Environmental Defense Fund, National Wildlife Federation, Republicans for Environmental Protection, Sierra Club.

Consumer and Taxpayer Advocates: American Conservative Union, American Consumer Institute, Competitive Enterprise Institute, Taxpayers for Common Sense.

Insurer Interests: Allianz of America, Association of Bermuda Insurers and Reinsurers, Chubb, Liberty Mutual Group, National Association of Mutual Insurance Companies, Reinsurance Association of America, Swiss Re, USAA.

Housing: National Low Income Housing Coalition, National Leased Housing Association.

Mr. VITTER. Madam President, I ask unanimous consent to also have printed in the RECORD an op-ed in Roll Call written by two representatives of this broad coalition again explaining the absolute importance and the critical nature of doing this full, longer term reauthorization.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Roll Call, May 8, 2012]

SAMPSON & VEISSI: END FLOOD INSURANCE PROGRAM UNCERTAINTY

(By David Sampson and Moe Veissi)

When Gerald Ford took the Presidential Oath of Office after Richard Nixon's resignation, he reminded Congress and the American people that ''even though this is late in an election year, there is no way we can go forward except together and no way anybody can win except by serving the people's urgent needs.''

Congress would do well to heed his words as we approach a watershed election this November.

Despite widespread partisan gridlock on Capitol Hill, at least one opportunity for bicameral, bipartisan consensus exists: reauthorizing the National Flood Insurance Program (NFIP).

The flood program sits in limbo, set to expire on May 31. Extending the NFIP must be a top congressional priority. The NFIP provides vital flood protection for more than 5.6 million home and business owners in 21,000 communities across the country. Furthermore, the housing market relies on a strong and stable flood insurance program.

A lack of flood insurance coverage creates uncertainty in the housing market and leaves homeowners dangerously vulnerable to devastating floods, which are not just a coastal issue. Flood disasters have been declared in every state and over the past century have claimed more lives and property than any other natural disaster.

In 2010, the NFIP was allowed to lapse for 53 days, halting tens of thousands of real estate transactions in areas where homebuyers are required to purchase flood insurance to obtain a mortgage. Long-term reauthorization of the insurance program would help provide the housing market with the certainty it needs for a recovery.

The National Association of Realtors estimates that another lapse in coverage could stall more than 1,300 home sales per day. And disruptions in flood insurance availability leave all taxpayers exposed to widespread, costly relief efforts.

We have witnessed encouraging signs from elected officials in recent months.

The Senate Banking Committee passed a five-year reauthorization bill at the end of 2011 and the bill now awaits floor time.

Last summer, the House passed its five-year reauthorization on a resounding, bipartisan vote of 406–22. Additionally, the Obama Administration has heralded the House legislation and urged Congress to adopt fundamental NFIP reforms.

This is progress, but it will be of little comfort to homeowners if Congress does not act soon to pass a long-term reauthorization for the NFIP.

As politics gets more polarized, Americans are looking for signs that our elected officials can work together to address real problems. Realtors and insurers stand together in calling for Congress to put aside partisan differences and bring much-needed certainty to a program on which so many Americans rely.

Mr. VITTER. Madam President, I keep coming to the floor urging this because it is so important and because it is so achievable. Again, there are not big issues dividing us. This is not a partisan issue. We just need Senate floor time to get it done. In that vein, I will be doing two things today and in the near future.

First, I will be passing around to all Members of the Senate a new letter addressed to Senator REID to urge that this matter be put on the floor as soon as possible. In a letter dated February 14, we urged this on a bipartisan basis, and 41 Senators, of both parties, signed that. This new letter restates that case, and, of course, now it is more urgent than ever as the clock ticks to May 31—just 3 weeks and 1 day away.

I will also be proposing an amendment to the next matter that comes on the Senate floor to incorporate the Senate bill with perfecting amendments that have been worked out toward the floor to incorporate that amendment on the next bill on the Senate floor. My understanding is that will either be the FDA user fee reauthorization or a small business tax bill. Neither of those bills is bitterly partisan or highly divisive. So I will be proposing as an amendment to either of those bills—whichever comes to the floor next—the full reauthorization of the National Flood Insurance Program along the lines the Senate committee has proposed.

Again, I urge my colleagues on both sides of the aisle to support that effort. I urge Senator REID to use that as a mechanism to get that done now, this month, before the expiration of the program.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EMISSIONS TRADING

Mr. THUNE. Madam President, in 2005 the European Union began their emissions trading scheme, which attempts to cap emissions of carbon dioxide from stationary sources within the EU.

Starting in 2012, civil aviation operators departing from or landing in Europe began to be included in this emissions scheme. Under this program, any airline, including non-European airlines flying into and out of Europe, will be required to pay for EU emissions allowances. This change comes at a time when EU allowance prices continue to decline to a little over 6 euros, and the commission is considering proposals to drive up the prices.

Allowances will be collected for the entirety of the flight, including portions in U.S. and international airspace. For example, this means a flight leaving from Los Angeles, CA, and flying to London would be taxed on the entirety of the flight, not just the fractional part of the flight that is over EU airspace. To put it another way, you would be taxed as if 100 percent of your flight was in EU airspace even though approximately only 7 percent of the flight actually was; that is, a flight originating in California here in the United States and flying to London.

Very simply, the unilateral imposition of such a scheme on the United States and other countries is arbitrary, unfair, and a violation of international law. Plus, it is being done without any guarantees for environmental improvements and at a huge cost to the aviation industry and constituents we serve here in this country.

According to the International Air Transport Association, the economic cost of this program for airlines is expected to be $1.3 billion in 2012. Let me repeat that: $1.3 billion in 2012. It is expected to reach as high as $3.5 billion by the year 2020. Those are revenues coming out of the airlines in this country that would be used to pay for this fee—this tax, if you will—imposed by the EU on U.S. airspace. By requiring commercial aviation to comply, the EU ETS also limits airline capital that could be available for other meaningful purposes, including their ability to invest in more fuel-efficient engines, alternative sources of fuel, and research and development.

No one in Congress is against the EU implementing ETS within their boundaries. However, I believe that any system that includes international and other non-EU airspace must be addressed through the International Civil Aviation Organization, the ICAO policies, of which the United States and 190 countries are members. In fact, under current ICAO standards, the aviation industry is targeted to achieve a 1.5-percent average annual improvement in carbon and fuel efficiency through 2020 and carbon-neutral growth from 2020 forward.

That is why the U.S. airline industry and those advocates in the industry also agree that a single global approach to greenhouse gas emissions set at the ICAO is preferred to the unilateral EU ETS system. Even the Obama administration testified before the House Committee on Transportation and Infrastructure in July of 2011 that an EU ETS is inconsistent with international aviation law. The State Department and the U.S. Department of Transportation are also pressing this issue with their counterparts in Europe and are considering all legal and policy options to prevent further application of EU ETS to U.S. air carriers.

In addition, other nations have voiced opposition. Those nations include Argentina, Brazil, China, India, Japan, the Republic of Korea, Mexico, the Russian Federation, and South Africa. In fact, China's Ambassador to the EU recently suggested that they will begin canceling Airbus orders if the EU ETS remains in place. Also, countries such as Italy, the Netherlands, France, Belgium, and Spain—all EU member states—are calling for the postponement of EU ETS out of concerns raised by the international community. Even European manufacturers and airlines such as Airbus, Air France, and British Airways have urged their respective governments to stop the escalating trade conflict between the EU and the rest of the world.

The EU has no right to play policeman and undermine the ongoing work at the ICAO. As a result of this action by the EU, on December 7, 2011, I introduced the European Union Emissions Trading Scheme Prohibition Act, S. 1956, which now has seven cosponsors, both Democrats and Republicans. The

bill gives the Secretary of Transportation the authority to take the necessary steps to ensure that America's aviation operators are not penalized by any system unilaterally imposed by the EU. The bill also requires the Secretary of Transportation, the Administrator of the FAA, and other senior U.S. officials to use their authority to conduct international negotiations and take other actions necessary to ensure that U.S. operators are held harmless from the action of the European Union. The House of Representatives passed a similar bill by a voice vote on October 24, 2011. The U.S. commercial aviation community, including airlines and manufacturers, are all supportive of my bipartisan bill.

Next month, I am looking forward to the Commerce Committee hearing that is scheduled to take a closer look at this important issue and at my legislation.

Doing nothing is not an option. The unilateral imposition of the EU emissions trading scheme is a violation of international law and is hurting U.S. airlines, manufacturers, and consumers. Keep in mind that with near record oil prices, the EU ETS will add to the already high amount airlines and passengers pay for fuel.

We need to act now. We need to send a clear and unequivocal message and pass my bipartisan bill that addresses this scheme and protects the U.S. aviation industry and American sovereignty. I hope we will act on this legislation and make sure that this issue, once and for all, is put to rest and that the European Union is not able to assess a tax or a fee on American airlines operating in American airspace.

I yield the floor and suggest the absence of a quorum

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, here we are again in the Senate on yet another day when families and students across this country are wondering if we are going to do our duty. Are we actually going to move legislation that will keep the interest rate at 3.4 percent on subsidized student loans or are we going to let it go to 6.8 percent—double—on July 1?

We have legislation and we brought it to the floor. Yet yesterday my Republican colleagues voted to not even proceed to it. I think the people of America are saying that this shouldn't happen. We should be able to work these things out. We should move legislation, not obstruct it.

Everyone now agrees we should keep the interest rate at 3.4 percent. The Republicans say they want to keep it at 3.4 percent and we say we do. The Republicans were initially opposed to this, but they have gotten onboard. That is fine. I have been here on the floor listening to my colleagues talk about this since Monday. Everyone agrees we have to keep it at 3.4 percent and not let it go up, so it ought to be a bipartisan issue. We ought to be able to move this rapidly and move on to other matters. There are other issues confronting us in the Senate. Yet here we are on the floor again today discussing the student loan interest rate.

As I said, we had the vote yesterday to move it forward, but my Republican colleagues blocked us from doing that. They agree we should keep the interest rate at 3.4 percent, but not on how to pay for it. Well, OK, fine; that is a legitimate point of debate and discussion and votes. So why don't we move the bill forward, bring it to the floor, and let's have a debate and discussion on how we pay for it. If they want to offer an amendment, they can offer an amendment and we will vote on it. It seems to me—at least I think—that one of the responsibilities, and maybe privileges but responsibilities, of the majority party in the Senate, whichever party it might be, is to initiate legislation and bring it to the floor. The privilege and responsibility of the minority party is to be able to amend it, to try to make it better as they may see fit. I don't think it should be a privilege and responsibility of the minority party to block everything, but we have seen that happen more and more over the last few years. Republicans won't let us bring a bill to the floor because under the rules it requires 60 votes rather than 51 votes to bring a bill forward. So, again, we are stuck because we can't bring the bill forward.

I hope we have another cloture vote. Let's keep having these cloture votes and maybe Republicans then will say, OK, let's move it forward and let's debate it and move on. So I hope that is what we are going to be doing rather than stopping the process in its tracks.

It is interesting to note that House and Senate Republicans were silent on this issue until students from around the country became aware of the impending increase and made their voices heard. Democrats were already hard at work on the solution. I would remind my colleagues that earlier this year, in the budget debate in the House, an amendment was offered by Democrats during the House budget process to extend the current rate of 3.4 percent. That amendment lost by a straight party vote. Instead, the Republicans proposed to pay for this by taking money from the Prevention and Public Health Fund. That is not an appropriate solution, killing the fund that is preventing cancer and preventing unnecessary diseases in the United States.

My friends on the other side would have us believe that nothing bad will happen if we eliminate the Prevention and Public Health Fund. They call it a slush fund. There is no truth to that at all. The truth is that the elimination of this fund would have disastrous effects on the health of our kids and our families. To eliminate the Prevention and Public Health Fund will cost us billions in the future for taking care of people who have chronic illnesses and chronic diseases and obesity. We know that an investment in immunizing our kids—for example, for every dollar, it saves us $16 in saved health care costs. To eliminate this fund would lead to a resurgence of vaccine-preventable diseases in every State due to the expected loss of more than 1.5 million doses of lifesaving vaccines and nearly 1,100 skilled public health workers.

Again, eliminating the Prevention and Public Health Fund would mean eliminating vaccines for our kids, eliminating public health workers who know how to deliver these vaccines and respond to outbreaks. We would be losing public health staff at the State and local levels.

Eliminating this fund would end support for increased calls to the tobacco quitline, meaning smokers encouraged to quit by the fund's strategic and evidence-based investments thus far would not have the support to keep that quitline going. If current smoking rates persist, 6 million kids living in the United States today will ultimately die from smoking. If we eliminate the Prevention and Public Health Fund, we will be forced to reduce the availability of mental health and substance abuse services to very vulnerable Americans.

Eliminating the fund, as the Republicans want to do, would reduce investment in public health laboratory capacity at the State and local levels, thereby reducing the speed with which we can detect and respond to outbreaks and, yes, maybe even terrorist events. It would cut the number of disease detectives that the Centers for Disease Control and Prevention can train and deploy. These disease detectives are our first line of defense against infectious diseases.

Eliminating this fund would result in layoffs, as I said, of public health officials in every State and community who are working on chronic disease prevention, immunization, health-care-associated infections, and other health problems.

An elimination of the prevention fund—again, I use the word ''elimination.'' The Republican proposal wouldn't just take some money from the prevention fund, it would kill the prevention fund. It would take every single penny out of it.

My friends on the Republican side say: Well, President Obama in his budget took money out of the prevention fund. In fact, Democrats joined with Republicans earlier this year in taking $5 billion out of the life of this fund to help pay for extending the unemployment insurance program for the remainder of this year, as well as extending the payroll tax cut. They use that example to say, Well, we can kill the whole thing. I must be very frank. I was not in favor of that $5 billion cut, but be that as it may, as I used the analogy yesterday, it is one thing to take a couple of pints of blood and another to take all the blood. A person can live if a couple of pints of blood are taken; they can live and get healthy. That is what is happening to the prevention fund. The Prevention and Public Health Fund is alive and well and doing its job even though some money is taken out of it. What the Republicans want to do is take all the blood out and kill the whole program.

President Obama has said he will veto this bill if there are any cuts in the Prevention and Public Health Fund. So there has been a line drawn. We took some money out of it before, but no more. That is it; no more money is coming out of this prevention fund because of the good it is doing in this country.

An elimination of this fund, which the Republicans want to do, would stop in midstream across our country efforts to address the risk factors for heart disease, diabetes, obesity, and cancer—the leading causes of death and health care costs. Yesterday in this Chamber I read from a new Centers for Disease Control and Prevention report that finds that if we could prevent the obesity rate from increasing past its current 34-percent rate right now, we could save nearly $550 billion in the next 20 years.

In 1980, the obesity rate was right at about 15 percent in this country. Today, as I said, it is 34 percent. If it increases at the rate they expect, looking at all indicators now, 42 percent of all Americans will be obese by 2030 and one out of every four of them will be severely obese. That means a huge increase in adult onset diabetes and all the accompanying health care risks and costs, including heart disease and stroke, that accompany obesity.

We know how to address it. We have evidence-based programs that we know work in keeping the obesity rate down. That is what the prevention fund does. The Republicans want to kill it. They say no, get rid of it.

Cuts to our chronic disease prevention programs would mean 120 million Americans—1 in every 3 citizens—would lose access to preventive services. It would mean $103 million no longer available to States and counties and local jurisdictions to provide these services. Over 20 million Americans in rural areas in New York and in Iowa and all across this country would no longer have access to preventive services and programs.

The American people get it. Our citizens, whom we represent, get it. They understand. A poll was taken which said that voters overwhelmingly support more investment in prevention. This is from a 2009 public opinion poll: 71 percent of Americans polled said yes, do more, invest more in prevention. Our fellow citizens are crying out to us for help. They want help. They want to know what to do. How do they change? What can we do in our communities, our schools, our workplaces, our clinics, our community health centers? What can we do so that we don't get sick, so we don't get obese or diabetes, so we don't have heart disease? Most people don't know what to do. They need some help. They need information. They need support.

That is what this prevention fund does. We know it works. We know. We have evidence-based programs out there that work. The Centers for Disease Control and Prevention is doing an outstanding job across this country in these programs: from community programs, to public health infrastructure, to clinical preventive services, research, tobacco prevention programs, detection and prevention of infectious diseases, and training and preparing the public health workforce—all of this.

That is why prevention is not just something people go into a doctor's office to get a shot for or get a prescription for and people get a pill for. Prevention encompasses a lot of different things—everything from newborn screening, immunizations for children, school-based programs, and better food and nutrition in our school meals for kids.

Communities change the way they operate and do things—more walking paths, more bike paths. The other day there was something said about Illinois had used some of this for signage and walking paths for kids. I pointed out, yes, they did. What happened is the number of kids walking to school increased, and that cut down on the number of buses they had to use. It saved the school some money, and the kids got healthier.

I have often used the example that when I first moved to Washington in 1979, when I was in the House, my wife and I purchased a home in Virginia. We still live there. One of the reasons we bought it was because we were about a mile away from a school, a high school. We thought: That is great. The kids can just walk to school. Little did I know there were no walking paths to the school. It was a busy street. There was a sidewalk for a little ways, and then there was not one. The kids could not walk. So they had to take a bus just to go 1 mile.

So, again, communities putting in sidewalks, safe passages for kids to do that, that is healthy living. I have seen instances in my own State where communities have put in walking paths for the elderly, for senior citizens, so they do not have a lot of steps and things to go up and down. You would be amazed how many people use that and stay healthy.

Supporting systems in our workplaces, making our workplaces more healthy, helping businesses understand what they can do to provide a healthier workplace for people—examples abound all over this country.

I say to the Acting President pro tempore, I am sure I do not know all the instances in New York State, but I will bet you communities there have gotten together and thought about how to make life a little bit more healthy, how to support a more healthy infrastructure for their people.

Some communities are coming up with very ingenious ideas. I say more power to them. That is what the Prevention Fund is for—to help them, to encourage them, to give them the kind of support they need to provide that healthy living.

I have said many times, it is interesting that in America it is easy to be unhealthy and hard to be healthy. One would think it should be the other way around. It should be easy to be healthy and harder to be unhealthy. It is just the other way around.

So what we are trying to do with some part of the prevention fund—not all of it; part of it—is to make it easier to be healthy, to make that an easier option for people.

So if we both agree—Republicans and Democrats—on the fact that we need to keep the interest rate on student loans at 3.4 percent, then the debate is just on the offset. As I have said, Republicans want to kill the prevention fund. The American people have said loudly: No, we do not want to do that. We want more investment in prevention. We do not want to get sick. We do not want to get obese. We want to quit smoking. We want our kids to be healthy. We want them to have healthier food, better exercise. Republicans are saying: Well, we are just not going to do that. I guess we will pay more for it in chronic illnesses and diseases down the line.

Well, our offset is one that I think is legitimate and sound, closing a loophole in the Tax Code. That means more money would go into the Social Security and Medicare trust funds, and it would help us keep the interest rate at 3.4 percent.

Education has always, and I hope will always, remain a bipartisan issue here. I urge my Republican colleagues to come to the table with a serious offset—a serious offset. If they do not like what we have proposed, please come with something that is serious. Eliminating the prevention fund is a no-

starter. As the President said, he would veto it. So why push it?

I think this is an opportunity for all of us to come together and show the American people this body is not broken; we can work with each other and get things done for the good of our people. Again, I encourage my Republican colleagues to allow us to move forward on the bill. Do not keep blocking it. If they want to offer a different offset, fine. Not this one, not the elimination of the prevention fund because that is not serious. That is not going anywhere. If they have some other ideas, bring them forward. As of yet we have seen nothing from my Republican colleagues other than stopping the bill—stopping it, stopping it, stopping it.

So I hope they will come to the table, and I hope we can move this bill forward.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Madam President, first, I commend my friend from Iowa for being such a phenomenal champion of preventive health care. He has been fighting for this as long as he has been in the Senate, and he has had some great victories. He has had some setbacks but mainly victories. It is because of his energy and effort that we are where we are today in terms of getting this money for preventive health care, and his continued effort to fight for it and to preserve this fund is notable. It is going to succeed. If it does, and when it does, it will be mainly because of our friend from Iowa.

Our Republican colleagues could have allowed us yesterday to begin debate on legislation to fix the looming increase in student loan interest rates. They could have helped us avoid adding to the already crushing weight of student debt that families in our country face. They could have joined us in taking a step toward letting parents do what parents desperately want to do, which is to help their kids to a better future.

American families are waiting for us to act. On July 1 the interest rate on student loans is going to increase from 3.4 percent to 6.8 percent. It is going to double unless we act. For every year we fail to act, it will cost the typical college student and their family $1,000. That is $1,000 that most families do not have to spare. More than 7 million students and their families nationwide would be affected. So the need to act is urgent.

Instead, in what has come to be a damaging ritual in the Senate, Republicans have filibustered a motion to proceed to important legislation. Republicans have voted against even allowing the Senate to begin to debate a bill. Why not debate it? Why not offer relevant amendments? Why not address this important issue?

No. By their filibuster, our Republican colleagues have refused to let the Senate even start this process. Republicans say they too want to prevent this increase in student loan interest rates. They differ with us, they say, on how to pay for it. Republicans say the only way they are going to support this legislation to prevent the rate increase is with cuts from a fund that helps to prevent infectious and chronic diseases.

The program Republicans seek to eliminate has provided more than $8 million to my State to help fight major health problems, such as influenza, diabetes, HIV, heart disease, and cervical cancer. These funds even helped to provide funding for childhood immunizations programs. So what the Republicans propose is this: choose between helping college students and their families and helping to prevent expensive and debilitating health problems, choose between education and health care. Choosing to allow more health problems in order to help students and their families is not a choice at all.

Democrats are offering a different alternative. We recognize the Tax Code is full of loopholes and special breaks that allow some individuals and some corporations to avoid paying taxes. In this case, what is identified is a tax break that allows some professional service providers such as lawyers to avoid paying their payroll taxes by organizing their businesses as so-called S corporations and then paying themselves in the form of dividends instead of salaries. The Government Accountability Office recently examined this issue and found widespread problems, costing taxpayers and the Treasury billions of dollars each year in uncollected revenues.

What our bill would do is require the professional service providers with incomes above $250,000 a year to pay payroll taxes on the income they derive from these S corporations. We would use the revenues from closing that loophole for those with incomes above $250,000 to prevent the interest rate hike that is going to hit middle-income families. At the same time we are going to be able to do that, we are also going to avoid increasing the deficit or slashing important programs.

Our Republican colleagues have accused us—to quote one of them—of raising taxes on ''the people that are doing some of the very serious job creation in this country.''

Well, not long ago Republicans were saying something different about this loophole. For starters, they actually called it a loophole. That is what former Vice President Cheney called it during his 2004 Vice Presidential debate.

He called it a ''special loophole.'' He accused his debate opponent of dodging $600,000 in payroll taxes using this loophole. Likewise, a Republican candidate for the Senate not long ago called this ''a deceptive tax scheme to get around the IRS.'' There were no Republican cries then about raising taxes on job creators.

The fact is this loophole ought to be closed, no matter who is taking advantage of it, Democrats or Republicans. Closing it, at least for those with incomes above $250,000, in order to avoid another blow in a long series of blows to middle-income Americans just makes sense and is fundamentally fair.

Hundreds of thousands of students in my State of Michigan depend on student loans to help afford college. They and their families know college is not going to get any cheaper. They do not need a doubled interest rate on top of tuition increases. For many an affordable loan is the difference between staying in school or giving up the dream of a college education. We should not let this loophole stand in the way of those dreams.

I urge our Republican colleagues to end their filibuster of this vital bill. If Republicans think they have a better way, let's debate their alternative and let's vote. Let's end this filibuster. Let's end it today.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WEBB. Madam President, I ask unanimous consent to speak for 15 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAR POWERS

Mr. WEBB. Madam President, I rise today to address perhaps the most important constitutional challenge facing the balance of power between the Presidency and the Congress in modern times, and also to offer a legislative solution that might finally address this paralysis. It is an issue that has for far too long remained unresolved. And for the past 10 years, the failure of this body to address it has diminished the respect, the stature, and the seriousness with which the American people have viewed the Congress—to the detriment of our country and to our national security.

The question is simple: When should the President have the unilateral authority to decide to use military force, and what is the place of the Congress in that process? What has happened to reduce the role of the Congress from the body which once clearly decided whether the Nation would go to war, to the point that we are viewed as little more than a rather mindless conduit that collects taxpayer dollars and dispenses them to the President for whatever military functions he decides to undertake?

We know what the Constitution says. Most of us also know the difficulties that have attended this situation in the years that followed World War II.

We are aware of the debates that resulted in the war powers resolution of

nearly 40 years ago in the wake of the Vietnam war, where the Congress attempted to define a proper balance between the President and this legislative body. I have strong memories of the policy conflicts of that era, first as a marine infantry officer who fought on the unforgiving battlefields of Vietnam, on which more than 100,000 U.S. marines were killed or wounded, and later as an ardent student of constitutional law during my time at the Georgetown University Law Center.

But it was in the decades following Vietnam that our constitutional process seems to have broken apart. Year by year, skirmish by skirmish, the role of the Congress in determining where the U.S. military would operate and when the awesome power of our weapons systems would be unleashed has diminished. In the aftermath of the 9/11 attacks, especially with the advent of special operations forces and remote bombing capabilities, the Congress seems to have faded into operational irrelevance.

Congressional consent is rarely discussed. The strongest debates surround the rather irrelevant issue of whether the Congress has even been consulted. We have now reached the point that the unprecedented—and, quite frankly, contorted—constitutional logic used by this administration to intervene in Libya on the basis of what can most kindly be called a U.N. standard of humanitarian intervention was not even subject to a full debate or a vote on the Senate floor. Such an omission, and the precedent it has set, now requires us to accept one of two uncomfortable alternatives. Either we as a legislative body must reject this passivity and live up to the standards and expectations regarding Presidential power that were laid down so carefully by our Founding Fathers or we must accept a redefinition of the very precepts upon which this government was founded.

This is not a political issue. We would be facing the exact same constitutional challenges no matter the party of the President. In fact, unless we resolve this matter, there is no doubt we someday will.

The conflict in the balance of power between the President and the Congress has always been an intrinsic part of our constitutional makeup. Article I, section 8 of the Constitution provides that the Congress alone has the power to declare war. Article II, section 2 of the Constitution provides that the President shall serve as Commander in Chief. In the early days of our Republic, these distinctions were clear, particularly since we retained no large standing army during peacetime, and since article I, section 8 also provides that the Congress has the power to ''raise and support armies,'' a phrase that expressed the clear intent of the Framers that large ground forces were not to be kept during peacetime but, instead, were to be raised at the direction of Congress during the time of war.

Our history confirms this, as our armies demobilized again and again once wars were completed. Only after World War II did this change, when our rather reluctant position as the world's greatest guarantor of international stability required that we maintain a large standing military force, much of it stationed in Europe and Asia, ready to respond to crises whose immediacy could not otherwise allow us to go through the lengthy process of mobilization in order to raise an army and because of that reality made the time-honored process of asking the Congress for a formal declaration of war in most cases obsolescent.

But any logical proposition can be carried to a ridiculous extreme. The fact that some military situations have required our Presidents to act immediately before then reporting to the Congress does not, in and of itself, give the President a blanket authority to use military force whenever and wherever he decides to do so, even where Americans are not personally at risk and even where the vital interests of our country have not been debated and clearly defined. This is the ridiculous extreme we have now reached. The world is filled with tyrants. Democratic systems are far and few between. I don't know exactly what objective standard should be used before the U.S. Government would decide to conduct a so-called humanitarian intervention by using our military power to address domestic tensions inside another country, and I don't believe anyone else knows either. But I will say this: No President should have the unilateral authority to make that decision either.

I make this point from the perspective of somebody who grew up in the military and whose family has participated as citizen soldiers in most of our country's wars, beginning with the American Revolution. I was proud to serve as a marine in Vietnam, and I am equally proud of my son's service as a marine infantryman in Iraq. I am also deeply grateful for having had the opportunity to serve 5 years in the Pentagon, first as a marine, then later as Assistant Secretary of Defense and as a Secretary of the Navy. I have also benefited over the years from having served in many places around the world as a journalist, including in Beirut during our military engagement there in 1983 and in Afghanistan as an embedded journalist in 2004. As most people in this body know, I am one of the strongest proponents of the refocusing of our national involvement in East Asia. I was the original sponsor of a Senate resolution condemning China's use of force with respect to sovereignty issues in the South China Sea.

The point is I am not advocating a retreat from anywhere. But this administration's argument that it has the authority to decide when and where to use military force without the consent of the Congress, using the fragile logic of humanitarian intervention to ostensibly redress domestic tensions inside countries where American interests are not being directly threatened is gravely dangerous. It is a bridge too far. It does not fit our history. To give one individual such discretion ridicules our Constitution. It belittles the role of the Congress. For anyone in this body to accept this rationale is also for them to accept that the Congress no longer has any direct role in the development, and particularly in the execution, of foreign policy.

There are clear and important boundaries that have always existed when considering a President's authority to order our military into action without the immediate consent of the Congress. To exceed these boundaries—as the President has already done with the precedent set in Libya—is to deliberately destroy the balance of powers that were built so carefully into the Constitution itself.

These historically acceptable conditions under which a President can unilaterally order the military into action are clear: If our country or our military forces are attacked; if an attack, including one by international terrorists, is imminent and must be preempted; if treaty commitments specifically compel us to respond to attacks on our allies; if American citizens are detained or threatened; if our sea lanes are interrupted, then, and only then, should the President order the use of military force without first gaining the approval of the Congress.

At least until recent months, the Congress has never accepted that the President owns the unilateral discretion to initiate combat activities without direct provocation, without Americans at risk, without the obligations of treaty commitments, and without the consent of the Congress. The recent actions by this administration, beginning with the months-long intervention in Libya, should give us all grounds for concern and alarm about the potential harm to our constitutional system itself. We are in no sense compelled—or justified—in taking action based on a vote of the United Nations or as a result of a decision made by a collective security arrangement, such as NATO, when none of its members have been attacked. It is not the prerogative of the President to decide to commit our military and our prestige into situations that cannot clearly be determined to flow from vital national interests.

Who should decide that? I can't personally and conclusively define the boundaries of what is being called a humanitarian intervention and, most importantly, neither can anybody else. Where should it apply? Where should it

not? Rwanda? Libya? Syria? Venezuela? Bangladesh? In the absence of a clear determination by our time-honored constitutional process, who should decide where our young men and women or our national treasure should be risked? Some of these endeavors may be justified, some may not. But the most important point to be made is that in our system no one person should have the power to inject the U.S. military and the prestige of our Nation into such circumstances.

Our Constitution was founded upon this hesitation. We inherited our system from Great Britain, but we adapted and changed it for a reason. One of our strongest adjustments from the British system was to ensure that no one person would have the power to commit the Nation to military schemes that could not be justified by the interests and the security of the average citizen. President after President, beginning with George Washington, has emphasized the importance of this fundamental principle to the stability of our political system and to the integrity of our country in the international community. The fact that the leadership of our Congress has failed to raise this historic standard in the past few years, and most specifically in Libya, is a warning sign to this body that it must reaffirm one of its most solemn responsibilities.

I have been working for several months to construct a legislative solution to this paralysis. This legislation would recognize that modern circumstances require an adroit approach to the manner in which our foreign policy is being implemented. But it would also put necessary and proper boundaries around a President's discretion when it comes to so-called humanitarian intervention, where we and our people are not being directly threatened. My legislation requires that in any situation where American interests are not directly threatened, the President must obtain formal approval by the Congress before introducing American military force. This legislation will also provide that debate on such a request must begin within days of the request and that a vote must proceed in a timely manner.

I remind the leadership on both sides of this body that despite repeated calls from myself and other Senators, when this administration conducted month after month of combat operations in Libya, with no American interests directly threatened and no clear treaty provisions in play, the Congress of the United States, both Democratic and Republican, could not even bring itself to have a formal debate on whether the use of military force was appropriate, and this use of military force that went on for months was never approved. The administration, which spent well over $1 billion of taxpayer funds, dropped thousands of bombs on the country and operated our military offshore for months, claimed that combat was not occurring and rejected the notion that the War Powers Act applied to the situation. I am not here to debate the War Powers Act; I am suggesting that other statutory language that covers these kinds of situations must be enacted. The legislation I will be introducing will address this loophole in the interpretation of our Constitution. It will serve as a necessary safety net to protect the integrity and the intent of the Constitution itself. It will ensure that the Congress lives up not only to its prerogatives, which were so carefully laid out by our Founding Fathers, but also to its responsibilities.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized.

Mr. BEGICH. Madam President, I come down to talk about the issue of student loans, as someone who has two ends of this equation—one as the former chairman of the Student Loan Corporation for the State of Alaska for 7 years. I took that corporation from the brink of bankruptcy, junk bond rating, you name it—it was in dismal condition. We turned it around, and 7 years later the corporation ended up paying a hefty annual dividend to Alaska for higher education and had one of the lowest interest rates in the country and increased the capacity for students to borrow money not only for 2- and 4-year degrees and master's degrees but also for career education, something most people told me, when I became chair of that corporation, would never be able to be done. Good luck. We wish you the best. And off they went and most of them got off the board very quickly. We were able to bring it together. In the process, in my experience around the issue of education, in making sure young people had the capacity to borrow money at reasonable rates, it went down about 2 percent, which is a pretty incredible rate for a student or parent to borrow money at.

I was also chair of the Postsecondary Education Commission for 7 years, a copartner with the Student Loan Corporation, making sure we had strong educational institutions to provide career, college, and other types of education for young people. I come with that experience, and also I come from experience as a small businessperson, which I will get to in a minute, with regard to how we are trying to pay for this interest rate, controlling the interest rates and making sure they don't rise. The rate for subsidized interest loans will rise from 3.4 percent to 6.8 percent in July. That will increase the average cost for students by $1,000 over the course of a loan. Students are truly waiting and families are waiting, as kids are graduating right now across this country from high school, getting ready to move on to higher education and making their plans—be they scholarships or grants or loans or whatever they need to cobble together the amount of money needed to move on to a higher education and to ensure they can afford it. And the interest rate is part of that equation. Doubling the interest rate would be damaging to our young families who are making sure their kids can get on and have an opportunity to be educated.

As you know, many of us have gone onto our Facebook page and Twitter accounts and asked constituents from our districts to tell us their stories—tell us what is happening: If this interest rate doubles, what will happen to you. One Anchorage resident says her granddaughter graduated from Charter College. I know this college well. This is a privately run college which has an incredible placement rate—almost 90-percent placement rate once they graduate with their degree. It is an intensive program. It is like a job. Students are there 8 to 5 every day, all day, for several months, and they consolidate the time. She has been working on her accounting degree, and now, 6 years later—because she had to work two jobs while going to school, trying to pay for this and borrowing money—her total debt is $72,000. She is 31 years old. Her family is truly wondering how she will ever get out of debt if this bill doesn't pass, because if the interest rates adjust, it is truly money that comes out of her pocket to literally pay off interest, and the net result is she gets deeper and deeper in debt.

We know the cost of college is more and more expensive every year, and one way we are going to make sure students can afford this is by making sure we do not double the interest rate. We had a vote earlier this week that did not succeed. We tried on this side to move it forward. It is important for us to make sure every kid has access to education—whether it is higher education, career education, voc education or whatever the new title is they like to use to describe it—because we are in a globally competitive economy, and we need to make sure our kids are well educated and have access to education, which means affordability.

Yesterday I was listening to the debate, and this is where my small business part comes in. I have been in the small business arena since the age of 14. I have operated and owned a variety of businesses—some successful, some not so successful. Hopefully, you learn from those that are not so successful, and I think I have. The Democrats' pay-for—the majority's pay-for—was to close a tax loophole used by high-income earners—basically lawyers, lobbyists, and consultants. No disrespect to their fields, but they basically use the system to avoid paying the Medicare taxes, for example, that all of us pay. All of us who sit in this Chamber,

the people who work at the restaurants outside here, the people who drive the buses, and everyone else, pays that tax. But some use this to organize under an S corporation. It is a technical term under the IRS Code that allows those profits to go right to the individual. So they decided instead of paying it as a wage, they would take it as profit or a dividend, thus avoiding the Medicare taxes all of us pay. They are getting a free ride.

I heard the phrase used yesterday on the floor, ''a bunch of new taxes.'' These aren't new taxes. These are taxes that are owed. They just found a loophole—again, consultants, lobbyists and lawyers—through the writing of the laws. And they probably wrote them. Actually, they did, if you look at the history of it. They wrote the law so they could avoid the Medicare taxes everyone else has to pay. So when I hear people saying it is the restaurant owner, it is the retailer, the plumber, I think, that is a bunch of baloney. That is misinforming the public. It is unbelievable. I know this, because as a former retailer who had an S corporation, we paid our taxes. We paid with a wage. We paid it all.

This loophole is clear. All you have to do is look at it. They have to meet three standards: modified gross income above $250,000 for joint filers, $200,000 for individuals and shareholders, and an S corporation that derives 75 percent or more of gross revenues from services of three or fewer shareholders. Service is defined as lobbying, law, engineering, architect, accounting, actuarial science—which is a science—performing arts, athletes, and brokerage services. I am looking here, and I don't see where it says retailers. It doesn't say the mom-and-pop folks who work every day and pay their taxes.

So for Members to come to the floor and try to trick the public—because that is what they tried to do by using convoluted words, knowing people are getting the 10-second sound bites—saying, oh, it is going to raise new taxes and cause all these small businesses not to hire, that is baloney. This is about lawyers, lobbyists, and consultants who wrote the law making sure they didn't have to pay a dime. That is what that is about. For people to come to the floor and say we are going to raise the interest rate on hard-working families who are trying to get their kids through college is unbelievable.

I hope we take this up again. I hope we vote on it and get this thing resolved, and make sure working families can afford to get their kids into college and can afford the high cost so they can become productive parts of this country, perhaps opening their own small business and paying their taxes, as every other small business does.

I was appalled when I heard some of the Members speaking on this, and they sounded so logical. But to be frank with you, there are not many in this body—no disrespect to my colleagues—who have owned and operated a true small business. I am talking about starting with a few nickels and dimes because you got turned down by the bank; where the banker told you your idea was a dumb idea. I can say this from personal experience. Three years later, I sold that business for three times what I had invested. I thought it was a good idea, but the banker didn't. But I had to scratch together two nickels to make that business successful. I had to work 12 to 15 hours every day to make sure it was successful. That is a small businessperson. There are not many in this body.

So when a Member comes to the floor and sounds so professional in their description of how it is going to affect certain people, it is incorrect. And one thing I wouldn't mind in this body is to have factual debates. That is what the public deserves, not this kind of 10-second media bite, where they can get away with anything and then say back home, we didn't raise taxes, we didn't do this. What they are doing is jacking up rates on students. That is what is going to happen at the end of the day here, by July 1, if we don't take action.

And we have taken action on this side. But the end result will be that families, hard-working families, middle-class families, will pay more for their students' education, and students will pay more for their education because of a simple law that we can correct. All we have to do is close the loophole that lobbyists, lawyers, and consultants are taking advantage of and wrote to their advantage to stick it to the middle class. I think it is time to reverse the trend, for once, around this place—just once—and give the middle class a break here. This is a break they deserve and it will help to build our economy in the future because we will have a highly educated workforce meeting this global economy.

I know there is another alternative out there. There is a new pay-for, and here is what that does: It takes away prevention funds for health—$226 million used to reduce diabetes and heart disease. I don't know about my colleagues, but if we don't prevent it, then we may have a higher cost later. Those are preventable diseases. This money is well invested. They also want to take away the $93 million used for anti-tobacco education and $190 million used for immunizations.

Our Republican friends do not like the plan that closes the loophole on lobbyists, lawyers, and consultants, but they do like the one that takes away prevention programs that help the middle class, that helps our young families who might be experiencing signs of a preventable disease—heart disease. And a little prevention might save their lives, but it will also save on health care costs in the future.

I see this proposal as crazy talk. I don't know how else to describe it. I am trying to keep it simple. Let's get on with closing the loopholes people took advantage of by lobbying and wheeling and dealing in the halls of Congress. Let's fix that and protect our working families, our middle-class families, and make sure we are doing the right thing. That is what they sent us here to do, and I think we have an obligation.

Again, I hope we move forward and make sure we are not going to allow the rates on these loans to double. I am not for doubling the rates; 3.4 percent is a good rate. We should ensure students can get that rate as they get prepared for the fall session and are borrowing money to get on with their higher education.

I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

Mrs. GILLIBRAND. Mr. President, I rise today to join my colleagues in calling for a real solution to the impending student debt crisis. Yesterday we had a chance to do the right thing and stand with millions of young Americans all across our country, to invest in their future by preventing these interest rates from doubling on Stafford loans 52 days from now. Instead, our colleagues across the aisle chose to stand in the way of a commonsense proposal. As a result, 7 million students are facing higher interest rates that will cost them each an extra $1,000 a year in interest, further pushing access to quality higher education out of reach for too many and saddling others with additional unmanageable debt when they get out of college and join the workforce.

But don't take it from me about how tough this is going to be, take it from the students and the families themselves. Just as the Presiding Officer has heard from thousands of families all across Alaska, we have been hearing the same online and through e-mail about what this would actually do to their families.

I heard from one New York parent who has a child in college and another heading there this fall. His older child spent a year in AmeriCorps, and his younger is there serving now. He said:

> These kids are serving America. Both of my kids will leave college with around $25,000 in debt, if we can afford to keep it down that much.

We should all be able to agree that adding another $1,000 or more per year to the debt of kids who are only looking to serve this country, get a good

education, and help rebuild this economy is wrong.

I heard from a woman in the Bronx. She has a job as a social worker, and she is on track to pay off her student loans in the next 10 or 11 years—just in time for her twin daughters to start college. She said:

Doubling my student loan interest will keep me in debt at a time when I am going to need every single penny to get my kids through college with as little debt of their own as possible. The more interest I pay, the more they'll have to borrow for their own educations, and the cycle will continue indefinitely.

I heard from a woman in Saratoga with a bachelor's degree in hotel, resort and tourism management. Despite making good money, she says that paying $800 a month in student loans on top of her everyday bills makes getting by nearly impossible. She said:

My choice is to instead decide what bill I'm going to pay this month, making me fall behind on other payments, destroying my credit in the future. If my interest rate was any higher, I honestly do not know how I would survive at all. Pretty much all the money I am making is going straight into student loans. We need all the help we can get.

These are just a few of the stories I heard yesterday. And the families expect better from us.

When we price young people out of a college education, we all are going to pay the price. When we limit their opportunity, we rob ourselves of those future engineers, biologists, and small business owners. America's ability to lead the global economy relies on our ability to outeducate the global competition.

Let's open doors to higher education to anyone who is willing to work for it, and let's keep it affordable. Let's reward hard work and responsibility instead of risk taking. There is no excuse for inaction, so let's have a real debate, in good faith, to solve this problem we all know is within our reach. Students and families all across America can't afford any more delay.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CHARTER SCHOOLS

Mr. ALEXANDER. Madam President, this week is the 13th annual National Charter Schools Week. On Tuesday, Senator LANDRIEU of Louisiana and I joined with 10 other Senators in submitting a resolution praising teachers, administrators, parents, and students who are part of the charter school movement across our country.

Let me begin by explaining exactly what a charter school is because sometimes we stand here in the Senate and start talking without explaining the subject. A charter school is the Memphis Academy of Science and Engineering. I visited there 4 years ago during spring break. Most of the students in Memphis were somewhere else, but not the students at the Memphis Academy of Science and Engineering. These were sophomores studying advanced placement biology. These were children who had been in other schools the year before that were deemed to be low-performing schools. In other words, these were among the students in Memphis considered least likely to succeed. But they were fortunate. They were allowed to go to this charter school. Their parents had chosen this charter school.

Here is what was different about the school. The union rules, the State rules, and the Federal rules had been relaxed so that the teachers had the freedom to do what they thought those children needed in that school. In this case, many of these children didn't have as much at home as other children did, so the teachers decided that the school ought to be open 12 hours a day, that it ought to be open on Saturday morning, and that it ought to be open more weeks a year than other schools. And the students were there on spring break studying advanced placement biology, which is not what many sophomores do in many schools in this country. And these children were succeeding.

The charter school was able to pay some teachers more than others. It was able to have some classes that were smaller than others. It meant that some scheduled classes were longer than others and some children got special attention that needed it.

You may say: Well, that makes so much common sense. Why aren't teachers able to do that in every public school in America? That is a very good question because, in a way, every one of our 100,000 public schools in America should be a charter school in the sense that the real definition of a charter school is one that gives teachers the freedom to use their own good sense and judgment with the children whom parents choose to send to that school.

I have a personal interest in charter schools. Twenty years ago, I was the U.S. Secretary of Education. I was in my final year. The last thing I did in 1992 as Secretary was to write a letter to all the school superintendents in America urging them to try what a small number of Minnesota public schools were doing in what they were then calling startup schools. These were the first charter schools in America. Their origin was primarily from those who were part of the Democratic Farmer Labor Party in Minnesota. But at the same time, on the conservative side of the ideological spectrum, there were many who were calling for getting rid of teacher union rules and State rules and regulations that were making it harder for teachers to teach. So there was a happy convergence of support for this idea of startup schools.

I remember that Albert Shanker, the late head of the American Federation of Teachers, supported the idea from the beginning. But many of those in the teachers unions opposed him. Many of those in the education establishment didn't like it. They were afraid of what might happen.

Well, here is what has happened over the last 20 years. Instead of a handful of schools in Minnesota, we now have about 5,600 charter schools in America today. About 5 percent of all of our public schools are charter schools. The way they work is very simple. They are public schools, and the money the State and local government would ordinarily spend on their district school follows each child to the charter school. So it is just a public school organized in a different way.

The first one, as I said, was in 1992—City Academy High School in St. Paul, MN. In 1997, President Clinton called for creating 3,000 charter schools by 2002. This was after the first President Bush had called for creating ''break the mold'' schools in every school district in America—another name for what we call charter schools today. And then in 2002 the second President Bush called for $200 million to support charter schools. Today, 41 States have charter schools, and the schools serve more than 2 million students—about 4 percent of the 50 million students in our public schools today.

I am proud to say that our own State of Tennessee has had a strong charter school movement since 2002, and only recently has the State charter law been amended to remove the cap on the number of schools in the State and limitations on student eligibility. We currently have 40 charter schools operating in Tennessee—25 in Memphis and 11 in Nashville—with nearly 10,000 students attending these schools. Our First to the Top plan—Tennessee won the President's Race to the Top plan for education—included $14 million to expand high-performing charter schools. The Achievement School District, which Governor Bill Haslam created, has approved three charter operators to turn around priority schools that are failing, and we can expect more to be approved next year.

So the question often is asked, well, are charter schools really helping students? And in some ways the jury is still out. Charter schools are relatively new, and there are many factors that go into the success of a student in a school, the No. 1 factor being what happens at home. But there are good and encouraging indications.

A recent study by Stanford University found that two-thirds of the charter schools in Tennessee have been improving student performance in reading or math at a faster rate than competing traditional district public schools. Sixty-seven percent of charter schools in Tennessee have been improving the overall growth of their students for the last 3 years.

But that means that 30 percent of the charter schools weren't performing as well or were performing worse. So the fact is, not every charter school is going to be successful. Not every startup business is successful. But we have a model in our country that reminds us of what can happen when we have autonomous institutions where administrators and teachers have the privilege of using their own judgment and common sense to make things happen, and we call that higher education.

In the United States of America, we have around 6,000 institutions of higher education. There are all kinds—Yeshiva University, Nashville Auto Diesel College, Vanderbilt University, the University of Tennessee, Notre Dame, or Stanford. There are many different kinds—for-profit, nonprofit, public, nonpublic. But they are all largely autonomous and the students choose the schools they attend. And what has happened? Everyone in the world agrees that we have not only the best colleges in America, but we have almost all of the very best colleges.

So our goal should be to gradually increase the number of charter schools. At the same time, it is important that there should be some accountability. I know that in Tennessee they have a tough review board, and if a charter school is not working, it is closed down. That should be the case in many other places. You might ask: Why would you go through that struggle? Well, we should be doing that with some of the non-charter public schools as well, and we are beginning to that with so-called turnaround schools.

Charter schools should be held to the same standards as other public schools. And charter schools shouldn't be allowed to pick and choose; they should be required to enroll all eligible students. If more students want to come than they have room for, there could be some fair method for choosing the students, such as a lottery. That makes a very good case. If charter schools are so popular that more families want their children to go to them, then we need even more charter schools.

I am happy to come to the floor today to praise the teachers and the innovators, Presidents of both parties, including President Obama and his Secretary of Education, Arne Duncan, who have strongly supported charter schools, just as President Bush and President Clinton and the first President Bush did.

This is a movement that has broad bipartisan support. It has grown from a handful of schools in Minnesota 20 years ago to 5 percent of all of our public schools in the country today. What we have found is that when you give teachers more freedom to use good judgment and when you give parents more choices of schools, good things happen. The charter school movement is proving that. This is a week to salute their hard work and to hope that over the next year, 5 years, 10 years, more and more public schools become charter schools, where teachers are free to exercise their judgment and parents are free to choose the schools their children attend.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Madam President, in less than 2 months—53 days—the interest rate on subsidized student loans will double to 6.8 percent unless Congress acts. If the rate on subsidized Stafford loans is allowed to rise, as many as 7.4 million students across the Nation, including approximately 43,000 students in Rhode Island, will pay about $1,000 more for each year that they borrow, and that is on top of already significant debt.

Some have argued, even while claiming to support keeping interest rates low, that the increase would not be a significant financial burden. Students and families beg to disagree. This would be a significant impediment to completing their education. For younger students starting their education, for those seeking educational opportunities for job transition in midlife, those opportunities would be frustrated also. Right now students and their families are sitting around the kitchen table making tough decisions about next year and whether they can afford to go to school if interest rates double.

One Rhode Island mother wrote me:

> Please do not raise the interest rates on student loans. My son will be in his last year . . . I cannot afford to pay any more and fear that he will not be able to graduate and still have all the loans to pay back.

So in addition to frustrating educational advancement, it could leave many students across the country with lots of debt and no degree.

Hundreds of thousands of young people, parents, educators, and members of the faith community and other community leaders have come to us with one simple request: Don't double the rate.

Some on the other side have argued that low-cost Federal loans have contributed to rising college costs and increased student debt. This does not make sense. The maximum amount undergraduate students can borrow in subsidized loans has remained unchanged at $23,000 for the last 20 years. There are many causes that are accelerating tuition, but the amount of available, accessible subsidized Federal loans for students has remained unchanged for 20 years. But increasing the cost of these loans by doubling the interest rate will certainly make college more expensive for families and for students.

We need to address college costs, but having the Federal Government double the interest it charges for students, particularly the low- and moderate-income students, is not the solution. In fact, it complicates the problem dramatically.

My colleagues on the other side of the aisle say they want to stop this from happening. Governor Romney, the presumptive Presidential nominee, says he wants to stop this from happening. Yet they are blocking us from even moving forward procedurally so we can debate these things, so they could offer their proposals to pay for what we agree needs to be done, to stop the interest rate from doubling. They are blocking debate because they refuse as much on an ideological as on a practical basis to change the Tax Code and to close a loophole that is egregious and should be closed in order to allow us to help middle-income families. I think they have taken this pledge with respect to no new taxes to a degree that defeats a practical, pragmatic solution to a problem that they know has to be solved. It has to be solved before July 1.

This decision is fairly clear. It is a choice between allowing young people to get a college degree or fealty, to a pledge to never, ever raise anything that Grover Norquist says is remotely connected to a tax. It is that simple. Unfortunately, that simplicity is undercutting the hopes and dreams of thousands of American students, and that is what it is coming down to.

One of the other ironies in this debate is what we propose to do. Closing the subchapter S loophole for high-wage earners in professional endeavors is also something that has long been criticized by conservatives. In the 2004 Presidential campaign, the late conservative columnist Robert Novak described the subchapter S loophole as ''one of the last loopholes left in the Internal Revenue Service Code, and it is a big one.'' I don't think anyone would accuse the late Robert Novak as being anything but staunchly conservative in all his views.

The Wall Street Journal, calling out former Senator John Edwards for his use of this loophole in 2004, called it ''a clever tax dodge.''

Again we have a clever tax dodge pitted against helping students go to college. I think helping students go to college should win.

In fact, the Wall Street Journal editorial points out how in practice this loophole is used. In their words:

> While making his fortune as a trial lawyer [referring to Senator Edwards] in 1995, he formed what is known as a 'subchapter S,' corporation with himself as the sole shareholder. Instead of taking his $26.9 million as

earnings directly in the following four years, he paid himself a salary of $360,000 a year and took the rest as corporate dividends.

Obviously at a much lower tax rate but also avoiding payroll taxes.

That is what we are trying to close here. I think it ought to be closed in fairness anyway, but the added benefit is that we are able, by closing this loophole, to prevent the doubling of the interest rate on student loans.

This is a loophole that should be closed. Again, this money will require people to pay directly to the Social Security trust fund and Medicare trust fund these funds which otherwise were avoided through subchapter S, so it doesn't weaken Social Security but it allows us, through the scoring mechanism, to prevent doubling of the interest rate on subsidized loans. It is a win-win proposition.

What they propose is going after the preventive care fund that was part of health reform. It seems to me it is sort of an unfortunate pitting of one program that benefits middle-income families versus another program that potentially benefits all, but particularly middle-class families. Frankly, I think there is another concept here which we all agree about in theory—if we do not enhance prevention opportunities, the cost of health care will be going up and up. What is unsustainable now will become more unsustainable. It is not an appropriate way to deal with this issue.

At a minimum, I hope we can at least get to a serious debate about this. If that is the proposal that Republicans have, let's get it on the table, let's take a vote. Let's take a vote whether you want to close loopholes for very specialized, very wealthy lobbyists and lawyers and professionals, or do you want to impact potential savings on health care through prevention.

I think and hope we can come to a bipartisan agreement. The clock is ticking. The time to act is now. Students and families are counting on us to do the right thing and fix this problem.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I enjoyed listening to the Senator from Rhode Island, as I always do. His passion for education is always on his sleeve and always front and center and I admire him for that.

There are a couple of things I wish to make clear. If you are a student and you already have a student loan, what we are talking about has nothing to do with your loan. In other words, your rate on that loan is not going up. What we are talking about only affects new loans. So before you think about not going to college next year because of all this talk about student loan rates going up, that is not a problem. We are only talking about new loans.

Second, for 60 percent of the students who get new loans, we are not talking about you either. So you don't have to worry about student loan rates going up.

Third, for those of you about whom we are talking, the 40 percent who have these subsidized undergraduate student loans, what we are talking about saving you is $7 a month in interest payments over the next 10 years. Now $7 a month can add up, which is why Governor Romney as well as President Obama, Republicans as well as Democrats, wants to keep the interest rate at the rate it is now for new loans, 3.4 percent, for another year. But it is $7 a month in savings. It is important to know that.

It is also important to know that there is an easy way to get this done. The House of Representatives has already passed a bill that would keep the interest rate at 3.4 percent for these 40 percent of new loans for one more year. All the majority leader has to do is bring up the House-passed bill and enact it here in the Senate. In other words, we agree on extending the interest rate. We only have a difference of opinion about how to pay for it.

I have offered an alternative supported by many Republicans, which is the same as the House bill, which simply says we want to keep the interest rate where it is for another year, 3.4 percent, and we want to do the logical thing to pay for it. We want to give back to students the money that the government is taking from them to help pay for the new health care law.

You may think: what in the world does the health care bill have to do with student loans? That is what many of us thought when the health care law was being debated. Because, what our friends on the other side of the aisle did during the health care law debate was take over the whole student loan program and almost turn the U.S. Secretary of Education into the U.S. banking commissioner. He has the job of making more than $100 billion in new student loans every year. Their idea was the government can make these loans better than the banks. Our friends on the other side of the aisle said to the students: The banks are overcharging you. We are going to take it over and we will be doing you a favor.

What did the Democrats do? They took it over, but they didn't do the students a favor. According to the Congressional Budget Office, there was $61 billion of savings from taking over the loan program, much of which was money that the students should not have been paying. When the federal government took it over, what did the Democrats do? They spent it on other programs, all except for $10 billion, including $8.7 billion helping to pay for the new health care law.

The way the Congressional Budget Office looks at it, $61 billion in savings resulted from—and these are my words—the government borrowing money at 2.8 percent interest and loaning it to students at 6.8 percent interest. We now want to take that profit from overcharging students and give it back to students. That is the way to pay for extending the 3.4 percent interest rate that we are talking about for another year.

We are in agreement on this. Republicans as well as Democrats, Governor Romney as well as President Obama, say keep the 3.4 percent rate at 3.4 percent for another year. Students should know that it does not affect anybody who has a loan today and that it will save you $7 a month for a new subsidized loan. We want to do that. But the way we want to pay for it is by giving back the money that the other side of the aisle took from you to help pay for the health care bill. That is the right way to do it, instead of the typical reaction we often hear from the other side, which is we have something we want to do so we will simply raise taxes on people and businesses creating jobs in the middle of a recession.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. I have the utmost respect for the Senator from Tennessee. No one is as knowledgeable in education programs as he, the former Secretary of Education, and someone who has a deep commitment to education, not only with respect to his remarks on charter schools but on education in all ways. But he refers to what the House has done. The House, in the Ryan budget, maintains this increase, this doubling of the interest rate. They foresaw, anticipated, and supported the increase to 6.8 percent. Only recently have they apparently had a change of heart and decided that is not appropriate.

The other aspect I think is interesting to note about the House is they have proposed significant reductions in tax rates and they have said they would pay for them by closing loopholes. This is one of the most egregious loopholes that you can find and yet, of course, they will not use this to pay for something which makes a great deal of sense—which they now agree there should be no doubling of the student interest rate.

The Senator is absolutely right, this doubling will not apply to loans that are outstanding. It applies to loans going forward. But if we establish the principle which was embedded in the Ryan House budget, which I think was supported by most, if not all, of my colleagues on the other side, that this rate is going to be doubled to 6.8 percent going forward, that is going to have a significant impact on students who have years to go in college and on people who are contemplating going to college. So the $6 or $7 it may be per month becomes significant overall.

Again, we can get into a discussion about where does this money come from ultimately in terms of was it part of funds for health care, et cetera. But we are facing the choice today of helping students and closing an egregious loophole—one that benefits the wealthiest Americans; it has been criticized by the Wall Street Journal, criticized by Robert Novak, the late columnist—or practically going in and targeting prevention programs. I think we conceptually agree if we don't get a handle on prevention of diabetes, of cancer, of diseases that are costing us billions of dollars, then our task to deal with health care will be immensely more difficult. It is very clear.

What is also very clear is, I think, procedurally the answer is quite straightforward. Let's get on to the bill. Let us go ahead and put these two different proposals on the floor and take a vote. I hope the proposal to close the loophole would pass. But if it did not, at least we would be in a position of preventing the doubling of interest rates on student loans.

With great respect to the Senator from Tennessee, I hope we can move forward, have a vote on the different proposals to pay for it, and then move forward and let people know that their rates will not be doubled.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Oregon.

Mr. WYDEN. Mr. President, I strongly support this legislation, S. 2343, the Stop the Student Loan Interest Rate Hike Act. I appreciate the leadership particularly of Senator REED of Rhode Island, who has been so eloquent on this subject. I also would note that Senator ALEXANDER and I have worked together on a host of issues. I think he brings great expertise to this discussion as well.

The bottom line for me is that millions of young people are hurting right now in America. They are up to their eyeballs in debt and they cannot find good-paying jobs.

For example, we have seen in our home State, according to the Oregon Employment Department, that the overall unemployment rate last year was 9.4 percent but was 19 percent for workers age 16 to 24. I also note we have seen that the labor participation for young people has declined as well.

We have an enormous array of challenges in front of us. The reason that this legislation, the Stop the Student Loan Interest Rate Hike Act, is so important is that it allows us to achieve two important objectives. First, it puts us in a position to hold the line on student debt. If you are a sophomore in college, for example, and you have already incurred some debt and you want to finish school, then you want to get a degree in a field where you will get a job that pays a good wage. Without this legislation you are going to incur still more debt. So this legislation ought to be supported because it holds the line on debt, and by doing so it helps us achieve a very important objective: to increase the opportunity for young people to access higher education across the country. And historically whether it has been through Pell grants or Stafford loans and the like, we've always said to young people, try to get to college. Families sitting around kitchen tables and in their living rooms have said this for years. Work hard in high school and try to get into college. And I have supported, here in the Senate, policies that increase access to a good education. By holding the line on debt, we can take steps to achieve an important part of higher education policy, and that is expanding access to higher education.

The second benefit of this legislation, in my view, is that by holding the line on debt we increase the opportunity for young people to get more value out of their education. The reason I bring this up is because my sense is that future policy in the higher education field is going to be about marrying these two objectives. Let's support this important legislation, S. 2343, to expand access, and use it as a foundation to move on to the next step of education policy, which is to get more value out of the education a young person pursues.

The reason I feel that way is that all over my State I am going to high schools and community colleges and talking with students who are thinking about both of those principles, access and value.

For example, at Blue Mountain Community College in Pendleton I met a young man who is taking 20 credits at school, working at Arby's full time as a manager, and he is already concerned about the debt he is racking up. He said to me: As I get my education, how will I know that I have laid the groundwork for being able to get a good-paying job? I told him, just as I am suggesting to the Senate today, that I am going to support efforts to expand student aid and make sure we hold down debt for young people. I described what we are dealing with on the floor of the Senate.

I also told him I have introduced a piece of legislation with my colleague on the other side of the aisle, MARCO RUBIO, called the Student Right To Know Before You Go Act. This bill will make it possible for students all across the country to get information about the expected average annual earnings after graduation, the rates of remedial enrollment for a particular field at a particular college, the average costs both before and after financial aid, and the prospects of a student earning a good wage after achieving a particular degree at a particular school. With this legislation we lay the foundation for what I think will be the education policy of the future.

We will ensure that students have access and ensure that they get more value out of their education and get more value out of the loans and other debt that they have to pay back. And the two go hand in hand. I ran into students who were juniors, for example, at colleges in my State and already owe $60,000. Without this legislation, those juniors are probably going to reup for a loan, and they are going to have to pay more, and that has the effect of reducing access to higher education. Paying more, it seems, is also going to reduce the opportunity for students to buy a bit more value out of their education as we try to get them better information with respect to the value of specific degree programs at specific schools. This type of information is now impossible to find. Suffice it to say, these two judgments, both with respect to the debt and the value of what they have pursued in terms of their college degree, are going to color their decisions for the rest of their lives.

One of the students I met in Oregon recently as I talked about this issue was interested in getting a medical degree. And as we have talked about health care issues—which the President of the Senate and I have both been very interested in over the years—one of the questions he asked me was how was he going to be able to get a medical degree initially and what would happen to him when he got out of medical school with all of this debt hanging over his head. I didn't want to chill his enthusiasm, but we know that if a young person comes out of medical school with an enormous amount of debt, there is a pretty good chance at some point they are going to have to pass some of that debt on to their patients, which means we are going to see medical costs for a lot of people in our country escalate still higher.

So the fact that we have these debts and the fact that it is hard for young people to purchase value in their education is going to have remarkable ripples all through our country for years and years ahead.

I am going to close simply by way of saying this: We have seen young people contribute to our economy. The President of the Senate shares an interest with this Senator in technology. Technology has been a big source of jobs in States such as Minnesota and Oregon. This has been a real economic engine for our country. Think about who brought us Facebook and Google and Twitter and YouTube. A disproportionate amount of the creative talent has been young people.

So we must first take steps to hold the line on debt—and that is to pass Senator HARKIN's and Senator REID's bill—so we don't say to college sophomores and juniors, we don't care if they rack up any more debt when we know how much heartache it is going to bring to them. Then we can move on

to the next step, which is empowering students and families to be able to get the maximum amount of value from their education. If we don't take these steps I think we will have let the country down in this area at a crucial time.

We understand that higher education is one of the principal paths, if not the best path, to success for many students. It is not for every student, but certainly for millions. And education has enabled many young people to contribute to technology which has been, as I described, a real spark for our economy.

So I see other colleagues waiting to speak, and I only urge colleagues to pass this legislation, S. 2343, to ensure that we don't heap more debt onto the backs of students in college now and who might be reupping on those loans and wondering if they can afford it. Then as we expand access, let's look at taking additional steps to ensure that our young people get more value for their college education.

Senator RUBIO and I have teamed up on a bill that I think addresses that question, the Student Right To Know Before You Go Act. Going to that next step and adding more value to a young person's education when they are armed with the facts requires that we lay the foundation of access to a good education, which I think should be required when so many young people are hurting.

I went through the statistics, and it requires that we pass S. 2343.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I come to the floor today to also speak about preventing student loan interest rates from doubling from 3.4 percent to 6.8 percent. I am disappointed that partisan gamesmanship is threatening the financial futures of students in North Carolina and around the country.

In North Carolina we are very proud of our 16 excellent public universities and 58 outstanding community colleges. In addition, dozens of the best private colleges and universities in the Nation also call North Carolina home. Our excellence in higher education sets North Carolina apart.

Business owners I talked to routinely told me that our highly educated and highly skilled workforce is what attracted their companies to North Carolina. There is no doubt that the strength of our economy going forward depends on the continued strength of our educational system. However, the cost of college continues to rise in North Carolina and across the country. If Congress does not act before July 1, more than 160,000 North Carolina students will be saddled with an additional $1,000 in student loan debt.

According to the project on student debt, more than half of North Carolina's 300,000 students at 4-year colleges and universities borrowed money to pay for their education. On average these students graduated with more than $21,000 in debt. That debt has real consequences for our graduates and for North Carolina's economy. With this debt to pay off, young entrepreneurs are less likely to take a chance starting a small business. They are less likely to buy a new car, and they are less likely to buy a home. This only hurts our economy. Keeping interest rates low will go a long way to ensuring that young people can afford their student loan payments when they graduate.

I recently heard from a freshman at UNC Charlotte about how concerned she already was about the debt she was piling up when she graduates in 4 years. She cannot imagine what would happen if interest rates double. Perhaps she would have to drop out altogether.

A student at Western Carolina University recently wrote to me, while studying for finals, asking that we please prevent a doubling of his student loan interest rates. So in the midst of preparing for final exams, this young man was worrying about the final bill that he will receive after graduating. He said doubling the Stafford loan interest rate would severely hurt his ability to continue his education. He wants to study cell biology.

In a global 21st-century economy, the sciences are exactly the types of fields that we need our students to excel in so we can compete with China and other foreign countries. We should be helping these young people succeed, not throwing up barriers that get in the way.

I am also hearing from parents. A mom with three children e-mailed me recently. Her oldest child will be starting college in 2 years. She is already worried about the debt that her children will incur, and she certainly is requesting that we not double the interest rate on this debt.

Our students deserve a fighting chance when they graduate. We shouldn't put them thousands of dollars behind before they even reach the starting line. I will do my part to ensure students in North Carolina have the chance to thrive after graduating.

I urge my colleagues to join me in supporting this legislation that will prevent student interest rate loans from doubling.

I yield the floor and notice the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I understand we are debating the motion to proceed to S. 2343, the Stop the Student Loan Interest Rate Hike Act of 2012; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. BINGAMAN. Mr. President, I come to the floor to urge my colleagues to vote to proceed to this important legislation. I was disappointed to see many of my Republican colleagues voted against allowing debate and amendment on this legislation. I have heard Senators from both sides of the aisle acknowledge the need to prevent the July 1 rate increase on the Stafford loans, the subsidized loans. So it is difficult to understand their unwillingness to even consider the bill and have a thoughtful debate and an opportunity for amendment which will allow us to keep these interest rates low for college students in all of our States.

Members may disagree about the best way to pay for keeping the rates at 3.4 percent, but we need to go ahead and proceed to the legislation and pass legislation to accomplish this. If Senators have different proposals, they can offer them. But by blocking debate, we, obviously, cannot get to a solution of this problem.

The Democrats have proposed to pay for the legislation by closing a tax loophole that people use to avoid paying Social Security and Medicare taxes. That is the so-called S corporation payroll tax loophole. This proposal would close the loophole for S corporations for which 75 percent of the corporation's income is attributable to the services of three or fewer shareholders.

This loophole allows, for example, an individual lawyer or a lobbyist to set up an S corporation to make millions of dollars in fees and to not pay payroll taxes on nearly all that income. All he has to do is give himself a cash dividend from the corporation instead of paying himself wages. This is not a fair arrangement.

To be clear, not all small businesses are gaming the system in this way and are not permitted to game the system in this way. This loophole is not available to businesses that are organized as sole proprietorships or as partnerships. Those small businesses are paying their fair share of taxes.

By contrast to this way of paying for the continuation of the low interest on student loans, my Republican colleagues have opted for a very different approach. They offset the cost by using the Prevention and Public Health Fund. In my view, this is a misguided approach. The prevention fund is not a slush fund, as it has been called by many. Instead, it is a fund used to help reduce chronic disease such as diabetes and heart disease and to fund immunization programs for children. This is a critical fund that is used to lower long-term health costs and improve health

outcomes. In my view, eliminating this fund would simply increase health risks and, ultimately, increase health care costs in this country.

It is very clear Democrats and Republicans have a fundamental difference in our approach to how we should maintain student loan interest rates. However, as I said before, it is important we get to the bill, we proceed to vote for cloture on this bill, so we can discuss a path forward and consider amendments, if individual Senators wish to propose amendments.

Preparing students for an education is essential for this country's global competitiveness. It is imperative we provide students the tools they need to succeed in this very fast changing economy. This includes access to a high-quality education, which will enable us to train the next generation of Americans for jobs in high-technology fields.

This past Tuesday I spoke at a luncheon that was put on by a foundation that supports one of our community colleges in New Mexico. It is clear we have many students who are working very hard to make ends meet and to stay in school so they can obtain the skills they need to earn a good wage, to pursue a constructive career. There are many areas of our economy where these types of trained workers are needed.

One area which is obvious in my State and nationwide is in health care. We need to train more nurses. One statistic used in this talk last Tuesday was that over the next 8 years, between now and 2020, we are going to have to add 700,000 more nurses to the health care field to meet the needs of the baby boom generation. In addition to those 700,000, we are going to have to hire an additional 500,000 just to replace those who retire from the nursing profession. So we have 1.2 million nurses who are going to have to be hired in this country over the next 8 years. We need to train those people.

There are many young people in this country who would like to have that training. They need student loans in order to be able to cover the costs of that training. That is why this is such an important debate.

Student loan debt has, for the first time in our history, surpassed credit card debt. Today this debt exceeds $1 trillion. The average college graduate leaves school with more than $25,000 in loans.

According to the Bureau of Labor Statistics, college costs at State schools are rising and have been rising at an alarming rate. These increased costs far outpace the increased costs of medical care. We are often giving speeches on this Senate floor about the high increase, the excessive increase in medical care costs. In fact, the cost of college for many students is rising even faster. The same thing can be said about gasoline. I see my colleagues rush to the floor whenever the price of gasoline begins moving up—and with good reason. It is a major burden on U.S. families and Americans everywhere. But the growth in these costs pale in comparison to the growth we are seeing in the cost of education.

The cost of tuition and fees has nearly sextupled since 1985. This is particularly troublesome for students from low-income families.

If we allow interest rates to double, there are 7.4 million students nationwide who will see an increase in the cost of their student loans beginning on the 1st of July. This has a direct impact on students and on families because subsidized Stafford loans are need based, and they are typically designed and focused on helping low- and moderate-income students.

In my State of New Mexico, about 40,000—the specific number I have been given is 39,875 but about 40,000 students will see an increase in interest rates if we do not take action before the 1st of July.

There are nearly 10,000 undergraduates at New Mexico State University who will feel the effects of doubling rates and there are thousands of students at the University of New Mexico who will also see these increases.

This is true of our smaller schools in New Mexico as well. The school I was speaking at last week was Eastern New Mexico University in Roswell. There are 222 students there who took out Stafford student loans during this current academic year.

The Department of Education estimates that the average student would pay as much as an additional $1,000 per year for their student loans unless we can keep this interest rate where it is. Not only would incoming students be affected, current students would also feel the increase as they originate a new loan for the new academic year. The additional burden on our students would be substantial.

Students and families understand the additional increase in costs. In the last few weeks, I have been hearing from constituents all over my State asking us to prevent this rate increase.

One student from Gallup, NM, wrote to me saying:

> Give a break to the future of this country and to the millions of students and families who need the relief from the debt of college.

Another family from Albuquerque wrote to me saying:

> I write to urge you to vote so that student loan interest rates DO NOT go up. In this recession, more than ever, people of all ages are depending on education as a means of gaining employment, and depending at least in part on student loans.

So our constituents are asking us to take action. By doing so we can continue to provide students with stability as they enter and complete their education.

A high-quality educational system unleashes the potential of our students. We need world-class problem solvers and thinkers if we are going to remain competitive. By investing in American students, we can grow our economy and build the middle class.

Let's move ahead with consideration of this bill. If a majority of Senators wish to change the way the bill is paid for, then we can consider that amendment. But we should not refuse to allow the bill to come to the Senate floor for debate and amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

A SECOND OPINION

Mr. BARRASSO. Mr. President, I come to the floor today, as I have week after week since the health care law has been passed, with a doctor's second opinion about the law that I have great concerns with. I do that as a doctor who practiced medicine for 25 years, took care of families in Wyoming, was involved with programs aimed at prevention of disease, early detection of disease, and early treatment of disease. I come to the floor to talk specifically about a portion of the health care law that has been discussed quite a bit in the last week or two on the Senate floor.

Congress has talked a lot about the so-called Prevention and Public Health Fund included in the President's health care law. When I looked at this health care law initially—and I continue to do so—I asked the question, is this health care law the best way to give patients the care they need, from a doctor they want, at a cost they can afford? I believe it has failed in so many ways to do that, which is why I continue to work to try to repeal and replace this health care law.

When we get to the specifics of this Prevention and Public Health Fund, the President and Democrats have claimed that the purpose of the fund was to promote wellness, prevent disease, and protect against public health emergencies. All of us want to promote wellness, prevent disease, and protect against public health emergencies. I know how important those things are as a doctor. I know how important it is to the point that for over two decades in Wyoming, I was medical director of a program called Wyoming Health Fairs, where we provided low-cost health care screenings to people all across the Cowboy State. It is a very important program. People have continued to write letters to me over the decades about the fact that going to a

health fair and learning about how to prevent diseases, about early detection of problems, and how they feel either they or members of their families have had their lives saved as a result of the services provided all throughout those communities aimed at prevention and early detention of problems—tests such as blood pressure, PSA tests, people learning about how to examine themselves, how to get a mammogram—a lost-cost or free mammogram—all of these things that are aimed at prevention. These gave people the tools they needed to make decisions about their health and their health care—not just for the patient but also to help their medical providers.

Instead of helping Americans prevent health problems, the President's new law actually uses this so-called prevention fund as a Washington slush fund. In fact, the new health law provided about $15 billion for this fund from 2010 to 2019, and then beyond that about $2 billion every year in annual appropriation of funds to go toward this same slush fund—$2 billion a year forever.

Who will control the fund? The Secretary of Health and Human Services. Even though this law has only been in place for 2 years, we have already witnessed how the Obama administration officials have allowed this money to be wasted. Among other things, we hear of a health clinic using the funding to spay and neuter pets. That is right, to spay and neuter pets.

The Minnesota Department of Health used $3.6 million to create at least four regional food policy councils. And taxpayers will be happy to learn—or will not be so happy to learn, of course—that their hard-earned money helped a county in California secure a ban on new fast food restaurants.

I have nothing against food policy councils or spaying and neutering pets, but when the U.S. Government is borrowing approximately 40 cents out of every dollar that we spend, and when we have a national debt in the area of $15 trillion, Washington should not waste Americans' hard-earned taxpayer dollars. But we continue to do it, and this fund is a key example.

According to the nonpartisan CBO, eliminating the prevention fund would save about $13.6 billion over the next 10 years. The fact is Congress already funds many prevention programs—prevention programs with a proven track record of success. Examples include cancer prevention, tobacco prevention, and a host of other programs.

Republicans have supported, and will continue to support, these critical prevention programs—cancer prevention, tobacco prevention, and working on heart disease. However, the record is clear that the so-called prevention fund in the health care law is wasteful and duplicative. It doesn't help people stay well or become well.

Senator ALEXANDER from Tennessee introduced legislation that would eliminate this slush fund and use the savings to maintain student loan interest rates at 3.4 percent.

Under current law, students who receive subsidized Stafford student loans will see rates increase shortly to 6.8 percent, unless, of course, Congress acts. I am ready to act. Whether you are Republican or Democrat, liberal or conservative, people generally agree that preventing this rate increase is an important priority. The difference is how do we pay for it.

The majority leader wants to raise taxes on small business owners. He says that is the better way forward. But there is a better way forward than raising taxes on the people who create jobs, at a time when we have over 8-percent unemployment and last month's job numbers are abysmal. Only 125,000 new jobs were created, but 3 times that amount of people quit looking for jobs completely. For every one new job, three people quit looking for jobs at all. To raise taxes on the people who are creating jobs in this country is the wrong way to go.

Senator ALEXANDER's proposal stops the rate increase by eliminating this prevention slush fund. His bill uses the rest of the funding for deficit reduction. I have cosponsored that legislation.

I think it is also important to know that the President has already agreed to use his slush fund to offset other spending. In September of 2011, the President proposed reducing the slush fund by $3.5 billion. In February, part of the payroll tax cut signed by the President contained a $4.5 billion cut from his slush fund. Finally, in March, the President's 2013 budget proposed cutting the fund by another $5 billion.

It is ironic that the President of the United States and Washington Democrats now oppose using money from their so-called prevention slush fund. If the White House and Democrats in Congress want to ensure that student loan rates stay low, they will cut this wasteful program and use the money to help the next generation of Americans.

We do know that young people coming out of college today are, on average, having a debt of about $25,000; and whether the interest rate is zero or 3.4 percent or 6.8 percent, they are still coming out with a huge debt, at a time when we know 53 percent of the people coming out of school can't find a job or cannot find a job consistent with their level of education. We also read that 40 percent are going back home to live; some are returning home instead of going out into the workplace.

It is time to focus on the economy, on getting people back to work, and it is time to agree that we need to keep the interest rates low; that we ought to pay for it with money that is there, which can easily be used. We should not raise taxes on job creators at a time when the country is in this sort of economic condition.

I continue to come to the floor week after week to talk about findings in the health care law. Some things are unintended consequences, and some things are money tucked away for other purposes. It is hard for Americans to ever forget NANCY PELOSI saying that first you have to pass the health care law before you get to find out what is in it. The more the American people find out what is in it, the less they like it—to the point that 67 percent of Americans feel that the health care law should be totally or at least partially found unconstitutional, as the Supreme Court looks to make their ruling in the next months ahead.

This is a health care law that, in my opinion, is bad for patients, bad for providers—the nurses and doctors who take care of the patients—and it is terrible for the American taxpayers. This is a time when we need to repeal and replace this health care law. Now there is a way to use one of the provisions within it to fund and make sure that we do not raise interest rates for the students in this country, so they can get the education they need and, hopefully, find a job and not punish those who have tried to provide jobs to these graduates.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. We are on a motion to proceed to S. 2343.

Mr. KERRY. Mr. President, I ask unanimous consent to be permitted to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. KERRY. Mr. President, later I want to speak for a few minutes about our colleague Senator LUGAR.

First, I want to comment about what the Senator from Wyoming was saying on the health bill.

Very quickly, I could not disagree more with the Senator from Wyoming in his comments with respect to the health care bill. This morning we had a meeting with Secretary Kathleen Sebelius, who was outlining to us all of the gains we are making with respect to health care in America as a result of the legislation.

What is interesting is that our colleagues who keep coming to the floor and saying repeal the health care bill never offer alternatives to Americans. I hope Americans who are buying into this notion that somehow the health care bill doesn't serve them because they are angry about one thing or another will look at what the health care bill does because, in point of fact, if you were to repeal the health care bill, and they have no alternative to replace it, here are some of the things that happen: One, you immediately add $2

trillion to the deficit of our Nation. Bang, done deal. That goes right away on that. The health care bill is judged by the CBO to reduce the deficit. It has specific savings in it. If you get rid of it, those savings go away and, bang, the deficit goes up.

No. 2, 47 million to 50-some million Americans who have no health care or didn't have it before the bill will return to the status of having no health care.

Now, does everybody in America think it is better to have 50-some million Americans walking around without health care who, when they walk into a hospital—perhaps they get hit by a car or have an accident and go to a hospital—receive care that everybody is paying for but they are paying for it in the most inefficient way possible? The burden is being paid for by people who have the health care. It goes into their premiums. It isn't shared by people buying their insurance and sharing the risk of getting sick. So all of a sudden, if you get rid of the health care bill, we return America to the days when millions of Americans had no care. And guess what happens when they have no care. They jam the emergency rooms because that is the only place to get the care. The emergency room becomes the place of primary care. But my colleagues do not answer that question. They never deal with reality. They deal with politics and ideology and they throw a lot of baloney at people.

The fact is, if we were to get rid of the health care bill, all those people who used to get sick and would get a letter from their insurance company saying: Gee, sorry to hear you have terminal cancer, but you are not covered—and that is what happened all the time in America—that would start happening again. People were thrown off their policies that they had been paying for for years, and all of a sudden they had no coverage. But they do not address that.

There is another issue: preexisting conditions. Again and again and again, people would be denied the ability to buy health care coverage because they had a preexisting condition of some kind. So if 10 years ago someone had a cancer, even if they were cured of their cancer, the insurance company could either refuse them or charge them a higher set of premiums. People were denied coverage—they just didn't get it. Women who were pregnant and were applying for insurance heard: Oh, sorry, that is a preexisting condition. You are pregnant. We are not going to cover that.

So in America we drove people into poverty for a long period of time. They had to sell their homes or sell down everything they had to become impoverished in order to get to a point where they could get some help.

What about kids in school today? Under the health care bill, up until the age of 26, a child can now be covered by their parents' program. It is not free, it has to be paid for, but they can be covered by it. That would be eliminated.

So all of a sudden we would have a whole bunch of people who would be automatically eliminated and going out fighting to get insurance in the marketplace.

Let me tell you what else happens. There are a whole bunch of reforms to the health care system that our friends never talk about. Today Kathleen Sebelius, the Secretary of Health and Human Services, laid out for us the enormous gains we are making in Medicare fraud. We are beginning to make huge savings for people. The average senior is now saving over $4,000 on their health care bills because of what has been put in place by the health care bill. There are a whole series of things. I don't have them all here at my disposal now because I wasn't planning to talk about this when I came to the floor, but there are a series of reforms about how we pay hospitals, bundling the payments to a hospital, requiring greater accountability from hospitals. I mean, don't we want greater accountability from hospitals? That will vanish. That will be gone if we do away with the health care bill.

We also have greater coordination of care for patients from the beginning of their private care through their admissions and into their discharges. What happens today is there is no coordination of that care, and so a lot of people are discharged, and the readmission rate is staggering because there isn't the coordination between their postoperative, postsurgery care and their primary physicians and the hospitals. Now there are a number of different pilot projects in place to help coordinate that.

Similarly, we are coordinating the care of what are called dual eligibles—the people who are eligible for Medicare but also eligible for Medicaid. That care has not been well coordinated, so we have huge duplication, enormous costs we don't need, and the result is a waste of money. All of that is being eliminated and/or reduced to a significant level.

There are so many other examples. Let me cite another one. The Senator talked about wanting to take money out of preventive medicine. Preventive medicine? We are told by the doctors, who are the experts and who deal with diabetes, that if we had early screening, which comes by having health care coverage, we could eliminate an enormous amount—maybe as much as $100 billion—of surgery costs and dialysis costs as a result of people not discovering they have this ailment until it is too late for treatment by the more accessible and easier means. There are some oral medications and other things people can take to deal with this disease, but they have to get there at the early stage. If they get there too late, they wind up having to do amputations of limbs or the patient winds up on dialysis, all of which is far more expensive.

There are also pilot projects in the health care bill for helping people receive care at home and not be forced into a higher priced care environment, such as a nursing home or a longer term care kind of environment. This allows them to receive care at home and be in the dignity of their own home and independent and, obviously, with much less cost. All of those things would be wiped out by this notion that we are just going to get rid of this bill.

What this whole notion is built on is the early negative branding—very effective negative branding—that took place and was wrapped around the so-called death panels and the other things, none of which are in this legislation. It is not in it. So this is political. That is why they call it ObamaCare, not health care. They call it ObamaCare to make it a pejorative and to do their best to try to wrap it up in the negativity of politics in our country today. And it is a tragedy because it doesn't do justice to the kind of thinking that ought to go into and did go into this bill in terms of how we do things that really create competition in the marketplace and allow people to get better health care.

What is astonishing is that we spend something like, I think, $15,000 per patient in America. I think that is the average cost. There are countries spending half of that and a lot of countries spending around $11,000 a patient that, I am sad to say, are getting better health outcomes than we get in the United States of America. The United States of America is not No. 1 in health outcomes for the money we are spending in the system, and there are a whole lot of reasons for that, but that is part of why this reform is so critical to our country.

I could say a lot more about this, but I am not going to say it now. Every time we hear from people who are just talking now about how we have to get rid of the health care bill, we have to stand and make it clear to people why this bill is good. A lot of Americans have not heard enough about how this legislation works for them, works for the country, and will improve our system. Is it the cure-all—no pun intended—of the health care system? No. I don't pretend it is. We will have to do more. We will have to tweak it. But it is a beginning step, with critical components that take 4 and 5 and 6 years to put into place so that we can get the full measure of their impact.

I will say this. We have it in Massachusetts. We have it now, and businesses are not complaining. In fact, we have one of the best economies of any State in the country. I think our unemployment rate is now down around

4.9, 5 percent, somewhere in that vicinity. So we have this program. We have had it for a few years now, and 98.6 percent of the people in our State are covered. It has been mandatory since the beginning, and it is working. It is beginning to bring down costs in the individual marketplace. The premiums have gone down by something like 45, 50 percent.

So I think we have to look at facts, as we do on a whole lot of issues here facing this country today, rather than continuing this silly talking past each other, completely contrived, political, ideological debate that is calculated to win power and not calculated necessarily to serve the best interests of our Nation. I hope we are going to engage on this over these next months, and I look forward to defending this health care bill because I think the bill is good for America. I think this bill, while it obviously needs some refinement, some changes, and some tweaking here and there, has accomplished an enormous amount already and is on track to accomplish an enormous amount going forward.

I think the administration has a much better story to tell about it than has been told, and I am glad the President has said he looks forward to going out and talking to the country about it because I believe that as the country learns more about it, in fact, they will say: Wow, that makes sense; that seems like a pretty sensible thing to do.

For our opponents who want to just get rid of the legislation, they have an absolute obligation to put the full deal on the table about what they are going to do in return, and not just Medicare, with the Ryan proposal—which makes it more expensive for seniors and undoes Medicare as we know it, not just that part of it—but the whole of it. How are they going to cover the uninsured? What will they do to take care of all those medical institutions that are struggling to teach doctors for the future? How are they going to hold those folks in a way that continues medical education in our country and so forth? They owe it to the Nation to answer those questions.

Mr. President, that concludes the portion of my remarks I wanted to make in response to the Senator from Wyoming.

TRIBUTE TO SENATOR RICHARD LUGAR

Mr. President, I wish to take a few moments to share a few thoughts, not about the results of the election last night in Indiana per se, but I do wish to talk about the consequences for the Senate of the loss of Senator LUGAR as of next year and particularly for the Foreign Relations Committee.

It is no secret that DICK LUGAR's loss last night is going to be particularly felt by all of us who have had the privilege of working with him on the Senate Foreign RelationsCommittee, whether he was the chairman of the committee—and I served under him when he was chairman—or whether as a member of the committee and the ranking member, as he is now and as I am now privileged to serve with him.

Whether we agreed with him or not, whether he had the gavel or he didn't have the gavel, DICK LUGAR had an approach to the Senate and to governing that was always the same: He was serious, he was thoughtful, and he refused to allow this march to an orthodoxy about ideology and partisan politics to get in the way of what he thought was the responsibility of a Senator and, indeed, the need of the country to have people come together and find the common ground. He dug deeply into some of foreign policy's most vexing issues, and his expertise on complicated issues that were honed over 36 years really can't be replicated. That is something we are going to lose—the institutional experience, the judgment, and the wisdom of the approach on some of those issues, such as the constitutional questions he would call into account when no one else would, the question of not being stampeded by popular opinion with respect to the use of force in one instance or another. All of those are essential to making this institution live up to its full capacity.

Already since last night's news, we have been hearing again and again on some of the news shows and elsewhere about the work of the Senator from Indiana on nuclear nonproliferation. It is no secret his Nunn-Lugar efforts have become almost shorthand for bipartisanship in foreign policy, and they should be recognized. But I want to emphasize here and now that is not all Senator LUGAR contributed to this field of foreign policy. He is a leading expert on some of the urgent issues that are off the beaten path, from food security and the eradication of hunger worldwide, to his work with JOE BIDEN and then with me, I am privileged to say, to change our relationship with Pakistan, helping prevent their economy from unraveling and encouraging them to cooperate with interests vital to America—indeed, to the stability of that region—and to establishing what he called a ''deeper, broader, long-term strategic engagement'' with Pakistan.

I am privileged to say, for me, the personal journey with DICK LUGAR began before that, and I think it epitomizes who he is and why he will be missed. It has nothing to do with ideology.

Back in 1980, shortly after I came here—I was elected in 1984, and I started on the Foreign Relations Committee in 1985. Right away, we began to work together on the issue of the Philippines, free and fair elections in the Philippines. I had traveled over there a number of times as a freshman Senator. I had met with Ferdinand Marcos. I was concerned about the torture taking place and the political prisoners and other violations of rights. Yet we were sort of aiding them notwithstanding our values and our standards.

Well, DICK LUGAR joined with me in that effort. He didn't have any reason to join with a freshly minted Senator, wet behind the ears, but he did. Together we sort of became a team that started to focus on the Philippines to figure out how we could hold Marcos accountable. He was serious and he was fair-minded, and I saw firsthand during our trip to the Philippines which we made at the time of the election—after we had done a whole lot of groundwork to set up an accountability system for that election—that he had a very personal and special understanding of what the United States meant to the rest of the world with respect to our values. That cause animated this man whom we all know is dignified and reserved and humble but who proudly came back and recounted with some animation to President Reagan the difference that the United States of America makes when it gives voice to people's aspirations for freedom—and, in this case particularly, the people of the Philippines.

The fact is it was that discussion with Ronald Reagan and the results that came out of the accountability in that election that forced Ferdinand Marcos to leave and we saw Cory Aquino come to power and the Philippines move back into genuine democracy.

I saw the same commitment with Senator LUGAR a number of times over the years, but never more so than 2 years ago when we worked together on the New START treaty. His wisdom and his patience was invaluable in laying out the case, particularly in building support across the aisle so we could find the path to 71 votes.

I said then, and I say it again today, given the bitter, divisive, partisan, continual political squabbling that seems to dominate life in the city today, 71 votes is probably the equivalent of the 98 votes we used to get on those kinds of efforts. So I am grateful to him for his willingness to work to do that. He worked to give Members more time to work through problems, to find a way to solve individual objections. It reminded me of the way you actually work in what is now sometimes, unfortunately, sarcastically referred to as the world's greatest deliberative body. He deliberated and he helped us deliberate.

I thought it was one of the finer and prouder moments of the Senate in recent years.

I am confident DICK LUGAR's record in our committee is going to be one of those which is remembered for a long time. Sadly, last night it was remembered in the context of Senator Fulbright, who also came to lose a primary in the end and paid a high price

for his concern about global affairs and his involvement with those issues. But I think he is also remembered significantly for the enormous legacy he built about American foreign policy and how to make our country stronger.

DICK LUGAR does that, and I think he has made it clear—there is no doubt in the mind of anybody on our side of the aisle—that DICK LUGAR is a conservative and his votes through the years have shown that. He is a proud Republican.

But I think probably because he served as a mayor before he came here, he applied what we call the LaGuardia rule to foreign policy—which is the rule that Theodore LaGuardia applied to doing things in New York. It didn't matter whether you were a Republican or Democrat as long as the streets got cleaned and the potholes got filled, and they didn't have any labels on them. That is pretty much the way foreign policies ought to be.

It used to be under Arthur Vandenberg that we said that politics ends at the water's edge, and we do what is in the best interests of our country. Only in the last years in the Senate have I seen a complete diversion from that where, unfortunately—as has been true on both sides—politics has entered into choices people have made with respect to major issues of conflict, potential war and peace, and interests of the security of our country.

So about 4 years ago this time, DICK LUGAR received the Paul Douglas Award just off the Senate floor over in the Mansfield Room, and he summed up his approach to the Senate. I think after last night it is important for all of our colleagues to be mindful of his words and to think about them as we go forward in these next 6, 7, 8 months.

DICK argued that bipartisanship isn't an end to itself, and it is sometimes mistaken for centrism and compromise when, in fact, it is the way he called being a constructive public servant. It is the way a constructive public servant approaches his or her job—with self-reflection, discipline, and faith in the goodwill of others.

He said:

> Particularly destructive is the misperception in some quarters that governing with one vote more than 50 percent is just as good or better than government with 60 or 70 percent support. The problem with this thinking is that whatever is won today through division is usually lost tomorrow. The relationships that are destroyed and the ill will that is created make subsequent achievements that much more difficult. A 51 percent mentality deepens cynicisms, sharpens political vendettas, and depletes the national reserve of good will that is critical to our survival in hard times.

That is actually about as fundamentally, philosophically, as conservative as one could ask for. I think every one of us who have seen the difficulty of the last few years of our politics, who have been frustrated by the sheer inability of the institution to work, would agree there is nothing liberal or conservative or moderate about what DICK said. It is just common sense about how human nature works, about how people work. It seems to me we would do well to get back in touch.

I often hear people talk about how we need to change the rules here in order to get something done. Actually, we don't. These are the same rules we operated with when Everett Dirksen was here, when Bob Dole was leader, George Mitchell was leader. But we got things done.

In the 1990s, we balanced the budget of our Nation four times in a row without a constitutional amendment. It didn't take a piece of paper to tell us to do it or new words written in the Constitution. It took the common sense and courage of people on the floor of the Senate to do what was right. We don't have to change the rules. We have to change the thinking—or change the people who don't want to do it.

But every great moment in this great institution, when people look back at the history with pride and point to the Missouri Compromise or point to Henry Clay or Daniel Webster or all these great Senators—or Ted Kennedy more recently and others on the other side of the aisle—when they do that, they are talking about people who operated by the same rules but found the common ground because they had the intelligence and willpower to put the country and its interests ahead of everything else.

So that is what DICK LUGAR's loss last night means to us. I don't know who will replace him. We certainly know the cross-currents of some of the campaign, and we certainly know what Senator LUGAR himself chose to say last night about his opponent's quest for more partisanship, not less.

So the alarm bells have been sounded. My prayer is that this election year is going to help purge this country of this incredible waste of opportunity that we are living through.

This Congress isn't over. For those of us who were here and remember 1996, it bears repeating that even in Presidential years the Congress can actually defy conventional wisdom and get some things done. That is why I know that DICK LUGAR is going to finish out his sixth term in the Senate with the same determination and effectiveness that has marked every year of his service. He is going to have a lot more contributions to this institution that he reveres and that respects him so enormously.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, first I thank my colleague and friend, Senator KERRY, chairman of the Senate Foreign Relations Committee, for coming to the Senate floor and speaking about our mutual friend and colleague, Senator DICK LUGAR, who serves as the ranking Republican on the Senate Foreign Relations Committee.

I am a newcomer to that committee, but I am not a newcomer to my knowledge of DICK LUGAR—who preceded my arrival in the Senate 16 years ago when he was well known throughout the Midwest for his extraordinary service as mayor of Indianapolis, where he did something that was miraculous—he combined and made more efficient local units of government, and I think the rebirth of Indianapolis is attributed to those early steps by DICK LUGAR.

My wife Loretta and I came to know DICK and Char personally through the Aspen Institute, which is an effort that I think we need to encourage where members of both political parties, House and Senate, come together to discuss foreign policy issues—no lobbyists, no special interests. DICK LUGAR was there and always a major contributor when it came to issues of importance.

Before I arrived in the Senate—while Senator KERRY was still here—he teamed up with Senator Sam Nunn to deal with an issue which related literally to the peace and security of the world.

What would happen, as the Soviet Union crumbled, to all of those nuclear weapons? Would they fall into the wrong hands? Would they fall into disrepair? And what could we do about it? Sam Nunn and DICK LUGAR stepped up and said: We are going to work together on a bipartisan basis to deal with them.

Time and time again throughout his career DICK LUGAR has focused on issues of strategic importance to the United States and our security. I can't agree with Senator KERRY more. He looked for a bipartisan approach to so many things. We always knew he was a Hoosier conservative. You weren't going to push over anything when it came to DICK LUGAR. He was strong in his values, but he always listened and he was always a gentleman.

What a disappointment last night. I know Senator KERRY feels, as I do, that once you have been in this Chamber for a few years, you kind of reflect on those lions of the Senate who have come and gone, some because of the decision of the electorate and some because of passage of time and then fateful decisions that ended up with their departure. We think back on some of these great people.

John Chafee. John Chafee and DICK LUGAR were soulmates in terms of their view on the Republican side of the aisle about how to work across the aisle to get things done.

A mutual friend—and I know Senator KERRY's close personal friend—Senator Kennedy. Senator Kennedy's success has always reached across the aisle. I

noticed that. Sometimes to the frustration of those on the Democratic side who said: We have enough votes, Ted. We don't have to do this. He would reach across.

Of Bob Byrd, who used to sit right next to where Senator KERRY is sitting now, we think: What will the Senate be like without these great lions? Well, the Senate will go on. But the question is, Will we have learned from their example? Will we take their lives and their careers to build on to make this a better place or, as some have said, are we going to succumb to the temptation of just making this place more partisan, more hidebound, more dedicated to obstruction than moving forward?

I know that DICK LUGAR in the remaining months is going to be an extraordinary servant to the people of Indiana and the Nation as he has been throughout his career, and I look forward to seeing him back on the Senate floor working, as he will, for the remainder of his term. But it is a loss. It is a loss to the Senate that he is leaving, and it is a sad day on both sides of the aisle when DICK LUGAR won't be part of the Senate in person.

TRIBUTE TO SENATOR MARK KIRK

I would like to speak about another Republican Senator while I have the floor: my colleague, MARK KIRK. Some of you have seen the video.

MARK had a stroke in January. He wrote about it in this morning's Chicago Tribune. He is 52 years of age, the picture of health, a Navy Reserve officer and a U.S. Senator from Illinois, actively engaged in our State, going back and forth, county to county, city to city. We work together on so many things. Then on that fateful day he was stricken, and with this stroke he suffered some very serious damage.

I was a little bit disturbed when his physician/surgeon came out and said, ''Well, here is what we can expect.'' And I am not going to go through the graphic details, but they were all sobering to think that he would be limited in any way by the stroke. I was upset because I thought: He doesn't know MARK KIRK. That isn't going to happen. MARK is going to fight back. He is going to be back, and he is going to defy the odds in terms of stroke victims.

Yesterday he released a video. It is inspiring. I hope everyone gets a chance to see it—I am sure it is readily available—showing him going through rehab, showing the efforts he is making to come back to the Senate. MARK called me earlier this week. We talked on the phone a couple of times since the stroke. He has been actively engaged mentally in everything we have done since the stroke occurred. But every day he tells me that he spends time on a treadmill, miles and miles walking on a treadmill so he will be able to come back. I told him we are on a different treadmill here and I am sure he wants to get back on it with us in the Senate.

He will be back. He said something I think we all ought to remember. He said he asked the staff to count the steps from where he would park outside the Senate Chamber up to the Senate Chamber. They counted the steps and they told him 45 steps and he would be back in the Senate. He said the day is going to come, and I am sure it will be soon, when he will walk those steps, and there will be many, myself included, from both sides of the aisle, cheering his return to the Senate. For MARK, his family, his doctors, his medical staff, and all: Thank you for this battle. Thank you for your efforts on behalf of our State. We look forward to your early return.

MARK and I have a joint town meeting, Republican and Democratic, every Thursday morning. The people sit there politely as we discuss issues and love it when we disagree because we do it without getting angry with one another. He will be back soon, not only at those meetings but also covering the State of Illinois as an effective, engaged Senator.

Mr. President, I ask unanimous consent that the time from 2 p.m. until 5 p.m. be equally divided and controlled between the two leaders or their designees, and that all quorum calls in that period also be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I take this time to urge my colleagues to allow us to move forward in the consideration of the Stop the Student Loan Interest Rate Hike Act so we can allow the interest rate on student loans to remain at its current level rather than doubling, which will happen on July 1, unless we take action. I come to the floor to express the views of many Marylanders with whom I have talked about the cost of higher education. We cannot allow the interest costs to go up. It will affect 7 million students and their families.

We already have too much college debt that families have to incur as a result of the cost of a college education. We are not competitive with the rest of the world. We look at countries with whom we compete and we look at the cost of higher education in their country compared with what our students have to endure, and we start off behind because of the enormous cost to a family to afford a college education for their children.

We know how important it is. You need to have a college degree in order to be competitive in many fields today. That number of fields is increasing every day. Let me tell you, we have crossed the $1 trillion mark in debt held by families in order to afford a college education. Two-thirds of that debt is held by people who are under 30 years of age. Here they are, trying to start out in life, trying to have a family, trying to buy a home, and they have this large amount of debt.

College debt now exceeds credit card debt in America. It is not unusual for a person graduating from a college to have $20,000, $30,000, $40,000, $50,000, $100,000 in debt, and even higher. If we do not act by July 1, the interest costs will add thousands of dollars to that already burdensome amount.

The cost of a college education in America is too expensive. If we want to be competitive, we have to get the cost of a college education down. The President in his State of the Union Address talked about ways in which we can encourage colleges and universities to be more affordable for the American public. But one thing we can do is to make sure that the cost of borrowing is not increased. That is why it is particularly important that we pass this legislation.

It is affecting family decisions as to what schools children will attend because of the high cost. We are just turning our economy around, starting to make our recovery, and now families are struggling to figure out how they are going to be able to afford a college education. We need to reduce the costs, not increase the costs, to families. We need a trained workforce. We need to be competitive internationally.

Let me tell you what else it is affecting. We have some very talented people who are graduating from college and they want to go into the field where they are gifted, where they can make a real contribution to our communities, to our society, to make a difference, to answer that call of community service. That is what they want to do. But when they are saddled with this much debt and if it becomes more expensive to pay off that debt, they have to make a pragmatic decision about their career path rather than following where they can make the greatest contribution to society. That is how these large debts and the cost of paying off that debt are affecting our country.

You might have a great researcher who can find the answer to one of our diseases, how we can keep a healthier society, a person who may want to go into research, but they know what the return of research will be when trying to pay off their college loans. If we do not act by July 1, that will be even larger. That is what we are confronted with. That is why it is so urgent, that is why we need to be considering this legislation rather than be stuck in this filibuster.

I urge my colleague to move forward. Let's do what the Senate should do—consider amendments and get this process going. It is absolutely critical to our entire country.

Let me talk a little bit about my experiences with Marylanders. I have

traveled the State of Maryland. I have talked to a lot of our college students. I will generally talk about a lot of different subjects and then ask what is on their mind. They will talk about the cost of college education. They will talk about the fact that we need more grants. They talk about the fact that we need more affordable loans. They certainly will tell me if you are going to increase the interest costs on their loans, it is going to have a major impact on their ability to stay in college, on their ability to follow the career choices that they want to in life.

Let me share with my colleagues the stories of two Marylanders who have contacted my office, who have contacted me in the last few days to tell me that this bill we are hopefully going to be able to consider will have a direct impact on their decisions.

Katherine Eames is a 22-year-old single mother, with a 4-year-old son Jayden. Katherine has decided to go back to college to pursue her nursing degree and currently attends Hagerstown Community College in Hagerstown, MD. She is attempting to make a better future for herself and for her son. She is attempting—she is going to be a full-time student. Katherine also works part time at a minimum wage job, all while juggling her responsibilities as a single mother. Student loans are necessary. She needs to take out student loans. That is the only way she is able to afford her college. She has student loans in order to be able to stay afloat and realize her dream of making a better future for herself and her son. If student loan interest rates were to double, Katherine would be in a financial turmoil and her future aspirations in jeopardy. Let me quote from Katherine. This is what she says. I think it is so telling.

I want to be able to close my eyes and see a bright future for my family and my son. However, if these interest rates increase, all I see from this point forward is a hole I don't think I'll ever be able to climb out of.

I know some of my colleagues say we are talking about another 3-percent interest charge, people will be able to afford it. But let me tell you about the real world, the world of Katherine Eames. That is the real world. That is people making career decisions now as to whether they are going to follow their dream; whether she will become a nurse, be able to help her community, help her family, help herself. If we do not make college affordable or if we add additional costs to it, we are going to add more people to this process. As a society, America's competitiveness will suffer as a result. We need to do better. We need to pass this legislation to help the Katherine Eameses who are out there.

Let me talk about another Marylander, Ariana Fisher. She wanted to be a doctor since she was 5 years of age. Through hard work and determination, she has been accepted to Georgetown University's medical school. Attending will require her to take out a significant amount in student loans. That is the fact for most American families, their children will have to take out loans if they are going to be able to reach their dreams. She knows how much these are going to cost, but she says compounding this with increased interest rates hinders her ability to pursue her dream. She has the will and the passion to become an excellent physician and her aspirations should not rest on what we do here in making it more economically difficult for her to be able to afford that education. That will not only benefit her but will benefit our community.

We are talking about our children. We are talking about whether our children are going to be able to pursue the American dream, whether they are going to have the education they need to help themselves and help our country. We are talking about America's future. This is about whether this Nation is going to be able to continue to lead the world in economic growth. We need to take up the Stop The Student Loan Rate Hike Act.

Let me explain. It is subject to a filibuster. Yes, it is a filibuster. We tried to say let's at least get on the bill, which required 60 votes in order to be able to break this filibuster. We came up short. I hope the majority leader will schedule another vote shortly and I hope my colleagues on both sides of the aisle will remember what this means for the future of this country.

The stories I related with regard to Katherine Eames or Ariana Fisher are not unique. I am certain you would find similar examples in New Mexico or any other State in this country. You are going to find similar examples of people who desperately need us to act so college costs do not increase. Then let's work together to bring down the costs of college education. College and postsecondary education are a vital gateway to helping American students around the country to achieve the American dream.

We need to stand for our Nation's future. We cannot allow higher education to become unaffordable for millions of Americans who have the desire and ability to learn and succeed. Let's end the filibuster. Let's work together as Democrats and Republicans. Let's keep America's future in mind, let's keep the American dream in mind, let's allow Americans to reach that dream by making college education affordable. Let's pass the legislation that is currently pending that would stop the increase in the interest rates on college loans.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, we arrive here at a moment when we once again have a chance to view the differences in thought and perspective which are exhibited at this moment in this institution. Today, we are talking about college education. We are talking about programs for young people to get an education and go to college.

For generations, affordable college education has been an essential tool for providing opportunity and building a strong society.

I know from personal experience that government plays a critical role in making higher education possible. I served in World War II, and when I joined the Army there was no prospect for me to go to college. I was 18 when I enlisted. When I finished my Army service—having been in Europe during the war—things looked bleak, but there was an opportunity that loomed in front of me, and that was an ability to attend college.

My family was faced with poverty and there wasn't much money in the family, but there was something called the GI bill. The GI bill gave me a chance to achieve a dream.

I joined with a couple friends to form a company. The company was called ADP. The company that produces the labor statistics every month that this country and the whole world sees. When I was able to start this company with two other fellows, none of us had any money. The two of them were brothers, and we didn't have any resources at all. We had to start from nothing. In the days that we had a chance to get going, the future was brightened a little bit by the fact that an education was possible to have. That company we started with nothing today employs more than 50,000 people around the world.

The country invested in my generation by helping us pay for college, and that investment helped create decades of prosperity. As a matter of fact, that generation—post-World War II—was called the greatest generation ever seen in American history. Out of 16 million people who served in the Army, 8 million people got a college education through the GI bill, and thus this generation that came out started us on a track for prosperity this country had never seen. The investment the GI bill made in people says that when we have a chance to educate people and get them to go to college or to attend a university, that is the way we create the next great generation.

Attending college has never before been this expensive. The cost of tuition

at public universities is 37 percent more expensive now than just 10 years ago. Think about that. If the average cost for a college 10 years ago was $40,000, it now costs well over $50,000. As a result, more and more students are taking on massive loans that will plague them for years. I use the word ''plague'' because it is very difficult to get started in life, in business or start a family and be facing heavy debt at the same time.

Sixty-six percent of New Jersey students graduate with loan indebtedness. The average loan burden for New Jersey graduates is more than $23,000. No wonder we hear that technology companies are hungry to hire but can't always find people with the education and skills they need. The pricetag alone puts college out of reach for too many people

And the clock is ticking on even higher college costs. Unless Congress acts, interest rates on many student loans are going to double on July 1—less than 2 months from today. For many students, doubling rates will cost them $1,000 more for each year of college.

But instead of standing with students, our friends on the Republican side are playing politics. They made it clear that keeping student loan rates low is not a priority. They don't see it as something being worthwhile. Two Republican Senators have introduced budget proposals that would allow student loan interest rates to double.

Yesterday, we saw 44 Senate Republicans vote to prevent the Senate from even considering our bill to keep student loan rates low. How heartless. How thoughtless it is to punish our country this way. College is already too expensive. Why would we put up obstacles to getting an education?

Republicans should listen to people who are suffering from the high cost of college. There have been 1,400 people who have written to me through mail or Facebook to say: Don't let them do it. Don't let them double my rates.

A single mother from New Jersey who is helping her daughter pay for college wrote to say that any increase would create enormous hardship and an inability to continue to provide for the family. Another New Jerseyan says America will not be able to compete with the rest of the world if college is accessible only to those who have the ability to pay for it up front, and I agree. We will not be able to compete if we don't have the educated people necessary to fill the jobs that are available.

Our Republican friends say they want to prevent the doubling of interest rates. So why don't they step up to the plate? I don't understand that. They say one thing on one hand: Oh, yes; we don't want to increase the rates. On the other hand, they say we are not going to help keep them at the lower rate they are now. They say in order to pay for keeping rates low for students, we have to cut vital funding for programs that keep people healthy. Their bill would slash funding for prevention and public health funds, programs dedicated to stop devastating diseases before they occur. Chronic diseases, such as cancer, heart disease, and diabetes, take more than 1 million lives every year and account for 75 percent of our Nation's health spending. That is why the Prevention and Public Health Fund has invested $226 million to reduce chronic illnesses.

The President's budget also calls for using this program to protect women's health by providing breast and cervical cancer screenings to low-income women, but it won't happen if Republicans get their way.

The Republican bill would also cripple programs that keep kids from smoking and help smokers to quit. We have all seen the ads—real people telling real stories about how tobacco has affected their lives. This chart tells the story: ''Don't be shy about telling people not to smoke around your kids.'' We see a picture here of a mother and a child. Republicans don't care about educating people on the dangers of smoking? Who are they protecting here? Certainly not our children and certainly not our students.

It is unconscionable. Republicans profess they want to keep loan rates low but only if we sacrifice programs that protect children from smoking addiction and help women avoid breast cancer and other deadly diseases.

The Democrats have a better solution. The bill Majority Leader REID has introduced pays for keeping student loan rates low by eliminating a tax convenience that millionaires and billionaires use to avoid payroll taxes. Rather than choose to close this loophole, the Republicans choose to take this opportunity to talk our bill to death. They would rather see interest rates double for students than force the wealthy to pay their fair share of the country's obligation.

Student loans open the door to opportunities. Interest rates have to be kept low to protect graduates from a mountain of debt.

I call on my professional experience again, if I might. I finished college. My father passed away while he was in the Army. He was only 43 years old. He left my mother a 37-year-old widow to care for herself and my sister. As luck had it, I got an education at Columbia University, at the business school there. I started a company I mentioned before called ADP. It provides services across the world for those companies that need help in doing their payroll, accounting, and other recordkeeping that companies must do. It only happened because we were able to get our education through the GI bill. There was zero cost to those of us who served in World War II and even some money to pay for books and for other necessities.

So I call on my Republican colleagues to stop the obstructionism, stop the politicking, and stop throwing obstacles in the way of young people who want to get an education and make a contribution to this society as well as to themselves and elevate America's ability to deal with the competition we see in the world. It is time to do that.

I am not suggesting that our Republican colleagues don't want progress. They do. But when we try to move a bill that says: Keep interest rates low on college loans, keep the rate low so that when people get out of college they are not so burdened by debt that they can't get started in life, I say keep them low so that America competes as it should—right at the top of the ladder with educated people, people who want to succeed but don't have the tools necessarily until they finish their college education. Why put obstacles in the way? It is incomprehensible because there are a lot of good people on the other side. But why do they persist in obstructing the opportunity to even discuss it? They want to filibuster it to death. Filibuster, for those who don't know the term, means talk, talk, talk, talk, talk—do anything but make progress.

So I hope we will say to those who have been successful: Do your fair share. Let your contribution to the well-being of our country educate those who can learn and not make it so expensive, so out of reach that few will be able to take advantage of it.

I ask to please move this bill along. Let's let the American people at least know what we think about this legislation to keep interest rates low.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Wyoming.

Mr. ENZI. Mr. President, first, I ask unanimous consent that immediately following my remarks, Senator UDALL of New Mexico be recognized to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I have been listening to these speeches for the last couple of days—3 days, actually. If one listens to the other side of the aisle, one would think Republicans are against college education. I don't think there is a person in America who believes that. One would also believe we want to raise the interest rates from 3.4 percent to 6.8 percent. There shouldn't be anybody in America who believes that either. We really think that for 1 year the rates on subsidized Stafford loans ought to stay at the 3.4 percent, and maybe beyond that.

The real issue isn't the interest rate, and we can tell that from the speeches that have been given. The real issue is the cost of college. Are we doing anything about the cost of college? No.

Does Congress have anything to do besides debate this particular issue? Evidently not. We are being called a do-nothing Congress, but evidently we don't have anything else to do. It could be possible to go to something else, but instead we have had one vote on this, and we still weren't given an option for this side of the aisle to have a vote on our idea. So now we are going to get to vote on that same issue from Tuesday once again—maybe sometime this week or maybe not until next week. Instead, we are going to stay right on this issue so that if we stay at exactly this point in this issue, it will fail again and then that side can say: Oh, those Republicans just want to raise interest rates. Not true.

I hope the American people have noticed that any bill that goes directly from the President to HARRY REID to the floor doesn't pass. A bill that goes to committee, regardless of where the source is, has a chance of a bipartisan solution.

I am the ranking member on the Health, Education, Labor, and Pensions Committee, and we have a user fee bill that passed nearly unanimously out of committee. We have the support of the stakeholders. We have the support of the companies. We have the support of Senate Republicans and Democrats. We have even talked to the House people about it. It is a bill that ought to make it through here pretty quickly, and I suspect it will. When it does, I bet we don't hear any comment about it because that would make us look like a do-something Congress, which is what we ought to be.

My colleagues can't tell me this is the only issue that needs attention. Yet we are going to spend a whole week on this issue when both sides agree it ought to be at 3.4 percent. What we are disagreeing on is how we will pay for it. I have to tell my colleagues that the real answer isn't either side's answer, but it could be worked out if it went to committee.

I was told this was going to be a bipartisan, jointly discussed issue just before we left for the recess. Then this bill was put forward, and no further conversation was allowed on it. Our committee was left out of it. And we bring it to the floor, and they said we will have a fair and open debate. Yes, look at this—there are two of us on the floor, and he is waiting to speak and he is not listening to what I am saying, and there isn't anybody else listening to what I am saying. Well, they might be back watching the television and picking it up there, and I certainly hope they are.

Where we get the real discussion is in the committees. Small groups of people who are intensely interested in the issues come to those committees and we work it out. Senator HARKIN and I will get amendments a couple of days before the bill is to be marked up in committee to find out what everybody's ideas are for how it ought to be changed, and we sit down and we look through those and we say: Well, look at this pile here. They are all pretty much the same amendment, but there are people from both sides of the aisle who are interested in it, so why don't we just get those four people or those two people or those five people together and see if they can't work something out. It is really surprising because they usually can come up with a few changed words that solve the problem in which they are interested. That is the way we get things done. That is not the way we are operating on the floor.

I am on the Finance Committee. The Finance Committee is supposed to be handling taxes. Let's see. How many markups have we had this year? I don't think we have had a single markup. We have not looked at a specific bill and tried to come up with a solution in committee. Nothing has been assigned to that committee to finish.

Do we think we have any tax problems in this country? I think so. We keep talking about tax reform, but we are not doing anything on tax reform. Instead, we are talking about the interest rate on college student loans. It is extremely important to the 40 percent of the students who have a subsidized loan who are going to be protected by this. It is extremely important to them. We keep talking about college and the cost of college, but are we doing anything about the cost of college? No, we are not. That should be disappointing to America. We ought to be covering the big issues.

Our committee did a bunch of hearings, and I asked for those hearings to be on the cost of all college education. Instead, what we did was beat up on private for-profit colleges. We did hearing after hearing after hearing, and some of those were a little suspect because I know at least one of the witnesses called in to testify fell short in the market and was able to run down the colleges and thus make a lot of money off of his testimony. That is not how it is supposed to work. We could have looked at all college costs and found some ways to drive down the price of college, but we didn't do that. So now we are standing here and saying: Those darned Republicans aren't interested in the cost of college. How wrong can you be?

We started this debate on Monday, we voted on it on Tuesday, and then we decided we would reconsider the vote. That means the pollsters said that this is a pretty good issue for that side of the aisle, and if they can drag it out longer, they can do better. That is not what Congress is about. Congress is about solving problems.

There are two sides to this, and in the debate earlier, I said that if we would just allow a side-by-side so that you get a vote and we get a vote, we could get something done and move on. The Senator from Iowa, Mr. HARKIN, said: I would let us do a side-by-side.

The next thing I know, the media is saying: You were offered a side-by-side but you did not take it. Not true. We were offered an opportunity maybe to put a substitute amendment in at a future time—maybe. That is not the same. That is not the same as getting the same kind of a vote on the same kind of an issue. And that is always what has been done. We have always allowed side-by-sides. But not on this one. We would rather have the debate going on and try and convince America that both sides of the aisle are doing the wrong thing.

Not only are we giving the impression that we are a do-nothing Congress, we are giving them the impression there is nothing for us to do. Let's see. We did not do a budget and we have not done any appropriations bills yet, and there are 12 appropriations bills that have to pass this body, and it takes at least a week for each appropriations bill. We have the authorization bill for defense which we debate each and every year, and about 100 other issues that need to come up here. But instead, we are not voting this week, except the earlier vote on this particular bill and another reconsideration vote. If you keep doing the same thing, you ought to expect the same kind of results.

One of the reasons we are voting against the bill that is on the floor is it has not been to committee so it has a lot of flaws in it. This is a poorly drafted bill. Here is kind of how it works: We have said that dentists and doctors and other professionals who are in small corporations—we are picking on small business here—are cheating on their taxes. They are not paying a payroll tax on their dividends.

There is a law against that, and the IRS can enforce that law, and does enforce that law. The examples that have been given are times that they actually caught people doing that and enforced it and won. But to do an audit on this, it would probably take a maximum of 30 minutes of computer time to find every small business corporation that might be cheating on their payroll taxes. But instead of doing that, we are going to use it as a pay-for, and we are saying it is only doctors and dentists and lawyers and accountants and other professionals who are doing this.

Well, there are a whole bunch of people who have small business corporations. Small business corporations are an important way to finance small businesses, and it is a little less complicated than the big corporations. But we usually do not pick on them specifically, and we usually do not separate them into separate groups. This one is just the professionals. It does not cover the rest of them.

I asked the question earlier. I said: Does that mean you are saving the others for a pay-for for something else? If there is a problem, we ought to solve the problem. But the problem can easily be solved by the IRS by doing the proper job of auditing, if that is the case. But these small business corporations are declaring that a lot of their profit is a dividend.

Here is an interesting part: We are not talking about the income tax they pay on that. They are having to pay the income tax. Unlike a big corporation, they are paying the income tax on their personal tax form the minute it is earned, not when it gets actually distributed.

Most of the small businesspeople have to pay the tax on it but leave it in the business so they can grow their business. I have been there. I have had a small business corporation. I know, while you would like to take the money out, if you want your business to succeed, you have to keep reinvesting and reinventing. That means you do not get to take the money out.

If we were being fair, we would say anybody who makes over $250,000 in dividends a year would include that as payroll tax. In other words, this is another Warren Buffett thing. How many millions do you think he makes in a year that come into him as dividends? If those did not count as dividends, he would have to pay a Medicare percentage tax on every dime of that. That is what we are talking about here with the professionals whom we are going to discriminate against in a bit. We are saying that anything that counts as a dividend for them, they are going to have to pay the Medicare tax on. Why just pick on the professionals? Why not pick on all small businesses?

Of course, small business is the job creator for the country, so we should not be picking on any of them. We should be making sure they are paying the taxes they owe, but that is not what we are doing. And we are saying Warren Buffett is a special case out there, even though we like to talk about a Warren Buffett tax every once in a while, but we are not going to in this case.

What we are talking about is the tax that would be for Social Security and Medicare. If they are not paying that, they ought to be paying it. But we are saying that is a good pay-for.

How many times do you think we can take the money that is supposed to go to Social Security and Medicare and spend it on something else and hope Social Security and Medicare continue to exist? That is what we are doing here. We are saying we are going to take the money from the doctors and the dentists and other professionals and we are going to make them pay a Social Security and Medicare tax, but we are not going to put that into Medicare, we are not going to put that into Social Security. Instead, we are going to give it to college students so they have a reduction in their loan.

It is kind of interesting. The Department of Education borrows their money at 2.8 percent, maximum, and they are loaning it out to college students at 3.4 percent for subsidized student loans and 6.8 percent for unsubsidized student loans. The law says that on July 1 it is supposed to go to 6.8 percent for both subsidized and unsubsidized student loans. Where do you think that profit goes? Well, we already spend that on other projects. That is why it needs to go to 6.8 percent, so we can pay for what we promised we would pay for. But if we freeze the interest rate on subsidized loans at 3.4 percent for one-year, we still have to pay for the other things. So what we are going to do is, we are going to take money that ought to go to Medicare, and we are going to give it to college students. So it is a dilemma.

We want to make sure the rate stays at 3.4 percent. But this body, debating back and forth, without getting any votes, is not going to resolve it. Even if we got to do an amendment or two—that is a big deal around here: to get to do an amendment or two on the floor—we still would not be able to resolve it because we would not have gotten the people from here and the people from there together in a small group to work out a solution. That is what the leader ought to be doing. That is why you send things to committee. But we are not doing that.

The other side has assured me that even though we are not putting this money into the Medicare trust fund, that the Medicare trust fund will still have all of its money. Let me tell you how that works. As an accountant in the Senate—and there are only two of us now. For 15 years, I was the only one. But there are two of us now. Here is how it works: When the money comes in, a bond is put in the Medicare drawer that says the Federal Government owes Medicare that amount of money. But we go ahead and spend the money.

They say: Well, this trust fund is still intact. No. It only has debt in it. It does not have money in it. I discovered that trying to get some money out of a trust fund once. They said: Well, you cannot get it out unless you put money in. What kind of bank account is that? What kind of a trust fund is that? That is what Social Security and Medicare are. They are a bunch of bonds in a drawer that the Federal Government says we are good for. The way we are spending, we may not be able to be good for that. People ought to be concerned about that.

So that is where we are. We are talking about taking the Medicare money and the Social Security money, putting bonds in a drawer, using the money, and saying all is well in the world and everything is paid for.

Our side has said, there is a health care slush fund and there are not any criteria set up on it. There are some broad categories it can be spent on, but there are no real criteria on it, and it has more than enough money to pay for this. The only person who gets to decide how that money is given out is the Secretary of Health and Human Services, and she has a lot of flexibility on that. There is a lot of money coming in—maybe at least $2 billion every year allocated to that, and there is already money in that fund, as it started with more. I think the estimate was actually $80 billion over the life of the health care bill. The President himself has helped himself to that when we did the payroll tax holiday extension. That is where the money came from for that.

So our side has said: Why don't we use that again? That is supposedly real money. But one thing that both sides are doing—they are saying: OK, we are going to freeze the interest rate for 1 year, but we are counting revenue that is supposed to come in for 10 years.

How many people in America can say: I am going to have this salary, and I might have it for 10 years, but I need to spend it all this year. If I spend it all this year, how do I live the other 9 years of the time? That is what we are faced with every time we do a 10-year receipt of money in exchange for a 1-year spending project. And we are doing that more and more and more.

But, again, under our accounting system, that does not go down as the same kind of liability and debt situation that increases the debt ceiling or increases the debt for the country. So it is a very clever tactic to use, but it is not honest with the American people.

Yes, I am upset we are spending all this time on this reconsideration of a vote that we had. When you do not make any changes, you can expect the vote to come out exactly the same. But it allows us days to harangue each other, and that is the wrong way to do it.

I have asked the leader to pull this bill down, send it to committee, give them a limited amount of time to work on it, and see if they can come up with a solution that both sides would like and one that does not have a lot of loopholes in it.

Loopholes? Well, when we are talking about these small business corporations for doctors and dentists, et cetera, we said: If they make more than $250,000 a year and if the small business corporation has three stockholders or less. I do not think they are cheating to the degree that they say this money would come in. But if they are, I can see the wheels turning out there and people saying: Let's see, I have three people in my corporation. Oh, my son is not in the corporation yet, so we will make that a fourth one. When we get the fourth person in the corporation, we are exempted from this.

How much money do you think is going to come in through that proposal? That is what can be worked out if it goes to committee. So, I again ask the leader to send it to a committee, give them a limited amount of time to work on it, and see if they can come up with a solution that both sides will like because both sides said the interest rate ought to be 3.4 percent for the next year.

Then we ought to take a look at the cost of all college education. As all the people have said, college is important. Education after high school is important. We had one hearing on that in the HELP Committee too. When we were scheduled to have that hearing—I make a weekly trip out to Wyoming and travel around the State so I get to talk to a lot of people—I happened to be talking to some sixth graders, and I said: We are going to have this hearing, and the title of it is: Is education after high school important? Do you know what. Those kids all said yes. We did not have to bring in some people from Harvard and Stanford to convince us of that. We could have been talking about the cost of college, which would get more people going to college, and not just college but some of the tech schools too because we are going to need a lot of different professions in future years.

Let's get this thing to committee and get it resolved and get on with some of the issues we need to be working on—some of the ones that are big money that affect all of America, not just 40 percent of the students at about a cost of $7 a month.

So with that plea, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. I thank you for the recognition, Mr. President.

Let me say, I have been sitting here listening to my colleague, the Senator from Wyoming, and I think he makes some good points. I think we do need a more open process. I think we need to try as much as possible to work with each other in the committee process. I do not think there is any doubt about that. I think we need to allow germane amendments and have a good, robust debate on the bills that are on the floor.

But what I want to talk about today is the fact that we are in a filibuster. Fifty-two of us wanted to move forward on this bill and 45 of us did not. That is why we are locked in this situation.

I rise with regret today, and there is much to regret about yesterday's vote on the student loan bill. First, I regret the false choice between helping students or funding preventive health care. Most Americans support student loans. Most Americans see the value of preventive health care. Yet my colleagues on the other side of the aisle would ask that we sacrifice one for the other.

An affordable education should not be held hostage to cuts in preventive health care. That is not a choice; it is an ultimatum.

Have we come to this? We teach our children to set goals, to set priorities. It should surprise no one that they seriously question our goals, our priorities. It is like a bus heading toward a cliff. We can turn it around, and we ought to be able to do so without throwing students underneath it.

The other side says they care about our Nation's students too. Perhaps, but there is caring, and then there is devotion. Once again, their devotion is for the wealthiest among us and not for the 7 million students who are worried about how they will pay for their education.

Back to choices. As any bright college student can tell us, it always comes down to choices. How do we protect the Stafford Student Loan Program? By further cuts to preventive health care? By weakening research to prevent disease? By cutting our response to public health emergencies? No, of course not. We do it by closing a tax loophole, by requiring the wealthy to pay their fair share of payroll taxes.

I submit that this is not, and should not be, a tough choice, but apparently it is. In fact, it is so tough that the other side doesn't want to talk about it any further. The result? Yet another filibuster.

That brings me to my other regret. Once again, this Senate is broken, in limbo, stuck. Once again, the American people look on in dismay.

The Senate was once called the greatest deliberative body in the world. Now it reminds me of that song, ''The Sound of Silence,'' ''and no one dared disturb the sound of silence.''

That is what we hear more and more—silence. No debate, no discussion. Yesterday's vote was the 21st filibuster by Republicans of a Democratic bill this Congress—the 21st—and the year is young.

This ugly parade of filibusters—and for what? Let's see. To block the President's job bill, to stop the repeal of tax breaks for big oil companies, to not help local governments pay for teachers and first responders, to prevent a minimum tax on households earning more than $1 million a year, and now it is student loans—another filibuster, more sounds of silence.

I have previously joined my colleagues and friends, Senator MERKLEY of Oregon and Senator HARKIN of Iowa, to push for fundamental reforms in how the Senate operates. The reason then and even more abundantly clear now is that the Senate was broken.

This is tragic. At a time when our country needs us to act, we do almost nothing. It is no wonder that Congress's approval ratings are at an all-time low. Instead of working to solve the major problems our country faces, we retreat to the shadows.

In order to have real change in the process, the Senate has to change the way we go about business. I have advocated, and will continue to do so, that the Senate, at the beginning of each Congress, should adopt its own rules by a simple majority vote. The Constitution clearly gives us this authority, and it is time to exercise it. Yet at the beginning of each Congress, the Senate, unlike the House of Representatives, doesn't vote to adopt its rules. The Senate simply accepts the rules of the previous Congress—rules that lead to the unfettered abuse of filibusters, rules that have made the Senate a graveyard of good ideas.

When we fail to reform our rules, their abuse becomes an entrenched part of the Senate's culture. That is where we are today—after years of filibuster abuse, we have turned the Senate into a supermajoritarian body. To do anything in today's Senate requires 60 votes.

Yesterday's vote on the student loan bill was a prime example. We can't even get onto the bill. Fifty-two Senators voted to move forward, but 45 Senators chose to filibuster. Once again, minority obstruction prevents majority rule. That is not democratic, and it is not how our Founders intended the Senate to operate.

This has to change. A new Congress will begin next January. Right now, we don't know which party will control the House, the Senate, or the White House, but it should not matter. The Senate must reform itself regardless of which party has control, not for the good of the Democrats or the Republicans but for the good of the country.

The Senate will have many new Members next January, and I think most of them will want to become part of a functioning legislative body, one where they can bring their best ideas and have them debated, a body where all views are heard and considered but majority rule is once again the norm. That institution cannot exist under the existing rules, and we continue to prove that on a daily basis.

The reforms Senators HARKIN, MERKLEY, and I proposed at the beginning of this Congress had strong support, but it did not pass. So here we are, 21 filibusters later, and the line of Americans who wait for a Congress that works, that actually gets things done, and that comes together to find solutions—that line just got longer by about 7 million students.

Several of my constituents have watched and have seen this filibuster proceed, and they have written me on my Facebook page. I thought I would share a couple of those comments because they really go to the heart of what is happening on student loans.

Tracy Edwards writes me, saying that student loans are vital. She says:

My daughter graduates this Saturday from UNM. Without student loans, this day would not have come.

Her daughter would not have graduated.

In 6 months, we will start repayment of those loans. I am not asking anyone else to pay my daughter's loan, but why should we be punished with an increase for trying to ensure our children get a solid education? If a bankruptcy is filed, you could lose your home, your car, and your credit, but student loans are mandated for repayment, no matter what. Is it too much to ask for a fair interest rate? I think the 1 percent will not be happy until it is a world of the haves and have nots.

Thank you, Tracy.

Donna Kubiak writes this:

I agree . . . my daughter is a single mom of 3 kids and working on her degree to teach elementary school . . . without financial aid, she will have to work for a minimum wage job and get welfare indefinitely.

Thank you, Donna, for that comment.

Mr. President, as we know, this issue is absolutely crucial to 7 million American students who don't want to see those interest rates skyrocket a couple months from now. I believe the estimate is about $1,000 per student. They can't afford that, and we need to get this bill on the Senate floor. We need to cut out the filibusters and settle down and do the amendment process, the debate, and produce a bill.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I rise today to talk about where we are right now procedurally in the Senate on the issue of student loan debt and the interest rates that we charge those who take out Stafford loans, but also the larger question of student loan debt and how we make the highway, the pathway, to higher education for America's students clearer, fairer, and more predictable.

Yates once said that education is not the filling of an empty bucket but the lighting of a fire. Educating our young people is one of the most important things we do as a society. In lighting the fire of curiosity, imagination, enthusiasm, entrepreneurship, and creativity, particularly higher education is one of the things that distinguishes the United States from many other countries around the world. We have long had an enormous advantage in having one of the world's greatest educational systems.

As the occupant of the chair knows, in Vermont and in Delaware today there are so many working families who deeply question whether the pathway toward higher education for their children will be as predictable, fair, and straight as it has been for past generations. When I meet with business owners, innovators, job creators, they deliver the same message: They have jobs. They are ready to hire people who have the education and the skills they need to compete and participate in the modern economy.

Today, with more than 12.5 million Americans out of work, including more than 30,000 Delawareans who are out of work, the question is, How do we make higher education, skills training, vocational schools, and community college more affordable and accessible? One thing we can do, and have to do, is address the staggering debt that lingers with graduates sometimes decades after completing school.

We are faced with two problems. One is a short-term problem and one is longer term. The short-term problem is that without immediate congressional action, student loan interest rates for millions of Americans will double on July 1.

If we allow rates on federally subsidized Stafford loans to increase from 3.4 to 6.8 percent, we will saddle student borrowers with an additional $6.3 billion in interest payments. In Delaware, this could impact more than 18,000 student borrowers, burdening families who are still struggling to recover from the recession with unexpected additional bills. Lots of people have contacted my office—called or written or sent me postings on Facebook, and they have tweeted to contact my office and many others here about their concerns.

Alexandra, a recent graduate from Wilmington, DE, reached out to me and wrote:

I can confidently say that going to a four-year college has prepared me more than I thought it ever could for success in my job search. Because of this education, however, I am facing about $20,000 of debt with a low-paying job.

Alexandra is deeply concerned about the significant debt she faces, and she urged me to work hard to freeze the interest rate on her student loan rather than letting it double.

I agree with Alexandra and fully support efforts on this floor to fix this short-term problem by freezing interest rates on Stafford loans.

I am disappointed that yesterday's vote—the failure to invoke cloture—to get past a filibuster by the other party has prevented the Senate from moving forward and discussing a possible realistic solution.

It is important for the Congress to confront this rise in interest rates, and I hope we can come to a bipartisan consensus. But let's be clear. Even doing that will not solve the larger long-term problem. Addressing this rise in interest rates would not change how much students borrow, numbers that are only steadily growing.

Just this week our Nation's cumulative student loan debt total crossed the $1 trillion threshold. That is an enormous burden on young people just getting started in life and in their careers. If we are to really address this challenge, we have to help students make smart decisions about financing their education.

We can empower students to make more informed choices by fully understanding the relationship between their debt, their choice of major or studies, and their future career path by providing more and earlier and better information about this.

Financial literacy, and a clear understanding of how or whether borrowing will help raise their earning potential later is a key part of the real solution to our country's ongoing and exploding student loan debt.

We can also seek creative solutions that look beyond the obvious and really work to make higher education more affordable for more students. That is why I am so glad to work with my friend, Congressman CHAKA FATTAH of Philadelphia, PA, on new legislation to encourage private investment in college scholarships. Congressman FATTAH showed tremendous leadership in crafting this bill. We introduce a new tax credit that will help more kids afford a college education, entitled Communities Committed to College Tax Credit Act of 2012.

The bill provides tax incentives to encourage private donors to support and sustain educational trusts that make higher education possible for all the young people of a chosen community. These private donors, encouraged by a 50-percent tax credit, will help fund need-based college scholarships, fueling a new generation of achievement by making higher education more affordable and reducing the need for student loans. But equally important, in places such as Syracuse where these programs are already in place, it changes expectations. When young people, in the very beginning of schooling—from the first, second, and third grade—know there is some possibility, some savings account, some community program that will fund their higher education, the likelihood they will finish high school and go on to college increases by four to seven times.

I support Congressman FATTAH'S innovative effort to support community trusts that support higher education. That is one idea for looking beyond the box and working to make higher education more accessible.

Here is another. The American Dream Accounts Act is a bipartisan, bicameral bill to encourage real partnerships between schools, colleges, nonprofits, and businesses to develop secure, Web-based, individual, portable student accounts that contain information about each student's academic preparedness and skills. It also directly

tackles the issue of student loan debt by working with students on financial literacy from a very young age. Instead of having each of these different resources available, as they are now, separately siloed, it connects them across existing education programs at the State and Federal level.

I am grateful to Senator BINGAMAN of New Mexico and Senator RUBIO of Florida for joining me as original cosponsors here in the Senate. This bill is a potentially powerful step toward helping more students of all income levels and backgrounds access, afford, and complete a college education. It is rooted in my own experience with the I Have a Dream Foundation, which has helped more than 15,000 young people all over the country to achieve the dream of higher education.

If we want American companies, American workers, and American families to compete and win in the global economy, we have to help our students afford higher education. It really is that simple. I look forward to working with my colleagues to find solutions that promote affordable, accessible higher education because early action and early engagement can help change the future and the outcomes for our kids and make it possible for them to achieve the American dream.

It is my hope that we can overcome this needless filibuster, yesterday's setback, and that all of us can come together and achieve what we say we want to do together—a responsible path forward that avoids needless additional burdens on working families trying to finance their children's education—and that we can look seriously at these two proposals I have touched on briefly today that will help our students of the future understand and afford higher education to make their American dream possible.

I thank the Chair.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Delaware for speaking to some critical issues. It is a shame we are not in a position where we can offer the Senator's amendments, but, as he knows and as he spoke to in his speech, the decision yesterday by the Republicans to go into a filibuster—which is what we are having on the floor and which is why there are so few people and nothing really happening aside from some really outstanding speeches—is a decision they have made time and again.

This was rarely used in the history of the Senate—the filibuster. Oh, ''Mr. Smith Goes to Washington''—some people will remember that movie, and in the 1960s during the civil rights debate, they may remember that too. Sometimes it was used during the Vietnam war, maybe. But it has rarely been used. Now it has become so routine, so commonplace, that day after weary day people who subscribe to C–SPAN on their cable channels are calling in to the cable providers and asking for their money back because nothing is happening on the floor of the Senate. And whose fault is that? It is our fault. It is our fault. When an issue such as this—the one that brought on this filibuster—is explained to the American people, they shake their heads and ask: What are you doing in Washington?

Well, here is what this is all about. On July 1, the interest rate on student loans through the Federal Government doubles. It goes from 3.4 percent to 6.8 percent unless we do something. So we have a bill we brought to the floor yesterday. We said: Let's bring this bill in, debate it, vote on it, and let's change the law so that we can protect these students and families. Let's freeze that increase and keep it at the original 3.4 percent. Now, what is that worth? For someone borrowing $20,000 over the course of their college education, it is worth $4,000. If that is your son or daughter and you happened to cosign with them, $4,000 is nothing to sneeze at.

The Pew Foundation did a survey of working families across America, I say to the Presiding Officer, the Senator from Vermont, and they asked a very basic question of the working-family population. The question was how many of them could come up with $2,000 in 30 days—2,000 bucks. Maybe there was an emergency in their home—a water pipe just broke or the furnace broke down. My daughter just went to the hospital. But how many could come up with $2,000 was the question, and only half responded that they could. Half of the working families in America have access to $2,000. So what does $4,000 or more in interest being paid mean? For a Senator, not much. For an average working person, a lot.

Now, what happened yesterday? We called this bill and said: Let's move it, let's start debating it, and let's get it done before July 1. We all agree we should. President Obama and even Governor Romney said we should get this done. But not a single Republican Senator would vote with us—not one. Not one Senator would join us to bring the bill to the floor. That is why we sit here literally wasting our time and the time of taxpayers over an issue we should not even have to debate.

I don't know about the Presiding Officer, but I had to borrow some money to go to school, and I borrowed it from the Federal Government. It was called the National Defense Education Act. They created it back in the late 1950s, early 1960s, because we were scared to death of the Russians and sputnik. We thought, they can take over the world. They have the bomb, and now they are the first in space with that little basketball-sized satellite. So we thought it was time for America to get up and get moving, and we created, for the first time in our history, student loans available to nonveterans. We gave help to veterans in the GI bill after World War II, but these were for nonveterans. I got one. I signed up for it.

When I graduated from law school in the late 1960s, they added up all the money I had borrowed—college and law school—from the Federal Government.

I remember the day I brought the letter home to my wife, baby in arms and another one on the way, and said: My student loans have all been added up.

She said: How much?

I said: It is $8,500.

She said: We will never be able to pay that back.

And I said: I know, but we have to try. We have a year before the first payment is due.

My first job out of law school paid $15,000 a year, to put things in perspective.

Now look what students are faced with today. They are lucky to get out with an average indebtedness of $24,000—very lucky. For a lot of students, that isn't even possible. They get more deeply in debt as they go through school. They say: Well, you told me to finish my education so I would have a better life and realize my dream. I can't quit now. I have to borrow some more money and finish next year and the following year or I have wasted it all. If I am a college dropout, what do I have to show for it—no diploma, just the debt.

So we asked families across Illinois to get in touch with us and tell us about student debt as they see it in their lives. We know nationally that student debt in October of 2010, for the first time in history, surpassed credit card debt. People owe more money on student loans than on their credit cards, and it is growing—dramatically growing. When you meet these families, it is sometimes a sobering moment.

I was at a college in Chicago last week and met a student, a lovely young lady majoring in art, which my daughter majored in, so I have no problems with that because she is a great artist and doing well, thank goodness. This young lady said: I am about to get my bachelor's degree with a major in art, and my student indebtedness at this moment is $80,000. But I am going on for a master's. I think it will be about another $60,000 of debt.

I think she was 25 years old. Think about that. Think about what she has just done to herself. First, she did what she was told to do—to get a college degree. Then she got so deeply into debt that she is going to come to realize—sadly come to realize—it is going to influence so many decisions in her life. Will she ever be able to buy a car, get married, buy a home, have children? Each one of those decisions along the way is going to be based on her student loan indebtedness.

So is it right for us to keep the interest rate low on student loans? Of course. Why do we want to make it any worse for her or anyone else who borrows money after July 1? We should be doing this, and we shouldn't be squabbling over it. We were sent here to solve these problems, not to go into filibusters—one more Republican filibuster. I don't want to get partisan about it, but they didn't provide a single vote—not one—to help us move to this issue.

So on our Web site we asked families to tell us their stories. I just spoke about a young student, but many of these students have parents and grandparents who sign up to help them. They say: Yes, we will cosign the note because we want our granddaughter or our daughter to finish school; let me help.

About 6 weeks ago, the New York Times reported a story in which a woman had her Social Security check garnished for student loans. It wasn't a loan she took out, it was a loan she guaranteed for her granddaughter. Her granddaughter defaulted, and they went after grandma. She now receives a smaller Social Security check because of the student loan and her goodness in helping her granddaughter. That is the reality of this debt. It trickles through entire families—families with guaranteed loans that, when they go into default, mom and dad keep working well past what they thought was their retirement age.

I have to say, the more I watch this, the more I am concerned about this student debt bomb that could go off, if it hasn't already. I worry about what it will do to these families and to the reputation of a college degree. There are people who are skeptical today about mortgages. They wonder, why would I take out a mortgage on a home if the value of the home is going to plummet? That skepticism doesn't help us build hope in communities and neighborhoods. What if we reach that level of skepticism when it comes to higher education? So this is part of the conversation.

Let me tell my colleagues about some of the stories I have heard.

Dewaine Nelson from Rockford contacted our office. Dewaine's daughter went to a private college costing about $30,000 a year. She has been a file clerk for 11 years since graduating. He wanted to help her, but he lost his job in 2001. He says:

> Once you fall on hard times you can never get a good job in the finance or insurance industry. Your credit is no good. Bad credit means no good job.

Then he decided to go back to school to pursue his MBA in marketing. Still, with no decent pay, he couldn't repay his student loan. So he went back to school so he could defer the student loan again. He still doesn't have a job that pays enough for him to pay off his loan balance and help his daughter pay her balance.

So here we have mom and dad still with student debt and struggling to find a decent job.

Sharon Sikes from Chicago wrote about her son. She lost her job shortly before her son started college. Each semester his tuition kept going up. This is something we hear about very often. Her son's degree is in journalism and mass communication—not a field where you can find a lot of jobs these days. His loan payments are about to kick in, and he works as a cook in an Irish pub. He makes enough for his basic expenses—food and keeping his bicycle running so he can go back and forth to work. She said she honestly doesn't know what he is going to do when the student loan payments kick in. His debt from the State university tuition has left the family with more than $60,000 in loans, and he is cooking in an Irish pub.

Sharon says she is in her sixties and nobody is lining up to give her a job. She had hoped to be able to help her son pay his loans off sooner. She says:

> He deserves a chance to follow his passion without being saddled with years of debt.

Jill Shakely from Rockford started out at Rock Valley Community College, which I think is a smart decision—to go to a community college if you are not sure or at least you want an affordable first year or two of college. She started out at Rock Valley, and when she graduated in 2002, she decided she wanted to continue her education and pursue a 4-year degree. She didn't have any support from her family. They couldn't help her pay for it. So she took out students loans. The tuition was $26,000 a year, and it added up quickly. She doesn't own a home and makes a salary some would say is pretty small. She spends a large percentage of her salary on her loans. She would like to go back to school but can't take on any more debt. She is worried about how it will affect her future. She said that keeping interest rates low will help students like her.

Who wants to argue against this situation? Who believes we ought to raise the cost of student loans? Who thinks that is in the best interest of this country in terms of encouraging young people to go to school and getting them out of school without a mountain of debt which crushes them?

That is what this debate is all about. The fact that we couldn't get one single vote from the other side of the aisle—not one—to move to this bill to even debate it is a sad commentary.

This Senate Chamber is supposed to be about deliberation, amendment, and debate. At the end of the day we put our fate in the hands of those gathered here and have a vote, up or down, win or lose. I know the Presiding Officer has had some that have won and some that have lost and so have I. But that is what it is supposed to be all about. Instead, my voice echoes through an empty Chamber. The people who forced the filibuster and stopped us from taking up the student loans are gone. Not a one of them is here.

Last night, I was one of the last speakers, and I looked over there to an empty side of the aisle and I said: Of all the people who objected to our going to the bill, not a single one of them is here. They are all out to dinner. That isn't right.

I know the Presiding Officer has been pushing for changes in the Senate rules. It would strike me that if someone wants to stop the consideration of a bill before the Senate, they ought to park their posterior in one of these chairs and be prepared to take on all comers to explain why. If they don't have the time or inclination to do it, then for goodness' sake don't start a filibuster. One of the rule changes we have talked about says that if it is that important to stop the business of the Senate—as we are doing now—they ought to at least have to stay on the floor of the Senate to defend their position. Is that too much to ask, that they don't go out to dinner and check in the next day to make certain that lunch is going to be served on time?

I think this issue gets to the heart of what our economy is facing, what families are facing, and what the Senate refuses to face. This Republican filibuster has stopped us from taking up a measure that would reduce the interest rate on student loans from 6.8 percent to 3.4 percent. In my State of Illinois, 365,000 students will be affected if that interest rate goes up. It isn't fair to them. It isn't fair at all. It isn't fair to be stuck in the middle of a filibuster when we ought to be rolling up our sleeves and tackling this issue.

The House passed a bill on student loans. Just to give an idea of how there is a different approach to things, the House Republicans—with very little, if any, Democratic support—said: OK. We will lower the interest rate on student loans, and here is how we will pay for it. We will take money out of a preventive health care program. In other words, we will reduce childhood immunizations, and the money we save by not vaccinating children, we will use that to bring student loan interest rates down.

How about that for a Faustian choice? How about that for a deal with the devil? We will run the risk that children will get childhood diseases, and we will take the savings from that and help the kids who are in college. Is that what it has come to now, your money or your life? That is the choice we have? That is all? I don't think so.

Why is it that the Tax Code in this country has become a sacred document? One would think that some people, instead of putting their hand on the Bible and swearing to uphold the

Constitution, put their hand on the Bible and swore to uphold the Tax Code as it stands, without a word being changed. I didn't. That Tax Code is a law written by men and women, some of great intellect and some bowing to special interests. Our job every year is to look at it and see if it makes sense.

The way we pay for the student loan interest rate to stay affordable is closing a loophole in the Tax Code used by accountants and lawyers to avoid paying taxes. They have made out pretty well under that provision for a while. But why should they have that for life? Are they now entitled to that? Is that an entitlement they get for life? I don't think so. I think it is a loophole we can close, save the money, and reduce student loans—not at the expense of children being immunized against whooping cough and measles. That is what it comes down to.

House Republicans seem to think that is a pretty good tradeoff. I don't. Let's at least debate it on the floor of the Senate instead of getting locked into a worthless filibuster again and again and again. That is where we are.

Many of us have gone to our official Web sites and invited people living in our States to send us their stories about student loans. I have read three of them here. I can tell you many more from those I witnessed just this last week going through my State, going from Chicago to Peoria to Decatur and all points in between. The stories just come crushing in one after the other, and they are reminders that what we do on the floor of the Senate makes a real difference in the lives of families across America.

I have said it before: I wouldn't be standing here today without student loans. The government loaned me the money, and somehow or another I paid it back. I didn't think I could, but I did, hoping the next generation could use that money to get their own student loans. It is part of the kind of trust we have, one generation helping another. So are we going to let these students down? Are we going to let this filibuster be the end of the conversation?

I have listened to the Republican leader come to the floor day after day and say: Oh, this is just a political stunt. Where is the stunt? What it comes down to is we want to bring the bill to the floor and open it to an amendment process.

To my friends on the Republican side, give us your best ideas. Put them in amendment form. Bring them to the floor. Let's debate them. Let's vote. We will do the same. Who knows, we may find some common bipartisan agreement and get this problem solved. We will not get it solved stuck in another filibuster, which is where we are right now, wasting the time of the Senate and the time of the taxpayers and endangering a lot of families across America who desperately need our help.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, yesterday I spoke on the floor about the Democratic bill to reduce interest rates on student loans, and I was lamenting the fact that our Republican colleagues would not even permit us to turn to the bill. They were filibustering a motion to proceed to the bill which meant we could no longer work on it. That is why this floor today is so empty. We should have been here working on a student loan bill which is so critical to so many college students and their families across the country. The interest rates on these student loans, which are the Stafford loans, the Federal subsidized loans, is going to go from 3 percent to 6 percent. We want to get it back down. This is important to 7.5 million students and their families.

When I concluded my remarks, Senator BROWN from Massachusetts took to the floor. He expressed shock that I was concerned about Republican filibusters and started to talk about how cooperative the Republicans have been, pointing to a few issues where we have worked together. Look, I am here to say that working together in a bipartisan manner on a few issues is fine, but we need to work together in a bipartisan manner on almost all the issues we work on because the American people are counting on us. Because there are a handful of issues on which the Republicans cooperated, let's not come down to the floor and say everything is perfect and Republicans are not blocking us, when, in fact, they are blocking us.

The Democrats essentially retook the Senate in 2007. Since then, these Republican filibusters have been off the charts. Don't take my word for it, listen to congressional scholars Thomas Mann and Norman Ornstein. They recently wrote an opinion piece in the Washington Post. It was based on a study. I ask unanimous consent to have that printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Washington Post, Apr. 27]

LET'S JUST SAY IT: THE REPUBLICANS ARE THE PROBLEM

(By Thomas E. Mann and Norman J. Ornstein)

Rep. Allen West, a Florida Republican, was recently captured on video asserting that there are ''78 to 81'' Democrats in Congress who are members of the Communist Party. Of course, it's not unusual for some renegade lawmaker from either side of the aisle to say something outrageous. What made West's comment—right out of the McCarthyite playbook of the 1950s—so striking was the almost complete lack of condemnation from Republican congressional leaders or other major party figures, including the remaining presidential candidates.

It's not that the GOP leadership agrees with West; it is that such extreme remarks and views are now taken for granted.

We have been studying Washington politics and Congress for more than 40 years, and never have we seen them this dysfunctional. In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party.

The GOP has become an insurgent outlier in American politics. It is ideologically extreme; scornful of compromise; unmoved by conventional understanding of facts, evidence and science; and dismissive of the legitimacy of its political opposition.

When one party moves this far from the mainstream, it makes it nearly impossible for the political system to deal constructively with the country's challenges.

''Both sides do it'' or ''There is plenty of blame to go around'' are the traditional refuges for an American news media intent on proving its lack of bias, while political scientists prefer generality and neutrality when discussing partisan polarization. Many self-styled bipartisan groups, in their search for common ground, propose solutions that move both sides to the center, a strategy that is simply untenable when one side is so far out of reach.

It is clear that the center of gravity in the Republican Party has shifted sharply to the right. Its once-legendary moderate and center-right legislators in the House and the Senate—think Bob Michel, Mickey Edwards, John Danforth, Chuck Hagel—are virtually extinct.

The post-McGovern Democratic Party, by contrast, while losing the bulk of its conservative Dixiecrat contingent in the decades after the civil rights revolution, has retained a more diverse base. Since the Clinton presidency, it has hewed to the center-left on issues from welfare reform to fiscal policy. While the Democrats may have moved from their 40-yard line to their 25, the Republicans have gone from their 40 to somewhere behind their goal post.

What happened? Of course, there were larger forces at work beyond the realignment of the South. They included the mobilization of social conservatives after the 1973 Roe v. Wade decision, the anti-tax movement launched in 1978 by California's Proposition 13, the rise of conservative talk radio after a congressional pay raise in 1989, and the emergence of Fox News and right-wing blogs. But the real move to the bedrock right starts with two names: Newt Gingrich and Grover Norquist.

From the day he entered Congress in 1979, Gingrich had a strategy to create a Republican majority in the House: convincing voters that the institution was so corrupt that anyone would be better than the incumbents, especially those in the Democratic majority. It took him 16 years, but by bringing ethics charges against Democratic leaders; provoking them into overreactions that enraged Republicans and united them to vote against Democratic initiatives; exploiting scandals to create even more public disgust with politicians; and then recruiting GOP candidates

around the country to run against Washington, Democrats and Congress, Gingrich accomplished his goal.

Ironically, after becoming speaker, Gingrich wanted to enhance Congress's reputation and was content to compromise with President Bill Clinton when it served his interests. But the forces Gingrich unleashed destroyed whatever comity existed across party lines, activated an extreme and virulently anti-Washington base—most recently represented by tea party activists—and helped drive moderate Republicans out of Congress. (Some of his progeny, elected in the early 1990s, moved to the Senate and polarized its culture in the same way.)

Norquist, meanwhile, founded Americans for Tax Reform in 1985 and rolled out his Taxpayer Protection Pledge the following year. The pledge, which binds its signers to never support a tax increase (that includes closing tax loopholes), had been signed as of last year by 238 of the 242 House Republicans and 41 of the 47 GOP senators, according to ATR. The Norquist tax pledge has led to other pledges, on issues such as climate change, that create additional litmus tests that box in moderates and make cross-party coalitions nearly impossible. For Republicans concerned about a primary challenge from the right, the failure to sign such pledges is simply too risky.

Today, thanks to the GOP, compromise has gone out the window in Washington. In the first two years of the Obama administration, nearly every presidential initiative met with vehement, rancorous and unanimous Republican opposition in the House and the Senate, followed by efforts to delegitimize the results and repeal the policies. The filibuster, once relegated to a handful of major national issues in a given Congress, became a routine weapon of obstruction, applied even to widely supported bills or presidential nominations. And Republicans in the Senate have abused the confirmation process to block any and every nominee to posts such as the head of the Consumer Financial Protection Bureau, solely to keep laws that were legitimately enacted from being implemented.

In the third and now fourth years of the Obama presidency, divided government has produced something closer to complete gridlock than we have ever seen in our time in Washington, with partisan divides even leading last year to America's first credit downgrade.

On financial stabilization and economic recovery, on deficits and debt, on climate change and health-care reform, Republicans have been the force behind the widening ideological gaps and the strategic use of partisanship. In the presidential campaign and in Congress, GOP leaders have embraced fanciful policies on taxes and spending, kowtowing to their party's most strident voices.

Republicans often dismiss nonpartisan analyses of the nature of problems and the impact of policies when those assessments don't fit their ideology. In the face of the deepest economic downturn since the Great Depression, the party's leaders and their outside acolytes insisted on obeisance to a supply-side view of economic growth—thus fulfilling Norquist's pledge—while ignoring contrary considerations.

The results can border on the absurd: In early 2009, several of the eight Republican co-sponsors of a bipartisan health-care reform plan dropped their support; by early 2010, the others had turned on their own proposal so that there would be zero GOP backing for any bill that came within a mile of Obama's reform initiative. As one co-sponsor, Sen. LAMAR ALEXANDER (R-Tenn.), told The Washington Post's Ezra Klein: ''I liked it because it was bipartisan. I wouldn't have voted for it.''

And seven Republican co-sponsors of a Senate resolution to create a debt-reduction panel voted in January 2010 against their own resolution, solely to keep it from getting to the 60-vote threshold Republicans demanded and thus denying the president a seeming victory.

This attitude filters down far deeper than the party leadership. Rank-and-file GOP voters endorse the strategy that the party's elites have adopted, eschewing compromise to solve problems and insisting on principle, even if it leads to gridlock. Democratic voters, by contrast, along with self-identified independents, are more likely to favor dealmaking over deadlock.

Democrats are hardly blameless, and they have their own extreme wing and their own predilection for hardball politics. But these tendencies do not routinely veer outside the normal bounds of robust politics. If anything, under the presidencies of Clinton and Obama, the Democrats have become more of a status-quo party. They are centrist protectors of government, reluctantly willing to revamp programs and trim retirement and health benefits to maintain its central commitments in the face of fiscal pressures.

No doubt, Democrats were not exactly warm and fuzzy toward George W. Bush during his presidency. But recall that they worked hand in glove with the Republican president on the No Child Left Behind Act, provided crucial votes in the Senate for his tax cuts, joined with Republicans for all the steps taken after the Sept. 11, 2001, attacks and supplied the key votes for the Bush administration's financial bailout at the height of the economic crisis in 2008. The difference is striking.

The GOP's evolution has become too much for some longtime Republicans. Former senator Chuck Hagel of Nebraska called his party ''irresponsible'' in an interview with the Financial Times in August, at the height of the debt-ceiling battle. ''I think the Republican Party is captive to political movements that are very ideological, that are very narrow,'' he said. ''I've never seen so much intolerance as I see today in American politics.''

And Mike Lofgren, a veteran Republican congressional staffer, wrote an anguished diatribe last year about why he was ending his career on the Hill after nearly three decades. ''The Republican Party is becoming less and less like a traditional political party in a representative democracy and becoming more like an apocalyptic cult, or one of the intensely ideological authoritarian parties of 20th century Europe,'' he wrote on the Truthout Web site.

Shortly before Rep. West went off the rails with his accusations of communism in the Democratic Party, political scientists Keith Poole and Howard Rosenthal, who have long tracked historical trends in political polarization, said their studies of congressional votes found that Republicans are now more conservative than they have been in more than a century. Their data show a dramatic uptick in polarization, mostly caused by the sharp rightward move of the GOP.

If our democracy is to regain its health and vitality, the culture and ideological center of the Republican Party must change. In the short run, without a massive (and unlikely) across-the-board rejection of the GOP at the polls, that will not happen. If anything, Washington's ideological divide will probably grow after the 2012 elections.

In the House, some of the remaining centrist and conservative ''Blue Dog'' Democrats have been targeted for extinction by redistricting, while even ardent tea party Republicans, such as freshman Rep. ALAN NUNNELEE (Miss.), have faced primary challenges from the right for being too accommodationist. And Mitt Romney's rhetoric and positions offer no indication that he would govern differently if his party captures the White House and both chambers of Congress.

We understand the values of mainstream journalists, including the effort to report both sides of a story. But a balanced treatment of an unbalanced phenomenon distorts reality. If the political dynamics of Washington are unlikely to change anytime soon, at least we should change the way that reality is portrayed to the public.

Our advice to the press: Don't seek professional safety through the even-handed, unfiltered presentation of opposing views. Which politician is telling the truth? Who is taking hostages, at what risks and to what ends?

Also, stop lending legitimacy to Senate filibusters by treating a 60-vote hurdle as routine. The framers certainly didn't intend it to be. Report individual senators' abusive use of holds and identify every time the minority party uses a filibuster to kill a bill or nomination with majority support.

Look ahead to the likely consequences of voters' choices in the November elections. How would the candidates govern? What could they accomplish? What differences can people expect from a unified Republican or Democratic government, or one divided between the parties?

In the end, while the press can make certain political choices understandable, it is up to voters to decide. If they can punish ideological extremism at the polls and look skeptically upon candidates who profess to reject all dialogue and bargaining with opponents, then an insurgent outlier party will have some impetus to return to the center. Otherwise, our politics will get worse before it gets better.

Mrs. BOXER. Here is the title of their piece, ''Let's Just Say It, The Republicans Are The Problem.''

They explain that in the past they looked at Congress and thought both parties were to blame. But on reflection, as they studied the facts—not the rhetoric but the facts—it was Republicans who are causing all the problems. Here is what they write:

> The filibuster, once relegated to a handful of major national issues in a given Congress, became a routine weapon of obstruction applied even to widely supported bills or Presidential nominations.

All we have to do is watch the Senate or certainly when one is in the Senate we realize these scholars, Mann and Ornstein, are absolutely right. In this Congress, the 112th Congress, we have already seen 48 Republican filibusters; 48 times the Republicans stopped us from doing our work. But don't get the impression this was new behavior because it did not just start in the 112th Congress, it started way before. In the 111th Congress, which covered 2009 and 2010, Republicans conducted 91 filibusters. In the 110th Congress, 2007 and

2008, they conducted 112 filibusters. So far this year we have had 48 Republican filibusters. In the Congress before that we had 91, and the one before that we had 112.

What does this mean? It means that in all those times we were unable to do the work of the American people because one party stopped it. There have been more filibusters by the Republicans in the 6 years since Democrats took over the Senate than there were in the prior 10 years. I want to remember one of those times because I was sitting down there in the manager's chair, coming out of my committee, Environment and Public Works, with a near unanimous vote on a little program called the Economic Development Administration. This EDA has been in place for—I want to say 50 years. It has been in place for 50 years—5–0; not 15—50 years through Presidents Republican and Democratic. It is a beautiful program because what it does is it takes some modest Federal funds and leverages States' money, local money and private money and it comes into areas that are having difficulty with job creation and invests that money there. As a magnet it creates all of these contributions, and we have seen hundreds of thousands of jobs created as a result.

So I come to the floor to get this little bill reauthorized. After coming out of my committee with a strong bipartisan vote, it is filibustered. I stood down there for 5 days, and I could not believe it. They are filibustering a bill that would create and save hundreds of thousands of jobs.

We also saw these Republican filibusters when we tried to say millionaires should pay their fair share, which would have reduced the deficit by billions. Oh, no, they could not stand to have us debate that so they filibustered. They filibustered a bill to eliminate tax subsidies to big oil and gas companies that are making record profits and getting subsidies that they have gotten for 30 to 40 years. No, we were not allowed to go to that.

And then, of course, the most recent filibuster by Senate Republicans is on this critically important legislation to cut interest rates on student loans. They are going to double on July 1. Oh, no. They wouldn't even let us go to the bill. I say that despite the protestations of Senator BROWN of Massachusetts, this has got to stop. He cited three or four times that we worked together. I say good for that; I am happy for that. That does not in any way change the fact that we face filibuster after filibuster, 48 times in this Congress so far now.

I hope every college student in this country who has an opportunity is watching this Chamber. This Chamber should have been bustling today with people talking and working together, offering amendments so we could cut these interest rates on student loans. College students and high school students who want to go to college, and their parents, grandparents, aunts, and uncles ought to understand that this floor is not filled today passing this legislation because of a Republican filibuster.

What we do here matters. We could save students thousands of dollars on the life of their loans. These are student loans for the middle class. More than 75 percent of the borrowers in the program come from families with incomes below $60,000 a year. This is not some fun and games, but my Republican friends and their presumptive Presidential nominee want to cut taxes for people who earn millions of dollars. They want to give back an average tax cut of $250,000 a year, and they don't have it in their hearts to lower student loans for families who earn less than $60,000 a year. They call for permanent tax cuts for the people who don't need them and again they block the way for us to help the middle-class students to get a break.

Yes, I hope college students are paying close attention to this debate. I know some of them from the great State of California whom I represent are paying attention. I have heard from some of them, and I will have some of their comments for the RECORD.

Delmita Turner of Rancho Cordova, CA writes:

> I am the single mother of three children ages 7, 14, and 20. My daughter Khendel is in college and we have had to get student loans to pay for her tuition. I am also in college and have student loans as well. An increase would put a tremendous strain on an already stretched budget.
>
> After our family suffered nearly every type of loss one could, including death, foreclosure, divorce, and unemployment all within a year, I decided to go back to school with the hopes of making life better for my family. I began working a year ago last December after being unemployed for 2 years.

Now I ask: How American is that? We always strive to be better. Here is a woman who went through death, foreclosure, divorce, and unemployment within 1 year. She decided to make life better for her family. She began working a year ago last December after being unemployed for 2 years.

She continues: ''So please consider how this will impact so many of us.''

I am asking my Republican friends—as we have another vote on this I think tomorrow morning—to think of Delmita Turner of California and what this means to her.

Then there is Joseph Briones of San Fernando, CA. He writes:

> I am a senior in high school who will be attending college this fall. My dad is unemployed and a cancer survivor and my mom is working part-time. These conditions put a large stress on my myself as well as on my parents to attend my top choice of college, Westmount College.
>
> We did not receive financial aid from the state and we have an immense amount remaining to pay for my upcoming educational years. We are going to be taking out student loans to pay for college. Please do not allow the passage of the bill that will increase the interest on student loans. We rely on these loans and it is difficult to pay them back for some students as it is. Please do not make it a larger burden for students to go to college.

So tomorrow when we take up this bill again, I hope my Republican friends will stand down and think of Joseph Briones of San Fernando, CA, who is making a very pointed plea that he relies on these loans, and it is going to be very difficult if the interest rates are doubled.

Then there is Rachel Zavarella of San Jose, CA. She says:

> Increasing Stafford loan interest rates only kicks students and borrowers when we are down . . . Increasing student loan interest is another dirty trick to redistribute wealth to the top, and it's disgusting and unacceptable. I want you to vote for students and borrowers by voting yes on the bill.

Mr. President, that is just three stories from my State. I know in your beautiful State of Oregon, which has so many wonderful universities, you could have dozens of stories like this. Clearly this is not a time to increase loan rates for students. This should not be a partisan matter. Why would every single Republican vote no? I guess it is their ideology. Tax breaks for the rich, rich, rich, rich, and nothing for the middle class.

If anyone wants to know the difference between the two parties, this is the moment. It used to be a little harder to describe the differences between the parties. When I was young, both parties stood here and fought for the middle class, for students, for the environment, and for women. It isn't that way anymore. It just is not.

If we say we are here for the next generation, which all of us say all the time one way or the other, then you don't allow student loan interest rates to double. You don't allow it. We know how to fix it. We found a very simple way to pay for this that makes sense. Closing a tax loophole doesn't hurt anybody. Look at yesterday's vote. It was not good; it was not pretty.

I am glad Senator HARRY REID is going to give us another chance to change that, and I hope my Republican friends are now hearing from their constituents back home. I hope when they come here tomorrow they will cast a ''yes'' vote and let us proceed to this bill and let us do our work. Let us stand for the people who need us to stand for them, the middle class of this great country. We know why the country is great; it is because of the middle class. We need to make sure they have the opportunity to go to college and not have this burden on them that is so heavy it becomes too heavy for them to bear. Pretty soon they will stop going to college because they don't want to have that burden on their back.

We have a chance to do the right thing. I hope we will. Let the record

show these filibusters are outrageous and they are historic in nature. We have never had them before. We have never had such a lack of cooperation from Republicans before, and it has been a sad several years where we have seen filibuster after filibuster, even stopping us from going to a bill. Tomorrow maybe we can come together and get on this bill and do our work.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I have followed with great interest this week the conversation in the Senate about student loans, the issue we are currently on, to proceed to a bill on student loan interest. I have followed it with great interest for a couple of reasons.

First of all, in the State of Florida, obviously, and across the country, there are thousands—maybe hundreds of thousands—of people who either have student loans and are paying them back or are relying on them to go to school in the future. So it is totally an issue that affects the State of Florida, where I come from.

I have a personal interest in the student loan issue as well. I think I have said on the floor before that my parents worked very hard, but they were never able to save enough money to pay for my college education. So I relied on grants and on loans for undergraduate education, but especially for my law school education. I came back to Miami to go to law school. I am glad I went to the University of Miami. I am proud to have gone there, and I think the education I got there, my legal education, was very good. It also happened to be very expensive. I relied on student loans to be able to pay that, so much so that when I graduated from law school in 1996 I graduated with a law degree and a significant amount of student debt that I had accumulated throughout 7 years of study.

In fact, I am still paying one of those loans today. I think—I may be wrong, but I know of one—I know of only one other Senator who is paying student loans right now. I pay, as I have joked in the past, about $723 a month to somebody named Sallie Mae, which is, all joking aside, a servicer that collects on these loans. So it is an issue I understand and care about on a personal level, as well as because of the people I represent.

This issue we are discussing this week has allowed me to use it as a point of illustration to the people back home who are watching this debate. After having spent my first year here, one of the questions I get the most is, What is it like in the Senate?

Let me begin by saying I am honored and privileged to serve here. There isn't a day that I don't walk into this building, even into this very room, and not be taken aback by the history that has been made on this floor, by the great men and women who have served our country from it, and by the wonderful Americans with whom I serve even now. I have bragged to people who are watching or to whom I have spoken that I have never had a bad experience with anyone in the Senate in the year and a half I have been here, and I am very proud to be a part of this institution.

However, there are things about it that trouble me. Particularly, at this moment in American history, and maybe as a result of what is happening this week, circumstances allow me to illustrate that better than any other week since I have been here.

Everyone agrees that interest rates on student loans cannot go up. Everyone agrees. There hasn't been a debate on that. I haven't run into anybody in either party who has come to me and said: Let the interest rate go up. Let students pay more. There isn't any argument about that. The argument is simply this: How do we pay for it? We have to pay for it because if we are going to keep the interest rates down on these federally subsidized loans, we have to pay for it. We have to find the money from somewhere to pay for it. So the debate and the disagreement, to the extent it is a complicated disagreement—and I don't believe it is—the disagreement is not about the student loan interest rate; the disagreement is about how we pay for the cost of keeping the rate low for another year. There is a difference of opinion.

I am new to the Senate. I am not new to legislation. I spent 9 years in the Florida Legislature and 2 years as the Speaker. We dealt with complicated issues there as well. What we would do in those instances where there was a disagreement, not on what we wanted to accomplish but on how to get there, is we worked on it. We would sit people down and say it is not that much money in terms of Federal standards—it sounds crazy to say that because we are talking about billions of dollars—but from a Federal standpoint, it is not that complicated an issue. Let's sit down. Let's get some like-minded people together and let's figure out a bipartisan way to pay for what we all agree we need to do. That is the normal, regular way to deal with an issue such as this.

That is not what has happened. Why hasn't that happened? Why have smart, well-educated, intelligent people who serve in this Chamber not met and discussed a way to pay for this? It is really not that complicated. It wouldn't take that long to come up with a way to pay for it that both sides agree on. Why hasn't that happened?

The answer to that question is something people back home are not going to like, and people who are here today visiting are not going to like to hear, and whoever is watching on television right now isn't going to like. The reason is because that is the way things have been since I have gotten here. It is about politics.

Shocking as that may be, there is politics in this process. That is what is influencing us today.

A few weeks ago, the President made a decision that this was an issue he wanted to use. His campaign folks made a decision that student loan debt and the interest rate was a perfect opportunity to use as, yet again, another wedge issue. The latest wedge issue, and we have seen a series of them, is let's campaign on the idea that Republicans are not in favor of students, and let's use the student loan issue as an example of that. Of course, those plans kind of got messed up when Republicans said: We agree with you. We can't let student interest rates go up either. So they were off balance for a couple of days.

By the way, the President continued to travel the country and campaign on keeping student loan rates down even though no one was against them. He was campaigning against his opponents on this issue even though there were no opponents on this issue.

But, nevertheless, after a couple of days of figuring out they were going to lose this wedge issue, they came up with a second way to deal with it; that is, let's bring this issue to a vote on the Senate floor, but let's build it in such a way—let's put a bill on the floor of the Senate that we know will fail, that we know Republicans can't vote for. It wasn't: let's meet and see where we can agree on how to pay for this so we can get something done. It was: let's put a bill on the floor that we know Republicans will never support, designed specifically to fail, so we can then spend the week talking about this on the Sunday talk shows and speeches on the floor and missives from the campaign. It is about messaging.

In a country where our national debt now equals the size of our economy; in a country where we are 5, 6 months away from catastrophic increases in taxes; in a country where just last Friday we learned that job creation and job growth is stagnant, where millions of Americans have been out of work for 2 years or longer; in a country where millions of Americans have stopped looking for work because they have become so depressed, the Senate has wasted yet another week on a show when, in fact, this is an easy issue for us to have come together and solved.

This is not new, by the way. This has been the mode of operation here for most of the weeks I have been in the

Senate. It is a pretty familiar pattern. The campaign of the President decides on an issue they want to use to divide Americans for electoral purposes, the Senate offers up a bill they know Republicans will vote against, and then they spend a week giving speeches on it. The only difference is they are doubling down: We are going to vote on the exact same thing a second time, just to drive the point home.

Here is why this bothers me. No. 1, there are real issues this country faces, issues that deserve a sense of urgency, issues that deserve every single person who serves here to solve. This is one of them, by the way. We don't have time to waste on shows. It bothers me.

The second reason it bothers me is these are real people who are being impacted by this issue. There are real people out there who, because they can't find a job when they graduate, have to get a forbearance. Forbearance means they have to call their lender and say they can't pay their loans. Do my colleagues know what happens when we get a forbearance on our loans? It compounds. It sits there. It is delayed. It is not delinquent, but it compounds. The interest rate is added to the principal. So by the time a person starts paying it, their loan is even bigger than the loan they took out to go to college.

There are other people who can only afford to make X amount of payments because they are not making as much money. Maybe they didn't find the job they thought they were going to get, so all they can do is pay interest. So that means by the time they finish paying off these loans, their kids will be in college.

Let me tell my colleagues what it means in the real life of someone who has these loans because I still have them. What it means in the life of a person who has a loan such as this is the following: They can't save for their own kids' college, which means not only will they have their student loan debt, but their children will be stuck with it as well.

What bothers me about this issue is that instead of solving it, we have spent the week playing a game with it while real people are out there scared to death—real students, real parents, real families who are facing the threat of not just an increase in the interest rate but of an economy that doesn't have a job for them.

Do we think the interest rate is the biggest risk these people are facing? It is not. The interest rate is a problem. Not having a job is a catastrophe. The interest rate could be zero. If a person doesn't have a job, how are they going to pay it? That is the No. 1 issue facing these graduates. No one is doing anything about it.

Here is what I suggest. If this was a place that was really working to solve problems, what we would have done and what we would do right now is stop this process, go back there somewhere, get a few people together who know how to solve this, and come back here. I guarantee that if we decided we wanted to solve it, it would not take long.

Here is what else I guarantee. This is going to get solved. My colleagues can mark my words. A few weeks from now they will come up with a deal or a bill that will have enough votes to pass the House and Senate, and this will get solved. But not before we score political points, right? This will get solved, but not before the people who care more about politics than policy score their political points on this issue.

Now, look, I have been around politics. I understand this is an election year and election year stuff is going to happen. But why are we playing with the lives of real people? These are real people who are hurting, and their lives and their experiences and their worries are being used as a pawn in a political game. And it is wrong.

I will make another prediction to my colleagues. Next week it will be another wedge issue of the week. Next week we will be right back here with another bill that was designed to fail on purpose so we can get another week's worth of talking points on yet another issue.

The good news is—people in this city, unfortunately, think they are smarter than they really are. People back home know all of this. They can see it for what it is. People aren't dumb. The American people certainly aren't dumb. They can see right through this stuff, and they understand exactly what is happening.

So my suggestion would be that on this issue, let's come together. Let's say this is one of the issues that is so important, that impacts so many people in such a significant way, that it should be above politics. Let's get together over the next 48 hours. It doesn't seem as though this place is overworked when we look around the room.

What are we doing all week? What is going on all week? We voted on a few judges, and we have given a bunch of speeches. Why don't we go somewhere and get a group of people to work on this issue and come back with a solution? This can be solved.

What is going on now is a disservice to the people who sent us here. They deserve better. They really do. The American people deserve better. The people we represent, the people who hired us to do the job we have now, deserve better than this sort of theater. The Senate has become a theater. It has become a show. That is why people get grossed out by politics. That is why people watch the news at night and just don't understand this whole thing. They have a right to be frustrated. They have a right to be upset. They have a right to be impatient with us because nothing is happening on the issues that matter to their real lives.

I hope this pattern will stop. I get it. There are still going to be plenty of other issues we are going to have arguments about during this election year, and that is good for our country that we have a good debate on the issues of the day. But on the ones we can solve, on the ones we agree on that impact the real lives of real people, let's stop the games.

Let's get something done.

Thank you. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. MENENDEZ. Madam President, I cannot believe we have come to the floor of the Senate at a time of economic hardship and recovery for millions of families, a time where jobs are scarce, the need for a skilled workforce is critical, and student loans are about to double, only to have those on the other side turn this into yet another filibuster, another capitulation to those on the far right of their party—those who are so far right that when they look back along the political spectrum they can only see the small image of their hero, Ronald Reagan, fading in the distance.

They have gone so far to the right that they can no longer see any heroes, not even their own. So here we are with our side once again debating the obvious and the other side defending the indefensible position of the far right.

We are looking for common sense, reason, and fairness. We are, that is, looking to govern fairly for all. They are looking to play politics that benefit a few.

We are asking to stop interest rates on student loans from doubling for 7 million Americans by closing a gaping tax loophole that those who have benefited most from this economy can drive an S corporation through. My Republican friends are once again saying no. They are once again attempting to govern from the extreme, once again demanding that even closing an obvious tax loophole that benefits the wealthiest is an unacceptable Government intrusion but that ending preventive care for those who are struggling with rising health care costs is the best option.

Can they be serious? Can we be standing in this Chamber saying that the most reasonable option to prevent student loans from doubling is not commonsense tax reform but ending breast cancer screening for millions of women? Is that the view from the far

right of the political spectrum? I ask my colleagues on the other side do they truly believe that is a fair option? Have we run through all other possible options to have reached a point where we can now say: The only arrow left in the quiver is to end preventive care as we know it. Have we already ended all outrageous tax loopholes for the wealthy? Have we already ended subsidies to Big Oil that will make $1 trillion over the next 10 years and yet we give them $24 billion of tax cuts? Have we ended the Bush tax cuts for the top 1 percent and now have no other option than to end preventive health care for women, for millions of Americans whose health depends on it?

Unfortunately, it seems our Republican friends have once again put partisanship and politics first. Their budget prioritized tax breaks for the wealthy over keeping college costs down for middle-class families. Only when they realized this would not play well politically did they reverse course and drop their objections to keeping student loan rates lower because, they said, no, that is not the Government's role. But then they said: OK. We will climb on board with that idea but only under certain conditions.

Rather than close a special-interest loophole that only a small minority of wealthy businesses can exploit, they would rather cut funding for children's vaccines, mammograms, and other critical services. This is the classic case of giving with one hand and taking with the other and all without asking the wealthiest Americans—those who have reaped the most rewards and benefited the most, particularly in tax breaks they have received over the last almost decade—to help the country, simply to help the country at this critical time.

If that does not tell us about the priorities of each party, I do not know what will.

These preventive health services not only improve people's health and their lives, they also reduce the cost of health care. That is because it is a lot easier and less costly to treat illnesses when they are first detected.

When women have access to affordable mammograms, their doctors will be far more likely to catch breast cancer in its early stages, when it is most treatable and least expensive to cure.

When we give a child a simple inexpensive measles vaccine, we do not have to worry about expensive treatment for measles later on.

When we help people quit smoking, we dramatically reduce the cost of treating that individual for a whole host of illnesses.

The saying, ''An ounce of prevention is worth a pound of cure,'' could not be more appropriate to this debate.

For a party that loves to preach about fiscal responsibility, it boggles my mind that they would fight to cut preventive care that will reduce health care costs but allow tax loopholes to stay open.

Republicans decided to make a target of these programs, not because of substantive issues—I would respect that—but just because, plain and simple, they were included in the President's health care bill. As we know, as the distinguished minority leader said, it is all about defeating the President. The problem with that is, it is not about the President failing, it is about the Nation failing at one of the most critical times in its history. They lost the health care debate in 2010, and they have spent every day since trying to refight that battle.

Now Republicans will try to scare people into thinking that closing this corporate tax loophole will kill small businesses. That is the mantra we hear every time. But, actually, according to Citizens for Tax Justice:

> [C]losing this loophole will actually help most small businesses, which are currently subsidizing the minority who abuse it to avoid [paying] payroll taxes.

Isn't that interesting? So most small businesses are out there meeting the economic challenge every day. They pay payroll taxes, but those who are taking advantage of this loophole do not. It seems to me we would be giving small businesses a far better competitive advantage.

Let's be clear: The vast majority of small businesses pay their fair share into Medicare. But this loophole—affectionately dubbed the Edwards/Gingrich loophole—has allowed certain professionals such as former Senator John Edwards and former Speaker Newt Gingrich to avoid paying millions of dollars into the Medicare Program. Technically, they were not wrong to take advantage of this loophole. We were wrong to allow it to even be available.

But enough about the details on how we pay for it. This debate is all about people, all about families struggling to pay for college. As the first person in my family to go to college, who had to rely on Federal grants and loans to pay tuition, I have a firsthand appreciation of the importance of giving all students the opportunity to pursue their dreams.

For students struggling to pay for college and racking up debt, this is not an academic argument. The extra $1,000 they would have to pay each year is not theoretical money. It is the difference between being able to repay their loans and entering the workforce with good credit versus being overwhelmed by debt and going into default.

Recently, I had the pleasure of having a roundtable and speaking to students from Montclair State University in my home State of New Jersey about how the interest rate would affect them.

I heard from Emily Delgado, a first-generation American and the first person from her family also to go to college. She just completed her freshman year at Montclair. Despite working for the college as a student mentor, Emily will still be saddled with approximately $20,000 in debt by the time she graduates. If she decides to go on to graduate school after that, then, of course, that will rise significantly.

She told me she cannot even bring herself to calculate how much the interest rate hike will cost her because, in her words, ''it will just crush my dreams.''

Nick Weber, works three—not one, not two, but three—part-time jobs to help pay for college. Despite these three jobs, Nick only makes around $175 per week, which is about how much extra he would have to pay in interest every month if we do not act now. He does not think that is fair, and neither do I.

A student by the name of Jamie Sommer—who dreams of one day becoming a professor—works part time for the school, but her income hardly puts a dent in her debt, and she fears she will not be able to afford graduate school, she will never realize her dream.

Emily and Nick and Jamie and all the other students who are struggling to pay for college deserve to be able to realize their hopes and dreams and aspirations. It falls to us—all of us in this Chamber—to do all we can to keep those dreams alive.

These students deserve our support. They deserve the common sense of a community that understands we have to reduce the deficit but we cannot balance the budget on the backs of the next generation. We cannot cash in their dreams and let those with the most cash out. We need a fair solution, not political dogma.

These students have worked hard. They deserve better. They are not asking for a handout. They studied hard in high school, got good grades, took out loans, and got jobs to pay for college. They are working toward a better life, doing what every parent dreams of for their children: to do well, build a decent life for themselves and their family, and give something back to their community and to the economy.

They epitomize everything we want our young people to be. All they are asking in return is fairness—not a political sleight of hand that helps them with their student loans, but in the process takes away their health care. All they are asking is for us not to make it harder for them, for us not to add yet another stress to their lives. Certainly, it is our obligation to not shut down their dreams of a higher education. For it is in their dreams for a better life that the economic future of this Nation will be built.

We are globally challenged—globally challenged—for the creation of a product or the delivery of a service in terms of human capital. The boundaries of mankind have largely been erased in the pursuit of human capital. So an engineer's report is done in India and sent back for a fraction of the cost in the United States. A radiologist's report is done in Northern Island and read by your doctor at your local hospital or if you have a problem with your credit card, as I recently did, you end up with a call center in South Africa.

In the pursuit of human capital for a product or service, we are globally challenged. For the Nation to continue to be a global economic leader, it needs to be at the apex of the curve of intellect—the most highly educated generation of Americans the Nation has ever had. We cannot achieve that if we have students who have to forgo not only their dreams but the ability to help the Nation compete globally by getting a world-class education.

We owe them every chance to achieve their dreams and to help us make this another American century. Isn't that the least we can do? Isn't the choice clear? Let's choose closing a tax loophole that is actually creating challenges to small businesses that are paying their payroll taxes, and let's preserve the preventive health care that will improve the quality of the lives of our fellow citizens and, at the same time, save our health care system hundreds of millions of dollars.

I think that choice is pretty clear—the choice the Senate should take clearly on behalf of our students of the future and our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Madam President, earlier today, just a few minutes ago as I was presiding where the Senator from Minnesota is now sitting, I listened to my colleagues speak on this issue of interest rates on student loans. I was particularly interested in the speech of a colleague who came to the floor and said this bill that is designed to prevent interest rates from doubling is all political show. The concept of it being a political show is difficult for me to get my hands around. Quite frankly, the President didn't set July as the date student loans would double in cost. That date was set by legislation that was passed in the Senate and in the House and sent to the President. It is that date, just 2 months from now, that brings forth the urgency on this issue—Presidential campaign or no Presidential campaign.

It is also important to recognize that this is not a debate at this moment about final adoption of a bill. It is about beginning the process of debating the bill. It is a motion to proceed. For those unfamiliar with Senate process, well, this is a motion that says this is an issue that, because of its urgency, should be on the floor now for us to work on, and everybody in this Chamber knows it cannot pass without 60 votes. As the debate unfolds, amendments are debated and hopefully a path is found that will produce the 60 votes necessary to send it on to the House and to the President's desk.

So I differ with my colleague, with whom I actually have collaborated on a number of projects. My colleague sees this differently. He sees this issue as one of politics. I see it as one of an urgent need in America for our students to have a chance to go to college with affordable financing, and that affordable financing will expire a few weeks from now. It is incumbent upon this body to take up this issue and provide a pathway to prevent that from happening.

I am struck by the voices I am hearing from Oregon. I was doing townhalls in Oregon, and people expressed concern about this to me. I am receiving letters from students about this issue and from other Oregonians. This is really a kitchen-table issue. This is the family sitting around the kitchen table and saying: How are we going to make things work? Is our child going to be able to go to college? Are we going to be able to afford it? We can contribute a little, and hopefully our son or daughter will get some grants, but they will also have to borrow some money. If they have a huge debt load and a high interest rate, will that be feasible for them or will they have to take a year or two off and try to find a job or two in the service economy to save money and then go back, and then what?

That is why student loan rates are so important. It is about the opportunity for our sons and daughters to have the course in life in which they are able to pursue their dreams and realize their potential. That is what this debate is about. That is a pretty big deal—certainly a big deal for students in my State of Oregon, for their parents, and for our future economy, which needs to have our children in America well-trained in order to drive the success of our economy.

We are facing a Republican filibuster saying: We don't want to talk about this issue. That is what a motion to proceed is. My colleagues have said: No, we don't want to debate it. I disagree with them.

Let's hear it through the voices of some of those folks on the front line.

Sermin from Multnomah writes:

Dear Senator Merkley:

Today I am writing about student loan interest rates. I do not want to see these rise, even double, when the legislation expires in July.

Please fight to keep these loans at a low interest rate so average Americans can have a chance at an education, a better life, without crippling debt.

She continues:

I was just accepted in the University of Oregon's graduate program in architecture. I have applied for loans as I do not have the money to pay for this education. My husband and I will have to scrape by when I quit my job to go to school.

Once I graduate and find employment, I am confident in my ability to pay back the loans. But raising interest rates would make it difficult to do so quickly, adding $5,000 in interest to my 5-year payback plan.

Please stand with middle America, average Americans, and support legislation to extend the low interest rates on student loans.

Kalie from Polk County writes:

Senator Merkley,

I am currently a freshman in college and have taken out a substantial amount of student loans in my own name to make my goal of attaining a college degree attainable.

Being 18 and having more than $20,000 in debt is scary, especially with the insecurity of today's economy, but I strongly believe that I am making the necessary investment to not only better my own future, but that of the U.S. society as a whole, as well as generations to come.

As it stands right now, a college education is something that, realistically, not everyone can achieve purely from an economic standpoint, and the legislation to raise interest rates on Federal student loans would only make attending college all the more difficult for some.

Please do myself, my peers, my future children, and their grandchildren a favor and help keep student loan rates where they are.

Help to make college more affordable for all people so more of our citizens can realize their dreams of higher education while simultaneously building a better country for future generations.

Doesn't that sum it up? ''Help to make college more affordable for all people so more citizens can realize their dreams while simultaneously building a better country.'' I think she got right to the heart of it.

Caroline in Benton County writes:

I am an oncology nurse, presently working on my Master's degree in nursing. Like many others, I have student debt. If we are to have an educated workforce, we must ensure that the high cost of education doesn't leave students in financial ruin.

Indeed, the fear of financial ruin from heavy debt burdens and high interest rates is a significant factor that is dissuading people from pursuing higher education.

Cynthia from Columbia County writes:

If we expect to compete in a global marketplace, our children must have affordable access to education.

I have two kids in college, and the debts we are incurring are already topping $50,000; is it right that only rich people can send their children to college?

What kind of a country is it where we can spend billions on ''independent security contractors'' in Iraq or Afghanistan, but not on our own children's education?

She concludes:

Please support a plan to keep student loan interest rates from doubling this July.

I want to dwell on the point she made for a moment. We spent $120 billion in

Afghanistan last year on misguided nation building while we let nation building at home suffer, both in terms of investment in our infrastructure and investment in education. So Cynthia wonders what is wrong that we are failing our children when we have billions to spend on a misguided war overseas.

Alana writes:

I am working to pay off student loans now, which is hard enough. Now my family's trying to send my youngest sister to college and is finding it hard to afford, and we are upper middle class. If we can barely afford an education now, how will anybody be able to do so if the interest rates go up? Please support the plan to stop this. This is a critical investment in the success of our middle class.

I think these folks from Oregon—Sermin, Kalie, Caroline, Cynthia, and Alana—have hit the critical points here. They may not know the finer points of Senate procedure, but the fact that a good portion of this Chamber is voting to block having a debate and consideration of this bill because the bill doesn't start in exactly the form they want it passed at the end is pretty difficult to explain.

I say to my colleagues, if they don't like the bill as it is, why not bring your amendment? The bill still cannot pass in the end without a supermajority, so why not bring forth your amendment—collaborate with others and bring an amendment forward.

There is a fundamental disagreement in the beginning on how we pay for this extension. It would not surprise anyone that I would say let's end this war in Afghanistan. Let's pay a third cutting down our deficit, a third on infrastructure, and a third on education, including keeping student loans affordable. But that is not the plan we are debating today. I would be glad to propose that plan if colleagues would like to join me to create a supermajority. I would do so after we are on the bill. You introduce a bill, you debate and amend it, and you have a final vote. You cannot get it done without a supermajority in the end.

The bill as introduced says we are going to close a loophole that is a tax entitlement for the very well off. I have heard many colleagues across the aisle talk about entitlements for the poor. I point out they should be equally concerned about wasteful entitlements for the best off—in fact, more concerned. One is a fundamental safety net for those who are struggling in an economy where there are few jobs. The other is a big bonus for the best off at the very top of society. Doesn't it strike my colleagues that the safety net is better than the big bonus for the best off? Well, my colleagues across the aisle have said: No, no, no, we want the bill to start with our payment plan, which is to strip health care prevention from children and parents. I guess they weren't raised with the same story I was raised with, which is that an ounce of prevention is worth a pound of cure. It is simply better to inoculate children than to hospitalize children with whooping cough. It is better to prevent measles than to have children suffer with measles and be damaged by measles. It is better to manage diabetes than it is to amputate feet and provide guide dogs because folks have gone blind from diabetes. Prevention is better than cure. An ounce of prevention is worth a pound of cure.

I disagree with the plan to strip prevention as a strategy when we have options. Let's take that money from nation building in Afghanistan, let's take the money from bonus breaks for the best off in society, those tax loophole entitlements—let's do that because those do not rip a big hole in the safety net for Americans.

I come from a working family. My father was a millwright and a mechanic. They weren't sure how I would be able to go to college. They were determined that I would go. They raised me to believe in gaining the education necessary to have opportunities in life. But they didn't have the money. Despite the fact that I worked a job in college, that wasn't enough money. I got substantial grants, and that wasn't enough money. I had to take out loans, and I had to pay back those loans. The interest rates matter.

I say to my colleagues: End your filibuster. Come here as Senators, present your amendments, debate this bill, and if you don't like the bill in the end, vote against it. But do not block this debate on an issue of fundamental importance to the success of our children.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. FRANKEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Madam President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Madam President, yesterday our colleagues on the other side of the aisle stopped the Senate from reducing the enormous burden of debt that students take on. At a time when college is more expensive than ever, this body's inaction will increase each student's borrowing costs by about $1,000 for each year of college. And that is no small amount for most American families. That is because on July 1 the interest rate on new subsidized Stafford loans is expected to double from 3.4 percent to 6.8 percent. We have been talking about this all day. The students who qualify for these loans are from middle-class and low-income families. If the Senate does not act soon, we will make it even harder for them to receive the education and training they need for jobs in this 21st century economy.

High school students and adults looking for new career opportunities realize how economically necessary it is to attend college. In my generation, if you had a high school degree, you could get a good manufacturing job that paid a decent wage and gave you health care and a pension. Today we need postsecondary training and strong computer math skills to operate the equipment in most manufacturing facilities. But it is not just manufacturing, it is many of the fastest growing jobs in the United States—it is computer jobs and health care jobs. A high school diploma is simply no longer a ticket to a job that pays family-supporting wages.

With an increasing number of jobs requiring some level of postsecondary training, we have a significant skills gap. In Minnesota—a State the Presiding Officer and I are proud to represent—70 percent of the jobs in the next several years will require postsecondary training. Yet only 40 percent of working-age Minnesotans currently have a postsecondary degree. Most of our States have similar skill gaps.

The United States used to lead the world in the percentage of adults with a college degree. Today we are No. 16. If our Nation is going to prosper in a global economy and continue to grow economically, we need to provide pathways for students to attend and pay for college so we can close those skill gaps.

A number of students are lucky enough their parents can provide these pathways for them and help pay for college, but most other students have to work—part time, maybe even full time. The Presiding Officer will appreciate this. I had students from the MNSCU board—their top students—who came to visit me. I am sure they visited my colleague too. There were about 15 or 20 of them. They represented Minnesota's colleges and universities. I asked them: How many of you work at least 10 hours a week while going to college? All of them raised their hands. I asked how many work 20 hours a week. Most of them. I asked how many work 30 hours a week while going to school. A lot of them. And how many of you work full-time, 40 hours a week, while going to college? A number of them.

That is no way to go to college. When you work 40 hours a week, can you take the full course of credits? Maybe not. So then maybe it takes you 6 years to graduate. But they are also taking out loans, and often huge loans.

We take for granted these days that students can get a loan, but 50 years ago that was not true. Students could get scholarships, but that was about it. My wife's family did it on Pell grants and scholarships. At least until 1957, when the Russians—or the Soviets at

the time—launched Sputnik. Suddenly, the Soviets had nuclear weapons and were ahead of us in space and, as a Nation, we were terrified. It woke our Nation up to the importance of better educating Americans and getting them the skills they needed to compete with the Soviets. That meant more Americans would have to go to college.

I was 6 when Sputnik was launched. My brother was 11—younger than the pages. A lot younger. My parents sat us down in our living room, in St. Louis Park, MN, and said to us: You boys are going to study math and science so that we can beat the Soviets. I thought that was a lot of responsibility to put on a 6-year-old, but my brother and I were obedient sons and we studied math and science. And wouldn't you know it, my parents were right. We beat the Soviets. You are welcome.

But to get there we had to put in place new Federal programs to help average Americans afford college. A year after Sputnik was launched, Congress passed the National Defense Education Act, which helped put America back on top. This was actually the predecessor to the Perkins loan program, and it offered students low-interest loans to go to school, with a preference for low-income students.

This was just the beginning. Soon we gave student loans to medical students, created the Federal work-study program, and in 1965 created the Guaranteed Student Loan Program. This last one was later renamed the Federal Stafford Loan Program—which is what we are talking about today—and it made more money available to students to offset rising tuition. All this, really, because of Sputnik.

Today, there are two main types of Federal loans. Subsidized Stafford loans are awarded based on need, and unsubsidized Stafford loans are available to all students. The overwhelming majority of subsidized loans go to students from middle and lower income families. The Federal student loan program was created to open the doors of higher education to more Americans and provide them with stable, low-cost loans to pay for their education. And it originally did so to help Americans compete with the Soviet Union.

Well, we may have beat the Soviet Union, but we now face new economic threats from rising powers such as China and India. In our interconnected world, in which it is easier than ever to outsource, the quality of our workforce matters more than ever before. So with college costs increasingly out of the means of many American families, in 2007 Congress decided to help lower and middle-income students by cutting the interest rates on the subsidized Stafford loans.

The rates declined incrementally over time to a low of 3.4 percent this past year. But because this program was so expensive, the 2007 legislation would sunset on July 1 of this year and interest rates for subsidized Stafford loans would double, going back up to 6.8 percent.

Allowing this to happen doesn't make sense. Interest rates on mortgages and Treasurys are far lower than they were in 2007, when no one had any inkling of the turn our economy would take. No one could have predicted we would be experiencing near-record low interest rates and that it would make no sense to double them now to 6.8 percent. Of course, the threat we face from global competition has not waned in the last 5 years. It is greater than ever.

So with the July 1 deadline rapidly approaching, the time to act is now. Most high school seniors already have had to decide where they are going next year, and now they are figuring out how to pay for it. While students are wrestling with these tough decisions, it is not time for us to get into a procedural fight here in Washington. I am hopeful we will vote again this week to move the bill, and this time we will put our differences aside and represent all the families in all of our States who can use any bit of help we can offer them.

I am glad to hear my colleagues on the other side of the aisle agree we should stop the interest rate from going up, and we agree we should be fiscally responsible and pay for it. We just disagree on how to pay for it. I am proud to have joined a number of my colleagues in putting forward the legislation before us with a responsible, commonsense offset.

I think we can all agree that if you are going to collect Social Security and Medicare, it is only fair you pay in what you owe, and yet some people have found a loophole that allows them to game the system using subchapter S corporations to avoid paying some of their Social Security and Medicare taxes, some of their FICA.

Most small business owners are not only honest but incredibly civic minded, and so they pay all the payroll taxes that they owe. Unfortunately, a small percentage of individuals have found a loophole.

If you have an S corporation, which is basically a passthrough—which means at the end of the year the profits are passed through to you as your income. If you have that, whatever profits you make at the end are considered income by the IRS. So if you make $300,000 in 1 year, you pay income taxes on all of that. Either way, on this you pay income taxes on all your income. Here is the loophole: You decide, I know what I am going to do. I am going to pay myself an artificially low amount, $40,000, and call that my salary. You pay FICA on that amount so you can qualify for Social Security later on in your life. Then at the end of the year, you get the passthrough of the other $260,000. You still pay income tax on all $300,000 because it is all considered income. It is not capital gains; it is still income, so you pay income taxes on it. But because of an ambiguity in the way the law is written, you can avoid paying FICA taxes on the $260,000.

Again, this money is indistinguishable from the so-called salary you took earlier. You could have paid yourself $30,000, so it could be $270,000 that you harbor from FICA.

All of this is active income you are making because of active work you have done—it is not capital gains—so you should pay FICA taxes on all of it. There is simply no excuse for not paying FICA taxes on all of your income—Medicare taxes on all the income and Social Security taxes on up to $110,000. That is what anyone making $300,000 would do except for this anomaly that was accidentally written into the Tax Code. This is exactly the kind of loophole we should be closing.

I hear all the time that we should be closing loopholes so we can keep the marginal rates down. If you can't close this loophole, you can't close any loophole. There is no reason this loophole exists. There is no good reason for it, there is no purpose to it, and there is no reason to keep it. It is an accident that results in people avoiding their rightful obligations. Our legislation would close the loophole for those individuals making over $250,000.

Governing is about making choices, and this one seems as clear as day to me. Save millions of Americans about $1,000 for each year of schooling on their college loans by closing a tax loophole that allows the wealthiest among us to avoid paying taxes they should pay and avoid gaming the system. It sounds like a no-brainer to me. Instead, a minority of Senators is stopping consideration of the bill because they object to closing this loophole. They want to repeal a section of the Affordable Care Act that supports prevention efforts. They want to eliminate the provision that helps stop diabetes and other diseases before they occur, the kinds of chronic diseases that are driving our health care costs through the roof. This is simply shortsighted and, frankly, fiscally irresponsible.

But I am ready to have that debate. Let's have it here. Let's debate the different ways to pay for this legislation. Let's stop this filibuster and proceed to consideration of the bill. Let's work together to keep America on top and rise to our generation's Sputnik challenge.

Millions of students are depending on us. This bill will provide some relief to those students. Millions of businesses are depending on us to give them the educated workforce they need. This bill will take a small step toward helping them as well. It is time to act. I call on my colleagues to work with me to pass this important legislation.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Madam President, I come to the floor to share some letters I have received about the importance of freezing the 3.4 percent Stafford subsidized college loan program.

It is important because there are some 380,000 students in my home State of Ohio alone who are in the Stafford subsidized loan program. Many of them will see as they continue their college education—whether it is at Sinclair Community College in Dayton or Youngstown State or Hiram College—where their costs are continuing to go up. We know the average Ohio 4-year college graduate has about $27,000 in student loan debt. That is much higher than people had a decade ago or 20 years ago or 30 years ago or so when my generation was in college.

Federally subsidized student loans have been a reliable answer for so many in my State. I wish to encourage people to tell their stories. Some of my colleagues in the Senate are doing this also, but I urge people in Ohio to go to brown.senate.gov/collegeloanstories, and tell your story about how important this is.

The disappointment is that 5 years ago this was bipartisan. President Bush signed a bill that many of us here sponsored, in both parties, in a Democratic House, Democratic Senate, a good bipartisan support, signed by a Republican President to lock in for 5 years this 3.4 interest rate. If we do nothing, if we can't get our Republican colleagues to join us on this and then do the same in the House of Representatives to continue this 3.4-percent subsidized Stafford loan, it is going to mean that come July, the average college student will pay about $1,000 more for each year of college. That is unconscionable when college student loans are such a burden.

It means people who have these loans at this level, when they get out of school they are less likely to buy a house, less likely to start a family, less likely to start a business.

If people will bear with me, I wish to read four or five of these letters I have gotten on our Web site.

Nick from Beavercreek, OH:

I am a college student at Xavier University, Cincinnati, Ohio studying chemistry and biology. I hope one day, through my education in the sciences, that I might be able to make us a stronger nation through innovation and technology.

The fact of the matter is that I would not be able to pursue an education if it were not for student loans from the Government.

On behalf of the future of science in this country, which is in trouble already from what I hear, I urge you to reach a bipartisan agreement that would prevent interest rates from doubling.

It seems that student debt is unavoidable for the average college student. College already is an expensive investment that shapes our personal finances for the rest of our lives.

I ask that you, on behalf of those who are already burdened by debt, to find a way to reach across the aisle on this one and stop interest rates from rising.

I ask that you find a way to lighten our load. We would not forget that if you did that for us. We would greatly appreciate policy that opens up avenues to higher education for ourselves as well as for those future seekers of such an education.

Justin from Cincinnati, in Southwest Ohio:

I am the first person in my family to attend college and am on track to completing my BS in experimental psychology. I plan to go straight into a Ph.D. program after I graduate and the prospect of loan rates doubling is absolutely horrifying.

I work full time to be able to support myself but still have about $15,000 in student loans. By no means does this compare to others who have much more in loans but allowing the interest rate to double is unacceptable and severely limiting to individuals such as myself.

Lower tuition would boost the number of students attending college making life better for everyone.

I don't suggest that everybody should go to college. I know everybody doesn't want to go to college. But I do know that people often need a technical education or a 4-year degree, a 2-year degree at a community college or a technical degree or a 4-year degree at a liberal arts school, a State university or a private school. The choices in my State are huge. We have literally dozens and dozens of small liberal arts schools and 4-year and 2-year community colleges and institutions of higher learning. Students should be allowed, if they choose, to be able to have access to college. Increasingly, it is more difficult for students to do that.

Lorie from West Jefferson, OH:

I am a full time working mother of three teenage boys as well as a full time college student at Ohio Dominican University.

I currently have over $40,000 in student loans. I still have one more year to go before completing my program and earning my Bachelor's degree.

By that time my loan amounts will probably be around $50K.

About the time I finish college, my oldest son will be beginning college and the student loan process will begin again.

He will be the first of three children that we will put through college.

Listen to the definitive. She has decided she is going to make sure her kids get a chance to go to school right away. I don't know her, but apparently she didn't get a chance to go until she was older and became married, with children, and has decided to go back to school and is completing her education as her children reach their teens or mid-teens or upper teens.

Low interest rates would help make this a little less of a financial burden for me and my family.

I do not see how raising interest rates on student loans do anything but cripple those trying to better themselves.

The last couple I will read. Linda from Centerberg, OH:

We are grandparents of 5 children. We and our children are middle class constituents who live in a rural area close enough to Columbus to commute.

Please do not let the interest rate for the Stafford Loan increase in July.

Our oldest grandchild is preparing to start college in the fall. She is fourth in her class and shows great promise for a good future in her chosen field, but our children are finding that paying for college is really going to stretch their budget.

Please don't put a further burden on our grandchild by increasing the interest rate of a loan she may need to finance her future.

So those last two are interesting in that this doesn't just affect college students; this affects the parents; it affects the grandparents. It is important that they don't want welfare. They just want an even shot and a break here. That is so important for this grandmother. People understand that this is going to help everybody if they get to go on to college.

The last one I will mention is Carla from Steubenville in eastern Ohio, near the Ohio River:

I am very concerned about the raising of interest rates for student loans.

I am a mother in a middle class family working to help put my sons through college.

I don't expect a handout but I have worked hard to acquire my position as a teacher.

My husband and I have exhausted our savings to pay for most of our sons' expenses—even with the support of subsidized and unsubsidized loans.

I have put out over $80,000 in my eldest son's college. Please, let's help those that help themselves. If not, then the economy is going to continue to fail.

The middle class will go bankrupt just trying to pay for their kids college.

I was taught to work and you shall receive but that is not true anymore. Please help the working poor.

What I take out of this more than anything is back in the 1940s and 1950s our government, through legislation that President Roosevelt signed in 1944, the GI bill, created a whole generation of prosperity. Millions and millions of young men and women coming out of World War II were given the opportunity to go to college and build homes and get their families started.

Because government at one time helped these millions and millions of students, it lifted the entire country. It lifted the economy. We had a much more prosperous economy because all these young men and women went to college because they chose to—millions and millions of them—because of the GI bill. It meant colleges were built. It meant more highways were built. It meant more businesses were started after they got out of college.

This subsidized Stafford Loan, as the Presiding Officer this afternoon knows, as we all know, helping all of the hundreds of thousands—in my State

380,000, in Minnesota more than 200,000 students—helping those hundreds of thousands of students in our two States will help our States become more prosperous.

Again, I urge my colleagues to support our legislation. Lock this in. Do it bipartisanly. It was bipartisan 5 years ago, as the highway bill used to be bipartisan, as raising the debt limit used to be bipartisan. Please return to those days when bipartisanship around here was rewarded and was effective.

I close by asking people to go to my Web site and tell us your story: brown.senate.gov/collegeloan stories. Tell us your story. I would like to share it with my colleagues because I think putting a human face on this for the student, for the parents who are struggling, even for the grandparents who care so much about the future, as most of our grandparents do, can make a real difference.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, we are still here. We have not gotten much of a response from our colleagues on the other side of the aisle about our legislation that would help students throughout America pay their tuition costs and pay a reasonable amount of interest on their loans. I don't know what my colleagues are waiting for. We all know the crisis in America. College has become more and more important. To many, it is a necessity, and it has become more and more expensive. That equation is not only hurting the kids who go to college, it is hurting their families and hurting this country.

When the percentage of people who graduate from college declines vis-a-vis other nations, that is a very bad sign for America. We can talk about the problems of quality in our K–12 schools, and those are important issues, but our higher education system is still rating just about the best in the world. That is shown by the fact that hundreds of thousands from around the world, including places such as China and India, apply to our schools, come here and attend. It is a shame we send them back even if they want to stay, but that is an immigration issue not an education issue.

Our schools are great, and the big problem with higher education in America is not quality—although, of course, it could be made better—it is affordability. It is not the same as K–12.

Yet here we are, sitting here, and the other side is in a certain sense twiddling their thumbs and making it worse.

How is America going to stay the greatest economic power in the world when fewer and fewer of our bright, capable, hard-working students can afford college and when more and more of them decide they are not going to go to school or, if they go to school, not to the college of their choice for financial reasons?

We put a reasonable offer on the table. The proposal is we pay for our college tuition act by closing a loophole that people such as Rush Limbaugh said should be closed when John Edwards was found to have used it in his law firm, when other leading Republicans in 2004 said this is one of the greatest abuses of the Tax Code they had ever seen. All of a sudden our colleagues on the other side of the aisle say they cannot vote for it. This was an issue that was talked about as we talked about dealing with the budget gap in August or in December—during last year, whenever it was. Again, we did not hear objections from the other side: Take that one off the table, we can't live with it.

It seems what is going on is very simple. Our colleagues know that it is certainly politically unpopular, but probably it is politically wrong to allow interest rates to double. But they can't just say they are against it. They tried to say they are against it, but when the President went around the country and talked about it they had to back off that.

So in the House they came up with a pay-for which was sort of laughable. Everyone knew that would never pass, and no one took their position seriously. But we had always hoped that our colleagues in the Senate who, frankly, have been much more reasonable in the last little while—we passed a highway bill with bipartisan support, we passed a postal reform bill with bipartisan support, we passed the Violence Against Women Act with bipartisan support, and we thought we could get this done with bipartisan support.

Our goal is not to draw a difference between the parties—that has been apparent—but to get this done. We thought when we put our proposal on the Senate floor they would accept it. At minimum we thought they would at least come back with an offer: Let's debate it. Let's try and see if their amendment passes in terms of a different pay-for. Let's see if our amendment could get support. Instead, what have we found? A filibuster blocking the Senate from even considering this reasonable measure.

I am going to yield the floor because I see my colleagues have arrived, the Senator from Connecticut and the Senator from New Hampshire, who I know have strong beliefs about this issue. We have an all-New England cast in the room, with a little help from the Mid-Atlantic.

I hope they will reconsider. I hope they will reconsider because it is better for the politics of this country to come together once again on reasonable issues, as we have done in the past few months. It is better, frankly, for their own politics. I am not wishing them ill. But most of all, it is better for the future of our country. Please reconsider. Let's move forward and debate this bill and let's not let the high cost of going to college get unnecessarily higher.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow my distinguished colleague from New York and his very powerful and eloquent words on a subject that concerns all of us, not only in New England but across the country. I have heard from countless students in Connecticut where we have some of the best educational institutions in the country. I know my colleague, Senator SHAHEEN from New Hampshire, has been very much in touch with the people of her State, and particularly young people there, striving—as they are in Connecticut—for more affordable education.

We are talking about the future of our country. There should be nothing contentious, certainly nothing partisan about this issue of financing the future of education and particularly student loans. This ought to be a common cause, and it ought to be bipartisan. I believe eventually it will be because we need to come together on this issue for the sake of young people whose lives are very directly and immediately impacted by this issue in Connecticut and across the country. The impact is not only on their lives but our competitive economy, increasingly a global economy in Connecticut that depends more and more on exports and more and more on talented and gifted and trained, educated skilled people. We need them in Connecticut, and we cannot permit the interest rate on Stafford loans to rise to 6.8 percent from its present rate of 3.4 percent.

Even now the debt with the present 3.4 percent is crushing to many of our students who are struggling to pay their student loans with that lower interest rate.

Stanley Knotowicz—who contacted my office, who is seeking solutions in good faith, constructively, and positively—reached out to my office because he experiences the same financial hardships facing millions of recent graduates across the country. He is paying $70 a week for gas. He is providing financial support for his grandmother in her late eighties who might lose her home. He is trying to save money to get his own apartment. He is one of the many students in Connecticut and across the country who have reached out and my office has helped him.

I have also heard from Brenda Kasimir, a mother who would be crushed if she were forced to pay this higher interest rate. Again, my office has helped her to meet the ever-increasing challenge of today's economy with that student debt that now, overall, is the highest of any debts faced by our people as a whole, more than $1 trillion.

Senators REID and HARKIN want to come to a solution that will keep the burden off the backs of students without adding to our national debt. It is not a tax increase that they propose, it is simply a solution that clarifies tax rules that are already in existence by closing a loophole. It is known as the Gingrich-Edwards loophole. I wish it were not known by that name. But it lets lawyers, consultants and highly paid professionals dodge payroll taxes and push that burden off on the middle class.

Getting rid of this loophole is another step toward an America where everybody pays their fair share and everybody plays by the same rules. It is the America that we grew up believing in. It is the America that we continue to believe in. Some have claimed that it is an America we have lost. I don't believe it. We can prove it by closing this loophole.

The provision proposed by Senate Democrats to close this loophole is narrowly tailored to affect only wealthy individuals, those making over $200,000 for an individual or $250,000 for joint filers. They are trying to shield their salaries from taxes, calling themselves small businesses. It will not affect the actual small businesses of this country, and it will not raise taxes for anybody who already pays what they owe in payroll taxes.

This loophole should be closed independent of the student loan crisis. We ought to close this loophole regardless of the challenge we face now in keeping the interest rate at 3.4 percent.

Very simply, we are being asked to make a false choice—the choice between accessible education and improved public health. It is not a choice we have to make. Our long-term economy and, as a result, the Federal budget will both benefit if both of these goals are served and preserved.

There is an old saying that an ounce of prevention is worth a pound of cure, and that is supremely epitomized by this situation. Last year an analysis in Health Affairs found that for each 10 percent increase in local public health spending, the rate of infant deaths and death from diabetes, heart disease, and cancer dropped significantly. Preventing these deaths and the costly treatment that precedes them could save the Federal Government large amounts of money and improve the quality of life for countless Americans.

I urge my colleagues to come together and recognize that preventive health care is essential not only to the future of this generation that will take advantage of the 3.4-percent interest rate for their Stafford loans but other generations as well, generations whose they will be and generations who are their parents.

This program is essential. The 3.4-percent interest rate should not be a partisan issue, and we should be closing this loophole regardless of the Stafford loan issue. But one way or the other, we should pay for it by closing the loophole and making sure students have an affordable interest rate for these Stafford loans.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. INHOFE. If the Senator would yield for a unanimous consent?

Mrs. SHAHEEN. I will yield.

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks by the Senator from New Hampshire, I be recognized for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I am pleased to join my colleagues from Connecticut and from New York and others who have been on the floor today to talk about the importance of addressing the—of avoiding, I guess I should say, the potential for the student loan interest rates to rise at the end of June. The fact is that the U.S. workforce needs to have the skills to compete in the global economy, and that means making sure college is affordable because so many of the new jobs that are being created require higher education.

The reality is that students today face ever-growing tuition rates, and student loans are a critical bridge for them to cover these costs. But unless we act, over 7 million students—38,000 in my State of New Hampshire alone—who rely on subsidized Stafford student loans will see an increase in their student debt when they graduate.

This is a particular problem for students in New Hampshire because our students have the highest average student debt in the Nation. They are graduating with just over $31,000 in debt per student. Not only do they have the highest average debt, but 74 percent of our college students are in debt, and that is the second largest number in the country. So we have the highest average debt and the second highest number of students graduating with debt.

Students in New Hampshire and across this country need some relief, and doubling the interest rate is exactly the wrong way we should be going in terms of policies to promote giving every American the opportunity to succeed. We need to encourage our students to go on to higher education, to advanced-degree programs, and to professional schools. Their future employment and our future economy both depend on this.

Last week I had the opportunity to visit with two of our State colleges, Keene State College and Plymouth State University. Everyone I spoke with had stories about the escalating cost of college and concern for rising student loan interest rates. Over the past 24 hours I have heard from hundreds more constituents who are anxious about this.

Now, to be clear, the legislation we are considering would affect current and future students who will receive subsidized Stafford loans starting July 1. The last thing anyone needs in this economic climate is a reason not to pursue their undergraduate or graduate studies.

Meghan Jordan of Amherst is a sophomore at the University of New Hampshire. She told the Union Leader newspaper that student loan debt has become a constant concern for her. Meghan says that her parents would do just about anything to pay for her college education in full, but with two brothers also in college the finances are simply not available. Meghan views the prospect of interest rates doubling as an attack on college students trying to make a better future for themselves. Sadly, she said it feels like it is a punishment for trying to obtain a college degree.

When I was at Keene State College in Keene last week, I met Keith Couch, a parent who has a daughter at Keene and a son at Boston College. Between his two kids, his annual tuition bill comes to $90,000. No wonder he is having trouble figuring out from where the money is going to come. He spends hours trying to figure out how his family will make college payments each month. He said loans help bridge that gap.

One constituent, Erin, posted on my Facebook wall that her husband recently completed medical assistant courses at Hesser College in Manchester. He is due to start paying his student loans next month, but he hasn't been able to find a job in his chosen field. Erin said that family finances are tight and if interest rates were to double on the loans they have, there is no way they would be able to pay them back.

The stories I have heard in New Hampshire are similar to the stories Senator BLUMENTHAL told about Connecticut and what Senator SCHUMER has had to say about New York and what we are hearing from students and families across the country. Higher education is essential for economic opportunity and personal growth. It is equally essential to the prosperity of our country, and, most importantly, the prospect of higher debt levels affects whether people choose to enter college to begin with.

When I was in Plymouth last week at Plymouth State University, a student stood up and said: I want to teach history. Tell me why I shouldn't just drop out of college and be a mechanic. I said: Well, I like teachers myself, and we need more of them. But in this rapidly changing, highly competitive global economy, we should be doing everything we can to make sure college is more accessible to Americans so we don't have students across this country saying: Why shouldn't I drop out if no one supports my getting a college education?

It is critical for all of us, and, unfortunately, high debt burdens have serious consequences for individuals, for families, and for the economy. Student loan debt affects where graduates live, the kinds of careers they can pursue, whether they can start a new business, when they can start a new family, when they can purchase a new home, and when they can start to save for retirement.

Our students deserve better. We need to get rid of any obstacles that are keeping our students from getting the education they need to succeed. We should not put more obstacles in their way. We need to come together, Democrats and Republicans, to stop this increase in student loan interest rates and to do what is in the best interest of our families and our young people who need that college education.

Thank you very much, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I am proud to rise today to support the Stop the Student Loan Interest Rate Hike of 2012. I cosponsored this bill because it extends the current interest rate of 3.4% for subsidized Stafford Loans for the next school year. This interest rate reflects a record low for interest rates on Federal student loans, and these loans can only go to students and families that demonstrate a need for them; nearly 50% of the students that take advantage of subsidized Stafford loans come from families with an annual income of less than $50,000. Subsidized Stafford loans help more than 7 million students attend an institution of higher education without worrying that the interest on their loans will begin accruing while they are in school. It helps more than 103,000 students in Maryland. Middle class families are feeling stretched and stressed and if we fail to act, students could be facing an additional $1,000 in debt over the life of their loans.

It is important to note that we will not expand our Federal deficit, and we will help families not expand the family deficit, by keeping the interest rate at 3.4 percent. Senator REID'S legislation offsets the cost of this legislation by closing a tax loophole enjoyed by individuals seeking to avoid paying payroll taxes on their income. This would only affect those who make more than $250,000 a year and simply requires people who make any income from a professional service business such as lobbying to pay taxes if more than 75 percent of the income from that business comes from three or fewer shareholders.

I adamantly oppose the alternative proposal from House and Senate Republicans that would repeal the Prevention and Public Health Fund authorized by the Affordable Care Act. In the last year alone, that prevention fund has funded activities in my home state of Maryland to promote tobacco prevention, substance abuse prevention, mental health services, and community programs to promote healthy living. The fund is also used to invest in childhood immunizations to decrease the risk of disease among children. In the future, the President plans to use this fund to support breast cancer screenings for more than 300,000 women and cervical cancer screenings for more than 280,000 women. Repealing the prevention fund would not only strike an unnecessary blow to prevention activities aimed to improve the lives of women and children, it would also promote increased health care costs by eliminating strategic investments meant to prevent or mitigate chronic illnesses that can be expensive to treat.

Students will bless us if we are successful in keeping their student loan interest rates as low as possible. Getting a college education is the core of the American dream and I am going to be sure that every student has access to that dream and make sure that when they graduate their first mortgage isn't their student debt. This legislation pending before us today should be passed in a swift, expeditious, uncluttered way. This bill is absolutely a great bill for students and it is a great bill for America. It gives our students access to the American dream. It gives our young people access to the freedom to achieve, to be able to follow their talents, and to be able to achieve higher education in whatever field they will be able to serve this country.

I urge the swift passage of Senator REID's legislation to maintain the current interest rate for subsidized Stafford loans.

The PRESIDING OFFICER. The Senator from Oklahoma.

EPA

Mr. INHOFE. Mr. President, first of all, I will be introducing a bill in a minute called S. 3053, but as a predicate to that, let me talk again about my ongoing investigation of the overreach of the Environmental Protection Agency.

Certainly the Washington Post is right-on with their editorial. On May 3, the Washington Post editorial board penned an editorial entitled ''The EPA is earning a reputation for abuse.'' In this editorial, they discussed how former region 6 Administrator Al Armendariz's ''philosophy of enforcement'' has severely hurt the EPA.

To refresh your memory, it was a couple of weeks ago at this very podium that I read the quotes I am about to quote again today. While the Washington Post doesn't agree with me all the time, I was pleased to read that they saw that the ''crucify'' policy Mr. Armendariz purported in his visit to Dish, TX, clearly showed that he ''preferred to extract harsh punishments on an arbitrary number of firms to scare others into cooperating.'' Further, the Washington Post editorial board saw this attitude as both unjust and threatening to investors in energy projects.

While Armendariz has resigned—he is gone now—his statements have undermined the legitimacy of the EPA's regulatory authorities. We know that the policy of extracting harsh punishment on arbitrary individuals in order to scare others into cooperation was not just an inflated rhetoric. Mr. Armendariz followed through on his philosophy when he had the EPA region 6 pursue a trumped-up emergency action against the natural gas company Range Resources in Texas. The EPA is not using its powers fairly and is showing its enforcement is arbitrary, unreliable, capricious, and unduly severe.

But the Post's editorial board didn't see Armendariz as an isolated incident. They also called out EPA's actions in another recent high-profile misuse of power that has hurt the Agency's credibility.

The EPA insisted that an Idaho couple, the Sacketts, stop construction on a home because that violated the Clean Water Act. On March 21 the Supreme Court ruled unanimously—this was not a split decision; it was unanimous, 9 to 0—that the EPA had exceeded its authority in pursuing the Sacketts and has ensured that they and other people who find themselves in similar situations can overcome the EPA's assertion of whether or not their property contains jurisdictional wetlands, without submitting to the permit process. A mere 2 days later, the EPA was again called out for overreaching its authority on water issues. Then on March 23 the U.S. district court ruled that the EPA overreached in revoking a permit to Arch Coal after the Army Corps of Engineers had already granted it. In quite a blow to the Agency, the judge said EPA's claim—and I am now quoting what the judge said in his order—''that section 404(c) grants it plenary authority to unilaterally modify or revoke a permit that has been duly issued by the Corps'' is a ''stunning power for an agency to aggregate to itself when there is absolutely no mention of it in the statute.'' That is what the court said.

Yet, in the midst of scathing rebukes from the press and the courts, the EPA is still acting as if everything is the same as it was before these cases happened, and they are actively pursuing more regulatory power by attempting to vastly increase the scope of the Clean Water Act's reach. In fact, when discussing the results of the Sackett case at an American Law Institute-American Bar Association event on May 3 of this year, Mark Pollins, Director of EPA's Water Enforcement Division, said, ''Internally it is the same old, same old.''

I plan to send a letter to Administrator Jackson addressing Mr. Pollins' comments and trying to find out how an EPA official, in the face of a 9-to-0 Supreme Court decision, could say that the Agency is not going to do anything different. And if the EPA is able to finalize its new Clean Air Act jurisdictional guidance, it will have given itself a whole new set of excuses for pushing the boundaries of the Clean Water Act as far as possible. This continued overreach is why we now have bicameral, bipartisan legislation introduced to stop this current guidance overreach.

Let's take a moment and go back in time to where this all started. We might remember a couple years ago Senator Feingold from Wisconsin and Congressman Oberstar over in the House introduced the Clean Water Restoration Act. The Clean Water Restoration Act removed the word ''navigable.'' This act gave the Federal Government, through the EPA, the jurisdiction over the navigable water. That is what the law was. But they wanted to take out the word ''navigable'' and, therefore, the EPA would have jurisdiction over all land in the United States. It is very simple. It was so unfair that not only did we defeat the Clean Water Restoration Act but the people defeated Senator Feingold in Wisconsin and Congressman Oberstar, after they had been in Congress for a long time. Obviously, this is something that is not popular. It is an overreach and everyone understands it.

Normally, when the Obama administration can't achieve what they want to achieve through legislation, they do it through regulations. We see this in cap and trade right now. We saw the President try to get legislation on cap and trade which amounted to a $300 billion to $400 billion tax increase on the American people and it wouldn't have done any good or helped anyone. Yet it would have been the largest tax increase in history. I go back and compare it with what they were attempting to do with the Clinton-Gore tax increase of 1993. That is where they raised the marginal rates, the capital gains tax, the death tax—this massive tax increase—a $32 billion tax increase. This will be 10 times greater than that. Now they are trying to do what they couldn't do with legislation through regulation. But that is because in order to undertake a Clean Water Act rulemaking, EPA would have to follow a transparent process and engage in a public comment period as required by the Administrative Procedures Act.

For that reason, they didn't pursue that through regulations. Given how unpopular their proposal has been, going through with the rulemaking would make it much more difficult to obtain the expanded Federal control they are clearly trying to pursue. By changing agency practice in this formal and nonregulatory way, they virtually ensure that they will be able to formalize this agenda easily through future rulemaking. So what they couldn't achieve through legislation or, in this case, through the proper rulemaking process, they are trying to do through guidance.

What is even more frustrating than the EPA's continued overreach is that this new guidance would provide no improvement to water and would likely hinder real progress on cleaning water. The guidance's broad reach and legalistic language would inevitably shift the balance of regulatory authority further away from States, which are better equipped to protect waters within their borders. Giving the Federal Government control over nearly all water features will not lead to cleaner water. It will, however, lead to tremendous uncertainty, tremendous confusion, and economic pain for farmers, energy developers, small businesses, and State governments by saddling them with more layers of expensive, onerous, and unnecessary Federal regulations. It is yet another Obama administration policy that will be all pain for virtually no environmental gain.

Congress has been explicitly clear with EPA that this new guidance is unacceptable. Last July I wrote a letter, along with Senator ROBERTS, the ranking member of the Senate Agriculture Committee, and 39 of our colleagues to Administrator Jackson, where we raised our concerns that this document went far beyond mere guidance. EPA and the Corps of Engineers greatly expanded what can be considered jurisdictional waters through a slew of new and expanded definitions and through the changes to the applications and jurisdictional tests.

Administrator Jackson has said this guidance will increase the Clean Water Act's scope. In the economic analysis that accompanied the guidance, it stated that as few as 2 percent and as many as 17 percent of the nonjurisdictional determinations under current guidance would be considered jurisdictional using the expanded test under the new guidance. However, this analysis was only for the Army Corps making dredge-and-fill permit decisions when compared to current practice. The guidance will apply to the entire Clean Water Act, including the National Pollution Discharge Elimination System permits, the Oil Pollution Act and Spill Prevention Control, and Countermeasure plans, water quality standards, and even State water quality certifications. Because most States have delegated authority under the Clean Water Act, this change in guidance will also result in a change in the responsibilities of States in executing their responsibilities under the Clean Water Act and a change in how individual citizens are governed by law.

So what we are talking about is what they have been unable to do with legislation they were going to be doing with regulation. But in this case, what they couldn't do with regulation because it would be too transparent they are trying to do through guidance.

The finalized guidance document is currently at OMB for formal interagency review before it is finalized. We don't know what changes have been made, but based on a draft that was leaked to the press, it doesn't appear that the document is substantially different from the proposed guidance document they put out for public comment last May. This is the last step before this expansive document starts being used throughout the country, and that is why I hope all my colleagues in the Senate on both sides of the aisle will join me in trying to stop it.

Working with Senator BARRASSO, Senator HELLER, Senator SESSIONS, and others, we introduced S. 2245. We call it the Preserve the Waters of the United States Act. It is a bill that stops the EPA from finalizing the guidance and from using the guidance to make decisions about the scope of the Clean Water Act or to turn it into a rule. The House has also acted with chairmen and ranking members of the Transportation and Infrastructure and Agriculture Committees introducing the bipartisan H.R. 4965. I applaud Mr. MICA and Mr. RAHALL in this bipartisan effort, as well as Mr. LUCAS and Mr. PETERSON and Mr. GIBBS for their actions. These bills do not change or roll back any current protections in the Clean Water Act; they simply stop the EPA and the Corps of Engineers from moving forward and making these unprecedented regulatory changes through a guidance document.

The EPA needs to withdraw this guidance document immediately. If it wishes to make changes to the Clean Water Act, it should go through a complete and proper rulemaking process under the Administrative Procedures Act. That is why it is there, so people in America will know the cost of what these regulations mean to them and what they do and do not do. Why do it under the veil of guidance when they should be doing it out in the open? That is what we want. That is all we are asking for.

I mentioned I am introducing a bill today.

(The remarks of Senator INHOFE pertaining to the introduction of S. 3053 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. INHOFE. With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

Mr. HARKIN. Mr. President, yesterday Republican Senators voted to block the bill to prevent the doubling of the Federal student loan interest rate on July 1. As long as they continue their filibuster, there is no clear way forward to prevent that devastating rate hike less than 2 months from now.

If that happens, more than 7.4 million American students will be required to pay an average of $1,000 more per year of school. This is especially important to my State of Iowa—and it is important to all States—where nearly 72 percent of Iowa's college graduates have student loan debt, the fourth highest percentage in the Nation. Those borrowers are carrying an average of $30,000 in student loan debt, which is the third highest in the Nation.

In floor debates this week, Republicans claimed that they, too, want to prevent the rate hike. I welcome their support. But if they want to join with us in preventing the rate hike, why in the world won't they let us proceed to the bill? That will give us all the opportunity to debate the bill and offer amendments.

I call on my Republican friends, if they want to keep the interest rate hike from doubling on students, to call off the filibuster and let's move ahead with the bill. I am not the only one who wants to end this obstruction by our friends on the Republican side. I have heard from constituents in Iowa who are frustrated at the Senate's failure to act. This is a kitchen-table issue for middle-class Americans, families all across the country.

I have heard reports that over 500,000 signatures from students around the country have been delivered to the Hill to show their support for keeping the rate at 3.4 percent. I know many Senators have come to the floor to share stories from their constituents about how the interest rate hike would affect them. I will share a story I received from an Iowa student.

Dear Congressman, [or Senator, as the case may be] I am writing you on behalf of myself, current college students, and future college students everywhere. I recently re-enrolled in college to further my education. This decision came after much time and deep thought. The problem wasn't that I didn't want to attend school, it was whether or not I could afford to attend school.

I live on my own, hold a full time job that I previously attended a technical school to obtain. This job supports me fully, and as much as I love parts of my job, I know that my decision to re-enroll in school to further my education was the right decision for me.

. . . In the middle of all of this preparation, I came across an article in the USA Today that said the Federal Government might raise student loan interest rates. Not just raise, but double them, unless Congress intervenes.

I could not believe what I was reading, and feel so passionate about the subject that I had to write a letter to you. I am already struggling on a daily basis to support myself. I live paycheck to paycheck and often have to rely on the savings account I worked so hard to save before graduating high school, along with consistent help from my parents and grandparents. I wish to be independent from this help even though I am thankful that it is there.

This increase in interest rates on loans . . . was not only disappointing, it was infuriating to me. This will have an effect for many years beyond what it should and not only for me.

I live in Stanwood, IA, a place that not many people have heard of, and I commute the 35 miles to Cedar Rapids every day for my job. . . .

So when I saw that these loans that I am relying on to support me and fund my education were going to double, I was heartbroken and I wonder what is wrong with my country? I am very proud to be an American, and more so an Iowan. . . .

I believe that the one thing the USA has going for it: supporting our future, but that is quickly fading in front of my eyes. I hope that you read this and feel every ounce of disappointment in our great country as I do, and do everything in your power to not let the interest rate on student loans increase on July 1.

I hope you can put faith in the American students who are relying on these loans to educate themselves, and together get our country back on the right track, not headed down the wrong one. Thank you so much for your time, and I hope to hear great things from my representatives soon.

Sincerely, a proud fellow Iowan.

This is just one of the many stories I have received from my constituents, telling me how detrimental it would be if the rate were to double on July 1.

This increase is a looming reality for many students and families if this Senate continues to do what it is doing—and that is to do nothing to bring the bill up and having Republicans filibuster it, and not even letting us proceed on it.

For the past 3 days, we have been hearing from Republicans that they want to keep the interest rate at 3.4 percent, but they don't like how we are paying for it in our bill. I have said many times that if they don't like that—and our leader came out here, as many have, saying, look, if my Republican friends don't like how we pay for it, let us get on with the bill and they can offer their offset or pay-for. We can vote on it and they can vote on ours. But that is not acceptable to the Republicans. They don't even want the bill to go forward.

We have been hearing from Republicans that our offset, which is closing a loophole in the Tax Code that affects subchapter S corporations—and I might add it only affects a very small sliver of subchapter S corporations, very tightly drawn; they can't have more than three shareholders. How about that. And you have to have more than $250,000 in income, and it pertains only to those subchapter S corporations that provide certain kinds of professional services. In other words, it doesn't pertain to real estate, or manufacturing, or anything like that. It only has to do with certain professional services, such as lawyers and accountants, people such as that.

Well, the Republicans say that if we do this—close that loophole—it will hurt the ''job creators.'' How many times have I heard that, job creators—that we are going to hurt small businesses. The other side would have you believe that we are doing this for political gain, that somehow we Democrats are doing this for political gain. Well, if that were the truth, why would we pick an offset, a pay-for, to fix a problem that conservatives have railed against in the past? Yes, the problem that we are trying to fix in subchapter S corporations is a problem that conservative Republicans have railed against in the past. I want to refresh my colleagues' memories and set the record straight on this issue of S corporations, the offset we have.

For starters, in 2004, the Wall Street Journal editorial page said this on July 13, 2004:

Conservative Support for Closing the S Corp Tax Loophole.

Senator Edwards talks about the need to provide health care for all, but that didn't stop him from using a clever tax dodge [these are the words of the Wall Street Journal, not mine] to avoid paying $591,000 into the Medicare system. While making his fortune as a trial lawyer in 1995, he formed what is known as a ''subchapter S'' corporation, with himself as the sole shareholder. Instead of taking his $26.9 million in earnings directly in the following four years, he paid himself a salary of $360,000 a year and took the rest as corporate dividends.

Since salary is subject to 2.9 percent Medicare tax, but dividends aren't, that meant he shielded 90 percent of his income. That's not necessarily illegal, but dodging such a large chunk of employment tax skates perilously close to the line . . .

CPA Magazine lists it as number 11 of its 15 best underutilized tax loopholes.

I ask, is the Wall Street Journal in favor of—what did they say?—hurting job creators? Are they in favor of that? Is the Wall Street Journal in favor of ''raising taxes on the very businesses we are counting on to hire these young people,'' as the minority leader said on Monday? I repeat, we limit it to only

three shareholders. They are going to count on them to hire these young people, he said. What is the minority leader talking about? That same year, in 2004, the late conservative columnist Robert Novak wrote:

It is one of the last loopholes left in the Internal Revenue Code, and it is a big one.

Here is the whole statement:

How can John Edwards explain setting up a dummy corporation—subchapter S—to avoid paying an estimated $290,000 in Medicare taxes in the 2 years before he ran for the Senate? This is a classic subchapter S corporation devised to shelter income, mainly for professionals, such as lawyers (and also syndicated columnists, but not me). It is one of the last loopholes left in the Internal Revenue Code, and it is a big one.

That is Robert Novak. Has anyone ever questioned his conservative credentials?

Sean Hannity said this:

Hey, John Edwards is worth, what, $30 million to $40 million, set up a sub-S corporation to keep him from paying Medicare taxes on 90 percent of his income, and then he lectures the rest of us how Medicare is going broke.

Finally, Rush Limbaugh himself said this:

. . . and he [Senator Edwards] has also compounded that by structuring his own personal finances to avoid paying Medicare taxes on 90 percent of the nearly $27 million he earned over four years.

I ask my Republican colleagues, are Robert Novak, Sean Hannity, Rush Limbaugh, and the Wall Street Journal all in support of raising taxes? Are they all in support of killing job creators? These are their statements. That is the record.

For the last several years, conservative Republicans have been going after this loophole, until they obviously found a Democrat who used it, John Edwards. Lots of people use it, a lot of lawyers and accountants and doctors. A lot of different kinds of professionals have used this loophole to avoid paying their fair share of taxes.

Here is another classic case where the Republicans say we are using this for political gain. Wait a minute. They are the ones who have been going after this loophole for years. We said: Hey, we finally have something on which we can agree. The Wall Street Journal and all these other people are saying we have to close this loophole. We have the opportunity to do so, and in doing so raise the money both to help Medicare and Social Security and to keep the interest rates on student loans at 3.4 percent. Yet the Republicans will not even allow us to bring it to the floor.

So who is playing politics, I ask? Who is playing politics?

Well, as I have said before, and I will say again, we have come here with a serious offset—one, as I said, that has been supported—at least closing this loophole has been supported—by conservative Republicans in the past. If anything, it is worse today than it was in 2004. More and more people are finding out about how they do this. They form this little subchapter S corporation and avoid paying their taxes. It is time to close that.

We came up with a serious offset we thought would be acceptable on both sides because of the history. We are ready to do this now—ease the concern of so many students and families across the country. The Republicans came and wanted to pay for it by eliminating the Prevention and Public Health Fund. They want to eliminate the one thing that is going to prevent obesity, heart disease, stroke, cancer, and diabetes in the future and save us a lot of money. They want to end that and take that money and put it into keeping the interest rates low. They are pitting the low interest rates for students against the health care of children—immunizations for kids—which is what we use this prevention fund for. And for diabetes prevention. That is what we use the fund for. They want to take that away, pitting students against the health of our country. That is not a serious offer. That is not a serious offer by the Republicans.

That alternative is going nowhere. Besides, the President has said he would veto that. So I ask my colleagues on the other side to quit playing politics. Quit playing politics with this. Let's bring it up for a vote.

Maybe they should listen to the Wall Street Journal, and the now deceased Novak and Fox News and even Rush Limbaugh and Hannity. Let's close this loophole once and for all and do something good with it. Let's do something good with it. Keep the interest rates low for our students in this country.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, during the day I flipped on the TV that we have in our offices and looked at it as often as I could. I was very impressed with my colleagues who came and talked about why it is so important that we not have an increase in the interest rate for student loans. I have been very happy with my Democratic colleagues who have come here and made such a profound case. But I listened also to what the Republicans had to say, and it is beyond my comprehension how they can come to the floor with a straight face and say what they have said. I have listened as my Republican colleagues have come to the Senate floor to blame Democrats for stalling legislation to keep college affordable for 7 million people throughout our great country. The claim is pretty rich considering that Republicans voted unanimously yesterday to filibuster this legislation. What is a filibuster? It is stopping us from going to the legislation.

Our bill would prevent 7 million students from paying $1,000 more on their loans. With college already unaffordable for far too many young people, Democrats believe we should be doing all we can to provide access to higher education. That is what these student loans are all about.

Republicans have repeatedly claimed they support efforts to support legislation to keep loans from doubling this summer, but they sure have a funny way of showing it with this endless filibuster. Today, Republicans have said that Democrats should negotiate a way out of this stalemate—again, a very strange reasoning. It is hard to negotiate without a partner.

Every Tuesday after we do our weekly caucus meetings, I go to what we call the Ohio Clock. One of the reporters said: Your Republican colleague Senator MCCONNELL said you should negotiate on this issue with Speaker BOEHNER.

Now, how do you like that one, that I, the leader in the Senate, should go to the Republican House and start negotiating with them? That is a strange, strange way of doing business.

The Republicans claim their only objection to our legislation is how it is paid for—by closing a tax loophole that allows wealthy Americans to dodge taxes they already owe. That is what we feel should happen. We don't believe it is a tax increase—just that people should pay what they are supposed to pay. They now have a way of avoiding taxes. Rich accountants and lawyers avoid it by claiming they are going to pay dividends and not ordinary income. It is not fair to everyone else.

So if the Republicans object to this, fine. Democrats are willing to consider alternative offsets. In fact, we are even willing to vote on the House Republicans' own proposed offset. Now, that is a doozy, the offset from the Republicans coming from the House, which takes away money for preventive care for virtually everybody. The leading causes of death in America are diabetes, heart disease, and cancer. They want to take away preventive programs to stop heart disease. And, as we know, there are programs now—mammograms, for example—that stop people from having to get too far behind with the dread of breast cancer. That is their offset. We strongly oppose that alternative, but we are willing to vote on it. We are not running from it. And once their proposal to slash programs that save money and lives fails on a floor vote—and it will fail—we Democrats are still willing to consider other options to pay for this legislation. My Republican colleagues on the other

hand have refused to consider alternative ways to pay for a bill they claim they support.

So I say to my Republican colleagues, let us bring this bill to the floor. If Republicans are so interested in negotiating a solution, they should be willing to take that first step. Once the bill is on the floor, we can debate it, we can amend it with an offset on which both sides can agree. But until Republicans end their obstructionist filibuster, there is no path forward.

So for my Republican colleagues to come down here and say ''we support this legislation,'' I repeat, what a strange way of supporting this legislation.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLAG MAN LARRY ECKHARDT

Mr. DURBIN. Mr. President, I was in Tazewell County—which is in the area of Pekin, in East Peoria, IL—last week at the Veterans Administration Commission.

I talked to a number of vets from the Vietnam war and other conflicts. We talked about obvious questions: veterans' unemployment, what was happening with disability payments, education for veterans, topics that most vets are very concerned about. They face some pretty significant challenges, as we know.

We promise these men and women that if they put up their hand and swear that they will risk their life for America, we swear we will be there when they come home. It is that basic. We have to keep our word. As a nation, we have a sacred pledge to take care of veterans who serve. I take it very seriously—I think both parties do—and we should.

We also need to honor those who have lost their lives. Just a few weeks ago, we buried another soldier from that county. There was a huge turnout at the memorial service. One particular local resident was doing his part to honor our fallen heroes in an extraordinary way. I learned about him when I visited Tazewell County. He is from Little York, IL, and he is known as the Flag Man.

Larry Eckhardt is not a veteran, and there are no servicemembers in his family. But in 2006, Larry Eckhardt attended a funeral for a soldier from his area who had died. He said, ''There aren't enough flags here.'' So on his own, Larry bought 150 American flags and started hauling them in his truck to military funerals all across my State. As he puts it, ''I just honestly don't believe there's any such thing as too many flags for a soldier.''

Larry's inventory of 150 flags has grown to 2,200 flags, and he can line them up to 14 miles of a fallen soldier's final journey.

Traveling in his old 1999 Ford van, stripped down to one seat to make room for all the flags, he has now graced more than 80 funerals from Wisconsin to Kentucky and Iowa to Indiana and certainly in his home State of Illinois. Last year, Larry drove 40,000 miles with his flags to these funerals. He covers all the costs out of his own pocket and a couple donations from friends. When asked why he does it, he simply says, ''It's my way of giving back.''

Larry rarely uses the word ''I.'' He is quick to praise all the volunteers—often organized by veterans organizations—who help him stake the flags in the ground along the funeral procession routes. ''Without them,'' he says, ''I couldn't get them all done.''

In one instance over a long weekend, dozens of volunteers helped Larry install the 2,200 flags to honor a 23-year-old Army sergeant during his funeral. After the service, volunteers helped pack up the flags for the next stop. Volunteers ranged from kids as young as 3, assisting their parents, to an 83-year-old woman who wanted to help out in Orchardville, IL. When she was asked her reason for weathering the tough January Illinois cold to help, she said, ''We can only bake so many tuna casseroles.''

This story is what America and the State of Illinois are all about. It is the common man, such as Larry Eckhardt, following his heart and taking the initiative to do something extraordinary for our fallen heroes, and it is about a community rising to the occasion to lend its support and honor those who deserve so much of our gratitude. Larry may have said it best when he humbly stated:

> This is my feeble attempt to say thank you to every soldier who has ever served and fought to protect the freedoms that I have.

This speech on the floor of the Senate is my feeble attempt to say thanks to you, Larry, and the countless Americans just like you who step up and do their part to show our veterans how much their service means to each and every one of us. They embody the enduring spirit and values that make America great and they make me proud to serve in the Senate and humbled to represent my State of Illinois.

Thank you, Larry, and thanks to all the other Americans who are doing their part to support our veterans and their families.

TRIBUTE TO COACH FITZGERALD

Mr. DURBIN. I rise today to recognize Northwestern University head football coach Patrick Fitzgerald for his leadership and service to the community. Patrick ''Coach Fitz'' Fitzgerald, a lifelong Illinoisan, has enjoyed a long and distinguished relationship with Northwestern University.

He completed his undergraduate studies and played football at Northwestern, where he racked up several worthy achievements. A two-time first-team All-American, he won the Nagurski and Bednarik Awards twice, was named Big Ten Defensive Player of the Year and Linebacker of the Year, and received the George Ballentine, Jr., Memorial Leadership Award.

As Northwestern University's head football coach, Pat Fitzgerald has amassed an impressive record, leading the Wildcats to four consecutive postseason games and 5 consecutive years of eligibility for postseason games. And his leadership isn't confined to the football field. His commitment to academic achievement among Northwestern's football scholar-athletes has led to many being named Academic All-Big Ten students and the school's ranking among the Nation's leaders in annual graduation rates.

Coach Fitzgerald has been recognized for his work ethic, integrity, and positive attitude. He was designated one of college football's top recruiters and serves on the Ethics Committee of the American Football Coaches Association and USA Football's Tackle Advisory Committee.

Pat and his wife Stacy are active at Northwestern University and in the Chicago community, participating in many charitable activities, toy collection drives, and school health and wellness programs.

I congratulate Coach Pat Fitzgerald on the many successes of the Wildcats' football program and thank him for his service to one of our finest schools and the broader Chicago community.

TRIBUTE TO THE WHITAKER FAMILY

Mr. MCCONNELL. Mr. President, today I wish to honor a family who has chosen to live and work in the small town of Cromona, KY, which they have come to love over the years. The Whitaker family has successfully owned and operated Superior Printing and Publishing Company, Inc. since 1958. Three generations of Whitakers have been involved in the proceedings of the company, with a fourth learning the family trade as they grow.

Superior Printing was started as a local printing operation by Charles and Bobbie Whitaker. They began the business in a remote part of Letcher County, KY, in a town called Cromona. The small town now has a population of 665 people, but the success of Superior Printing has far surpassed the boundaries of little Cromona. The company has become one of the most popular

printing firms in the tristate area, offering business in Kentucky, Virginia, and West Virginia.

You may be asking yourself, how does a company in such a small town become so successful? Charles's son, Mike Whitaker, president of Superior Printing, thinks it is due to their customer service. He has said that the only difference between Superior and the larger firms in metropolitan areas is the family atmosphere that Superior provides. Superior employees have love and pride for their hometown and home State, and they don't try to hide it.

Superior provides services that promote the local economy and the entities within the local economy alike. They offer professional color printing that has been known to help all of the local schools in the area with various things like sports programs and bulletins. They also are a big distributor of print for local fundraisers and fundraising groups. The Whitakers have also recently just began printing hardback books—something that isn't common in most local printing firms. Mike believes that the new hardback binding will help local authors be able to easily print and publish their books. With some of the amazing artistic talent I have seen come out of the Bluegrass State, I am anxious to see some of the works by Kentucky's own authors that will come from this new way to print and publish.

Not only does the Whitaker family run a successful printing and publishing business, but they keep busy with providing Letcher County with the news in their own paper, the News-Press. The Whitaker family is devoted to keeping the locals of Letcher County informed about what is going on in the county, State, and country, further proving that the Whitakers are truly focused on bettering themselves and those around them.

Charles and his wife Bobbie are the proud parents of Mike, who has two sons, Paul and Nick. Paul is a U.S. Army veteran who has completed two tours of Active Duty in Iraq, while Nick has just recently graduated from Eastern Kentucky University. Both Paul and Nick are planning on staying in Letcher County so that they can be close to their family and local community.

Whether it be creating a business that provides a convenient and professional service to the local community, making a conscience effort to support the local economy with their services, informing the citizens of Letcher County on the news, or helping many undiscovered Kentucky authors and artists get the exposure they deserve, the Whitaker family of Cromona, KY, have made a contribution to their State that will not go unnoticed. I am inspired to see an entire family give in so many ways to their local community.

Mr. President, I would like to ask at this time for my colleagues in the Senate to join me in recognizing the Whitaker family of Cromona, KY. There was recently an article published in Eastern Kentucky's local periodical magazine, the Sentinel-Echo: Silver Edition, highlighting the hard work of the Whitaker family. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Sentinel-Echo: Silver Edition, Nov. 2011]

SUPERIOR PRINTING: FAMILY PRIDE IN EACH AND EVERY JOB

As you wind along State Route 805 in northern Letcher County, you may not think there's much going on. But Cromona, Kentucky (population 665), is home to one of the finest print shops in the tri-state. Established in 1958 by Charles and Bobbie Whitaker, Superior Printing and Publishing Company, Inc. is a thriving, family-owned business with three generations of Whitakers working and a fourth generation expected to ''watch and learn.''

Charles and Bobbie Whitaker's older son, Mike, is the president of the company and currently sees to its day-to-day operations. The company offers all the expected print shop products and services like business forms, letterheads and envelopes, but what is surprising is that it also houses the region's only four-color, sheet-fed press capable of printing up to a 19-by-26 sheet.

''The installation of the press in 2008 has increased our production capabilities as well as the quality of products that we can offer,'' said Mike Whitaker. ''Local firms no longer have to rely upon faraway print houses for their color-printing needs. We're very competitive with the big, out-of-town firms so we can save our customers time and money. Most of our customers really appreciate the convenience of having us close by, and they understand how important it is to keep business here at home when they can.''

Mike explained how their press and booklet maker, which automatically collates, folds, staples, and trims books and magazines, has boosted the company's production of programs local schools use as fundraisers. ''Last fall we produced football programs for 16 different schools in Kentucky and Virginia. Our jobs range from full-color brochures and rack cards for the tourism industry to flyers, multi-page newsletters, magazines and books. In fact, more than 500 businesses throughout the region have turned to us for their printing needs.''

Since the press purchase, the Whitakers have added hardback book-binding capabilities to the business. ''This is new to us, and we are just getting started producing hardback books in small and large quantities,'' Mike said. He is especially proud of a leather-bound project utilizing the new hardback book-binding equipment. ''With the growing number of local authors, we are excited to offer both soft- and hardback book bindings to our customers.''

In addition to commercial printing, the Whitakers own and operate the News-Press, a newspaper based in Letcher County. The conservative-based newspaper has promoted the coal industry, faith and family for over 50 years.

Offering quality products at competitive prices is the mark of any successful business, and Superior Printing is no exception. ''Perhaps the only difference between our firm and one from a metropolitan area is the sense of family pride that goes into each and every job,'' Mike said. ''We may have to work a little harder at getting our raw materials such as paper, plates, and ink, but we make up for it with the satisfaction that we are able to live and work in the place we love, here in eastern Kentucky.''

Mike Whitaker's sentiments are echoed by his sons, Paul and Nick, who both work in the business. Paul is a U.S. Army veteran with two tours of duty in Iraq behind him and is anxious to spend the remainder of his adult life near his home. Nick is a recent graduate of Eastern Kentucky University who chose to stay in the area to be near family as well. Both plan to raise their families much the same way they were raised in Letcher County.

If you have a print order for Superior Printing, you may want to call it in or perhaps email it. If you want to stop by the printing company to place your order, call ahead for directions. It is a little hard to find.

TAIWAN'S PRESIDENTIAL INAUGURATION

Mr. BEGICH. Mr. President, on the occasion of his upcoming inauguration for his second term in office, I am pleased to commend Republic of China, Taiwan, President Ma Ying-jeou. President Ma has shown himself to be a dedicated public servant, continually electing to serve his nation even through difficult times.

During his first term, President Ma—like many world leaders had to struggle with the worldwide economic crisis. His stewardship during this difficult time helped Taiwan avoid some of the worst disasters that other countries have faced and also helped Taiwan recover more quickly than many other countries.

Taiwan has been a great economic partner for Alaska in the past years under President Ma's leadership, and we are fortunate to have such a relationship. Taiwan has remained in Alaska's top 20 export markets for the past 15 years. Alaska's exports to the country have totaled more than $22 million in sectors such as energy, forest products, machinery, and seafood products. In addition, Taiwan is one of Alaska's three sister states or provinces, and it is my hope that we will continue this sister-state exchange for many years to come.

We witnessed during President Ma's first years in office his diligence in dealing with economic and international challenges, and the upcoming 4 years for President Ma will continue to be challenging. I am confidant President Ma will overcome difficulties and serve his nation to the best of his ability.

Once again, I offer my congratulations to President Ma, and I wish him all the success in his future endeavors, and for the future of Taiwan.

NATIONAL SCHOOL NURSE DAY

Mr. SCHUMER. Mr. President, today I wish to honor National School Nurse Day. Today we recognize the contributions that school nurses make every day to improve the health and learning outcomes of our Nation's children, especially as our children face more challenging chronic health issues than ever before. A top priority of this Nation should be ensuring that our children have a healthy and successful future. School nurses make this vision a reality each day. Quite simply, healthy children learn better and are more likely to become successful members of society.

In New York there are about 3,700 school nurses who are serving our students out of the more than 76,000 nationwide. School nurses provide a nonnegotiable value to schools, families, communities, and this Nation as a whole. By keeping children healthy, in school, and ready to learn, school nurses save money and save lives. Every teacher deserves to stay in the classroom and focus on educational outcomes, and every parent deserves to be able to go to work and send his or her child to school with a nurse who will keep his or her child safe and healthy. School nurses have the knowledge, skills and judgment to manage potentially emergent situations and provide daily care for students with increasing chronic health conditions, ranging from asthma to childhood obesity to Type-2 diabetes to severe food allergies. Research shows that when a full-time school nurse is present, student attendance rates increase and hospital utilization rates decrease. The school nurse also plays a vital role in promoting prevention and wellness, from detecting outbreaks of communicable diseases, such as H1N1, and taking action to prevent cases from developing to administering immunizations and ensuring students are compliant with regulations. Every day, school nurses are on the front lines, providing access and delivering health care services to our Nation's children.

In 1897, after several outbreaks of infectious diseases that affected the New York City schoolchildren, the city's department of health appointed the first doctors to examine students for contagious diseases. With the concerns over uneducated and unhealthy youth growing, Lina Rogers Struthers became the Nation's first school nurse. The impact of nursing services proved dramatic, and after only 1 month the city voted to set aside money to employ trained nurses in its schools.

Today, the National Association of School Nurses celebrates the specialized practice of school nursing, acknowledging that school nurses advance the well-being, academic success and life-long achievement and health of students. The American Academy of Pediatrics has also reaffirmed the crucial role of school nurses ''in the seamless provision of comprehensive health services to children and youth.'' ''The Role of the School Nurse in Providing School Health Services,'' AAP, Pediatrics, Vol. 121, No. 5, May 1, 2008, pp. 1052–1056.

National School Nurse Day highlights the need for a full-time nurse in every school, every day—which is why I have introduced a bill, the Student-to-School Nurse Ratio Improvement Act of 2012, S. 2047. This legislation would help lower the ratios of students to school nurses and evaluate the correlation between access to professional student health services and improved educational outcomes. This Nation must invest in programs and services that seek to improve the health and well-being outcomes of children, which include supporting school nurses.

Mr. President, I urge my colleagues to join me in recognizing today as National School Nurse Day so we may continue to honor school nurses and the care they provide to students day in and day out, paving the path for a healthier and more successful future for all of our Nation's children.

COMMENDING OHIO HIGH SCHOOL SENIORS

Mr. PORTMAN. Mr. President, today I wish to honor 369 high school seniors in eight northeast Ohio counties for their commendable decision to enlist in the U.S. Armed Forces. Of these 369 seniors from 128 high schools in 87 towns and cities, 83 will enter the Army, 174 will enter the Marine Corps, 25 will enter the Navy, 30 will enter the Air Force, 4 will enter the Coast Guard, and 53 will enter our Ohio Army National Guard. In the presence of their parents/guardians, and high school counselors, military leaders, city and business leaders, all 369 will be recognized on May 10, 2012 by ''Our Community Salutes of Northeast Ohio.''

Later this month, these young men and women will join many of their classmates in celebration of their high school graduation. At a time when many of their peers are looking forward to pursuing vocational training or college degrees, or are uncertain about their future, these young men and women instead have chosen to dedicate themselves to military service in defense of our country.

Naturally, many may be anxious about the uncertainties that may await them as members of the Armed Forces. But, they should rest assured that the full support and resources of this Chamber, and the American people, are with them in whatever challenges may lie ahead.

It is thanks to the dedication of an untold number of patriots like these 369 that we are able to meet here today, in the U.S. Senate, and openly debate the best solutions to the many diverse problems that confront our country. It is thanks to their sacrifices that the United States of America remains a beacon of hope and freedom in a dangerous world. We are grateful to them, their parents and their communities for instilling the character, values, discipline and mental and physical abilities of these outstanding young men and women.

I would like to personally thank these 369 graduating seniors for their selflessness and courage that they have shown by volunteering in defense of our Nation. We owe them, along with all those who serve our country, a deep debt of gratitude.

Mr. President, I ask unanimous consent to print the names of the 369 high school seniors in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES ARMY—83

Abfall—Amherst; Armstrong—Jefferson; Balog—Elyria; Baril—Deerfield; Binion—Cleveland; Brennan—Conneaut; Bullock—Streetsboro; Camp—Amherst; Chrosniak—Sheffield Lake; Clough—Sheffield Village; Clymer—Independence; Cobble—Cleveland; Coleman—Garrettsville; Coleman—Streetsboro; Cook—Cleveland; Davis—Cleveland; Dawson—Amherst; Doerschuk—Lakewood; Downs—Sullivan; Dullen—Kent.

Fisher, A—Amherst; Fisher, S—Independence; Frary—Seville; Fritz—Independence; Gerez—Garrettsville; Gilbow—Ravenna; Gooch—Cleveland; Goodwin—Wadsworth; Gortz—Berea; Hardin—Elyria; Harris—Cleveland; Hillrich—Medina; House—Wasdworth; Jennings—Garrettsville; Johnson—Elyria; King—Cleveland; Korzinski—Medina; Kumhall—Medina; Lambert—Elyria; Lemaster—Berea.

Lennerth—Aurora; Luster—Lakewood; McKain—Diamond; McVicker—Wadsworth; Miller—Doylestown; Milyaro Lucas—Ashtabula; Moore—Cleveland; Moore—Norton; Moore, J—Euclid; Moss—Euclid; Murray—Medina; Nall—Lakewood; Oringer—Ravenna; Paine—Jefferson; Patrick—Lakewood; Quesenberry—Medina; Schabulach—Brunswick; Semple—Strongsville; Sheers—Wadsworth; Shreve—Orwell.

Slanker—Mogadore; Smith—Akron; Smith—Columbia Station; Spooner—Homerville; St. Louis—Parma; Steiner—Ravenna; Stout III—Cleveland; Tester—Elyria; Tompkins—Cleveland; Townsend—Mogadore; Wallis—Ravenna; Walters—Brunswick; Weinzatl—Sullivan; Wheeland—Sullivan; White—Ashtabula; Wiley—Andover; Williams, D—Mentor; Williams—Cleveland; Wilson—Kent; Wilson—Windsor; Woods—Cleveland; Young—Medina; Zak—North Royalton.

UNITED STATES MARINE CORPS—174

Acosta—Lorain; Adkins—Cleveland; Aghakhan—Winesburg; Anderson—Cuyahoga Falls; Andrews—Novelty; Arnold—Solon; Badalich—Akron; Baldwin—LaGrange; Barfield—Brunswick; Basar—Brecksville; Baughman—Mogadore; Blain—Wadsworth; Blas—Lorain; Bowman—Chagrin Falls; Brancifort—Brunswick; Brown—Brunswick; Buckley—Middlefield; Burkey—Strongsville; Cannon—Elyria; Caraballo—Cleveland.

Carlton—North Olmsted; Chambers—Parma; Chaney—Wadsworth; Chapman—Akron; Christian—Elyria; Cillian—Berea;

Ciprich—Lorain; Clapacs—Painesville; Close—Sheffield Lake; Collins—Avon; Conard—Hiram; Corbett—Ravenna; Cowling—Perry; Crabb—Tallmadge; Dancy—Shaker Heights; Danicki—Lorain; Deyermand—Dorset; Dibble—Akron; Dudley—Conneaut; Easterly—Amherst; Edwards—Lorain.

Ellis—Lorain; Ellis—Painesville; Figueroa—Lorain; Figueroa Burgos—Ashtabula; Fisher—Copley; Fort—Cleveland; Frames—Wellington; Gargano—Cleveland; Giebner—Chagrin Falls; Gluvna—Solon; Goodwin—Avon Lake; Greenfield—Orwell; Grimes—Clinton; Gullatta—Aurora; Gump—Akron; Gunkelman—Valley City; Gunnoe—Eastlake; Guy—Stow; Haberkorn—Brunswick; Hall—Conneaut; Hallgren—Geneva; Hancock—Norton.

Haseley—Broadview Heights; Hawkins—Maple Heights; Haynes—Brunswick; Hoffman—Barberton; Holland—Olmsted Falls; Howard—Akron; Hubbard—Hinckley; Hughes—Wadsworth; Hyatt—Lodi; Jeske—Westlake; Jogan—Madison; Jones—Macedonia; Keely—Warrensville Heights; King—Cleveland; Krajnyak—Eastlake; Krenisky—Cuyahoga Heights; Kuilman—North Olmsted; Layne—Brunswick; Lee—Richmond Heights; Loughrey—Stow.

Love—Cleveland; Lucas—Cuyahoga Falls; Lupica—Avon Lake; Martin—Medina; Martinez Magana—Cleveland; Matousek—Cleveland; Maybaugh—Wellington; McCartney—Akron; McClinsey—Hudson; Milioni—Medina; Miller—Avon; Mitchell—Conneaut; Mize—Copley; Moore—Ravenna; Moravec—Wellington; Morgan—Cuyahoga Falls; Morgan—Akron; Morrison—Akron; Morrison—Chardon; Morrow—Spencer.

Munn—Kent; Murray—Richfield; Music III—Mentor; Nagy—Conneaut; Newman—Southington; Novotny—Avon Lake; Oddo—Strongsville; Odorcich—Brunswick; Olivas—Conneaut; O'Neill—North Royalton; Pamula—Peninsula; Paramore—Painesville; Paul—Macedonia; Pena—Cleveland; Perkins—Cleveland; Persinger—Amherst; Pinkerton—Lorain; Plop—Lakewood; Powers—Middleburg Heights; Prinzo—Akron.

Prochazka—Lorain; Pugh—South Euclid; Rady—Painesville; Reed—Shaker Heights; Regal—Lorain; Riolo—North Olmsted; Robinson—Cleveland Heights; Rodriguez—Lakewood; Rodriguez Ayala—North Olmsted; Rollins—Cleveland; Ross—Brunswick; Ryan—Wadsworth; Sallaz—Newton Falls; Sanders—Sullivan; Sartor—Deerfield; Schroeder—Wadsworth; Secolic—Chagrin Falls; Seegert—Conneaut; Shipbaugh—Cuyahoga Falls; Shook—Madison.

Silvestro—Mentor; Simko—Medina; Slaughter—Parma Heights; Snyder—Parma; Solly—Madison; Stanko—Perry; Steagall—Diamond; Sterling—Conneaut; Stutzman—Rittman; Swires—Akron; Sykes—Akron; Szabo—Amherst; Szoke—Sawyerwood; Taylor—Lorain; Tennant—Lakewood; Tibbs—Broadview Heights; Tramte—Chardon; Trautman—Ravenna; Trunck—Akron; Umstott—Lakewood.

Vinci—Avon Lake; Volanski—Jefferson; Wadsworth—Wellington; Wagner—Akron; Walsh—Lakewood; Watson—Cuyahoga Falls; Wood—Akron; Wooden—Newburgh Heights; Yanchar—Mentor; Zierau—Rittman; Zuberer—Kirtland.

UNITED STATES NAVY—25

Bittner—Mentor; Bowers—Ashtabula; Carter—Avon; Coe—Mentor; Collins—Madison; Cook—Lorain; Corrnell—Middleburg Heights; Cothran—Lorain; Haviland—Olmsted Falls; Herchick—Twinsburg; Homza—LaGrange; Hruska—Garfield Heights; Kilbane—Lakewood; Law—Middleburg Heights; Linville—Olmsted Falls; Lucas—Lorain; Magda—Jefferson; Merhige—Rocky River; Nolan—Ashtabula; Rose—Ashtabula; Scheiferstein—Vermilion; Swartzlander—Maple Heights; Swatowski—Madison; Tomsco—Vermilion; Yerich—Middleburg Heights.

UNITED STATES AIR FORCE—30

Barron—Brunswick; Bilal—Painesville; Blaha—Northfield; Blaylock—Cleveland; Campanella—Brunswick; Causby—Elyria; Christian—East Cleveland; Cronk—Garfield Heights; Duke—Middleburg Heights; Ginn—Ashtabula; Hejl—Garfield Heights; Holcomb—Strongsville; Hoover—Perry; Keating—North Olmsted; Kilgore—Elyria; Konieczynski—Parma.

Kovacs—Lorain; Limpert—Grafton; Martin—Garfield Heights; McCall—Brookpark; Miller—North Ridgeville; Moulton—Wickliffe; Orsik—Wellington; Paine—Ashtabula; Senko—Jefferson; Suknaich—Wickliffe; Torok—Strongsville; Turner—Cleveland; Wilthew—Garrettsville; Zdancewski—Windham.

UNITED STATES COAST GUARD—4

Correa, A—Cleveland; Correa, D—Cleveland; Dukes—Lyndhurst; Magrans—Eastlake.

OHIO ARMY NATIONAL GUARD—53

Barkley—Cleveland; Bates—Lorain; Belknap—Akron; Bohach—LaGrange; Brown—Wadsworth; Cleveland—Cleveland; Coleman—Ravenna; Costa—Twinsburg; Davey—Bath; Decesare—Sagamore Hills; Devlin—Avon Lake; Duong—Lyndhurst; Ferrante—North Royalton; Graham—North Ridgeville; Griffin—Grafton.

Hammond—South Amherst; Heckathorn—LaGrange; Horst—Streetsboro; Ibarra—Cleveland; Jackson—Euclid; Jeffery—Westfield; Joyner—Brooklyn; Lockhart, Jr.—Cleveland; Lyberger—Cuyahoga Falls; Marshall-Felder—Cleveland; Millirons—Tallmadge; Mitchell—Strongsville; Mitchell—Hartville; Myers—Mogadore; Phillips—Richmond Heights; Powell—Uniontown; Pruitt—Sheffield Lake; Reyersbach—Strongsville; Riddell—Elyria; Riley—Amherst; Roberts—Akron; Rose—Cleveland.

Schill—Brookpark; Scott—Cleveland; Scullen—Berea; Shary—Wayland; Shear—Brooklyn Heights; Skipper—Grafton; Stokes—Cleveland; Thompson, Jr.—Maple Heights; Tuck—Cuyahoga Falls; Vaughan—Cleveland; Whiting—Stow; Whitsitt—Cleveland; Wiggins—Maple Heights; Woisnet—Cleveland; Young, M—Middleburg Heights; Young, T—LaGrange.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR GENERAL KENNY C. MONTOYA

• Mr. BINGAMAN. Mr. President, today I wish to congratulate MG Kenny C. Montoya on the occasion of his retirement as Adjutant General of the New Mexico National Guard, and to thank him for his 30 years of outstanding service to our Nation. General Montoya has served our country well, both as a soldier and as a civilian, and New Mexico and our Nation are grateful for his efforts and service.

General Montoya began his distinguished career as an enlisted member of Battery A, 4th Battalion, 200th Air Defense Artillery in Raton, NM. He completed Officer Candidate School and was commissioned in 1983. During his 9 years as Adjutant General of the New Mexico National Guard, General Montoya helped train over 9,000 National Guard men and women.

I also want to thank General Montoya for working so well with my staff and me to effectively support the critical missions of the National Guard, our servicemembers, and their families. The New Mexico National Guard has been instrumental in protecting our country and its interests. Under General Montoya's leadership, the New Mexico National Guard has maintained the lowest casualty rate of any State during the conflicts in Iraq and Afghanistan with one combat casualty out of 9,000 deployments.

General Montoya has also been a tireless advocate for the National Guard Counterdrug Program, which provides critical assistance in securing the border and disrupting drug trafficking activities. The New Mexico National Guard has also proved to be a successful partner in natural disaster response, including numerous wildfires and the extreme cold experienced by parts of the State last year. New Mexico has a long and proud history of military service, and we are honored to have many living testaments to American bravery in our State.

Knowing his dedication to public service, I am sure General Montoya will continue to play an important role in contributing to our country for years to come. Mr. President, please accept my best wishes for General Montoya and his family as he begins the next chapter in his life. I wish him the best of luck in his future endeavors.•

COMMENDING UTAH'S ACADEMY NOMINEES

• Mr. LEE. Mr. President, today I wish to recognize 10 exemplary Utahns and future officers in the U.S. military. Each of them will begin their education at a military academy this fall.

James Cardinal, graduating from Layton High School, will be attending the Air Force Academy. As an Eagle Scout, he earned his Order of the Arrow, and is an honor student at his school. He was also a captain of his track and field team.

Connor Crandall, graduating from South Summit High school, will be attending the Air Force Academy. He is a class officer and president of the student government. He is also an honor student and a General Sterling Scholar, and a captain of his wrestling team.

Taylor Lanier, graduating from Viewmont High School, will be attending the Air Force Academy. She is an honor student, a member of the Youth City Council, and a Tae Kwon Do black

belt. She is also a captain of her swimming team, and was a captain of her lacrosse team.

Brandon Lloyd, a graduate of Highland High School and graduating from the Air Force Academy Prep School, will be attending the Air Force Academy. He is an Eagle Scout, and while attending Highland was honored with its Warner Award. He also was a captain of his wrestling team, of which he was named Wrestler of the Year.

Bryce Magera, graduating from Hillcrest High School, will be attending West Point. He is an Eagle Scout and an honor student. He is also vice president of his Future Soldiers of America Club, and is trained in several types of mixed martial arts.

Mormon Redd, graduating from Viewmont High School, will be attending the Air Force Academy. He is an honor student and a patrol leader in his scout troop. He was also a captain of his wrestling team last year, and he volunteers for the Youthlinc humanitarian program.

Blair Roberts, graduating from Bingham High School, will be attending the Merchant Marine Academy. He is a captain of his swim team and a certified lifeguard. He has been named the KJZZ Prep Student Athlete of the Week, and helps children with cancer as a summer camp volunteer.

Zachary Santella, graduating from Davis High School, will be attending the Naval Academy. He is an honor student, captain of his swimming team, and was named Most Valuable Swimmer and hardest worker by the team.

Collin Shurtleff, a graduate of Parowan High School and graduate of Marion Military Institute, will be attending West Point. He is an Eagle Scout, an honor student, and president in his school's student government. He is also a captain of both his football team and his wrestling team.

Amy Slaughter, a graduate of Weber High School and the Marion Military Institute, will be attending West Point. In high school, she was president in her student government. She was also a captain of her volleyball team and a captain of her track team, and was named an Academic All-State Athlete in track.

One of my greatest honors as a U.S. Senator has been to get to know and nominate each of these young men and women. I know that our Nation's future is bright in the hands of these exemplary individuals who have distinguished themselves amongst their peers.●

TRIBUTE TO J. DAVID COX

● Mrs. MURRAY. Mr. President, I would like to take a moment today to recognize National Secretary-Treasurer of the American Federation of Government Employees AFGE, J. David Cox, the recipient of the 2012 Yitzhak Rabin Public Service Award.

This award is given out by the American Friends of the Yitzhak Rabin Center each year to individuals who reflect Prime Minister Rabin's legacy of peace, leadership, and public service. Having come to know and appreciate J. David's accomplishments, I feel that he is more than a fitting recipient of this honor.

Over the course of his decades-long involvement with AFGE and AFL–CIO, J. David has worked tirelessly to ensure that Federal employees here in Washington, D.C. and across the nation enjoy the dignity, fair pay, and safe working environment that they deserve. Based upon the number of leadership positions he has been elected to by his fellow Federal workers, it is clear that they approve of his efforts. In the past, he has served as Executive Vice-President of the AFGE National Veterans Affairs Council, President of AFGE Local 1738 in North Carolina, and Co-Chair of the Department of Veterans' Affairs National Partnership Council. In addition to his role as National Secretary-Treasurer, he currently is vice co-chair of the AFL–CIO's Union Veterans Council, vice-president of North Carolina State AFL–CIO, and was appointed by President Obama to serve on the Federal Salary Council and the Federal Prevailing wage council.

J. David got his start in the Federal workforce in 1983 as a registered nurse within the Department of Veterans Affairs. He served our nation's veterans for 23 years before moving on to AFGE in 2006. As Chairman of the Committee on Veterans' Affairs, I have come to value J. David as an important advocate for veterans as well as VA's Federal workforce. J. David has testified before us several times over recent years and has established himself as a key asset to the Committee. Throughout his testimony, J. David has always sought to make sure that the doctors, nurses, and other health professionals at VA have the resources they need to provide the best possible care to our veterans. In particular, his vocal support for assured funding and VA budget reform help to lead to the current 2-year appropriations process that VA uses today.

I am grateful for J. David's work and applaud the American Friends of the Yitzhak Rabin Center for selecting him as one of this year's award recipients. I offer my sincerest congratulations to J. David and hope that he continues to fight for Federal employees and veterans into the future.●

TRIBUTE TO ALYSSA HANISCH

● Mr. THUNE. Mr. President, today I recognize Alyssa Hanisch, an intern in my Washington, DC, office, for all the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Alyssa is a graduate of O'Gorman High School in Sioux Falls, SD. Currently, she is attending the University of South Dakota, where she is studying political science and finance. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Alyssa for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO CODY HORTON

● Mr. THUNE. Mr. President, today I recognize Cody Horton, an intern in my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Cody is a graduate of Mitchell High School in Mitchell, SD. Currently, he is attending the University of South Dakota, where he is majoring in political science and history. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Cody for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO RACHEL SCHMIDT

● Mr. THUNE. Mr. President, today I recognize Rachel Schmidt, an intern in my Washington, DC, office, for all the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Rachel is a graduate of Marion High School, in Marion, SD. Currently, she is attending the University of South Dakota, where she is studying prelaw. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Rachel for all the fine work she has done and wish her continued success in the years to come.●

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13338 OF MAY 11, 2004, WITH RESPECT TO THE BLOCKING OF PROPERTY OF CERTAIN PERSONS AND PROHIBITION OF EXPORTATION AND RE-EXPORTATION OF CERTAIN GOODS TO SYRIA—PM 47

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004, as modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012, is to continue in effect beyond May 11, 2012.

While the Syrian regime has reduced the number of foreign fighters bound for Iraq, the regime's own brutality and repression of its citizens who have been calling for freedom and a representative government endangers not only the Syrian people themselves, but could yield greater instability throughout the region. The Syrian regime's actions and policies, including obstructing the Lebanese government's ability to function effectively, pursuing chemical and biological weapons, and supporting terrorist organizations, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency.

In addition, the United States condemns the Asad regime's use of brutal violence and human rights abuses and calls on the Asad regime to step aside and immediately begin a transition in Syria to a political process that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice. The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

BARACK OBAMA.

THE WHITE HOUSE, *May 9, 2012.*

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 1:32 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1302. An act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

At 6:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2072. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2072. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6004. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Community Facility Loans'' (RIN0575–AC78) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6005. A communication from the Associate General Counsel, Office of the General Counsel, Department of Agriculture, transmitting, pursuant to law, (3) three reports relative to vacancies in the Department of Agriculture received during adjournment of the Senate in the Office of the President of the Senate on May 4, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6006. A communication from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Guidelines for the Transfer of Excess Computers or Other Technical Equipment Pursuant to Section 14220 of the 2008 Farm Bill'' (RIN0599–AA13) received in the Office of the President of the Senate on May 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6007. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''1-Naphthaleneacetic acid; Pesticide Tolerances'' (FRL No. 9346–9) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6008. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Ametoctradin; Pesticide Tolerances'' (FRL No. 9339–7) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6009. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''a-(p-Nonylphenol)-w-hydroxypoly(oxyethylene) Sulfate and Phosphate Esters; Exemption from the Requirement of a Tolerance'' (FRL No. 9340–2) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6010. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''a-[p-(1,1,3,3-Tetramethylbutyl)phenyl]-u-hydroxypoly(oxyethylene); Exemption from the Requirement of a Tolerance'' (FRL No. 9340–1) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6011. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Order of Application for Modifications'' ((RIN0750–AH56) (DFARS Case 2012–D002)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2012; to the Committee on Armed Services.

EC–6012. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6013. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of five (5) officers authorized to wear the insignia of the grade of major general and brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6014. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a quarterly report entitled, ''Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account''; to the Committee on Armed Services.

EC–6015. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the AIM–9X program exceeding the Acquisition Program Baseline values; to the Committee on Armed Services.

EC–6016. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2013; to the Committee on Armed Services.

EC–6017. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting a legislative proposal entitled ''Leadership, Education, Accountability and Discipline on Sexual Assault Prevention Act of 2012''; to the Committee on Armed Services.

EC–6018. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal

Year 2013; to the Committee on Armed Services.

EC–6019. A communication from the Member of the U.S. House of Representatives for the 10th District of Virginia, transmitting, a letter sent to the Secretary of Defense relative to the establishment of an Afghanistan-Pakistan Study Group; to the Committee on Armed Services.

EC–6020. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order to take additional steps with respect to the national emergency originally declared on March 15, 1995 in Executive Order 12957 with respect to Iran; to the Committee on Banking, Housing, and Urban Affairs.

EC–6021. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6022. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''State Community Development Block Grant Program: Administrative Rule Changes'' (RIN2506–AC22) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6023. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–6024. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a report on the continuation of the national emergency declared in Executive Order 13413 with respect to blocking the property of persons contributing to the conflict taking place in the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC–6025. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a report relative to the continuation of the national emergency relative to the actions and policies of the Government of Sudan as declared in Executive Order 13067 of November 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–6026. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to material violations or suspected material violations of regulations relating to Treasury auctions and other Treasury securities offerings for the period of January 1, 2011 through December 31, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–6027. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, an annual report for the period of January 1, 2011 through December 31, 2011 relative to any exceptions granted by the Secretary of the Treasury to the prohibition against favored treatment of a government securities broker or government securities dealer; to the Committee on Banking, Housing, and Urban Affairs.

EC–6028. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, an annual report for the period of January 1, 2011 through December 31, 2011 relative to significant modifications to the auction process for issuing United States Treasury obligations; to the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LAUTENBERG:

S. 3032. A bill to extend temporary suspension of duty on 1,1,2-2-tetrafluoroethene, oxidized, polymerized; to the Committee on Finance

By Mr. LAUTENBERG:

S. 3033. A bill to extend the temporary suspension of duty on ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced; to the Committee on Finance.

By Ms. CANTWELL:

S. 3034. A bill to extend the temporary suspension of duty on Linuron; to the Committee on Finance.

By Ms. CANTWELL:

S. 3035. A bill to suspend temporarily the duty on Terbacil; to the Committee on Finance.

By Ms. CANTWELL:

S. 3036. A bill to extend and modify the temporary reduction of duty on certain men's footwear, not covering the ankle, designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather; to the Committee on Finance.

By Ms. CANTWELL:

S. 3037. A bill to extend and modify the temporary reduction of duty on certain men's footwear, covering the ankle, designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather; to the Committee on Finance.

By Ms. CANTWELL:

S. 3038. A bill to extend and modify the temporary suspension of duty on certain women's footwear, not covering the ankle, designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather; to the Committee on Finance.

By Ms. CANTWELL:

S. 3039. A bill to extend and modify the temporary suspension of duty on certain women's footwear, covering the ankle, designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather; to the Committee on Finance.

By Ms. CANTWELL:

S. 3040. A bill to extend and modify the temporary reduction of duty on certain women's footwear designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather; to the Committee on Finance.

By Ms. CANTWELL:

S. 3041. A bill to extend and modify the temporary reduction of duty on certain men's footwear designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather; to the Committee on Finance.

By Ms. CANTWELL:

S. 3042. A bill to extend and modify the temporary reduction of duty on certain men's footwear whose height from the bottom of the outer sole to the top of the upper does not exceed 8 inches and designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather; to the Committee on Finance.

By Ms. CANTWELL:

S. 3043. A bill to extend and modify the temporary reduction of duty on certain women's footwear, covering the ankle, whose height from the bottom of the outer sole to the top of the upper does not exceed 8 inches, designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather; to the Committee on Finance.

By Ms. CANTWELL:

S. 3044. A bill to suspend temporarily the duty on certain suspension system stablilizer bars; to the Committee on Finance.

By Ms. CANTWELL:

S. 3045. A bill to extend and modify the temporary suspension of duty on certain cases or containers to be used for electronic drawing toys, electronic games, or educational toys or devices; to the Committee on Finance.

By Ms. CANTWELL:

S. 3046. A bill to suspend temporarily the duty on certain injection-molded ABS or PP cases or containers to be used for electronic drawing toys or electronic games; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3047. A bill to encourage responsible homeowners to refinance mortgages, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN of Ohio (for himself and Mr. HARKIN):

S. 3048. A bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BEGICH (for himself and Mr. BOOZMAN):

S. 3049. A bill to amend title 39, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. VITTER:

S. 3050. A bill to extend the National Flood Insurance Program until June 30, 2012; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 3051. A bill to extend the National Flood Insurance Program until July 31, 2012; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN of Ohio:

S. 3052. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide veterans, when such veterans electronically file claims for benefits under laws administered by the Secretary, with notice that relevant services may be available to the veterans from veterans service organizations, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. INHOFE (for himself, Mr. BOOZMAN, Mr. RISCH, Mr. DEMINT, Mr.

WICKER, Mr. ENZI, Mr. COCHRAN, Mr. JOHNSON of Wisconsin, Mr. PAUL, Mr. MORAN, Mr. BLUNT, Mr. CORNYN, Mr. HOEVEN, Mrs. HUTCHISON, Mr. TOOMEY,Mr. MCCONNELL, Mr. COBURN, Mr. BARRASSO, Mr. CHAMBLISS, Mr. THUNE, Mr. GRAHAM, and Mr. VITTER):

S. 3053. A bill to require Regional Administrators of the Environmental Protection Agency to be appointed by and with the advice and consent of the Senate; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Mr. BOOZMAN, Mrs. GILLIBRAND, Mr. GRASSLEY, Mr. HARKIN, Mr. KIRK, Mr. PRYOR, and Mr. SCHUMER):

S. 3054. A bill to provide strategic workload to Army arsenals in their function as a critical component of the organic defense industrial base; to the Committee on Armed Services.

By Mr. WYDEN:

S. 3055. A bill to suspend temporarily the duty on certain leathered footwear for women; to the Committee on Finance.

By Mr. WYDEN:

S. 3056. A bill to suspend temporarily the duty on certain leathered footwear for men; to the Committee on Finance.

By Mr. WYDEN:

S. 3057. A bill to suspend temporarily the duty on certain leathered footwear for women; to the Committee on Finance.

By Mr. WYDEN:

S. 3058. A bill to suspend temporarily the duty on certain leathered footwear for men; to the Committee on Finance.

By Mr. WYDEN:

S. 3059. A bill to reduce temporarily the duty on boys' knitted or crocheted shirts of man-made fibers; to the Committee on Finance.

By Mr. WYDEN:

S. 3060. A bill to reduce temporarily the duty on girls' knitted or crocheted trousers and breeches of synthetic fibers; to the Committee on Finance.

By Mr. WYDEN:

S. 3061. A bill to suspend temporarily the duty on women's sports bras of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor; to the Committee on Finance.

By Mr. WYDEN:

S. 3062. A bill to suspend temporarily the duty on knit tank tops of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor; to the Committee on Finance.

By Mr. WYDEN:

S. 3063. A bill to suspend temporarily the duty on knit garments of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor; to the Committee on Finance.

By Mr. WYDEN:

S. 3064. A bill to reduce temporarily the duty on girls' knitted or crocheted shorts of synthetic fibers; to the Committee on Finance.

By Mr. WYDEN:

S. 3065. A bill to reduce temporarily the duty on certain sports footwear for men with outer soles of rubber or plastics and uppers of textile materials; to the Committee on Finance.

By Mr. WYDEN:

S. 3066. A bill to suspend temporarily the duty on certain sports footwear with cleats valued at $10/pair or more but not over $13/pair; to the Committee on Finance.

By Mr. WYDEN:

S. 3067. A bill to suspend temporarily the duty on certain sports footwear with cleats valued at $6.50/pair or more but not over $10/pair; to the Committee on Finance.

By Mr. WYDEN:

S. 3068. A bill to suspend temporarily the duty on certain footwear with open toes or open heels or of the slip-on type; to the Committee on Finance.

By Mr. WYDEN:

S. 3069. A bill to reduce temporarily the duty on certain sports footwear valued over $6.50 but not over $12/pair; to the Committee on Finance.

By Mr. WYDEN:

S. 3070. A bill to suspend temporarily the duty on mixtures comprising titanium dioxide and decyl(trimethoxy)silane; to the Committee on Finance.

By Mr. WYDEN:

S. 3071. A bill to suspend temporarily the duty on manganese ferrite carrier covered with acrylic resin; to the Committee on Finance.

By Mr. WYDEN:

S. 3072. A bill to suspend temporarily the duty on mixtures comprising poly(methyl methacrylate) and zinc acetate; to the Committee on Finance.

By Mr. WYDEN:

S. 3073. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the classification of recreational performance outerwear, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. WYDEN, Mrs. SHAHEEN, Mr. AKAKA, and Mr. SANDERS):

S. 3074. A bill to prohibit employers from compelling or coercing any person to authorize access to a protected computer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN:

S. 3075. A bill to suspend temporarily the duty on mixtures comprising titanium dioxide, silica, and decyl(trimethoxy)silane; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BOXER (for herself and Ms. COLLINS):

S. Res. 448. A resolution recognizing the 100th anniversary of Hadassah, the Women's Zionist Organization of America, Inc; to the Committee on the Judiciary.

By Mr. KERRY:

S. Res. 449. A resolution calling on all governments to assist in the safe return of children abducted from or wrongfully retained outside the country of their habitual residence; to the Committee on Foreign Relations.

By Mr. GRAHAM (for himself, Ms. MURKOWSKI, Mr. KERRY, Mr. CONRAD, Mr. BURR, and Mr. INOUYE):

S. Res. 450. A resolution designating May 15, 2012, as ''National MPS Awareness Day''; considered and agreed to.

By Mr. BEGICH (for himself, Ms. KLOBUCHAR, Mr. BLUNT, Mr. KIRK, Mr. AKAKA, Mr. GRAHAM, Mr. HELLER, Ms. LANDRIEU, Mrs. SHAHEEN, Mr. VITTER, and Mr. WARNER):

S. Res. 451. A resolution recognizing the goals of National Travel and Tourism Week and honoring the valuable contributions of travel and tourism to the United States of America; considered and agreed to.

By Mr. TESTER (for himself and Mr. BURR):

S. Res. 452. A resolution designating July 13, 2012, as ''Collector Car Appreciation Day'' and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 491

At the request of Mr. PRYOR, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 705

At the request of Mr. CARPER, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 755

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 941

At the request of Mr. REED, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 941, a bill to strengthen families' engagement in the education of their children.

S. 974

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 974, a bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector.

S. 1368

At the request of Mr. ROBERTS, the name of the Senator from Wyoming

(Mr. ENZI) was added as a cosponsor of S. 1368, a bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin.

S. 1460

At the request of Mr. BAUCUS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from Montana (Mr. TESTER) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1882

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1882, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 1929

At the request of Mr. BLUMENTHAL, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Ohio (Mr. BROWN), the Senator from Maryland (Mr. CARDIN), the Senator from North Dakota (Mr. CONRAD), the Senator from Delaware (Mr. COONS), the Senator from Illinois (Mr. DURBIN), the Senator from Iowa (Mr. HARKIN), the Senator from Montana (Mr. TESTER) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1929, a bill to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

S. 1935

At the request of Mrs. HAGAN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 1989

At the request of Ms. CANTWELL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 2125

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2125, a bill to amend title XVIII of the Social Security Act to modify the designation of accreditation organizations for orthotics and prosthetics, to apply accreditation and licensure requirements to suppliers of such devices and items for purposes of payment under the Medicare program, and to modify the payment rules for such devices and items under such program to account for practitioner qualifications and complexity of care.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2175

At the request of Mr. UDALL of Colorado, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2175, a bill to amend the National Defense Authorization Act for Fiscal Year 2012 to provide for the trial of covered persons detained in the United States pursuant to the Authorization for Use of Military Force and to repeal the requirement for military custody.

S. 2205

At the request of Mr. MORAN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2237

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

S. 2320

At the request of Ms. AYOTTE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

S. 2365

At the request of Mr. HATCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2365, a bill to promote the economic and energy security of the United States, and for other purposes.

S. 2366

At the request of Mr. ALEXANDER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2366, a bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

S. 2554

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2554, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017.

S. 2884

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2884, a bill to provide an incentive for businesses to bring jobs back to America.

S. CON. RES. 42

At the request of Mr. PAUL, the names of the Senator from South Carolina (Mr. DEMINT) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. Con. Res. 42, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022.

S. RES. 401

At the request of Mr. WHITEHOUSE, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 401, a resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

S. RES. 435

At the request of Mr. CASEY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Maryland (Mr. CARDIN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 435, a resolution calling for democratic change in Syria, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 3047. A bill to encourage responsible homeowners to refinance mortgages, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the Expanding Refinancing Opportunities Act of 2012.

This bill will allow homeowners who are struggling to stay in their homes to refinance their loans at today's historically low mortgage rates.

The administration's current refinancing programs are designed to help homeowners whose loans are guaranteed by Federal housing agencies. The problem is, those programs do nothing to help homeowners whose loans are owned by banks and mortgage trusts.

This bill would create a fund in the Federal Housing Administration that

would allow underwater homeowners whose loans are not guaranteed by the GSEs or FHA to refinance into today's low mortgage rates. The FHA would be able to insure these loans, greatly reducing the interest rates charged by lenders.

Currently, these homeowners are completely locked out of refinancing and are not being served by the private markets.

A homeowner paying 7 percent interest on their mortgage could reduce their interest rate by 2.5 percent or more through this program.

The average American homeowner could save up to three thousand dollars a year in lower interest payments.

The Expanding Refinancing Opportunities Act of 2012 is modeled after a proposal President Obama outlined in his State of the Union address in February.

Eligibility requirements for this new program are very straightforward.

Homeowners must be current on their mortgage. They must meet a minimum credit score. Their loan must be under the FHA conforming loan limit. They must be living in a single-family, owner-occupied home that is their principal residence.

Additionally, the program requires that loans not be higher than 140 percent of a home's value. Housing data shows that homeowners with loan-to-value ratios under 140 percent are significantly less likely to default than those with higher ratios.

An added benefit of the 140 percent loan-to-value limit is that it could encourage lenders to write down the principal amount owed on the mortgage to allow homeowners to qualify for participation. This would be tremendously helpful for homeowners whose home values have fallen dramatically after the collapse of the housing bubble.

Some will criticize this proposal, suggesting the government must get out of the housing market for it to recover.

I believe the government can play a vital role in making sure that home values don't continue their steep declines. Robert Shiller, the noted housing bear and respected housing economist who publishes the closely watched Case-Shiller housing index, believes that home prices have reached normal levels.

To those who would oppose this bill, I ask: how much further would you have home values decline?

While many economic indicators are increasing, falling home prices and foreclosures continue to burden the economy. Here is a quick inventory of the state of America's homeowners:

Case-Shiller found home prices in February rising for the first time in 10 months, although that gain was a nominal 0.2 percent.

Nationally, more than 11 million homeowners, or 23 percent, are upside down on their mortgage, meaning they owe more than the value of their home. Almost 30 percent of homes in California are underwater.

Median home prices are at levels not seen since the late 1990s, with the gains in the intervening years completely wiped out. Home values on average have dropped by more than 30%, with $7 trillion in household wealth lost.

And Core Logic found that home prices increased 0.6 percent last month, but are still down 0.6 percent from a year ago.

Many housing economists believe the market is at its bottom, but that doesn't mean we are out of the woods. Further increases in foreclosures would undoubtedly put further downward pressure on home prices, which could further threaten underwater homeowners and feed into a vicious negative cycle.

This is also a matter of fairness.

When homeowners take on a mortgage, they have no control over whether their bank will slice-and-dice that loan, selling it to third-party investors. If that happens, chances of refinancing into lower interest rates plummet.

I have worked closely with the administration to make sure this added responsibility does not increase the financial risk to the FHA.

The Expanding Refinancing Opportunities Act would create a new insurance fund at the FHA, totally separate from the existing mortgage insurance fund that is currently under-capitalized.

The new fund would receive its own appropriation and would be audited separately from the existing mortgage insurance fund. Furthermore, I have worked to put safeguards in place to reduce FHA's risk. Most notably, homeowners must be current on their mortgages in order to participate.

Finally, the cost of the new program would be completely offset by a 0.1 percent increase in guarantee fees for loans backed by Fannie and Freddie in 2022.

The benefits of this proposal are clear: Refinancing into lower interest rates could save the average homeowner upwards of $3,000 a year.

Recent statistics show that the expanded refinancing program the administration announced in November is seeing tangible results. According to the Mortgage Bankers Association, refinance applications have jumped by as much as 70 percent in some of the hardest-hit States.

Clearly, efforts to expand refinancing opportunities are working. Similar benefits should be afforded to those homeowners whose loans—through no fault of their own—are not insured by the Federal Government.

Beyond providing relief to American families, savings on mortgage payments would have a broader benefit for the economy.

Since the beginning of the financial crisis, the Federal Reserve has maintained an extremely low interest rate policy to encourage the availability of affordable credit.

There is no question that these measures have had an effect.

The stock market is climbing again after falling off a cliff in late 2008.

Mortgage rates have fallen to near-historic lows, recently dipping below 4 percent.

Consumers are spending less of their income paying down debt, from a high of 9.1 percent in 2007 to 5.8 percent today.

As a result, consumers are saving more and spending more on purchases that have been put off for years. This is a boost to the economy. For proof, look no further than the rebound in vehicle sales that has fueled the resurgence of American auto manufacturers.

However, there is also no doubt that the effects of the Fed's low interest rate policies have been dampened by problems in the housing market. The Fed has noted that home foreclosures are one of the biggest drags on the economic recovery.

Allowing all homeowners to lower their mortgage payments through refinancing is one way to help stop this downward spiral.

We cannot have a robust economic recovery while the housing market languishes. Just as a dilapidated foreclosure erodes the value of every home on the block, a sputtering housing market affects all aspects of the economy.

The sooner we reverse declines in the housing market, the sooner we can foster a robust economic recovery. We owe that to every American, and I encourage my colleagues to support The Expanding Refinancing Opportunities Act of 2012.

By Mr. BEGICH (for himself and Mr. BOOZMAN):

S. 3049. A bill to amend title 39, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

Mr. BEGICH. Mr. President, today I rise with my colleague from Arkansas, Senator BOOZMAN, to introduce a bill that will help veterans who have been forced out of their homes because of domestic violence. This bill will expand the definition of homeless veteran to include domestic violence.

Due to an oversight in the law, the legal definition of ''homeless veterans'' differs significantly from the existing definition of homelessness. Existing law recognizes individuals who have been forced from their homes by domestic violence as ''homeless'' but for the purposes of special ''homeless veteran'' benefits, this situation is overlooked. The small wording change in

our bill will allow those veterans who are in a domestic violence situation access to the same benefits available to other homeless veterans. In order to qualify for benefits offered to homeless veterans through the Department of Veterans Affairs, must meet the definition of homeless in the McKinney-Vento Homeless Assistance Act. That is all we are changing.

One out of four women will experience domestic violence sometime in her lifetime, including veterans who have served honorably for this country. They should qualify for the benefits they deserve and need to protect them.

This bill simply updates the legal definition of ''homeless veteran'' to bring it to the same standard as the rest of the law—correcting a grievous oversight that could deny those who served our country the support and benefits they earned a thousand times over with their patriotism and courage.

In closing, it is an honor for me to serve as a member of the Senate Veterans' Affairs Committee. I feel very privileged to work on behalf of our veterans. I appreciate the work of my distinguished colleagues on the committee and ask them and all senators to join me in supporting this small but very important expanded definition of homeless veterans.

By Mr. INHOFE (for himself, Mr. BOOZMAN, Mr. RISCH, Mr. DEMINT, Mr. WICKER, Mr. ENZI, Mr. COCHRAN, Mr. JOHNSON of Wisconsin, Mr. PAUL, Mr. MORAN, Mr. BLUNT, Mr. CORNYN, Mr. HOEVEN, Mrs. HUTCHISON, Mr. TOOMEY, Mr. MCCONNELL, Mr. COBURN, Mr. BARRASSO, Mr. CHAMBLISS, Mr. THUNE, Mr. GRAHAM, and Mr. VITTER):

S. 3053. A bill to require Regional Administrators of the Environmental Protection Agency to be appointed by and with the advice and consent of the Senate; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, in an attempt to refresh our memory on what happened with the overreach of the EPA, we might remember that it was from this podium, I guess, 2 weeks ago—it was on a Friday that we found out and we had access to a tape that we released to the public. It has been on the TV and everyone has seen it now. It is a tape of the region 6 administrator of the EPA, Mr. Armendariz. At that time, when talking to the regulators who were under his jurisdiction and along with the public at a public meeting that was taking place in Texas, he said:

> But as I said, oil and gas is an enforcement priority. . . . I was in a meeting once and I gave an analogy to my staff about my philosophy of enforcement, and I think it was probably a little crude and maybe not appropriate for the meeting but I'll go ahead and tell you what I said. It was kind of like how the Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them.

And let them die on a cross. Everyone would look at that. Then he said:

> And then you know that town was really easy to manage for the next few years. . . . So, that's our general philosophy.

This is the EPA we are talking about, and this is 1 of 10 of the regulators. This happens to be the region 6 administrator. This regional administrator recently resigned when not only his statement received attention but also following public awareness about the manner in which he initiated the enforcement actions in region 6.

We know about—and I have already mentioned in my previous remarks—the company down in Texas. This company was cited by Armendariz. They are accused of groundwater contamination. They are accused of perhaps misusing hydraulic fracturing. All these were just accusations. But then they sent a letter to them and said we are going to fine you $33,000 a day—$33,000 a day. If we read those letters carefully, we will find out that decision isn't already made, it is not going to start, but to the person who is reading the letter, who receives the letter, they will think, I can stay in business for 30 more days and that is it.

One has to ask the question: How many companies are out there that have received a letter such as this from the EPA and assumed they are going to have to start paying this fine, so they folded up their tent and they quit? This is what they want. They want to put people out of business.

I told the story from this podium about a company in my State of Oklahoma. This was back probably 10 years ago. I received a letter—we had a lumber company in Oklahoma and the president of the lumber company said: I don't know what to do. The EPA has just put us out of business.

I said: What did you do wrong?

He said: I don't think I did anything wrong. He said: I have been selling our used crankcase oil to the same licensed operation for the last 10 years and some of that—this contractor was licensed by the State of Oklahoma and the Federal Government in the County of Tulsa. He said: We have been selling it to the same group, this organization, for 10 years. He said: Some of that has been traced to a site where they have said this came from our used crankcase oil, and they said for that reason you have violated the law and we are going to fine you $5,000 a day.

Now, $5,000 a day, this is to a relatively middle-sized lumber company, Mill Creek Lumber, it is called—and they are still in business today—and that would have put them out of business. I said: Send the letter to me and let me read it. I read it and I told him they are just threatening you and trying to run you out of business.

We have to wonder as to how many companies out there are closed now or out of business because of actions such as this. How many of these companies received a letter such as the operation did down in Texas saying we are going to impose $33,000 a day and, finally, they just fold up their tent and quit? We don't know that. There is no way of knowing. We have invited people from this podium to call and we have received calls from people who have been out of business. This is an intentional effort we are dealing with and have been dealing with for quite some time.

So we introduced today, just a few minutes ago, S. 3053. I have a whole bunch of cosponsors—it looks like about 20 cosponsors—on the bill. What we do is a very simple thing. I have found in my experience in both the House and the Senate that the shorter and simpler we make something, the easier it is to understand. This is a little, small, two-page bill, and all it does is say that anyone who is going to be appointed—or nominated, I should say—as a regional administrator of the Environmental Protection Agency would have to be appointed by and with the advice and consent of the Senate. We have a list in our laws as to what has to have Senate confirmation. The Administrator of the EPA has to—and she went through that process and that person is Lisa Jackson—but not these 10 regional directors. So we are saying they should be subjected to the same advice and consent of this Senate, and we wouldn't have these kinds of problems. I suspect the Administrator of the EPA did not know what was going on in region 6 with Mr. Armendariz. I will give her the benefit of the doubt that she didn't. In fact, she was very critical of him once we stood here and exposed what was going on.

This will solve the problem. I am going to invite people to join in. We have already introduced it. It is S. 3053. It is one that would force the administrators to be subjected to confirmation by this Senate. Keep in mind that these administrators, these regional administrators, have the power of life and death over many companies in America.

I believe this will solve that problem, and I look forward to passing this bill and having it become law.

By Mr. DURBIN (for himself, Mr. BOOZMAN, Mrs. GILLIBRAND, Mr. GRASSLEY, Mr. HARKIN, Mr. KIRK, Mr. PRYOR, and Mr. SCHUMER):

S. 3054. A bill to provide strategic workload to Army arsenals in their function as a critical component of the organic defense industrial base; to the Committee on Armed Services.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Army Arsenal Strategic Workload Enhancement Act of 2012''.

SEC. 2. DEPARTMENT OF DEFENSE USE OF ARSENALS.

(a) IN GENERAL.—Chapter 143 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2425. Department of Defense use of arsenals

''(a) IN GENERAL.—The Secretary of Defense shall develop and promulgate measurable and enforceable guidelines for the Department of Defense, defense agencies, and the military services to have supplies, components, end items, parts, assemblies, and sub-assemblies made in factories or arsenals owned by the United States, to the extent those factories or arsenals can make those supplies, components, end items, parts, assemblies, and sub-assemblies on an economical basis while preserving the ability to provide an effective and timely response to mobilizations, national defense contingency situations, and other emergency requirements.

''(b) DETERMINATION OF ECONOMICAL BASIS.—For purposes of determining whether supplies, components, end items, parts, assemblies, and sub-assemblies can be made on an 'economical basis' under subsection (a), the Secretary of Defense shall analyze the direct costs associated with the manufacture of such supplies, components, end items, parts, assemblies, and sub-assemblies. If an analysis is not performed, the Secretary of Defense or the relevant defense agency or military service shall promptly report to the congressional defense committees the justification for not performing an analysis.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2425. Department of Defense use of arsenals.''.

SEC. 3. ASSIGNMENT OF WORKLOAD AT ARMY FACTORIES AND ARSENALS.

(a) IN GENERAL.—Section 4532 of title 10, United States Code, is amended to read as follows:

''§ 4532. Assignment of workload at Army factories and arsenals

''(a) ASSIGNMENT OF WORKLOAD.—(1) The Secretary of the Army shall assign Government-owned and Government-operated Department of the Army factories and arsenals sufficient workload to ensure cost efficiency and technical competence in peacetime, while preserving the ability to provide an effective and timely response to mobilizations, national defense contingency situations, and other emergency requirements.

''(2) At a minimum, workload may be derived from manufacturing of supplies, components, parts, systems, subsystems, and foreign military sales.

''(3) The Secretary of the Army shall develop and promulgate guidelines to make the arsenals available to the Department of Defense, defense agencies, and military services for procurement of supplies, components, parts, systems, and subsystems.

''(b) WAIVER AUTHORITY.—(1) The Secretary of the Army may waive the requirement under subsection (a)(1) if such a waiver is necessary for the national defense.

''(2) A waiver under paragraph (1) shall not take effect until 30 days after the Secretary submits to the congressional defense committees a notification of the determination, together with the justification for the determination.

''(3) The authority to grant a waiver under paragraph (1) may not be delegated.

''(c) ANNUAL ARSENAL REPORT.—In 2013 and each year thereafter, not later than 60 days after the date on which the budget of the President for a fiscal year is submitted to Congress, the Secretary of Defense shall submit to Congress a report for the Army identifying, for the relevant fiscal year, each of the following:

''(1) The core arsenal manufacturing capability.

''(2) The workload required to cost-effectively support the arsenals and the manufacturing capability inherent in these installations.

''(3) The Secretary of the Army's performance in maintaining the Department of the Army's factories and arsenals with sufficient workload to ensure affordability and technical competence in peacetime.

''(4) The capital investments required to be made in order to ensure compliance and operational capacity.

''(d) COMPTROLLER GENERAL REVIEW.—The Comptroller General shall review each report required under subsection (c) for completeness and compliance and provide findings and recommendations to the congressional defense committees not later than 60 days after the report is submitted to Congress.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 433 of title 10, United States Code, is amended by striking the item relating to section 4532 and inserting the following new item:

''4532. Assignment of workload at Army factories and arsenals.''.

(c) INITIAL WORKLOAD PLAN REPORT.—The first report required under subsection (c) of section 4532 of title 10, United States Code, as amended by subsection (a), shall be submitted not later than 180 days after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 448—RECOGNIZING THE 100TH ANNIVERSARY OF HADASSAH, THE WOMEN'S ZIONIST ORGANIZATION OF AMERICA, INC.

Mrs. BOXER (for herself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 448

Whereas Hadassah, the Women's Zionist Organization of America, Inc. (referred to in this preamble as ''Hadassah'') was established by Henrietta Szold on February 24, 1912;

Whereas Hadassah is now the largest Zionist organization for Jewish women, with more than 300,000 active members;

Whereas Hadassah celebrated the 100th anniversary of its founding on February 24, 2012;

Whereas, since its founding, Hadassah has consistently promoted the unity of the Jewish people and worked for the betterment of communities in the United States and what is now present-day Israel;

Whereas Hadassah was nominated for the 2005 Nobel Peace Prize for its ongoing initiatives to use medicine as a bridge to peace;

Whereas Hadassah conducts a wide variety of training programs for medical personnel and students throughout the world;

Whereas, in Israel, Hadassah initiates and supports pace-setting health care, education, and youth institutions;

Whereas the world-class Hadassah Medical Organization in Israel is renowned for cutting-edge medical research;

Whereas the Hadassah Medical Organization is constructing the Sarah Wetsman Davidson Hospital Tower at Hadassah Medical Center as a gift to Israel, to be officially dedicated at the Hadassah Centennial Convention in October 2012;

Whereas, in the United States, Hadassah—

(1) enhances the quality of American and Jewish life through education and Zionist youth programs;

(2) promotes health awareness; and

(3) provides personal enrichment and growth for members; and

Whereas Hadassah helps support young people by providing scholarships for students and educating disadvantaged children: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Hadassah, the Women's Zionist Organization of America, Inc. on its 100th anniversary; and

(2) recognizes the important contributions that Hadassah, the Women's Zionist Organization of America, Inc. has made to medical research and care, the health of communities, the relationship between the United States and Israel, and the continuity of Jewish heritage.

SENATE RESOLUTION 449—CALLING ON ALL GOVERNMENTS TO ASSIST IN THE SAFE RETURN OF CHILDREN ABDUCTED FROM OR WRONGFULLY RETAINED OUTSIDE THE COUNTRY OF THEIR HABITUAL RESIDENCE

Mr. KERRY submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 449

Whereas children should be protected internationally from the harmful effects of their wrongful removal or retention;

Whereas people and governments around the world value the importance of family and respect the rights of custody and access of other countries;

Whereas governments should take all possible measures to determine the location of abducted children;

Whereas Colin Bower's two young sons, Noor and Ramsay Bower, were illegally abducted from the United States by their mother in August 2009 and taken to Egypt; and

Whereas the United States and 68 other countries that are partners to the Hague Convention on the Civil Aspects of International Child Abduction, done at the Hague October 25, 1980, have agreed, and encourage all other countries to concur, that the appropriate court for determining the best interests of children in custody matters is the court in the country of their habitual residence: Now, therefore, be it

Resolved, That the Senate calls on officials of all governments and the competent courts to assist in the safe return of all abducted and wrongfully retained children to the state

of their habitual residence, including the return of Noor and Ramsay Bower to the United States.

SENATE RESOLUTION 450—DESIGNATING MAY 15, 2012, AS ''NATIONAL MPS AWARENESS DAY''

Mr. GRAHAM (for himself, Ms. MURKOWSKI, Mr. KERRY, Mr. CONRAD, Mr. BURR, and Mr. INOUYE) submitted the following resolution; which was considered and agreed to:

S. RES. 450

Whereas mucopolysaccharidosis (referred to in this resolution as ''MPS'') are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system; and

(2) often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be a significant impediment to effectively treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases;

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases; and

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2012, as ''National MPS Awareness Day''; and

(2) supports the goals and ideals of ''National MPS Awareness Day''.

SENATE RESOLUTION 451—RECOGNIZING THE GOALS OF NATIONAL TRAVEL AND TOURISM WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF TRAVEL AND TOURISM TO THE UNITED STATES OF AMERICA

Mr. BEGICH (for himself, Ms. KLOBUCHAR, Mr. BLUNT, Mr. KIRK, Mr. AKAKA, Mr. GRAHAM, Mr. HELLER, Ms. LANDRIEU, Mrs. SHAHEEN, Mr. VITTER, and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 451

Whereas National Travel and Tourism Week was established in 1983 when Congress passed the Joint Resolution entitled ''Joint Resolution to designate the week beginning May 27, 1984, as 'National Tourism Week' '', approved November 29, 1983 (Public Law 98–178; 97 Stat. 1126), which recognized the value of travel and tourism;

Whereas National Travel and Tourism Week is celebrated across the United States from May 5 through 13, 2012;

Whereas more than 120 travel destinations throughout the United States are holding events in honor of National Travel and Tourism Week;

Whereas the travel and tourism industry supports more than 14,000,000 jobs in the United States;

Whereas the travel and tourism industry employs individuals in all 50 States and all the territories of the United States;

Whereas international travel to the United States is the single largest export industry in the country;

Whereas the travel and tourism industry, Congress, and the executive branch have worked to streamline the visa process and make the United States welcoming to visitors from other countries;

Whereas travel and tourism provide significant economic benefits to the United States by generating nearly $2,000,000,000,000 in annual economic output;

Whereas leisure travel allows individuals to experience the rich cultural heritage and educational opportunities of the United States and its communities; and

Whereas, the immense value of travel and tourism cannot be overstated: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes May 5 through 13, 2012, as National Travel and Tourism Week;

(2) commends the travel and tourism industry for its important contributions to the United States of America; and

(3) commends the employees of the travel and tourism industry for their important contributions to the United States of America.

SENATE RESOLUTION 452—DESIGNATING JULY 13, 2012, AS ''COLLECTOR CAR APPRECIATION DAY'' AND RECOGNIZING THAT THE COLLECTION AND RESTORATION OF HISTORIC AND CLASSIC CARS IS AN IMPORTANT PART OF PRESERVING THE TECHNOLOGICAL ACHIEVEMENTS AND CULTURAL HERITAGE OF THE UNITED STATES

Mr. TESTER (for himself and Mr. BURR) submitted the following resolution; which was considered and agreed to:

S. RES. 452

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the United States and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas the collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of the United States by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now therefore, be it

Resolved, That the Senate—

(1) designates July 13, 2012, as ''Collector Car Appreciation Day'';

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of Collector Car Appreciation Day that create opportunities for collector car owners to educate young people about the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2098. Mr. REID (for Mr. CORKER (for himself and Mr. WEBB)) proposed an amendment to the bill S. 2224, to require the President to report to Congress on issues related to Syria.

TEXT OF AMENDMENTS

SA 2098. Mr. REID (for Mr. CORKER (for himself and Mr. WEBB)) proposed an amendment to the bill S. 2224, to require the President to report to Congress on issues related to Syria; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. REPORTS TO CONGRESS.

(a) REPORT ON OPPOSITION GROUPS.—

(1) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the President shall submit to Congress a report describing in detail all the known opposition groups, both independent and state-sponsored, inside and outside of Syria, operating directly or indirectly to oppose the Government of Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) An assessment of the current military capacity of opposition forces.

(B) An assessment of the ability of opposition forces inside and outside of Syria to establish military and political activities impacting Syria, together with a practicable timetable for accomplishing these objectives.

(C) An assessment of the ability of any of the opposition groups to establish effective military and political control in Syria.

(D) A description of the composition and political agenda of each of the known opposition groups inside and outside of Syria, and an assessment of the degree to which such groups represent the views of the people of Syria as a whole.

(E) A description of the financial resources currently available to opposition groups and known potential sources of continued financing.

(F) An assessment of the relationship between each of the Syrian opposition groups and the Muslim Brotherhood, al Qaeda, Hezbollah, Hamas, and any other groups that have promoted an agenda that would negatively impact United States national interests.

(G) An assessment of whether active support from the United States to opposition forces would have a positive or negative impact on the factors discussed in subparagraphs (A) through (F).

(b) REPORT ON WEAPONS STOCKPILES.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress an assessment of the size and security of conventional and non-conventional weapons stockpiles in Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) A description of who has or may have access to the stockpiles.

(B) A description of the sources and types of weapons flowing from outside Syria to both government and opposition forces.

(C) A detailed plan to prevent the proliferation of conventional, biological, chemical, and other types of weapons in Syria.

(c) REPORT ON CURRENT ACTIVITIES AND FUTURE PLANS TO PROVIDE ASSISTANCE TO SYRIA'S POLITICAL OPPOSITION.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a report on all the support provided to opposition political forces in Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) A full description of the current technical assistance democracy programs conducted by the Department of State and United States Agency for International Development to support the political opposition in Syria.

(B) A full summary of the communications equipment that is currently being provided to the political opposition in Syria, including a description of the entities that have received and that will continue to receive such equipment.

(C) A description of any additional activities the United States plans to undertake in support of the political opposition in Syria.

(D) A description of the funding levels currently dedicated to support the political opposition in Syria.

(d) FORM.—The reports required by this section may be submitted in a classified form, but shall include an unclassified summary.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 9, 2012, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''The Need for Privacy Protections: Perspectives from the Administration and the Federal Trade Commission.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 9, 2012, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 9, 2012, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Office of the Intellectual Property Enforcement Coordinator.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 9, 2012, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BEGICH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 9, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ECONOMIC POLICY

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Economic Policy be authorized to meet during the session of the Senate on May 9, 2012, at 10 a.m. to conduct a hearing entitled ''The National Flood Insurance Program: The Need for Long-Term Reauthorization and Reform.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on May 9, 2012, at 2 p.m. to conduct a hearing entitled ''Is Simpler Better? Limiting Federal Support For Financial Institutions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. BEGICH. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on May 9, 2012, at 2:30 p.m. to conduct a hearing entitled; ''Building and Maintaining an Effective Human Resource Workforce in the Federal Government.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. VITTER. Mr. President, I ask unanimous consent that Sidd Gejji, a detailee from the Commerce Committee, be granted the privilege of the floor during the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, on behalf of Senator CARDIN I ask unanimous consent the privilege of the floor be granted to Caroline Goodbody and Amanda Mendoze, two of Senator CARDIN's staff members, during today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that William Carol, a detailee in the Senate HELP Committee Majority Education Office, be granted the privilege of the floor for the duration of debate on S. 2343, the Stop the Student Loan Interest Rate Hike of 2012.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Sarah Watt and Erica Kaldenberg be granted floor privileges for the duration of S. 2343, the Stop Student Loan Interest Rate Hike Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENTIAL REPORT TO CONGRESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate move to calendar No. 385.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2224) to require the President to report to Congress on issues relating to Syria.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the Corker-Webb substitute amendment be agreed to, that the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to this matter be placed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2098) was agreed to, as follows:

AMENDMENT NO. 2098

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. REPORTS TO CONGRESS.

(a) REPORT ON OPPOSITION GROUPS.—

(1) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the President shall submit to Congress a report describing in detail all the known opposition groups, both independent and state-sponsored, inside and outside of Syria, operating directly or indirectly to oppose the Government of Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) An assessment of the current military capacity of opposition forces.

(B) An assessment of the ability of opposition forces inside and outside of Syria to establish military and political activities impacting Syria, together with a practicable timetable for accomplishing these objectives.

(C) An assessment of the ability of any of the opposition groups to establish effective military and political control in Syria.

(D) A description of the composition and political agenda of each of the known opposition groups inside and outside of Syria, and an assessment of the degree to which such groups represent the views of the people of Syria as a whole.

(E) A description of the financial resources currently available to opposition groups and known potential sources of continued financing.

(F) An assessment of the relationship between each of the Syrian opposition groups and the Muslim Brotherhood, al Qaeda, Hezbollah, Hamas, and any other groups that have promoted an agenda that would negatively impact United States national interests.

(G) An assessment of whether active support from the United States to opposition forces would have a positive or negative impact on the factors discussed in subparagraphs (A) through (F).

(b) REPORT ON WEAPONS STOCKPILES.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress an assessment of the size and security of conventional and non-conventional weapons stockpiles in Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) A description of who has or may have access to the stockpiles.

(B) A description of the sources and types of weapons flowing from outside Syria to both government and opposition forces.

(C) A detailed plan to prevent the proliferation of conventional, biological, chemical, and other types of weapons in Syria.

(c) REPORT ON CURRENT ACTIVITIES AND FUTURE PLANS TO PROVIDE ASSISTANCE TO SYRIA'S POLITICAL OPPOSITION.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a report on all the support provided to opposition political forces in Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) A full description of the current technical assistance democracy programs conducted by the Department of State and United States Agency for International Development to support the political opposition in Syria.

(B) A full summary of the communications equipment that is currently being provided to the political opposition in Syria, including a description of the entities that have received and that will continue to receive such equipment.

(C) A description of any additional activities the United States plans to undertake in support of the political opposition in Syria.

(D) A description of the funding levels currently dedicated to support the political opposition in Syria.

(d) FORM.—The reports required by this section may be submitted in a classified form, but shall include an unclassified summary.

The bill (S. 2224), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHAMEHA

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE GREATER WASHINGTON SOAP BOX DERBY

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. REID. Mr. President, I now ask unanimous consent that the Senate proceed en bloc to the consideration of some concurrent resolutions: Resolutions numbered H. Con. Res. 105, H. Con. Res. 106, H. Con. Res. 117, and H. Con. Res. 118.

There being no objection, the Senate proceeded to consider the concurrent resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolutions be agreed to, the motions to reconsider be laid on the table en bloc, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolutions (H. Con. Res. 105, H. Con. Res. 106, H. Con. Res. 117, and H. Con. Res. 118) were agreed to.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. I now ask unanimous consent the Senate proceed to the consideration of S. Res. 450, S. Res. 451, and S. Res. 452, which were submitted earlier today.

There being no objection, the Senate proceeded to consider the resolutions.

Mr. REID. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid on the table for all three of these, that there be no intervening action or debate, and any statements relating to any one of these three matters be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 450

(Designating May 15, 2012, as ''National MPS Awareness Day'')

Whereas mucopolysaccharidosis (referred to in this resolution as ''MPS'') are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system; and

(2) often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be a significant impediment to effectively

treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases;

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases; and

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2012, as ''National MPS Awareness Day''; and

(2) supports the goals and ideals of ''National MPS Awareness Day''.

S. RES. 451

(Recognizing the goals of National Travel and Tourism Week and honoring the valuable contributions of travel and tourism to the United States of America)

Whereas National Travel and Tourism Week was established in 1983 when Congress passed the Joint Resolution entitled ''Joint Resolution to designate the week beginning May 27, 1984, as 'National Tourism Week' '', approved November 29, 1983 (Public Law 98–178; 97 Stat. 1126), which recognized the value of travel and tourism;

Whereas National Travel and Tourism Week is celebrated across the United States from May 5 through 13, 2012;

Whereas more than 120 travel destinations throughout the United States are holding events in honor of National Travel and Tourism Week;

Whereas the travel and tourism industry supports more than 14,000,000 jobs in the United States;

Whereas the travel and tourism industry employs individuals in all 50 States and all the territories of the United States;

Whereas international travel to the United States is the single largest export industry in the country;

Whereas the travel and tourism industry, Congress, and the executive branch have worked to streamline the visa process and make the United States welcoming to visitors from other countries;

Whereas travel and tourism provide significant economic benefits to the United States by generating nearly $2,000,000,000,000 in annual economic output;

Whereas leisure travel allows individuals to experience the rich cultural heritage and educational opportunities of the United States and its communities; and

Whereas, the immense value of travel and tourism cannot be overstated: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes May 5 through 13, 2012, as National Travel and Tourism Week;

(2) commends the travel and tourism industry for its important contributions to the United States of America; and

(3) commends the employees of the travel and tourism industry for their important contributions to the United States of America.

S. RES. 452

(Designating July 13, 2012, as ''Collector Car Appreciation Day'' and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States)

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the United States and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas the collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of the United States by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now therefore, be it

Resolved, That the Senate—

(1) designates July 13, 2012, as ''Collector Car Appreciation Day'';

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of Collector Car Appreciation Day that create opportunities for collector car owners to educate young people about the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

ORDERS FOR THURSDAY, MAY 10, 2012

Mr. REID. Mr. President, I now ask unanimous consent when the Senate completes its business today, it adjourn until tomorrow, Thursday, May 10, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; and finally when we come in tomorrow morning I be the person first recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. During tomorrow's session, it is possible that the Senate will resume consideration of the motion to proceed to the Student Loan Interest Rate Hike Act as well as the Export-Import Bank Reauthorization Act. That should be easy. That should be something we should agree to. We tried to get the Ex-Im Bank done. Everyone wanted to get it done. The chamber of commerce, labor, aircraft companies—all wanted it done. Everybody wanted it done. But, as a lot of things go here in the Senate, it didn't get done because Republicans wouldn't let us get it done.

It went to the House, and they sent us back a bill that is virtually the same as the one we weren't able to pass here, so I can't imagine anyone would want to slow that one down. I hope I don't have to file cloture on it because if I do, I will do it because we will have another chance to vote on it just as it came from the House. Every Democrat voted for it over there. There were 90 Republicans who voted against it. We all know who they are. But they voted against it. We are going to have a chance to vote on the exact bill that passed the House.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Thursday, May 10, 2012, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, May 9, 2012*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HARPER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 9, 2012.

I hereby appoint the Honorable GREGG HARPER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

STUDENT LOAN DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Vermont (Mr. WELCH) for 5 minutes.

Mr. WELCH. Mr. Speaker, right now, families across this country are sitting around their kitchen tables trying to figure out how they can send their kids to college. They're talking about how to finance a college education when the cost of that is rising faster than the cost of health care.

Parents are making some very difficult decisions. Should we refinance our homes and dwindle our retirement? How much money can we borrow? How much can we ask our kids to borrow in order to put this financial package together? And for the first time, many of these parents are considering the unthinkable: maybe they can't afford to send their kids to college.

Meanwhile, in 52 days, if Congress does not act, a very bad situation will get worse. On July 1, the interest rates on the Stafford student loans will double from 3.4 to 6.8 percent. Vermont students, American students and parents need action from Congress and need it now.

Over the past few weeks, I've been asking Vermonters to share their real-world stories, and I'd like to tell a few.

Katie from West Glover graduated with $36,000 in student loan debt. And it's a tough economy. She's had a hard time finding a job, so she took an internship so she can keep advancing her career. She works 5 to 6 days a week making 25 bucks a day. She's essentially providing well-educated, cheap labor, but she doesn't have a choice. She doesn't regret her decision to go to school, but she's getting extremely apprehensive about her ability to get this financial albatross off her back.

Sue from Newport has $125,000 in debt. She also has some medical problems which limit the kind of work that she can do, but she does work and has a full-time job. But student loan payments are $600 a month, making it very difficult for her to pay her other bills, and she has no savings and no retirement.

Peter, a parent from Calais, Vermont, he always believed that he could send his son to college. Now he's not sure that he can. His son has done his part, graduating from high school with honors, and he's been accepted to a number of very good institutions. But with tuition costs at those schools ranging from $30,000 to $56,000 a year, Peter from Calais is just not sure that their family is going to be able to make this work out.

Julie from Huntington, Vermont. She grew up in a single-parent home, living below the poverty line, but she was told that if she worked hard in school, studied, she could achieve a great future. She did her part. She also was taught, by the way, that she should avoid debt at all costs. She is pursuing college but working three jobs while she's going to school full-time. And she's still piling up debt. She was taught to believe that if she worked hard and applied herself she could achieve great things. Now working three jobs, piling up debt, ''Is there a way out?'' is the question she's asking.

Mr. Speaker, this is more than about extending the low interest on the Stafford loans. It's really about whether we're going to have a pathway for people trying to climb into the middle class to get there and for people in the middle class to stay there. How much more burden can we impose on folks who want a future for their families, for their kids? It is absolutely unconscionable, in this world that we're in, to double student interest rates from 3.4 to 6.8 percent.

It is time for Congress to stand up for the middle class, for those folks from Vermont and around the country who are trying to do the best for themselves and for their country.

CLIMATE CHANGE AND NATIONAL SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, climate deniers have buried their heads so deep in the sand they can't hear the Secretary of Defense warning us about the risk of climate change.

Last week, Secretary Panetta gave a speech about the impact of climate change on national security. He said, ''The area of climate change has a dramatic impact on national security. Rising sea levels, severe droughts, the melting of the polar caps, and devastating natural disasters all raise demand for humanitarian assistance and disaster relief.'' And he might have added, and threaten military bases, especially naval bases, all around the world.

Americans are experiencing that severe weather already, including record-breaking droughts in the South and Southwest and unprecedented tornadic activity in the South and the Midwest.

Severe weather manifestations of climate change have a direct impact on our armed services and national security. Secretary Panetta focused on the geopolitical risks of increased flooding, drought, famine, and hurricanes. These troubling events create new demands for humanitarian intervention but can also destabilize political regimes and enable the rise of extreme elements.

Congress may be fiddling while Texas and wildfire regions of the mountain west burn, but the armed services are responding aggressively to the threat of climate change.

The Navy is leading the effort to boost production of biofuels and to protect the military and taxpayers against rising oil prices. The Department of Defense consumes some 350,000 barrels of oil every day. Each $10 increase in a barrel of oil costs our Department of Defense and the taxpayers $1.3 billion every year. By creating a supply of biofuels, the Navy's protecting taxpayer interests from volatile oil prices, while reducing greenhouse gas pollution associated with fossil fuels. The Navy also is reducing its own dependence on Middle Eastern oil, since it makes no sense for the DOD to be providing business to governments that support terrorism.

The Army and the Air Force have also made groundbreaking investments in renewable energy and energy efficiency, reducing global warming pollution while strengthening our national security posture. At Fort Detrick, for example, and other installations, the Army is deploying energy efficient retrofits and renewable energy generation to achieve net zero energy consumption, meaning that the bases produce as much energy as they consume. These efforts reduce global warming pollution and protect critical facilities from a cyberattack on the grid.

The Army's implemented numerous energy savings performance contracts at other bases, including in my district at Fort Belvoir, to reduce energy consumption and associated greenhouse gas pollution. By reducing the $24.5 billion every year that Federal agencies spend on electricity consumption, these efforts protect taxpayers.

In today's fiscal climate, the Secretary of Defense is aware that the Federal Government needs to make better use of limited resources. He recognizes that investing in clean energy will reduce the Department of Defense's oil dependence and lower its fuel costs to free up resources for other priorities and to reduce the burden on taxpayers.

I'm surprised by the resistance of a few Members who wrap themselves in the mantle of fiscal responsibility, even while opposing the Defense Department's efforts to save money on energy costs.

□ 1010

The DOD's success in this area is actually a model for other agencies to follow.

There used to be a bipartisan consensus here, and we should address the threats posed by climate change. John Warner, who served as the Secretary of the Navy in a Republican administration before serving as the Republican Senator from my home State of Virginia for 30 years, introduced the first bill to address global warming which came to the Senate floor. Since his retirement in 2008, he has been a leading advocate for reductions in global warming pollution in order to improve our national security. Sadly, the House Republican leadership would take America in the opposite direction by blocking the Clean Air Act enforcement of carbon pollution limits and by reversing energy efficiency standards for lights and appliances.

As the impacts of climate change become more apparent with each passing season, we should heed Secretary Panetta's warning and take action to control the pollution, which endangers our warfighters abroad and threatens communities here at home.

[The Cutting Edge News, May 4, 2012]

PANETTA WARNS CLIMATE CHANGE HAVING 'DRAMATIC IMPACT' ON NATIONAL SECURITY

(By Carlo Munoz)

Climate change has had a direct effect on national security, Defense Secretary Leon Panetta said this week.

Panetta told an audience at the Environmental Defense Fund that climate change has raised the need for humanitarian assistance and disaster relief, hitting national security in the process.

''The area of climate change has a dramatic impact on national security,'' Panetta said. ''Rising sea levels, severe droughts, the melting of the polar caps, the more frequent and devastating natural disasters all raise demand for humanitarian assistance and disaster relief.''

Panetta spoke to the Environmental Defense Fund on Tuesday at an event honoring the Defense Department for advancing clean-energy initiatives.

In recent years, the Defense Department and the services have spearheaded a number of alternative-energy initiatives and seemingly embraced environmentally friendly practices on the battlefield.

President Obama effectively put the Pentagon at the forefront of an ambitious alternative energy strategy during the State of the Union speech in January. The Navy and Air Force have already spent billions to integrate biofuels into their fleets of fighter jets and warships.

Marine Corps combat units in Afghanistan are using mobile solar panels to recharge batteries for their night vision and communications in the field. Solar power is also helping to run a number of Marine Corps combat outposts in the country.

But the Pentagon's adoption of environmentally sensitive practices was driven more by the department's dire fiscal situation than politics, Panetta said on Tuesday. DOD spent roughly $15 billion to fuel its fighters, tanks and ships in 2012, the Defense chief said. The Pentagon spends $50 million on fuel each month to keep combat operations in Afghanistan going, Panetta added. As oil prices continue to skyrocket, the department ''now [faces] a shortfall exceeding $3 billion of higher-than-expected fuel costs this year,'' according to Panetta.

In order to dig its way out of that financial hole, DOD has no choice but to look to alternative fuel technologies. Pentagon officials plan to invest more than $1 billion into developing those technologies in fiscal 2013, he said. However, Republicans on Capitol Hill have taken issue with that decision, arguing the department will be sacrificing needed much-needed combat systems in favor of alternative energy work. In March, Sen. John McCain (R-Ariz.) claimed the Navy's ongoing biofuels work was devolving into another ''Solyndra situation.''

During a March 13 hearing of the Senate Armed Services Committee, McCain compared the now-bankrupt solar-energy company, into which the White House sank $535 million in loan guarantees, to Navy-led efforts in alternative energy. Rep. Randy Forbes (R-Va.), a member of the House Armed Services subcommittee on Seapower and Projection Forces, took Navy Secretary Ray Mabus to task in February over the service's plans. ''Shouldn't we refocus our priorities and make those things our priorities instead of advancing a biofuels market?'' Forbes asked at the time. Before Mabus could respond, the Virginia Republican took a clear shot at the secretary: ''You're not the secretary of the Energy. You're the secretary of the Navy.''

OFFERING CONDOLENCES TO THE FAMILY OF JUNIOR SEAU, NFL GREAT AND SON OF AMERICAN SAMOA

The SPEAKER pro tempore. The Chair recognizes the gentleman from American Samoa (Mr. FALEOMAVAEGA) for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today with deep sympathy in order to offer my condolences to the family and friends of a beloved son, father, brother, uncle, leader, an NFL great, and a son of American Samoa, Junior Seau, whose life ended tragically on the morning of May 2, 2012, in Oceanside, California.

It is a very sad time for, not only the national sports world, but also for our Polynesian community. We have lost a Samoan brother who was an icon in football and a pioneer for many of our Polynesian sons who are in the National Football League. A beautiful life has come to a tragic end, yet we remember Junior as a young man full of life, a charismatic leader able to light up any room, a devoted son and father and community leader. We remember the strength of this unique individual, a true Samoan warrior.

Junior was born Tiaina Baul Seau, Jr., on January 19, 1969, in San Diego, California, to American Samoan parents Mr. Tiaina Seau, Sr., of the village of Aunu'u, and Mrs. Luisa Mauga Seau of the village of Aoa. After Junior was born, the family returned to American Samoa where Junior grew up for several years before returning to the San Diego area.

Junior attended Oceanside High School where he lettered in football, basketball, as well as in track and field for the Oceanside Pirates. In football, he was a starter at linebacker and tight end, and received numerous awards for his achievements as a student athlete. In 1987, the year he graduated, Parade Magazine selected Seau to its high school all-American team. He was also named California Interscholastic Federation San Diego Section Defensive Player of the Year, All-North County, Avocado League Offensive Player of the Year, as well as being named to California's all-academic team, with a 3.6 grade point average. After graduating high school, Seau played for the University of Southern California Trojans from 1987 to 1990, and in 2009, would be inducted into the USC Hall of Fame.

In the 1990 NFL draft, Junior was drafted into the First Round and 5th Overall Pick by the San Diego Chargers. Seau immediately became the heart and soul of the Chargers' defense, earning the nickname ''Tasmanian Devil'' for his passion and explosive athletic skill on the field. In the locker room and on the field, Seau had an innate ability to motivate his teammates. He was named the NFL's Defensive Player of the Year in 1998 and 1999,

and was voted the Chargers' Most Inspirational Player in 1997 and 2002. Junior played in 12 consecutive Pro Bowls from 1991 to 2002, the most of any player in the history of the Chargers, and he tied for the third longest streak ever in the NFL. He was also selected All-Pro six times in his career, and led the Chargers to their first ever Super Bowl appearance in 1995.

After 13 years in San Diego, Junior played 3 years for the Miami Dolphins where he received the Miami Dolphins' Don Shula Leadership Award for 2 consecutive years. After only 1 day of retirement in 2006, he answered the call by the New England Patriots, and became defensive co-captain during the Patriots' 18–0 season, which took the team to the Super Bowl in 2008. Junior finally retired in 2010, having played 20 seasons in the NFL and finishing with a career of 1,849 tackles, 56.5 sacks, 18 interceptions, three forced fumbles, and 21 pass deflections.

Junior Seau is widely acknowledged as one of the best linebackers in NFL history, but his passion and success in football was paralleled in his community involvement and in his work off the field.

In 1992, Junior established the Junior Seau Foundation, giving San Diego area youth ongoing support for programs that inspired them to face life's challenges with enthusiasm, hope and dignity. Since its inception, the foundation has distributed nearly $4 million to organizations providing services to children and young adults, including over $800,000 in scholarships through the Scholars of Excellence program and over $330,000 in Junior's ''Shop with a Jock'' program, which provides for underprivileged youth to shop alongside a professional college athlete for Christmas gifts for their families. In April 2007, The Wall Street Journal ranked the Junior Seau Foundation, as the 13th largest Professional Athlete Foundation based on assets.

As much as he was an outstanding football player, Junior will also be remembered as a humanitarian, as a supporter for those who needed help the most, as a dear friend, and as a motivational figure. He was a charismatic leader who could not walk into a room without having an effect on those around him. He was loved by everyone who knew him, and his magnetism both on and off the field impacted fans nationwide and any individual he encountered.

When one speaks of Samoans in the NFL, Mr. Speaker, Junior Seau is one of the first names that comes to mind. Junior was an ambassador for Asian and Pacific Americans, and through his success, he was able to broaden the public's understanding and appreciation of our Polynesian people.

Reaching the NFL is a dream of many young men, but Junior Seau gave young Samoan men an image of success in the league—something that they could aspire to.

In closing today, I would like to offer words of comfort to the Seau family, especially Mr. Tiaina Seau Sr. and Mrs. Luisa Seau, Junior's parents, as well as Junior's children, his siblings, and his extended family, or as we say in Samoan his aiga.

In the Book of Romans, Chapter 12, Verse 15 we are called to ''rejoice with those who rejoice, and weep with those who weep.'' In all of Junior's amazing accomplishments throughout his life, we have rejoiced with the Seau family, sharing your joy. And now in this time of great sorrow, we stand with you, though with heavy hearts, sharing in your grief.

Ia manuia lau faigamalaga. (Have a blessed journey home), Junior.

THE KEEPING ALL STUDENTS SAFE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, last year, I reintroduced the Keeping All Students Safe Act, to protect children from abusive seclusion and restraint practices in school.

Two years ago, this legislation passed the House with bipartisan support. Unfortunately, it never became law, and the incidents of students who are being abused or inappropriately restrained while in school continue to occur. We cannot sit idly by. Congress must step up to the plate and protect our Nation's children. In recent months, we've been hearing more disturbing stories of students who are being dangerously restrained by teachers and staff while in school. In several of these cases, students have suffered serious injuries or have even died as a result of their injuries.

In December, in Kentucky, 9-year-old Christopher Baker, who has autism, was stuffed into a duffel bag at school as punishment. In Connecticut, children have been afraid to go to school because they've heard other students screaming in small, windowless rooms. The students in these elementary schools refer to these rooms as ''scream rooms.''

In Texas, 10-year-old Lukas Hines, who suffers from seizures, dyslexia, and ADHD, was put in a choke hold while riding home on a Texas school bus. For 4 minutes, the school supervisor refused to release him into the care of his mother, and instead kept him in the dangerous choke hold.

Then, on April 18, at the Leake and Watts School in New York, 16-year-old Corey Foster was restrained by the school staff, who were trying to remove him from a basketball court. Witnesses reported that several staff members piled on top of him. Corey told the staff he could not breathe. Tragically, while he was being restrained, he went into cardiac arrest and died.

Corey's story is far too similar to a story I learned of several years ago. That was the story of Cedric, a 14-year-old in Texas. Cedric was restrained, facedown, with his teacher sitting on top of him. He yelled out that he couldn't breathe. Minutes later, Cedric died on the floor of his classroom.

□ 1020

Tragedies like Cory's and Cedric's need to stop. In March, the Department of Education released nationwide data showing that tens of thousands of children are subject to restraint and seclusion in school each year.

This map shows that 31 States have had reports of abusive incidents since the last time that we tried to enact the Keeping All Students Safe Act. No corner of the country is immune from abuse. It is widespread, and it has gone on far too long. This map shows that we need a nationally driven reform, because where States have enacted, students are still subject to the worst practices in these educational settings.

According to the report released last month, only 30 States have any meaningful protection for the use of seclusion and restraint in school. Only 18 States prohibit restraint that restricts breathing. Only 16 States limit the use of restraining to emergencies involving immediate risk or harm. Only 16 States ban the use of mechanical restraints. And only 24 States have any requirement that their parents be notified that their child was restrained or secluded in school. In fact, children can go to school day after day, be restrained, be secluded, be locked in dark rooms, kept in those rooms where they urinate on themselves, and their parents are never notified.

When parents are excluded from the information about their students, where is that a matter of good public policy? The child and their safety should not depend upon what State they live in. The Federal Government, this Congress, needs to set minimum standards and model standards.

We have the Federal laws in place to prevent seclusion and restraint abuses that happen in hospitals and other health facilities, but children do not have any Federal protection against these potentially dangerous and torturous practices when they're in school.

Schools are supposed to be a safe place, a place for children to learn, a place for children to socialize, and parents should never have to worry about the safety of their children when they're at school. No child should be forced to suffer abuse, neglect, injury, or even death while they're trying to learn.

The Keeping All Students Safe Act would set minimum safety standards for the use of restraint and seclusion in schools and provide training and support for school personnel to reduce the use of seclusion and restraint. It makes it illegal to strap children to chairs,

put children in duffle bags, or restrict their breathing. Seclusion restraint practices should only be used in emergency situations by trained staff and should end as soon as the emergency has passed. This legislation makes it clear that there's no room for torture and abuse in America's schools.

News reports showing children being tied up with duct tape, sat on by staff, locked in rooms for hours at a time is unacceptable. Our children deserve better. This legislation won't bring back Corey or Cedric, but it can prevent future abuses from occurring.

I've called upon the chairman of the Committee on Education and the Workforce to mark up this important legislation so we can move forward on passing this critical legislation into law. Our children deserve nothing less.

MOTHER'S DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. KELLY) for 5 minutes.

Mr. KELLY. Mr. Speaker, this week we're very busy in the House, and last night we didn't get out until well beyond midnight. But there's also something that's happening this week that's very important not only to this body, but the whole Nation, and that's Mother's Day.

The father of our Nation, George Washington, said of his mother:

All I am I owe to my mother. I attribute all my success in life to the moral, intellectual, and physical education I received from her.

The role a mother plays in her child's life is unlike anything else. She is the life-giver, the caregiver, and the source of strength and guidance throughout her children's life. She wipes away the tears, she cleans the scrapes, and heals the hurts we all experience. And not just through our childhood, but beyond. We owe everything to our moms, and they deserve the recognition and respect they've rightly earned.

My mother raised my brothers and sisters and me with a level of tenderness shown by no other. She taught us the virtues of hard work, humility, and selflessness by living each of those virtues herself. My mom is no longer with me, but this weekend I will celebrate her and remember and honor the legacy she and every mother leaves behind.

Our Nation must always value the work that mothers do and their incalculable contribution to our society. If we ever fail to recognize the work both inside and outside the home, then we begin to lose sight and the strength of our Nation. Without our moms, we fail to realize the promise within each of us, for they are our greatest supporters. They are central to our lives and vital to our success.

Happy Mother's Day to every mother in America. We thank you, and we honor you for your invaluable service, endless love, and sacrifice.

CONGRATULATIONS TO LINCOLN HIGH SCHOOL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Ms. BONAMICI) for 5 minutes.

Ms. BONAMICI. Mr. Speaker, today I rise to congratulate Oregon's Lincoln High School on winning the 2012 National Finals of the We the People competition. These students worked diligently all year to achieve this honor, demonstrating outstanding teamwork and an impressive understanding of our country's Constitution.

We the People: The Citizen and the Constitution is a civic education curriculum in which students learn about our country and government while preparing for a mock congressional hearing. During the hearing, students are challenged to demonstrate their critical thinking skills, knowledge of current events, ability to work as a team, and understanding of the Constitution and its origins. After winning Oregon State's competition, the Lincoln High team traveled to Washington, D.C., to compete in the national finals. After 3 days of competition against classes representing 47 States, Washington, D.C., and the Northern Mariana Islands, Lincoln High School was declared the winner.

To the students of Lincoln High School—our future leaders—your hard work and dedication has not only brought you this award, it's made you outstanding citizens and models for your peers. Congratulations to the entire winning class: Avery Ballato, Catherine Barton, Marty Berger, Hallie Blashfield, Ryan Bloom, Danny Brillhart, John Carey, Julian Dann, Julia Eckelmann, Michael Field, Natina Gilbert, Nikhil Goyal, Kendra Hong, Robin Jayaswal, Katie Kelly, Sierra Killian, John Kim, Emma Lane, Duncan MacEachern, William Mao, Olnita Martini, Evan Neuhausen, Sara Newman, Vicki Niu, Sammy Purnell, Justin Richter, Beckett Rueda, Emma Simmons, Sage Smiley, Nita Sridharan, Eri Stern, Mara Strauss, Molly Walls, Carolyn Wheatley, Ajeya Woods, and Cole Zollinger.

Thank you to the Classroom Law Project for organizing the program in Oregon and for all you do to teach students about democracy.

And last, but certainly not least, I congratulate Tim Swinehart, the students' teacher, whose leadership was instrumental to Lincoln High School's success, as well as their coaches: Steve Griffith, Jason Trombley, Jeff Edmundson, Christy Splitt, Jennifer Hill, Ben O'Glasser, Jonathan Pulvers, and Alison Brody.

Great work, Lincoln High School. Congratulations.

IN MEMORY OF RICK EAGAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. SCHMIDT) for 5 minutes.

Mrs. SCHMIDT. Mr. Speaker, I rise today in honor and in memory of a very dear friend of mine and a very dear friend of Brown County, County Commissioner Rick Eagan.

Rick's passion for community service spanned his entire life. He was a member of the Ripley Fire Department for almost 30 years. He served 14 years in local law enforcement. He was also a former council member and vice mayor of Ripley, Ohio.

But Rick didn't stop there. He wanted to do more. He wanted to be county commissioner because he felt he could lead the county forward. So he ran for commissioner and lost. He ran again and lost. They say the third time is the charm, and Rick decided to test that water. In 2010, he threw his hat in the ring. Unfortunately, very early on, he was involved in a very tragic automobile accident, one that nearly took his life. It took his leg; it took his ability to breathe, and he had a tracheotomy until a few weeks ago. He was in the hospital for nearly a year. He came out that August, campaigned, and miraculously won the election. His dream came true, and he began to serve his community in another way.

He loved his community; he loved his country, and he loved his family. He fought every day to make the world a better place. A few weeks ago, the doctors believed they could change his course and take the trach out and allow him to breathe normally again. And they did. But complications ensued, and we lost Rick this week.

□ 1030

I am so sad for our community to have lost such a dynamic and wonderful individual. Public servants like Rick are hard to come by. But I'm even saddened more by the fact that his wonderful wife, Margaret, and his children, Douglas and Tiffany, will no longer be able to live with that remarkable man, no longer be able to love him and hug him.

So I ask this body to remember those like Rick Eagan who put their lives before themselves, work hard to make our country a better place to live, work, and raise a family. And I ask that the Lord allow Commissioner Rick Eagan to be in His hands, and may my dear friend and my community rest in peace.

MULTIPLE SALES REPORTING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, last week the ATF announced the results of the first 8 months of its Multiple Sales Reporting program, or MSR, for semi-automatic rifles. The numbers prove

the MSR is already an invaluable tool in fighting gun trafficking along the southwest border. There were more than 3,000 reports accounting for the purchase of 7,300 rifles between Texas, New Mexico, Arizona, and California. These reports resulted in more than 120 criminal investigations; and, subsequently, 25 cases involving 100 defendants have been recommended for prosecution. The ATF also reported a decline in large volume rifle purchases, indicating that traffickers are altering their criminal activity due to the new reporting requirement.

The MSR program was created to counteract the dangerous trafficking of guns along our border with Mexico. These guns fuel the cartels' war in Mexico, destabilizing our southern neighbor and third-largest trading partner. According to ATF data, 70 percent of the firearms recovered and traced from drug cartel crimes in Mexico originated in the United States.

So in light of the positive impact the MSR has had, what is the House voting to do just this week? That's right, repeal the measure. A policy rider in the Commerce, Justice, and Science 2013 appropriations bill would cut off funding for reporting the sale of multiple semiautomatic rifles. Yes, this House will vote to block funding that is successfully removing semiautomatic rifles from the underground gun trade. These are the guns that endanger Americans along the border and fuel an all-out war in a neighboring country. Ending the MSR requirement is not about protecting anyone's rights.

Reporting the sale of multiple semiautomatic rifles does not infringe on Second Amendment rights. In fact, a similar Multiple Sales Reporting requirement has been in place for handguns for over 20 years. The necessary paperwork takes gun dealers 12 minutes to complete, but can give law enforcement crucial intelligence on straw purchased rifles.

A George Bush-appointed Federal judge upheld the MSR requirement, finding that it did not disturb the balance between regulation and a gun owner's right to privacy. So the gun lobby has now turned to cutting its funding because why allow programs successfully fighting gun trafficking to continue undisturbed? This has become an all-too-familiar event for the ATF, which has operated under temporary leadership since 2006 due to blocked confirmation in the Senate. But it's beyond just that administration.

According to The Washington Post, in 2010, the ATF had the same number of agents it had in 1970 while the FBI has grown by 50 percent and the DEA by 233 percent. Gun ownership records are kept on paper because the NRA has successfully lobbied against funding computerized records.

With recordkeeping from the fifties and funding from the seventies, it's no wonder law enforcement struggles in 2012. So maybe it's not surprising the MSR program would encounter such heated opposition. An effective investigative tool for law enforcement with only a negligible effect on gun dealers, that would be evidence of regulatory solutions that can work for everyone—the dealers, the buyers, and, most importantly, the public. And that's exactly what the gun lobby doesn't want.

If commonsense solutions like Multiple Sales Reporting can stand, what's next? Requiring background checks for sales at gun shows, which 69 percent of NRA members support? Denying people on the terrorist watch list the right to buy a gun?

To the gun lobby, there's nothing scarier than common sense winning out. So this week, let's scare them. Let's win one for common sense. Let's keep reporting the sale of multiple semiautomatic rifles like we do with handguns. Let's allow the ATF to continue making progress against dangerous gun trafficking on our southwest border. Let's make a choice that's best for law enforcement, our security, and for common sense.

GOP AGENDA: SHREDDING THE SAFETY NET WHILE PROTECTING DEFENSE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, tomorrow this body will vote on a Republican budget bill that is nothing short of reprehensible. Once again, my friends on the other side of the aisle are insisting that the poor and working-class families continue to suffer and struggle because heaven forbid we should ask the Department of Defense to do its share to meet our fiscal challenges.

You can't walk into this Chamber, Mr. Speaker, without hearing a self-serving and self-righteous lecture from a Member of the majority about fiscal responsibility. But when they say, Let's cut spending, what they really mean is, Let's shred the safety net.

So their bill puts a giant bull's-eye on the programs that struggling families need to keep their heads above water, especially in this tough economy. Under their bill, fewer women will get breast cancer screenings, fewer poor children will get meals at school or access to health care, and 1.7 million fewer seniors will get Meals on Wheels and other home-based services. They are willing to cut Medicare child abuse prevention and consumer financial protection, and they want to push 1.8 million people off the food stamp program—a program, by the way, that my family needed to survive when I was a single working mom more than 40 years ago. I don't know what we would have done without food stamps.

But guess which part of the Federal Government—which bloated, well-fed bureaucracy—continues to get lavish support from the majority? That's right—the Pentagon, the military industrial complex. Even though the sequester is supposed to apply across the board, the majority wants to exempt defense and make domestic programs absorb all the cuts. That's the way they do business. They pinch pennies on the very real human needs of the American people. They nickel and dime hardworking families who deserve a fair shot and need a hand up.

For 10½ years, Mr. Speaker, we've been at war. And between Iraq and Afghanistan, the American people are out $1.3 trillion—that's trillion, with a T, Mr. Speaker—$1.3 trillion wasted on a policy that is killing our people, hurting our national security, and undermining our standing in the world.

For pennies on the dollar, we could replace permanent warfare with a SMART Security platform that will keep our country safe by focusing on development, diplomacy, and investment in humanitarian needs in the developing world. And we'd have plenty left over—plenty—to shore up the safety net, fund antipoverty programs, and restore the American Dream.

If we're serious about reducing the deficit, then progressives are willing to talk, but there has to be a shared sacrifice. There has to be a balanced approach. We won't take it out on our most vulnerable people, not when we're waging a failed war that is our biggest ticket item, not when we continue to throw billions of dollars at Cold War aircraft and weapons systems that are serving absolutely no purpose.

□ 1040

And not when we continue to maintain a nuclear arsenal that's enough to destroy civilization several times over. Targeting social services while giving defense and war spending a free pass is not fiscal responsibility. It's ideological warfare.

Let's get our priorities straight. It's time to cut defense spending, Mr. Speaker. It's time to bring our troops home. And it's time to reinvest in the American people. And the time is now.

LIFTING OF MORATORIUM ON POSTAL CLOSURES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL. I rise today in support of America's postal workers, small businesses, senior citizens, and rural communities across this Nation. I stand before this Chamber gravely concerned about the future of the United States Postal Service and the impact of its fiscal crisis on communities across America.

The Postal Service is an iconic American institution woven into the fabric

of our everyday lives. For more than 200 years, the men and women of the United States Postal Service have fulfilled their mission to deliver universal, trusted, timely, and effective service to the American people. Americans depend on the postal service, rain or shine, six days a week, from Montana to Alabama, from New York to California, from Florida to Alaska. Whether it's overnight, flat rate, first class, the United States Postal Service delivers.

Today, the Postal Service is teetering on the brink of insolvency and its future remains uncertain. Significant declines in first-class mail volume, evolving consumer trends, and increasing expenditures and operating costs mean that the Postal Service must reduce its footprint, reorganize, and take drastic measures to remain viable and competitive in the 21st century.

On May 15, the moratorium on postal closure will be lifted and thousands of post offices and mail processing facilities across this country will be targeted for closure. If Congress does not act, the lifting of this moratorium could mark the beginning of a slow and painful process of downsizing, layoffs, and reorganization for the U.S. Postal Service. We must take swift and decisive action to create a more efficient business model for the United States Postal Service. I believe that an investment in the future of the Postal Service is an investment in our economy, in small businesses, and in the American people. It requires our prompt attention and deserves our immediate action.

So much is at stake in this debate over postal reform. We know that reform is necessary, given the current market reality. But we cannot reform the postal service on the backs of the rural and underserved communities throughout this country. For so many of these communities, the post office is the meeting place—the place where you send your packages and receive your medicine.

The lifting of the moratorium on May 15 is an issue of utmost concern to the constituents that I represent in Alabama. In towns like Oak Hill, Magnolia, and Sawyerville, Alabama, the local post office is much more than a place for sending and receiving mail. Post offices are vital lifelines for these rural, isolated communities. These lifelines must be preserved and protected. I am committed to ensuring that we as Americans have access to affordable, reliable, and efficient postal service.

Consider the ripple effect and the economic impact of the closure of a post office and how that may affect an entire community. Imagine small town America, where the local post office lies at the heart of the community and is an integral part of its history and identity. This is the case in many of the communities across my district. The fact is, the closure of postal offices will devastate small towns like Gainesville, Coy, and Myrtlewood, Alabama, and so many across this Nation.

Yes, we must all buckle up. We must all decide to show fiscal responsibility. And in these market conditions, we know that reductions are necessary. But surely we can do something to make sure that these reductions are not on the backs of the rural, underserved, and underprivileged communities. Many of the postal services that are being offered are irreplaceable in these communities. For seniors who can't leave their homes, mail carriers deliver lifesaving medication. And for small businesses, postal services like bulk and flat-rate mail enable them to grow and create jobs.

The United States Postal Service provides Americans with universal and invaluable service, and I urge my colleagues to come together and pass a bipartisan comprehensive plan for the future of the United States Postal Service that will not disproportionately affect underserved communities.

ATF LONG GUN PROVISION IN CJS BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. MORAN) for 5 minutes.

Mr. MORAN. Mr. Speaker, I rise today to voice my strong objection to an unwise and dangerous policy provision that is included in the Commerce-Justice-Science Appropriations bill on the floor today. It would undermine the ability of Federal law enforcement to investigate and curb gun trafficking along the Southwest border.

In August of last year, the ATF began a program to require licensed gun dealers in the four most dangerous border States to report when an individual buys multiple assault rifles within 5 business days—just as all dealers have reported multiple handgun sales for over 20 years. The current rule is narrowly tailored to generate useful intelligence on illegal gun trafficking by Mexican drug cartels. According to ATF data, 70 percent of firearms recovered and traced in drug cartel crimes in Mexico originated from the United States. We know that semiautomatic assault rifles sold by U.S. dealers near the border fuel Mexican cartel violence—violence that has killed more than 47,000 people in Mexico, including thousands of police and military personnel.

This rule is working. In just the past 9 months, ATF opened more than 120 criminal investigations based on multiple assault rifle sales reports. And this action is constitutional. The rule is indisputably constitutional. The authority to operate such a program has been upheld by Federal courts. So there's no question about the legal authority. But this bill that we will vote on today, at the behest of the NRA and other gun groups, would block funding for this vital law enforcement program.

Unfortunately, this is only the latest in a long list of irresponsible actions this Congress has taken on gun policy, such as the fact that due to Congressional action, loaded firearms are now permitted in National Parks. The D.C. voting rights bill that enjoyed joint bipartisan support was scuttled by requiring restrictions on the D.C. City Council regarding the type of gun safety laws that they could enact if they wanted their right to vote.

Restrictions blocking State and local law enforcement access to important crime gun trace data were made permanent. Just last year, the House passed legislation to override the concealed carry requirements of individual States, establishing a lowest common denominator Federal standard.

Despite all of these actions to weaken gun laws, judging by the outlandish statements from the NRA, you would think that the Second Amendment was under constant bombardment. Wayne LaPierre, vice president of the NRA, said last year that the claim that the Obama administration has done virtually nothing to restrict the rights of gun owners is ''a big fat stinking lie.'' He went further to claim that the President's lack of action is ''all part of a massive Obama conspiracy to deceive voters and hide his true intentions to destroy the Second Amendment in our country.'' Again, another LaPierre quote.

Actions are supposed to speak louder than words, but apparently for some people, crazy conspiracy fantasies speak loudest of all.

Instead of weakening gun laws further, we should be passing commonsense measures that are supported by the vast majority of Americans. In fact, according to a poll conducted by Republican pollster Frank Luntz, 82 percent of NRA members and 86 percent of non-NRA gun owners support prohibiting suspected terrorists from purchasing guns; 69 percent of NRA members and 85 percent of non-NRA gun owners support background checks for all gun sales at gun shows.

□ 1050

And yet the NRA opposes these commonsense restrictions and gets this Congress to do so as well.

There are bills introduced in Congress right now to address these two issues, the Denying Firearms and Explosives to Dangerous Terrorists Act and the Fix Gun Checks Act. Neither one has received so much as a subcommittee hearing in this Republican Congress.

Instead, we are debating a bill that includes a provision that would remove a modest, yet valuable, tool for Federal law enforcement to stop the illegal

smuggling of firearms and the killing of thousands of innocent people. Where are our priorities?

I do want to thank Chairman WOLF and Ranking Member FATTAH for including $12 million in the CJS bill to implement the NICS Amendments Improvement Act. It's a $7 million increase over last year; that's progress. In fact, it's a program that assists States in the establishment and upgrade of information such as mental health records entered into databases that are used to determine eligibility for firearm purchases. If we had had that, perhaps our colleague, Gabby Giffords, would not have been shot. Increased funding is a step in the right direction, but the inclusion of the ATF provision is not. It will only serve to undermine Federal law enforcement's ability to stop illegal gun trafficking. Congress needs to stop weakening gun policy to serve the narrow interests of the gun lobby and start enacting laws to protect the safety of the American public.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day.

Bless the Members of this assembly as they set upon the work of these hours, of these days. Help them to make wise decisions in a good manner, and to carry their responsibilities steadily with high hopes for a better future for our great Nation.

Deepen their faith, widen their sympathies, heighten their aspirations, and give them the strength to do what ought to be done for this country.

May Your blessing, O God, be with them and with us all this day and every day to come, and may all we do be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian E. Pate, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

NATIONAL FOSTER CARE MONTH

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, I wear this pin today in honor of May as National Foster Care Month. At the end of fiscal year 2010, over 100,000 foster youth were eligible and waiting for adoption. Sixty-five percent of former foster children experienced at least seven school changes while in care. In 2010, almost 30,000 youth ''aged out'' of the foster care system without a permanent family. In some States, up to 50 percent of former foster and probation youth become homeless within the first 18 months of emancipation. In some cities, nearly 60 percent of victims of domestic minor sex trafficking are youth from the foster care system.

All children deserve safe, loving, and permanent homes. We must work together to create good policy for foster youth, and I would encourage anyone thinking about becoming a parent to consider changing a life through adoption and foster care.

POSTAL REFORM

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I rise today to remind this House of the far-reaching impact that proposed postal facility closures would have. In my Buffalo community, closing the William Street mail processing facility would affect 700 jobs. Closures would also adversely impact our printing and mailing industry, in addition to nonprofit agencies in local municipalities who rely on regular mail service.

Last week, the Senate took the first step in postal reform by passing legislation that would prevent the large-scale closure of postal facilities by requiring the postal service to maintain overnight delivery for at least 3 years.

Mr. Speaker, though the Senate bill is not perfect, we must bring it to the floor immediately in order to achieve real reform. This bill is our best path forward.

MEDICAL DEVICE TAX

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, yesterday, the Energy and Commerce Health Subcommittee approved bipartisan legislation to reauthorize and reform the Food and Drug Administration user-fee program. This bill will smooth the process of reviewing medical devices and drugs, increasing transparency and predictability. It's a big step in the right direction for helping American companies continue to lead the world in medical research. Unfortunately, the medical device industry faces a huge setback starting next year.

Last week, Senator TOOMEY and I visited Precision Medical Products in Denver, Pennsylvania. In a roundtable meeting, we heard from a dozen medical device companies about how the new ObamaCare medical device tax will destroy jobs and stall research. This new 2.3 percent tax is on all revenue—and not just profits—meaning even if a company is struggling to break even or even losing money, they have to pay this hefty tax bill. This new tax is over and above the new user fees that they have agreed to pay.

Already, some companies have cut back. Yesterday, we took a big step forward. But if this new tax becomes reality next year, we could still lose the edge on medical device equipment. It should be repealed.

STUDENT LOAN INTEREST RATES

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Yesterday was President Harry S. Truman's birthday. One of his quotes is particularly appropriate today. He said:

The purpose of our society is to enable the individual to attain the highest achievement of which he is capable.

The highest achievements that have sprung from our education system have included harnessing the atom, claiming the high ground in space, and curing previously fatal diseases. But now, because of our failure to adequately fund education, tuition is skyrocketing. Graduates who wish to reach for achievement are anchored to Earth by thousands of dollars in debt. For us to

also allow interest rates to double on these student loans is morally unacceptable and economically foolish.

To paraphrase President Truman: the extra bucks stop here.

Let's stop the student loan interest rates from doubling July 1. Stop the political games. Let's support American students to attain their highest achievements.

RURAL POST OFFICES

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. I rise today to highlight a subject that is personal in Arkansas's First Congressional District: the proposed closure of thousands of rural post offices across the country.

This week I sent a letter to Postmaster General Patrick Donahoe asking him to give the House of Representatives time to pass meaningful postal reform legislation. As it stands now, over 3,600 post offices are slated for closure on May 15. In my district alone, 100 post offices have been put on the closure list.

In November, I filed the Protecting Our Rural American Post Offices Act of 2011. The bill would prohibit the postal service from closing rural post offices that do not have an alternative office within 8 miles accessible by public roads. The bill is an effort to level the field between rural and urban post office closures.

So many of the challenges we face in Washington are not Democrat versus Republican, but rather urban versus rural interests. Americans living in rural communities rely on their post offices for medicine delivery and Social Security benefits and veterans benefits, among other things. Access to postal services should not be limited to urban families.

I urge Postmaster General Donahoe to give the House time to pass meaningful postal reform legislation. The postal service cannot hope to cure all their budget woes on the backs of rural Americans.

□ 1210

INVESTING IN AMERICA

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, yesterday I had the golden opportunity to travel with our President to the capital region of upstate New York to visit our nanotechnology center. This campus is poised for tremendous growth as we witness an investment in public and private partnership.

The President utilized that visit to showcase a very glowing example of the appropriateness of investing in advanced manufacturing. It's a great path toward job creation, job retention. The President underscored the value of investing in precision technology, in R&D, in efficiency, and in workforce development—workforce development, development that comes in many dimensions, training and retraining and apprenticeship programs, and, yes, the path to success via higher education.

Speaking to that, our higher education dreams need to be fostered with affordability and availability. The 3.4 percent cap on interest rates for student loans cannot grow to 6.8 percent. We will dumb down the dreams of our young adults who are looking to go onward with their careers through higher education. We need to pass legislation so as to hold that cap at 3.4 percent, and we cannot allow it to grow come July 1 because of inaction by this Congress. I ask us to pass that measure in this House.

RECOGNIZING NATIONAL TEACHER APPRECIATION WEEK

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in order to recognize National Teacher Appreciation Week by sharing my heartfelt praise of Pennsylvania's teachers and educators throughout this great country.

I would like to recognize Tricia Miller, Pennsylvania's Teacher of the Year from Penns Valley Area School District located in my home county in the Pennsylvania Fifth Congressional District, and Margaret McLaughlin of Garnet Valley Area School District in eastern Pennsylvania, who was the recipient of the Education Support Professional of the Year Award for Pennsylvania. Their accomplishments are impressive, and both are the type who go above and beyond when helping our students achieve academic success.

Like so many other teachers, they remain tirelessly committed to high achievement and developing the next generation of leaders. And while these two are Pennsylvania's award winners, there are countless others who dedicate their lives day in and day out to ensure that students live up to their individual potential and strive to push young learners to surpass that potential.

As a Nation, we must make sure that we celebrate outstanding educators every day. During National Teacher Appreciation Week, I want to thank all teachers for their hard work and dedication.

RECOGNIZING NATIONAL TEACHER APPRECIATION WEEK

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Mr. Speaker, I rise today to honor our teachers during National Teacher Appreciation Week. Teachers do not merely just teach in the classroom, they listen to their students and gently push them to reach their full potential. Teachers serve as role models and mentors.

Because of the mentorship of my teachers in high school, I applied for college. I was fortunate to be given a scholarship and an opportunity that I would not have known about if it were not for my teachers. Upon graduating, I decided to give back to my community and became a teacher.

New Jersey has among the most talented teachers in the country, and our students are lucky to learn from them. While we are honoring them this week, we should be thankful for their service every day. We trust teachers with our most valuable resources—our children.

While we ask teachers to prepare our children to meet the challenges of the 21st century, we must give them the tools to rise to these challenges. Competitive salaries and financial resources must be provided.

Let's join together in recognizing our teachers in New Jersey and across the country. Take the time to thank your teacher for their leadership and inspiration.

EDUCATION IS KEY TO SOUND FUTURE

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Mr. Speaker, as a former community college trustee member, I understand that good education is key to a sound future. Sadly, many working families in America now find themselves unable to afford higher education for their children. And even worse, if Congress does not act soon, the interest rate for students will double from 3.4 percent to 6.8 percent; 7.4 million American students will face thousands of dollars in new debt if we do not act before July.

Last week, House Republicans showed they are unwilling to work on a real solution to this crisis. In a sham vote, Republicans put forward a bill to pay for the interest rate halt by slashing funds for women and children's health services.

America's young people deserve better. Let's keep their dreams alive. Let's get serious about a bipartisan solution to strengthen Pell Grants and keep student loan interest rates low. Let's help our students become the leaders of tomorrow.

NATIONAL FOSTER CARE MONTH

(Ms. BASS of California asked and was given permission to address the House for 1 minute.)

Ms. BASS of California. Mr. Speaker, I rise today to recognize May as National Foster Care Month. The goal of this special month is to raise awareness about the experiences and needs of more than 400,000 youth in the foster care system.

The Congressional Caucus on Foster Youth asked young people around the country to tell us their experiences via our Web site, Congressional Caucus on Foster Youth. Throughout the month, you will hear both Democrats and Republicans sharing these stories.

For example, Renee, a young woman from Los Angeles, was in foster care for over 8 years. She was placed in six different homes until she aged out of the system in June 2008. She currently attends UCLA and hopes to pursue a career in social work or community health.

Renee says:

Being in foster care has played an integral role in shaping and developing my character and the person I am today. My experience with the foster care system has exposed me to speaking up, communicating with adults, and being open with my peers about my situation, not ashamed of who I am.

In honor of Renee's courage and tenacity, I invite my colleagues to join the Congressional Caucus on Foster Youth and cosponsor the bipartisan resolution in recognition of National Foster Care Month and to wear the blue ribbon.

CONGRATULATING BOB OSTERHAUS

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRALEY of Iowa. Mr. Speaker, I take a moment to honor and congratulate a constituent and personal friend, Bob Osterhaus. Bob is being recognized by the University of Iowa with an Honorary Doctor of Science degree for his service to our State and his work with the University of Iowa pharmacy program.

Bob has spent his entire life serving other people. After he finished his education at the University of Iowa, he served in the United States Army and later served in the Iowa House of Representatives, contributing his perspective as a health care professional in shaping legislative initiatives like the HAWK-I insurance plan for children from low-income families.

He has served his community of Maquoketa, Iowa, in many ways. Osterhaus Pharmacy is a staple in the community, and he is active with the Maquoketa Chamber of Commerce, Rotary Club, Sacred Heart Church, and the Knights of Columbus. He was cofounder of the Maquoketa Area Community Foundation and served as its chairman for 7 years.

Tomorrow, Bob will receive his Honorary Doctor of Science degree. The university could not have made a better selection, and I congratulate Bob for his outstanding service to Iowa, the pharmacy profession, and his country.

PROGRESS MADE BY WORKING TOGETHER

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I have had the great privilege of serving in Congress with Senator RICHARD LUGAR. He was in the Aspen Institute, and I visited with him on those occasions, and received an award from the American Bar Association the same day he did, as did JOHN LEWIS, which made it more important than any other reward I have received.

RICHARD LUGAR's loss is a great loss to this country. He worked in a bipartisan fashion, and worked with President Obama on nuclear proliferation treaties and on the approval of Supreme Court Justices.

He said, last night, we are experiencing days of political division in our society. These divisions have stalemated progress in critical areas. They have, indeed. And unless the Republican side works with the Democratic side in a bipartisan fashion, we won't be successful, as RICHARD LUGAR tried to do, and was defeated for doing it.

There's something wrong in the constituencies that don't realize that progress is made by parties working together, not by one party conquering the other.

□ 1220

ISSUES FACING AMERICA

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I join with my colleagues in recognizing the crisis that is being faced by the postal offices across America, both urban and rural. We look forward to bringing a contingent of workers and postal persons from around the country to this Congress to urge it to move forward quickly and utilize the Senate proposal.

At the same time, I am deeply saddened by a reconciliation budget proposal by my friends on the other side of the aisle that's going to cut the Social Services Block Grant, it's going to cut Medicaid, it's going to cut Meals on Wheels. As a former chairperson of the Interfaith Ministries in Houston, Texas, what a sad day to cut Meals on Wheels.

Today and this week is Teacher Appreciation Week, and I salute them. They are great and grand as they teach our children that they can reach for the sky. That is why today, the Congressional Children's Caucus will host Lee Hirsch, the producer and director of the movie ''Bully.'' Eighteen million children have been bullied, like Asher Brown, who lost his life, like a 13-year-old Girl Scout who said that she's been bullied since age 5.

Today, I ask my colleagues to join me at 1:30 in 2237 for a press conference saying there should be a national call to ending bullying—intervention, and at the same time to come at 2 o'clock to see the movie. Third floor, Library of Congress, Madison Building. There must be, and I call for, a national solution to bullying in our children's lives.

PREGNANT WORKERS FAIRNESS ACT

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, I rise to urge my colleagues to become cosponsors of my bill, the Pregnant Workers Fairness Act.

While current law prohibits discrimination based on pregnancy, childbirth, or related medical conditions, and directs employers to treat pregnancies the same as any other condition that might temporarily limit an employee's ability to perform some job functions, these protections have proven inadequate. Case law shows that courts are uncertain, even confused, about the scope of the law, requiring Congress to set the record straight.

While several States have clarified pregnant workers' rights, this is a national problem that warrants a national solution. My bill would require an employer to make reasonable accommodations for these workers unless this creates an undue hardship on the employer. An employer would be prevented from forcing a pregnant worker to take an accommodation that she does not want or need, and an employer would be prevented from forcing a pregnant worker to take leave when another reasonable accommodation could keep her on the job.

This is a simple solution to a problem our women and families should not be facing. I urge my colleagues to become a cosponsor of this bill to ensure that a pregnant woman need never decide between maintaining a healthy pregnancy and maintaining her paycheck.

EXPORT-IMPORT BANK REAUTHORIZATION ACT

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of the Export-Import

Bank of the United States, and I urge passage of H.R. 2072, of which I am a cosponsor.

In 2011, the Ex-Im Bank supported 290,000 jobs in the United States. Additionally, over the past 10 years, the Ex-Im Bank actually returned $900 million to the United States Treasury.

When a program supports so many manufacturing jobs and it doesn't cost the taxpayer a dime, you would expect this bill to be an easy win, and yet some Members on the far right are prepared to put extreme ideology above jobs for Americans. This bill is a real jobs bill, and I urge its support.

POSTAL SERVICE PROTECTION ACT

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. The clock is ticking. Six days from today, an incompetent, ideological Board of Governors in the United States Postal Service intends to close thousands of post offices and processing centers, degrading service and denying access for millions of individual Americans, especially seniors, veterans, small business owners, and others. And what's the reaction of the Republican leadership in the House? Nothing. Silence.

We were in session until 1 o'clock in the morning voting on imaginary amendments to a bill that's not going anywhere, but they can't bestir themselves to bring forward a bill to save this critical institution. The Senate has acted. Their bill is not perfect, but it's better than inaction in face of the wrecking crew that is governing our postal services.

I urge my colleagues to support my bill, cosponsor my bill, H.R. 3591, put the postal service on a sustainable path toward a 21st century postal service, modernized and self-sufficient. But inaction and indifference will destroy this critical institution.

TIME TO PASS A TRANSPORTATION BILL

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, Ronald Reagan was the last President to raise the Federal gasoline tax to support transportation programs when he signed the Surface Transportation Act of 1982. He justified the gas tax increase as necessary to pay for needed investments in building and maintaining our Nation's surface transportation infrastructure and to help jump-start an economy that was then also stuck in a recession. He referred to the highway bill as a ''jobs'' bill to promote economic growth.

Since that bill was signed into law back in January of 1983, Republican-controlled Congresses have allowed the highway fund to go bankrupt, necessitating multiple infusions from general funds to allow it to limp along with short-term extensions of current law. Today, some within this Chamber won't even support a Federal transportation bill at current funding levels, as if the crumbling interstates and growing list of structurally deficient bridges are no longer a Federal responsibility. Instead, they insist on including unrelated measures like the Keystone XL pipeline that is designed to stall completion of even a modest, multiyear transportation authorization.

Mr. Speaker, the Keystone XL pipeline should have nothing to do with the transportation bill and will have no impact on gasoline prices despite what its advocates claim. Today, there is already an estimated 20-year excess capacity of oil pipelines from Canada to the United States. This is about being able to export oil from the gulf coast to other countries.

Mr. Speaker, it's time to pass a responsible transportation bill for the 21st century.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. SIMPSON) laid before the House the following communication from the Clerk of the House of Representatives:

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 9, 2012.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 9, 2012 at 9:22 a.m.:

That the Senate passed without amendment H.R. 2668.

That the Senate passed S. 743.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS OF THE GOVERNMENT OF SYRIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–107)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency with respect to the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004, as modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012, is to continue in effect beyond May 11, 2012.

While the Syrian regime has reduced the number of foreign fighters bound for Iraq, the regime's own brutality and repression of its citizens who have been calling for freedom and a representative government endangers not only the Syrian people themselves, but could yield greater instability throughout the region. The Syrian regime's actions and policies, including obstructing the Lebanese government's ability to function effectively, pursuing chemical and biological weapons, and supporting terrorist organizations, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency.

In addition, the United States condemns the Asad regime's use of brutal violence and human rights abuses and calls on the Asad regime to step aside and immediately begin a transition in Syria to a political process that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice. The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

BARACK OBAMA.

THE WHITE HOUSE, *May 9, 2012.*

□ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the

vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012

Mr. GARY G. MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2072) to reauthorize the Export-Import Bank of the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2072

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Export-Import Bank Reauthorization Act of 2012''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Extension of authority.
Sec. 3. Limitations on outstanding loans, guarantees, and insurance.
Sec. 4. Export-Import Bank exposure limit business plan.
Sec. 5. Study by the Comptroller General on the role of the Bank in the world economy and the Bank's risk management.
Sec. 6. Monitoring of default rates on Bank financing; reports on default rates; safety and soundness review.
Sec. 7. Improvement and clarification of due diligence standards for lender partners.
Sec. 8. Non-subordination requirement.
Sec. 9. Notice and comment for Bank transactions exceeding $100,000,000.
Sec. 10. Categorization of purpose of loans and long-term guarantees in annual report.
Sec. 11. Negotiations to end export credit financing.
Sec. 12. Publication of guidelines for economic impact analyses and documentation of such analyses.
Sec. 13. Report on implementation of recommendations of the Government Accountability Office.
Sec. 14. Examination of Bank support for small business.
Sec. 15. Review and report on domestic content policy.
Sec. 16. Improvement of method for calculating the effects of Bank financing on job creation and maintenance in the United States.
Sec. 17. Periodic audits of Bank transactions.
Sec. 18. Prohibitions on financing for certain persons involved in sanctionable activities with respect to Iran.
Sec. 19. Use of portion of Bank surplus to update information technology systems.
Sec. 20. Modifications relating to the advisory committee.
Sec. 21. Financing for goods manufactured in the United States used in global textile and apparel supply chains.
Sec. 22. Technical correction.
Sec. 23. Sub-Saharan Africa Advisory Committee.
Sec. 24. Dual use exports.
Sec. 25. Effective date.

SEC. 2. EXTENSION OF AUTHORITY.

Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2011'' and inserting ''2014''.

SEC. 3. LIMITATIONS ON OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'';

(2) in subparagraph (E), by striking the comma at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) during fiscal year 2012 and each succeeding fiscal year, $120,000,000,000, except that—

''(i) the applicable amount for each of fiscal years 2013 and 2014 shall be $130,000,000,000 if—

''(I) the Bank has submitted a report as required by section 4(a) of the Export-Import Bank Reauthorization Act of 2012; and

''(II) the rate calculated under section 8(g)(1) of this Act is less than 2 percent for the quarter ending with the beginning of the fiscal year, or for any quarter in the fiscal year; and

''(ii) notwithstanding clause (i), the applicable amount for fiscal year 2014 shall be $140,000,000,000 if—

''(I) the rate calculated under section 8(g)(1) of this Act is less than 2 percent for the quarter ending with the beginning of the fiscal year, or for any quarter in the fiscal year; and

''(II) the Bank has submitted a report as required by subsection (b) of section 5 of the Export-Import Bank Reauthorization Act of 2012, except that the preceding provisions of this subclause shall not apply if the Comptroller General has not submitted the report required by subsection (a) of such section 5 on or before July 1, 2013; and

''(III) the Secretary of the Treasury has submitted the reports required by section 11(b) of the Export-Import Bank Reauthorization Act of 2012.''.

SEC. 4. EXPORT-IMPORT BANK EXPOSURE LIMIT BUSINESS PLAN.

(a) IN GENERAL.—Not later than September 30, 2012, the Export-Import Bank of the United States shall submit to the Congress and the Comptroller General a written report that contains the following:

(1) A business plan that—

(A) includes an estimate by the Bank of the appropriate exposure limits of the Bank for 2012, 2013, and 2014;

(B) justifies the estimate; and

(C) estimates any anticipated growth of the Bank for 2012, 2013, and 2014—

(i) by industry sector;

(ii) by whether the products involved are short-term loans, medium-term loans, long-term loans, insurance, medium-term guarantees, or long-term guarantees; and

(iii) by key market.

(2) An analysis of the potential for increased or decreased risk of loss to the Bank as a result of the estimated exposure limit, including an analysis of increased or decreased risks associated with changes in the composition of Bank exposure, by industry sector, by product offered, and by key market.

(3) An analysis of the ability of the Bank to meet its small business and sub-Saharan Africa mandates and comply with its carbon policy mandate under the proposed exposure limit, and an analysis of any increased or decreased risk of loss associated with meeting or complying with the mandates under the proposed exposure limit.

(4) An analysis of the adequacy of the resources of the Bank to effectively process, approve, and monitor authorizations, including the conducting of required economic impact analysis, under the proposed exposure limit.

(b) GAO REVIEW OF REPORT AND BUSINESS PLAN.—Not later than June 1, 2013, the Comptroller General shall submit to the Congress a written analysis of the report and business plan submitted under subsection (a), which shall include such recommendations with respect to the report and business plan as the Comptroller General deems appropriate.

SEC. 5. STUDY BY THE COMPTROLLER GENERAL ON THE ROLE OF THE BANK IN THE WORLD ECONOMY AND THE BANK'S RISK MANAGEMENT.

(a) IN GENERAL.—Within 10 months after the date of the enactment of this Act, the Comptroller General of the United States shall complete and submit to the Export-Import Bank of the United States, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report which—

(1) evaluates—

(A) the history of the rate of growth of the Bank, and its causes, with specific consideration given to—

(i) the capital market conditions for export financing;

(ii) increased competition from foreign export credit agencies;

(iii) the rate of growth of the Bank from 2008 to the present;

(B) the effectiveness of the Bank's risk management, including—

(i) potential for losses from each of the products offered by the Bank; and

(ii) the overall risk of the Bank's portfolio, taking into account—

(I) market risk;

(II) credit risk;

(III) political risk;

(IV) industry-concentration risk;

(V) geographic-concentration risk;

(VI) obligor-concentration risk; and

(VII) foreign-currency risk;

(C) the Bank's use of historical default and recovery rates to calculate future program costs, taking into consideration cost estimates determined under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) and whether discount rates applied to cost estimates should reflect the risks described in subparagraph (B);

(D) the fees charged by the Bank for the products the Bank offers, whether the Bank's fees properly reflect the risks described in subparagraph (B), and how the fees are affected by United States participation in international agreements; and

(E) whether the Bank's loan loss reserves policy is sufficient to cover the risks described in subparagraph (B); and

(2) makes appropriate recommendations with respect to the matters so evaluated.

(b) RECOMMENDATIONS AND REPORT BY THE BANK.—Not later than 120 days after the Bank receives the report, the Bank shall submit to the Congress a report on the implementation of recommendations included in the report so received. If the Bank does not adopt the recommendations, the Bank shall include in its report an explanation of why the Bank has not done so.

SEC. 6. MONITORING OF DEFAULT RATES ON BANK FINANCING; REPORTS ON DEFAULT RATES; SAFETY AND SOUNDNESS REVIEW.

Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(g) MONITORING OF DEFAULT RATES ON BANK FINANCING; REPORTS ON DEFAULT RATES; SAFETY AND SOUNDNESS REVIEW.—

''(1) MONITORING OF DEFAULT RATES.—Not less frequently than quarterly, the Bank shall calculate the rate at which the entities to which the Bank has provided short-, medium-, or long-term financing are in default on a payment obligation under the financing, by dividing the total amount of the required payments that are overdue by the total amount of the financing involved.

''(2) ADDITIONAL CALCULATION BY TYPE OF PRODUCT, BY KEY MARKET, AND BY INDUSTRY SECTOR; REPORT TO CONGRESS.—In addition, the Bank shall, not less frequently than quarterly—

''(A) calculate the rate of default—

''(i) with respect to whether the products involved are short-term loans, medium-term loans, long-term loans, insurance, medium-term guarantees, or long-term guarantees;

''(ii) with respect to each key market involved; and

''(iii) with respect to each industry sector involved; and

''(B) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on each such rate and any information the Bank deems relevant.

''(3) REPORT ON CAUSES OF DEFAULT RATE; PLAN TO REDUCE DEFAULT RATE.—Within 45 days after a rate calculated under paragraph (1) equals or exceeds 2 percent, the Bank shall submit to the Congress a written report that explains the circumstances that have caused the default rate to be at least 2 percent, and includes a plan to reduce the default rate to less than 2 percent.

''(4) PLAN CONTENTS.—The plan referred to in paragraph (3) shall—

''(A) provide a detailed explanation of the processes and controls by which the Bank monitors and tracks outstanding loans;

''(B) detail specific planned actions, including a time frame for completing the actions, to reduce the default rate described in paragraph (1) to less than 2 percent.

''(5) MONTHLY REPORTS REQUIRED WHILE DEFAULT RATE IS AT LEAST 2 PERCENT.—For so long as the default rate calculated under paragraph (1) is at least 2 percent, the Bank shall submit monthly reports to the Congress describing the specific actions taken during such period to reduce the default rate.

''(6) SAFETY AND SOUNDNESS REVIEW.—If the default rate calculated under paragraph (1) remains above 2 percent for a period of 6 months, the Secretary of the Treasury shall provide for an independent third party to—

''(A) conduct a review of the loan programs and funds of the Bank, which shall determine—

''(i) the financial safety and soundness of the programs and funds; and

''(ii) the extent of loan loss reserves and capital adequacy of the programs and funds; and

''(B) submit to the Secretary, within 60 days after the end of the 6-month period, a report that—

''(i) describes the methodology and standards used to conduct the review required by subparagraph (A);

''(ii) sets forth the results and findings of the review, including the extent of loan loss reserves and capital adequacy of the programs and funds of the Bank; and

''(iii) includes recommendations regarding restoring the reserves and capital to maintain the programs and funds in a safe and sound condition.''.

SEC. 7. IMPROVEMENT AND CLARIFICATION OF DUE DILIGENCE STANDARDS FOR LENDER PARTNERS.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

''(i) DUE DILIGENCE STANDARDS FOR LENDER PARTNERS.—The Bank shall set due diligence standards for its lender partners and participants, which should be applied across all programs consistently. To minimize or prevent fraudulent activity, the Bank should require all delegated lenders to implement 'Know your customer practices'.''.

SEC. 8. NON-SUBORDINATION REQUIREMENT.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 7 of this Act, is amended by adding at the end the following:

''(j) NON-SUBORDINATION REQUIREMENT.—In entering into financing contracts, the Bank shall seek a creditor status which is not subordinate to that of all other creditors, in order to reduce the risk to, and enhance recoveries for, the Bank.''.

SEC. 9. NOTICE AND COMMENT FOR BANK TRANSACTIONS EXCEEDING $100,000,000.

(a) IN GENERAL.—Section 3(c) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)) is amended by adding at the end the following:

''(10) NOTICE AND COMMENT REQUIREMENTS.—

''(A) IN GENERAL.—Before any meeting of the Board for final consideration of a long-term transaction the value of which exceeds $100,000,000, and concurrent with any statement required to be submitted under section 2(b)(3) with respect to the transaction, the Bank shall provide a notice and comment period.

''(B) FINANCIAL THRESHOLD DETERMINATIONS.—For purposes of determining whether the value of a proposed transaction exceeds the financial threshold set forth in subparagraph (A), the Bank shall aggregate the dollar amount of the proposed transaction and the dollar amounts of all long-term loans and guarantees, approved by the Bank in the preceding 12-month period, that involved the same foreign entity and substantially the same product to be produced.

''(C) SPECIFIC REQUIREMENTS.—

''(i) IN GENERAL.—The Bank shall—

''(I) publish in the Federal Register a notice of the application proposing the transaction;

''(II) provide a period of not less than 25 days for the submission to the Bank of comments on the application; and

''(III) notify the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives of the application, and seek comments on the application from the Department of Commerce and the Office of Management and Budget.

''(ii) CONTENT OF NOTICE.—The notice published under clause (i)(I) with respect to an application for a loan or financial guarantee shall include appropriate information about—

''(I) a brief non-proprietary description of the purposes of the transaction and the anticipated use of any item being exported, including, to the extent the Bank is reasonably aware, whether the item may be used to produce exports or provide services in competition with the exportation of goods or the provision of services by a United States industry;

''(II) the identities of the obligor, principal supplier, and guarantor; and

''(III) a description, such as type or model number, of any item with respect to which Bank financing is being sought, but only to the extent the description does not disclose any information that is confidential or proprietary business information, that would violate the Trade Secrets Act, or that would jeopardize jobs in the United States by supplying information which competitors could use to compete with companies in the United States.

''(D) PROCEDURE REGARDING MATERIALLY CHANGED APPLICATIONS.—

''(i) IN GENERAL.—If a material change is made to an application to which this paragraph applies, after a notice with respect to the application is published under subparagraph (C)(i)(I), the Bank shall publish in the Federal Register a revised notice of the application and provide for an additional comment period as provided in subparagraph (C)(i)(II).

''(ii) MATERIAL CHANGE DEFINED.—In clause (i), the term 'material change', with respect to an application for a loan or guarantee, includes an increase of at least 25 percent in the amount of a loan or guarantee requested in the application.

''(E) REQUIREMENT TO ADDRESS VIEWS OF COMMENTERS.—Before taking final action on an application to which this paragraph applies, the staff of the Bank shall provide in writing to the Board of Directors the views of any person who submitted comments on the application pursuant to this paragraph.

''(F) PUBLICATION OF CONCLUSIONS.—Within 30 days after a final decision of the Board of Directors with respect to an application to which this paragraph applies, the Bank shall provide to a commenter on the application or the decision who makes a request therefor, a non-confidential summary of the facts found and conclusions reached in any detailed analysis or similar study with respect to the loan or guarantee that is the subject of the application, that was submitted to the Board of Directors. Such summary should be sent within 30 days of the receipt of the written request or date of the final decision of the Board of Directors, whichever is later.

''(G) RULE OF INTERPRETATION.—The obligations imposed by this paragraph shall not be interpreted to create, modify, or preclude any legal right of action.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of the enactment of this Act.

SEC. 10. CATEGORIZATION OF PURPOSE OF LOANS AND LONG-TERM GUARANTEES IN ANNUAL REPORT.

Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g), as amended by section 6 of this Act, is amended by adding at the end the following:

''(h) CATEGORIZATION OF PURPOSE OF LOANS AND LONG-TERM GUARANTEES.—In the annual report of the Bank under subsection (a), the Bank shall categorize each loan and long-term guarantee made by the Bank in the fiscal year covered by the report, and according to the following purposes:

''(1) 'To assume commercial or political risk that exporter or private financial institutions are unwilling or unable to undertake'.

''(2) 'To overcome maturity or other limitations in private sector export financing'.

''(3) 'To meet competition from a foreign, officially sponsored, export credit competition'.

''(4) 'Not identified', and the reason why the purpose is not identified.''.

SEC. 11. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—The Secretary of the Treasury (in this section referred to as the ''Secretary'') shall initiate and pursue negotiations—

(1) with other major exporting countries, including members of the Organisation for Economic Co-operation and Development (OECD) and non-OECD members, to substantially reduce, with the ultimate goal of eliminating, subsidized export financing programs and other forms of export subsidies; and

(2) with all countries that finance air carrier aircraft with funds from a state-sponsored entity, to substantially reduce, with the ultimate goal of eliminating, aircraft export credit financing for all aircraft covered by the 2007 Sector Understanding on Export Credits for Civil Aircraft (in this section referred to as the ''ASU''), including any modification thereof, and all of the following types of aircraft:

(A) Heavy aircraft that are capable of a takeoff weight of 300,000 pounds or more, whether or not operating at such a weight during a particular phase of flight.

(B) Large aircraft that are capable of a takeoff weight of more than 41,000 pounds, and have a maximum certificated takeoff weight of not more than 300,000 pounds.

(C) Small aircraft that have a maximum certificated takeoff weight of 41,000 pounds or less.

(b) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives—

(1) a report on the progress of any negotiations described in subsection (a)(1), until the Secretary certifies in writing to the committees that all countries that support subsidized export financing programs have agreed to end the support; and

(2) a report on the progress of any negotiations described in subsection (a)(2), including the progress of any negotiations with respect to each classification of aircraft set forth in subsection (a)(2), until the Secretary certifies in writing to the committees that all countries that support subsidized export financing programs have agreed to end the support of aircraft covered by the ASU.

SEC. 12. PUBLICATION OF GUIDELINES FOR ECONOMIC IMPACT ANALYSES AND DOCUMENTATION OF SUCH ANALYSES.

(a) PUBLICATION OF GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Export-Import Bank of the United States shall develop and make publicly available methodological guidelines to be used by the Bank in conducting economic impact analyses or similar studies under section 2(e) of the Export-Import Bank Act of 1945. In developing the guidelines, the Bank shall take into consideration any relevant guidance from the Office of Management and Budget.

(b) MAINTENANCE OF DOCUMENTATION.—Section 2(e)(7) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(e)(7)) is amended by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and inserting after subparagraph (D) the following:

''(E) MAINTENANCE OF DOCUMENTATION.—The Bank shall maintain documentation relating to economic impact analyses and similar studies conducted under this subsection in a manner consistent with the Standards for Internal Control of the Federal Government issued by the Comptroller General of the United States.''.

SEC. 13. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE GOVERNMENT ACCOUNTABILITY OFFICE.

Not later than 180 days after the date of the enactment of this Act, the Export-Import Bank of the United States shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the implementation or rejection by the Bank of the recommendations contained in the report of the Government Accountability Office entitled ''Export-Import Bank: Improvements Needed in Assessment of Economic Impact'', dated September 12, 2007 (GAO–07–1071), that includes—

(1) a detailed description of the progress made in implementing each such recommendation; and

(2) for any such recommendation that has not yet been implemented, an explanation of the reasons the recommendation has not been implemented.

SEC. 14. EXAMINATION OF BANK SUPPORT FOR SMALL BUSINESS.

Within 180 days after the date of the enactment of this Act, the Export-Import Bank of the United States shall examine and report to Congress on its current programs, products, and polices with respect to the implementation of its export credit insurance program, delegated lending authority, and direct loans, and any other programs, products, and policies established to support exports from small businesses in the United States, and determine the extent to which those policies adequately meet the needs of the small businesses in obtaining Bank financing to support the maintenance or creation of jobs in the United States through exports, consistent with the requirement that the Bank obtain a reasonable assurance of repayment.

SEC. 15. REVIEW AND REPORT ON DOMESTIC CONTENT POLICY.

(a) IN GENERAL.—The Export-Import Bank of the United States shall conduct a review of its domestic content policy for medium- and long-term transactions. The review shall examine and evaluate the effectiveness of the Bank's policy—

(1) in maintaining and creating jobs in the United States; and

(2) in contributing to a stronger national economy through the export of goods and services.

(b) FACTORS TO CONSIDER.—In conducting the review under subsection (a), the Bank shall consider the following:

(1) Whether the domestic content policy accurately captures the costs of United States production of goods and services, including the direct and indirect costs of manufacturing costs, parts, components, materials and supplies, research, planning engineering, design, development, production, return on investment, marketing and other business costs and the effect of such policy on the maintenance and creation of jobs in the United States.

(2) The ability of the Bank to provide financing that is competitive with the financing provided by foreign export credit agencies and the impact that such financing has in enabling companies with operations in the United States to contribute to a stronger United States economy by increasing employment through the export of goods and services.

(3) The effects of the domestic content policy on the manufacturing and service workforce of the United States.

(4) Any recommendations the members of the Bank's Advisory Committee have regarding the Bank's domestic content policy.

(5) The effect that changes to the Bank's domestic content requirements would have in providing companies an incentive to create and maintain operations in the United States and to increase jobs in the United States.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Bank shall submit a report on the results of the review conducted under this section to the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives.

SEC. 16. IMPROVEMENT OF METHOD FOR CALCULATING THE EFFECTS OF BANK FINANCING ON JOB CREATION AND MAINTENANCE IN THE UNITED STATES.

(a) GAO STUDY.—The Comptroller General of the United States shall conduct a study of the process and methodology used by the Export-Import Bank of the United States (in this section referred to as the ''Bank'') to calculate the effects of the provision of financing by the Bank on the creation and maintenance of employment in the United States, determine and assess the basis on which the Bank has so used the methodology, and make any recommendations the Comptroller General deems appropriate.

(b) REPORT.—Within 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Congress and the Bank the results of the study required by subsection (a).

(c) IMPLEMENTATION OF RECOMMENDATIONS.—If the report submitted pursuant to subsection (b) includes recommendations, the Bank may establish a more accurate methodology of the kind described in subsection (a) based on the recommendations.

SEC. 17. PERIODIC AUDITS OF BANK TRANSACTIONS.

(a) IN GENERAL.—Within 2 years after the date of the enactment of this Act, and periodically (but not less frequently than every 4 years) thereafter, the Comptroller General of the United States shall conduct an audit of the loan and guarantee transactions of the Export-Import Bank of the United States to determine the compliance of the Bank with the underwriting guidelines, lending policies, due diligence procedures, and content guidelines of the Bank.

(b) REVIEW OF FRAUD CONTROLS.—The Comptroller General of the United States shall review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees, including by auditing a sample of Bank transactions, and submit to the Congress a written report which contains such recommendations with respect to the controls as the Comptroller General deems appropriate.

SEC. 18. PROHIBITIONS ON FINANCING FOR CERTAIN PERSONS INVOLVED IN SANCTIONABLE ACTIVITIES WITH RESPECT TO IRAN.

(a) PROHIBITION ON FINANCING FOR PERSONS THAT ENGAGE IN CERTAIN SANCTIONABLE ACTIVITIES.—

(1) IN GENERAL.—Beginning on the date that is 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States may not approve any transaction that is subject to approval by the Board with respect to the provision by the Bank of any guarantee, insurance, or extension of credit, or the participation by the Bank in any extension of credit, to a person in connection with the exportation of any good or service unless the person makes the certification described in paragraph (2).

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification by a person—

(A) that neither the person nor any other person owned or controlled by the person—

(i) engages in any activity described in section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) for which the person may be subject to sanctions under that Act;

(ii) exports sensitive technology, as defined in section 106 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8515), to Iran; or

(iii) engages in any activity prohibited by part 560 of title 31, Code of Federal Regulations (commonly known as the ''Iranian Transactions Regulations''), unless the activity is disclosed to the Office of Foreign Assets Control of the Department of the Treasury when the activity is discovered; or

(B) if the person or any other person owned or controlled by the person has engaged in an activity described in subparagraph (A), that—

(i) in the case of an activity described in subparagraph (A)(i)—

(I) the President has waived the imposition of sanctions with respect to the person that engaged in that activity pursuant to section 4(c), 6(b)(5), or 9(c) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note);

(II)(aa) the President has invoked the special rule described in section 4(e)(3) of that Act with respect to the person that engaged in that activity; or

(bb)(AA) the person that engaged in that activity determines, based on its best knowledge and belief, that the person meets the criteria described in subparagraph (A) of such section 4(e)(3) and has provided to the President the assurances described in subparagraph (B) of that section; and

(BB) the Secretary of State has issued an advisory opinion to that person that the person meets such criteria and has provided to the President those assurances; or

(III) the President has determined that the criteria have been met for the exception provided for under section 5(a)(3)(C) of the Iran Sanctions Act of 1996 to apply with respect to the person that engaged in that activity; or

(ii) in the case of an activity described in subparagraph (A)(ii), the President has waived, pursuant to section 401(b)(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(b)(1)), the application of the prohibition under section 106(a) of that Act (22 U.S.C. 8515(a)) with respect to that person.

(b) PROHIBITION ON FINANCING.—Beginning on the date that is 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States may not approve any transaction that is subject to approval by the Board with respect to the provision by the Bank of any guarantee, insurance, or extension of credit, or the participation by the Bank in any extension of credit, in connection with a financing in which a person that is a borrower or controlling sponsor, or a person that is owned or controlled by such borrower or controlling sponsor, is subject to sanctions under section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(c) ADVISORY OPINIONS.—

(1) AUTHORITY.—The Secretary of State is authorized to issue advisory opinions described in subsection (a)(2)(B)(i)(II).

(2) NOTICE TO CONGRESS.—If the Secretary issues an advisory opinion pursuant to paragraph (1), the Secretary shall notify the appropriate congressional committees of the opinion not later than 30 days after issuing the opinion.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES; PERSON.—The terms ''appropriate congressional committees'' and ''person'' have the meanings given those terms in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(2) CONTROLLING SPONSOR.—The term ''controlling sponsor'' means a person providing controlling direct private equity investment (excluding investments made through publicly held investment funds, publicly held securities, public offerings, or similar public market vehicles) in connection with a financing.

SEC. 19. USE OF PORTION OF BANK SURPLUS TO UPDATE INFORMATION TECHNOLOGY SYSTEMS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(j) AUTHORITY TO USE PORTION OF BANK SURPLUS TO UPDATE INFORMATION TECHNOLOGY SYSTEMS.—

''(1) IN GENERAL.—Subject to paragraphs (3) and (4), the Bank may use an amount equal to 1.25 percent of the surplus of the Bank during fiscal years 2012, 2013, and 2014 to—

''(A) seek to remedy any of the operational weakness and risk management vulnerabilities of the Bank which are the result of the information technology system of the Bank;

''(B) remedy data fragmentation, enhance information flow throughout the Bank, and manage data across the Bank; and

''(C) enhance the operational capacity and risk management capabilities of the Bank to better enable the Bank to increase exports and grow jobs while protecting the taxpayer.

''(2) SURPLUS.—In paragraph (1), the term 'surplus' means the amount (if any) by which—

''(A) the sum of the interest and fees collected by the Bank; exceeds

''(B) the sum of—

''(I) the funds set aside to cover expected losses on transactions financed by the Bank; and

''(ii) the costs incurred to cover the administrative expenses of the Bank.

''(3) LIMITATION.—The aggregate of the amounts used in accordance with paragraph (1) for fiscal years 2012, 2013, and 2014 shall not exceed $20,000,000.

''(4) SUBJECT TO APPROPRIATIONS.—The authority provided by paragraph (1) may be exercised only to such extent and in such amounts as are provided in advance in appropriations Acts.''.

SEC. 20. MODIFICATIONS RELATING TO THE ADVISORY COMMITTEE.

(a) REPRESENTATION OF THE TEXTILE INDUSTRY.—Section 3(d)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(d)(1)(B)) is amended by striking ''and State government'' inserting ''State government, and the textile industry''.

(b) ACCESS TO BANK PRODUCTS BY THE TEXTILE INDUSTRY.—

(1) CONSIDERATION BY ADVISORY COMMITTEE.—Section 3(d) of such Act (12 U.S.C. 635a(d)) is amended by adding at the end the following:

''(5) In carrying out paragraph (4), the Advisory Committee shall consider ways to promote the financing of Bank transactions for the textile industry, consistent with the requirement that the Bank obtain a reasonable assurance of repayment, and determine ways to—

''(A) increase Bank support for the exports of textile components or inputs made in the United States; and

''(B) support the maintenance, promotion and expansion of jobs in the United States that are critical to the manufacture of textile components and inputs.''.

(2) ANNUAL REPORT TO CONGRESS ON ADVISORY COMMITTEE DETERMINATIONS.—Section 8 of such Act (12 U.S.C. 635g), as amended by sections 6 and 10 of this Act, is amended by adding at the end the following:

''(i) ACCESS TO BANK PRODUCTS BY THE TEXTILE INDUSTRY.—The Bank shall include in its annual report to the Congress under subsection (a) of this section a report on the determinations made by the Advisory Committee under section 3(d)(5) in the year covered by the report.''.

SEC. 21. FINANCING FOR GOODS MANUFACTURED IN THE UNITED STATES USED IN GLOBAL TEXTILE AND APPAREL SUPPLY CHAINS.

(a) ANALYSIS OF TEXTILE INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by manufacturers in the United States that export goods manufactured in the United States used as components in global textile and apparel supply chains. In conducting the study, the Bank shall examine the following:

(1) Impediments to use of Bank products by such firms.

(2) The number of jobs in the United States that are supported by the export of such component parts and the degree to which access to financing will increase exports.

(3) Specific proposals for how the Bank, using its authority and products, could provide the financing, including through risk-sharing with other export credit agencies and other third parties.

(4) Ways in which the Bank can take into account the full global textile and apparel supply chain—in particular, the ultimate purchase, and ultimate United States-based purchaser, of the finished good, that would result from the supply chain—in making credit and risk determinations and the creditworthiness of the ultimate purchaser.

(5) Proposals for new products the Bank could offer to provide the financing, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer the new products; and

(C) specific proposals for changes in law that would enable the Bank to provide such financing in compliance with the credit and risk standards of the Bank.

(b) REPORT.—Within 180 days after the date of the enactment of this Act, the Bank shall submit to the Congress a report that contains the results of the study required by subsection (a).

(c) ANNUAL REPORTS.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g), as amended by sections 6, 10, and 20(b)(2) of this Act, is amended by adding at the end the following:

''(j) TEXTILE AND APPAREL SUPPLY CHAIN FINANCING.—The Bank shall include in its annual report to the Congress under subsection (a) of this section a description of the success of the Bank in providing effective and reasonably priced financing to the United States textile and apparel industry for exports of goods manufactured in the United States that are used as components in global textile and apparel supply chains in the year covered by the report, and steps the Bank has taken to increase the use of Bank products by such firms.''.

SEC. 22. TECHNICAL CORRECTION.

Section 2(b)(2)(B)(ii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(2)(B)(ii)) is amended by striking subclauses (I), (IV), and (VII) and by redesignating subclauses (II), (III), (V), (VI), (VIII), and (IX) as subclauses (I) through (VI), respectively.

SEC. 23. SUB-SAHARAN AFRICA ADVISORY COMMITTEE.

Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''2011'' and inserting ''2014''.

SEC. 24. DUAL USE EXPORTS.

Section 4 of Public Law 109–438 (12 U.S.C. 635 note; 108 Stat. 4376) is amended by striking ''2011'' and inserting ''2014''.

SEC. 25. EFFECTIVE DATE.

Except as provided in section 9(b), this Act and the amendments made by this Act shall take effect on the earlier of June 1, 2012, or the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GARY G. MILLER) and the gentlewoman from New York (Mrs. MCCARTHY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. GARY G. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to add extraneous material to the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GARY G. MILLER of California. Mr. Speaker, I yield myself as much time as I might consume.

Today we are considering H.R. 2072, the Securing American Jobs Through Exports Act, a bill which will reauthorize the Export-Import Bank. This legislation is the product of bipartisan discussions surrounding a common theme: maintaining and creating jobs in the United States.

The key to our economic recovery is jobs, without a doubt. In order to expand and hire new workers, American companies must have the ability to compete in a global economy. To create jobs, American companies need to be competitive with foreign companies that have access to credit in their countries.

While the U.S. is a leading voice in the effort to eliminate market-distorting export subsidies, the Ex-Im Bank has helped to ensure that there's a level playing field for American companies when they compete with foreign competitors who are basically supported by aggressive credit agencies.

Ex-Im responds to market distortion by leveling the playing field. Ex-Im loans and guarantees are often countervailing measures to compete against other foreign credit agencies.

Some Members have concerns about this program. This bill directs the Treasury Department to initiate and pursue negotiations with other countries to substantially reduce their subsidized export financing programs and other forms of export subsidies.

The problem we face is the option of allowing China to dominate the export market. This bill ensures that U.S. companies, large and small, can compete and win against foreign competitors like China and, as a result, create U.S. jobs without putting U.S. taxpayers at risk.

During the reauthorization process, we have made taxpayer protection our top priority. This bill includes strong language to ensure that surpluses that the Ex-Im Bank returns to the Treasury are continued today and in the future. We want the bank to be a continually self-financing entity.

The bill increases accountability and risk management requirements for the bank, as well as provides for an audit of bank transactions to monitor the effectiveness and adequacy of the bank's due diligence practice and lending policies.

The bill ensures that the bank stays true to its purpose as a lender of last resort and does not compete against private sector commercial banks.

The bill includes language to make sure default rates stay low. Ex-Im loans and loan guarantees present very low risks because they are backed by collateral of the real goods for which a buyer has already been found and prices have been agreed upon.

The current default rate at the bank is less than 2 percent, much lower than commercial banks. Even with the bank's track record of extremely low defaults, the bill includes language to ensure that default rates stay below 2 percent, and includes corrective action requirements if the rate ever goes above that level. The bank does not put taxpayers at risk now. Our goal in this bill is to ensure that the bank does not put taxpayers at risk in the future either.

The bill also includes a new transparency provision for large transactions and gives the public the opportunity to comment on such transactions. The provision seeks to ensure the bank has information it needs to confirm it is not supporting transactions used to support products that could be used to compete with American companies.

This provision was crafted in a way that does not impact U.S. companies' ability to sell their products and services to global customers. Proprietary information, confidential information, and trade secrets are absolutely protected in this provision.

In addition, while many of the large projects supported by the bank are known to the market, I want to emphasize that the bank, at its sole discretion, has the authority to determine the information disclosed to ensure that the competitiveness of American companies is not compromised by information provided by the Federal Register notice.

The legislation also provides information included in the technology improvements, a review of the bank's domestic content policy, and improvements to the access of textile industries to bank operations. This is absolutely necessary in this country. These provisions will ensure that our American companies can utilize bank products to compete globally.

This is not a subsidy and is no cost to the taxpayers. That needs to be emphasized. The way Ex-Im Bank allows U.S. companies to compete globally is an example of how our government can facilitate job growth without contributing to the national debt.

Far from being a handout to corporations, Ex-Im Bank is self-financing, it turns a profit for the American taxpayer, and it helps create jobs here at home.

Since 2005, the bank has forwarded more than $3.4 billion in profits to the Treasury above all costs and loss reserves, including $400 million in 2011 alone. The legislation before us today ensures that Ex-Im Bank will continue to turn a profit for American taxpayers.

Some will say that Ex-Im only benefits large corporations. However, small businesses account for 87 percent of Ex-Im's transactions. These small business transactions do not include the tens of thousands of small- and medium-sized businesses that supply goods to these large corporations.

Dave Ickert, vice president of Air Tractor of Olney, Texas, a small business engaged in the manufacturing and sale of agriculture and firefighting planes, said at one point in our hearing:

> Ex-Im has contributed to the growth of Air Tractor and helped both create and maintain jobs in Olney, Texas. Ex-Im's support has allowed us to sell aircraft to customers who without that support would not have purchased our product. This is a direct contribution to our growth.

Air Tractor has 270 employees in a town that has a population of 3,000. Over 10 percent of the population who are adults work for this company in this town. It's the largest employer in

Olney. Since 1994, when they did the first Ex-Im transaction, their export sales have increased from 10 percent of what they produced to 56 percent. With 56 percent export sales in 2010, there are over 100 employees at Air Tractor in Olney, Texas, that owe their jobs and have their jobs due to use of Ex-Im bank.

Mr. Ickert said:

As I have described it before, Olney is three red lights and a Dairy Queen; and the significance of this is that if we can create jobs on Main Street Olney through small business exporting, it can be done in small businesses from California to New York. If we can do it in Olney, Texas, we can do it all over this country.

Once again, I would like to thank my colleagues from both sides of the aisle for coming together to put American jobs before politics. Together, we have crafted a strong bill to ensure the bank is able to continue to support U.S. companies as they compete globally and, as a result, create American jobs.

I reserve the balance of my time.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in support of H.R. 2072, the Export-Import Bank Reauthorization Act of 2012. I would also like to thank Majority Leader CANTOR and Minority Whip HOYER for their leadership on this bill, as well as full committee Chairman BACHUS and Ranking Member FRANK, and certainly my chairman on the subcommittee, Mr. MILLER.

But I also would like to thank all of the staff for their hard work on this important legislation, especially Lesli Gooch from Chairman MILLER's staff and Georgette Sierra from my staff, who worked on this for over a year.

I'm very proud to be supporting the bill before us today. Our Nation is at a crossroads. One job at a time, we are gradually emerging from one of the worst recessions in living memory. At this moment we can either stand in the way of America's ongoing recovery or speed it up. American businesses have recently watched their counterparts in other countries, like China, become world leaders in exporting. I believe strongly that now it's America's turn. It's America's turn to put our workers, the best workers in the world, to work in selling their goods and services to an untapped global market. It's America's turn to see its innovative businesses reach their full potential to grow and create local jobs in communities across this country. I'm confident with the help from the Export-Import Bank, American businesses can help make our Nation an unrivaled world economic leader once again.

□ 1240

But the clock is ticking, and we must act now.

The legislation before us brings certainty to many U.S. businesses that are anxiously awaiting Congress to reauthorize the bank before the May 31 deadline. H.R. 2072 provides a 3-year reauthorization and an incremental increase in the bank's exposure limit, allowing the bank to meet the increased demand from U.S. export companies. The bill includes provisions to enhance the bank's accountability by allotting funds for much-needed technology upgrades, requiring the bank to submit a business plan and to monitor and report to Congress if their default rate goes above 2 percent.

The Export-Import Bank is the export credit agency of the United States, and it provides export financing for American companies when private financing isn't available. The bank is critical for helping U.S. companies create American jobs and compete in global markets by selling their goods and services to foreign buyers. Throughout the financial crisis, the bank played a crucial role in ensuring that American companies were able to continue exporting when private trade financing options were not available. The bank has allowed the United States to remain competitive in the global economy by fulfilling its mission of creating or sustaining U.S. jobs across the 50 States through exports.

In fiscal year 2011, the bank provided over $30 billion in financing to 3,600 companies in the USA which supported nearly 290,000 American jobs. Over 80 percent of those transactions were for small businesses, like Aerolyusa, Inc., which sells aerospace parts in my own district in New York.

It is important to note that the work of the bank is done at no cost to the American taxpayer, as the bank is self-sustaining, funding its finance programs and administrative costs from fees and the returns on its investments. In fact, the bank returns money to the Treasury, and since 2008, it has returned almost $2 billion to the Treasury.

Foreign governments are aggressively supporting their own exporters so that they can dominate new markets and be world leaders in exporting. Through the Export-Import Bank's assistance, we will ensure that American companies have the tools to be globally competitive and will continue to create jobs in the United States and move our economy forward. Prominent business organizations such as the National Association of Manufacturers, the U.S. Chamber of Commerce, the Business Roundtable, and labor understand the important role of the bank and support its reauthorization. It shows how we have all worked together, with Mr. MILLER's help, to bring this bill to the floor.

In just a few weeks, the bank's charter will expire. Without Congress quickly enacting a long-term reauthorization and cap increase, thousands—thousands—of American jobs will be lost, and the U.S. businesses that rely on bank financing will be in jeopardy.

I urge my colleagues to support H.R. 2072, which provides the certainty that businesses around our country need that rely on the bank in order to continue growing and creating jobs here at home through exports.

Mr. GARY G. MILLER of California. I am happy to yield 1 minute to the gentleman from Illinois (Mr. MANZULLO), a staunch advocate for textile exports in this country.

Mr. MANZULLO. Mr. Speaker, President Reagan taught us you don't negotiate from a position of weakness.

There are over 80 foreign government export credit agencies that vigorously support their local companies in winning export sales. We cannot unilaterally disarm our manufacturers by ending Ex-Im. That will only empower our competitors to snatch away export and job opportunities from our companies. Some of these businesses are critical to our defense industrial base and need commercial sales to support their national security work. Reagan recognized this reality. That's why he supported Ex-Im Bank.

When I chaired the Small Business Committee, I had the opportunity to establish the small business desk, or division, at the Export-Import Bank. A constituent of mine was able to obtain an $11,000 loan in order to start her exporting business from a very tiny company.

So I would urge my colleagues to vote for the reauthorization in order to be a part of helping our manufacturers sell their products abroad.

Mrs. MCCARTHY of New York. I yield 5 minutes to the minority whip, Mr. HOYER, and thank him again for his leadership on this issue.

Mr. HOYER. I want to thank the gentlelady for yielding.

Mr. Speaker, I am pleased to be here today. We are here as the result of the work of some extraordinary staff people, and I want to start by mentioning them.

First of all, I want to congratulate and thank Mr. MILLER and his staff. I want to thank the staff of the Banking Committee. Mr. John Hughes of my staff, formerly of the Banking Committee and the Financial Services Committee, has worked tirelessly with an extraordinary policy director, Neil Bradley, who works for Mr. CANTOR. We worked on this matter in a bipartisan fashion. This bill comes to the floor as a bipartisan bill, and I am hopeful and believe it will pass with an overwhelmingly bipartisan vote.

Mr. Speaker, today, we are ending the uncertainty for American manufacturers waiting for Congress to act by coming together to reauthorize the U.S. Export-Import Bank. I want to thank the Republican leader, Mr. CANTOR, and his staff—and as I mentioned Neil Bradley before—for working with Democrats to find common ground and to reach an agreement that is supported by both business and labor, Democrats and Republicans.

I also want to commend Ranking Member BARNEY FRANK of the Financial Services Committee and those on his staff: Kelly Larkin, Dan McGlinchey, and Kirk Schwarzbach. CAROLYN MCCARTHY, as the ranking member, has done such an extraordinary job on this effort, as well as Mr. MILLER, who chairs the International Monetary Policy and Trade Subcommittee. Their hard work has been important in making sure this agreement will help American businesses save and create jobs. I also want to thank Representative RICK LARSEN for his tireless advocacy for a long-term reauthorization of the bank.

In addition, I would be remiss if I did not mention my dear and good friend, who is the ranking Democrat on the Appropriations Committee but who has been an extraordinary leader in making sure that America creates jobs and exports products around the world. He is Mr. NORMAN DICKS. Congressman DICKS, from Washington State, has been working with me every day that we've been at these negotiations. I want to thank him for his contributions to this outcome.

For 2 years, Mr. Speaker, House Democrats have been promoting a comprehensive jobs plan called Make It in America. Mr. DON MANZULLO was on the floor, and he has been focused on that. They may not use my phrase of ''Make It in America,'' but so many Republicans have been focused on trying to build jobs here in America. We've been promoting a Make It in America agenda.

The Export-Import Bank financing is and has been a part of our published Make It in America agenda. By financing American companies' efforts to export their products overseas, the Export-Import Bank plays a direct role, as Chairlady MCCARTHY has pointed out, in helping our businesses expand and hire more employees for well-paying jobs, jobs that will not be shipped overseas.

The Export-Import Bank doesn't cost taxpayers a single penny. In fact, it has generated $1.9 billion—$2 billion rounded, as the chairlady said—in excess revenues for U.S. taxpayers over the past 5 years, and it provides a critical service that our companies need to access foreign markets on a level playing field. I am encouraged that we were able to reach this agreement to increase the Export-Import Bank's exposure limit to $120 billion through the end of this fiscal year and to raise it to $140 billion over the next 2 years.

In 2011, financing from the Export-Import Bank helped to create nearly 300,000 jobs at 3,600 private companies across America. This is a jobs bill, a jobs bill for Americans. Yes, I said 3,600 companies. An undermentioned fact is that over 85 percent of the bank's transactions are for small businesses. We talk a lot about the large businesses, Boeing in particular, which is one of our best exports and job creators—but 3,600 businesses, most of which are small businesses. The products American workers make are the best in the world.

□ 1250

American workers and American entrepreneurs can compete with anybody in the world if they have a level playing field. This helps get there. When that happens, our workers succeed, and that means more of our people can make it in America. That's what Americans want to do: they want to make it; they want to succeed; they want to have their kids have opportunities; and they want to make it. One of the ways we're going to Make It in America is to make it in America, manufacture it in America, grow it in America, and sell it here and around the world, and create jobs here, good-paying jobs for our people. They'll feel better about that.

I urge all of my colleagues to support this legislation. I hope this vote is unanimous. It's a vote for America, America's workers, and America's ability to compete globally.

EX-IM BANK SUPPORT

Machinists, US Chamber of Commerce, National Association of Manufacturers, Association of Equipment Manufacturers, Business Roundtable, National Foreign Trade Council, Airlines 4 America, General Aviation Manufacturers Association, Air Line Pilots Association, National Small Business Association, Small Business Exporters Association, Financial Services Roundtable, Information Technology Industry Council, National Council of State Legislatures, Boeing, Delta.

LABOR, BUSINESS URGE SUPPORT OF EXPORT-IMPORT REAUTHORIZATION AGREEMENT

The agreement announced last week on a long-term reauthorization of the Export-Import Bank ends uncertainty for businesses and provides the Export-Import Bank resources needed to keep American manufacturers competitive in a global market. This agreement is an important part of Democrats' Make It In America plan to create an encouraging environment for businesses to innovate and make products here in the U.S., and is supported by everyone from labor to business:

Thomas Buffenbarger, President of International Association of Machinists and Aerospace Workers: ''The bipartisan bill H.R. 2072 . . . represents a clear break from the Beltway politics that have failed to address the real struggles of ordinary Americans. During this time of intense global competition and persistent high unemployment, U.S. exporters need the critical resources of the Ex-Im Bank. I strongly urge you to support American jobs and to vote for this important legislation.''

Thomas J. Donohue, President and CEO of the U.S. Chamber of Commerce: ''This is great news for thousands of American workers, businesses of all sizes, and taxpayers, who can cheer the fact that this bill will reduce the deficit by hundreds of millions of dollars. When other countries are providing their own exporters with an estimated $1 trillion in export finance—often on terms more generous than Ex-Im can provide—failure to reauthorize Ex-Im would amount to unilateral disarmament and cost tens of thousands of American jobs. This bill will guarantee a level financial playing field in export markets and ensure transparency in Ex-Im's operations. For that reason, the Chamber urges Congress to swiftly pass this bill to reauthorize Ex-Im.''

R. Bruce Josten, Executive Vice President for Government Affairs of the U.S. Chamber of Commerce: ''Failure to enact this bill would put at risk the nearly 300,000 American jobs at 3,600 companies that depend on Ex-Im to compete in global markets. Ex-Im is especially important to small- and medium-sized businesses, which account for more than 85 percent of Ex-Im's transactions. . . . The Chamber strongly supports H.R. 2072 and urges the House to consider this issue as expeditiously as possible. The Chamber will include votes on, or in relation to, this bill in our annual How They Voted scorecard.''

Jay Timmons, President and CEO of National Association of Manufacturers (NAM): ''The bill announced today to reauthorize the Bank and increase its lending cap brings us a step closer to protecting these jobs and will be a vital tool for small manufacturers exporting to new markets. It is essential to manufacturers' global competitiveness, and we are pleased that Majority Leader Cantor and Minority Whip Hoyer have come together on an authorization. . . . We urge all members of the House to support this jobs legislation, and we hope the Senate will also move forward quickly. The Ex-Im Bank means jobs and increased exports, which will help us grow our economy and remain competitive.''

Doug Oberhelman, Chairman and CEO of Caterpillar Inc., and Chair of Business Roundtable's International Engagement Committee: ''The Ex-Im Bank is critical to the ability of U.S. companies—large and small—to compete on a level playing field against overseas competitors who have access to similar export credit programs. . . . Failure to reauthorize the Ex-Im Bank on a long-term basis and at appropriate credit levels would disadvantage U.S. businesses competing for sales in foreign markets, potentially putting thousands of U.S. jobs at risk.''

Tim Keating, Senior Vice President of Government Operations of The Boeing Company: ''. . . H.R. 2072 is bipartisan legislation authorizing EXIM to operate for the next three years and raising the Bank's lending authority to $140 billion. The legislation also contains a number of important initiatives and reforms that will strengthen Congress's ability to oversee the Bank's operations and improve the transparency of the Bank's transactions. . . . Reauthorization of the EX-IM Bank is critical to the ability of U.S. exporters to compete on a level playing field in a commercial market where current and future competitors continue to enjoy aggressive support from their countries' export credit agencies. I urge your strong support for H.R. 2072.''

Andrew Liveris, Chairman and CEO of The Dow Chemical Company: ''I am writing to urge you to support the pending legislation to reauthorize the Export-Import (ExIm) Bank. The proposed draft three-year reauthorization with a graduated cap to $140 billion provides certainty and support for America's exporters. . . . I urge your favorable vote to support and sustain American jobs, boost small businesses, and expand export opportunities for U.S. companies.''

Capt. Lee Moak, President of the Air Line Pilots Association, International: ''This is a

positive move toward leveling the playing field for U.S. airlines and their workers in the global marketplace. The reauthorization bill will aid in ending subsidies for widebody airplanes. This action will help to level the playing field for U.S. airlines that compete with foreign airlines, including many that are state-sponsored, that buy U.S.- and European-manufactured planes at below-market rates unavailable to U.S. and many European airlines. This subsidized financing gives our foreign competitors a significant cost advantage, allowing them to drive U.S. airlines out of international routes and costing airline workers' jobs.''

Nicholas Calio, President and CEO of A4A: ''We appreciate the hard work of Republican House Majority Leader Eric Cantor and Democratic House Minority Whip Steny Hoyer, who negotiated a bipartisan agreement that ensures increased transparency in the Ex-Im bank's lending practices, calls for greater economic impact analysis of loans and would implement other important reforms, and we urge passage of the agreement.''

Pete Bunce, President and CEO of General Aviation Manufacturers Association: ''General aviation jobs will be put in jeopardy if the Export-Import Bank is not reauthorized. Furthermore, general aviation manufacturing is one of the few remaining industries that contribute positively to the U.S. balance of trade. Our member companies have dramatically increased their use of Export-Import Bank financing over the past several years. Continued lending authority is essential to the success of general aviation manufacturing to compete globally. . . . We appreciate the bi-partisan effort in the House to move this legislation and we urge every House member to support it. We also call on the Senate to act quickly in order to avoid any lending disruption.''

Letter from Local Chambers of Commerce: ''Without Ex-Im reauthorization, our country's exporters won't be able to compete effectively in the global marketplace. We urge you to join us in supporting swift Ex-Im Bank reauthorization.''

John Hardy, Jr., President of Coalition for Employment through Exports (CEE) and William Reinsch, President of National Foreign Trade Council (NFTC): ''[We] write in support of H.R. 2072, the Securing American Jobs Through Exports Act of 2011, and strongly [urge] your affirmative vote for reauthorizing the Export-Import Bank of the U.S. H.R 2072's three year extension provides assurance of Ex-Im Bank's continued critical presence in the global export market, its lending limit provides adequate flexibility for the Bank to respond to market demands, and it contains increased taxpayer protections to ensure the continued viability of the Bank.''

Cass Johnson, President of National Council of Textile Organizations (NCTO) and Kevin Burke, President & CEO, American Apparel & Footwear Association (AAFA): ''[We] write in strong support of H.R. 2072—Securing American Jobs Through Exports Act of 2011. In addition to re-authorizing the Export-Import Bank. . . . the legislation contains provisions that will create important new avenues of financing for the textile and apparel global supply chain.''

Mr. GARY G. MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlelady from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I wish to engage the chairman of the subcommittee in a colloquy regarding section 9 of the bill relating to a new notice and comment period for bank transactions over $100 million. Specifically, I wish to inquire of the chairman the scope of the bank's ability to exclude from the notice required to be published in the *Federal Register* information that is proprietary or confidential that would violate the Trade Secrets Act or would jeopardize jobs in the U.S. by supplying information which competitors could use to compete with companies in the U.S.A.

I yield to the chairman for his response.

Mr. GARY G. MILLER of California. Mr. Speaker, I thank my colleague for her inquiry.

The bill requires *Federal Register* notice include the identities of the obligor, principal supplier, and guarantor. In addition, the notice is to include a description of the item being financed. However, that description must be constructed in a way as to not disclose proprietary or confidential information or information that would violate or otherwise requires disclosure of a trade secret as defined by the Trade Secrets Act, or information that would jeopardize jobs in the U.S. by supplying information which competitors could use to compete with companies in the U.S.

When determining what description to use in describing an item being financed, the bank must take into account the totality of the *Federal Register* notice. For example, the description of the item should be done in a way that when combined with the name of the principal supplier, information is not disclosed which foreign competitors could use to compete against U.S. suppliers, thereby jeopardizing jobs in the U.S.

Mrs. MCCARTHY of New York. Mr. Speaker, if I may, I would like to inquire of the chairman further.

What is the expectation with respect to the amount of time transactions might be delayed as a result of the new notice and comment period?

Mr. GARY G. MILLER of California. Mr. Speaker, I thank my colleague for her inquiry.

The bill requires that the public be given not less than 25 days for the submission of comments prior to the board's consideration of the proposed transaction. Upon the conclusion of those 25 days, the bank should expeditiously prepare materials submitted in public comments for consideration by the board. Transactions in excess of $100 million are currently subject to review by the Congress for 25 days a session, which can be longer than 25 calendar days, as our intent is that the board proceed with consideration of a pending application as soon as legally and practically possible.

Mrs. MCCARTHY of New York. I thank the chairman.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. I thank the gentlelady.

Mr. Speaker, I rise in support of this bill in that it reauthorizes the Export-Import Bank for 3 years. It ends uncertainty for business and provides the resources necessary to keep American manufacturers competitive in the global market—$32 billion in financing to thousands of companies, which supports 290,000 jobs.

In Massachusetts, the Ex-Im Bank works with InteliCoat Technologies, a manufacturer of coated paper in South Hadley, that employs 100 people. It also has an important role with Wyman-Gordon, a manufacturer in the aerospace industry located in North Grafton, Massachusetts, with almost 600 employees.

This is critical support that is offered for American employers who seek to level the playing field against global competitors. It's supported broadly by labor and business, and I urge all of us to support H.R. 2072.

Mr. GARY G. MILLER of California. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from Missouri, my friend, Mr. LUETKEMEYER.

Mr. LUETKEMEYER. Mr. Speaker, I thank the gentleman from California (Mr. MILLER), and I rise today in support of H.R. 2072, the Securing American Jobs Through Exports Act.

There's been a lot of distracting talk surrounding reauthorization of the Export-Import Bank. So I would like to be clear. This is a jobs bill. The Ex-Im financing helps provide jobs for employees of U.S. manufacturers and small businesses, all at no cost to taxpayers. In fact, this government program actually makes money and returns it to the Treasury.

Critics say that Ex-Im lending only benefits the Nation's largest corporations, but this is simply not the case, as the minority whip just indicated a moment ago.

I have five companies in my district that benefit from Ex-Im Bank financing. Not one of them is a multinational corporation and none have received millions and millions and millions of dollars. It's because of the support of Ex-Im that they have been able to grow their businesses, hire employees, and increase their exports.

One of those small businesses had this to say about Ex-Im:

> For the last 5 years, Ex-Im has supported 17 percent of our export sales. That converts to 10 full-time jobs for 5 years. Our employees and their families rely on Ex-Im financing to support our export sales.

This isn't the testimony of a Fortune 100 CEO. This is the voice of a family-run, multigenerational small business that relies on Ex-Im to help manage the risk of extending credit to buyers outside the U.S. This is a manufacturer that during the housing crisis had to lay off three-quarters of its employees, but thanks in large part to Ex-Im, financing was able to survive the downturn, and it started to grow again.

I want to remind my colleagues that this bill also makes meaningful reforms to the Export-Import Bank. Despite the fact that the bank has an incredibly low default rate—less than 2 percent—this bill takes additional steps to protect taxpayers and reduce export subsidies over time.

I commend Majority Leader CANTOR for creating a bill that simultaneously helps to create jobs and mandates reform, and I urge all my colleagues to support this legislation.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today to urge my colleagues to vote in favor of H.R. 2072, the Securing American Jobs Through Exports Act.

The Export-Import Bank creates jobs, reduces our trade deficit, and helps to lower our national debt. It's a tool that our manufacturers—both large and small—use to expand their sales to customers around the world so they can keep creating jobs here at home.

In Washington State's Second Congressional District, the Ex-Im Bank has helped finance the sale of more than $22 billion in exports from 13 companies, including, importantly, seven small businesses.

Last week, I sat down with three businesses in my district that have used the bank. The CEO of one of these companies told me the bank has been indispensable in allowing their business to grow and support 25 full-time employees.

I was very pleased to introduce a bipartisan bill earlier this year with Congressman MANZULLO to reauthorize and expand the Ex-Im Bank and am very happy that Whip HOYER and Leader CANTOR were able to work out this sensible, bipartisan agreement that is largely in line with the bill I introduced, H.R. 4302.

I call on my colleagues to pass this bill so we can keep America open for business.

I urge my colleagues to vote in favor of H.R. 2072, the Securing American Jobs Through Exports Act.

The Export-Import Bank creates jobs.

It reduces our trade deficit.

And helps to lower our national debt.

It is a tool that our manufacturers, both large and small, use to expand their sales to customers around the world so they can keep creating jobs here at home.

In Washington's 2nd Congressional District, the Ex-Im Bank has helped finance the sale of more than $22 billion in exports from 13 companies, including 7 small businesses.

Last week I sat down with three businesses in Whatcom County that have used the Bank.

They told me the Bank is a critical tool, without which they would not be able to sell overseas.

The CEO of one of those companies, Western Chemical in Ferndale, Wash., which makes fish health products, told me the Bank has been, quote, ''indispensable in allowing our business to grow to $2M in annual Washington State exports this year and $5 million next year and supports 25 full-time employees.''

The Bank also supports our much larger exporters.

Hundreds of the women and men who make the Boeing 767, 777, and new 787 aircraft in Everett, Wash., recently wrote me urging Congress to reauthorize the Bank because their jobs and our local economy rely on it.

The Ex-Im Bank has been so successful in recent years in boosting our exports that its lending authority needs to be expanded to keep up with our growing manufacturers.

I was proud to introduce a bipartisan bill earlier this year with Congressman MANZULLO to reauthorize and expand the Ex-Im Bank.

I am pleased that Whip HOYER and Leader CANTOR were able to work out this sensible, bipartisan agreement that is largely in line with the bill I introduced, H.R. 4302.

I know some of the critics of this bill will call this corporate welfare and say it is government manipulating in the market.

The fact of the matter is every other major economy has a similar export-promotion program, and if we were to let the Ex-Im Bank expire, it would only help foreign companies at the expense of American exports and American jobs.

Not only that, but the Ex-Im Bank is an investment that pays dividends back to the U.S. taxpayer, helping to reduce our deficit by $1.9 billion in the last five years alone.

Thousands of workers in my district and around the country depend on the Ex-Im Bank for their jobs.

I thank Whip HOYER and Leader CANTOR for their work on this bill, as well as Congressman MANZULLO for his work with me on this issue.

I call on my colleagues to pass this bill so we can keep America open for business.

Mr. GARY G. MILLER of California. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Illinois, the vice chair of the subcommittee, Mr. DOLD.

Mr. DOLD. I thank the gentleman for yielding.

I certainly think this is an important topic because we talk about jobs and the economy as the number one issue that we face in this country.

Today I'm pleased to come down and rise in support of the Ex-Im Bank, as it is something that I think is vital, something that we worked on in a bipartisan fashion through the committee, and something that I think all of our colleagues should be supporting.

When we look at what the Ex-Im Bank does, most of us think oftentimes about large businesses, whether it be Boeing or others. The fact still remains that certainly across the country—and I know in my district, the 10th District of Illinois—83 percent of all the loans actually go to small business, but it does help big businesses.

Back in my district, we have one of the largest manufacturing districts in the country. Over 93,000 employees are in manufacturing, and well over 50,000 of those employees rely upon exports. The world today is flatter than it's ever been, and we need to make sure that our companies are competitive in the global marketplace. Again, I want to emphasize, 83 percent of those loans go to small businesses. But we can take a look at the big businesses, and we can take a look at Boeing. When a Boeing Jetliner 777 lands anywhere in the world, it lands with the help of 22,000 small businesses. Most of them are right here at home.

So when the minority whip talks about making it here in America, we do want to make it here in America. We want to make sure that American workers have a level playing field, and we want to sell American all over the globe. We want to make sure that we are giving them the opportunity. The Ex-Im Bank is going to be done at no cost to the taxpayer. We're going to bring dollars actually into the Federal Treasury. We want to make sure that we're giving our businesses an opportunity to compete, because what this is about is making sure we can sell American all over the globe. So I want to urge my colleagues to support this bill.

In 2011 alone, the bank supported over 288,000 American jobs and helped finance over 3,600 American companies. This is an important piece of legislation, and one that we should all be able to get behind. With every $1 billion of exports, they say 7,200 jobs are created. This is a jobs bill. When we talk about jobs and the economy, this is the time. I urge my colleagues to support it.

□ 1300

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN), the ranking member of the Ways and Means Committee.

Mr. LEVIN. I urge a ''yes'' vote.

The Wall Street Journal calls support for the Export-Import Bank ''job creation, French style.'' I'm not sure why they pick on the French.

While the House Republicans have been agonizing about acting, export powerhouses like China have been dramatically increasing their export financing programs. Over the past year, China issued four times the amount invested by the U.S. And China is not alone. Germany, France, and India all provided at least seven times more export assistance, as a share of GDP, than the U.S.

The rigid attitude of The Wall Street Journal is that, if the other side rigs the field of competition, you should do nothing. They believe that those nations will only hurt themselves if they act and that it will all work out in the wash in the end. The problem is that, in the meanwhile, you drown.

I urge a ''yes'' vote.

Mr. GARY G. MILLER of California. I am pleased to yield 2 minutes to my

good friend from California (Mr. CAMPBELL).

Mr. CAMPBELL. I thank my good friend for yielding, Mr. Speaker.

It seems that, oftentimes around here, there are some people who believe that all government programs are good and are not to be expanded and are to be kept, and there are some who believe that all government programs are bad and that they all ought to be terminated. But you know what? Neither one of those extremes are right. You should look at a program and determine: Is it constitutional? Is it cost-effective? And does it work? The Ex-Im Bank is all three, and I would like to make five points on that.

First of all, it is clearly a Federal responsibility to facilitate exports, something clearly enumerated in the Federalist Papers by Alexander Hamilton.

Second of all, in the perfect world, perhaps we wouldn't have to do this. In a perfect world, we wouldn't have to have airport security; but we do, for obvious reasons. And we have to have this because lots of other countries do, and we will not be competing on a level playing field and we will lose exports if we don't have this facility available for American companies exporting goods.

Third, it hasn't cost the taxpayer any money. It's actually made $3.7 billion for the taxpayer. We're always talking about programs here that cost the taxpayer money. This hasn't, it doesn't, and it won't. And that is something that should be clear.

Fourth, there's nothing wrong with big businesses. In America, we normally reward success. We celebrate success. And a big business is successful. But the fact is that 87 percent of the transactions from Ex-Im Bank are to small businesses. If you were to see the roughly dozen businesses in my district that have accessed Ex-Im Bank loans for exports, none of you would have heard of any of them—and I haven't heard of most of them—because they are very small businesses, and those people are benefiting from this.

And fifth, Ex-Im Bank loans support roughly 300,000 U.S. jobs that produce those goods that are exported under these loans. On this day, when we are looking for jobs in this country, these are 300,000 jobs supported by a bank that doesn't cost the taxpayer any money, that returns money to the taxpayer, and it is clearly part of the original intent.

We should vote for this bill.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. DICKS), the ranking member of the Appropriations Committee.

Mr. DICKS. I thank my friend for yielding to me.

I want to associate myself with Mr. CAMPBELL's very accurate comments.

Let me begin by extending my deepest thanks to one of my best friends, the minority whip, Mr. HOYER, for his tireless efforts to reach an agreement with the majority on this bill. And I also appreciate the work of the majority leader, Mr. CANTOR, on this bill. Without their personal commitment, time, and effort to this bill, I do not believe that we would be here today to pass this important legislation, which would have been an absolute disaster for the economy of the United States.

I have been a supporter of the Export-Import Bank since I arrived in Congress in 1977.

Simply put, the Ex-Im Bank supports the sale of American-made products overseas when private financing is not available. According to the Ex-Im Bank's 2011 annual report, the bank supported $32.7 billion in exports last year and over 288,000 American jobs. Many of these jobs are in the Pacific Northwest and in my congressional district.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DICKS. The important point is, let's vote for this bill.

DEAR REPRESENTATIVE DICKS: I write to ask for your support for H.R. 2072, the Securing American Jobs Through Exports Act of 2011, which reauthorizes the U.S. Export-Import (EXIM) Bank. EXIM is the official export credit agency of the U.S. and assists U.S. businesses in financing the export of goods and services around the world. EXIM's charter expires on May 31, 2012 and failure to reauthorize its operations in the weeks ahead could put at risk billions of dollars in U.S. exports and tens of thousands of American jobs.

Thanks to the efforts of Congressman Cantor, Congressman Hoyer and numerous Members of the House, H.R. 2072 is bipartisan legislation authorizing EXIM to operate for the next three years and raising the Bank's lending authority to $140 billion. The legislation also contains a number of important initiatives and reforms that will strengthen Congress's ability to oversee the Bank's operations and improve the transparency of the Bank's transactions. Reauthorization of EXIM is backed by a wide range of associations and third parties including the National Association of Manufacturers, the IAM, the U.S. Chamber of Congress and the Business Roundtable.

Support for EXIM reauthorization translates into U.S. jobs. In Fiscal Year 2011, the Bank reports that it supported more than $40 billion in exports helping to create or sustain an estimated 290,000 direct and indirect U.S. jobs at more than 3,600 small and large companies. And more than 80% of the Bank's transactions support U.S. small businesses. In addition, EXIM is financially self-sustaining and actually contributes to reducing the Nation's deficit. Since the Bank was last reauthorized in 2006, it has returned more than $3 billion to the U.S. Treasury beyond the costs of its operations.

Reauthorization of the EXIM Bank is critical to the ability of U.S. exporters to compete on a level playing field in a commercial market where current and future competitors continue to enjoy aggressive support from their countries' export credit agencies.

I urge your strong support for H.R. 2072.

Sincerely,

TIM KEATING,
Senior Vice President, Government Operations, The Boeing Company.

Mr. GARY G. MILLER of California. I am pleased to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the distinguished majority leader.

Mr. CANTOR. I thank the gentleman from California.

Mr. Speaker, I rise today to speak in favor of H.R. 2072, Securing American Jobs Through Exports Act of 2011.

Make no mistake, I am no fan of government subsidies. Export subsidies distort the free market and global trade. And in a perfect world, the Ex-Im Bank, along with its counterparts in Europe, Asia, and elsewhere, would not exist.

But like any other barrier to free trade, the best way to level the playing field and open up markets is through negotiation. Our country has long had a policy to negotiate an end to barriers which prevent the free flow of goods and services. And now, Mr. Speaker, for the first time, with this bill, it will be U.S. policy to initiate and pursue negotiations to end government export subsidies. This is not just a worthwhile goal; it is actually an achievable one.

Now, I know some suggest that we shouldn't negotiate and that we should just shutter the Export-Import Bank right now, that we shouldn't pass the bill, but I would tell my colleagues that I believe that amounts to unilateral disarmament. American businesses and American workers would suffer from unfair competition with subsidized foreign competitors. This bill, with these reforms, offers a better way.

As important as ensuring that we do not unilaterally disarm American business is, bringing strong, necessary reforms to the Export-Import Bank to protect American taxpayers is equally important. I am pleased to say that this bill accomplishes both.

The bill requires Ex-Im Bank to keep default rates below 2 percent. If the bank's default rate exceeds 2 percent, access to any additional capital is shut off while corrective action to bring the default rate below 2 percent would be instituted. If the Ex-Im Bank fails to fix the problem within 6 months, an audit will be conducted by an independent third party to recommend both to Congress and the Treasury Secretary necessary fixes.

The legislation, Mr. Speaker, includes numerous other reforms, including a risk management review, business plans, and an ''anti-Solyndra'' provision to protect taxpayers.

Mr. Speaker, in urging support of this bipartisan legislation, I would like to recognize two colleagues in particular: GARY MILLER, the gentleman from California, and STENY HOYER, the Democratic whip from Maryland. Their hard work helped produce a bill that helps American business while also protecting American taxpayers.

I urge passage of this bill.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 1½ minutes to my colleague, the gentlelady from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank my great friend and colleague from the great State of New York for yielding me time and for her leadership on so many important areas before this Congress.

I rise in strong support of the Export-Import Bank Reauthorization Act. I would also like to commend the Democratic whip, the distinguished leader from Maryland, STENY HOYER, for working with the other side of the aisle to bring this bill to the floor today with a 3-year reauthorization and an increase in the Ex-Im Bank's exposure cap. I hope that we'll see more of this type of cooperation on important legislation from both sides of the aisle, as we have seen on this bill.

□ 1310

The Ex-Im Bank has provided $32.7 billion in financing and supported 290,000 jobs across our great country. Eighty percent of those companies that were supported were small businesses—and at no additional cost to the taxpayer.

It is critical to America and critical to districts such as mine in New York. The bank has financed $1.7 billion in export sales in my district alone and $4.4 billion in the State of New York over the past 5 years. And the bank supports 128 firms in my district, either directly or indirectly. These are jobs for my constituents, and it is critically important that we reauthorize this bank before its charter expires at the end of the month.

Some important changes and improvements have been made to the bill over the past few weeks that will strengthen taxpayer protection provisions and that will enhance transparency at the bank. So I commend my colleagues, and I urge support for this bill. I hope we see more examples of bipartisan support on important projects, as we're seeing today.

Mr. GARY G. MILLER of California. I am pleased to yield 1 minute to my good friend, a forceful conservative voice in Congress, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding to a dissenting point of view.

Mr. Speaker, this program dragoons American taxpayers into subsidizing loans to foreign companies, making it cheaper for them to buy products from politically favored companies, which in turn use those products to compete against less-favored American companies. Past beneficiaries include such upstanding enterprises as Solyndra and Enron.

Since 2007, almost half of its money goes to support that plucky little start-up called Boeing. Air India got $5 billion to purchase Boeing aircraft, allowing them to undercut American carriers like Delta with their own tax money.

We're told we need this to compete with other nations that do the same thing. Well, Mr. Speaker, if other nations want to impoverish themselves in this manner, we don't need to imitate them.

We're told this doesn't cost the taxpayers money, and the last few years this turned to profit. Well, that's what they told us about Fannie Mae and Freddie Mac—until they blew up in our face.

Legitimate companies have plenty of access to private capital. They don't need these subsidies. The illegitimate ones shouldn't be propped up with the hard-earned dollars of working taxpaying Americans.

Mrs. MCCARTHY of New York. I yield 1 minute to my colleague, the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I thank the gentlelady.

I want to commend STENY HOYER and ERIC CANTOR, the majority leader, for their work on this.

I rise as a long-time supporter of the Ex-Im Bank, and particularly in the last few months they've done over $17 billion in sales, financed with some $14 billion. And no tax dollars involved. I would like to commend the work particularly of the first vice president, Wanda Felton, who is a graduate of my alma mater, the University of Pennsylvania, and also a graduate of Harvard Business School, helping to lead this agency.

They're doing tens of millions of transactions with companies in my district and they're doing billions throughout the country, with 129,000 jobs just in the last 11 months supported through this agency.

This is an important vote. I thank the bipartisan leadership of the Congress for bringing this agreement to move forward and reauthorize the Ex-Im Bank.

Mr. GARY G. MILLER of California. I am pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY. I thank the gentleman.

In a perfect world we wouldn't be having this discussion. And in my office, I have a really attractive little snow globe that is very nice. You turn it upside down and the snow drifts down on this beautiful little scene in Washington. It would be nice if the global economy worked that way. But actually, we're in a global economy that you'd better be able to swim with the sharks, and you better have the same set of teeth that they have.

So when we talk about the Ex-Im Bank and the advantages of what we're trying to put together for our companies, we're asking these people, we're urging them, and we're encouraging them to make capital investments to go out and hire people and expand their markets. And we're saying, We're going to send you into battle, but by the way, you're not going to have the same tools and the same weapons that other people have.

So this is such a commonsense approach to what we're facing. Again, I say in a snow globe world it would be wonderful to sit back, where everybody played by the rules, everybody played fair, and we could compete on an equal basis without everybody getting gamed. That's not the way it works. We know what we need to do. If we're really going to create jobs, if we're going to move this economy, if we're going to do the things that we need to do to create the revenues that we need to create to fund this wonderful government of ours, then we've got to look at this Ex-Im bill and pass it.

Mrs. MCCARTHY of New York. Mr. Speaker, I would like to remind everybody that in the Fourth Congressional District in California, $752 million in financing support came from the Export-Import Bank.

With that, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from California has 1½ minutes remaining. The gentlewoman from New York has 3 minutes remaining.

Mr. GARY G. MILLER of California. We have the right to close, I believe. I would be happy to reserve so the gentlelady could close.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield myself the remaining time.

Number one, I want to say how wonderful it has been working with you, and certainly your staff. Over the last past year we have worked together, and I think that's a great example for the rest of this Chamber, to be very honest with you.

We certainly care about this bill passionately. I think it's important for the American people. It comes back to American jobs. And that's what it is. I think the majority of our Members here in Congress will see that. This is something that's important for our workers and our companies—to be able to have the ability to compete with those countries that are doing exporting. We need to stand behind our businesses. We need to stand behind, certainly, our workers.

With that, Mr. Speaker, I thank, again, everybody that has been involved in this, and I yield back the balance of my time.

THE SMALL BUSINESS EXPORTERS ASSOCIATION OF THE UNITED STATES,
Washington, DC.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVES: NSBA and its international trade arm—the Small Business Exporters Association—has been outspoken advocates for a long-term reauthorization and increased exposure cap for the U.S. Export-Import (ExIm) Bank. On behalf of the small businesses that rely on Ex-Im for much-needed financing and credit insurance, I urge members to support the bi-partisan bill, H.R. 2072, the Securing American Jobs Through Exports Act of 2011, when it is considered under the suspension calendar later this week.

Ex-Im Bank is an independent federal agency that helps create and maintain U.S. jobs by filling gaps in private export financing at no cost to American taxpayers. The Bank provides a variety of financing mechanisms, including working capital financing, export-credit insurance and financial guarantees to help foreign buyers purchase U.S. goods and services.

We applaud House Majority Leader Eric Cantor and House Minority Whip Steny Hoyer for their dedication and bipartisan efforts to settle on a compromise to reauthorize Ex-Im's charter to 2014 and raise its loan exposure cap incrementally to $140 billion. The three-year extension cap gradually increases from $120 billion for the remainder of 2012, to $130 billion in 2013 and ultimately reaches $140 billion for 2014, provided certain default requirements are met.

Ex-Im Bank remains a catalyst for the expansion of small-business exports while continuing to support businesses confronting aggressive foreign competition. In fact, for FY 2011, Ex-Im Bank set a record in its support of small business at $6 billion—an increase of more than 20 percent since 2010. Furthermore, in 2011 alone, Ex-Im Bank supported 290,000 jobs and $41 billion in exports.

Absent Congressional action, the Bank's authorization will not only expire at the end of this month but it will have bumped up against its $100 billion cap and be unable to take on further transactions in the pipeline. Any uncertainty could have a devastating effect on small businesses' ability to follow through on sales even though there are buyers who want their products.

Ex-Im Bank enables U.S. companies—large and small—to turn export opportunities into real sales, thus maintaining and creating U.S. jobs and contributing to a stronger national economy. We strongly urge you to support H.R. 2072 and approve this compromise legislation without further delay.

Sincerely,

TODD MCCRACKEN,
President and CEO.

MAY 8, 2012.

Hon. STENY H. HOYER,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN HOYER: The Coalition for Employment through Exports (CEE) and National Foreign Trade Council (NFTC) write in support of H.R. 2072, the Securing American Jobs Through Exports Act of 2011, and strongly urges your affirmative vote for reauthorizing the Export-Import Bank of the U.S. H.R 2072's three year extension provides assurance of Ex-Im Bank's continued critical presence in the global export market, its lending limit provides adequate flexibility for the Bank to respond to market demands, and it contains increased taxpayer protections to ensure the continued viability of the Bank.

This revenue generating agency provides critical support for American exporters seeking a level playing field against global competitors which have the aggressive support of their own export credit agencies. Ex-Im Bank provides financing to prospective foreign buyers of U.S goods and services who also have the option of purchasing foreign goods backed by other export credit agencies (ECAs). Instead of providing subsides and corporate welfare, Ex-Im charges fees and interest to the users of these programs, resulting in a net profit for the U.S. Treasury.

Over 86% of the transactions Ex-Im supported in 2011 helped small businesses. Ex-Im Bank is uniquely able to provide support for small business owners who are less familiar with the global economy. The Bank is able to ensure that these companies have access to foreign markets and thus can grow their businesses and support jobs in their local communities. In 2011, Ex-Im Bank supported over $6 billion in small business exports and they are on track to grow that number in 2012.

Ex-Im Bank is a demand driven institution that responds to the needs of American exporters. Other governments are now expanding their own ECAs to help stimulate their economies and H.R. 2072 will enable Ex-Im Bank to ensure that American companies have similar support. As long as a company—regardless of size or type of product—fits the Bank's requirements, such as reasonable assurance of repayment, the Bank will provide financing support to that company.

The Bank does not compete with the private sector, but fills needed gaps in private sector financing to increase U.S. companies' ability to export.

H.R. 2072 also encourage the Bank to take into account the reality of our innovative economy by increasing support for services and high-tech jobs while continuing its strong support for manufacturing jobs.

CEE and NFTC urge your vote in support of H.R. 2072, a critical jobs bill that will strengthen the U.S. economy.

Sincerely,

JOHN HARDY JR.,
President, Coalition for Employment through Exports.
WILLIAM A. REINSCH,
President, National Foreign Trade Council.

MAY 8, 2012.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives,
Washington, DC.
Hon. ERIC CANTOR,
Majority Leader, House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.
Hon. STENY HOYER,
Minority Whip, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER, MAJORITY LEADER CANTOR, MINORITY LEADER PELOSI, AND MINORITY WHIP HOYER: We are writing to express our support for the Securing American Jobs Through Exports Act of 2011 (H.R. 2072), which reauthorizes the U.S. Export-Import Bank (Ex-Im Bank). H.R. 2072 will ensure Ex-Im Bank's continued support of U.S. export sales as well as high value manufacturing and service jobs. We urge the House to act quickly and affirmatively on this essential piece of legislation.

We applaud House Majority Leader Eric Cantor (R–VA) and Minority Whip Steny Hoyer (D–MD) for their hard work and bipartisan effort. This legislation provides Ex-Im Bank with a three-year reauthorization and lending authority which recognizes the important role Ex-Im plays for U.S. exporters at a time when exports are increasingly critical to the economy and job recovery. Additionally, their efforts to include financial reforms in H.R. 2072 will ensure that the Bank remains fiscally sound and continues to provide revenue to the U.S. Treasury.

With Ex-Im's charter expiring at the end of May, we urge both the House and Senate to act quickly to pass reauthorization legislation that can be sent to the President for his signature. H.R. 2072 sends the right message: American exporters have the support of the United States government to level the playing field in global markets and create jobs at home.

Sincerely,

Aerospace Industry Association; American Association of Exporters and Importers; Business Roundtable; Chamber of Commerce; Coalition for Employment through Exports; Emergency Committee for American Trade; Financial Services Roundtable; General Aviation Manufacturers Association; National Association of Manufacturers; National Foreign Trade Council; National Small Business Association; Nuclear Energy Institute; Satellite Industry Association; Small Business Exporters Association; TechAmerica; Water and Wastewater Equipment Manufacturers Association, Inc.

THE DOW CHEMICAL COMPANY,
Midland, MI, May 7, 2012.

Hon. DAVE CAMP,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN CAMP: I am writing to urge you to support the pending legislation to reauthorize the Export-Import (Exim) Bank. The proposed draft three-year reauthorization with a graduated cap to $140 billion provides certainty and support for America's exporters. The draft further includes more details on transparency and reporting provisions that will demonstrate Exim's value to the broader American public.

For Dow, the Exim Bank is a crucial component to our Sadara joint venture to build a world-scale, fully integrated chemicals complex in Saudi Arabia. Set to open in 2015, the Sadara Chemical Company is expected to generate thousands of direct and indirect jobs in the United States. The venture has already created several hundred American jobs in our project team, and over $1 billion In supplier contracts to U.S.-based companies. With Wm Bank funding, the project is set to create another $2 billion in project orders and long-term contracts with American manufacturers.

Attached is Dow's fact sheet as well as an analysis chart highlighting the necessary role Exim Bank plays in leveling the playing field against foreign competition. Other countries significantly outspend the U.S. in supporting exports and promoting their local companies in large projects. If Exim Bank cannot fund projects—if we unilaterally disarm—American companies will operate at a serious disadvantage in relation to their foreign counterparts.

I urge your favorable vote to support and sustain American jobs, boost small businesses and expand export opportunities for U.S. companies.

My office will follow up with your staff to ensure you have all the details necessary.

Sincerely,

ANDREW N. LIVERIS.

Attachments (2).

FACT SHEET, EXPORT-IMPORT BANK OF THE US

Creating and Sustaining American Jobs

Export-Import Bank Reauthorization is critical to America's export competitiveness: The Export-Import Bank of the US (ExIm) is currently operating under a series of temporary extensions to its charter, with the same $100B lending cap that is now more than four years old. Export financing is a critical component of investing for growth and accessing new customers in emerging

markets, for both small and large companies. ExIm financing supports these projects while also turning a profit for the US Treasury—as defined in ExIm's annual report to Congress—which is to the benefit of companies, their workers and US taxpayers. ExIm financing is critical to help level the playing field for American exporters who compete against the more significant export financing practices of other countries. ExIm needs to be reauthorized for a full four-year mandate and its lending cap needs to be increased to $135B to continue to grow American export opportunities.

ExIm enables projects that create American exports and sustain US jobs—The Sadara Chemical Company: In July 2011, Dow announced the formation of Sadara, a joint venture with Saudi Aramco to build a world-scale, fully integrated chemicals complex in Saudi Arabia. The complex, to open in 2015, will be one of the world's largest integrated chemical facilities. Sadara Chemical Company is expected to generate thousands of direct and indirect jobs.

Full reauthorization of ExIm is crucial to sustaining and growing jobs in the United States through projects such as Sadara

Job Creation Facts

Sadara sustains jobs in the US by establishing a presence in this growing region which secures access to competitive feedstocks that help Dow serve the fast growing markets of Asia Pacific.

The project is already responsible for employing upwards of 400 workers on the Dow joint venture project team in the Houston and California areas.

Since 2007, the Dow-Saudi Aramco Joint Venture has generated over $1B in contracts working with 18 different US-based companies for engineering, design and other high-value contributions.

In August 2011, US-based Fluor Corporation was awarded a substantial engineering, procurement and construction management (EPCM) services contract to manage ongoing activities at the site.

With ExIm funding, the project is set to create another $2B in project orders and long-term contracts.

Long-term, the project will help sustain American jobs through contracts to Dow staff to manage Product Marketing and Lifting Agreements (PMLAs). These jobs will be based at Dow in the US and in other Dow locations globally, supporting the management and marketing of our joint venture's products around the world.

ExIm Background

Nationwide, ExIm has supported nearly 11,000 transactions with $65.5B in authorized financing over the past five years. This support has directly benefitted more than 2,000 communities across the United States. The financing that ExIm provides to small businesses is contributing to a significant increase in exports—in FY 2011 the Bank increased small business transactions to a record $6B, up $1B from the previous year. Eighty-seven percent of total ExIm transactions benefit small business. In Michigan, the bank has supported 70 separate communities, 119 companies and financed a total of $2.1B in exports during the last five years. All the while, the Ex-Im Bank has generated almost $2B in revenue for the US Treasury, $400 million in FY 2011 alone.

If you have any additional questions, please contact: Lisa Schroeter, Global Director of Trade & Investment Policy, Dow Chemical @ lmschroeter@dow.com; or +12024293407.

DEAR REPRESENTATIVE: I write to ask for your support for H.R. 2072, the Securing American Jobs Through Exports Act of 2011, which reauthorizes the U.S. Export-Import (EXIM) Bank. EXIM is the official export credit agency of the U.S. and assists U.S. businesses in financing the export of goods and services around the world. EXIM's charter expires on May 31, 2012 and failure to reauthorize its operations in the weeks ahead could put at risk billions of dollars in U.S. exports and tens of thousands of American jobs.

Thanks to the efforts of Congressman Cantor, Congressman Hoyer and numerous Members of the House, H.R. 2072 is bipartisan legislation authorizing EXIM to operate for the next three years and raising the Bank's lending authority to $140 billion. The legislation also contains a number of important initiatives and reforms that will strengthen Congress's ability to oversee the Bank's operations and improve the transparency of the Bank's transactions. Reauthorization of EXIM is backed by a wide range of associations and third parties including the National Association of Manufacturers, the IAM, the U.S. Chamber of Congress and the Business Roundtable.

Support for EX-IM reauthorization translates into U.S. jobs. In Fiscal Year 2011, the Bank reports that it supported more than $40 billion in exports helping to create or sustain an estimated 290,000 direct and indirect U.S. jobs at more than 3,600 small and large companies. And more than 80% of the Bank's transactions support U.S. small businesses. In addition, EXIM is financially self-sustaining and actually contributes to reducing the Nation's deficit. Since the Bank was last reauthorized in 2006, it has returned more than $3 billion to the U.S. Treasury beyond the costs of its operations.

Reauthorization of the EX-IM Bank is critical to the ability of U.S. exporters to compete on a level playing field in a commercial market where current and future competitors continue to enjoy aggressive support from their countries' export credit agencies.

I urge your strong support for H.R. 2072.

Sincerely,

TIM KEATING,
Senior Vice President, Government Operations, The Boeing Company.

AMERICAN APPAREL & FOOTWEAR ASSOCIATION AND NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS,
May 8, 2012.

DEAR REPRESENTATIVE: The undersigned organizations write in strong support of H.R. 2072—Securing American Jobs Through Exports Act of 2011. In addition to re-authorizing the Export-Import Bank (Bank), the legislation contains provisions that will create important new avenues of financing for the textile and apparel global supply chain.

The Bank performs an important function for U.S. companies seeking markets for U.S.-made products. The Bank enables U.S. companies to turn export opportunities into real sales by providing export-financing products that fill gaps in trade financing and does not compete with private sector lenders. However, the Bank today does not offer meaningful Supply Chain Financing to the global textile and apparel industry supply chain.

This legislation includes key provisions that support the textile and apparel global supply chain by adding textile industry representation on the Bank's Advisory Committee and through the execution of two reports to Congress. First, the Advisory Committee will be required to consider ways to promote the financing of Bank transactions for the textile industry and determine ways to increase Bank support for exports of textile components or inputs. These findings will be included in the Bank's Annual Report to Congress. Second, the Bank will be required to conduct a separate analysis of the textile and apparel industry's use of current Bank products and the impediments to use of those products. The analysis will include proposals for how the Bank could provide more financing as well as proposals for new products.

We strongly believe that this language takes an important step in establishing sound financing options for the textile and apparel global supply chain by creating sorely needed liquidity for the textile and apparel supply chain in the Western Hemisphere, which has become an important export market for U.S. textile companies and an important sourcing location for major apparel brands and retailers.

We again urge you to vote yes on H.R. 2072—Securing American Jobs Through Exports Act of 2011.

Sincerely,

CASS JOHNSON,
National Council of Textile Organizations (NCTO).
KEVIN BURKE,
President & CEO, American Apparel & Footwear Association (AAFA).

AIR LINE PILOTS ASSOCIATION, INTERNATIONAL,
Washington, DC, May 4, 2012.

ALPA HAILS AGREEMENT ON EX-IM BANK REAUTHORIZATION

WASHINGTON.—The following statement is from Capt. Lee Moak, president of the Air Line Pilots Association, Int'l, on today's bipartisan agreement on the Export-Import Bank's reauthorization.

''The bipartisan reforms announced today to aircraft financing by the Export-Import Bank are a first step toward ending worldwide subsidies of widebody aircraft and will help to protect U.S. airline workers from unmerited, subsidized foreign competition. The reforms will also shine some desperately needed light on the Bank's financing processes.

''By directing the United States to negotiate with the four European countries that finance Airbus, the reauthorization will help bring about a necessary end to worldwide subsidies of widebody aircraft. There is no justifiable reason why U.S. taxpayer money should be used to put one sector of jobs at a disadvantage while helping another.

''Getting things done in Washington, D.C., is about compromise, and I am pleased that all parties were able to come together to agree to this reasonable settlement. I applaud the leadership of Majority Leader Cantor and Minority Whip Hoyer for their diligent work to bring this compromise together in a way that protects U.S. manufacturing and airline jobs. I am encouraged that the House intends to take up this legislation next week, and I hope that the Senate will follow this action with haste.

''It is important to ensure that U.S. taxpayer dollars are not used in a way that potentially has a net detrimental effect on U.S. employment. This agreement today recognizes this fact and is designed to correct an emerging and egregious problem with Ex-Im Bank aircraft financing. This is a positive move toward leveling the playing field for U.S. airlines and their workers in the global marketplace.

''The reauthorization bill will aid in ending subsidies for widebody airplanes. This action will help to level the playing field for U.S. airlines that compete with foreign airlines, including many that are state-sponsored, that buy U.S.- and European-manufactured planes at below-market rates unavailable to U.S. and many European airlines. This subsidized financing gives our foreign competitors a significant cost advantage, allowing them to drive U.S. airlines out of international routes and costing airline workers' jobs. More work needs to be done, and ALPA will remain vigorously engaged in this fight.''

Founded in 1931, ALPA is the world's largest pilot union, representing more than 53,000 pilots at 37 airlines in the United States and Canada. Visit the ALPA website at www.alpa.org.

MAY 7, 2012.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world' largest business federation, representing the interests of more than three million businesses of all sizes, sectors, and regions, strongly supports H.R. 2072, the ''Export-Import Bank Reauthorization Act of 2012,'' a compromise bill which would reauthorize the Export-Import Bank of the United States (Ex-Im) set to expire on May 31, 2012.

Failure to enact this bill would put at risk the nearly 300,000 American jobs at 3,600 companies that depend on Ex-Im to compete in global markets. Ex-Im is especially important to small- and medium-sized businesses, which account for more than 85 percent of Ex-Im's transactions. Tens of thousands of smaller companies that supply goods and services to large exporters also benefit from Ex-Im's activities.

Because other countries are providing their own exporters with an estimated $1 trillion in export finance—often on terms more generous than Ex-Im can provide—failure to reauthorize Ex-Im would amount to unilateral disarmament and cost tens of thousands of American jobs. China, for instance, has three export credit agencies that last year provided $300 billion in export finance to its exporters—10 times more than Ex-Im provided. This bill would help level the financial playing field in export markets and ensure transparency in Ex-Im's operations.

American taxpayers can cheer the fact that this bill would reduce the federal deficit by hundreds of millions of dollars. Far from being a subsidy for corporations, Ex-Im charges fees for its services that have generated more than $4 billion in revenue for the U.S. Treasury over the past six years. Further, Ex-Im loans expose the U.S. taxpayer to little risk because they are backed by the collateral of the goods being exported. Borrowers have defaulted on less than 2 percent of all loans backed by Ex-Im over the past eight decades, a default rate lower than commercial banks.

The Chamber strongly supports H.R. 2072 and urges the House to consider this issue as expeditiously as possible. The Chamber will include votes on, or in relation to, this bill in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

MANUFACTS: EX-IM BANK AND EXPORT FINANCE

REAUTHORIZATION WILL HELP MANUFACTURERS GROW U.S. EXPORTS AND CREATE JOBS

For the United States to grow manufacturing jobs, we must rely on exports to faster-growing markets around the world. The Commerce Department estimates that every $1 billion increase in exports would create or support 6,250 additional manufacturing jobs.

Last year, the U.S. Export-Import (Ex-Im) Bank provided $32 billion in export financing. That financing supported more than $41 billion in exports from more than 3,600 U.S. companies. Those exports, in turn, support approximately 290,000 export-related American jobs.

Ex-Im Bank also set a record in its support of small business. More than 85 percent of Ex-Im Bank's transactions were in direct support of small business last year—a total of $6 billion in fiscal year 2011.

Ex-Im Bank boosts U.S. manufacturing competitiveness at no cost to the taxpayer. In fact, Ex-Im has helped reduce the U.S. budget deficit. Over the past five years, Ex-Im Bank has returned more than $3.4 billion to the U.S. Treasury. The Congressional Budget Office estimates that the latest version of the House reauthorization bill (H.R. 2072) will return $900 million to the U.S. Treasury. Ex-Im Bank helps U.S. manufacturers compete on a level playing field in a tough global market. The U.S. trails countries like Brazil, Canada, China, Germany, France, India and Italy in official export credit volumes as a share of the national economy. Germany, France and India all provided at least seven times more export assistance as a share of GDP than the United States did in 2010.

HOW CONGRESS CAN HELP

Provide Ex-Im Bank with a stable, long-term reauthorization and a significant increase in its lending authority. Voting for reauthorization legislation—whether the House version, the Securing American Jobs Through Exports Act of 2011 (H.R. 2072), or the Senate version, the Ex-Im Bank Reauthorization Act (S. 1547)—will help grow U.S. exports and create American jobs.

MORE INFORMATION

The U.S. Export-Import (Ex-Im) Bank is a vital tool to help grow U.S. exports and increase American jobs. Ex-Im Bank's charter expired on September 30, 2011, and the Bank is currently operating under an extension that expires on May 31, 2012. It is imperative that Congress approve legislation as soon as possible to reauthorize the Bank for four years.

The House Financial Services Committee passed the Securing American Jobs Through Exports Act of 2011 (H.R. 2072) to reauthorize the bank in June 2011. The Senate Banking, Housing, and Urban Affairs Committee passed its version of a reauthorization bill, the Ex-Im Bank Reauthorization Act (S. 1547), in September 2011. The two bills were similar, but not identical.

In December 2011, the two authorizing committees reached an agreement that would gradually increase the Bank's lending cap to $135 billion and reauthorize the Bank through fiscal year 2015, but the bill failed to move with the year-end legislative packages. A stop-gap action passed Congress in late December that included an extension of Ex-Im Bank's authorization through May 31, 2012. The bill, though, does not increase the lending cap or provide for a stable, long-term reauthorization. Without a higher lending limit, the bank will run out of funding ability in the coming months.

As the official export credit agency of the United States, Ex-Im Bank assists in financing the export of U.S. goods and services from thousands of American companies. It operates at no cost to the taxpayer, and it has a track record of returning money to the U.S. Treasury.

Ex-Im Bank is currently authorized to provide up to $100 billion in loans, guarantees and insurance to support U.S. exports. The Bank closed fiscal year 2011 at $89 billion, and the Bank will likely hit its $100 billion cap early this spring. Any company that needs Ex-Im Bank's support after that will be turned away, and American companies will lose those export sales to foreign companies who are receiving aggressive financing support from their governments.

Over the past five years, Ex-Im Bank has returned more than $3.4 billion to the U.S. Treasury. The Congressional Budget Office estimates that the latest version of the House reauthorization bill (H.R. 2072) will return $900 million to the U.S. Treasury.

Ex-Im is considered the ''lender of last resort'' for U.S. exporters. As we continue to emerge from the financial crisis, Ex-Im Bank can help ensure that U.S. companies—especially small businesses—have access to the financing they need to make international sales.

A TOUGH GLOBAL MARKET FOR MANUFACTURERS

The U.S. trails countries like Brazil, Canada, China, Germany, France, India and Italy in official export credit volumes as a share of the national economy. Germany, France and India all provided at least seven times more export assistance as a share of GDP than the United States did in 2010.

In 2010, export credit agencies in Brazil and China (which are not members of the OECD) provided 10 times more financing to their exporters, as a share of GDP, than the Ex-Im Bank did for American exporters. In 2010, China issued $45 billion in new export credit compared to the United States' $13 billion.

Export Development Canada (EDC) facilitated more than $84 billion in business in 2010. Canada's credit volume is almost the same as America's, even though its economy is about ⅛th the size of ours.

Ex-Im Bank levels the playing field for U.S. exporters by matching credit support other nations provide, ensuring U.S. exporters are able to compete based upon the price and performance features of their products. Denying Ex-Im Bank support to U.S. manufacturers is tantamount to ''unilateral disarmament'' in the marketplace.

EXPORTS ARE VITAL TO THE U.S. ECONOMY

The mature domestic U.S. market for manufactured goods is not growing as rapidly as our manufacturing productivity. For the U.S. to grow manufacturing jobs, we must rely on exports to faster-growing markets around the world.

The United States has fallen behind its competitors on the export front. In 2000, the U.S. share of global exports of manufactured goods was 13.8 percent. By 2009, our share had fallen to 8.6 percent. If we had maintained our market share, U.S. exports in 2009 would have been $435 billion higher.

The Commerce Department estimates that every $1 billion increase in exports would create or support 6,250 additional manufacturing jobs, so that $435 billion jump translates to more than 2.7 million jobs.

[From General Aviation Manufacturers Association, May 7, 2012]

GAMA URGES SWIFT ACTION ON EXPORT-IMPORT BANK REAUTHORIZATION

WASHINGTON, DC.—GAMA hailed the bipartisan agreement between Majority Leader Eric Cantor and Minority Whip Steny Hoyer to end an impasse over the reauthorization of the Export-Import Bank. The agreement

extends the bank's charter for three years and increases its lending authority to $140 billion.

The General Aviation Manufacturers Association (GAMA) has supported the bank's reauthorization because this lending is vital to the industry's ability to grow and maintain exports as general aviation manufacturing recovers from the economic downturn. Additionally, the exports generated are key for job creation and for the Obama Administration's efforts to double exports by the end of 2014.

''General aviation jobs will be put in jeopardy if the Export-Import Bank is not reauthorized,'' said Pete Bunce, GAMA's president and CEO. ''Furthermore, general aviation manufacturing is one of the few remaining industries that contributes positively to the U.S. balance of trade. Our member companies have dramatically increased their use of Export-Import Bank financing over the past several years. Continued lending authority is essential to the success of general aviation manufacturing to compete globally.''

The Export-Import Bank's charter lapses on May 31 and is expected to reach its current lending limit by the end of May, if not earlier.

''We appreciate the bi-partisan effort in the House to move this legislation and we urge every House member to support it. We also call on the Senate to act quickly in order to avoid any lending disruption,'' added Bunce.

U.S. CHAMBER'S DONOHUE PRAISES HOUSE LEADERS FOR REACHING DEAL ON EX-IM

WASHINGTON, DC.—U.S. Chamber of Commerce President and CEO Thomas J. Donohue issued the following statement on the compromise legislation offered by House Majority Leader Eric Cantor and Democratic Whip Steny Hoyer to reauthorize the Export-Import Bank of the United States (Ex-Im):

''This is great news for thousands of American workers, businesses of all sizes, and taxpayers, who can cheer the fact that this bill will reduce the deficit by hundreds of millions of dollars.

''When other countries are providing their own exporters with an estimated $1 trillion in export finance—often on terms more generous than Ex-Im can provide—failure to reauthorize Ex-Im would amount to unilateral disarmament and cost tens of thousands of American jobs.

''This bill will guarantee a level financial playing field in export markets and ensure transparency in Ex-Im's operations. For that reason, the Chamber urges Congress to swiftly pass this bill to reauthorize Ex-Im.''

INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS,

Washington, DC, May 7, 2012.

DEAR REPRESENTATIVE: As President of the International Federation of Professional and Technical Engineers (IFPTE), I am writing in support of H.R. 2072, legislation to reauthorize the Export-Import Bank. IFPTE, which represents over 25,000 engineering and technical workers employed in the aerospace industry, urges you to vote in support of this legislation.

H.R. 2072 will reauthorize the Export-Import Bank's lending authority to $140 billion, starting at $120 billion in 2012 and increasing by $10 billion in 2013, and again in 2014. By guaranteeing loans to foreign corporations wishing to purchase U.S. made goods, the funding increase for the Export-Import Bank will help in opening the door to increased domestic exports, including American made airplanes by Boeing workers. This is essential in sustaining America's number one export, commercial aircraft, while bolstering good paying and highly skilled U.S. jobs here at home. In addition to aerospace manufacturing, many other American industries will also benefit from this reauthorization.

IFPTE is pleased that Minority Leader Hoyer and Majority Leader Cantor were able to come to an acceptable compromise when it comes to the scope of the underwriting authority of the Export-Import Bank. This compromise will help to preserve our flourishing domestic aerospace industry and its highly skilled workforce.

Extending the lending authority of the Export-Import Bank is a responsible and sound reinvestment in the American workforce. When it comes to the House floor this week, IFPTE urges you to vote in support of H.R. 2072.

Thank you for your consideration. Should you have any questions please contact IFPTE Legislative Director, Matt Biggs, at (202) 239–4880.

Sincerely,

GREGORY J. JUNEMANN,
President.

INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS,

Upper Marlboro, MD, May 7, 2012.

DEAR REPRESENTATIVE: I am writing to urge your support for the Securing American Jobs Through Exports Act of 2011, H.R. 2072, which reauthorizes the U.S. Export-Import (Ex-Im) Bank for three years and raises its lending authority to $140 billion. This bipartisan legislation represents a substantial improvement from previous House versions and will provide the necessary resources and oversight to allow the Ex-Im Bank to fulfill its vital role in promoting U.S. exports and creating American jobs.

Since first established in the 1930s, the Ex-Im Bank's mission has been to support the U.S. economy by providing financing for U.S. exporters. In today's highly competitive global marketplace where our global competitors provide a variety of export support for their domestic industries, the Ex-Im Bank is one of the few resources that the U.S. offers to American exporters. This support is needed now more han ever.

According to the U.S. Chamber of Commerce, small businesses make up 87 percent of Ex-Im Bank transactions. If the Ex-Im Bank is not reauthorized, thousands of American jobs will be lost as U.S. companies ship more production work abroad where they can take advantage of the financing provided by other countries' export credit agencies—financing that they would have preferred to obtain from the Ex-Im Bank.

Without Ex-Im financing the U.S. aerospace industry, which is one of the few American industries with a positive balance of trade with the rest of the world, will be at a severe disadvantage. European competitors will be free to support their companies through their comprehensive industrial policies. As China's export credit agency continues to grow dramatically, we need to support the only tool the U.S. has to effectively compete with China.

The bipartisan bill H.R. 2072, which will be voted on this week under the suspension calendar, represents a clear break from the Beltway politics that have failed to address the real struggles of ordinary Americans. During this time of intense global competition and persistent high unemployment, U.S. exporters need the critical resources of the Ex-Im Bank. I strongly urge you to support American jobs and to vote for this important legislation.

If you have any questions, please contact Legislative and Political Director Matthew McKinnon at (301) 967–4575.

Sincerely,

R. THOMAS BUFFENBARGER,
International President.

[May 5, 2012]

A4A COMMENDS IMPORTANT REFORMS IN BIPARTISAN EX-IM BANK REAUTHORIZATION AGREEMENT

WASHINGTON, DC.—Airlines for America (A4A), the industry trade organization for the leading U.S. airlines, today issued the following statement on the U.S. Export-Import Bank reauthorization agreement:

''We appreciate the hard work of Republican House Majority Leader Eric Cantor and Democratic House Minority Whip Steny Hoyer, who negotiated a bipartisan agreement that ensures increased transparency in the Ex-Im Bank's lending practices, calls for greater economic impact analysis of loans and would implement other important reforms, and we urge passage of the agreement,'' said A4A President and CEO Nicholas E. Calio.

ABOUT A4A

Annually, commercial aviation helps drive more than $1 trillion in U.S. economic activity and nearly 10 million U.S. jobs. A4A airline members and their affiliates transport more than 90 percent of all U.S. airline passenger and cargo traffic. For more information about the airline industry, visit www.airlines.org and follow us on Twitter @airlinesdotorg.

Mr. GARY G. MILLER of California. Mr. Speaker, I yield myself the remaining time.

There are a lot of people on our staffs that have done a great job. You've mentioned Lesli McCollum Gooch. She's been the senior policy director of the subcommittee. She's done a great job. Also, Randy Ross and Aaron Ranck. On the majority side here, Susan Blavin, Alex Teel, and Neil Bradley have all worked very, very hard. On the minority side, I would like to just thank Georgette Sierra. She's been incredible in this whole process, working with our side. Also, Daniel McGlinchey, Kirk Schwarzbach, Kelly Larkin, John Hughes, and legislative counsel, Jim Grossman.

There's been a lot said about this bill here. Let me make it very clear: Ex-Im Bank's default rate is less than 1.5 percent. There's no lender out there that has that stellar of a record. We've put additional funds in here for green technology because Ex-Im underwrites all their own loans. That's why they're performing so well. So we've created additional funds for them so they can increase their underwriting ability to make sure they're making good, safe loans.

Ex-Im Bank makes money for the taxpayers. And they've done a great job. We have an opportunity in this country to create jobs. We can yield those jobs to China, we can yield those jobs to Germany, to France, to other

countries who want to take jobs from this country, or we can make sure that American companies, large and small, have an opportunity to compete. When they compete, they create jobs. And, guess what? They make money for the taxpayers because they give it back to the Treasury. That's a win-win for everybody.

The oversight we placed in this bill—and I want to thank Majority Leader ERIC CANTOR for working with me on this—when it came out of subcommittee and an addendum added to that have created a very, very safe institution.

With that, I ask for an ''aye'' vote, and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of today's legislation to reauthorize the Export-Import Bank and appreciate the work done by Leaders HOYER and CANTOR to bring this bill to the floor today.

As amended, the Securing American Jobs Through Exports Act will reauthorize the Export-Import Bank for three years and incrementally increase the assistance it provides foreign buyers of American products to $140 billion by fiscal year 2014, which is roughly in line with projected demand. This bipartisan agreement is good for manufacturers, good for jobs and good for taxpayers. It enjoys broad backing from industry and labor, and it deserves our support.

Mr. ENGEL. Mr. Speaker, I rise in strong support of H.R. 2072, the Export-Import Bank Reauthorization Act of 2012, the long term bipartisan reauthorization agreement announced last week.

As a senior member of the House Foreign Affairs Committee, I believe that by passing this bill, Congress will give U.S. business the tools they need to compete in the global market place and create jobs for workers here in the United States.

H.R. 2072 reauthorizes the Export-Import Bank (Ex-Im) for three years, giving U.S. businesses the certainty they need, and incrementally increases the exposure limit to $140 billion by fiscal year 2014 in response to the growing demand for Ex-Im financing.

I am pleased to say that this legislation is widely supported by Labor and business groups—such as the International Association of Machinists and Aerospace Workers, NAM, Chamber of Commerce and Business Roundtable.

This wide array of organizations is well aware of the critical role the Bank plays in supporting American workers by providing credit where it's prohibitively expensive or by neutralizing official foreign credit competition.

Just last year, the Bank provided $32 billion in financing to thousands of companies, which supported nearly 290,000 American jobs.

However, it is important to note that the work of the Bank is done at no cost to the taxpayer, as it is self-sustaining: the Bank covers all of its operating expenses and loan loss reserves through the fees it charges users of the Bank.

In fact, the Bank returns money to the Treasury, and since 2008 it has returned almost $2 billion.

I, therefore, urge you to support job creation and vote for the Export-Import Bank Reauthorization Act of 2012.

Mr. PAUL. Mr. Speaker, Congress should reject H.R. 2072, the Securing American Jobs Through Exports Act of 2011, for economic, moral, and constitutional reasons. The Export-Import Bank is a prime example of corporate welfare, taking money from American taxpayers to prop up the export businesses of large corporations. Companies such as Boeing should be able to make sales based solely on the quality of their products and the willingness of the market to purchase those products. Instead, these companies rely on their political connections to subsidize their businesses. Ex-Im even provided Enron with hundreds of millions of dollars of assistance before that company's ignominious collapse. Do we really want to continue funding the Enrons of the world?

Not only is it bad economics to force working Americans, small businesses, and entrepreneurs to subsidize the exports of large corporations, it is also immoral. Redistribution from the poor and middle class to the wealthy is the most indefensible aspect of the welfare state, yet it is the most accepted form of welfare. At a time when the Federal government is running unprecedentedly large budget deficits why are we reauthorizing subsidies for large corporations? I hope that my colleagues who criticize welfare for the poor on moral and constitutional grounds will vote against this program that provides welfare for the rich.

Proponents of continued American support for Ex-Im claim that the bank ''creates jobs'' and promotes economic growth. However, this claim rests on a version of what the great economist Henry Hazlitt called the ''broken window'' fallacy. When a hoodlum throws a rock through a store window, it can be said he has contributed to the economy, as the store owner will have to spend money having the window fixed. The benefits to those who repaired the window are visible for all to see, therefore it is easy to see the broken window as economically beneficial. However, the ''benefits'' of the broken window are revealed as an illusion when one takes into account what is not seen: the businesses and workers who would have benefited had the store owner not spent money repairing a window, but rather been free to spend his money as he chose.

Similarly, the beneficiaries of Ex-Im are visible to all. What is not seen is the products that would have been built, the businesses that would have been started, and the jobs that would have been created had the funds used for Ex-Im been left in the hands of consumers. Leaving those funds in the private sector ensures that those resources will be put to the use most highly valued by individual consumers. In contrast, when the government diverts resources into the public sector via programs such as Ex-Im, their use is determined by bureaucrats and politically powerful special interests, resulting in a distorted market and a misallocation of resources. By distorting the market and preventing resources from achieving their highest valued use, Ex-Im actually costs Americans jobs and reduces America's standard of living!

Finally, Mr. Speaker, I would like to remind my colleagues that there is simply no constitutional justification for the expenditure of funds on programs such as Ex-Im. In fact, the framers of the Constitution would be horrified to know that the Federal Government was taking hard-earned money from the American people in order to benefit the politically powerful.

In conclusion, Mr. Speaker, Ex-Im distorts the market by allowing government bureaucrats to make economic decisions instead of individual consumers. Ex-Im also violates basic principles of morality, by forcing American taxpayers to subsidize the operations of wealthy companies that could easily afford to engage in international trade without government assistance. Ex-Im also violates the limitations on congressional power to take the property of individual citizens and use it to benefit powerful special interests. It is for these reasons that I strongly urge my colleagues to reject H.R. 2072.

Mr. LARSEN of Washington. Mr. Speaker, I submit the following materials in support of H.R. 2072, the Export-Import Bank Reauthorization Act, as amended.

SUPPORT AMERICAN JOBS: PASS H.R. 2072 THE EXPORT-IMPORT REAUTHORIZATION ACT

DEAR COLLEAGUE: Tomorrow the House will take up H.R. 2072, the Export-Import Bank Reauthorization Act of 2012, the long term bipartisan reauthorization agreement announced last week. By passing H.R. 2072, Congress will give U.S. business the tools they need to compete in the global market place and create jobs for workers here in the United States.

H.R. 2072 reauthorizes the Export-Import Bank (Ex-Im) for three years, giving U.S. businesses the certainty they need, and incrementally increases the exposure limit to $140 billion by fiscal year 2014 in response to the growing demand for Ex-Im financing. The bill includes a number of provisions that will make Ex-Im more effective and accountable. These provisions include funding for technology upgrades and requirements that the Bank submit a business plan to justify the increased exposure, and periodic monitoring and reporting to Congress on the Bank's default rate.

The legislation is widely supported by Labor and business groups—such as International Association of Machinists and Aerospace Workers, NAM, Chamber of Commerce and Business Roundtable. These groups understand the critical role the Bank plays in supporting American workers by providing credit where it's prohibitively expensive or by neutralizing official foreign credit competition.

Just last year, the Bank provided $32 billion in financing to thousands of companies, which supported nearly 290,000 American jobs. Over 80 percent of those transactions directly supported small businesses. You can see for yourself the work the Bank has done in your district, by visiting their website http://www.exim.gov/congmap/#/us.

It is important to note that the work of the Bank is done at no cost to the taxpayer, as they are self-sustaining: the Bank covers all of its operating expenses and loan loss reserves through the fees it charges users of the Bank. In fact, the Bank returns money to the Treasury, and since 2008 they have returned almost $2 billion.

I urge you to support this job creating legislation, which gives American companies the tools they need to grow and create local jobs in communities across the country,

while making money for American taxpayers.

Sincerely,

CAROLYN MCCARTHY,
Member of Congress.

NEW DEMS SUPPORT MULTI-YEAR EX-IM REAUTHORIZATION

WASHINGTON, DC.—Today, leaders of the New Democrat Coalition, chaired by Rep. Joseph Crowley (NY–7), released the following statement on reauthorization of the Export-Import Bank.

''Thanks to House Minority Whip Steny Hoyer's vigilance, we finally reached an agreement for a multi-year reauthorization of the Ex-Im Bank. While this agreement is not perfect, it will give American businesses much-needed certainty to sell their products abroad and create jobs here at home. The New Dems stand behind the House's reauthorization, and we encourage our colleagues on both sides of the aisle to support this agreement.''

The current legislation authorizes the Export-Import Bank for another three years and gradually increases the bank's lending authority over that timeframe to $140 billion. Last year alone, Ex-Im financing helped more than 3,000 companies add almost 300,000 jobs across America.

Statement supported by New Dem Leadership Members, led by Chair Representative Joseph Crowley (NY–7), and Vice-Chairs Representative Jim Himes (CT–4), Representative Ron Kind (WI–3), Representative Rick Larsen (WA–2), and Representative Allyson Schwartz (PA–13).

The New Democrat Coalition is dedicated to maintaining America's standing as the world's strongest, most successful nation. Founded in 1997, the New Dems believe firmly in the power of American ingenuity and innovation, and are focused on finding ways to foster and harness this creativity to grow our economy, create new American jobs, and ensure a safer and more secure future for our country. For more information on the 42 member Coalition, visit the New Dems website at http://ndc.crowley.house.gov.

LEVIN, MCDERMOTT URGE REAUTHORIZATION OF EXPORT-IMPORT BANK

WASHINGTON.—Ways and Means Committee Ranking Member Sander Levin (D–MI) and Trade Subcommittee Ranking Member Jim McDermott (D–WA) today made the following statements regarding the agreement to reauthorize the Export-Import Bank:

Levin: ''Congress needs to act immediately with the Export-Import Bank reauthorization. The United States needs to dramatically increase its exports and reduce our trade deficit to strengthen the economy and create jobs and Export-Import Bank financing will help us do that. As Republicans wring their hands in a stale ideological debate over whether to support American exports, China and other countries are significantly increasing their assistance to help their domestic companies compete abroad.''

McDermott: ''The Export-Import Bank is a perfect example of a simple, free way that Congress can help U.S. businesses export U.S.-made products, but Republican radical ideology has gotten in the way again of Congress acting to help the economy—this time they're refusing to give the Bank the tools it needs to keep helping U.S. businesses remain competitive. The Bank has a proven track record—in 2010 alone, it supported $34 billion worth of U.S. exports and 227,000 U.S. jobs at more than 3,300 U.S. companies. We should be working on a long-term reauthorization of the Bank that gives businesses the certainty that the U.S. government is committed to promoting U.S.-made exports. And, we should also dramatically increase its lending authority so the Bank can keep up with our increased exports—and keep up with our trading partners who give their exporters much more in export financing than we give to American exporters.''

BACKGROUND

The mandate of the Export-Import Bank is to support U.S. exports and the employment of U.S. workers. The Bank uses its authority and resources to finance U.S. exports primarily in circumstances when alternative, private sector export financing may not be available or is prohibitively expensive or risky.

Under the current law, the U.S. Export-Import Bank may not provide loans, guarantees or insurance at any one time in excess of $100 billion. The Bank is expected to reach that limit before the Bank's authorization expires on May 31. The Bank operates on a self-sustaining basis, using offsetting collections to fund administrative and program expenses.

The Bank seeks to level the playing field for U.S. exporters by matching credit support that other nations provide to their exporters. But the United States is ''clearly outgunned when it comes to foreign [export credit] competition,'' Bank Chairman Fred Hochberg said in testimony before the Senate earlier this year. For example, from 2006 2010, China issued over $203 billion in new medium- and long-term export credit financing, an amount four times invested by the United States in absolute dollars, and ten times more as a share of GDP. (Stephen J. Ezell, The Information Technology & Innovation Foundation, ''Understanding the Importance of Export Credit Financing to U.S. Competitiveness, June 2011)

Countries like China do not always comply with international guidelines relating to export financing, and the Bank is developing new tools to confront this challenge. The President of the Bank recently described how Ex-Im is using these tools to ensure U.S. companies can compete against Chinese financing, using as an illustrative example a competition to sell 150 locomotives to Pakistan Rail. The Chinese Development Bank offered its locomotive manufacturer very generous export financing:

''To remedy this, the Obama Administration put together a competitive financing package. And for the first time, we went to the OECD to share with them our decision to offer financing outside of internationally agreed upon terms and conditions. That's how we can level the playing field for American businesses[.] . . . [W]hen we see a clear example that state-directed capital is impeding a sale for an American company, we will go the extra step to offset the market distortion.

HOUSE REACHES AGREEMENT ON EXPORT-IMPORT BANK REAUTHORIZATION TO STRENGTHEN AMERICAN MANUFACTURING, SPUR JOB CREATION

Today, House Democratic and Republican leadership have reached an agreement on a long-term reauthorization the U.S. Export-Import Bank, ending uncertainty for businesses and providing the resources needed to keep American exporters competitive. To meet expected financing demands, the bill increases the Bank's exposure limit to $120 billion through September 30, and increases the limit to $130 billion in Fiscal Year 2013 and $140 billion in Fiscal Year 2014.

Reauthorization of the Export-Import Bank is part of the Make It In America plan, as it provides financing to U.S. businesses to help them sell their products around the world and create jobs here at home. Last year, financing from the Export-Import Bank helped 3,600 private companies add almost 300,000 jobs across the country.

With other nations aggressively supporting in their businesses' exports, it is critical that the Bank continue to provide assistance to American businesses in order to stay competitive. Prominent business organizations agree:

National Association of Manufacturers: ''The Ex-Im Bank plays a critical role in manufacturers' ability to export to new markets and keep up with growing global competition . . . It's imperative that Congress reauthorize Ex-Im and increase the Bank's lending limit for the sake of jobs and the competitiveness of manufacturers in the United States. Should Congress fail to act, it will give our competitors an advantage, harm job growth and create a large speed bump in our path to doubling exports.'' [3/15/12]

Chamber of Commerce: ''Failure to reauthorize Ex-Im would amount to America's unilateral disarmament in the face of other nations' aggressive trade finance programs . . . With other countries' export credit agencies providing an estimated $1 trillion in export finance—often on terms more generous than Ex-Im can provide—failure to approve this reauthorization legislation would put U.S. exporters at a sharper competitive disadvantage.'' [3/19/12]

Business Roundtable: ''Ex-Im's positive contributions to the international competitiveness of American companies and workers and to the U.S. economy overall are well documented. In FY2011, Ex-Im facilitated roughly $41 billion in U.S. export sales by more than 3,600 U.S. small and large companies, supporting nearly 290,000 U.S. jobs . . . It is also important to recognize that Ex-Im has made these positive contributions while returning revenue to the U.S. Treasury.'' [3/18/12]

Congress must act quickly before the Export-Import Bank's authority expires on May 31 so that businesses have the certainty they need to boost exports and create jobs here at home.

REAUTHORIZING THE EXPORT-IMPORT BANK

DEAR COLLEAGUE: As Congress considers H.R. 2072, Securing American Jobs Through Exports Act of 2011, which reauthorizes the Export-Import bank, I urge you read the following article that highlights how this legislation will assist American manufacturers increase exports. Since 1934, the bank has served as the principal government agency responsible for aiding the export of American goods and services, thereby creating and sustaining U.S. jobs.

Sincerely,

KEVIN YODER,
Member of Congress.

FEBRUARY 21, 2012: A CONSERVATIVE'S TAKE ON THE EX-IM BANK

I support the entrepreneurial dynamism of free markets. I believe entrepreneurs are more likely than government bureaucrats to build successful businesses and provide stable, good-paying jobs. I oppose government interference in the marketplace. I want government to spend less, interfere less, do less, and tax less.

So when a few fellow conservatives criticize plans to reauthorize the Export-Import Bank on grounds that it is just another costly government corporate welfare program,

why do I strongly disagree? The answer is simple—the Ex-Im Bank is none of the things some of my fellow conservatives claim.

The Ex-Im Bank assists U.S. manufacturers—small and large—to export their goods to foreign buyers. Typically it facilitates loan guarantees for foreign buyers who want to buy U.S. goods. Whether it is big names like General Electric, Caterpillar and Boeing, or small companies (which comprise 87% of the bank's transactions), the Ex-Im Bank helps their foreign buyers obtain financing so that American goods are sold and shipped abroad. This means more American employment and more exports.

The Ex-Im Bank does not compete with private financial institutions, but rather fills-in banking gaps so that U.S. goods can be exported to nations where commercial financing is insufficient. The Ex-Im Bank doesn't cost taxpayers a dime. Rather, it makes money from the fees charged to foreign buyers which get pumped back into the U.S. Treasury and helps reduce the deficit.

The Ex-Im Bank has a 75 year track-record and the Congressional Budget Office projects in the coming years, the Ex-Im Bank will pump $900 million into the U.S. Treasury—not to mention the hundreds of billions of dollars of U.S. made goods that will be exported and the hundreds of thousands of American jobs that will be supported. In 2011 alone, the bank facilitated sales abroad that supported 290,000 American jobs.

Some conservatives incorrectly argue that the Ex-Im Bank is similar to the Solyndra scandal where government bureaucrats gave about $500 million to a business headed by Obama fundraisers. To make matters worse, Solyndra's own business plan showed that it could not turn a profit. Solyndra represents what is deeply wrong with government attempts to manipulate the marketplace.

But the Ex-Im Bank and Solyndra have nothing in common. Solyndra involved government awarding taxpayer funded cash grants to failing businesses owned by political allies. The money was completely wasted, the business failed, and no jobs were created.

The Ex-Im Bank is entirely different. It doesn't hand out cash grants. It facilitates financing for foreign buyers who want to purchase American manufactured goods. The foreign buyer must qualify for the loans. Since its inception, less than 2% of the Bank's loans have ever defaulted. Even then, the manufactured goods are part of the collateral for the loan. This is one of the reasons why the Ex-Im Bank returns money to the U.S. Treasury, rather than takes money from the taxpayer.

Some conservatives oppose reauthorization of the Ex-Im Bank because they see it as an interference with the free market. On a purely theoretical level, I can see their point. But the problem with this analysis is that the international marketplace isn't a free market.

Virtually every other nation offers export loan assistance. In fact, China and many other nations actually offer aggressive, below market loans to induce foreign buyers to purchase their goods. When the U.S. competes on quality and price, it wins the competition. That is precisely why nations like China intervene and offer cut rate financing with very generous terms so that they can undercut U.S. firms. Europe does this as well.

As a conservative, I would like to see free markets expanded. We should enter into more free market reform agreements with our trading partners. We should reform our tax code and our regulatory regime to ensure we are competitive.

But nixing the Ex-Im Bank now without international financing reform agreements does nothing to promote free markets. It merely undermines U.S. manufacturing, kills high-paying American jobs, and erodes our ability to compete in a worldwide marketplace. Until we can expand our trade agreements to include more free market principles, refusing to reauthorize the Ex-Im Bank is essentially unilateral disarmament.

That is foolhardy.

GEORGE LANDRITH.

Mrs. MALONEY. Mr. Speaker, I submit the following materials in support of H.R. 2072, the Export-Import Bank Reauthorization Act, as amended.

MAY 4, 2012.

TO MEMBERS OF THE UNITED STATES CONGRESS: We are writing to urge your support for reauthorization of the Export-Import (Ex-Im) Bank of the United States, and a simultaneous increase in its lending cap. Ex-Im Bank—which is set to expire on May 31—is a vital resource in helping U.S. companies both large and small to successfully engage in international trade.

The Ex-Im Bank is a self-sustaining federal agency that assists in financing the export of U.S. goods and services to international markets. In the five years since Congress last reauthorized the Bank's operations, it has returned about $3.4 billion to the U.S. Treasury above and beyond the cost of its operations. For the fiscal year ending on September 30, 2011, Ex-Im Bank supported $40.6 billion worth of U.S. exports at more than 3,600 U.S. companies, helping to create or sustain 290,000 export-related U.S. jobs.

This past December, Congress extended Ex-Im Bank's authorization until May 31 at its current lending ceiling of $100 billion. Due to unprecedented demand for export financing over the last few years, Ex-Im Bank estimates that it will reach this limit well before May. As a result, unless Ex-Im Bank is reauthorized quickly and at an increased lending cap, it will be forced to halt new transactions—depriving U.S. businesses of a vital financing source at a time when exports are becoming an increasingly vital part of our nation's economic recovery.

Ex-Im Bank is particularly critical for small businesses, where—in 2011 alone—Ex-Im Bank lent more than $6 billion to almost 2,000 such companies. In many cases, the trade finance supplied was essential for the completion of the export transaction, and would not have been available from the private sector. Ex-Im Bank's support extended to exporters in industries as diverse as aerospace, wine, global health, clean technology and agriculture.

Ex-Im Bank is also critical to the ability of U.S. exporters to compete on a level international playing field, where competitors receive aggressive support from their own countries' export credit agencies. The U.S. trails countries like Brazil, Canada, China, Germany, France, India, and Italy in official export credit volumes as a share of each country's national economy. According to the Information Technology & Innovation Foundation, export credit banks in Brazil and China provided 10 times more financing to their exporters as a share of GDP in 2010 than the Ex-Im Bank did for American exporters. Even the export credit agency of Canada—which has an economy about one-eighth our size—does more lending volume.

Without Ex-Im Bank reauthorization, our country's exporters won't be able to compete effectively in the global marketplace. We urge you to join us in supporting swift Ex-Im Bank reauthorization.

Yours truly,

Birmingham Business Alliance (AL), Business Council of Alabama (AL), South Shelby County Chamber of Commerce (AL), Arkansas State Chamber of Commerce/Associated Industries of Arkansas (AR), Arizona Chamber of Commerce and Industry (AZ), Buckeye Valley Chamber of Commerce (AZ), Flagstaff Chamber of Commerce (AZ), Greater Phoenix Chamber of Commerce (AZ), North Scottsdale Chamber of Commerce (AZ), Tucson Metropolitan Chamber of Commerce (AZ), Alliance of Chambers of Commerce of Ventura and Santa Barbara Counties (CA), California Chamber of Commerce (CA), Greater Fresno Chamber of Commerce (CA), Greater Oxnard Chamber of Commerce (CA), Huntington Beach Chamber of Commerce (CA), Irvine Chamber of Commerce (CA), Long Beach Area Chamber of Commerce (CA), Los Angeles Area Chamber of Commerce (CA), Orange County Business Council (CA), Palm Desert Chamber of Commerce (CA), Redondo Beach Chamber of Commerce (CA), San Francisco Chamber of Commerce (CA), Santa Clara Chamber of Commerce and Visitors Bureau (CA);

Mobile Area Chamber of Commerce (AL), Shoals Chamber of Commerce (AL), San Jose Silicon Valley Chamber of Commerce (CA), Simi Valley Chamber of Commerce (CA), South Bay Association of Chambers of Commerce (CA), Torrance Area Chamber of Commerce (CA), Colorado Association of Commerce and Industry (CO), Crested Butte/Mt Crested Butte Chamber of Commerce (CO), Denver Metro Chamber of Commerce (CO), Greater Colorado Springs Chamber of Commerce and EDC (CO), Connecticut Business & Industry Association (CT), Fairfield Chamber of Commerce (CT), Delaware State Chamber of Commerce (DE), Florida Chamber of Commerce (FL), Greater Miami Chamber of Commerce (FL), Barrow County Chamber of Commerce (GA), Georgia Chamber of Commerce (GA), Greater Rome Georgia Chamber of Commerce (GA), Gwinnett Chamber of Commerce (GA), Chamber of Commerce of Hawaii (HI), Hong Kong.China.Hawaii Chamber of Commerce (HI), Kauai Chamber of Commerce (HI), Kona-Kohala Chamber of Commerce (HI), Maui Chamber of Commerce (HI), Molokai Chamber of Commerce (HI), Greater Craigmont Area Chamber of Commerce (ID), Greater Pocatello Chamber of Commerce (ID), Batavia Chamber of Commerce (IL), Chicagoland Chamber of Commerce (IL), Downers Grove Area Chamber of Commerce & Industry (IL), GOA Regional Business Association (IL), Illinois Chamber of Commerce (IL), Joliet Regional Chamber of Commerce & Industry (IL), Kankakee Regional Chamber of Commerce (IL), Mendota Area Chamber of Commerce (IL), Mendota Area Chamber of Commerce (IL);

Naperville Area Chamber of Commerce (IL), Peoria Area Chamber of Commerce (IL), Rockford Chamber of Commerce (IL), Rolling Meadows Chamber of Commerce (IL), Western DuPage Chamber of Commerce (IL), Quad Cities Chamber of Commerce (IL/IA),

Greater Fort Wayne Chamber of Commerce (IN), Warsaw/Kosciusko County Chamber of Commerce (IN), Fredonia Area Chamber of Commerce (KS), Greater Topeka Chamber of Commerce (KS), Wichita Metro Chamber of Commerce (KS), Greater Louisville Inc.—The Metro Chamber of Commerce (KY), Kentucky Chamber of Commerce (KY), Northern Kentucky Chamber of Commerce (KY), World Trade Center Kentucky (KY), Baton Rouge Area Chamber (LA), Central Louisiana Chamber of Commerce (LA), East St. Tammany Chamber of Commerce (LA), Greater New Orleans, Inc. (LA), New Orleans Chamber of Commerce (LA), Southwest Louisiana Economic Development Alliance (LA), The Southwest Louisiana Economic Development Alliance (LA), Chambers Southwest Louisiana (LA), Associated Industries of Massachusetts (MA), Carroll County Chamber (MD);

Salisbury Area Chamber of Commerce (MD), Auburn Hills Chamber of Commerce (MI), Detroit Regional Chamber of Commerce (MI), Traverse City Area Chamber of Commerce (MI), River Heights Chamber of Commerce (MN), Missouri Chamber of Commerce (MO), St. Louis Regional Chamber & Growth Association (MO), Covington County Chamber of Commerce (MS), Montana Chamber of Commerce (MT), Ahoskie Chamber of Commerce (NC), Cabarrus Regional Chamber of Commerce (NC), Charlotte Chamber of Commerce (NC), Fayetteville-Cumberland County Chamber of Commerce (NC), Greater Raleigh Chamber of Commerce (NC), Greater Wilmington Chamber of Commerce (NC), Laurinburg/Scotland County Area Chamber of Commerce (NC), North Carolina Chamber of Commerce (NC), Rowan County Chamber of Commerce (NC), North Dakota Chamber of Commerce (ND), New Hampshire Business & Industry Association (NH), Gateway Regional Chamber of Commerce (NJ), Mercer Regional Chamber of Commerce (NJ), New Jersey Chamber of Commerce (NJ), Boulder City Chamber of Commerce (NV), Carson Valley Chamber of Commerce and Visitors Authority (NV), Henderson Chamber of Commerce (NV), North Las Vegas Chamber of Commerce (NV);

White Pine Chamber of Commerce (NV), Adirondack Regional Chamber of Commerce (NY), Albany-Colonie Regional Chamber of Commerce (NY), Buffalo-Niagara Partnership (NY), Business Council of New York State, Inc. (NY), Chamber of Schenectady County (NY), Long Island Association (NY), Manhattan Chamber of Commerce (NY), North Country Chamber of Commerce (NY), Rochester Business Alliance (NY), Ashland Area Chamber of Commerce (OH), Chamber of Commerce Serving Middletown, Monroe & Trenton (OH), Cincinnati USA Regional Chamber of Commerce (OH), Clermont Chamber of Commerce (OH), Lima/Allen County Chamber of Commerce (OH), Waterville Area Chamber of Commerce (OH), Westerville Area Chamber of Commerce (OH), Youngstown/Warren Regional Chamber (OH);

Cushing Chamber of Commerce (OK), Tulsa Metro Chamber (OK), Gresham Area Chamber of Commerce (OR), Lebanon Chamber of Commerce (OR), Portland Business Alliance (OR), Wilsonville Area Chamber of Commerce (OR), Erie Regional Chamber & Growth Partnership (PA), Greater Pittsburgh Chamber of Commerce (PA), Pennsylvania Chamber of Business and Industry (PA), Schuylkill Chamber of Commerce (PA), Northern Rhode Island Chamber of Commerce (RI), Charleston Metro Chamber of Commerce (SC), Greater Columbia Chamber of Commerce (SC), Greater Summerville/Dorchester County Chamber of Commerce (SC).

ALABAMA, ARIZONA, ARKANSAS, CALIFORNIA, CONNECTICUT, GUAM, HAWAI'I, ILLINOIS, IOWA, KENTUCKY, MARYLAND, MASSACHUSETTS, MINNESOTA, NEVADA, NORTH CAROLINA, OKLAHOMA, OREGON, PUERTO RICO, SOUTH DAKOTA, U.S. VIRGIN ISLANDS, VERMONT, WASHINGTON.

March 19, 2012.

Hon. JOHN A. BOEHNER,
Speaker, U.S. House of Representatives, Capitol Building, Washington, DC.
Hon. HARRY REID,
Majority Leader, U.S. Senate, Capitol Building Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, U.S. House of Representatives, Capitol Building, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Capitol Building, Washington, DC.

DEAR SPEAKER BOEHNER, LEADER REID, LEADER PELOSI AND LEADER MCCONNELL: As governors of states and territories across the nation whose economies, communities and families benefit from exports, we urge you to pass a four-year reauthorization of the U.S. Export-Import Bank (Ex-Im) and raise the limit on Ex-Im's loan portfolio to no less than $135 billion. As the official export credit agency of the United States, Ex-Im is a critical tool for U.S. exporters in our states and a money-maker for American taxpayers.

At a time of high unemployment, Ex-Im is an important source of job creation and sustainment. Last year alone, Ex-Im supported $34 billion in exports which in turn supported the creation or sustainment of an estimated 230,000 jobs at more than 3,300 companies across the country. In addition, approximately 80 percent of the Ex-Im's transactions are in support of small U.S. businesses. Ex-Im works for American companies and taxpayers—it is good business and good government.

Ex-Im also is financially self-sustaining. In the five years since Congress last reauthorized Ex-Im, it has returned more than $3 billion to the U.S. Treasury above and beyond the cost of its operations.

Ex-Im is critical to the ability of exporters in our states to compete on a level international playing field where competitors receive aggressive support from their own countries' export credit agencies. At a time of significant economic challenge here at home, support for Ex-Im means support for U.S. exports and U.S. jobs.

Ex-Im's temporary reauthorization will expire on May 31, and failure to reauthorize its operations at an internationally competitive level will seriously disadvantage U.S. companies—small and large—potentially resulting in the loss of thousands of jobs in our states.

We strongly urge you to approve legislation before June 1, 2012 to reauthorize Ex-Im with a higher lending cap to support surging U.S. exports and American jobs. It is the right thing to do for our states, our economy and our nation.

Sincerely,

Governor Chris Gregoire, Washington; Governor Bev Perdue, North Carolina; Governor Mike Beebe, Arkansas; Governor Dannel P. Malloy, Connecticut; Governor Peter Shumlin, Vermont; Governor Deval Patrick, Massachusetts; Governor Robert Bentley, Alabama; Governor Pat Quinn, Illinois; Governor Steven L. Beshear, Kentucky; Governor Eddie Baza Calvo, Guam; Governor Brian Sandoval, Nevada; Governor Dennis Daugaard, South Dakota; Governor John A. Kitzhaber, Oregon; Governor Terry E. Branstad, Iowa; Governor John deJongh, Jr., Virgin Islands; Governor Luis G. Fortuño, Puerto Rico; Governor Martin O'Malley, Maryland; Governor Mark Dayton, Minnesota; Governor Edmond G. Brown, Jr., California; Governor Mary Fallin, Oklahoma; Governor Neil Abercrombie, Hawaii; Governor Jan Brewer, Arizona.

OFFICE OF THE GOVERNOR,
Springfield, IL, December 6, 2011.

DEAR ILLINOIS REPRESENTATIVE: I write to urge your strong support for reauthorization of the U.S. Export-Import Bank (Ex-Im). Ex-Im is the official export credit agency of the U.S. and assists in financing the export of American goods and services from many industries at no cost to the American taxpayer. Ex-Im's charter expired on September 30, 2011, and the Bank is currently operating under authority provided in the current short-term Continuing Resolution.

Global trade is an integral part of our nation's economic recovery. In 2010, Illinois exports totaled $50 billion, up 20 percent from 2009. Through the first half of 2011, exports are up another 30 percent over the same time period in 2010. The Ex-Im Bank has provided significant support towards our momentum. Over the last five years, Ex-Im has assisted more than 280 Illinois companies export their products and services around the world, including 114 firms in 2011.

At a time of high unemployment, the Ex-Im Bank is an important source of job creation and sustainment. Last year alone, Ex-Im supported $34 billion in exports, which in turn supported the creation or sustainment of an estimated 230,000 jobs at more than 3,300 companies across the country. In addition, approximately 80 percent of the Ex-Im Bank's transactions are in support of small businesses.

The Ex-Im Bank is financially self-sustaining. In the five years since Congress last reauthorized the Bank's operations, Ex-Im has returned more than $3 billion to the U.S. Treasury. In this period of deficit reduction, the Bank makes money for the U.S. Government Ex-Im works for American companies and taxpayers—it is good business and good government.

Ex-Im is critical to the ability of many U.S. exporters to compete on a level international playing field where competitors receive aggressive support from their own countries' export credit agencies. At a time of significant economic challenge here at home, support for the Ex-Im Bank means support for U.S. exports and U.S. jobs.

I urge your strong support for the timely reauthorization of the Ex-Im Bank.

Regards,

PAT QUINN,
Governor.

FLORIDA CHAMBER OF COMMERCE,
Tallahassee, FL, Nov. 22, 2011.

Hon. BILL NELSON,
U.S. Senate, Hart Senate Office Building, Washington DC.

DEAR SENATOR NELSON: I am writing to urge your support for reauthorization of the U.S. Export-Import Bank (Ex-Im). Ex-Im is the official export credit agency of the United States and assists in financing the export of U.S. goods and services from many U.S. industries at no cost to the American taxpayer. Ex-Im's charter expired on September 30, 2011 and is operating under authorities provided in the current short-term Continuing Resolution.

Ex-Im provides significant support to many Florida companies. Over the last five years, Ex-Im has assisted more than 600 Florida companies export their products and services around the world. And more than 470 of these companies are small businesses. Just this year alone, Ex-Im has assisted 259 Florida companies, including 205 small businesses. Ex-Im plays an important role in supporting Florida exports and jobs.

The Ex-Im Bank is financially self-sustaining. In the five years since Congress last reauthorized the Bank's operations, Ex-Im has returned more than $3 billion to the U.S. Treasury above and beyond the cost of its operations. In this period of deficit reduction, the Bank makes money for the U.S. Government. And at a time of high unemployment, the Ex-Im Bank is an important source of job creation and sustainment. Last year alone, Ex-Im supported $34 billion in exports, which in turn supported the creation or sustainment of an estimated 230,000 jobs at more than 3,300 companies across the country. In addition, approximately 80 percent of the Ex-Im Bank's transactions are in support of U.S. small businesses. Ex-Im works for American companies and taxpayers—it is good business and good government.

Ex-Im is critical to the ability of many U.S. exporters to compete on a level international playing field where competitors receive aggressive support from their own countries' export credit agencies. At a time of significant economic challenge here at home, support for the Ex-Im Bank means support for U.S. exports and U.S. jobs!

I urge your strong support for the timely reauthorization of the Ex-Im Bank.

Sincerely,

DAVID A. HART,
Executive Vice President.

STATE OF WASHINGTON,
OFFICE OF THE GOVERNOR,
Olympia, WA, November 2, 2011.

DEAR MEMBERS OF THE WASHINGTON CONGRESSIONAL DELEGATION: I urge your strong support for the reauthorization of the U.S. Export-Import Bank (Ex-Im Bank), which is the official export credit agency of the United States. Ex-Im Bank assists in financing the export of American goods and services from many industries at no cost to the American taxpayer. The bank is currently operating under authorities provided in the short-term Continuing Resolution because its charter expired on September 30, 2011.

Ex-Im Bank provides critical support to many Washington State companies, and over the last five years, has assisted more than 160 companies in exporting tens of billions of dollars worth of products and services. Over 100 of these companies are small businesses. Just this year alone, Ex-Im Bank assisted 74 Washington companies, including 57 small businesses. In many cases, the trade finance it supplied was an essential ingredient for the completion of the export transaction. In most cases this type of financial assistance would not have been available from the private sector. As a result, Ex-Im Bank plays a very important role in supporting Washington State exports and much-needed jobs.

Last summer, I announced a Washington State export initiative to complement President Obama's National Export Initiative which had a goal of doubling exports in five years. These initiatives were launched recognizing that increasing exports will play an important role in speeding our economic recovery and growing jobs our state. At a time of high unemployment, Ex-Im Bank's trade finance is an important source of job creation and retention. Last year alone, it supported $34 billion in exports which in turn helped to create or sustain an estimated 230,000 jobs at more than 3,300 companies across the country. In addition, approximately 80 percent of the bank's transactions are in support of U.S. small businesses. Ex-Im Bank works for American companies and taxpayers—it is good business and good government.

Moreover, Ex-Im Bank is financially self-sustaining. In the five years since Congress last reauthorized the bank's operations, it has returned more than $3 billion to the U.S. Treasury above and beyond the cost of its operations. During a time when there is a lot of concern about the deficit, the bank makes money for the U.S. Government.

Ex-Im Bank is critical to the ability of many U.S. exporters to compete on a level international playing field where competitors receive aggressive support from their own countries' export credit agencies. At a time of significant economic challenge here at home, support for the Ex-Im Bank means support for American exports and jobs.

I urge your strong support for the timely reauthorization of the Ex-Im Bank. Thank you for your consideration of this request.

Sincerely,

CHRISTINE O. GREGOIRE,
Governor.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 26, 2012.

Hon. JOHN A. BOEHNER,
Speaker of the House, House of Representatives, Washington, DC.

Hon. ERIC CANTOR,
Majority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER CANTOR: As you know, authorization for the U.S. Export-Import Bank (Ex-Im) is set to expire on May 31, 2012, and it is expected that the Bank will hit its $100 billion lending cap in the coming weeks. As conservatives, we believe it is imperative that Congress move forward with a multi-year reauthorization of Ex-Im that provides certainty and stability for U.S. manufacturers and exporters as soon as possible.

Ex-Im plays an important role in supporting U.S. exports and creating and maintaining U.S. jobs. In Fiscal Year 2011 (FY11), for instance, Ex-Im provided more than $32 billion in direct export financing and supported more than $40 billion in export sales and 290,000 American jobs, all at no cost to taxpayers. More than 700 first-time small businesses were among the companies that used Ex-Im in FY11. Additionally, Ex-Im consistently returns money to the U.S. Treasury, contributing $3.7 billion in the last seven years alone.

Let us be clear: in a perfect world there would be no need for this type of export financing, and we applaud efforts to reform Ex-Im and engage with our trading partners to promote equal trading platforms on both a bilateral and multilateral basis. At the same time, it seems counterproductive to unilaterally disengage. Foreign export banks continue to lend at low rates and have used the uncertainty surrounding Ex-Im reauthorization to their advantage. We have heard from U.S. businesses that have already lost sales to foreign competitors based not on product differentials but, rather, on lack of clarity on Congress's intentions with our export bank. We fear that this will continue and could ultimately lead to a significant decline in U.S. exports, in turn having a profoundly negative impact on domestic employment.

As you consider Ex-Im reauthorization, we encourage you to give serious consideration to a multi-year authorization over one for a shorter period of time. The marketplace certainty that comes with a longer-term authorization not only makes bank activity easier to facilitate, but also will allow our U.S. manufacturers and exporters to enter into longer-term contracts with their customers. We also believe it is imperative that all appropriate steps be taken in Ex-Im reauthorization legislation, consistent with the need to protect competition and business sensitive information, to increase the transparency of Ex-Im transactions.

Given our nation's economic climate, it is important to do what we can to promote U.S. exports and create American jobs. This is a program that generates not only exports and jobs, but also much-needed revenue for the federal government. We thank you for your consideration of this request.

Sincerely,

Blaine Luetkemeyer, Member of Congress; James B. Renacci, Member of Congress; Adam Kinzinger, Member of Congress; Gregg Harper, Member of Congress; Tom Latham, Member of Congress; Bobby Schilling, Member of Congress; John Campbell, Member of Congress; Mac Thornberry, Member of Congress; Billy Long, Member of Congress; Randy Hultgren, Member of Congress; John Carter, Member of Congress; Tom Cole, Member of Congress; Bill Johnson, Member of Congress; Michael G. Grimm, Member of Congress; Nan A.S. Hayworth, Member of Congress; Rick Crawford, Member of Congress; Larry Bucshon, Member of Congress; Rick Berg, Member of Congress; Aaron Schock, Member of Congress; Don Manzullo, Member of Congress; Steve Stivers, Member of Congress; David Rivera, Member of Congress; Cynthia Lummis, Member of Congress; Vicky Hartzler, Member of Congress; Richard Nugent, Member of Congress; Chris Gibson, Member of Congress; Robert J. Wittman, Member of Congress; Joe Wilson, Member of Congress; Bob Gibbs, Member of Congress; Jeff Fortenberry, Member of Congress.

[Republican Main Street Partnership, May 7, 2012]

RE-AUTHORIZE THE EXPORT-IMPORT BANK

(By former U.S. Rep. Amory F, Houghton and former U.S. Rep. Tom Davis)

As former Republican members of the House who served during the 1990s, it is not often that we agree with former President Bill Clinton. On the re-authorization of the Export-Import Bank, however, the former President is absolutely right. Recently, Clinton urged reauthorization of the Export-Import Bank, ''Whether you are Republicans,

Democrats or Independents, I urge you to ask the Congress to reauthorize.''

President Clinton is spot on when he says that re-authorization of the bank will, ''help to create a stronger America.''

The truth is that our economy continues to struggle and that our national unemployment rate continues to be far too high. For too many in our country, the American dream is becoming harder to realize.

Republicans have rightfully said for years that the last thing we need to do is to raise taxes in the teeth of a recession. Republicans have also been leading the fight on regulatory reform because they understand the burden placed on businesses by unnecessary and overly complex bureaucratic red tape.

Republicans have fought tax increases and fought for regulatory reform because they understand the importance of creating jobs—particularly in this fragile economy. It is for that reason that the Export-Import Bank should be re-authorized.

Last year alone, the Export-Import Bank supported more than $40 billion in export sales from American companies. These sales, from 3,600 companies, supported almost 300,000 jobs.

Lawmakers have a daunting task in front of them today—not only must they find ways to spur economic growth and create jobs, they must do so in the context of a looming unprecedented fiscal crisis as a result of deficit spending and mountains of federal debt. The good news is that the Export-Import Bank not only creates jobs, it does so without adding to the federal debt.

Unlike the failed ''stimulus'' spending, which cost taxpayers trillions of dollars, the cost to the American taxpayers for the Export-Import Bank's job creation is nothing. The Bank generates enough fees to offset its costs and actually contributes the remaining surpluses to the United States Treasury. Indeed, over the last five years, the Bank has returned $3.4 billion to the United States Treasury.

The Export-Import Bank has been an important tool for global competitiveness, especially for small businesses. Small businesses are the engines that drive job creation in the American economy, and more than 85 percent of the Export-Import Bank's transactions directly supported small businesses.

The Export-Import Bank does not compete with private lenders. Instead the Bank is a ''lender of last resort.'' The Bank helps to level the playing field for U.S. exporters by matching the financing that other governments provide to their exporters. The Export-Import Bank also fills important gaps in trade financing by assuming credit risks and country risks that other private sector actors are unable or unwilling to do. They have done so with amazing success—supporting more than $456 billion of United States exports of the last 77 years.

The Export-Import Bank's charter expired in 2011 and it is currently operating on an extension that is set to expire on May 31st of this year.

On Friday night, a compromise was reached in the House. Under the bipartisan agreement the Export-Import Bank's charter will be extended through September 2014 and its loan exposure cap will be raised 40 percent to $140 billion.

The bank will be required to keep default rates below 2 percent. Additionally, the Treasury Department would be required to initiate talks with U.S. trading partners toward ''substantially reducing'' and ultimately ending the practice of export financing subsidies.

Despite the bipartisan agreement, some are still opposed to re-authorization.

Opponents of re-authorization have called the Export-Import Bank ''corporate welfare.'' While such accusations may make for good talk radio fodder, they do not represent the reality of the long and successful history of the Export-Import Bank. The Bank has a 77-year track of making investments in American companies that have created millions of jobs.

Failure to re-authorize the bank has rightfully been compared to ''unilateral surrender''—American companies and manufacturers will immediately be placed at a strategic disadvantage in the global marketplace.

Re-authorization should be passed with wide bipartisan majorities—indeed, when we were in Congress that is exactly what happened. The American people want their representatives in Washington to get this economy moving again; they want to see economic growth that creates much needed jobs. Members on both sides of the aisle should have job creation as their number one priority and re-authorizing the Export-Import Bank is an important part of any job creation effort.

Mr. CLYBURN. Mr. Speaker, I strongly support H.R. 2072, the ''Securing American Jobs Through Exports Act of 2011'' which reauthorizes the Export-Import (Ex-Im) Bank for three years. Last year the Export-Import Bank supported nearly 300,000 American jobs; 300,000 American jobs. This reauthorization is a no brainer.

The Export-Import Bank provided $32 billion in financing last year—all at no cost to the taxpayer. More than 80% of those transactions directly supported small businesses in 2011. The Ex-Im Bank provides support for small business owners who may be less familiar with the global economy, but want to grow their business, create jobs, support their community, and make it in America.

In my home state of South Carolina, the first Boeing 787 Dreamliner rolled out of the production facility at the Charleston Airport just two weeks ago. The Export-Import Bank fills an important financing gap for Boeing that helps level the global playing field and encourages foreign companies to buy American-made products like the Dreamliner. Reauthorizing the Ex-Im Bank will protect jobs in South Carolina and all around the country.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of our Nation's small businesses and manufacturers, and call on this House to vote in favor of H.R. 2072, the Securing American Jobs Through Exports Act of 2011.

This legislation will reauthorize the Export-Import Bank of the United States, or Ex-Im Bank, for three years and raise its lending authority to $140 billion.

Founded during the Great Depression, the Ex-Im Bank, has served American businesses for nearly 80 years through its financial support of our Nation's exporters—both large and small. The U.S. Chamber of Commerce has found that small businesses make up 87 percent of Ex-Im Bank transactions.

In Fiscal Year 2011, the Ex-Im Bank supported 290,000 export-related American jobs by providing more than $32 billion in financing to more than 3,600 U.S. companies nationwide.

Since 1934, Ex-Im Bank has provided assistance to more than $474 billion of U.S. exports. Over the past five years, the Ex-Im Bank has provided businesses in the 29th District of Texas with over $407 million in export financing alone.

It is important to note that the work of the Bank is done at no cost to the taxpayer. It is self-sustaining and covers all of its operating expenses and loan loss reserves through fees the Bank charges users. In fact, the Bank normally makes a profit and has returned nearly $2 billion to the Treasury since 2008.

During this time of economic uncertainty and growing international competition, it is imperative that Congress pass H.R. 2072 and reauthorize the Ex-Im Bank. To do otherwise would unnecessarily endanger tens of thousands of American jobs.

Mrs. CAPPS. Mr. Speaker, I rise today in support of H.R. 2072, the bipartisan Securing Jobs Through Exports Act.

Other nations are aggressively supporting their businesses' exports, making it more important than ever to help American manufacturers secure the financing they need to compete in foreign markets.

The Export-Import Bank helps make this happen, creating middle class jobs here at home and boosting our economic competitiveness by investing in a strong manufacturing sector that builds and exports products around the world.

Just last year, the Bank provided $32 billion in financing to thousands of companies, which supported nearly 290,000 American jobs. Over 80 percent of those transactions directly supported small businesses.

In my district alone, the Bank supported over $36 million in sales over the last five years, helping innovative Central Coast businesses like Mafi-Trench and CoreSulpher grow and hire.

The Securing Jobs Through Exports Act will provide the necessary tools and resources for the Bank to continue this important work.

It reauthorizes the Bank for three years, giving U.S. businesses the certainty they need, and incrementally increases the exposure limit to $140 billion by fiscal year 2014 in response to the growing demand for Ex-Im financing.

The bill will also make Ex-Im more effective and accountable by funding technology upgrades and requiring additional reporting to Congress.

This bipartisan legislation has broad, bipartisan support from both labor and business groups, including the Chamber of Commerce, International Association of Machinists and Aerospace Workers, NAM, and Business Roundtable.

Mr. Speaker, as our fragile economy continues to recover, we must ensure American businesses have the tools they need to compete in the global marketplace and create jobs for workers here at home.

This bipartisan legislation will help do exactly that.

I urge my colleagues to support H.R. 2072.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H.R. 2072, the ''Securing American Jobs Through Exports Act of 2011.'' This legislation reauthorizes for three years the charter and lending authority of the Export-Import Bank of the United States. In addition,

the legislation contains several financial reforms that will help ensure the ''Ex-Im Bank'' remains fiscally sound so it may continue its outstanding record supporting American business to increase export sales, which is perhaps the best way to preserve and increase high value manufacturing and service jobs.

As the representative of the congressional district that adjoins the Ports of Long Beach and Los Angeles, the largest port complex in the Nation, I know first-hand the important role the Ex-Im Bank plays for U.S. exporters, and the thousands of jobs created by increased international trade.

The Ex-Im Bank is the official export credit agency of the United States and provides financial assistance for the export of American goods and services to international markets. In Fiscal Year 2011 alone the Bank supported 290,000 export-related American jobs by providing more than $32 billion in financing to facilitate more than $40 billion in export sales by more than 3,600 American businesses.

Since 1934, the Ex-Im Bank has served as the principal government agency responsible for aiding the export of American goods and services, thereby creating and sustaining U.S. jobs. With its 75-year track record, the Ex-Im Bank is projected to inject $900 million into the U.S. Treasury by facilitating the sale abroad of hundreds of billions of dollars of American made goods, which in turn will create or preserve hundreds of thousands of American jobs. In 2011 alone, the Ex-Im Bank facilitated sales supported 290,000 American jobs.

The United States must stay competitive in the emerging and competitive global market. The Ex-Im Bank assists U.S. manufacturers, small and large, in selling their products abroad. The Bank facilitates financing for foreign buyers who wish to purchase American manufactured goods, thus increasing sales, which translates into more good-paying American jobs.

Reauthorization of the Ex-Im Bank's charter will have a positive impact on job preservation and creation in the United States, and in the 37th Congressional District in California, which I represent. My district is home to more than a dozen companies that export millions of dollars of products annually.

Mr. Speaker, exporters in my congressional district include a diverse group of small and large businesses as well as businesses that are minority or women owned. In the aggregate they generate about $100 million dollars in export sales annually. I ask unanimous consent to include in the record a list of local businesses in California's 37th Congressional District that have directly benefited from financing by the Ex-Im Bank.

The Ex-Im Bank is self-sustaining and does not cost taxpayers a dime. Rather, the money it generates is returned to the U.S. Treasury, nearly $2 billion over the past five years, and helps reduce the deficit. Moreover, since its inception, less than 2 percent of the Bank's loans have ever defaulted, and even in those cases, loss is minimized because the borrower's manufactured goods are pledged as part of the collateral for the loan.

Mr. Speaker, exports are increasingly critical to economic growth and job creation, economic and job recovery. The Ex-Im Bank is an indispensable tool in the national effort to increase export sales. That is why I am a proud and enthusiastic supporter of H.R. 2072, which enjoys broad support from business and labor and the Obama Administration.

I urge my colleagues to join me in voting to pass this important legislation.

Mr. JOHNSON of Georgia. Mr. Speaker, today I rise in support of H.R. 2072, the Export-Import Reauthorization Act of 2012.

Since it was established in 1934, the Ex-Im Bank has helped to support American exports by providing loan guarantees, working capital guarantees, export credit insurance, and direct loans to American companies and foreign businesses that purchase American products.

The Ex-Im Bank has supported more than $450 billion of U.S. exports since its inception.

Over the last five years the Ex-Im Bank has supported 11,000 transactions and $65.5 billion, supporting American jobs and American businesses in more than 2,000 communities nationwide.

Since 2007, in my home state of Georgia, the Ex-Im Bank has supported the trading activities of 129 companies, 60 percent of which were small businesses—supporting over $2 billion dollars in total export sales.

In my district over the same time period, the Ex-Im Bank has assisted 16 companies—including nine small businesses and four minority-owned businesses—supporting more than $270 million dollars in total export sales.

John Chihade, Vice President of Chihade International, a small business in my district, told my office,

''Without the Ex-Im Bank I would not have been able to get the line of credit that I currently have. With the SBA my line of credit was $5 million, but with the support of the Ex-Im Bank I am now up to $7½ million. This has allowed me to really grow my business. I've gone from 3 employees to 42 employees in 4 years.''

Because of the Ex-Im Bank's support for Mr. Chihade's company, not only was he able to sustain his business during the worst economic recession in America's history, but he was able to grow his business and create jobs.

In Fiscal Year 2011, the Ex-Im Bank provided $6 billion in financing and insurance to American small businesses and has set a goal of providing $9 billion annually, adding 5,000 new businesses to its portfolio by 2015.

These 5,000 new businesses will be better able to sell goods in the global marketplace and expand their enterprises, creating jobs and opportunity while strengthening and expanding America's global commercial reach.

It's no wonder that the Ex-Im Bank plays such a key role in the President's National Export Initiative, a plan to double U.S. exports in five years to support 2 million jobs in the United States.

Our work to reauthorize the Ex-Im Bank is a rare example of effective government in this House, and I have to commend my colleagues, the Majority Leader and the Minority Whip, for working so hard to make sure this key priority of the Obama Administration is passed. My colleagues have not only recognized the need to reauthorize the Ex-Im Bank, but also the need for improvements to ensure the long-term success of the Bank.

The provision that directs the Secretary of the Treasury to look at the impact of the Bank's activities on private competition will provide the Ex-Im Bank and Congress with the information that is needed to ensure that the Bank's lending practices do not unintentionally benefit one U.S. industry at the expense of another.

Also—and I think that most of my Republican colleagues will agree—the provision that raises the Ex-Im Bank's lending cap by $40 billion is critically important to ensuring that the U.S. can continue to support American exporters by matching the unfair export financing activities of foreign nations such as China, and other non-OECD member countries.

Re-authorizing the Ex-Im Bank is a win-win-win.

It is a win for American workers, American businesses, and for the American taxpayers.

Not one single taxpayer dollar will be needed to re-authorize the Ex-Im Bank.

In fact, since 2005, the Ex-Im Bank has generated more than $3.4 billion in profits that it has returned to the Treasury, including $700 million in Fiscal Year 2011.

With a less than 2 percent borrower default rate since its inception, the Ex-Im Bank is, and has been, a revenue generator for the American taxpayer.

The Ex-Im Bank is a prime example of government efficiency, and I for one am glad that we could come to a bipartisan compromise here in the House to re-authorize its charter, and I strongly urge my Senate colleagues to do the same.

Again Mr. Speaker, I support the re-authorization of the Export-Import Bank and urge my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GARY G. MILLER) that the House suspend the rules and pass the bill, H.R. 2072, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GARY G. MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1320

UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4133) to express the sense of Congress regarding the United States-Israel strategic relationship, to direct the President to submit to Congress reports on United States actions to enhance this relationship and to assist in the defense of Israel, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States-Israel Enhanced Security Cooperation Act of 2012''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Since 1948, United States Presidents and both houses of Congress, on a bipartisan basis and supported by the American people, have repeatedly reaffirmed the special bond between the United States and Israel, based on shared values and shared interests.

(2) The Middle East is undergoing rapid change, bringing with it hope for an expansion of democracy but also great challenges to the national security of the United States and our allies in the region, particularly our most important ally in the region, Israel. Over the past year, the Middle East has witnessed the fall of some regimes long considered to be stabilizing forces and a rise in the influence of radical Islamists.

(3) Iran, which has long sought to foment instability and promote extremism in the Middle East, is now seeking to exploit the dramatic political transition underway in the region to undermine governments traditionally aligned with the United States and support extremist political movements in these countries.

(4) At the same time, Iran may soon attain a nuclear weapons capability, a development that would fundamentally threaten vital American interests, destabilize the region, encourage regional nuclear proliferation, further empower and embolden Iran, the world's leading state sponsor of terrorism, and provide it the tools to threaten its neighbors, including Israel.

(5) Over the past several years, with the assistance of Iran and Syria, Hizballah and Hamas have increased their stockpiles of rockets, with more than 60,000 rockets now ready to be fired at Israel. Iran continues to add to its arsenal of ballistic missiles and cruise missiles, which threaten Iran's neighbors, Israel, and United States military forces in the region.

(6) As a result, the strategic environment that has kept Israel secure and safeguarded United States national interests for the past 35 years has eroded.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States:

(1) To reaffirm the enduring commitment of the United States to the security of the State of Israel as a Jewish state. As President Obama stated on December 16, 2011, ''America's commitment and my commitment to Israel and Israel's security is unshakeable.''. And as President Bush stated before the Knesset on the 60th anniversary of the founding of the State of Israel on May 15, 2008, ''The alliance between our governments is unbreakable, yet the source of our friendship runs deeper than any treaty.''.

(2) To provide Israel the military capabilities necessary to deter and defend itself by itself against any threats.

(3) To veto any one-sided anti-Israel resolutions at the United Nations Security Council.

(4) To support Israel's inherent right to self-defense.

(5) To pursue avenues to expand cooperation with Israel in both defense and across the spectrum of civilian sectors, including high technology, agriculture, medicine, health, pharmaceuticals, and energy.

(6) To assist Israel with its on-going efforts to forge a peaceful, negotiated settlement of the Israeli-Palestinian conflict that results in two states living side by side in peace and security, and to encourage Israel's neighbors to recognize Israel's right to exist as a Jewish state.

SEC. 4. UNITED STATES ACTIONS TO ASSIST IN THE DEFENSE OF ISRAEL AND PROTECT AMERICAN INTERESTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should take the following actions to assist in the defense of Israel:

(1) Provide Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend the urgent threat posed to Israel and United States forces in the region.

(2) Provide Israel assistance specifically for the production and procurement of the Iron Dome defense system for purposes of intercepting short-range missiles, rockets, and projectiles launched against Israel.

(3) Provide Israel defense articles and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions.

(4) Allocate additional weaponry and munitions for the forward-deployed United States stockpile in Israel.

(5) Provide Israel additional surplus defense articles and defense services, as appropriate, in the wake of the withdrawal of United States forces from Iraq.

(6) Strengthen efforts to prevent weapons smuggling into Gaza pursuant to the 2005 Agreement on Movement and Access following the Israeli withdrawal from Gaza and to protect against weapons smuggling and terrorist threats from the Sinai Peninsula.

(7) Offer the Israeli Air Force additional training and exercise opportunities in the United States to compensate for Israel's limited air space.

(8) Expand Israel's authority to make purchases under the Foreign Military Financing program on a commercial basis.

(9) Seek to enhance the capabilities of the United States and Israel to address emerging common threats, increase security cooperation, and expand joint military exercises.

(10) Encourage an expanded role for Israel within the North Atlantic Treaty Organization (NATO), including an enhanced presence at NATO headquarters and exercises.

(11) Support extension of the long-standing loan guarantee program for Israel, recognizing Israel's unbroken record of repaying its loans on time and in full.

(12) Expand already-close intelligence cooperation, including satellite intelligence, with Israel.

(b) REPORT ON ISRAEL'S QUALITATIVE MILITARY EDGE.—

(1) STATEMENT OF POLICY.—It is the policy of the United States—

(A) to help Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation; and

(B) to encourage further development of advanced technology programs between the United States and Israel given current trends and instability in the region.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the status of Israel's qualitative military edge in light of current trends and instability in the region.

(c) REPORTS ON OTHER MATTERS.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on each of the following:

(1) Taking into account Israel's urgent requirement for F–35 aircraft, actions to improve the process relating to Israel's purchase of F–35 aircraft to improve cost efficiency and timely delivery.

(2) Efforts to expand cooperation between the United States and Israel in homeland security, counter-terrorism, maritime security, energy, cybersecurity, and other appropriate areas.

(3) Actions to integrate Israel into the defense of the Eastern Mediterranean.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

(2) QUALITATIVE MILITARY EDGE.—The term ''qualitative military edge'' has the meaning given the term in section 36(h)(2) of the Arms Export Control Act (22 U.S.C. 2776(h)(2)).

SEC. 5. EXTENSION OF AUTHORITY TO PROVIDE LOAN GUARANTEES TO ISRAEL.

(a) IN GENERAL.—Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11), as amended, is further amended in the item relating to ''Loan Guarantees to Israel''—

(1) in the matter preceding the first proviso, by striking ''September 30, 2011'' and inserting ''September 30, 2015''; and

(2) in the second proviso, by striking ''September 30, 2011'' and inserting ''September 30, 2015''.

(b) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the United States-Israel Enhanced Security Cooperation Act of 2012, of which I am an original cosponsor; and I thank the distinguished majority leader and minority whip for sponsoring this important legislation.

The democratic Jewish State of Israel is our closest and most important ally. We share the same interests. We share the same values. And, lamentably, we share the same threats.

Today, 64 years after Israel's founding, these same shared threats to both of our nations are stark and they are growing—particularly the threat posed by the Iranian regime, which continues racing towards nuclear-weapons capabilities, and by Iran's partner in crime, the Assad regime in Syria. Israel continues to face the danger of Iranian-sponsored violent extremists, including Hamas and Hezbollah, which continue to expand their capabilities to threaten Israeli civilians and its infrastructure with tens of thousands of rockets, mortars, and missiles.

As a result of our shared commitments, the United States and Israel have worked together to advance technologies and policies to keep both of our countries safe and secure. Israel's proximity to the Iran-Syria-Hamas-Hezbollah nexus eliminates any room for error in Israel's defense capabilities.

We are here today to reaffirm our unequivocal support for Israel's right to defend herself. And even beyond affirming Israel's right to defend herself, we aim to expand Israel's ability to protect her citizens against the dangers which they are subjected to day after day.

This bill expresses the sense of Congress that our country should support an increase to the totality of our bilateral security relations—from joint missile defense systems, intelligence cooperation, military exercises between the United States and Israel, to increasing Air Force training as well as providing increased excess defense articles and munitions to Israel.

This legislation also seeks to counter the Israel bashing that has become commonplace in international forums such as the United Nations. The United States must not allow Israel to be isolated and demonized in international organizations and must work together to withdraw U.S. participation in and funding from organizations that do so.

This legislation also extends the authority to provide loan guarantees to the Israeli Government that provide the Jewish state with a cushion of support in times of need at no cost to the American taxpayer.

As the United States and Israel work together to stop the challenges posed by the Iranian and Syrian regimes, and by violent extremists like Hezbollah and Hamas, the U.S.-Israel Enhanced Security Cooperation Act, the bill before us today, marks the triumph that we have achieved through our existing cooperation and advances our alliance to new levels.

I want to again thank my colleagues from both sides of the aisle for their strong support for this measure.

And with that, Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in strong support of H.R. 4133, the United States-Israel Enhanced Security Cooperation Act of 2012, and I yield myself 3 minutes.

I would like to thank my friends, the majority leader, Mr. CANTOR, and minority whip, Mr. HOYER, for bringing this important bill to the floor. Their cooperation on this legislation is an outstanding example of Congress' bipartisan support for the United States-Israel relationship.

Mr. Speaker, since its founding, Israel has faced innumerable challenges to its survival, but the serious threats it faces today are unprecedented. Only weeks ago, a massive barrage of rockets was fired from Gaza at Israeli population centers by Islamic jihad and other terrorists. But unlike previous incidents where terrorists targeted Israel, the Iron Dome anti-missile system—funded in part by the United States—changed the rules of the game. In fact, Iron Dome intercepted a remarkable 90 percent of the incoming rockets aimed at once-defenseless population centers.

Currently, there are only three Iron Dome batteries operational in Israel, with two more on the way, but more are needed in order to protect all of Israel's 8 million citizens.

I'm pleased to say that H.R. 4133 incorporates language from the Iron Dome Support Act, bipartisan legislation that the chair and I recently introduced and which now has nearly 90 cosponsors, expressing support for providing Israel assistance to produce additional Iron Dome batteries.

The bill also pledges to assist Israel with its ongoing efforts to forge a peaceful, negotiated settlement of the Israeli-Palestinian conflict that results in two states living side by side in peace and security. Despite all of the obstacles to achieving this goal, we can't give up trying, as peace is profoundly in Israel's strategic interest. I applaud Prime Minister Netanyahu's willingness to negotiate anywhere, anytime. The Palestinians should take him up on that offer instead of pursuing a campaign to delegitimize Israel at the U.N. and elsewhere.

Mr. Speaker, perhaps the greatest threat to both American and Israeli security today is that posed by Iran's nuclear weapons program. I hope fervently that this can be solved diplomatically. But as we all know, only massive pressure from the United States and our allies has any chance of persuading Iran to give up its quest for nuclear arms. This bill makes clear that the U.S. Congress will continue to help Israel meet the Iranian threat.

Gaza-based terrorism, the Israeli-Palestinian conflict, and the Iranian nuclear problem are not the only threats faced by Israel. Recent events in Egypt and Syria, along with the presence of Hamas in Gaza and Hezbollah in Lebanon, require Israeli vigilance against danger from all directions. To that end, this bill reaffirms our determination to support Israel's qualitative military edge against any possible combination of regional threats.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BERMAN. I yield myself 30 additional seconds.

And reinforcing that commitment to Israel's security, this bill extends for 4 years a loan guarantee program for Israel that was initiated in 2003, an extension based on legislation that Chairman ROS-LEHTINEN and I introduced in March.

Our relationship with our ally Israel is one of the most important, and closest, that we have with any nation in the world. We face many of the same threats, and we share the same values.

Israel's Defense Minister Ehud Barak recently said that he can hardly remember a better period of U.S. support and cooperation and common U.S.-Israel strategic understanding than the current one. Passage of this bill will help ensure that this cooperation continues into the future. I encourage all of my colleagues to support the legislation.

I reserve the balance of my time.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to submit remarks and include extraneous material on the legislation under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), who has the honor of chairing our Foreign Affairs Subcommittee on the Middle East and South Asia.

Mr. CHABOT. I thank the chair for yielding time to me. She is doing an exemplary job as chairman of the very important Foreign Affairs Committee, and we thank her for that.

I rise in strong support of this resolution. As we approach the 64th anniversary of Israel's declaration of independence, we must confront the unfortunate reality that all is not well in the Middle East. Just over a year and a half ago, a street vendor set off a wave of popular revolution which continues to shake the region's core foundations. And although I hope that the so-called Arab Spring will usher democracy and human rights into a region where both have been exceptions rather than the rule, and a year and a half in, the picture is starting to look—let's face it—bleak.

Times like this make us especially aware of who our friends are, and I am proud to support this and any resolution which strengthens the United States-Israel relationship.

□ 1330

For 64 years, the bonds of friendship between our two countries, reinforced by both shared interests and shared values, have remained strong and continue to grow stronger. Today, Israel faces unprecedented threats to its security, some of which, like the Iranian nuclear program, have loomed on the horizon for some time; and some, like the current regional instability that we've seen, are relatively new. At this time of heightened danger and profound change, it is incumbent on us to do everything in our power to help to secure Israel. It's our strongest ally in the region, has been for many years, and will continue to be in the future.

The administration is fond of trumpeting its undying support for Israel, as Vice President BIDEN did just yesterday, but the proof of the pudding is in the eating. If the administration is truly serious about Israel's security, it can start by stating loudly and clearly that it will not allow Iran to acquire a nuclear weapons capability—not just the weapon, but the capability to produce one. That would be far more meaningful than another of the dozens of generic statements we frequently read about in the newspapers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members not to traffic the well while a Member is under recognition.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 2 minutes to my friend from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank my friend from California.

Mr. Speaker, I am very proud to have worked on both sides of the aisle in the leadership of advancing U.S.-Israeli relations; proud of what I have done on a bipartisan basis to maintain Israel's qualitative military edge; proud of taking a tough line on Iran; proud of the meeting that I convened with the distinguished gentlewoman from Florida just several weeks ago with United Against a Nuclear Iran, a bipartisan meeting with the group United Against Nuclear Iran to make sure that we're taking the toughest actions possible with all the tools in our toolbox against a nuclear Iran; proud to have called publicly for the arrest of the madman Ahmadinejad on charges of inciting genocide; proud yesterday to have joined with the gentlewoman from New York (Mrs. LOWEY) and the gentleman from Florida (Mr. DEUTCH) in calling for an investigation of whether U.S. taxpayer dollars have been used towards the Palestinian Investment Fund; and today I'm very proud to rise in support of the U.S.-Israel Enhanced Security Cooperation Act.

Mr. Speaker, sometimes certain fundamentals get lost in the shuffle. Here are the fundamentals:

Israel is the most important ally that we have in the world. Israel is the most important ally that we have in the world in the most dangerous region of the world. The bonds between Israel and the United States are unshakeable, can never be minimized, and will never be weakened for as long as both sides of the aisle continue to work side by side to advance that partnership.

Of all the things we do here, one of the things I'm most proud of is our bipartisan support for Israel. And we will continue in that spirit—not only because a strong Israel is critical, but because a strong Israel means a more secure America.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. POE), a member of our Committee on Foreign Affairs and the Committee on Judiciary.

Mr. POE of Texas. I thank the gentlewoman for yielding.

Mr. Speaker, America's support for Israel is not new. Thomas Jefferson and Benjamin Franklin both wanted the likeness of Moses leading the children of Israel to serve as the Great Seal of the newly independent United States of America. In fact, in the center of this Chamber, in the relief portrait that is directly in front of me looking down on this House, is the portrait of the great lawgiver Moses. John Adams wrote that he really wished the Jews had in Judea an independent nation.

So in 1948, when Israel finally became a modern, independent Jewish state, the United States recognized Israel in just 11 minutes. Today, our support for Israel cannot waiver, it cannot wane, and we cannot grow weary in proclaiming the absolute right of Israel to defend itself.

Israel's interests are America's interests. They are on the front lines against terrorists like Hezbollah and Hamas. They are surrounded by nations that do not like them. And Israel is opposed to the tiny tyrant from the desert—Ahmadinejad—in his pursuit of nuclear destruction of Israel.

Our troops train together, and our cooperation in developing military technology has saved Israeli and American lives.

The United States has no greater ally in the Middle East than the nation of Israel. The United States must let the world know that Israel has the absolute right to be left alone.

So I support this suspension and urge its passage, and that's just the way it is.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 3 minutes to the very distinguished member of the Foreign Affairs Committee, the ranking member of the Western Hemisphere Subcommittee, on a resolution that does not affect—well, it does affect the Western Hemisphere because it affects us, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank the gentleman from California, and I rise in strong support of this resolution.

I want our colleagues to hear what's been going on here on the House floor. At a time when Congress has been derided as not being able to get its act together, when people say Democrats and Republicans cannot agree on anything, when people say that Congress doesn't know how to work together and meet in the middle, what are we hearing? We're hearing Democrats and Republicans alike expressing strong bipartisan support for Israel, expressing strong bipartisan support for the U.S.-Israel relationship.

We know that the United States and Israel have so much in common. We have common feelings of democracy. We have common mores. We have common people who understand what democracy is all about.

Israel is the only democracy in the Middle East and faces threats from terrorist groups like Hezbollah and Hamas. Israel is willing to sit down and negotiate with the Palestinians with no preconditions. Prime Minister Netanyahu has said that many, many times, and he has been rebuffed by the Palestinians, who want all kinds of preconditions before they will even sit down and talk with Israel.

And of course Iran looms large. Iran must never be allowed to have a nuclear weapon. Iran is not only a threat to wipe Israel off the face of the Earth, as that lunatic Ahmadinejad has said, but Iran is a threat to the West, to the United States, and to NATO as well.

So, what are we doing here this afternoon? We're rising in strong support of H.R. 4133, the United States-Israel Enhanced Security Cooperation Act. This important bill reaffirms that Congress stands shoulder to shoulder with Israel as it faces numerous challenges in the weeks and months ahead. It restates U.S. policy that America must provide Israel with the capability to defend itself and preserve its qualitative military edge. It increases military and civilian security cooperation between our two nations in order to prevent Iran from achieving nuclear weapons capability. It supports a negotiated settlement of the Israeli-Palestinian conflict based on a two-state solution. It encourages Israel's neighbors to recognize the Jewish state, and Israel must be recognized as a Jewish state.

As importantly, though, I think this bill also shows that, even as partisanship runs through Congress, support for Israel remains rock solid and bipartisan. Democrats and Republicans, as I said before, are here on the floor together saying that we need to support the U.S.-Israel relationship and defending Israel's inherent right to self-defense.

With more than two-thirds of Congress cosponsoring this legislation, I think the message to Israel's detractors is clear: The United States will stand with the Jewish state for now and forever.

Ms. ROS-LEHTINEN. Mr. Speaker, what an honor it is to yield 1 minute to our esteemed majority leader, Mr. CANTOR, the coauthor of this important legislation.

Mr. CANTOR. I thank the gentlelady from Florida.

Mr. Speaker, today the House will vote on the bipartisan U.S.-Israel Enhanced Security Cooperation Act. This bill reaffirms Israel's right to defend itself against threats and puts the Congress on record about America's longstanding commitment to the U.S.-

Israel strategic relationship, a unique and special relationship founded on shared interests and shared democratic values.

□ 1340

My friend, Democratic Whip STENY HOYER, and I introduced this legislation to ensure that, during a time of such instability, threats to Israeli and American security will be answered with strength and resolve.

Unfortunately, even during periods of calm, Israel lives in a tough neighborhood; and because our national interests are so often linked, Israel is often at the front lines of responding to threats to both of our security. This is true when it comes to a shared fight against radical Islamist terrorism, and it is certainly true when it comes to Iran. This bill reiterates that our investment in Israel's security is an investment in our own security.

I want to thank Mr. HOYER as well as Chairman ROS-LEHTINEN and Ranking Member HOWARD BERMAN, who joined us in drafting this legislation. I thank them for their hard work and for their steadfast leadership as defenders of our great ally in the Middle East.

The strong bipartisan support for this bill speaks to the importance and the urgency with which we must address and enhance Israel's ability to defend itself during a period of profound transition and instability.

Mr. Speaker, nearly 300 members of both parties have sponsored this bill, and we hope to have many more in the final count. The House has always demonstrated a bipartisan commitment to the U.S.-Israel relationship, and today we say again, we refuse to send mixed messages when it comes to America's support for Israel. Today we demonstrate congressional support for important steps to make Israel and America more secure.

Among other things, the bill encourages the President to provide additional assistance to support U.S.-Israel joint missile defense efforts, such as Iron Dome, David's Sling, and Arrow; allocate additional weaponry and munitions to the forward-deployed U.S. stockpile located in Israel; strengthen multilateral efforts to prevent weapons smuggling into Gaza and to protect against terrorism from the Sinai Peninsula; expand already close intelligence cooperation between the U.S. and Israel; protect Israel's Qualitative Military Edge and ensure that Israel remains the preeminent military power in the region; lobby against and veto the outrageous parade of one-sided, anti-Israel resolutions at the United Nations every year. The bill also extends the long-standing loan guarantee program for Israel, recognizing its perfect record of repaying its loans on time and in full.

Mr. Speaker, this could be a very hot summer in the Middle East:

Egypt is likely to elect an Islamist government. While we all hope Egypt's new government keeps the peace that has held for 30 years, the future is uncertain;

Syria is consumed by civil war, with a vicious dictator backed by Iran and Hezbollah, murdering his own citizens, fueling sectarian tensions, and giving rise to radicalism;

Iran continues its decades-long effort to acquire a nuclear weapons capability. Sanctions may be hurting Iran's economy, but Iran's leaders thus far remain wedded to pursue their dangerous goal. Iran continues to support terrorism, providing lethal support to Hezbollah, Hamas, and the Taliban.

The United States and Israel share an important strategic goal: Preventing Iran from acquiring a nuclear weapons capability and combating its terrorist proxies.

Mr. Speaker, this bill recognizes the profound threats the U.S. and Israel face in the region and reiterates our commitment to standing side by side with Israel during this pivotal and dangerous period of transition and instability, and I urge its passage.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the other main cosponsor of this legislation, our Democratic whip, a leader for so many years on the issue of the U.S.-Israel relationship.

Mr. HOYER. I thank my friend for yielding.

I've known Mr. BERMAN for almost half a century. He has been an extraordinary leader, as a young person, as chairman of this committee, as ranking member on this committee, and I want to thank him for his leadership on this issue. He has been instrumental.

I want to thank my dear friend in whose district I used to live so many years ago, ILEANA ROS-LEHTINEN, the chairman of the Foreign Affairs Committee, thank her for her leadership and her commitment. She has been a stalwart.

Mr. Speaker, at a time when there is great disagreement on a number of important issues, we are reminded today that Democrats and Republicans stand together when it comes to supporting our friend and ally Israel.

I am proud to be a lead cosponsor of the U.S.-Israel Enhanced Security Cooperation Act, along with my friend, the Republican leader, Mr. CANTOR, who just spoke.

This bill enshrines in law the deeper military and security cooperation that the Obama administration has forged with Israel and made a very high priority. President Obama's predecessor, President Bush, responsible for forging and continuing that relationship, as were his predecessors.

Today, with greater uncertainty in the Middle East and the continued pursuit of nuclear weapons by Iran, close security cooperation between the United States and Israel has never been more important.

I have visited Israel 12 times, and I've seen firsthand how Israelis have achieved so much with so little. Investment in Israel's security and Israel's success yield real benefits to the United States through shared intelligence, technological exchange, and trade. Investments in Israel also strengthen our security because our countries share, not just values, but strategic interests, including preventing Iran from developing nuclear weapons.

Iran, as we all know, has been a destabilizing force in a volatile part of the world so closely linked with global energy supplies and where American troops are stationed. In response, this administration has coordinated with our European allies to impose the strongest sanctions Iran has ever faced.

This bill will enable even closer military and security ties with Israel so we can further deter Iran from developing nuclear weapons capability and work together—work together—to recreate and to combat terrorism that threatens both of our countries.

I want to recognize, in particular, the hard work of my friend and colleague, as I said earlier, HOWARD BERMAN, the ranking Democrat on the Foreign Affairs Committee. He and ILEANA ROS-LEHTINEN have been a real team, real partners in this effort, as I and Mr. CANTOR have been. Mr. BERMAN has been instrumental in securing funding for the Iron Dome antimissile defense system that was jointly developed and will be deployed on Israel's borders to protect against short-range missiles Iran provides to terrorist groups like Hamas and Hezbollah, thousands of those missiles.

As Israel continues its pursuit of secure peace, we in Congress will continue to stand together in support of Israel and in recognition of the values and ideas our countries share.

This resolution, in part, is so that there will be clarity, that there will be no confusion. There needs to be a clear understanding of all those who would threaten Israel, that the United States stands with her, because it is in our, the United States', security interest to do so, and because it is morally and ethically the right thing to do as well.

We all hope for two states, living side by side peacefully, with families secure, that they can raise their children in a future that will bring peace and prosperity and tranquillity in a troubled neighborhood of the world.

I urge my colleagues to enthusiastically support this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), an esteemed member of our Committee on Foreign Affairs.

Mr. KELLY. Mr. Speaker, I rise in strong support of the resolution. Having had the opportunity to visit Israel last summer, I think that Netanyahu put it best when he says: In this region of the world, we are you and you are us.

We not only share the same value systems, we share the same beliefs and the same threats that Israel faces, not just from time to time but every day. So it is absolutely critical for this partnership that we have, the relationship between the United States and Israel, to go forward.

And the message needs to come from this House that from today and forever more, the United States will always be standing strong with Israel, standing with Israel in every issue. And in the neighborhood which has been referred to by our colleagues that Israel exists in, the most dangerous and unstable area in the world today, it is absolutely critical that we reaffirm our relationship with Israel and our support for Israel.

□ 1350

The Iron Dome is actually the most critical piece of defense that Israel has. It protects it from a neighborhood that wishes to destroy it and annihilate it.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. I thank my good friend from California. We just have a few more speakers.

Mr. Speaker, I am so pleased to yield 2 minutes to the gentleman from Pennsylvania, Dr. MURPHY, a member of the Committee on Energy and Commerce.

Mr. MURPHY of Pennsylvania. Israel is our friend and our ally. Israel is an island of democracy that supports freedom and religious tolerance. It is where a Christian church, a mosque, and a synagogue will peacefully exist on the same street. In neighboring countries, Christians are prohibited from building churches or are prohibited from assembling to worship, and in some cases their churches are burned down.

Israel respects and preserves the rich history of many faiths and cultures. Israel promotes invention, creativity, and economic development. Neighboring countries, like Iran, are committed to developing nuclear weapons and the missiles to deliver them, and it avows to annihilate Israel and to commit genocide against its people. Israel is fighting terrorist groups, like Hamas and Hezbollah, and has suffered real attacks and the threats of future attacks of tens of thousands of rockets rained down upon its people. Israel needs and has every right to develop defenses such as the Iron Dome, David's Sling, and the Arrow missile to defend itself from these very real threats.

Israel has been there for us during times of threat and times of peace, and we will be there for them. Israel has been a partner in medical, scientific, and technological innovations. Israel has stood with us to fight terrorist threats against our Nation and other freedom-loving nations. For these reasons and more, there are several facts which we must recognize and support:

Israel has a right to defend itself. We will stand firm with them. We will not turn a deaf ear to the anti-Semitic language and to those nations who speak it. We cannot and will not be a part of the dangerous indifference of nations and people to say it is not our problem. We will not be a part of the denial among those who refuse to see the hatred and threat from Syria, Iran, Lebanon, and other nations. We will support Prime Minister Netanyahu's call for negotiated peace with the Palestinian Authority of a two-state solution.

So let us approve H.R. 4133, and let us show that when we say ''never again'' that we mean it, because the cost of passivity—the cost of doing nothing—is far too expensive in lives and money.

Ms. ROS-LEHTINEN. I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN), who is a member of our Foreign Affairs Committee and also a member of the Homeland Security and Natural Resources Committees.

Mr. DUNCAN of South Carolina. I thank the chairwoman for giving me this opportunity to talk about the reason the United States should stand with Israel.

I brought my oldest son with me. He is in the gallery today. His name is Graham. I wanted him to hear, and people of his generation to hear, and to understand that America stands with Israel, that we were there at the beginning of the foundation of that nation.

We understand the threats that exist in the world today and that, when you have an ally, you never abandon the ally, and you never try to change that ally to meet your vision of the world. You stand with them unconditionally. America stands with Israel in the defense of that nation. We stand with Israel in the prosperity of that nation. We stand with Israel in the good times and in the bad times. We've been there from the beginning. We will be there today, and we will be there tomorrow.

It is important for this generation to understand that America plays a very vital role in standing with someone who has stood with us time and time again.

May God continue to bless America, and may God continue to bless the State of Israel.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that they are not to refer to occupants of the gallery.

Ms. ROS-LEHTINEN. I am proud to yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights.

Mr. SMITH of New Jersey. I thank the distinguished gentlelady, the chairwoman of our committee, for her great leadership on all things related to the Middle East, especially in the defense of Israel. I thank my good friend and colleague Mr. BERMAN. These two individuals work so hard every day for the peace and security of Israel, and I congratulate them.

I also thank ERIC CANTOR, the author, along with the distinguished gentlelady and Mr. BERMAN and Mr. HOYER, for bringing before the House the United States-Israel Enhanced Security Cooperation Act of 2012. This bill reaffirms and modernizes the U.S. commitment to and cooperation with our great friend and ally Israel. This is a must-pass bill because our commitment is—and it must be perceived to be—unequivocal.

I would say to my friends and colleagues that, because of the dangerous and escalating threats, including genocide, that are facing Israel today, we must reiterate unanimously in this body today our support for the nation of Israel.

Freedom House's annual report on the world, which assesses the political and civil liberties of nearly every nation in the world, shows that Israel is surrounded by nations that profoundly disrespect the political and civil liberties of their own citizens, often using torture and all kinds of means of hate against their own people, and of course they foment that hate towards Israel. This includes Iran, Syria, and many in the Gaza that have human rights records that are among the worst in the world.

As we all know, some of Israel's neighbors openly question Israel's right to exist. Iran's anti-Semitic leader, Ahmadinejad, has repeatedly threatened to wipe Israel off the face of the Earth. I would note parenthetically that Iran is a signer of the Genocide Convention and that it has been since it ratified it back in 1956.

Where is the United Nations, especially with regard to those who enforce the Genocide Convention, when those kinds of barbaric statements are made by the likes of Ahmadinejad? With this bill, Mr. Speaker, the United States underscores and reiterates our unshakable commitment to Israel. With this bill, the U.S. reaffirms—in word and in deed—our commitment to the defense of the Jewish state. Specifically, the bill enhances Israel's ability to defend itself.

Superior deterrence remains among the best guarantors of peace, and that has certainly been the case in the Middle East. When Israel's military superiority was unclear in the eyes of its enemies soon after it was created, soon after Israel became a state, Israel was

tested repeatedly with war. Of course, Israel won those wars decisively. Since then, Israel's military superiority has been clear and compelling. So in response, Israel's enemies have relied on the tactics of the bully and of the coward, especially with their use of terrorism. They have attacked with Gaza rockets, with the intifada, with the flotilla; and Israel's task has been to overcome those deadly aggressions.

Again, this bill provides a clear commitment by the United States to our great friend and ally, the State of Israel.

Overcoming aggression is a daunting task—particularly for a country so small and vastly outnumbered—but Israel has been up to the task. And it's our country's moral obligation to give them every assistance. With this bill, Israel will be better equipped for any scenario as it fulfills its solemn duty to protect its own people from harm.

Mr. Speaker, H.R. 4133 also specifies further assistance for several programs where it will be most effective in deterring attack and defending Israel, including for the Iron Dome, Israel's successful means of defending against missiles, rockets, and other projectiles targeting Israeli homes and businesses.

H.R. 4133 also expands U.S. military and civilian cooperation with Israel, including an offer to the Israeli Air Force for additional training opportunities in the United States to compensate for Israel's limited air space, and other enhanced cooperation on intelligence sharing.

Israel has shown itself to be a good friend to the United Sates, not only setting the standard for democracy and human rights in the region, but by being trustworthy with loans—always repaying loans on time and in full. This bill recognizes Israel's dependability with an extension of the long-standing loan guarantee program for Israel.

Finally, this bill reaffirms that the only viable option for peace and security in the region is an Israeli state and Palestinian state existing side-by-side. The Palestinian Authority and surrounding nations should take note. H.R. 4133 makes crystal clear the United States will not stand for terrorist threats or political shenanigans at the UN attacking Israel and attempting to bypass the hard work of forging a nation.

Mr. Speaker, H.R. 4133 makes our country's alliance relationship an even more effective agent for deterring war and defending Israel in the tragic event of war. I am proud to support this bill, and thank my good friend Mr. CANTOR for introducing it.

Mr. BERMAN. I am very pleased to yield 1 minute to my friend from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. I thank the chairman; I thank the ranking member; and I thank all who support this piece of legislation.

This is but a reaffirmation of our support to our ally Israel. I think that it gives us an opportunity to make it clear that Israel has the complete support of the United States of America.

Israel has been one of the beacons of democracy in the neighborhood. It does have elections, and it does have opportunities for government to change. These are the kinds of things that we value in this country: the rights of people to make a difference in their own lives.

Aside from this, we have a duty, when one country has been threatened with complete elimination, to do what we can to prevent this. I think that this is a part of that prevention that will help make a difference.

Ms. ROS-LEHTINEN. I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT), a member of the Judiciary and Natural Resources Committees.

□ 1400

Mr. GOHMERT. Thank you, Madam Chair.

I appreciate the wonderful work our chair has done to work with the ranking member on this issue.

It is critical that the world know how united this Congress is behind our ally Israel. It's a maxim in history, it's a truth that when a nation's enemies see their strongest ally turning against them, that is when their enemies move against that nation.

We saw a couple of years ago when this administration voted with Israel's enemies to require that Israel disclose certain of its weapons. It was shortly after that that a flotilla challenged the blockade at the Gaza Strip. That's how it works. When a nation's enemies see an ally that may be turning against a nation, they move against that nation.

This is what is so important, that we show the world that when it comes to this issue, we may bicker back and forth about all kinds of things, but when it comes to support for Israel—the analogy could be applicable here, that it is a miner's canary. When Israel is under attack, it's a potential attack on all of the rest of those who love liberty as well.

I agree with Mr. HOYER, our friend from Maryland, when he says that Israel's enemies need to know that when it comes to support for Israel, we have solidarity and complete support for our friend. Israel's enemies need to know that, and the world needs to know that. And I'm very grateful for leadership on both sides for making that clear to the world and to Israel's enemies.

Mr. BERMAN. Madam Speaker, I yield myself such time as I may consume.

We've had a group of speakers come down to the floor, including the majority leader, the Democratic whip, the chair of the committee, and a number of other Members to talk about our solidarity with Israel, the U.S.-Israel relationship, the bipartisan nature of it.

To the extent there was an implication—which I heard—from the last speaker that this is not a view shared by this administration, I just want to rise and indicate how wrong such an implication is. The President of the United States has indicated that these bonds are unbreakable. He has raised the level of security cooperation and intelligence sharing to unprecedentedly high levels between the United States and Israel. He is leading the international effort to get Iran to abandon its nuclear weapons program. He has stood with Israel in the wake of the Goldstone Report, in the wake of the efforts of the Human Rights Commission to demonize and delegitimize Israel, and in the context of vetoing resolutions which unfairly single out Israel on a number of issues. Any implication to the contrary is unfounded and seeks to undercut the very bipartisan nature of the support that is so essential to this relationship.

With that, I yield back the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself the remaining time, and I thank my good friend from California (Mr. BERMAN) for his leadership role in bringing this bill to the floor today. I thank our majority leader, Mr. CANTOR, as well as the minority whip, Mr. HOYER.

This bill before us, Madam Speaker, the United States-Israel Enhanced Security Cooperation Act, is an important one. It sends a clear signal and a clear message throughout the world, to our friends and to our enemies, that the United States stands foursquare with our indispensable ally, the democratic Jewish State of Israel. This bill is a reaffirmation of our staunch commitment to Israel's security, its right to self-defense, and its right to exist. It is a testament to our friendship with Israel that has served us so well for the last 64 years, and will continue to serve us well for many generations to come. And it is a pledge that the United States and Israel, continuing to work together, will address the challenges to our common security so that we can ensure a safe, prosperous, and free future for both of our Nations.

With that, Madam Speaker, I yield back the balance of my time.

Mr. KUCINICH. Madam Speaker, H.R. 4133, the United States-Israeli Security Cooperation Act expresses the sense of Congress that the U.S. take actions to maintain Israel's qualitative military edge with advanced missile defense systems and ''specialized munitions'' to protect Israel in a time of significant change in the region, as well as to respond to the threat posed by Iran. I strongly support Israel's security and believe that the United States has an important role to play in ensuring regional peace. I am concerned that the language in this bill could pave the path for war with Iran.

At a time when the United States and Iran are making significant progress in their first direct negotiations in years, legislation that draws the line at a nuclear capable Iran undermines the talks. Indeed, as Trita Parsi, a leading expert on Iran points out, it is likely that a negotiated deal with Iran under the

framework of the Non-Proliferation of Nuclear Weapons Treaty will allow for enrichment for peaceful purposes on Iranian soil under strict inspections. Preventing a disastrous war and a nuclear-weapons free Iran will require that the United States and the international community fully support such negotiations.

Many experts agree that a preemptive military strike on Iran would only delay their nuclear program. Top U.S. military officials such as Defense Secretary Leon Panetta have plainly stated that Iran has not acquired a nuclear weapon. Even former Israeli intelligence officials, including the former heads of the Shin Bet and the Mossad, have joined the chorus of top U.S. military brass in opposing a preemptive military strike against Iran.

Sustained, diplomatic engagement with Iran is the only way to achieve transparency and a nuclear-weapons free Iran. Any Congressional effort to limit or undermine the President's authority to pursue diplomacy with Iran and to encourage the use of military force against Iran must be opposed.

Mr. CAPUANO. Madam Speaker, I rise to offer clarification of my views regarding H.R. 4133, the United States-Israel Enhanced Security Cooperation Act of 2012. I voted in favor of this legislation, but I feel it is important to note some specific points.

First, I agree with the finding that highlights recent instability in the Middle East-North Africa region in the wake of the Arab Spring. When protests started 14 months ago, I spoke about my hopes for peaceful transitions to democracy, but I also cautioned that history teaches it is often difficult to establish the rule of law and respect for human rights after authoritarian governments are overthrown. We all hoped that the desire for democracy would bring both peace and justice to a troubled region, and I am saddened to see that political instability and, too often, a lack of respect for the rights of individuals and of minorities, are beginning to have far-reaching effects.

That said, I must note that while I am a staunch supporter of Israel's right to defend itself, H.R. 4133 ought to be more precise in its statement that it is U.S. policy to ''provide Israel the military capabilities necessary to deter and defend itself by itself against any threats.'' The bill does not specify which party—the U.S. or Israel—makes the decision regarding which capabilities may be necessary. The United States should always maintain the final say when considering sale or provision of its military capabilities. It is good that the bill states that Israel will ''defend itself by itself,'' which makes plain that no one is asking for U.S. troops to be committed to the region through this bill. Hopefully, the time will never come when that might be necessary. If it does, America will make that decision based on the situation at the time.

In addition, Sec. 4(a)(3) contains the Sense of Congress that the U.S. should ''allocate additional weaponry and munitions for the forward-deployed United States stockpile in Israel.'' I want to be clear that by no means do I interpret this as an endorsement of forward-deployed American nuclear weapons in Israel. Such an action would require the explicit authorization of Congress under separate legislation.

Mr. VAN HOLLEN. Madam Speaker, I rise in support of H.R. 4133, as a cosponsor of the bill and to encourage my colleagues to support this important piece of legislation.

Since the Truman Administration, we as a Nation have worked with the people of Israel to establish and support a close economic, cultural and strategic partnership based on a common respect for democracy and a commitment to the goal of creating a lasting peace in the Middle East. Today, that partnership is among the strongest shared by any two countries.

Israel exists in a geographical region of paramount economic and strategic importance to the United States and the American people recognize that ensuring a safe and secure Israel is in the long-term national security interests of our country.

In support of the Israeli Government's efforts to protect its people, the U.S. has helped Israel develop a missile defense system; we have committed ourselves to the task of preventing Iran from acquiring nuclear weapons; and the U.S. has led the way against attempts to use international forums to delegitimize the State of Israel.

It is in a similar vein that we consider H.R. 4133 today.

Among other things, this measure would allocate additional weaponry and munitions for Israel in the wake of the withdrawal of United States forces from Iraq; expand Israel's authority to make purchases under the Foreign Military Financing program on a commercial basis; encourage an expanded role for Israel within NATO; and require the President to submit a report on the status of Israel's qualitative military edge in light of current trends and instability in the region.

By expressing our support for the economic and strategic security of Israel at this critical time in its history, we send an unambiguous message about our unshakable commitment to the security of Israel.

Mr. PAUL. Madam Speaker, I rise in opposition to H.R. 4133, the United States-Israel Enhanced Security Cooperation Act, which unfortunately is another piece of one-sided and counterproductive foreign policy legislation. This bill's real intent seems to be more saber-rattling against Iran and Syria, and it undermines U.S. diplomatic efforts by making clear that the U.S. is not an honest broker seeking peace for the Middle East.

The bill calls for the United States to significantly increase our provision of sophisticated weaponry to Israel, and states that it is to be U.S. policy to ''help Israel preserve its qualitative military edge'' in the region.

While I absolutely believe that Israel—and any other nation—should be free to determine for itself what is necessary for its national security, I do not believe that those decisions should be underwritten by U.S. taxpayers and backed up by the U.S. military.

This bill states that it is the policy of the United States to ''reaffirm the enduring commitment of the United States to the security of the State of Israel as a Jewish state.'' However, according to our Constitution the policy of the United States Government should be to protect the security of the United States, not to guarantee the religious, ethnic, or cultural composition of a foreign country. In fact, our own Constitution prohibits the establishment of any particular religion in the U.S.

More than 20 years after the reason for NATO's existence—the Warsaw Pact—has disappeared, this legislation seeks to find a new mission for that anachronistic alliance: the defense of Israel. Calling for ''an expanded role for Israel within the North Atlantic Treaty Organization (NATO), including an enhanced presence at NATO headquarters and exercises,'' it reads like a dream for interventionists and the military industrial complex. As I have said many times, NATO should be disbanded not expanded.

This bill will not help the United States, it will not help Israel, and it will not help the Middle East. It will implicitly authorize much more U.S. interventionism in the region at a time when we cannot afford the foreign commitments we already have. It more likely will lead to war against Syria, Iran, or both. I urge my colleagues to vote against this bill.

Mr. ACKERMAN. Madam Speaker, I rise to express my strong support for H.R. 4133, a simple bill that will demonstrate our ongoing commitment to Israel, and will enhance our efforts to strengthen Israel's own defensive capabilities. Our goal, like Israel's own, is that Israel can defend itself, by itself. This objective of self-reliance is one of the elements that makes Israel stand out.

Israelis, from the very beginning, have understood that it is their own efforts that will ultimately determine the future of their state. It is this realization and an absolute determination to provide a better, safer future for their children that has enabled the Jewish state to succeed so magnificently in a region choked with hatred and violence reserved for them alone.

Israel's military superiority is a necessity because so many of Israel's neighbors still will not accept Israel's sovereignty and the right of the Jewish people to self-determination in their own historic homeland. Israel's security need not come at the expense of the Palestinian people's legitimate aspirations for independence and sovereignty. But those dreams of independence and sovereignty absolutely must not come at the expense of Israel's security.

As Iran continues to move toward a nuclear capability—that it must never, ever achieve—it is more critical than ever that we demonstrate our support and commitment to Israel's security, which this bill does.

Mr. HOLT. Madam Speaker, I rise in support of this legislation.

As a life-long supporter of our most important ally in the Middle East, Israel, I am pleased that the United States and Israel have built a strong, unique and special relationship. I have had the pleasure of traveling to Israel on many occasions, and I clearly understand Israeli concern about Iran's nuclear ambitions. These visits have only reinforced my strong conviction that the world needs Israel to survive and thrive for all that Israel represents and that Israel has the right to defend her citizens. The bill before us will do that by strengthening existing channels of security cooperation between America and Israel, as well as creating some new ones.

The political changes that are sweeping through North Africa and the Middle East are creating new uncertainties for the United States and Israel. The revolutions that are underway may not produce the much-hoped for

democratic ''Arab Spring''. Even now in Egypt, extremists are fomenting inter-religious and ethnic hatreds that have sparked fresh violence. And we know that conventional weapons formerly in the late Colonel Qaddafi's arsenal have made their way into the hands of extremists in the region. H.R. 4133 is another reminder to the region and the world that America will stand by Israel during these increasingly chaotic and uncertain times.

Ms. MCCOLLUM. Madam Speaker, once again the U.S. House is acting on legislation, this time H.R. 4133, to restate what has been stated frequently in Congress, by President Obama, and by virtually every candidate running for federal office in the United States: that the U.S. and the State of Israel have a special bilateral and a very important strategic relationship. Congress strongly supports the State of Israel and we demonstrate our support annually by providing many billions of dollars in direct taxpayer funded assistance to ensure Israel's security. As a former member of the State and Foreign Operations Appropriations Subcommittee, I have helped to pass funding, often in excess of $3 billion in foreign aid, to ensure Israel's security.

While Congress is ever mindful of Israel's security, we have a Constitutional duty to first and foremost protect and defend the security of the United States. No one is more aware of this than President Obama. Over the past year, the Obama Administration has been leading a coalition of nations to peacefully prevent Iran—through tough economic sanctions—from starting down the path to developing a nuclear weapon. These sanctions are working and they must be allowed to continue to work. I fully support the efforts of the Obama Administration and our allies to keep the pressure on Iran.

The Government of Israel has also been focused on Iran and has articulated repeatedly that a unilateral military strike against Iran is a possibility. According to the Washington Post on February 2, 2012:

''U.S. officials fear being blindsided by an Israeli strike that could have widespread economic and security implications and might only delay, not end, Iran's nuclear pursuit.

'' 'The Obama administration is concerned that Israel could attack Iranian nuclear facilities this year, having given Washington little or no warning,' said Cliff Kupchan, a former State Department official who specialized in Iran policy during the Clinton administration and recently returned from meetings with Israeli officials. He said 'Israel has refused to assure Washington that prior notice would be provided.'

''Defense Secretary Leon E. Panetta is one of several administration officials to express concern publicly that Israel is positioning itself for a surprise attack. Last month, the administration dispatched the Joint Chiefs chairman, Gen. Martin E. Dempsey, to the Israeli capital for high level discussions about the possibility of a unilateral Israeli strike. 'Israel has indicated they're considering this, and we have indicated our concerns,' Panetta told reporters.''

While Israel's prime minister has not been shy about the possibility of an Israeli military strike, the consequences of such action would be significant for the U.S. According to the New York Times on February 29, 2012, ''American officials who have assessed the likely Iranian responses to any attack by Israel on its nuclear program believe that Iran would retaliate by launching missiles on Israel and terrorist-style attacks on United States civilian and military personnel overseas.''

Despite the strong belief that Israeli military action against Iran would result in direct attacks on Americans and American interests, many right-wing politicians seem to believe that Americans and members of our armed forces, after eleven years of war in Afghanistan and nine years of war in Iraq, are desirous of a war with Iran precipitated by unilateral Israeli military action. As one Middle East expert stated, ''Israel can commence a war with Iran, but it may well take U.S. involvement to conclude it.''

Let me be clear, I do not want U.S. forces engaged in a war with Iran. My constituents do not want a war with Iran. Clearly, I do not want to see Iran developing nuclear weapons, but the Obama Administration and the international community are working to keep the pressure on the leadership in Tehran.

In February and March of 2012, the neoconservative ''go to war with Iran'' echo chamber was appallingly reminiscent of 2002 when the Bush Administration (along with many of the same conservative pundits who are supportive of an Israeli attack on Iran today) declared the definitive presence of weapons of mass destruction in Iraq a threat to U.S. national security. The result of their deception is now well known. We have seen this same march to war before, built on a foundation of half-truths, distorted intelligence, and politically motivated deceit.

President Obama has called out those who would send other peoples' sons and daughters to war, but never put themselves in harm's way. Addressing the annual AIPAC conference in Washington on March 4, 2012, the New York Times reported President Obama as saying, ''Already, there is too much loose talk of war. Over the last few weeks such talk has only benefited the Iranian government by driving up the price of oil, which they depend on to fund their nuclear program. For the sake of Israel's security, America's security and the peace and security of the world, now is not the time for bluster.''

To be clear, an Iran armed with nuclear weapons would be a serious threat to the stability of the Middle East and to the security of the United States and our allies. America's top intelligence analysts, however, have repeatedly stated that there is no concrete evidence that Iran has yet decided to build a nuclear bomb. In his January 2012 testimony before the Senate Select Committee on Intelligence, Director of National Intelligence James Clapper stated that ''they are certainly moving on that path, but we don't believe they have actually made the decision to go ahead with a nuclear weapon.''

Yet today, the House of Representatives is voting on H.R. 4133 which calls upon the U.S. to provide Israel with ''defense articles and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions.' By providing this specialized military capacity—all required by Israel for an airstrike on Iran—the U.S. would be removing the very limiting factors that may be preventing Israel from launching an attack that could draw the U.S. into another war.

The Director of the Central Intelligence Agency from 2006 to 2009, Michael Hayden, has been quoted as saying that airstrikes capable of seriously setting back Iran's nuclear program were ''beyond the capacity'' of Israel, in part because of distance that aircraft would have to travel and the scale of the task, according to a February 19, 2012 New York Times article entitled, ''Iran Raid Seen as a Huge Task for Israeli Jets.''

The same Times article states, ''Israel has American-built F–15I and F–16I fighter jets that can carry bombs to the targets, but their range—depending on altitude, speed and payload—falls far short of the minimum 2,000-mile round trip . . . Israel would have to use airborne refueling planes, called tankers, but Israel is not thought to have enough.''

The same article identifies ''another major hurdle is Israel's inventory of bombs capable of penetrating the Natanz (nuclear) facility, believed to be buried under 30 feet of reinforced concrete, and the Fordo site, which is built into a mountain. Assuming it does not use a nuclear device, Israel has American-made GBU–28 5,000 pound 'bunker buster' bombs that could damage such hardened targets, although it is unclear how far down they can go.''

By supplying air refueling tanks and bunker buster bombs to Israel that would then be used in a military strike against Iran, the U.S, would be explicitly supporting the military action in the eyes of the Iranians and the world, even if Israel never notified the U.S. of its actual intent to strike. Such a level of vulnerability and exposure on the part of the U.S. is not tolerable. Israel is an ally, but their primary interest is their own national security, not the security of the U.S.

On a final note, the fact that the New York Times referenced that Israel has the option of using a ''nuclear device'' against the Iranian targets should be cause for tremendous alarm for Americans. Even the consideration of using a nuclear weapon against Iran to prevent it from pursuing a nuclear weapons program should be categorically rejected by Israel, the U.S., and all nations committed to nuclear non-proliferation. The worst kept secret in the world is that Israel possesses nuclear weapons. The U.S. and this Congress should be guaranteed that our ally, Israel, will never use those weapons as a first-strike capability.

Israel's security is important and I have voted dozens of times to provide funds, weapons, and support. H.R. 4133 is more than ''a sense of Congress,'' more than feelings. It sends a signal to the world that Israel should be provided with the military capacity by the U.S. to strike Iran. That I do not support.

Out of respect for the importance of the U.S.-Israel relationship I intend to vote ''present'' on H.R. 4133, but I must express my strong opposition to endorsing any actions by a foreign power that could potentially drag the U.S. into a military conflict with Iran.

Mr. PRICE of North Carolina. Madam Speaker, I will be voting today for H.R. 4133 because I agree with its two basic premises. The alliance between the United States and Israel, including military support, is of critical

importance. And we must prevent Iran from developing nuclear weapons capability.

I cast this vote, however, with serious reservations about both the bill's timing and its content. There is no question that a nuclear-capable Iran poses a grave threat not only to Israel, but to the United States and other nations. We must ensure that we have every tool available at our disposal to dissuade if possible and prevent if necessary the Iranian regime from developing nuclear weapons or the capability to produce such weapons from stockpiled materials and components.

Among these vital tools are a combination of diplomatic and economic mechanisms of the sort that I have frequently supported in the past—including the Iran Threat Reduction Act, which also passed with overwhelming bipartisan support earlier in this Congress—that have often exerted effective pressures on Iran, hindering and deterring the development of nuclear capabilities. Military attacks on Iranian facilities by American or Israeli forces must be regarded as absolutely a last resort, fraught with potentially disastrous consequences, some quite predictable, some not yet imagined.

Yet this bill gives little weight or emphasis to critical diplomatic and economic measures and at points comes perilously close to signaling intent or support for the military option. In fact, the timing of this legislation risks being interpreted as a vote of ''no-confidence'' in our ongoing efforts to engage diplomatically with Iran. Developments such as the so-called ''P5+1'' meetings between the five permanent members of the U.N. Security Council, Germany, and Iran—the next meeting of which is scheduled to be held in Baghdad two weeks from today—are critically important steps toward renewed engagement, with a lengthened roster of partners and a tighter sanctions regime. One can hope that the resolve expressed in H.R. 4133 might strengthen these efforts, but I fear that the bill's timing and some of its provisions may also threaten their devaluation.

Mr. REYES. Madam Speaker, I rise today to express my strong support for H.R. 4133.

I am a proud co-sponsor of the United States-Israel Enhanced Security Cooperation Act which states it is the policy of the United States to aid Israel, specifically with the preservation of Israel's qualitative military edge amid rapid and uncertain regional political transformation and the development of advanced technology programs between the United States and Israel. The bill expresses the sense of Congress that the United States should equip Israel with the necessary military capabilities, in order to deter and defend itself against any threats; veto any one-sided anti-Israel resolutions at the United Nations Council; support Israel's right to self-defense; and promote peaceful negotiations between Israel and Palestine.

Israel sets the example for the nations of the Middle East, as the only true democracy in that region. For the past 63 years, Israel has been a sanctuary of democracy and pluralism in a region dominated by authoritarian regimes. Israel is the only country in the Middle East with free elections, a free press, freedom of religion, protection for minority rights and other safeguards typical of a free society. The Middle East is experiencing rapid changes. These rapid changes bring hope for the expansion of democracy but also great challenges to the national security of the United States and our allies in the region, particularly Israel. H.R. 4133 reaffirms the United States commitment to Israel and the establishment of a peaceful relationship between Israel and Palestine.

I urge my colleagues to vote for this bill, which expresses support for our strongest Middle Eastern ally and is a matter of national security for both Israel and the United States.

Mr. DINGELL. Madam Speaker, I am an unwavering supporter of Israel, therefore I speak today more in sorrow than in anger. I first want to express my esteem for my friend, the gentleman from Maryland Mr. HOYER. I would like to support his legislation, H.R. 4133, the United States-Israel Enhanced Security Cooperation Act of 2012, but it is impossible for me to do so. As one who has consistently supported the freedom, independence and security of the State of Israel since I was first sworn into this great body, I am deeply saddened at the way this matter is being handled.

There is much in this legislation which is good but there is much which is unwise and could lead us down a dark and difficult road. I fear this legislation is drawn so that it could be considered as a blueprint for going to war with Iran. What are the limits on U.S. commitments under this legislation? I can find none in H.R. 4133, and this troubles me greatly. How would this impact our diplomatic efforts, and our negotiations to halt Iran's nuclear program? Would this result in increased strife and instability in the Middle East?

The answers to these questions remain unclear because there have been no legislative hearings on this matter, no factual record, and no committee report to consider. Everyone in this chamber agrees that allowing Iran to obtain a nuclear weapon is unacceptable and that we should take every action to prevent such an outcome. However, this does not mean that we should rush to vote on this legislation, which has never been considered in committee and could have grave consequences for our national security, especially as our diplomats are engaged in the most delicate of negotiations.

Experience comes from learning from one's mistakes. I made a blunder when I voted for the Gulf of Tonkin Resolution, which was hurried and rushed through the House, and I vowed never to make the same error again. Many members of this body also made a similar mistake when this Congress voted to go to war with Iraq based on faulty intelligence. The international community is scheduled to have direct discussions and negotiations with Iran on the nuclear issue at the end of the month. At the very least we should wait to see the progress of those talks before issuing the edicts contained in this legislation today.

Matters of war and national security should be considered in all due diligence, and not be rushed to the floor without the proper consideration. I urge everyone to take a step back and consider what we are voting on, hold the proper hearings, and have a truly deliberative process before we rush off to another war which our Nation can ill afford.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in support of H.R. 4133, the United States-Israel Enhanced Security Cooperation Act. This bipartisan resolution reaffirms the American people's enduring and close relationship with the State of Israel, our partner in peace and prosperity in the Middle East.

This bill performs three main functions:

One, expresses the sense of Congress that the U.S. should take actions to assist the defense of Israel with advanced missile defense systems and intelligence sharing to improve counterterrorism and to protect it against Iran's growing nuclear threat.

Two, requires the President to submit reports to Congress on the status of Israel's military edge in light of current trends and political instability in the region.

Three, extends the Administration's authority to provide loan guarantees to Israel through FY2015. The current loan guarantee program, begun in 2003, has served both nations well. Israel has never defaulted on its loans and the Congressional Budget Office has scored this provision at no cost.

Madam Speaker, I have been to Israel on many occasions, most recently last summer. Every time I have an opportunity to visit, I am reminded of the close ties between our two nations and the strong affinity and appreciation the Israeli people have towards the American people's friendship and support.

My time in Israel has also served as a reminder of the dangerous world that the people of Israel face on a daily basis, from rocket attacks from Hezbollah and Hamas, to threats of nuclear attack by Iran, to suicide bombings within their own cities and neighborhoods.

It is important that this Chamber say with a strong, unified voice that we stand with Israel during these difficult times.

As co-chair of the Democratic Israel Working Group, I call on Members from both sides of the aisle to vote in support of this bipartisan resolution.

Mr. BLUMENAUER. Madam Speaker, the United States-Israel Enhanced Security Cooperation Act, embodied in H.R. 4133, is another expression of the American commitment to our friend and ally, Israel. This commitment is already clear and unequivocal. No ally receives stronger assurances of support or more money over a sustained period of time.

This resolution, however, is a missed opportunity for Congress to show support for a comprehensive and balanced approach to Middle East Peace and Israeli security. No amount of American military assistance will fully compensate for the lack of a productive and effective peace process.

A true statement of enhanced security and cooperation would at least reference the United States' long standing expectation that Israel commit to dealing with their illegal settlements. Omissions such as these do no one a service because, ultimately, they will have to be a part of any lasting solution.

The Obama administration has succeeded in creating an unprecedented coalition to impose the most aggressive sanctions on Iran, ever. The increasing impact of these sanctions and the significance of this broad coalition is a critical development and is a critical part of our security endeavors on which H.R. 4133 is strangely silent.

This fixation on a military response, ignoring some serious deficiencies in the Israeli approach, and not recognizing the important developments on Iran has turned this bill into another missed opportunity.

As much as I agree with some of the resolution overall, I fear it was inadequate and not particularly helpful towards building a stronger and more secure Israel in the long-term. There is no excuse for Congress not doing better and as a result, I voted ''present'' on H.R. 4133.

Mr. GARAMENDI. Madam Speaker, on May 9, 2012, the House of Representatives reaffirmed our strong relationship with the State of Israel and demonstrated our commitment to Israel's right to defend itself, by passing H.R. 4133 with 411 votes. Unfortunately, I was not present at the time of the vote, but I would like to voice my support for Israel and this bill. Israel is a valued ally and friend of the United States. It is in the national security of both countries to ensure that Israel has the robust defense needed to protect itself from many threats within the region. H.R. 4133 guarantees that the United States will aid Israel in this defense and this bipartisan vote shows that we will always stand firm on our commitments to this relationship. Again, I would like to apologize for missing this important vote, but I commend my colleagues for supporting this vital alliance.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4133, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

HOUR OF MEETING ON TOMORROW

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2072, by the yeas and nays;

H.R. 4133, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2072) to reauthorize the Export-Import Bank of the United States, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GARY G. MILLER) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 330, nays 93, not voting 8, as follows:

[Roll No. 224]

YEAS—330

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Flores
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Goodlatte
Gowdy
Granger
Graves (MO)
Green, Al
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hanabusa
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kline
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Nugent
Nunes
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Roskam
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (SC)
Scott (VA)
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)

NAYS—93

Adams
Akin
Amash
Bass (NH)
Black
Blackburn
Broun (GA)
Burgess
Canseco
Chabot
Chaffetz
Coffman (CO)
Conaway
Culberson
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleischmann
Fleming
Forbes
Foxx
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Gosar
Graves (GA)
Griffin (AR)
Hall
Hanna
Harris
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hunter
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Marchant
McClintock
McHenry
Miller (FL)
Mulvaney
Neugebauer
Noem
Nunnelee
Palazzo
Paul
Paulsen
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott, Austin
Sensenbrenner
Southerland
Stearns
Stutzman
Sullivan
Tipton
Upton
Walberg
Webster
West
Westmoreland
Woodall
Young (IN)

NOT VOTING—8

Bachmann
Donnelly (IN)
Filner
Green, Gene
Kucinich
Scott, David
Slaughter
Sutton

□ 1430

Messrs. GINGREY of Georgia, HANNA, PALAZZO, and SULLIVAN changed their vote from ''yea'' to ''nay.''

Mr. ROE of Tennessee, Mrs. CAPITO, Mr. RANGEL, Ms. WASSERMAN SCHULTZ, and Mr. RYAN of Ohio changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 224, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mr. GENE GREEN of Texas. Madam Speaker, on rollcall No. 224, had I been present, I would have voted "yea."

UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4133) to express the sense of Congress regarding the United States-Israel strategic relationship, to direct the President to submit to Congress reports on United States actions to enhance this relationship and to assist in the defense of Israel, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 2, answered ''present'' 9, not voting 9, as follows:

[Roll No. 225]

YEAS—411

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Doggett
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ros-Lehtinen
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—2

Dingell
Paul

ANSWERED ''PRESENT''—9

Blumenauer
Carson (IN)
Edwards
Ellison
Jones
Lee (CA)
McCollum
Stark
Woolsey

NOT VOTING—9

Bachmann
Burton (IN)
Donnelly (IN)
Eshoo
Filner
Garamendi
Kucinich
Slaughter
Stivers

□ 1438

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 225, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Ms. ESHOO. Madam Speaker, I was present during rollcall vote 225 on May 9, 2012, but my vote was not recorded. I would have voted "yea" on passage of H.R. 4133, the United States-Israel Enhanced Security Cooperation Act of 2012.

Mr. STIVERS. Madam Speaker, on rollcall No. 225, I was unavoidably detained during the vote. Had I been present, I would have voted "yea."

□ 1440

TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012

Mr. COBLE. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 4967) to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. REED). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The text of the bill is as follows:

H.R. 4967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Temporary Bankruptcy Judgeships Extension Act of 2012''.

SEC. 2. EXTENSION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES IN CERTAIN JUDICIAL DISTRICTS.

(a) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY PUBLIC LAW 109–8.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized for the following districts by section 1223(b) of Public Law 109–8 (28 U.S.C. 152 note) are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs:

(A) The central district of California.
(B) The eastern district of California.
(C) The district of Delaware.
(D) The southern district of Florida.
(E) The southern district of Georgia.
(F) The district of Maryland.
(G) The eastern district of Michigan.
(H) The district of New Jersey.
(I) The northern district of New York.
(J) The eastern district of North Carolina.
(K) The eastern district of Pennsylvania.
(L) The middle district of Pennsylvania.
(M) The district of Puerto Rico.
(N) The district of South Carolina.
(O) The western district of Tennessee.
(P) The eastern district of Virginia.
(Q) The district of Nevada.

(2) VACANCIES.—

(A) SINGLE VACANCIES.—Except as provided in subparagraphs (B), (C), (D), and (E), the 1st vacancy in the office of a bankruptcy judge for each district specified in paragraph (1)—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(B) CENTRAL DISTRICT OF CALIFORNIA.—The 1st, 2d, and 3d vacancies in the office of a bankruptcy judge for the central district of California—

(i) occurring 5 years or more after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(C) DISTRICT OF DELAWARE.—The 1st, 2d, 3d, and 4th vacancies in the office of a bankruptcy judge for the district of Delaware—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(D) SOUTHERN DISTRICT OF FLORIDA.—The 1st and 2d vacancies in the office of a bankruptcy judge for the southern district of Florida—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(E) DISTRICT OF MARYLAND.—The 1st, 2d, and 3d vacancies in the office of a bankruptcy judge for the district of Maryland—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 1223(b) of Public Law 109–8 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(b) TEMPORARY OFFICE OF BANKRUPTCY JUDGES EXTENDED BY PUBLIC LAW 109–8.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized by section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) and extended by section 1223(c) of Public Law 109–8 (28 U.S.C. 152 note) for the district of Delaware, the district of Puerto Rico, and the eastern district of Tennessee are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs.

(2) VACANCIES.—

(A) DISTRICT OF DELAWARE.—The 5th vacancy in the office of a bankruptcy judge for the district of Delaware—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(B) DISTRICT OF PUERTO RICO.—The 2d vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(C) EASTERN DISTRICT OF TENNESSEE.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Tennessee—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) and section 1223(c) of Public Law 109–8 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(c) TEMPORARY OFFICE OF THE BANKRUPTCY JUDGE AUTHORIZED BY PUBLIC LAW 102–361 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA.—

(1) EXTENSION.—The temporary office of the bankruptcy judge authorized by section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) for the middle district of North Carolina is extended until the vacancy specified in paragraph (2) occurs.

(2) VACANCY.—The 1st vacancy in the office of a bankruptcy judge for the middle district of North Carolina—

(A) occurring more than 5 years after the date of the enactment of this Act, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge,

shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) remain applicable to the temporary office of the bankruptcy judge referred to in paragraph (1).

SEC. 3. BANKRUPTCY FILING FEE INCREASE.

(a) BANKRUPTCY FILING FEES.—Section 1930(a)(3) of title 28, United States Code, is amended by striking ''$1,000'' and inserting ''$1,167''.

(b) UNITED STATES TRUSTEE SYSTEM FUND.—Section 589a(b)(2) of title 28, United States Code, is amended by striking ''55'' and inserting ''48.89''.

(c) COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES.—Section 406(b) of the Judiciary Appropriations Act, 1990 (28 U.S.C. 1931 note) is amended by striking ''25'' and inserting ''33.33''.

(d) PAYGO OFFSET EXPENDITURE LIMITATION.—$42 of the incremental amounts collected by reason of the enactment of subsection (a) shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 4. SUBSEQUENT REAUTHORIZATION.

Prior to further reauthorization of any judgeship authorized by this Act, the Committee on the Judiciary of the Senate and House of Representatives shall conduct a review of the bankruptcy judgeships authorized by this Act to determine the need, if any, for continued reauthorization of each judgeship, to evaluate any changes in all bankruptcy case filings and their effect, if any, on filing fee revenue, and to require the Administrative Office of the Courts to submit a report to the Committee on the Judiciary of the Senate and House of Representatives on bankruptcy case workload, bankruptcy judgeship costs, and filing fee revenue.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5326, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 643 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5326.

Will the gentlewoman from Michigan (Mrs. MILLER) kindly resume the chair.

□ 1442

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mrs. MILLER of Michigan (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today,

the amendment offered by the gentleman from Florida (Mr. SOUTHERLAND) had been disposed of, and the bill had been read through page 101, line 10.

AMENDMENT OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of paragraph (1), (2), or (3) of section 1001(a) of title 18, United States Code.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Madam Chair, one of the deep concerns that we have is the investigation of Fast and Furious. We have to remember that unfortunately we lost one of our Border Patrol agents who was out on patrol serving this Nation. He was killed with weapons that were distributed under a program called Fast and Furious.

This is a sad case of government gone amok, making terrible, awful, deadly decisions; the administration knowingly and willingly allowing guns to walk from gun shops—contrary to what U.S. law is—allowing nearly 2,000 weapons to be released out, knowing that these weapons would be given to the drug cartels, knowing that giving these guns to these very nefarious characters with the hope that maybe they would pop up and we would find out who's using these guns. Well, there are tragic, desperate consequences to what happened.

What should be totally unacceptable on both sides of the aisle is the idea and the notion that the Department of Justice would knowingly and willfully lie to Congress. Senator GRASSLEY had presented the Department of Justice a letter directly to Attorney General Holder. Senator GRASSLEY directly gave to Attorney General Holder a concern expressed in a letter that there were guns walking. It's a term, it's an expression that says we allow people to come in under straw purchasing—which is illegal—to buy guns and weapons for somebody else, and that despite what the ATF and the Department of Justice were doing, they weren't tracking these. They allowed these gun purchases to happen in these gun shops, and then they were let out in the greater Arizona area and allowed these guns to walk.

The consequences have been absolutely tragic. We have a dead Border Patrol agent, and the Mexican Government estimates nearly 300 people have died within Mexico. Very few of these weapons have been recovered. In fact, the Attorney General has testified that there will be crimes committed with these weapons in all likelihood for years to come.

What is totally and wholly unacceptable, I think, to this body and the integrity, despite Republicans and Democrats, is that the Department of Justice would knowingly and willfully present a letter back to Congress on February 4 that was so inaccurate, it was so wrong, and essentially they lied to Congress. It took months and months and months and months to get to the point where they finally had to rescind that letter, where they had to admit that this was a fundamentally flawed program at its very core.

Now, we've been seeking documents. We've been seeking information. We have issued subpoenas. We've been patient beyond belief, but we've mostly been stonewalled. That information has not been forthcoming. What this amendment simply says is that they will not be allowed to be able to use Federal funds—taxpayer dollars—to knowingly, willfully skirt the law and lie to Congress.

Now, on February 4, 2011, I want to remind Members, the Department of Justice lied to Congress about the taxes used in Fast and Furious by claiming Federal authorities make ''every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico.'' They denied the allegations that the Department facilitated in the illegal sale of guns to Mexican drug cartels. But on December 2, 2011, the Department of Justice formally withdrew the February letter because it was filled with misleading, fictitious, and false statements. The December letter later went on to admit that Fast and Furious was ''a fundamentally flawed operation.''

What we're saying is you should not be able to use taxpayer funds to knowingly and willfully subvert Congress. You can't lie to Congress and use taxpayer dollars to do it. Surely that can be bipartisan in its approach.

All we ask is for the truth. In fact, there were more than a dozen—in fact, more than two dozen Members of the Democratic Party serving in Congress who sent a letter to the White House expressing the idea and the notion that the administration should be open and forthright in providing this information to Congress, but it has not been forthcoming. It has not been accurate. In fact, it was a lie.

As we look to Brian Terry, who served this country, we owe it to him and to his family to get to the truth of what happened in Fast and Furious. And no taxpayer dollars should ever be used to knowingly and willfully lie to Congress.

We as a body, as an institution, deserve to get to the bottom of this. We have not had all these answers. On March 25, 2011, President Obama stood in an interview and told the world that they would hold somebody responsible, that Eric Holder wasn't responsible for this and that they would hold somebody responsible and make sure that it doesn't happen again. To date, Madam Chair, that has not happened. In fact, the senior management there at the Department of Justice got promotions; some of them got bonuses. Nobody's been fired at the senior levels over there. We're not just looking for somebody to get fired; we've got to make sure that it never, ever happens again.

So I would encourage Members to support this amendment. We should do so in a bipartisan way.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. There is nothing in the gentleman's amendment that I think anyone could disagree with. The amendment doesn't speak about Attorney General Holder. It doesn't speak about any particular matter that's been referenced in the comments on the floor.

□ 1450

It just says that you can't use dollars provided under this act to give misinformation to the Congress. I think every Member should support this.

I think, however, I want to, and I think many Members would separate themselves from these accusations that are baseless. In fact, they've been investigated, and there's no evidence that the Attorney General provided any misinformation to the Congress. In fact, he's testified seven times. He's provided thousands of documents.

And what we do know is that this Congress, under Republican control and a Republican administration, started endeavors to track illegal guns that were very similar to the operation that's been referred to, and some of those guns fell into the wrong hands.

But to attack Federal law enforcement that's trying to catch bad guys, who are operating sting operations, even when they go poorly, I think, is just the wrong place for Federal lawmakers to be. I'm in support of Federal law enforcement. And even if their policies in this particular way were wrong, and they've been corrected, that is, in fact, once the Attorney General knew about it, he stopped it. Everyone in the line of responsibility here, those have been removed. So when the gentleman suggests on the floor of the House that no one's lost their job, no one's been changed, that's entirely inaccurate.

But I do want to make this point. We should be in support of Federal law enforcement. We should support them. And to attack career ATF agents who are risking their lives trying to catch bad guys along the border, I think it's the wrong way for us to proceed just because we want to go at this administration.

Now, if there's an election in which there's a change in Presidency, the other side will get a chance to name an Attorney General. Under our Constitution, the Attorney General serves at the pleasure of the President. And the President has made it clear that Attorney General Holder, and I think in many people's minds, is one of the best that's ever served in this position.

Regardless of what you think about the political appointees in the Department, to attack career ATF agents for doing their job, while they risk their lives on behalf of the American citizens, I think, is the wrong thing to do.

But I support the amendment. There's nothing in this amendment at all connected to these baseless allegations, none of which have been proved. And I think it's wrong to come to the House, defame public servants, say that they've lied to the Congress, when, in fact, there's nothing in the record that suggests that whatsoever.

With that, I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in support of the amendment.

I think truthfulness and accuracy are essential components of any oversight process. And the amendment simply requires the Justice Department and all Federal agencies funded by this bill provide only forthright and truthful statements or representations.

With that, I ask for a ''yea'' vote, and yield back the balance of my time.

Mr. GOWDY. I move to strike the last word.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Madam Chair, I was not going to talk because I talked yesterday on Fast and Furious, and Representative CHAFFETZ did a wonderful job. But, Madam Chair, I cannot stand here while demonstrably false insinuations are leveled.

I worked for the Department of Justice for 6 years. I worked with ATF for 16 years. I'll put the respect that I have for Federal law enforcement and Federal prosecutor up against anybody in this body.

It may well be that the documents we haven't gotten clear all the senior DOJ officials. How will we possibly know that if he continues to withhold documents?

So, Madam Chair, let me just ask this. To the average citizen who gets a grand jury subpoena or a subpoena for documents or to compel their presence, what would happen if they ignored it? Madam Chair, what would happen if you got a jury summons and you just decided you weren't going to show up? What would happen to the average citizen if they got a subpoena from a congressional committee and they just decided to ignore it, and their defense was, We gave you some documents?

There are 70,000-something documents that the Inspector General has. We have 1/12 of that. There are entire categories of documents that we do not have.

We do not have a single email from the Attorney General of the United States after February 4, 2011. I want you to ask yourself how many emails you have sent and received today. And the number is zero from February 4, 2011, until present?

And Congressman CHAFFETZ is exactly right. There was a demonstrably false letter sent to a Member of Congress. And then the Department of Justice, that I actually value its reputation—we have to have a Department of Justice that people respect. But the Department of Justice took the unprecedented step of having to withdraw a letter sent to a Member of Congress because it was demonstrably false.

On February 4, 2011, the Department of Justice, on Department of Justice letterhead, mails a demonstrably false letter denying a tactic called ''gunwalking.'' On the very same day, the criminal chief of the Department of Justice of the United States of America is in Mexico advocating for the tactic of gunwalking. And somehow, we can't ask the Department of Justice to tell us who knew what when?

And the gentleman on the other side of the aisle, Madam Chair, said everyone has been punished. Madam Chair, no one has been punished. There hasn't been a demotion. There hasn't been a firing. There hasn't been a sanction. There hasn't been a frowny face on a performance evaluation. There's been nothing.

So I'm going to say what I said yesterday, Madam Chair. This is not just another Department in someone's Cabinet. This isn't just some other political appointee. This is the Attorney General for the United States of America. It is the Department of Justice. If they cannot comply with a lawfully-executed subpoena, then there should be sanctions, just like there would be for me or you.

So I urge support for Representative CHAFFETZ's amendment.

I yield back the balance of my time.

Mr. FARENTHOLD. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Madam Chairman, I rise in support of this amendment because I'm seeing what I consider to be an alarming trend in government right now. We have Eric Holder in Fast and Furious, the Justice Department failing to cooperate with multiple committees of this Congress.

Right now, as we speak, there's a hearing going on in the Oversight and Government Reform Committee with the Transportation and Infrastructure Committee, with the TSA potentially having misled Congress over the waste and abuse of dollars warehousing security equipment in Dallas, Texas.

We're standing here today while whistleblowers who are trying to do what's right for this government are being retaliated against. We're standing here today while families like those of Agent Brian Terry, who was a victim of the Fast and Furious scandal, Agent Jaime Zapata, a constituent of mine who was killed in the line of duty in Mexico, and the families of many Mexican citizens who were killed as a result of these gun-running operations with these weapons.

This is an alarming trend in government that we have got to put a stop to. We do not need to be financing government agencies. Our employees, the people's employees, we do not need to be paying them to stall, to lie, to mislead. It is absolutely unacceptable.

In the private sector, when an employee acts this way, we have a real quick solution. We quit paying them and we fire them. Unfortunately, it's a little more complicated here in the government, especially when you get to a Cabinet-level official.

Yes, we have our remedies. We have contempt of Congress. We have criminal prosecution. And in the case of a Cabinet-level official like Mr. Holder, it could eventually get to impeachment, depending what we find out. The Constitution provides the ultimate remedy there.

But the lifeblood of the Federal bureaucracy is money. We have got to cut off the money to the employees, like Eric Holder, who stonewall, at best, and lie, more likely. We need government officials who own up to their mistakes.

My colleague here, Mr. GOWDY, was talking about the fact there's not a single email after a certain date for Mr. Holder. I'd like to remind the Chair and the American people that what gets you in this country, 9 times out of 10, is the coverup. The American people are willing to live with a mistake, but they are not willing to live with a liar, and this amendment cuts off funding to the liars in our Federal Government. So I urge my colleagues to support this bill.

I yield back the balance of my time.

□ 1500

Mr. GOSAR. I move to strike the last word.

The Acting CHAIR (Mrs. CAPITO). The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. I am from Arizona, and I am proud to rise in support of this amendment because no other State has suffered the consequences like we have in Arizona and will continue to.

Let's think of the ramifications of what transpired here. We did not follow

proper protocol in allowing guns to walk. We didn't even know where they were—and we still don't know where they are—and yet Arizona will suffer the consequences of those guns on our side of the border. Let's take a look at the other aspect. What about the Mexican people? Where is the outcry? Where is the justice? Here we've had the Hispanic people who have lost over 300 people to this impropriety—and it was overseen by the Federal Government and the Department of Justice? This is outrageous.

I am glad that what we're doing is defunding this aspect in order to make sure that we know what's right and what's wrong and in order to hold people accountable for the cover-up that has occurred. But think about it. Have we ever seen something of this atrocity? We've actually overstepped the oversight and sovereignty of the Mexican Government.

What we need are answers. The American people need the answers, and the folks from Arizona need the answers. We want to make sure that those who are accountable are held perfectly to that standard like everybody else. Yes, we have not seen the documentation. The other side says that we have seen the documentation and that everybody has been held accountable. That's wrong. That's absolutely wrong. Take it from somebody from Arizona who has had to live under this Department of Justice. We want to make sure that we have accountability.

Last but not least, what about the Brian Terry family? When we look at the whole oversight of this egregious operation, did it have to take the life of a brave soldier, Brian Terry? That's what it took to even come to this situation. It cannot be repeated. Absolutely, it cannot be repeated.

I am glad that my colleague has offered this amendment to make sure that we do not give funding for those who are in the Department of Justice and, if they do, that they are held to the letter of the law.

I yield back the balance of my time.

Mr. DUNCAN of South Carolina. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. DUNCAN of South Carolina. I yield to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. Madam Chair, I want to quote President Obama in his first remarks as President of the United States:

> Transparency and the rule of law will be the touchstones of this Presidency . . . I will also hold myself as President to a new standard of openness . . . But the mere fact that you have the legal power to keep something secret does not mean you should always use it. The Freedom of Information Act is perhaps the most powerful instrument we have for making our government honest and transparent and of holding it accountable; and I expect members of my administration not simply to live up to the letter but also the spirit of this law . . . The government should not keep information confidential merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears.

This country should be embarrassed by what is happening in Fast and Furious. My challenge to Members on both sides of the aisle is to stand up and have the integrity to say that we have a dead U.S. agent and that we have a Department of Justice that lied to Congress. Where are the guts in this body to stand up and say we're not going to put up with that, that we're going to demand that these documents be provided to Congress? We know, because the inspector general within the Department of Justice has said, they have 80,000 documents. They've given Congress about 7,000 of those documents. This is the test of principle. This is the test of integrity. When you can't stand up and take on your own party, that's a lack of guts. This Congress has got to stand up for itself and demand that these documents be released.

I would encourage Members on both sides of the aisle, at the very least, to vote for this amendment. I can't imagine any reason why anybody would deny the passage of this amendment. We're not going to allow taxpayer dollars to be used to lie to Congress. Unfortunately, we have been lied to. That is the reason we have to offer this amendment. It's embarrassing that we have to even get to this point.

Madam Chair, Brian Terry's family expects it, and the integrity of this body demands it. Regardless of whether it's Republican or Democrat, we cannot rest until we get to the bottom of that.

You can make the case that part of this started with President Bush. We don't know what's in these documents; but with the separation of powers, it's imperative that we get to the bottom of this and that we hold people accountable—and not just the lowest level of people down at the ATF. They've been dismissed. They've been harassed. Thank goodness for those whistleblowers who stood up and did the right thing. But at the senior level, the senior people at the Department of Justice, they have not been held accountable. President Obama said in these remarks that he would. On March 25, he went on Univision and promised that they would. It has not happened.

If we get stonewalling on the other side of the aisle—without your support—we will do a disservice to this country; we will do a disservice to this body, and we will not get to the truth. I promise you, when there is a Republican President, I will stand with you and will demand the openness and transparency that this body deserves. I've done it. I've challenged my own party. Have the guts, have the fortitude, to do the right thing.

I appreciate Chairman ISSA, Representative GOWDY, Mr. GOSAR, Mr. FARENTHOLD—there are so many people in this body—and I appreciate my colleague from South Carolina, who are passionate about this issue. I urge all Members to vote in favor of this amendment.

Mr. DUNCAN of South Carolina. Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CHAFFETZ. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

AMENDMENT OFFERED BY MR. TIERNEY

Mr. TIERNEY. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

> At the end of the bill (before the short title), insert the following new section:
>
> SEC. _____. For ''Department of Justice, State and Local Law Enforcement Assistance'' for the John R. Justice Prosecutors and Defenders program, as authorized by the first section 3001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc–21) (relating to loan repayment for prosecutors and public defenders), there is hereby appropriated, and the amount otherwise provided by this Act for ''National Aeronautics and Space Administration, Science'' for Mars Next Decade is hereby reduced by, $10,000,000.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. TIERNEY. Madam Chairwoman, this bipartisan amendment is offered with Mr. GOWDY of South Carolina. It provides very clearly $10 million for the John R. Justice Student Loan Repayment Program.

It is unfortunate that we know many law school student graduates accept jobs as prosecutors and as public defenders, but they don't stay on the jobs very long because the compensation is at such a low level, and their debt burdens from college and from law school are so high that they end up leaving and going on to more lucrative pastures because the private firms, obviously, have more resources with which to recruit and retain than do public defenders and district attorneys' offices around the country.

Oftentimes, the students tell me they would like to stay in these offices. Obviously, the district attorneys tell us on a regular basis that they have such a difficult time training people and getting them to stay so that they can do a good job. Both public defenders and district attorneys, people on both sides of any particular case, understand the importance of that judicial

system work in that it's fair and in that everybody has the level of representation that makes our system work and be respected around the world on that.

This would allow the tool of loan forgiveness for those district attorneys on that and those public defenders so that they can get people to stay at least 3 years so that the training doesn't just get turned around and go to waste. It allows people to stay on and use their experience and make the system work better.

I believe that it's a good idea. It has worked in the past for the Federal agencies, for the executive branch attorneys. It has demonstrated great success in their recruitment and retention. When this aspect was funded just a couple of years ago, 1,647 prosecutors and 1,226 public defenders across the country received assistance under the program's 2010 allocation. That, in turn, is a claim by all of the people involved as having made a tremendous difference in their abilities to have their offices function at the high level that is necessary.

Now, it's a difficult time. If we're going to take this money and appropriate it in this fashion, we, unfortunately, have to find those resources somewhere else. We have recommended an offset with a modest reduction to the Mars Next Decade program. That Mars Next Decade program will still get over $100 million more in the bill than it otherwise would have gotten. The House report notes a concern that there is a question about whether or not the Mars Next Decade program has actually accomplished one of the requirements of getting a sample and reporting. There is even language in the bill that puts off any expenditure of these moneys until such a report is made to the National Research Council and they're allowed to move forward.

□ 1510

The $150 million that is in the Mars Next Decade budget is still sizeable and on board with what was in the President's request, and still allows the program to move forward. I think it is a tradeoff that's fair. And I think Mr. GOWDY agrees with me, that as painful as it may be to take from one area, that programs will still march on, we'll still have $78 million more than the President requested. But if we don't do anything, the John R. Justice program will have nothing. District attorneys and public defenders, our court systems across the Nation won't have the ability to have well-trained people being recruited and retained and making our system work. So that's the premise here.

Madam Chairwoman, we ask that our colleagues support this amendment.

With that, I yield back the balance of my time.

Mr. GOWDY. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Madam Chairwoman, my mother was a victims advocate in a prosecutor's office when I was growing up. She would come home and lament the fact that defendants could pick any lawyer they wanted to defend them, but the victims of crime were stuck with the district attorney. Her message to me, the lesson she was trying to impress on me, is that crime victims have a right to have a good attorney, too.

If you fast forward a couple of years, I went to law school, and I became a district attorney. I tried to hire people to come help me do a good job for crime victims. Madam Chairwoman, I was hiring primarily at that time young female prosecutors—Cindy Crick, Kim Leskanic, Jenny Wells, Susan Porter—many of whom had up to $70,000 in student loan debt, could have and should have gone into private practice and paid their loans back and made a lot of money. But something within them wanted to stand up for rape victims and criminal domestic violence victims and child sex assault victims. So they sacrificed the lure of private practice to come to public service.

Madam Chairwoman, it is not without irony that the program that my friend from Massachusetts speaks of is named after a man named John R. Justice, who was a solicitor district attorney in South Carolina. He represented the poorest solicitors judicial circuit in the State. They were understaffed and overworked. He used to tell me, Madam Chairwoman, that he was just sticking his fingers in the hole of the dam to try to keep the water from coming through. But the solicitor justice—God rest his soul—had a vision of trying to encourage people to want to do something as noble as be a prosecutor in South Carolina.

So whereas I usually stand off and I talk about cutting this and cutting that, law and order, prosecution, respect for the rule of law are core functions of government. And as much money as we spend on other programs, surely to goodness we can find a little bit of money to help relieve the student loan obligations of women and men who are prosecuting while they're sitting across the table from criminal offense attorneys who make 5 to 7 to 10 times their salary. Surely we can do that, and surely we can give the victims of crime as good a lawyer as the defendants of crime get.

I would urge my colleagues to give very serious consideration to the John R. Justice Scholarship program for public defenders and prosecutors.

With that, I yield back the balance of my time.

Mr. WOLF. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Maybe when we go to conference—last year this said $4 million. So in a tight budget year when the Ryan budget comes and the other budget comes, we're actually increasing this from $4 million to $10 million, which I think every other program would just say, I don't quite understand. Secondly, the Senate put in $4 million. Maybe we can talk as we move on.

I was looking to see if Mr. SCHIFF was here or Mr. CULBERSON was here. This was part of a delicate compromise with regard to the Mars program and the Europa program. The committee took great pains to ensure that NASA science funding reflected the planetary science priorities and goals of the National Academy of Science and included the development of sample return missions to Mars. It's the Decadal Survey. To take this out of that, when it was so difficult, I think would be a mistake.

Such a mission would represent an unprecedented scientific undertaking and enable the next fundamental advance of Mars science and ensure that America's undisputed leadership in Mars exploration remains unchanged. This is the imaginative part of the space program.

Two weeks ago, when the shuttle flew over Washington and this building, literally everyone went outside to look at it. This was one of the most imaginative and creative things for America to continue to be number one in space. I would tell the gentleman I would hope we would vote it down, particularly with $4 million last year and when the Senate is at $4 million. The Senate has $781 million more money in allocation than we had. And for us to jump this up when other programs have been severely hit—I don't know how Mr. FATTAH would feel. We could try to work as we go to conference and all, but I would hope that we could vote this down, particularly since it takes it from Mars. And I will give the gentleman my assurance to move ahead and see what we can do to it, but not take it from Mars.

With that, I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I join my colleague, the chairman.

I appreciate the offering of the amendment; however, I'm opposed to the offset. We have a need to have loan forgiveness for public servants, both in terms of law enforcement and prosecutors, but teachers, police officers—you can go through a whole range. In fact, embodied in the reconciliation act that

carried the Affordable Health Care Act, we created a loan-forgiveness program for public service that will start to take effect in 2014.

This is needed, but we can't use this offset. And I would hope that we'll have an opportunity to work together on this because I do think if we had $4 million last year, we can continue to find additional resources as we go to conference. We are hamstrung by a lower allocation, which means some of the things that Members may be interested in are going to have a lower funding level as this bill leaves the House but a higher funding level when it leaves conference. So it's part of the process, and I appreciate the amendment. I hope that the gentleman would consider working with me and the chairman as we go forward, if your desire is to actually find resources for this important endeavor.

Mr. SCHIFF. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SCHIFF. Madam Chair, I rise in strong opposition to the amendment and urge my colleague to withdraw the amendment and work with us on this issue.

As a former U.S. attorney, I have the greatest respect and support for loan-forgiveness programs of this nature. It is absolutely a worthwhile cause. But the Mars program was devastated by the administration's budget.

This is one of the crown jewels of planetary science. In fact, the whole planetary science budget was decimated by the administration in its proposal. Thankfully, through the work of the chairman and the ranking member, the planetary science budget has been restored, and part of what has been taken out of the Mars program has been restored. Nevertheless, the Mars program was cut by hundreds of millions, and we have a long way to go to have a healthy Mars program.

As we speak, one of the most difficult missions ever undertaken, the Mars Science Laboratory, is on its way to the Martian surface. This will be path-breaking in terms of its scientific return. This is an area where we are second to none in the world. No one else has the skills to enter the Martian atmosphere, descend, and land on Mars. That is an incredible talent pool that can make that possible. At a time when we have to go hat in hand to the Russians to get a ride to the space station, but we are still the unquestioned leader in planetary science, with the Mars program leading the way, we do not need to decimate the Mars program further.

Thanks to the work of Chairman WOLF and Ranking Member FATTAH, we are on the path to restoring this great program so that we can continue on the road that we're on where we are tantalizingly close now to finding the building blocks of life on another planet, and this is what is at stake.

□ 1520

So while I sympathize with the desire of the gentleman from Massachusetts to plus-up the program that he supports—and I support it, too—the offset would be devastating, devastating to the brilliant people that work in this area, devastating to all those around the country that love planetary science and that are going to be watching breathlessly on August 5 as Curiosity lands on the Martian surface and sends back new information about one of our neighbors in the solar system.

I urge a ''no'' vote on the amendment. I urge us to continue to push the envelope of our understanding of the universe. And we just simply cannot choose this as an offset, such a valuable national treasure as the Mars program.

I yield back the balance of my time.

Mr. HOLT. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. I yield to my friend from Massachusetts.

Mr. TIERNEY. I thank the gentleman.

I think it is reprehensible, actually, that the majority has chosen to go with the Ryan budget numbers over the agreement that was reached last August. I think it has put the chairman and ranking member and the members of that committee in a terrible position. We can see it just by the juxtaposition of two programs here that obviously people think have merit on this aspect.

As much as taking $10 million from the amount of money that otherwise would have gone to the Mars program would leave them $10 million less than they would have had, but $78 million more than otherwise was in there. Doing nothing with respect to this motion would lead to our Justice program with zero dollars in the House budget.

So I am thinking that we'll take a vote here; and if we pass, I hope that the committee is able to work with the Senate to bring the Mars program back to where people want it to be. I am hoping from what I have heard here that people think there is merit to our district attorneys and our public defenders as having some money in their accounts so that they can have good qualified people moving our justice system forward, and they will take care of that in conference.

But one way or the other, we need to know that taking a program and putting it down to zero at a time when our justice system is crying out for fairness and crying out for the tools to operate appropriately for our district attorneys throughout the country as well as public defenders who are saying that this is essential, that maybe at least having a debate on this issue and talking about it will make sure that we can get all the programs that we need funded to the level that we're able to do so that we can move both of those things.

So either way this motion goes, I hope that if we win on this case, that we argue strongly to hold that number in the conference and then work to do something with the Mars program. People feel strongly about that. Should this motion not prevail, then I hope that our chairman and our ranking member and others will work hard in conference to make sure that the John R. Justice Program is not reduced to zero because I have heard everybody here talk now about how they think it is a good program and that we move forward and we fund it so that the system can work the way it was intended to work.

Mr. HOLT. I yield to the gentleman from South Carolina.

Mr. GOWDY. Madam Chairwoman, I would just say, again, that really in times of prosperity, we should be having conversations about the size and the scope of government. And of course you have to have it in times of austerity.

I just view the criminal justice system, law enforcement, prosecutors as a core function of government, whether it's State government or Federal Government. And we want to incentivize and encourage good people who are not hamstrung by debilitating student loans to go pursue that, as opposed to just going into private practice where they can make money.

I have lived it. I have seen what it can do for our office, and I would hope that my colleagues would give favorable consideration to it. And if not, I take the chairman and the ranking member at their word that they'll give it a look at the appropriate time.

Mr. HOLT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TIERNEY. Madam Chairwoman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

Mr. ROHRABACHER. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. ROHRABACHER. Madam Chairman, I rise today to engage in a colloquy on NASA's Commercial Crew Program. The chairman has shown

great leadership on space and science issues. He and I have often worked together on issues of shared interest, and he is a great friend.

The report of this bill contains some very strong language about NASA's Commercial Crew Program; and I, admittedly, have some concerns about that language. I believe it makes a flawed comparison between Commercial Crew Program partners and the energy firm Solyndra. In addition, it requires an immediate down-select to a single-program partner, which I do not believe is the best path to move forward.

That being said, I do understand and agree with many of the chairman's concerns that I know were underlying this language. For example, NASA has not shared a clear, comprehensive management plan for the program despite repeated requests. Instead, they have made inconsistent and confusing statements about the program's purpose, timeline, design, costs, and procurement benefits.

Although the committee has defined one possible management approach in response to these concerns, I hope that we will be able to discuss some alternative approaches that both address the management problems within NASA and allow the achievement of the agreed-upon goals of the program. With that in mind, I am willing to work with NASA to help come up with a new plan that will do just that. And I would be pleased to work with the chairman on these issues in order to go forward.

At this time, I yield to my good friend, the gentleman from Virginia, the chairman of the CJS Subcommittee.

Mr. WOLF. I thank the gentleman from California (Mr. ROHRABACHER) for yielding and for outlining the concerns that a number of people have about this program.

I believe that, despite our differences—and it may not really be that much of a difference—we share a common goal of providing reliable domestic access to the space station in the fastest and most cost-effective manner. We are paying the Russians $60 million a seat to get there. So we want to get there as fast as we can for the lowest cost that we can so we can utilize that space station, which cost us $100 billion.

I know the gentleman is a staunch supporter of commercial spaceflight. And if the gentleman believes that he can get NASA to come up with a clearer and more reasonable plan, we want to work with him. We look forward to discussing results as we move forward with the process. And I will tell him that we will work together.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

And let me just note that both of us are committed to making sure this country is never dependent on a Chinese rocket system to launch either commercial or government satellites or to reach the space station.

I yield back the balance of my time.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to defend against any action challenging—

(1) any provision of Public Law 111–148 or any provision of title I or subtitle B of title II of Public Law 111–152; or

(2) any amendment to a provision of law made by any provision described in paragraph (1).

The Acting CHAIR. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Madam Chairman, this is a very straightforward amendment. What it says is that you cannot use taxpayer funds to defend ObamaCare, PPACA, the Affordable Care Act. And there is a reason for doing this, for bringing this amendment forward.

If you will look at today's Gallup Poll, the May 9, 2012, Gallup Poll, this is what you would find in that poll: 72 percent of all Americans believe this law is unconstitutional. They want to see this law off the books. And that includes 56 percent of Democrats and 94 percent of Republicans that were polled.

So, Madam Chairwoman, what we find is individuals saying, We don't like this. We don't want it on the books. We hope the Supreme Court finds it unconstitutional.

□ 1530

Indeed, many of us feel it will be found to be unconstitutional. And what we're doing is saying to the Department of Justice, You cannot use taxpayer funds to defend this law. We know that that is the right step to take because it is important that we defend and prevent DOJ activism. Certainly, you have heard Members stand on this floor today and talk about the activism that exists in that Department. So taxpayer funds should not be used to defend this law.

Now, some of you may feel like you've heard this before, and, indeed, you have. The Republican Study Committee has brought this idea previously as we have had continuing resolutions.

We feel that it is appropriate. This is not a bill the American people have wanted. It is a law that is too expensive to afford. Indeed, we have seen that as we've reviewed appropriations, as we're looking at Health and Human Services, as we're looking at CMS. What we're staying to DOJ is, You cannot use taxpayer money to defend this law. We do not want our taxpayer funds to become a legal defense fund for ObamaCare.

So it is a very simple amendment. It is a total of eight lines long. I urge individuals to support the Blackburn amendment and to prohibit DOJ from using taxpayer funds.

With that, I yield back the balance of my time.

Mr. SCHIFF. Madam Chair, I rise in opposition to the amendment and move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SCHIFF. Madam Chair, I'm not sure that I understand the basis of the amendment that we should defund the Justice Department from any effort to defend a law if the polling indicates that it is unpopular at the moment. The polling on the health care reform law has varied since its enactment. At times it has enjoyed majority support; at times it has enjoyed minority support. Almost entirely throughout the period since its passage, if you ask people whether they support the components of the health care reform law, Americans overwhelmingly say that they do.

But, nonetheless, is this really the basis that we want to make whether we can defend the constitutionality of a law, and that is: What do the polls say? If so, then perhaps we ought to broaden the gentlewoman's amendment to say that, whenever a law is unpopular in the country, we should refuse to allow the Justice Department to support its constitutionality. In fact, many of the laws that we pass here are not always popular. Sometimes they're the right thing to do, and sometimes they're the hard thing to do. I would imagine that some of the decisions that we make on the debt ceiling and other things, if we put them to a poll, would be very unpopular but, nonetheless, necessary. Are we going to say that because they're unpopular at the moment that they're, therefore, for no other reason, unconstitutional? I don't think so.

We have a Justice Department that studies the constitutionality of laws to determine, in their best judgment, whether something is consistent with the Constitution, and I don't think we want to be in the business of telling the Justice Department not to defend a law because of what a particular poll might say.

With that, I urge a ''no'' vote on the amendment and yield back the balance of my time.

Mr. KING of Iowa. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Thank you, Madam Chair.

In listening to the presentation by the gentlelady from Tennessee and the rebuttal by the gentleman from California, I'd make the point that it isn't

only the Supreme Court that makes a decision on constitutionality. We all take an oath to uphold the Constitution here in this Congress, in the executive branch, and also in the Federal court system. And when you go through the process of a constitutional determination, we do allow the Supreme Court, as a public and a people, to make that decision. We do so under Marbury, which is something over a couple of centuries old.

But in the final analysis of the balance of powers, in the end, it's the people that decide what's constitutional, not the Supreme Court. And I say that because we have the authority here in this Congress to control funding, as the gentlelady from Tennessee has in her amendment that comes out. And there's a reason for that.

We have many debates on constitutionality here in this Congress on this floor. It's our obligation to do that. It's our constitutional obligation to do so. And this discussion about ObamaCare and its unconstitutionality has gone well beyond the Chambers here. Many of us raised these issues 2 years and a month or so ago about the unconstitutionality of ObamaCare. We now see that at least 26 States have brought suit. It is before the Supreme Court to be decided. Tens of billions of dollars of good money has already been thrown after a bad policy and an unconstitutional policy, and now we're on the cusp of getting word from the Supreme Court.

But whether or not the Supreme Court finds the ObamaCare unconstitutional—I believe they will, at least under the individual mandate. I do not think they will sever it. I think they will throw it all out. But in either case, this Congress will continue to weigh in on constitutionality, on viability, on affordability, and on the policy itself. And the things that we do as a majority of this House of Representatives are entirely within the province of the Constitution to cut off all funding, if we choose to do that.

This Congress could cut off all funding to implement or enforce ObamaCare. This amendment just cuts off the funding to enforce ObamaCare. There's much of that unfolding today. This is a strong message to send. And I'm not suggesting we send it to the Court. I want the Court to have an independent decision on the language in ObamaCare itself. But this is a message to the American people that this Congress also has a voice. We have a voice on constitutionality. We have a voice on policy. We have a voice on affordability. And it's unaffordable; it's unconstitutional, and it's bad policy. It's an unconstitutional taking of American liberty. And this amendment at least suspends good money going after bad policy.

I strongly endorse the gentlelady from Tennessee's amendment, and I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding, and I'll be very brief.

I just want to say that I concur with my colleague's points, to a point. As my colleague acknowledges, we take an oath to defend the Constitution. The administration, the executive branch, also takes an oath to defend the Constitution.

Effectively, what this amendment would do is say we are going to defund the Justice Department's ability to undertake and fulfill its oath to defend the Constitution. If the Justice Department disagrees with some Members of Congress about what their oath to the Constitution requires, we are going to defund their ability to follow through.

I don't think that's really where we want to be because, plainly, the Justice Department feels the law is constitutional. They believe it's their obligation to uphold the Constitution. And to say that we're going to defund their ability to follow through on that, I don't think that is good policy.

On that basis as well, I would urge a ''no'' vote

Mr. KING of Iowa. Will the gentleman yield?

Mr. FARR. I yield to the gentleman.

Mr. KING of Iowa. I thank the gentleman for yielding.

I just make a brief point that the executive branch has made a decision not to defend DOMA, which is the law of the land. So that's a discretion that apparently we would concede to the executive branch of government not to defend DOMA, but not accepting the antithesis of it, which I believe is the Blackburn amendment.

Mr. SCHIFF. Will the gentleman yield?

Mr. FARR. I yield to the gentleman.

Mr. SCHIFF. I appreciate that.

And that's absolutely correct. If the Justice Department determines in its view, just as you and I must, that something is constitutional and must be defended or something is unconstitutional and cannot be defended, then we have to follow through with those obligations. But I don't think it's our position to defund the Justice Department when, in the good faith execution of its oath to uphold the Constitution, it is defending a law that this Congress has passed.

Mr. FARR. The worst form of democracy is to take away the ability for it to work. This is a bad amendment, and I hope we oppose it.

I yield back the balance of my time.

Mr. NADLER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, I just walked in in the middle of this amendment, but it's very similar to an amendment we took up last night, and it's equally wrongheaded.

Aside from the fact that it's almost irrelevant, this amendment, as I read it, says that none of the funds may be used to defend challenges to the Affordable Care Act by the Justice Department. Aside from the fact that none of the funds are going to be used because the argument has already been heard by the Supreme Court—it's past tense; the Court is going to decide one way or another—this seems to me a little late. All the arguments in Court have already been heard, and therefore, they're not going to spend anymore money doing that. The Court will decide it's constitutional or it's not constitutional. The argument already occurred. The money has already been spent. So I don't see the point of this.

□ 1540

But putting that aside, what this says in effect is Congress passed a law. Any law that Congress passes has a presumption of constitutionality. And this says that the Justice Department shall not defend the Constitution or a law duly passed by Congress because a subsequent Congress doesn't agree. Well, if a subsequent Congress doesn't agree with what the previous Congress does, we should repeal the law, and then there would be nothing to defend. But if you don't have the votes to repeal the laws, and on the merits I would oppose repealing the law, obviously, but if you don't have the votes to repeal the law, don't say that the Justice Department shouldn't defend the constitutionality of a law passed by Congress if that law is challenged in court.

Now, in Marbury v. Madison, the Court said it is distinctly the job of the judiciary to decide what the law is. It's our job in Congress to decide to pass the law. It's the executive's duty to faithfully execute the law. And it's the judiciary's duty to say what the law is and whether it's constitutional because they have to defend the Constitution, and if we pass a law, they have to decide whether it meets the Constitution or not.

It's the executive's duty to execute the law, and part of executing the law is defending the Constitution as the executive sees it. So it is up to the Justice Department to argue in court to defend the constitutionality of a law if it thinks it is constitutional, and to oppose the constitutionality of a law if it thinks it's unconstitutional.

Now here you're saying that the Justice Department shouldn't argue and we shouldn't give it funds to argue to defend the constitutionality of the law. We are going to have another amendment in a little while by Mr.

HUELSKAMP that says the Justice Department may not use any funds to oppose the constitutionality of a different law, the Defense of Marriage Act passed, what, 15 years ago.

It is up to the Justice Department and the executive to decide in their opinion what is their duty in terms of their duty to faithfully execute the law. That's their constitutional mandate. And if it's their duty to argue for the constitutionality of a law, they must. To argue against it, they must do that, too.

We can, and in fact the House has in the DOMA case—I didn't support this, I don't agree with it, but we were within our rights to hire outside counsel to argue against the Justice Department on the constitutionality of that law, and we have the right to do that.

But to attempt to use the power of the purse to deny the executive branch its ability to do its job, which is to defend the Constitution as it sees it by arguing for or against the constitutionality of a bill in court, is simply wrong. It's a violation of the separation of powers, and it's an abrogation of their responsibility.

It also hurts the function of the court to decide unconstitutionality because the court is owed and needs the opinion of the executive, and for that matter the opinion of Congress, if it differs.

So this amendment, regardless of the merits of the bill, which I supported and voted for, which I think is a good bill, regardless of the merits of DOMA, which I opposed and which I think is unconstitutional, the argument in both cases is the same. We shouldn't be telling and certainly not using the power of the purse to say that the Justice Department may not argue for this position because we don't agree with it or for that position because we don't agree with it. If we don't agree with it, change the law. That's our job. And the Justice Department should argue its opinion of constitutionality, and the court must decide in the end. In the end, that's our system, and we shouldn't tamper with it.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I just wanted to enlighten the House on one small matter. We've had a number of votes on repealing the Affordable Care Act and the like. There's no possibility that the President is going to sign this bill if this amendment was in there. So, you know, we're spending a lot of time, but the election will come in November. There will be an opportunity for the country to sort some of these issues out.

But as for this appropriations bill, what we're trying to do is fund needed law enforcement activities in relationship to the Justice Department, whose principal duty is to protect our country since post-9/11 in terms of terrorism. I was out at the Terrorist Screening Center. I met with the FBI director and other officials from the Department. It's important that we pass this appropriations bill on time, and I thank the House leadership for scheduling it. This amendment is not going to be a part of this law no matter the result of the vote here today.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. BLACKBURN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MS. LEE OF CALIFORNIA

Ms. LEE of California. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. The amount made available by this Act for ''Department of Justice—Community Oriented Policing Services Programs'' (and the amount specified under such heading for grants under section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title) is hereby increased by, and the aggregate total of other amounts made available by this Act that are not required to be made available by a provision of law are hereby reduced by, $177,087,000.

Mr. WOLF. Madam Chair, I reserve a point of order on the gentlelady's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman is recognized for 5 minutes.

Ms. LEE of California. Madam Chair, I intend to withdraw this amendment at the end of my presentation and the discussion.

I want to first thank Ranking Member FATTAH for his tremendous leadership on the subcommittee and talk about what this amendment would have done, which of course would have increased funding for the Community Oriented Policing Services program, better known as COPS, to the funding level in the President's fiscal year 2013 budget, which is $257 million. But I want to thank Congressman FATTAH for his leadership because we have talked, and hopefully as this bill moves forward, we can look at what we can do in conference to get closer to this level.

Unfortunately, the COPS hiring program was funded at only $40 million in the fiscal year 2013 bill, which is $217 million—76 percent actually—below the President's request. So while we were able to restore some of that critically needed funding with the amendment that was passed last night, it is totally insufficient. It is insufficient because of the fact that the highly successful COPS hiring program is vital to increasing the numbers of community police officers on our streets.

Not only will we have fewer officers protecting our citizens now, but these cuts will result in officers with less training who are less prepared to address the violent crimes threatening our community. We simply can't afford to let that happen.

Oakland, my hometown, and so many communities across this country are already struggling to contain violent crime. COPS has been a lifeline for public safety. It has worked.

As a member of the Appropriations Committee, I know that we are facing a challenging fiscal situation with the current allocations under the Republican budget. But slashing the COPS hiring program, even as State and local budgets struggle to make ends meet, is a perfect example of being penny-wise and pound-foolish.

We must support the safety of our communities. The COPS program is active in every one of our districts—Democratic and Republican districts. So let me end by saying that supporting our law enforcement should not be a partisan issue. Our COPS deserve better. I look forward once again to working with Ranking Member FATTAH and others to increase funding to the COPS program as this bill moves to conference. We need to increase it at least to $257 million, which is what my amendment would have done. So thank you again to our ranking member and the members of the Appropriations Committee and the staff for their hard work in bringing this bill to the floor.

I yield back the balance of my time.

□ 1550

Mr. FATTAH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Since President Clinton initiated the COPS program, there has been a tendency for there to be partisan fights around it. The truth of the matter is there is nothing partisan about cops in your community. Every community throughout our country, no matter the voting patterns or predictions of voting patterns, rely on police officers for public safety.

The Congress—this Congress, under a Republican President and Republicans in the House and Senate, has spent billions on policing in Iraq. We have just seen President Obama make commitments in Afghanistan for security services and resources well into the next

decade. Here in America, we should be at least as willing to support police on our streets.

I want to assure the gentlelady from Oakland—her city I visited. I know many of the challenges in cities similarly situated, including my own. I know that the chairman of the subcommittee wants to see more cops on the beat, but we have a difficult allocation. We are hopeful, and I think with some degree of certainty that we will be able to increase the resources put into this area.

This is not partisan. This is a program that works. Ever since the COPS program was implemented, every single year the crime rate has gone down; violent crime has gone down in cities where this has been implemented. So I thank the gentlelady for her offering of the amendment and for her willingness to withdraw it. And I thank the chairman for reserving rather than acting on his point of order.

Madam Chair, I yield back the balance of my time.

Ms. HIRONO. Madam Chair, Aloha. I rise today in support of the Lee-Pascrell-Pierluisi-Welch-Sherman-Hirono-DeLauro-Israel-Himes amendment, which reverses the $126 million cut to the Community Oriented Policing Services (COPS) Program in H.R. 5326, the Commerce, Justice, Science and Related Agencies Appropriations Act for Fiscal Year 2013. While I am a proud cosponsor of this amendment, last night I voted for the Grimm amendment to restore this important funding to keep our neighborhoods safe, which passed by two votes.

COPS grants provide funding to state, local, and tribal law enforcement agencies to hire, preserve and/or rehire career law enforcement officers to increase their community policing capacity. COPS has been an unqualified success. Since this program was established, back when President Clinton was in office, violent crimes have declined throughout the country.

Our state and local law enforcement agencies in Hawaii and across the country have had to make tough choices and tough cuts to weather this economy. To date, COPS grants have funded over 500 additional law enforcement officers in the State of Hawaii, contributing to additional community patrols and other crime prevention efforts to protect lives and property. The restoration of COPS Program funding is critical to ensuring the safety of all our communities, while also protecting and creating jobs for the American people.

I urge my colleagues to support the amendment.

The Acting CHAIR. Does the gentlewoman from California seek to withdraw her amendment?

Ms. LEE of California. Yes.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

Ms. BORDALLO. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Guam is recognized for 5 minutes.

Ms. BORDALLO. Madam Chairman, coral reefs are some of the most important ecosystems in the United States, providing environmental and economic benefits to our communities.

Coral reefs provide almost $2 billion in local income and over 70,000 jobs for neighboring communities. Coral reefs provide ecosystem services valued at over $8 billion. These vital natural resources, however, are facing a multitude of threats, the impacts of which are little understood.

NOAA works in partnership with external partners across the United States to provide the opportunity for scientists from academic institutions to work in collaboration with NOAA and other partners to address a wide variety of threats. Now, these partnerships allow for better understanding of local impacts, leading to local management decisions that account for unique socioeconomic and cultural priorities.

I do appreciate the committee's support for $24 million in funding for coral reef programs in NOAA, and I ask that you work with the Senate to maintain funding for NOAA's important coral reef programs, including coral research.

I yield to the gentleman from Virginia for the purpose of continuing this colloquy.

Mr. WOLF. I thank the gentlelady from Guam for raising this important matter. We will work with the Senate to ensure that funding for these important programs, including coral research activities, is sufficiently maintained.

Ms. BORDALLO. I thank the gentleman.

Reclaiming my time, again, I thank the gentleman for deciding that he will work with the Senate to ensure that funding for these important programs will be sufficiently maintained.

Madam Chair, I yield back the balance of my time.

Mr. PIERLUISI. Madam Chair, I rise to reinforce the comments made by our colleague from Guam, Ms. BORDALLO, regarding the importance of funding in Fiscal Year 2013 and future years for coral reef research conducted by NOAA and its external partners. I represent Puerto Rico, one of the several U.S. jurisdictions that has tropical shallow-water coral reefs located off its coasts. Additionally, last year as a result of a federally-funded mission led by NOAA deep sea corals located off the southwestern coast of Puerto Rico were discovered at a depth of 500 feet and in an area spanning 12 miles across.

These reefs are the ''rainforests of the sea'' and their protection is linked to the success of our ecotourism economy, the integrity of our coastlines, the quality of our water, and the health of the rich and diverse marine life that surrounds our islands. Corals are threatened by a variety of stressors. Last month, NOAA released a status review of 82 coral species currently being evaluated for potential protection under the Endangered Species Act. The report indicates that 50 coral species found in U.S. waters are likely to become extinct, with seven Caribbean corals extremely likely to go extinct, five of which are among the most imperiled species.

Simply put, corals are decreasing around Puerto Rico and elsewhere in U.S. waters. The science that stands to be funded by this bill, H.R. 5326, is important for both monitoring the health of these corals and understanding the causes of their decline. Once understood, local, state and federal managers will be able to work together on mitigation and protection strategies. The decisions made in the final bill will determine whether and to what extent NOAA will be able to engage external partners, especially in the jurisdictions where coral reefs are located, to conduct this important science. I hope that, at the end of this process, NOAA will have the resources it needs from Congress to increase its collaboration with external research partners and to fund the science needed to inform management decisions for protecting coral reefs in U.S. waters. I, too, thank the Chairman, Mr. WOLF, and the Ranking Member, Mr. FATTAH, for their commitment to work with the other body in ensuring this priority is sufficiently funded during the conference process.

AMENDMENT NO. 38 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

Mr. DUNCAN of South Carolina. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (and before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used to litigate against any of the several States on behalf of the National Labor Relations Board pertaining to secret ballot union elections.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. DUNCAN of South Carolina. Madam Chairman, the right to a secret ballot should be sacred in America, and I stand in unison with my colleagues from South Dakota, Utah, and Arizona in defunding the NLRB's ability to sue States over the right to a secret ballot.

For decades, we have seen a sharp decline in private sector labor unions, while government employee labor unions have used the political process to expand. In an effort to curb the recent labor trends in the private sector, the administration's taxpayer-funded voice for labor—the National Labor Relations Board—has filed numerous suits against right-to-work States and enacted over-the-top, union-friendly policies simply because right-to-work States like South Carolina allow employees to decide for themselves whether or not they wish to join labor unions.

The NLRB's latest attempt to boost labor unions involves suing two States, Arizona and South Dakota, and intimidating several other States because of State laws protecting the secret-ballot process in labor union elections.

Just recently, 80 percent of South Carolinians voted overwhelmingly—80

percent—to enact secret-ballot protections in union certification elections. These are exactly the protections that NLRB bureaucrats are attacking today.

This is not only an attack on our states' rights, but also on the secret-ballot election process that allows workers to vote their conscience without fear of union retaliation.

My amendment does not eliminate the NLRB or strip away all of their funding—even though they probably deserve exactly that after 2 years of abusing businesses, including Boeing in my home State. Rather, my amendment simply protects the States whose citizens have spoken on this issue by stopping the NLRB lawsuits against those States.

I urge my colleagues to stand up for workers' rights, stand up for the rights of voters in our States who have spoken, and stand up for the rights of our States themselves and support this amendment.

I yield back the balance of my time.

Mr. FATTAH. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I'm opposed to the idea that in a country of laws we want to deny the opportunity for our issues to be raised in a court of law. That's how we settle matters in our Nation, and I think it sets the example for the rest of the world.

So this consistent attempt that we see here now, whether on the Affordable Care Act or on other issues, to deny funds for the Department of Justice on behalf of the executive branch to bring issues before a court of law, I think, flies in the face of the American ideal.

I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. DUNCAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GENE GREEN of Texas. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT OFFERED BY MR. QUAYLE

Mr. QUAYLE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used to implement, administer, or enforce the Equal Employment Opportunity Commission (EEOC) Enforcement Guidance Number 915.002 concerning ''Consideration of arrest and conviction records in employment decisions''.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. QUAYLE. Madam Chair, I'm offering this amendment with my good friends and colleagues, Mr. SCALISE, Mr. STEARNS, and Mr. WOODALL. It would block the new EEOC enforcement guidance that limits employers' ability to look at criminal records in their hiring decisions by prohibiting the use of funds for the implementation of this guidance.

Now, Madam Chair, it seems like every day, whether it be an Agency or a Commission, they come out with some new rule or guidance that really puts burdens on our small businesses and companies that are actually trying to expand and hire new workers.

□ 1600

Now, this guidance is particularly troubling because it sets up a lose-lose situation for our small businesses in my home State of Arizona and across the country. You see, these businesses are going to have two choices.

One, they can either not actually go through with a criminal background check, which would open them up for a claim of negligent hiring if a worker actually goes and commits a crime on the premises; or they're going to open themselves up to litigation from the Federal Government, from the EEOC or the DOJ because they believe that their objective use of actual criminal background check is going to actually have a disparate impact.

Now, I don't think that that's the choice that our businesses should be given. They have to have a different choice, a choice that allows them to expand, allows them to hire more workers, and allows them to put forth the proper procedures so they know they're hiring people that are not going to have criminal activity.

The reason this one thing came to my attention was I spoke to a constituent of mine who owns a hotel in my district, and he says, Look, I have to have criminal background checks for my employees because some of them are going into rooms of the guests to clean, to check on things, and they have valuables there. Now, if I don't do a criminal background check and they actually go in and steal something and they did have a burglary rap against them or a robbery rap, these are the things that they would actually get sued for for negligent hiring.

So this amendment makes sure that no funds will be used to implement this new guidance. And it is especially important to do because the EEOC has recently been very, very litigious, and there have been two recent Federal court cases that actually smacked down some of the EEOC's claims for a frivolous lawsuit and gave back millions of dollars to these companies who were charged by the EEOC. So this is why this amendment is important.

This is actually going to get rid of some of the burdens and some of the uncertainties that are placed upon our businesses, and I think this is the time to do it. We don't need to put any more burdens on companies that want to expand and hire because, if you're going to put this into place and enforce it, you're actually going to just lead to people not hiring because you're going to set them up for failure.

So I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. As best as I'm able to determine, this is a bipartisan vote of the Equal Employment Opportunity Commission, just saying that there should be reasonableness in the process of looking at this question.

We have a lot of young people who get themselves involved in circumstances young, at early points in their lives, but we do want them to be gainfully employed and productive citizens in our various States. But, nonetheless, this is a matter that has been litigated in various courts and, to some degree, I think it's helped to bring a more commonsense approach to this process.

But here again, to deny funds for the lawyers of the Federal Government to be able to handle these matters in a court of law I don't believe is the appropriate way to go. So I stand in opposition to this amendment.

I stand for the notion that we should be trying to reengage people in productive lives, in employment, reunite them with their families and build stronger communities, and I think that's the purpose of much of the work that we're doing related to reentry.

I yield back the balance of my time.

Mr. GARDNER. I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. I yield to the gentleman from Arizona.

Mr. QUAYLE. I thank the gentleman for yielding.

I do agree with the gentleman from Pennsylvania that we need to make sure that we are allowing people to get good jobs. And that's the biggest problem that I have with this guidance is that, when you're setting up other companies where they have a lose-lose proposition of whether they're going to either have the possibility of litigation from the Federal Government or the possibility of litigation because they have a negligent hiring, you're actually setting up a situation where they

just won't hire. They won't hire anybody because they're not going to want to put themselves in that situation.

And the other thing that we've been seeing is that this got a lot of concern from the Appropriations Committee in the Senate as well, saying that we have to look and make sure that there are not these unintended consequences where we're going to be putting up businesses to fail, and that we're actually putting on these burdens that are not going to let companies expand, that are not going to let companies hire. And these are the sorts of things that continue to put this uncertainty in the private sector.

It seems day in and day out that the Federal Government does this, whether it's an Agency or Commission, and that's why I think this is a very important amendment.

Mr. GARDNER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. QUAYLE).

The amendment was agreed to.

Mr. OLSON. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Madam Chair, I rise today to engage in a colloquy with the chairman of the Commerce, Justice, Science Committee regarding NASA's plans to consolidate its thermal protection systems and atmospheric reentry materials testing facilities, known as arcjet facilities.

In 2011, NASA made the decision to close the arcjet facility at the Johnson Space Center in order to consolidate testing in a single NASA location. However, serious concerns were raised at high levels within NASA and industry about the detrimental effects this consolidation will have on NASA's testing capabilities, its ability to maintain unique institutional assets, and its ability to successfully develop NASA's human and robotic space systems, including the Orion, commercial, and other important space vehicles, which all require arcjet certification of their thermal protection systems.

Madam Chair, NASA claims that the proposed consolidation will reduce costs while maintaining safety and mission assurance. However, I believe that NASA has unduly fast-tracked this decision and overlooked safety and mission concerns, cost issues, and program testing needs.

I've asked NASA to suspend its work on closing the arcjet, pending a thorough and independent review of those concerns, such as investigations by the NASA inspector general and the Aerospace Safety Advisory Panel. I hope that such review will ensure that NASA does not make a shortsighted and regretful decision.

I thank Chairman WOLF for the opportunity to raise these concerns today and yield to my colleague from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. Madam Chair, I want to thank my colleague for yielding me time, and I want to thank Chairman WOLF for his tireless dedication to maintaining our Nation's manned space flight capabilities. For many years, we worked together.

I represent part of Houston and Pasadena, Texas, and we're proud of the Johnson Space Center. The work that is accomplished there advances our Nation in space through mission control, training, and testing. One such testing facility is arcjet. This facility ensures that the material on the outside of the vehicles reentering our atmosphere can withstand the heat that is created. It's a critical capability if we ever want to send humans in space again.

The Johnson Space Center arcjet facility is being closed by NASA. I believe the decision is premature. We've received documentation indicating the experts within NASA, from their own Office of Safety and Mission Assurance, believe that the closure would negatively impact the safety and diminish NASA's in-house protection capabilities.

Confronted with tough questions on this, NASA has decided to move ahead with their plans. They're unwilling to delay it, and they are even unwilling to further study it.

Chairman WOLF, I'm asking for your help as we're confronted with a NASA that is pushing ahead despite our inquiries and despite their own internal disagreements. This is not just a local issue, and I'm afraid that the closure of arcjet at Johnson Space Center would forever undermine our Nation's space program, and I appreciate any assistance you could provide us.

□ 1610

Mr. OLSON. In reclaiming my time, I yield to Mr. WOLF.

Mr. WOLF. I want to thank both of you for your commitment to safety and mission success at NASA. This is an issue that they have been active on for a while now, and they have raised a number of significant questions. We will be happy to work with both of your offices to ensure that those questions are answered and that the decision-making on NASA's facility promotes safe and effective management. So we'll work with both of you to do that.

Mr. OLSON. I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used by the Department of Justice to be a party to a single or multi-state court settlement where funds are removed from any residential mortgage-backed securitization trust.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. Earlier this year, the Obama administration and the State attorneys general across the country entered into a so-called multi-State mortgage settlement process, in a final settlement, with some of the Nation's largest servicers. What the administration stated at this time is that the settlement would require the servicers to use—this is important—their own money to help people, to help pay out overextended home buyers, basically. Unfortunately, this settlement went a lot further than that.

In that settlement, people who were purely investors in mortgage-backed securities were also negatively affected by it as well—you might say literally taking money from them, or stealing money from them, through this process. You see, these private investors, they did absolutely nothing wrong whatsoever, but now they also are on the hook for having to pay in upwards of billions of dollars to, again, bail out some people who made some bad decisions and wrong investments.

Now, I do very much sympathize with people, individuals—home buyers—who were hard-hit by the recession, and I understand what the intention of this settlement process was. But there is no reason whatsoever as to why private investors who fund our mortgage market in this country should have their private contracts broken and their money basically taken from them. See, they in this process were deliberately left out entirely of the administration's negotiations on the mortgage settlement. They did not have a proverbial seat at the table when the decision was made as to who would foot the bill. Basically, private contracts in the process were broken. People, investors, didn't have a chance to stop it. They didn't have a say.

Who are these investors I'm talking about here? They're State retirement systems. They're 401(k) plans. They're public pension plans. They're private pension plans. They're insurance company annuities. They're mutual funds. Basically, what I'm talking about is just regular, everyday people who comprise the majority of American retirees across this country. So, in addition to the DOJ's taking this action in this past settlement practice without the investors being present at the table, this is really, if you think about it, another example of private contract rights having been broken and about Fifth Amendment due process rights having been broken as well.

Now, this is all in the past—and what we're doing here in this legislation is going forward—but the past action, if

it is able to be continued, would put in a hesitancy, if you will. It would encourage investors to step back from the mortgage market and say, you know, there is really a new political risk here if I'm going to invest in mortgages anymore, if I'm going to buy a mortgage, a bond, or what have you. And they will step back from doing so, and that will hurt everyone. That will hurt you, and that will hurt your neighbors who want to get a mortgage in the future because there will not be investors who will want to lend them money. Then what that will do, of course, is drive up the cost of borrowing, and that will drive up the cost of buying a new home. That, of course, is something that we do not want to do here.

So having the government basically taking money out of pension funds, taking money from retirees, is not something that we should allow to occur going forward, and that basically is what our amendment tries to do: prohibit the DOJ from keeping these people from being at the table in any further settlement negotiations like this.

With that, I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I think it would be useful for the House to understand that dozens and dozens—in fact, the majority of bipartisan attorneys general across the country—filed litigation against mortgage investors who had, in their view, improperly led to millions of foreclosures throughout the country, which is what we saw with the housing market collapse. This was joined in by the Obama administration. A settlement emerged. That settlement this week led, for instance, to 200,000 homeowners having their principals reduced, but this is action that is taking place all across the country, over multiple steps, and millions of families will benefit.

The gentleman's amendment says that the people who invested in the mortgage-backed securities are the entities that then hire the servicers, the servicers who were found to have violated the law by improperly conducting their affairs. So they settled with Democrat and Republican attorneys general across the country in a $25 billion-plus settlement that is trying to right a wrong. This amendment says, well, somehow you can't hold the people who are the investors liable for their agent, the servicers, the agents who artificially signed people's names to documents, and on and on and on.

I won't recount the activities because I think they're known well. But more importantly, they've really harmed the entire housing market in our Nation. I think the attempt here to separate out those who are seeking a fortune off of the misfortune of others from those who acted on their behalf is wrongheaded, and I think that the amendment should be voted down.

This, unlike many others, is not a partisan matter. This is something that was brought by Republican attorneys general across our States and by Democrat attorneys general, and the joining in of it by the Department of Justice and the administration was just icing on the cake. Yet I think that the point here is that this is an activity of our State governments and that there is no reason we should be using the process here on an appropriations bill to interfere with it.

I am not at all certain that this would not have an impact, because there are still other issues that are being proceeded on in terms of banks in this regard. This was just with the largest banks in the country. So I think this amendment could have an impact and could harm the efforts of homeowners in our States to seek redress.

I yield back the balance of my time.

Mr. SCHWEIKERT. Madam Chairman, I move to strike the last word.

The Acting CHAIR (Mrs. MYRICK). The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. I yield to the chairman, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I appreciate the gentleman for yielding. I will be very brief on this.

I very much appreciate the fact that the settlement was done in a bipartisan manner. I very much appreciate the fact as to what the overall intent of the settlement efforts were by the administration and the State attorneys general. We're not questioning that at all.

It's a very interesting analogy that you make as far as the servicers being the agent of the investors, but remember who you're talking about as to who those investors are. They are the pension funds in your districts; they are the unions in your districts who have their pension funds invested in mortgage-backed securities; they are the retirees in your districts who went and, through a mutual fund or some other sort of fund, bought an investment—a bond or what have you—that was in mortgage-backed securities.

Now, yes, a third party, if you will, another party—the servicers—made some bad decisions in this. But the way this works is that the State attorneys general and the DOJ went after—who? Basically the four or five largest banks, which is about 20 percent of the industry, figuring that they would be the best targets to go after. Fine. That narrows it down who you're going to go after. Now you give them the discretion as to which mortgages they're going to write down—I'm going to write down this one; I'm going to write down this one. Which ones am I going to basically help out through bailing out the home buyers? Yes, a large percentage of those are on their own books, but some of them are not on their own books. Some of them are the servicers for other investors that are out there.

So which ones do you think the banks are going to look at first as far as taking a haircut from something that's in their own portfolio? From something that is going to be a negative to them, or from something that is out there extraneous—out to maybe one of your own pension funds out there? I would gather that, most likely, they will go outside of their own business financial decisions and say, let's look at some of these other investors instead. So that's who we're trying to protect.

□ 1620

At the end of the day, it is a very simple thing. If this were to go forward, really all you want to make sure is that those people, innocent and otherwise, have a seat at the table and can make sure that their rights and interests are protected as well.

Mr. SCHWEIKERT. With that, Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. SCHWEIKERT

Mr. SCHWEIKERT. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Department of Justice to bring any action against any State for implemention of a State law requiring voter identification.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. Madam Chairman, I think you, and probably all of us in the body are noticing a theme here on many of these limitation amendments. Being someone that comes from Arizona, there's a reason we've been actually applauding many of these amendments.

We feel, as a State—and now I'm realizing many other States have the

same issue—we're at battle with our own Justice Department. How many times has Arizona now been sued by this Justice Department? This became one of those occasions where we understand Texas and other States are now being sued by the Justice Department because of voter ID laws.

I'm tired of this, and I think the American people are tired of there being this battle between the Federal Government suing our States and costing the residents, the citizens of these States, these litigation costs.

How do you stand up and create limitation? This became our opportunity to tell the Justice Department, No, go after bad guys and stop suing our State. If there is a bad act requiring an ID to vote in a State, fine. You still have private rights of action.

I had a staffer in the back telling me this story. I hope I don't screw this up too much. But apparently a couple of weeks ago, there was a young man who walked into a polling place and was able to get General Holder's—our Attorney General's—ballot by just saying, Hi, I'm Eric Holder. I'm here to vote.

Does anyone understand how absurdly ironic this is, when considering you can't go in and visit the Attorney General in his office without a photo ID? I can't go visit him in his office, but I can walk in and get his ballot?

If you believe in the sanctity of the voting box, if you want the American people to believe in your election and be willing to accept when there are changes of power, which happens all the time, you've got to also have that faith, the faith that those elections were clean and proper, but also that those who were supposed to vote were the ones who were allowed to vote. Madam Chairman, that's why I stand here and offer this amendment.

With that, I yield back the balance of my time.

Mr. KING of Iowa. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Madam Chair, I rise in support of the Schweikert amendment.

As I listened to his presentation, it rolls me back to the year 2000 when I watched the fiasco take place in Florida and the recount that took place there. At the time, I was the chairman of the Iowa Senate State Government Committee. It was my job to see to it that we made sure that Iowa wasn't a Florida in a recount like that. In that process, I went through 37 days where almost every waking minute I was looking into voter election fraud. It really brought my attention to it, to the point where every day I carried an acorn around in my pocket just to remind me that free and fair and legitimate elections are what we need to have. It's the very bedrock for this constitutional Republic. The Constitution is the foundation, but legitimate elections and the perception of legitimate elections are the very bedrock upon which the foundation of our country sits upon.

So through that period of time, we've watched since that there has been more and more election fraud, promoted by ACORN, that brought this to the public sight, but something that I've been on now in my 12th year. As I brought legislation in the State forward to legitimatize the elections that were in question, I asked that we made sure that our voter registration lists are free of duplicates, deceased, and felons, and that we require a picture ID.

The gentleman from Arizona has put together a list of the things that you need a picture ID for, and it's rather astonishing when you look through that list. Since he yielded back the balance of his time, I'm going to just pick some things off of this sheet, Madam Chair. That is this:

You can't get a package from a post office, a post office general delivery box, without showing a picture ID in cities. I can in my hometown.

You can't purchase a handgun without a picture ID.

You can't purchase tobacco or liquor without a picture ID. I can't get a beer in Chicago without a picture ID, or open a bank account or get on a passenger plane or get a ticket to Amtrak or rent a car or return merchandise or a refund or sell scrap metal in a junk yard or purchase police uniforms in California. I've never tried that one.

You can't be treated in any doctors' offices or admitted to a hospital without being in an emergency without a picture ID, or rent an apartment or get a bank loan or a cell phone or a teaching license or enter a major university, enroll as a student or get a library card at any libraries or enter military ports, check into a major hotel chain, rent a truck from a U-Haul or, as the gentleman from Arizona said, you can't visit Eric Holder without a picture ID. It's pretty astonishing.

This morning, in a hearing before the Judiciary Committee, the Director of the FBI, Director Mueller, I asked him if he had heard of the incident of the early twenties young Caucasian male that walked into the polling place in Virginia and asked for Attorney General Eric Holder's ballot. He just gave the name and identified the address, and they tried to hand him the ballot. He said, I need to go get my ID. They said, You don't need an ID; here is the ballot. It didn't occur to the poll worker that this early twenties Caucasian male was not a 61-year-old black man whom everybody ought to know his face by now, the Attorney General of the United States.

The Attorney General of the United States apparently wasn't alarmed that he easily could have been disenfranchised of his vote if that individual had just gone and picked up the ballot and gone and voted. He was not alarmed. And the Director of the FBI said under oath, this morning, he hadn't heard of this case, this incident that, by the way, twice was brought before the Judiciary Committee and the video was run. It's a matter of record with the Judiciary Committee within the last month, Madam Chair.

There are things that you can't do. As I said, you can't get a beer in Chicago without a picture ID and you can't vote in Hugo Chavez's Venezuela without a picture ID. It's about time, in the United States of America, we allow the States to clean up our election laws and kept the Department of Justice out of the business of interfering with the justice that is delivered by the States in the United States of America.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Let me say a couple of things.

One is that our country has managed to limp along for a few hundred years. We are the leading Nation in the world. We are the wealthiest Nation in the world. We are the number one superpower. I don't know how we got here with all of these imperfections in our voting system, but we'll try to go forward.

This notion that voter IDs—for instance, in the State of Texas, if you have a concealed-weapons permit issued by the State, that's good; you can go vote with it. If you have a State ID from the State university, that's not good.

In our State of Pennsylvania, we've got 30 types of different IDs that you can and you can't use. The Republican Governors and legislatures throughout our country this year have all come to the same conclusion. It's like a consensus that all of a sudden what America really needs is picture IDs for people to go vote.

I would suspect that when this is over with, after people go to the polls in November, there is going to be some regret. I think that in many areas of our country where there are people who may even cast votes on behalf of the GOP, that there are going to be senior citizens like—for instance, let me give you an example of my own mother. She is 80 years old. She has never driven a car. She's not traveled outside the country. She has no active passport or anything. She doesn't have a picture ID. She doesn't need one. We'll make sure she has one.

□ 1630

I believe that when we get to the final analysis here that there will be

more interference in voting in places that don't have the same level of access to what the States have now required you to do, and I think that will be unfortunate. It's not the way for the leading democracy in the world to operate. Those who have promoted these laws and stand in support of them, I believe this will be a point in their careers that they'll look back on and wonder how it is that they got on such the wrong side of history.

I'm opposed to this amendment, which is another limiting amendment, limiting access to the courts for lawyers on behalf of our government, trying to protect citizens' right to vote in States where Governors have decided now you need a picture to go present yourself and cast a ballot.

I yield back the balance of my time.

Mr. GOSAR. I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. I am proud of my colleague from Arizona for bringing up this amendment, and I am tired of the Department of Justice dictating to the States. It's about time that we embellished and supported States to actually help us with this. And I want to remind our colleagues, if it's good enough for us—here's my card in order to vote—it should be good enough for the rest of the United States. What we do in Congress we should do for the rest of the country, and this is where it starts.

There are so many things that we can talk about, but it's about time that we stopped suing States. And I think this is a great amendment—rewarding good behavior instead of rewarding bad behavior—and giving our Department of Justice an outline of what good behavior is, because I think they've lost their way.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 14 OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act may be used to enforce section 221(a) of title 13, United States Code, with respect to the American Community Survey.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. POE of Texas. Madam Chairman, my colleagues and I—Congressman GOWDY, Congressman KING, Congressman SCALISE, and Congressman LANDRY—have introduced an amendment to prohibit funds from going to the Census Bureau to enforce a criminal penalty that is imposed upon people who choose not to complete the American Community Survey.

The American Community Survey is not the same as the decennial, or every-10-year, census that is required by the U.S. Constitution. The census, of course, is conducted every 10 years to account for the population and includes, basically, 10 questions. The American Community Survey is a different survey handled by the Census Bureau that has 48 questions and is sent to 250,000 people every month, or 3 million Americans a year. The questions that it asks have nothing to do with national security, but it asks specific—in my opinion, intrusive—questions to determine Federal funding for certain areas. Plus, businesses use these answers to the questions to make business decisions on locating or not locating in certain parts of the United States.

I don't argue the benefit of the overall purpose of the American Community Survey. My concern is that it's intrusive. And does the Federal Government really have the right to ask certain questions? There are 48 questions. I'm not going to go through all of them. However, I would like to put into the RECORD the American Community Survey.

There are three questions I would like to mention, however. One of them is, Does your home have a flush toilet? Or, Do you or any member of your household have a second mortgage or a home equity loan? The third question that I wanted to mention is, Because of a physical, mental, or emotional condition, does this person have serious difficulty concentrating, remembering, or making decisions?

Now, does the Federal Government really need this information? Should the Federal Government really obtain this intrusive information from citizens?

If Americans want to complete the American Community Survey, fill it out, give it to the Census Bureau, fine, but they shouldn't be required to do so with the threat of a fine.

I've heard from many people—not only in Texas but all over the country—that they are concerned when people come from the Census Bureau, or subcontractors, to have them fill out this questionnaire. These people from the Census Bureau, or those who are contracted by them, start with phone calls. First there's one a week, and then many times there's one every day. In one particular case, I had an individual who was a single mother with a young child who said the Census Bureau worker started coming to her house, sitting out in the front of her house waiting for her to come in. And then when she is in the residence, the worker is peeking through the window to see if she's in there, knocking on the door to have her come to the door to answer the American Community Survey.

Now, does that really need to take place in the United States just to get a 48-question survey filled out? I don't think so. The means to get this information does not justify the result. And if people don't want to complete the survey, they shouldn't be required, under our law, by the penalty of a fine, to do so.

I hope that we do, in this country, as the Canadians have done. They have made this type of information voluntary. They still obtain the information from people who want to voluntarily give the information. As smart as the Census Bureau is about collecting information, they can certainly do this without having to go door to door, 250,000 people every month, to do this. Figure out new innovative ways to obtain this information voluntarily. Maybe talk to some of the polling agencies that have specific information about all kinds of polls in the United States to obtain the information with the result to be for businesses to use and for Federal funding to be going into those areas.

So this amendment simply says, there will be no penalty for people who refuse to fill out the survey.

With that, I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. My colleague, the gentleman from Texas, was here with me in 2005 when, in fact, we had a President from Texas. This survey was done then. It was done in the same identical way. In fact, this would be the first time that we would act in a way contrary to our constitutional responsibility.

It is important to note that this is an authorized activity of the Census Bureau, not just directly related to our constitutional responsibilities but also Title 13 of the U.S. Code, and it has been judged in numerous courts to be appropriate. It is important for Congress and for our government to be able to act in ways, in terms of public policy, in which we have information.

I'm trying to figure out what's different now than in 2005. In fact, the development of this survey and these questions even happened prior to this administration. So I'm trying to figure

out exactly why we're here today and what it is that we're trying to accomplish and why we want to create suspicion about the fact that we need to have information about the population, like the question about toilets that flush or things like this.

□ 1640

We do this with the Millennium Challenge grant, which was set up under the Bush administration, looking at developing countries and looking at some of the challenges in terms of population and when we want to know about the state of our own communities.

So I wonder why we're here. I do know one thing: I'm going to vote against this. I'm sure the gentleman has some reason why this was okay before and now it's not okay. The House will work its will on it.

Mr. POE. Will the gentleman yield?

Mr. FATTAH. I would be glad to yield to the gentleman from Texas.

Mr. POE of Texas. To answer your question specifically, I am not arguing the point that this information is not valuable for businesses and for the Federal Government for funding in certain areas. My issue and the concern that has arisen since I have been in Congress is that people feel that they should not be forced to participate in the American Community Survey.

This is not the census. This is a different complete document. Sure, it's authorized by Congress. But maybe Congress needs to back up and say people should be allowed to opt out and not be required to fill out the survey.

Mr. FATTAH. Reclaiming my time, maybe Congress will, and you've offered us an opportunity to do so. You pointed out Canada. I guess you're recommending their system and the way they do things. For our purposes, the country seems to run pretty well by having the census data, having a capability of understanding of what the water needs may be, what the transportation needs may be, understanding what the conditions are in American families so that we can get appropriate public policy.

But if you think we can do that better being in the dark in terms of this data, fine. The Census Bureau says even though they don't really enforce the fine, they know for a certainty that absent a requirement, they will get less data back.

I know the gentleman is attempting to help our country. I'm just not clear exactly how this does it.

I yield back the balance of my time.

Mr. KING of Iowa. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Thank you, Madam Chair.

I rise in support of the Poe amendment, and I thank the gentleman from Texas for bringing it.

Just to clarify some of the history, this is the questionnaire that apparently has replaced the need for what was the census long form. The census, of course, is directed by the Constitution every 10 years. And that's why we're going through redistricting now and all the primaries take place across the country.

But from 1940 until the year 2000, we also had the long form that was part of the census question. Some people got the long form; some got the short form. And this questionnaire came along and replaced the long form. So the perception was that it actually was a census question—the replacement for the long form—but it really is not. Of course, it's the American Community Survey.

I agree with the gentleman from Texas. If a government is going to be so intrusive, they're going to issue a 24-page packet of questions that's got 48 questions in it, some of them very, very intrusive. Just names, age, gender, race, income, physical and emotional health—that must have been the one where you have to answer the question on whether you're having trouble concentrating or making decisions—your family status, details of your residence—that might be the one about whether you have a flush toilet or not—and intimate personal habits—whether you actually use it or not. I'm having trouble concentrating on whether I actually have one.

But I'm thinking that when one gets one of these in the mail and you're looking at someplace between—I know it's not been enforced, but they don't know that when they get the questionnaire—so someplace between a $100 fine and up to a $5,000 fine, by the information I have, that's pretty draconian just to get information from American people that volunteer on a basis by the tens of millions and contribute billions of dollars in charity. We can find enough Americans to fill out this survey and give the government the information that they need.

Mr. FATTAH. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. There's some 309 million Americans, and some 200,000 will be getting this form, right?

Mr. KING of Iowa. I believe 250,000 is the number I have.

Mr. FATTAH. So 250,000. First and foremost, it's an opportunity for a sampling. As politicians, we know what sampling is all about. It is to take from a smaller group of people information that you can then extrapolate and make broader judgments about. So if you're only asking less than 1 percent of 1 percent, the notion that this is some intrusive governmental activity, I think—

Mr. KING of Iowa. Reclaiming my time, Madam Chair, I would make the point if it's less than 1 percent of the population, it certainly is. It's far less than 1 percent of the population. We can find that many volunteers that will fill this out voluntarily. Send it to me. I'll fill it out voluntarily. But when you tell me you're going to come in and fine me for it, that's intrusive. And these questions are personal enough that people should be able to say, I don't want to share that information with my Federal Government. I don't want that to go into a database that might possibly get transferred across into other people's information.

I think it's important to have the information, but it's important that people have freedom and liberty and we do not have an intrusive Federal Government that would impose a fine on people if they didn't let the information come out about whether they had a flush toilet and whether they can concentrate on whether they had it and whether they used it. That seems to be part of the center of this. We can at least reduce some of these questions down there.

Mr. FATTAH. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentlemen from Pennsylvania.

Mr. FATTAH. Obviously, it would be a different population if one were asked to volunteer versus one selected through a random sample.

Mr. KING of Iowa. Reclaiming my time, I recognize that. I think we get better information from volunteers than we do people that are coerced. They may well not fill out this survey accurately if they think they're doing so under penalty of law.

I yield back the balance of my time.

Mr. GOWDY. I move to strike the last word.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Madam Chairwoman, if the government wants to ask you if you're having trouble keeping your attention or how many flush toilets you have, I suppose they can ask that. But should they really be able to fine you for not answering? And it is of very little comfort to us that the government has seen fit to not enforce that fine. To threaten somebody with the administration of a fine and then never to carry through on it sounds eerily similar, to me, Madam Chairwoman, to blackmail. What's the purpose of putting it on there if you're never going to enforce it? And if you can do it to 250,000 this time, what's to keep you from doing it to 500,000 the next time, and then a million?

The purpose of the census, Madam Chairwoman, is to apportion the several congressional districts. So what do you need to be able to apportion the several congressional districts? You need to know how many people of voting age are in a household. You need to know race so you can comport with

constitutional provisions. You may very well need to know the gender of the people in the home so you can comport with constitutional provisions. But you don't need to know anything beyond that.

We had a subcommittee hearing on this, Madam Chairwoman, and what I find to be ironic—and I never got an answer to it—is this: you don't have to vote. The government can't do a single, solitary thing to you if you don't vote. They can't fine you. They can't put you in jail. But somehow or another they can if you fail to fill out the document that apportions the congressional districts so you can vote. That is tortured logic.

And I would say this in conclusion, Madam Chairwoman. If you want to ask about anything other than how many people live here, race, and sex, it's none of the government's business.

And that's just the way it is.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

□ 1650

AMENDMENT NO. 46 OFFERED BY MR. WEBSTER

Mr. WEBSTER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to conduct the survey, conducted by the Secretary of Commerce, commonly referred to as the ''American Community Survey''.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. WEBSTER. Madam Chair, the amendment offered here by myself and Mr. LANKFORD is simple. It prohibits taxpayer funds from being used to conduct the intrusive, unconstitutional American Community Survey. In addition to the constitutionally mandated census, the Department of Commerce Census Bureau conducts a number of other surveys. One of these is the American Community Survey which costs $2.4 billion to administer.

Some of the questions which have already been gone over that the American Community Survey contains have been routinely criticized as invasions of privacy. As a citizen who has normal expectations of what is private and what is not private, I share that criticism. For example, the survey requires respondents to detail their emotional condition. The survey wants to know what time respondents left for work and how long it took them to get home. The survey demands to know if respondents have difficulty dressing, or they have need to go shopping. Or have difficulty, as has been said before, concentrating or remembering or making decisions.

Failure to comply with this survey and turn over this personal information is punishable by up to a $5,000 fine. Given the intrusive nature of some of these questions, which are mandatory for Americans to answer under penalty of law, it would seem that these questions hardly fit the scope of what was intended or required by the Constitution.

What does the Constitution require? Article 1, section 2 calls for enumeration every 10 years. The actual enumeration shall be made within 3 years after the first meeting of Congress of the United States and subsequent terms of 10 years.

As you can see, at no point does the Constitution require me to tell the Census Bureau whether I have difficulty concentrating or whether or not I can climb stairs. Given the Nation's current fiscal situation, it is entirely appropriate to eliminate the survey as a taxpayer-funded activity of the U.S. Government.

The American taxpayers agree. I sponsored the majority leader's YouCut program this past week, and eliminating the American Community Survey was overwhelmingly the winner when the citizens were polled what Federal spending they would cut.

We need to ask ourselves whether this survey is worth $2.4 billion. Will continuation of this survey bankrupt the Nation itself? No, not hardly. But as has been said before, the old saying is a billion here and a billion there, all of a sudden we're talking about a lot of money.

Why would we even pass a cybersecurity bill when we are using 5,779 hired government agents to collect sensitive information from our citizens at taxpayer expense? This American Community Survey is an inappropriate use of taxpayer dollars. It is the very picture of what's wrong in D.C.

I have here the questionnaire. At least it would be the questionnaire if DANIEL WEBSTER and Sandra and David and Brent and Jordan and Elizabeth and John and Victoria were all questioned. This is the size of that questionnaire. This is what we would have to fill out. This is what would be punishable by law if we did not fill it out. What would you think about some of these others that you read about in the newspaper, the Duggar family, who have 20 children. What would they do? It would be three to four times this size, and they would be required by law to fill it out.

This survey is inappropriate for taxpayer dollars. It is a definition of a breach of personal privacy. It is a picture of what's wrong in Washington, D.C. It's unconstitutional.

I urge my colleagues to vote ''yes'' on the Webster-Langford amendment and prohibit funds from being used to conduct this American Community Survey.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. So we first had an amendment that said that we can't require people with a fine that's never enforced. Now we have an amendment that says you can't do the survey at all.

We've been doing surveys in the long form since 1790 as a Nation. It is critically important. Let me give you a for-instance. The gentleman who just spoke, my good friend from Florida, who served as speaker and as leader in both the House and Senate there, respectively, we're spending $200 billion a year on Alzheimer's alone. There are various forms of dementia as our populations age, Pennsylvania being the second State in the country in terms of aging population. It's important for us to know, unlike what was stated, the survey doesn't ask you whether you are forgetting things; the survey asks whether there are people in your home who might be suffering. It's important from a health perspective because it will guide our efforts. I'm leading an effort on brain research now to try to help us think through how we can develop more appropriate efforts to head off some of these challenges.

But the idea that we don't want to ask a couple hundred thousand citizens a question about something so that we can better plan for a country of 300 million, the idea that filling out a few pieces of paper is too much to be asked for for your country to help create a better Union of a citizen, I think citizens would welcome. In fact, the reason you don't have to fine anyone is because people do fill out the form.

But we know something with certainty. The idea that we are going to lead the greatest country in the world with less information about the conditions of communities and of our families, and that we are going to do that appropriately, defies logic. It is intellectually dishonest.

Now, we have done this survey for a very long time as a country. I suspect we will continue to do it. But for whatever reason, we are here today debating this. I welcome the debate. At least for myself and for my caucus, we stand in opposition.

Mr. DICKS. Will the gentleman yield?

Mr. FATTAH. I am glad to yield to the gentleman.

Mr. DICKS. As I understand it, the American Community Survey is authorized by law and has been upheld by the courts. The ACS is authorized under Title 13, U.S. Code, the Census Act. On numerous occasions, the courts

have judged that the Constitution gives Congress the authority to collect data on characteristics of the population in the census. As early as 1870, the Supreme Court characterized as unquestionable the power of Congress to require both an enumeration and the collection of data in the census. Is that your understanding?

Mr. FATTAH. That is my understanding. And reclaiming my time, any of the Members who are going to run in a competitive race without doing any polling, I assume they'll be voting for this. For those who want information in order to make good decisions, the government needs this information.

I yield back the balance of my time.

Mr. LANKFORD. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LANKFORD. Here's this wonderful thing that would occur: you would open your mail one day and you would have a packet in there, and you would begin reading through these questions. And your first thought would be: Is this real or is this a scam artist trying to steal my information? Then you would call some office, or it gives you a Web site to contact just so you can see that this is really true, because this is not like the long form that just came to your mailbox; this is the American Community Survey. And what just landed in your mailbox, if you refuse to answer it, someone will call you. And then they'll call you, and then they'll call you, and then they'll show up at your door and check on you and why you haven't done it because this is not like the long form of the census that's gathering basic information; this is incredibly personal information.

And if we can ask these questions as a Federal Government, it begs the issue of what questions can the Federal Government not ask of someone, because the Federal Government does not have the authority to walk into every house in America and ask any question they want to ask about any private activity.

While it has been upheld that we can do the long form, this is distinctly different from the long form, and this is new. This is something that just transitioned in the last couple of years. And I get all kinds of calls in my office saying, what is this, and why are you asking for this.

Three quick things on it. I think this is incredibly inappropriate because it asks way too much personal information.

Second of all, I think it is incredibly inefficient. This form costs the Federal Government $67 per person that fills it out. Now, I can assure you, I've heard lots of people talking about polling data and about doing surveys. I don't know of anyone in politics, anyone in America, that pays $67 per survey that is filled out other than the Federal Government.

□ 1700

So this is incredibly inefficient in the way that we're gathering it. There are cheaper ways to be able to gather. Much of this information is already publicly available anyway; it just doesn't connect it to an individual person.

The third thing on this is it's incredibly invasive. Now, let me just run through some of the questions. We've highlighted a few of them, but let me just hit a couple of the high points and then I'll get a chance to talk to you.

It's not just a few things about your age and about your location; it also asks: Do you have hot and cold running water? Do you have a flush toilet? Do you have a bathtub or a shower? Do you have a sink with a faucet? Do you have a stove or a range? Do you have a refrigerator? Do you have telephone service? How many automobiles, vans, or 1-ton vehicles do you have in your home?

Let me keep going. About how much do you think the house or apartment would sell for if you were to sell it right now? What's the annual payment for your fire hazard and flood insurance on this property? How much is the regular monthly payment on your second mortgage for this property, if you have one? Is the person that lives in this home a United States citizen?

How about this one: How well does the person in this home speak English? Where did this person live a year ago? And give the address for that. Because of mental, physical or emotional conditions, does this person have serious difficulty concentrating, remembering or making decisions? Does this person have difficulty dressing or bathing? How many times has this person been married? Does this person have his or her own grandchildren 18 or younger living in the home?

It gets better.

How many people, including this person, rode together to work last week? How many times did this person actually leave the home, and what time did they leave the home to go to work last week? Last week, was this person laid off from their job? When did this person last work even for a few days? What was your income in the last 12 months?

And not a range, the actual listed income.

Did you have any interest from dividends, rental income, royalties? Any public assistance or welfare payments did you receive?

It goes on and on and on. This is not just a few simple questions. This is a form that, if I walked up to anyone in this Chamber and said, I'm going to ask you a few questions and I'm going to write these down. Tell me first your income, then let's go to, do you have dividends? Do you have royalties? Do you have a bathtub or a shower? You would look at me and say, Go away—which is what thousands of people in America are saying to this survey.

This exceeds what we should ask as Americans.

Mr. FATTAH. Will the gentleman yield?

Mr. LANKFORD. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Any one of millions of Americans—and we have an increase this week of people filing for new mortgages—have answered all of those questions, plus some. So if you think it's strange that people have to answer questions, if they can do it for a bank, they can maybe do it for their country.

But here's my question: You said this was new and it hadn't been done before. This was fully implemented in 2005 under President Bush. So why would you stand on the House—I mean, I don't understand. This is not new.

Mr. LANKFORD. Let me reclaim my time.

Yes, sir, it is. We started it in 2005 and started rolling it out a few at a time, experimenting with it, and now have increased it. In fact, the administration has asked for 50,000 more a month and has actually asked for $52 million more to increase the usage of this.

I yield back the balance of my time.

Mrs. MALONEY. Madam Chair, I rise in opposition to this negative amendment that would eliminate funding for the American Community Survey.

Some have labeled the Majority the do nothing party. This amendment would make them the "know nothing party."

The ACS is the only source of national, annual socioeconomic, housing, and demographic data. It is used by Congress to help allocate $450 billion a year in federal grants to state and local governments, including the distribution of funds for veterans' job training programs and for improvements to low-income schools. The business community uses the ACS to help guide investment decisions like location and expansion plans.

Congress has required, directly or indirectly, all of the data gathered in the ACS. The ACS passed with bipartisan support under the previous Administration to ensure greater accuracy and streamline the decennial census.

Wade Henderson, CEO of the Leadership Conference on Civil and Human Rights, recently wrote about the ACS and asked, "Why would some members of Congress want to run the government without the most accurate information available to guide their decisions?"

I urge a "no" vote on the Webster amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. WEBSTER).

The amendment was agreed to.

Mr. DICKS. Madam Chair, we have somebody who wanted to speak on this amendment.

Could we ask unanimous consent that we go back and allow the gentleman from Missouri to strike the requisite number of words?

The Acting CHAIR. Does the gentleman wish to strike the last word?

Mr. DICKS. This will not be a process that will continue. This is one time only.

The Acting CHAIR. The amendment has been agreed to.

Mr. CLAY. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. CLAY. Madam Chairman, the American Community Survey is absolutely vital. That's why I'm kind of stunned at what I'm hearing. It not only allowed us to replace the long form census, making it easier for everyone to participate in the decennial census, but it provides all Americans with important information. But one particular area is of great concern to me, and that's the use of ACS data in determining the distribution of a substantial proportion of Federal assistance.

Now, we talk about accountability here. Well, let's start being accountable. Put your actions to words.

In fiscal year 2008, 184 Federal domestic assistance programs used ACS-related data to help guide the distribution of $416 billion. That's not chump change; it's taxpayer dollars. This represents 29 percent of all Federal assistance.

ACS-guided grants accounted for $389.2 billion, or 69 percent of all Federal grant funding. Most of ACS-guided Federal assistance goes to State governments through a handful of large formula grant programs to aid low-income households and support highway infrastructure.

Medicaid alone accounts for 63 percent of ACS-guided funding.

ACS-guided funding is highly concentrated in a small number of programs, recipient States, departments, and budget functions. State per capita ACS-guided funding is positively related to income inequality—high annual pay, high poverty—Medicaid income limits, and the percent of the population that is rural. The higher any of these measures, the higher per capita funding tends to be.

The ACS is absolutely vital. If you want to eliminate that, I'm sure you have certain reasons to do it, but it will take away an essential tool for us to be accountable with taxpayer dollars. So sign your name on the bottom line if you want to, but I suggest you think twice before you eliminate the ACS.

Madam Chair, I yield back the balance of my time.

Mr. FATTAH. Madam Chair, let me seek unanimous consent that we have a recorded vote on this amendment.

The Acting CHAIR. For what purpose does the gentleman from Virginia rise?

Mr. WOLF. I object.

The Acting CHAIR. Objection is heard.

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 101, after line 10, insert the following new section:

SEC. 542. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Madam Chairman, I rise to offer an amendment which would address another restrictive and misguided Federal regulation.

Section 526 of the Energy Independence and Security Act prohibits Federal agencies from entering into contracts for the procurement of an alternative fuel unless its lifecycle greenhouse gas emissions are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources. In summary, my amendment would stop the government from enforcing this ban on all Federal agencies funded by the CJS appropriations bill.

The initial purpose of section 526 was to stifle the Defense Department's plans to buy and develop coal-based or coal-to-liquids jet fuels. This stifling was based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum.

□ 1710

I recently offered similar amendments to four appropriations bills last year and each passed this House by a voice vote. My friend, Mr. CONAWAY of Texas, also had language added to the Defense authorization bill last year to exempt the Defense Department from this burdensome regulation.

We must ensure that our military has adequate fuel resources and can efficiently rely on domestic and more stable sources of fuel. But section 526's ban on fuel choice now affects all Federal Agencies, not just the Defense Department. This is why I'm offering this amendment again today for the CJS appropriations bill.

Federal Agencies should not be burdened with wasting their time studying fuel emissions when there is a simple fix, and that's not restricting their fuel choices based on extreme environmental views, policies and misguided regulations like section 5266.

With increasing competition for energy and fuel resources, and the continued volatility and instability in the Middle East, it is now more important than ever for our country to become more energy independent and to further develop and produce our domestic energy resources. Placing limits on Federal Agencies' fuel choices is an unacceptable precedent to set in regard to America's energy policy and independence.

Madam Chair, section 526 makes our Nation more dependent on Middle East oil. Stopping the impact of section 526 will help us promote American energy, improve the American economy, and create American jobs.

Let's remember the following facts about section 526: it increases our reliance on Middle Eastern oil. It hurts our military readiness, national and energy security. It prevents the increased use of safe, clean, and efficient North American oil and gas. It increases the cost of American food and energy. It hurts American jobs and the American economy. And last and certainly not least, it costs our taxpayers more of their hard-earned dollars.

I urge my colleagues to support passage of this commonsense amendment.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. The Congress of the United States, in a bipartisan vote, passed the Energy Independence and Security Act of 2007. It was signed into law by President Bush. It just suggests that, in Federal procurement, when we're seeking energy, that Departments should use energy-efficient sources so that we don't rely on unnecessary Middle East supplies for oil.

This removes this requirement, and so I would hope that we would vote against it.

This has been a part of the law for a number of years now, and it has helped save taxpayers money. So I would ask for a ''no'' vote on the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman.

Mr. DICKS. I concur with the gentleman. This is an effort to overturn a law that was passed in 2007 that says we're going to try to do the most energy-efficient approach to running the government. I mean, I think it's common sense, and I urge a ''no'' vote on this amendment.

Mr. FLORES. Will the gentleman yield?

Mr. FATTAH. I will be glad to yield to the gentleman.

Mr. FLORES. Let's walk through this again. For instance, if you can't use fuel that's refined from Canadian oil sands, which is blended in with fuels from all sorts of oil sources, then you're stuck to use conventional sources, which means you're stuck with Middle Eastern oil.

Mr. FATTAH. Reclaiming my time, the section that you attempt to strike from the Energy Independence and Security Act that was passed in a bipartisan way, signed by President Bush, does not specify Canadian sand oil. What it says is that you have to use the most energy-efficient source that's available. That is what our government's been doing over a bipartisan administration. It has saved billions of dollars for the taxpayers.

Your offering today, on an appropriations bill—this effort to prohibit really should be handled in the Energy Committee.

Mr. FLORES. Will the gentleman yield?

Mr. FATTAH. I will be glad to yield to the gentleman.

Mr. FLORES. One of the things the Navy's had to do in order to do this and to develop other alternative fuel sources because it's not sure where it's going to get its fuel is to start using biofuels at the cost of $20-plus a gallon instead of buying it at $5 a gallon for jet fuel. That is not easier on the taxpayer.

Mr. FATTAH. Reclaiming my time, we're not trying to decide parochial kinds of decisions about which might be purchased and which not. The law, as passed by a Congress and signed under President Bush, requires the Department to act in terms of energy efficiency and to save taxpayers money. You want to prohibit that on behalf of what you think is a more appropriate way to go.

We should make an amendment to that law, bring it to the floor, bring it through the Energy Committee, and not attach it to a rider on this appropriations bill because we can't have a full debate on the merits thereof.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLORES. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. WOLF. Madam Chair, I ask unanimous consent that I be permitted to request a recorded vote on the amendment of the gentleman from Florida (Mr. WEBSTER).

The Acting CHAIR. Is there objection?

Without objection, a recorded vote is requested on the Webster amendment.

There was no objection.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to implement the National Ocean Policy developed under Executive Order 13547 (75 Fed. Reg. 43023, relating to the stewardship of oceans, coasts, and the Great Lakes).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Madam Chair, I rise to offer a simple amendment to address an overreach by the executive branch of the Federal Government. My amendment bans the use of Federal funds for any implementation of Executive Order 13547. Executive Order 13547, signed in 2009, requires that various bureaucracies essentially zone the ocean and the sources thereof. This could mean that a drop of rain that lands on your roof could cause the Federal Government to have jurisdiction over your property since that drop will eventually wind up in the ocean.

Concerns have been raised that the recently created National Ocean Policy may not only restrict ocean and inland activities, but given that it has not received any of its own funding, it will take scarce funds away from Federal Agencies and their currently authorized activities that are critical to the ocean and coastal economies, as well as our overall economy.

I look at a chart that I prepared, a look at Chart 1 reveals just how overreaching, overly burdensome, and ill conceived this plan is. The Natural Resources Committee continues to ask questions about ocean zoning, including its scope and its cost. However, we are not getting answers from the administration.

This chart, which is the watershed for the Mississippi River, our largest river, shows that 26 States would be affected by ocean zoning. This executive order would give unprecedented Federal reach by the Federal regional planning bodies to areas far inland to dictate activities that may affect the ocean or Great Lakes. And this is just one example of the incredible reach of this particular law or this particular executive order.

When you hear the words ''national ocean policy'' it sounds benign. But that's only a small part of the story. The scope and reach of this regulation is why we have the Chamber of Commerce, the American Farm Bureau, the home builders, the timber, mining and fisheries groups weighing in so heavily against this executive order. It affects our whole Nation and our whole economy. Again, if you think about it, it means a drop of rain that falls on your property could be subject to this law.

Now, the last thing we need in Washington today is more bureaucracies. And you can see by this chart this executive order creates a huge new bureaucracy at a time when we're trying to grow our economy. This law, this policy, has been debated in the last four Congresses, and each time Congress elected to do nothing. So Congress explicitly does not intend for the oceans to be zoned in the manner that the President proposed to do it. Thus, Executive Order 13547 has no specific statutory authority, and there have been no congressional appropriations to pay for the cost of this new bureaucracy.

□ 1720

There are 63 agencies that are involved with this new policy. The last thing we need is more Federal bureaucracy trying to say that it's enacting a policy which doesn't cost anything. The last thing we need are more regulations from bodies like this in an already uncertain economic environment.

We also have a list of 83 groups that are in support of our proposed amendment. These groups include, as I said before, the American Farm Bureau, the Chamber of Commerce, the National Association of Home Builders, the offshore fishing industry, not only recreational but commercial, and the energy industries, including the renewable energy industries. We have letters of support for this as well.

There are significant concerns that remain related to the implementation of this executive order, its impact, the limit of its authority, and the lack of true stakeholder involvement. I urge Members to support this amendment in order to stop excessive regulation and to protect our ocean and affiliated inland economies.

The particular agency that is affected under CJS, more than any of the others, is the Coastal and Marine Spatial Planning Office, and that was specifically zeroed out in fiscal 2012. Yet this is the group. That red chart shows you that it's still actively involved in the process. Now, where they're getting the money, I don't know, but we have to assume it's from the taxpayer.

In closing, I am just asking that Congress do what Congress intended, which is not to have this activity.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR (Mr. PRICE of Georgia). The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Rather than attempt to restrict the President's efforts in this regard, I actually applaud the President's efforts. I was at the Coastal Zone Conference when the ocean policy, I think, was applauded by literally thousands of Americans from across the country when it was held in Chicago last year.

We as a Nation have more responsibility for the world's oceans than any other nation on the face of the Earth. There are documented challenges to the oceans' health that have been, I think, well-documented.

If you have a problem with the executive order, the problem is really not with the President of the United States; it's with the United States Congress. We have passed laws giving various responsibilities and duties to over 63 different agencies having to do with our stewardship of the oceans, and the only thing that exists in the executive order is the President's not taking any new action but to coordinate and supervise the implementation of the existing laws as passed by this Congress under the past four Presidents of the United States so that we can try to come to grips with the circumstances that afford such dire conditions in the oceans of the world.

So I applaud the President. I oppose this amendment that seeks to prohibit, essentially, the executive branch from the implementation of congressional laws that have been passed by the Congress. As to this idea that there is any kind of power grab in the executive order, I would invite Members to read it. It does not do anything other than move to more efficiently implement laws passed by our Congress.

I yield back the balance of my time.

Mr. HASTINGS of Washington. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I rise to support the amendment offered by the gentleman from Texas (Mr. FLORES), a member of the Natural Resources Committee.

We have had several hearings on this executive order and on the potential impacts that this executive order would have far, far beyond ocean policy. The Natural Resources Committee also, obviously, has concerns about our environment. That's probably one of the reasons the committee was created many, many Congresses ago. But this step by this administration with this executive order goes far, far beyond what anybody would envision, and it is being done without going through the normal process.

In his remarks, the gentleman from Texas stated several organizations that are opposed to this executive order, and amongst those is the Farm Bureau. Now, when one thinks about the Farm Bureau, they are an organization that represents our diverse agriculture industry across the country, but you don't associate the Farm Bureau policies with the oceans or lakes. You associate them with crops that are grown on dry land or on irrigated land or whatever the case may be. With that being the case, why should the Farm Bureau be concerned about a policy dealing with ocean planning?

The reason is, obviously, in the fine print because, in the fine print of the executive order, it says that this ocean policy should look at a number of things, including ''by promoting and implementing sustainable practices on land.'' So, implementing practices on land, are those positive or negative?

Mr. DICKS. Will the gentleman yield?

Mr. HASTINGS of Washington. I will be happy to yield to my friend from Washington.

Mr. DICKS. Let me just say that one of the problems we have is with runoff from agricultural lands that goes into the Chesapeake Bay, that goes into Puget Sound, that goes into the ocean, and that has to be dealt with in order to protect the oceans.

Mr. HASTINGS of Washington. In reclaiming my time, I would be more than happy to respond to my good friend in that regard.

Obviously, this is the concern because of that. They say then—and rightfully so—in their letter that was sent out to all Members of Congress:

> Thus, instead of being limited to oceans and coasts, the National Ocean Policy could extend to the regulation of every farm and ranch in the United States.

Now, I think they're right on that. But we do have statutes, by the way, that deal precisely with what my good friend from Washington brought up to me just a moment ago, and that is the Clean Water Act. That's what part of that is all about, is to deal with that. This is an executive order that gives potential authority far, far beyond those acts, and it's done by executive order. Now, there is a process to go through. Sometimes we can agree with that process or disagree, but at least let's go through that process with the Congress making the policy. That's what the issue is here with this executive order.

Finally, since my good friend from Washington brought this up, let me make this observation. Our State of Washington has an ocean policy. It was done by statute, and in it, it specifically says in that statute:

> The marine management plan, meaning the ocean policy, must be developed and implemented in a manner that recognizes and respects existing uses.

I think that's good policy. In fact, that's probably why so many Northwest fishing organizations are in support of the Flores amendment, but the policy that is driving this executive order is contrary to that. Let me take a direct quote—a direct quote—out of this policy driving this executive order:

> The task force is mindful that these recommendations may create a level of uncertainty and anxiety among those who rely on these resources.

''Resources'' meaning the land.

Now, Mr. Chairman, I have to ask: Does this not sound suspiciously like, We have to pass the bill to find out what's in it? Does that sound somewhat familiar? So I think the gentleman from Texas is exactly right in that the way that we can exercise our prerogative and our authority is to deny funding.

By the way, speaking about funding, we had the Council on Economic Quality in front of our committee, and we asked particularly, Where is all this funding coming from? We've asked by letter. They have yet to respond. So they're taking parts of it here and there, and it's not showing up on anybody's budget at all.

The Acting CHAIR. The time of the gentleman has expired.

(By unanimous consent, Mr. HASTINGS of Washington was allowed to proceed for 1 additional minute.)

Mr. HASTINGS of Washington. So what this attempts to do, by the gentleman from Texas with his amendment, is simply to say, okay, we're going to exercise our authority, and our authority is not to give any agency that contributes to this policy any funds. It's nothing more than that. So I urge my colleagues to support the amendment offered by the gentleman from Texas.

With that, I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I can't believe what we're hearing here. How quickly we forget.

It was your committee, Mr. Chairman, that passed the bill, the bipartisan bill, that created the Ocean Commission, which was signed into law by President Clinton, and then the appointees to that commission that were made by President Bush. Who was on that commission? The chair of it was Admiral Watkins—the former head of the Navy, the former Secretary of Energy, a great Republican, a great admiral who understood ocean policy.

□ 1730

Who else was on that commission? Oil and gas executives, fish processors, all kinds of people, because we set up a commission to look at these conflicts at sea. Why? Because, as was stated, America has more ocean water than any other country in the world because of the exclusive economic zone, which also applies to all the atolls and islands like Guam, Hawaii, and so on.

What was happening then? We were having all kinds of conflicts, conflicts between seismic boats that were going out to look for oil and gas, fishermen who had crab pots, stationary pots, buoys, everything that you could think of. And everybody came and said the only government that can resolve this is the United States Congress because these are all Federal agencies. They

don't talk to each other and they don't have any coordination, but we need to resolve this.

So we appointed a commission, and they did their work and had hearings all over the United States and came back with their policies. Guess what we did like we do when we have commission work? We implemented those policies in a bill. I worked very hard on it, but I wasn't going to be the lead author on the bill because it was a Republican administration. So your colleague, Jim Saxton, authored that bill; your colleague, Congressman Gilchrest, authored that bill; your colleague, Mr. Jim Greenwood, authored that bill; your colleague, Mr. Curt Weldon, authored that bill.

These were Republican bills before your committee. And guess what? The chair at that time, Mr. Pombo, would not even hear their bills. Wouldn't hear them. Admiral Watkins came here and asked for a hearing on it. That policy has been lingering for over a decade, and all of the recommendations into that went to the administration. Guess what this administration did? They assembled every single agency of government, including DHS, the State Department, the Department of Defense. They were all in it because they all have issues.

We have an ambassador for fish, for example. It's in the State Department. All these things need to be discussed and resolved, and they came up with this ocean policy. This is to avoid conflicts. Everybody is satisfied by it. The Navy needs it. The military needs it for security purposes. You're nuts not to have it. To defund this because you say your committee hasn't heard it—which is just false, because your committee had that bill for not one session, two sessions, three sessions, about four sessions and never took it up and never dealt with the policy. It was all there.

For lack of congressional action, this is now done by executive order. Thank God it's done by executive order and those—those were all the people that were opposed because they said these things may happen. Well, my God, are we worried about maybe because they're in Idaho and think that potato farmers are going to be affected by ocean policy? Come on. That's a stretch.

I tell you, this amendment is not only not good, it goes backwards in being able to deal with the conflicts at sea and being able to do what the United States Government has to do, which is to lead the world on ocean policy, not take a second seat to it.

I urge a strong defeat.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. FARR. Certainly I will yield.

Mr. HASTINGS of Washington. Here is the crux of the issue right here. The gentleman started his remarks by saying that the committee, which I had the privilege to chair, created the Ocean Commission. I was not on the committee at the time, but I acknowledge that. We did create that.

And this is the crux of the matter right here. One of the recommendations that came out of that committee was that the policies—it said: The Ocean Council should work with Congress and so on to develop a flexible and voluntary process for the creation of regional ocean councils. States working with relevant stakeholders should use this process to establish regional ocean councils. That is exactly the process we should be going through, but the process of the executive process is 180 degrees from that. So the legislation the gentleman is citing is being used is contrary to what he is trying to promote. That's the whole point of this amendment.

Mr. FARR. You're absolutely wrong.

The Acting CHAIR. The time of the gentleman from California has expired.

(On request of Mr. HASTINGS of Washington, and by unanimous consent, Mr. FARR was allowed to proceed for 2 additional minutes.)

Mr. FARR. Thank you very much.

As the President cannot create the councils by executive order, the councils have to be created by Congress. I would hope that the leadership of your committee and jurisdiction would create those councils so that they will have some bottoms-up authorities.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. FARR. I yield to the gentleman.

Mr. HASTINGS of Washington. I just want to make this point. The gentleman makes the point of how maybe the process should work and the commission was created.

My objection—and I think the gentleman from Texas' objection—is this is being done by executive order. The way that the process is laid out totally ignores the recommendation that came out of that policy. That is the whole point.

Mr. FARR. Reclaiming my time, the responsible issue here is if you want to do that, let's have a congressional hearing, an oversight hearing on this ocean policy. I would be proud to defend it. But to take a meat-ax approach and whack it and say whatever it is, whatever it accomplishes, we're not going to allow it to be implemented I think is reckless and irresponsible.

Mr. HASTINGS of Washington. If the gentleman will yield, we have had five hearings on this, just to make a point.

Mr. FARR. I yield back the balance of my time.

Mr. MARKEY. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Mr. Chairman, it is time for the Republicans to stop being afraid of commonsense initiatives like the National Ocean Policy. Why is that? Well, it's because the National Ocean Policy will reduce bureaucracy and streamline government operations.

Why would anyone be opposed to that? Could it be because Big Oil doesn't want anyone other than themselves to have a voice in how we're using our coastal resources? Is that what this is all about? Is this really just another drill-baby-drill issue where the oil industry has a policy, the oil industry has a voice? What we're trying to say here is that others should have a voice, too. They are America's oceans, not ExxonMobil's oceans.

So following a decade of discussion and shareholder engagement, President Obama established the National Ocean Policy in July of 2010. Creating such a policy was the cornerstone recommendation of President Bush's U.S. Commission on Ocean Policy. Now, following even more public engagement, we await the final National Ocean Policy implementation plan to come out this summer.

Now, the assertions that the policy will create new regulations, usurp State authority, restrict land use or zone the oceans, are patently false and misleading.

The National Ocean Policy will allow Federal agencies to better coordinate amongst themselves and with other levels of government and all stakeholders to eliminate red tape while managing effectively for multiple ocean uses.

Opposing ocean planning is like opposing air traffic control. You can do it, but it will cause a mess or lead to dire consequences. Our coastal counties make up only 18 percent of the country's land area, but are home to 108 million people, or 36 percent of our Nation's population. These numbers are steadily increasing.

There's a saying in Washington that if you're not at the table, you're on the menu. When it comes to our Nation's oceans, more and more guests are coming to dinner. Fishing grounds, shipping lanes, Navy training ranges, offshore energy production, wildlife habitats, and other uses are increasingly in competition, and the National Ocean Policy will help ensure that everyone has a seat at the table.

Instead of supporting a plan for our oceans, the Republican majority continues to pursue scare tactics, claiming that the policy creates additional regulation and kills American jobs. Yet, they have no evidence that that is the case.

Let's go to what this bill proposes to do. It proposes to slash $93 million from the NOAA budget, threatening the health, the safety, and the prosperity of Americans.

□ 1740

Specifically, the bill calls for a $5 million reduction to the NOAA Coastal

Services Center, which helps the States, the localities, and individuals, as well as protects private property and valuable infrastructure by addressing the challenges associated with flooding, hurricanes, sea level rise and other coastal hazards.

Number two: this bill, the Republican bill, seeks to cut $32 million to the National Marine Fisheries Service, which has the difficult responsibility of managing fisheries to sustain our coastal communities and ocean ecosystems.

And they also want to cut $30 million, which would be cut from NOAA's Competitive Climate Research budget at a time when much of our country has been experiencing severe drought and other extreme weather. We need to study and understand these extreme weather events in order to protect lives and livelihoods. By sticking our heads in the sand and refusing to act, we do a disservice to the people we are elected to represent.

We know that the oceans are warming, and are warming dramatically because of climate change. Should we study that? We know that tornadoes are now ripping through the Midwest in February, not in April or May. Should we be studying that? We know that people now all across the country are becoming more fearful of these ever-intensifying climate conditions that are threatening the lives and the livelihoods of tens of millions of Americans. Should we be studying this? What do the Republicans say in their budget? No.

So I understand that some of them do not believe that this should be studied. I understand that they do not believe that the ordinary American is becoming increasingly concerned about this change in climate. But I tell you this, they are.

I urge a ''no'' vote against this Republican proposal.

I yield back the balance of my time.

Mr. DICKS. I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise in strong opposition to the amendment.

The implementation of the National Ocean Policy will help to protect, maintain, and restore our ocean, coastal, island, and Great Lakes ecosystems, which provide jobs, food, and recreation, and serves as a foundation for a substantial part of our Nation's economy. Only healthy, functioning, and resilient marine and freshwater ecosystems can support the fisheries which we depend on so heavily.

Across the continental United States, our coastal and ocean ecosystems are suffering from an outdated issue-by-issue approach to stewardship and management. We are already seeing the threats posed by ocean acidification, low dissolved oxygen, harmful algal blooms, and dead zones in the gulf, the Chesapeake, Puget Sound, and throughout our Nation's coastal waterways. The National Ocean Policy would help us better address the cumulative threats to our aquatic ecosystems from overfishing, coastal development, storm water run-off, carbon emissions, and other pollutants entering our waterways; and it will also help us balance the many overlapping ocean uses.

The core approach of the National Ocean Policy is to improve stewardship of our oceans, coasts, islands, and Great Lakes by directing government Agencies with differing mandates to coordinate and work better together. The National Ocean Policy creates no new authorities. The result of increased coordination will be better stewardship of our national heritage through improved government efficiency, better development and use of data and information and a process of open and transparent stakeholder engagement that informs decision-making. This increased coordination between Agencies is the sort of effort that needs to be taking place on a Federal level in order to reduce inefficiency, waste, and redundancy among Agencies.

The National Ocean Council brings together State, local, and tribal governments and all of the ocean's users—including recreational and commercial fishermen, boaters, industry, scientists, and the public—to better plan for, manage, harmonize, and sustain uses of ocean and coastal resources.

The virtue of the National Ocean Policy is that it develops and facilitates the planning process, deals with many overlapping ocean uses, and expedites the approval process of new uses being introduced. The National Ocean Policy offers an avenue for thoughtful planning and is the best choice for those stakeholders looking to be involved in the process or at least having some voice in the discussion.

While not required to participate, most States and regions see the benefit of marine planning as a way to leverage their interests and achieve desirable outcomes.

I would say to my friend from Texas, in the Pacific Ocean, there are debris fields the size of the State of Texas. Now, if you think we're taking care of our oceans, if we're taking care of our rivers and streams and lakes, you are, at best, ill-informed. We need a national effort, an international effort—to clean up the oceans and protect them. And what do we get from the Republicans? A non-science, nonfactual approach to this problem. It's disgusting, to say the least.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are admonished to direct their remarks to the Chair.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding.

The gentleman, when he made his remarks about all of the challenges that we face, if you heard, nobody is arguing on our side about that. Nobody is arguing about that. It is the structure of which we are talking about here. And, unfortunately, we have experienced painfully in this body and in this country when we have a structure of a top-down solution, it always seems to come out wrong. And that is what the issue is all about.

We have had five hearings, like I said, in my committee on this issue. But the way this is set up, it was designed to be voluntary, and it was designed to be in corroboration with the States. Our home State of Washington has responded to that. But the way this is written and the way it is interpreted, it is a top-down issue; and if we let it continue going, we are going to have a problem, and the gentleman knows it.

Mr. DICKS. Reclaiming my time just to briefly say to the gentleman, what we have been doing isn't working.

The oceans are in trouble. We have got acidification that affects our shellfish, and it's because of too much carbon dioxide going into the oceans. The oceans are warming. The world cannot survive without the oceans.

The Acting CHAIR. The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

Mr. DICKS. I will just say to my friend, there is a problem with fertilizer runoff from agricultural lands. We've got it in the Puget Sound. These are serious matters that have to be dealt with, and to look the other way is not a solution.

I yield to the gentleman.

Mr. HASTINGS of Washington. I am aware of that. Clean water takes care of that, and that process is going through. Sometimes we agree. Sometimes we don't.

But just let me make an analogy that I think the gentleman would agree with. We had a long debate last night on catch shares, something entirely different. The gentleman was very much so defending—and I agree with him—the fact that there was regional planning. And catch shares works in our part of the country. That is all that we are saying. We think that is probably a better model.

This executive order is contrary to that. So my arguments here over and over have been the model, and that's why we should defund it and come back and do it correctly.

I thank the gentleman for yielding to me.

Mr. DICKS. No more hearings. Let's have a bill.

I yield back the balance of my time.

Mr. GARDNER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. I yield to the gentleman from Texas.

Mr. FLORES. I thank the gentleman for yielding.

Let's make sure we all understand exactly what my amendment does. My amendment doesn't roll back any regulation that currently exists. My amendment doesn't strike any money for any Agency that is currently looking at how the ocean works. My amendment does nothing like that.

My amendment specifically says that if this process is going to be done, that it's going to start where the Constitution says it starts. It starts in the United States Congress.

Now, Mr. FARR talked a few minutes ago about how this was already an authorized activity. And to that extent, he introduced a bill in the 111th Congress, H.R. 21, on January 26, 2009. That has not become law. There has never been an appropriation that has been issued to support that.

On the other hand, here is what the executive order does do: it creates 10 new national policies, nine new national priority objectives, nine new strategic action plans, seven new national goals for coastal marine spatial planning, 12 new guiding principles for coastal marine spatial planning.

□ 1750

In addition, the agencies are advised to evaluate necessary and appropriate legislative solutions or changes to regulations to address the constraints. That, my friends, did not start in the United States Congress pursuant to the Constitution.

Now, it's been said this is not going to cause any additional regulation. It's been said this is not really ocean zoning. Well, let me give you an example of one of the things that is required to happen.

It requires the Department of Transportation to inventory and evaluate best management practices to address storm water runoff from the Federal highway system. In terms of where people say it's not zoning, it says:

CMSP allows for a comprehensive look at multiple sector demands, which would provide a more complete evaluation of cumulative effects. This ultimately is intended to result in protection of areas that are essential for the resiliency and maintenance of a healthy ecosystem, services, and biological diversity.

I've got no problems doing that as long as the Congress authorizes it and the Congress appropriates the money to do so. The Constitution doesn't say that the President is king and under the executive orders he can do whatever he wants to.

This action will identify and assess high-quality ocean and coastal waters and the waters that drain into them and establish or modify existing water quality monitoring protocols and programs.

That sounds like a regulation to me. That's government-speak for ''regulation.''

This executive order is an overreach. The cost of this executive order is being hidden. The National Ocean Council specifically asks agencies to tell us what this is going to cost, and the agencies have specifically refused to comply. The Natural Resources Committee in these hearings has specifically asked for the cost of this program, and we've specifically been ignored.

If these agencies are spending this money to implement this program, this executive order, where are they taking it from? What legislatively authorized activities are not being done and what appropriated dollars are being used from their appropriated function for something else? What's going on?

There are 83 interest groups in this country that are not the types that you would not like—it includes folks like the cattlemen and the farmers—that think this is an overreach and think this could damage our way of life. All we want is to have a clear and transparent and constitutional process for this to be carried out.

Mr. GARDNER. I yield back the balance of my time.

Mr. MORAN. I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. I rise as well in very strong opposition to this amendment that prohibits funding for the National Ocean Policy. The purpose of this policy is to improve our Nation's ocean management effort, protect and create jobs, and grow our economy by ensuring all the multiple uses of the ocean are coordinated in a more seamless manner.

Far from a heavy-handed directive, as it's being described, the National Ocean Policy will actually streamline government programs and regulations. It will reduce bureaucratic red tape. And perhaps most importantly, it enlists local stakeholders in the decision-making process. And it shouldn't be a partisan issue.

The National Ocean Policy was a cornerstone recommendation of both the independent Pew Oceans Commission, which was chaired by current Secretary of Defense Leon Panetta, and by the U.S. Commission on Ocean Policy, appointed by George W. Bush. Both commissions called for harmonizing the responsibilities of the 27 different Federal agencies with jurisdiction over some aspect of ocean management.

As my colleagues can imagine, the current arrangement has led to ineffective management of resources, inefficient use of taxpayer dollars, and increased conflicts among a growing number of ocean users. Strategic planning maximizes organizational efficiency and use of public resources.

The National Ocean Policy will improve opportunities for community and citizen participation in the planning process and facilitate sustainable economic growth by providing transparency and predictability for economic investments. It represents a science-based strategy to align conservation and restoration goals at the Federal, State, tribal, local, and regional levels, and it will strengthen the integration of Federal and non-Federal ocean observing systems and data management into one national system.

Of particular interest to me, the Chesapeake Bay—I know it is to Chairman WOLF as well—is poised to benefit from the National Ocean Policy action plan. It will help advance the bay's health, from increasing public school education about the Chesapeake Bay region to creating a mapping tool for the Chesapeake Bay watershed that allows stakeholders to share information and ideas for land protection and restoration.

It calls for the establishment of a National Shellfish Initiative, in partnership with commercial and restoration aquaculture communities, which includes pilot projects to explore the ecosystem benefits of shellfish aquaculture while increasing shellfish production in U.S. waters. That's so important for our economy. In fact, all oceans, coasts, and Great Lakes are critical components of our Nation's economy. U.S. coastal communities are home to more than half of all Americans. They generate an estimated $8 trillion a year and they support 69 million jobs.

Declining ocean health and a lack of effective coordination is putting this great economic engine at risk. Comprehensive planning will ensure the stability of the Nation's seaports as additional users of ocean space evolve, including the responsible development of offshore energy resources.

But we must make no mistake: This attempt to defund and delay the National Ocean Policy is a dangerous political move that puts the health of our oceans, coastal communities, jobs, and our fishing industry at risk. We need to protect, maintain, and to restore the health of our oceans and coasts. Continuing to develop the National Ocean Policy offers our Nation the best path forward.

I urge my colleagues to oppose this misguided amendment and to do something that is very much needed for our economy, for our oceans and particularly for our coastal communities. Let's do the right thing. Let's get all these users organized and working together in pursuit of a streamlined consistent constructive policy. It's the

right thing to do. This amendment is not. Let's defeat this amendment.

I yield back the balance of my time.

Mr. POLIS. I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Again, this is a little bit different than the optimism in Chicago at the Coastal Zone Conference where the Ocean Policy just had such an enthusiastic response from constituencies all around the country and in other parts of the world.

The development of this is bipartisan: the Pew Foundation, headquartered in my home city of Philadelphia; the Lenfest Foundation, led by Gerry Lenfest, and their investments in studying the oceans. We've seen the work that has been done that's led to this.

I would hope that we would oppose this amendment and we would work to build a further consensus and hopefully have legislation come out of the Natural Resources Committee.

I thank the gentleman for yielding to me, and I hope that we vote this amendment down.

Mr. POLIS. Reclaiming my time, I would like to yield to the gentleman from California (Mr. FARR).

Mr. FARR. Thank you very much for yielding.

I think you can note the passion I've had on this issue because we worked at it a long time. And I want to assure you—I'm ranking member of the Ag Appropriations Committee. I probably represent more productive agriculture than anybody in Congress. I have just one county I represent that has 85 crops in it. We do about $4.2 billion of agriculture out of that county.

I can assure you that coastal States' agriculture is very much concerned about all of these issues that are coming up and really supports the ideas that we can have a coordinated effort. This is a long effort. We had the military involved in this. We've got FEMA involved in this. We've got the Department of Agriculture involved in this. We've got every other agency. And it's how you resolve conflicts that are there.

Yes, we in Congress have enacted an awful lot of laws. And I want to say there isn't anything the President has done or any of these agencies are doing that isn't authorized in law. We gave them those authorities. We just never required them to all sit down and talk about those conflicts and how to resolve those conflicts.

We have a huge responsibility here. This is a long effort to create a National Ocean Policy. It's the smart thing to do. It's got all the Federal agencies at the table, finally, and it's got all the user groups, both private and public.

□ 1800

So I just think that this is kind of a meat-ax approach. If you do have concerns, let's do it in the regular legislative order, not just say that we're going to eliminate that whole ability for them to resolve conflicts. You're going to end up with more lawsuits and a lot of concerns by people who are going to wonder what the future holds without a good, comprehensive plan.

So I again compassionately ask my colleagues on both sides of the aisle to reject this amendment. It would be a very dangerous thing for this country to do, to adopt this amendment.

Mr. POLIS. I thank the gentleman from Pennsylvania and the gentleman from California for their hard work on this issue, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLORES. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. PRICE of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

REPORT ON H.R. 4966, SEQUESTER REPLACEMENT ACT OF 2012

Mr. CHAFFETZ, from the Committee on the Budget, submitted a privileged report (Rept. No. 112–469, Part 1) on the bill (H.R. 4966) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011, which was referred to the Union Calendar and ordered to be printed.

REPORT ON H.R. 5652, SEQUESTER REPLACEMENT RECONCILIATION ACT OF 2012

Mr. CHAFFETZ, from the Committee on the Budget, submitted a privileged report (Rept. No. 112–470) on the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013, which was referred to the Union Calendar and ordered to be printed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The SPEAKER pro tempore. Pursuant to House Resolution 643 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5326.

Will the gentleman from Georgia (Mr. PRICE) kindly resume the chair.

□ 1803

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. PRICE of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on an amendment offered by the gentleman from Texas (Mr. FLORES) had been postponed and the bill had been read through page 101, line 10.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. CHAFFETZ of Utah.

An amendment by Mr. TIERNEY of Massachusetts.

An amendment by Mrs. BLACKBURN of Tennessee.

Amendment No. 38 by Mr. DUNCAN of South Carolina.

An amendment by Mr. GARRETT of New Jersey.

An amendment by Mr. SCHWEIKERT of Arizona.

Amendment No. 46 by Mr. WEBSTER of Florida.

The first amendment by Mr. FLORES of Texas.

The second amendment by Mr. FLORES of Texas.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. CHAFFETZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 381, noes 41, not voting 9, as follows:

[Roll No. 226]

AYES—381

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clay
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeFazio
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hirono
Hochul
Holden
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—41

Andrews
Becerra
Butterfield
Carson (IN)
Chu
Clarke (NY)
Cleaver
Clyburn
Cohen
Conyers
Crowley
Davis (IL)
DeGette
Dicks
Dingell
Edwards
Fudge
Hahn
Hinchey
Hinojosa
Honda
Jackson (IL)
Johnson (GA)
Kaptur
Lee (CA)
Lewis (GA)
Matsui
McCollum
McDermott
Meeks
Moran
Pascrell
Rangel
Richardson
Rothman (NJ)
Schakowsky
Scott, David
Stark
Waters
Watt
Woolsey

NOT VOTING—9

Bachmann
Bachus
Costa
Donnelly (IN)
Filner
Garamendi
Kucinich
Pelosi
Slaughter

□ 1829

Messrs. DAVIS of Illinois, ROTHMAN of New Jersey, BECERRA, Ms. CLARKE of New York, Ms. WATERS, Mr. HONDA and Ms. KAPTUR changed their vote from ''aye'' to ''no.''

Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. BRADY of Pennsylvania, COFFMAN of Colorado, Mrs. LOWEY, Mr. DEUTCH, Ms. CASTOR of Florida, Messrs. ACKERMAN, RICHMOND, KEATING, ELLISON, Ms. WASSERMAN SCHULTZ, Ms. BASS of California, Mr. GONZALEZ and Ms. JACKSON LEE of Texas changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 226, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. TIERNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 260, not voting 11, as follows:

[Roll No. 227]

AYES—160

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bartlett
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Camp
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Cicilline
Clarke (MI)
Clay
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Crawford
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
Dent
Dingell
Doggett
Dold
Doyle
Duncan (SC)
Ellison
Farr
Fitzpatrick
Frank (MA)
Gerlach
Gibson
Goodlatte
Gowdy
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Harris
Hayworth
Heinrich
Herrera Beutler
Higgins
Hinojosa
Hirono
Hochul
Holden
Holt
Israel
Jackson (IL)
Johnson (GA)
Jones
Keating
Kildee
Kind
Kissell
Labrador
Langevin
Larsen (WA)
Levin
Lipinski
LoBiondo
Loebsack
Luján
Lynch
Maloney
Markey
Matheson
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
Meehan
Meeks
Michaud
Miller, George
Moran
Mulvaney
Myrick
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pence
Peters
Pingree (ME)
Platts
Price (NC)
Quigley
Rahall
Rangel
Reichert
Richardson
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Schwartz
Scott (SC)
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Upton
Visclosky
Walden
Waters
Watt
Welch
Wilson (SC)
Woolsey
Yarmuth
Young (FL)

NOES—260

Adams
Aderholt
Akin
Alexander
Amash
Amodei

Austria
Barletta
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Campbell
Canseco
Cantor
Capito
Capps
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chu
Clarke (NY)
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Costello
Courtney
Cravaack
Crenshaw
Cuellar
Culberson
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dreier
Duffy
Duncan (TN)
Edwards
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Hensarling
Herger
Himes
Hinchey
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matsui
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
McNerney
Mica
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Murphy (CT)
Murphy (PA)
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Perlmutter
Peterson
Petri
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Walberg
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—11

Bachmann
Bachus
Cleaver
Donnelly (IN)
Filner
Garamendi
Kucinich
Miller (FL)
Pelosi
Slaughter
Sullivan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1832

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 227, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Stated against:

Mr. MILLER of Florida. Mr. Chair, due to being unavoidably detained, I missed the following rollcall vote: No. 227 on May 9, 2012. If present, I would have voted "no."

AMENDMENT OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 194, not voting 8, as follows:

[Roll No. 228]

AYES—229

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—194

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Burgess
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fortenberry
Foxx
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hartzler
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rigell
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Sires

Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall
Woolsey
Yarmuth

NOT VOTING—8

Bachmann
Bachus
Donnelly (IN)
Filner
Kucinich
McCaul
Schmidt
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1836

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. MILLER of Michigan. Mr. Chair, on rollcall No. 228, I made an error voting. It was my intention to vote ''aye'' on the Blackburn Amendment. Had I been present, I would have voted ''aye.''

Stated against:

Mr. FILNER. Mr. Chair, on rollcall No. 228, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT NO. 38 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. DUNCAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 192, not voting 7, as follows:

[Roll No. 229]

AYES—232

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Lucas
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Ryan (WI)
Scalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—192

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hartzler
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McKinley
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—7

Bachmann
Bachus
Donnelly (IN)
Filner
Kucinich
Schmidt
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1840

Mr. SCHILLING changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 229, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 185, not voting 8, as follows:

[Roll No. 230]

AYES—238

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar

Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—8

Bachmann
Bachus
Donnelly (IN)
Filner
Kucinich
Schmidt
Slaughter
Sullivan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1844

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 230, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 190, not voting 9, as follows:

[Roll No. 231]

AYES—232

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Austria
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—190

Ackerman
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Forbes
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez

Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rigell
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—9

Bachmann
Bachus
Donnelly (IN)
Filner
Kucinich
Miller (NC)
Schmidt
Slaughter
Welch

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1847

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 231, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 46 OFFERED BY MR. WEBSTER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. WEBSTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 190, not voting 9, as follows:

[Roll No. 232]

AYES—232

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Turner (NY)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—190

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHenry
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—9

Bachmann
Bachus
Donnelly (IN)
Filner
Kucinich
Olver
Schmidt
Slaughter
Welch

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1850

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 232, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. FLORES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentleman from Texas (Mr. FLORES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 173, not voting 8, as follows:

[Roll No. 233]

AYES—250

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—173

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Guthrie
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—8

Bachmann
Bachus
Donnelly (IN)
Filner
Kucinich
Schmidt
Slaughter
Welch

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1854

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 233, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. FLORES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Texas (Mr. FLORES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 174, not voting 11, as follows:

[Roll No. 234]

AYES—246

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Bilbray
Bilirakis
Bishop (NY)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden

Walsh (IL)	Wilson (SC)	Yoder
Webster	Wittman	Young (AK)
West	Wolf	Young (FL)
Westmoreland	Womack	Young (IN)
Whitfield	Woodall	

NOES—174

Ackerman	Fitzpatrick	Murphy (CT)
Andrews	Frank (MA)	Nadler
Baca	Fudge	Neal
Baldwin	Garamendi	Olver
Bass (CA)	Gonzalez	Pallone
Bass (NH)	Grijalva	Pascrell
Becerra	Gutierrez	Pastor (AZ)
Berkley	Hahn	Pelosi
Berman	Hanabusa	Perlmutter
Biggert	Hastings (FL)	Peters
Bishop (GA)	Hayworth	Pingree (ME)
Blumenauer	Heinrich	Polis
Bonamici	Higgins	Price (NC)
Boswell	Himes	Quigley
Brady (PA)	Hinchey	Rangel
Braley (IA)	Hinojosa	Reyes
Brown (FL)	Hirono	Richardson
Butterfield	Holt	Richmond
Capps	Honda	Rothman (NJ)
Capuano	Hoyer	Roybal-Allard
Cardoza	Israel	Ruppersberger
Carnahan	Jackson (IL)	Rush
Carney	Jackson Lee (TX)	Ryan (OH)
Carson (IN)	Johnson (GA)	Sánchez, Linda T.
Castor (FL)	Johnson, E. B.	Sanchez, Loretta
Chandler	Jones	Sarbanes
Chu	Kaptur	Schakowsky
Cicilline	Keating	Schiff
Clarke (MI)	Kildee	Schrader
Clarke (NY)	Kind	Schwartz
Clay	Langevin	Scott (VA)
Cleaver	Larsen (WA)	Scott, David
Clyburn	Larson (CT)	Serrano
Cohen	LaTourette	Sewell
Connolly (VA)	Lee (CA)	Sherman
Conyers	Levin	Sires
Cooper	Lewis (GA)	Smith (WA)
Costa	Lipinski	Speier
Costello	Loebsack	Stark
Courtney	Lofgren, Zoe	Stearns
Crowley	Lowey	Sutton
Cummings	Luján	Thompson (CA)
Davis (CA)	Lynch	Thompson (MS)
Davis (IL)	Maloney	Tierney
DeFazio	Markey	Tonko
DeGette	Matsui	Towns
DeLauro	McCarthy (NY)	Tsongas
Deutch	McCollum	Van Hollen
Dicks	McDermott	Velázquez
Dingell	McGovern	Visclosky
Doggett	McIntyre	Walz (MN)
Dold	McNerney	Wasserman Schultz
Doyle	Meeks	Waters
Edwards	Michaud	Watt
Ellison	Miller (NC)	Waxman
Engel	Miller, George	Woolsey
Eshoo	Moore	Yarmuth
Farr	Moran	
Fattah		

NOT VOTING—11

Bachmann	Filner	Slaughter
Bachus	Kucinich	Welch
Bishop (UT)	Napolitano	Wilson (FL)
Donnelly (IN)	Schmidt	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1857

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 234, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

□ 1900

Mr. POLIS. Mr. Chair, I move to strike the last word.

The Acting CHAIR (Mr. BASS of New Hampshire). The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. I rise today for the purpose of engaging in a colloquy about the importance of computer science in a balanced program of science, technology, education, and math. I thank the chairman for including extensive language in the committee report on STEM education, but I would like to highlight today some specific needs in the critical area of computer science.

More than 1.5 million high-wage computing jobs will be created by 2018—the largest growth area across science, technology, engineering, and math. Yet few computer science classes are available to students; and when they're offered, they're typically only electives. Many States don't have proper teacher certification programs for K–12 computer science and don't clearly connect the certification to content. In recent years, the number of computer science bachelor degrees in the U.S. actually fell from 60,000 to 38,000, even as computer science breakthroughs are transforming our economy.

I have legislation—the Computer Science Education Act—that focuses on this issue, but there are other steps as well. First, I believe it's important that Federal STEM education programs explicitly incorporate the broad definition of science, technology, engineering, and math reported by the President's Council of Advisors on Science and Technology. This definition helps make sure that STEM is sufficiently interpreted and not too narrowly to cover just math. Second, to ensure that there's a comprehensive pipeline for science from K–12 all the way through to the workforce, it's essential that NSF and other Agencies identify our Nation's highest STEM-related workforce needs and use that information to prioritize STEM-related subjects in our schools.

I very much look forward to working with the chairman to address these issues as this bill continues to move forward through the appropriations process. I'm grateful to the chair for this conversation and his perspectives on all these critical issues, and I yield to the gentleman from Virginia.

Mr. WOLF. I thank the gentleman for his comments and for his active support of STEM education in all forms. We'll be happy to work with the gentleman as we move forward to ensure that NSF and other Agencies in this bill are getting the most appropriate direction on STEM education needs and priorities.

Mr. POLIS. I thank the gentleman.

I yield back the balance of my time.

Mr. MCKINLEY. I move to strike the last word.

The Acting CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MCKINLEY. Mr. Chairman, I rise for the purpose of a colloquy with the chairman.

Mr. Chairman, thank you for this opportunity to discuss one of my top priorities with you today: NOAA's Comprehensive Large-Data Array Stewardship program, otherwise known as CLASS. This program has been funded at the same base level of $6.5 million for each of the past 10 years, despite an increase in their mission.

This is NOAA's enterprise system for handling all of its environmental data critical for weather predictions. Simply put, CLASS therefore must rely on programs within the satellite program to overcome their $24 million funding shortfall. We should be creating certainty, Mr. Chairman, for the NOAA CLASS program, instead of expecting them to rely on these other satellite programs to transfer funds for their own budget to CLASS.

Under last year's budget, CLASS fell short of the necessary funding to sustain core mission values. Mission failure of CLASS will continue if we don't provide CLASS with funding certainty this year and not depend on transfers from other satellite programs.

Mr. Chairman, I ask that the Appropriations Committee consider the importance of the CLASS mission in conference, and encourage the chairman to adequately fund their mission—a mission defined as a level of funding equal to last year and no job losses.

Mr. WOLF. Will the gentleman yield?

Mr. MCKINLEY. I yield to the gentleman from Virginia.

Mr. WOLF. I want to thank the gentleman for speaking on this issue. Funding the weather satellites is a very high priority in this bill, as well as the data systems used to store and process data from the satellites. We will work with you and also our other colleagues in the body to ensure that the CLASS program is adequately funded.

Mr. MCKINLEY. Thank you, Mr. Chairman. I look forward to working with you on this matter.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. LANDRY

Mr. LANDRY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement a proposed rule for turtle excluder devices as described in the Southeast Fishery Bulletin published by the National Oceanic and Atmospheric Administration on May 8, 2012.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. LANDRY. Thank you, Mr. Chairman.

NOAA and the fishing industry have had a long history of working together. Since the 1990s, NOAA has worked with the fishing industry to develop a regulatory system that provides meaningful protection to turtles, while at the

same time not economically harming our fishermen. Under the system, fishermen had agreed that they would periodically remove their nets from the water, allowing any turtles trapped in the net to escape. By offering to do so, they would not have to use the turtle exclusion devices.

Now NOAA intends to regulate these shrimpers and force them to use TEDs. The recent rulemaking negates this partnership and places the whims of environmentalists ahead of the scientific data or economic well-being of the fishermen in the coastal communities. There is no scientific data that's proving that the lack of the use of TEDs by shrimpers is causing any additional deaths in the turtle population.

□ 1910

Over 60 percent of the shrimp landed in Louisiana is by the inshore and near-shore fleet, which is primarily skimmers and butterflies. This regulation, if implemented, will affect thousands of fishermen in Louisiana. Fishermen will lose money due to the cost of TEDs equipment and also the money lost from loss of catch.

I yield back the balance of my time.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SCHIFF. Mr. Chairman, I rise to oppose the gentleman's amendment. Turtle-excluder devices are already required in other shrimp trawl fisheries in the Gulf of Mexico and South Atlantic to reduce sea turtle bycatch.

In many cases, fishermen have reported actually preferring the use of TEDs in their trawl nets because when they are used properly, TEDs allow up to 98 percent of turtles to escape from trawl nets while retaining up to 97 percent of target shrimp catch. TEDs also provide other economic benefits to fishermen. Again, when installed properly, they can prevent other species bycatch and unwanted marine debris from entering the trawl nets, thereby increasing shrimp catch efficiency and the quality of their shrimp catch.

TEDs can also cut down on unwanted debris which can damage and increase the drag in fishing nets, causing fishermen to incur other costs. At this stage, NMFS is merely proposing this rule and will provide ample opportunity for public comment, including public meetings before any final regulation is in place; and, therefore, I urge defeat of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. LANDRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LANDRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 32 OFFERED BY MR. GARDNER

Mr. GARDNER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Mr. Chairman, I thank the chairman of the subcommittee, as well, for his work and leadership on this bill today and yesterday. We voted long into the morning this morning, and certainly appreciate his time and consideration.

The appropriations bills before us present an opportunity to provide oversight that is one of the most important duties and functions of this Congress, to make sure that we are looking at the ways our Federal Agencies, our administration is spending money and making sure that it is carried out properly.

One of the areas where I believe this Congress needs to further its oversight and step up its oversight concerns the National Oceanic and Atmospheric Administration's asset forfeiture fund. This is money that is comprised of fines paid by individuals who violate the Magnuson-Stevens Fishery Conservation and Management Act. The act, as many Members know, is the primary law governing fish management in our Federal waters, and it is responsible for managing fisheries, promoting conservation, producing bycatch, and ending overfishing.

The money in NOAA's asset forfeiture fund can only be used for express purposes that are laid out in statute, such as paying costs associated with providing any temporary storage of property seized during civil or criminal proceedings, paying off valid liens or mortgages against forfeited property, or reimbursing any Agency that assisted NOAA in enforcing the law.

Unfortunately, what we have seen is a pattern of unaccountability, a pattern of abuse of this money, including a purchase of a $300,000 yacht that was used for personal use by certain officials within NOAA.

This amendment simply says that the law, the money in the asset forfeiture fund should only be used for those express purposes as defined in statute, making sure that these abuses do not continue and making sure that this Congress steps up its role in oversight when it comes to funds of the United States.

With that, I ask for a ''yes'' vote on the amendment to make sure that we are accountable for the funds from the taxpayer, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. GARDNER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARDNER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 28 OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 542. None of the funds made available by this Act may be used to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. On May 24, 2011, President Obama issued a memorandum on Federal fleet performance which requires all new light-duty vehicles in the Federal fleet to be alternate-fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

My amendment echoes the Presidential memorandum by prohibiting funds in the Commerce-Justice-Science appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum.

Last year, I introduced similar amendments to four different appropriations bills—Agriculture, Defense, Energy, and Homeland Security. All were accepted and passed by voice vote.

Our transportation sector is by far the biggest reason we send $60 billion per year to hostile nations to pay for oil at ever-increasing costs. But America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that when implemented broadly will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with over 41,000 being used by the Department of Justice and another 2,400 with the Department of Commerce.

By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage development of domestic energy resources—including biomass, natural gas, agricultural waste, hydrogen, and renewable electricity.

Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies and will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world oil markets. So I ask that you support the Engel amendment.

On a similar note, I have worked with my colleagues JOHN SHIMKUS, ROSCOE BARTLETT, and STEVE ISRAEL to introduce the bipartisan Open Fuel Standard Act, H.R. 1687. I have particularly worked with Congressman SHIMKUS on this bill in this Congress. Our bill would require 50 percent of new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warranted to operate on nonpetroleum fuels in addition to or instead of petroleum-based fuels.

Compliance possibilities include the full array of existing technologies—including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, and fuel cell—and a catchall for all new technologies.

In conclusion, I encourage my colleagues to support my amendment and the open fuel standard as we work toward breaking our dependence on foreign oil.

I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I think this amendment has been adopted on other bills. We accepted the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALSH OF ILLINOIS

Mr. WALSH of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading ''Department of Justice—State and Local Law Enforcement Activities—Office of Justice Programs—State and Local Law Enforcement Assistance'' may be used in contravention of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373).

The Acting CHAIR. The gentleman is recognized for 5 minutes.

□ 1920

Mr. WALSH of Illinois. Mr. Chairman, immigration enforcement—whether issuing or revoking a visa, deportation, and even providing citizenship—is a Federal responsibility and should remain so. However, our law enforcement in cities and States is sometimes the first line of defense in these Federal courts.

In 1996, almost 20 years ago, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act. This bill not only required localities to communicate with Federal agencies when legal and illegal aliens may have been picked up for crimes but also provided money to help them do so. Since then, additional programs such as the State Criminal Alien Assistance Program and Secure Communities have been implemented to ensure further that localities have the resources they need to meet their responsibilities.

The Federal Government has stated time and again that participation in these programs is not optional. Yet despite that, some cities and even whole States blatantly ignore Federal requirements. What is even worse is that these sanctuary cities still receive money for their so-called ''immigration efforts'' under the State Criminal Alien Assistance Program. In fact, one city received $1.1 million at the same time it designated itself as a city and county of refuge. And one State has even passed laws that prohibit law enforcement agencies from detecting or apprehending those in violation of U.S. immigration laws.

For this reason today, I am offering an amendment that would prohibit the Department of Justice from providing funds to these sanctuary cities for immigration enforcement efforts. This is a smart amendment that will require America's local law enforcement officers to do just that—enforce the laws we pass to receive the money we provide them to do so. I urge the House to vote in its favor.

Mr. Chairman, I yield back the balance of my time.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SCHIFF. Mr. Chairman, I rise in opposition to the amendment, which provides that none of the funds in the SCAAP program can be used in contravention of existing law.

This amendment is like several others we've considered today that simply say either the obvious, which is, Federal funds can't be used in violation of Federal law, in which case the amendment is unnecessary and accomplishes nothing; or, the amendment seeks to go beyond existing law and set new policy, in which case the policy that it would set is one that is disadvantageous to States and local law enforcement.

State and local community safety policies prioritize budgetary and law enforcement resources according to community needs while still permitting Federal immigration enforcement to take place. In many cases, such local laws support community safety by encouraging citizens who are crime victims or witnesses to come forward and work with police regardless of their immigration status.

These local policies don't interfere with Federal enforcement. In fact, a 2007 Justice Department audit of such laws found that in each instance where cities were so-called ''sanctuary cities,'' the local policy either didn't preclude cooperation with ICE, or else included a policy to the effect that those agencies and officers must assist ICE or share information with ICE as required by Federal law. That year, DHS Secretary Michael Chertoff testified before Congress:

I'm not aware of any city, although I may be wrong, that actually interferes with our ability to enforce the law.

The amendment, if it went beyond the mere statement that you can't spend Federal funds in contravention of Federal law, might deny funding to already cash-strapped police departments.

For these reasons, we urge a ''no'' vote on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. WALSH).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act to the Department of Justice may be used, with respect to the States of Alaska, Arizona, California, Colorado, Delaware, District of Columbia, Hawaii, Maine, Maryland, Michigan, Montana, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, and Washington, to prevent such States from implementing their own State laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Chairman, I rise today, along with Mr. HINCHEY, Mr. MCCLINTOCK, and Mr. FARR, in support of a commonsense amendment

that would prohibit the Department of Justice from using funds to prevent States from implementing their own State laws that authorize the use, distribution, possession, or cultivation of medical marijuana. This amendment would take a step in the right direction of respecting States' rights and individual liberties, and it would help the Federal Government prioritize its very scarce resources and show compassion for those thousands of ailing patients across our country.

To date, 17 States, including the District of Columbia, have passed laws allowing for the medical use of marijuana, and the list continues to grow. Connecticut is in the process of passing a similar law as well. Many of these State laws, including in my own home State of California, have passed these statutes through the initiative process—meaning that a majority of California voters specifically decided that sick individuals ought to have the right to use this herb for medical purposes. Why the Federal Government continues its hard-line prohibition, then, is completely beyond me.

As far as the medical marijuana is concerned, individuals ought to have a right and ought to be able to act in accordance with their respective State laws without the Federal Government coming in and interfering. Neither should the Federal Government threaten to prosecute State employees who are carrying out the implementation of their State laws. Indeed, the Founding Fathers wanted criminal law to be the domain of local and State government. Unfortunately, however, this is not the approach that recent administrations have taken, including the current administration. For example, the Governor of Washington State received a letter from the Department of Justice and was warned that:

State employees who conducted activities mandated by the Washington legislative proposals would not be immune from liability under the CSA.

Additionally, the DEA has conducted numerous raids on medical marijuana dispensaries that are in full compliance with State law. Businesspeople and cooperatives who are licensed and certified within these States to function as legitimate medical marijuana dispensaries have seen their businesses locked down, assets frozen, businesses driven away, and in some cases the victims of a SWAT squad coming into their operation. It is simply outrageous that we are spending scarce Federal dollars to interfere with the medical needs of individuals, especially when it's been recommended by a physician and approved by the voters of a State.

Importantly, this amendment does nothing to prevent the Federal Government from being able to go after drug traffickers. In fact, it makes it easier because it prioritizes and gives those people a chance to go after drug traffickers rather than sick people.

Under this amendment, the DEA would still have the power to arrest anyone selling marijuana for recreational use or engaging in any activity that is not expressly allowed under State law. But they will have more time to go after the drug traffickers if they are not going after people who are providing medical marijuana to people who are sick.

□ 1930

It is time that we respect States' rights, get serious about prioritizing our Federal Government's activities, and show some common sense and compassion when dealing with the sick among us.

I urge all Members to vote ''yes'' for the Rohrabacher-Hinchey-McClintock-Farr amendment to prevent the Department of Justice from continuing to engage in activities that it has no business engaging in.

I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. What does this amendment say if a young person, 15, at a high school in whatever State is watching the House at 7:30, and they say the United States Congress is ready to make it easy to get marijuana, and their mom or dad—what is going on?

This amendment hurts law enforcement. Our law enforcement people are jeopardizing their lives.

Marijuana is one of the most widely abused drugs in the United States. According to the DEA, more young people are now in treatment for marijuana dependency than for alcohol or all other illegal drugs combined.

This amendment does not address the problem of marijuana abuse and possibly makes it worse by sending a message to young people that there can be health benefits.

The Drug Enforcement Administration, DEA, describes marijuana as ''the top revenue generator for Mexican drug trafficking organizations, a cash crop that finances corruption and the carnage of violence year after year.''

All you have to do is look at the news. That's why we put money back in here for the National Gang Intelligence unit to keep the Mexican gangs from coming into the United States. The Mexican gangs are being funded and they have a marijuana operation.

I don't understand. I mean, I respect that maybe for medical use at a time. And I will tell you, the first time this issue came up, I voted for it, but it was on a narrow basis. But this is wide open.

And then you're going to tell your 15-year-old or 16-year-old don't use drugs. Well, we've got the marijuana center downtown, and everybody's going in.

The FDA has stated that ''smoked cannabis has no acceptable medical use and treatment in the United States.''

I could go on, but I think that the message that this amendment would send to young people is that Congress wants to aid and abet, if you will. And we all know. We've watched ''60 Minutes.'' We've watched all these shows.

If somebody purely, really—my mom died of cancer. So many people in my family died of cancer. It's so narrow. But this is just wide open. And we've seen it where they're coming in and they're pouring over. In essence, I think this would be bad for the country.

In our hearings, we heard that more young people are dying from overdose of drugs. Then marijuana, then do we go into heroin, and then we go into OxyContin. You just saw today's Washington Post where some of the drug companies were promoting these pain operations which are basically moving and pushing OxyContin, hiring some really prominent lawyers in this town to represent them.

This would not be a good amendment for the country; it would be a bad amendment for the young people, and I urge defeat of the amendment.

I yield back the balance of my time.

Mr. HINCHEY. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. HINCHEY. I rise today in strong support of this amendment, and I thank, particularly, my friend from California for offering it with me and for what he said about it just a few minutes ago very clearly.

This amendment is very simple. It directs the Federal Government to respect the laws enacted by States that have legalized marijuana for medical use.

The Constitution of the United States is very clear. It authorizes States' rights in every other area that is not specifically designated to the Federal Government. Currently, 16 States and the District of Columbia have legalized medical marijuana, benefiting over 730,000 patients nationwide. In addition, the State of Connecticut will soon sign a similar bill into law.

President Obama has made it clear that the Justice Department should not prioritize medical marijuana arrests, especially when there are so many other more significant issues that need attention. Unfortunately, some in the DEA clearly didn't get the memo. That's why we're here today.

According to Americans for Safe Access, since October 2009, the Justice Department has carried out an estimated 170 raids of medical marijuana dispensaries and cultivation centers in nine States that have legalized medical marijuana. Without a doubt, these raids are clearly a waste of taxpayer dollars, but they are also fundamentally wrong.

Medical marijuana is proven to reduce pain and increase quality of life for patients suffering from debilitating diseases, including cancer, multiple sclerosis, and HIV/AIDS. Medical marijuana is a safe and effective treatment for many of the symptoms that accompany these diseases. However, the DEA wants to deny patients medicine that can dramatically improve their lives or reduce their suffering. This is wrong, and it needs to stop.

This amendment does not do anything to advocate any violations of the law. It just says those States that have approved medical marijuana ought to be able to determine how to take care of their own people effectively.

This amendment does not affect States that have not approved medical marijuana. It does not require or encourage other States to adopt medical marijuana laws.

This amendment does not stop law enforcement officials from prosecuting the illegal use of marijuana.

This amendment does not encourage drug use in children. Studies actually suggest that teen use of marijuana has declined in States that have passed medical marijuana laws. That, in and of itself, is very interesting and important.

The purpose of this amendment is to allow these 16 States to give relief to people suffering from horrific diseases without fearing Federal intervention or prosecution.

I urge Members to support this amendment and support States' rights and compassion. Doctors in these 16 States know what is best for their patients. The DEA should not stand in the way of these doctors and their patients.

All of this is serious for the health and safety of many, many people in these 16 States. And, in fact, other States are coming into this as well. This is something that really needs to be enacted because it is safe and secure and reasonable.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise in support of the Rohrabacher-Hinchey-Farr and now McClintock amendment.

It is obvious from the votes that we've been casting here, yesterday and tonight, this afternoon, that this body insists on protecting the rights of States to define marriage. This body insists on protecting the rights of States to set abortion policies. This body insists on protecting rights of the States to determine education curricula and standards. Just yesterday this body decided that certain States get to enforce Federal immigration laws however they see fit.

But when it comes to protecting the rights of States to set medical scope of practice laws, this body balks. All of a sudden States no longer have the right to determine what is best for their citizens and when those rights include medical marijuana.

The Rohrabacher-Hinchey-Farr-McClintock amendment doesn't change Federal law. It doesn't change drug policy. However, it does protect States' rights.

□ 1940

For those of you who come from States that do not have medical marijuana laws, nothing in this amendment will impact your States. Everything in your States remains exactly status quo. For those of you who come from States that do have medical marijuana laws, which means the States of Alaska, Arizona, California, which is my own State—it's interesting what we have done in California. We've decriminalized the possession of medical marijuana. It's an infraction, not a felony. We've also legalized the use of marijuana for medical purposes, but the voters at the same time have turned down an intensive legalization use. So it's very controlled. The laws are tight and they are enforced.

The other States that have passed laws are Colorado, Delaware, the District of Columbia, Hawaii, Maine, Maryland, Michigan, Montana, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, and Washington. For your States, very little in this amendment will impact your States except that you will now have a State that will be able to implement the laws without fear of retribution or of retaliation from the Federal Government. I will also note that, in addition to the 16 States I've just mentioned, the State of Connecticut just passed a medical marijuana bill last week, and the Governor said he'll sign it. So, to the list of 16 States, we soon have added No. 17, the State of Connecticut.

If States' rights are not a good enough reason to pass this amendment, then do it because of compassion. Compassion demands it. We offer this amendment for terminal cancer patients, for AIDS victims, for persons who suffer with chronic pain. We offer this amendment not only to protect those people, but we offer this amendment to protect the States that are progressive enough to provide alternative medical options to those who need it. I urge all of my colleagues to support the Rohrabacher-Hinchey-Farr amendment.

I yield back the balance of my time.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SCHIFF. Mr. Chairman, I rise in support of the amendment, and I want to share a slightly different perspective on it.

I served as an assistant U.S. attorney in Los Angeles for 6 years. In 1987, when I started in the office, the office had a guideline where we wouldn't take a case for prosecution involving less than a kilo of cocaine. Now, that didn't mean that it didn't get prosecuted. It did mean that it was referred to the district attorney's office, but we just didn't have the resources to go after every cocaine case involving less than a kilogram. A couple of years later into my tenure in that office, we had to raise the guideline to 5 kilograms because we had so many 1 kilogram cases, and we couldn't even handle those prosecutions.

I don't know what the policy is now, whether it's 10 kilograms or 20 kilograms, but the reality is we have very finite resources within the Justice Department to prosecute drug cases. Then, of course, the funds for drug prosecutions have to compete with the funds for terrorism cases and carjacking cases and bank robberies and T-Chek thefts or whatnot. We are in a limited resource world, and I don't think it's a good use of our Federal law enforcement resources to be prosecuting medical marijuana cases in States that have legalized medical marijuana. On the priority list of Federal law enforcement priorities, that ought to be near the very bottom.

At a time when we can't even keep up with the more serious narcotics cases and when we have so many other unmet needs in the Justice Department, this is not where we should be putting our resources, and I urge support for the amendment.

I yield back the balance of my time.

Mr. NADLER. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, I want to congratulate and thank the sponsors of this amendment for introducing it. The amendment begins to break down the taboo in American politics about discussing drug policy intelligently. It also begins to, hopefully, result in the Federal Government having a more humane and human policy on medical marijuana.

I heard the gentleman from Virginia say that the DEA says there is no medical use for marijuana. That's true that they've said it. The DEA has no credibility with people who have looked at this—on this subject, on most subjects with respect to drugs these days. One reason there is no proof of the successful medical use of marijuana is that the DEA systematically tries to make sure there is no adequate research on that, and it denies the use of supplies of marijuana for medical research.

But we have ample proof from the 16 States which have legalized the medical use of marijuana. We have ample anecdotal proof. We know that, for people suffering pain, for people suffering

nausea from AIDS and cancer, marijuana is the only thing that produces relief and enables them to eat and to get sustenance and to regain weight and to, perhaps, regain health. We know this. We know this from thousands of cases. The DEA doesn't know it because it refuses to see it and refuses to allow systematic research. That's wrong. It's inhumane.

Now, I wish this amendment didn't specify the 16 States because maybe a 17th and an 18th will come along this year. I hope that they will. Certainly, the Federal Government has a better use for its resources than in trying to prevent the policy that 16 States have adopted, the humane policy of allowing the medical use of something that has been proven to be medically useful in many cases. Doctors and other medical professionals ought to determine treatment, not bureaucrats in Washington.

So I support this amendment, and I hope that maybe, if it passes, and maybe if we have a rational policy with regard to medical marijuana, that two other things will happen: that maybe the DEA will get its head out of the sand and will permit proper research so we'll get better research and better results; and maybe we'll begin a discussion of our general drug policy toward marijuana, which is certainly a much, much more benign drug than alcohol, which is legal, than tobacco, which is legal. We have a very irrational policy toward it, a policy which reminds one of the policy of the 1920s, which had such deleterious effects with regard to alcohol and alcohol use.

So I congratulate the sponsor of this amendment for having the courage to help break the taboos concerning this subject and for introducing an amendment that, if it passes, will result in many, many thousands of people being more healthful and more comfortable, and it will be a great thing for this country.

I yield back the balance of my time.

Mr. COHEN. I move to strike the last word.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. There have been quite a few good arguments made—excellent arguments—as to why this amendment should pass. Justice Louis Brandeis is one of my favorite Justices. He said the laboratories of democracy are the States. Indeed, 16 States, mostly through, if not entirely through, referenda determined that they wanted to try to find out whether medical marijuana laws worked.

The Federal Government should not be infringing on what the States have determined and their citizens have determined in the most direct form of democracy that this Nation knows—State referenda. The Federal Government has been using its resources, which could be used in better ways, to police the jurisdictions that have voted it in. That's what this amendment does. It says there will not be any additional spending of Federal moneys to try to thwart the will of the people of the States on issues on which they have voted.

This is the most basic democracy that we could be talking about. You talk about the Founding Fathers. This is the people who give us power. They have voted in their States to make it the law, and the Federal Government has taken its heavy hand and has tried to come in there—and has come in there—to prosecute individuals. It's for the States to prosecute those individuals if they want.

As the gentleman from California (Mr. SCHIFF) has pointed out, Federal priorities have to be made to meet the resources available. The moneys that they're spending now in these States could be spent on border traffic and could be spent on policing against heroin and cocaine, which cause people, when they get hooked, to commit violent crimes in order to get their money to buy their drugs. That has never been known to be the case with marijuana, and it is not the case with marijuana. That's where our priorities for law enforcement should go and prosecution should go is to crack and cocaine and heroin, and they're not being used there.

So this is a commonsense, basic, democratic proposal to tell our Federal Government that has gone astray to not use its resources against the people of this country who have made this determination.

Now, as far as some of the other statements that have been made, I think the public who listens knows that this is not about legalization, that this is not about 14-year-olds or 15-year-olds or 18-year-olds.

□ 1950

It's about States, democracy, doctors, and people who have cancer, glaucoma, AIDS, MS, whatever. Montel Williams has testified how it has helped him with his illness. I had a Navy SEAL friend who died of cancer. There is no question but that marijuana, which he smoked, helped him with his appetite when he wasn't eating, and his pancreatic cancer took him from 215 pounds to 115 pounds. His grandmother said it's the only thing that makes Orel laugh, and it's the only thing that makes Orel eat. And when he was dying, I wanted my friend to have whatever he could have to make his illness less damaging to him and less difficult to deal with.

So I rise here and assure people that it won't affect your States; it will just be those States where it's been voted in. It will save resources and be able to give our government the proper direction, the usage of resources to protect us against heroin, crack, and cocaine.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Actually, Mr. Chairman, if I could, I would strike many of the words we've heard today.

I first want to acknowledge the leadership of my colleague from California. He has a characteristic that is all too rare in politics, an intellectual consistency. We have people on the one hand that talk about freedom of the individual, liberty, and respect for States' rights, but when it comes up against some pet project of theirs, all that goes out the window.

Let's be very clear. This is not a case of people advocating that other people smoke marijuana. It is for me an advocacy that we allow people some degree of free choice. I listened to the gentleman from Virginia, and I admire his diligence. But I have to say, I disagreed with almost everything he said. There was one thing he said that I thought was appropriate. He said we shouldn't be debating this at 7:30. I agree. We should have been debating it at 4:20. That would have been a much better time. But other than that, he says, What about 15-year-olds, they'll see marijuana centers.

Well, they'll see liquor stores. They'll see many more liquor stores than marijuana centers. The notion that because something is inappropriate for a teenager or a child, adults should not be allowed to use it, is mindlessness. You can't run a society that says we're not going to let a 15-year-old see the things a 15-year-old can't do. Liquor stores would be a great example.

I have been disappointed on this point with the Obama administration. The Clinton administration was quite sensible on this. The Bush administration slipped back, and I had hoped that with the Obama administration it would be more sensible.

The gentleman from Virginia said, Well, this is a great source of money for the Mexicans. Sure, because we won't let people grow it in America. To the extent that people are buying medical marijuana from Mexican drug cartels, I think, is a somewhat overdone thing with regard to this. That's because we have had people refusing to allow them to grow it here in America for that use.

People say—again, I'm surprised by some of my conservative friends—there is no medical value. The Federal Government now becomes the arbiter and tells the States you may not make that judgment that there is medical value. We know an awful lot of people think it has medical value for them.

As to addiction and the notion that if you get all these drugs together, what marijuana has in common with

Oxycontin—which the gentleman from Virginia mentioned—and other drugs is that we treat them the same. They are not the same in any rational way. They're not the same in addictive prospects. They're not the same except we treat them the same. And we're the ones that by this foolish policy—that I regret the administration I supported is engaging in—give people the notion that they're the same thing. It's a very simple point.

People in the States have voted that marijuana should be available for people who want to use it for medicinal purposes, and the States are then in charge of setting up ways to deal with it. We have people out of their ideological opposition announcing that they will not be allowed to do that, that they will tell people it has no medical use despite the testimony of so many who think it does. This again is a form that I thought we learned didn't work, and it's prohibition of the worst sort. And by the way, it is going to lead to very ineffective law enforcement because we are a free country. You cannot impose, in a free society like ours, a regime of law enforcement that the public rejects without a great deal of repression. State by State by State, the people of the States have voted to allow this. So when we send the Federal agents in to disregard what the State did, to disregard State law, of course you're going to engender resistance; of course you're going to engender people going around. And I would just close by saying after listening to this debate, I think tonight C–SPAN has merged with Turner Classic Movies because ''Reefer Madness,'' that great movie from the thirties, appears to be being shown on both channels.

This notion that because 15-year-olds are watching us talk about how people who are ill and in pain should be allowed with the vote of the State to get marijuana prescribed by a doctor, and that's going to lead a 15-year-old to go out and do it, makes no logical sense. As I said, if you're worried about what 15-year-olds can see, they can see X-rated movies that are being advertised; they can see cigarettes being sold widely; they can see alcohol. They can see all manner of things that we don't want them to do.

This is a very sensible amendment. No one has shown, let me say finally—and you know the DEA, they want to do this. I have not seen the evidence that says that medical marijuana has led to any problem. I haven't seen it linked to crime. I haven't seen it linked to anything negative. What we have, frankly, are some prejudices being used to interfere with people's rights.

I yield back the balance of my time.

Ms. LEE of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. LEE of California. Mr. Chairman, I rise in strong support of this bipartisan amendment. I want to thank Mr. ROHRABACHER and all of the cosponsors of this amendment for their leadership and for bringing this amendment forward.

This amendment would prohibit the Department of Justice from using Federal funds to prevent the implementation of State laws authorizing the use of medical marijuana.

In recent months, the Federal Government has stepped up raids on legally operating clinics in many States where it is permissible for seriously ill patients to be prescribed medical marijuana by their doctors. These raids are shutting down legally operating businesses and are putting the health and the well-being of patients with cancer, HIV and AIDS, multiple sclerosis, and other serious illnesses in jeopardy.

Marijuana has proven medical uses that improve the quality of life and extend the lives of desperately ill people. By shutting down clinics, Federal agents are forcing patients who may be dying, for example, of cancer out into the streets to buy prescription drugs like narcotics, which oftentimes leads to prescription drug addiction. These raids also undermine the ability of States to faithfully implement the will of their voters.

The people in my home State of California have voted to make medical marijuana legal. These laws have been enacted to allow patients safe and legal access to appropriately produce and dispense medical marijuana in the safest possible environment. Yet in the last 18 months—for whatever reason—the Drug Enforcement Administration has raided and shut down many licensed and regulated dispensaries, which are legal, mind you, under State law. For example, the Berkeley Patients Group in my district, which had worked closely with the city of Berkeley to stay in compliance with local and State laws in order to serve critically ill patients in my community, has been forced to close its doors and turn their patients away. Complying with the State law and relying on a memorandum from the Department of Justice, thousands of small businesses across my State have invested millions in dollars in building their businesses, created good paying jobs, and have paid millions in taxes. The business owners in my home district are doing everything they can to comply with the law, but clinics in Oakland and Berkeley continue to be subject to raids by Federal authorities.

Many of my colleagues and I have made repeated requests to the Department of Justice to seek clarification regarding their enforcement policies on medical marijuana. Mr. Chair, this is about recognizing the will of the voters. The Federal crackdowns ignore the will of the voters in 16 States across the Nation. The clinics, doctors, and businesses, which bring medicine—medicine mind you—to suffering patients need clarity, certainty, and an end to arbitrary raids.

□ 2000

We should be protecting, not undermining, our democracy by prosecuting small business owners who pay taxes, comply with State laws, and provide medicine to people in need.

But really, and most importantly, it should be out of compassion for our fellow Americans suffering from a serious illness that compels us to vote for this amendment. It is the humane thing to do, and it is the right thing to do.

So I want to thank Mr. ROHRABACHER once again and the cosponsors of this amendment for bringing this forward tonight, and I urge an ''aye'' vote.

I yield back the balance of my time.

Mr. POLIS. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. I thank the gentleman from California for bringing forward this amendment.

This amendment is absolutely critical for Colorado. We have a legal regulatory structure for medical marijuana and for the many businesses and nonprofits that are active in providing patients with medical marijuana, and yet they live under a constant fear, a constant fear of selective enforcement from the Attorney General or from the DEA.

I had the opportunity in the Judiciary Committee to question the Attorney General with regard to this issue, and he acknowledged that the only possible enforcement—because of the large-scale use of medical marijuana in the States where it is legal—would be selective enforcement. And that is a very dangerous precedent and a very dangerous power to hand an Attorney General, the Department of Justice, and the DEA.

I have heard from the other side of the aisle in different contexts many comments critical of the current Attorney General. But regardless of who is sitting as Attorney General, do we want to have an Attorney General that has the ability at any given time to engage in selective enforcement against a large group of people, whomever he or she wants to prosecute?

What if the select enforcement is politically motivated? What if we have an Attorney General that decides he or she doesn't like the Tea Party or doesn't like the Occupy movement? What if they then force the States to give the records that they keep of who has the medical marijuana licenses and then go after the people with whose politics they don't agree? It's a very, very dangerous road to go down, a dangerous power to give to the Federal Government.

This is a very real and important issue. Drug abuse is a terrible problem that plagues our country and plagues Colorado families. We can reduce drug abuse and reduce access to minors of both marijuana as well as other drugs by making sure that we regulate them appropriately.

In Colorado, medical marijuana dispensaries are regularly audited. They are required, under State law, to have video cameras keep track of who comes and goes. Minors are not allowed to enter the premises. It is, of course, the underground illegal corner drug dealer that will sell to the 15-year-old, not the legal State-regulated dispensary.

We have limited law enforcement capabilities, as highlighted by my colleague from California (Mr. SCHIFF), and to go after patients and their caregivers rather than drug smugglers and Mexican drug cartels does a huge disservice, not only to law enforcement, but also to the many, many victims of the drug war, both from collateral damage as well as those who fall victim to the drugs themselves.

It's critical, at a time when our Nation continues to battle with narcotic use, that our limited resources are focused on the real problem. The real problem is not the 68-year-old cancer patient. The real problem is not the business or the nonprofit that operates under a legal State regulatory system in providing these essential services in our communities in accordance with State and local law.

This amendment is common sense. I hope that colleagues on both sides of the aisle will join in passing this amendment.

And I understand that for many of our colleagues, they don't have legal medical marijuana in their States, and that's fine. No one is saying that they should or they shouldn't. It's up to the residents of each State to decide how they want to treat the criminal aspects of regulating marijuana use.

What we're asking is, for those of you who come from States who don't have legal marijuana, consider that some States might think about it a little differently. Consider that some States have, in fact, authorized dispensaries and authorized a system to ensure that it stays out of the hands of minors, to focus their State law resources on harder drugs and ensuring that minors don't have access to marijuana or other drugs. And consider that that is their prerogative, just as it is your prerogative in your State to continue to approach marijuana usage as a criminal issue.

I call upon my colleagues on both sides of the aisle to support this important amendment, to focus our limited resources and allow legal businesses and legal caregivers to operate without the fear of a DEA agent busting in their door.

I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I hear people talking about States' rights. If a State said sexual trafficking is okay, would we honor that and say that we're not going to protect? I would hope not. States, in the past, have done some things that have not been good in this country.

Secondly, we know that many of these marijuana dispensaries are simply fronts for illegal marijuana distribution. The FDA noted in 2006 that ''there is currently sound evidence that smoked marijuana is harmful''—harmful—and that ''no sound scientific study supported medical use of marijuana for treatment in the United States, and no animal or human data supported the safety or efficacy of marijuana for general medical use.''

As required by the Controlled Substances Act, the DEA requested a scientific and medical evaluation and scheduling recommendation from the U.S. Department of Health and Human Services. And what was concluded is ''that marijuana,'' the stuff that we're saying tonight—anybody, if you saw the ''60 Minutes'' piece, they come in, they buy, they take. We talk about doctors. The number of doctors that were ripping off people with OxyContin, the number of doctors that were devastating—

You can go down to Broward County, Florida, and go into some of these pain clinics. There are buses coming down and planes coming down to buy it. And doctors are writing prescriptions. So we're going to hide behind and just say doctors are? The number of doctors that ruin, that ruin young people on OxyContin, whereby they died—they died. So to hide behind a doctor says that that means it's okay—but Health and Human Services said, ''Marijuana has a high potential for abuse, has no accepted medical use in the United States, and lacks an acceptable level of safety for use under medical supervision.''

I may be the only one in this body that feels this way, but I will tell you, I think if this amendment passes and this becomes the law, this would be a gateway to young people. This will literally send a message down to the Mexican cartels. There is going to be a market all over.

It will also increase automobile accidents because you will basically be finding people that are driving while they are high versus driving while they are intoxicated.

So, lastly, I would just hope and ask that we defeat this amendment.

Why don't you have hearings in the Judiciary Committee? Why don't you have hearings some other place? But at 7:30—and my friend from Massachusetts was joking about the time. The time is now 8:05, and we're doing this. We're changing the law. And I think it would be bad for the country and urge a ''no'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

□ 2010

AMENDMENT OFFERED BY MR. LEWIS OF GEORGIA

Mr. LEWIS of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (and before the short title) insert the following:

SEC. . None of the funds provided by this Act may be obligated for the purpose of closing the regional field offices of the Antitrust Division of the Department of Justice.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LEWIS of Georgia. I rise today to offer an amendment that would prevent the closing of four field offices of the Department of Justice Antitrust Division. These offices are located in Atlanta, Dallas, Cleveland, and Philadelphia. The Justice Department announced plans to close these offices with the stated goal of saving $8 million. These closures will not save a dime. In fact, these closures would actually end up costing the government money in lost criminal fines and restitution.

Closing the Atlanta office does not even reduce Federal overhead. The Atlanta field office is located in a Federal courthouse building which will continue to operate. Not only will the antitrust division likely lose those talented lawyers who do not choose to relocate to one of the remaining offices, but it will also move people to some of the most high-cost locations in the country.

The southern region is home to the corporate headquarters of over 100 of the Fortune 500 companies. The Atlanta office prosecutes individuals and companies who engage in bid-rigging, price-fixing, and illegal kickback schemes. Shutting down the Atlanta and Dallas sites leaves the entire southern region of our Nation without any local presence to prosecute and deter antitrust violations and white collar criminal activity.

We cannot and should not underestimate the deterrent effect that the presence of regional law enforcement officers has on white collar crime. We cannot afford to leave the Southeast and Southwest without vital law enforcement officials who are tasked with reducing white collar crime.

I ask all of my colleagues to vote for this amendment to prevent the closure of these critical law enforcement offices until a more thorough review of the consequences can be undertaken. This is not a done deal. Congress should and must act.

My amendment won't cost a cent, but it would bring in more than a few dollars. Over the past 11 years, the Atlanta field office alone brought in over $265 million in fines and restitution. Let me be clear that is a 600 percent rate of return on this investment. What better proof do you need?

Mr. Chairman, I ask each and every one of my colleagues again to support the Lewis-Johnson amendment.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I want to thank Congressman LEWIS for offering this amendment to the Commerce-Justice-Science fiscal year 2013 appropriations bill. The amendment is designed to prevent the U.S. Department of Justice from closing and reducing its antitrust division field offices from seven to only three in a country of over 300 million people in 50 States.

The Department of Justice literally and regrettably wants to, or is proposing to, close four of its antitrust field offices in response to budgetary pressures. This is partly because the Republican budget fails to provide the administration with the resources it has requested to carry out its basic mission.

Under Republican leadership, the legal activities account, which funds the antitrust division, was 2.2 percent less than the administration requested for the fiscal year 2012, and that resulted in a 5.2 percent cut compared to fiscal year 2011. When we cut 5.2 percent out of a particular account that primarily funds salaries and expenses, there are consequences.

However, congressional Republicans are not totally to blame. The President's budget says that the antitrust division is expecting an increase in caseloads and requested additional funding to administer the increase in caseload. Yet the administration wants to close over half the division's offices. What sense does this even make?

Also, the antitrust division is a key participant on the President's Financial Fraud Enforcement Task Force. How can the division be a helpful participant when it is reducing its footprint across our country?

In one of America's poorest cities with lingering high unemployment—Cleveland, Ohio—that Department of Justice antitrust field office is scheduled to be closed. I'm concerned about the impact it will have, first of all, on the administration of justice in the field of antitrust, but also on the employees, businesses, and consumers that serve us in the greater Ohio area.

I'm very concerned for the hard-working employees in the Cleveland field office, one of the most efficient antitrust divisions in the country because its employees are so talented. Cleveland is a community that still endures high unemployment due to the economic crisis and its lingering effects. Why would we want to do this now?

From my perspective, the amount of money the Department of Justice expects to save will not actually materialize because costs will increase elsewhere as a result of a reduced footprint across the country.

The reality is we should be furthering our support for the antitrust division, not closing offices or cutting funds. As currently structured, the antitrust division is one of the most efficient Agencies within the Federal Government. Its base budget was $159 million. Yet from 2009 to 2011 the division's efforts resulted in $2 billion in criminal fines and antitrust violations. That's a seven-to-one return on investment.

In addition, over the last two fiscal years, the antitrust division has been estimated to have saved consumers over $650 million as a result of its criminal enforcement efforts. Furthermore, the antitrust division successfully resolved 97 percent of its criminal cases in fiscal year 2011.

Without question, the antitrust division more than pays for itself seven times over. It has an outstanding track record. We should leave its current structure alone. In fact, we should seek to strengthen it and get greater return to the taxpayer for every dollar invested. No matter what happens here today or tomorrow, I'll continue to work with the other body to protect the antitrust division's presence across this country and work to ensure that the employees in communities like Cleveland and the other communities are treated fairly, because in the final analysis, the American people need a robust antitrust division at the Department of Justice.

Mr. Chairman, I support the Lewis amendment, and I yield back the balance of my time.

Mr. JOHNSON of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman.

I rise in support of this amendment which will ensure that the Department of Justice has the resources it needs to fight white collar crime. The Department is preparing to close antitrust regional offices in Atlanta, Cleveland, Dallas, and Philadelphia. This amendment will prevent the closure of these field offices during fiscal year 2013.

As a member of the Judiciary Subcommittee on Intellectual Property, Competition, and the Internet, I am concerned about the impact of these closures. This action will seriously undermine the division's ability to enforce antitrust laws by limiting the number of boots on the ground, particularly in the Southeast and the Southwest.

Closing these offices is very shortsighted. It puts nearly 100 jobs at risk in Atlanta and saves only $500,000 in fiscal year 2013. The proposal could end up costing money by transferring employees to regional offices with higher costs of living and higher salaries, like New York and San Francisco.

□ 2020

Further, the proposal will weaken the antitrust division as experienced attorneys who choose not to transfer leave for other opportunities. Antitrust law is a highly specialized field of law and the institutional knowledge of an experienced attorney is invaluable.

The Atlanta office ranks number one in terms of the most trial wins of any of the eight criminal offices. In fiscal year 2008, the Atlanta office ranked first among all of the criminal offices in the amount of restitution obtained for victims. For that fiscal year, the Atlanta office accounted for 71.2 percent of all restitution imposed by the division.

As this Nation recovers from a recession largely caused by white collar misdoing, I implore this House to consider the message that closure of these offices will send to the public. Those considering whether to commit white collar crime need to know that there is strict Federal enforcement. Closing these field offices sends the wrong message to criminals and the public at exactly the wrong time.

This Congress has been consumed with debating the proper role and scope of government. During that debate, we have all agreed that the minimum role of government is to ensure an equal playing field that allows opportunity for all and ensures that all wrongdoers will be prosecuted, no matter if they are engaged in petty criminal offenses or white collar crimes.

The antitrust division, which promotes and protects competition in the marketplace, is essential to good governance and fairness. Surely Tea Partyers and progressives, ALEC members and union leaders can all agree that government must ensure a fair and competitive marketplace that allows for innovation.

The closure of these four field offices will have the effect of significantly

eroding the division's criminal enforcement program, leaving U.S. consumers and businesses in at least 19 States, the Virgin Islands, and Puerto Rico unprotected against white collar crooks like Bernie Madoff who seek to rig bids, inflate prices, and otherwise defraud consumers and businesses.

I urge a ''yes'' vote on this amendment, and I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, I rise today in support of the Lewis-Johnson amendment. This amendment ensures that none of the funding provided in the bill will be used to facilitate a closure of the Department of Justice antitrust division's regional offices in Atlanta, Cleveland, Dallas, and Philadelphia.

Mr. Chairman, from our discussions in the full committee markup of this bill, I understand that Mr. WOLF, the distinguished chairman of the subcommittee, believes that this matter can be worked out and that Justice is perhaps willing to move on this. But I am deeply concerned that this action will seriously undermine the division's ability to enforce antitrust laws by limiting the number of boots on the ground, particularly in the Southeast and the Southwest. Accepting that this is a done deal and there is no room for negotiation by Congress will severely weaken our ability to enforce the antitrust laws.

Furthermore, given the already heavy workload of the Washington, DC, San Francisco, New York and Chicago field offices, the antitrust division will not have sufficient human resources to investigate and prosecute many regional and local conspiracies in the areas of responsibility that those four offices have, the ones that are slated to be closed.

I want to ensure that the antitrust division can continue to protect taxpayers and preserve the integrity of our free market system. The regional offices in Atlanta, Cleveland, Dallas, and Philadelphia help facilitate these efforts, and they should remain open. Closing these offices, I believe, is penny wise and pound foolish. It puts nearly a hundred jobs at risk, and it poses only a $500,000 savings in fiscal year 2013. In fact, the proposal could end up costing money because it would transfer employees to regional offices with higher costs of living and higher salaries, like New York and San Francisco.

It's extremely important that we don't close these offices until a thorough review of the antitrust division is completed. When deciding to recommend these closures, the Department of Justice did not consider other more cost-effective options. Furthermore, if offices must be eliminated, all of the closures should be based on merit and productivity rather than on politics.

Let me speak for a moment on the Atlanta office which does better in terms of overall performance and productivity than say, for instance, some of the other offices which are slated to remain open. The Atlanta office obtained over $265 million in fines and restitution between FY 2000 and 2011. With an annual operating cost of $4 million, the criminal fines and restitution recovered by the office represent a return rate of 600 percent. Indeed, closing these offices is penny wise and pound foolish, and I urge adoption of the amendment for the good of our free market system and our capitalist economy.

Mr. Chairman, I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I want to thank the gentleman and the gentlelady for raising this issue and standing up. This was not done by our committee. This was done by the Justice Department, by the administration.

But what we will do is next week we will ask the three or four who spoke, that we bring the Justice Department in. We will get them to come up here whereby they can sit down with all of you together and your staffs to explain why, and see if they can justify this. But I just want to be clear, this was not done at the committee's request. This was the Justice Department.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman.

Mr. BISHOP of Georgia. I appreciate the gentleman yielding, and I appreciate those comments. I think it is clear that this was an action by the Department, and it was not an action taken by the committee.

However, several of us on the committee have grave concerns about it, and we appreciate the chairman's agreement and his willingness to discuss it with the Justice Department and see if we can't get this situation corrected.

Mr. WOLF. I thank you, and with that I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the Lewis-Johnson amendment to H.R. 5326, the Fiscal Year 2013 Commerce, Justice, Science Appropriations bill. This amendment prevents funds in the FY13 CJS Appropriations bill from being used to shut down the regional Department of Justice Antitrust Division Offices in Atlanta, Dallas, Cleveland, and Philadelphia. These closures will have a serious adverse effect upon antitrust enforcement in 21 states including Texas, and my district in particular. The Dallas Antitrust Office has been responsible for approximately $1 billion in criminal fines to date. It has been a priority of this Administration to reign in waste, fraud, and abuse, and that is exactly what the Dallas Antitrust office has been doing.

Mr. Chair, I would ask to submit into the CONGRESSIONAL RECORD a copy of my April 23, 2012, letter to Attorney General Holder highlighting the critical role the Dallas Field Office serves upholding vital antitrust laws in our region and the United States.

APRIL 23, 2011.

Hon. ERIC H. HOLDER, Jr.,
Attorney General, Department of Justice, Washington, DC.

DEAR MR. ATTORNEY GENERAL: In October 2011, the U.S. Department of Justice (DOJ) announced its plans to close the Dallas Antitrust Division Field Office. The Dallas Field Office is joined by three other offices planned for closure in Atlanta, Cleveland, and Philadelphia. I strongly oppose this proposal and believe that millions of Americans and many U.S. companies across multiple states stand to be severely impacted by this closure.

The Dallas Field Office serves Texas, Arkansas, Louisiana, New Mexico, and Oklahoma in enforcing antitrust laws. By closing the Dallas Field Office and reassigning those enforcement positions to the remaining field offices, the Department is seriously curtailing the government's ability to enforce lawful business practices. DOJ's Antitrust Division has an extensive history of promoting fair competition in the marketplace. Shuttering the Dallas Field Office will significantly undo the progress that has been made during this Administration, paving the way for future corruption and abuse.

In DOJ's October 2011 press release, you cite the potential cost savings of nearly $8 million as one of the primary factors behind this decision. I respectfully reject any arguments for cost savings in this context, particularly because there is a failure to consider the millions of dollars that the Dallas Field Office has brought in through criminal fines. While the Dallas Office costs roughly $3.5 million to operate each year, it has returned approximately $1 billion in criminal fines to date. These gains do not include criminal fines levied through the Atlanta, Cleveland, or Philadelphia field offices. Thus, closure of the Dallas Field Office is short-sighted for both long-term enforcement of federal antitrust laws, and the lost revenues that criminal penalties bring back to the American people.

Another aspect of your reasoning centers around consolidating offices in order to focus on larger international investigations. Aside from the obvious implications that this would have for local or regional enforcement of antitrust laws, history has demonstrated the ongoing need to keep that focus at home in a similar, if not greater, capacity. The Dallas Field Office has served a vital role in numerous cases here in the U.S., while still managing to have an effective international presence, as demonstrated in the case of Hoffman-LaRoche. The $500 million fine paid by the global healthcare company still represents the largest criminal fine ever collected by the Antitrust Division or Department of Justice.

Understanding this, I am respectfully requesting additional insight into the agency's rationale behind this proposal. The Dallas Field Office serves a critical role in upholding vital antitrust laws in the United States. Closing this office will open the doors for

further violations of federal antitrust and competitive bidding laws.

Should you have any questions or comments, please contact Justin Maturo of my staff at Justin.Maturo@mail.house.gov or (202) 225–8885.

Sincerely,

EDDIE BERNICE JOHNSON,
Member of Congress.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. LEWIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LEWIS of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 36 OFFERED BY MR. CHAFFETZ

Mr. CHAFFETZ. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for the purpose of implementing section 36.302(c)(9) of title 28, Code of Federal Regulations.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, a couple of short months ago, the Department of Justice in support of the Americans with Disabilities Act added a new provision. This provision said that in order to be in compliance with the ADA regulations, businesses must now allow service horses into their businesses. And you did hear right: they're talking about service horses to be in compliance with the ADA regulation. And I dare to stand and say we need to say ''nay'' to that type of effort. Pardon the pun. It's kind of hard to get through this without smiling about it, but this is the kind of regulation that has an untold number of consequences on small businesses.

While I recognize the imperative and the need that some unfortunate Americans go through in having to deal with things, there comes a point where we have to stand up and say wait a sec, wait a sec, wait a sec. Do we really need to allow service horses into airplanes, into hotels and into restaurants just to accommodate a particular person?

This amendment would prohibit funding from the implementation of yet another costly Federal regulation. The regulation would require businesses and restaurants to admit service horses in the same way they admit service dogs into their areas of operation. I wish I didn't have to bring up this amendment; but since the administration has now put this into a rule, we're going to have to introduce this amendment.

Despite the difficulty—and some would say the impossibility of housebreaking a horse—the Obama Justice Department has ruled that service horses, miniature horses used to accompany people with disabilities, are no different than guide dogs under the Americans with Disabilities Act. As a result, shops, restaurants, hotels, even airlines, can now be sued if they do not accommodate horses in their place of business.

That regulation joins a long list of rules with which small businesses must comply. In fact, the New York Times recently reported on a particularly insidious scheme in which lawyers recruit disabled people, pay them a fee, and use them to file lawsuits against businesses that fail to comply with any one of the hundreds of ADA rules. For small businesses, the cost of compliance with that law that designates, for instance, 95 different standards for bathrooms alone is just the beginning.

□ 2030

They must also pay attorneys' fees to the litigants in such case, even though many businesses say they would have complied without a lawsuit.

Some 1.65 million lawsuits are filed each year over enforcement of Federal regulations, according to Berkeley law professor Sean Farhang, author of ''The Litigation State.'' Estimates by the Competitive Enterprise Institute suggest that regulation cost the economy some $1.75 trillion in 2008 alone. That's a massive drag on the U.S. economy. With the average of nine new rules appearing in the Federal Register every day, small businesses with fewer resources struggle to keep up with the ever-changing regulatory environment.

Some 65 percent of the Nation's net new jobs are created by small businesses, according to the Small Business Administration. Overregulation has a direct effect on their ability to create jobs and compete in the marketplace.

If a person wishes to bring a horse into an establishment, then the request should be dealt with on a case-by-case basis, not through some new Federal mandate. Ironically, even the Miniature Horse Association—and I'm sure all good Americans subscribe to the magazine put out by the American Miniature Horse Association—but their president, Harry Elder, has looked at this. He does not condone the use of these horses as a replacement for guide dogs. In fact, he has said:

The American miniature horse can readily be trained to be led or driven, but in most cases it would not make a suitable replacement for an animal such as a guide dog.

So there is an association that deals with these miniature horses. Even that association and the president is saying this is not a wise move.

If the body feels that this is an imperative thing to do, I suggest a Member of Congress be brave enough to introduce such a piece of legislation, that it be properly vetted by having a hearing about this, and we can move through the legislative process. But since the administration has introduced this regulation, this is just suggesting that we should not spend money against this and let this be a little more vetted. It would help American businesses. Unfortunately, there are already lawsuits flying.

I would encourage Members on both sides of the aisle to please vote for this amendment, and I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I had an opportunity to visit, while I was in Connecticut with Chairman LARSON, with a brave young soldier who lost his eyesight in Iraq. It was a situation where his ability to function required an animal to help guide him so that he could go about his normal functions of daily life.

What the gentleman who made this amendment neglected to share with the House is that it has been the law that, under the ADA guidelines, you could have any animal—monkey, horse, so forth and so on—that could be of use to someone who was disabled. What the administration has done with this new regulation is limit this to only two types of animals: one are guide dogs—as we would normally know them—and the other are miniature horses that meet certain requirements, including being housebroken and so forth and so on. The reason why people who are disabled in some cases find this a more useful animal to use is that they live three times longer than a dog does and they have perfect vision.

But I see that there has been some, I guess, laughter, as if this is comical. The fact of the matter is, when I met with this young soldier and his wife and their two kids, he talked about how it just made him feel whole that he could go get the newspaper from out in front of the house, that he could go to the store.

So the idea that this is some new policy of the Obama administration is false, number one. Number two, it's restricting an overly broad set of allowances in this regard, and it restricts it to only two types of animals, both of which can be used by people who are disabled.

So I would hope that the House, even those in the majority who seem to find, for some reason, challenges in this bill, in particular with the provisions that they want to go after that allow disabled people to use pools—and we heard yesterday how every group in the veterans associations around our country opposed this effort yesterday on the pool access, and now we're here talking

about whether or not people who have lost their sight or are disabled can have a guide animal.

So I oppose the amendment. I hope the House rejects it.

Mr. CHAFFETZ. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Utah.

Mr. CHAFFETZ. I do want to indicate that I believe it was in March that the Department of Justice title III regulations issued a new ruling. So, we may disagree on what to do with this.

Mr. FATTAH. Reclaiming my time, you are aware, I assume, that this ruling was a restriction from a much broader ruling that allowed any type of animal, including monkeys—and I can go into the different other animals if you'd like.

I yield to the gentleman from Utah.

Mr. CHAFFETZ. I would disagree with that assessment. This is a new regulation, and it has led to lawsuits that have already started to happen. One news report is of a lawsuit in California.

Mr. FATTAH. Let me reclaim my time just so we can clarify this one matter of fact here, okay, in that the regulation prior to this adjustment allowed for service animals of any type—including a dog, a horse, monkey, bird, rat—trained to assist and alert, okay, that's number one. So this is a move by the Obama administration to restrict it to two types of animals. So I just want the House to be able to operate off of actual information because this is an effort to both help those who are disabled, and also to avoid unnecessary circumstances in which regulations are too broad.

Mr. CHAFFETZ. Will the gentleman yield?

Mr. FATTAH. I would be glad to yield.

Mr. CHAFFETZ. I would be happy to work with you on that. I do disagree with that assessment and that reading of it.

Mr. FATTAH. Let me reclaim my time. This is not an assessment; this is a fact. So, this was the regulation. The new regulation retreats and constrains the regulation to two animals versus a multiplicity of animals.

Mr. CHAFFETZ. If the gentleman will yield.

Mr. FATTAH. I'd be glad to yield.

Mr. CHAFFETZ. I simply disagree with that assessment. We'll have to agree to disagree, and I look forward to working with you.

Mr. FATTAH. Reclaiming my time, because we're not talking about an assessment, I want the House to be aware of that. This is not the appropriate place to deal with this matter. But if we insist on it, I would hope that we would err on the side of that young brave soldier who risked his life on behalf of our country, and that he should have whatever assistance that can be provided.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HOLT

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Justice in contravention of any of the following:

(1) The Fifth and Fourteenth Amendments to the Constitution of the United States.

(2) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (relating to nondiscrimination in federally assisted programs).

(3) Section 809(c)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)(1)) (relating to prohibition of discrimination).

(4) Section 210401(a) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14141(a)) (relating to unlawful police pattern or practice).

Mr. HOLT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HOLT. Mr. Chairman, the purpose of this amendment is simple: To prohibit any Federal funds from flowing to law enforcement organizations that engage in any form of racial, ethnic, or religious profiling.

It's been a matter of concern for decades among minority communities when policing organizations engage in profiling, but recent events have brought the problem into sharp focus.

□ 2040

Starting last August, the Associated Press published a series of disturbing stories about the systematic racial, ethnic, and religious profiling conducted by the New York City Police Department against Muslim and Arab Americans in New York, New Jersey, Connecticut, Pennsylvania, and Louisiana.

In September of last year, I asked the Department of Justice to investigate what we now know was a pattern of surveillance and infiltration by the New York Police Department against innocent American Muslims in the absence of a valid investigative reason. These Muslim communities were mapped, infiltrated, and surveilled simply because they were Muslim.

Profiling is wrong. Profiling on the basis of the race, ethnicity, and religion is a violation of core constitutional principles.

Profiling is also wrong because it is not good policing. Profiling is an unthinking, lazy, unprofessional approach to police work and intelligence work, and it only raises the risk that the real plot will slip through the cracks. Indeed, profiling is counterproductive.

The sloppiness of the NYPD surveillance effort was such that several non-Muslim establishments were labeled as being owned by Muslims and, contrary to the blanket assertions by some that the tactics have kept New York City safe, the NYPD failed to uncover two actual plots against New York City, those perpetrated by Faisal Shahzad and Najibullah Zazi.

In Shahzad's case, the FBI was surveilling both the mosque he attended and the Muslim Student Association of his accomplice. In Zazi's case, the NYPD actually took actions that let Zazi be tipped off about the FBI's investigation.

The NYPD's surreptitious, uncoordinated, and unprofessional approach to counterterrorism prevention within the American Muslim community shows that they have learned nothing from the lessons elucidated from the 9/11 Commission's report.

Now, let me be clear. This amendment is not aimed solely at one particular law enforcement organization. Over the decades, law enforcement agencies across the country have profiled against African Americans, Hispanics, and other minorities. Indeed, the Department of Justice has specific guidance prohibiting this practice because it has become widespread, and it has conducted litigation against Police Departments for using race or ethnicity to target citizens for arrest in California, Pennsylvania, Illinois, and other States.

My amendment would ensure that no Federal funds are flowing to any law enforcement entity that the Department has identified as engaging in racial, ethnic, and religious profiling.

Racial, ethnic and religious profiling by police is not something taxpayer dollars should be spent for. I urge my colleagues to support this amendment.

I yield back the balance of my time.

PEOPLE FOR THE AMERICAN WAY,
Washington, DC, May 9, 2012.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBER OF CONGRESS: On behalf of the hundreds of thousands of members of People for the American Way, I urge you to support Representative Holt's amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013. A vote is anticipated this afternoon. This amendment would prohibit federal funds made available through the act to be used for programs or activities that involve racial, ethnic, or religious profiling by any federal, state, or local law enforcement organization.

Such profiling undermines America's status as a nation founded on Equal Justice Under Law. The story of America is one of a nation founded on timeless ideals of liberty

and equality, and struggling generation after generation to make those principles real for those not included. Society's ''outsiders'' are brought in and made to know that they in fact belong to the community that is America. Profiling damages that process. It sends a powerful message to entire communities that they are, in fact, not quite the equal members of society that we said they were. It tells them that their very existence raises suspicions. It harms the individuals profiled, as well as those who live in constant apprehension of being profiled. The practice undermines our nation's principles, and our federal government should not be funding it.

Profiling does not even produce the benefits that it is purported to provide: It is counterproductive. When limited law enforcement resources are spent targeting innocent people simply because of their real or perceived race, ethnicity, or religion, that is not an efficient use of resources. Nor is it efficient to alienate entire communities, making them feel resentful toward or fearful of law enforcement. People living in America should be able to rely on law enforcement as a partner in making their lives safer. But those who feel unfairly targeted by profiling will be far less likely to cooperate with law enforcement when their cooperation is needed, whether it is a case of local violent crime or national security. That does not make our nation or our communities safer.

A practice that undermines both our principles and our safety is not one that the federal government should be funding. We urge you to vote for Representative Holt's amendment.

Sincerely,

MARGE BAKER,
Executive Vice President for Policy and Program.

PAUL R. GORDON,
Senior Legislative Counsel.

INTERFAITH ALLIANCE,
Washington, DC, May 9, 2012.

Re Interfaith Alliance Recommends Voting YES on Rep. Holt Amend. to H.R. 5326.

DEAR REPRESENTATIVE: On behalf of Interfaith Alliance, I urge you to vote YES on Rep. Rush Holt's (D–NJ–12) amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2013. A recorded vote on this amendment is anticipated on the House floor today. The amendment states:

''None of the funds made available in this Act may be used for programs or activities that involve racial, ethnic, or religious profiling by any Federal, state, or local law enforcement organization.''

As the only national, interfaith organization dedicated to protecting the integrity of both religion and democracy in America, Interfaith Alliance supports Rep. Holt's amendment because:

Racial and religious profiling is an affront to the principle of religious freedom on which our nation was founded. Profiling individuals simply because they belong, or appear to belong, to a particular religious community turns First Amendment-protected beliefs and activities into cause for suspicion.

Racial and religious profiling undermines Americans' trust in those sworn to protect them. Numerous studies have shown that singling out individuals for investigation based solely on their appearance is ineffective and dishonest, alienates racial and religious minorities, and diminishes cooperation and effective law enforcement.

Racial and religious profiling fuels divisiveness by casting suspicion over an entire religious community, perpetuating discrimination against religion generally and religious minorities in particular.

Protecting religious freedom is most critical in times of crisis and controversy. Most law enforcement agents discharge their duties honorably, and do not engage in racial and/or religious profiling. Prior to 9/11, both Congress and President George W. Bush made a commitment to end the practice of racial profiling. However, the September 11th attacks caused a dramatic rise in the inappropriate profiling of Arabs, Muslims, Sikhs, and South Asians. This profiling based on religion, race, ethnicity, and national origin continues to persist today.

Again, please vote YES on Rep. Holt's amendment to H.R. 5326 and affirm our fundamental moral and democratic values of equal protection and religious liberty while making our nation safer by ending this practice now. Please call Deputy Director for Public Policy Arielle Gingold with any questions at 202–238–3266.

Sincerely,

REV. DR. C. WELTON GADDY,
President, Interfaith Alliance.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, May 9, 2012.

Re: NAACP Strong Support for the Anti-Racial Profiling Amendment to be Offered by Congressman Rush Holt (NJ) to H.R. 5326, A Bill Making Appropriations for the Departments of Commerce, Justice and State.

Hon. MEMBERS,
U.S. House,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I strongly urge you to support Congressman Rush Holt's (NJ) amendment to H.R. 5316, the Commerce, Justice, State, and Related Agencies Appropriations Act 2013. Congressman HOLT's amendment would prohibit federal funding for programs or activities that involve racial, ethnic, or religious profiling by any federal, state, or local law enforcement organization.

Racial profiling betrays the fundamental American promise of equal protection under the law and infringes on the Fourth Amendment guarantee that all people be free from unreasonable searches and seizures. Such discriminatory law enforcement practices have no place in American life and certainly should not be supported by federal funds. Racial profiling targets individuals not because of evidence of criminal activity but because of the individuals' perceived race, ethnicity, nationality or religion. It diverts limited law enforcement resources away from more effective strategies. Racial profiling also causes resentment in targeted communities and makes people in those communities less likely to cooperate in crime prevention reporting or investigations. When individuals and communities fear the police, they are less likely to call law enforcement when they are the victims of crime or in emergencies. Creating a climate of fear compromises public safety and limits the ability of law enforcement officials to effectively carry out their responsibilities. Such counterproductive law enforcement practices should never receive federal support.

As I stated earlier, I hope that you will support the Holt amendment to H.R. 5326 and help address the very serious problem of racial profiling. Thank you in advance for your attention to this NAACP priority. Should you have any questions or comments, please do not hesitate to contact me at my office at (202) 463–2940.

Sincerely,

HILARY O. SHELTON,
Vice President for Advocacy / Director, NAACP Washington Bureau.

Mr. KING of New York. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of New York. Mr. Chairman, I must say that I strongly oppose this amendment, and I disagree with virtually every word spoken on the floor tonight by the gentleman from New Jersey.

Let's understand one thing. The NYPD has the most effective counterterrorism unit in the country. There are 1,000 police working day in and day out. As a result of that, almost 13 or 14 attempts, terrorist attempts, Islamist terrorist attempts to attack New York have been stopped.

Now, let's get something straight. The President's Homeland Security Advisor, John Brennan, recently visited with the NYPD. During that meeting, or following that meeting, Mr. Brennan, President Obama's Homeland Security Advisor, stated:

I have full confidence that the NYPD is doing things consistent with the law, and it's something that again has been responsible for keeping this city safe over the past decade.

Mr. Brennan, the President's Homeland Security Advisor went on to say:

If we are going to have the ability to identify and stop terrorist operatives and terrorist attacks here on our shores, the national government cannot do it alone. The NYPD is a model of how a community can come together.

He closed by saying to the NYPD:

You have had a very difficult job. I think you've done it very well. The success is in the record in terms of keeping your city safe.

In addition to that, FBI Director Mueller has stood by the NYPD, said that they are in full compliance with the law. CIA Director Petraeus, there was an IG inspection done, that the NYPD's relationship with the CIA was in full compliance with the law.

These slanderous attacks by the Associated Press and The New York Times cannot point out one instance of a law being violated or one provision of the Constitution being violated.

We should be here tonight giving the NYPD a medal. We sit here, 10½ years after September 11, and the most effective law enforcement, counterterrorism unit in the country is being attacked? We are attempting to cite the Constitution and provisions of law as somehow an attack on the NYPD, when no one complies with these more than the NYPD.

And again, we go through, whether it's Director Petraeus, whether it's Director Mueller, or whether it's the

President of the United States, his own Homeland Security advisers have said this.

Now, I work closely with the NYPD, those in New York, whether it's Mayor Bloomberg, whether it's City Council President Christine Quinn. She's a Democrat; he's an independent. Both stand by the NYPD because of what they have done.

And to think that the most effective organization is being attacked by the Associated Press, The New York Times, and those attacks are being joined here on the floor of the Congress of the United States, without one fact to back them up. There is no spying. All this is good police work.

The reality is we're not going to sit back like we did on September 11 and allow the enemy to come. If we know that an attack is coming and we're told, for instance, that operatives are coming from a particular country and there's a community in New York City where those people live, then obviously you go, you conduct open surveillance. No one's talking about any violations to the Constitution.

I remember years ago when the Justice Department was going after the Mafia, they went to the Italian American communities. When they were going after the Westies, they went to the Irish American communities. When you're looking for the Russian mob, you go to the communities in Coney Island and Brighton Beach. That's where the enemy comes from.

Ninety-nine percent of the people are law-abiding. But if you're looking for the person who is going to that community to carry out a crime, you look in that community. If you're looking for an Islamic terrorist, you don't go to Ben's Kosher Deli. When they were looking for the Italian mob, they didn't go to an Irish bar. They went to the Italian social clubs.

This is solid law enforcement. That's not profiling. That's an abuse of the term ''profiling'' to even suggest that.

So I cannot be more emphatic or stronger in my denunciation of this amendment, calling for its defeat and urging people to stand by the NYPD, which has kept New York safe for 10½ years.

I went to too many funerals. I attended too many wakes. I lost too many constituents. I'm not going to allow it to happen so long as I'm in this Congress.

I oppose this amendment.

The Acting CHAIR. The gentleman's time has expired.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. This is a well-intentioned issue in the sense that all this amendment says is that none of the funds in this bill should be used to violate the Constitution of the United States, the Fifth and the 14th Amendment, so I'm sure there will be those who want to adhere to it.

But this is not the appropriate place to be dealing with this issue. This is an appropriations bill. We've had dozens of riders, one after another, with people trying to get at other issues.

Now, there is no instance, no matter what the purpose, under which we should be condemning law enforcement when they are carrying out appropriate responsibilities, and they should be given the benefit of the doubt. In the same instance, we have a responsibility to uphold the Constitution. The Constitution is clear in its delineation that you can't discriminate.

And we shouldn't—it's not good law enforcement practices, no matter who you're looking for, to act in ways in which you close your eyes to other possibilities. If you're looking for terrorists, they don't come in any particular subset or group. And I know that wise law enforcement is aware of this, and that they look across the board at what the vulnerabilities may be.

I want to thank the gentleman from New Jersey for his steadfastness in trying to protect against religious bigotry or ethnic discrimination or unintentional stepping across the line, however one might want to look at this. But, again, this is a bill in which we're trying to deal with the appropriation of Federal dollars for needed law enforcement activity.

Mr. HOLT. Will the gentleman yield?

Mr. FATTAH. I would be glad to yield to the gentleman.

Mr. HOLT. Thank you.

This is completely consistent with an appropriations bill for the Department of Justice. Just as we have spent decades getting away from the practice of harassing people for driving while black, we've got to get away from the practice of harassing people for shopping while Muslim.

□ 2050

Mr. FATTAH. In reclaiming my time, the point here is that, with every dollar that we appropriate to the Department of Justice, we operate under the belief that they're carrying out their constitutional responsibilities, so a limitation that says that they have to operate within the Constitution, at best, is somewhat redundant.

Mr. HOLT. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from New Jersey.

Mr. HOLT. Reference was made to the Deputy National Security Advisor of President Obama's, Mr. Brennan.

What Mr. Brennan actually said was that, for the NYPD to be effective, they need the cooperation of the Muslim community. In fact, if you talk with the Muslim community, they are not only outraged by this behavior; they are intimidated by it. They see it as profiling. My colleague from New York and my colleague from Pennsylvania can say, well, of course everybody is operating under the law.

Mr. FATTAH. In reclaiming my time, I didn't say that. I understand, from the press reports one could consider this profiling. All I am suggesting to you is that this is not the appropriate vehicle for us to deal with it. Profiling would be improper, and I believe the Justice Department has articulated that their position is not to profile.

Mr. HOLT. Will the gentleman yield?

Mr. FATTAH. I will be glad to yield to the gentleman from New Jersey.

Mr. HOLT. I would hope that the gentleman would find a place for this instruction to the Department of Justice in order to make sure that the recipients of their grants do what they are, indeed, supposed to do. We're talking about money spent. We should make sure that the taxpayer money is spent for good policing.

Mr. FATTAH. I thank the gentleman. As I indicated, I commend you for raising this issue. I know it's unpopular in some areas.

I'm just suggesting that, when in an appropriations bill, a rider like this, dictating to the Department that it should comply with the Constitution is similar to some other amendments we've seen today. I believe that the Department has an ongoing, everyday responsibility to comply with the Constitution.

I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I share the comments made by Mr. FATTAH and by my friend from New York (Mr. KING).

At every hearing we have, we raise this issue with Director Mueller. Director Mueller may be the best—not one of the best—the best Director that we've ever had at the FBI. I think Director Mueller has stood with the NYPD. He had an opportunity to speak and to say something negative. He did not.

My good friend—and he is my friend. I think we throw words around there, but I like RUSH HOLT, and he knows how I feel about him. Yet this is not a good amendment, and it almost makes the FBI or the NYPD look like they're doing something wrong. It's one thing to have a colloquy on the floor, but another to have an amendment that looks like it's a direct kind of attack on it after. I looked at the original amendment, and you had to kind of change it for it to be in order.

Secondly, I think Ray Kelly is one of the finest police chiefs we've ever had in the country, and if you were an NYPD policeman, you would see this and think.

Thirdly, to validate what Mr. KING said, I will read here:

President Barack Obama's top counterterrorism adviser praised the New York Police Department's work Friday, saying the agency has struck an appropriate balance between keeping people safe and protecting their rights.

We have to remember Major Hasan was responsible for the death of 13 people, and there were targets and signs that nobody wanted to kind of identify. As Mr. KING said, there are about 180 people from my congressional district who died in the attack at the Pentagon.

Brennan goes on to say:

It is not a trade-off between our security and our freedoms and our rights as citizens, John Brennan said Friday at an appearance at NYPD headquarters.

I believe that balance that we strike has been an appropriate one. We want to make sure that we're able to optimize our security at the same time we optimize those freedoms we hold and cherish so deeply.

Brennan's comments represent a White House stamp of approval of the NYPD's tactics. For months, the Obama administration has sized up the question about the NYPD surveillance program while insisting on the importance of building partnerships with American Muslims.

Then it goes on to say:

City officials said the police department has done nothing illegal and argued that the NYPD would have endangered the city it is charged with protecting if it did not take such preventative measures. Officers cannot wait to open an investigation until a crime is committed, they argue. Police Commissioner Raymond Kelly has said it is a mischaracterization to describe the department's tactics as spying.

I will close with this:

In a speech to the police department's officials and representatives from private security firms, Brennan then went on to say, The NYPD's counterterrorism work was essential to the safety of the Nation's citizens.

So I agree with Mr. KING, and I agree with Mr. HOLT.

Mr. HOLT. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman from New Jersey.

Mr. HOLT. Since you refer to the Deputy National Security Advisor, it's worth pointing out that a couple of days later the White House felt it necessary to back away from his comments and to say:

John, in his remarks, wasn't referring to the NYPD surveillance.

Of course he was, but they had to say he wasn't because he had misspoken. Rather, he was stating that everyone in the counterterrorism and law enforcement community must make sure that we are doing things consistent with the law.

In other words, Mr. Brennan was out of bounds, and the White House had to walk that back. So I wouldn't, if I were you, choose his endorsement of these NYPD activities as the best argument against my amendment.

Mr. WOLF. In reclaiming my time, I do take Mr. Brennan at his word. I think Mr. Brennan is actually a constituent who lives in my congressional district. He has a pretty distinguished career in having been our station chief in Saudi Arabia and the head of the Counterterrorism Center, and he probably knows more about terrorism than any Member here in the Congress but for, perhaps, Mr. ROGERS or Mr. RUPPERSBERGER.

Secondly, Director Mueller, I maintain, is one of the best Directors. Director Mueller is an honest, decent, ethical guy, who cares deeply with regard to civil rights. Mr. SERRANO is not here, but God bless Mr. SERRANO. At every hearing, Mr. SERRANO always bears in to make sure that the FBI is doing things appropriately. I believe they are, and he validated what the NYPD did.

It's just not a good idea to be attacking our law enforcement and saying this when they're actually doing a good job. So I stand with Mr. FATTAH, and I stand with Mr. KING.

The Acting CHAIR. The time of the gentleman from Virginia has expired.

(On request of Mr. FATTAH, and by unanimous consent, Mr. WOLF was allowed to proceed for 2 additional minutes.)

Mr. WOLF. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I thank the chairman for yielding.

It is not inconsistent for us to want to have support for law enforcement and also that the Constitution be followed. We have access to law enforcement. If you want them to come in and brief you on these tactics and to talk this thing through, that's fine; but I don't believe that we should take a position of all the angels on one side. To the contrary, there is no police department that's perfect.

The point here is that the effort is one, I believe, to comply with the constitutional restrictions that you do not operate without due process and probable cause. Let's see if we can find a way other than with this amendment to see if we can get to the heart of this.

Mr. WOLF. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. CRAVAACK

Mr. CRAVAACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out the activities of the Climate Change Education program of the National Science Foundation.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. CRAVAACK. I rise today to offer an amendment that would prohibit any more funding going to a duplicative program. I'd like to think that everyone in this room is well aware that we are $15.7 trillion in debt.

□ 2100

Our spending is out of control. We are simply spending money we don't have and massively indebting future generations of Americans.

The GAO reports duplicative U.S. Government programs costs billions of dollars. Thirteen agencies fund 209 different science, technology, engineering, and math education programs. Of those programs, 173 overlap with at least one other program. We have to be responsible for how the government spends Americans' hard-earned tax dollars. We cannot afford to borrow money to fund duplicative programs that are already under the purview of established agencies and protocols.

The Climate Change Education program at the National Science Foundation duplicates education programs already in place. Currently, worthy research proposals are subject to rigorous peer-reviewed processes. The Climate Change Education program sets aside money for a specific purpose, which is already covered in interagency education programs. This is just more Big Government and a waste of taxpayer dollars.

Last year, the Climate Change Education program funded partnerships among K–12 education, related nonprofit organizations, and relevant education and/or climate-related policymakers. This year, however, the program has morphed into the Sustainability Research Network to create new interdisciplinary learning experiences for graduate and undergraduate students, as well as literacy programs. In the military, we call this mission creep.

The National Science Foundation funds basic research and serves as an engine of our innovation economy. However you feel about global warming, that is not the debate here today, though I look forward to engaging in that in the future.

This amendment addresses a duplicative program that is not necessary and is costing the taxpayers money we simply don't have. We need to prioritize innovation and research and NSF, and eliminate duplicative education programs that do nothing to improve the economic outlook of our future. We need to get back to the basics.

I ask all of my colleagues to join me in this commonsense amendment in

ending a duplicative program that is wasting taxpayer dollars and further indebting future generations.

Mr. Chair, I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chair, I oppose this amendment.

Climate change is a big issue in the world we live in. It affects our economy, our ability to move goods. We've had the most severe weather season we've had in history over the last 12 months at a cost of a billion-plus dollars. Our ability to understand the weather and the climate and its impact on business and industry and agriculture is critically important. I think that the National Science Foundation—which is an entirely merit-based system of scientific awards in which they fund less than one out of every five meritorious pieces of research proposals. There is absolutely no politics. The National Science Board, which is confirmed by the Senate, reviews these proposals, they make selections. The idea that we don't want to know more or learn more, I think is interesting. I would hope that the House would reject that, and that what we would do is seek knowledge as a way to retain our global leadership as the leading Nation in the world.

Mr. Chair, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. I yield to the gentleman from Minnesota.

Mr. CRAVAACK. Mr. Chairman, regarding duplicative programs—again, this is about duplicative programs. The National Science Foundation already funds STEM education and even climate-change education programs in the Directorate for Education and Human Resources with worthy peer-reviewed proposals.

Total U.S. spending for the U.S. Global Change Research program for 13 agencies is more than $2.5 billion, primarily at NASA, NOAA, and NSF. NSF spending for the U.S. Global Change Research program is over $333 million. NSF spending for education is $1.2 billion a year. Climate change education can be addressed through NSF climate research activities and NSF education activities. There is no need to fund additional special climate-change education programs.

This newer program under the Obama administration is currently funded at $10 million a year, $5.5 million from the Education Directorate and $4.5 million from several research directorates as identified. Again, this is a duplicative program and a waste of the taxpayer dollars.

Mr. YOUNG of Alaska. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. CRAVAACK).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT OFFERED BY MS. BROWN OF FLORIDA

Ms. BROWN of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. The amount made available by this Act For ''Department of Justice—Office of Justice Programs—State and Local Law Enforcement Assistance'' for emergency federal law enforcement assistance, as authorized by section 609M the Justice Assistance Act of 1984 (42 U.S.C. 10513; Public Law 98–473) is hereby increased by $20,000,000 and the amount otherwise provided by this Act for PERIODIC CENSUSES AND PROGRAMS AND STATISTICS is hereby reduced by $20,000,000.

Ms. BROWN of Florida (during the Reading). I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. BROWN of Florida. Mr. Chairman and Members of the House, I'm very excited that finally we have an amendment that I think everybody can support since everyone supports law enforcement.

This amendment fully funds the Emergency Federal Law Enforcement Assistance Program in the amount of $20 million. This program was designed to help local government respond to extraordinary law enforcement emergencies after they have exhausted their own budgets. The Emergency Law Enforcement Assistance Program authorizes the Attorney General to provide funds, equipment, training, intelligence, and personnel to alleviate the financial impact of unforeseeable emergency law enforcement situations.

This program was authorized in 1984 but has not been funded since 1996. Had it been funded, this program would have helped a community in my district. In October of 2007, a 7-year-old girl, Somer Thompson, went missing on her way home from school. The Clay County sheriff's office followed garbage trucks and found Somer's body in a Georgia landfill 2 days later. Thanks to this quick thinking, her killer was captured and will never harm another child.

Investigations like this one cost a lot of money. Overtime, lab tests, travel costs, and numerous unforeseen expenses can blow even the most prudent budget. Small communities simply lack the resources to pursue investigations on this scale. The sheriff told me he had exhausted his budget for the year on overtime just for this one case.

I did what I could to help scrape together grants from other sources, but this program would have filled the gap. By the way, the sheriff and almost everyone in Clay County is a Republican, but this is not about party. It's about doing what is right. In an era when local government can barely afford the police they have, a major crime can wipe them out and leave the community more vulnerable. The basic purpose of government is to protect the citizens. This amendment will make sure police can do it without worrying about a crisis that will break their budget.

Mr. WOLF. Will the gentlelady yield?

Ms. BROWN of Florida. I yield to the gentleman from Virginia.

Mr. WOLF. We have a little concern, but we are going to accept the amendment with the idea we can work as we go to conference. We will accept the amendment.

Mr. FATTAH. If the gentlewoman will yield, I thank the chairman, and I thank the gentlelady from Florida.

Ms. BROWN of Florida. With that, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. REED). The question is on the amendment offered by the gentlewoman from Florida (Ms. BROWN).

The amendment was agreed to.

□ 2110

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, in lieu of an amendment, I would like to take this time to engage the subcommittee chairman in a colloquy about the importance of our Nation's fisheries management commissions.

Mr. Chairman, I rise today to express my support for funding our Nation's fisheries management commissions and the good work they do to help keep more fish in our waters. NOAA's Inter-Jurisdictional Fisheries Act, IJFA, program supports the conservation and management of fish species which occur in both Federal and State waters. Funding for this program is used to support conservation and management tasks not currently being undertaken by NOAA or the Regional

Fishery Management Councils. Similarly, fisheries commissions on the Atlantic, Pacific, and gulf coast represent an important bottom-up stakeholder approach to managing our Nation's many fisheries and often develop innovative programs to enhance America's fisheries resources.

I yield to the gentleman from Virginia.

Mr. WOLF. I thank the gentleman from Alaska. We will work with the other body to ensure that these programs are adequately funded.

Mr. YOUNG of Alaska. Thank you, Mr. Chairman.

In these tight budgetary times, hard choices must be made, and we should ensure that we do our utmost to put funds back into productive programs that increase the sustainability of fisheries and benefit the States, and the IJFA and councils and commissions accounts are areas where current programs are producing proven results for fisheries' sustainability.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. _____. The amounts otherwise provided by this Act are revised by—

(1) reducing the amount made available under the heading ''Department of Commerce; International Trade Administration; Operations and Administration'' (and the amount provided under such heading for official representation expenses abroad) by $155,979;

(2) reducing the amount made available under the heading ''Department of Commerce; Bureau of Industry and Security; Operations and Administration'' (and the amount provided under such heading for official representation expenses abroad), by $6,750;

(3) reducing the amount made available under the heading ''Department of Commerce; U.S. Patent and Trademark Office; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $450;

(4) reducing the amount made available under the heading ''Department of Commerce; National Institute of Standards and Technology; Scientific and Technical Research and Services'' (and the amount provided under such heading for official reception and representation expenses) by $2,500;

(5) reducing the amount made available under the heading ''Department of Commerce; Departmental Management; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation) by $2,250;

(6) reducing the amount made available under the heading ''Department of Justice; Legal Activities; Salaries and Expenses, General Legal Activities'' (and the amount made available under such heading to INTERPOL Washington for official reception and representation expenses) by $4,500;

(7) reducing the amount made available under the heading ''Department of Justice; Legal Activities; Salaries and Expenses, United States Attorneys'' (and the amount provided under such heading for official reception and representation expenses) by $3,600;

(8) reducing the amount made available under the heading ''Department of Justice; United States Marshals Service; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $3,000;

(9) reducing the amount made available under the heading ''Department of Justice; Federal Bureau of Investigations; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $98,640;

(10) reducing the amount made available under the heading ''Department of Justice; Drug Enforcement Administration; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $45,000;

(11) reducing the amount made available under the heading ''Department of Justice; Bureau of Alcohol, Tobacco, Firearms and Explosives; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $18,000;

(12) reducing the amount made available under the heading ''Department of Justice; Federal Prison System; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $2,700;

(13) reducing the amount made available under the heading ''Science; Office of Science and Technology Policy'' (and the amount provided under such heading for official reception and representation expenses) by $1,125;

(14) reducing the amount made available under the heading ''Science; National Aeronautics and Space Administration; Cross Agency Support'' (and the amount provided under such heading for official reception and representation expenses) by $31,709;

(15) reducing the amount made available under the heading ''Science; National Science Foundation; Agency Operations and Award Management'' (and the amount provided under such heading for official reception and representation expenses) by $4,140;

(16) reducing the amount made available under the heading ''Science; Office of the National Science Board'' (and the amount provided under such heading for official reception and representation expenses) by $1,250;

(17) reducing the amount made available under the heading ''Related Agencies; Equal Employment Opportunity Commission'' (and the amount provided under such heading for official reception and representation expenses) by $1,125;

(18) reducing the amount made available under the heading ''Related Agencies; International Trade Commission; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $1,125;

(19) reducing the amount made available under the heading ''Related Agencies; Office of the United States Trade Representative; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $58,032;

(20) reducing the amount made available under the heading ''Related Agencies; State Justice Institute; Salaries and Expenses'' (and the amount provided under such heading for official reception and representation expenses) by $1,125; and

(21) by increasing the amount made available for ''Department of Commerce; National Institute of Standards and Technology; Industrial Technology Services'' (and the amount provided under such heading for the Manufacturing Extension Partnership) by $443,000.

Mr. GARAMENDI (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Chairman, day after day, or at least week after week, my colleagues and I are here on the floor talking about jobs. It is about jobs and jobs and jobs again. Our agenda, which we call ''Make It in America,'' is an agenda that would rebuild the American manufacturing sector, a sector that has lost about 40 percent of its jobs in the last 20, 25 years from just under 20 million to just over 11 million Americans who are working in manufacturing today.

One of the innovative ways of improving manufacturing has been developed. It's called the Manufacturing Extension Partnership. It's actually modeled after another Federal-State program that's been in existence for more than 100 years. Anyone that's in agriculture would recognize the Agricultural Extension Program. This is the Manufacturing Extension Partnership, a program that has actually added another feature to the old and still very successful Agricultural Extension Program, and that is a public-private partnership. In this program, the Federal Government, through the National Institute of Standards and Technology, runs a program in which funding is provided for local, private, or nonprofit organizations to become extension program managers.

In California, this has been a very, very successful program. Some $447 million in new retained sales have occurred, $128.8 million in new investments, and some 3,769 jobs have been created.

Some examples exist throughout California. In southern California, a manufacturer, a small company that makes high-tech parts for the aircraft industry, has been able to improve their manufacturing techniques and have been able to stay in business, and they now have been very successful in bringing down contracts with the aircraft industry.

In the Bay Area, another program—actually run out of San Ramon, near my district—has been very successful. This program, called MANEX, has been very successful working with companies in the area. Morgan Hill Precision, to be precise, is a company that, again, is a machine shop. That company has used the MEP program, the Manufacturing Extension Partnership, to good success.

Now how do we pay for this? Some $437,000. We take a little bit from some 20 different parts of the Department of Commerce. The result is it's working. We would like to keep it working at its full level, at last year's level. The bill before us actually reduces it by 50 percent. So we're adding $437,000 back by taking small amounts from some 20 different programs.

With that, I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I have no objection. I support the amendment. It's appropriate to reduce the Agency's representation funds in this austere fiscal environment. Last year, the House and Senate conference committee on the bill reduced every representation account in the bill by 10 percent. So I think MEP is a great program, and I support the amendment.

I yield back the balance of my time.

Mr. FATTAH. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I have no higher priority in the Commerce section of the bill than MEP. I have visited with them in their meetings with local manufacturers. I visited with them in Orlando with over 1,000 manufacturers from around the country. I know intimately the work that they're doing. The National Innovative Marketplace, which the gentleman refers to, has been very helpful.

This is the only program in the last year that left the House at a higher number than the Senate and left the conference committee at a higher number than the House or the Senate. So you can tell it rose to its highest level of funding at $128 million. This program started under Senator Hollings at $5 million. It's very, very important.

But not only would we accept this amendment—and I thank the chairman—but I think you have to look at what we've done in this bill in total in terms of manufacturing because the chairman has been focused on this. Over $140 million in the National Science Foundation with the Advanced Manufacturing Initiative. We have money in this for the Advanced Manufacturing Technology Consortium.

We, with the chairman's leadership, have an onshoring initiative funded at $5 million to help businesses think through their cost-benefit analysis of coming back home. And we actually held a hearing, as the last hearing of the subcommittee before we marked up our bill, focused on manufacturing. I've said there's nothing more important to the country or to my caucus than this matter. It's not a partisan issue. Manufacturing, making things in America is of importance to our national security and is important to our economy.

I want to thank you for your leadership. And I also agree with the amendment.

I will yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was agreed to.

AMENDMENT NO. 26 OFFERED BY MR. DENHAM

Mr. DENHAM. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following:

SEC. ___. None of the funds made available by this Act may be used to implement section 10011(b) of Public Law 111–11.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. Mr. Chair, the amendment that I'm offering is intended to fortify the underlying appropriations bill. Under the bill, the National Marine Fisheries Service and this amendment seek to ensure that funding doesn't have a detrimental impact on my district.

This amendment was adopted on the floor by a voice vote last year and added to the Energy and Water appropriations bill. Further, it was also supported in H.R. 1837 earlier this year, and you would have supported what this amendment will achieve.

The San Joaquin River Restoration Program continues to push forward on an ill-advised path of wasting water out of the ocean under the guise of saving salmon. Every year, the San Joaquin River Restoration Program would require the reintroduction of salmon into the San Joaquin River if this ill-advised attempt to introduce the species fails.

□ 2120

The problem is that the river is not yet in a condition where the salmon can survive.

There's still a number of different problems and projects along the river that need to be completed, from a bypass to several fish screens, and even in one section of the river the administration hasn't even designated a channel from where the river will flow—and will not for another 2 years.

Premature introduction of salmon in the river will only lead to their death at a high cost to taxpayers and the local community. This amendment simply prohibits the premature reintroduction of an endangered salmon species into an uninhabitable river. Central Valley salmon runs are struggling to regain healthy numbers. This amendment ensures that bureaucrats don't purposely reduce the numbers of available salmon in other streams just to plant them into the San Joaquin system and further threaten and endanger current runs.

Agencies already possess the necessary authority to make the right decision and delay the reintroduction of salmon into a river that cannot sustain the life cycle of the salmon, but they continue to bend to an environmental agenda. More time is needed to build the infrastructure required for the San Joaquin River Restoration Program before the river can sustain the salmon run.

Finally, even the National Marine Fisheries Service has doubts about the success of reintroduction. Contained within the final draft of their reintroduction strategies, the Service stated the river would not support full-scale reintroduction of the salmon. And, further, the Department of the Interior and the Department of Commerce jointly stated that the completion of phase 1 of the restoration project was needed before reintroduction of salmon can be successful.

This is a very commonsense amendment. The river needs several different projects to be completed for the salmon to even survive. So why would we, year after year, take salmon off of other tributaries, move them to somewhere they can't survive at a huge expense to taxpayers?

Mr. Chairman, it's a commonsense amendment to prevent taxpayer dollars from being wasted on killing an endangered species.

I urge all of my colleagues to support this amendment, and I yield back the balance of my time.

Mr. WOLF. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I have no objection to the amendment. I accept the amendment, and yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I'm going to be brief.

This amendment seeks to intervene or prohibit a court-supervised settlement of an 18-year running litigation having to do with some very delicate issues that he has I think articulated around an endangered species of salmon. To do this at this hour of the night on this bill I think is not prudent. I'm opposed to it, and I yield back the balance of my time.

Mr. GARAMENDI. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. For more than 20 years, there's the question of what to

do with the San Joaquin River, a river that was essentially dried out and a river in which the indigenous species—salmon and other fish—were simply nonexistent. That fight went on and on and on. And after 20 years of fighting and litigation, a settlement was reached—a settlement that called for the restoration of stream flows in the San Joaquin River so that the salmon and other species in that river could be returned. This amendment simply overturns that. It was a Federal court order that approved the settlement—a settlement between the water users of the CVPIA and also the environmental groups.

To do this amendment is simply going to once again reignite a major water war that is totally unnecessary. Certainly, it is going to be difficult to restore the river, but it can be done and it is going to take time and it is going to take money—and we should do it. This is one of the two largest rivers in the State of California. It's a river that had in the past, before the reservoirs were built and before the river was dried up, an extraordinary run of salmon. It will never be able to return to what it once was, but it can return to a viable river.

To take action at this hour of the night on an amendment that is going to only be heard between half a dozen of us here on the floor seems to me to be quite wrong. We ought to oppose this amendment. We ought not allow it to be in the bill, and we ought to allow things to go forward.

I would remind those who are supporting this that this is going to be a major blowup in the U.S. Senate. I know we don't much care about that, but, nonetheless, Senator FEINSTEIN has authored legislation to implement this particular settlement. This unravels all of that. We ought not be moving forward, and I therefore oppose the amendment.

I yield back the balance of my time.

Mr. YOUNG of Alaska. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. I yield to the gentleman from California.

Mr. DENHAM. Thank you for yielding.

As my friend from California completely understands, we can't reintroduce salmon in an area that isn't inhabitable by salmon. It's just not only a waste of money, but it's going to kill the endangered species. Why move them from one tributary where they are surviving to one where they can't survive?

Don't take my word for it. Take the word of the National Marine Fisheries Service or the Department of the Interior or the Department of Commerce. Take the opinion of the Exchange Contractors Water Authority, the San Luis & Delta Mendota. These are the locals that live there. Why waste the money?

He knows the issue. So either he wants to kill the salmon at a huge expense or he just wants to waste the money. This does nothing to overturn the settlement. All it merely says is let's follow what was originally intended, wait until 2014 when the projects are complete, give the salmon a fighting chance to survive, and let's not waste a lot of money in the meantime.

Let's not confuse the issue. He understands this has passed the House by a voice vote. It has passed the House in a bill. And now, once again, after being debated several times in committee, in the light of day, with many amendments, with many opportunities, with the American public watching, we're going to pass it one more time.

Mr. YOUNG of Alaska. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DENHAM

Mr. DENHAM. Mr. Chair, I have an amendment at the desk, amendment No. 27.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Executive Office for United States Attorneys (including the offices of United States attorneys), the United States Marshals Service, or employees of the Department of Justice, to carry out activities located at a newly constructed Federal courthouse located on a site between Broadway, Hill, First, and Second Streets in Los Angeles, California.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. Mr. Chairman, this is a very simple amendment. This simply just prevents the funds from being used to divert vital resources to an unneeded Federal courthouse in Los Angeles.

I have the distinct privilege of chairing the Subcommittee on Economic Development, Public Buildings & Emergency Management. In that capacity, I have oversight over the Federal courts.

The last Congress, at the request of this subcommittee, the GAO completed a review of the 33 courthouses constructed between 2000 and 2010. What the GAO found was incredible. GSA has built over 3.5 million square feet of courthouse space that we don't need—at a cost of $800 million. As a result, the Judiciary abandoned existing courthouses across the country and severely underutilizes every single new courthouse.

The GAO identified three reasons:

First of all, when GSA is not busy taking vacations in Las Vegas, they continue to build bigger courthouses than Congress authorizes.

The Acting CHAIR. The gentleman will suspend.

Would the gentleman clarify which amendment he offered: Amendment No. 27 printed in the RECORD or the amendment at the desk?

□ 2130

Mr. DENHAM. It is the new amendment that is at the desk that corrects the printed amendment.

The Acting CHAIR. That is the amendment that was reported by the Clerk.

The gentleman may proceed.

Mr. DENHAM. Thank you, Mr. Chair.

As I was saying, the GAO identified three different reasons:

GSA continues to build courthouses bigger than what Congress authorizes. Congress authorizes one thing, but then GSA goes out and builds not only something completely different, but much bigger and at much greater expense.

Number two, we don't have the judges that were once proposed.

Third, judges don't share courtrooms. These courtrooms get used about 2 hours a day, and we don't have any courtroom sharing across the Nation.

We could be utilizing these courthouses quite a bit more than what they are today. As a result, we demanded that the judiciary conduct a real courtroom-sharing study so that a third party can figure out how many judges are needed. And over the last 11 years, the judiciary projected there would be somewhere between 72 and 81 judges in L.A. by 2011.

The judiciary declared L.A. the number one judicial space emergency in the United States and proposed a massive, huge new courthouse. However, today we know the primary justification for an L.A. courthouse was wrong. There are fewer judges in L.A. today than there were in 1997. Today we have two buildings with 61 courtrooms and 59 judges. We have 61 courtrooms and only 59 judges, no courtroom sharing, being utilized less than 2 hours a day.

In that light, I have asked GSA to stop its plans to spend $400 million on a courthouse in Los Angeles. GSA has told me explicitly that they will continue with the project at whatever cost. After building a $400 million courthouse, we will have 85 courthouses and 59 judges, 85 courtrooms and 59 judges.

All of these judges—not only do we need less courtrooms, we don't need to build the one that we currently are proposing to build. You could put all of these judges in one courthouse, sell off the other courthouse, and never build the one that's being proposed at $400 million.

We've seen this before at least seven times in other cities where new courthouses were built and the old ones sit vacant today, a burden to the taxpayer and eyesores to the community.

There's a big courthouse in Miami, sitting vacant. One being redone in New York, vacant. And yet we want to spend $400 million on something we don't need in Los Angeles.

I personally toured the L.A. courthouse facilities and found there's vacant space currently not being used in both the Roybal building as well as the Spring Street building. GAO ran a centralized sharing model for L.A. and found that all the judges could fit in the Roybal building alone.

This country has a $15 trillion debt, and GSA continues to waste millions of dollars on projects that no one needs. What we do need is to move everybody into the Roybal building, get rid of the vacant space, and sell off the other courthouse. At a time like this, we should be utilizing the best use of taxpayer dollars.

This is why I introduced the Civilian Property Realignment Act, to get this out of the hands of the legislature, to make sure that we are actually selling off properties we don't need.

We've sold 82 properties over the last decade, and we have 14,000 that are sitting on the vacant list. We can do a much better job, but it starts right here with the L.A. courthouse. Before we can sell off the things that we don't need, we ought to stop building the things that we don't need. Sell off the property. We can create jobs by letting the private sector go there and build something to get out of a lot of the lease space that we have in the L.A. area.

I ask my colleagues to support my amendment, and I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. As best as I could determine, this prohibits the spending of funds; no funds would be expended under this fiscal year. So I know that the gentleman is quite energized about this, but I think it is better handled in the authorizing committees since he has legislation, and that hopefully will one day get passed and signed into law to deal with this.

If the Congress could manage buildings and deal with the utilization, you know, the Capitol Visitor Center, I mean, we can go through a whole laundry list of our own. We spend a lot of time criticizing other agencies—the GSA for conferences. You should look at what we spend. I mean, you could go through it. We could point fingers forever.

I would rather see, rather than curse the darkness, that we light a candle. We're trying to finish an appropriations bill. I'm in opposition of this amendment because it prohibits the use of funds spent on employees in a courthouse that won't have any employees this year.

I yield back the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chair, I rise in strong opposition to the Denham amendment. The building his amendment targets does not exist. That's right; the building he wants to prohibit federal agencies from occupying next year in fiscal year 2013 doesn't exist.

The Central District of California courthouse which is scheduled for construction in the near future is sorely needed to meet serious safety and security deficiencies at the current courthouse built in 1940. I am submitting for the RECORD a memo from the U.S. Marshals Service which details these concerns. It tells of criminal defendants being escorted through hallways and in elevators with judges, jurors and the general public. It talks about the physical limitations of the aging building to meet the security challenges of the post 9/11 world. These issues, along with a shortage of space and concerns for the seismic stability of the building, have prompted the Judicial Conference to list the project as its number one priority since 2003.

The courthouse has been reviewed by OMB and GSA and approved in both Republican and Democratic administrations. For example, President George W. Bush requested funding for the courthouse in two of his annual budget requests to Congress and the House Transportation & Infrastructure Committee and the Senate Environment and Public Works Committee authorized it with bipartisan support. Furthermore it is important to note that this not new money. The House Appropriations Committee provided funding for this Central District Courthouse several years ago. This project has enjoyed bipartisan support from the Los Angeles County congressional delegation.

For the RECORD, I am also submitting a letter signed by both of our U.S. Senators and 17 members of the California House delegation urging the General Services Administration to move forward on the project.

Construction of the Central District courthouse will address long standing safety and security issues in the current facility in addition to bringing much needed jobs to the Los Angeles area.

I urge my colleagues to oppose this pointless amendment.

U.S. DEPARTMENT OF JUSTICE,
UNITED STATES MARSHALS SERVICE,
Los Angeles, CA, Nov. 2, 2011.

Memorandum To: Audrey B. Collins, Chief District Judge.

From: David M. Singer, United States Marshal.

Subject: Security Issues at 312 N. Spring Street.

You have asked me to describe the physical security deficiencies of the 312 North Spring Street Courthouse. We can provide you with photographs depicting many of these deficiencies, if needed.

The United States Courthouse located at 312 North Spring Street, Los Angeles CA, was built from 1937 to 1940. The age of this building and design has presented various logistical problems for The United States Marshals Service (USMS) in regards to Prisoner Operations, Court Operations, and General Courthouse Security.

LAW ENFORCEMENT GUN STORAGE LOCKERS

In the Central District of California certain law enforcement agencies are not authorized to remain armed after passing the USMS security screening sites. Because of this rule, there is a need for an area to secure the officers' and agents' firearms. The only USMS space available out of public view for the firearms locker, within close proximity to the screening site, is also the entrance for attorneys to speak with in-custody defendants. The officers and agents must remove their firearms in plain view of visiting attorneys and prisoners, showing where firearms are carried on their person.

JUDGE'S UNDERGROUND PARKING AT THE MAIN STREET ENTRANCE

Prisoners transported for court appearances at the courthouse must be offloaded in the Judges' Main Street parking garage, in plain view of judicial vehicles, license plates, make-model-color of judicial vehicles, and at times while Judges are walking to or from their vehicle.

To reach the USMS cellblock, the prisoner must walk up the same ramp and pass the same doors as the Judiciary. It is not uncommon to encounter Judges or court staff while prisoners are approaching the cellblock area.

There is always the potential for prisoners to attempt escape or be assisted by an outside threat because the Main Street garage gate entrance opens directly onto the public sidewalk and a heavily trafficked entry route to the freeways.

MOVEMENT OF PRISONERS

The hallway that serves the USMS cellblock, as well as the only prisoner elevator, is also the only way for Judges to get to their vehicles.

The area to wait for the prisoner elevator is a highly traveled common area for various agencies and contractors in the building. The court's procurement office is located off this hallway, and court staff, delivery personnel, and contractors constitute daily traffic.

The prisoner elevator does not connect directly to any of the courtrooms in the courthouse; instead, USMS staff must escort the prisoner through the public hallway, passing potential victims, prisoner family members, witnesses, jurors, and other prisoners in protective custody.

While walking to courtrooms located at the other end of the building, USMS staff must pass various entrance doors to judicial chambers.

Only two courtrooms have usable adjacent prisoner holding cells. As a result, in-custody defendants sitting in the courtroom galley across from potential victims and prisoner family.

The courtroom doors leading to judicial chambers cannot be secured due to the age of the doors' hardware and design, which cannot be altered due to the building's historic status.

All prisoner movement is done through public hallways, creating unnecessary hazards for USMS personnel, court employees and the public.

The routes from courtrooms back to the USMS cellblock require the use of the public corridors providing the potential for inappropriate verbal contact with witnesses, jurors, family members, etc.

The prisoner elevator is out of service at least once a week due to the age of the elevator. Prisoners must be escorted using the public elevators, walking through the main lobby.

There is no secure circulation for judges. The elevator utilized by judges opens to the same public lobbies used to transport prisoners.

Of the 29 courtrooms in the building, only 12 are accessible using a tunnel system which originates in the USMS cellblock.

The tunnel access uses a combination of steep stairs and narrow, winding hallways with restricted head room in various areas. The hallways have numerous blind spots from camera coverage, and an elevator that is usually not operational. For this reason the tunnel system is not regularly used.

If the tunnel access is used, prisoners must still be escorted through the rear secured judicial hallway that connects courtrooms and judicial chambers.

PHYSICAL SECURITY ISSUES

The screening stations located at the Main Street entrance, the Spring Street entrance, and the Spring Street loading dock were never designed to accommodate current upgraded security and the large crowds who visit the courthouse on a daily basis. Despite the additional concerns and potential threats posed by high threat criminal court cases and increased violence in society, we are not able to redesign these security sites due to the historic nature of the building, and the limited space available.

The ground floor windows around the courthouse are continuously a target for vandalism due to the increasing population of homeless people, as well as anti-government protests occurring daily at surrounding local and state government buildings. The windows' general make-up is inconsistent around the building, with some windows being bullet resistant, some with a protective mylar film, and some with just solar tinting film. The historic status of the building makes it difficult, if not impossible, to install bullet resistant glass in all first floor windows. Three ground floor windows have been broken by vandals in the past year alone.

The courthouse lacks available handicap access on the Main Street entrance, the most heavily used access. The courthouse thus must have two entrances, Main Street and Spring Street, which requires staffing by six court security officers (CSOs) rather than just one entry where we can put less CSOs, concentrating staffing more effectively at a single controlled entry point.

HIGH THREAT TRIALS

The Spring Street Courthouse is an unsafe physical facility for the transport of even one prisoner. Here are examples of some of the high threat, multi-defendant trials held in downtown Los Angeles. They provide a vivid picture of the type of defendant, defendant families, witnesses, and victims involved in federal criminal proceedings held in the Spring Street and Roybal court facilities.

1. U.S. v. Orozco et al. The indictment names 53 defendants who are all members or associates of the 38th Street gang, and charges them with RICO, VICAR, drug trafficking/possession, firearms trafficking/possession, and conspiracy to tamper with witnesses.

2. U.S. v. Santiago Rios, et al. The indictment charges 51 defendants who are all members and associates of the Azusa 13 criminal street gang or validated members and associates of the Mexican Mafia. The charges are RICO conspiracy, civil rights violations, weapons and narcotics offenses.

3. U.S. v. Darbinyan. The case involved 70 defendants who were members or associates of the Armenian Power Criminal Enterprise. Approximately 15 of the defendants would be categorized as very dangerous based on their criminal histories and/or criminal conduct during the investigation.

4. U.S. v. Ron Hirsch. This is the synagogue bomber case. The defendant is charged with attempting to blow up a synagogue with a large pipe bomb. This case received considerable national media coverage.

5. U.S. v. Oscar Juarez, et al. The indictment charges 5 defendants, two of whom are Clanton 14 gang members, with Hobbs Act Robbery, 924(c), and Conspiracy to Distribute Cocaine charges.

6. U.S. v. Edwin Mauricio Palacios. A 1326 case involving an MS 13 gang member whose criminal convictions included a 1995 conviction for second degree robbery, 2008 conviction for terrorist threats, and two arrests for participating in a prison riot.

7. U.S. v. Raul Mercado Mercado. This is a 1326 case involving a Sangra gang member with a prior 1996 conviction for voluntary manslaughter and robbery.

8. Operation Silent Night. There were approximately 30 defendants arrested. Extra manpower was needed at all times for movement due to the high security risks. The defendants are charged with numerous homicides, including the murder of a Burbank Police Officer. They are also charged with narcotics trafficking, extortion, and racketeering. This is a capital offense case.

9. Twenty defendants in another case are all gang members of the East Side Wilmas, and were charged with murder, as well as conspiracy. They are also charged with distribution of illegal narcotics.

TERRORISM CASE

10. U.S. v. Mihalik. The indictment returned August 30, 2011 charges one defendant with making a false statement in a terrorism matter.

MULTI-DEFENDANT COURTROOM IN ROYBAL

The availability of this courtroom assists the USMS and judges in the Spring Street courthouse who need to be conducting high threat, multi-defendant trials as it was built out specifically for such proceedings. Use of the courtroom requires the USMS to provide security transportation from Spring Street, where the judge has parking, to Roybal, two blocks away from chambers.

On a regular basis, however, there are far too many criminal proceedings for the 21 district judges to hold their criminal calendars all in this one courtroom. In 2011, for example, 1,685 defendants had proceedings in downtown Los Angeles, or 48 criminal cases per judge. Virtually all judges hold criminal calendar on Mondays making use of the Roybal multi-defendant courtroom unavailable to more than one judge at a time. Roybal judges also use the courtroom.

CONGRESS OF THE UNITED STATES,
Washington, DC, October 28, 2011.

Hon. MARTHA N. JOHNSON,
Administrator, General Services Administration, Washington, DC.

DEAR ADMINISTRATOR JOHNSON: We write to urge the General Services Administration (GSA) to proceed immediately with construction of a new federal courthouse for the United States District Court, Central District of California in Los Angeles. Congress first authorized site, design and acquisition in 2000 and the project was declared a space emergency by the Judicial Conference of the United States in 2003 and has been the Judiciary's top building priority since that time. It has been delayed too long.

Located in one of the busiest metropolitan areas in the nation, the Los Angeles court handles a high percentage of complex criminal cases related to drugs, murder, mafia, and terrorism. A request to create new permanent judgeships for the district, many of which will be placed in Los Angeles, is currently pending before Congress to handle the court's pressing caseload. Moreover, additional growth is expected in the near future when several active judges in existing judgeships assume senior status and their replacements come on board. The two buildings that currently house the court already suffer from critical security and operational deficiencies that will only be exacerbated as the court grows.

Congress approved the funding for GSA to construct the new courthouse in fiscal years 2004 and 2005, but escalating construction costs at the time caused the project budget to exceed the appropriation. With no additional funding available to build the project as planned, congressional committees directed the court and GSA to work together and agree on a building that could be built within the funds appropriated. It is our understanding that GSA and the court have now reached agreement on a proposal that will do just that. We hope, therefore, that GSA will proceed with the process of awarding a contract to build the new courthouse.

In closing, we want to stress again the critical need of the Los Angeles community to have safe, functional and efficient facilities in which to litigate cases and redress grievances. The new courthouse that is currently planned will allow them to do so. Building the courthouse, moreover, will create thousands of construction and related jobs, which are sorely needed in an area where unemployment exceeds 12% and a large percentage of the unemployed are in the construction industry. We commend GSA and the court for developing a new courthouse plan that can accommodate the needs of the Los Angeles community within the funds that have been appropriated for this project and we ask you to move ahead without delay.

Sincerely,

Dianne Feinstein, Barbara Boxer, Lucille Roybal-Allard, Grace F. Napolitano, Henry A. Waxman, Judy Shu, Howard L. Berman, Lois Capps, John Garamendi, Doris O. Matsui, Xavier Becerra, Laura Richardson, Loretta Sanchez, Barbara Lee, Bob Filner, Adam B. Schiff, Janice Hahn, Linda T. Sánchez, Karen Bass.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk labeled as Flake No. 2.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

LIMITATION ON FUNDS FOR SELECTUSA INITIATIVE

SEC. ____. None of the funds made available in this Act may used to carry out the SelectUSA initiative.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit funding for President Obama's SelectUSA Initiative. It's a program that would otherwise receive just over $6 million in this bill.

Now, if you've never heard of SelectUSA, you're not alone. Virtually

nobody has heard of it outside of the committee and those who are funding it.

Last June, President Obama issued an Executive order to establish SelectUSA. It was called the first-ever Federal effort to attract, retain, and expand business investment in the United States.

It seems to me that whenever a new Federal program is touted as the first of its kind, it's usually a pretty good indication that it's completely unnecessary. This is no exception to the rule.

A quick read of the vague ways in which SelectUSA says it serves the firms and economic development organizations certainly proves that—promoting the benefits of investing in the U.S.A., responding to inquiries about the U.S. business climate, helping investors confused by regulatory processes, offering guidance—these are hardly the responsibilities of the Federal Government.

In reality, it seems that the taxpayers are buying little more than a Web site pitching the benefits of U.S. subsidiaries to foreign companies. It includes 10 pages of links to Federal subsidized programs like Grants.gov, AARP-E, and the Department of Energy Loan Guarantee Program. That was the program responsible for Solyndra. Only the Federal Government could find a way to waste taxpayer dollars promoting the waste of taxpayer dollars.

Figuring out what SelectUSA does is one thing; deciphering its actual accomplishments is downright impossible. The Web site includes testimonials from companies like Rolls-Royce and Ikea, of plans to invest and develop in the U.S. These companies already do. This SelectUSA isn't helping them any more than it is helping anyone else. All the announcements are dated between 2006 and 2010, long before this program was even established. So these companies are touting the benefits of a program that wasn't even established yet; how do they know?

Hours of research by our staff uncovered only one investment that's even tied to SelectUSA, and those claims are very dubious. There's a company that's called AGS, and the President has touted this in his program as being responsible for luring AGS to the U.S. It's mentioned in conjunction with the Michigan Economic Development Corporation and other local agencies, and it recently elected to invest more than $20 million in new U.S. manufacturing capabilities. SelectUSA, described as an Obama-launched program, is said to have facilitated coordination between AGS and local officials. But if you look at AGS, AGS has been in this country for more than 40 years, just under a different name. It was called A.G. Simpson Automotive. It's been in business, as I said, with General Motors and Ford for more than 40 years. That company has been a manufacturing presence in the U.S. since it opened a Michigan plant in 1991. Another plant was opened in Louisiana in 2003. This hardly sounds like a company that needed SelectUSA to help it discover the benefits of investing in the U.S.

□ 2140

There is simply no record of this investment outside of the administration press release and the Commerce Department blog post—not from AGS, not from the Michigan Economic Development Corporation, not even from SelectUSA. Only an administration press release touts the involvement of SelectUSA.

Most telling of all, the 2013 Commerce Department budget justification to Congress—which requested $12 million and 20 additional full-time employees—doesn't even include a word about the AGS investment. So what does SelectUSA even do? Well, I think the committee isn't even sure what SelectUSA does because the report language in this bill asks SelectUSA to justify what it does and explain what it does because apparently nobody even knows. Yet we took the request from the administration of $12 million and simply cut it in half and gave them half of what they requested.

Why in the world are we doing this? At what point are we going to say we can't afford to throw money away like this? Congress didn't even create this program. It was just the administration who thought it up and now is trying to justify it.

I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Hopefully, this will be the last time when I have to oppose my good friend on the floor of the House.

Let me just try to put this in some perspective. This is an administration that, in the last 26 months, 4.25 million new private sector jobs. In '09, $70 billion in loans to small businesses. An administration that's well on its way to more than doubling the number of exports. We have seen a very significant turnaround from the administration that left a couple of years ago, walking out the door while we were losing 700,000 jobs a month, and we lost millions of jobs over the last few months of the last administration.

So now they have a Commerce Department that says we're willing to build on the efforts to have companies around the world select the United States as a place where they want to set up manufacturing plants stretched throughout much of our country now. The President visited the Rolls Royce plant in Virginia. In Alabama, you have BMWs being built. All throughout, you see companies that see the United States as a place that has a world-class workforce, the kind of transparency, the rule of law, the ability to do transactions and have them protected in a court system that functions, to attract foreign investment here.

So what the Commerce Department has done, which is not unlike other administrations, they take in a group of these activities and they've rebranded them under SelectUSA because it's catchy, it's got a phrase to it. But these are activities that have been conducted by other administrations and will be conducted by future administrations because we want businesses to see the United States as the place to locate—even in States like Arizona, to locate and put people to work and make products.

So to come to the floor and say, well, this $6 million is wasted—no. This is a small investment that leads to billions of dollars in salaries, hundreds of millions in tax ratables for our country. We want to be open for business. This is a new day. It's a new administration. They have been creating jobs. I guess that some want to wish back the old crowd that were losing jobs, but I think we should follow in the right direction here.

I disagree with the gentleman. I hope that we vote down this amendment, and that we support the activities of our Commerce Department to continue to build this economy.

I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

I yield to my friend from Arizona.

Mr. FLAKE. I thank the gentleman for yielding.

I would simply submit that when the committee has to ask in report language, please justify and tell us what you're doing, it's a pretty good indication that we don't know and that the program is frivolous and we're wasting money with it.

So, right here, SelectUSA, let me read from the committee report: ''The committee recommends $6.125 million for SelectUSA initiative, which is $3.425 million more than the fiscal year 2012 level and $6.125 million less than the request''—like I said, simply cut the request in half. ''The ITA redirected $2.7 million in FY 2012''—on and on and on. It says:

> No later than November 30, 2013, the Secretary shall report on the location and type of assistance provided, the State to which firms sought to relocate and why, as well as the number of foreign firms that actually decided to locate in the United States as a result of the SelectUSA process.

I would submit that if we didn't know this by now, why in the world are

we giving them 6.125 million more dollars? We're running a deficit of $1.3 trillion, and we're frittering away money like this when we don't even know what they're doing.

Mr. FATTAH. Will the gentleman yield?

Mr. BROUN of Georgia. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. The gentleman from Georgia, I thank you. And we'll be together tomorrow morning at the prayer service—8 a.m.

Mr. BROUN of Georgia. I'm looking forward to that.

Mr. FATTAH. But let me say this: Georgia has benefited from this effort, and Arizona has benefited, Pennsylvania has benefited. The report language you see is just the work of the committee to ensure oversight for the funds that are now being provided, for a report on those funds and what States benefit so that when we have some other gentleman on the floor wanting to cut this program years forth from now, that we'll have an opportunity to be able to specify, as I've done, the great work that this program is doing.

I thank the gentleman for yielding.

Mr. FLAKE. Let me simply say that when we don't know what they're doing and the only justification comes from the administration that a company called AGS, that has already been investing in this country for more than 40 years, that needs no help in deciding or having a matchmaker pair them with U.S. firms—in fact, this is a Canadian firm investing in the U.S. They actually received trade adjustment assistance during a downturn when employees were laid off from a Canadian company in the U.S. I would submit that if a company knows how to milk the U.S. taxpayer for that, a foreign company, they know how to invest here. They know it pretty well. We've advertised it. In fact, what this Web site of this SelectUSA does is tell them the benefits they can receive if they're here—often subsidies like this.

So I would just submit, Mr. Chairman, we've got to start somewhere, and this ought to be it. I can't stress enough how we've got to start cutting some spending. This is a great place to start.

With that, I urge adoption of the amendment and thank the gentleman.

Mr. BROUN of Georgia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, designated as No. 3.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 101, after line 10, insert the following new section:

SEC. 542. None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit the National Science Foundation from using taxpayer dollars to fund political science research.

To be clear, my amendment does not reduce funding for the NSF. Earlier in consideration of this bill, I offered an amendment that would reduce NSF funding. This amendment is simply oriented toward ensuring, at the least, that the NSF does not waste taxpayer dollars on a meritless program.

□ 2150

The Nation is closing in on a $16 trillion debt; deficit, more than $1.3 trillion. Nearly 40 cents of every dollar we spend is borrowed. Congress can either continue funding unnecessary programs like someone is printing cash in the basement, or we can face facts that there simply isn't enough money to go around.

Now, I stand here today and I'll defend responsible Federal spending on matters of Federal responsibility. Among other things, Congress ought to ensure funding for strong national defense, a secure border.

There are things, however, given the economic realities, that Congress ought to reconsider funding on the back of future generations. Just remember, every dollar we're spending in discretionary spending this year, we are borrowing from our kids and our grandkids.

Let me simply say I can think of few finer examples to cut than the National Science Foundation's Political Science Program. According to the NSF Web site, to date, more than $80 million has been awarded to the program's nearly 200 active projects. Three-quarters of these awards, totaling over $46 million, were directed to universities with endowments greater than $1 billion.

Again, three-quarters of these awards under this program for political science research, totaling over $46 million, were directed to universities that have endowments greater than $1 billion.

Think about it. Three out of the four of the grants awarded by the NSF Political Science Program go to the wealthiest universities in the country. Would those who would oppose this amendment have believed that Harvard and Yale would have to close their political science departments if Federal grants are not available for this program? Of course not. These universities and the field of political science will be just fine.

However, my greatest concern is not who received these funds, but how they are spent. Every dollar Congress spends is money we don't have, as I mentioned.

So what kind of research is NSF charging to our credit card? $700,000 to develop a new model for international climate change analysis; $600,000 to try to figure out if policymakers actually do what citizens want them to do.

Let me say that again: $600,000 here spent trying to figure out if policymakers actually do what citizens want them to do. I think we can answer that question in about 5 minutes when we vote on this amendment because I can tell you, people out there want us to quit funding projects like this.

$301,000 to study gender and political ambition among high school and college students; $200,000 to study to determine why political candidates make vague statements. $200,000 to study why political candidates make vague statements. That's what we're paying for here.

These studies might satisfy the curiosities of a few academics, but I seriously doubt society will benefit from them. How can we justify this outcome?

Now, I hold a graduate degree in political science myself. I agree that such research has its benefits. The work of political scientists advances the knowledge and understanding of citizenship and government, politics, and this shouldn't be minimized. But they shouldn't be subsidized by the National Science Foundation.

We can't continue to spend money like this. I urge adoption of the amendment and yield back the balance of my time.

Mr. FATTAH. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. So hope springs eternal, but here I am again opposing my friend's amendment.

Let me say, this program has been around for over 30 years, and a lot of political change has swept across the world from the time that this program started.

I think that it may appear to be costly, $11 million out of a $7 billion funding for the National Science Foundation, but I think that however expensive an education may be, ignorance will probably cost our country more.

It is important that we understand the political dynamics, radicalization

of populations around the world, how political parties operate in the former Soviet Union, all of the other issues that are being studied.

I can see that you could probably bring a list of studies in front of the Congress from the National Science Foundation and get a laugh on any day. But these studies are important. They're merit based. They're decided on merit only.

The fact that some of the best funded universities win has to do, in part, with the fact that they're able to have very good faculty who put together very good research projects, and they provide our country and our society a great deal of intellectual benefit.

Now, there's some advantage, I guess, politically to appear to be anti-intellectual, to have some desire to know little or less about what's going on in the world about us. But it is not worthy of a great Nation.

Now, Singapore has 4.8 million people. They put $7 billion in the National Science Foundation. We put $7 billion, and we spend our time tonight debating whether we want to cut some money, trying to understand how their political system got to the point of understanding that even in a very small country, it was critically important for them to become indispensable in terms of having a thirst for knowledge.

I would hope that this House would reject this amendment.

I yield back the balance of my time.

Mr. BROUN of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. I yield to my good friend from Arizona.

Mr. FLAKE. I thank the gentleman for yielding. Let me just say, and I won't take all the time, but there is something to the ''laugh factor.'' At some point we've got to realize here that the country's watching us, and they're looking to see if we're funding programs like $600,000 to try to figure out if policymakers actually do what citizens want them to do? $200,000 to study why political candidates make vague statements?

We're funding this with taxpayer dollars. The acid test ought to be for all of us, whenever we're spending money here, is this program worth borrowing money from our kids and our grandkids, from some countries, that don't like us very much who are buying our bonds?

And this doesn't pass that test. It doesn't even come close. And if we simply say this is a big NSF budget and this is a very small part of this, this program, if we continue to say that, we'll never cut it, and that's the problem here. We aren't.

The NSF funding, overall, is way up from the post-stimulus level. We said at the time that the stimulus was passed that that's just a one-time deal, and these rates will come down, or these programs will come down. They haven't. We're continuing to fund them. And programs like this, the country just looks around and says, this is laughable. Look at what our policymakers are doing.

Again, I would say that we will find out the question, the $600,000 question, as to whether or not policymakers actually do what citizens want them to do, by how we vote on this amendment right now.

Mr. BROUN of Georgia. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available by this Act may be used to carry out or enforce section 5 of the Voting Rights Act of 1965 (42 U.S.C. 1973c).

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would simply prohibit any funds in this underlying bill from being used to carry out or enforce section 5 of the Voting Rights Act of 1965. Under section 5, seven States in the South, as well as Arizona, Texas, and a number of counties scattered across the country, are required to receive Federal pre-clearance to every change they make in election laws.

The provision stipulates that only changes to election law in those covered locations which are shown to be nondiscriminatory may be pre-cleared. Unfortunately, the burden of proving that a change is nondiscriminatory is on the State or locality which wishes to make the change.

The standard and practice is known to be highly subjective, with no presumption of innocence.

□ 2200

It is also highly unfair to allow some States to make changes to their election laws while other States wishing to make the same changes are forced to jump through a bunch of hoops. I know firsthand how onerous this law is.

My home State of Georgia, as an example, has long struggled with the U.S. Department of Justice over its voter identification laws. They're not alone. The State of Arizona is currently suing to be free from section 5, showing evidence that it made accommodations for Spanish-speaking voters long ago. On the other side of the country, South Carolina is challenging the Department of Justice's decision to overturn its voter identification law.

Mr. Chairman, as Americans, we pride ourselves in our electoral system, but the integrity of our elections is called into question when this outdated law bars States from ensuring those who come to the polls to vote are eligible to do so.

I should note that I'm not the only one who believes that section 5 is an antiquated provision. Earlier this very year, the U.S. Supreme Court reaffirmed its concern about what they stated: serious constitutional questions raised by section 5's intrusion into State sovereignty.

Mr. Chairman, we are supposed to be treated equal under the law. This section of Federal statute treats some States more equal than other States. There are States being discriminated against. My home State of Georgia is one of those. It's time for us to go to what the Constitution says is the way we should all be treated: equal under the law. It's long past time to put this provision to rest. I urge the support of my amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I rise in strong opposition to this amendment.

First of all, this is an appropriations bill. We're supposed to be discussing how we appropriate money to the Justice Department, Commerce Department, and State Department. People are just kind of cavaliering, coming in here and offering all kinds of amendments to make no funds available. That isn't the way you set policy, and that isn't the way you have a discussion on an issue like this. This is a very important issue. This is about enforcing the Civil Rights Act and the Voting Rights Act of 1965. You don't think we had discrimination in this country? Don't you think we still have discrimination and are making it difficult for people to access the voting booth?

I come from a county, a district, that is under this section. I'm from California. The gentleman spoke about Georgia. There are States, even like California, that have counties that qualify to be under this act because they had so low of a percentage of adults registered to vote. Obviously, these counties were making it very difficult. What this says is that in those

counties, when you draw political districts, you've got to have them reviewed by the Justice Department. What's wrong with that?

We have a history of discrimination. To come in to an appropriations bill and take a big whack out of it in the Voting Rights Act in an election year, what message are we sending—that these States that want to make it very difficult for people to vote are showing how democracy ought to be practiced around the world?

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. FARR. No, I will not yield to the gentleman.

I think these and a lot of other amendments warrant some serious debate in Congress, but certainly not on this bill and not at this time—10 o'clock at night, in an election year, on a Voting Rights Act bill that deals with the basic fundamental rights of individuals being able to have access to the ballot. No, sir. This amendment is inappropriate at this time, and it ought to be voted down.

I yield back the balance of my time.

Mr. HUELSKAMP. I move to strike the last word.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. HUELSKAMP. I yield to my colleague from Georgia.

Mr. BROUN of Georgia. I thank my friend.

I would like to remind my good friend from California that Georgia's voter identification law has been upheld by the courts. The provision of voter identification is simply to ensure integrity at the polls: that the people who are voting are the people who are supposed to be voting.

We have all heard and have joked about the saying in Chicago about ''vote early and vote often.'' The only way we can ensure the integrity of the vote, the only way we can ensure that people who are voting are those who are supposed to be voting, is by having some identification. That's simply what this is all about. It's not to prohibit people from coming to the polls. It's not to prohibit or to discriminate against anybody. Who is being discriminated against here are the States, those jurisdictions that are falling under section 5.

We should all be treated equal under the law. I don't believe in discrimination for or against anybody. We have a history of discrimination in my State and throughout the country, and we still have discrimination. I find discrimination deplorable—and I reject it in any manner—but we should all be treated equal under the law. We need to make sure that we have integrity at the polls. We need to make sure that the people who are voting are truly the people who say they are.

I know, in some jurisdictions, a person just walks to the polling area and says, I'm Joe Smith.

Then they say, Fine. I see you here on the polls. Go vote.

We can't have this in this country. It's not right, and it's not fair. Joe Smith needs to have absolute assurance that the person he voted for won it fair and square—that elections are not stolen, that elections are fair, that whoever comes out at the top of the ballot is the one who really won.

So this is not about discrimination. It's not preventing anyone from voting. It's simply just to make sure we have integrity so that the people across this country can be sure that their votes count and can be sure that somebody else who may be an illegal in this country or who may not be qualified to vote for whatever reason or who may have already voted but who wants to vote a second time is not doing so.

Mr. HUELSKAMP. I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I was the only member of the Virginia delegation to vote for the Voting Rights Act in 1982. I attended school for 1 year in a State in which I saw things that were different than I had seen before. And there is a Simon and Garfunkel song called ''The Boxer'': ''The man hears what he wants to hear and disregards the rest.'' We really can't disregard what has taken place in the country.

Now, we may be reaching a point at which this should be looked at again. I believe there is no discrimination now in my State. I think the Judiciary Committee ought to look at this carefully, but this is not the place to do this, and it is such a sensitive issue.

Section 5 of the Voting Rights Act applies to jurisdictions determined to have had a history of discrimination against minority voters. Section 5 requires certain covered jurisdictions, based on the formula set forth in section 4, to pre-clear their congressional redistricting plans with either the Department of Justice or with the U.S. Court for the District of Columbia before implementation. In order to be granted pre-clearance, jurisdiction has the burden of proving that the proposed voting change neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race or color or membership in a language minority group.

Litigation is pending now in the Federal District Court, including the case of Texas v. Holder, which challenges the constitutionality of the coverage formula and pre-clearance requirements in sections 4 and 5. In its 2009 decision in Northwest Austin Municipal Utility District No. 1 v. Holder, the Supreme Court may have signaled a willingness to reconsider the constitutionality of the pre-clearance regime and coverage formula.

But this is not an amendment that, I think, is appropriate here. Again, as we deal with this thing, we have to be very, very sensitive because, quite frankly, I remember in 1982, when I voted for this, there were editorials in the Richmond Times-Dispatch that were ripping me apart for this vote.

□ 2210

But because I do believe that everyone should have the right to vote, I voted for it.

But I would also say, to end, we may be approaching a time that this would go because we want a Nation where no one is discriminated against, and we may have reached that point. But I think the Judiciary Committee should hold extensive hearings and we should see what the Supreme Court does. I don't think this is the place to do it, and I strongly rise in opposition to the amendment.

Mr. JACKSON of Illinois. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. I thank the gentleman for yielding, and I've enjoyed a great relationship with the gentleman during his tenure in the Congress.

You mentioned several times in your remarks that there might be an appropriate time. How do you objectively determine when there is an appropriate time for not extending Section 5 to the covered jurisdictions?

Mr. WOLF. I am not a legal scholar, and at 10:10, I don't think I can do it, but there may be a time.

I believe now in my State there is not discrimination with regard to voting. I think our Governor is a good, decent guy, and I don't think he wants to discriminate against anybody. The members of the general assembly are of that same mind. Yet there had been in a case in previous times in the State of Virginia, so I'm not going to be the—I went to Georgetown Law School. It's an accredited law school, but I'm not going to sit here tonight and lay it out.

I don't think this is what we ought to do tonight. I initially wasn't going to speak, but I just feel strongly. Again, I go back. I remember in 1982 voting for this, and people felt it and I just felt in my heart this was the right thing to do. As of now in my heart, it tells me we ought not adopt this amendment, and we can have the Judiciary Committee hold hearings both in the House and the Senate. We can see what the Supreme Court will do. I just don't think this is the place for this amendment, and I strongly oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. LEWIS of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LEWIS of Georgia. It is hard and difficult and almost unbelievable that any Member, especially a Member from the State of Georgia, would come and offer such an amendment.

There is a long history in our country, especially in the 11 States that are old Confederacy—from Virginia to Texas—of discrimination based on race, on color. Maybe some of us need to study a little contemporary history dealing with the question of voting rights.

Before the Voting Rights Act of 1965, it was almost impossible for many people in the State of Georgia, in Alabama, in Virginia, and in Texas to register to vote, to participate in the democratic process. The State of Mississippi, for example, had a black voting age population of more than 450,000 and only about 16,000 were registered to vote. In one county in Alabama, the county was more than 80 percent and there was not a single registered African American voter. People had to pass a so-called ''literacy test''; interpreting sections of the Constitution. One man was asked to count the number of bubbles on a bar of soap and another man was asked to count the number of jelly beans in a jar.

It's shameful that you would come here tonight and say to the Department of Justice that you must not use one penny, one cent, one dime, one dollar to carry out the mandate of Section 5 of the Voting Rights Act. We should open up the political process and let all of our citizens come in and participate. People died for the right to vote—friends of mine, colleagues of mine—to speak out against this amendment. It doesn't have a place.

I agree with the chairman.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. LEWIS of Georgia. No, I will not yield.

I urge all of my colleagues to vote against this amendment.

I yield back the balance of my time.

Mr. JACKSON of Illinois. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JACKSON of Illinois. Mr. Chairman, let me first associate myself with the remarks of the distinguished gentleman from Georgia (Mr. LEWIS), who paid the price for this Voting Right Acts of 1965 on the Edmund Pettus Bridge. He paid beyond measure. He sacrificed beyond measure to make this a reality for every American.

This near midnight attack is an unprecedented attack on the implementation legislation of the 15th Amendment to the Constitution, the 1965 Voting Rights Act. It took this Congress 95 years from the moment that the 15th Amendment was added to the Constitution of the United States for this Congress to wake up after Selma to Montgomery to pass legislation to implement the Voting Rights Act.

For me to stand here and listen to my distinguished colleague, the distinguished gentleman from Virginia, the chairman of the subcommittee, for him to argue that there may be a time and we may be approaching a time when the Voting Rights Act preclearance provision of Section 5 is no longer necessary couldn't be further from the truth.

Here's how the State legislative process works within most of the State legislatures. First, whoever is in the political majority, Democrat or Republican, usually draws legislative lines consistent with their political advantage, whether it's the Democratic Party or whether it is the Republican Party. Such is the case in Illinois. Such is the case of every State in the Union.

Almost never before the 1965 Voting Rights Act had racial minorities or language minorities ever been considered as a factor in the ongoing partisan debate for the last 150 years between Democrats and Republicans. Only the Voting Rights Act of 1965 says that if a language minority or a racial minority in a protected jurisdiction can draw a congressional district or can draw a State Representative district or can draw a State Senatorial district to give a racial minority an opportunity to represent their own people in a legislative body, the State legislative body must take that into account.

For us to be standing here on the floor of the Congress arguing about the right to vote, we're not discussing at that level the right to vote. We're discussing whether or not legislators will be effective in representing their constituents by protecting Section 5, the preclearance provision, because most of us can't go to our Governors or our State legislatures to protect the franchise from minorities.

I know that the First Congressional District, the Second Congressional District, the Seventh Congressional District, the Fourth Congressional District of Illinois are all Section 2 of the Voting Rights Act congressional districts, from Virginia around to Texas, because we still cannot trust Democrats, because we still cannot trust Republicans in Virginia, all the way around to Texas, to consider racial minorities in the drawing of congressional districts. Sure, those States must implement their plans by submitting their plans to the Federal Government for preclearance.

Look at the language minorities. Look at what's taking place in Texas. Look at what's taking place in New Mexico. New Mexico, a State that is 25 percent Latino, and the State legislature played games with what constitutes an effective congressional district that might give a Latino an opportunity to represent a congressional district in Congress. It plays both sides against the middle.

Both Democrats and Republicans, through history, Mr. Chairman, have used race as a partisan advantage in trying to draw congressional districts and legislative districts.

I appeal to you, Mr. Chairman, to reject this amendment at midnight; reject this unconstitutional, unprecedented attack on the civil rights of every American; reject efforts to undermine the implementation legislation of the 15th Amendment earned through an American Civil War, along with No. 13, 14, and 15; reject this effort to roll back the civil rights gains of 1965 by undermining the funding in the Federal Government's capacity to ensure that minorities have a chance to represent themselves in the Congress of the United States; reject this effort on this evening. Both Democrats and Republicans should reject it in a bipartisan manner.

With that, Mr. Chairman, I yield back the balance of my time.

□ 2220

Mr. DANIEL E. LUNGREN of California. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, one of the proudest moments of my experience here in the House is having worked on a bipartisan basis on the extension of the Voting Rights Act in the 1980s. I had been involved in the extension of the Voting Rights Act several Congresses ago. But also, as attorney general of the State of California, I was involved in the preclearance procedures by the Justice Department with several of the jurisdictions in my home State.

The Voting Rights Act has stood as one of the great efforts of progress in this country; but as the U.S. Supreme Court said, as it reviewed the preclearance requirements some years ago, There will come a time when this unprecedented power of the Federal Government versus the sovereignty of the States will end.

The preclearance requirement contained in the Voting Rights Act is an anomaly, a necessary anomaly over history, but it is an anomaly. And we should understand that the Court viewed it as such.

The problem I have with the current status of the Voting Rights Act is that it gives no opportunity for an escape clause by those jurisdictions that have proven, over the decades, that they have, in fact, changed their practices. There is no means by which a jurisdiction can come forward and show that over a decade, they have not, in fact, discriminated but have acted appropriately and, therefore, this tremendous Justice Department authority will be no more there.

But this is not the place to deal with it, I would say. A funding resolution is not the place to deal with it. This is an important issue that ought to be addressed; and I would hope that my

friends on the other side of the aisle would recognize that when you have a jurisdiction that has for 10, 20, 30, 40 years followed the law, perhaps we ought to reward them and provide incentives for other jurisdictions to do the same. Also, historically, there is a reason—almost a historical accident by which some of the jurisdictions in California are covered. It had to do with a low turnout election in which a large percentage of the people who were considered citizens happened to be military folks who didn't vote in that area in that particular election. And there's been a static analysis which has resulted in those jurisdictions continuing to be covered under that section of the law which allows this unprecedented authority of the Justice Department to preclear.

And I would hope that we would have the courage to stand up and look at the changes that have taken place and give credit to the consensus of conscience of civil rights that I think has prevailed in this country and has aided us greatly.

But I would just say, this is not the time nor the place for us to, within a short period of time on the floor of the House, try to make a significant change in that. And, therefore, with all due respect to my friend from Georgia who points out some of the problems here, I would have to oppose this amendment. But I would hope that we would have the courage to come to the floor and recognize that changes may be necessary.

This is an unprecedented authority that is granted to the Justice Department. No other jurisdictions are required to come before the Justice Department and ask for their permission as to whether they could make a change as simple as changing a date or making any change with respect to any election process in that jurisdiction.

So I would hope my friends on the other side who have, I think, appropriately opposed the gentleman's amendment would also recognize that there is a large area in which we should discuss the current status, vis-a-vis the current fact situations that exist with all jurisdictions.

Let us hope that as bad as the conduct has been in the past, that we believe in redemption and that we believe that there can be changed hearts, and we believe that we can change practices and that we believe that, in fact, maybe the good will of our fellow citizens will prevail. And when it has done so, let us recognize that, give them credit for it, and in the law provide incentives for other jurisdictions to also change their ways.

So with that, Mr. Chairman, I ask that we not support this amendment, but at the same time recognize the legitimacy of the shortcomings of the law, as applied currently, and the failure of the Congress to make the changes to give credit to those jurisdictions that have, in fact, acted in good faith.

I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Let me just make a couple of comments. I think that we've seen why this is not the process for these types of riders on a bill. In States that are not covered by section 5, there have been outrageous circumstances as it relates particularly to African Americans and access to the franchise. In Philadelphia, Octavius Catto was beaten to death just a few blocks from my childhood home when he tried to exercise his right to vote.

But our country has come a long way. We've made a lot of progress. But section 5 is there for a reason. In these States in the South, Nazi prisoners of war were treated better than African Americans who had served in the war. For the party of Lincoln to be on the floor of the House today on this issue, when there were really Republicans that had joined in in the passage of the Voting Rights Act, where Members of my party refused to be willing to grant these rights to African Americans and to others, I think, is unfortunate. But I think we may be at a point where we can move forward.

To my friend from Georgia, who we are going to be in worship together tomorrow morning at 8 a.m., I yield to you.

Mr. BROUN of Georgia. I thank the gentleman from Pennsylvania.

I apologize to my dear friend from Georgia if he's gotten angry with this amendment. It was never my intent to do so. And I am going to ask unanimous consent to withdraw the amendment.

I deplore discrimination of any kind. As far as I am concerned, I believe in the Bible. I think it's the only standard of truth that we have. As far as I am concerned, there is only one race of people: it's the human race because we all came from Adam and Eve. And no one—no one should be discriminated against for any reason.

I have the same dream that Martin Luther King had, where people are accepted for their character and are not discriminated against for their skin or their forefathers or anything else. And any insinuation that I would ever believe in any kind of discrimination or that I would try to suppress anyone from having their constitutionally given rights, I detest that accusation, frankly.

Mr. FATTAH. The hour is late. Reclaiming my time, I want to thank you for withdrawing your amendment. And I thank the chairman for his previous statements in this regard.

Mr. BROUN of Georgia. I apologize for any hurt feelings that anyone has because I certainly wasn't meaning to try to hurt anybody's feelings.

Mr. FATTAH. Reclaiming my time, I thank you very much.

I yield back the balance of my time.

Mr. BROUN of Georgia. I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 24 OFFERED BY MR. HUELSKAMP

Mr. HUELSKAMP. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available under this Act, may be used in contravention of the Defense of Marriage Act (Public Law 104 199).

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. HUELSKAMP. Mr. Chairman, I know the hour is late; but as I think many of us believe, our Nation is not a Nation of men; it's a Nation of laws. When a Congress passes and a President of any party signs a bill into law, Mr. Chairman, it is the law of the land. And if a new President or a new Attorney General does not like an existing law when they come into office, it's not his or her prerogative to decide whether or not to enforce that particular law.

□ 2230

It is his or her constitutional obligation to defend it. But somehow, Mr. Chairman, I'm sorry to say this fact is lost on the current administration. In a very clear and flagrant violation of its responsibilities, the U.S. Department of Justice, under the direction of Attorney General Eric Holder, and with the blessing of the President, have decided not to enforce the Defense of Marriage Act, which has been the law of the land since JOE BIDEN voted for it in 1996 and it was signed into law by President Bill Clinton.

Tonight, I'm offering an amendment to prevent the Department of Justice from spending taxpayer money to undermine the Defense of Marriage Act and stop the Department of Justice from ultimately undermining the rule of law.

As many of us know, just last night the 30th State actually passed an amendment to amend its Constitution to protect traditional marriage. That would be the State of North Carolina. In my opinion, it likely becomes an easy target for the administration. My amendment would also prevent the Department of Justice from interfering in North Carolina, or any other State, over its marriage amendments and marriage laws.

We have 30 States that have marriage amendments: Alaska, Nevada, Mississippi, Missouri, Montana, Oregon Colorado, Tennessee, Arizona, California, Nebraska, Arkansas, Georgia, Kentucky, Louisiana, North Dakota, Ohio, Oklahoma, Utah, Texas, my favorite State, Kansas, Alabama, Idaho, South Carolina, South Dakota, Wisconsin, Florida, North Carolina, Michigan, and Virginia.

The population of each of these States passed the marriage amendment to define marriage as they saw fit, and this amendment would protect those definitions from any contribution by this Department.

The Department of Justice and the President of the United States do not have to agree with the law, Mr. Chairman, but they certainly have to enforce it and respect it.

Even though I believe it would be in their political best interest to do so, 30 States have constitutional amendments, again, defining marriage between one man and one woman. We have current officials of this administration that have expressed their political preferences against traditional marriage, against the Defense of Marriage Act, and against various marriage amendments. But whatever the platform contains, whatever their personal preferences are, unless those laws are changed, unless those amendments are repealed by the people of these States, they stand to remain the law of their States and they remain the law of the land.

It's clear, in my opinion, the administration is turning the Justice Department into a legal mouthpiece for its campaign rather than its purpose: to enforce the law. Most concerning is the fact that in turning the Justice Department into an instrument for legislating political favors rather than enforcing the rule of law, this becomes the Department of Politics, in my opinion—not the Department of Justice.

So, Mr. Chairman, I urge my colleagues to support this amendment, support the folks of 30 States, the citizens who have made decisions, and also the citizens of 50 States that have passed their marriage laws. These are protected under the Defense of Marriage Act under contravention by those of us in Washington.

With that, I yield back the balance of my time.

Mr. FRANK of Massachusetts. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, to begin, I have read this amendment. And if it were to be law in an hour, it does not appear that it would affect anything that's now happening in the Federal Government.

The gentleman said that they were trying to undermine the act and that they should enforce it. In fact, the administration has been very clear: while they disagreed with the act, they would like it repealed, they in fact believe it's unconstitutional, it is now on the books, and nothing is being done in contravention of the Defense of Marriage Act. That is, there are no things now going on where the Federal Government recognizes the rights of same-sex marriage.

So I guess my main opposition to this is that the bill is already big enough, but it doesn't add anything in substance. It adds a few words. I would yield if anyone can tell me what the reference is to not enforcing the act.

Now it is true the administration declined to defend the act in court, but not defending an act in court in no way means that you are contravening any enforcement. Going to court is a different story. As a matter of fact, the House Republican leadership has voted to go to court to defend it.

So I, again, would be glad if someone would tell me. The Defense of Marriage Act says the Federal Government will grant no rights to same-sex married couples that come from marriage. It's not doing that. I agree the administration doesn't like that, but the suggestion that they are undermining the law is simply wrong.

Now I understand—and this may be the confusion—that the gentleman originally planned to offer a different amendment, and that amendment, he was told, was not in order. Maybe he changed the amendment and somebody forgot to change the speech, because the speech he gave may apply to the earlier amendment, but it doesn't apply to this one. So it seems to me kind of a waste. It's late in the evening. But the evening is shot anyway.

It does not say the administration shouldn't go to court. That is not contravening the Defense of Marriage Act. Contravening the Defense of Marriage Act would be extending benefits. And I want to reassure the gentleman, when I get married in July to Jim, I will not be looking for any Federal benefits. He wouldn't be eligible for my pension, even if I got one—I won't get one. But he wouldn't be eligible if I got one. I am very familiar with this.

In fact, nothing being done now by the Federal Government or contemplated by this administration contravenes the Defense of Marriage Act. What the administration says is: We think it's unconstitutional, and we are going to oppose it.

Now I know there are some who say—the gentleman from Kansas, I agree, didn't say that—some have said, How dare you to ask the court to throw out a law passed by Congress. You've heard that rhetoric. After all, Congress passed this. How does the court dare to overthrow it? Well, that's an argument I used to hear from my conservative friends a lot more before the health care bill came up.

So let's be clear, there are now two major pieces of legislation passed by this Congress—not this particular one—that are being contested and people are asking the U.S. Supreme Court to throw them out. One is the Defense of Marriage Act, one is the health care bill. You can be against, in principle, the court's throwing out an act of Congress as unconstitutional. You can be for it in principle and differ as to the application. But there isn't any way that you can say it is perfectly legitimate to cancel the health care bill through judicial intervention but not to challenge the Defense of Marriage Act.

So I assume they're going to want a roll call because they went through all this effort, they'd like to be able to talk about it in campaigns. It literally means nothing because there is no contravention going on now. So I'll be glad to vote against it. If other people vote for it, they can do so.

Again, the Defense of Marriage Act says you don't grant benefits to same-sex couples as if they were married. Nobody is doing that. That isn't happening. It isn't planned. It won't happen until and unless the Supreme Court finds unconstitutionality. And refusing to defend an act in court, in the English language, is not contravention. As a matter of fact, it says none of the funds made available may be used in contravention. Well, not going to court is not using funds. Maybe he meant to say none of the funds under this act may be not used in contravention, because we certainly aren't spending by not spending any money. So maybe he meant to say we should spend the money, I don't know.

But I understand his original intention was ruled out of order. He had a place in the agenda, so he offered an amendment. But it doesn't mean very much.

I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Speaker, I had anticipated and we had been told that the gentleman was going to offer an amendment that said none of the funds in this Act may be used by the Justice Department to argue for the Defense of Marriage Act in court. And I was going to object on the same grounds that I have in some other such amendments earlier day—that we should not be politicizing the Justice Department. We should not be telling them: Do defend this in court; don't defend that in court.

□ 2240

But as the gentleman from Massachusetts says, this amendment seems

to do nothing at all. None of the funds made available under this act may be used in contravention of the Defense of Marriage Act. Well, none of the funds are being use in contravention of the Defense of Marriage Act. The only circumstance I can envision under which funds might be used in contravention of the Defense of Marriage Act would be after the Supreme Court declared the Defense of Marriage Act unconstitutional. If the Court declared the Defense of Marriage Act unconstitutional, then the Constitution frankly would demand under the equal protection clause that funds be spent against the will of what had been the Defense of Marriage Act.

If the Defense of Marriage Act is unconstitutional, then someone who is married under the laws of some State that permits same-sex marriage will demand to have joint filing of income taxes or demand the tax benefits that a spouse gets, and it would be unconstitutional not to grant that.

So this amendment is frankly silly and shouldn't clutter the statute books because until and unless the Defense of Marriage Act is declared unconstitutional, it means nothing. And once the Defense of Marriage Act is declared unconstitutional, if it is, then this itself would be unconstitutional as against the equal protection clause.

So I urge people to vote against it because, one, we shouldn't pass meaningless statutes, which this is or would be, unless DOMA is declared unconstitutional. And we shouldn't pass clearly unconstitutional statutes which this would be if DOMA is declared unconstitutional. So it is either meaningless and unnecessary in the one case or unconstitutional in the other and, frankly, ought to be withdrawn, but certainly should not be voted for; and so I urge my colleagues not to vote for this, whatever you think of DOMA, frankly. Because if DOMA is declared unconstitutional, this would be unconstitutional; and if it's not, it's unnecessary and has no effect in any event. So I don't know what the point of wasting our time with it is, but we should oppose it.

I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Chairman, this is a very strange amendment, as my colleagues have pointed out. We are obviously a very diverse country. Some States allow same-sex marriages; others do not. Some have civil unions. My home State of Colorado is currently discussing this issue in the State legislature. It is certainly very contentious, and I wish them well in coming to a speedy resolution.

What this amendment does is simply contravene something that doesn't occur. It talks about funds being used in contravention to the Defense of Marriage Act. There are no such funds. This administration, as the last administration, has followed the Defense of Marriage Act.

Certainly out of political convenience, I would say would that it were, if only this administration had been granting immigration rights or inheritance and survivorship rights to committed same-sex couples that were married in the States that have them; but it is simply not the case.

Now, I understand that there might be fears that perhaps some day a future administration might seek to violate the law in this area, but I think it shows a fixation to try to single out this area. I mean, a future administration or any administration might try to violate the law in any one of any number of areas. But to have a fixation on and support for a government takeover of the institution of marriage is a very dangerous precedent. And I wish my colleagues on the other side of the aisle would help preserve the integrity of marriage in this country and its importance to all families, including mine, and my colleague from Massachusetts and many others.

We do not currently use any funds in contravention of the Defense of Marriage Act. There are a number of us in this body who seek to repeal this act. This House as a whole has not repealed this act. It very much has the rule of law. But just like other laws, the administration and the executive branch are charged with implementing that law.

I think it is a bizarre step to single out one particular area of law with many, many, many laws that the executive branch operates under and say we don't want them to violate this law when there is of course no evidence, no sign, no indication that any administration, Democratic or Republican, has any desire to violate this law.

The decision not to defend this law is unaffected by this amendment. To be clear, if this amendment passes, it has no bearing on the administration's decision not to defend the undefensible, namely, the government takeover of marriage that my colleagues on the other side of the aisle seem to support.

Marriage is a very personal relationship between two people who are in love. And, of course, it's precise definition is up to each State in terms of who they allow and under what conditions they allow to marry. And to have the Federal Government enter this debate is very contrary to the definition of marriage itself and frankly debases the thousands of same-sex marriages that have occurred in this country.

So again, while this amendment would do nothing and certainly wouldn't jeopardize the administration's decision not to defend the undefensible, namely, the government takeover of marriage, I still urge opposition to this measure because I think it is bizarre to single out one particular area or one particular type of marriage that some Members of this body may not personally approve of.

I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. I rise in support of the Huelskamp amendment. I listened to the gentleman from Colorado say at least three times, a government takeover of marriage. Yes, the faith and the church and the churches have been the ones who have established marriage over the centuries and over the millennia. But when it comes to civil marriage, the government writes the rules. If the government is writing the rules, it's not a takeover of marriage. The definition of marriage from the beginning of time has been a man and woman joined together, hopefully in holy matrimony, for the purposes of encouraging a family unit and raising children and pouring our values down through that crucible of marriage into the next generation because that's the most successful and effective way that we can advance civilization.

Government has an interest in promoting marriage for the purposes of holding together the continuity of our culture and our civilization. It is not a nefarious thing. It's not the government taking over marriage. It is the voice of the American culture and the American people seeking to advance into the following generations the best values that we have.

And those that say it is discrimination to determine what marriage is, I would argue instead, Mr. Chairman, that government provides a license. The States provide licenses for marriage. A license is a definition to do that which is otherwise illegal. A license to hunt, a license to carry a gun, a license to fish, for example.

Mr. POLIS. Will the gentleman yield?

Mr. KING of Iowa. I want to finish my statement, but if I have time, I will yield to the gentleman from Colorado.

States issue marriage licenses because they want to promote and encourage an activity and a behavior, not because they want to punish another behavior. It is because there is something that they have determined has value, and so they give a permit to do that which is otherwise illegal, and that's what a definition of a license is.

With regard to the President and the executive branch, the Constitution and the oath that's implied in the Constitution, the oath that the President takes that is implied that he adheres to in the Constitution says he shall take care that the laws are faithfully executed.

And so the law of the United States is DOMA, the Defense of Marriage Act.

The President's obligation, and his appointees and all of those in the executive branch of government, is to take care that the laws are faithfully executed. The appointments of the President and the executive branch are bound by his oath, and they take their own oath to uphold this Constitution. And when the President of the United States decides he is going to flip on his position, or maybe let it evolve into a condition, and then direct, and I believe it is direct, the Department of Justice to first refuse to support and have the Solicitor General no longer support Federal law passed by a majority of this Congress, the House and Senate and signed by President Clinton and then turn around, and now we're concerned that they are going to use taxpayer resources to defy a legitimate law that is the will of the people and on the books in the Federal Register.

That's what the amendment does that Mr. HUELSKAMP has offered. It says it's bad enough that you don't keep your oath to take care that the laws of the United States are faithfully executed, and we want to say to you, Don't at least turn a 180 on us and go against the will of the American people and use taxpayer dollars to work against the will of the American people, against your oath of office and against the statute.

So out of courtesy, I would yield to the gentleman from Colorado.

Mr. POLIS. I thank the gentleman from Iowa.

Just for a brief question, the gentleman's home State of Iowa does allow same-sex couples to marry, and I would just like to ask in reference to the first part of your remarks whether your home State of Iowa in any way, shape, or form, whether civilization is in jeopardy or if any of the things that you mentioned in the early part of your remarks have, in fact, hurt your home State of Iowa?

Mr. KING of Iowa. Reclaiming my time, civilization is in jeopardy. It's in jeopardy when you have seven supreme court justices in the State of Iowa who declare that they have found rights in the Constitution that were up to this point ''unimagined.'' If you have justices that find unimagined rights in the Constitution, they are completely unqualified to legislate from the bench or determine what's constitutional and what's unconstitutional; and three of the seven were up for a retention ballot a year ago last November, and they were all three voted off the bench, the first time in the history of the State, partly because people disagreed with the policy they sought to impose by legislating from the bench, mostly because the people in the State understood that you cannot have judges that will find rights in the Constitution that were up to this point unimagined.

Judges that can imagine rights in the Constitution will take your rights away. A President that will change his position, that will not uphold his oath of office to take care that the laws are faithfully executed, that will direct the Department of Justice to work against and the Solicitor General to work against Federal law will turn this thing 180 and use the Federal resources against the will of the people of the United States, and that's the Huelskamp amendment, and I support it.

I yield back the balance of my time.

Mr. LATOURETTE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATOURETTE. Mr. Chairman, I didn't plan to speak on this amendment; but I have to tell you, I find it to be an unfortunate amendment. I find it to be an unfortunate amendment not for what some people might suspect. I was here for the Defense of Marriage Act. I supported the Defense of Marriage Act. I believe the Defense of Marriage Act is constitutional.

But this amendment is symptomatic of what I think the problem of this Congress has been since it convened last January, and that is first the CR and then some other bills, and now the appropriations bills. Some folks have decided that they should just be a pinata, filled with all kinds of extraneous issues that have nothing to do with the core mission.

This issue that is the subject of this amendment, I would tell the author who was not here when DOMA was passed, is being resolved. The Justice Department, I think wrongly, made a decision not to defend the lawsuit. But as Mr. NADLER said in a previous amendment, and I commend him for saying it, that's the executive's prerogative. But once they make that decision, the Congress is not powerless, and the Congress has taken action. And so the committee that exists here in the House voted to employ outside counsel. Outside counsel is vigorously defending the House's position in the Defense of Marriage Act, and I think there are 30 lawsuits across the country.

□ 2250

This matter will be resolved, and the courts will either say that it's constitutional or unconstitutional, and then we will all abide by that decision.

Now, where I find fault with my Democratic friends is that we've had a couple of markups in the legislative branch, and they're all exercised about the money that it's costing us for outside counsel. Well, you can't have it both ways. Either the administration is going to defend it through the Justice Department, or we're going to avail ourselves of our constitutional responsibilities, hire outside counsel. So you can't criticize the speaker for paying a lawyer to defend their position.

Likewise, I would suggest to my side of the aisle that this doesn't belong on Mr. WOLF's bill. There is not a problem. This matter will be resolved; it is being resolved. I think that this entire string of limitation amendments is disturbing because they continue a pattern now that's gone on for 18 months, and I don't think that's what an open rule is all about.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman from Ohio who just spoke on the floor of the House. He's an appropriator, and he sees this litany of limitations as being challenging. I know that Members are probably drafting some more limitations as we speak, and I certainly respect their prerogative.

I would just add this point: as I listened to my good friend from Iowa—who I know is certainly a civil libertarian and believes in individual rights, and I would imagine the proponent of this amendment does as well—I would ask the proponent of the amendment, as he has listened to the debate, to simply withdraw the amendment.

There are several factors that would contribute to that: one, the query that was made by the gentleman from Massachusetts as to whether the amendment even does anything. But as well, if we look at the 10th Amendment—which my friends on the other side of the aisle have always paraded before us—that even though there is a Federal law, the DOMA law, that there are matters that should be left to the States.

As recounted by the gentleman from Colorado, there are many different positions on this issue throughout the different States. Some have positions, some do not. Now we have an amendment that simply seems to deal with actions stated by the executive on this very day.

My friend from Iowa wanted to speak about what the President has said and what he has not said. What are we discussing here, the views of the President or the actions of the executive? The actions of the executive, as has been stated, are their prerogative. And clearly, there have been no actions by the government that should be contravened.

More importantly, I believe in the civil liberties of all people and the rights of all people. I believe that this amendment undermines the rights of all people and would graciously ask this Member to look at it from both the perspective of individual rights, of civil liberties, of the 10th Amendment, and whether or not the executive has done anything that relates to his amendment.

I, lastly, will say that the President of the United States, who commented

today, has every right to speak either his conscience, his heart, or his mind. An amendment on the floor attempting to question that has no relationship to speech today versus actions which need to be contravened. There are no actions to be contravened, so I ask the gentleman to respectfully withdraw his amendment.

I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I wasn't going to speak, but I have heard this argument made time and time again that it's the prerogative of the executive branch to decide whether it's going to defend a law legally passed by the Congress and signed by the President. That is hyperbole. That is incorrect.

There is an obligation, by tradition and by the law, that the Attorney General is duty bound to defend duly constituted laws of the United States so long as he or she can find a constitutional basis for it. It is not the purpose, nor has it been in the past, in Democratic and Republican administrations, for a Justice Department to arrogate to themselves the responsibility of deciding which laws they like and which laws they did not like. You are supposed to be the attorney for the United States and recognized as such.

I recall as Attorney General of California I was required at times to defend laws that I had voted against, but I could find a constitutional basis for it. My real problem with this administration is they strained to find any constitutional basis to not defend. That is turning it on its side.

The point of fact is when the executive branch does not do what they should do, it requires us to make a decision as to whether we should now pay for outside counsel. That has not been the tradition of the United States.

This Justice Department, in my judgment, based on the experience I've had here in this Congress, 18 years, my years as the chief legal officer of the State of California, and 35 or 40 years as a practicing attorney, tells me that this administration has fundamentally failed in its obligation to attempt to faithfully carry out the laws of the United States, not to wake up every morning and decide: I think I can find an unconstitutional basis for a law passed by the Congress.

Think of what that would mean. It would mean that you have an administration in every instance deciding what laws they want and what laws they don't want that are on the books, instead of coming here to the Congress and attempting to change what the law is. If we believe that we have an obligation when we hold up our hands to uphold the Constitution, that means we don't just turn over things to the courts and say you decide whether it's constitutional.

We are duty bound to pass what we think are constitutional laws. And the administration—of whatever stripe—is obligated to attempt to defend those laws unless they can't find a constitutional basis for it, not to seek every possible unconstitutional basis so they don't have to defend. That's what the problem is here.

And so while I understand many of the arguments made here and I understand what my friend from Ohio said—and I agree with much of what he said—let's not just say, well, it's the prerogative of the executive branch to decide if they want to defend laws passed by the United States. That has not been the tradition of this country. It has not been the experience. It has not been the legacy of Democratic and Republican administrations going back to the founding of this Republic.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. DANIEL E. LUNGREN of California. I yield to the gentlelady.

□ 2300

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman from California. I'm not sure if he misinterpreted comments that have been made on the floor of the House, but I will just speak to this point.

That is too broad a statement to say about the present Department of Justice when every single day lawyers in the Department of Justice, including the Attorney General, go out and defend the laws of this land. And so I'd ask the gentleman to reflect on that broad statement because that is not accurate.

I thank the gentleman for yielding.

Mr. DANIEL E. LUNGREN of California. I take back my time.

I will not accept the gentlelady's argument that I was condemning the actions of those people in the Justice Department who are excellent civil servants.

I am specifically talking about the Attorney General of the United States who, evidently, made the decision or, if he didn't make the decision, failed to make the proper decision to uphold the laws of the United States duly enacted by this Congress.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kansas will be postponed.

Mr. CLARKE of Michigan. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. I rise to engage in a colloquy with the esteemed subcommittee chair.

First of all, I wanted to support the inclusion of $47 million in the National Science Foundation Educational and Human Resources Account. This is going to really further the effort to help educate Americans in the area of science, technology, engineering, and mathematics. It will help inspire many of our young people to study math and science and then go into these engineering and technology fields as careers.

Some of the most engaging ways to inspire young people to study math and science involve informal education settings, such as our science centers throughout this country, most notably, the Detroit Science Center, which engages in programs that inspire many inner-city youth and metro-Detroit youth to get involved in education in science and mathematics.

So I wanted to thank the chair and the ranking member for including the resources in the National Science Foundation's budget to help provide competitive grants to many organizations such as the Detroit Science Center to help further inspire and engage our young people to study math and science.

And we have a lot of jobs available, even in metro Detroit in manufacturing and technology. We just need the people trained in those areas. This effort, this funding will help encourage many of our young people to enjoy the intellectual stimulation of math and science, and then encourage them to go into careers that are not only fruitful for them, but will help our country's economy become more competitive in the global marketplace.

Mr. WOLF. Will the gentleman yield?

Mr. CLARKE of Michigan. I yield to the gentleman from Virginia.

Mr. WOLF. I thank the gentleman for his interest in and advocacy for STEM education. I share his belief that STEM education must be a national priority, and I think the more we invest in it, it is very important for this country so the 21st century is the American century and not the Chinese century. And I look forward to working with him on this issue as we move forward.

Mr. CLARKE of Michigan. Mr. Chair, I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WESTMORELAND) having assumed the chair, Mr. PRICE of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having

had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5652, SEQUESTER REPLACEMENT RECONCILIATION ACT OF 2012

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112–472) on the resolution (H. Res. 648) providing for consideration of the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013, which was referred to the House Calendar and ordered to be printed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The SPEAKER pro tempore. Pursuant to House Resolution 643 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5326.

Will the gentleman from Georgia (Mr. PRICE) kindly resume the chair.

□ 2305

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. PRICE of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Kansas (Mr. HUELSKAMP) had been disposed of and the bill had been read through page 101, line 10.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 24 by Mr. HUELSKAMP of Kansas.

An amendment by Mr. LANDRY of Louisiana.

Amendment No. 32 by Mr. GARDNER of Colorado.

An amendment by Mr. ROHRABACHER of California.

An amendment by Mr. LEWIS of Georgia.

An amendment by Mr. HOLT of New Jersey.

Amendment No. 7 by Mr. CRAVAACK of Minnesota.

Second amendment by Mr. FLAKE of Arizona.

Third amendment by Mr. FLAKE of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 24 OFFERED BY MR. HUELSKAMP

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 245, noes 171, not voting 15, as follows:

[Roll No. 235]

AYES—245

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—171

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Bono Mack
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—15

Braley (IA)
Cantor
Carnahan
Connolly (VA)
Donnelly (IN)
Filner
Kucinich
Langevin
Lummis
McCaul
Meeks
Quayle
Reichert
Slaughter
Yarmuth

□ 2330

Mrs. BONO MACK and Ms. RICHARDSON changed their vote from ''aye'' to ''no.''

Messrs. LIPINSKI, RAHALL, BARLETTA and FITZPATRICK changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. QUAYLE. Mr. Chair, on rollcall No. 235 I was unavoidably detained. Had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 235, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. LANDRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. LANDRY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 201, not voting 12, as follows:

[Roll No. 236]

AYES—218

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Guinta
Guthrie
Gutierrez
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross (AR)
Ross (FL)
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Turner (NY)
Turner (OH)
Walberg
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—201

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fortenberry
Frank (MA)
Fudge
Garamendi
Gerlach
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rivera
Rooney
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOT VOTING—12

Berman
Cantor
Donnelly (IN)
Filner
Franks (AZ)
Johnson (OH)
Kucinich
McCaul
Meeks
Slaughter
Sullivan
Waters

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2333

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FRANKS of Arizona. Mr. Chair, on rollcall No. 236, had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 236, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 32 OFFERED BY MR. GARDNER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. GARDNER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 357, noes 68, not voting 6, as follows:

[Roll No. 237]

AYES—357

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)

DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Paul
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—68

Ackerman
Andrews
Baldwin
Berman
Bonamici
Brown (FL)
Butterfield
Carson (IN)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
Deutch
Edwards
Ellison
Eshoo
Farr
Fattah
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hastings (FL)
Hinchey
Hirono
Jackson (IL)
Johnson (GA)
LaTourette
Lee (CA)
Lipinski
Lofgren, Zoe
McCollum
Miller (NC)
Miller, George
Moore
Nadler
Olver
Pastor (AZ)
Price (NC)
Rangel
Rush
Sánchez, Linda T.
Schakowsky
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Speier
Stark
Thompson (CA)
Thompson (MS)
Towns
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Woolsey

NOT VOTING—6

Cantor
Donnelly (IN)
Filner
Kucinich
Meeks
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2336

Ms. BASS of California changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 237, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT OFFERED BY MR. ROHRABACHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROHRABACHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 262, not voting 6, as follows:

[Roll No. 238]

AYES—163

Ackerman
Amash
Amodei
Andrews
Baldwin
Bass (CA)
Bass (NH)
Becerra
Benishek
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Broun (GA)
Burton (IN)
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Flake
Frank (MA)
Fudge
Garamendi
Garrett
Green, Al
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heck
Heinrich
Higgins
Himes
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Langevin
Larson (CT)
LaTourette
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Michaud
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Paul
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Rehberg
Ribble
Richardson
Rohrabacher
Rothman (NJ)
Roybal-Allard
Royce
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Walz (MN)
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (AK)
Young (IN)

NOES—262

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Canseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)

McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Reichert
Renacci
Reyes
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Walberg
Walden
Wasserman Schultz
Waters
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)

NOT VOTING—6

Cantor
Donnelly (IN)
Filner
Kucinich
Meeks
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2341

Ms. DELAURO and Messrs. CLARKE of Michigan, BURTON of Indiana, and LOEBSACK changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 238, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. LEWIS OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. LEWIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 235, not voting 7, as follows:

[Roll No. 239]

AYES—189

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meehan
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Renacci
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Tiberi
Tonko
Towns
Tsongas
Turner (NY)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOES—235

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Capuano
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Thompson (PA)
Thornberry
Tierney
Tipton
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—7

Cantor
Donnelly (IN)
Filner
Kucinich
Meeks
Slaughter
Sullivan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2344

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 239, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 232, not voting 6, as follows:

[Roll No. 240]

AYES—193

Ackerman
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Camp
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Duffy
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Gerlach
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Ribble
Richardson
Richmond
Rigell
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (IN)

NOES—232

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)

NOT VOTING—6

Cantor
Donnelly (IN)
Filner
Kucinich
Meeks
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2347

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 240, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 7 OFFERED BY MR. CRAVAACK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. CRAVAACK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 188, not voting 5, as follows:

[Roll No. 241]

AYES—238

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—188

Ackerman
Altmire
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—5

Cantor
Donnelly (IN)
Filner
Kucinich
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2351

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 241, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 209, noes 217, not voting 5, as follows:

[Roll No. 242]

AYES—209

Adams
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lipinski
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Southerland
Stearns
Stutzman
Sullivan
Thornberry
Tipton
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—217

Ackerman
Aderholt
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berg
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Harper
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Rivera
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—5

Cantor
Donnelly (IN)
Filner
Kucinich
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2354

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 242, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the third amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 208, not voting 5, as follows:

[Roll No. 243]

AYES—218

Adams
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Israel
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Turner (NY)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)

NOES—208

Ackerman
Aderholt
Altmire
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hurt
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kissell
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Renacci
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (IN)

NOT VOTING—5

Cantor
Donnelly (IN)
Filner
Kucinich
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2357

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 243, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013''.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DENHAM) having assumed the chair, Mr. PRICE of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 643, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 5326 is postponed.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 743. An act to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes; to the Committee on Government Reform; in addition, to the House Permanent Select Committee on Intelligence; and to the Committee on Homeland Security for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1302. An act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 1 minute a.m.), under its previous order, the House adjourned until today, Thursday, May 10, 2012, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2012 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Terri Sewell	2/18	2/21	France		498.00		(3)				498.00
	2/21	2/23	Slovakia		186.00		(3)				186.00
	2/23	2/23	Belgium				(3)				
	2/23	2/25	Hungary		200.00		(3)				200.00
Committee total					884.00						884.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. FRANK D. LUCAS, Chairman, Apr. 26, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Harold Rogers	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 642.04						642.04
Hotel taxes, porterage charges			United States						73.53		73.53
Misc. delegation expenses									2,864.25		2,864.25
Return of unused per diem					−65.40						−65.40
Hon. Norm Dicks	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		[3] 1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 627.25						627.25
Hotel taxes, porterage charges			United States						73.53		73.53
Misc. delegation expenses									2,864.25		2,864.25
Hon. Ander Crenshaw	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 627.25						627.25
Hotel taxes, porterage charges			United States						73.53		73.53
Misc. delegation expenses									2,864.25		2,864.25
Hon. Rodney Alexander	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		[3] 576.12						576.12
	1/15	1/16	United States		570.58						570.58
Hotel taxes, porterage charges			United States						73.53		73.53
Misc. delegation expenses									2,864.25		2,864.25
Hon. Steven LaTourette	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 571.25						571.25
Hotel taxes, porterage charges			United States						73.53		73.53
Misc. delegation expenses									2,864.25		2,864.25
Hon. Tom Cole	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 611.00						611.00
Hotel taxes, porterage charges			United States						73.53		73.53
Misc. delegation expenses									2,864.25		2,864.25
Hon. Mike Simpson	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 550.00						550.00
Hotel taxes, porterage charges			United States						73.53		73.53
Misc. delegation expenses									2,864.25		2,864.25
Will Smith	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 615.58						615.58
Hotel taxes, porterage charges			United States						73.53		73.53
Misc. delegation expenses									2,864.25		2,864.25
Return of unused per diem					−64.57						−64.57
BG Wright	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 634.33						634.33
Hotel taxes, porterage charges			United States						73.53		7.53
Misc. delegation expenses									2,864.25		2,864.25
Return of unused per diem					−58.00						−58.00
Anne Marie Chotvacs	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 634.33						634.33
Hotel taxes, porterage charges			United States						$73.53		73.53
Misc. Delegation Expenses									$2,864.25		2,864.25
Return of unused per diem					−128.45						−128.45
Paul Juola	1/6	1/7	United States		199.00						199.00
Hotel taxes			United States						$24.71		24.71
	1/8	1/10	New Zealand		570.50						570.50
	1/10	1/13	Australia		1,616.18						1,616.18
	1/13	1/15	Philippines		576.12						576.12
	1/15	1/16	United States		[3] 597.50						597.50
Hotel taxes, porterage chares			United States						$73.53		73.53
Misc. delegation expenses									$2,864.25		2,864.25
Mike Ringler	1/3	1/4	New Zealand		619.98						619.98
	1/5	1/9	Antarctica								
	1/9	1/10	New Zealand								
Part Commercial aircraft							14,044.40				14,044.40
Part Government Aircraft											
Jennifer Hing	1/3	1/4	New Zealand		730.00						730.00
	1/5	1/9	Antarctica								
	1/9	1/12	New Zealand								
Part Commercial Aircraft							14,044.40				14,044.40
Part Government Aircraft											
Mike Robinson	1/3	1/4	New Zealand		592.93						592.93
	1/5	1/9	Antarctica								
	1/9	1/12	New Zealand								
Part Commercial Aircraft							14,044.40				14,044.40
Part Government Aircraft											
Diana Simpson	1/3	1/4	New Zealand		592.93						592.93
	1/5	1/9	Antarctica								
	1/9	1/10	New Zealand								
Part Commercial Aircraft							14,044.40				14,044.40
Part Government Aircraft											
Stephanie Gupta	1/3	1/4	New Zealand		640.00						640.00
	1/5	1/9	Antarctica								
	1/9	1/10	New Zealand								
Part Commercial Aircraft							14,044.40				14,044.40
Part Government Aircraft											
Kathleen L. Kraninger	1/15	1/16	Guatemala		414.54						414.54
	1/16	1/18	Panama		506.00						506.00
	1/18	1/21	Colombia		1,356.50						1,356.50
Commercial Aircraft							1,373.90				1,373.90
Misc. transportation costs							262.00				262.00
Jeffrey H. Ashford	1/15	1/16	Guatemala		414.54						414.54
	1/16	1/18	Panama		506.00						506.00
	1/18	1/21	Colombia		1,356.50						1,356.50
Commercial aircraft							1,373.90				1,373.90
Misc. transportation costs							262.00				262.00
Michael Friedberg	1/8	1/14	Brazil		2,948.82						2,948.82
Commercial aircraft							4,493.60				4,493.60
Misc. delegation costs									1,294.41		1,294.41
Misc. transportation costs									77.40		77.40
Hon. Kay Granger	1/6	1/7	Ghana		428.00						428.00
Return of unused per diem					−165.78						−165.78
Commercial Aircraft									3,612.15		3,612.15
Hon. Betty McCollum	1/4	1/10	Bangladesh		1,759.00						1,759.00
Misc. transportation costs									306.22		306.22
Misc. delegation costs									1,441.23		1,441.23
Hon. Mario Diaz Balart	1/25	1/28	Switzerland		1,787.90						1,787.90
Misc. delegation costs									1,111.96		1,111.96
Commercial aircraft							2,024.50				2,024.50
Return of unused per diem							−374.00				−374.00
Hon. Nita Lowey	1/25	1/30	Switzerland		2,328.33						2,328.33
Misc. delegation costs									1,051.56		1,051.56
Commercial aircraft									1,270.50		1,270.50
Return of unused per diem							−748.00				−748.00
Hon. Rodney Frelinghuysen	2/19	2/20	Japan		1,175.47						1,175.47
	2/23	2/26									
	2/20	2/23	Korea		1,344.00						1,344.00
Misc. delegation costs									198.02		198.02
Commercial aircraft									13,371.40		13,371.40
Misc. transportation costs									.57		.57
Return of unused per diem							−175.00				−175.00
Hon. Ken Calvert	2/19	2/20	Japan		1,175.47						1,175.47
	2/23	2/26									
	2/20	2/23	Korea		1,344.00						1,344.00
Misc. delegation costs									198.02		198.02
Commercial aircraft									13,371.40		13,371.40
Misc. transportation costs									.57		.57
Return of unused per diem							−175.00				−175.00
Hon. Tom McLemore	2/19	2/20	Japan		1,175.47						1,175.47

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	2/23	2/26									
	2/20	2/23	Korea		1,344.00						1,344.00
Misc. delegation costs									198.02		198.02
Commercial aircraft							13,371.40				13,371.40
Misc. transportation costs									.57		.57
Return of unused per diem							−25.50				−25.50
BG Wright	2/19	2/20	Japan		1,175.47						1,175.47
	2/23	2/26									
	2/20	2/23	Korea		1,344.00						1,344.00
Misc. delegation costs									198.02		198.02
Commercial aircraft							13,371.40				13,371.40
Misc. transportation costs									.57		.57
Return of unused per diem							−38.00				−38.00
Ms. Brooke Boyer	2/19	2/20	Japan		1,175.47						1,175.47
	2/23	2/26									
	2/20	2/23	Korea		1,344.00						1,344.00
Misc. delegation costs									198.02		198.02
Commercial aircraft							13,371.40				13,371.40
Misc. transportation costs									.57		.57
Jennifer Miller	2/18	2/20	Egypt		469.19						469.18
	2/20	2/22	Lebanon		394.00						394.00
	2/22	2/24	Jordan		889.01						889.01
Hotel Taxes									151.82		151.82
Misc. transportation costs							240.00				240.00
Commercial aircraft									8,734.60		8,734.60
Adrienne Ramsay	2/18	2/20	Egypt		469.19						469.18
	2/20	2/22	Lebanon		394.00						394.00
	2/22	2/24	Jordan		889.01						889.01
Hotel Taxes									151.82		151.82
Misc. transportation costs							17.60				17.60
Commercial aircraft									8,734.60		8,734.60
Hon. Frank Wolf		2/17	United States								
	2/18	2/21	Kenya		339.93						339.93
	2/19	2/21	South Sudan		540.00						540.00
	2/21	2/21	Kenya								
Misc. transportation costs							1,269.25				1,269.25
Misc. embassy Costs									112.82		112.82
Commercial aircraft							13,753.00				13,753.00
Return of unused per diem					−425.00						−425.00
Ann Reese	3/9	3/14	Bahrain		1,322.85						1,322.85
	3/14	3/15	Qatar		340.57						340.57
Misc. transportation costs							162.00				162.00
Commercial aircraft							8,713.05				8,713.05
Donna Shahbaz	3/9	3/10	Japan		192.25						192.25
	3/10	3/12	Korea		700.00						700.00
Misc. transportation costs							50.32				50.32
Commercial aircraft							6,571.70				6,571.70
Dale Oak	3/9	3/10	Japan		192.25						192.25
	3/10	3/12	Korea		700.00						700.00
Misc. transportation costs							50.32				50.32
Commercial aircraft							6,571.70				6,571.70
Sarah Young	3/9	3/10	Japan		192.25						192.25
	3/10	3/12	Korea		700.00						700.00
Misc. transportation costs							50.32				50.32
Commercial aircraft							6,571.70				6,571.70
Matthew Washington	3/9	3/10	Japan		192.25						192.25
	3/10	3/12	Korea		700.00						700.00
Misc. transportation costs							50.32				50.32
Commercial aircraft							6,571.70				6,571.70
Committee total					78,163.76		218,148.30		38,970.51		335,282.57

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. HAROLD ROGERS, Chairman, Apr. 30, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JO BONNER, Chairman, Apr. 16, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bill Huizenga	1/13	1/15	Afghanistan		56.00		11,967.70				12,023.70
Hon. Rubén Hinojosa	2/18	2/21	France		2,153.97		[3]				2,153.97
	2/21	2/23	Slovakia		587.65		[3]				587.65
	2/23	2/25	Hungary		529.27		[3]				529.27
Committee total					3,326.89		11,967.70				15,294.59

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. SPENCER BACHUS, Chairman, Apr. 27, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Steve Chabot	1/9	1/11	Israel		802.00				[5] 8,268.69		9,070.69
	1/11	1/12	Qatar		291.00						291.00
	1/12	1/13	Romania		262.00						262.00
	1/13	1/15	Albania		503.00						503.00
							[4] 10,754.90				10,754.90
Kevin Fitzpatrick	1/9	1/11	Israel		814.00						814.00
	1/11	1/12	Qatar		296.00						296.00
	1/12	1/13	Romania		267.00						267.00
	1/13	1/15	Albania		493.00						493.00
							[4] 11,630.20				11,630.20
Sajit Gandhi	1/7	1/8	Turkey		373.00		[3]				373.00
	1/8	1/10	India		1,100.00		[3]				1,100.00
Commercial airfare	1/10	1/11	Thailand		215.00						215.00
	1/11	1/12	Burma		208.00		[3]				208.00
Commercial airfare	1/12	1/13	India		340.00						340.00
Commercial airfare	1/13	1/14	Slovak Republic		318.00		[3]				318.00
							[4] 598.00				598.00
Hon. Ileana Ros-Lehtinen	1/7	1/8	Turkey		642.82		[3]				642.82
	1/8	1/10	Qatar		679.48		[3]				679.48
	1/10	1/11	Saudi Arabia		399.66		[3]				399.66
	1/11	1/13	United Arab Emirates		1,051.30		[3]				1,051.30
	1/13	1/14	France		565.25		[3]				565.25
Hon. Dana Rohrabacher	1/7	1/13	Germany		1,910.14				[5] 25,860.88		27,771.02
							[4] 10,611.70				10,611.70
Paul Berkowitz	1/7	1/13	Germany		2,071.14						2,071.14
							[4] 3,096.40				3,096.40
William Hawkins	1/7	1/13	Germany		2,071.14						2,071.14
							[4] 2,248.70				2,248.70
John Lis	1/10	1/14	Kyrgyz Republic		1,484.00						1,484.00
							[4] 10,178.00				10,178.00
Christina Jenckes	1/10	1/14	Kyrgyz Republic		1,419.00						1,419.00
							[4] 10,143.10				10,143.10
Brent Wollfork	1/10	1/14	Kyrgyz Republic		1,474.00						1,474.00
							[4] 10,143.10				10,143.10
Diana Ohlbaum	1/16	1/18	Haiti		304.00						304.00
							[4] 1,190.50				1,190.50
Hon. Jeff Fortenberry	1/26	1/28	Switzerland		1,100.00		[3]				1,100.00
	1/28	1/30	France		392.76		[3]				392.76
Hon. Ted Deutch	2/3	2/5	Germany		624.00		[6]				624.00
							[6] 951.70				951.70
Hon. Dan Burton	2/18	2/21	France		2,126.00		[3]		[5] 16,750.00		18,876.00
	2/21	2/23	Slovak Republic		576.10		[3]		[5] 10,929.96		11,506.06
	2/23	2/25	Hungary		532.00		[3]		[5] 1,696.48		2,228.48
Hon. Gregory Meeks	2/18	2/21	France		2,125.44		[3]				2,125.44
	2/21	2/23	Slovak Republic		575.93		[3]				575.93
	2/23	2/25	Hungary		470.50		[3]				470.50
Hon. Fedricka Wilson	2/18	2/21	France		1,973.49		[3]				1,973.49
	2/21	2/23	Slovak Republic		531.11						531.11
	2/23	2/25	Hungary		449.14						449.14
Brian Wanko	2/18	2/21	France		1,973.93						1,973.93
	2/21	2/23	Slovak Republic		550.09						550.09
	2/23	2/25	Hungary		506.00						506.00
Edmund Rice	2/18	2/21	France		1,927.00						1,927.00
	2/21	2/23	Slovak Republic		480.00						480.00
	2/23	2/25	Hungary		410.00						410.00
Christina Jenckes	2/20	2/25	Zambia		3,057.00						3,057.00
							[4] 10,513.10				10,513.00
Kristal Quarker	2/20	2/25	Zambia		1,639.00						1,639.00
							[4] 10,523.10				10,523.10
Algene Sajery	2/20	2/25	Zambia		1,629.00						1,629.00
							[4] 10,546.10				10,546.10
Diana Ohlbaum	2/20	2/25	Zambia		1,626.00						1,626.00
							[4] 10,624.10				10,624.10
Matthew Zweig	3/9	3/11	Saudi Arabia		767.00						767.00
	3/11	3/13	United Arab Emirates		485.00						485.00
	3/13	3/14	Yemen		152.50						152.50
	3/14	3/15	Qatar		331.35						331.35
	3/16	3/16	Bahrain		284.00						284.00
							[4] 4,939.50				4,939.50
Riley Moore	3/9	3/11	Saudi Arabia		820.00						820.00
	3/11	3/13	United Arab Emirates		573.60						573.60
	3/13	3/14	Yemen		227.98						227.98
	3/14	3/15	Qatar		280.67						280.67
	3/16	3/16	Bahrain		293.56						293.56
							[4] 8,109.70				8,109.70
Ed Stein	3/9	3/11	Saudi Arabia		884.04						884.04
	3/11	3/13	United Arab Emirates		520.60						520.60
	3/13	3/14	Yemen		156.04						156.04
	3/14	3/15	Qatar		247.59						247.59
	3/16	3/16	Bahrain		230.22						230.22
							[4] 4,432.10				4,432.10
Robert Marcus	3/9	3/11	Saudi Arabia		889.00						889.00
	3/11	3/13	United Arab Emirates		528.00						528.00
	3/13	3/14	Yemen		161.00						161.00
	3/14	3/15	Qatar		250.35						250.35
	3/16	3/16	Bahrain		235.22						235.22
							[4] 3,796.90				3,796.90
Alan Makovsky	3/11	3/13	United Arab Emirates		348.00						348.00
	3/13	3/14	Yemen		186.00						186.00
	3/14	3/15	Qatar		286.35						286.35
	3/16	3/16	Bahrain		28.18						28.18
							[4] 3,730.60				3,730.60
Eddy Acevedo	3/11	3/13	Guatemala		389.87						389.87
	3/13	3/15	Honduras		346.00						346.00
	3/15	3/16	El Salvador		146.45						146.45
							[4] 1,236.63				1,236.63
Greg McCarthy	3/11	3/13	Guatemala		369.87						369.87

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	3/13	3/15	Honduras		316.00						316.00
							[4] 1,147.00				1,147.00
Kristen Jackson	3/11	3/13	Guatemala		127.44						127.44
	3/13	3/15	Honduras		416.51						416.51
	3/15	3/16	El Salvador		185.45						185.45
							[4] 1,412.63				1,412.63
Hubbell Knapp	3/11	3/13	Guatemala		359.87						359.87
	3/13	3/15	Honduras		390.66						390.66
	3/15	3/16	El Salvador		172.45						172.45
							[4] 1,236.63				1,236.63
Jacqueline Quinones	3/11	3/13	Guatemala		374.87						374.87
	3/13	3/15	Honduras		366.00						366.00
	3/15	3/16	El Salvador		187.45						187.45
							[4] 1,236.63				1,236.63
Janice Kaguyutan	3/11	3/13	Guatemala		355.00						355.00
	3/13	3/15	Honduras		366.00						366.00
	3/15	3/16	El Salvador		182.00						182.00
							[4] 1,236.63				1,236.63
Kevin Ditzpatrick	3/11	3/12	UAE		405.00						405.00
	3/12	3/13	Maldives		144.00						144.00
	3/14	3/15	Afghanistan		28.00						28.00
							[4] 17,499.40				17,499.40
Daniel Silverberg	3/11	3/12	United Arab Emirates		405.00						405.00
	3/12	3/13	Maldives		414.00						414.00
	3/14	3/15	Afghanistan		28.00						28.00
							[4] 17,499.40				17,499.40
Committee total					71,783.66		170,753.35		63,506.01		306,0943.02

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Roundtrip airfare.
[5] Indicates delegation costs.
[6] One-way airfare.

HON. ILEANA ROS-LEHTINEN, Chairman Apr. 30, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Cedric Richmond	1/7	1/7	Ireland				[3]				
CODEL Warner	1/7	1/8	Turkey		386.59		[3]				386.59
	1/8	1/11	India		1,434.68		4,777.90				6,212.58
Per diem returned					(142.00)						(142.00)
Hon. Peter T. King	2/19	2/22	United Kingdom		1,497.00		732.30				2,229.30
Per diem returned					(200.26)						(200.26)
Lauren Wenger	2/17	2/22	United Kingdom		2,495.00		1,032.30				3,527.30
Per diem returned					(711.83)						(711.83)
Jonathan Duecker	2/17	2/23	United Kingdom		2,994.00		1,033.30				4,027.30
Per diem returned					(745.96)						(745.96)
Kevin Carroll	2/17	2/22	United Kingdom		2,495.00		1,033.30				3,528.40
Per diem returned					(351.73)						(351.73)
Nick Palarino	3/11	3/12	Dubai		300.68		12,097.90				12,398.58
	3/12	3/13	Maldives		699.00						699.00
	3/14	3/15	Afghanistan		28.00						28.00
	3/15	3/16	Dubai		357.99						357.99
Committee total					10,536.16		20,707.10				31,243.26

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. PETER T. KING, Chairman, Apr. 16, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
James Fleet	1/19	1/22	Middle East		1,063.39		9,834.20				10,897.59
Committee total					1,063.39		9,834.20				10,897.59

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DANIEL E. LUNGREN, Chairman, Apr. 26, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Darrell Issa	1/25	1/30	Switzerland		2,828.71		1,961.30				4,790.01

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Christopher Hixon	1/25	1/30	Switzerland		1,929.47		1,990.50				3,919.97
Delegation expenses									4,689.35		4,689.35
Hon. Peter Welch	2/22	2/24	Cuba		444.00						444.00
	2/24	2/27	Colombia		1,992.00						1,992.00
Committee total											15,835.33

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DARRELL E. ISSA, Chairman, Apr. 30, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Rachael Leman	1/10	1/14	Kyrgyzstan		1,575.00		10,176.20				11,751.20
Hon. David Dreier	1/26	1/28	Switzerland		374.00		[3]				374.00
	1/28	1/30	France		356.00		[3]				356.00
Brad Smith	1/26	1/28	Switzerland		358.00		[3]				358.00
	1/28	1/30	France		356.00		[3]				356.00
Committee total					3,019.00		10,176.20				13,195.20

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. DAVID DREIER, Chairman, Apr. 26, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN L. MICA, Chairman, Apr. 16, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012.

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Geoffery Antell	3/26	3/29	Switzerland		1,270.96		1,956.20				3,227.16
Jason Kearns	3/26	3/29	Switzerland		1,310.91		1,956.20				3,267.11
Hon. Jim McDermott	3/22	3/25	Belgium		1,305.33				256.14		1,561.47
Hon. Joseph Crowley	1/11	1/12	Thailand		210.13		53.05		103.15		366.33
	1/12	1/13	Burma		248.00		718.20		195.95		1,162.15
	1/7	1/8	Turkey		373.00		58.00		22.00		453.00
	1/8	1/14	India		1,382.23		428.00		4.42		1,814.65
	1/14	1/15	Slovakia		360.95		143.00		300.00		803.95
Hon. Xavier Becerra	2/22	2/24	Cuba		344.00						344.00
	2/24	2/24	Haiti								
	2/24	2/27	Colombia		1,992.00		222.00		727.00		2,941.00
Committee total					8,797.51		5,534.65		1,608.66		15,684.68

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman, Apr. 30, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Darren Dick	1/8	1/10	South America		529.76						
	1/10	1/12	South America		192.00						
	1/12	1/14	South America		186.00						
Commercial aircraft							1,603.14				2,510.90
Chelsey Campbell	1/8	1/10	South America		529.76						
	1/10	1/12	South America		192.00						
	1/12	1/14	South America		186.00						
Commercial aircraft							2,377.64				3,285.40
Sarah Geffroy	1/8	1/10	South America		529.76						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	1/10	1/12	South America		192.00						
	1/12	1/14	South America		186.00						
Commercial aircraft							2,377.64				3,285.40
Hon. Frank LoBiondo	1/10	1/14	Africa		249.00						
Commercial aircraft							11,557.20				11,806.20
George Pappas	1/10	1/14	Africa		249.00						
Commercial aircraft							11,557.20				11,806.20
Carly Scott	1/10	1/14	Africa		249.00						
Commercial aircraft							11,557.20				11,806.20
Darren Dick	1/25	1/28	South America		315.00						
Commercial aircraft							1,864.90				2,179.00
Chelsey Campbell	1/25	1/28	South America		315.00						
Commercial aircraft							1,864.90				2,179.00
Kathryn Whelbarger	1/25	1/28	South America		315.00						
Commercial aircraft							1,864.90				2,179.00
Alonzo Robertson	1/25	1/28	South America		315.00						
Commercial aircraft							1,864.90				2,179.00
Kathryn Wheelbarger	2/19	2/23	Asia		3,526.38						
	2/23	2/25	Asia		278.00						
Commercial aircraft							15,239.10				19,043.48
Ashley Lowry	2/19	2/23	Asia		3,526.38						
	2/23	2/25	Asia		278.00						
Commercial aircraft							15,239.10				19,043.48
Carly Scott	2/19	2/23	Asia		3,526.38						
	2/23	2/25	Asia		278.00						
Commercial aircraft							15,239.10				19,043.48
Jamil Jaffer	2/19	2/20	Africa		107.00						
	2/20	2/22	Africa		480.02						
	2/22	2/23	Africa		86.00						
	2/23	2/24	Africa		78.00						
Commercial aircraft							10,175.92				10,926.94
Linda Cohen	2/19	2/20	Africa		107.00						
	2/20	2/22	Africa		480.02						
	2/22	2/23	Africa		86.00						
	2/23	2/24	Africa		78.00						
Commercial aircraft							10,175.92				10,926.94
Hon. Mike Rogers	2/20	2/23	Middle East								
Commercial aircraft							8,303.30				8,303.30
Hon. Dutch Ruppersberger	2/20	2/23	Middle East								
Commercial aircraft							10,181.20				10,181.20
Michael Allen	2/20	2/23	Middle East								
Commercial aircraft							9,241.10				9,241.10
Mike Shank	2/20	2/23	Middle East								
Commercial aircraft							10,181.20				10,181.20
Hon. Mike Thompson	3/9	3/11	Europe		308.00						
	3/11	3/12	Africa		226.00						
Commercial aircraft							7,740.40				8,274.40
Linda Cohen	3/9	3/11	Europe		308.00						
	3/11	3/12	Africa		226.00						
Commercial aircraft							7,740.40				8,274.40
Hon. Michele Bachmann	3/11	3/15	Middle East		1,992.00						
Commercial aircraft							9,356.70				11,348.70
Chelsey Campbell	3/11	3/15	Middle East		1,992.00						
Commercial aircraft							9,356.70				11,348.70
Alonzo Robertson	3/11	3/15	Middle East		1,992.00						
Commercial aircraft							9,088.50				11,080.50
Committee total											220,437.72

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MIKE ROGERS, Chairman, Apr. 19, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Christopher H. Smith	2/23	2/25	Austria		457.93		2,496.30				2,954.23
	2/25	2/26	Macedonia		254.00						254.00
Mark Milosch	2/23	2/25	Austria		481.44		2,496.30				2,977.74
	2/25	2/26	Macedonia		254.00						254.00
Robert Hand	2/22	2/25	Austria		1,038.65		1,580.80				2,619.45
Allison Hollabaugh	2/22	2/25	Austria		893.35		1,580.80				2,474.15
Janice Helwig	1/12	1/18	Kazakhstan		2,205.00		10,766.00				12,971.00
	3/11	3/17	Austria		2,418.00		1,582.00				4,000.00
Winsome Packer	3/05	3/08	Austria		970.84		1,615.90				2,586.74
Mischa Thompson	3/22	3/25	Belgium		456.99		1,888.60				2,345.59
Shelly Han	2/11	2/18	Thailand		1,373.00		13,641.30				15,014.30
Alex Johnson	1/19	1/31	Austria		4,608.00		1,578.10				6,186.10
	2/01	2/29	Austria		10,701.00						10,701.00
	3/01	3/31	Austria		11,439.01						11,439.01
Committee total					37,581.21		39,226.10				76,777.31

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MARK MILOSCH, Apr. 30, 2012.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5919. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding identifying core depot-level maintenance and repair capability requirements; to the Committee on Armed Services.

5920. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to South Korea pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5921. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to China pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5922. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico, Canada, Chile, Colombia, Ecuador, China, Philippines, Japan, and South Korea pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5923. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Chile pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5924. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5925. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia in Executive Order 12987 of October 21, 1995, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

5926. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning compliance by the Government of Cuba with the U.S.-Cuba Migration Accords (October 2011 to April 2012); to the Committee on Foreign Affairs.

5927. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2011 through January 31, 2012; to the Committee on Foreign Affairs.

5928. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Foreign Affairs.

5929. A letter from the Honorary Secretary, Foundation of Japanese Honorary Debts, transmitting the 208th petition to the Prime Minister of Japan; to the Committee on Foreign Affairs.

5930. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XB077) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5931. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XB024) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5932. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Cod by Catcher Vessels Greater Than or Equal to 50 Feet (15.2 Meters) Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB112) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5933. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB111) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5934. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB102) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5935. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland Model EC135 Helicopters [Docket No.: FAA-2011-0453; Directorate Identifier 2008-SW-16-AD; Amendment 39-16942; AD 2012-03-01] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5936. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CPAC, Inc. Airplanes [Docket No.: FAA-2011-1128; Directorate Identifier 2011-CE-031-AD; Amendment 39-16933; AD 2012-02-10] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5937. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aviation Communication & Surveillance Systems (ACSS) Traffic Alert and Collision Avoidance System (TCAS) Units [Docket No.: FAA-2010-1204; Directorate Identifier 2010-NM-147-AD; Amendment 39-16931; AD 2010-02-08] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5938. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2011-1245; Directorate Identifier 2011-CE-033-AD; Amendment 39-16925; AD 2012-02-02] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5939. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1171; Directorate Identifier 2011-NM-101-AD; Amendment 39-16932; AD 2012-02-09] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5940. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Reciprocating Engines [Docket No.: FAA-2009-0201; Directorate Identifier 2008-NE-47-AD; Amendment 39-16972; AD 2010-11-09R1] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5941. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-0997; Directorate Identifier 2011-NM-043-AD; Amendment 39-16963; AD 2012-04-07] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5942. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. [Docket No.: FAA-2012-0190; Directorate Identifier 2012-NM-033-AD; Amendment 39-16979; AD 2012-05-07] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5943. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) Turbofan Engines [Docket No.: FAA-2010-0562; Directorate Identifier 2009-NE-29-AD; Amendment 39-16969; AD 2012-04-13] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5944. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) Turbofan Engines [Docket No.: FAA-2011-0959; Directorate Identifier 2011-NE-25-AD; Amendment 39-16970; AD 2012-04-14] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 4966. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace of sequester established by the Budget Control Act of 2011; with an amendment (Rept. 112–469, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 5652. A bill to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013 (Rept. 112–470). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 4235. A bill to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts; with an amendment (Rept. 112–471, Pt. 1). Ordered to be printed.

Mr. WOODALL: Committee on Rules. House Resolution 648. Resolution providing for consideration of the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013 (Rept. 112–472). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Rules discharged from further consideration. H.R. 4966 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DOLD:

H.R. 5650. A bill to amend title X of the Public Health Service Act to provide for no discrimination under the family planning program under such title on the basis of separate provision of abortion; to the Committee on Energy and Commerce.

By Mr. UPTON (for himself, Mr. WAXMAN, Mr. PITTS, Mr. PALLONE, Mr. BARTON of Texas, and Mr. DINGELL):

H.R. 5651. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BALDWIN:

H.R. 5653. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide dental care to veterans awarded the Purple Heart, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BACA:

H.R. 5654. A bill to remove the testing provisions in the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. BONNER:

H.R. 5655. A bill to suspend temporarily the rate of duty on 1-Propanone, 2-hydroxy-2-methyl-1-phenyl-; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5656. A bill to extend the temporary suspension of duty on methyl-4-trifluoro methoxyphenyl-N-(chlorocarbonyl) carbamate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5657. A bill to extend the temporary suspension of duty on mixtures of indoxacarb and inert ingredients; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5658. A bill to suspend temporarily the rate of duty on Reactive Red 264; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5659. A bill to suspend temporarily the rate of duty on Ethanone, 2,2-dimethoxy-1,2-diphenyl-; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5660. A bill to suspend temporarily the rate of duty on Reactive Red 267; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5661. A bill to suspend temporarily the rate of duty on 1-Hydroxy cyclohexyl phenyl ketone; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5662. A bill to suspend temporarily the rate of duty on 2,4-Bis(2-hydroxy-4-butyloxyphenyl)-6-(2,4-bis-butyloxyphenyl)-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5663. A bill to suspend temporarily the rate of duty on mixtures of certain types of Triazin; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5664. A bill to suspend temporarily the rate of duty on Phosphine oxide, phenylbis(2,4,6-trimethylbenzoyl)-; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5665. A bill to suspend temporarily the rate of duty on 1-propanone, 2-methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)-(9ci); to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5666. A bill to suspend temporarily the duty on Topramezone technical; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5667. A bill to suspend temporarily the duty on 5-bromo-3-sec-butyl-6-methyluracil (Bromacil); to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5668. A bill to suspend temporarily the rate of duty on isomeric mixtures of substituted hydroxy phenyl triazines; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5669. A bill to suspend temporarily the rate of duty on Bis(2,2,6,6-tetramethyl-4-piperidyl)sebacate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5670. A bill to suspend temporarily the rate of duty on Bis(2,2,6,6-tetramethyl-4-piperidyl)sebacate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5671. A bill to extend the temporary suspension of duty on methyl-4-trifluoro methoxyphenyl-N-(chlorocarbonyl) carbamate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5672. A bill to extend the temporary suspension of duty on Reactive Red 238; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5673. A bill to extend the temporary suspension of duty on Reactive Blue 235; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5674. A bill to suspend temporarily the rate of duty on Butane, 1-chloro; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5675. A bill to extend the temporary suspension of duty on benzyl carbazate (hydrazinecarboxylic acid, phenylmethyl ester); to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5676. A bill to suspend temporarily the rate of duty on Hexane, 1,6-dichloro-; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5677. A bill to extend the temporary suspension of duty on Vat Black 25; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5678. A bill to suspend temporarily the duty on dimethyl 2,3,5,6-tetrachloro-1, 4-Benzenedicarboxylate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5679. A bill to extend the temporary suspension of duty on mixtures of 5-methyl-5-(4-phenoxyphenyl)-3- (phenyl-amino)-2,4-oxazolidinedione](famoxadone), 2-cyano-N-[(ethylamino)- carbonyl]-2-(methoxyimino)acetamide (Cymoxanil) and application adjuvants; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5680. A bill to extend the temporary suspension of duty on Ethyl pyruvate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5681. A bill to extend the temporary suspension of duty on Reactive Yellow 7459; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5682. A bill to suspend temporarily the duty on 1,3,5-triazine, 2,4,6- tris (2-propenyloxyl)-; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 5683. A bill to authorize the President to establish the Veterans' Job Corps as a means of providing gainful employment to unemployed veterans and widows of veterans through the performance of useful public works, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HEINRICH (for himself, Mr. PERLMUTTER, Mr. RUSH, Mr. COOPER, Mrs. CAPPS, Mr. KISSELL, Mr. CICILLINE, Ms. NORTON, Mr. LEWIS of Georgia, Mr. LUJÁN, Mr. ROTHMAN of New Jersey, and Mr. SCHIFF):

H.R. 5684. A bill to prohibit employers from compelling or coercing any person to authorize access to a protected computer, and for other purposes; to the Committee on the Judiciary.

By Mr. HULTGREN:

H.R. 5685. A bill to suspend temporarily the duty on Pigment Yellow 151; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 5686. A bill to extend the temporary suspension of duty on Pigment Yellow 154; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 5687. A bill to extend the temporary suspension of duty on Pigment Red 185; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 5688. A bill to extend the temporary suspension of duty on Pigment Yellow 175; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 5689. A bill to suspend temporarily the duty on Pigment Orange 74; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself, Mrs. CAPPS, Mr. FILNER, Mr. JACKSON of Illinois, and Mr. RANGEL):

H.R. 5690. A bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to

make grants to eligible entities to train elementary and secondary school nurses on how to respond to a biological or chemical attack or an outbreak of pandemic influenza in a school building or on school grounds; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Mr. FRANK of Massachusetts, Mr. CAPUANO, Mr. ELLISON, Mr. GUTIERREZ, Mr. MORAN, Mr. JACKSON of Illinois, Ms. RICHARDSON, Mr. VAN HOLLEN, Mr. SERRANO, Mr. CICILLINE, Mr. DINGELL, Mr. MILLER of North Carolina, Mr. RANGEL, Ms. CHU, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. CARSON of Indiana, Ms. HAHN, Ms. KAPTUR, Mr. NADLER, Mr. CONYERS, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Mr. CUMMINGS, Ms. ESHOO, Mr. GONZALEZ, Ms. NORTON, Ms. LEE of California, Ms. DELAURO, Ms. WILSON of Florida, Ms. LORETTA SANCHEZ of California, Ms. WOOLSEY, Mrs. LOWEY, Mr. TOWNS, Ms. WATERS, Mr. TONKO, Mr. RUSH, Mr. ACKERMAN, Mr. HINCHEY, Mr. STARK, Mr. HOLT, Mr. PALLONE, Ms. TSONGAS, Mr. BECERRA, and Ms. BASS of California):

H.R. 5691. A bill to amend the Truth in Lending Act to establish fair and transparent practices related to the marketing and provision of overdraft coverage programs at depository institutions, and for other purposes; to the Committee on Financial Services.

By Mr. PAULSEN:

H.R. 5692. A bill to extend the suspension of duty on Interam mats; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5693. A bill to extend the suspension of duty on perfluorocarbon amines; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5694. A bill to extend the suspension of duty on certain fluoropolymers; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5695. A bill to extend the suspension of duty on certain cathode-ray tubes; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5696. A bill to extend the suspension of duty on certain cathode-ray tubes; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5697. A bill to extend the suspension of duty on 9-Anthracenecarboxylic acid, (triethoxysilyl)methyl ester; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself and Mr. GERLACH):

H.R. 5698. A bill to suspend temporarily the duty on S-(2-benzothiazolyl)-2-(2-aminothiazol-4-yl)-2-acetoxyimino thioacetate (Thioester); to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5699. A bill to suspend temporarily the duty on certain yarn of carded wool; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5700. A bill to suspend temporarily the duty on certain cotton yarn of combed fibers; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5701. A bill to suspend temporarily the duty on certain cotton yarn of combed fibers; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5702. A bill to extend the temporary suspension of duty on Diiodomethyl-*p*-tolylsulfone; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5703. A bill to extend the temporary suspension of duty on 2-Propenoic acid, polymer with diethenylbenzene; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5704. A bill to renew the temporary suspension of duty on Methyl Hydroxyethyl Cellulose; to the Committee on Ways and Means.

By Mr. REED (for himself and Mr. NEAL):

H.R. 5705. A bill to amend the Internal Revenue Code of 1986 to permanently modify the limitations on the deduction of interest by financial institutions which hold tax-exempt bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHILLING (for himself and Mr. LOEBSACK):

H.R. 5706. A bill to provide strategic workload to Army arsenals in their function as a critical component of the organic defense industrial base; to the Committee on Armed Services.

By Ms. SCHWARTZ (for herself, Mr. HECK, Mrs. CHRISTENSEN, and Mr. COURTNEY):

H.R. 5707. A bill to amend part B of title XVIII of the Social Security Act to reform Medicare payment for physicians' services by eliminating the sustainable growth rate system and providing incentives for the adoption of innovative payment and delivery models to improve quality and efficiency; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WASSERMAN SCHULTZ (for herself and Ms. ROS-LEHTINEN):

H. Res. 647. A resolution recognizing the 100th anniversary of Hadassah, the Women's Zionist Organization of America in 2012; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

198. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 720 urging the federal government take no action to redeem, assume, or guarantee State debt; to the Committee on the Judiciary.

199. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 87 calling for an amendments convention for the purpose of proposing an amendment to have the federal debt be increased by approval from a majority of the legislatures of the separate states; to the Committee on the Judiciary.

200. Also, a memorial of the House of Representatives of the State of Maine, relative to House Joint Resolution, H.P. 1397 memorializing the President and the Congress to review portions of the National Defense Authorization Act; jointly to the Committees on Armed Services and Foreign Affairs.

201. Also, a memorial of the House of Representatives of the State of Maine, relative to Joint Resolution H.P. 1390 urging the Congress to Adequately Fund the Low-Income Home Energy Assistance Program; jointly to the Committees on Energy and Commerce and Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DOLD:

H.R. 5650.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1.

By Mr. UPTON:

H.R. 5651.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. BALDWIN:

H.R. 5653.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. BACA:

H.R. 5654.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BONNER:

H.R. 5655.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5656.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5657.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5658.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5659.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5660.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5661.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5662.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5663.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5664.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5665.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5666.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5667.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5668.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5669.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5670.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5671.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5672.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5673.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5674.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5675.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5676.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5677.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5678.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5679.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5680.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5681.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BONNER:

H.R. 5682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BRALEY of Iowa:

H.R. 5683.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HEINRICH:

H.R. 5684.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. HULTGREN:

H.R. 5685.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—the Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. HULTGREN:

H.R. 5686.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—the Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. HULTGREN:

H.R. 5687.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—the Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. HULTGREN:

H.R. 5688.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—the Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. HULTGREN:

H.R. 5689.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. ISRAEL:

H.R. 5690.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mrs. MALONEY:

H.R. 5691.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 the Commerce Clause

By Mr. PAULSEN:

H.R. 5692.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. PAULSEN:

H.R. 5693.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. PAULSEN:

H.R. 5694.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. PAULSEN:

H.R. 5695.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PAULSEN:

H.R. 5696.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

Mr. PAULSEN:

H.R. 5697.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PAULSEN:

H.R. 5698.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PAULSEN:

H.R. 5699.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PAULSEN:

H.R. 5700.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PAULSEN:

H.R. 5701.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PAULSEN:

H.R. 5702.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PAULSEN:

H.R. 5703.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. PAULSEN:

H.R. 5704.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. REED:

H.R. 5705.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. SCHILLING:

H.R. 5706.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12.

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.

By Ms. SCHWARTZ:

H.R. 5707.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 and Clause 18 of Section 8, of Article 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. KING of New York.

H.R. 436: Mr. SMITH of Texas, Mr. LATHAM, and Mr. ROSS of Arkansas.

H.R. 493: Mr. CONNOLLY of Virginia.

H.R. 531: Ms. CASTOR of Florida.

H.R. 544: Mr. CONYERS.

H.R. 718: Mr. CONNOLLY of Virginia.

H.R. 719: Ms. BUERKLE.

H.R. 733: Mr. GRIMM.

H.R. 750: Mr. AUSTIN SCOTT of Georgia, Mr. SCOTT of South Carolina, and Mr. BENISHEK.

H.R. 777: Mr. JOHNSON of Ohio.

H.R. 807: Mr. ELLISON.

H.R. 860: Ms. BUERKLE.

H.R. 885: Mr. SCHRADER, Mr. BRALEY of Iowa, Mr. CARDOZA, Mr. KISSELL, and Mr. QUIGLEY.

H.R. 930: Ms. CHU.

H.R. 1044: Mr. JACKSON of Illinois.

H.R. 1057: Mr. WALZ of Minnesota.

H.R. 1145: Mr. JOHNSON of Ohio.

H.R. 1167: Mr. SCALISE.

H.R. 1204: Mr. PRICE of North Carolina.

H.R. 1238: Mr. CONYERS.

H.R. 1244: Mr. MARINO.

H.R. 1265: Mr. PETERS.

H.R. 1327: Mr. NUNNELEE and Mrs. MYRICK.

H.R. 1397: Ms. KAPTUR.

H.R. 1416: Mr. FLAKE.

H.R. 1515: Mr. MARKEY.

H.R. 1614: Mr. JACKSON of Illinois.

H.R. 1620: Mr. JOHNSON of Ohio.

H.R. 1639: Mr. FRELINGHUYSEN.

H.R. 1648: Mr. DINGELL, Ms. SCHWARTZ, and Mr. MARKEY.

H.R. 1666: Ms. HAHN, Ms. BONAMICI, and Mr. PASTOR of Arizona.

H.R. 1681: Mr. PRICE of North Carolina.

H.R. 1687: Mr. FITZPATRICK.

H.R. 1697: Mr. HUELSKAMP.

H.R. 1704: Ms. SPEIER.

H.R. 1718: Ms. MCCOLLUM.

H.R. 1777: Mr. NEUGEBAUER.

H.R. 1860: Mr. GUTHRIE and Mr. DEFAZIO.

H.R. 1865: Mr. CARTER and Mr. POSEY.

H.R. 1936: Mr. HINOJOSA.

H.R. 1940: Mr. PASCRELL.

H.R. 1955: Mr. LIPINSKI and Mr. VAN HOLLEN.
H.R. 1956: Mr. CRAWFORD, Mr. TIBERI, Mr. WILSON of South Carolina, and Mr. DANIEL E. LUNGREN of California.
H.R. 1957: Mr. AKIN.
H.R. 2077: Mr. CALVERT.
H.R. 2082: Mr. STARK.
H.R. 2085: Mr. PRICE of North Carolina.
H.R. 2115: Mr. SMITH of Washington.
H.R. 2140: Mr. JACKSON of Illinois.
H.R. 2145: Mr. JORDAN.
H.R. 2198: Mr. JONES.
H.R. 2245: Mr. DOYLE.
H.R. 2267: Mr. MCCOTTER, Mr. GRAVES of Missouri, Mr. GARDNER, Mr. JOHNSON of Ohio, Mr. BISHOP of New York, Mr. HOLDEN, Mrs. MALONEY, Mrs. MCCARTHY of New York, and Ms. BONAMICI.
H.R. 2299: Mr. CALVERT.
H.R. 2499: Mr. DUNCAN of Tennessee, Mr. TIERNEY, Mr. RUPPERSBERGER, and Mr. NADLER.
H.R. 2502: Mr. WALBERG.
H.R. 2513: Mr. COHEN.
H.R. 2514: Mr. SCALISE.
H.R. 2524: Mr. FILNER.
H.R. 2568: Ms. CASTOR of Florida.
H.R. 2595: Mr. MEEHAN and Ms. NORTON.
H.R. 2600: Mr. PAUL and Mrs. BONO MACK.
H.R. 2639: Ms. WATERS and Mr. HEINRICH.
H.R. 2746: Mr. FITZPATRICK, Mr. PLATTS, and Mr. ANDREWS.
H.R. 2810: Mr. LANKFORD and Mr. COLE.
H.R. 2827: Ms. MOORE.
H.R. 2951: Mrs. BLACK.
H.R. 2962: Mr. GRIMM and Mr. MCDERMOTT.
H.R. 3057: Mr. MCCOTTER.
H.R. 3067: Mr. PASCRELL, Mr. SIRES, Mr. WELCH, Mr. COHEN, Ms. DEGETTE, Mr. FRELINGHUYSEN, Mr. WITTMAN, Mr. RYAN of Ohio, Mr. HIMES, Mr. PRICE of North Carolina, Mr. MATHESON, Mr. GRIMM, Mr. TIPTON, Ms. BERKLEY, Ms. WILSON of Florida, Mrs. MYRICK, Mr. BARTON of Texas, Mr. FITZPATRICK, Mr. BACA, Mr. KUCINICH, Mr. CLAY, Mr. CARTER, Mr. BERMAN, Mr. SESSIONS, Mr. RENACCI, Mr. CONYERS, Mr. BARTLETT, Mr. LEVIN, Mr. NEAL, Mr. CROWLEY, Mr. SERRANO, Mr. DAVIS of Illinois, and Ms. ROYBAL-ALLARD.
H.R. 3145: Mr. KING of New York.
H.R. 3173: Ms. HIRONO.
H.R. 3185: Mr. CRAWFORD.
H.R. 3187: Mr. KING of New York, Ms. WOOLSEY, Mr. LIPINSKI, Mr. MCKEON, Mr. BARTLETT, and Mr. ALEXANDER.
H.R. 3242: Mr. MCGOVERN.
H.R. 3264: Mr. FLORES.
H.R. 3286: Mr. MCDERMOTT and Mr. NEAL.
H.R. 3324: Mr. CLEAVER.
H.R. 3395: Mr. HOLDEN.
H.R. 3420: Mr. GARDNER.
H.R. 3444: Mr. WALBERG.
H.R. 3487: Mr. BERG, Mrs. NOEM, and Mr. MACK.
H.R. 3497: Mr. JACKSON of Illinois.
H.R. 3541: Mr. LOBIONDO and Mr. BUCSHON.
H.R. 3596: Mr. JACKSON of Illinois.
H.R. 3627: Mr. OLVER, Mr. SARBANES, and Mrs. BONO MACK.
H.R. 3643: Mr. BUCHANAN.
H.R. 3679: Mr. ACKERMAN.
H.R. 3702: Mr. AMASH.
H.R. 3713: Mr. WOLF, Mr. SHULER, Mrs. MALONEY, and Mrs. BLACKBURN.
H.R. 3728: Mr. SCHWEIKERT.
H.R. 3766: Mr. RUNYAN.
H.R. 3776: Mr. QUIGLEY.
H.R. 3798: Mr. DINGELL and Ms. WOOLSEY.
H.R. 3803: Mr. DIAZ-BALART, Mr. GALLEGLY, and Mr. LEWIS of California.
H.R. 3843: Mr. RANGEL, Ms. BERKLEY, and Mr. MCGOVERN.
H.R. 3877: Mr. JOHNSON of Ohio.
H.R. 3895: Mr. YOUNG of Florida.
H.R. 3905: Ms. HIRONO.
H.R. 4004: Mr. DEFAZIO and Mr. FITZPATRICK.
H.R. 4005: Mr. BROUN of Georgia.
H.R. 4057: Mr. CULBERSON and Mr. JACKSON of Illinois.
H.R. 4066: Mr. GRAVES of Georgia.
H.R. 4082: Mr. HOLT.
H.R. 4091: Mr. PERLMUTTER, Mr. ROSS of Arkansas, Mr. GENE GREEN of Texas, Mr. CLAY, and Ms. FUDGE.
H.R. 4093: Mr. DUNCAN of Tennessee.
H.R. 4094: Mr. HURT.
H.R. 4103: Mr. CONNOLLY of Virginia and Mr. BENISHEK.
H.R. 4104: Mr. RYAN of Wisconsin, Mr. AUSTIN SCOTT of Georgia, Mr. GINGREY of Georgia, Mr. TURNER of Ohio, Mr. LEWIS of California, Mrs. HARTZLER, Mr. COLE, Mr. FLEISCHMANN, Mr. BARTON of Texas, Mr. QUAYLE, Mr. POMPEO, Mr. TIPTON, Mr. GOSAR, Mr. HARRIS, Mr. JORDAN, Mr. SCOTT of South Carolina, Mr. WELCH, Mr. FARENTHOLD, Mr. WALDEN, Mr. POE of Texas, Mr. CONAWAY, Mr. SHUSTER, Mr. AUSTRIA, Mr. GOHMERT, Mr. MARCHANT, Mr. BENISHEK, Mr. KINZINGER of Illinois, Mr. COFFMAN of Colorado, Mrs. EMERSON, Mr. KING of New York, Mr. HARPER, Mrs. LUMMIS, Ms. JENKINS, Mr. KINGSTON, Mr. LANDRY, Mr. MICHAUD, Mr. ROSS of Arkansas, Mr. RUPPERSBERGER, Mr. CARDOZA, Mr. BOREN, Mr. BARROW, Mr. TONKO, Mr. THOMPSON of California, Ms. MATSUI, Mr. ANDREWS, Ms. ESHOO, Mr. HINCHEY, Ms. WOOLSEY, Mr. OLVER, Mr. STARK, Mr. REYES, Mr. PASTOR of Arizona, Mr. BOSWELL, Mrs. LOWEY, Ms. HAHN, Mr. ROTHMAN of New Jersey, Mr. KIND, Mr. COHEN, Mr. DEUTCH, Mr. HIMES, Mr. CROWLEY, Ms. HIRONO, and Mr. GRIFFIN of Arkansas.
H.R. 4122: Ms. SCHAKOWSKY and Mr. DEFAZIO.
H.R. 4132: Mr. PAUL.
H.R. 4133: Ms. CLARKE of New York, Mr. BROUN of Georgia, Mr. MCNERNEY, Ms. SLAUGHTER, Mrs. SCHMIDT, Mr. CANSECO, Mr. CHABOT, Mr. GUTIERREZ, Mr. POE of Texas, and Ms. KAPTUR.
H.R. 4134: Mr. HURT.
H.R. 4155: Mr. JOHNSON of Ohio, Mr. COFFMAN of Colorado, Mr. CARSON of Indiana, and Mr. ROTHMAN of New Jersey.
H.R. 4157: Mr. ROSS of Florida.
H.R. 4169: Mr. COURTNEY and Mr. MCINTYRE.
H.R. 4174: Mr. GARRETT.
H.R. 4209: Ms. PINGREE of Maine, Mr. BACHUS, Mr. TONKO, Ms. ROYBAL-ALLARD, Mr. LANGEVIN, and Mr. YOUNG of Alaska.
H.R. 4227: Ms. PINGREE of Maine.
H.R. 4229: Mr. PALLONE, Mr. GRAVES of Missouri, Mr. ROGERS of Alabama, Mrs. BACHMANN, Mr. GUTIERREZ, Mr. BERG, Mr. LANCE, Ms. MATSUI, Mr. FRANKS of Arizona, Mr. SMITH of New Jersey, Mr. JACKSON of Illinois, and Mr. RIVERA.
H.R. 4254: Mr. JACKSON of Illinois.
H.R. 4255: Mr. FORBES.
H.R. 4269: Mr. WITTMAN, Mr. CANSECO, Mr. KLINE, Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. CRAVAACK, Mr. JOHNSON of Ohio, Mr. YOUNG of Alaska, Mr. WILSON of South Carolina, and Mrs. MILLER of Michigan.
H.R. 4282: Mr. CRITZ.
H.R. 4293: Mr. JACKSON of Illinois.
H.R. 4305: Mr. ROSS of Arkansas.
H.R. 4332: Ms. DEGETTE and Mr. DOLD.
H.R. 4336: Mr. MILLER of Florida.
H.R. 4341: Mr. JOHNSON of Ohio and Mr. PRICE of North Carolina.
H.R. 4350: Mr. JACKSON of Illinois, Ms. BERKLEY, and Mr. SMITH of New Jersey.
H.R. 4367: Mr. FARENTHOLD, Mr. HURT, Mr. DIAZ-BALART, Mr. DOLD, Mr. KISSELL, Mr. HUELSKAMP, Mr. WALBERG, Mr. MEEKS, Mr. NUNNELEE, Mr. CARTER, Ms. JENKINS, Mr. FORTENBERRY, Mrs. MYRICK, Mr. MCGOVERN, Mr. MCINTYRE, and Mr. MARCHANT.
H.R. 4372: Mr. MILLER of Florida.
H.R. 4379: Mr. KUCINICH.
H.R. 4386: Mr. WESTMORELAND.
H.R. 4390: Mr. CASSIDY, Mr. QUIGLEY, and Ms. CHU.
H.R. 4405: Mr. PASCRELL.
H.R. 4609: Mr. CLARKE of Michigan, Mr. CONYERS, and Mr. JOHNSON of Georgia.
H.R. 4643: Ms. ESHOO.
H.R. 4816: Mr. CONNOLLY of Virginia and Mr. DINGELL.
H.R. 4965: Mr. LATTA, Mr. SMITH of Nebraska, Mr. LATHAM, Mr. ROGERS of Kentucky, Mr. MCINTYRE, Mr. LUETKEMEYER, Mr. BISHOP of Georgia, Mr. CRAWFORD, Mr. LANKFORD, Mr. BISHOP of Utah, and Mr. CRAVAACK.
H.R. 5284: Mr. LOEBSACK and Mr. ROSKAM.
H.R. 5303: Mr. DUNCAN of South Carolina, Ms. BUERKLE, MR. ROHRABACHER, MR. AUSTRIA, and Mrs. ELLMERS.
H.R. 5331: Ms. ESHOO.
H.R. 5344: Ms. NORTON.
H.R. 5647: Mr. MCGOVERN, Mr. FILNER, Ms. ROYBAL-ALLARD, and Ms. BONAMICI.
H.J. Res. 104: Mr. CRAWFORD.
H. Con. Res. 87: Mr. ISSA.
H. Res. 271: Mr. SULLIVAN and Mr. RENACCI.
H. Res. 490: Mr. KINZINGER of Illinois.
H. Res. 507: Mrs. MYRICK.
H. Res. 568: Mr. HOYER.
H. Res. 644: Mr. COOPER, Ms. WATERS, Mr. COURTNEY, Mr. WOLF, Mr. SCHILLING, and Ms. HOCHUL.
H. Res. 645: Mr. HINOJOSA, Mr. RAHALL, Mr. SCHIFF, Ms. MCCOLLUM, Mr. DINGELL, Mr. GENE GREEN of Texas, and Ms. BONAMICI.
H. Res. 646: Mr. PITTS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5326

OFFERED BY: MR. LANDRY

AMENDMENT NO. 47: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Executive Office of Immigration Review, the Board of Immigration Appeals, or an immigration court to provide any alien with relief under section 212(d)(5)(A) or 240A(b)(1) of the Immigration and Nationality Act of the United States if that alien has been determined to be removable under section 237 of the Immigration and Nationality Act.

H.R. 5326

OFFERED BY: MR. LANDRY

AMENDMENT NO. 48: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the salary of any individual under paragraph (1), (2), or (3) of section 5503(a) of title 5, United States Code.

H.R. 5326

OFFERED BY: MR. LANDRY

AMENDMENT NO. 49: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement the requirement for fishing vessels in a fishery under the jurisdiction of the Gulf of Mexico

Fishery Management Council to carry onboard an observer under sections 222 and 223 of title 50, Code of Federal Regulations.

H.R. 5326

OFFERED BY: MR. LANDRY

AMENDMENT NO. 50: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement a proposed rule for turtle excluder devices as described in the Southeast Fishery Bulletin published by the National Oceanic and Atmospheric Administration on May 8, 2012.

H.R. 5326

OFFERED BY: MR. WALSH OF ILLINOIS

AMENDMENT NO. 51: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading ''Department of Justice—State and Local Law Enforcement Activities—Office of Justice Programs—State and Local Law Enforcement Assistance'' may be used in contravention of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373).

H.R. 5326

OFFERED BY: MR. SCHWEIKERT

AMENDMENT NO. 52: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Department of Justice to bring any action against any State for implemention of a State law requiring voter identification.

H.R. 5326

OFFERED BY: MR. TIERNEY

AMENDMENT NO. 53: At the end of the bill (before the short title), insert the following new section:

SEC. _____. For ''Department of Justice, State and Local Law Enforcement Assistance'' for the John R. Justice Prosecutors and Defenders program, as authorized by the first section 3001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc–21) (relating to loan repayment for prosecutors and public defenders), there is hereby appropriated, and the amount otherwise provided by this Act for ''National Aeronautics and Space Administration, Science'' for Mars Next Decade is hereby reduced by, $10,000,000.

H.R. 5326

OFFERED BY: MR. LANDRY

AMENDMENT NO. 54: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Executive Office of Immigration Review, the Board of Immigration Appeals, or an immigration court to provide any alien that has been determined by that entity to be deportable under section 237 of the Immigration and Nationality Act with relief under section 212(d)(5)(A) or 240A(b)(1) of the Immigration and Nationality Act.

EXTENSIONS OF REMARKS

EMILY CARRUTHERS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Emily Carruthers for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Emily Carruthers is an 8th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Emily Carruthers is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Emily Carruthers for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

ALAN SKOBIN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BERMAN. Mr. Speaker, I am pleased to pay tribute to Police Commissioner Alan J. Skobin for his outstanding contributions to both community and civic service in Los Angeles County.

Alan Skobin was appointed to the Board of Police Commissioners by Mayor James K. Hahn in July 2003 and reappointed by Mayor Antonio Villaraigosa, serving two five-year terms as Police Commissioner. His breadth of experience as Commissioner includes unwavering leadership on various fronts including the establishment of the LAPD Purple Heart Award—an award recognizing the sacrifice of officers seriously injured or slain while on duty; the development of a program to regularly replace outdated, vital police equipment, and the initiation of a prevention program for officer-involved traffic collisions.

Commissioner Skobin has also served as a Reserve Deputy Sheriff with the Los Angeles County Sheriffs Department (LASD) for more than 30 years, currently holding the rank of Reserve Chief. If that weren't enough, Commissioner Skobin is also the Vice President and Counsel at Galpin Motors in the San Fernando Valley.

Commissioner Skobin's accomplishments have been recognized with commendations and awards from virtually every level of the government and the private sector, including the California Peace Officers Association, naming him Officer of the Year, and Baseballers Against Drugs, which honored him with their Positive Image Award. Additionally, he was honored as one of the top 25 lawyers of the San Fernando Valley, and has received awards from the Los Angeles Police Reserve Foundation.

As a longtime San Fernando Valley resident, Commissioner Skobin's tremendous legacy in both law enforcement and the community is nothing short of remarkable. His unwavering dedication to public service has brought about significant positive impacts on the communities of Los Angeles. As his tenure with the Los Angeles Police Commission comes to an end, I am grateful that he will continue serving our community with the Los Angeles Fire Commission.

Mr. Speaker and distinguished colleagues, I ask you to join me in recognizing Police Commissioner Alan Skobin for his years of service and dedication to protecting the citizens of Los Angeles.

HONORING 100 YEARS OF FT. WORTH'S GLEN GARDEN GOLF AND COUNTRY CLUB

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor a longtime American institution, the Glen Garden Golf and Country Club of Fort Worth, Texas, celebrating its centennial anniversary. Founded in 1912 by Mr. H.H. Cobb, it was at the time one of only two country clubs in Fort Worth and was a popular spot for activities in addition to golf for picnics, walks and family outings. Most notably, the club's place in history serves as the starting point for three great talents who changed the game of golf immeasurably.

Two of the greatest names in golf, Byron Nelson and Ben Hogan, began their long, successful golf careers as caddies for the club in the early 1920s. They honed their skills on the fairways and greens of the club after hours. Nelson and Hogan developed a friendly rivalry early, when 15-year-old Nelson beat Hogan in a caddy tournament by one stroke. From those humble beginnings, these two greats rose to become cultural icons not just in golf, but throughout American popular culture as well. Hogan would win a career 64 tour wins, including nine majors. Nelson's career was shorter but equally illustrious with 52 tour wins; five of them majors. In 2006, for his significant contributions to the game of golf as a player, a teacher, and a commentator, I was pleased to sponsor the resolution awarding Byron Nelson the Congressional Gold Medal.

Women also honed their skills on Glen Garden's links. LPGA great Sandra Palmer was still in high school in the late 1950s, developing her golf game when she was not on the basketball court. She would go on to win 19 tournaments, including two majors. Sandra Palmer remains active in golf today, on the LPGA Legends tour and serving as a role model for girls and young women achieving in sports.

From its humble beginnings as a small nine-hole course, to a beloved Fort Worth institution today, the last 100 years have been an unqualified success for Glen Garden. I express my best wishes for Glen Garden's next 100 years to be equally successful. I am proud to represent the City of Fort Worth in the U.S. House of Representatives.

HONORING A CHAMPION OF LITERACY AND PUBLIC SERVICE, MRS. SHIRLEY MORGAN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to honor a true champion of literacy, Mrs. Shirley Morgan. Mrs. Morgan serves as librarian at Madison Shannon Palmer High School in Marks, Mississippi. She is the wife of Elton Morgan, mother of one daughter, the second of twelve siblings and a 26-year resident of Crenshaw, Mississippi.

Shirley is a graduate of Grambling State University where she received her Bachelor of Arts in Journalism. She has also received her certification in Library Media Science from Delta State University in Cleveland, Mississippi, which allowed her to further her career as a teacher consultant with Mississippi Valley State University Writing Project and serve as a mentor for new teachers. Mrs. Morgan has also worked as Site Coordinator with the North Delta 21st Century Community Learning Center's after school tutorial program for the Quitman County School District.

Mrs. Morgan believes reading is a tool of empowerment and a lifelong skill that increases one's ability to learn. She encourages reading at all levels, so much that she urges pregnant women to read to their unborn children with hopes of increasing their learning capabilities.

In addition to her commitment to education, Mrs. Morgan has a firm commitment to public service. She formerly served as Alderwoman for the Town of Crenshaw for 4 years and volunteers extensively with the Crenshaw Interested Community Builders, Inc., Food Bank of Crenshaw and the Tri-County Workforce Alliance in Clarksdale, Mississippi.

Mrs. Morgan is also active in her church, New St. John Missionary Baptist Church,

where she serves as church clerk and Sunday School Superintendent.

Mr. Speaker, I ask our colleagues to join me in recognizing Mrs. Shirley Morgan as a committed educator, public servant, mother and wife.

IN RECOGNITION OF IRA LOMIS FLOWERS OF THOMASVILLE, GEORGIA

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor to extend my personal congratulations and best wishes to Mr. Ira Lomis Flowers, a beloved citizen of Thomasville, Georgia, who will be honored at the 23rd Annual Black and White Scholarship Ball hosted by the Thomasville, Georgia Alumni Chapter of Kappa Alpha Psi, Inc.

The upcoming Black and White Scholarship Ball will take place on Friday, June 1, 2012 at 1200 West Jackson Street in Thomasville. During the event, Mr. Flowers will be presented with the Joseph R. Jenkins Award, the highest award that can be bestowed upon a member of Kappa Alpha Psi, Inc.'s Southeastern Province.

A native of Thomasville, Mr. Flowers is a graduate of Thomasville High School. Following high school, he went on to complete his undergraduate studies at Stillman College in Tuscaloosa, Alabama. Mr. Flowers also has his Certification in Secondary Education in English and Reading from Valdosta State University.

Mr. Flowers spent most of his professional life working as an educator and serving as a positive role model and influential mentor to children in Middle and Southwest Georgia. Throughout his dynamic and distinguished career he served as the Director of the Francis F. Weston YMCA in Thomasville; CEO & General Director of the A.J. McClung YMCA in Columbus, Georgia; Executive Director of the Thomasville Community Resource Center; and Senior YMCA Director for the USA YMCA Institute.

Despite the multiple and pressing demands associated with his professional career, Mr. Flowers always has and continues to play an integral role in several social, civic and community service oriented organizations in Georgia. He is a member of Kappa Alpha Psi, Inc. and has held memberships in the S.P. Masonic Lodge #118 and the Jones Masonic Lodge #118.

Mr. Flowers has achieved numerous successes in his life, but none of this would have been possible without the grace of God and the love imparted upon him by his late wife, Thedora Belinda Flowers, and his wonderful daughter Hope Allen Ellis-Flowers. He is also the proud grandfather of his adorable grandchildren Brianna and Christen.

Mr. Speaker, I am honored to pay tribute to Mr. Ira Lomis Flowers, an outstanding individual who has tirelessly devoted himself to progressively developing the academic and social skill sets of youth throughout the State of Georgia.

On a personal note, my wife, Vivian, and I would like to applaud Mr. Flowers and his family for his distinguished record of service on behalf of our Nation's children and his outstanding legacy of service to the communities of Middle and Southwest Georgia.

PERSONAL EXPLANATION

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. CARSON of Indiana. Mr. Speaker, on May 8, 2012, I missed rollcall votes 202 223 because of my primary election in Indiana. Had I been present, I would have voted ''yes'' on rollcall 202, ''no'' on rollcall 203, ''no'' on rollcall 204, ''yes'' on rollcall 205, ''no'' on rollcall 206, ''no'' on rollcall 207, ''no'' on rollcall 208, ''no'' on rollcall 209, ''yes'' on rollcall 210, ''no'' on rollcall 211, ''no'' on rollcall 212, ''yes'' on rollcall 213, ''yes'' on rollcall 214, ''no'' on rollcall 215, ''no'' on rollcall 216, ''no'' on rollcall 217, ''no'' on rollcall 218, ''no'' on rollcall 219, ''no'' on rollcall 220, ''no'' on rollcall 221, ''no'' on rollcall 222, and ''no'' on rollcall 223.

IN RECOGNITION OF THE DISTINGUISHED PUBLIC SERVICE OF C. DONALD BABERS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor a distinguished federal public servant, Mr. C. Donald Babers, as he retires from his position as the U.S. Department of Housing and Urban Development's Southwest Regional Administrator on June 1, 2012. Over the last 42 years, all of it with HUD, he has provided dedicated service to the American public in a variety of positions.

Mr. Babers began his career in June 1970 as an unpaid intern in HUD's Fort Worth Office. He then moved on to Little Rock, Arkansas working in the local field office as an Equal Opportunity Specialist before being appointed the Acting Director of the Office of Fair Housing and Equal Opportunity. He was next assigned to the Dallas Field Office where he held a number of positions, including 15 years as the Field Office Director.

In 2002, he was promoted again, this time to the position of Deputy Regional Director in the Fort Worth Regional Office. In 2006, he assumed additional responsibilities when he was appointed by the Secretary of HUD as the Recovery Advisor and Chairman of the Board for the Housing Authority of New Orleans, where he oversaw recovery efforts due to Hurricane Katrina. On May 27, 2010, he was recognized again for his hard work and dedication to the mission of HUD with a promotion to Regional Administrator of HUD's Region VI in Fort Worth. In this position, he is responsible for managing the operations of the Fort Worth office as well as eleven field offices in Texas, New Mexico, Oklahoma, Arkansas and Louisiana.

Over the years, Mr Babers has been the recipient of many prestigious awards for his work. In 2006, he received the Presidential Rank Award for Meritorious Executive, one of the highest awards given to career civil servants and restricted to no more than five percent of executives per year. In 2007, he also received the Interagency Resources Management Conference Award from the General Services Administration, which is given to those government employees who have shown exceptional ability to operate across organizational boundaries and improve the public's experience with the government.

As Mr. Babers retires from a long and dedicated career, I would like to recognize his service and congratulate him on a job well done. His experience and skills will certainly be missed by both the employees he worked with and the citizens he served. I wish Don Babers and his wife Sheila a long and happy retirement.

CONGRATULATING THE CITY OF LANCASTER, WISCONSIN, ON ITS 175TH ANNIVERSARY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. KIND. Mr. Speaker, it is with great pleasure that I rise before you today to honor the historic City of Lancaster as we celebrate its 175th anniversary.

Lancaster was established for its central location in Grant County. Though it wasn't located on a stream or major source of power, its location was ideal for the efficiency and accessibility of a county government. Shortly after its founding, Lancaster was named the seat of Grant County. In fact, the county courthouse was built before Lancaster's founding, creating a unique opportunity for entrepreneurs once Lancaster was established. Hotels and stores were among the first establishments to be built. But, growth in Lancaster was slow with only 350 residents in 1853. However, the dedication of a few people, including Wisconsin's first Governor, Nelson Dewey, was all Lancaster needed to thrive. After the construction of houses, commercial buildings, warehouses, stores, and a railroad depot, Lancaster's population surpassed 1,000 residents by 1880, enough to allow incorporation.

Just as Lancaster was beginning to mature, a fire destroyed half of the square and the city was faced with the challenge of starting anew. The folks of Lancaster took on that challenge and as they always have; the people of Lancaster worked together and the square was built again. Many of these buildings still stand today, signifying the deep historical roots in Lancaster and its ability to endure the test of time. The Grant County Courthouse, Lancaster Municipal Building, and the Lancaster Post Office are all listed on the National Register of Historic Places.

Today, Lancaster is home to more than 3,800 people. Lancaster embodies the quintessential small town that is a staple in rural Wisconsin. The historically rich community still

thrives on the agricultural successes of surrounding farms and its quaint and pure atmosphere make Lancaster a beautiful place to call home. I wish the City of Lancaster and its residents a happy 175th anniversary and all the best in the years to come.

DONOVAN NICHOLS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Donovan Nichols for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Donovan Nichols is a 12th grader at Jefferson High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Donovan Nichols is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Donovan Nichols for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING ROBERT F. JORDAN

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. HULTGREN. Mr. Speaker, I would like to bring the attention of the House of Representatives to a momentous occasion, the 85th birthday of Mr. Robert F. Jordan, to be celebrated on May 25, 2012, and to recognize the work he has done, first as a United States diplomat for more than 36 years, and in retirement, as an integral part of the US-Asia Institute.

Mr. Robert F. Jordan was born and raised in Framingham, Massachusetts. He served overseas in the U.S. Army from 1945 to 1947 and then attended the University of Massachusetts, graduating in 1951. From 1951 to 1956 he was a high school teacher of Algebra and Spanish.

In 1956 he started a 36-year diplomatic career with the U.S. Information Agency, serving as the Public Affairs Officer and director of the United States Information Service in 11 countries in Asia, Europe and Latin America with responsibility for all U.S. government press and cultural exchange programs. Mr. Jordan learned four foreign languages—Spanish, Italian, French, and Portuguese. He was president of the Fulbright Commission in several countries and was also president of the Government of Ireland's scholarship board. While on a Washington tour he was assigned to USIA's inspection corps and conducted policy and public diplomacy inspections of American embassies in some 40 countries worldwide.

Mr. Jordan is the recipient of several meritorious and superior honor awards and performance pay awards from USIA, the Department of Defense and the Department of State. He also received the Order of Merit from the Government of Portugal.

Following retirement in 1992 Mr. Jordan was called back by both USIA and the Department of State to conduct policy inspections of some 20 embassies worldwide. Then from 1995 to 2001 he worked for the Federal Emergency Management Agency handling the Spanish-speaking media on disasters around the country. All total during his career, he has honorably represented the United States in over 100 countries around the world.

In 1994–95 and then since 2007, Mr. Jordan has volunteered his time at the US-Asia Institute as a senior advisor and serving as Vice President of International and Government Affairs. In this role, he works closely with the Asian diplomatic community as well as with the U.S. Congress, and numerous delegations from Asia. He is committed to the mission and goals of the US-Asia Institute, promoting dialogue on international issues of common interest to the United States and Asian nations, whenever and however possible. In the course of his work, Mr. Jordan has led numerous delegations of Congressional staff to China and Singapore. He spent his 80th birthday on the Great Wall of China.

In his retirement, Mr. Jordan continues to work tirelessly to promote mutual understanding and communication between the U.S. and the countries and people of Asia. As he celebrates this latest milestone, we say thank you to Mr. Jordan for his sage counsel, his inimitable vision, his quiet behind-the-scenes diplomacy, and his unwavering commitment to the U.S.-Asia relationship.

IN HONOR OF THE ACHIEVEMENTS OF FLORENCE LARIVIERE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. STARK. Mr. Speaker, I rise today to recognize Florence LaRiviere, a passionate citizen activist responsible for creating our country's first urban national wildlife refuge. Without Florence, it is safe to say that thousands of acres of wetlands and salt ponds along the San Francisco Bay would have been destroyed and developed. The Don Edwards San Francisco Bay National Wildlife Refuge, in my Congressional District, is the result of her tireless commitment to preventing urban sprawl from taking over unspoiled natural area.

On May 10th, Florence is being rightly honored for her decades of environmental and community service with the National Wetlands Award from the Environmental Law Institute of Washington, DC. Although Florence is being honored now, at the age of 88, her work to preserve the Bay spans seven decades.

In the 1950's Florence would take her children to enjoy the Bay's natural marshes and wetlands. Even then, development was steadily encroaching on this fragile ecosystem and threatened its very survival. Marshes were being drained and filled and the Bay's health was in severe decline. Florence organized other concerned citizens and launched a battle to preserve the wetlands and restore the Bay. They took their fight to then Representative Don Edwards, who championed legislation to create the San Francisco Bay National Wildlife Refuge in 1972. She didn't stop there. In the 1980s, she established the Citizens Committee to Complete the Refuge and led the fight to expand the refuge by 20,000 acres.

After all these accomplishments, Florence LaRiviere still works to preserve and protect California's wetlands. In the last few years, I've been honored to work with Florence to restore the Eden Landing salt ponds along the Hayward Shoreline. Now, instead of sterile ponds, we have a thriving marsh where hundreds of bird species can be seen and the public can access the bay for hiking and kayaking.

The National Wetlands Awards are presented annually to individuals who have excelled in wetlands protection and is administered by the Environmental Law Institute and is supported by the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, NOAA National Marine Fisheries Service, USDA Natural Resources Conservation Service, USDA Forest Service, and Federal Highway Administration. A committee of wetlands experts representing federal and state agencies, academia, conservation organizations, and the private sector selects the Award recipients.

Florence is well deserving of this award. Her work to create and preserve the refuge has produced enormous benefits. It has sustained an immense number of birds and endangered species. It has also brought awareness to the Bay Area of the value of wetlands, and vastly improved residents' quality of life by providing them with public spaces to escape from the hustle and bustle of urban life. Florence is an inspiration to all of us who care about passing on a healthy environment to future generations.

RECOGNIZING DOWNTOWN WASHINGTON INC.

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. LUETKEMEYER. Mr. Speaker, I ask my colleagues to join me in congratulating Downtown Washington, Inc. On April 2, 2012, Downtown Washington was named a recipient of The Great American Main Street Award. The winners of this award are recognized for their exceptional accomplishments in revitalizing the nations' historic Main Street commercial district by using the National Trust's Main Street Four-Point Approach.

I ask that you join me in recognizing Downtown Washington, Inc. for its work to nurture and enhance its downtown area. A key part of Downtown Washington's success is due to the dedication and determination of Downtown

Washington, Inc.'s board of directors and staff. With its outstanding leadership, the board of directors and staff have spearheaded the renovation of several historic buildings that have and will continue to attract fellow residents and visitors to the downtown area for years to come.

In addition, one of their top priorities is business retention, and Downtown Washington, Inc. works to make sure business owners have the latest information on grants and other incentives. Through their partnerships with the local chamber of commerce and city government, Downtown Washington, Inc. organizes many public events throughout the year, which truly help showcase the city's success.

In closing, I ask all my colleagues to join me in wishing the members Downtown Washington, Inc. congratulations on receiving this award.

DRISZELLE RICHARDSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Driszelle Richardson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Driszelle Richardson is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Driszelle Richardson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Driszelle Richardson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

RECOGNIZING MRS. SHIRLEY W. SIMMONS FOR HER COMMITMENT TO LITERACY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Shirley W. Simmons. Mrs. Simmons is a lifelong resident of Jackson, Mississippi and a graduate of Brinkley High School and Jackson State University. After college, Mrs. Simmons worked in early childhood education for a number of years. She then took time off from education to focus on raising her children. During those years, she took an active interest in the Parent Teachers Association, PTA, and volunteered with school fundraisers and local Girl Scout troops.

In 1996, she was hired as a Circulation Assistant with the Jackson/Hinds Library System-Medgar Evers Branch. While there, she was promoted to Professional Assistant and then to her current position of Branch Supervisor.

As Branch Supervisor, Mrs. Simmons continuously seeks new ways to involve the community in programs and activities being held by the library and has planned and participated in many library activities. Some of these include library story times, Medgar Evers celebrations, Medgar Evers parades, the Books for Tots program, the Medgar Evers Book Club, and annual summer reading programs.

Mrs. Simmons assists annually with the Jackson State University Alumni Association fundraising initiatives and participates in breast cancer awareness activities. She is also a Silver Life member of the National Association for the Advancement of Colored People, NAACP. Mrs. Simmons is a devoted wife and mother and grandmother of three children and one grandchild.

Mr. Speaker, I ask you and our colleagues to join me in recognizing Mrs. Shirley W. Simmons for her commitment to the community and others.

RECOGNIZING JUDGE JACQUELINE H. NGUYEN

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize the Honorable Jacqueline H. Nguyen of California, whom the Senate confirmed yesterday to the United States Court of Appeals for The Ninth Circuit by a vote of 91–3. Judge Nguyen becomes the first woman of Asian descent to serve on the federal bench. What a wonderful way to begin Asian Pacific Islander Heritage Month!

Mr. Speaker, Judge Nguyen is a testament to this truly being the land of opportunity. She was born in Dalat, Vietnam and at the age of nine, she fled Vietnam with her family during the fall of Saigon. Upon arriving in the United States, her family lived for a time in a refugee tent city at Camp Pendleton before settling in the Los Angeles area. She helped her family operate a doughnut shop in North Hollywood, where she studied between helping customers. At a very young age she was put in a difficult situation but her circumstances did not deter her from her dreams.

Judge Nguyen received her A.B. from Occidental College in 1987, and her J.D. from UCLA School of Law in 1991. From 1995 to 2002, she worked in the United States Attorney's Office in the Central District of California. Serving in the criminal division as an Assistant United States Attorney, she worked as a federal prosecutor in the General Crimes section from 1995–1996 and in the Public Corruption and Government Fraud section from 1996–1999. She took on the role of the General Crimes section's Deputy Chief from 2000–2002.

In 2002, she was appointed to serve on the state bench as a Judge of the Superior Court of the County of Los Angeles, becoming the first female Vietnamese-American judge in California's history. In July 2009, President Obama nominated Judge Nguyen for a seat on the bench of the United States District Court for the Central District of California. After being confirmed 97–0 she became the first Vietnamese-American to serve on the federal bench. Judge Nguyen brought to the federal bench substantial civil and criminal experience both as a lawyer and as a judge.

Like many other great Americans, she has followed in the American tradition of giving back. She is a founding member of the Asian Pacific American Bar Association. She is the recipient of numerous awards from legal associations, including the Women's Leadership Award, National Asian Pacific American Bar Association (2010), and the Trailblazer Award from both the National Conference of Vietnamese American Attorneys (2009) and the National Asian Pacific American Bar Association (2006).

I congratulate Judge Nguyen on her appointment and looking forward to having this exceptional jurist serve with distinction for many years to come.

H.R. 4967, THE ''TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012''

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. CAMP. Mr. Speaker, I submit the following exchange of letters:

MAY 9, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing concerning H.R. 4967, the ''Temporary Bankruptcy Judgeships Extension Act of 2012,'' which is scheduled for Floor consideration today.

As you know, the Committee on Ways and Means maintains jurisdiction over revenue measures generally. H.R. 4967, contains a provision that raises revenue by increasing the Chapter 11 filing fees for the operation and maintenance of the courts of the United States, which falls within the jurisdiction of the Committee on Ways and Means. In order to expedite this bill for Floor consideration, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 4967, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 9, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN CAMP: Thank you for your letter regarding H.R. 4967, the ''Temporary

Bankruptcy Judgeships Extension Act of 2012,'' which is soon scheduled for consideration by the House.

I am most appreciative of your decision to forgo consideration of H.R. 4967 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Ways and Means is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that Ways and Means be represented therein.

Finally, I shall be pleased to include this letter and your letter of even date herewith in the Congressional Record during floor consideration of H.R. 4967.

Sincerely,

LAMAR SMITH,
Chairman.

EDWIN SAENZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Edwin Saenz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Edwin Saenz is a 10th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Edwin Saenz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Edwin Saenz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and missed rollcall vote No. 206 on the evening of May 7, 2012. Had I been present, I would have voted in the following manner: rollcall vote No. 206—Scalise (LA) Amendment: ''no.''

2012 14TH CONGRESSIONAL DISTRICT ART COMPETITION

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. DOYLE. Mr. Speaker, I rise today to recognize the artistic ability of a young woman from my Congressional District, Iesha Grady from Penn Hills High School. Ms. Grady is the winner of the 2012 14th Congressional District of Pennsylvania's High School Art Competition, ''An Artistic Discovery.'' Ms. Grady's artwork, a composition in oil pastels entitled ''Harmless Apple Juice?'' was selected from a number of outstanding entries to this year's competition.

In fact, 45 works from ten different schools in Pennsylvania's 14th Congressional District were submitted to our panel of respected local artists. It's a real tribute to her skill and vision that her work was chosen as the winner of this year's competition. I am certain that Ms. Grady's family is proud of her artistic talents and this impressive accomplishment.

Ms. Grady's artwork will represent the 14th Congressional District of Pennsylvania in the national exhibit of high school students' artwork that will be displayed in the United States Capitol over the coming year. I encourage my colleagues as well as any visitor to Capitol Hill to view Ms. Grady's artwork, along with the winning entries from the high school art contests held in other Congressional Districts, which will be on display in the Capitol tunnel. It is amazing to walk through this corridor and see the interpretation of life through the eyes of these young artists from all across our country.

Maggie Morgans from West Mifflin High School was awarded second place for her pastel composition ''Snowmaggedon.'' Sara Hopkins from Northgate High School received third place for her pencil drawing entitled ''Britney.'' Jasper Means from Penn Hills High School was awarded fourth place for his watercolor ''Life Saving Station #7.'' Stephanie Taylor from South Allegheny High School was given fifth place for her oil painting ''Shades of Green.'' I should note, by the way, that this is the third year in a row that one of Stephanie's works has placed in this competition. Last year she took Second Place, and in 2010 her painting was the winner. Clearly, this young lady has a lot of talent.

In addition, Honorable Mention Awards were presented to works by Erin Hart of Riverview High School, Julian Moriarty from Woodland Hills High School, Alexis Yauch of McKeesport High School, Morgan Turner of Northgate High School, Mikaila Hoffman from Pittsburgh Allderdice High School, Dan O'Leary of Riverview High School, Stephanie Taylor of South Allegheny High School, Elizabeth Thornton from Sto-Rox High School, Sara Hopkins of Northgate High School, and Ashley Reid of Riverview High School.

I would like to recognize all of the participants in this year's 14th Congressional District High School Art Competition, ''An Artistic Discovery:'' from the Pittsburgh High School for the Creative and Performing Arts, Adam Linn; from McKeesport High School, Jordan Armstrong, Jake Hall, Cortez Snooks, and Alexis Yauch; from Northgate High School, Sara Hopkins and Morgan Turner; from Penn Hills High School, Ebony Black-Yancey, Serena English, Stephan Godbolt, Iesha Grady, Jasper Means, and Roomel Reese; from Pittsburgh Allderdice High School, Justin E. Dumas, Sarah Fehl, Mikaila Hoffman, Asma Qutyan, and Olivia Savisky; from Riverview High School, Bailey Conroy, Erin Hart, Demetrius Kokales, Lauren McKee, Dan O'Leary, and Ashley Reid; from South Allegheny High School, Eric Raynes and Stephanie Taylor; from Sto-Rox High School, Shane Jenkins, Melissa Fowkes Palitti, Samantha Reiss, and Elizabeth Thornton; from West Mifflin High School, Kasey Angel, Victoria Cooper, Chelsey Earnest, Katie Fahringer, Kristine Lype, and Maggie Morgans; and from Woodland Hills High School, Madison Harding, Julian Moriarty, Manuel Russell, and Jacqueline Zollner.

I would like to thank these impressive young artists for allowing us to share and celebrate their talents, imagination, and creativity. The efforts of these students in expressing themselves in a powerful and positive manner are no less than spectacular.

I hope that all of these individuals continue to utilize their artistic talents, and I wish them all the best of luck in their future endeavors.

HONORING TOM LEONARD

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. TIERNEY. Mr. Speaker, I rise to recognize and commend, Tom Leonard, who will be receiving the 2012 Essex Heritage Hero Award tonight.

Having championed heritage preservation and responsible stewardship of the region's historic, cultural, and natural resources during his eight-year tenure as the founding president of the Essex National Heritage Commission and now as its president emeritus, Tom is certainly deserving of this honor.

However, those in attendance at tonight's award dinner will know that Tom's service to his community did not begin with nor is it limited to his work with the Essex National Heritage Commission. Throughout his life, Tom has been dedicated to making our neighborhoods better places to live, work, and raise a family as well as increasing opportunities for children and young adults, particularly those who attend his alma mater, St. John's Preparatory School in Danvers. Tom is a selfless leader, a man of integrity, and a true citizen.

Tom's awards and accomplishments are too long to list, but I would be remiss if! did not mention that, in 2006, Essex Heritage established the Thomas M. Leonard Partnership Grant Program. This unique effort is focused on educating our youth and increasing their awareness about our region's natural and historic resources. Grants have been awarded to local schools and the National Park Service to enable more kids from outside of Salem to visit the Salem Maritime and Saugus Iron Works National Historic sites. Additionally, over the years, Tom has been recognized by the American Cancer Society, the Salem Harbor Community Development Corporation, the Salem Chamber of Commerce, the Salem Rotary Club, and the Danvers Community Council.

Mr. Speaker, that impressive list will grow when Tom receives the 2012 Essex Heritage Hero Award this evening. I want to congratulate Tom and his wife, Marge, and their sons,

Michael and Mark, and their entire extended family on this great honor.

EDITE MALOKU

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Edite Maloku for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Edite Maloku is an 11th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Edite Maloku is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Edite Maloku for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

PRIVATE SECTOR GROWTH SUFFOCATED BY HIGH TAXES

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Ms. FOXX. Mr. Speaker, I highlight an example of how private sector businesses grow and contribute to our society when they're not suffocated by unnecessarily high taxes, and to dispel a myth that our colleagues continue to perpetuate about energy taxes. On April 24, The Wall Street Journal ran an article calling Apple Inc. ''the most valuable company'' in the world.

Am I happy about that? Am I happy about Apple's success? You bet I am, and so are most people in the United States.

Later that week, on April 28, The New York Times wrote a similar article that reported on Apple's creative, but legal, tax strategy that saves them billions in tax payments each year. The Times article reported ''the company paid cash taxes of $3.3 billion around the world on its reported profits of $34.2 billion last year, a tax rate of 9.8 percent.'' Comparatively, Wal-Mart paid a tax rate of 24 percent.

When Apple was asked for comments on their exceptionally low tax rate, they responded: ''By focusing on innovation, we've created entirely new products and industries, and more than 500,000 jobs for U.S. workers—from the people who create components for our products to the people who deliver them to our customers.''

They also mentioned: ''In the first half of fiscal year 2012, our U.S. operations have generated almost $5 billion.''

Mr. Speaker, Apple's experiences are instructive to us.

First, the Federal Tax Code is too complicated. It allows only the largest companies who can afford to hire tax code interpreters to benefit from lower taxes. We should simplify the tax code by closing the loopholes and lower rates across the board to boost American competitiveness for all companies, large and small.

Both history and Apple's experience underscore how increasing taxes without accompanying comprehensive reform has never and will never represent a sustainable, long-term strategy to any budgetary problems. On the contrary, cutting taxes does create economic growth, which fuels Federal revenue windfalls for reducing the deficit.

These lessons should be applied to the entire tax code. Instead of increasing taxes on American energy producers, we should focus on simplifying the federal code to encourage the development of domestic energy resources which, in turn, bolsters employment opportunities here at home.

Again, am I pleased about Apple's success? Absolutely.

But we never hear from our Democrat friends about the low tax rates paid by companies like Apple. However, they attack domestic energy producers and ignore the simple truth that it is the American people who actually own these companies and benefit from the respective profits that they make. According to the American Petroleum Institute, mutual funds hold almost 30 percent of oil stocks; pension funds hold 27 percent; individual investors hold 23 percent; 14 percent is held in individual retirement accounts; other institutional investments hold 5 percent; and corporate management holds just 1.5 percent.

Despite what liberal Democrats would have you believe, increasing domestic energy production not only helps lower prices and produce jobs; it also helps boost stocks, mutual funds, IRAs, and pension funds owned by millions of Americans.

It is also worth recognizing how hypocritical it is for liberal Democrats to complain about the Federal tax treatment of domestic energy production while ignoring the market distorting impact of their favored subsidization of failed wind, solar and ''green car'' projects. The simple truth is that American energy producers, such as those in the oil development business, receive the same tax treatment as other U.S. industries. For those truly interested in ''fairness,'' the difference between ''subsidies'' and ''deductions'' should not be ignored or distorted.

It's time that we as Government officials get out of the way. Instead of increasing the bureaucracy and red tape, we need to focus on creating an environment for American private sector businesses to compete more easily in the global marketplace and give back to local communities in the form of jobs rather than sending more money to the Federal Government.

HONORING THE LATE MRS. CRYSTIANA SMITH RANDLE FOR HER COMMITMENT TO THE PUBLIC SERVICE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, the late, Crystiana Smith Randle. Mrs. Randle was born August 26, 1924 in Gulfport, Mississippi to John and Annie Bell Smith.

She was a graduate of Thirty-Third High School in Gulfport, Mississippi. Later she attended Tougaloo College, in Tougaloo, Mississippi, receiving a Bachelors of Arts in English and Atlanta University in Atlanta, Georgia, with a Masters in Library Science.

After completing her college education, she worked at Mileston High School and Harmony High School before her tenure at McNair High School and Humphreys County High School as the school's librarian.

She worked delightfully and diligently for thirty-four years teaching and illuminating the lives of thousands of boys and girls until her retirement in 1986.

She was active in many professional organizations and served as a member of the Humphreys County Library Board. She dedicated her years as her family's personal Genealogist.

She was married to Thomas C. Randle and was the mother of two daughters, Santa and Regina. Mrs. Randle passed away on April 20, 2005.

Mr. Speaker, I ask our colleagues to join me in recognizing Mrs. Crystiana Smith Randle for her dedication to serving others.

PERSONAL EXPLANATION

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mrs. BIGGERT. Mr. Speaker, yesterday on rollcall 214, I inadvertently voted ''no.'' I should be recorded as voting ''aye.''

ELIZABETH BLUE-NORTON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Elizabeth Blue-Norton for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Elizabeth Blue-Norton is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Elizabeth Blue-Norton is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of

their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Elizabeth Blue-Norton for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING COLONEL MARY G. LOCKHART ON THE OCCASION OF HER RETIREMENT FROM THE UNITED STATES AIR FORCE

HON. MARK S. CRITZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. CRITZ. Mr. Speaker, I rise today to pay tribute to Colonel Mary G. Lockhart on the occasion of her retirement from the United States Air Force. I have a great appreciation for Colonel Lockhart's professional and distinguished career, and her dedicated service to our great Nation. Although it is difficult to encapsulate her Air Force career of 30 years in just a few brief remarks, I would like to highlight her contributions to the Air Force and our country by offering the following tribute.

In some aspects, Colonel Lockhart's career may appear to be similar to those of the many thousands of senior officers who have served in the Air Force since its creation in 1947. However, upon closer examination, it becomes clear that Colonel Lockhart has performed highly sensitive roles in critical Air Force missions with a level of skill that few other officers can match. Equally important, she has served as a mentor to numerous young officers throughout her career, inculcating them with the Air Force's core values of integrity first, service before self, and excellence.

Colonel Lockhart received her commission in 1982 through the Air Force Reserve Officer Training Corps (ROTC) at the College of Holy Cross. As a freshly minted 2nd Lieutenant, she attended meteorology school for a year, where she began to build the skills necessary for a successful career in the Air Weather Service. Shortly after arriving to her first duty station at Griffiss AFB, NY she was recognized for her initiative, intellect, and quick grasp of the operational requirements. She was given responsibilities generally reserved for more senior weather officers in SAC and NORAD, and continued to establish herself as an exceptional meteorologist. As a 1st Lieutenant, she was credited with improving the overall readiness of her squadron and wing, and protecting valuable resources with her accurate forecasts and astute weather warnings. She was routinely tasked to handle the most delicate and time sensitive weather briefings to missile warning and space surveillance centers. In 1986, Colonel Lockhart transferred from active duty to the Air Force Reserve as a Captain, and continued to serve in the weather field as an Individual Mobilization Augmentee (IMA) at Peterson AFB, CO. Her active duty experience would prove invaluable as a new Reservist who would go on to provide years of support to the Air Force's active, guard, and reserve components in a variety of positions and assignments.

As an IMA weather officer, she helped develop combat plans to support strategic, conventional, and special operations, to include leading weather forces for a deployment of KC–135 aircraft during Operation DESERT STORM. As a Major assigned to Eglin AFB, FL, she was handpicked to provide specialized on-site support to two high-visibility Space Shuttle landings at Edwards AFB, CA. While serving as an IMA Weather Officer at McConnell AFB, KS, she provided operational forecast, weather advisories, watches and warnings to a major refueling wing, and the Kansas and Oklahoma Air National Guard. Colonel Lockhart became an expert and innovator in the electro-optics arena, provided exceptional weather support during Hurricane Opal, and prepared critical climatology packages for the wing's F–16 deployments around the world. While assigned to an operations support squadron at Nellis AFB, NV, Col Lockhart commanded a weather flight that provided 24-hour weather support to the HQ Air Warfare Center and two of Air Combat Command's busiest and complex wings. Her successes and expertise led to her being selected as the first weather officer assigned to the Air Force's Weapons School. There, she helped to integrate and establish 21st century combat weather support into the warfighter's contingency operations. She was tasked to model critical targets post 9/11, maintain direct contact with Operation ENDURING FREEDOM deployed units and aircrew, and cited as the most operations oriented, bombs-on-target-on-time weather officer ever assigned to her wing. Colonel Lockhart was asked to bring her experience and natural diplomatic talents to Washington, D.C. to serve as the IMA to the Chief of the Air Force House Liaison Office on Capitol Hill.

Over the past four years Colonel Lockhart has carried out the delicate tasks of managing the House Liaison Office while her active duty colleagues have traveled on CODELs and deployed. She has been an important part of building strong relationships between Capitol Hill, the Pentagon, and senior Air Force leadership. Colonel Lockhart is trusted and relied upon by Members of Congress and their staffs to help facilitate legislative and programmatic matters. We have benefited greatly from her kind, professional, and capable ways.

Throughout Colonel Lockhart's career, her commanders have referred to her as, ''the brightest junior officer on my staff'', ''brilliant'', ''superior and visionary leader'', and ''Total Force ace.'' Simply stated, Colonel Mary Lockhart has made lasting and important contributions to the United States Air Force. Our Nation is indebted to her and her family for their selfless years of service and unquestioned devotion to peace and security at home and abroad. Mr. Speaker, I wish Mary, her husband Paul, and daughters Jenna and Marisa, Godspeed and much happiness as she begins her retirement from the United States Air Force.

RECOGNIZING RONNIE CHIH-CHIEN LU

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise, along with the other co-chairs of the Congressional Taiwan Caucus—Representative SHELLEY BERKLEY, Representative MARIO DIAZ-BALART, and Representative PHIL GINGREY—to recognize the service of Ronnie Chih-chien Lu. Mr. Lu is the outgoing Senior Officer in the Congressional Liaison Division of the Taipei Economic and Cultural Representative Office, TECRO. Mr. Lu is returning to Taiwan for his next assignment as a diplomat. During his service as the TECRO contact for the House Committee on Foreign Affairs and the Congressional Caucus on Taiwan, Mr. Lu has served as an invaluable resource for us.

In 2005, Mr. Lu was hand-picked to serve as a congressional liaison for TECRO. During his almost 7 year tenure in this position, Mr. Lu oversaw Congressional Delegation visits for over 30 Members of the House of Representatives and organized 12 Congressional Staff Delegation visits to Taiwan. Mr. Lu was also part of the TECRO team that worked toward the passage of House Concurrent Resolution 55, which commemorated the 30th Anniversary of the Taiwan Relations Act of 1979. He also worked to garner support for House Concurrent Resolution 266 (H. Con. Res. 266), which called for Taiwan's active participation in the International Civil Aviation Organization. H. Con. Res. 266 passed the House of Representatives in 2010.

Mr. Lu has served in Taiwan's Ministry of Foreign Affairs since 2000. Early in his diplomatic career, he served in both the Department of Protocol and Department of African Affairs. Mr. Lu received a Master of Arts degree from National Chengchi University in Taiwan.

Though he secured many legislative victories for Taiwan while he served in Washington, DC, he made even more long-lasting relationships. My colleagues and our staff are proud to call him a friend, and we hope to see him back in Washington, DC one day.

PERSONAL EXPLANATION

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. FILNER. Mr. Speaker, on rollcall 222, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

RECOGNIZING THE REPUBLIC OF TURKEY

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize our strong friendship and strategic alliance with the Republic of Turkey.

Turkey has continuously stood with the United States in our efforts to promote democracy and freedom throughout the world. As a member of the North Atlantic Treaty Organization, NATO, Turkey has committed troops and necessary resources to efforts in Iraq and Afghanistan through the years, and serves as a crucial transit point for supplies and personnel going to these countries. Additionally, Turkey announced last year that it would lead the International Security Assistance Force, ISAF, regional command in Kabul for a third year. Turkey is also at the beginning operational stages of a NATO radar facility in its southeast region as part of a missile defense system intended to protect NATO allies from ballistic missiles.

In addition to cooperation on NATO-led efforts, Turkey plays a critical role in promoting democracy throughout the region. Over the last year, Prime Minister Recep Tayyip Erdogan has traveled throughout Egypt, Tunisia, and other countries affected by uprisings to encourage secular constitutions and democratic reforms that are vital to U.S. interests. Turkey has also taken a leading role in addressing the ongoing situation in Syria, opening its borders to tens of thousands of Syrian refugees and encouraging Arab countries to lead a coordinated effort to find a peaceful resolution in Syria.

Turkey continues to increase efforts to support religious minorities in its own borders as well. Last August, Turkey issued a decree for the return of hundreds of properties, including cemeteries, hospitals, and schools, to non-Muslim communities. This announcement also provides compensation to the non-Muslim community foundations for properties currently registered to third parties. Secretary of State Hillary Clinton applauded Turkey's efforts to ''take serious steps to improve the climate for religious tolerance.''

Turkey remains a vital ally of the United States, and I am encouraged by the steps that Turkey has taken to improve its own commitment to democracy and to promote democracy throughout the Middle East. Turkey has earned our respect, gratitude, and recognition for its efforts over the last 60 years. I look forward to continuing to work in support of our mutual interests.

DENIS ANGHEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Denis Anghel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Denis is a student at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Denis Anghel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Denis Anghel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING VICE ADMIRAL (VADM) SALERNO FOR HIS SERVICE IN THE U.S. COAST GUARD

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. LoBIONDO. Mr. Speaker, I rise today to recognize a true leader for his extraordinary service in the United States Coast Guard, Vice Admiral (VADM) Brian M. Salerno. VADM Salerno served his country for 37 years in the Coast Guard and on June 5th, he will retire as the Deputy Commandant for Operations at Coast Guard Headquarters, a position he has held since May 2010. We all owe him a debt of gratitude for his commitment to service and to our country.

As the Deputy Commandant for Operations, Vice Admiral Salerno oversaw policy development and strategic planning for all Coast Guard maritime safety, security and response operations. Assuming the duties as the Deputy Commandant for Operations shortly after the initial response to the Deepwater Horizon oil spill, Vice Admiral Salerno was responsible for the Coast Guard's in-depth investigation and after action review of the incident, and directed implementation of numerous improvements to the Coast Guard's Spill of National Significance response and management protocols. He was also instrumental in establishing vital joint operating plans and processes, such as the Maritime Operations Coordination Plan, which greatly advanced the Department of Homeland Security's ''One-DHS'' initiative to increase the Nation's ability to respond to maritime threats. When Somalian pirates began attacking merchant vessels in the Gulf of Aden, Vice Admiral Salerno led the United States' efforts to establish internationally accepted and highly effective shipboard procedures to minimize the likelihood of a successful attack. These measures have proven essential to helping mariners and the shipping industry protect themselves and combat piracy while transiting in high-risk waters. Using his nearly four decades of experience working on some of the most complex maritime safety and security issues, Vice Admiral Salerno laid the foundation for the continued development of interagency, international, and industry partnerships that will prove increasingly more important to national security, sovereignty and prosperity as emerging threats and opportunities in the Arctic and other outer-continental shelf maritime activity increases.

Vice Admiral Salerno was commissioned as an Ensign in December 1976 after attending Coast Guard Officer Candidate School. His assignments have predominantly been within the Coast Guard's marine safety program, where he commanded Coast Guard units in Boston, MA and San Juan, PR, and was responsible for carrying out vital Captain of the Port, Officer-in-Charge of Marine Inspection, Federal Maritime Security Coordinator, and Federal On-Scene Coordinator duties. His other field assignments include units in Baltimore, MD, Port Arthur, TX and Portland, ME as well as serving as the marine safety advisor to the Panama Canal Authority. Prior to assuming his current position, Vice Admiral Salerno was the Assistant Commandant for Marine Safety, Security and Stewardship and he also served as the Assistant Commandant for Policy and Planning and as the Director of Inspections and Compliance at Coast Guard Headquarters.

Vice Admiral Salerno is a 2000 graduate of the U.S. Army War College, with a master's degree in Strategic Studies. He is also a graduate of the Naval War College and holds a master's degree in Management from the Johns Hopkins University. He is a licensed master of small passenger vessels. His personal military decorations include three Legion of Merit Medals, two Meritorious Service Medals, two Coast Guard Commendation Medals, and the Coast Guard Achievement Medal.

Mr. Speaker, on behalf of my constituents and a grateful Nation, I ask all my distinguished colleagues to join me in recognizing the extraordinary career of Vice Admiral Brian M. Salerno. There are few opportunities for us to recognize the accomplishments of those who selflessly dedicate their lives to the service of our country, and having had the pleasure of working with Vice Admiral Salerno as the Chairman of the Coast Guard's oversight Subcommittee, I cannot thank him enough for everything he has done to protect our Nation's waters and the millions of Americans who live, work, and visit them every day.

PERSONAL EXPLANATION

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. LYNCH. Mr. Speaker, during Floor consideration of H.R. 5326 on May 8, 2012, I mistakenly recorded my vote on rollcall 220 as ''yea'' on the question on agreeing to the amendment offered by Ms. BLACK of Tennessee.

I intended to vote ''no'', on the Black amendment, which sought to prohibit the Attorney General of the United States from using any funds appropriated by H.R. 5326 for the purpose of originating or joining in any lawsuit which seeks to overturn, enjoin, or invalidate a series of specified statutes related to immigration. Again, I would like reiterate my strong opposition to the Black amendment and express

my significant concern that its language of limitation would unduly abrogate the longstanding prosecutorial discretion of the Department of Justice as well as undermine and violate the basic principle of separation of powers embodied by our Constitution.

TEURLINGS CATHOLIC HIGH SCHOOL LADY REBELS SOFTBALL TEAM CROWNED STATE CHAMPIONS

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BOUSTANY. Mr. Speaker, I rise today to congratulate the Teurlings Catholic High School Lady Rebels softball team for recently being crowned class 4–A state champions by the Louisiana High School Athletic Association. This team truly has the heart of a champion. En route to the state championship, the strength and will of this team was tested time and time again. In the end, this team triumphed and defeated the Leesville High School Lady Cats to become the undisputed state champions on April 28, 2012.

The team's five seniors: Corin Voinche, Halie Green, Delilah Melancon, Julienne Broussard, and Megan Fuselier, tasted additional success each year they played. In 2009, the team made the state quarterfinals. In 2010, the team reached the state semifinals. In 2011, the team played in the state finals. This year, it attained the ultimate goal and won the state championship. This group embodies the term perseverance. Having overcome adversity and never allowing its determination to waver, I commend the efforts of the entire Teurlings Lady Rebels softball team.

Congratulations to coach Callie Gautreaux and her coaching staff of Lana Bowers, Vallie Gaspard, and Caleb Castille. This team had an outstanding year and saved its best performance for the year's largest stage. I look forward to next year's softball season and wish the Lady Rebels team good luck in defending its crown.

HONORING TUTT S. BRADFORD

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish today to honor one of the most well-known and selfless men in my District.

Tutt S. Bradford passed away recently at the age of 94 following a long life of community service and philanthropy. I knew him as a good family man, but he was also a long time friend of my father.

He is perhaps best known as the former owner of The Daily Times newspaper in Maryville, Tennessee, a scenic community in my District located in the foothills of the Smoky Mountains.

The Daily Times had a circulation of only 7,500 when Tutt took it over in 1955; by the time he sold it in 1989, circulation had grown to 22,000. A close friend of Tutt, Sam Kennedy, told The Daily Times on the news of his passing that, ''He had the ability to understand what his people wanted. He knew how to produce a local, small daily newspaper that contained news that people were interested in.''

He transformed the paper into the pride of Blount County, and it still operates today as a model newspaper, frequently being ranked among the top three newspapers in the Nation in penetration of its circulation area. It has also been recognized as the fastest growing daily newspaper in Tennessee.

When Tutt sold The Daily Times, he devoted the rest of his life to philanthropy. His support of educational institutions, charities, and various causes is too great to list in this space, but Blount County and this Nation are better places because of his life and work.

When trying to decide whether to support a cause, Tutt would simply ask one question: Will it help the community grow? He undoubtedly touched the lives of thousands of people in my District in many positive ways.

I offer my condolences to his two daughters, Nancy and Debbie; step daughter, Frances; five grandchildren; 13 great grandchildren; sister, Dot; and brother, Randolph.

Mr. Speaker, in closing, I urge my colleagues and other readers of the RECORD to join me in celebrating the remarkable life of Tutt S. Bradford.

I can think of no more fitting tribute to Tutt than to request The Daily Times article highlighting his life and accomplishments be reprinted into the RECORD below.

TUTT BRADFORD, NEWSPAPER OWNER, COMMUNITY LEADER, DIES AT 94

(From staff reports)

Tutt S. Bradford, publisher/owner of The Daily Times for 34 years and a tireless community leader and philanthropist, died at Shannondale of Maryville Friday afternoon. He was 94.

Bradford became the fifth owner of The Daily Times in November 1955, and served as publisher until 1984. He continued as chairman of the board until the paper was sold in 1989.

Funeral arrangements are incomplete and will be announced later by McCammon-Ammons-Click Funeral Home.

Gregg Jones, president and CEO of Jones Media, parent company of The Daily Times, said, ''Blount County has lost a wonderful citizen, and my family and the staff of The Daily Times have lost a dear friend. Few have worked harder for the progress of this community than Tuft Bradford. He was never bashful about volunteering his time, leadership and personal financial resources to help Blount County address its challenges and fight for its opportunities. We all are better off because of Tutt's passionate love for his home. To his family we offer our deepest condolences for his loss as well as our heartfelt gratitude for having been blessed to have crossed his path.''

SUCCESSFUL CAREER

Bradford was born in Columbia, S.C., the second of five children. His first venture into print media began when he had a paper route as a child in the 1920s.

After his military service during World War II, Bradford moved into newspaper advertising. His successes led to his promotion to publisher of a newspaper in Cleveland, Tenn., then later as publisher of a Bristol newspaper.

In a 2008 interview with Daily Times reporter Linda Braden Albert, Bradford said, ''When (the Southern Newspapers Group) bought the paper in Bristol, it was just barely breaking even. In five years, I made $5 million. So the president of the company called me and said, 'Tutt, what would you like to do next?' I said, 'What do you mean?' He said, 'Well, wouldn't you like to own a paper?' ''

Bradford replied that he would if he had the money, and he was offered the opportunity to purchase The Daily Times with financing from the Southern Newspapers Group.

When Bradford—who served as owner, publisher and occasionally, editor—bought The Times in 1955, circulation was 7,500.

He involved his daughters Nancy Cain and Debbie Bradford Moon in the publication. Jerome F. Moon, a native Blount countian and husband of Debbie Bradford, became president and publisher in 1984.

When Bradford sold the newspaper to the Persis Group of Honolulu, Hawaii, in 1989, circulation had increased to 22,000.

In the 2008 interview, Bradford said one of the highlights of his career at The Daily Times was bringing a new press to the company. A repairman working on the old press told him about a three-color unit that would do all the colors in one unit.

''Every time we did a color we had to clean off everything, rollers and everything, and put the right ink on them,'' Bradford said. ''This way, they were put all in one unit like we have there now. It was really great.'' Bradford put in his order for one of the units and he said The Daily Times was one of the first newspapers in the country to get a press where the colors were ''left in there.''

''I knew him quite well,'' said Sam Kennedy, former owner of the Kennedy Newspapers and Columbia Dispatch. ''He took the Maryville paper and literally outdid the Knoxville papers.

''He had the ability to understand what his people wanted,'' Kennedy added. ''He knew how to produce a local, small daily newspaper that contained news that people were interested in.''

COMMUNITY ICON

During his newspaper career and long after he retired, Bradford remained very active as a community leader and benefactor.

''Will it help the community grow?'' Bradford asked himself when he needed to decide what causes he would support.

One such project dear to his heart is the Hearing and Speech Foundation, cofounded by Bradford and John Berry, owner of Blount Hearing and Speech Services, to provide such services for people who could not otherwise afford them.

''The reason I started the foundation was that my ears were blasted out during World War II,'' Bradford said in the 2008 interview. He sought treatment at many places for his hearing loss but none helped him until he met Berry. In 2003, Bradford was honored for his continuing support of the foundation.

According to long-time Daily Times Editor Dean Stone, Bradford also worked for funding for the still-uncompleted Foothills Parkway in Great Smoky Mountains National Park. First it was to get the state to purchase the right-of-way for federal construction. Later it was for federal construction money.

Bradford also worked successfully to get Cades Cove placed into a historical district

in the Smokies' master plan in order to preserve some of the structures and its open nature, protecting the Cove as we know it for the enjoyment of millions annually.

BECAUSE OF RELIGION

Bradford also served on the boards of many organizations. A few of the beneficiaries were Maryville College, Blount County Chamber of Commerce, Blount County Industrial Development Board, United Way of Blount County, Pellissippi State Community College and the Blount County Public Library.

In 1991, he was named Outstanding Philanthropist of the Year by the National Society of Fundraising Executives.

''It's because of my religion,'' he said. ''The Lord said to love other people, and I have. I've really tried to help other people, particularly when they were down.''

HONORING ARTHUR EDWARDS

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. SARBANES. Mr. Speaker, I rise today to pay tribute to Arthur Edwards who has been an outstanding citizen and a major figure in promoting the arts in Annapolis. His unceasing devotion to Maryland Hall, the Annapolis Symphony Orchestra, ASO, and other art activities has raised the visibility and quality of those organizations.

When working with the ASO, Mr. Edwards embodied its core values. His commitment to the highest quality of music, outreach and engagement with the community, the cultivation of its legacy, and his creativity all helped to mold the ASO into the premier orchestra it is today. Through the Patricia and Arthur Edwards Family Foundation charitable trust, Mr. Edwards was able to fund the Orfeo Alliance, a partnership between The Key School and the Annapolis Symphony Orchestra that produces an annual artist-in-residence program that benefits music education programs at Key School as well as artistic programs for the Orchestra. By supporting this program, Mr. Edwards ensured that the ASO would have a long term, tight knit relationship with its surrounding community as well as the opportunity to influence young minds through the arts.

Arthur has been a driving force for the betterment of the City of Annapolis and its citizens. He is the kind of person every community cherishes. Arthur's generosity with his time is well known and is only matched by his good humor. From the first day I met him, I have been amazed at the quiet humility of this man who has done so much for so many. The Annapolis area will forever be indebted for his outstanding work in bringing music and the arts to the community as a whole.

DITZA PEREZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ditza Perez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Ditza Perez is a 12th grader at Arvada Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Ditza Perez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ditza Perez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING THE 100TH ANNIVERSARY OF THE EAST SIDE CLUB

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Ms. BALDWIN. Mr. Speaker, I rise today to honor the 100th anniversary of the East Side Club and to recognize its outstanding commitment and contribution to our community.

In 1912, a group of businessmen from Madison's East side formed the East Side Advancement Association, which would eventually become the East Side Businessmen's Association (ESBMA) in 1922. Originally, the clubhouse was located in the old Hudson Hotel on Atwood Avenue and served as a place where members could gather for both business and recreational purposes. In 1947, as membership grew, the members purchased a prime piece of land located on the banks of Lake Monona and opened their new clubhouse on the site in 1955. This scenic location is where the East Side Club stands to this very day.

The East Side Club, as it has been known since 2006, is a hub for activity. The location along Lake Monona makes the club ideal for celebrations and has hosted countless weddings, birthdays, anniversaries, class reunions, and much more. In addition to private events, the East Side Club's Tiki Bar and Grill, bocce ball courts, Friday fish fry, and Sunday brunches offer families and friends a great setting to not only unwind and catch up with old friends, but also meet new ones.

Over the past century, the East Side Club has also proven to be much more than a social gathering place. The members' longstanding commitment to the surrounding community is an invaluable asset. For 72 years, the club held an annual Fall Festival establishing itself as an organization that cares deeply about the community. From hosting fundraisers for local charities to providing scholarships for local students, the East Side Club is always searching for new ways to give back to the community.

The East Side Club has provided entertainment and support to our community for 100 years and I offer hearty congratulations to the past and present staff and members on the celebration of this tremendous milestone. It is because of organizations like the East Side Club that I am so proud to represent the Second Congressional District of Wisconsin. I wish the club and its members nothing but the best and many more years of continued success.

IN HONOR OF MR. LARRY BALDWIN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Larry Baldwin as he is celebrated for his dedicated work on behalf of the environment.

In 2001, Larry graduated from Shippensburg University with a degree in GeoEnvironmental Studies. While earning his degree, Larry worked as an intern with the Chesapeake Bay Foundation where he was also an active volunteer for more than a decade. He began working for the Neuse River Foundation (NRF) in North Carolina in October, 2002 as the Lower Neuse RIVERKEEPER®.

During his nine years with NRF, Larry worked to engage countless volunteers and raise educational awareness on the importance of a healthy Neuse River. He was instrumental in establishing the Neuse RIVERKEEPER® RiverKids program and mobilizing RiverWatch and Muddy Water Watch volunteers to help monitor the Neuse River and its tributaries.

Today, Larry serves as the North Carolina Concentrated Animal Feeding Operations (CAFO) Coordinator for Waterkeeper Alliance. He is focused on training and educating Riverkeepers worldwide on CAFO pollution. Additionally, his expertise has given Larry the opportunity to educate not only the public, but the government on environmental issues. Just last month, Larry was in Washington, D.C. educating Congress on the public health and environmental hazards created by factory farm facilities.

He is also active with numerous environmental groups including the Waterkeeper Alliance, America Rivers, River Network, North Carolina Conservation Network and the Eastern Carolina Coastal Caucus. He is a member of the Craven County Water Use Reduction Committee, Emergency Planning Committee and the Crystal Coast Disaster Coalition.

Mr. Speaker and colleagues, please join me in honoring Mr. Larry Baldwin, an outspoken advocate for environmental protection.

A TRIBUTE TO ALFRED L. DESERIO

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to pay tribute to Alfred L. DeSerio. A 42-year veteran of the U.S. Marine Corps

and respected member of the community, Alfred died Saturday at the age of 105.

DeSerio was born and raised in Philadelphia where his family operated a bakery. He would help deliver Italian bread on a horse-drawn carriage. Before his 18th birthday, he lied about his age to enlist in the Marines where he attained the rank of master sergeant.

Mr. DeSerio was a perfect example of the ''Greatest Generation.'' He served our nation with distinction in the Pacific Theater of World War II and in the Korean War. During World War II, one of DeSerio's duties was to escort the honored remains of fellow Marines home to their families. It was a job he took very seriously.

Mr. DeSerio served his country twice during the Vietnam War.

After retiring from the service in 1970, DeSerio moved to Collingdale. He was a maintenance worker at Mercy Fitzgerald Hospital in Darby until his retirement in 1988. Unfortunately, he lost his wife Mary in 1985.

A resident at St. Francis Country House since 2002, he was often recognized for his years of service while receiving proclamations from state government and a challenge coin from the commandant of the Marine Corps. His military decorations include the World War II Victory Medal, the Vietnam Service Medal with one star, the Vietnam Gallantry Cross with palms and frame, the National Defense Service Medal and the United Nations Service Medal.

DeSerio was a longtime member of the Upper Darby Marine Corps League Detachment No. 884, which named him Citizen of the Year in January.

Mr. Speaker, I ask that you, and my other distinguished colleagues join me in recognizing the life of Alfred L. DeSerio and his service to our nation.

PERSONAL EXPLANATION

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. FILNER. Mr. Speaker, on rollcall 223, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

ONE LAPTOP PER CHILD

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. DOYLE. Mr. Speaker, I rise today to congratulate Ketaki Desai, Elizabeth Cullinan, Tim Kelly, and Reginald Cox, four graduate students from Carnegie Mellon's Heinz School of Public Policy and Management, for their first place finish at the Hult Global Case Challenge.

Their innovative program, One Laptop Per Child, seeks to provide durable, low energy laptops for children in 3rd world countries with limited educational resources. This idea garnered the top prize at the Hult Challenge, where these CMU grad students were awarded $333,000 to encourage and further their initiative.

The Hult Global Case Challenge, now in its third year, is focused on bringing some of the brightest minds in the world together to find ways to solve key social challenges. This year, the three categories—education, energy, and housing—had hundreds of entrants from over 130 countries around the world. Such luminaries as Muhammad Yunus, winner of the Nobel Peace Prize judged the final round; and President Bill Clinton handed out the top awards for each category. CMU's Ketaki Desai, Elizabeth Cullinan, Tim Kelly, and Reginald Cox won first place in the education category.

One Laptop Per Child seeks to provide greater educational resources for children ages 6 through 12 in impoverished areas of the world. OLPC has designed laptops with several key features geared towards helping these children. They cost significantly less to manufacture than the standard laptops we use here in the US; they are pre-loaded with lots of educational software, and have wireless internet built in; they are low energy, ensuring that even children in communities without electricity can use them, then recharge the laptops using solar energy; the laptops' screens can be read in sunlight—an important feature because so many of these children go to school outside; and, perhaps most importantly, these laptops are extremely durable and rugged, because, let's face it, kids are going to be kids, no matter where they are in the world.

By providing children with these laptops, One Laptop Per Child hopes to broaden children's worldview, and enrich their educational experiences, because, as they see it, education is the foundation for the other solutions to problems like a lack of shelter or running water. Their goal is to donate and distribute 20 million laptops to poor children throughout the world over the next 5 years.

This is just one more example of the innovative work that's being done in Pittsburgh, and I am proud to be their representative. Congratulations to these grad students and to all the bright minds in Pittsburgh working so hard to solve the world's problems. I thank them for their dedication.

RECOGNIZING SERGEANT CHRISTOPHER OSBORNE

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize Sergeant Christopher Osborne of Labadie, Missouri, who was awarded the Purple Heart due to injuries he sustained while serving in Afghanistan. I am honored to recognize Sergeant Osborne for his service to our nation.

Sergeant Osborne was presented the Purple Heart medal on December 29, 2011, at Bagram Airfield by Major General Stephen L. Danner, adjutant general of the Missouri National Guard. The Purple Heart is awarded in the name of the President of the United States to any member of the Armed Forces of the United States who has been wounded or killed.

Sergeant Osborne serves in the 1138th Transportation Company, a medium truck unit headquartered at Jefferson Barracks in south St. Louis County. The 1138th has been performing convoy operations, delivering supplies to coalition forces throughout Afghanistan. On a night mission in October 2011 while serving as a Scout truck commander, Sergeant Osborne and his convoy came under attack from an improvised explosive device (IED). The IED heavily damaged Sergeant Osborne's vehicle, but he and his three fellow crew members survived the assault. Sergeant Osborne returned to full duty within a few weeks of the attack.

He is a veteran of Operation Iraqi Freedom and is currently serving in Operation Enduring Freedom in Afghanistan.

In closing, Mr. Speaker, I ask all my colleagues to join me in honoring Sergeant Christopher Osborne and thanking him for his continued service to our county.

CONGRATULATING MR. MA YING-JEOU, PRESIDENT OF TAIWAN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I wish to congratulate the people of Taiwan on the occasion of their presidential inauguration this May 20. Mr. Ma Ying-jeou was re-elected to a second term on January 14th. May the long-term ongoing relationship between Taiwan and the United States continue to develop and grow and may there be permanent peace and security in the Taiwan Strait. Congratulations to President Ma Ying-jeou and his people.

PERSONAL EXPLANATION

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. HINCHEY. Mr. Speaker, on rollcall No. 215 I inadvertently voted ''aye'' when I intended to vote ''no'' on the Huizenga Amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act.

I would like the RECORD to reflect this error as I reiterate my strong opposition to this amendment and reaffirm my support for our nation's public sector employees, who are adversely affected by OMB Circular A-76's methodology.

IN RECOGNITION OF NATIONAL NURSES WEEK

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of National Nurses Week.

This week it is important for us to come together and pay special tribute to the women and men who make up the largest segment of our healthcare workforce.

Nurses are truly the backbone of our healthcare system.

They not only work in our hospitals and clinics, but are present in our schools, our workplaces, and in so many facets of our everyday lives.

However, our increasing demand for nurses continues to grow at a rate faster than the current supply can alleviate.

By 2020, the overall need for new nurses is expected to reach a staggering 1.2 million.

For the nursing workforce to meet this demand, we must ensure that federal investment in nursing does not falter.

The Nurse Reinvestment Act, which I authored and was signed into law in 2002, set the framework to do this.

But we all must come together, on both sides of the aisle, to support these crucial programs and to support nursing education and a robust nursing workforce.

I encourage my colleagues and all Americans to take time out this week to thank the nurses in your life and to join me in recognition of these professionals who tirelessly care for the health of ourselves and our loved ones.

RECOGNIZING LT. COL. DAVID CARROLL FOR HIS TWENTY-FIVE YEARS OF SERVICE IN THE U.S. AIR FORCE

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. SCHWEIKERT. Mr. Speaker, I wish to congratulate Lieutenant Colonel David Carroll for his twenty-five years of honorable service to our country and the United States Air Force.

Our community is proud of all our men and women in uniform and it is always a great experience to see so many of them thrive and succeed in service to their country.

I join the United States Air Force and wish Lt. Col. Carroll all the best in his retirement.

PERSONAL EXPLANATION

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. GUTHRIE. Mr. Speaker, I submit a clarification of my vote on rollcall No. 233 the Flores Amendment No. 10, to H.R. 5326. I mistakenly voted ''nay'' when I intended to vote ''yea''. The amendment would remove a standing prohibition on federal purchases of coal-to-liquid fuels, which have the potential to greatly increase our energy security.

I am a strong supporter of coal-to-liquid technology and am a cosponsor of H.R. 2036, the American Alternative Fuels Act, which would repeal the very same prohibition this amendment defunds. My vote against the Flores amendment was accidental. I regret my error and appreciate the opportunity for clarification.

HONORING THE LIFE AND CONTRIBUTIONS OF JOHNNY MAESTRO

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. NADLER. Mr. Speaker, I rise today to honor the memory of a great singer and humanitarian, John Mastrangelo, known to his fans, friends, and fellow musicians as Johnny Maestro. Johnny would have been 73 years old this week, and his influence on popular music and on the New York neighborhoods he loved so dearly is still being felt.

John Mastrangelo was born on Manhattan's Lower East Side on May 7, 1939, graduated from Charles Evans Hughes High School in 1956, and attended Borough of Manhattan Community College.

In 1956, John Mastrangelo joined four teenage singers from Manhattan's Lower East Side to form The Crests. Their vocal harmony was innovative, combining elements of jazz, R&B, and early rock 'n' roll to become true pioneers of rock and roll music. They were one of the first integrated popular vocal groups. While the rest of the country was still struggling with the legacy of Jim Crow, The Crests—Johnny Maestro, who was Italian-American; three African Americans: J. T. Carter, Talmoudge Gough, and Patricia Van Dross (older sister of R&B great Luther Vandross); and Harold Torres, who was Puerto Rican—were recording groundbreaking music. With Johnny Maestro as the lead singer, The Crests recorded hits like ''16 Candles,'' ''Trouble in Paradise,'' ''The Angels Listened In'' and ''Step by Step.''

Following his time with The Crests, Johnny Maestro had a short solo career, and then joined another popular New York group, the Del-Satins, as lead singer. In 1968, they merged with a Long Island group, The Rhythm Method, to form The Brooklyn Bridge. The Brooklyn Bridge recorded a series of hits, including ''Welcome Me Love,'' ''You'll Never Walk Alone,'' and ''Your Husband, My Wife.'' They had their biggest hit with Jimmy Webb's ''The Worst That Could Happen.'' Johnny Maestro and The Brooklyn Bridge continued to perform for forty-two years. Johnny Maestro's exceptional tenor voice won accolades from fans and fellow musicians alike. His distinctive voice remained vibrant and strong throughout his fifty-three year career.

Johnny Maestro was more than a great musician; he was also a great humanitarian. Johnny and the Brooklyn Bridge gave generously of their time, performing benefit concerts for numerous good causes.

He performed at many fundraising events on Staten Island such as the Borough President's ''Back to the Beach'' concert. He also performed for the New York City Fire Department and Police Department, the United States Military, Italian American Association, as well as church and school fundraisers. He performed on the Jerry Lewis Telethon and as part of ''We Are the World,'' which raised funds for worldwide hunger relief.

Johnny Maestro and The Brooklyn Bridge were inducted into the Vocal Group Hall of Fame in 2005, the Long Island Hall of Fame in 2006, and the South Carolina Rhythm and Blues Hall of Fame, just to name a few of their many honors.

On March 26, 2011, the City of New York honored him by renaming the intersection of Mason Avenue and Midland Avenue on Staten Island as ''Johnny Maestro Way.''

Johnny Maestro and The Brooklyn Bridge were unswerving supporters of our police, fire, military, and Italian-American benevolent associations. The communities I represent warmly remember the benefit concerts Johnny Maestro and The Brooklyn Bridge participated in to aid 9/11 responders and their families. In 2007, Johnny Maestro sang at a concert digitally filmed and sent to bases of our Armed Forces overseas. Johnny Maestro and The Brooklyn Bridge ended their concerts by singing ''You'll Never Walk Alone'' and dedicated the song to the men and women in uniform. Today, the surviving members of The Brooklyn Bridge continue to honor Johnny's legacy by performing the songs he sang with The Crests and The Brooklyn Bridge, and supporting the humanitarian causes he held so dear.

Sadly, that great voice was stilled when Johnny Maestro died at the age of 70, following a valiant struggle with cancer. He continued to perform up until two months before his death.

Mr. Speaker, Johnny Maestro was the consummate New Yorker. He was talented, and he gave of his gifts and his success for the betterment of his City and those most in need. His life and his art are an example of what is best in our City and in our Nation. I urge all members of the House to join me in remembering and honoring Johnny Maestro's life and work, and to remember a man whose musical accomplishments and humanitarian deeds have touched the lives of so many people.

LINCOLN HIGH SCHOOL WE THE PEOPLE COMPETITION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BLUMENAUER. Mr. Speaker, last week an outstanding group of young men and women from Portland, Oregon's Lincoln High School placed first in the national ''We the People Competition,'' a contest sponsored by the Classroom Law Project. It is an extraordinary program that allows young men and women to dive deeply into constitutional theory and the legislative process, and understand what it all means for contemporary

America in an all-too-often dysfunctional political arena.

Over the years, it's been my privilege to work with instructors and students on these programs, to have watched them prepare for hours at a time, and watch them celebrate their successes. In the Portland Public School District, we are particularly proud of our high schools Lincoln and Grant, who have competed against each other for the State title for more than 2 dozen years, and consistently are strong contenders at the national level.

Their achievements are testimony not only to the hard work and intelligence of the student competitors, but also to a dedicated core of teachers and citizen volunteers, often prominent judges and lawyers, and alumni of the program who continue their involvement long after they cease to be students. A special shout-out this year and every year should go to Lincoln instructor Tim Swinehart, local attorney Steve Griffith and his volunteer team, and the extraordinarily supportive principal, Peyton Chapman.

As I met with the Lincoln team earlier this spring in preparation for the national championships, it was clear to me that this was a stellar team even by the standards of this terrific program. That they won this year with a team largely composed of sophomores makes it all the more an extraordinary accomplishment. I would willingly grant them voting privileges here in Congress.

In addition to the dedicated coaches and volunteers, I want to recognize this year's winning student team. They are: Avery Ballato, Catherine Barton, Marty Berger, Hallie Blashfield, Ryan Bloom, Danny Brillhart, John Carey, Julian Dann, Julia Eckelmann, Michael Field, Natina Gilbert, Nikhil Goyal, Kendra Hong, Robin Jayaswal, Katie Kelly, Sierra Killian, John Kim, Emma Lane, Duncan MacEachern, William Mao, Olnita Martini, Evan Neuhausen, Sara Newman, Vicki Niu, Sammy Purnell, Justin Richter, Beckett Rueda, Emma Simmons, Sage Smiley, Nita Sridharan, Eri Stern, Mara Strauss, Molly Walls, Carolyn Wheatley, Ajeya Woods and Cole Zollinger.

I urge my colleagues to become acquainted with their local high school constitution competition. I hope the day will come when Congress again gives the financial support to the Classroom Law Project for the civic education that is so important and so critical to preparing students to participate as citizens. With a stronger investment in the Classroom Law Project and programs like We the People, I believe we would all feel better about the future of the Republic.

TRIBUTE TO HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. WALDEN. Mr. Speaker, I rise to recognize the 28 World War II veterans from Oregon who will be visiting their memorial this Saturday in Washington, DC through Honor Flight of Oregon. On behalf of a grateful state and country, we welcome these heroes to the nation's capital.

The veterans on this flight from Oregon are: Melvin Dagsland, U.S. Army; Kenneth Graves, U.S. Army; Frank Hernandez, U.S. Army; Jesse Pollard, U.S. Army; Harold Hayes, U.S. Army; Milton Anderson, U.S. Army Air Forces; James Holbrook, U.S. Army Air Forces; Clarence Mahan, U.S. Army Air Forces; Paul Nielsen, U.S. Army Air Forces; Carl Orndoff, U.S. Army Air Forces; Jack Owens, U.S. Army Air Forces; Donicio Padilla, U.S. Army Air Forces; James Stone, U.S. Army Air Forces; James Hanley, U.S. Army Air Forces; Melvin Pearigen, U.S. Coast Guard; Floyd Burt, U.S. Marine Corps; Delbert Littrell, U.S. Marine Corps; Edward Montagne, U.S. Marine Corps; Eldon Branson, U.S. Navy; Calvin Gorte, U.S. Navy; GL Hamblin, U.S. Navy; Lester Herring, U.S. Navy; Richard Laubert, U.S. Navy; Donald Lister, U.S. Navy; Vincent Monzel, U.S. Navy; Otis Pierce, U.S. Navy; Forest Scott, U.S. Navy; Raymond Woods, U.S. Navy.

These 28 heroes join more than 81,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, DC to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these soldiers, sailors, airmen, and Marines who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country. I especially want to recognize and thank Gail Yakopatz for her tireless work as president of Honor Flight of Oregon.

RECOGNIZING THE RESILIENCE OF JOPLIN, MISSOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. LONG. Mr. Speaker, I rise today to honor the resilience of the Joplin, Missouri community.

One year ago the Joplin community was devastated by an EF–5 tornado but showed the Nation and the world what it means to help your neighbors in their greatest time of need.

The tornado that wreaked havoc on our friends and neighbors was a ½ mile to ¾ mile wide and traveled approximately 13 miles, forever changing the landscape of the community and lives of those who call Joplin home. This destructive force of nature claimed 161 lives, damaged an estimated 7,500 residential dwellings, damaged nine schools, and damaged 545 businesses.

I saw the immediate aftermath of this disaster with my own eyes, and I know it is vital to get the right resources to the right people as quickly as possible, because lives depend on it. As Joplin's representative in Congress it was my job to make sure the Federal Government worked with local and state officials to provide disaster relief. As a neighbor it was my job to help in any way I could, from setting up cots in aid stations with other volunteers to helping with search and rescue. Missouri is called the Show-Me State, and Missourians and Americans from across our great country showed the Nation and the world the compassion and generosity of the American spirit. Over 120,000 volunteers poured into the Joplin area to offer their help and support, and some are still assisting with rebuilding efforts.

Before the life-changing event of May 22, 2011, Joplin was just a town in Missouri, but now its sense of community is known throughout the Nation. While the Joplin community is still picking up the pieces from that fateful day, I know they have a bright future ahead. Though lives were lost and homes and businesses destroyed the one thing the tornado did not take is the sense of community that makes Joplin a welcoming place to live, work and visit. Joplin is stronger despite this unfortunate disaster.

As we commemorate the one-year anniversary which changed the lives of all families impacted by this horrific disaster we treasure the good times in the past and look forward to a promising future for Joplin and all who call this wonderful place home.

Even though we can't explain why tragedy strikes, we can use what happened here to remind us of the good inside us all and to remind us that even though we lost a lot, we did not lose everything. Joplin has faced challenges that most communities will not ever experience, but the outpouring of support is also something any community would be fortunate enough to receive.

If anyone thinks that there are not good, generous and compassionate people in this world, then they need to come down to Joplin to see firsthand how this community came together during their time of need.

MISSING CHILDREN'S AND EXPLOITED CHILDREN PROGRAMS

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. WALZ. Mr. Speaker, child abuse is an unacceptable behavior in our society that must be condemned and prevented. Our children deserve to grow up in safe and loving environments. As a parent and teacher, I am always in search of ways to eliminate this problem in homes, schools and child care centers. I would like to commend the committee for its support of the Missing Children's and Exploited Children programs. This funding is essential to combating child abuse, which is a national problem.

In order to end child abuse, it is essential we support programs that train child protection professionals to better recognize, react and respond to abuse. Each and every day, child protection professionals work directly with maltreated children across the country. They fight tirelessly to reduce cases of child abuse and to respond effectively to child maltreatment.

Unfortunately, the vast majority of these professionals leave college inadequately trained to handle cases of child maltreatment. And, once in the workforce, it is often far too difficult for them to access the quality training they need to do their jobs more effectively.

In my district, I am proud to have the National Child Protection Center located in my district at Winona State University. The National Child Protection Center works to end child abuse, neglect and other forms of child maltreatment through education, training, awareness, prevention, advocacy and the pursuit of justice. The Center trains future and front-line child protection professionals around the nation so that they will be prepared to recognize and report the abuse of a child. This work should be applauded and supported.

I.would like to commend the Senate Commerce Justice and Science committee for including language in their Committee report that would support efforts to train current child protection professionals, continue prevention programs and to develop undergraduate and graduate curricula on the maltreatment and exploitation of children. As we continue through the appropriations process, I would like to encourage my colleagues in the House to support this language and to include it in the final report.

BAHRAIN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BURTON of Indiana. Mr. Speaker, tonight I wish to call the attention of my colleagues to the situation in Bahrain. Since gained independence from the British in the 1970's, Bahrain has forged close links with the United States, and become one of our most important allies in the strategically important Persian Gulf region. In fact, Bahrain is home to the U.S. Navy's Fifth Fleet.

Since last year, however, the country has been disrupted by a series of anti-government demonstrations. Understanding how important our relationship with Bahrain is, especially to our efforts to prevent Iran from acquiring nuclear weapons, I recently traveled to Bahrain to assess the situation first-hand. And I would like to thank Dr. Al Khalafalla and the Bahrain American Council for helping to make my visit a success.

I think it's important that we get the proper perspective on what's going on over there. There is no question there have been problems in the past. There has been overreaction by the police in certain instances in the past year, year and a half. As a result, there were people who were hurt severely when they were demonstrating in the streets of Bahrain. But the King and the Crown Prince have worked very hard to solve this problem. As a matter of fact, the King appointed an outside commission, and the commission's report and reform recommendations are strongly supported by both sides of the dispute. Yet, the parties involved seem to be having difficulty approaching the conference table. Why?

One of the problems they have over there is the Iranian Government is working to try to undermine many of the countries in the Persian Gulf, and Bahrain is one of them. Some have suggested that the demonstrations have been infiltrated by outside radical elements—supported by Iran—dedicated to destabilizing and undermining the Bahrain Government. The evidence is inconclusive but the possibility of Iran doing just that is plausible. Whatever the reasons, for the demonstrators, this conflict is not going to be resolved in Bahrain, it must be resolved through negotiation.

I am submitting an article from the May 1, 2012 edition of the New York Times for the RECORD which I believe lays out the case for the United States to actively encourage both sides to to take a step back, take a deep breath, and commit to resolving their differences around the conference table. I strongly urge my colleagues to read these articles.

[From the New York Times, May 1, 2012]

THE PRINCE AND THE AYATOLLAH

(By Ed Husain)

When I was invited to visit Bahrain by members of the royal family, I hesitated. They had crushed peaceful protesters last year, and their police had used tear gas against human rights activists. Like everybody else, including some of the Bahraini policemen I later spoke with, I was appalled at the violence and thought the monarchy had blood on its hands. But I felt that declining the offer was irresponsible. I wanted to know the monarchy's side of the story. So I accepted the invitation—on the condition that I was free to meet Bahrain's opposition.

Bahrain is a tiny island nation of 600,000 citizens, with a Parliament of only 40 members, and it cannot be understood if looked at in isolation. For one thing, it stands at the forefront of a regional cold war. Saudi Arabia lies to the west, connected by a 25-kilometer causeway built jointly by the Saudis and Bahrainis. To the east, across the waters of the Gulf, lies Iran. Both Tehran and Riyadh have major stakes in Bahrain.

En route to Bahrain, I stopped by in Riyadh and had many conversations with top government officials, journalists and academics. Their views were clear: Saudi Arabia would not stand by and see Bahrain's ruling al-Khalifa family fall from power. The Saudis sent in soldiers to help the al-Khalifas regain control of Bahrain in March 2011 and are prepared to do so again.

If King Hamad bin Isa al-Khalifa abdicates, they asked, then who would be next among Arab kings? What consequences would the ensuing chaos have on global energy supplies? If power falls into the hands of the main Shiite opposition group, Bahrain could join Hamas, Hezbollah, Iraq, Syria and Lebanon under the Iranian sphere of influence in the Middle East.

In Bahrain, I was a guest of the king's son, Crown Prince Salman bin Hamad bin Isa al-Khalifa, who, in the context of the country's current political climate, is a liberal's liberal. Educated in Washington and Cambridge, England, the 42-year-old prince spoke about Britain's constitutional monarchy, the dire need for political reform in his country, and his yearning for a political settlement with the opposition.

He appeared genuinely contrite about the excesses of the government in Bahrain, but also convinced that the opposition has no vision of how to improve matters. ''The path to hell is paved with good intentions,'' he said. Constantly, he referred to the need for ''evolution'' rather than ''revolution.''

Within the ruling family, he led the charge for reform last year, but was abandoned by Al Wefaq, the main opposition party, midway through discussions. The party kept changing its demands and the leaders were divided over what they wanted. This strengthened the hand of the more conservative wing of the royal family, led by the conservative, long-serving prime minister, Prince Khalifa bin Sulman al-Khalifa, 74.

The opposition wants the prime minister to resign, but neither the king nor the crown prince can dare ask a family elder to depart in ignominy.

Just as there are divisions within the royal family, there are serious splits in Bahrain's Shiite political scene. Not all the Shiites in Bahrain want to topple the monarchy. Nor is the opposition composed only of democrats who simply want to oust a monarchy.

Again and again, in villages and in meetings with Shiite opposition figures, one name kept coming up: Ayatollah Issa Qassim, spiritual leader of Al Wefaq, whose writ runs large across the Shiite opposition movement. Educated in Iran, his sermons are generally anti-American, anti-democracy and vehemently pro-Iran. When Iran's green movement challenged the mullahs in Tehran, Ayatollah Qassim accused the West of ''trying to divide an otherwise peaceful country'' and of ''hatred toward Islam.''

He is also intolerant of Shiites with divergent views back home. Three Shiite members of Bahrain's Parliament explained to me the consequences of daring to challenge Ayatollah Qassim. When they decided not to honor Al Wefaq's call to boycott elections last October, Al Wefaq-controlled mosques called on people to attack them; firebombs were thrown at their homes and their children were harassed on the streets. They live in fear for their lives, and they are not alone.

Ayatollah Qassim's supporters not only undermined the crown prince's efforts at reconciliation, but in recent weeks have taken to rioting in villages across Bahrain. In Sitra, one such village outside Manama, I spoke in Arabic with a police official, a Shiite, who said: ''I am Bahraini before I am Shiite. We must live as Bahrainis and do what's right for our country, and not be controlled by Iran's clerics.''

Like Bahraini Sunnis, the official felt the monarchy was not giving him the means to respond to the rioters. They have no guns, he complained, which left them at the mercy of rioters with home-made arrows and Molotov cocktails. ''Last year, my colleagues in the army and interrogation units were wrong to torture protesters,'' he said. ''But what about the attacks on us now? How are we to defend ourselves?''

Ayatollah Qassim has not called on his supporters to cease violence against the police, government and dissenting Shiite leaders. Instead, he has demanded that Jawad Hussain, one of the legislators I spoke with, and other dissenting Shiite political leaders and clerics come to the ayatollah's mosque during Friday services and publicly repent for betraying ''the community.''

Ayatollah Qassim's message does not justify the torture and human rights violations exercised by the government of Bahrain. The demands of the opposition for an end to discrimination in government jobs and for greater political freedoms are valid. But calls for greater human rights must not be selective. Last year the opposition blocked bills that gave women equality and freedom in Bahrain because the ayatollahs opposed it, while the monarchy and Sunni parties supported it.

Bahrain is an important nation because it is a focal point of what is happening in the Middle East today—the battle to find a balance between preserving the best values of the Islamic tradition while the region eases its way into the modern world.

It is crucial that Western nations help the country achieve this balance, and that they not provide diplomatic cover for rioters and clerics in the name of human rights and democracy.

Instead, they should be using every pressure point to strengthen the reformist strands within the monarchy in support of political change, equal right's for women and an end to the language of Shiite sectarianism in Bahrain. Negotiations around the political table are the only way forward in Bahrain.

Ed Husain is a senior fellow for Middle Eastern Studies at the Council on Foreign Relations.

HONORING AWARD-WINNING BROADCAST JOURNALIST STEPHEN DEAN

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor award-winning broadcast journalist Stephen Dean, whose dedicated investigative reporting exposes abuses of power and government missteps. Arrests and indictments tend to follow his in-depth reporting of shady dealings, including those by judges and other elected officials.

A master of the hidden camera, Stephen Dean and his team at Local 2 Investigates get results from Houston to Austin to Washington, DC. Even the venerable Washington Post has reported on one of his award-winning investigations.

From catching seven Houston law enforcement officers cheating in a traffic investigation class to reporting that Houston police were using mentally ill prisoners to practice drawing blood for DWI arrests, Stephen Dean has never been afraid to dig for information no one else will.

For nearly three decades, Stephen Dean's hard work has earned him award after award including the highest honor in broadcasting. He was honored with a Peabody Award for his series of reports on how the U.S. military used to investigate crimes. Dean's reporting documented how the armed services were ignoring crucial evidence in crimes against their own soldiers, prompting Congress to force changes with a law that was signed by the President.

For nearly two decades from radio to television, the Houston area has counted on Dean's watchdog eye on law enforcement. His dogged pursuit of M.U.D. policing led to a change in Texas law.

In addition to the Peabody Award, his national investigative reporting honors include the Society of Professional Journalists' Sigma Delta Chi Award, the Radio Television News Directors Edward R. Murrow Award and several State Bar of Texas ''Gavel Awards'' for legal reporting. In 2005, Dean was named Best Reporter by the Texas Associated Press Broadcasters for his live coverage of breaking news. The TAPB also named him the sole winner of its ''Freedom of Information Award'' four years in a row for his ability to overcome obstacles in digging through public records.

A nationally published author, Dean's 2011 book ''PR Misfires Under the Gun'', detailed costly public relations mistakes that people make in emergencies. Stephen Dean, his wife Cindy, and his precious Harley Davidson will soon ride out of Houston to start a new journalistic chapter in their home state. We wish them safe travels and we feel obligated to warn Ohio wrongdoers, he is on the way.

PERSONAL EXPLANATION

HON. FRANCISCO ''QUICO'' CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. CANSECO. Mr. Speaker, due to a family emergency that required me to return to Texas, I missed several votes during two separate vote series on April 26, 2011 and April 27, 2011. Had I been present, I would have voted ''nay'' on rollcall vote 184, ''aye'' on rollcall vote 185, ''aye'' on rollcall vote 186, ''aye'' on rollcall vote 187, ''aye'' on rollcall vote 188, ''aye'' on rollcall vote 189, ''aye'' on rollcall vote 190, ''nay'' on rollcall vote 191, ''aye'' on rollcall vote 192, ''aye'' on rollcall vote 193, ''nay'' on rollcall vote 194 and ''aye'' on rollcall vote 195.

RECOGNIZING CITIZENS' VIETNAMESE HUMAN RIGHTS PETITION TO WHITE HOUSE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. WOLF. Mr. Speaker, in honor of the 18th annual Vietnam Human Rights Day on Friday, May 11, 2012, I would like to highlight a petition that can be found on the ''We the People'' section of the White House's Web site. This particular petition, which collected over 150,000 signatures from across the country, urges the administration to ''stop expanding trade at the expense of human rights.''

Vietnam's human rights record remains disgraceful and I look forward to the day when we can gather together to celebrate true freedom in Vietnam. This administration must show the world that promotion of human rights is a priority in U.S. foreign policy.

IN RECOGNITION OF NATIONAL TEACHERS APPRECIATION WEEK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. RANGEL. Mr. Speaker, I am pleased to recognize our teachers for their dedication and tireless efforts in educating America's students. National Teachers Appreciation Week is a wonderful opportunity to honor the hard work our teachers perform daily to make a difference in the lives of students across the country.

While teaching is one of the most challenging jobs in the world, it is undoubtedly one of the most rewarding. I strongly believe that we must give unconditional support to our educators so that future generations of young Americans will have the ability to succeed in a global economy and face the challenges of tomorrow.

On National Teachers' Day, we honor our local educators and acknowledge the crucial role each teacher plays in making sure that every child receives a quality education. Throughout my Congressional District there are stories of young people who are succeeding, not only because of test scores, but also because of a teacher who realized their talent, believed in them, and helped them to believe in themselves. It is because of these great teachers who make a positive impact on the youth, achievements gaps between poor and minority students and their non-minority peers are beginning to close.

It is also my pleasure to thank our teachers in the military community this week. More than 1.2 million school-age military children are being educated by dedicated teachers in classrooms across the country. These educators help young ones ease transitions into a different school and a new community as they relocate from a military base to another.

This week and throughout the year, I encourage parents to thank teachers for their hard work, care and sacrifice. I will continue to offer my gratitude and appreciation to our spirited teaching champions for their outstanding achievements on behalf our nation's students and their future.

INTRODUCTION OF THE OVERDRAFT PROTECTION ACT OF 2012

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mrs. MALONEY. Mr. Speaker, I rise to introduce the Overdraft Protection Act of 2012.

With the rise of debit cards and the constant presence of swipe terminals to use those cards to pay for everything from McDonald's to gas to candy bars, it's easier than ever for consumers to overdraw their checking accounts and incur overdraft fees.

That's how a fancy $5 cup of coffee can become a $35 cup of coffee faster than you can say 'overdrawn'! Some institutions have responded to consumer outrage over these fees by implementing a policy of denying debit card transactions that would overdraw an account and I applaud them.

But too many financial institutions don't make consumers aware of the perils of overdrafts, and most reorder the posting of transactions in a way that maximizes their fees.

Although the Federal Reserve issued a rule requiring institutions to obtain affirmative consent from consumers to opt into overdraft coverage two years ago, it is quite clear more needs to be done in the area of consumer disclosures and to help consumers avoid multiple overdrafts.

A survey released last week by Pew Charitable Trusts highlights the need for the bill I am introducing today.

More than one-third of those surveyed—people who had overdrawn their accounts in the past year—didn't know their bank offered overdraft coverage until they incurred a penalty fee, and more than half of people did not believe they had opted in. The Pew study also found that most of the people who overdraft their accounts do so more than once.

According to Moebs Services, overdraft fees brought in over $31 billion dollars in revenue to financial institutions in 2011.

As a result of the Federal Reserve's opt-in requirement the number of overdrafts has fallen, but some institutions have responded to the drop by increasing the cost of overdraft fees and continuing to intentionally manipulate the transactions' posting order in a way that maximizes the fees they can earn from this service.

My bill increases disclosure to consumers, limits the fees' price and frequency, and bans the manipulation of transactions.

Specifically, the Overdraft Protection Act will:

Require consumer consent before banks can permit overdraft fees to paper checks, automated charges and debit card swipe-terminal transactions.

Require that fees be 'reasonable and proportional' to the amount of the overdraft.

Cap the number of fees that can be charged at one per month and six per year.

Prohibit banks from manipulating the sequence in which checks and other debits are posted if it causes more overdrafts and maximizes fees paid to banks.

Require that consumers be warned at ATMs if their withdrawals will trigger an overdraft.

Require the CFPB to study the practices of pre-paid cards and if necessary extend these provisions to those products.

The Overdraft Protection Act will ensure consumers are protected from misleading practices and I urge my colleagues to support this important legislation.

HONORING DR. LYNDA YOUNG

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. MCGOVERN. Mr. Speaker, I rise today to commend and congratulate Dr. Lynda Young on her successful term as President of the Massachusetts Medical Society.

Dr. Young has a long and distinguished record of activity in organized medicine. She practiced at Chandler Pediatrics in Worcester, Massachusetts for 34 years and was Chief of the Division of Community Pediatrics at the University of Massachusetts Memorial Children's Medical Center for over 30 years.

During her presidency, Dr. Young expertly and deftly represented the interests of physicians and their patients throughout the pioneering state negotiations over health care delivery and payment reform. At the national level, her expertise and leadership style have frequently been recognized as other policymakers learn from the Massachusetts experience.

She has also served as president of the Massachusetts Chapter of the American Academy of Pediatrics and has chaired its Committee on Continuing Education. A past president of the Worcester District Medical Society, she has held every office in the district. She has served as MMS President-Elect and Vice President, respectively, and has been a member of the Board of Trustees and House of Delegates.

Dr. Young's dedication to her patients, her family and physician colleagues has earned her a number of professional and civic accolades, including from the American Academy of Pediatrics, the Pernet Family Health Service, the YWCA of Central Massachusetts, the Montachusett Girl Scout Council, Notre Dame Academy in Worcester, and the City of Worcester's Advisory Committee on the Status of Women. This year Dr. Young will serve as the commencement speaker at the Mass. College of Pharmacy and Health Sciences, where she will receive an honorary Doctorate of Science.

In addition to her busy pediatric practice, Dr. Young is a respected presence in the Worcester community. She is active in a number of Worcester organizations, serving as a member of the Board of Directors of the Health Foundation of Central Massachusetts, the International Center of Worcester, the Parent Family Health Service, and the City of Worcester Board of Health, among others.

I have had the utmost pleasure of knowing Dr. Young both professionally and personally for a number of years, including as my own children's pediatrician. Dr. Young epitomizes the compassionate pediatrician. Her exuberance and enthusiasm for her young patients are matched only by her expertise and medical knowledge.

I want to thank Dr. Young for her immense contributions and dedication to the pediatric and larger medical community in Central Massachusetts, and I wish her continued happiness with her family, Dr. Bob Sorrenti, their two sons and daughters-in-law and their precious grandson, Jack.

CONGRATULATIONS TO DR. MARY RITTLING, PRESIDENT OF DAVIDSON COUNTY COMMUNITY COLLEGE

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Ms. FOXX. Mr. Speaker, I rise today to congratulate an outstanding leader in the North Carolina community college system, Dr. Mary Rittling, president of Davidson County Community College.

Dr. Rittling was honored in April as the 2012 North Carolina Community College President of the Year.

This award is designed to honor outstanding leaders within North Carolina's community college system.

Dr. Rittling's relentless focus on ''what can be'' versus ''what is'' drove critical changes to the college that helped the community adapt during a time when Davidson County and the rest of America suffered from job loss.

This is not the first time Dr. Rittling has been recognized for her efforts on behalf of the students and the community.

She has been recognized in the Triad as an Exceptional Leader in both 2009 and 2010. She was also named as the Outstanding Woman in Business by the Lexington Area Chamber of Commerce in 2009.

Thanks to Dr. Rittling for her dedication to serving her community and her investment in Davidson and Davie Counties. Congratulations on her many achievements and recognition of her student-centered philosophy.

HANOVER TOWNSHIP POLICE DEPARTMENT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor the Hanover Township Police Department, which will celebrate its 100th anniversary on May 14, 2012.

Hanover Township was founded in 1770 by Captain Lazarus Stewart who fought for Connecticut against the Pennsylvanians in the Wyoming Valley. For his services, Captain Stewart and his company of forty men were granted the tract of land which became Hanover Township. Captain Stewart named the town after his hometown of Hanover in Dauphin County. In the 1820's, coal was discovered and by 1838, mining became a leading industry in the area. However, prior to the 1900's Hanover Township had very little in the way of municipal services.

Therefore in 1912, the Hanover Township Commissioners established a paid police force to secure the safety of persons and property within Hanover Township. The first force consisted of six officers and was led by Police Chief James H. Campbell. Today, there are fourteen officers, eight cruisers and a K 9 unit which provide for the safety of Hanover Township residents under the leadership of Police Chief Albert Walker.

Mr. Speaker, for the last 100 years, the Hanover Township Police Department has proudly served the citizens of Hanover, Pennsylvania. Therefore, I commend all those officers who have dedicated their lives to protecting their community and to all those who have gone on to their eternal rest.

PERSONAL EXPLANATION

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. PENCE. Mr. Speaker, I was absent on May 8, 2012, because I was in my home state for the Indiana primary elections. Had I been present, I would have voted ''aye'' on rollcall votes 199, 200, 201, 203, 204, 206, 207, 208, 209, 210, 211, 212, 215, 217, 218, 219, 220,

221, 222, 223 and "nay" on rollcall votes 202, 205, 213, 214, 216.

RECOGNIZING THE 100TH BIRTHDAY OF MRS. VIOLA JACKSON

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize the 100th birthday of Mrs. Viola Jackson, my constituent. Mrs. Jackson was born May 9, 1912 in Sharon, Taliaferro County, Georgia. She was the eleventh of thirteen children born to Tom and Mary Edwards. She has managed to outlive both her parents and siblings. Throughout her life, Mrs. Jackson has worked tirelessly to provide a better life for herself and her family.

From her childhood into her early adulthood, Mrs. Jackson worked on a farm as a tiller. However, her life would change considerably after meeting sharecropper Johnny Jackson, in 1938—a period of racial prejudice and injustice. After marrying Mr. Jackson, she continued working on the farm, where she later gave birth to Virginia Jackson on January 25, 1939, the couple's first child. In pursuit of better educational opportunities for Virginia, Mrs. Jackson sent her to live with her brother, in Miami Florida. In 1950, the Jacksons relocated to Miami, FL.

Shortly after arriving in Miami, Viola was employed by John Lieberman as a live-in housekeeper and nanny in Sunny Isles, FL. There, she worked six days a week, with only Thursdays off to spend with her family. However, her husband was gainfully employed in the saw mills of Opa-Locka as a lumberjack. Together, they saved enough money to buy their first home on Washington Street in Opa-Locka, which is located in the heart of District 17.

After years of working with the Lieberman family, Viola transitioned to the Frances Liebler family, where she worked as a housekeeper in their residence and hotel. Her work ethic and loyalty earned her a promotion as the Housekeeping Manager, a position she held until her retirement in 1965. However, she resumed working in 1973, after her love of children inspired her to launch a day care. Throughout her life, Viola was known for being more than an exceptional caretaker and employee; she was also known for her faith.

Her journey with God led her to many churches including Greater New Macedonia Missionary Baptist Church, Greater Tabernacle Missionary Baptist Church, United Christian Baptist Church, Fellowship Missionary Baptist Church and New Christ Tabernacle Church, where Mrs. Jackson serves as Church Mother. Her faith has sustained her through 100 years of hardships, health challenges and losses. I am hopeful that she will continue to serve as a role model and an inspiration to everyone around her.

Mr. Speaker, I am honored to represent Mrs. Viola Jackson. She's not only a treasure to my district, but also to our nation. I encourage members of Congress to join me in celebrating her 100th birthday. Lastly, I pray that she may continue to have longevity and happiness for many more years to come.

IN RECOGNITION OF NATIONAL TEACHER APPRECIATION WEEK

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. REYES. Mr. Speaker, during National Teacher Appreciation Week, I rise to honor our teachers.

Teachers are at the heart of our community, and this week we commemorate the hard-working men and women who educate and inspire our children. As part of National Teacher Appreciation Week, I was asked by the National Education Association to name a teacher who had a significant impact on my education. My journalism and debate coach, Mr. Ralph Chavez, quickly came to mind. He was not only a teacher but a mentor, friend and counselor. He inspired me to push myself, and helped me become the person I am today. This week, I am proud to help recognize all of our dedicated teachers who, like Mr. Chavez, have educated and motivated their students. As a parent and grandparent, I am grateful for the contributions of all of our educators, and am particularly proud of the teachers in the El Paso community.

As a Member of Congress, one of the best ways I can help make National Teacher Appreciation Week more meaningful is to continue working to provide our teachers with the resources they need to educate their students. Today's teachers face many challenges and deserve not only our recognition, but our full measure of support for their efforts.

Education has always been one of my top priorities, and I will continue to fight for our teachers, our students, our school districts, and for parents who want their children to have the best education possible.

HONORING DR. F.X. JAMES KENEALY

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. McGOVERN. Mr. Speaker, I want to commend Dr. F.X. James Kenealy for his successful tenure as Chair of the Massachusetts Medical Society Committee on Legislation. Dr. Kenealy is a practicing otolaryngologist and a partner at Metro West ENT Associates, with locations in Framingham and Milford, Massachusetts.

The Massachusetts Medical Society Committee on Legislation is comprised of physicians responsible for advising the Society on its legislative positions at both the federal and state levels. Dr. Kenealy led the committee through its negotiations on some of the most pivotal legislative issues of this decade, including the Patient Protection and Affordable Care Act.

He masterfully led the Committee and helped establish the Massachusetts Medical Society as a leading voice on health care reform initiatives in Massachusetts, many of which have served as the model for national legislation. Under his tutelage, physicians in Massachusetts have become better informed and more engaged in the grassroots legislative process.

Dr. Kenealy's commitment to his family, patients, local community, and the legislative process are exemplary. He brings his expertise as a physician to public policy discussions and reminds us how essential civic engagement is to the democratic process. I wish Dr. Kenealy continued success and happiness in his future pursuits and with his family, Vanessa and Aidan.

HONORING SOPHIA GREENWALT OF MISSOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize and honor Sophia Greenwalt, a truly outstanding young Missourian.

Sophia is a seventh grade student at Reeds Spring Middle School in Reeds Spring, Missouri. She was recently honored by the American Red Cross with their Everyday Hero Award for her charitable activities.

While in sixth grade, Sophia came up with a plan to help others. In consultation with her mother, Nettie Greenwalt, teachers and school district administrators, she received approval to create the Helping Hats program for students in the Reeds Spring school district. The Helping Hats program grants students the privilege to wear hats to school once a month for a one-dollar fee. The fees collected from the Helping Hats program are distributed to local charities monthly. Currently, the program has collected over $13,000 for local charitable organizations. Sophia's endeavors are a truly exemplary investment in our community.

On May 22, 2011, an EF 5 tornado struck Joplin, Missouri, devastating the once quiet Missouri town. Based on Sophia's efforts, the Helping Hats program was able to raise more than $8,000 to donate to the Joplin school district to help with recovery and rebuilding.

Sophia has also been honored for her outstanding charitable activities by the Missouri House of Representatives and the Reeds Spring Board of Education. I would like to add my voice to the growing choir praising the accomplishments of this truly exceptional young woman.

I am proud and humbled by the accomplishments of Sophia Greenwalt and look forward to following her future in the 7th Congressional District of Missouri.

PERSONAL EXPLANATION

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mrs. BACHMANN. Mr. Speaker, during the evening of Tuesday, May 8, and during the

day of Wednesday, May 9, I missed House votes in order to attend the college graduation of my daughter, Elisa. Up to this point, I was proud to boast a 100 percent voting record in the Second Session of the 112th Congress. However, if I had been present for these votes, here is how I would have voted:

Davis (IL) amendment rollcall No. 213 vote no; Grimm amendment rollcall No. 214 vote no; Huizenga amendment rollcall No. 215 vote yes; Johnson (GA) amendment rollcall No. 216 vote no; Flake amendment rollcall No. 217 vote yes; Westmoreland amendment rollcall No. 218 vote yes; Scott (GA) amendment rollcall No. 219 vote yes; Black amendment rollcall No. 220 vote yes; Blackburn amendment rollcall No. 221 vote yes; Broun amendment rollcall No. 222 vote yes; Southerland amendment rollcall No. 223 vote yes; H.R. 2072 rollcall No. 224 vote no; H.R. 4133 rollcall No. 225 vote yes; Chaffetz amendment rollcall No. 226 vote yes; Tierney amendment rollcall No. 227 vote no; Blackburn amendment rollcall No. 228 vote yes; Duncan (SC) amendment rollcall No. 229 vote yes; Garrett amendment rollcall No. 230 vote yes; Schweikert amendment rollcall No. 231 vote yes; Webster amendment rollcall No. 232 vote yes; Flores amendment rollcall No. 233 vote yes; Flores amendment rollcall No. 234 vote yes.

STATEMENT ON SEQUESTER REPLACEMENT RECONCILIATION ACT

HON. DAVID RIVERA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. RIVERA. Mr. Speaker, tomorrow I am going to vote in favor of the Sequester Replacement Reconciliation Act of 2012 (SRRA) because I firmly believe the government's budget deficit is far too big, bad for the economy, and compromises our Nation's future. Additionally, the automatic across-the-board sequestration enacted last year is not targeted and does not reflect good policy.

Most proposals to reduce the deficit are painful measures, requiring tough choices and trade-offs. On the whole, this legislation is a step in the right direction. It sends an important message about our seriousness in righting the Federal fiscal ship, and includes supportable measures.

But one provision of the bill in particular is inadvisable. The provision that would cut the Federal share of Medicaid in the territories approximately two-thirds through Fiscal Year 2019 should not be included in any budget legislation.

The Federal government already underfunds Medicaid in Puerto Rico and other territories, as the Republican Governors Association has recognized. The territories' Medicaid programs have not provided all services provided in the States and do not cover people who would otherwise be eligible in the States. If Puerto Rico were treated as a State, the Federal share of its Medicaid program would be about 80 percent. The unwise proposal in SSRA would cut the federal share of Puerto Rico's program by 65 percent, with the territory left to cover the bulk of the program with local funds. This inequitable treatment would not stand in any of the 50 states, and it should not be imposed on Puerto Rico.

Puerto Rico and other territories do not have votes in the Federal system. This imposes on us a responsibility to ensure that their needs are met.

While I will be casting a yes vote for the SRRA today, I urge removal of this provision unfairly treating Puerto Rico's Federal Medicaid Funding. 4 million American Citizens in Puerto Rico deserve equal treatment as those living in the States.

PERSONAL EXPLANATION

HON. BETTY SUTTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Ms. SUTTON. Mr. Speaker, as a strong supporter of the Export-Import Bank, I regret that I was delayed in a constituent meeting and unable to reach the floor to cast my vote on rollcall No. 224, and I am glad to see it passed overwhelmingly, as I have advocated for. Had I not been delayed, I would have voted "yes," consistent with my position of working to create jobs and economic opportunities for working families.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 10, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 15

10 a.m.
Finance
To hold hearings to examine tax reform, focusing on what it could mean for tribes and territories.
SD–215

Health, Education, Labor, and Pensions
Primary Health and Aging Subcommittee
To hold hearings to examine the cost of HIV/AIDS drugs and the Prize Fund alternative.
SD–430

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

Aging
To hold hearings to examine solving the long-term unemployment crisis for older workers.
SD–562

MAY 16

10 a.m.
Environment and Public Works
Children's Health and Environmental Responsibility Subcommittee
To hold hearings to examine growing long-term value, focusing on corporate environmental responsibility and innovation.
SD–406

Health, Education, Labor, and Pensions
To hold hearings to examine identifying opportunities for health care delivery system reform, focusing on lessons from the front line.
SD–430

Homeland Security and Governmental Affairs
Business meeting to consider pending calendar business.
SD–342

Judiciary
To hold an oversight hearing to examine the Federal Bureau of Investigation.
SD–226

Veterans' Affairs
To hold hearings to examine seamless transition, focusing on a review of the Integrated Disability Evaluation System.
SH–216

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing on proposed budget estimates for fiscal year 2013 for Northern Command and Southern Command Programs.
SVC–217

2 p.m.
Joint Economic Committee
To hold hearings to examine how the taxation of labor and transfer payments affect growth and employment.
SD–G50

2:30 p.m.
Commerce, Science, and Transportation
To hold an oversight hearing to examine the Federal Communications Commission.
SR–253

Foreign Relations
To hold hearings to examine the nominations of Peter William Bodde, of Maryland, to be Ambassador to the Federal Democratic Republic of Nepal, Piper Anne Wind Campbell, of the District of Columbia, to be Ambassador to Mongolia, and Dorothea-Maria Rosen, of California, to be Ambassador to the Federated States of Micronesia, all of the Department of State.
SD–419

MAY 17

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine S. 2146, to amend the Public Utility Regulatory Policies Act of 1978 to create a market-oriented standard for clean electric energy generation.
SD–366

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine creating positive learning environments for all students.
SD–G50

2 p.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing on proposed budget estimates for fiscal year 2013 for European Command and Special Operations Command Programs.
SVC–217

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine fulfilling the Federal trust responsibility, focusing on the foundation of the government-to-government relationship.
SD–628

MAY 22

9:30 a.m.
Armed Services
SeaPower Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

11 a.m.
Armed Services
Readiness and Management Support Subcommittee
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SD–G50

2 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

3:30 p.m.
Armed Services
Airland Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

5 p.m.
Armed Services
Personnel Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

MAY 23

9:30 a.m.
Armed Services
Strategic Forces Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

2:30 p.m.
Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2013.
SR–222

MAY 24

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2013.
SR–222

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine programs and services for native veterans.
SD–628

MAY 25

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2013.
SR–222

JUNE 7

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine Universal Service Fund Reform, focusing on ensuring a sustainable and connected future for native communities.
SD–628

POSTPONEMENTS

MAY 15

10 a.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine assessing grants management practices at Federal agencies.
SD–342

SENATE—*Thursday, May 10, 2012*

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the protector of nations, hallowed be Your Name. Give this day to the Members of this legislative body such self-discipline that they will choose not what they wish, but what they ought. Give them also the strength of will so that they may accept the right, however difficult it is, and refuse the wrong, however attractive it may be. Lord, give them the wisdom to pray for each other, not only for those with whom they agree but also for those with whom they might disagree. Impart to them a unity of spirit as they deal with the diversity of ideas.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 10, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move that the Senate proceed to consideration of the motion to proceed to calendar No. 396, H.R. 2072.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

Motion to proceed to calendar No. 396, H.R. 2072, a bill to reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. REID. Mr. President, we are now on the motion to proceed to the Ex-Im bill. I hope we can pass the bill today. I haven't had an opportunity today to speak to the Republican leader, but I will do that shortly, and we will decide if there is a way forward.

I ask unanimous consent that the next hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, on a strong bipartisan vote yesterday, the House passed a piece of commonsense, job-creating legislation—the reauthorization of the Export-Import Bank. We refer to it as the Ex-Im Bank legislation.

For many years this legislation has helped American companies grow and sell their products overseas, creating tens of thousands of jobs. And for years the bank has enjoyed broad bipartisan support. It passed by unanimous consent on one occasion and by voice vote on another occasion. It is the perfect example of the kinds of smart investments Congress should be making to spur job growth.

I hope the Senate will be able to quickly approve the House-passed measure today and do it by unanimous consent. I am optimistic that the 330-to-93 vote in the House yesterday will be enough to convince Senate Republicans they shouldn't hold up this legislation any longer—330 to 93. The process of reauthorization of the Export-Import Bank has taken too long. I hope we don't have to file cloture on this matter, but I will if we must.

Let me remind my colleagues that the Senate considered reauthorizing this important legislation in March, 2 months ago. Senate Republicans had an opportunity to support the measure then. Instead, all but three opposed it and the measure failed. American exporters have already waited in limbo for 2 months to see whether Republicans will come around in backing this business-friendly, job-creating measure. Businesses shouldn't have to wait any longer. We can't afford more of the partisan obstruction we saw on this commonsense legislation last March. To get this to the President's desk this Congress—and every piece of legislation we pass must get to his desk or it doesn't become law—we need Democratic votes and Republican votes. That is just a reality. It means we absolutely must work together if we want to get anything done.

SENATOR RICHARD LUGAR

One man who has always been willing to extend a hand to colleagues across the aisle is the senior Senator from Indiana, Senator RICHARD LUGAR. His first priority has always been getting things done for the American people, whether that means keeping the world safe from nuclear war or looking out for the Hoosiers back home. One of the most historic pieces of legislation is known as Nunn-Lugar. It is an effort to reduce the number of nuclear weapons in our country and in the Soviet Union. It is a very important piece of bipartisan legislation, authored by Senators LUGAR of Indiana and Nunn of Georgia. It is important legislation.

Senator LUGAR has been a great advocate for the people of Indiana as well as a dedicated student of international affairs. I have the opportunity to call meetings with foreign dignitaries, and he is always there, seated at the table. He has always put the American people, in my estimation, first and his political party second. I was elected to the Senate to serve each and every Nevadan—not only Democrats, though I am proud to be one—and Senator LUGAR was elected to serve every Hoosier, regardless of political affiliation, and he has done that so well; it is why he has been in the Senate for more than three decades.

Throughout the history of this country, even in the most trying of times, times of great social and political unrest, our elected representatives have

worked together despite their differences to do what is right for all Americans. So I worry when I see dedicated patriots such as Senator LUGAR drummed out by tea party zealots for being too willing to cooperate. But that is what happened on Tuesday. I worry when I hear a candidate for the U.S. Senate campaigning against bipartisanship and compromise between the two parties. That is really what he said, that there is too much compromise in Congress. That is what happened on Tuesday. I worry when a candidate for the U.S. Senate says clearly that he will put political party and partisanship before country and compromise. But that is what happened on Tuesday. That is nothing to be proud of.

That kind of attitude is why longtime political observers Thomas Mann and Norman Ornstein described today's GOP as ''ideologically extreme'' and ''scornful of compromise.'' And it is why my friend Senator LUGAR said the following yesterday in his concession speech:

Bipartisanship is not the opposite of principle. One can be very conservative or very liberal and still have a bipartisan mindset. Such a mindset acknowledges that the other party is also patriotic and may have some good ideas.

I want to repeat that. This is what Senator LUGAR said in his concession speech yesterday:

Bipartisanship is not the opposite of principle. One can be very conservative or very liberal and still have a bipartisan mindset. Such a mindset acknowledges that the other party is also patriotic and may have some good ideas.

We should all remember, regardless of what our party affiliation is, that compromise has been the hallmark of this country for more than 200 years, especially in the U.S. Senate—compromise.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I certainly share my friend the majority leader's views about Senator LUGAR's record, but he has 8 more months to be among us and to serve this country. I think an appropriate time to celebrate his outstanding career would be when it comes to an end here in the Senate.

TIME FOR ACTION

With regard to what has been going on here in the Senate, the problem clearly is the majority, which seems not to be interested in accomplishing anything but, rather, turning the Senate floor into an opportunity for show votes for the President and his campaign.

Earlier this week the President repackaged a list of old ideas into a Post-it note checklist for Congress. He said he did not want to ''overload'' Congress. Unfortunately, besides the weekly political show votes to which I just referred to coincide with the President's campaign schedule, the work that needs to be done isn't—no budget, nothing to prevent the largest tax hike in history, and House-passed bills sitting in the hopper.

While the President is trying to manufacture arguments he can run on, House Republicans have spent the last year and a half voting on and passing energy and jobs bills. In fact, more than two dozen jobs proposals are currently collecting dust on the majority leader's desk. One after another, the House has passed a budget, a small business tax bill, bills to expand domestic energy production, and bills to reduce burdensome, job-killing regulations. Despite some saying nothing can get done in an election year, they are not done yet over in the House. I commend my House colleagues for their leadership, energy, and good work.

I have a suggestion. Instead of focusing on his political Post-it note checklist, the President and Senate Democrats should show some leadership and work with Republicans to move on critical progrowth bills. These proposals will help provide certainty and provide a much needed boost to our economy. They would allow businesses to plan for the future and to begin to hire again.

Common ground can be achieved on these jobs bills, and Republicans stand ready to work with Democrats to get them passed. With nearly 13 million Americans unemployed and millions more underemployed or giving up looking for work altogether, inaction and political gimmicks and games are really just not acceptable. Action is required by this President and this Congress now, not after the election or by some future Congress or administration. The country's problems are far too pressing. The American people expect us to work together for the good of our country.

This year the Senate should pass a budget. Three years without a budget is completely unacceptable. Congress should also move on comprehensive tax reform, a true all-of-the-above energy policy, and the elimination of burdensome regulations that are hurting businesses and hindering job creation. And we can't stop there. Congress must act swiftly to put forth a plan to deal with the largest tax increase in U.S. history that is only—only—8 months away.

These are issues that can't be dealt with overnight. We need to start now. And anyone who says there is no time to get these things done either hasn't been watching the Senate floor lately or does not believe this country is headed toward a fiscal cliff. Where is the Democratic-led Senate and the President? Where are they? What are they waiting for? What is the reason for the delay? The President giving another speech loaded with the same old ideas that have failed before is not going to cut it anymore. The President's Post-it note checklist is insufficient to handle the challenges we face as a nation, and, frankly, it is completely counterproductive.

Yesterday the majority leader said Democrats are willing to make the tough choices. Well, we are waiting. We are waiting. And with all due respect, we have a tough time believing our friends across the aisle when the only issues they care about these days are show votes coordinated with the White House for political gain. So today let's stop the show votes that are designed to fail. Let's stop the blame games. Let's come together and do what the American people expect us to do. As I said yesterday, our offer still stands. We are ready when you are.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

There will now be 60 minutes of debate on the motion to proceed to H.R. 2072 equally divided between the majority leader and the minority leader or their designees, with the majority controlling the first 30 minutes.

The Senator from Washington.

Ms. CANTWELL. Mr. President, I rise today to speak on the motion to proceed to the passage of the Export-Import Bank, legislation that has come over from the House and passed the House with a vote of 330 to 93, a pretty resounding vote in favor of moving forward on the Export-Import Bank, which is a major tool to financing manufacturing in the United States when they have products to be sold around the globe.

We hear the President talk all the time about the fact that we need to increase our exports. This is a very important tool that has existed for decades in helping businesses across our country produce product and get sales into overseas markets, so the fact this legislation passed the House again with an overwhelmingly positive vote—and, I should point out to my colleagues here in the Senate, without amendment. It was not amended on the floor. That is, my colleagues on the House side, both Republicans and Democrats, worked out such a positive proposal that it went to the House floor without amendment.

Now we have the chance to bring it up here and pass this legislation, and I urge my colleagues to do so very quickly because this legislation and this authorization for the Export-Import Bank is expiring at the end of this month.

So, yes, here we are again at the eleventh hour. Instead of giving predictability and certainty to a very important program, we are down to the last minutes about whether it is going to continue to operate in the normal

way that it does. I am here to ask my colleagues on the Republican side of the aisle to move forward, do as your House colleagues did, agree to the legislation, and let's get it out of here so people know in and across America that this program will continue.

I toured Washington State, which has many companies that benefit from the Export-Import Bank. One of them was a company in Spokane, WA, SCAFCO, which happens to be one of the largest makers of grain silos in the world and they export these grain silos. They are used in the United States, but they are used all over the world. I saw 200 workers there who know firsthand how important it is to get this legislation adopted and moved forward, because it means sales of those grain silos all around the world. They have used this financing mechanism to expand overseas sales to 11 new countries and to make sure they were continuing to compete on an international basis.

If you look over the last 5 years, this bank has supported over $64 billion of sales and exports in Washington State. Yes, some of those jobs are related to aviation, but 83,000 related jobs in Washington State are small businesses, companies such as Sonoco in Moses Lake which is a machine shop, and they do repair parts for aircraft for 40 different clients spread across the globe.

We were at another company in Yakima, a music company. If anybody has heard of Manhasset Music Stands, it is an unbelievable story of a success of a company that has sales of over $1 million to various countries around the globe; and people definitely like the fact that Made in America means quality and that they have been able to access all of these markets.

We saw a company in the Everett area, Esterline, which has built airplane parts and employs over 600 people, and has used this agreement. Basically, they build the overhead cockpit part of airplanes and they sell those to a variety of businesses all around the globe.

Without the financing of the Ex-Im Bank, these companies lose out on an international basis to the financing mechanisms that other countries have, whether that is Canada, Europe, or other places. This program is very successful and, I might add, adds billions of dollars back to the U.S. Government. This is not a program that costs us money. This is a program that basically generates revenue back to the Federal Government.

I want to say to my colleagues, there were several things that were added in the House bill—a GAO report on evaluating the banks and capital market conditions, making sure they do an annual report on due diligence and the purpose of the loan, additional requirements by Treasury, making sure we continue to oversee the Ex-Im Bank; so lots of language in making sure there is transparency in the Ex-Im Bank financing mechanism.

This is a good resolution. I applaud my colleagues in the House, Representatives HOYER, CANTOR, and BOEHNER, who all worked on this agreement, and I hope my colleagues move quickly on it.

There is one thing we know right now. We need to do everything we can to help our economy and to help jobs. The Ex-Im Bank has been a proven job creator in the United States, helping U.S. companies compete internationally. It has helped us pay down the deficit in the past. Now all we need to do is give it the certainty that it will continue to operate as of May 31 this year. So let's get on with this business of making sure we are focusing on the economy, and make sure, for the Ex-Im Bank, we proceed to this measure and pass it as soon as possible.

I thank the President, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, let me associate myself with the remarks of my colleague from the State of Washington, Ms. CANTWELL.

I heard the Republican leader talk about a progrowth agenda. There is nothing more progrowth than exporting American goods and services overseas to the growing markets all over the world, and the Ex-Im Bank has a long record of providing the foundation on which our businesses, small, medium, and large, can do that. So let's bring up what the House has passed and move it through this Chamber as fast as possible.

STOP THE STUDENT LOAN INTEREST RATE HIKE OF 2012

Mr. President, I mentioned I wanted to stand this morning and speak on behalf of students all across America.

In my home State of Colorado, students and recent college graduates are literally struggling with a mountain of loan debt. As a mountain climber myself, I understand that mountains can be overcome. But in an economy such as this one, where recent college graduates are struggling to find work, we need to do more. We need to do everything we possibly can to make college more affordable. And that is where we, the Congress, come in.

The interest rate, as we all know, on the federally subsidized Stafford loans is set to double on July 1, barring congressional action, so we don't have much time to play political games here before the mountain of debt facing our students begins to grow even higher.

Student loans play a crucial role in making higher education possible for millions of Americans. For many Americans, higher education is the gateway to their future careers and to better paying jobs. That is a good thing for our families and it is a good thing for our economy, again referencing the Republican leader's concerns about a progrowth agenda.

More specifically, let me talk about what the federally subsidized Stafford loans do. They are designed for American students from low- to middle-income families so that they too can afford to go to college. At a time when students are facing escalating tuition costs and an uncertain job market after graduation, it would truly be irresponsible for us not to act as soon as possible. But I have to report to you and our colleagues that we are being blocked from doing just that.

There is a commonsense proposal before us that would prevent these student loan interest rates from doubling, but it is being filibustered. All these students want—all the young people we all know want—is an opportunity to better themselves and contribute to our Nation's economic growth. We have a chance to offer them that opportunity, but we have got to end the political games here and get to work. We can't let partisanship stand in the way of a college education for young Americans. It doesn't make sense, certainly out in my State of Colorado. Coloradans understand this, and they are telling me—as I think they are in the Presiding Officer's State, and States all across the country—just get it done. There is no time left to just get it done.

I asked Colorado students through my Facebook page to contact me with their concerns so I could share them here on the Senate floor, and I wanted to bring their voices directly to the Congress so we would all understand better what is at stake in Colorado and all over our country so it might give us some additional motivation. So I wish to share a couple of stories here on the floor of the Senate.

Justyne Espinal is from Aurora. She is a single mother of two children. She is currently enrolled in nursing school after being displaced from her job in the mortgage industry. She enrolled in nursing school so she could provide for her family and contribute to the workforce. She said:

> I am just barely making ends meet and need the help of student loans. Please don't double my interest rate.

Then there is Nicholas Collins, a senior communications major at the University of Colorado. He is in the middle of preparing for final exams this week, but he took time to write to me, and he wrote:

> Senator Udall, I will be graduating two weeks from today. I could not imagine a future where students would be forced to pay up to $1,000 more per year to pay off their loans . . . I would not be in the position I am today if it wasn't for federal aid.

The concerns that are expressed by Justyne and Nicholas are just a couple of vivid examples of the concerns facing millions of American students.

As you know, and we all know, there is a broad consensus that we have to prevent these Stafford loans from doubling on July 1. However, many of our friends on the other side want to raid the Prevention and Public Health Fund to offset the cost of these student loans. This fund is aimed at preventing chronic disease and it was implemented as a part of the Affordable Care Act. The Prevention and Public Health Fund helps to reduce chronic diseases, including diabetes and heart disease, while also providing much-needed dollars toward immunization for children.

I understand that the health bill was controversial. But to continue attacking it, especially when students' futures are on the line, is puzzling, to say the least. While we could be closing unfair tax loopholes, as the underlying bill proposes, the Republicans here in the Senate are telling us we have to choose between a bright future for our students or preventing chronic disease for millions of Americans. That doesn't make sense. This is about providing opportunity. To say we can no longer care for the sick or help prevent chronic disease if we want to help students is a false and, I might say, political choice.

There are plenty of tax loopholes, big oil subsidies and other savings, that don't leave students, the sick, or hard-working Americans out in the cold. We owe it to people such as Justyne and Nicholas to come together to find a way to ensure that American students continue to have access to affordable loans. I look forward to working with you and our colleagues here in the Senate to make sure we do right by our Nation's students on this. I would urge all of us to end this impasse and, instead, work together. Let's roll up our sleeves, literally and figuratively, and find the right solution. Let's prove to Coloradans, to the students in Colorado and to all the students across our country, that the Senate can accomplish something important for our Nation's education system, our country, and our way of life.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

SENATOR RICHARD LUGAR

Mr. UDALL of New Mexico. Mr. President, I rise to just say a few words about my good friend and my mentor in the Senate, Senator RICHARD LUGAR. I heard both leaders this morning mention Senator LUGAR, and I thought I would rise for a minute to talk about him because I have been lucky to have him as a mentor since I arrived in the Senate. Senator MARK PRYOR organized for our class, when we came in, mentors, usually a senior Democrat, senior Republican, and Senator LUGAR was that mentor for me. As a result of that, I have spent a great deal of time with him, both in the Foreign Relations Committee and in a variety of meetings and he has always given me very valuable advice. Above all, his advice was to urge bipartisanship, not for its own sake but because it is what makes the Senate work and what allows us to move forward.

As one of the leaders pointed out, he is going to be with us for 8 more months, but I think there was something very important in the statement he made and I will read a few words and ask unanimous consent the full statement be printed in the RECORD thereafter.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1)

Mr. UDALL of New Mexico. I want to read a few words from what he said after he suffered this electoral loss. These are words we should all listen to in the Senate because they are so wise. They give us advice and put us on a path we should be on. These are Senator LUGAR's words.

Legislators should have an ideological grounding and strong beliefs identifiable to their constituents. I believe I have offered that throughout my career. But ideology cannot be a substitute for a determination to think for yourself, for a willingness to study an issue objectively, and for the fortitude to sometimes disagree with your party or even your constituents. Like Edmund Burke, I believe leaders owe the people they represent their best judgment.

Too often bipartisanship is equated with centrism or deal cutting. Bipartisanship is not the opposite of principle. One can be very conservative or very liberal and still have a bipartisan mindset. Such a mindset acknowledges that the other party is also patriotic and may have some good ideas. It acknowledges that national unity is important, and that aggressive partisanship deepens cynicism, sharpens political vendettas, and depletes the national reserve of good will that is critical to our survival in hard times. Certainly this was understood by President Reagan, who worked with Democrats frequently and showed flexibility that would be ridiculed today—from assenting to tax increases in the 1983 Social Security fix, to compromising on landmark tax reform legislation in 1986, to advancing arms control agreements in his second term.

I don't remember a time when so many topics have become politically unmentionable in one party or the other. Republicans cannot admit to any nuance in policy on climate change. Republican members are now expected to take pledges against any tax increases. For two consecutive Presidential nomination cycles, GOP candidates competed with one another to express the most strident anti-immigration view, even at the risk of alienating a huge voting bloc. Similarly, most Democrats are constrained when talking about such issues as entitlement cuts, tort reform, and trade agreements. Our political system is losing its ability to even explore alternatives. If fealty to these pledges continues to expand, legislators may pledge their way into irrelevance. Voters will be electing a slate of inflexible positions rather than a leader.

I hope that as a nation we aspire to more than that. I hope we will demand judgment from our leaders.

Those are the words of Senator LUGAR. I think they are very wise words. I think we should all read his whole speech and try to put the Senate on a better path.

EXHIBIT 1

Sen. Richard Lugar:

I would like to comment on the Senate race just concluded and the direction of American politics and the Republican Party. I would reiterate from my earlier statement that I have no regrets about choosing to run for office. My health is excellent, I believe that I have been a very effective Senator for Hoosiers and for the country, and I know that the next six years would have been a time of great achievement. Further, I believed that vital national priorities, including job creation, deficit reduction, energy security, agriculture reform, and the Nunn-Lugar program, would benefit from my continued service as a Senator. These goals were worth the risk of an electoral defeat and the costs of a hard campaign.

Analysts will speculate about whether our campaign strategies were wise. Much of this will be based on conjecture by pundits who don't fully appreciate the choices we had to make based on resource limits, polling data, and other factors. They also will speculate whether we were guilty of overconfidence.

The truth is that the headwinds in this race were abundantly apparent long before Richard Mourdock announced his candidacy. One does not highlight such headwinds publically when one is waging a campaign. But I knew that I would face an extremely strong anti-incumbent mood following a recession. I knew that my work with then-Senator Barack Obama would be used against me, even if our relationship were overhyped. I also knew from the races in 2010 that I was a likely target of Club for Growth, FreedomWorks and other Super Pacs dedicated to defeating at least one Republican as a purification exercise to enhance their influence over other Republican legislators.

We undertook this campaign soberly and we worked very hard in 2010, 2011, and 2012 to overcome these challenges. There never was a moment when my campaign took anything for granted. This is why we put so much effort into our get out the vote operations.

Ultimately, the re-election of an incumbent to Congress usually comes down to whether voters agree with the positions the incumbent has taken. I knew that I had cast recent votes that would be unpopular with some Republicans and that would be targeted by outside groups.

These included my votes for the TARP program, for government support of the auto industry, for the START Treaty, and for the confirmations of Justices Sotomayor and Kagan. I also advanced several propositions that were considered heretical by some, including the thought that Congressional earmarks saved no money and turned spending power over to unelected bureaucrats and that the country should explore options for immigration reform.

It was apparent that these positions would be attacked in a Republican primary. But I believe that they were the right votes for the country, and I stand by them without regrets, as I have throughout the campaign.

From time to time during the last two years I heard from well-meaning individuals who suggested that I ought to consider running as an independent. My response was always the same: I am a Republican now and always have been. I have no desire to run as anything else. All my life, I have believed in the Republican principles of small government, low taxes, a strong national defense, free enterprise, and trade expansion. According to Congressional Quarterly vote studies, I supported President Reagan more often than any other Senator. I want to see a Republican elected President, and I want to see a Republican majority in the Congress. I hope my opponent wins in November to help give my friend Mitch McConnell a majority.

If Mr. Mourdock is elected, I want him to be a good Senator. But that will require him to revise his stated goal of bringing more partisanship to Washington. He and I share many positions, but his embrace of an unrelenting partisan mindset is irreconcilable with my philosophy of governance and my experience of what brings results for Hoosiers in the Senate. In effect, what he has promised in this campaign is reflexive votes for a rejectionist orthodoxy and rigid opposition to the actions and proposals of the other party. His answer to the inevitable roadblocks he will encounter in Congress is merely to campaign for more Republicans who embrace the same partisan outlook. He has pledged his support to groups whose prime mission is to cleanse the Republican Party of those who stray from orthodoxy as they see it.

This is not conducive to problem solving and governance. And he will find that unless he modifies his approach, he will achieve little as a legislator. Worse, he will help delay solutions that are totally beyond the capacity of partisan majorities to achieve. The most consequential of these is stabilizing and reversing the Federal debt in an era when millions of baby boomers are retiring. There is little likelihood that either party will be able to impose their favored budget solutions on the other without some degree of compromise.

Unfortunately, we have an increasing number of legislators in both parties who have adopted an unrelenting partisan viewpoint. This shows up in countless vote studies that find diminishing intersections between Democrat and Republican positions. Partisans at both ends of the political spectrum are dominating the political debate in our country. And partisan groups, including outside groups that spent millions against me in this race, are determined to see that this continues. They have worked to make it as difficult as possible for a legislator of either party to hold independent views or engage in constructive compromise. If that attitude prevails in American politics, our government will remain mired in the dysfunction we have witnessed during the last several years. And I believe that if this attitude expands in the Republican Party, we will be relegated to minority status. Parties don't succeed for long if they stop appealing to voters who may disagree with them on some issues.

Legislators should have an ideological grounding and strong beliefs identifiable to their constituents. I believe I have offered that throughout my career. But ideology cannot be a substitute for a determination to think for yourself, for a willingness to study an issue objectively, and for the fortitude to sometimes disagree with your party or even your constituents. Like Edmund Burke, I believe leaders owe the people they represent their best judgment.

Too often bipartisanship is equated with centrism or deal cutting. Bipartisanship is not the opposite of principle. One can be very conservative or very liberal and still have a bipartisan mindset. Such a mindset acknowledges that the other party is also patriotic and may have some good ideas. It acknowledges that national unity is important, and that aggressive partisanship deepens cynicism, sharpens political vendettas, and depletes the national reserve of good will that is critical to our survival in hard times. Certainly this was understood by President Reagan, who worked with Democrats frequently and showed flexibility that would be ridiculed today—from assenting to tax increases in the 1983 Social Security fix, to compromising on landmark tax reform legislation in 1986, to advancing arms control agreements in his second term.

I don't remember a time when so many topics have become politically unmentionable in one party or the other. Republicans cannot admit to any nuance in policy on climate change. Republican members are now expected to take pledges against any tax increases. For two consecutive Presidential nomination cycles, GOP candidates competed with one another to express the most strident anti-immigration view, even at the risk of alienating a huge voting bloc. Similarly, most Democrats are constrained when talking about such issues as entitlement cuts, tort reform, and trade agreements. Our political system is losing its ability to even explore alternatives. If fealty to these pledges continues to expand, legislators may pledge their way into irrelevance. Voters will be electing a slate of inflexible positions rather than a leader.

I hope that as a nation we aspire to more than that. I hope we will demand judgment from our leaders. I continue to believe that Hoosiers value constructive leadership. I would not have run for office if I did not believe that.

As someone who has seen much in the politics of our country and our state, I am able to take the long view. I have not lost my enthusiasm for the role played by the United States Senate. Nor has my belief in conservative principles been diminished. I expect great things from my party and my country. I hope all who participated in this election share in this optimism.

Mr. UDALL of New Mexico. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT LOANS

Mr. THUNE. Mr. President, in just 2 weeks, similar to many proud parents, I will be watching as my youngest daughter walks across the graduation stage. For some students, this important milestone marks the end of their college days and the beginning of a professional career. This achievement should be filled with hope for a great future, but for many it will be a story saddled with student loan debt and uncertainty about the economy, their job prospects, and their future.

As I have listened to many of my Democratic colleagues discussing the extension of a special interest rate for the subsidized Stafford loans, I continue to hear false statements that would lead one to believe Republicans don't support extending this interest rate for students. This is simply not true.

In my State of South Dakota, nearly 30,000 students received subsidized Stafford loans during the 2010–2011 school year. While I support alleviating financial pressure on students, I did not support the partisan legislation brought forward by Majority Leader REID that would extend subsidized Stafford loans while raising taxes on some employers, not because the goal of the legislation is misguided but because the way the majority leader proposed to pay for the legislation is misguided.

Majority Leader REID's legislation, similar to its Republican counterpart, would extend the special rate of 3.4 percent for subsidized Stafford loans that existed for the 2011–2012 school year to the 2012 and 2013 school year. I agree with the extension of this special rate and would simply ask the majority leader to allow a vote on the Republican alternative, which I might add, passed the House of Representatives by a bipartisan vote on April 27. I voted against moving to the majority leader's bill because I disagree on two grounds with the way my Democratic colleagues proposed to pay for the temporary 1-year extension.

First, I fundamentally disagree with the idea of a permanent tax increase on certain job creators to pay for a temporary 1-year extension. We are talking about permanent tax changes to pay for temporary spending. That is bad policy. I furthermore believe any discussion about raising taxes should be addressed in a comprehensive tax reform discussion, not in a student loan bill.

Second, I disagree with diverting the payroll tax revenue away from the Medicare and Social Security trust funds, where it would ordinarily be directed. We saw this done during the health care bill a couple years ago, where Medicare reductions and revenue increases that were supposed to go to extend the lifespan of Medicare were, in fact, used to pay for new spending. We cannot continue to try to fool the American people that we are somehow extending the lifespan of Medicare when we are spending that money on new programs.

We are essentially double counting revenue and spending the same money twice. We cannot do that. We cannot do that anywhere else in the country, in this economy. Yet in Washington, DC, that has become the practice. What this would do is take changes in the Tax Code that would ordinarily go into the payroll tax fund or Medicare trust fund and now that is going to be used to pay for something else. This is a

practice we cannot continue; we cannot sustain. We all know our trust funds are headed toward bankruptcy and continuing to raid them and use them for other purposes is simply a recipe for disaster.

I agree with the 37 business groups that wrote a letter to Leaders REID and MCCONNELL strongly opposing the $9 billion tax increase on small businesses proposed in the majority leader's legislation. These groups represent millions of employers, and they range from the National Federation of Independent Business to the Independent Community Bankers, to the National Restaurant Association. These 37 business groups all oppose the tax increases that would be included to pay to keep the interest rate at 3.4 percent.

I believe there could be bipartisan support for a proposal that has been put forward by Senators ENZI and ALEXANDER, who are both leaders on education policy in the Senate. They proposed an alternative that pays for a temporary 1-year extension of a 3.4-percent interest rate by taking money from a slush fund created by ObamaCare in 2010. The President and Democrats have supported taking money from the slush fund in the past, so it seems odd that now they are suddenly up in arms in support of a slush fund that is supposedly aimed at prevention.

The President's own fiscal year 2013 budget proposal recommends using the prevention slush fund for other Federal priorities. My Democratic colleagues in the Senate supported taking $5 billion from the fund merely 11 weeks ago. So there is broad support for the idea of prevention, but the recent record of the use of prevention dollars shows these dollars are not being spent wisely. Funds in the prevention slush fund can be used on almost anything in the name of prevention and wellness. For example, jungle gyms, bike paths, farmers' markets, those are the types of things this so-called prevention slush fund is being used for. Keep in mind that in 2010, my Democratic colleagues used the $9 billion in savings in Federal student program aid to pay for part of ObamaCare instead of using that money to address the looming issue of the scheduled return to these higher interest rates on student loans.

It only seems rational and fitting to use the money that came from the student loan industry to address the interest rates for subsidized Stafford loans. At least it strikes me as very logical that since these funds were diverted from the student aid fund in the first place to pay for ObamaCare, we ought to recapture some of those funds to help keep student loan interest rates at the lower 3.4 percent level.

It is particularly interesting that the President suddenly has taken such a deep interest in this issue, when in 2007 he didn't even show up in the Senate to vote for the original legislation that created the temporary phased-down interest rate for subsidized Stafford loans. So despite the President's rhetoric, the greatest threat to young people looking for a job isn't the loan rates but the Obama economy.

This year's crop of college students looking for jobs is confronting an economy in which unemployment has remained above 8 percent for 39 straight months. A recent Associated Press report found that one out of every two recent graduates is jobless or underemployed within 1 year of finishing school. Graduates who are lucky enough to find a job will earn 9 percent less than if they had graduated just a few years ago.

A Gallup poll released this week gives even more bad news for young adults. According to Gallup, underemployment for 18- to 29-year-olds has hovered around 30 percent for most of the past year. Those graduates lucky enough to find employment are more likely to find jobs as waitresses and bartenders than as engineers, physicists, chemists, and mathematicians.

On Tuesday, the President was out touting his to-do list for Congress. That is particularly interesting since the President had 3½ years to put policies in place that would strengthen the economy. Here is what our graduates are getting. Here is what that Obama economy has brought about: Long-term unemployment is up 89 percent; the number of Americans who are on food stamps is up 45 percent; gas prices have doubled; college tuition is up 25 percent; worker health insurance costs are up 23 percent; and the Federal debt we are passing on to future generations is up 47 percent. The only thing that has gone down on his watch is home values, which is down 14 percent.

Our country and our college graduates have had enough of the Obama economy. Instead of the to-do list the President has put forward, we have a to-stop list for you. Stop job-killing regulations that are hurting our small businesses' ability to create jobs, stop trying to raise taxes on small businesses and job creators who are the people who are going to hire our college graduates, stop blocking the Keystone XL Pipeline which would help wean our country from the dependence we have on foreign sources of energy, and stop the divisive use of class warfare that does nothing but divide Americans.

It is time for the President and Congress to come to the realization that we have to shift our focus away from election-year standoffs and come together to focus on changing the course of our lagging economy so we can once again put our young people back to work, which is the real objective that should be our focus. These other issues, which are a lot of campaign gimmicks, a lot of opportunities to politicize this issue or that issue, are counterproductive in the long run. The floor of the Senate is being used, it seems more and more these days, to make campaign points, political points, rather than to address the fundamental issues that are affecting Americans and our economy.

I would hope we can come together to work in a constructive way on policies that will get Americans back to work, and that means doing something about these regulations which are crushing the ability of our small businesses to create jobs. We hear about it every single day.

When I travel my State of South Dakota or elsewhere around the country, I hear from businesses, the people out there trying to create jobs, about regulations, about taxes, about the cost of things, their inputs going up. Those are the issues we ought to be addressing. We ought to figure out how to reform the Tax Code, how to reduce Federal spending and reform the entitlement programs so we can save Social Security and Medicare.

We ought to look at what we can do to put in place a real all-the-above energy strategy that would help keep energy costs affordable for people out there creating jobs. In my view, those are the types of things on which we ought to be focusing.

Frankly, we have seen a lot of action and activity in the other body, in the House of Representatives, many bills they have sent to the Senate that are small business bills that would address these very issues, such as the high cost of regulations, the issue of taxation, the issue of energy independence—all these things that we believe would lead us toward a stronger economy that would get Americans back to work and offer more opportunity to young people, to our college graduates as they emerge from their programs of study this year and in years to come.

Yet we continue to have the rhetoric on the floor of the Senate suggesting that somehow Republicans are not in favor of keeping interest rates low for student loans. Think about that. It is illogical to even suggest that. However, we do have a fundamental difference of finance as to how we ought to pay for that. The other side suggests we could pay for that by raising taxes on people who create jobs.

We believe we ought to go back and take the funds out of the prevention slush fund, which in the first place was created out of dollars that were allegedly saved when the Federal Government took over the student loan program, which happened as a part of ObamaCare. Not a lot of people realize that because it got buried in the whole debate over health care.

The student loan program, which used to be administered out of private lenders where they originated and serviced the loans, has now been taken over

by the government. In doing so, savings were counted that were then used to pay for the cost of the health care bill. So all we are simply doing is saying the slush fund that was created by the funds that supposedly were saved by moving the student loan program into the government ought to be used for student loan fund programs to actually keep the funds that ought to be used to fund keeping the interest rate low, down at 3.4 percent for college students today. As I said, it seems very fitting to me, very logical, and very intuitive that would be the way we would fund this.

But to suggest for a minute that somehow Republicans in the Senate are not in favor of keeping interest rates at as low a rate as possible for our college students is completely missing the point. It is massive election-year politics, and I hope we can get away from that and focus on not only a solution in the near term with this issue but also the bigger issue.

The bigger issue is the fact that I just mentioned, that literally one-half of all college students who are coming out are either not finding jobs or are underemployed. Those who are finding jobs are making significantly less than those who graduated just a few years ago. That is an economic problem. That is a problem that needs to be addressed not by simply having a debate about student loans but what we are going to do to get this economy growing again and get American businesses creating jobs.

We need to make it less expensive and less difficult for American businesses to create jobs, not more expensive and more difficult, which is precisely what is happening as a result of the policies coming out of this administration in the form of regulations and many of the legislative initiatives that are coming out of the Congress or at least proposed to come out of the Senate.

I wish to work with my colleagues on solutions that will put Americans back to work and give our college graduates greater opportunity, greater hopes for a higher standard of living and higher quality of life, something many of us have inherited from those who came before us. These opportunities are increasingly at risk and in jeopardy because of the amount of spending and the amount of debt and the policies coming out of Washington that are making it increasingly difficult for us to come out from underneath an economy that has anemic growth and chronic high unemployment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. First, I wish to thank the Senator from South Dakota for his leadership in this area and very much agree with the comments he just made. Last week, while home in Arkansas, I had the opportunity to visit some of our State's excellent universities. While spending an afternoon at the University of Central Arkansas, I saw firsthand the innovative ways that UCA promotes undergraduate education in all areas, including science, arts, nursing, and business. For instance, the university's nursing program has entered into a partnership with a local hospital that will dramatically help address our State's growing nursing shortage.

One day later I was at the University of Arkansas-Little Rock to see its brandnew nanotechnology center. It is quite amazing. It is a state-of-the-art center that prepares students for a future in the exciting new world of nanotechnology, which in layman's terms is working with matter on an atomic and molecular scale.

Arkansas is well poised to take advantage of this exciting new world of economic opportunities and capitalize on nanotechnology breakthroughs discovered in UALR and other universities throughout the State. By pooling the brain power of academic and corporate partners throughout the State, the center's research is sure to lead to advances in the field of nanotechnology.

These innovative programs at UCA and UALR are perfect examples of how Arkansas' universities are moving forward with the future in mind. Our higher education institutions are in an elite class. We are blessed with top-notch facilities and premier educators. But that comes at a price.

The increasing mandates that Arkansas—and every State for that matter—are facing as a result of ObamaCare hurts our ability to fund our State schools. The extra burden placed on the State's Medicaid Program means much less money to spend for education. Our universities are forced to raise their tuition to cover the shortfall. Higher tuition puts the dream of college out of reach for many young Americans. This is why the Stafford student loan program is so important. Loans help students overcome obstacles they face when it comes to accessing a quality, affordable education. My three daughters attended college, so I am well aware of the financial toll tuition takes on a family's finances.

So we have to fix this issue concerning the interest rate increases before July 1. These interest rates should not be allowed to double. But the troubles facing young Americans are greater than rising interest rates for student loans.

For our graduates, it doesn't matter from where one gets one's degree if there are no jobs to be had once a person has a diploma in hand, and that is the problem with the job market our young people are graduating into today.

The reality is it is a tough time to be young. We have the lowest employment-to-population ratio for young adults since 1948. Over half of Americans under 25 who hold a bachelor's degree are unemployed or underemployed. Nearly 25 million adults live at home with their parents not out of choice but because they can't find work or earn enough to survive on their own. Any way we cut it, college graduates ready to chase the American dream have a huge roadblock awaiting them in this economy. We have to stop this trend. We have to work together.

While giving Arkansas students access to the very best education possible at an affordable rate, we must also work to ensure there is a healthy job market awaiting them upon graduation.

Earlier this week, the Senate majority brought forth its bill to extend the lower interest rate on federally subsidized Stafford college loans. I think everyone in this body agrees this needs to be done, and I am confident we will find a way to accomplish it before the deadline. But the reason the Senate majority's proposal failed is that it is the wrong approach.

Their proposal funded the extension by raising taxes on our small businesses. This idea of taxing and spending our way out of our fiscal mess is why the economy has not rebounded. Continuing down this path will only make it harder for graduates to enter the workforce.

Let's do what we all agree needs to be done and extend the low-rate loans, but let's be smart about how it is paid for. The proposal supported on this side of the aisle is identical to the version that passed the House in a bipartisan manner. It freezes the rate for 1 year by using money from an unused ObamaCare account to pay for it. This money is just sitting there, obligated for a program that is not operating, and the President already proposed cutting it in his own budget. It is likely this money will never be spent. So let's use it for a reason we all support: protecting student loans.

Student loans are supposed to increase access to college by helping millions of Americans earn a college degree. The student loan program should be a gateway to the workforce, not a barrier. Any extension of the low-rate loans paid for by tax increases is simply that—a barrier—because tax increases stifle job creation. Let's fix the problem without making our economic situation worse and get America working again.

With that, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent

that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Mr. President, I rise in support of H.R. 2072, the Export-Import Bank Reauthorization Act of 2012. I believe this jobs legislation will help provide U.S. exporters and workers with an important tool to compete in the global marketplace.

The Export-Import Bank is the official export credit agency of the United States, and it assists in financing the export of U.S. goods and services to international markets. Following the financial crisis, the bank experienced a dramatic increase in its activities as many companies struggled to find financing in the private market. Last year, the bank committed almost $33 billion in support of U.S. exports, a new record.

The bank has been self-funding since 2008, returning nearly $2 billion to the Treasury. In fiscal year 2011 alone, the bank generated $400 million to offset Federal spending and bring down the budget deficit. When other countries are helping their own companies with export financing, we cannot afford to unilaterally disarm in the face of this global competition.

The Export-Import Bank's charter directs it to use exports to support American jobs, and last year the Export-Import Bank supported almost 290,000 Americans jobs. These are jobs in cities and towns across the Nation, at large companies as well as small businesses. In fact, last year the Export-Import Bank financed more than $6 billion in exports by small businesses. In my home State of South Dakota, Ex-Im has worked with large and small businesses to help export goods all over the world.

Last September, there was unanimous bipartisan support when we passed a 4-year reauthorization bill out of the Banking Committee. Unfortunately, that measure was blocked on the Senate floor in March.

The legislation before us today reflects a bipartisan compromise developed in the House. While this bill is not perfect, I believe it is important to pass this legislation and ensure that the Export-Import Bank is able to continue providing financing assistance to American exporters and workers.

This is a jobs bill. Earlier this week, the House passed this bill by an overwhelming majority, 330 to 93. This bill extends the authorization of the bank until 2014. Like the Senate bill, this legislation will increase the bank's lending authority to $140 billion. This is a significant improvement over earlier drafts in the House to only increase the cap to $113 billion. Adopting the Senate's proposed lending authority limit helped to improve this bill. There are also additional provisions in the House bill similar to provisions in the Senate bill that will add transparency and accountability requirements for the bank, improve the bank's information technology infrastructure, extend the bank's Sub-Saharan African Advisory Panel, and provide for greater oversight of the bank's financing and any risks it might have to taxpayers.

I am also pleased the House included language that strengthens restrictions against companies doing business with Iran. These provisions, which reflect an earlier agreement by the House and Senate committees of jurisdiction, are vital to our efforts to increase the pressure on Iran's illicit nuclear program. I believe they are important provisions that strengthen the bill, and I am glad the House included them.

Lastly, the legislation includes the Senate's language on domestic content. This language, which is supported by labor groups, has important protections in it to ensure that goods exported by the bank continue to be made in America. Although there were efforts in the House to weaken this provision, I am pleased to see the House accepted the Senate's position on this important issue.

After multiple short-term extensions, I am relieved to see that this Congress will finally reauthorize the Export-Import Bank. I believe by reauthorizing the Export-Import Bank, we are taking an important step in supporting American businesses and workers. I commend Minority Whip HOYER and Majority Leader CANTOR in the House for coming to an agreement. I also thank Majority Leader REID for his tireless efforts in working to reauthorize the Ex-Im Bank.

As chairman of the Banking Committee over the next few years, I will continue to closely monitor the efforts of the Ex-Im Bank to ensure that it is effectively and efficiently supporting American exporters and workers. Today I urge all my colleagues to support this legislation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LEAHY are printed in today's RECORD under ''Morning Business.'')

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

PASSWORD PROTECTION ACT

Mr. BLUMENTHAL. Mr. President, privacy is a fundamentally and almost uniquely American value. It is the reason the Colonies rebelled—one of the major reasons they rebelled—against the British. The invasion of our homes by British soldiers without court approval, the lodging of those soldiers in our homes without permission—the invasion of the fundamental rights of privacy was one of the basic reasons this Nation sought independence from the British. So throughout our history, privacy has been a value, a fundamental right affirmed again and again in our courts, enshrined in our Constitution and ingrained in our way of life.

That is the reason so many of us were offended and regarded as reprehensible and repugnant a practice that was revealed recently—a practice involving employers coercing and compelling the disclosure of log-in information, user names, and passwords to private accounts and private systems by job applicants. And the same kind of coercion and compulsion applied to current or existing employees as a condition of their continuing in their jobs. That kind of practice is abhorrent, and it is the reason that yesterday I, along with a number of my colleagues from both this body and others from the House of Representatives, introduced the Password Protection Act of 2012.

These practices are unacceptable for a number of reasons. An employer has plenty of ways other than accessing private accounts—Gmail, storage data, and accounts on Facebook or other social networking sites—to obtain information that is relevant to employer needs and interests in offering a position to someone. There are other means that are adequate and acceptable. What is not acceptable is coercing and compelling access to an applicant's e-mail account, which could contain all kinds of personal information that is inappropriate and unnecessary for an employer to know, information that is irrelevant, in fact, to the terms and duties of a person's employment.

Second, the disclosure itself endangers the security of that applicant's personal data as well as the Web sites themselves. Too many careless companies too often have lost customer data or employee information, allowing it to be breached through poor security practices. That is the reason I have proposed a measure that would require safeguards of that data—a separate measure that is before this Chamber now—to ensure adequate remedies when there are breaches and to require systems in place by employers to guard that information. An applicant who takes care to use encrypted networks or other personal safeguards may find his or her personal information—financial data, medical information—breached through no fault of his or her own simply because the company fails to take adequate steps to safeguard it.

There is another reason these practices are abhorrent; that is, identity theft by the employer itself—a continuing danger. That kind of potential danger is a real one that certainly raises this interest very squarely.

But maybe as important as any of these other interests is the danger of compromising the security of third parties—loved ones, family, friends—who have entrusted the person who is applying for a job or who is employed by a company that breaches its responsibility by demanding this information. When an employer logs in to an employee's personal account, he sees that employee's e-mails with his or her spouse or Facebook pictures of siblings and children. Those parties are completely unaware that one of their friends' or family members' employers may be reading their correspondence or looking at their pictures. Imagine a daughter who tells her mother of a pregnancy, a son who acknowledges an addiction to a parent, a father who speaks of his wife's illness in confidence to his children. Each has an expectation of privacy that is betrayed and violated when an employer demands log-in information, user names, or passwords from a job applicant or a current employee. The impact is not only on that employee or job applicant but on innocent loved ones—friends, family—whose confidential information, e-mails, and other data may be exposed.

Of course, when information is exposed in this way, there is the danger of discrimination based on marital status, sex, gender, and other kinds of prohibited categories. So barring the compelled disclosure of this information actually is an aid to the employer because it ensures that none of these hiring or firing decisions is based on a prohibited category or discrimination.

The Password Protection Act addresses all these concerns and prohibits employers from forcing prospective or current employees to hand over personal, private financial information that has no place in the hiring process. The bill prohibits an employer from compelling or coercing an employee or prospective employee to provide access to a private system as a condition of employment. This means an employer cannot compel a prospective or current employee to provide his Gmail password, and an employer cannot force an employee or prospective employee to log on to a password-protected account so the employer may browse the account's content.

The Password Protection Act also very importantly prohibits retaliation, which is a danger with current employees. That retaliation could take all kinds of forms, but the demand for log-in information, user names, or passwords certainly creates a kind of presumption that the refusal to do so prompts action that can be regarded as retaliation. An employer who violates these legally required duties is subject to a penalty of $10,000 per violation.

This act will protect employees from unreasonable invasions of their privacy—unreasonable invasions that have no commonsense basis—and it prevents unintended consequences. It doesn't prohibit social networking within the office on a voluntary basis, it does not bar employers from conducting valid investigations of misconduct, it does not prevent an employer from controlling the company's own system—its own Facebook account, for example—and it provides that States may exempt certain categories of employees, such as individuals who deal with children who are under 13 years of age or Federal employees who may have access to classified or secure national security information. The bill also provides for reasonable exemptions that State law may make for State employees who are involved, for example, in law enforcement or corrections.

Like so many in this body, I have heard from countless Connecticut citizens who are not only offended but outraged by these practices reported in the press. Fortunately, many employers have shown they get it, they understand this deeply held value, and they have rejected these possible practices. Many who might have been contemplating engaging in them have likewise retreated and reversed their decisions. So merely shining a light, pointing the spotlight, and raising the issue has brought many employers to understand the commonsense force of objections to these practices.

I wish to thank grassroots groups, such as the 57,000 citizens at Bold Progressives, who signed a petition at ProtectOurPasswords.org to let Washington know—57,000 of them strong—they reject the idea that their employers will force them to hand over this personal, private information. I thank the activists at Access Now, who are similarly generating a groundswell of support for this initiative and working to protect employees' rights on the job. I also wish to thank companies such as Facebook, Twitter, Microsoft, and Google, which have cooperated and support this effort because they have an interest in preventing invasions of privacy, demands for information that are unnecessary, repugnant, reprehensible, and unacceptable. I thank all of them for working with us on this legislation.

Finally, I thank Senators SCHUMER, KLOBUCHAR, SHAHEEN, WYDEN, SANDERS, and AKAKA, as well as Representatives HEINRICH and PERLMUTTER on the other side of this body, for working with me in introducing this bill. I am hopeful the Congress will consider it promptly and successfully because I think it sets a marker and provides a milestone in protecting individual privacy against abhorrent invasions in the workplace and elsewhere that have no place in American life.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Rhode Island.

STUDENT LOAN INTEREST RATES

Mr. REED. Mr. President, unless we act quickly, students across the country will face the largest increase of subsidized student loan interest rates in more than 40 years. In the last 40 years, the interest rates on subsidized student loans have never doubled from one year to the next. Yet that is what is happening unless we act before July 1—just 52 days from now.

Unless my colleagues on the other side of the aisle relent and allow legislation to fix this problem to come to a vote, we will see a doubling of the student loan interest rate from 3.4 percent to 6.8 percent for all borrowing going forward for education in the United States related to the subsidized Stafford loan program. I know the Presiding Officer of the Senate, Senator BROWN of Ohio, has been taking an active leadership role on this front, along with Senator HARKIN, to ensure we can move effectively to prevent this doubling of the interest rate.

We are now in a time where, if you look across the financial industry, borrowing rates are at historical lows. We are essentially providing banks, through the Federal Reserve, with near zero percent interest loans. So it is incomprehensible that at this time, we would actually double the loan rates we would charge students who are going to college. Students and families cannot absorb these increases. It is a tough economy, and they are facing rising tuition and dwindling State support for higher education, making it more difficult and more complicated. To add to their burden by doubling this loan rate is bad public policy.

This will not only directly affect middle-income Americans, but in the longer run, it will affect the competitiveness, the productivity, and the success of our economy in a very competitive global economy.

We have to ensure also that we are not piling more and more debt on students. We have reached a point where student debt is becoming so extraordinarily difficult to bear that it inhibits people from going to school and it inhibits them from pursuing various professions after they graduate from college. If we add to this mountain of debt, we will create a huge financial problem going forward not just for the individual borrowers, the student borrowers, but for our economy.

According to Georgetown University's Center on Education and the Workforce, over 60 percent of jobs going forward will require some postsecondary education by 2018.

That underscores the essential need to go to college. In 2010, only 38.3 percent of working-age adults had a 2-year

or 4-year degree. So we are looking at a gap of the prepared individuals with a college education versus those jobs in the not-too-distant future that will require a college education. In order to fill that gap, we have to get more and more young people into school, into higher education and beyond, and by doubling the rate we will not be achieving that goal and that objective.

That is why I introduced the Student Loan Affordability Act in January to permanently keep the interest rate low, and that is why I was joined by Senator BROWN of Ohio and Senator HARKIN and many others, to step up and to make it quite clear that we cannot afford—for our country's sake and for the sake of many working-class families across the country—to double this rate.

We should be debating today the Stop the Student Loan Interest Rate Hike Act. This is a fully paid-for 1-year extension of the current rate, to extend it for a year so we can look for a more permanent fix. My colleagues on the other side of the aisle insist they agree that we have to do this, yet they continue to filibuster this legislation. They continue to prevent us from bringing it to a vote. It is clear they have an alternative view in terms of how we pay for it. Well, let's put that to a vote, but let's not stop dead in its tracks a policy that both sides claim has to be fixed and that we have to avoid the doubling of this interest rate.

What we have done is propose to fix this problem and pay for it in a fiscally responsible manner by closing a glaring, egregious loophole in the Tax Code that enables certain wealthy individuals to shirk their responsibility to pay payroll taxes. This loophole predominantly benefits professional service providers such as accountants, lobbyists, and lawyers who derive all of their income from their professional labor. But because they choose to mischaracterize their income as a distribution from a subchapter S corporation instead of wages, they avoid paying payroll taxes.

In 2005, the Treasury Inspector General for Tax Administration issued an audit report calling for action on this loophole which was described as a ''multibillion dollar tax shelter.''

The report also described a disturbing trend of businesses changing their status to the subchapter S corporation for the purpose of avoiding payroll taxes—not for the purposes of expanding employment, not for the purposes of a new or more efficient way to use capital, but essentially a tax dodge to avoid payroll taxes.

The inspector general reported:

> In fact, advising small businesses to shelter earnings from self-employment taxes through the formation of S corporations has become a cottage industry. A search of the Internet yields multiple sites that offer advice, assistance, and encouragement to sole proprietors to convince them to become S corporations. The sole proprietors are advised that they can save thousands of dollars a year in employment taxes simply by incorporating. It is also possible on the Internet to gauge the size of the savings using computer-generated savings amounts based on the user's entries for anticipated profits and chosen salary levels. Not surprisingly, the lower the salary chosen, the higher the savings become, reaching maximum savings at a salary level of $0.

Essentially what is being done in these professional corporations—or at least professional partnerships, these professional associations—is that they have glommed onto a very clever tax shelter. You incorporate as a subchapter S; you have your employer pay the subchapter S corporation; that subchapter S corporation pays you a modest minimal salary, and the rest is dividends taxed at a different rate and not subject to the payroll tax. We are trying to close the tax loophole. Following the indications of the inspector general, a simple Internet search confirms this finding.

For example, one Web site has a section entitled ''How to Reduce Your FICA Taxes If You Own an S-Corporation.'' That section provides a step-by-step instruction on how to use this loophole and even provides advice on how to avoid being caught up in an audit. The Web site advises owners of S corporations to pay themselves the lowest possible salary to reduce their FICA taxes—even if the distributions they take are a product of their labor.

Here is how the Web site explains how to take advantage of this loophole: It explains that as an employee of your S corporation, your salary is subject to Social Security and Medicare taxes, but the net profit of the S corporation is not subject to payroll taxes. The Web site goes on to explain:

> . . . the idea is to pay yourself the lowest possible salary to minimize social security and Medicare taxes. Then you take the remaining net profit as a distribution, which is not subject to payroll tax.

This is a loophole we are trying to fix. This loophole should be fixed regardless of how we use the proceeds; but, frankly, we have a situation now where we have a pressing need to help families across this country avoid a doubling of the interest rate on student loans, and we have an egregious loophole that will allow us to responsibly pay for the maintenance of the lower interest rates. This seems to be an issue where public policy is well balanced.

We are told by our colleagues they agree with us you can't double the interest rate. They should also agree with us you can't continue to tolerate this loophole; and this is not only an appropriate way, but, indeed, it seems to me the best way to achieve our objective of preventing the increase to doubling of the student interest rate.

We are working very hard to try to get this bill up for a vote. If there are other proposals with respect to tax loopholes or the ways in which we can pay for this other than the proposal the House has suggested—which is go into the prevention funds for health care reform, which to me is adding to and compounding not only our fiscal problems but also going forward to our health care problems we are open to discussing them.

We are right now recognizing that unless we aggressively have prevention programs, our health care costs will explode going forward. Every day, people talk about the increasing cost of obesity in this society. Well, how do you get essentially a handle on that? You have to have resources for prevention, for counseling, for education, for nutritional programs. When we take those funds away, we run up the bill for health care. That bill ultimately is being paid, in many cases, by the same families who are struggling to find a way to send their children to college.

I urge all of my colleagues to move to get this bill on the floor. If we want to debate about different methods about payment, that is fine; let's take votes, and let's move on to passage.

I think we understand that time is running out. On July 1, the interest rate will double. We have seen progress going back a few months. Our colleagues on the other side were proposing budgets that recognized—indeed, supported—the doubling of this interest rate. In March and throughout the spring, they were assuming and they were supporting measures to double the interest rate. The good news now is they have said, no, you can't do that, we have got to keep the rate at 3.4 percent at least for the next year.

We are one step closer to a solution, but the final step is going to have to be responsibly paying for this proposal. And we have—Senator BROWN, Senator HARKIN, myself, Senator HARRY REID, and so many others—not only a responsible way to pay for it, but we have underscored and highlighted what is an egregious loophole, a tax shelter, a very clever ploy to avoid paying taxes on your wages through the mechanism of a subchapter S corporation magically converting them into dividends.

I think we can accomplish two important public policy goals in this legislation: keeping interest rates on student loans at the current level, helping families send their children to school; and closing a glaring loophole for tax dodgers in our tax system.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Madam President, I want to join Senator REED of Rhode Island, who just spoke very persuasively about the need to freeze interest rates for Stafford loans for college students in America. He also spoke, I thought very convincingly, about closing a tax loophole that has clearly been used to avoid—legally—taxes by lobbyists, consulting groups, lawyers—all of whom are using this tax loophole to the tune of tens of thousands of dollars, in many cases. The case of former Senator John Edwards and his law firm—not like most law firms but in his law firm—and former Speaker Newt Gingrich, one a Democrat and one a Republican, have shown the size of this loophole and how it can turn into tens of thousands of dollars. I am not accusing either of these gentlemen of doing anything illegally—only taking advantage of a loophole we should close.

I come to the floor to make the case how important these subsidized Stafford loans are to college students. In my State of Ohio—as in the State of the Presiding Officer, the State of North Carolina—we have hundreds of thousands of students using these Stafford subsidized loans; in Ohio, some 380,000; in North Carolina I assume it is not too far off that. Students have enjoyed, if that is the right word, 3.4 percent interest rates on their loans rather than something higher.

What is discouraging is that this was a bipartisan effort. In 2007, the year I came to the Senate, President Bush and Democrats, the majority in both Houses, joining with many of my Republican colleagues in this body and the House of Representatives, locked in the subsidized Stafford student loan rate of 3.4 percent for 5 years from 2007 until this July. That expires in July. It was bipartisan then; it should be bipartisan now. But a couple days ago the Republicans filibustered. I am hopeful today or whenever this next vote is taken they will not.

I am going to, for 3 or 4 minutes, read a small number of letters, stories I have gotten from students in my State of Ohio who have come to my Web site and told us their stories. I urge people in Ohio to come to this Web site, brown.senate.gov/collegeloanstories. Just tell us your story.

I am not so cynical, but I think when my colleagues start listening to people at home, listening to students—I was at Wright State College near Dayton the other day and the University of Cincinnati and Cuyahoga in Cleveland. I met with students and I listened to their stories. Several of them stood and talked about what these student loans mean. Already, the average student who graduates from an Ohio 4-year university graduates with debt of about $27,000. That means it is much harder for them to start a family, to buy a car, to buy a home, to start a business. That is why it is so important not to heap more burdens on them, put more debt on them.

I will close by reading three letters. Cody from Delphos, OH, northwest Ohio:

I graduated high school with the goal in mind to get my doctorate in pharmacy. After five years of hard work I am 9 months of practice rotations away from achieving my goal.

Along with that achievement comes a paralyzing amount of college debt from attending a private university.

In addition, I have hopes of doing an additional two years of residencies after I graduate to specialize in critical care/trauma, but since residencies pay less than half of a pharmacist's salary I may not be able to go further and reach my goal of becoming a clinical pharmacist specialized in critical care/trauma.

Help me reach my goals by keeping interest rates low and helping create affordable means by which those from low income families can attend college without having to accumulate the debt I have had to.

Allow youth to reach their full potential and be able to serve society in their best capacity by finding a solution to the rising cost of an education.

Nonya from Wooster, OH, east of where I grew up in Mansfield, about 30 miles away, writes:

Going to College changed my life and my whole family's lives. The only reason I even considered going to college was because my mom did. The only reason she was able to go was student loans. And because my oldest daughter saw my mom and I doing it she is now attending college.

My family had a rough beginning, my mother and I both survived sexual abuse and the disease of addiction before finding a solution. School has been our way out. My mother now has a bachelor's and is working as a licensed social worker. I am on my way to a bachelor's as well.

How could I in good conscience say to my daughter ''go to college'' if I know she'll never be able to pay off her loans. I have never had a job as long as I have had the one I have today.

I am a student assistant at Wayne College and if it weren't for the availability of school loans I would have never stepped foot in the building that is now the center of my world and my daughter's.

We go to school to make a better life for ourselves . . . .

Rebecca from Lorain, where I lived for many years, near Lake Erie:

When I matriculated at Lawrence University, a private liberal arts college in Appleton, Wisconsin, my family could not afford to contribute more than a few hundred dollars a year to my tuition, fees, and other expenses. I was Pell grant eligible. I took out Stafford loans. I also took out a private loan from my parents' credit union and committed to the full number of hours of federal work-study that I was eligible for. Even as a college freshman, I was deeply aware that the Pell grant, Stafford loans, and federal work-study programs were giving me access to an excellent education that otherwise would have been beyond my reach.

I worked hard in my classes, graduating Phi Beta Kappa and summa cum laude in two majors: Chemistry and English. I worked hard in my co-curricular activities, editing the college literary magazine and serving as president of the campus feminist organization. I also worked hard in my on-campus jobs: grading papers for the French department, tutoring in the Writing Center, mixing reagents in the Chemistry stockroom, and washing dishes in the student union diner.

With the outstanding education I had obtained—and a manageable amount of student loan debt to repay—I chose to go to graduate school in Chemistry. I earned a Ph.D. from Stanford University in 2003 and am now a tenured professor of Chemistry and Biochemistry at Oberlin College in Oberlin, OH. I teach bright young people who are interested in making the world a better place. I also conduct research on ovarian cancer detection that has been funded by the NIH. This is my dream job, and it began with the access to an excellent education.

It breaks my heart to think that if I were a high school senior today, I might not have the same opportunities to achieve. The Stafford loans, Pell grant, and federal work-study programs helped me become the educated person I am today.

These three letters were not different from the others. I just picked the top three my staff gave me from stories we have gotten because of our Web site. I will repeat the Web site: brown.senate.gov/collegeloanstories.

This tells us about work ethic. It tells about opportunity.

I will illustrate it in one other way. I cannot do it as well as Nonya and Rebecca and Cody did, but we all remember, if we paid attention to our history, in the forties and fifties, the GI bill gave literally millions of young American men and women returning from serving their country the opportunity to go to school. What the GI bill did was help millions of individual Americans, one at a time. But what that did collectively is it raised all boats. It created a huge amount of prosperity for our country because all these people went to college.

A lot of these people bought homes. Colleges were growing and expanding, creating more jobs. These people started businesses. These people were productive workers. These people invented things because they had the education, from going to college.

With these Stafford loans, it is not just helping Cody and Rebecca and Nonya and students today, it is helping all of us as a society, whether one goes to college or not. Some people don't want to go to college. Fine. We have career centers and trade schools and community colleges to learn welding, to learn carpentry, to learn how to be a health care worker, to learn rad tech, whatever people want to do, or go to a 4-year college. Give them the opportunity because we don't just help millions of Americans or millions of individual young people, we help society as a whole when we do this.

I pray and beg my colleagues, please pass this, keep student loan rates manageable, interest rates manageable so

we can have more Rebeccas and Nonyas and Codys in our country. We will all benefit.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNET. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Madam President, during the worst recession since the Great Depression, which we are now fortunately coming out of, the highest the unemployment rate ever got, even at the depths of that recession, for people with a college degree was 4.5 percent. We saw unemployment rates of 18 percent, 20 percent for certain groups of people—4.5 percent if one is a college graduate. It seems to me, first of all, that is an incredible stress test of the value of a college degree in this 21st century in which we are living. We ought to be making it easier, not harder, for students to go to college. However, as we know, interest rates on Federal student loans are scheduled to double from 3.4 percent to 6.8 percent on July 1, unless Congress can get out of its own way and do what is right. For the life of me, I don't know why we cannot come to an agreement. This is not a Democratic or Republican issue.

The cost of college has increased 550 percent since 1985. Two-thirds of students in this country rely on loans to afford college. In the past decade, average student loan debt has increased by more than 25 percent.

This, by the way, is not a function of people not doing the right thing. It is a function of the fact that median family income has continued to decline in this country for the first time in this country's history, while the cost of college has escalated like crazy. If this increase goes through, it would add thousands of dollars of debt to the more than 166,000 Coloradans who currently receive Federal student loans. Increasing the cost of loans for students already struggling to repay their loans harms both individual students and our fragile economy.

When I visited the University of Colorado at Denver just last month, I heard firsthand from students about how important low interest rates are to that ability to afford college. Many of the students I heard from were worried their student loan debt would prevent them from achieving their career goals or buying a house or making other decisions they are confronting. In Colorado, the average student graduates with more than $23,500 in debt. Just in the last hour, Jeremiah shared the following story with me on Facebook. This is less than an hour ago. He wrote:

I am studying geography and environmental science with an emphasis on urban studies and planning at the University of Colorado, Denver. I am the first of my family to attend college and 100 percent of my schooling is paid for by grants and student loans. I worry about the interest rate hike that is bound to happen this summer, and with the economy not in full recovery I worry even more about securing a job after graduation and how to afford repayment of my loans, especially if interest rates are to increase.

As the Presiding Officer probably knows, in her State and my State, college attendance is actually at a record high because there are young people all over this country—certainly in my State—who have sought refuge on our university campuses from an economy that doesn't have jobs for them—which is a great place for them to be. It is a great investment in them and a great investment in our future. But for Jeremiah and thousands of others, millions of other students just like them, we are threatening, through our inaction, to actually drive up the cost of college when that is where they need to be. That is the reason why, in the last 2 weeks, more than 1,300 Coloradans have written to my office to demand Congress act to prevent the student loan interest rate from doubling.

Here is one letter I received from Kim Haas, who is from Granby, CO. She wrote:

While I try to keep informed, I don't generally make a point to contact my representatives. On the issue of student loan rates doubling, I had to speak up.

My husband and I live in rural Colorado. I have been working toward becoming a professional counselor. Because of our remote location, I have done most of this online while staying home with my son. This takes a lot of self-motivation and time management skills. It also means taking on a lot of debt. Please take the actions necessary to prevent my rates from doubling. It is imperative to our financial, vocational, and life success.

Her life success. I suspect that most of these students are not all that interested in what party affiliation they are in. I think if they were here on this floor, which is empty today, they could use some Colorado common sense to actually get this done. In the Senate and in Washington today we are facing a filibuster even though we know in the end we are going to find a way to do what is right and keep these interest rates from rising.

Also, our Facebook page is continually updated. This is from Phil Townsend who wrote in—and I thought this was a pressing question about what we are focused on today.

Here is how Phil put it:

If you had a loan that would take you a decade to pay off even if you lived as cheap as possible and only ate ramen noodles, would you want its rates doubled?

This is real life for the people we represent, and we should get this sorted out.

Once again, I urge my colleagues, Democrats and Republicans, to come together and give our students all across the country the security they need to pursue their education. For them this isn't a game. For the people who came to the University of Colorado at Denver a month ago and shared their thoughts with me, this isn't a game. This is real life. It is their lives. It is their futures. They are relying on us to sort this out and get it done, and we should.

Mr. BENNET. Madam President, I want to take the opportunity to discuss the importance of reauthorizing the Export-Import Bank. Last month while in Colorado I had an opportunity to visit innovative businesses such as Coolerado, which creates energy-efficient air conditioners, Sandhill Scientific, which manufactures medical devices, and Leitner-Poma, which builds gondolas for ski resorts. They are building the gondola that is being installed in Vail this year to mark Vail's 50th anniversary. It was fun to see those American jobs being created for that great American industry.

All of these companies rely on financing options from the Export-Import Bank to help them compete in the international marketplace. In fact, while visiting Coolerado, I actually saw an 18-wheel truck back up to the loading dock at Coolerado to load a bunch of their devices to be shipped to Europe as a consequence of the work they had done with the Ex-Im Bank.

These are manufacturing jobs right here in the United States, stamped ''Made in America'' on the outside of these devices, and we have been unable to get this through the Senate. Coolerado used credit insurance from the Export-Import Bank to help enter the international market.

As we emerge from the worst recession since the Great Depression, we should look for more opportunities to support the next Coolerado, Sandhill Scientific, or Leitner-Poma. Instead, we have been in this prolonged debate about the very existence of the bank, and now we are weeks away from the expiration of the bank's charter.

I am quite sure there is not a single one of our international competitors around the world that is engaged in this debate. In fact, they are engaged in absolutely the reverse, which is the question of how to create more exports for their domestic industries, and we should be doing the same.

As we look to strengthen and to reverse that curve I talked about earlier of median family income falling and to see rising wages again in this country and create more jobs, we should be looking for opportunities to increase exports at small businesses like the ones I saw in Colorado.

We face a profound structural issue in the economy today in this country. As I said on the Senate floor before, our gross domestic product is now higher than it was before we went into

this recession, and productivity has been going off like a skyrocket since the early 1990s. As we responded to competition from China and India, the use of technology to make businesses more efficient and the recession itself drove productivity through the roof because firms had to figure out how to get through these difficult times with fewer people.

Median family income has fallen, and we have 23 or 24 million people in this economy who are either unemployed or underemployed. Wage growth and job growth—for the first time in the country's history—has decoupled from GDP growth. That happened during our last recovery under the previous administration. I make this statement not as a partisan observation; that is just the time that it happened. We saw economic growth, but we didn't see wage growth and we didn't see job growth. Now I fear we are seeing the same sort of trend in our economy.

There are two important solutions. One I mentioned earlier, which is that education is vitally important because if people are educated, they are more likely to get a job in this 21st-century economy. Remember, the worst that the unemployment rate ever got for people with a college degree was 4.5 percent.

The other part of that equation is innovation. It is businesses that start tomorrow, next week, and the week after that are actually going to create jobs that are going to lift wages. This is one of the reasons I have been so glad to work with the Presiding Officer as we think of new ways of approaching regulations at the FDA to ask the question: Are we driving bioscience in the United States or are we driving venture capital offshore to look for other opportunities? We should be up day and night thinking about this in the Senate because that is how we are going to bring an alignment back between the economic growth the economists tell us we are having and the job growth and the wage growth the people at home want to see.

There is a lot of talk in this Chamber about winners and losers and how the government shouldn't pick winners and losers—we hear that a lot here—as if the current Tax Code isn't full of choices that have already been made about winners and losers. A lot of those choices that have been made have been made for the benefit of incumbents—not here but incumbent enterprises. However, it is the innovators that we are leaving behind.

As we think about comprehensive tax reform, which I hope we get to sooner rather than later, I think on every one of these questions we should be asking ourselves: Is this credit or is this incentive or is this inducement more or less likely to drive job growth in the United States, to drive incomes up in the United States, or to drive exports from the United States? If the answer to that is no, we should stop doing it. This has to be more thoughtful than a fight between one narrow interest and another narrow interest. I think the American people are demanding that, and we should respond.

In the short term, the work in front of us now is to get this Export-Import Bank bill to the floor, to get it voted on, and to pass it as they did in the House of Representatives yesterday.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Madam President, I know we are on the motion to proceed to legislation dealing with the Ex-Im Bank. I rise today to urge my colleagues to proceed to this bill and to move forward and pass H.R. 2072, which would reauthorize the Export-Import Bank. We have a lot of debate on this floor on how we can grow our economy and grow jobs. One of the areas where there is agreement is that if America is going to be truly competitive in the 21st century, we have got to grow our export market.

Many American companies over the 20th century were blessed with the world's largest, most vibrant domestic market. But that market is maturing. On a going-forward basis, literally 95 percent of all the world's customer base lies outside the boundaries of the United States. So while maybe some of my colleagues may disagree with many of the President's goals, I think we would all agree that doubling of exports in a 5-year timeframe the President laid out at the beginning of his administration is an area where there is great agreement.

If we are going to do that, we have to use all the tools we have available because, unfortunately, right now American exports as a percentage of GDP rank behind Germany, Canada, China, Italy, France, the UK, India, Brazil. We are way down in the middle of the pack. As the Chair of the Banking Committee's International Trade and Financing Subcommittee, I have spent a lot of time and effort trying to get into the details to see how we can make the Export-Import Bank one of the tools we have to help American businesses grow their exports, grow that percentage of GDP that depends upon trade, grow that ability to reach that 95 percent of the customer base around the world, and to make sure that this tool, which has been a successful tool for close to 45 years, gets reauthorized but also is reauthorized in a way that brings more transparency and more accountability to this institution.

The bill we will have before us, hopefully later today, does that, because if we fail to act, the authorization for the Export-Import Bank expires at the end of this month, and this tool that is so important to growing exports, growing jobs, candidly will be lost.

The bill we will take up, hopefully later today or shortly, reauthorizes the Export-Import Bank for 3 years. While I would have preferred a longer extension and a higher limit, higher absolute total loan limit, I am glad the bill we will deal with increases the bank's lending limit from $100 billion to $140 billion.

Remember, our Export-Import Bank is so much smaller than any of our competitors'. Even taking the lending cap up to $140 billion will still mean we will pale in comparison to our competitors. These other nations are who we are competing with. I think it is important that we compare how our Export-Import Bank—which again in this last year made a profit, returned money to the taxpayers, and has been profitable year in and year out—how our institution compares with those of our competitors: Canada, our largest trading partner, the Canada that has a population size about one-tenth—actually smaller than one-tenth the size of the United States—has their equivalent Export-Import Bank three times the size of our Export-Import Bank.

Every day our Export-Import Bank and the American companies it supports face aggressive competition, as I mentioned, from China, Brazil, India, which all have very large export financing banks in their own right. In 2010 alone China did $45 billion in lending, two-thirds of that to a single company, lending that was supported by their exporting financing operations, while our domestic Export-Import Bank did just $13 billion in total. So China, close to over 3 times, supporting their institutions, one of our largest competitors, versus our support for our American industry at one-third the size.

That same year, Brazil, a country much smaller than ours, provided $18 billion in export finance; Germany, more than $22 billion; France, more than $17 billion; all much more than what we do. Each of them only has, as I mentioned, in total about one-fifth of our population.

So why would we, if we all agree that growing trade, growing exports, trying to access that 95 percent of the customer base that would then support American companies that are going to hire American workers, why would we unilaterally disarm and remove this tool from our toolbox as some in this Chamber have suggested?

Ironically, because in our country, we do not provide, I believe, adequate export financing, many American companies have gone to foreign export

agencies, the result being if they get that foreign export support, oftentimes the price of that foreign export support means that subcontractors to those American companies then have to come from those respective countries, whether it is Canada, Brazil, India, et cetera, again costing American jobs.

I think this is a commonsense tool. It is a tool that has had a solid track record. It is a tool that has never cost the American taxpayers a dime. It is one that needs our immediate attention. Again, I hope we will get a large, overwhelming bipartisan majority of Senators who will reauthorize the Export-Import Bank, will reauthorize it at this $140 billion level, will reauthorize it with the new transparency provisions that I was proud to add to this legislation, will reauthorize it with some of the new requirements in which the Export-Import Bank puts together a more comprehensive business plan, all additions that I worked on with my colleagues and added to this legislation.

That is, again, one more example where we can demonstrate to the American people we can come and work together, trying to spur that kind of job growth and export growth we are all looking for.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. I ask that I be allowed to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORALITY OF FREE ENTERPRISE: CHARITABLE GIVING

Mr. KYL. Madam President, I have been coming to the floor to discuss why free enterprise is morally superior to all other economic systems. I have explored how free enterprise promotes the pursuit of happiness properly understood, by emphasizing earned success, and how it lifts up the poor by raising living standards.

Today, I want to look at another way free enterprise lifts up the poor—by promoting the moral principles that make people more charitable and more socially responsible.

This perspective sharply contrasts with President Obama's campaign narrative about social responsibility. He and many of his supporters paint free enterprise as a system that inherently clashes with social responsibility. In his telling, free enterprise is a system that mainly promotes Gordon Gekko-style ''greed'' and riches for those who least deserve them—a system that must be reformed through higher taxes and larger government.

Most of the policies he has supported during the last 3 years demonstrate this perspective. The size and scope of the Federal Government has increased dramatically during his presidency. As he campaigns to get reelected, his main theme is that the only way some Americans can do better is if the government makes others worse off.

There is an important counterargument to this negative narrative. In a new book, The Road to Freedom, American Enterprise Institute President Arthur Brooks provides a comprehensive explanation of the morality of free enterprise and how it makes everyone better off by creating a more positive society. As Brooks writes, the principles that underpin free enterprise are moral principles, such as honesty, industriousness, thrift, and opportunity. Those principles make people more virtuous, not less.

Participants in free enterprise, for example, must be able to trust that those with whom they do business—that they will honor their contracts. By promoting greater trust and integrity, free markets promote the social and psychological linchpin of democratic prosperity.

Brooks elaborates:

> The free enterprise system requires a culture of optimism and trust to function correctly—a positive sum, win-win mentality, and a desire for everyone to be better off. For many people, it produces more prosperity than they need to meet their daily requirements, a surplus that they will choose to direct to charitable purposes.

The prosperity and positive outlook that stem from free enterprise encourages people to help the neediest and most vulnerable members of society. Indeed, it is no coincidence that the United States is a more charitable country than those with bigger welfare states. Those who believe in and have benefited from the free-enterprise system believe that everyone should have the opportunity to prosper, and they are willing to help take responsibility for lifting others up. ''Charitable giving appears to be part of most Americans' DNA,'' Brooks writes.

Americans are remarkably generous not only toward our fellow citizens, but also toward those suffering abroad. On a per capita basis, we give 3½ times as much to causes and charities as the French, 7 times as much as Germans, and 14 times as much as Italians. These findings correlate to volunteering as well.

Seventy to eighty percent of Americans donate money to charity each year. These donations add up to about $300 billion annually. The money goes to religious causes and also secular activities, such as education, health care, and social welfare. Americans also donate large amounts of their time to help the less fortunate.

Indeed, there is a strong correlation between beliefs about the size of government and attitudes toward giving. As Brooks shows, those who believe in limited government give more to charity than those who hold more statist views. That makes sense. After all, a statist might argue that paying high levels of taxation is the equivalent of giving a lot to charity, since the government spends a large portion of its total revenue on social programs. By contrast, free-marketers would argue that government spending tends to crowd out private charity in ways that are both socially and fiscally harmful.

Americans can take well-justified pride in their charitable giving. Both in aggregate and relative terms, we are the most generous society the world has ever known.

As budget and tax debates move forward, we must remember that raising the top marginal tax rates could conceivably reduce charitable giving, because the biggest philanthropists would have less money to donate. This is just one of the many unintended—and undesirable—consequences that could result from the massive tax hike scheduled to take effect at the end of this year. If excessively high rates of taxation were the best way to cultivate a more generous and socially conscious citizenry, then Europeans would give more to charity than Americans. But that is simply not the case.

America's record on charitable giving demonstrates that free enterprise is the best way to boost charitable giving and foster the civic virtues that underpin a broadly shared prosperity.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARDIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PAUL. Mr. President, the ordinary middle-class family is struggling to get a home loan. Tens of thousands of homeowners have lost their homes or are struggling to make payments on their home loans.

Meanwhile, Congress steadily dishes out billions of dollars in taxpayer-subsidized loans to large profitable companies. Eighty percent of these export-import loans are given to companies that are in the Fortune 500. So we are giving taxpayer loans to very profitable companies.

I am a great believer in capitalism, in the jobs corporations create. I defend profit and the benefits that accrue from leaving that profit largely in the private sector. I am not one who clamors for punitive taxes. I am not someone who thinks we need to punish corporations. But at the same time, I do

not want my colleagues to construe that to mean I believe we should be subsidizing profitable corporations. I don't think taxpayer-subsidized loans should go to profitable companies.

President Obama has been passing out loans to his campaign donors. He has been using a campaign trough that he has set up over at the Department of Energy. Very wealthy multimillionaires and billionaires are getting loans through the Department of Energy, including Solyndra and BrightSource. People heavily involved in the President's campaign have been getting subsidized loans.

Republicans have been rightly criticizing the President for these Department of Energy loans to Solyndra, BrightSource, and others. Republicans have been correct in criticizing the President for trying to pick the winners and losers in energy production. Yet now a majority of Republicans are poised to vote for their own set of subsidized export-import loans. In fact, they want to increase the export-import loans by nearly 50 percent and pick the winners and losers in the export business. The Horse traders may disdain consistency, but the American people value principled and consistent opposition to deficit spending. The American people know hypocrisy when they see it. The American people know corporate welfare when they see it.

The Export-Import Bank, in fact, provided an $18 million loan to a steel mill in China. Our steel industry has been in decline for decades and we loan $18 million to our competitors? Who in their right mind would subsidize our Chinese competitors with loans? It makes no sense. Can we think of anything more insulting than loaning money to our competitors? Come to think of it, I might. We actually give foreign aid to China. We actually send China economic development assistance. Is it any wonder Congress has an 11-percent approval rating?

Many Americans are trying to hang on to their homes, struggling to make the payments on their own home mortgage, while very profitable big business is being given subsidized loans by the government. It makes no sense. What gives?

To add insult to injury, we are borrowing money from the same countries we are lending the money to. So we borrow money from India because we run a deficit of over $1 trillion a year—we borrow money from India—and then we are sending it back to them in the form of taxpayer-subsidized loans. It makes no sense.

Ex-Im loans, such as the loans to Solyndra and BrightSource, are simply forms of crony capitalism. With trillion-dollar annual deficits, surely we can vote to end corporate welfare. If companies are making billions of dollars in profits, can we at least end the welfare we are sending to these corporations?

I urge a vote against reauthorizing the Ex-Im Bank, and I hope my Republican colleagues will see the inconsistency of criticizing the President on one hand for his crony capitalism and then turning around and doing the same thing.

I support not reauthorizing the Export-Import Bank, admitting it is corporate welfare, and trying to save the taxpayers some of their hard-earned money.

Thank you very much, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WEST ACT

Mr. HATCH. Mr. President, I rise today to discuss the Western Economic Security Today Act, the WEST Act, which I recently introduced with my good friend and colleague from Wyoming, Senator BARRASSO. This bill is an outgrowth of our work with the Senate Western Caucus and the Congressional Western Caucus. These groups, which include my good friend from Utah, Congressman ROB BISHOP, and Congressman STEVE PEARCE from New Mexico, are truly leading the way. We have been doing the hard work of identifying solutions that will promote job creation, boost America's energy production, and put our Nation on a better fiscal footing by encouraging economic growth.

We keep hearing from the Democratic leadership that Congress is dysfunctional. That may be. But it is not because of a lack of good ideas. It is because—in an effort to help the President in his reelection and shield vulnerable Democrats—the decision was made to promote politically motivated show votes rather than sound job-creating legislation.

Americans do not want higher taxes in the name of redistribution and government-dictated fairness. They do not want bureaucrats in Washington figuring out how to spread the wealth around, as then-candidate Obama put it in 2008.

What they want is economic opportunity and the security that comes with it. They want the freedom and opportunity to pursue new ventures, start new businesses, and save for their retirement and for their children's education.

If the Democratic leadership ever decides to listen to the American people and advance reasonable legislation to grow the economy and create jobs, they could start with this WEST Act.

The WEST Act is a sound and solid bill, one that puts together some of the best ideas identified by the Western Caucuses, and my hope is it will meet with bipartisan support in the Senate.

This bill could not come at a better time. The proposals in the WEST Act will go a long way toward generating the employment and economic growth that citizens and taxpayers are longing for.

The proposals in the WEST Act should not be controversial in the Senate. The President claimed his $½ trillion stimulus would create or save millions of American jobs. As it turned out, this was a hallow promise. But the WEST Act is the real deal. If the President and his party are serious about stimulating the economy, this legislation is a good way to do it and a good place to start.

The eight bills that Senator BARRASSO and I have included in this WEST Act have all passed the House of Representatives. They are commonsense, progrowth policies, and I am confident these proposals, if put to the vote of the American people, would pass overwhelmingly. They certainly would in my home State of Utah. They should pass the Senate as well.

The bill has three main objectives.

First, we are going to put America back to work by producing more American energy. Our bill ends the Obama administration's de facto moratorium on drilling in the Gulf of Mexico in a safe, responsible, and transparent manner. We set firm timelines for considering permits to drill, and we require the administration to move forward promptly to conduct offshore lease sales that have been delayed or cancelled in the gulf and Outer Continental Shelf.

The WEST Act sets a production goal of 3 million barrels of oil per day by 2027, reducing foreign imports by nearly one-third. At a time when every job counts, our bill would produce thousands of high-paying jobs.

Second, our bill will help bring down energy prices, making it easier for Americans to drive their cars and heat their homes. We could produce over 1 million barrels of oil a day with our bill's elimination of confusion and uncertainty surrounding the EPA's decisionmaking process for clean air permits.

The bill prohibits the EPA Administrator from promulgating any regulation that takes into consideration the emission of a greenhouse gas in order to address climate change using the Clean Air Act.

And, third, our bill will protect agriculture by reducing unnecessary regulatory burdens. It amends the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA, to ensure that National Pollutant Discharge Elimination System permits are not needed for the application of pesticides that are currently registered and regulated under FIFRA.

This provision of the bill will also ensure that diseases such as the West

Nile Virus can be managed through mosquito abatement. It is very important for communities in Utah to be able to address these issues without constantly seeking approval from Federal overlords.

The bill also stops the EPA from imposing more stringent dust standards for 1 year. Additionally, it would afford States and localities the flexibility to address any rural dust issues before the Federal Government would have the authority to do so.

For the life of me, I do not understand the administration's stance on energy production. The Department of Energy claims there are more than 800 billion barrels of recoverable oil in oil shale in Utah, Wyoming, and Colorado. This is more than the proven reserves of Saudi Arabia. If we were able to develop this resource the way we are capable of doing, we could have a major impact on the jobless rate as well as the cost of energy in our country.

Last month, one of largest oil companies in the world announced a $200 million investment in a commercial demonstration project for oil shale. The project will be in my home State, using technology developed by a Utah company.

Another major company that has been successfully developing commercial oil shale for more than 80 years is opening offices in Salt Lake City and seeking permits for a very large facility in my home State of Utah.

The State of Utah, local governments, and the business community support the development of these resources. Yet the President and his administration are working to stop this at all costs. The most recent roadblock was the rewriting of the final 2008 three-State programmatic impact statement to cut back by more than 70 percent the Federal lands available for oil shale and oil sands development. Well, I believe strongly that Interior Secretary Salazar has no authority whatsoever to take that action.

I recently heard from an energy company in Utah that it is easier to do business in Somalia than it is in the United States. Unfortunately, that is not a surprising sentiment. But that is what we have come to expect from President Obama. He talks a big game about fairness when it comes to raising taxes, but his energy policies are both regressive and elitist.

In the interest of appealing to the environmental interests of his wealthy supporters, the administration leaves middle-class people behind. Obstructing domestic energy production prevents the creation of high-paying jobs that provide good wages for families, and it fails to bring down the high cost of fuel that hits middle and lower income families the hardest.

In fact, President Obama's energy agenda tops the list of pernicious policies that hurt American families, hinder economic growth, and harm businesses by dramatically raising the costs of everyday life. The administration's position is clear. The President wants to drive up the cost of gasoline and drive Americans out of their cars.

In 2008, when the President still harbored grandiose plans of changing the course of world history, his Energy Secretary, Secretary Chu, said his goal was to ''boost the price of gasoline to the levels in Europe.''

In the meantime, the President and his party suffered a humiliating defeat in the 2010 elections. Now, faced with the prospect of going the way of President Carter this fall, the administration is trying to walk back this position.

With voters facing $4-a-gallon gasoline, Secretary Chu now claims he is doing everything he can to reduce the price of energy, and the President's advisers are suggesting that this is just a gotcha quote. It is not. It represents the real view of the President and those in his bubble.

The price of gasoline was no big deal to the President prior to being elected to the Senate and the White House. His short commute from his Hyde Park house to the University of Chicago might not even have required a car. His wealthiest supporters, those being appealed to with his anti-energy agenda, do not spend a significant amount of their income on gasoline. When Warren Buffett flies in his private jet to meet with the President to discuss plans for raising taxes on small businesses, he is not worried about the cost of jet fuel.

But for families who are now spending nearly $100 to fill up their cars, the cost of gasoline is a big deal. Members of the President's party seem to get this. Even in the Senate, we see Democratic support for the President's decision to hold up the Keystone Pipeline collapsing, and for good reason.

The President's unilateral decision to kill that project might play well at Midtown Manhattan fundraisers where wealthy elites have the luxury of supporting a radical environmental agenda without worrying about the real-world consequences of that agenda for the middle class. But it was bad for jobs, bad for the economy, and bad for American families.

President Obama has said he wants to find an ''all-of-the above'' approach to energy production. He need look no further than the WEST Act.

Having said that, I would like to personally compliment my dear friend and colleague, Senator BARRASSO from Wyoming. He is the leader of our Western Caucus. Frankly, we could not have a better leader. He understands these issues very well. We in the West understand that we have an obligation and we have the ability to be able to help this country from an energy standpoint in ways that it needs help. We have the ability to be able to help save this country, and we intend to do so. This WEST Act would be a very good step in that direction.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, today I rise to echo the comments made by my colleague, Senator ORRIN HATCH of Utah.

Throughout Senator HATCH's distinguished career, he has served this Senate and this Nation in a number of major leadership capacities. I am most grateful for his ongoing leadership and the position he has taken in the Senate Western Caucus—that of being chairman of the caucus's Subcommittee on Public Lands.

Senator HATCH, along with Senator MORAN and I, has laid out a clear path to energy security and job creation. The bill is called the Western Economic Security Today Act, or the WEST Act.

President Obama told Congress he would ''keep trying every new idea that works.'' He went on to say he would ''listen to every good proposal, no matter which party comes up with it.''

Well, last year Western Republicans laid out a clear path to energy security and job creation for the Western United States and for the country. The report is entitled ''Jobs Frontier, Breaking Down Washington's Barriers to America's Red, White and Blue Jobs.''

President Obama should listen to and embrace the findings in this report. The House of Representatives has passed key pieces of legislation over the past year from this Jobs Frontier Report. These are pieces of legislation that will begin to generate quality jobs and increase U.S. energy production.

These bills tackle key critical issues, such as encouraging energy exploration and production and removing unnecessary EPA regulations. This legislation would create thousands—thousands—of jobs for Americans.

The WEST Act contains language from eight of these bills already passed by the House that were part of the Jobs Frontier original report. This legislation accomplishes many of the goals of the Jobs Frontier Report. It does it by increasing affordable American energy. It does it by promoting agriculture and ranching. And it does it by overturning Washington's regulatory overreach.

The bottom line is this act is ready to create jobs now, today, and to set the Nation on the path to becoming more energy secure.

So I am here to congratulate Senator HATCH for bringing this important bill forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I thank my colleague from Wyoming. He has

been such a great addition to the Senate. He has an intimate knowledge of western lands and their productivity and what they could do if we were given the opportunity. He is just an all around good human being. I feel very grateful for his leadership, and I express my support for his leadership of the Western Caucus. He is one of the finest people here, and I personally want to thank him for the kind remarks he has just made.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SURFACE TRANSPORTATION ACT

Mr. WHITEHOUSE. Mr. President, earlier this week, the conference committee on the surface transportation reauthorization—more commonly known as the highway bill—met for its initial meeting. In the opening remarks that were made on Tuesday, it was encouraging that there seemed to be a general agreement on how important that Transportation bill is to our Nation.

As I will describe later, it is 2.9 million jobs that are associated with this bill. I should be specific and say 2.9 million jobs a year, since those jobs do not extend for eternity. But it is the most important piece of jobs legislation we could consider. I appreciated hearing from the Senator from Utah about the jobs concern of his energy proposal. Those are real jobs, they are immediate jobs. They are jobs that everybody understands, building our roads, highways, and bridges.

These local construction jobs are not only important in and of themselves, but they also help to maintain the transportation infrastructure that lowers the cost of goods and helps our economy across the board. We have had to close a bridge where I–95 crosses over the Blackstone River in Pawtucket. It is reopening. In the meantime people have to drive around 295. That costs time and fuel for shippers—and delays. It was an economic cost.

This is the real jobs bill that we can do something about. It is pending right now in conference. So it is imperative not only that the conference get this bill done but that they get it done as soon as possible.

Why do I say that? Well, there was a deadline of March 31 to get a new bill done, and the House of Representatives, unfortunately, did not pass a highway bill by the March 31 deadline. So on the eve of the expiration of that deadline, they passed an extension, and we are operating under that and a subsequent extension right now. The effect of that is not good for jobs. State departments of transportation and the private sector companies that provide the services that rebuild our roads and highways cannot make long-range plans when funding is based on short-term extensions. Particularly in this economy, our States, our counties, and the companies that do this business simply cannot afford to extend themselves on contracts and on work where they do not know that the highway funding is going to be there to backstop them when it comes time to make the payments.

In many instances, for many products, a short-term extension actually requires the underlying construction project to be dropped. In Rhode Island, our State department of transportation, led by transportation director Michael Lewis, who is a very capable and experienced individual, has shown me their list of 96 major projects that they plan to do this year. But because of the uncertainty here on the highway bill, because the conference has not produced a result yet, because we are still operating under the extension, he says that about 40 of those projects may have to be shelved because until we get the bill done, he cannot count on Federal funds being there to help pay for them.

So every day, every week that goes by without a highway bill costs us jobs. It does not just postpone the jobs, it actually costs us jobs. The at-risk projects range from things as simple as lane striping to road repaving to major bridge repairs.

What they all have in common is that each one of those transportation projects means jobs for the construction workers who build them, the engineers who design them, and the companies that supply the materials. It is not just me saying this. Standard & Poor's recently published a report warning us that unpredictable Federal funding could stall our national transportation projects. A quote from the report:

> As construction season begins in the northern half of the country, this continuing uncertainty in funding could force states to delay projects rather than risk funding changes or political gridlock come July. Once a long-term authorization is approved, we believe it will provide an impetus for transportation agencies to reconsider high-priority projects that had been shelved because of lack of funding. But if the authorization is extended by even more continuing resolutions, such high-priority projects will remain in limbo.

As time goes by, jobs evaporate. Continuing delays in transportation funding are putting this year's construction season at risk and are making it impossible for States to keep their construction projects moving. So it is not enough that we pass a highway bill out of this conference; it is imperative that we pass it soon. There have been enough delays already. We were supposed to have had it done on March 31, except that the House never actually passed a highway bill.

The Senate bill, fortunately, provides a solid framework for action, and for rapid action. This Senate transportation bill, called MAP–21, first passed out of the Environment and Public Works Committee last year, and it passed out of the Environment and Public Works Committee on a bipartisan basis—indeed on a unanimous basis. There is not a lot that every member of the Environment and Public Works Committee agrees on. There is not a lot, frankly, that our chairman BARBARA BOXER and our ranking member JIM INHOFE agree on. But we all agreed that this was an important piece of legislation and reported it out of the committee on a unanimous basis. Then the bill came to the floor. There were no fast tracks, no ''hide the ball.'' This bill spent 5 weeks on the Senate floor. There were a great number of amendments that were considered during that period of deliberation. I believe the total is at 40 which were accepted either by vote or by agreement. And after that long, open, transparent, robust, regular legislative process in which Republicans and Democrats both contributed, the bill passed with strong bipartisan support of 75 Senators. That is pretty unusual around here.

MAP–21 is projected to save or create 1.9 million jobs. As I said, those are not jobs that last for eternity. The conjecture, I believe, is that they last for a year. This is 1.9 million jobs with a potential to create an additional million jobs through the increased investment in the TIFIA financing program, so a total of 2.9 million jobs.

In Rhode Island, that means the bill is expected to save or create up to 9,000 jobs. If its provisions for projects of national and regional significance are incorporated in the final bill, and if funding is provided through our appropriations process, that number actually goes up, because some additional projects can be added that are overdue in Rhode Island for work.

So MAP–21, the Senate highway bill, is a true compromise bill. It reflects the hard work of Chairman BOXER and Senator INHOFE, and it is a strong bipartisan signal from this body as to what our transportation bill should look like. Procedurally, the conference committee is reconciling this Senate bipartisan compromise bill with basically an empty envelope of a bill, a 90-day extension passed by the House, with an authorization to go to conference. Some controversial provisions were thrown in, unfortunately, that will make things more difficult and slower to get done, and more difficult and slower is not good when you are talking about passing the highway bill and the construction season is already beginning to get underway.

The most acceptable action and the one in the best interests of our country, the one in the best interests of our economy, the one in the best interests of our infrastructure, the one in the

best interests of jobs in these construction projects, would be for the conference committee to report out the bipartisan Senate bill without a lot of controversial riders so that we can get a long-term reauthorization signed into law while there is still a full construction season ahead and get hard-working Americans back to work rebuilding—as every American knows we need to do—our Nation's beat-up and decrepit transportation infrastructure.

I am pleased the conference is off to a good start. I am sorry we had to wait this long to get to this point. It would have been nice to have had this done on March 31 when the deadline came. But now that we are here, I urge all of the conferees to come to a quick resolution that honors the extensive bipartisan work that went into the Senate bill which has gotten us to this point.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. SESSIONS. Madam President, I am here to speak, I believe, for the great majority of Americans who believe the time is long overdue for the Federal Government to fulfill its commitment and its responsibility to end the lawlessness at our borders. Only then can we put this matter, the deep frustrations that are occurring, behind us and move our country forward in a positive and united way.

Immigration security is especially important in these economic times. Illegal labor does, in fact, depress wages and makes it more difficult for out-of-work Americans to find good-paying jobs. Immigration security is also vital to stopping cartels that are creating violence around our borders and in our cities. The Federal Government has a duty to protect those living in communities which suffer every day from preventable drug and gang violence.

There is nothing compassionate about looking the other way when we can take concrete actions to make our schools and communities safer in every part of the country. There is nothing compassionate about a policy which makes it harder to protect not only Americans but immigrants who live in our country from gang violence that occurs in cities and at our border today.

Unfortunately, instead of compelling sanctuary jurisdictions, such as the city of Chicago, to cooperate with Federal law enforcement officers, the administration has gone after those States that are trying to assist the Federal Government to end the lawlessness in our country. Under the administration's new ''prosecutorial discretion'' guidelines, if the Department of Homeland Security doesn't consider someone a priority, that individual's deportation proceedings are closed and they are allowed to remain in the country. So far, the administration has granted this form of backdoor amnesty to almost 17,000 aliens illegally in the country, some of whom have been convicted of crimes.

The administration has also been resistant to the popular E-Verify program, never once including it in any of its jobs or economic plans. U.S. Immigration and Customs Enforcement, ICE, has effectively ended worksite enforcement operations, meaning employers can continue to hire illegal workers rather than out-of-work Americans.

A determined President could take meaningful steps to stem the tide of illegality. I have been encouraged by Governor Romney's commitments on this issue. This is something I have worked at for some time, and I am absolutely convinced that with consistent, smart, effective leadership and a commitment on behalf of this country to end the lawlessness, it can be done and done quicker and with less difficulty than most people realize.

For example, Governor Romney recounted the following conversation he had with a Border Patrol agent, and it is so similar to ones I have had with Mr. BONNER, who headed the National Border Patrol Council. This is the conversation as Governor Romney recounted it:

> They said, when employers are willing to hire people who are here illegally, that's a magnet, and it draws them in. And sanctuary cities, giving tuition breaks to the kids of illegal aliens . . . those things also have to be stopped. If we want to secure the border, we have to make sure we have a fence, determining where people are, enough agents to oversee it, and turn off that magnet. We can't talk about amnesty, we cannot give amnesty to those who have come here illegally.

That is what Governor Romney said he was told by the agents who have to deal with this every day and who try to do their job professionally, and I think that is correct. That is what they are telling me. That is what law enforcement officers have told me for some time.

Another example of how our country is so out of control is this government's failure to follow the rule of law with regard to Child Tax Credits.

The Treasury Department's own inspector general for Tax Administration, who analyzes problems within the agency and issues reports, reported that in 2010 the Internal Revenue Service paid illegal aliens a staggering $4.2 billion in child tax credits for dependents, a great deal of whom don't even live in the country. This has been going on for years. This cannot continue. It must be stopped, and fixing it can't be delayed.

The Treasury IG report states:

> Although the law prohibits aliens residing without authorization in the United States from receiving most Federal public benefits, an increasing number of these individuals are filing tax returns claiming the Additional Child Tax Credit, a refundable tax credit intended for working families. The payment of Federal funds through this tax benefit appears to provide an additional incentive for aliens to enter, reside, and work in the United States without authorization, which directly contradicts Federal law and policy to remove such incentives.

That is from the inspector general for Tax Administration at the U.S. Treasury Department, not my language. Of course, that is exactly correct. That is exactly correct. How could it be otherwise?

In a press report from Indiana, one of the illegal aliens admitted his address was used to file tax returns by four other undocumented workers who don't even live there. Those four workers claimed 20 children live inside that one residence, and as a result the Internal Revenue Service sent the illegal immigrants tax refunds totaling $29,608. A tax credit is not a tax deduction, it is a direct payment, a direct transfer of wealth through the tax system to an individual—$29,608.

The Treasury inspector general's report further stated:

> Millions of people are seeking this tax credit who, we believe, are not entitled to it. We have made recommendations to the IRS as to how they could address this issue, and they have not taken sufficient action, in our view, to solve the problem.

Well, that is not acceptable. Now, $4 billion is a great deal of money. Four billion dollars a year is about $10 million a day. They found that $4 billion was doled out to people who received this one benefit illegally. No wonder we have people taking vacations to Las Vegas on the government's dime. No wonder we are giving $½ billion loans to failed companies like Solyndra. What are we doing here in Washington?

So I say it is time to end this. I would note that the House of Representatives has voted to end this, and so it is now time to see what this Senate will do. We need to act to end it also.

I have been in the Senate for 15-plus years, and being on the Judiciary Committee, we have seen the debate over immigration move forward, sometimes encouragingly and sometimes discouragingly. But every few years, it seems that the Washington masters of the universe who have willfully and deliberately failed to follow through on consistent promises to end immigration illegality begin to discuss some form of amnesty. They continue to incentivize the illegality but remain unwilling to take the necessary steps—not impossible steps—to secure the border on behalf of all citizens.

For example, just this week my good friend and able Senator, Mr. DURBIN, said that the DREAM Act is a bill that says: If you graduate high school and you have no serious problems when it comes to criminal convictions or moral issues and you either complete service in the military or 2 years in college, we will put you on a path to becoming legal and becoming a citizen.

But we have examined that legislation in its most recent version, and it would really in effect grant amnesty to millions of people here illegally regardless of whether they go on to finish high school, finish college, or serve in the military. That is what the legislation does. And the bill is certainly not limited to children. It would apply to illegal immigrants who are in their thirties now. Because the bill has no cap, no limit, no sunset, no ending, it would allow people to remain eligible for the rest of their lives, at any age, to claim this benefit. Once they are naturalized, those granted DREAM Act amnesty would then have the right to legally petition for entry into the United States of their family members, including their adult brothers and sisters and the parents who caused their illegal presence in the United States to begin with, easily tripling the number of green card holders.

This is a big issue. We need to be careful about these things. We need to consider what we are doing here.

The bill's provisions are so broad, they are open to those who have even multiple misdemeanor criminal convictions that could include drunk driving and certain sexual offenses. But the bill goes further, offering safe harbor protection to those here illegally, those who have pending deportation proceedings against them. Those deportation proceedings have to stop even when the individual might pose a risk to Americans when that deportation may be based on the commission of serious crimes.

This is especially dangerous because the safe harbor would also apply to those from terror-prone regions in the Middle East. In fact, the DREAM Act altogether ignores the lessons of 9/11, going so far as to open eligibility to those who previously defrauded immigration authorities, as did many of those 9/11 hijackers.

So you say: Well, JEFF, what are we going to do? What can we do here? You say no, no, but we need to have a plan. We need to do something.

Please, colleagues, think this through. The way forward for our country, the right way, the way to end the bitterness and develop common solutions for all residents is, first, secure the border, as Americans have asked their government to do year after year and this Congress and this administration have failed to do so.

We must rebuild the trust, the trust of the American people, before other actions are taken. How commonsensical is that? People have a right to believe we will promise enforcement and give amnesty. That has been the pattern. We give the amnesty but don't do the enforcement. That is why people are upset with Washington. Why shouldn't they be? It has gone on for several decades. It has gone on since I have been in the Senate. We have to follow through on the commitments that have been made to the American people to do what we promised. It is time to end the lawlessness, not surrender to it.

With determined leadership from the White House and support in the Congress, we can, in just a few years, I am totally convinced, solve the problem at our border, restore the rule of law, put an end to the border violence, and create a sane, just, and lawful system of immigration for America—a system that we can be proud of, a system that befits a nation as great as ours.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

NATIONAL TRAVEL AND TOURISM WEEK

Mrs. SHAHEEN. Mr. President, with summer approaching, the travel season will soon be in full swing, and this week we celebrate National Travel and Tourism Week. It is a time to call attention to the importance that travel and tourism play in our national economy and in the creation of jobs.

I know the Presiding Officer understands this issue very clearly because, for his State of Alaska, like the State of New Hampshire, travel and tourism is a very important industry. The fact is that the travel and tourism industry is one of the top 10 industries in 48 States, and it supports over 14 million American jobs. In New Hampshire, travel and tourism is our second largest industry, and it supports over 60,000 jobs in New Hampshire.

The Travel Promotion Act, which Congress passed in 2010, and of which I was very proud to be one of the cosponsors, will help the United States compete for foreign travelers. This year we will begin to see the impact of this landmark legislation.

For most of our history, the United States has been one of a very few developed countries that did not advertise overseas. The Travel Promotion Act changes all of that because it created what is called Brand USA. It is a low-cost public-private partnership, and Brand USA has just started rolling out an advertising campaign for America. Brand USA is going to leverage millions of dollars in contributions to the private sector to help encourage more foreign travelers to bring their dollars to the United States. This is important because what we have learned in New Hampshire is that overseas visitors tend to stay longer when they get to America and they tend to spend more money. For the first time we are going to be advertising overseas to attract visitors to come to the United States.

But there is even more we can and should do working together to support the travel sector. Traveling and tourism rely on a good infrastructure, on keeping our highways, our bridges, and our airports running. That is essential for the travel industry to grow. That is why it was so important that this year—after many years of trying—we finally reauthorized the FAA, and with that legislation are putting in place a new NextGen system of air traffic control that is going to allow our airplanes to get from point to point faster and more efficiently.

That is why it is so critical that we pass the highway bill that is pending in Congress, which is at a committee of conference. We passed that bill in the Senate on an overwhelmingly bipartisan vote, and now we need to get this bill out of the Congress.

We also need to look at ways to improve our visa system so we can make it easier for foreign travelers to come to the United States. We need to pass legislation—and there are several bills that have been introduced—that will help us clear the backlog of visa applications so we can make sure those travelers who want to come to the United States are going to be able to do so, again bearing in mind that those overseas visitors tend to stay longer and spend more money.

I want to conclude by highlighting what is an exciting new campaign in New Hampshire to help build New Hampshire's reputation as a world-class travel destination with something to offer for everyone. I know a lot of people have been to New Hampshire every 4 years as part of our Presidential primary. A lot of people are familiar with our State's slogan, ''Live Free or Die.'' This slogan actually captures what was uttered by GEN John Stark, who was a Revolutionary War general talking about the British during the Revolution. A few days ago our State Division of Travel and Tourism Development launched a new campaign to promote New Hampshire to show the world what we have to offer as a unique travel destination, and that campaign very cleverly plays on our famous State slogan. We can see in this advertisement ''Live Free and Explore.'' It is one of our beautiful lakes. We can see the family out canoeing.

We also have another one, ''Live Free and Reconnect.'' Here is a family out hiking. We can see some of our mountains in the background. They are not

quite as high as the mountains in Alaska, but we think they are a great place for families to come and explore. Hikers can enjoy and reconnect and relax.

This one is ''Live Free and Discover.'' Again, kids getting ready to jump into one of our lakes. We can see the wilderness in the background. This is another great example of one of the opportunities New Hampshire has to enjoy our beautiful State.

We are very proud of what New Hampshire has to offer. We have a new logo that shows how you can visit our travel and tourism site on the Web and see what New Hampshire has to offer. We hope all of those who come to experience our Presidential primary will come back every 4 years and maybe in the meantime look at what we have to offer for enjoying the natural beauty and activities of the State. We would like that, but I understand that all of us here in Washington have very busy schedules and sometimes finding time to travel is difficult. Fortunately, soon we are going to have a great opportunity for everyone on the Hill to experience what New Hampshire has to offer without even leaving the building. On June 6, the New Hampshire State Society and our office are going to be hosting a reception called ''Experience New Hampshire.'' It is a great opportunity to experience New Hampshire's signature hospitality, our history, our culture, and our scenic beauty. I invite all of my colleagues to enjoy New Hampshire beverages, to taste some of the menus from our historic grand homes, our charming inns, and to come and celebrate with us.

As we celebrate travel and tourism this week, I hope all of us will take a few minutes to reflect on the importance of this industry to our State and local economies and to the country.

I thank the Chair.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN.) Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the motion to proceed to Calendar No. 396, H.R. 2072, which is an act to reauthorize the Export-Import Bank of the United States be adopted; that there be no amendments, motions or points of order in order to the bill other than budget points of order and the applicable motions to waive; that there be 1 hour of debate equally divided between the two leaders or their designees prior to a vote on passage of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object. I would ask the majority leader to modify his request to accommodate a few amendments.

Therefore, I ask unanimous consent that the request be modified to allow the following amendments: Corker No. 2102, financing for transactions subsidized by export credit agencies; Vitter No. 2103, prohibitions on funds used for energy development outside of the United States; Toomey No. 2104, a $40 billion increase contingency; Lee No. 2100, phaseout; and Paul No. 2101, limitation on Ex-Im support.

I further ask unanimous consent that following the disposition of the listed amendments, the bill be read three times and the Senate proceed to vote on the passage of the bill with a 60-vote threshold. Before the Chair rules, I would say the sponsors of the amendments would be prepared to enter into short time agreements in order to facilitate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. REID. Mr. President, reserving the right to object, these amendments that have just been listed, we are familiar with three of them. The other two I have not had the chance to review nor has my staff, and I do not think anyone else has. We will be happy to continue to study these. I will take a look at them—happy to do that.

The only thing I would say is that—and I have other things to say, and I know my friend the assistant Republican leader has places to go, so I would give a statement later. But based on what I have just said and what I am going to say, I object.

Mr. KYL. Mr. President, I appreciate that. I hope we can continue to work together. As to the original request then, we would have to pose an objection as well.

The PRESIDING OFFICER. Objection is heard to both requests.

Mr. REID. Mr. President, yesterday, the House sent the Senate a bipartisan reauthorization of the Export-Import Bank. The bill the House passed reflects the negotiated agreement that was struck between Republican and Democratic leaders. They worked hard to come up with an agreement.

As one would expect with an agreement of that nature, the House passed it with a very strong vote. The vote was 330 to 93. Every single Democrat voted for the measure. Only the far right tea party wing of the House Republican caucus voted against the bill—93 of them. So it was 330 to 93.

The House considered no amendments. The House passed the bill on a suspension calendar. For those of us who served in the House, that is a bill that comes up and there is almost no debate. It takes a two-thirds vote to pass it. They do it for noncontroversial items. This measure is noncontroversial. It should have never been controversial. We brought it up 2 months ago, and we were stunned when the Republicans would not let us move forward on it.

So the House did the right thing yesterday. This is the sort of bill the Senate should now simply pass without amendment. It is so unusual here. I have been in Congress 30 years. But this is a new one. Even bills that they agree on they want to mess around with. In years past, this would have gone through just like this. Forget about what took place 2 months ago. But now the House passed something 330 to 93, and we are here playing around with it. It should be done. We should have passed it yesterday. This thing is going to expire.

It is hard to comprehend what the new mantra of the Republicans in the Senate is. I do not get it. As I indicated in earlier days, the Senate would have passed this bill by unanimous consent, as we have done before, this same legislation. But these days, the far right tea party wing of the Senate Republican caucus—I used to just talk about the House wing of the tea party, but it is over here now—thinks everything has to be a fight—everything.

So we are going to have to have a vote on this rather than do it by unanimous consent. The bank will hit its lending limit any day. Its current authorization ends at the end of this month, May. So it will be very important we work to pass the House bill as quickly as possible. If we amend the bill and send it back to the House, we have to start all over again. The House is basically not in session this month, under their very difficult schedule of working 2 weeks on and 1 week off and then sometimes longer than that. I do not know when they are going to be here. It would be so much better, on a noncontroversial, very important piece of legislation—last year, 300,000 jobs—not 30,000 but 300,000.

We understand the Senate Republican caucus wants to offer amendments. The amendments are—I do not know for sure, but just glancing at them, I think they may be relevant. We will take a close look at them. There is no question the ones I am familiar with are efforts to gut the program. One of the amendments just eliminates it. How about that?

So we are going to continue looking at the amendments we have and those we have not studied and look at them. I will try to be reasonable. So as we do that, we are going to vote on this. I am going to file cloture in just a second, which I hate to do—another motion to proceed. Boy, if there were ever a time when TOM UDALL and JEFF MERKLEY were prophetic, it is tonight. These two young, fine Senators said it was time to change the rules in the Senate. We did not. They were right. The rest of us were wrong or most of us anyway. What a shame.

Here we are wasting time because of the Republicans. This week we have accomplished a lot. We had a vote on a judge and we voted on cloture on the Republicans defeating our ability to get something done with student loans. That is our workload this week. I know it has been tough.

That was sarcastic, of course, but it is just absolutely mindless what is going on. Then, to top it off, one of the finest Members of the Senate we have ever had was defeated yesterday by a man—listen to this—who campaigned on the platform that there is too much compromise in the Senate. He is going to come back here and not compromise with anybody on anything. Now that is what we need in the Senate, more people who are willing to do nothing but fight.

I am going to do whatever I have to do to take the steps to keep this measure moving forward. I hope we can do it next week. I hope we can do it without a lot of trouble, of which we already have too much.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 396, H.R. 2072, an Act to reauthorize the Export-Import Bank of the United States, and for other purposes.

Maria Cantwell, Tim Johnson, Harry Reid, Mark Begich, Mark Udall, Tom Udall, Patrick J. Leahy, Sherrod Brown, Jack Reed, Charles E. Schumer, Richard Blumenthal, Richard J. Durbin, Kay R. Hagan, Daniel K. Inouye, Michael F. Bennet, Kent Conrad, Benjamin L. Cardin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I am finished. But I wish to say again for those who are listening here or watching, Senator UDALL and Senator MERKLEY wanted to do something to change the rules regarding filibusters. If there was anything that ever needed changing in this body, it is the filibuster rule.

It has been abused, abused, and abused by my Republican colleagues.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I appreciate the majority leader's actions on trying to move us forward on a very important jobs bill. The Export-Import Bank is a way to fund manufacturers in the United States so their products can be sold around the globe. It is kind of similar to a Small Business Administration finance program for exports.

We know the President has said we need to increase exports. This is a program that has been in place for decades, never controversial at this degree. Now all of a sudden we are, weeks before the authorization expires, sitting here arguing over whether we can move forward on this bill.

I have great respect for the Senate. But there are some times when the Senate does not get to work out a deal, and we are presented with something that has been worked out by the House of Representatives. We can go back to what the majority leader said, how we got in this spot; that is, objecting to every motion to proceed, objecting to every motion to proceed. Pretty soon all the work stacks up. We try to move legislation and every motion is objected to. So the consequence is we run out of time and we run out of a way to get to a compromise.

In this case, guess what happened. The House came up with a compromise. The House, even to the degree that some of the amendments that some of my colleagues wanted to offer, got implemented into the House compromise bill that now passed the House of Representatives with, whatever, 300-plus votes to 93.

With my colleagues, basically, continuing to just try to derail the normal process, we have had to take now a House bill that I think encompasses many of the things people wanted to see either in reforms or ways to make the bank more transparent or ways to make sure we are focusing on things that are going to help U.S. manufacturers win the day in a very competitive market.

So I say to my colleagues on the other side of the aisle, yes; Mr. BOEHNER and Mr. CANTOR worked out a compromise. So now we can again take more time here and analyze it and see whether you agree with that. I certainly like when the Senate works out agreements, and oftentimes we have asked our House colleagues to vote on them. But we now have the student loan bill that needs to be done, this Export-Import Bank that needs to be done, and many other important economic agenda items we should get to for this country.

I hope when the cloture motion comes forward, my colleagues will realize the only thing people are trying to do now—they can vote no on the program if they don't like it because they are primarily amendments to defund the bank. These are not perfecting amendments to a compromise that has been worked out. They want to express their opposition. They will have a chance to do that.

I hope for the sake of thousands of jobs in the United States, for the sake of U.S. competitiveness in a global market, where these companies are competing with other companies around the globe, my colleagues will realize this is a compromise piece of legislation. Let's get it done next week and onto the President's desk so we can go about winning more jobs in a very competitive global economy. That is what we need to do. Holding out 1 more, 2 more, or 3 more days, or another week just to get an amendment saying you hate the Ex-Im Bank, that is not the way to get things done for America.

I hope my colleagues will support moving ahead so we can get this onto the President's desk.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AWARDING A CONGRESSIONAL GOLD MEDAL TO MEMBERS OF THE CIVIL AIR PATROL

Mr. HARKIN. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of S. 418 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 418) to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

There being no objection, the Senate proceeded to consider the bill.

Mr. HARKIN. Mr. President, I ask unanimous consent that the bill be read the third time and passed; that the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 418) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) The volunteer members of the Civil Air Patrol (hereafter in this Act referred to as the ''CAP'') during World War II, civilian men and women ranging in age from 18 to 81, provided extraordinary public and combat services during a critical time of need for the Nation.

(2) During the war, CAP members used their own aircraft to perform a myriad of essential tasks for the military and the Nation

within the United States, including attacks on enemy submarines off the Atlantic and Gulf of Mexico coasts of the United States.

(3) This extraordinary service set the stage for the post-war CAP to become a valuable nonprofit, public service organization chartered by Congress and the Auxiliary of the United States Air Force that provides essential emergency, operational, and public services to communities, States, the Federal Government, and the military.

(4) The CAP was established, initially as a part of the Office of Civil Defense, by airminded citizens one week before the surprise attack on Pearl Harbor, Hawaii, on December 1, 1941, ''out of the desire of civil airmen of the country to be mobilized with their equipment in the common defense'' of the Nation.

(5) Within days of the start of the war, the German Navy started a massive submarine offensive, known as Operation Drumbeat, off the east coast of the United States against oil tankers and other critical shipping that threatened the overall war effort.

(6) Neither the Navy nor the Army had enough aircraft, ships, or other resources to adequately patrol and protect the shipping along the Atlantic and Gulf of Mexico coasts of the United States, and many ships were torpedoed within sight of civilians on shore, including 52 tankers sunk between January and March 1942.

(7) At that time General George Marshall remarked that ''[t]he losses by submarines off our Atlantic seaboard and in the Caribbean now threaten our entire war effort''.

(8) From the beginning CAP leaders urged the military to use its services to patrol coastal waters but met with great resistance because of the nonmilitary training and status of CAP pilots.

(9) Finally, in response to the ever-increasing submarine attacks, the Tanker Committee of the Petroleum Industry War Council urged the Navy Department and the War Department to consider the use of the CAP to help patrol the sea lanes off the coasts of the United States.

(10) While the Navy initially rejected this suggestion, the Army decided it had merit, and the Civil Air Patrol Coastal Patrol began in March 1942.

(11) Oil companies and other organizations provided funds to help pay for some CAP operations, including vitally needed shore radios that were used to monitor patrol missions.

(12) By late March 1942, the Navy also began to use the services of the CAP.

(13) Starting with three bases located in Delaware, Florida, and New Jersey, CAP aircrews immediately started to spot enemy submarines as well as lifeboats, bodies, and wreckage.

(14) Within 15 minutes of the first Coast Patrol flight, the pilot had sighted a torpedoed tanker and was coordinating rescue operations.

(15) Eventually 21 bases, ranging from Bar Harbor, Maine, to Brownsville, Texas, were set up for the CAP to patrol the Atlantic and Gulf of Mexico coasts of the United States, with 40,000 volunteers participating.

(16) The CAP used a wide range of civilian-owned aircraft, mainly light-weight, single engine aircraft—manufactured by Cessna, Beech, Waco, Fairchild, Stinson, Piper, Taylorcraft, and Sikorsky, among others—as well as some twin engine aircraft such as the Grumman Widgeon.

(17) These aircraft were painted in their civilian prewar colors (red, yellow, blue, etc.) and carried special markings (a blue circle with a white triangle) to identify them as CAP aircraft.

(18) Patrols were conducted up to 100 miles off shore, generally with 2 aircraft flying together, in aircraft often equipped with only a compass for navigation and a single radio for communication.

(19) Due to the critical nature of the situation, CAP operations were conducted in bad weather as well as good, often when the military was unable to fly, and in all seasons (including the winter) when ditching an aircraft in cold water would likely mean certain death to the aircrew.

(20) Personal emergency equipment was often lacking, particularly during early patrols where inner tubes and kapok duck hunter vests were carried as flotation devices since ocean worthy wet suits, life vests, and life rafts were unavailable.

(21) The initial purpose of the CAP was to spot submarines, report their position to the military, and force them to dive below the surface, which limited their operating speed and maneuverability and reduced their ability to detect and attack shipping.

(22) It soon became apparent that there were opportunities for CAP pilots to attack submarines, such as when a Florida CAP aircrew came across a surfaced submarine that quickly stranded itself on a sand bar. However, the aircrew could not get any assistance from armed military aircraft before the submarine freed itself.

(23) Finally, after a number of these instances, a decision was made by the military to arm CAP aircraft with 50 and 100 pound bombs, and to arm some larger twin engine aircraft with 325 pound depth charges.

(24) The arming of CAP aircraft dramatically changed the mission for these civilian aircrews and resulted in more than 57 attacks on enemy submarines.

(25) While CAP volunteers received $8 a day flight reimbursement, their patrols were accomplished at a great economic cost to many of the members of the CAP who—

(A) used their own aircraft and other equipment in defense of the Nation;

(B) paid for much of their own aircraft maintenance and hangar use; and

(C) often lived in primitive conditions along the coast, including old barns and chicken coops converted for sleeping.

(26) More importantly, the CAP Coastal Patrol service came at the high cost of 26 fatalities, 7 serious injuries, and 90 aircraft lost.

(27) At the conclusion of the 18-month Coastal Patrol, the heroic CAP aircrews would be credited with the following:

(A) 2 submarines destroyed or damaged.

(B) 57 submarines attacked.

(C) 82 bombs dropped against submarines.

(D) 173 radio reports of submarine positions (with a number of credited assists for kills made by military units).

(E) 17 floating mines reported.

(F) 36 dead bodies reported.

(G) 91 vessels in distress reported.

(H) 363 survivors in distress reported.

(I) 836 irregularities noted.

(J) 1,036 special investigations at sea or along the coast.

(K) 5,684 convoy missions for the Navy.

(L) 86,685 missions flown.

(M) 244,600 total flight hours logged.

(N) More than 24,000,000 miles flown.

(28) At least one high-level German Navy Officer credited the CAP with being the primary reason that submarine attacks were withdrawn from the Atlantic coast of the United States in 1943, when he said that ''[i]t was because of those damned little red and yellow planes!''.

(29) The CAP was dismissed from coastal missions with little thanks in August 1943 when the Navy took over the mission completely and ordered the CAP to stand down.

(30) While the Coastal Patrol was ongoing, the CAP was also establishing itself as a vital wartime service to the military, States, and communities nationwide by performing a wide range of missions including—

(A) border patrol;

(B) forest fire patrol;

(C) courier flights for mail, repair and replacement parts, and urgent deliveries;

(D) emergency transportation of personnel;

(E) target towing (with live ammunition being fired at the targets and seven lives being lost) and searchlight tracking training missions;

(F) missing aircraft and personnel searches;

(G) rescue of aircraft crash survivors;

(H) radar training flights;

(I) aerial inspections of camouflaged military and civilian facilities;

(J) aerial inspections of city and town blackout conditions;

(K) mock bombing attacks on cities and facilities to test air defenses;

(L) aerial searches for scrap metal materials;

(M) support of war bond drives;

(N) airport guard duties;

(O) support for State and local emergencies such as natural disasters;

(P) recruiting for the Army Air Force; and

(Q) a cadet youth program which provided aviation and military training.

(31) The CAP flew more than 500,000 hours on these additional missions, including—

(A) 20,500 missions involving target towing (with live ammunition) and gun/searchlight tracking which resulted in 7 deaths, 5 serious injuries, and the loss of 25 aircraft;

(B) a courier service involving 3 major Air Force Commands over a 2-year period carrying more than 3,500,000 pounds of vital cargo and 543 passengers;

(C) southern border operations flying more than 30,000 hours, with 7,000 reports of unusual sightings including a vehicle (that was apprehended) with 2 enemy agents attempting to enter the country;

(D) a week in February 1945 during which CAP units found seven missing Army and Navy pilots; and

(E) a State in which the CAP flew 790 hours on forest fire patrol missions and reported 576 fires to authorities during a single year.

(32) On April 29, 1943, the CAP was transferred to the Army Air Forces, thus beginning its long association with the United States Air Force.

(33) Hundreds of CAP-trained women joined military women's units including the Women's Air Force Service Pilots (WASP) program.

(34) Many members of the Women's Air Force Service Pilots program joined or rejoined the CAP during the post-war period because it provided women opportunities to fly and continue to serve the Nation that were severely lacking elsewhere.

(35) Due to the exceptional emphasis on safety, unit discipline, and pilot discipline, and the organization of the CAP, by the end of the war only 64 members of the CAP had died in service and only 150 aircraft had been lost (including its Coastal Patrol losses from early in the war).

(36) There were more than 60,000 adult civilian members of the CAP in wide range of positions, and CAP aircrews flew a total of approximately 750,000 hours during the war, most of which were in their personal aircraft and often at real risk to their lives.

(37) After the war, at a CAP dinner for Congress, a quorum of both Houses attended with the Speaker of the House of Representatives and the President thanking the CAP for its service.

(38) While air medals were issued for those participating in the Coastal Patrol, little other recognition was forthcoming for those efforts or for the other services the CAP volunteers provided during the war.

(39) Despite efforts to end the organization at the end of the war, the CAP had proved its capabilities and strengthened its ties with the Air Force and Congress.

(40) In 1946, Congress chartered the CAP as a nonprofit, public service organization and in 1948 as the Auxiliary of the United States Air Force.

(41) Today the CAP conducts many of the same missions it performed during World War II, including a vital role in homeland security.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD.—

(1) AUTHORIZED.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design in honor of the World War II members of the Civil Air Patrol collectively, in recognition of the military service and exemplary record of the Civil Air Patrol during World War II.

(2) DESIGN AND STRIKING.—For the purposes of the award referred to in paragraph (1), the Secretary of the Treasury shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(3) SMITHSONIAN INSTITUTION.—

(A) IN GENERAL.—Following the award of the gold medal referred to in paragraph (1) in honor of the World War II members of the Civil Air Patrol, the gold medal shall be given to the Smithsonian Institution, where it shall be displayed as appropriate and made available for research.

(B) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under this paragraph available for display elsewhere, particularly at other locations associated with the Civil Air Patrol.

(b) DUPLICATE MEDALS.—Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under this Act, at a price sufficient to cover the costs of the medals, including labor, materials, dyes, use of machinery, and overhead expenses.

(c) NATIONAL MEDALS.—Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS; PROCEEDS OF SALE.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, an amount not to exceed $30,000 to pay for the cost of the medal authorized under section 2.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 2(b) shall be deposited in the United States Mint Public Enterprise Fund.

Mr. HARKIN. Mr. President, I will speak about S. 418, which we just passed. I thank all my colleagues for allowing it to go through on a unanimous consent basis.

This bill awards a Congressional Gold Medal to the World War II members of the Civil Air Patrol. I introduced this legislation last year, and it currently has 85 cosponsors.

This legislation will offer long overdue recognition to a small group of people who answered the call to duty at our Nation's time of maximum danger.

Seventy years ago, during the height of World War II, Civil Air Patrol members in small aircraft began searching for German U-boats off the Atlantic Coast. This was a time of great peril for the Nation when over 400 ships were sunk in U.S. waters, many in view of Americans on shore, and the military didn't have enough aircraft and ships to stop this carnage. That is why the Civil Air Patrol answered the call.

Their mission was highly unusual because these pilots were civilian volunteers flying their own airplanes in combat operations, often at their own expense. The mission was for Civil Air Patrol aircraft to force the U-boats below the surface of the water, making their attacks on shipping much more difficult and time consuming. As soon as the Civil Air Patrol pilots took to the air, they spotted so many U-boats that the military quickly armed their aircraft with small bombs and depth charges. From Maine to Texas, Civil Air Patrol aircraft flew these missions in pairs up to 100 miles offshore, in all seasons, often in bad weather. These CAP, as they are known, put themselves at great risk, flying over water at low levels with only a compass, one radio, and minimal survival gear to help if they got into trouble. Many pilots had to ditch in the water. Twenty-six pilots lost their lives and 90 aircraft were lost.

During an 18-month period, the Civil Air Patrol flew over 24 million miles on its antisubmarine coastal patrols. It spotted 173 U-boats, attacked 57, and sank or damaged 2. It also escorted over 5,600 convoys and reported 17 floating mines, 36 bodies, 91 ships in distress, and 363 survivors in the water. Most importantly, CAP's constant presence over the Atlantic and the Gulf of Mexico was a major factor in pushing enemy operations away from the coast and protecting vital shipping and cargo up and down our coastlines.

In 1943 German U-boat attacks ceased off the Atlantic coast of the United States. One high-level German officer credited the Civil Air Patrol with being the primary reason for withdrawal, saying, ''It was because of those damned little red and yellow airplanes.''

As the U-boat threat ended, Civil Air Patrol expanded its homeland security and emergency operations to include search and rescue, border patrol, forest fire patrol, and disaster relief in every State in the Nation.

By war's end, nearly 60,000 members had participated in the Civil Air Patrol and flew 75 million miles over 750,000 hours in support of critical homefront missions. Its volunteers ranged in age from 18 to over 80. Many served for the entire war, while others, most of whom later joined the military, served for shorter periods. A substantial number received ''belligerent'' certificates indicating they had participated in combat-related duty with the Civil Air Patrol.

The individual accounts of Civil Air Patrol pilots' performance and heroism are too numerous to recount, but just a few examples can illustrate the valor with which they served.

For instance, Maj. Hugh Sharp and Lt. Eddie Edwards from Rehoboth, DE, landed their Sikorsky amphibian in high seas to rescue two other CAP airmen who had to ditch their plane. They found one crew member who was badly hurt, but they were unable to take off due to a pontoon damaged during a rough landing in 10-foot seas. They made a decision to taxi the aircraft back to land, but they quickly discovered that the damaged amphibian listed too far to the left and it didn't make much progress. It just sort of went around in circles. So Eddie volunteered to climb to the end of the right wing to keep the plane in balance. The next day, when a Coast Guard ship met the aircraft, Eddie had to be carried from the wing after holding on tightly for 11 hours in freezing and wet conditions. Both pilots were awarded the first Air Medals of the war by President Roosevelt.

Capt. Francis ''Mac'' McLaughlin flew coastal patrol missions from Daytona Beach, FL, for 17 months. During that time, he, along with Albert Crabtree, ditched a Fairchild 24 aircraft in the Atlantic and floated in a life raft for several hours until the Coast Guard picked them up. They quickly became members of the ''Duck Club,'' an exclusive organization that recognized those who survived a CAP ditching. There would soon be many in that club, as I mentioned. When the coastal patrol ended, Mac went to Massachusetts to tow aerial targets, the CAP's second most dangerous duty after the coastal patrol. Seven CAP pilots and observers would be shot down and killed during gunnery practice. Mac, who served the entire war on Active Duty with the Civil Air Patrol, passed away at the end of 2011.

Another CAP veteran was Lt. Charles Compton, who flew from Coastal Patrol Base 1 at Atlantic City, NJ, on antisubmarine and convoy escort missions. He recently noted:

> Convoys could be attacked at any time. We had a war going on and the threat of German submarines off the east coast. Our job was to make it less easy for the German submarines to surface without being detected.

Charles, who lives near Chicago and turned 95 last summer, remembers that during these dangerous missions, pilots often used sunken ships as points of

reference to help them navigate when over water. He added that, unfortunately, sunken ships were plentiful at that time. Recently recognized for his service with Civil Air Patrol's Distinguished Service Award, he credits the exceptional efforts of his fellow Atlantic City squadron members for the honor he received.

These are just three stories, but they are illustrative of Civil Air Patrol's many World War II heroes. More importantly, these stories serve as a powerful reminder of the dedication and service that all gave to our Nation.

When the war ended, Civil Air Patrol members received the recognition they deserved. Over time, however, their story was lost to much of the Nation. This Congressional Gold Medal will ensure that this story is told over and over to future generations and recognizes the Civil Air Patrol and its World War II members for their critically important service to our Nation.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CARBON POLLUTION

Mr. WHITEHOUSE. Mr. President, I want to speak about the ongoing and deliberately overlooked problem of carbon pollution and what it is doing to our planet.

In the context of these remarks, I ask unanimous consent to have printed in the RECORD an article entitled ''Game Over for the Climate,'' written by Jim Hansen and published in yesterday's New York Times.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, May 9, 2012]

GAME OVER FOR THE CLIMATE

(By James Hansen)

GLOBAL warming isn't a prediction. It is happening. That is why I was so troubled to read a recent interview with President Obama in Rolling Stone in which he said that Canada would exploit the oil in its vast tar sands reserves ''regardless of what we do.''

If Canada proceeds, and we do nothing, it will be game over for the climate.

Canada's tar sands, deposits of sand saturated with bitumen, contain twice the amount of carbon dioxide emitted by global oil use in our entire history. If we were to fully exploit this new oil source, and continue to burn our conventional oil, gas and coal supplies, concentrations of carbon dioxide in the atmosphere eventually would reach levels higher than in the Pliocene era, more than 2.5 million years ago, when sea level was at least 50 feet higher than it is now. That level of heat-trapping gases would assure that the disintegration of the ice sheets would accelerate out of control. Sea levels would rise and destroy coastal cities. Global temperatures would become intolerable. Twenty to 50 percent of the planet's species would be driven to extinction. Civilization would be at risk.

That is the long-term outlook. But near-term, things will be bad enough. Over the next several decades, the Western United States and the semi-arid region from North Dakota to Texas will develop semi-permanent drought, with rain, when it does come, occurring in extreme events with heavy flooding. Economic losses would be incalculable. More and more of the Midwest would be a dust bowl. California's Central Valley could no longer be irrigated. *Food prices* would rise to unprecedented levels.

If this sounds apocalyptic, it is. This is why we need to reduce emissions dramatically. President Obama has the power not only to deny tar sands oil additional access to Gulf Coast refining, which Canada desires in part for export markets, but also to encourage economic incentives to leave tar sands and other dirty fuels in the ground.

The *global warming* signal is now louder than the noise of random weather, as I predicted would happen by now in the journal Science in 1981. Extremely hot summers have increased noticeably. We can say with high confidence that the recent heat waves in Texas and Russia, and the one in Europe in 2003, which killed tens of thousands, were not natural events—they were caused by human-induced climate change.

We have known since the 1800s that carbon dioxide traps heat in the atmosphere. The right amount keeps the climate conducive to human life. But add too much, as we are doing now, and temperatures will inevitably rise too high. This is not the result of natural variability, as some argue. The earth is currently in the part of its long-term orbit cycle where temperatures would normally be cooling. But they are rising—and it's because we are forcing them higher with fossil fuel emissions.

The concentration of carbon dioxide in the atmosphere has risen from 280 parts per million to 393 p.p.m. over the last 150 years. The tar sands contain enough carbon—240 gigatons—to add 120 p.p.m. Tar shale, a close cousin of tar sands found mainly in the United States, contains at least an additional 300 gigatons of carbon. If we turn to these dirtiest of fuels, instead of finding ways to phase out our addiction to fossil fuels, there is no hope of keeping carbon concentrations below 500 p.p.m.—a level that would, as earth's history shows, leave our children a climate system that is out of their control.

We need to start reducing emissions significantly, not create new ways to increase them. We should impose a gradually rising carbon fee, collected from fossil fuel companies, then distribute 100 percent of the collections to all Americans on a per-capita basis every month. The government would not get a penny. This market-based approach would stimulate innovation, jobs and economic growth, avoid enlarging government or having it pick winners or losers. Most Americans, except the heaviest energy users, would get more back than they paid in increased prices. Not only that, the reduction in oil use resulting from the carbon price would be nearly six times as great as the oil supply from the proposed pipeline from Canada, rendering the pipeline superfluous, according to economic models driven by a slowly rising carbon price.

But instead of placing a rising fee on carbon emissions to make fossil fuels pay their true costs, leveling the energy playing field, the world's governments are forcing the public to subsidize fossil fuels with hundreds of billions of dollars per year. This encourages a frantic stampede to extract every fossil fuel through mountaintop removal, longwall mining, hydraulic fracturing, tar sands and tar shale extraction, and deep ocean and Arctic drilling.

President Obama speaks of a ''planet in peril,'' but he does not provide the leadership needed to change the world's course. Our leaders must speak candidly to the public—which yearns for open, honest discussion—explaining that our continued technological leadership and economic well-being demand a reasoned change of our energy course. History has shown that the American public can rise to the challenge, but leadership is essential.

The science of the situation is clear—it's time for the politics to follow. This is a plan that can unify conservatives and liberals, environmentalists and business. Every major national science academy in the world has reported that global warming is real, caused mostly by humans, and requires urgent action. The cost of acting goes far higher the longer we wait—we can't wait any longer to avoid the worst and be judged immoral by coming generations.

Mr. WHITEHOUSE. The article begins with two simple sentences: ''Global warming isn't a prediction. It is happening.''

He talks about the dangers of the Canada tar sands and what that means for us if we go ahead with that project. His conclusion is this:

If Canada proceeds, and we do nothing, it will be game over for the climate.

Canada's tar sands, deposits of sand saturated with bitumen, contain twice the amount of carbon dioxide emitted by global oil use in our entire history.

He looks at the recent extreme weather that people—not only across the country but across the world—have been noticing. He concludes:

We can say with high confidence that the recent heat waves in Texas and Russia, and the one in Europe in 2003, which killed tens of thousands, were not natural events—they were caused by human-induced climate change.

So the risk we face is a real one, and we are actually seeing it begin to happen in present time. He says:

The tar sands contain enough carbon—240 gigatons—to add 120 parts per million to our atmosphere. As I have said before on the Senate floor, we have lived for 8,000 centuries within a range between 170 and 300 parts per million of carbon in our atmosphere. That is the bandwidth within which the human species has lived on this planet, and we have gone rocketing out of that bandwidth in recent years. We are now at 390 parts per million out of a bandwidth, for 800,000 years, between 170 and 300 parts per million. The tar sands would add 120 parts per million to that. That would take us to 510, if my math is right.

Tar shale—a close cousin of tar sands found mainly in the United States—

contains at least an additional 300 gigatons of carbon.

This shows the folly of what Dr. Hansen describes:

. . . as a frantic stampede to extract every fossil fuel through mountaintop removal, longwall mining, hydraulic fracturing, tar sands and tar shale extraction, and deep ocean and Arctic drilling.

Jim Hansen is somebody who is worth listening to. He has been writing about this now for more than 30 years,

I ask unanimous consent to have printed in the RECORD a posting by Neil Wagner entitled ''Hansen Had It Right in 1981 Climate Report.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HANSEN HAD IT RIGHT IN 1981 CLIMATE REPORT

(By Neil Wagner)

A recently rediscovered 1981 paper, written by NASA atmospheric physicist James Hansen and others, has been analyzed and found to be impressively accurate about the course of climate change since its publication.

The 10-page paper (available at this link), which was published in the journal Science, had been overlooked for decades when researchers Geert Jan van Oldenborgh and Rein Haarsma from the Royal Netherlands Meteorological Institute uncovered it and began scouring its contents.

The paper's impressive prognostication is the best kind of vindication for Hansen, who has suffered more than his share of the slings and arrows from climate deniers in the media, such as Fox News, Rush Limbaugh, and Andrew Breitbart. He's also taken hits from ''climate confusionist'' Physicist Freeman Dyson, and has charged that the Bush administration tried to silence his warnings about global warming's urgency.

Deniers of climate change often look for boogeymen in their attempts to disprove the phenomenon's existence. As a means of putting a face on the ''global warming hoax,'' an individual is often singled out for attack. In his new book, The Hockey Stick and the Climate Wars, scientist Michael E. Mann calls this technique the Serengeti Strategy, since the technique is akin to lions singling out vulnerable prey from a herd.

The links below provide current information about some of the paper's projections: Atmospheric carbon increase, Formation of drought prone regions, Sea level rise, Antarctic ice erosion, Opening of the Northwest Passage.

The complex world of climate science rarely enjoys such clear and simple validation. When such an opportunity presents itself, we owe it to ourselves to make some noise about it. Haarsma and van Oldenborgh's findings should be shouted from the rooftops.

Mr. WHITEHOUSE. He says:

A recently rediscovered 1981 paper, written by NASA atmospheric physicist Jim Hansen and others, has been analyzed and found to be impressively accurate about the course of climate change since its publication.

The 10-page paper . . . which was published in the journal Science, had been overlooked for decades when researchers Geert Jan van Oldenborgh and Rein Haarsma from the Royal Netherlands Meteorological Institute, uncovered it and began scouring its contents.

The paper's impressive prognostication is the best kind of vindication for Hansen, who has suffered more than his share of the slings and arrows from climate deniers in the media . . .

He concludes:

The complex world of climate science rarely enjoys such clear and simple validation. When such opportunity presents itself, we owe it to ourselves to make some noise about it.

With appreciation to Jim Hansen, how the actual science has borne him out over the past 30 years, and with respect for the predictions he makes, we should as soon as we can begin to address ourselves to this problem.

Jim is not alone. An array of scientific organizations wrote us all a letter back in October of 2009 whose conclusion is pretty clear and stark in scientific language:

Observations throughout the world make it clear that climate change is occurring and rigorous scientific research demonstrates that the greenhouse gasses emitted by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence and contrary assertions are inconsistent with an objective assessment of the vast body of peer reviewed science.

We act as if it is something new, but, in fact, it is not. The determination that carbon dioxide would warm the planet as it increased its concentration in the atmosphere was figured out around the time of the American Civil War by an Irish scientist who worked in England named John Tyndall. What Tyndall discovered we have proven to be true, as since then we have dumped gigaton after gigaton of carbon into our atmosphere, loading it up to the point now, as I said before, that we are well outside the bounds that have protected our species for 800,000 years on this planet.

The scale of what 8,000 centuries means is perhaps best measured against the time that scientists now believe man first began to engage in agriculture, first started scratching the earth and putting seeds into the ground. Before then, we were primarily hunter-gatherers, leading a very primitive life. So we have gone from beginning to scratch the earth and plant things to be, 10,000 years later, the species we are. We lived within this bandwidth of 170 to 300 parts per million for 8,000 centuries. To veer outside of it is significant and hazardous.

I am delighted that Mr. Hansen, despite all the abuse that has been heaped on him, continues his work. I hope the time comes when we start to listen to the voice of what our planet is telling us, the voice of what our scientists are telling us, the voice of what our children are telling us, and not just the voice of what the lobbyists for the polluting industries—particularly the oil and gas industries—are telling us.

Frankly, the lobbyists for the polluting oil and gas industries are not telling us the truth. They are not telling us the truth. The truth is becoming increasingly apparent, and the problem is that as time goes by you can reach tipping points that are irrecoverable. It would be really tragic for us to look back and think, if we had been able to act on time, if we had listened on time to the signals of our Earth, our planet, the signals that are plainly in our face, we could have made a world that was better and safer for our children. But, instead, in our folly, in our greed, in our willingness to listen to the falsehoods of these polluters, we shot past that point, and there is no way to recover it now.

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that we proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

TRIBUTE TO MARY LEAHY

Mr. LEAHY. Mr. President, I rise on the Senate floor today to pay tribute to Mary Leahy, director at the Central Vermont Adult Basic Education—sister, friend, and lifetime educator—who is retiring this month.

For 40 years, Central Vermont Adult Basic Education has provided free literacy services for adults and out-of-school youth. Thirty-seven of those years, Mary Leahy has been at the helm. In her role as codirector at Central Vermont Adult Basic Education, Mary dedicated herself to preparing lower skilled workers to meet the demands of the shifting economy.

Whether it was attending townhalls, community centers and libraries, or knocking on doors directly, Mary has spread the word. She has recruited members for this program all over the State.

I have seen the joy in the face of a grandfather able to read a children's story to a grandchild—something the grandfather was not able to do for that child's parent because he could not read when they were a child.

In a recent article honoring Mary in the Times Argus, Vermont Poet Laureate Sydney Lea said these kind words about Mary:

This has been way beyond a job for Mary; it's really a vision of humanity that she's been dedicated to. I have an admiration for her that is pretty close to boundless.

I agree with my friend Sydney. Mary's lifelong passion for learning has enabled countless Vermonters to gain the critical skills needed to participate in today's workforce. In our country today, 88 million adults face at least one educational barrier, such as no high school diploma or no college, and only 3 to 4 percent of the workers with the most limited literacy proficiencies

receive the basic skills training from their employers. Under Mary's guiding hand, Central Vermont Adult Basic Education has allowed Vermonters, young and old, to reach their full potential and to be successful both in the classroom and in the workforce—I might add parenthetically, also just in their everyday lives.

As her older brother, I have known Mary all her life. She is a loving, intelligent, and hard-working person. She has the soul and talent of an artist and the generosity of a saint in sharing her talent and commitment.

I am so proud of Mary, and I ask unanimous consent that the Times Argus article ''Closing a Chapter'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Times Argus, Apr. 30, 2012]

CLOSING A CHAPTER: MARY LEAHY ENDS CAREER AT ADULT BASIC EDUCATION

(By David Delcour)

Pages turn, chapters end, books close, and Mary Leahy—a woman who has dedicated her life to literacy in central Vermont—knows that better than most.

On Tuesday, Leahy plans to put the proverbial ''period'' at the end of her 37-year career with Central Vermont Adult Basic Education. The Marshfield woman's name has become synonymous with the organization where she's worked for nearly four decades.

And Leahy will tell you she's treasured every minute of it.

''I'm surprised I'm leaving,'' Leahy said during a Friday afternoon interview at CVABE's office on Washington Street in Barre. ''This is what I am because the work is every bit at the center of my heart.''

For those unfamiliar with CVABE, ''the work'' involves providing ''free, individualized and confidential academic services'' to folks who range in age from 16 to 90-something.

Many are high school dropouts, some are immigrants struggling to learn English, and still others are challenged by a growing ''digital divide'' that didn't exist back in 1975 when a much younger Leahy ditched her job as a high school art teacher to try something completely different.

Seated in an armchair located in the shadow of a paper mache version of Barre's ''Stonecutter'' memorial—this one holding a book in an outstretched hand, instead of a hammer at his side—Leahy said she has never regretted enlisting as a foot soldier in one of the earliest fronts in the ''War on Poverty.''

''When this job opened up, I went for it and it's grabbed every single bit of imagination that I have,'' she said. ''It has been endlessly interesting and incredibly rewarding.''

It was also real work, according to Leahy.

''Back then all of us were working out of our cars and going here and there and everywhere,'' she recalled. ''I've tutored in barns, I've tutored in churches, I've tutored in restaurants . . . wherever people were and (wherever they) felt comfortable.''

Leahy's initial assignment was to expand the then-loose-knit, Barre-based program into five communities in Washington, Orange and Lamoille counties.

''That meant literally going through the hills and knocking on doors and saying: This is a program, it's free, and do you know anybody . . . who would find it helpful?'' she recalled.

Those trips, Leahy said, were as much a search for ''students'' as they were an attempt to recruit volunteers, whom, she is quick to note, have long been the backbone of CVABE.

That outreach paid off, according to Carol Shults-Perkins, who joined CVABE two years before Leahy and is the other half of the organization's long-standing ''executive team.''

''We've been delivering, and committed to delivering community-based services here in central Vermont for more than 40 years now, but it really was Mary (Leahy) who began—community by community, town hall by town hall, library by library engaging individual community members . . . and ensuring that community partnership and community participation has been part and parcel of the community-based services we provide.''

According to Shults-Perkins, who will soon assume the role as CVABE's first executive director, the thought of running the organization without Leahy sharing the helm is going to take some getting used to.

''We have worked as a team for 35 years,'' she said. ''You can't replace Mary (Leahy).''

Shults-Perkins won't get any argument from Newberry resident and Vermont Poet Laureate Sydney Lea. Lea, an 18-year member of CVABE's board of directors and its current president, thinks highly of the woman who recruited him during a chance encounter in a hospital parking lot.

''This has been way beyond a job for Mary (Leahy); it's really a vision of humanity that she's been dedicated to,'' Lea said.

''I have an admiration for her that is pretty close to boundless,'' he added, noting when he had to pick someone to install him as poet laureate last year, he turned to Leahy.

''She (Leahy) was the first person who came to mind,'' he said. ''No fellow poets, no academics, just Mary.''

A soft-spoken, silver-haired woman, with kind eyes and a tendency to deftly shift the focus of a conversation away from herself, Leahy speaks passionately about the importance of adult education, the courage of those who avail themselves to the services CVABE provides, and the commitment of an ever-changing cadre of volunteers who ''find the time in their busy schedules to make a difference.''

It's a recipe that works, according to Leahy, who spent one of her last days on the job pitching the merits of a program that has been her life's work.

''We're really the earliest of early ed(ucation) programs,'' Leahy said. ''If parents are really important to their children's academic success, then for the parents who missed out on their own education, it stands to reason their child is not going to be on an equal playing field with other kids . . . That's where we come in.

''If we can place ourselves in the public imagination as part of the warp and weave of the entire fabric of education, then we're there for people whose time is right,'' she said. ''When they're ready to learn (and) they want to learn, we're here to help.''

Leahy said she is in the process of sifting through an office filled with notes, letters, and student work that underscore the life-changing nature of a basic education.

''It's like a memory tunnel,'' she said. ''I'm unearthing all these wonderful things.''

One was a note from a then-newly computer literate woman who thanked her CVABE teacher for helping her master modern technology.

''She was 90,'' Leahy said of the woman.

Although Leahy believes it is time for her to retire from CVABE, she said she won't be going far and will likely add her name to the organization's roster of volunteers.

''I'll be around,'' she said.

Leahy will also be missed, according to Lea, who penned a poem—''Her Eyes''—that he read at her recent retirement party.

Here is what Lea wrote:

HER EYES

—for Mary Leahy, on her retirement

I asked your friends about your eyes—what color
They were, in a few short words. The answers ranged
From what I'd expect, like sparkling, penetrating,
To ones that were anything but: the earliest green
Of spring, said one, another brook trout green.
And yet the words they used around the colors
They'd chosen made a chorus: compassion, kindness,
Acceptance, faithfulness, honor. What can I add?
Only that in my knowing and loving you
These years, I've beheld within those eyes a shine
That none of us will ever quite describe:
A certain mystery flicker born of watching
Pain for years yourself, and from its kindling
In them what we, in our own crude ways, name hope.

ROCK ISLAND ARSENAL

Mr. DURBIN. Mr. President, I rise today to talk about a bill I introduced yesterday, the Army Arsenal Strategic Workload Enhancement Act of 2012.

I am grateful to be working with seven of my colleagues on this issue: Senator KIRK, Senator GRASSLEY, Senator HARKIN, Senator PRYOR, Senator BOOZMAN, Senator SCHUMER and Senator GILLIBRAND. Each of us understands the strategic contributions that arsenals make to our national defense. I am pleased that we have a bipartisan bill to put those capabilities on a firm footing for the future.

I know that the men and women at Rock Island Arsenal in my home State of Illinois deserve that firm footing. I was there just last month, seeing again for myself their good work to equip our troops.

The Joint Manufacturing and Technology Center, JMTC, employs some 1,700 highly skilled workers, at least half of whom are veterans. The JMTC is the heart of Rock Island's 8,600-person workforce, every one of them dedicated to providing our troops with what they need.

For more than 10 years now, they have made critical weapons, parts and materiel for our men and women on the front lines of Iraq and Afghanistan. Very often, they have produced items in a crisis, when no one else including the private sector could do it. And they have made it by the deadline and kept it affordable.

The arsenal has made things like up-armored HMMWV kits to protect against improvised explosive devices, IEDs, at a time in the war when, frankly, we were caught flat-footed by the threat. They have produced portable tool sheds so that vehicle maintenance can take place in theater instead of having to pull those vehicles off the front lines. When the Army depleted its stock of a small but critical component for artillery repair, Rock Island stepped up to provide it on short notice.

These are the little-known, lifesaving contributions made by this arsenal.

So my colleagues and I have come together on a bipartisan basis to make sure this strategic asset has a strong future. Our bill would require the Army to create a strategic plan to ensure each arsenal receives the workload it needs to keep its workers' skills sharp. The Army does this type of systematic planning for some of its subdivisions, but not for arsenals. This bill addresses that.

Our bill also would ensure that these arsenals can compete for any military contract, defense-wide. Too often, arsenals are passed over in the contract process. But this bill will ensure these connections happen.

Rock Island's highly skilled workforce has a proven track record. It is in everyone's interest to strengthen this competition.

These two core provisions will help to ensure the long-term health of Rock Island Arsenal. They build upon a bipartisan effort last year by the Illinois and Iowa delegations to expand the arsenal's ability to enter into public-private partnerships. We have seen how these partnerships can drive innovation in new areas like titanium and metal alloys. And they cost the government nothing, all the while assisting in keeping the factory warm and these critical skills available when our country needs them when our troops need them.

I appreciated Senator LEVIN and Senator MCCAIN working with us through the National Defense Authorization Act last year to ensure these provisions were included. I look forward to working with them this year as well.

Rock Island Arsenal is a little-known gem in our military with great importance for our country. I hope we may continue to support their critical role by advancing the ideas I have discussed today.

RECOGNIZING THE BUSH VOLUNTEER FIRE DEPARTMENT

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to the dedication and devotion shown by a group of men and women to their local community. The longstanding services of the Bush Volunteer Fire Department in Laurel County, KY, has been on the cutting edge of rural and volunteer fire departments in the State of Kentucky since the department's beginnings in 1975.

What is so inspiring about the individuals in the Bush VFD is that despite the obstacles placed before them, they have always persevered and prevailed. While the men and women of the department have experienced many successes and accomplishments, I think it is safe to say that these individuals feel that their biggest achievement is the opportunity to serve and protect their fellow citizens in the face of danger.

The Bush Volunteer Fire Department was conceived of by a group of 13 local men who saw a flaw within their community. At the time, the Laurel County Fire Department presided over the Bush community, but the LCFD was over half-an-hour away. The 13 men in Bush decided that the LCFD was just too far away, and for the safety of their citizens, it was time to assemble a firefighting unit closer to home. The LCFD donated a 1947 K-model International fire truck, and just like that, the Bush Volunteer Fire Department was born.

Since the beginning of the department, the men and women at BVFD have sought to become the best that they could possibly be, by implementing new and innovative practices at each and every turn in the road. In less than a year since their start in 1975, the department had secured funds to develop a fire station to house its truck and equipment. Bush VFD was also the third rural volunteer department in the Commonwealth of Kentucky to receive a Class 7 rating from ISO.

In 2011, the department began a junior firefighter program to enlist the help of eager youth in the community in a safe and beneficial way. In 2011, BVFD also enlisted its first female member, Whitney Minton, who joined in alongside her father Rick. These changes, and others, have assisted the Bush Volunteer Fire Department in attaining much of the success it knows today.

I am encouraged by the passion for service of the men and women firefighters and EMTs of the Bush Volunteer Fire Department. Former Bush Chief Ernest Rudder has had the pleasure of following in his father's footsteps, Birchell L. Rudder, in working in the fire house. Ernest's son Marc joined the ranks once he had reached the proper age, and now his son Noah is anxious to be the fourth generation of Rudders to enter firefighting. The Bush Fire Department is truly a family affair for families like the Rudders.

I wonder if those 13 men who took it upon themselves in 1975 to enact change in their community ever thought their dream of a volunteer fire department would become such a huge success. Although this story is common in our country, let us not go without recognizing those who set themselves apart in pursuit of a better future, like those in the Bush community.

Mr. President, at this time I would like to ask my colleagues in the United States Senate to join me in paying tribute to the outstanding service of the many volunteers over the course of the lifetime of the Bush Volunteer Fire Department.

There was recently an article published in the Sentinel-Echo: Silver Edition, an eastern Kentucky local periodical magazine, highlighting the many years of service given by the Bush Volunteer Fire Department. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

[From the Sentinel-Echo: Silver Edition]

THEY ANSWER THE CALL

(By Sue Minton)

Imagine waking in the middle of the night with your home engulfed in a sea of black smoke, or out for an afternoon drive when you spot a cloud of smoke billowing from a distant hillside. The first call you make is to the county dispatch. Pagers buzz in pockets and on tables of volunteer firefighters, summoning them to their stations. And they always come.

Members of the Bush Volunteer Fire Department have been answering these calls for almost 37 years.

In April 1975, 13 men from the Bush community met at Providence Baptist Church for the purpose of organizing a fire department to protect the lives and property within their community.

The reason for starting the department, according to Dennis Minton, charter and current board of trustees member, was—''The Laurel County Fire Department was responding to calls in the county. It could be as long as 30 minutes from the time they received the call until they arrived at the scene (in the old Bush community). By this time, in most cases, the structure was on the ground or fully involved. The residents needed and deserved better protection within their community.''

A fire department was organized and they received their first truck before they found a home.

''The Laurel County Fire Department donated the department a used 1947 K-model International,'' said Ernest Rudder, charter member and captain. ''Because we didn't have a building, the truck was parked at different firemen's homes.''

With fundraising and donations, in less than a year a two-story building was constructed off east Ky. 80 on Ky. 1803 adjacent to the ''old'' Bush School. To repay a proposed loan, in May of 1976 the fire department proposed a tax rate of .08 cents per $100 on real-estate property. Today, that tax rate has been lowered to .0570 cents. The primary purpose of the loan was to pay for fire hydrants and dry hydrants, which were installed throughout the district.

This move paved the way for the district to receive a Class 7 rating from ISO. ''We were the third rural volunteer department in the

Commonwealth of Kentucky to be granted this rating,'' Rudder said. ''This move also substantially lowered insurance rates for some homeowners.''

Under the leadership of its first chief, Kenneth Smith (1975 to 1984), the department grew in manpower and equipment. But, at 3:43 a.m. on June 20, 1984, members of the fire department responded to a blaze at the last place they would have expected their own station.

Daybreak found the firefighters still on the scene, and the realization was sinking in they had lost their building and all their equipment.

The loss of the building was a major blow for the firemen and the community, but the Bush residents were never without fire protection. Other departments in and outside the county volunteered their service and equipment.

''One of the trucks brought to the fire by Laurel County Fire Department stayed until we got a new truck,'' Rudder said. ''Bell County Fire Department also sent a tanker for us to use.''

In January 1985, the community and county were invited to a dedication and open house for the newly rebuilt fire station.

The new station grew both in size and membership from 13 charter members without a fire truck or station into a roster of 42 active volunteers, seven of whom are EMTs; three Class A pumpers; and two tankers.

Bush Fire Department proudly protects more than 10,000 people living in an area of 35 square miles and operates out of two stations—Fire Station No.2, opened in 1993, is located on east Ky. 80 in the Lick Fork community. ''Congressman Hal Rogers gave the dedication address,'' Rudder said.

Six chiefs were elected to command the department over the years; the current is Phillip Williams, and the longest serving chief was Don Minton (1999 to 2010).

The fire chiefs, along with their men, have one thing in mind: ''to serve and protect the Bush community.'' And this they are doing by continuing their training and recruiting new members.

In 2011, the department initiated a junior firefighter program.

Also in 2011, Whitney Minton became the first female member of the department, joining her father, Rick, a sergeant.

In volunteer fire departments, and for many in close-knit rural communities, it is natural that one generation would follow the next on the department roll.

And it was a given that Marc Rudder would follow in the footsteps of his father, Ernest Rudder.

Marc Rudder knew that he would grow up to become a firefighter. ''Being able to watch the firefighters help the people of the community in their time of need played a major role in the factor of me wanting to be a fireman,'' Marc Rudder said.

''I feel that the fire department is something that I have always known,'' he added. ''I always played 'fireman' as a child. I did not know childhood without the fire department. I got to play with small toy fire trucks and big real fire trucks.''

''Yes, he has been interested in all things fire or EMS since he was just a small child,'' Ernest Rudder added. ''Like he said, his first toys were fire trucks, ambulances and police cars. It is just natural that he would want to be a firefighter.''

''Marc was with me at the fire department meetings from the time he was a small boy.'' he added. ''He was around the volunteers and he learned as we did.''

At that time, the fire department didn't have a junior firefighter program, so Marc could not join the department. But by the time he was 16 years old, he was taking classes with the other firemen. ''When he could 'officially' be on the roster, he was ready to be certified with his required 150 hours of training,'' his father said.

''One of my first jobs was as an EMT with Ambulance Inc. of Laurel County,'' Marc Rudder said. ''And I feel this was due to the influence the fire department had on me.''

His exposure to the volunteers at Bush Fire Department has, in a round-about way, given him that experience that is now his life's career.

Rudder, who is the State Fire Rescue Training Area 13 Coordinator with the Kentucky Fire Commission, said the knowledge he learned at the Bush Fire Department has helped him each day in his job.

''I feel that coming from a volunteer department serving a rural community has a great benefit over many other people that I work with across the country.''

He coordinates an office that provides training and assistance to 67 fire departments in eight counties in southeastern Kentucky. His office is also an assisting agency to the fire departments in the area for any information that they might need to better serve their communities. Rudder has studied at the National Fire Academy in Maryland and also serves on committees across the region, state, nation, and world.

The fourth generation of the Rudder family, Noah, can't wait to follow in the footsteps of his great-grandfather, grandfather and father.

His great-grandfather, Birchell L. Rudder, was an original member of the board of trustees, being elected in 1975, elected chairman of the board of trustees in 1979, and served as chairman until 1996, but remained on the board until his death in 2002.

Noah Rudder, a seventh-grader at North Laurel Middle School, has been coming to the Monday night meetings like his father, Marc, for a long time. He is just waiting until he is old enough to become a junior firefighter.

''I like to go to the fire department because I know all the people and they are like family to me. And I enjoy learning about firefighting and seeing the equipment,'' he said.

''Incidentally, Noah is an authority on all things having to do with 9/11,'' his grandfather added.

Also, Noah's aunt, Dawn, and her husband, Frank Kilby, are members of the Laurel County Volunteer Fire Department.

''The department is comprised of members from all walks of life and everyone brings something to the table,'' Ernest Rudder said. ''During an emergency, we are all business. We are a department of friends and neighbors. But we are always willing to welcome another member.''

''We like what we do. We volunteer our time to help people when they need it. It's giving back to the community. And the department has an excellent relationship with the community. They visit schools to present fire-safety programs, allow children to climb onto their fire trucks, and participate in local parades and other civic functions.''

From its earliest beginnings, the Bush Volunteer Fire Department has realized the importance of training for this most hazardous job. Proper training ensures that the best interests of the citizens are being served and they are able to return to the station without the life of a firefighter being harmed or lost.

Requirements for being a certified firefighter in Kentucky are the same, but Bush requires each member to obtain at least 20 additional hours of training a year.

''Many of the members are certified or currently obtaining emergency medical technician training, which requires more training every two years,'' Marc Rudder said.

''This training will enable the EMTs to provide medical care to the community and assist the EMS agency.''

Because of the extensive training Bush Fire Department members receive, they hold the honor of being five-time Kentucky Firefighter Olympic Champions, having won the title in 1989, 1990, 1991, 1992, and 1993. The team retired undefeated.

''Firefighters have become more aware of the dangers of being firefighters, EMS workers and police officers since 9/11,'' he continued. ''Many new training requirements have come about since Sept. 11, 2011, and I believe the people who want to be firefighters realize the dangers and the great responsibility that being a firefighter entails. I imagine all the fire departments have gotten better and train harder because of 9/11.''

Every firefighter is by law a ''peace officer'' and duty-bound to report anything unseemly they come across.

In the post-9/11 world we live in today, firefighters are expected to do even more to safeguard the lives of residents in their districts. They must be able to address all hazards, not just fires.

As ''first responders,'' firefighters can provide information to emergency-response agencies that have not yet arrived on the scene. They can determine the situation and decide what resources are required, whether it be an ambulance, law enforcement, hazmat team, or an arson investigator.

House fires kill and injure thousands yearly, and cost many more their valued possessions and memories.

''The activity report for 2011 has Bush Volunteer Fire Department responding to 102 calls,'' Ernest Rudder said. ''Thankfully, only nine were structure fires. We had several grass fires and about five or six vehicle fires. The vast majority of our calls these days are to assist Ambulance Inc. of Laurel County with automobile accidents or to answer and investigate residential smoke or fire alarms.''

Rudder said it would be hard to designate the most dangerous fire the department had responded to over the years. ''But the Blackwater Church fire was really big with a roof collapse. The big fires in the city of London that we've assisted with and the fires at Chaney Lumber were big and dangerous. We've never had anyone seriously hurt, but recently, on a mutual-aid fire with Laurel County, two of our men were knocked down when the garage doors and ceiling fell on them. Luckily, there were several other firemen there who pulled them to safety.''

TRIBUTE TO KENTUCKY WORLD WAR II VETERANS

Mr. MCCONNELL. Mr. President, I rise today in honor of a group of men from the Commonwealth of Kentucky who all acted bravely and valiantly during their time of service in the United States Armed Forces in World War II. Glenn Combs, Toleman Combs, Mansell Stone, Benjamin Garrison, Walter Garrison, Rufus Miller, Earl

Hobbs, and Elvy Roberts, who are all from different towns and hollers in Clay County, KY, each has a fascinating story of his experiences while in the military. And it is my hope to share a few of those with you today.

When the United States of America decided to enter the Second World War, we did so with an insurmountable level of patriotism, dedication, and determination to defeat the Axis Powers. Men were going to extreme lengths to enlist and answer the call to serve their country, and protect freedom and democracy in the foreign countries around the world in which it was being tested.

Earl Hobbs, one of the men in this group of eight, had learned that he was just 2 pounds shy of the minimum weight required by the U.S. Army at the time of his enlistment. Upon hearing this news, he hurriedly ran to the nearest convenience store and purchased 3 square pounds of bananas. He gobbled them down right there outside the grocery, every last one of them. Later that day he passed the physical, including the weight requirement, and was an official member of the U.S. Armed Forces. It was instances like Earl's that truly inspire me; instances of men and women going to such great lengths to secure their freedom and the freedom of the ones that they love.

Earl's action that day so long ago was just one of many from what we call the ''Greatest Generation.'' Men and women alike across the Nation assumed new and unfamiliar assignments and positions that they may not have been comfortable with, all for the cause of defending liberty and securing freedom. We must look to the veterans of not only the Second World War, but the veterans of all the Nation's conflicts and struggles, with the utmost respect. We must not take for granted the inalienable rights we have so passionately fought to gain and maintain, and we must never forget those who have made the greatest sacrifice made by many on behalf of those rights.

I truly cherish the opportunity to stand on the floor of the U.S. Senate today to speak on behalf of these eight men and relate a true story of a local Kentucky ''Band of Brothers'' who decided to honor God and country and selflessly serve all those who inhabit this great Nation.

Mr. President, I ask my colleagues to join me in commemorating the great contributions of Glenn Combs, Toleman Combs, Mansell Stone, Benjamin Garrison, Walter Garrison, Rufus Miller, Earl Hobbs, and Elvy Roberts to the cause of freedom.

In July of 2011 there was an article published in the Manchester Enterprise, Clay County's local newspaper, which featured the truly unique journey these eight World War II veterans have experienced in their lifetimes. I ask unanimous consent the said article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Manchester Enterprise, July 28, 2011]

A CHAPTER IN WWII HISTORY

Note: This week's feature story covers eight individuals who aided their country to take part in World War II. This story was graciously sent in by Ted Garrison.

After a thorough debate on the world situation, expressing their personal opinions and obligations for a month, they made a decision. They would honor God and country, and defend the Republic of the United States in WWII.

Glenn and Toleman Combs, Mansell ''Dude'' Stone, and Benjamin and Walter Garrison enlisted in the U.S. Army. Another of the Garrison brothers, Theo, wanted to join, but he was informed that it would be more important to the war effort for him to remain at home and continue to mine coal.

When I first began my research on this small group, I thought Rufus ''Jamup'' Miller and Earl Hobbs were with them. I found that they entered the military at a different date, but these men (as did so many others) endured enormous hardships during their service, so I decided it necessary to include them in this brief history of patriotism and uncommon valor.

The small group of recruits departed Manchester on October 16, 1940, to be inducted into the military at Ft. Thomas, KY. Walt Garrison was 18 years old at that time. Walt and a friend from Kentucky earned the top scores for expert riflemen in their company. Later, Uncle Walt laughed and blamed snow for causing him to lose to his friend by one point the day they were at the rifle range.

Toleman Combs, Ben Garrison, and Walt Garrison were assigned to Anti-Tank Company of the 10th Infantry Regiment attached to Lt. General George S. Patton's 1st Armored Division of the 3rd Army. Glenn Combs was assigned to Headquarters training and was a Glider Wing of the 82nd Airborne Division.

I believe we should mention that Capt. Elvy Roberts, born on Beech Creek in Clay County, commanded a Glider Wing in the 101st Airborne at Normandy. He also participated in two parachute jumps there. Elvy Roberts made a career of the U.S. military and led the 6th Army as a Lt. General in Vietnam.

The 10th Infantry, with other Army units, including segments of the 101st and 82nd Airborne, were stationed in Iceland. The troops weren't informed that this location was actually a staging area in preparation for the Normandy invasion. Normandy was one of the most important events of WWII. They shipped out of Iceland bound for an unknown destination. After arriving offshore, the 10th Infantry Regiment stayed aboard ships during the first three days of the battle. Their orders were to wait until inclement weather cleared enough to move the tanks and anti-tank guns onto the beaches.

The day before the landing, in the pre-attack briefing, they learned the location was Normandy, and details of the mission were revealed. At that time, they were unaware that their friend, ''Dude'' Stone, was in the initial attack on the German-held beaches. Soldiers of the 82nd and 101st Airborne had already fought a fierce battle, starting June 3, 1944. ''Dude'' had gone in with a glider wing. There were 200 men in his wing, and only nine survived.

10th Infantry Regiment and other units prepared to attack. The Anti-Tank company departed the USS Republican by landing crafts and stormed the beach on June 6 at 6:30 AM. Uncle Walt said, ''The scene was terrible, but we had a job to do. We could see fortifications blown apart, tank wreckage, and the bodies of American airborne troops lying on the beach.''

I asked him if he was afraid when they hit the beach, and he answered, ''No, but I was very angry when I saw how the Germans had treated our soldiers.'' American troops had sustained approximately 6,036 casualties during the first hour of the invasion and over 2,400 at Omaha Beach alone, but they had gained a toehold.

American troops were able to fight their way over the beaches and hundred-foot high cliffs to move ahead a few miles and dig in for approximately 24 hours, thus securing the area. This was a process they repeated, moving the line forward. During these advances, Uncle Walt and a soldier of German ancestry performed sniper and reconnaissance duty for their company. On one occasion near the Modelle River in France, A-T Company came under mortar and rifle fire from a small town. Walt and Wolfgang split up and worked their way toward each end of the village, firing on the enemy positions as they moved in. When they were close, Wolfgang yelled to the enemy troops using the German language, telling them they were surrounded and ordered them to surrender.

Approximately 150 German soldiers surrendered. There was at least one SS Trooper with them. Walt and Wolfgang referred to that episode as their Sgt. York Trick!

Earl Hobbs was discovered to be two pounds under the required body weight at the induction center. He ran to a nearby grocery store, bought three bounds of bananas, hurriedly ate the fruit and passed the physical. Was this an example of youthful patriotism or what?

After basic training, Earl was schooled in armor at Ft. Knox, KY. He was assigned to a tank crew in the 1st Armored Division. During a battle near Algeria, Africa, his tank was disabled and the crew was forced to evacuate. They were captured by German soldiers and taken to a POW camp, Stalag 3B in Berlin, Germany, where he was a prisoner for 27 months.

While he was in this camp, fellow Clay Countian Squire Baker was incarcerated there for three or four months, then moved out to a different location. Squire and surviving members of their bomber crew had been shot down and captured. Stalag 3B was liberated by Russian allies. Earl said, ''The Russians were much more cruel than our former German captors.''

Rufus ''Jamup'' Miller, Jr. was inducted into the military at Cincinnati, Ohio, August 13, 1943. After basic training at Camp Blanding, Florida, he was assigned to K Company of the 339th Infantry, Third Battalion. They were heavily involved in the assault on the Gustav line.

This location was in Italy. K Company's losses were very heavy, nearly 55 percent. Most of the casualties in K Company were from the minefields. However, they also encountered mortar, rifle, and machine-gun fire. ''Jamup'' was among the wounded. The 339th Infantry was one of the three regiments of the 85th Infantry Division. In WWI, they were nicknamed the ''Polar Bears.''

The 85th had a proud and famous history. The second time ''Jamup'' was wounded was in the North Apennines Campaign in bitter fighting east of Mount Verruca. He was also involved in the PO Valley campaign as well as the Rome-Arno Campaign. After being

wounded twice, Miller was transferred to the military police. June 5th, 1944, the 339th did their victory march through Rome.

Glenn Combs was at the induction center when doctors decided his feet were a little flat for the infantry. He went through basic training and into Headquarters Company of the 1st Armored Division. In December of 1942, they traveled to North Africa by ships. Glenn was involved in battles at Anzio, Kasserine Pass, Tunisia, and Algeria. After avoiding a near disaster at Kasserine Pass, the commanding general was relieved and Col. Robinett was placed in charge of operations. Because of his excellent strategy and leadership in attaining victory in a very negative situation, Col. Paul ''Little Man'' Robinette was promoted to Brig. General. Kasserine Pass was considered to be the first major battle won by American forces in North Africa. Glenn Combs was promoted from staff sergeant to junior warrant officer, and in a few months to chief warrant officer. Glenn said, ''One of the reasons I was promoted through the enlisted ranks to officer was due to so many men getting killed in my company.''

These men served approximately five years. Walt Garrison was one of the fortunate. He didn't receive a scratch. Uncle Ben wasn't so lucky. He was wounded in the shoulder by shrapnel from an exploding artillery shell on a hill near the Moselle River in France.

Walt Garrison was one of those veterans who could talk about his war experience. Ben, ''Dude,'' ''Jamup,'' and many others were too scarred emotionally, mentally, and physically to recall their combat duty.

I apologize that I'm unable to provide more complete information concerning the sacrifices these men made for our country. They and many more of those veterans are heroes and should never be forgotten. The American people who lived during the WWII era earned a reputation as ''The Greatest Generation.'' I truly believe they deserve that compliment. Not only in military service, but also in different walks of life, many of them had exemplary attitudes and accomplishments.

At this time, Glen Combs is the only one of these men still living. He is 92 and in poor health.

Toleman Combs passed away November 29, 1995, and is buried at Nancy, KY. Rufus ''Jamup'' Miller died February 3, 1997, and is buried in Manchester. Benjamin Franklin Garrison died at Wilmore Veteran's Hospital December 27, 1997, and is buried at Memorial Gardens in Manchester. Walter Garrison passed away on May 22, 2002.

Years ago, Uncle Walt decided to be buried with some of the soldiers he served with at Normandy. He was laid to rest in Butler County Memorial Park ''Field of Honor'' near Hamilton, Ohio.

Earl Hobbs died November 25, 2003, and is buried at Memorial Gardens in Manchester. Mansell ''Dude'' Stone passed on July 2, 2004, and is buried in Harts Branch Cemetery outside Manchester.

TRIBUTE TO BURT BACHARACH

Mrs. BOXER. Mr. President, I salute the life and accomplishments of Burt Bacharach, who received The Library of Congress Gershwin Prize for Popular Song on Tuesday night. This award is given to musicians whose lifetime contributions to the field of popular song demonstrate the standard of excellence associated with George and Ira Gershwin. Mr. Bacharach received this award jointly with cowriter Hal David, which is the first time in the history of this award that it has gone to a songwriting team. This prestigious honor not only celebrates their work, but it places them among the ranks of Paul Simon, Paul McCartney, and Stevie Wonder, all previous recipients.

Born in Missouri and raised in New York, Burt built a name for himself over his six-decade career as one of the country's most respected and honored songwriters. His partnership with Hal David created such beloved songs as ''Raindrops Keep Fallin' on My Head,'' ''What the World Needs Now is Love,'' ''Walk on By,'' and ''Alfie.'' The duo first began collaborating in the 1950s at the Famous Paramount Music Company, and among their first big hits were ''The Story of My Life,'' made famous by Marty Robbins, and ''Magic Moments,'' performed by Perry Como.

Following on their first successes, between 1962 and 1972 their songs were almost continuously on Billboard Magazine's singles chart. During this time they worked with an array of singers, including Dionne Warwick, B.J. Thomas, Dusty Springfield, The Carpenters, Tom Jones, Jackie DeShannon, Gene Pitney, and Herb Alpert. Together, Burt and Hal have written numerous hits that have helped launch the careers of some of America's most celebrated musicians.

Mr. Bacharach, one of the most honored and successful composers of our time, has earned three Academy Awards and eight Grammy Awards. These include the 1997 Grammy Trustees Award, which he shares with David, and the 2008 Lifetime Achievement Award. Even after being inducted into the Songwriters Hall of Fame, he is still touring and performing all over the world.

I ask my Senate colleagues join me in honoring and congratulating Mr. Burt Bacharach on this well-deserved honor.

TRIBUTE TO PATROLMAN BEN CAMPBELL

Mr. PORTMAN. Mr. President, today I wish to recognize Patrolman Ben Campbell of Copley, OH, for being honored as a 2012 National Association of Police Organizations (NAPO) TOP COPS award recipient for the brave and heroic actions he has displayed in the line of duty.

On August 7, 2011, Officer Ben Campbell responded to a report of shots fired in a Copley Township neighborhood and he found a very grisly scene. An armed suspect had shot eight people, killing seven, and was still at large in the neighborhood. Without waiting for backup, Officer Campbell took off on foot after the suspect. As he scoured the area, he heard more gunshots and ran in their direction. Suddenly he found himself in an open area, with no protection, but surrounded by trees and houses, any one of which could be concealing the shooter. Moments later, the suspect stepped out from behind a house and pointed an automatic pistol directly at Officer Campbell. Officer Campbell commanded the shooter to drop his weapon, and when the man refused, the Officer had no choice but to shoot, killing the suspect.

It was a horrible tragedy, but without Officer Campbell's unhesitating courage, it would have been far worse. A subsequent investigation confirmed this when more than 200 rounds of ammunition were discovered in the suspect's car.

For his commitment to the Copley community, as well as his tremendous acts of bravery on August 7, 2011, I would like to recognize and thank Mr. Campbell for his service and congratulate him on receiving the National Association of Police Organizations (NAPO) TOP COPS award.

2011 U.S. SMALL BUSINESS ADMINISTRATION HONOREES

Mr. BLUMENTHAL. Mr. President, every year the U.S. Small Business Administration, SBA, honors our country's local entrepreneurs, hardworking Americans who have built businesses from ideas and created jobs for their communities. I would like to congratulate the eight outstanding entrepreneurs from Connecticut who were recognized in 2011, most especially, A. Gregory Bachmann of Torrington, Connecticut's DYMAX Corporation, who was named 2011 Connecticut Small Business Person of the Year.

The SBA has advocated for small businesses in Connecticut since 1953, providing assistance through the Federal Small Business Innovation Research, SBIR, Program, facilitated at Connecticut Innovations. This support has included more than $500 million of financing, education and training, and procurement aid for individuals with big ideas and businesses wanting to expand by taking technological risks.

The winner of the Small Business Person of the Year award must meet eight sets of criteria, including staying power, growth in number of employees, increase in sales and/or unit volume, current and past financial performance, innovativeness of product or service offered, response to adversity, contributions to community-oriented projects, and the products exported and markets served.

In 1979, Mr. Bachmann inherited the business his parents had started in their basement. Now, DYMAX makes its home in a 100,000 square foot building and operates facilities globally, including in Germany, China, Hong Kong, and Korea. It offers innovative technology, such as adhesives, coatings, epoxies, masking resins, and

light-curing systems, to manufacturers who rely on innovative solutions for reliable, cost-effective, and quick automated assembly. Most recently, DYMAX has successfully experimented with UV and LED technology as a cutting-edge way for companies to grow. In addition to the tremendous progress Mr. Bachmann has made since his parents' vision, I commend him for ensuring that his company remains environmentally conscious while making remarkable strides in research and development. DYMAX also gives back to Connecticut's less fortunate, and has received an award from United Way of Northwest Connecticut for ''conducting the most unique employee incentive program'' for contributions to their annual food drive.

In addition to the title of Small Business Person of the Year, the SBA recognizes seven other businesses or individuals in Connecticut every year as Minority Small Business Champion, Veterans Advocate Champion, Exporter of the Year, the Jeffrey Butland Family Owned Business of the Year, Region One Subcontractor of the Year, Women in Business Champion, and Financial Services Champion.

Clayton Williams and Dennis Brown are two of the 2011 awardees who are driven by their passion for the potential of small businesses and the ways they can transform lives. I have seen firsthand the tremendous roots local businesses have set in New Haven and the central part they play in the city's community, so it is no surprise that Mr. Williams, the city of New Haven's small business development officer, received the 2011 Minority Small Business Champion award. He has worked tirelessly on behalf of minority entrepreneurs as part of the Office of Economic Development to help fund and sustain the best, most promising ideas in the New Haven area. Veterans Advocate Champion Dennis Brown was awarded for his service as vice president of Business Counseling for Connecticut Community Investment Corporation, a nonprofit that works with small business owners to secure loans and develop strategy. A veteran and recipient of an SBA veteran's loan in 1982, Mr. Brown demonstrates that dreams can be realized with persistence. I applaud the SBA for recognizing the importance of providing for our Nation's heroes who wish to run their own businesses once returning home.

In addition, every year the SBA names an Exporter of the Year in Connecticut, acknowledging that risk confronts business owners every day. 2011 winner, On Site Gas Systems of Newington and its president, Frank X. Hursey, are committed to the most cutting-edge solutions and designs for reliable sources of gas used by a comprehensive set of industries, including emergency response, food preservation, automobile, and by our military.

Often, it is family owned businesses, hoping to continue the legacy of previous generations that become reliable sources of products or services central to their communities. The SBA named Jim Nilsson, owner and managing partner of Geissler's Supermarkets of South Windsor, as the 2011 Jeffrey Butland Family Owned Business of the Year. In 1923, Geissler's was a small storefront, and now it offers online shopping and delivery. Often family businesses in Connecticut also win other categories, and in 2011, the SBA honored Region 1 Subcontractor of the Year Thomas Dolan, Jr., for his work as president of Hi-Rel Products in Essex. Hi-Rel Products was started in the early 1970s by Mr. Dolan's father, who worked out of his Old Saybrook home to experiment with reliable precision components for microelectronics. Now, this technology has applications across a wide range of industries. Currently, Hi-Rel employs approximately 100 people in the United States, Canada, and the United Kingdom.

Lastly, I would like to recognize Margaret Sheahan, 2011 Women in Business Champion, and Patrick Lorent, 2011 Financial Services Champion, for their work in Connecticut in the legal and financial lending industries, respectively. Ms. Sheahan is founding partner of Mitchell & Sheahan of Redding and provides important legal counsel in employment and union disputes. Mr. Lorent was honored by the SBA for his role as vice president and manager of People's United Bank Government Lending Department where he connects United Bank with national, statewide, and local lending programs. This important work provides vital lifelines to the small businesses of Connecticut that can continue to focus on research and development without worrying about their protection and sustenance.

The SBA continues to raise awareness and support for Connecticut's local entrepreneurs with their annual awards. The SBA and its 2011 honorees are inspirational, showing our Nation's budding business owners and leaders how to grow an idea to global proportions—driven by the most advanced research and technology and steadfast confidence in the American legacy of starting from the beginning to achieve greatness.

PHARMACY COMPETITION AND CONSUMER CHOICE ACT

Mr. WICKER. Mr. President, I rise in support of the Pharmacy Competition and Consumer Choice Act, S. 1058. In light of the Federal Trade Commission's recent decision to allow the merger of two Pharmacy Benefit Managers, creating the largest PBM in our nation, I call on my colleagues to join me in supporting this vital piece of legislation. The Pharmacy Competition and Consumer Choice Act, if enacted, would help protect patients and providers from soaring health-care costs and potentially anticompetitive conduct by PBMs, who are the middlemen in the prescription drug industry.

Over the past several years, I have spoken with many of Mississippi's pharmacists who feel powerless against PBMs and their overreaching influence in their industry. In Mississippi, where over 1 million individuals live in rural, medically underserved areas, community pharmacists play a pivotal role in providing health care to patients. These pharmacists, often the only health-care providers in an area, develop trusting relationships with their customers and communities. This legislation will help level the playing field between community pharmacies and PBMs, while ensuring Americans have access to the providers of their choice.

While a few States, such as my State of Mississippi, regulate the activities of PBMs, these powerful players in health care remain largely unregulated by the Federal Government. PBMs compete across state lines in our country, and this legislation would provide national anti-fraud oversight in each of our 50 States.

The need for this legislation is clearer now than ever. With the upcoming merger, one company will control 40 percent of the market. As one FTC Commissioner appropriately stated, it will be a ''game changer.''

I am an unyielding supporter of free markets, and I strongly believe this legislation would facilitate a more transparent, competitive, and fair marketplace for PBMs, pharmacies, providers, and patients. On behalf of the millions of Americans and businesses affected by the market practices of Pharmacy Benefit Managers, I urge my colleagues to pass the Pharmacy Competition and Consumer Choice Act.

TRIBUTE TO RETIRED CAPTAIN THOMAS JEROME HUDNER, JR.

Mr. BROWN of Massachusetts. Mr. President, I rise today in tribute to retired United States Navy Captain Thomas Jerome Hudner, Jr. of Concord, MA, a true American hero. For his uncommon valor and dedication to the highest principals of our military, the Navy announced this week it will name the Arleigh Burke class guided-missile destroyer DDG–116 the USS *Thomas Hudner*.

It is a distinct honor, for an individual to have a Navy vessel commissioned in their name; it is an extremely rare honor indeed for a warship to be named after a living person. Yet there are few, if any, people more deserving of this honor than Tom Hudner.

A native of Fall River, MA, Hudner was a student at Philips Exeter Academy when the Japanese attacked Pearl

Harbor. Already a leader on his school's athletic fields and in its student government, he responded to the call of duty and was admitted to the U.S. Naval Academy. Though World War II ended before his commissioning at Annapolis, Hudner began a storied Navy career that would ultimately earn him our nation's highest military honor.

During his first few years in the Navy, Hudner served as a communications officer aboard various warships before being accepted to the Navy's flight school in Corpus Christi, TX. After earning his ''wings of gold,'' Hudner became one of the ''Fighting Swordsmen'' of Strike Fighter Squadron 32 (VF–32) aboard the aircraft carrier USS *Leyte*. Just a few years after the racial integration of the US military, Hudner began flying with a young ensign named Jesse LeRoy Brown, the Navy's first black pilot. Brown was born and raised in the segregated deep south town of Hattiesburg, MS, a world away from Hudner's upper middle class home in Fall River and the fields of Hudner's alma mater Philips Exeter Academy.

The relative calm of post-war life as a Naval Aviator aboard the Mediterranean-based USS *Leyte* would not last long. In the summer of 1950, less than a year after Hudner's flight certification, North Korean Communist forces invaded the Republic of Korea. Within months, President Truman would order the *Leyte* into action off the coast of Korea where Hudner and his wingman, Jesse Brown, immediately began flying reconnaissance and attack sorties against Communist positions. Not long after VF–32 joined the fight, China invaded and threatened to overrun US positions.

There are no routine missions in wartime, especially when flying close air support over enemy positions. Such was the case on the afternoon of December 4, 1950 when Hudner and Brown were on a mission to destroy enemy targets near the Chosin Reservoir. About an hour into the mission, Brown's Corsair was hit by enemy fire, began to lose fuel and he was forced to crash land his aircraft into a snowy mountainside.

The events that transpired over the next few hours became enshrined in the history of American Naval Aviation.

Despite exposure to hostile ground fire, Hudner continued to make low passes over Brown, who was trapped in the wreckage of his destroyed aircraft. And, when Hudner saw that his wingman's plane was burning, he deliberately crash-landed his own aircraft and though injured in the violent landing, ran to Brown's rescue. You see for Hudner, never leaving one's wingman was more than a guideline, it was a covenant. Hudner, later a rescue helicopter pilot, tried in vain to free Brown from the wreckage. With night falling and Ensign Brown lapsing in and out of consciousness, Hudner was finally forced to evacuate the bitter cold crash site. Brown's final words to Hudner were to tell his wife, Daisy, that he loved her. He would have the chance to do just that in person. On April 13, 1951, Daisy Pearl Brown was in the audience when President Harry S. Truman presented Thomas J. Hudner, Jr. with the Medal of Honor for his heroic attempt to save Ensign Brown.

Over the next two decades, Hudner would continue to serve with distinction in the United States Navy. In addition to flying many of the Navy's newest jet fighters, Hudner's career would take him from various ships and air bases where he served in positions of increasing responsibility, including as executive officer of the USS *Kitty Hawk* during the Vietnam War.

Hudner and Daisy Pearl Thorne, she had since remarried, remained friends, their lives intertwined by the events decades earlier on a snowy mountainside on the other side of the globe. In fact, the two friends would be together at another ceremony some 22 years later when the US Navy commissioned the first American warship in honor of an African American, the USS *Jesse L. Brown*.

Hudner retired from the US Navy at the rank of captain in 1973, and while his day-to-day service in the Navy would end, this American hero would continue to serve his fellow veterans through the USO and a variety of veterans' organizations. For most of the 1990s, Hudner served with distinction as Commissioner of the Massachusetts Department of Veterans Affairs.

In closing, I will quote Secretary of the Navy Ray Mabus:

> Thomas Hudner exemplifies the core values of honor, courage and commitment the Navy holds dear. Naming the Navy's next DDG for him will ensure his legacy will be known, honored and emulated by future generations of sailors and Marines who serve and all who come in contact with this ship.

I thank Captain Hudner for his lifetime of exceptional service to our nation and his dedication to his fellow veterans and wish him and his wife Georgia all the very best in the years ahead.

ADDITIONAL STATEMENTS

2012 ACADEMIC DECATHLON CHAMPIONS

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in recognizing the hard work and remarkable accomplishments of Granada Hills Charter High School's Academic Decathlon team for winning the 2012 Academic Decathlon—its second consecutive national championship. I want to congratulate all the members of the team: Christian Koguchi, Stella Lee, Priscilla Liu, Kimberly Ly, Hamidah Mahmud, Lev Tauz, Julia Wall, Sean Wejebe, and Jimmy Wu, as well as its coaches Matthew Arnold, Nick Weber, and Spencer Wolf.

Each year, hundreds of high schools throughout our Nation compete for the honor of becoming Academic Decathlon National Champions. This year, Granada Hills Charter High School not only became one of three schools to ever win consecutive national championships, but also set the highest score ever achieved at the Academic Decathlon National Championships.

Competing in an Academic Decathlon is a daunting task. The Academic Decathlon's intense 2-day national final competitions include multiple-choice testing in seven different events, speeches, essay writing, and interviewing exercises. Students spend many hours studying, practicing, and competing, often away from their family and friends. I invite all of my colleagues to join me and the State of California in congratulating California's Granada Hills Charter High School Academic Decathlon team on becoming 2012 National Academic Decathlon Champions.●

REMEMBERING LIEUTENANT COLONEL ROBERT B. SHAIN

● Mr. GRASSLEY. Mr. President, today I wish to honor the life of LTC Robert B. Shain, who passed away on Sunday, April 29, 2012. I would like to express my condolences to Lieutenant Colonel Shain's family, in particular his wife of 52 years, Sherry, his two daughters, Cynthia and Stephanie, his son, Michael, and his three grandkids, Bella, Jason, and Mia. He is also survived by his sister-in-law, Nancy, and many nieces and nephews.

Robert Shain had an honorable and extensive career which began upon his graduation from the Military Academy at West Point in 1959. He served in the US Army for 20 years as an infantry officer as well as a fixed-wing and helicopter pilot. He completed two tours of duty in Vietnam and was awarded the Legion of Merit, two Distinguished Flying Crosses, two Bronze Stars, 27 Air Medals with V for valor, Meritorious Service Medal, Vietnamese Medal of Honor, and Vietnamese Cross of Gallantry. He served as commander of the Executive Flight Detachment and pilot of the presidential helicopter, Army One, for presidents Nixon and Ford from 1973 to 1976.

Following his retirement, he enjoyed a long professional career in the aeronautics industry. He was an active supporter of the National Rifle Association and a member of the Military Officers Association. However, I understand that his greatest joy in life was spending time with his loving family.

Bob Shain lived every aspect of his life whether service to his country, to

his family, or to his business with unrivaled pride and dignity. The career of Lieutenant Colonel Shain serves as a reminder of the sacrifice and commitment that has carried our great nation through the toughest of times. His service to the people of the United States and the State of Iowa is worthy of much admiration and respect. I am grateful for his service and pay tribute to his patriotism.●

TRIBUTE TO PROFESSOR JAMES OLESEN

● Mr. KERRY. Mr. President, I would like to congratulate Professor James Olesen from the Department of Music at Brandeis University, the winner of the 2012 Festival of the Creative Arts Award for Distinguished Contribution to the Arts.

The Festival, which began in 1952, celebrates the idea that ''art activates dreams, revolution, and the future,'' and Professor Olesen's career is certainly deserving of this special recognition amid the creativity and community of the Festival that blooms on the Brandeis campus every spring.

Professor Olesen has spent his career striving for excellence and fostering musical greatness in his students as the Choral Director at Brandeis since 1972. He has served as Music Department Chair and collaborated with faculty members and other departments on various music programs. He was instrumental in the creation of the Office of the Arts and School of Creative Arts.

Throughout his long and illustrious career, Professor Olesen has sung as a professional chorister with numerous conductors, including Charles Munch, Gustav Meier, Leopold Stowkowski and the founder of the Festival, the legendary Leonard Bernstein.

Professor Olesen also has performed with premier musical organizations including the American Symphony Orchestra, the New York Philharmonic Orchestra, the Robert Shaw Chorale and the American Ballet Theater at venues including Carnegie Hall, the Metropolitan Museum of Art and the Metropolitan Opera.

Professor Olesen has also recorded for Columbia, RCA and Decca Records. He is former Director of the Back Bay Chorale and founded and directed the Orpheus Singers. In 2008, the University Chorus, under his direction, made the first international tour by any Brandeis student music ensemble.

His career reflects Mr. Bernstein's belief that ''the art of an era is a reflection of the society in which it is produced, and through creative endeavors the thoughts and expression which characterize each generation are revealed and transformed.''

I congratulate Professor Olesen on this wonderful achievement, thank him for his service to our young people, and salute all that he's accomplished.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:31 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4133. An act to express the sense of Congress regarding the United States-Israel strategic relationship, to direct the President to submit to Congress reports on United States actions to enhance this relationship and to assist in the defense of Israel, and for other purposes.

H.R. 4967. An act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

ENROLLED BILL SIGNED

At 3:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2668. An act to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station''.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4133. An act to express the sense of Congress regarding the United States-Israel strategic relationship, to direct the President to submit to Congress reports on United States actions to enhance this relationship and to assist in the defense of Israel, and for other purposes; to the Committee on Foreign Relations.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 10, 2012, she had presented to the President of the United States the following enrolled bill:

S. 1302. An act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6029. A communication from the Chief of Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Unlicensed Operation in the TV Broadcast Bands, Third Memorandum Opinion and Order'' (ET Docket No. 04–186; FCC 12–36) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6030. A communication from the Acting Deputy Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking and Importing Marine Mammals; Naval Explosive Ordnance Disposal School Training Operations at Eglin Air Force Base, Florida'' (RIN0648–AY64) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6031. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Electric Motors and Small Electric Motors'' (RIN1904–AC05) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Energy and Natural Resources.

EC–6032. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Designation of Areas for Air Quality Planning Purposes; California; Western Mojave Desert Ozone Nonattainment Area; Reclassification to Severe'' (FRL No. 9669–7) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Environment and Public Works.

EC–6033. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Ohio; Determination of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Steubenville-Weirton Area'' (FRL No. 9669–5) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Environment and Public Works.

EC–6034. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky; Regional Haze State Implementation Plan; Correction'' (FRL No. 9669–2) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Environment and Public Works.

EC–6035. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Nonattainment New Source Review Rules'' (FRL No. 9669–3) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Environment and Public Works.

EC–6036. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality Designations for the 2008

Ozone National Ambient Air Quality Standards'' (FRL No. 9668–2) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Environment and Public Works.

EC–6037. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List, Final Rule No. 54'' (FRL No. 9668–1) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Environment and Public Works.

EC–6038. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement the 1997 8-Hour Ozone National Ambient Air Quality Standard: Classification of Areas That Were Initially Classified Under Subpart 1; Revision of the Anti-Backsliding Provisions to Address 1-Hour Contingency Measure Requirements; Deletion of Obsolete 1-Hour Ozone Standard Provision'' (FRL No. 9668–4) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Environment and Public Works.

EC–6039. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Model Safety Evaluation for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF–432, Revision 1, 'Change in Technical Specifications End States (WCAP–16294)' Using the Consolidated Line Item Improvement Process'' (NUREG–1431) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Environment and Public Works.

EC–6040. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Low-Level Radioactive Waste Management and Volume Reduction'' (NRC–2011–0183) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Environment and Public Works.

EC–6041. A communication from the Director of Congressional Affairs, Office of Administration, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Access Authorization Fees'' (RIN3150–AJ00) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Environment and Public Works.

EC–6042. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 42 Qualified Contract Provisions'' (RIN1545–BD20) received during adjournment of the Senate in the Office of the President of the Senate on May 4, 2012; to the Committee on Finance.

EC–6043. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Request for Comments on Reporting of Health Insurance Coverage'' (Notice 2012–32) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2012; to the Committee on Finance.

EC–6044. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year 2011''; to the Committee on Finance.

EC–6045. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Request for Comments on Reporting by Applicable Large Employers on Health Insurance Coverage under Employer-Sponsored Plans'' (Notice 2012–33) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2012; to the Committee on Finance.

EC–6046. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Minimum Value of an Employer-Sponsored Health Plan'' (Notice 2012–31) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2012; to the Committee on Finance.

EC–6047. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Extension of Certain Wage Index Reclassifications and Special Exceptions for the Hospital Inpatient Prospective Payment Systems (PPS) for Acute Care Hospitals and the Hospital Outpatient PPS'' (CMS–1442–N) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2012; to the Committee on Finance.

EC–6048. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Community First Choice Option'' (CMS–2337–F) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Finance.

EC–6049. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, a report relative to continuing disability reviews (CDR) completed in fiscal year 2010; to the Committee on Finance.

EC–6050. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Implementation Act, a report relative to action taken to enter into a Memorandum of Understanding Between the Government of the United States and the Government of the Hellenic Republic Concerning the Imposition of Import Restrictions on Categories of Archaeological and Byzantine Ecclesiastical Ethnological Material through the 15th Century A.D. of the Hellenic Republic; to the Committee on Finance.

EC–6051. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Administration, Cost, and Impact of the Quality Improvement Organization (QIO) Program for Medicare Beneficiaries for Fiscal Year (FY) 2009''; to the Committee on Finance.

EC–6052. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Defense Trade Cooperation Treaty with the United Kingdom'' ((RIN0750–AH70) (DFARS Case 2012–D034)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Armed Services.

EC–6053. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Contingency Contract Closeout'' ((RIN0750–AH71) (DFARS Case 2012–D014)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Armed Services.

EC–6054. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: New Free Trade Agreement with Colombia'' ((RIN0750–AH72) (DFARS Case 2012–D032)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Armed Services.

EC–6055. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Utilization of Domestic Photovoltaic Devices'' ((RIN0750–AH43) (DFARS Case 2011–D046)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Armed Services.

EC–6056. A communication from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Authority to Require Supervision and Regulation of Certain Nonbank Financial Companies'' (RIN4030–AA00) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6057. A communication from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Freedom of Information Act'' (RIN4030–AA02) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6058. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA 2012–0003)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6059. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6060. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the Department in the position of Deputy Secretary, received in the Office of the President of the Senate on May 9, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6061. A communication from the General Counsel, Federal Energy Regulatory

Commission, transmitting, pursuant to law, the report of a rule entitled ''Version 4 Critical Infrastructure Protection Reliability Standards'' (Docket No. RM11–11–000) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Energy and Natural Resources.

EC–6062. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Annual Update of Filing Fees'' (Docket No. RM12–5–000) received in the Office of the President of the Senate on May 8, 2012; to the Committee on Energy and Natural Resources.

EC–6063. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to proposed amendments to parts 120, 123, 124, 126, 127, and 129 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–6064. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012–0042—2012–0045); to the Committee on Foreign Relations.

EC–6065. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to the implementation of the Age Discrimination Act of 1975 for fiscal year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–6066. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Head Start Fiscal Monitoring Assessment''; to the Committee on Health, Education, Labor, and Pensions.

EC–6067. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Executive Officer at the Corporation for National and Community Service received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6068. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''New Animal Drugs; Ceftiofur Crystalline Free Acid; Gamithromycin; Tylosin'' (Docket No. FDA–2012–N–0002) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6069. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Disqualification of a Clinical Investigator'' ((RIN0910–AG49) (Docket No. FDA–2011–0079)) received during adjournment of the Senate in the Office of the President of the Senate on May 4, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6070. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–59, Introduction'' (FAC 2005–59) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6071. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health Benefits Program: New Premium Rating Method for Most Community Rated Plans'' (RIN 3206–AM39) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6072. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Redefinition of the Austin, TX and Waco, TX, Appropriated Fund Federal Wage System Wage Areas'' (RIN 3206–AM50) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6073. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Review of the Permanent Supportive Housing Program—Department of Human Services''; to the Committee on Homeland Security and Governmental Affairs.

EC–6074. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–346, ''DISB Fingerprint-Based Background Check Authorization Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–6075. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–347, ''Fresh Healthy Mobile Cart Vending Pilot in Underserved Areas Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–6076. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–348, ''Advisory Neighborhood Commissions Boundaries Temporary Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–6077. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–349, ''Medical Marijuana Cultivation Center Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–6078. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–350, ''Wrongful Death Temporary Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–6079. A communication from the Chief of the Liaison and Policy Section, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Controlled Substances and List I Chemical Registration and Reregistration Fees'' (RIN1117–AB32) received during adjournment of the Senate in the Office of the President of the Senate on May 4, 2012; to the Committee on the Judiciary.

EC–6080. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Copayments for Medications in 2012'' (RIN 2900–AO28) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Veterans' Affairs.

EC–6081. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Technical Revisions to Update Reference to the Required Assessment Tool for State Nursing Homes Receiving Per Diem Payments from VA'' (RIN 2900–AO02) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2012; to the Committee on Veterans' Affairs.

EC–6082. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2011 through March 31, 2012, received in the Office of the President of the Senate on May 10, 2012; ordered to lie on the table.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COBURN:

S. 3076. A bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos, and the filing of such reports with the Executive Office for United States Trustees; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. MANCHIN):

S. 3077. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PORTMAN:

S. 3078. A bill to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on June 6, 1944, the morning of D-Day; to the Committee on Energy and Natural Resources.

By Mr. PAUL (for himself, Mr. BOOZMAN, and Mr. VITTER):

S. 3079. A bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SANDERS:

S. 3080. A bill to eliminate certain subsidies for fossil-fuel production; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 3081. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

By Mr. BENNET (for himself and Mr. JOHANNS):

S. 3082. A bill to amend title 38, United States Code, to establish the National Veterans Support Network to carry out activities to support and supplement the mission of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUBIO:

S. 3083. A bill to amend the Internal Revenue Code of 1986 to require certain nonresident aliens to provide valid immigration documents to claim the refundable portion of the child tax credit; to the Committee on Finance.

By Mr. BURR:

S. 3084. A bill to require the Secretary of Veterans Affairs to reorganize the Veterans Integrated Service Networks of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mrs. BOXER, Mr. REED, Mr. MERKLEY, Ms. STABENOW, Mr. DURBIN, Mr. FRANKEN, Mr. BEGICH, Mrs. FEINSTEIN, Mr. LAUTENBERG, and Mr. SCHUMER):

S. 3085. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HAGAN:

S. 3086. A bill to extend the temporary suspension of duty on acrylic staple fibers containing 85 percent or more by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, raw white (undyed), crimped, with an average decitex of 1.1 (plus or minus 10 percent) and fiber length of 38 mm (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3087. A bill to suspend temporarily the duty on acrylic filament tow containing 85 percent or more by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, colored, crimped, with an average decitex of 3.3 (plus or minus 10 percent) and an aggregate filament measure in the tow bundle between 660,000 and 1,2000,000 decitex, with a length greater than 2 meters; to the Committee on Finance.

By Mrs. HAGAN:

S. 3088. A bill to extend the temporary suspension of duty on filament tow of rayon; to the Committee on Finance.

By Mrs. HAGAN:

S. 3089. A bill to extend the temporary suspension of duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning, measuring 1.67 to 16.67 decitex and having a fiber length each measuring 20 mm or more but not over 150 mm; to the Committee on Finance.

By Mrs. HAGAN:

S. 3090. A bill to renew the temporary reduction of duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning; to the Committee on Finance.

By Mrs. HAGAN:

S. 3091. A bill to extend the temporary reduction of duty on viscose rayon staple fibers having a decitex of less than 5.0; to the Committee on Finance.

By Mrs. HAGAN:

S. 3092. A bill to extend the temporary suspension of duty on staple fibers of rayon, carded, combed, or otherwise processed for spinning, presented in the form of top; to the Committee on Finance.

By Mrs. HAGAN:

S. 3093. A bill to extend the temporary suspension of duty on acrylic staple fiber, not dyed, not carded, combed, or otherwise processed for spinning, with a cut fiber length of 100 mm to 135 mm and a target length of 120 mm; to the Committee on Finance.

By Mrs. HAGAN:

S. 3094. A bill to extend the temporary suspension of duty on acrylic staple fiber, dyed, not carded, combed, or otherwise processed for spinning, with a cut fiber length of 89 to 140 mm and a target length of 115 mm; to the Committee on Finance.

By Mrs. HAGAN:

S. 3095. A bill to extend the temporary suspension of duty on acrylic staple fibers, dyed but not carded, combed, or otherwise processed for spinning, with a cut fiber length of 100 mm to 135 mm and a target length of 120 mm; to the Committee on Finance.

By Mrs. HAGAN:

S. 3096. A bill to extend the temporary suspension of duty on acrylic staple fibers, not dyed and not carded, combed, or otherwise processed for spinning, with a cut fiber length of 89 mm to 140 mm and a target length of 115 mm; to the Committee on Finance.

By Mrs. HAGAN:

S. 3097. A bill to extend the temporary suspension of duty on acrylic or modacrylic staple fibers, carded, combed, or otherwise processed for spinning; to the Committee on Finance.

By Mrs. HAGAN:

S. 3098. A bill to extend the temporary suspension of duty on mucochloric acid; to the Committee on Finance.

By Mrs. HAGAN:

S. 3099. A bill to extend the temporary suspension of duty on 4-Chloro-3,5-dinitro- a,a,a-trifluorotoluene; to the Committee on Finance.

By Mrs. HAGAN:

S. 3100. A bill to suspend temporarily the duty on [2,2′-bi-1H-indole]-3,3′-diol, potassium sodium salt; to the Committee on Finance.

By Mrs. HAGAN:

S. 3101. A bill to suspend temporarily the duty on mixtures of 9,10-anthracenedione, 1,8-dihydroxy-4-nitro-5- (phenylamino)- and 3- Pyridinecarbonitrile, 5-[2-(2- cyano-4-nitrophenyl) diazenyl]-2-[[2-(2-hydroxyethoxy)ethyl]amino]- 4-methyl-6-(phenylamino)- and 3-Pyridinecarbonitrile, 5-[(2-cyano-4-nitrophenyl) diazenyl]-6-[[2-(2-hydroxyethoxy)ethyl]amino]- 4-methyl-2-(phenylamino)- and Acetic acid, cyano-[3-[(6-methoxy-2-benzothiazoyl)amino]-1H-isoindol-1- ylidene]-, pentyl ester; to the Committee on Finance.

By Mrs. HAGAN:

S. 3102. A bill to suspend temporarily the duty on mixtures of 2,7-naphthalenedisulfonic acid, 4-amino-5-hydroxy-6-[2-[2-methoxy-5-[[2-(sulfooxy)ethyl]sulfonyl]]phenyl]di azenyl]-, sodium salt (1:4) and 2,7-Naphtalenedisulfonic acid, 4-amino-5-hydroxy-3,6-bix[2-[4-[[2-(sulfooxy)ethyl] sulfonyl]]phenyl]diazenyl]-, sodium salt (1:4); to the Committee on Finance.

By Mrs. HAGAN:

S. 3103. A bill to suspend temporarily the duty on mixures of chromate(2-), [3-(hydroxy-kO)-4-[2-[2-(hydroxy-kO)-1-naphthalenyl]diazenyl-kN2]-1-naphtaenesulfonato(3-)[1-[2-[2-(hydroxy-kO)-5-[2-(4-methyoxyphenyl)diazenyl]phenyl]diazenyl-kN2]-2-naphtalenolato(2-)-kO]-sodium (1:2) and coaltate(1-), bis[2-[2-[5-(aminosulfonyl)-2-(hydroxy-kO)phenyl]diazenyl-kN1]-3-(oxo-kO)-N-phenylbutanamidato(2-)], sodium (1:1) and chromate(1-), bis[3-[4-[5-chloro-2-(hydroxy-1O)phenyl]diazenyl-kN1]-4,5-dihydro-3-methyl-5-(oxo-kO)-1H-pyrazol-1-yl]benzenefulfonamidato(2-)]-, sodium (1:1); to the Committee on Finance.

By Mrs. HAGAN:

S. 3104. A bill to extend the temporary suspension of duty on acid blue 324; to the Committee on Finance.

By Mrs. HAGAN:

S. 3105. A bill to suspend temporarily the duty on mixtures-of cobaltate(3-), bis[2-[[[4-(hydroxy-kO)-3-[2-[2-(oxo-kO)-1-[(pheylamino) carbonyl] propyl] diazenyl-kN1] phenyl] sulfonyl] amino] benzoato(3-)]-, ammonium sodium and coaltate(2-), [2-[[[4-(hydroxy-kO)-3- [2-[2-(oxo-kO)-1-[(phenylamino) carbonyl] propyl] diazenyl-kN1] phenyl] sulfonyl] amino] benzoato (3-)][2-[2-[2-(hydroxy-kO)-5-[(phenylamino) sulfony] phenyl] diazenyl-kN1]-3- (oxokO)-N-phenylbutanamidato (2-)]-, ammonium sodium; to the Committee on Finance.

By Mrs. HAGAN:

S. 3106. A bill to extend the temporary suspension of duty on Reactive Black 5; to the Committee on Finance.

By Mrs. HAGAN:

S. 3107. A bill to suspend temporarily the duty on certain other made up articles; to the Committee on Finance.

By Mrs. HAGAN:

S. 3108. A bill to suspend temporarily the duty on ethanol, 2,2′-[[4-[2-(3,5-dinitro-2-thienyl)diazenyl]phenyl]imino]bis-, 1,1′-diacetate; to the Committee on Finance.

By Mrs. HAGAN:

S. 3109. A bill to suspend temporarily the duty on 2,7-naphthalenedisulfonic acid, 3,3′-[carbonylbis(imino-4,1-phenylene-2,1-diazenydiyl)]bis[4-amino-5-hydroxy-6-(2-phenyldiazenyl)-, sodium salt (1:4); to the Committee on Finance.

By Mrs. HAGAN:

S. 3110. A bill to extend the temporary suspension of duty on disperse blue 77; to the Committee on Finance.

By Mrs. HAGAN:

S. 3111. A bill to suspend temporarily the duty on cobaltate(1-), bis[4-(hydroxy-k O)-3-[2-[2-(hydroxy-k O)-1-naphthalenyl]diazenyl-k N1]benzenesulfonamidato(2-)]-, sodium (1:1); to the Committee on Finance.

By Mrs. HAGAN:

S. 3112. A bill to renew the temporary suspension of duty on cuprate (4-), [2-[[3-[[substituted]-1,3,5-triazin-2-yl]amino]-2-hydroxy-5-sulfophenyl](substituted)azo], sodium salt; to the Committee on Finance.

By Mrs. HAGAN:

S. 3113. A bill to suspend temporarily the duty on 2-anthracenesulfonic acid, 1-amino-9,10-dioxo-4-[[3-[[2-(sulfooxy)ethyl]sulfonyl]phenyl]amino]-, sodium salth (1:2); to the Committee on Finance.

By Mrs. HAGAN:

S. 3114. A bill to suspend temporarily the duty on cobaltate(2-), [6-(amino-kN)-5-[2-[2-(hydroxy-kO)-4-nitrophenyl]diazenyl-kN1]-N-methyl-2-naphthalenesulfonamidato(2-)][6-(amino-kN)-5-[2-[2-(hydroxy-kO)-4-nitrophenyl]diazenyl-kN1]-2-naphthalenesulfonato(3-)]-, sodium (1:2); to the Committee on Finance.

By Mrs. HAGAN:

S. 3115. A bill to suspend temporarily the duty on acetic acid, cyano-(3-[(6-methyoxy-2-benzothiazoyl)amino]-1H-isoindol-1-ylidene}-, pentyl ester; to the Committee on Finance.

By Mrs. HAGAN:

S. 3116. A bill to suspend temporarily the duty on 2-naphthalenesulfonic acid, 5,5′[carobnylbis(imino-4,1-phenylene-2,1-diazenediyl)]bis[8-[2-(4-sulfophenyl)diazenyl]-,

sodium salt (1:4); to the Committee on Finance.

By Mrs. HAGAN:

S. 3117. A bill to renew the temporary suspension of duty on vat blue 66; to the Committee on Finance.

By Mrs. HAGAN:

S. 3118. A bill to extend the temporary suspension of duty on disperse yellow 64; to the Committee on Finance.

By Mrs. HAGAN:

S. 3119. A bill to extend the temporary suspension of duty on disperse red 60; to the Committee on Finance.

By Mrs. HAGAN:

S. 3120. A bill to suspend temporarily the duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning, measuring over 1.3 decitex but not over 1.66 decitex and having a fiber length each measuring 20 mm or more but not over 150 mm; to the Committee on Finance.

By Mrs. HAGAN:

S. 3121. A bill to extend the temporary suspension of duty on modacrylic staple fibers containing 35 percent or more but not over 85 percent by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, not pigmented (ecru), crimped, with an average decitex of 2.2 (plus or minus 10 percent) and fiber length of 51 mm (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3122. A bill to extend the temporary suspension of duty on modacrylic staple fibers containing 35 percent or more but not over 85 percent by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, not pigmented (ecru), crimped, with an average decitex of 1.9 (plus or minus 10 percent) and fiber length of 51 mm (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3123. A bill to extend the temporary suspension of duty on acrylic staple fibers containing at least 85 percent by weight of acrylonitrile units and 2 percent or more but not more than 3 percent of water, not dyed or pigmented (ecru), crimped, with an average decitex of 1.9 (plus or minus 10 percent) and fiber length of 51 mm (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3124. A bill to extend the temporary suspension of duty on acrylic staple fibers containing at least 85 percent by weight of acrylonitrile units and 2 percent or more but not more than 3 percent of water, raw white (undyed), crimped, with an average decitex of 2.2 (plus or minus 10 percent) and fiber length of 38 mm (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3125. A bill to extend the temporary suspension of duty on acrylic staple fibers containing at least 85 percent by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, raw white (undyed), crimped, with an average decitex of 1.3 (plus or minus 10 percent) and fiber length of 38 mm (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3126. A bill to extend the temporary suspension of duty on acrylic staple fibers (polyacrylonitrile staple) containing 85 percent or more by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, not pigmented (ecru), crimped, with an average decitex of 1.3 (plus or minus 10 percent) and fiber length of 40 mm (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3127. A bill to extend the temporary suspension of duty on acrylic filament tow containing 85 percent or more by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, raw white (undyed), crimped, with an average decitex of 4.1 (plus or minus 10 percent) and an aggregate filament measure in the tow bundle from 660,000 to 1,200,000 decitex, with a length greater than 2 meters; to the Committee on Finance.

By Mrs. HAGAN:

S. 3128. A bill to extend the temporary suspension of duty on acrylic filament tow containing 85 percent or more by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, raw white (undyed), crimped, with an average decitex of 2.2 (plus or minus 10 percent) and an aggregate filament measure in the tow bundle from 660,000 to 1,200,000 decitex, with a length greater than two meters; to the Committee on Finance.

By Mrs. HAGAN:

S. 3129. A bill to extend the temporary suspension of duty on acrylic fiber tow containing 85 percent or more by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, raw white (undyed), crimped, with an average decitex of 3.3 (plus or minus 10 percent) and an aggregate filament measure in the tow bundle from 660,000 to 1,200,000 decitex, with a length greater than 2 meters; to the Committee on Finance.

By Mrs. HAGAN:

S. 3130. A bill to suspend temporarily the duty on Fluopyram; to the Committee on Finance.

By Mrs. HAGAN:

S. 3131. A bill to suspend temporarily the duty on imdaziflam; to the Committee on Finance.

By Mrs. HAGAN:

S. 3132. A bill to suspend temporarily the duty on flubendiamide; to the Committee on Finance.

By Mrs. HAGAN:

S. 3133. A bill to suspend temporarily the duty on fenhexamid; to the Committee on Finance.

By Mrs. HAGAN:

S. 3134. A bill to suspend temporarily the duty on fluopicolide; to the Committee on Finance.

By Mrs. HAGAN:

S. 3135. A bill to extend the temporary suspension of duty on Fenamidone; to the Committee on Finance.

By Mrs. HAGAN:

S. 3136. A bill to extend the temporary reduction of duty on Imidacloprid; to the Committee on Finance.

By Mrs. HAGAN:

S. 3137. A bill to extend the temporary suspension of duty on 2,4-dichloroaniline; to the Committee on Finance.

By Mrs. HAGAN:

S. 3138. A bill to extend the temporary suspension of duty on trinexapac-ethyl; to the Committee on Finance.

By Mrs. HAGAN:

S. 3139. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Finance.

By Mrs. HAGAN:

S. 3140. A bill to suspend temporarily the duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning, measuring over 1 decitex but not over 1.3 decitex and having a fiber length each measuring 20 mm or more but not over 150 mm; to the Committee on Finance.

By Mrs. HAGAN:

S. 3141. A bill to extend the temporary suspension of duty on Hostavin 3058; to the Committee on Finance.

By Mrs. HAGAN:

S. 3142. A bill to extend the temporary suspension of duty on Hostapur SAS; to the Committee on Finance.

By Mrs. HAGAN:

S. 3143. A bill to suspend temporarily the duty on confectionery (including gum) containing synthetic sweetening agents (e.g., saccharin) instead of sugar; to the Committee on Finance.

By Mrs. HAGAN:

S. 3144. A bill to suspend temporarily the duty on preparations intended to assist smokers to stop smoking; to the Committee on Finance.

By Mrs. HAGAN:

S. 3145. A bill to suspend temporarily the duty on Oxyfluorfen; to the Committee on Finance.

By Mrs. HAGAN:

S. 3146. A bill to suspend temporarily the duty on Acifluorfen; to the Committee on Finance.

By Mrs. HAGAN:

S. 3147. A bill to suspend temporarily the duty on certain eyelash curlers; to the Committee on Finance.

By Mrs. HAGAN:

S. 3148. A bill to suspend temporarily the duty on manicure and pedicure sets; to the Committee on Finance.

By Mrs. HAGAN:

S. 3149. A bill to suspend temporarily the duty on nail clippers; to the Committee on Finance.

By Mrs. HAGAN:

S. 3150. A bill to suspend temporarily the duty on certain plaiting material products suitable for use in window shades; to the Committee on Finance.

By Mrs. HAGAN:

S. 3151. A bill to suspend temporarily the duty on certain plaiting material products suitable for use in window shades; to the Committee on Finance.

By Mrs. HAGAN:

S. 3152. A bill to suspend temporarily the duty on lithium chloride; to the Committee on Finance.

By Mrs. HAGAN:

S. 3153. A bill to suspend temporarily the duty on lithium carbonate; to the Committee on Finance.

By Mrs. HAGAN:

S. 3154. A bill to extend and modify the temporary reduction of duty on acrylic filament tow imported in the form of 8 sub-bundles crimped together, each containing 24,000 filaments (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3155. A bill to suspend temporarily the duty on acrylic filament tow imported in the form of bundles of crimped product, each containing 198,000 filaments (plus or minus 10 percent) with an average decitex of 4.0 to 5.6 (plus or minus 10 percent) and length greater than 2 meters; to the Committee on Finance.

By Mrs. HAGAN:

S. 3156. A bill to extend the temporary suspension of duty on acrylic filament tow imported in the form of bundles of crimped product each containing 214,000 filaments (plus or minus 10 percent); to the Committee on Finance.

By Mrs. HAGAN:

S. 3157. A bill to suspend temporarily the duty on acrylic filament tow imported in the form of bundles of crimped product of 250,000 to 350,000 filaments (plus or minus 10 percent) with an average decitex of 2.4 to 3.7 (plus or minus 10 percent) and length greater than 2 meters; to the Committee on Finance.

By Mrs. HAGAN:

S. 3158. A bill to suspend temporarily the duty on acrylic staple fibers, not carded,

combed, or otherwise processed for spinning, with a decitex of 2.4 to 3.7 (plus or minus 10 percent), a fiber shrinkage of from 0 to 22 percent (plus or minus 10 percent), and a cut fiber length of 89 to 140 mm, with a target length of 115 mm; to the Committee on Finance.

By Mrs. HAGAN:

S. 3159. A bill to suspend temporarily the duty on acrylic filament tow imported in the form of bundles of crimped product, each containing 250,000 filaments (plus or minus 10 percent) with an average decitex of 3.3 to 5.6 (plus or minus 10 percent) and length greater than 2 meters; to the Committee on Finance.

By Mrs. HAGAN:

S. 3160. A bill to extend the temporary suspension of duty on Spiromesifen; to the Committee on Finance.

By Mrs. HAGAN:

S. 3161. A bill to suspend temporarily the duty on Indaziflam; to the Committee on Finance.

By Mrs. HAGAN:

S. 3162. A bill to suspend temporarily the duty on Flubendiamide; to the Committee on Finance.

By Mrs. HAGAN:

S. 3163. A bill to extend the temporary suspension of duty on Sodium monochloroacetate; to the Committee on Finance.

By Mrs. HAGAN:

S. 3164. A bill to suspend temporarily the duty on Reactive Black 31; to the Committee on Finance.

By Mrs. HAGAN:

S. 3165. A bill to renew the temporary suspension of duty on Pigment Yellow 154; to the Committee on Finance.

By Mrs. HAGAN:

S. 3166. A bill to renew the temporary suspension of duty on Pigment Yellow 175; to the Committee on Finance.

By Mrs. HAGAN:

S. 3167. A bill to suspend temporarily the duty on Pigment Yellow 151; to the Committee on Finance.

By Mrs. HAGAN:

S. 3168. A bill to extend the temporary suspension of duty on Hostanox P-EPQ; to the Committee on Finance.

By Mrs. HAGAN:

S. 3169. A bill to extend and modify the temporary suspension of duty on preparations based on ethanediamide, N-(2-ethoxyphenyl)- N′-(4-isodecylphenyl)-; to the Committee on Finance.

By Mrs. HAGAN:

S. 3170. A bill to extend the temporary suspension of duty on Hostavin 3055; to the Committee on Finance.

By Mrs. HAGAN:

S. 3171. A bill to extend the temporary suspension of duty on Nylostab seed; to the Committee on Finance.

By Mrs. HAGAN:

S. 3172. A bill to renew the temporary suspension of duty on Ethanoyl chloride; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HARKIN:

S. Res. 453. A resolution expressing the sense of the Senate that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself, Mr. CARPER, Ms. LANDRIEU, and Mr. RISCH):

S. Res. 454. A resolution commending the Nuclear Regulatory Commission and the Department of Energy hosting the Third International Conference on Nuclear Power Plant Life Management; to the Committee on Foreign Relations.

By Mr. CONRAD (for himself, Mr. BLUMENTHAL, Mr. CASEY, Mr. COONS, Mr. HOEVEN, Mr. LEAHY, Mr. ROCKEFELLER, Mr. SANDERS, Ms. SNOWE, Ms. STABENOW, Ms. MIKULSKI, Mr. TESTER, Mr. KERRY, and Mr. JOHNSON of South Dakota):

S. Res. 455. A resolution designating June 27, 2012, as ''National Post-Traumatic Stress Disorder Awareness Day''; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. LANDRIEU, Mr. HATCH, Mr. COONS, Mr. WHITEHOUSE, Mr. DURBIN, Mrs. BOXER, Mr. LEVIN, Mr. KOHL, Mr. TESTER, Mr. KERRY, Mr. SCHUMER, Ms. MIKULSKI, Mrs. MURRAY, Mr. BAUCUS, Mrs. FEINSTEIN, Ms. KLOBUCHAR, and Mr. SESSIONS):

S. Res. 456. A resolution commemorating and acknowledging the dedication and sacrifice made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty; considered and agreed to.

By Mr. LUGAR:

S. Res. 457. A resolution expressing the sense of Congress that the Republic of Argentina's membership in the G20 should be conditioned on its adherence to international norms of economic relations and commitment to the rule of law; to the Committee on Foreign Relations.

By Mr. JOHANNS (for himself, Ms. STABENOW, and Mr. ROBERTS):

S. Res. 458. A resolution commemorating May 15, 2012, as the sesquicentennial of the founding of the Department of Agriculture; considered and agreed to.

ADDITIONAL COSPONSORS

S. 503

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 503, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 506

At the request of Mr. CASEY, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 598

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 598, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 740

At the request of Mr. REED, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 881

At the request of Ms. LANDRIEU, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 881, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 1058

At the request of Mr. PRYOR, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1058, a bill to amend the Public Health Service Act to ensure transparency and proper operation of pharmacy benefit managers.

S. 1086

At the request of Mr. HARKIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1086, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 1111

At the request of Mr. UDALL of Colorado, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1111, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to

combat trafficking in persons, and for other purposes.

S. 1309

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1309, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1512

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Tennessee (Mr. CORKER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1616

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1616, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1718

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1796

At the request of Mr. ISAKSON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1796, a bill to make permanent the Internal Revenue Service Free File program.

S. 2003

At the request of Mrs. FEINSTEIN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2017

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2017, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 2103

At the request of Mr. LEE, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2118

At the request of Mr. CORNYN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2118, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Illinois (Mr. KIRK) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2205

At the request of Mr. MORAN, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2245

At the request of Mr. BARRASSO, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2245, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 2325

At the request of Mr. NELSON of Florida, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2371

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2371, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 2388

At the request of Mr. BEGICH, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2388, a bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

S. 3053

At the request of Mr. INHOFE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3053, a bill to require Regional Administrators of the Environmental Protection Agency to be appointed by and with the advice and consent of the Senate.

S.J. RES. 38

At the request of Mr. GRAHAM, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S.J. Res. 38, a joint resolution disapproving a rule submitted by the Department of Labor relating to the certification of nonimmigrant workers in temporary or seasonal nonagricultural employment.

S. RES. 402

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 402, a resolution condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

S. RES. 450

At the request of Mr. GRAHAM, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 450, a resolution designating May 15, 2012, as ''National MPS Awareness Day''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 3081. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3081

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tobacco Tax Equity Act of 2012''.

SEC. 2. ESTABLISHING EXCISE TAX EQUITY AMONG ALL TOBACCO PRODUCT TAX RATES.

(a) TAX PARITY FOR PIPE TOBACCO AND ROLL-YOUR-OWN TOBACCO.—Section 5701(f) of the Internal Revenue Code of 1986 is amended by striking ''$2.8311 cents'' and inserting ''$24.78''.

(b) TAX PARITY FOR SMOKELESS TOBACCO.—

(1) Section 5701(e) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking ''$1.51'' and inserting ''$13.42'';

(B) in paragraph (2), by striking ''50.33 cents'' and inserting ''$5.37''; and

(C) by adding at the end the following:

''(3) SMOKELESS TOBACCO SOLD IN DISCRETE SINGLE-USE UNITS.—On discrete single-use units, $50.33 per thousand.''.

(2) Section 5702(m) of such Code is amended—

(A) in paragraph (1), by striking ''or chewing tobacco'' and inserting ''chewing tobacco, or discrete single-use unit'';

(B) in paragraphs (2) and (3), by inserting ''that is not a discrete single-use unit'' before the period in each such paragraph;

(C) by adding at the end the following:

''(4) DISCRETE SINGLE-USE UNIT.—The term 'discrete single-use unit' means any product containing tobacco that—

''(A) is not intended to be smoked; and

''(B) is in the form of a lozenge, tablet, pill, pouch, dissolvable strip, or other discrete single-use or single-dose unit.''.

(c) TAX PARITY FOR LARGE CIGARS.—Paragraph (2) of section 5701(a) of the Internal Revenue Code of 1986, as amended by this Act, is amended by striking ''but not more than 40.26 cents per cigar'' and inserting ''but not less than 5.033 cents per cigar and not more than 100.66 cents per cigar''.

(d) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO AND CERTAIN PROCESSED TOBACCO.—Subsection (o) of section 5702 of the Internal Revenue Code of 1986 is amended by inserting '', or processed tobacco removed or transferred to a person other than a person with a permit provided under section 5713'' after ''wrappers thereof''.

(e) CLARIFYING TOBACCO PRODUCT DEFINITION AND TAX RATE.—

(1) IN GENERAL.—Subsection (c) of section 5702 of the Internal Revenue Code of 1986 is amended to read as follows:

''(c) TOBACCO PRODUCTS.—The term 'tobacco products' means—

''(1) cigars, cigarettes, smokeless tobacco, pipe tobacco, and roll-your-own tobacco, and

''(2) any other product containing tobacco that is intended or expected to be consumed.''.

(2) TAX RATE.—Section 5701 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(i) OTHER TOBACCO PRODUCTS.—Any product described in section 5702(c)(2) or not otherwise described under this section, including any product that has been determined to be a tobacco product by the Food and Drug Administration through its authorities under the Family Smoking Prevention and Tobacco Control Act, shall be taxed at a level of tax equivalent to the tax rate for cigarettes on an estimated per use basis as determined by the Secretary.''.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the last day of the month which includes the date of the enactment of this Act.

(2) DISCRETE SINGLE-USE UNITS AND PROCESSED TOBACCO.—The amendments made by subsections (b)(1)(C), (b)(2), and (d) shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the date that is 6 months after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 453—EXPRESSING THE SENSE OF THE SENATE THAT SUPPORTING SENIORS AND INDIVIDUALS WITH DISABILITIES IS AN IMPORTANT RESPONSIBILITY OF THE UNITED STATES, AND THAT A COMPREHENSIVE APPROACH TO EXPANDING AND SUPPORTING A STRONG HOME CARE WORKFORCE AND MAKING LONG-TERM SERVICES AND SUPPORTS AFFORDABLE AND ACCESSIBLE IN COMMUNITIES IS NECESSARY TO UPHOLD THE RIGHT OF SENIORS AND INDIVIDUALS WITH DISABILITIES IN THE UNITED STATES TO A DIGNIFIED QUALITY OF LIFE

Mr. HARKIN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 453

Whereas the aging of the baby boom generation will cause the number of individuals in the United States who are 65 years of age or older to increase from 40,000,000 to 70,000,000 during the next 2 decades;

Whereas 12,000,000 adults, nearly half of whom are under 65 years of age, need long-term services and supports due to functional limitations;

Whereas the decision of the Supreme Court in Olmstead v. L.C., 527 U.S. 581 (1999), mandates the end of unnecessary segregation of individuals with disabilities in institutions, and requires that individuals with disabilities receive services in the most integrated setting appropriate to their needs;

Whereas the vast majority of individuals in the United States prefer to receive long-term services and supports in their homes so that they may continue to live independently and with dignity;

Whereas the costs of long-term services and supports for seniors and individuals with disabilities are high;

Whereas the great expense of long-term services and supports can affect all individuals, regardless of income;

Whereas 70 percent of individuals who are 65 years of age or older will need some form of long-term services and supports;

Whereas the number of individuals who need long-term services and supports is projected to grow from 12,000,000 to 27,000,000 by 2050;

Whereas there are approximately 3,000,000 workers in the direct care workforce, leaving a huge gap between the services needed and the size of the current workforce;

Whereas the United States is experiencing a jobs crisis, as 25,000,000 individuals are unemployed or underemployed;

Whereas home care is one of the fastest growing industries in the United States economy, providing critical daily care, services, and supports to millions of individuals and families across the country;

Whereas an estimated 1,800,000 additional home care workers will be needed during the next decade to serve the growing population of seniors and individuals with disabilities;

Whereas the quality of home care jobs is poor, with low wages, few benefits, high turnover, and a high level of job stress and hazards;

Whereas home care and personal assistance workers earn a median hourly wage of $9.40, and nearly half of such workers live in households that also rely on public assistance;

Whereas approximately 58 percent of home care workers work part-time, and approximately 40 percent of those part-time workers would prefer to work more hours;

Whereas nearly 23 percent of the individuals who provide home care services were born outside the United States;

Whereas a stabilized home care workforce would lead to improved continuity and quality of long-term services and supports;

Whereas the issue of long-term services and supports is a critical issue for women, as 70 percent of individuals who need such care are women 65 years of age or older, 90 percent of paid caregivers are women, and 85 percent of family members and friends who informally provide care are women who often have to leave the paid workforce to provide such care, and thus are at a financial disadvantage during their working years and face a reduction in Social Security benefits when they retire; and

Whereas a comprehensive approach that focuses on job creation and job quality, workforce training, pathways to citizenship and career advancement, and support for individuals and families is necessary to build a strong home care workforce and make quality long-term services and supports affordable and accessible for all individuals in the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life.

SENATE RESOLUTION 454—COMMENDING THE NUCLEAR REGULATORY COMMISSION AND THE DEPARTMENT OF ENERGY HOSTING THE THIRD INTERNATIONAL CONFERENCE ON NUCLEAR POWER PLANT LIFE MANAGEMENT

Mr. CRAPO (for himself, Mr. CARPER, Ms. LANDRIEU, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 454

Whereas the Third International Conference on Nuclear Power Plant Life Management has been organized by the International Atomic Energy Agency and will be hosted in the United States for the first time from May 13–17, 2012, in Salt Lake City, Utah;

Whereas the Senate recognizes the important contribution of the United States,

through the Nuclear Regulatory Commission, Department of Energy, and National Laboratories, to nuclear power plant life management;

Whereas conference attendees will discuss ways to safely and cost-effectively renew the operating lifetimes of many of the nuclear power plants in the world, especially the 104 operating commercial nuclear power reactors in the United States; and

Whereas the Senate recognizes the continuing importance of the 436 commercial nuclear power reactors that operate in 31 countries and currently provide 14 percent of the electricity in the world: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Nuclear Regulatory Commission and the Department of Energy for hosting the Third International Conference on Nuclear Power Plant Life Management in the United States;

(2) applauds the efforts of conference attendees to discuss and explore the increased role of nuclear power plant life management in support of license renewal and the safe, long-term operation of commercial nuclear reactors throughout the world;

(3) thanks the International Atomic Energy Agency for organizing the Third International Conference on Nuclear Power Plant Life Management in the United States for the first time; and

(4) encourages Member States of the International Atomic Energy Agency to take advantage of the latest available technology to further develop licensing programs, promote safety, and secure the long-term success of commercial nuclear power generation.

SENATE RESOLUTION 455—DESIGNATING JUNE 27, 2012, AS ''NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS DAY''

Mr. CONRAD (for himself, Mr. BLUMENTHAL, Mr. CASEY, Mr. COONS, Mr. HOEVEN, Mr. LEAHY, Mr. ROCKEFELLER, Mr. SANDERS, Ms. SNOWE, Ms. STABENOW, Ms. MIKULSKI, Mr. TESTER, Mr. KERRY, and Mr. JOHNSON of South Dakota) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 455

Whereas the brave men and women of the United States Armed Forces, who proudly serve the United States, risk their lives to protect the freedom of the United States and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being;

Whereas more than 2,000,000 service members have deployed overseas as part of overseas contingency operations since the events of September 11, 2001;

Whereas the military has sustained an operational tempo for a period of time unprecedented in the history of the United States, with many service members deploying multiple times, placing them at high risk of PTSD;

Whereas according to the Armed Forces Health Surveillance Center, approximately 90,000 service members who have returned from overseas contingency operations have been clinically diagnosed with PTSD;

Whereas the Department of Veterans Affairs reports that—

(1) since 2002, more than 217,000 of the more than 750,000 veterans of overseas contingency operations who have sought care at a Department of Veterans Affairs medical center have been diagnosed with PTSD; and

(2) in fiscal year 2011, more than 475,000 of the nearly 6,000,000 veterans from all wars who sought care at a Department of Veterans Affairs medical center received treatment for PTSD;

Whereas many cases of PTSD remain unreported, undiagnosed, and untreated due to a lack of awareness about PTSD and the persistent stigma associated with mental health issues;

Whereas PTSD significantly increases the risk of depression, suicide, and drug- and alcohol-related disorders and deaths, especially if left untreated;

Whereas perceived or actual symptoms of PTSD or other mental health issues create unique challenges for veterans seeking employment;

Whereas the Departments of Defense and Veterans Affairs have made significant advances in the prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain; and

Whereas the establishment of a National Post-Traumatic Stress Disorder Awareness Day will raise public awareness about issues related to PTSD, reduce the stigma associated with PTSD, and help ensure that those suffering from the invisible wounds of war receive proper treatment: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 27, 2012, as ''National Post-Traumatic Stress Disorder Awareness Day'';

(2) supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense to educate service members, veterans, the families of service members and veterans, and the public about the causes, symptoms, and treatment of post-traumatic stress disorder (referred to in this resolution as ''PTSD''); and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Veterans Affairs and the Secretary of Defense.

Mr. CONRAD. Mr. President, today I am submitting—for the third year in a row—resolution to designate June 27 as National Post-Traumatic Stress Disorder Awareness Day. That date was inspired by the birthday of North Dakota National Guard Staff Sergeant Joe Biel. Staff Sergeant Biel served two tours of duty in Iraq as a Trailblazer, part of a unit responsible for route clearance operations. Each day, Joe's mission was to go out with his unit to find and remove Improvised Explosive Devices and other dangers from heavily traveled roads to make it safe for coalition forces and Iraqi civilians to travel. Joe lost his post-deployment struggle and, suffering from PTSD, tragically took his own life 6 months after returning home. There is no doubt that Joe Biel is a hero who gave his life for our country.

I learned of Joe's story because friends from his platoon, the 4th Platoon, A Company, of the North Dakota National Guard's 164th Combat Engineer Battalion, have organized an annual motorcycle ride across the State of North Dakota in his memory. The Joe Biel Memorial Ride serves as a reunion for the 164th, a memorial for a lost friend, and a beacon to those suffering from PTSD and other mental health issues across the region. The key point made to me by the event's organizer, Staff Sergeant Matt Leaf, is that we have to raise awareness of this issue so that the lives of service members, veterans, and other PTSD sufferers and their families can be saved.

For many, the war does not end when the warrior comes home. All too many service members and veterans face PTSD symptoms like anxiety, anger, and depression as they try to adjust to life after war. We cannot sweep these problems under the rug. PTSD is real. We know PTSD is caused by a traumatic event. We also know that we are sending our troops into combat situations where they are going to experience traumatic events. We know that the percentage of PTSD diagnoses increases with each deployment into combat. We know, as a nation, that we must take responsibility to help our sons and daughters cope with what they have experienced. We owe them that much.

When our troops came home from Vietnam, we ignored their health concerns for far too long. When our troops came home from the first Gulf War we tried to make sure the government was doing all it could to resolve their health concerns. PTSD is this conflict's Gulf War Illness. The Department of Defense has created a Defense Center of Excellence for Psychological Health and Traumatic Brain Injury and teams with the National Institute for Mental Health and universities to address PTSD. The Department of Veterans Affairs has likewise established the National Center for the study of PTSD. These departments have made significant advances in the prevention, diagnosis, and treatment of PTSD and its symptoms to help us live up to our responsibility.

But more can and must be done. We need to ensure that these efforts are coordinated. In 1995, a President's Advisory Commission was created to conduct an independent, open, and comprehensive review of government activities relating to Gulf War illness. Today, I am calling on President Obama to establish a new Presidential Advisory Commission to conduct a similar review of the Government's efforts to address PTSD in order to maximize the time and treasure we are spending on solving this problem. We owe it to those who have served.

I am proud that Staff Sergeant Leaf and his fellow Trailblazers continue the annual Joe Biel Memorial Bike Ride, to be held on Memorial Day this year. am proud that I was able to help boost their efforts to bring attention to this issue by creating a National PTSD Awareness Day. I am proud to introduce this Resolution once again. Actions like these garner attention and

help to eliminate the stigma surrounding mental health issues. They are about letting our troops and veterans know it is okay to come forward and say they need help—that it is a sign of strength, not weakness, to seek assistance. And they help show that we can, and we must, do more.

SENATE RESOLUTION 456—COMMEMORATING AND ACKNOWLEDGING THE DEDICATION AND SACRIFICE MADE BY THE FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT OFFICERS WHO HAVE BEEN KILLED OR INJURED IN THE LINE OF DUTY

Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. LANDRIEU, Mr. HATCH, Mr. COONS, Mr. WHITEHOUSE, Mr. DURBIN, Mrs. BOXER, Mr. LEVIN, Mr. KOHL, Mr. TESTER, Mr. KERRY, Mr. SCHUMER, Ms. MIKULSKI, Mrs. MURRAY, Mr. BAUCUS, Mrs. FEINSTEIN, Ms. KLOBUCHAR, and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 456

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in protecting the schools and schoolchildren of the United States;

Whereas in 2011, 163 peace officers across the United States were killed in the line of duty;

Whereas Congress should strongly support initiatives to reduce violent crime and to increase the factors that contribute to the safety of law enforcement officers;

Whereas there are more than 19,000 Federal, State, and local law enforcement officers who lost their lives in the line of duty while protecting their fellow citizens, and whose names are engraved upon the National Law Enforcement Officers Memorial in Washington, District of Columbia;

Whereas in 1962, President John F. Kennedy designated May 15 as National Peace Officers Memorial Day; and

Whereas on May 15, 2012, more than 20,000 peace officers are expected to gather in Washington, District of Columbia, to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and acknowledges the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty;

(2) recognizes May 15, 2012, as ''National Peace Officers Memorial Day''; and

(3) calls on the people of the United States to observe that day with appropriate ceremony, solemnity, appreciation, and respect.

SENATE RESOLUTION 457—EXPRESSING THE SENSE OF CONGRESS THAT THE REPUBLIC OF ARGENTINA'S MEMBERSHIP IN THE G20 SHOULD BE CONDITIONED ON ITS ADHERENCE TO INTERNATIONAL NORMS OF ECONOMIC RELATIONS AND COMMITMENT TO THE RULE OF LAW

Mr. LUGAR submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 457

Whereas Argentina has enjoyed the privilege of membership in the Group of Twenty Finance Ministers and Central Bank Governors (G20);

Whereas, at the Summit of the Group of Twenty in 2008, G20 leaders declared that ''our work will be guided by a shared belief that market principles, open trade and investment regimes, and effectively regulated financial markets foster the dynamism, innovation, entrepreneurship that are essential for economic growth, employment and poverty reduction'';

Whereas, at the Pittsburgh Summit of 2009, G20 nations ''designated the G20 to be the premier forum for our international economic cooperation'';

Whereas, at the Cannes Summit of 2011, G20 leaders reaffirmed their ''commitment to work together'' and stressed among other principles the need to conduct International Monetary Fund surveillance of national economies, avoid protectionism and the need to reinforce the multilateral trading system, strengthen anti-money laundering measures, and combat financing of terrorism;

Whereas the Republic of Argentina has consistently violated the spirit and letter of these and other G20 declarations through its policy of expropriating the property of foreign investors, evading the judgments of United States courts, ignoring decisions of international arbitral forums, refusing to comply with International Monetary Fund membership requirements, and failing to implement anti-money laundering and terrorist financing measures;

Whereas the President Cristina Fernandez de Kirchner has flouted international norms and agreements by proposing legislation to nationalize Argentina's largest oil and gas producer, YPF SA, effectively expropriating the assets of foreign investors;

Whereas President Fernandez won congressional backing to seize YPF SA (YPFD) from Spain's Repsol YPF SA (YPF), with the Argentina Senate approving the legislation on April 26, 2012, and the lower house of the Argentina Congress voting 207 to 32 on May 3, 2012, to back her bill empowering the Government of Argentina to take 51 percent of YPF;

Whereas Argentina has persistently ignored claims brought by United States and other countries before the International Center for Settlement of Investment Disputes (ICSID), administered by the World Bank, despite receiving billions of dollars in loans from the World Bank;

Whereas Argentina remains one of only four countries, and the only G20 member, that refuse to submit to an International Monetary Fund review in violation of Article IV of the IMF Charter; and

Whereas the Financial Action Task Force has warned of Argentina's failure to comply with fully 47 out of 49 recommendations to address the vulnerability of institutions to terrorist financing and money laundering, giving Argentina the worst evaluation of any G20 nation: Now, therefore, be it

Resolved, That the Senate—

(1) finds that the Republic of Argentina has failed to meet the responsibilities inherent to membership in the G20;

(2) calls upon the President and the Secretary of the Treasury to work with the governments of the G20 to suspend the participation of the Republic of Argentina in the G20 until the Government of Argentina has fully demonstrated its intent to adhere to international norms of economic relations and to commit to the rule of law; and

(3) calls upon the President and the Secretary of the Treasury to work with the governments of the G20 members to condition any reinstatement of Argentina's membership in the G20 on its demonstrated compliance with its international commitments and obligations.

SENATE RESOLUTION 458—COMMEMORATING MAY 15, 2012, AS THE SESQUICENTENNIAL OF THE FOUNDING OF THE DEPARTMENT OF AGRICULTURE

Mr. JOHANNS (for himself, Ms. STABENOW, and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 458

Whereas, on May 15, 1862, President Abraham Lincoln signed into law an Act that established a Department of Agriculture (12 Stat. 387, chapter 72);

Whereas President Lincoln gave the Department of Agriculture general authority to acquire and spread useful information on agricultural subjects and to assist in the development and use of new and valuable seeds and plants;

Whereas, in 1862, President Lincoln also signed into law the Act entitled ''An Act to secure homesteads to actual settlers on the public domain'' (commonly known as the ''Homestead Act of 1862''; 12 Stat. 392, chapter 75) and the Act of July 2, 1862 (commonly known as the ''First Morrill Act''; 12 Stat. 503, chapter 130), which, along with the creation of the Department of Agriculture, lay the foundation for Federal agricultural policy;

Whereas, in the 1850s, there was 1 farmer for every 2 people in the United States, while today the average farmer in the United States feeds more than 150 people;

Whereas the United States is now the second largest producer and the largest exporter of agricultural products in the world;

Whereas the role of the Department of Agriculture has expanded to include functions impacting nearly every aspect of the rural United States and beyond;

Whereas the Department of Agriculture helps to ensure the safety of the food supply of the United States, provides conservation assistance, collects market data, provides nutrition assistance, protects the health of plants and animals, supports rural communities, conducts agricultural research, maintains risk management tools for producers, and promotes agricultural exports; and

Whereas the professionalism, dedication, and work ethic of the public servants at the Department of Agriculture provide a shining example of why President Lincoln called the Department of Agriculture the ''People's Department'': Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the men and women of the Department of Agriculture on the occasion of the 150th anniversary of the Department;

(2) celebrates the growth and success of agriculture in the United States; and

(3) honors the farmers and ranchers of the United States, whose ingenuity, adaptability, and skill have created the safest and most abundant food supply in the history of mankind.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2099. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table.

SA 2100. Mr. LEE (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill H.R. 2072, supra; which was ordered to lie on the table.

SA 2101. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2072, supra; which was ordered to lie on the table.

SA 2102. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 2072, supra; which was ordered to lie on the table.

SA 2103. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2072, supra; which was ordered to lie on the table.

SA 2104. Mr. TOOMEY (for himself, Mr. DEMINT, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 2072, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2099. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8 and insert the following:

SEC. 8. NONSUBORDINATION REQUIREMENT.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 7 of this Act, is further amended by adding at the end the following:

''(j) NONSUBORDINATION REQUIREMENT.—Notwithstanding any other provision of law, the Bank may not make or guarantee a loan that is subordinate to any other loan.''.

SEC. 8A. FINANCING OF DOMESTIC FOSSIL FUEL PROJECTS; RESTRICTION ON FINANCING OF FOSSIL FUEL PROJECTS OUTSIDE THE UNITED STATES.

(a) IDENTIFICATION OF DOMESTIC FOSSIL FUEL PROJECTS.—Not later than 90 days after the date of the enactment of this Act, the Export-Import Bank of the United States shall identify projects involving the production, refining, or transportation of fossil fuels in the United States that could benefit from the provision of financing by the Bank.

(b) FINANCING OF FOSSIL FUEL PROJECTS.—Notwithstanding any other provision of law, if the Export-Import Bank of the United States identifies projects involving the production, refining, or transportation of fossil fuels in the United States that could benefit from the provision of financing by the Bank under subsection (a)—

(1) the Bank may provide financing (including guarantees, insurance, or extensions of credit, or participation in the extension of credit) with respect to those projects; and

(2) the Bank shall not provide financing with respect to any project that involves the production, refining, or transportation of fossil fuels in a foreign country until the Bank certifies to Congress that—

(A) all projects identified under subsection (a) have been reviewed; and

(B) with respect to each such project, the Bank—

(i) has provided financing;

(ii) has determined that the persons conducting the project have no interest in receiving financing from the Bank; or

(iii) has determined that providing financing with respect to the project would present a risk of loss that is unacceptable under the standards of the Bank.

(c) ATTORNEY AND CONSULTING FEES.—Notwithstanding any other provision of law, the Export-Import Bank of the United States may, in providing financing with respect to a project identified under subsection (a), increase the amount of the financing to take into account the costs of any attorney or consulting fees incurred in—

(1) meeting the requirements necessary to obtain a permit from any Federal agency with respect to the project; or

(2) responding to any civil action relating to the environmental impact of the project filed in any Federal or State court by a nongovernmental organization.

(d) DEFINITION OF FOSSIL FUEL.—In this section, the term ''fossil fuel'' means natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from natural gas, petroleum, or coal.

SEC. 8B. PROHIBITION ON, AND REPEAL OF MINIMUM INVESTMENT GOALS FOR, FINANCING OF RENEWABLE ENERGY PROJECTS.

(a) PROHIBITION ON FINANCING OF CERTAIN RENEWABLE ENERGY PROJECTS.—Notwithstanding any other provision of law, the Export-Import Bank of the United States may not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) with respect to any project that involves the manufacture of renewable energy products in a foreign country.

(b) REPEAL OF MINIMUM INVESTMENT GOAL FOR FINANCING OF RENEWABLE ENERGY PROJECTS.—Section 534(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (12 U.S.C. 635g note) is repealed.

SA 2100. Mr. LEE (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TERMINATION OF EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Notwithstanding any other provision of this Act or any other provision of law, the authority of the Export-Import Bank of the United States under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) terminates on May 31, 2013.

(b) TERMINATION OF AUTHORITY.—Notwithstanding any other provision of this Act or any other provision of law, on and after June 1, 2013—

(1) the Export-Import Bank of the United States may not enter into any new agreement for the provision of a loan, a loan guarantee, or insurance, the extension of credit, or any other form of financing;

(2) the Bank shall continue to operate only to the extent necessary to fulfill the obligations of the Bank pursuant to agreements described in paragraph (1) entered into before June 1, 2013; and

(3) the President of the Bank shall take such measures as are necessary to wind up the affairs of the Bank, including by reducing the operations of the Bank and the number of employees of the Bank as the number of remaining agreements described in paragraph (1) decreases.

(c) REPEAL OF EXPORT-IMPORT BANK ACT OF 1945.—Notwithstanding any other provision of this Act or any other provision of law, effective on the date on which the Export-Import Bank of the United States has fulfilled all outstanding obligations of the Bank pursuant to agreements described in subsection (b)(1) entered into before June 1, 2013, the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is repealed.

SEC. ___. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—The President shall initiate and pursue negotiations with other major exporting countries, including members of the Organisation for Economic Co-operation and Development and countries that are not members of that Organisation, to end subsidized export financing programs and other forms of export subsidies.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of the negotiations described in subsection (a) until the President certifies in writing to those committees that all countries that support subsidized export financing programs have agreed to end the support.

SA 2101. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FINANCING BY THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR PERSONS OR PROJECTS IN COUNTRIES THAT HOLD DEBT INSTRUMENTS OF THE UNITED STATES.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States may not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) to a person or with respect to a project in a country the government or central bank of which holds debt instruments of the United States.

(b) DEBT INSTRUMENTS OF THE UNITED STATES DEFINED.—In this section, the term ''debt instruments of the United States'' means bills, notes, and bonds issued or guaranteed by the United States or by an entity of the United States Government.

SA 2102. Mr. CORKER submitted an amendment intended to be proposed by

him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 25 and insert the following:

SEC. 25. LIMITATION ON FINANCING BY THE EXPORT-IMPORT BANK OF THE UNITED STATES TO TRANSACTIONS SUBSIDIZED BY OTHER COUNTRIES OR FOR WHICH PRIVATE SECTOR FINANCING IS UNAVAILABLE OR PROHIBITIVELY EXPENSIVE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) or any other provision of law, the Export-Import Bank of the United States may not provide any financing (including any guarantee, insurance, or extension of credit, or participation in any extension of credit) for the exportation of any article unless the Bank certifies to Congress in writing that—

(1) an export credit agency of a foreign country is providing financing for the exportation of a substantially similar article from that country; or

(2) private sector financing for the exportation of the article is not available or is prohibitively expensive.

(b) ADDITIONAL INFORMATION REQUIRED.—If the Export-Import Bank of the United States certifies under subsection (a)(2) that private sector financing for the exportation of an article is not available or is prohibitively expensive, the Bank shall also include in the certification the following:

(1) An explanation of why private sector financing is not available or is prohibitively expensive.

(2) An explanation of how financing by the Bank for the exportation of the article does not put the United States at a substantial risk of loss.

(3) If private sector financing is available but prohibitively expensive, an assessment of the difference between the cost of private sector financing and the cost of financing provided by the Bank.

(c) REPORT ON REGULATORY BARRIERS.—For any transaction relating to the exportation of an article financed by the Export-Import Bank of the United States after certifying under subsection (a)(2) that private sector financing is unavailable, the Secretary of the Treasury shall submit to Congress a report that—

(1) assesses the extent to which private sector financing is unavailable as a result of excessive regulation of domestic financial institutions by the Federal Government or the obligations of the United States under international agreements relating to risk management by financial institutions; and

(2) makes recommendations for eliminating the barriers to private sector financing identified under paragraph (1).

SEC. 26. CAPITAL RATIO REQUIREMENT FOR THE EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Export-Import Bank of the United States shall maintain a capital ratio of not less than 10 percent.

(b) CAPITAL RATIO DEFINED.—In this section, the term ''capital ratio'' means the ratio of the capital of the Export-Import Bank of the United States to the total outstanding principal balance of all loans made or guaranteed by the Bank.

SEC. 27. EFFECTIVE DATE.

Except as provided in section 9(b), this Act and the amendments made by this Act shall take effect on the earlier of June 1, 2012, or the date of the enactment of this Act.

SA 2103. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 8 and insert the following:

SEC. 8. NONSUBORDINATION REQUIREMENT.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 7 of this Act, is further amended by adding at the end the following:

''(j) NONSUBORDINATION REQUIREMENT.—Notwithstanding any other provision of law, the Bank shall not make or guarantee a loan that is subordinate to any other loan.''.

SEC. 8A. PROHIBITION ON FINANCING OF FOSSIL FUEL PROJECTS IN FOREIGN COUNTRIES THAT ARE SUBSTANTIALLY SIMILAR TO CERTAIN FOSSIL FUEL PROJECTS IN THE UNITED STATES.

(a) IDENTIFICATION OF CERTAIN DOMESTIC FOSSIL FUEL PROJECTS.—Not later than 90 days after the date of the enactment of this Act, the Export-Import Bank of the United States shall identify projects involving the production, refining, or transportation of fossil fuels in the United States that could benefit from the provision of a loan, loan guarantee, or other form of financing by a Federal agency.

(b) PROHIBITION ON FINANCING OF CERTAIN FOSSIL FUEL PROJECTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, on and after the date that is 90 days after the date of the enactment of this Act, the Bank shall not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) with respect to any project in a foreign country that the Bank determines is substantially similar to a project identified under subsection (a).

(2) CERTIFICATION REQUIRED.—If, on and after the date that is 90 days after the date of the enactment of this Act, the Export-Import Bank of the United States provides financing with respect to a project involving the production, refining, or transportation of fossil fuels in a foreign country, the Bank shall certify to Congress that to the knowledge of the Bank there are no projects in the United States that are substantially similar to the project in the foreign country that could benefit from the provision of a loan, loan guarantee, or other form of financing by a Federal agency.

(c) DEFINITION OF FOSSIL FUEL.—In this section, the term ''fossil fuel'' means natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from natural gas, petroleum, or coal.

SEC. 8B. PROHIBITION ON, AND REPEAL OF MINIMUM INVESTMENT GOALS FOR, FINANCING OF RENEWABLE ENERGY PROJECTS.

(a) PROHIBITION ON FINANCING OF CERTAIN RENEWABLE ENERGY PROJECTS.—Notwithstanding any other provision of law, the Export-Import Bank of the United States shall not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) with respect to any project that involves the manufacture of renewable energy products in a foreign country.

(b) REPEAL OF MINIMUM INVESTMENT GOAL FOR FINANCING OF RENEWABLE ENERGY PROJECTS.—Section 534(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (12 U.S.C. 635g note) is repealed.

SA 2104. Mr. TOOMEY (for himself, Mr. DEMINT, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

SEC. 3. LIMITATIONS ON OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'';

(2) in subparagraph (E), by striking the comma at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) during fiscal year 2012 and each succeeding fiscal year, $100,000,000,000, except that—

''(i) the applicable amount for each of fiscal years 2013 and 2014 shall be $120,000,000,000 if—

''(I) the Bank has submitted a report as required by section 4(a) of the Export-Import Bank Reauthorization Act of 2012;

''(II) the rate calculated under section 8(g)(1) of this Act is less than 2 percent for the quarter ending with the beginning of the fiscal year, or for any quarter in the fiscal year; and

''(III) the Secretary of the Treasury has certified in writing to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that the Secretary has initiated the negotiations required by section 11(a) of the Export-Import Bank Reauthorization Act of 2012; and

''(ii) notwithstanding clause (i), the applicable amount for fiscal year 2014 shall be $140,000,000,000 if—

''(I) the rate calculated under section 8(g)(1) of this Act is less than 2 percent for the quarter ending with the beginning of the fiscal year, or for any quarter in the fiscal year;

''(II) the Bank has submitted a report as required by subsection (b) of section 5 of the Export-Import Bank Reauthorization Act of 2012, except that the preceding provisions of this subclause shall not apply if the Comptroller General has not submitted the report required by subsection (a) of such section 5 on or before July 1, 2013; and

''(III) the Secretary of the Treasury has submitted to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the text of a multilateral agreement to eliminate subsidized export financing programs (including aircraft export credit financing) agreed to by—

''(aa) each country that is a member of the Organisation for Economic Co-operation and Development; and

''(bb) each country that is not a member of that Organisation that, during fiscal year 2012 or any fiscal year thereafter, provided export financing in excess of $50,000,000,000.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 10, 2012, at 10 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 10, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 10, 2012, at 10 a.m. in room SD–215 of the Dirksen Senate Office Building, to conduct a roundtable entitled ''Medicare Physician Payments: Understanding the Past so We can Envision the Future.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 10, 2012, at 10 a.m., to hold a hearing entitled, ''NATO: Chicago and Beyond.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Beyond Mother's Day: Helping the Middle Class Balance Work and Family'' on May 10, 2012, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 10, 2012, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on May 10, 2012, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mike Johanns:									
Ghana	Cedi		504.11						504.11
South Africa	Rand		642.03						642.03
Tanzania	Shilling		193.53						193.53
Germany	Euro		265.29						265.29
Total			1,604.96						1,604.96

SENATOR DEBBIE STABENOW,
Chairman, Committee on Agriculture, Nutrition and Forestry, Mar. 20, 1012.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MARCH 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Kay Bailey Hutchison:									
New Zealand	Dollar		266.00		448.70				714.70
Australia	Dollar		1,664.00						1,664.00
Senator Lamar Alexander:									
New Zealand	Dollar		266.00						266.00
Australia	Dollar		1,632.00						1,632.00
Matthew Sonnesyn:									
New Zealand	Dollar		266.00						266.00
Australia	Dollar		1,632.00						1,632.00
Paul Grove:									
Ghana	Cedi		178.00						178.00
South Africa	Rand		170.00						170.00
Tanzania	Shilling		54.00						54.00
Germany	Euro		28.17						28.17
Senator Daniel K. Inouye:									
Tunisia	Dinar		509.38						509.38
Israel	Shekel		1,398.00						1,398.00
Jordan	Dinar		716.16						716.16
Italy	Euro		1,412.68						1,412.68
Betsy Schmid:									
Tunisia	Dinar		497.55						497.55
Israel	Shekel		1,398.00						1,398.00
Jordan	Dinar		716.16						716.16
Italy	Euro		427.98						427.98
Kate Kaufer:									
Tunisia	Dinar		498.00						498.00
Israel	Shekel		823.50						823.50
Jordan	Dinar		716.16						716.16
Italy	Euro		708.50						708.50
Kay Webber:									
Tunisia	Dinar		497.55						497.55

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MARCH 31, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Israel	Shekel		1,298.00						1,298.00
Jordan	Dinar		716.16						716.16
Italy	Euro		1,283.94						1,283.94
Stewart Holmes:									
Tunisia	Dinar		497.55						497.55
Israel	Shekel		1,169.00						1,169.00
Jordan	Dinar		716.16						716.16
Italy	Euro		1,054.94						1,054.94
Senator Thad Cochran:									
Tunisia	Dinar		497.55						497.55
Israel	Shekel		1,398.00						1,398.00
Jordan	Dinar		716.16						716.16
Italy	Euro		1,283.94						1,283.94
Senator Barbara Mikulski:									
Tunisia	Dinar		471.00						471.00
Israel	Shekel		438.00						438.00
Jordan	Dinar		381.00						381.00
Italy	Euro		386.72						386.72
Teri Spoutz:									
Japan	Yen		476.00						476.00
Korea	Won		240.00						240.00
M. Colleen Gaydos:									
Japan	Yen		520.00						520.00
Korea	Won		240.00						240.00
United States	Dollar				16,174.90				16,174.90
Alycia Farrell:									
United States	Dollar				17,324.90				17,324.90
Japan	Yen		520.00						520.00
Korea	Won		214.00						214.00
Alexander Keenan:									
Brazil	Real		2,723.82						2,723.82
United States	Dollar				4,528.60				4,528.60
Heideh Shadmoradi-Holley									
Brazil	Real		2,733.82						2,733.82
United States	Dollar				4,528.60				4,528.60
Carl Barrick:									
Brazil	Real		2,948.82						2,948.82
United States	Dollar				4,528.60				4,528.60
Dennis Balkham:									
Poland	Zloty		970.48						970.48
United States	Dollar				8,509.33				8,509.33
Igor Khrestin:									
Poland	Zloty		975.46						975.46
United States	Dollar				8,106.43				8,106.43
Senator Mark Kirk:									
Poland	Zloty		1,045.48						1,045.48
United States	Dollar				8,283.33				8,283.33
Rebecca Davies:									
Guatemala	Quetzales		314.54						314.54
Panama	Dollar		506.00						506.00
Colombia	Peso		860.00						860.00
United States	Dollar				1,373.90				1,373.90
Carol Cribbs:									
Guatemala	Quetzales		314.54						314.54
Panama	Dollar		506.00						506.00
Colombia	Peso		1,721.00						1,721.00
United States	Dollar				1,373.90				1,373.90
Howard Walgen:									
Panama	Dollar		506.00						506.00
Colombia	Peso		1,356.50						1,356.50
United States	Dollar				1,846.90				1,846.90
Charles Kieffer:									
Panama	Dollar		506.00						506.00
United States	Dollar				1,122.40				1,122.40
Senator John Hoeven:									
Afghanistan	Afghani		38.00						38.00
Egypt	Pound		84.00						84.00
Israel	Shekel		46.00						46.00
Tunisia	Dinar		51.00						51.00
Tim Rieser:									
Colombia	Peso		365.00						365.00
Cuba	Dollar		344.00						344.00
Delegation Expenses:[1]									
Italy	Euro						8,541.27		8,541.27
Jordan	Dinar						2,395.16		2,395.16
Tunisia	Dinar						6,652.54		6,652.54
Israel	Shekel						28,588.79		28,588.79
Total			49,910.21		78,150.49		46,177.76		174,238.46

[1] Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 2977.

SENATOR DANIEL INOUYE,
Chairman, Committee on Appropriations, Apr. 22, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator James M. Inhofe:									
Afghanistan	Dollar		14.00						14.00
United States	Dollar				14,068.00				14,068.00
Anthony Lazarski:									
Afghanistan	Dollar		14.00						14.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				14,068.00				14,068.00
Senator Joseph I. Lieberman:									
United States	Dollar				8,844.95				8,844.95
Israel	Dollar		1,338.47						1,338.47
Tunisia	Dollar		157.00				333.00		490.00
Libya	Dollar						333.00		333.00
Senator Lindsey Graham:									
Ghana	Dollar		112.33						112.33
South Africa	Dollar		161.77						161.77
Tanzania	Dollar		46.75						46.75
Germany	Dollar		64.60						64.60
Richard Perry:									
Ghana	Dollar		112.33						112.33
South Africa	Dollar		161.71						161.71
Tanzania	Dollar		46.75						46.75
Germany	Dollar		64.38						64.38
Andrew King:									
Ghana	Dollar		112.33						112.33
South Africa	Dollar		161.71						161.71
Tanzania	Dollar		46.75						46.75
Germany	Dollar		64.38						64.38
Senator Mark Begich:									
United States	Dollar				11,932.70				11,932.70
Afghanistan	Dollar						29.81		29.81
Lindsay Kavanaugh:									
United States	Dollar				11,932.70				11,932.70
Afghanistan	Dollar						24.01		24.01
Senator John McCain:									
United States	Dollar				14,645.90				14,645.90
Philippines	Dollar		40.78						40.78
Vietnam	Dollar		71.04						71.04
Thailand	Dollar		383.47						383.47
Burma	Dollar		68.71						68.71
Robie I. Samanta Roy:									
United States	Dollar				8,795.00				8,795.00
Bahrain	Dinar		1,069.50						1,069.50
Jason W. Maroney:									
United States	Dollar				9,854.20				9,854.20
Kuwait	Dollar		425.95						425.95
Bahrain	Dollar		792.84						792.84
Senator Kay Hagan:									
Ghana	Dollar		112.33						112.33
South Africa	Dollar		107.93						107.93
Tanzania	Dollar		46.75						46.75
Germany	Dollar		84.65						84.65
Senator John McCain:									
Germany	Dollar		189.77						189.77
Senator Susan M. Collins:									
Germany	Euro		370.00						370.00
Senator Lindsey Graham:									
Germany	Dollar		142.69						142.69
Michael J. Sistak:									
United States	Dollar				8,795.20				8,795.20
Bahrain	Dollar		1,012.48						1,012.48
Senator Jeff Sessions:									
New Zealand	Dollar		317.62		4.04		20.76		342.42
Australia	Dollar		5,446.33		6.02		53.82		5,506.17
Denwood A. Lanham:									
New Zealand	Dollar		451.01		25.00				476.01
Australia	Dollar		4,375.13				11.00		4,386.13
Senator Mark Udall:									
Germany	Euro		370.00						370.00
Senator Lindsey Graham:									
United States	Dollar		5.72						5.72
Afghanistan	Dollar		20.42						20.42
Israel	Dollar		118.43						118.43
Egypt	Dollar		142.96						142.96
Tunisia	Dollar		13.47						13.47
Senator John McCain:									
Afghanistan	Dollar		20.42						20.42
Egypt	Dollar		108.57						108.57
Israel	Dollar		73.10						73.10
Tunisia	Dollar		19.91						19.91
Senator Joseph I. Lieberman:									
Germany	Dollar		259.66		814.00				1,073.66
Senator Jeff Sessions:									
Afghanistan	Dollar		20.42						20.42
Egypt	Dollar		422.79						422.79
Israel	Dollar		393.10						393.10
Tunisia	Dollar		111.64						111.64
Vance Serchuk:									
United States	Dollar				14,645.90				14,645.90
Philippines	Dollar		270.00						270.00
Vietnam	Dollar		148.00						148.00
Thailand	Dollar		244.00				142.86		386.86
Burma	Dollar		138.00						138.00
Margaret Goodlander:									
United States	Dollar		128.00		14,645.90				14,773.90
Philippines	Dollar		92.50						92.50
Vietnam	Dollar		138.00						138.00
Thailand	Dollar		326.58				142.86		469.44
Burma	Dollar		92.00						92.00
Vance Serchuk:									
United States	Dollar				10,200.95				10,200.95
Israel	Dollar		1,338.47						1,338.47
Tunisia	Dollar		157.00				333.33		490.33
Libya	Dollar						333.33		333.33
Margaret Goodlander:									
United States	Dollar				9,579.95				9,579.95
Israel	Dollar		1,213.92						1,213.92
Tunisia	Dollar		157.00				333.33		490.33

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Libya	Dollar						333.33		333.33
Germany	Dollar		352.00		814.00				1,166.00
Adam J. Barker:									
United States	Dollar				837.90				837.90
Colombia	Dollar		1,525.00						1,525.00
Brian Burton:									
Germany	Dollar		215.77		814.00				1,029.77
Lucian L. Niemeyer:									
United States	Dollar				9,834.20				9,834.20
Kuwait	Dollar		72.00						72.00
Bahrain	Dollar		267.00						267.00
Senator Joseph I. Lieberman:									
United States	Dollar		77.69		14,645.90				14,723.59
Philippines	Dollar		32.88						32.88
Vietnam	Dollar		82.85						82.85
Thailand	Dollar		326.58				142.86		469.44
Burma	Dollar		15.00						15.00
Senator Kelly Ayotte:									
Germany	Dollar		133.21						133.21
Philippines	Dollar		99.15						99.15
Vietnam	Dollar		187.33						187.33
Thailand	Dollar		613.65						613.65
Burma	Dollar		68.40						68.40
Michael J. Noblet:									
United States	Dollar				784.00				784.00
Colombia	Dollar		449.00						449.00
Matt Rimkunas:									
Afghanistan	Dollar		13.47						13.47
Egypt	Dollar		169.87						169.87
Israel	Dollar		73.10						73.10
Tunisia	Dollar		13.47						13.47
United States	Dollar		13.12						13.12
Senator Richard Blumenthal:									
United States	Dollar		12.66						12.66
Afghanistan	Dollar		13.47						13.47
Egypt	Dollar		422.79						422.79
Israel	Dollar		397.96						397.96
Tunisia	Dollar		105.06						105.06
Christian D. Brose:									
United States	Dollar						50.00		50.00
Afghanistan	Dollar		28.00						28.00
Egypt	Dollar		179.00						179.00
Israel	Dollar		113.00						113.00
Tunisia	Dollar		76.00						76.00
United States	Dollar				14,645.90				14,645.90
Philippines	Dollar		206.00						206.00
Vietnam	Dollar		113.00						113.00
Thailand	Dollar		244.00						244.00
Burma	Dollar		77.00						77.00
Clarine Nardi Riddle:									
Germany	Dollar		138.99		814.00				952.99
Christian D. Brose:									
Germany	Dollar		147.00						147.00
Total			31,806.79		196,048.31		2,617.30		230,472.40

SENATOR CARL LEVIN,
Chairman, Committee on Armed Services, Apr. 2, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1, TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard C. Shelby:									
New Zealand	Dollar		416.00						416.00
Australia	Dollar		2,414.00						2,414.00
William D. Duhnke III:									
New Zealand	Dollar		416.00						416.00
Australia	Dollar		2,414.00						2,414.00
Anne Coleman Caldwell:									
New Zealand	Dollar		416.00						416.00
Australia	Dollar		2,414.00						2,414.00
Senator Michael Bennet:									
Turkey	Lira		237.25						237.25
India	Rupee		1,075.86						1,075.86
United States	Dollar				4,864.50				4,864.50
Andrew Leahy:									
Turkey	Lira		142.34						142.34
India	Rupee		612.09						612.09
Slovakia	Koruna		21.84						21.84
Senator Richard C. Shelby									
Cuba	Peso		264.00						264.00
Colombia	Peso		471.00						471.00
Anne Coleman Caldwell									
Cuba	Peso		264.00						264.00
Colombia	Peso		471.00						471.00
Total			12,049.38		4,864.50				16,913.88

SENATOR TIM JOHNSON,
Chairman, Committee on: Banking, Housing, and Urban Affairs,
Apr. 2, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE BUDGET FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Kent Conrad:									
Cuba	Peso		544.00						544.00
Colombia	Peso		2,165.00						2,165.00
Sara Garland:									
Cuba	Peso		444.00						444.00
Colombia	Peso		1,505.00						1,505.00
Delegation Expenses [1]									
Cuba	Peso						143.64		143.64
Colombia	Peso				1,475.80		2,846.90		4,322.70
Senator Mark Warner:									
Turkey	Lira		432.97						432.97
India	Rupee		1,800.00						1,800.00
Slovakia	Euro		360.95						360.95
Mark Brunner:									
Turkey	Lira		277.96						277.96
India	Rupee		2,400.58						2,400.58
Slovakia	Euro		360.95						360.00
Delegation Expenses [1]									
Turkey	Lira						506.67		506.67
India	Rupee						8,434.35		8,434.35
Slovakia	Euro						2,875.58		2,875.58
Total			10,291.41		1,475.80		14,807.14		26,574.35

[1] Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR KENT CONRAD,
Chairman, Committee on: Budget, Apr. 26, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE, FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Thune:									
Ghana	Cedi		499.33						499.33
South Africa	Rand		608.36						608.36
Tanzania	Shillin		200.72						200.72
Germany	Euro		265.58						265.58
Delegation Expenses:									
Ghana	Cedi						957.00		957.00
South Africa	Shilling						906.80		906.80
Senator Max Baucus:									
Russia	Ruble		476.39						476.39
United States	Dollar				9,144.04				9,144.04
Amber Cottle:									
Russia	Ruble		661.00						661.00
United States	Dollar				9,144.04				9,144.04
Chelsea Thomas:									
Russia	Ruble		611.51						611.51
United States	Dollar				9,728.04				9,728.04
Hun Quach:									
Russia	Ruble		464.23						464.23
United States	Dollar				9,144.04				9,144.04
Bruce Hirsh:									
Russia	Ruble		623.93						623.93
United States	Dollar				9,144.04				9,144.04
Scott Mulhauser:									
Russia	Ruble		442.33						442.33
United States	Dollar				9,144.04				9,144.04
Jon Selib:									
Russia	Ruble		479.11						479.11
United States	Dollar				9,728.04				9,728.04
Paul Wilkins:									
Russia	Ruble		495.11						495.11
United States	Dollar				9,728.04		4,086.01		13,814.05
Delegation Expenses:									
Russia	Ruble						9,106.47		9,106.47
Bruce Hirsh:									
China	Renminbi		2,584.82						2,584.82
United States	Dollar				12,908.19				12,908.19
Heather O'Louglin:									
New Zealand	Dollar		2,115.29						2,115.29
United States	Dollar				14,399.93				14,399.93
Gregory Kalbaugh:									
New Zealand	Dollar		1,969.03						1,969.03
United States	Dollar				14,399.93				14,399.93
Total			12,496.74		116,612.37		15,056.28		144,165.39

[1] Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 5012(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR MAX BAUCUS,
Chairman, Committee on Finance, May 1, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Ghana	Cedi		512.33						512.33
South Africa	Rand		650.25						650.25
Tanzania	Shilling		201.75						201.75
Germany	Euro		281.73						281.73
Senator Bob Corker:									
Switzerland	Franc		1,324.65						1,324.65
France	Euro		977.58						977.58
Senator John Kerry:									
Oman	Rial		73.00						73.00
Israel	Shekel		788.00						788.00
Saudi Arabia	Riyal		329.00						329.00
United Arab Emirates	Dirham		1,660.00						1,660.00
Jordan	Dinar		394.00						394.00
France	Euro		815.58						815.58
United States	Dollar				11,196.00				11,196.00
Germany	Euro		1,306.42						1,306.42
United States	Dollar				4,634.00				4,634.00
Qatar	Riyal		340.65						340.65
United States	Dollar				10,534.00				10,534.00
Senator Marco Rubio:									
United States	Dollar				1,106.50				1,106.50
Senator Jeanne Shaheen:									
Belgium	Euro		970.86						970.86
Senator Tom Udall:									
Turkey	Lira		436.59						436.59
India	Rupee		2,496.59						2,496.59
Slovakia	Euro		360.95						360.95
Michael Bright:									
Switzerland	Franc		1,082.10						1,082.10
France	Euro		1,157.10						1,157.10
Jason Bruder:									
Romania	Leu		777.59						777.59
Poland	Zioty		302.23						302.23
Belgium	Euro		1,131.45						1,131.45
United States	Dollar				4,827.30				4,827.30
Perry Cammack:									
Israel	Shekel		945.00						945.00
Saudi Arabia	Riyal		433.00						433.00
United Arab Emirates	Dirham		1,430.00						1,430.00
Jordan	Dinar		685.00						685.00
United States	Dollar				9,658.10				9,658.10
Kuwait	Dinar		435.00						435.00
Qatar	Riyal		362.00						362.00
United Arab Emirates	Dirham		367.00						367.00
United States	Dollar				16,149.90				16,149.90
Victor Cervino:									
Haiti	Dollar		250.00						250.00
United States	Dollar				1,106.50				1,106.50
Heidi Crebo-Rediker:									
Switzerland	Franc		2,170.00						2,170.00
United States	Dollar				812.30				812.30
William Danvers:									
Israel	Shekel		743.00						743.00
Saudi Arabia	Riyal		350.00						350.00
United Arab Emirates	Dirham		1,630.00						1,630.00
Jordan	Dinar		500.00						500.00
France	Euro		626.00						626.00
United States	Dollar				11,269.00				11,269.00
Germany	Euro		1,269.97						1,269.97
Qatar	Riyal		340.65						340.65
United States	Dollar				10,527.00				10,527.00
Gary Hart:									
Russia	Ruble		2,033.35						2,033.35
United States	Dollar				8,744.00				8,744.00
Chris Homan:									
Cuba	Dollar		224.00						224.00
Haiti	Dollar		589.00						589.00
United States	Dollar				1,933.70				1,933.70
Frank Jannuzi:									
Germany	Euro		1,205.00						1,205.00
United States	Dollar				2,270.20				2,270.20
Greg Kausner:									
Kuwait	Dinar		454.71						454.71
Qatar	Riyal		361.75						361.75
United Arab Emirates	Dirham		402.00						402.00
United States	Dollar				16,149.90				16,149.90
Tamara Klajn:									
Nigeria	Naira		105.75		173.00				278.75
United States	Dollar				4,339.30				4,339.30
Chad Kreikemeier:									
Belgium	Euro		1,007.70						1,007.70
Emily Mendrala:									
Haiti	Dollar		399.00						399.00
United States	Dollar				1,155.50				1,155.50
Matthew Padilla:									
Turkey	Lira		271.57						271.57
India	Rupee		2,395.27						2,395.27
Slovakia	Euro		360.95						360.95
Shannon Smith:									
Sudan	Dollar		1,109.45		217.85				1,327.30
South Sudan	Dollar		425.00						425.00
United States	Dollar				4,449.82				4,449.82
Christopher Socha:									
Belgium	Euro		1,019.35						1,019.35
United States	Dollar				1,923.40				1,923.40
Mark String:									
Russia	Ruble		1,973.00				1,211.73		3,184.73
United States	Dollar				9,949.40				9,949.40
Anthony Wier:									
Romania	Leu		778.03						778.03

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Poland	Zioty		303.34						303.34
Belgium	Euro		1,031.45						1,031.45
United States	Dollar				2,907.30				2,907.30
Total			47,356.69		136,033.97		1,211.73		184,602.39

SENATOR JOHN KERRY,
Chairman, Committee on: Foreign Relations, Apr. 27, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS, AMENDED, FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Susan M. Collins:									
United States	Dollar				14,615.40				14,615.40
Jordan	Dinar		595.95						595.95
Turkey	Lira		262.00						262.00
Ryan Kaldahl:									
United States	Dollar				14,892.40				14,892.40
Jordan	Dinar		677.00						677.00
Turkey	Lira		262.00						262.00
Vance Serchuk:									
Canada	Dollar		626.73						626.73
Margaret Goodlander:									
Canada	Dollar		796.73						796.73
Delegation Expenses:[1]									
Jordan	Dinar						544.75		544.75
Total			3,220.41		29,507.80		1,497.45		34,225.66

[1] Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs,
May 1, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Vance Serchuk:									
United States	Dollar				4,028.80				4,028.80
Egypt	Pound		485.00						485.00
Jordan	Dinar		562.70						562.70
Qatar	Qatari Riyal		667.56						667.56
Margaret Goodlander:									
Egypt	Pound		421.00						421.00
Jordan	Dinar		303.30						303.30
Vance Serchuk:									
United States	Dollar				2,169.80				2,169.80
Germany	Euro		1,003.25						1,003.25
United States	Dollar				2,745.30				2,745.30
Egypt	Pound		534.00						534.00
Israel	Shekel		466.00						466.00
Tunisia	Dinar		180.85						180.85
Delegation Expenses: [1]									
Jordan	Dinar						228.25		
Total			4,623.66		8,943.90		228.25		13,795.81

[1] Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs,
May 1, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON JUDICIARY FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Sheldon Whitehouse:									
United States	Dollar				14,645.90				14,645.90
Philippines	Piso		338.69						338.69
Vietnam	Dong		379.17						379.17
Thailand	Baht		593.81						593.81
Burma	Kyat		228.18						228.18
Delegation Expenses:[1]									
Philipines	Pisa						8.88		8.88

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON JUDICIARY FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Vietnam	Dong						237.25		237.25
Thailand	Baht						441.19		441.19
Burma	Kyat						541.56		541.56
Senator Jon Kyl:									
New Zealand	Dollar		357.16						357.16
Australia	Dollar		4,099.97						4,099.97
Carolyn Leddy:									
New Zealand	Dollar		508.13						508.13
Australia	Dollar		4,280.00						4,280.00
Delegation Expenses:									
New Zealand	Dollar						945.84		945.84
Australia	Dollar				474.00		9,446.72		9,920.72
Senator Patrick Leahy:									
Cuba	CUC		544.00						544.00
Colombia	Peso		2,165.00						2,165.00
Senator Christopher Coons:									
Cuba	CUC		544.00						544.00
Colombia	Peso		2,165.00						2,165.00
John P. Dowd:									
Cuba	CUC		444.00						444.00
Colombia	Peso		1,505.00						1,505.00
Kevin McDonald:									
Cuba	CUC		444.00						444.00
Colombia	Peso		1,505.00						1,505.00
Lisa Hummon:									
Cuba	CUC		444.00						444.00
Colombia	Peso		1,505.00						1,505.00
Delegation Expenses:[1]									
Cuba	CUC						359.10		359.10
Colombia	Peso				3,689.55		7,117.00		10,806.55
Total			22,050.11		18,809.45		19,097.54		59,957.10

[1] Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR PATRICK LEAHY,
Chairman, Committee on Judiciary, Apr. 27, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Michael B. Enzi:									
New Zealand	Dollar		30.00						30.00
Australia	Dollar		840.00		174.00				1,014.00
Melissa Pfaff:									
Zambia	Kwacha		1,545.00		248.00				1,793.00
United States	Dollar				3,144.10				3,144.10
Anna Abram:									
Zambia	Kwacha		1,669.00		248.00				1,917.00
United States	Dollar				3,144.10				3,144.10
Ashley Cottingham:									
Zambia	Kwacha		1,639.00		248.00				1,887.00
United States	Dollar				9,905.10				9,905.10
Total			5,723.00		17,111.30				22,834.30

SENATOR TOM HARKIN,
Chairman, Committee on Health, Education, Labor, and Pensions, Apr. 25, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Daniel Coats:			2,179.09						2,179.09
Brian Miller:			1,082.00						1,082.00
Senator Ron Wyden:			49.00						49.00
	Dollar				11,897.70				11,897.70
Isaiah Akin:			49.00						49.00
	Dollar				11,897.70				11,897.70
Randall Bookout:			773.00						773.00
	Dollar				12,668.20				12,668.20
Lorenzo Goco:			680.00						680.00
	Dollar				12,668.20				12,668.20
Paul Matulic:			880.00						880.00
	Dollar				12,668.20				12,668.20
Hayden Milberg:			2,074.00						2,074.00
	Dollar				15,960.70				15,960.70
Jamal Ware:			1,602.00						1,602.00
	Dollar				10,945.55				10,945.55
Brian Walsh:			1,566.00						1,566.00
	Dollar				10,541.55				10,541.55
Senator Marco Rubio:			125.84						125.84
Senator Saxby Chambliss:			144.00						144.00
Andrew Grotto:			1,473.00						1,473.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
	Dollar				8,310.00				8,310.00
Jeffrey Howard:			1,192.00						1,192.00
	Dollar				8,309.50				8,309.50
Ryan Tully:			430.00						430.00
	Dollar				6,947.30				6,947.30
Senator Saxby Chambliss:			930.00						930.00
Tressa Guenov:			420.00						420.00
Christian Cook:			3,328.00						3,328.00
	Dollar				17,676.70				17,676.70
James Smythers:			3,493.00						3,493.00
	Dollar				17,676.70				17,676.70
Neal Higgins:			2,001.00						2,001.00
	Dollar				15,058.80				15,058.80
Tyler Stephens:			3,328.00						3,328.00
	Dollar				17,676.70				17,676.70
Andrew Kerr:			2,074.00						2,074.00
	Dollar				15,960.70				15,960.70
Richard Girven:			1,914.00						1,914.00
	Dollar				15,960.70				15,960.70
Ryan Tully:			2,024.00						2,024.00
	Dollar				15,960.70				15,960.70
Senator Richard Burr:			760.00						760.00
Total			34,570.93		238,785.60				273,356.53

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, Mar. 28, 2012.

CONSOLIDATED REPORT OF EXPENDITURE FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Fred Turner:									
Austria	Euro		662.83						662.83
United Kingdom	Pound		1,497.00						1,497.00
United States	Dollar				1,668.40				1,668.40
Total			2,159.83		1,668.40				3,828.23

SENATOR BENJAMIN CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Apr. 16, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mitch McConnell:									
United States	Dollar				12,582.90				12,582.90
Japan	Yen		75.25						75.25
Burma	Kyat		395.71						395.71
Thailand	Baht		152.98						152.98
RADM (Dr.) Brian Monahan:									
United States	Dollar				12,583.80				12,583.80
Japan	Yen		95.25						95.25
Burma	Kyat		326.30						326.30
Thailand	Baht		202.97						202.97
Roy Brownell:									
United States	Dollar				12,583.80				12,583.80
Japan	Yen		70.25						70.25
Burma	Kyat		322.91						322.91
Thailand	Baht		152.98						152.98
Thomas Hawkins:									
United States	Dollar				14,958.00				14,958.00
Japan	Yen		1,079.80				546.11		1,625.91
Burma	Kyat		366.00						366.00
Thailand	Baht		152.98						152.98
Delegation Expenses: [1]									
Japan	Yen						565.00		565.00
Burma	Kyat						6,085.57		6,085.57
Thailand	Baht						312.12		312.12
Thomas Hawkins:									
Germany	Euro		1,120.18						1,120.18
Total			4,513.56		52,708.50		7,508.80		64,730.86

[1] Delegation expenses include payments and reimbursements to the Department of State under the Authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR MITCH McCONNELL,
Republican Leader, Apr. 24, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON SPECIAL COMMITTEE ON AGING FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2010

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Michael Bassett:									
Switzerland	Franc		1,378.73		143.28				1,522.01
United States	Dollar				1,698.00				1,698.00
Francine Hennie:									
Switzerland	Franc		1,378.73		143.28				1,522.01
United States	Dollar				1,698.00				1,698.00
Anne Oswalt:									
Switzerland	Franc		1,378.73		143.28				1,522.01
United States	Dollar				1,698.00				1,698.00
Martin Schuh:									
Switzerland	Franc		1,378.73		143.28				1,522.01
United States	Dollar				1,698.00				1,698.00
Total			5,514.92		7,365.12				12,880.04

SENATOR HERB KOHL,
Chairman, Committee on Special Committee on Aging, Apr. 17, 2012.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), SPECIAL COMMITTEE ON AGING FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2012

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Anne Oswalt:									
Zambia	Kwacha		2,064.00						2,064.00
United States	Dollar				15,805.50				15,805.50
Total			2,064.00		15,805.50				17,869.50

SENATOR HERB KOHL,
Chairman, Committee on Special Committee on Aging, Apr. 16, 2012.

PREVENTING THE TERMINATION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 4967, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4967) to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I congratulate Senator COONS for a second time on the passage of legislation that will reauthorize 30 temporary bankruptcy judgeships in districts around the country. I was pleased to support Senator COONS' very strong and persistent efforts on this important legislation. The Judiciary Committee reported this legislation favorably on December 15, 2011.

The Senate passed the first version of this legislation on April 19. Despite the good intentions of everyone involved, a technical error was discovered after transmittal to the House of Representatives. Senator COONS worked quickly with the House Judiciary Committee to resolve that technical issue and, on May 9, the House took up and passed a perfected bill.

As I noted the first time the Senate acted on this legislation, the bill we pass today, when enacted, will reauthorize 30 temporary judgeships in 14 States and Puerto Rico. All of these positions have already expired, and without this legislation, upon retirement or departure of the judges in these positions, they could not be filled again. Needlessly reducing the resources of our bankruptcy courts does nothing but put more pressure on Americans who are already navigating a difficult economic environment. This legislation should help avoid that and provide some small degree of relief to overburdened bankruptcy courts around the country. Quite frankly, I think we should be doing more and hope we will continue to make sure the Federal Judiciary has the resources it needs to serve all Americans.

As chairman of the Judiciary Committee, I will note once again my concern with a portion of the legislation the Senate passes today. In order to secure passage of this legislation, Senator COBURN insisted upon adding a section to the bill that purports to tell future Senate and House Judiciary Committees how to conduct their business. Unfortunately, the perfected bill we pass today retains this provision. Senator COBURN's amendment would dictate that before any of these 30 judgeships could be reauthorized again, the Senate and House Judiciary Committee's would be required to take certain steps and require a report from the Administrative Office of the United States Courts, AO. As a member of the Judiciary Committee, Senator COBURN knows that this is precisely what committees do in the ordinary course of the consideration of legislation and what was done during the development of this legislation. Senator COONS worked with the AO, which made recommendations, and with bankruptcy judges in a variety of districts to determine where need was greatest. To codify an unenforceable mandate nominally imposed on future Congresses is unnecessary and unwise.

Once again I take the opportunity to thank and congratulate Senator COONS for his hard work and attention to this issue. This would not be passing again without his diligence, focus, and legislative skill. He has now done twice what has seemed impossible to do once.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4967) was ordered to a third reading, was read the third time, and passed.

HONORING FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT OFFICERS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 456, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 456) commemorating and acknowledging the dedication and sacrifice made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEAHY. Mr. President, I commend the Senate for agreeing to this resolution to honor the men and women who serve in law enforcement and to officially recognize May 15 as National Peace Officers Memorial Day.

Despite the progress that has been made in improving officer safety, there is much work to be done. The year 2011 was an especially tragic one for the law enforcement community. Last year, 163 State and Federal law enforcement officers lost their lives in the line of duty. This is an increase from 2010 and a grim reminder of the sacrifices far too many individuals make serving their communities and fellow citizens. The Senate should continue to do all it can to support officer safety.

To recognize these sacrifices, as they do every year, law enforcement officers and their families from across the United States will come to Washington to pay tribute and honor the men and women who have lost their lives. And as I do each year, I will stand with them.

In 1962, President Kennedy designated May 15 as National Peace Officers Memorial Day. Once again I am proud to have introduced a resolution officially recognizing that designation and honoring these men and women, and all of those that came before them. I am glad we passed this official recognition today.

The safety of law enforcement officers across the United States should be something on which we can all agree. I hope the quick passage of this resolution will foreshadow future bipartisan work on behalf of the men and women who work day after day to protect all of us.

Mr. WHITEHOUSE. Mr. President, I will take a moment to recognize the significance of that measure. I know the Presiding Officer, in his many years as attorney general of the State of Connecticut, became keenly aware of the sacrifices our law enforcement officers are too often called upon to make to protect our communities. In the State of Rhode Island, we recently lost a Providence police officer who was killed in the line of duty. So it is a somber and important act that we take.

I ask unanimous consent that this resolution be agreed to, the preamble be agreed to, that the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 456) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 456

(Commemorating and acknowledging the dedication and sacrifice made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty)

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in protecting the schools and schoolchildren of the United States;

Whereas in 2011, 163 peace officers across the United States were killed in the line of duty;

Whereas Congress should strongly support initiatives to reduce violent crime and to increase the factors that contribute to the safety of law enforcement officers;

Whereas there are more than 19,000 Federal, State, and local law enforcement officers who lost their lives in the line of duty while protecting their fellow citizens, and whose names are engraved upon the National Law Enforcement Officers Memorial in Washington, District of Columbia;

Whereas in 1962, President John F. Kennedy designated May 15 as National Peace Officers Memorial Day; and

Whereas on May 15, 2012, more than 20,000 peace officers are expected to gather in Washington, District of Columbia, to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and acknowledges the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty;

(2) recognizes May 15, 2012, as ''National Peace Officers Memorial Day''; and

(3) calls on the people of the United States to observe that day with appropriate ceremony, solemnity, appreciation, and respect.

COMMEMORATING THE SESQUICENTENNIAL OF THE FOUNDING OF THE DEPARTMENT OF AGRICULTURE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 458, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 458) commemorating May 15, 2012, as the sesquicentennial of the founding of the Department of Agriculture.

There being no objection, the Senate proceeded to the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 458) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 458

Whereas, on May 15, 1862, President Abraham Lincoln signed into law an Act that established a Department of Agriculture (12 Stat. 387, chapter 72);

Whereas President Lincoln gave the Department of Agriculture general authority to acquire and spread useful information on agricultural subjects and to assist in the development and use of new and valuable seeds and plants;

Whereas, in 1862, President Lincoln also signed into law the Act entitled ''An Act to secure homesteads to actual settlers on the public domain'' (commonly known as the ''Homestead Act of 1862''; 12 Stat. 392, chapter 75) and the Act of July 2, 1862 (commonly known as the ''First Morrill Act''; 12 Stat. 503, chapter 130), which, along with the creation of the Department of Agriculture, lay the foundation for Federal agricultural policy;

Whereas, in the 1850s, there was 1 farmer for every 2 people in the United States, while today the average farmer in the United States feeds more than 150 people;

Whereas the United States is now the second largest producer and the largest exporter of agricultural products in the world;

Whereas the role of the Department of Agriculture has expanded to include functions impacting nearly every aspect of the rural United States and beyond;

Whereas the Department of Agriculture helps to ensure the safety of the food supply of the United States, provides conservation assistance, collects market data, provides nutrition assistance, protects the health of plants and animals, supports rural communities, conducts agricultural research, maintains risk management tools for producers, and promotes agricultural exports; and

Whereas the professionalism, dedication, and work ethic of the public servants at the Department of Agriculture provide a shining example of why President Lincoln called the Department of Agriculture the ''People's Department'': Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the men and women of the Department of Agriculture on the occasion of the 150th anniversary of the Department;

(2) celebrates the growth and success of agriculture in the United States and

(3) honors the farmers and ranchers of the United States, whose ingenuity, adaptability, and skill have created the safest and most abundant food supply in the history of mankind.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that on Monday, May 14, 2012, at 4:30 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 570 and 571; that there be 60 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote, without intervening action or debate, on the nominations in the order listed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MAY 14, 2012

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., on Monday, May 14; that following the prayer and pledge, the Journal of Proceedings be approved to date; the morning hour be deemed expired and the time for the two leaders be reserved for their use until later in the day; and that the majority leader be recognized; further, that when the Senate resumes legislative session following the votes on the Russell and Tharp nominations, the Senate vote on the motion to invoke cloture on the motion to proceed to H.R. 2072.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WHITEHOUSE. Mr. President, I am informed that it is the majority leader's intention to resume consideration of the motion to proceed to H.R. 2072, the Export-Import Bank reauthorization bill on Monday.

At 4:30 p.m., there will be an hour of debate on the Russell and Tharp nominations.

At 5:30 p.m., there will be up to three roll call votes on confirmation of the Russell nomination, confirmation of the Tharp nomination, and the motion to invoke cloture on the motion to proceed to H.R. 2072, the Export-Import Bank bill.

ADJOURNMENT UNTIL MONDAY, MAY 14, 2012, AT 2 P.M.

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:11 p.m., adjourned until Monday, May 14, 2012, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 8033 AND 601:

To be general

GEN. MARK A. WELSH III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. PHILIP M. BREEDLOVE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 8034 AND 601:

To be general

LT. GEN. LARRY O. SPENCER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. NOEL T. JONES

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. WAYNE A. ZIMMET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT M. AGUE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

LESLIE A. WOOD

To be major

DAVID B. FRANKLIN
ANTHONY R. IANNUCCILLO
JOSHUA M. MCCONKEY
MATTHEW L. SMITH

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

NATHAN BARRY ALHOLINNA
CARL R. ALVAREZ
SHAWN MICHAEL ANDERSON
MATTHEW P. ANDREWS
TIMOTHY W. AZBILL
SANDRA L. BEST
EDWARD E. BLACK
JAMES M. BRUHL
PHILLIP C. BUNTON
JOHNIE A. BURTON, JR.
JEFFREY L. BUTLER
DARREN DENNIS WADE CHESTER
DAVID ANTHONY CLARK
LARRY K. CLARK
DAVID V. COCHRAN
CHRIS S. COLLINS
MARSHALL C. COLLINS
STEVEN EDWARD CONEY
MITCHELL D. CULP
SUSAN M. DICKENS
DAVID A. DIXON
BRADFORD RUSSELL EVERMAN
CHRISTOPHER E. FINERTY
MATTHEW GAGE
MARK ANDREW GREEN
PATRICK MARTIN GUINEE
TERRY E. HALL
ANTHONY W. HAMEL
ROBERT E. HARGENS
JODIE A. HARVEY
THOMAS J. HESS
JEREMY C. HORN
QUINCY N. HUNEYCUTT III
BRIAN KURT JOHNSON
NATHAN H. JORGENSEN
SEAN R. KELLEY
DAVID J. KEMPSON
LAWRENCE JAMES KLEIN
JENNIFER R. KONDAL
JOHN S. LADNER
JOHN A. LEBLANC
MATTHEW WALTER LECLAIR
MICHAEL KEVIN LOVE
TIMOTHY JOSEPH MADDEN
DAVID V. MCNULTY
TAMARA DAWN MIELKE
TODD A. MITTON
MICHAEL H. MORGAN
KELLY JAMES PARKINSON
JOHN EVAN PATTERSON
SHAUN J. PERKOWSKI
KATHRYN C. PFEIFER
JOHN J. PTAK, JR.
THOMAS WILLIAM RYAN
GREGORY M. SCRIVNER
THOMAS R. SERRANO
KEITH B. SNYDER
MICHAEL S. SPENCER
JOHN G. TUGWELL
EDWARD L. VAUGHAN IV
RALPH C. WALSH, JR.
DAVID A. WEISHAAR
TIMOTHY LEE WILKINSON
DOUGLAS ALLAN WILLIAMS
JOHN P. YORK
CRAIG M. ZIEMBA

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RHANDA J. BROCKINGTON
VICKIE M. SCHNACKEL

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RICHARD A. DANIELS
DANIEL J. HOLDWICK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ANDREW C. GALLO
CHRISTA M. LEWIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JOHN C. MOFFITT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MIMMS J. MABEE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, AND 3064:

To be major

JONELLE J. KNAPP

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, AND 3064:

To be major

ROBERT E. BESSEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624, AND 3064:

To be major

LAUREL A. THURSTON

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, AND 3064:

To be major

TINA M. MORGAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE

UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

KARL W. HUBBARD

To be major

BENJAMIN N. HOFFMAN

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JOANN B. COUCH
GILBERT R. GHEARING
SANDRA M. WANEK

To be major

EDWARD E. BRIDGES
FRANK T. BRYANT
LEWIS RUBINSON
RICHARD J. YOON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MATTHEW F. PHELPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JENNIFFER D. GUNDAYAO
DAVID S. KEMP
SUSANNE M. MCNINCH
HUI K. PAK
GEORGE K. WERENSKJOLD
DONALD R. WILKINSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DAVID A. ADAMS
HENRY C. ADAMS III
JEFFREY T. ANDERSON
ANDREW ARNOLD
TODD A. BAHLAU
STEPHEN E. BANTA
STEPHEN D. BARNETT
DOUGLAS J. BEAVER
PAUL W. BIERAUGEL
CRAIG T. BOWDEN
THOMAS A. BRADEN
MICHAEL D. BRATTON
RICHARD D. BRAWLEY
RICHARD T. BROPHY, JR.
DAVID J. BRYSON
SCOTT A. BUNNAY
JOHN F. BUSHEY
GEORGE J. BYFORD
KEVIN M. BYRNE
DOUGLAS W. CARPENTER
ANTHONY C. CARULLO
ROBERT B. CHADWICK II
STANFIELD L. CHIEN
MARK J. COLOMBO
TIMOTHY A. CRONE
JOHN J. CUMMINGS
BRIAN L. DAVIES
STERLING W. DAWLEY
CHRISTOPHER P. DEGREGORY
ARTHUR M. DELACRUZ
JOSEPH A. J. DIGUARDO
JEFFREY S. DODGE
WILLIAM C. DOSTER
MICHAEL G. DOWLING
KRISTY D. DOYLE
ROBERT C. DUNN
JOHN L. ENFIELD
HUGH P. EVERLY
CHRISTOPHER P. FAILLA
JOHN W. FANCHER
MARY J. FEINBERG
EDUARDO R. FERNANDEZ
JOSEPH F. FINN
MICHAEL A. FISHER
MICHAEL D. FISHER
SEAN M. FITZPATRICK
JOHN D. FREEMAN
RAYMOND A. J. GABRIEL
ROBERT M. GAUCHER
EDWARD S. GETTINS
LAWRENCE G. GETZ III
PAUL G. GIBERSON
DEREK B. GRANGER
MARKUS J. GUDMUNDSSON
DAVID K. GULUZIAN
JASON R. HAEN
LYLE D. HALL
STEVEN K. HALL
JEFFREY L. HAMMER
PATRICK J. HANNIFIN
RICHARD F. HAYES
EDWARD L. HEFLIN
KEITH M. HENRY
BENJAMIN L. HEWLETT
PAUL H. HOGUE, JR.
HEATH M. HOWELL
JEFFREY F. HYINK
CHRIS D. JANKE
DOUGLAS A. JORDAN
JASON T. JORGENSEN
JEFFREY A. JOSEPH
JOSEPH M. KEENAN
JOHN L. KELSEY
MARK D. KESSELRING
JEFFREY J. KIM
WILLIAM K. KIMMEL II
ROBERT T. KING
DAVID E. KOSS
DEREK M. LAVAN
MATTHEW L. LEAHEY
CRAIG E. LEE
LAWRENCE F. LEGREE
GARY LEIGH
ANTHONY J. LESPERANCE
OLIVER T. LEWIS
SEAN R. LIEDMAN
DAVID P. LITTLE
MICHAEL R. LOCKWOOD
DAVID A. LOTT
CORD H. LUBY
STEPHEN G. MACK
ALEXANDER R. MACKENZIE
JOHN J. MANN IV
DANIEL P. MARTIN
JOHN M. MAXWELL
CLYDE F. MAYS, JR.
WILLIAM A. MCCONVEY
BRIAN J. MCCORMICK
MAX G. MCCOY, JR.
STEPHEN D. MCKONE
SEAN G. MCLAREN
RICHARD J. MEADOWS
CHRISTOPHER A. MERWIN
CARL W. MEUSER
CLAYTON W. MICHAELS
DAVID E. MILLER
CHRISTOPHER M. MILLS
JAMES D. MINYARD
KEVIN S. MOONEY
ANGELA MORALES
SEAN D. MORDHORST
PAUL G. MOVIZZO
STEPHEN F. MURPHY
MARK T. MURRAY
THOMAS M. NEILL
JACK P. OLIVE
DANIEL F. OLSON
JOSEPH R. OLSON
JUAN J. OROZCO
MICHAEL B. PARKER
GARY J. PATENAUDE
RANDALL W. PECK
MIGUEL L. PEKO
GEORGE PEREZ, JR.
DAVID T. PETERSON
ERIC V. PETERSON
WILLIAM D. PFEIFLE
ERIC N. PFISTER
MANUEL A. PICON
GARY W. PINKERTON
WILLIAM E. POWERS
BRIAN J. QUIN
SCOTT E. RAUPP
COREY W. RAY
SCOTT F. ROBERTSON
GARY A. ROGENESS
ROBERT A. RONCSKA
MATTHEW D. ROSENBLOOM
MARK B. RUDESILL
MICHAEL S. RUTH
NICK A. SARAP, JR.
MICHAEL K. SAVAGEAUX
MICHAEL B. SAWIN
DAVID G. SCHAPPERT
MARK W. SCHMALL
MICHAEL S. SCIRETTA
LANCE G. SCOTT
DANIEL J. SENESKY
JEFFREY W. SINCLAIR
JOHN A. SIPES
WALTER M. SLAUGHTER
ANDREW F. SMITH
SCOTT M. SMITH
PHILIP E. SOBECK
GERHARD A. SOMLAI
BRIAN K. SORENSON
TIMOTHY F. SPARKS
JOHN D. SPENCER
SCOTT B. STARKEY
RANDY C. STEARNS
MATTHEW P. STEVENS
ANDREW B. STJOHN
CHRISTOPHER J. SWEENEY
JOSEPH M. TURK
ERIC H. VERHAGE
WILLIAM S. WALSH
EDWARD C. WHITE III
PAUL A. WHITESCARVER
JEROMY B. WILLIAMS
NILS E. WIRSTROM
ERIC P. WOELPER
RICHARD S. YOUNG
JOHN J. ZERR II

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MARK D. LARABEE
EMIL T. PETRUNCIO
RICHARD J. WATKINS, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

GREGORY D. BURTON
BRIAN R. DURANT
CHRISTOPHER E. HAND
JOEL P. HARBOUR
JEFFREY T. HEYDON
HUGH J. HUCK III
JASON M. LLOYD
JOHN A. LOBUONO
STEPHEN A. MARINO
JOHN C. MARKOWICZ
MARK M. MATTHEWS
KURT J. ROTHENHAUS
JOHN M. STUBBLEFIELD
JOSEPH M. TUITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL N. ABREU
JOHN W. BAILEY
ROBERT H. CASSOL
JEFFREY C. DALATRI
PAUL J. FILARDI
CRAIG D. GRUBB
MICHAEL M. HOCKER
MATTHEW S. MCLAURIN
JOHN H. ROUSSEAU
CHRISTOPHER M. SCHIMENTI
SCOTT D. TINGLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

TRENT R. DEMOSS
ROBERT B. FARMER
CHARLES K. NIXON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ROGER L. ACEBO
PEYTON M. ALLEN
DAVID L. ANSELMI
ALAN D. ARMSTRONG
JEFFREY A. BAUMGARTEN
CLINTON D. BECK
TODD H. BISANG
JOSEPH R. BLAYLOCK
TERRANCE A. BRAND
RONALD G. BUDDE
GEORGE J. BYRD III
PATRICK C. CAREY
SHAWN C. CASEY
DOUGLAS A. COCHRAN
DAVID A. CROUNSE
KENNETH C. CROWE
MICHAEL W. DICKINSON
JOEY B. DODGEN
WILLIAM P. DONNELLY, JR.
DANIEL H. DRUCKENMILLER
DALE R. EADS
KEVIN B. EDWARDS
NELS S. ENBERG
DARIN A. ENGELHART
ANTHONY A. FREY
MICHAEL F. GILLETT
PARKER B. GLASIER III
MICHAEL W. GOCHIS
JEFFRY T. GUMAER
JAMES L. HAJJ
KELLY L. HANSEN
RUSSELL A. HARGROVE
CHARLES T. HEBERLE IV
BRIAN M. HOFFMANN
WILLIAM R. IRWIN
ELISABETH A. KIRKPATRICK
BRADLEY S. KNOWLTON
WILLIAM P. KRONEN
NANCY S. LACORE
CRAIG P. LAWS
CHADWICK M. LICHT
MARK H. LOKAY
JAMES LONGO
ALAN P. MACQUOID, JR.
BRADLEY J. MAY
MOIRA E. MCCARTHY
KENNETH C. MCDONNELL
JOHN J. MCGINN
KEVIN J. MCKEAG
VAN S. MCKENNY IV
MICHAEL J. MCMANUS
FERMIN S. MENDEZ
MELINDA K. MICHAEL

STEPHEN A. MILONE
BRIAN P. MOYERS
RUTHVEN P. NELSON, JR.
STEPHANIE L. NORDHOFF
CHRISTOPHER B. OLAES
JACK M. OMOHUNDRO
BRIAN E. PARK
ERIC A. PAYNE
MICHAEL G. PERKOW
WILLIAM B. PETERS
JOHN M. PETIT
SAMUEL F. PHILLIPS
STEVEN J. POLLPETER
WILLIAM E. RANDALL
JAMES T. REID
DOUGLAS W. RHODES
CHARLES M. RICHARDSON
THOMAS L. ROBERTSON
ERICH R. ROEDER
ROMEO A. ROSARIO
KURTIS R. SANBORN
DUANE A. SAND
ANDREW A. SCHNEIDER
CLARK A. SCHROEDER
GREGORY J. SCHUSTER
EDWARD B. SEGO
SCOTT F. SINGER
SAMUEL E. SORGEN
DAVID L. SPERRY
STEVEN P. STACY
THEODORE V. SUMMERS
SCOTT H. SWORDS
ROBERT W. TAMARO
TONY TROUP
JAY R. VANNICE
BERTRAM W. WAGNER
WILLIAM M. WALES
LARRY D. WATKINS
WILLIAM S. WHITE
SALLY L. WILBUR
JEFFREY D. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THOMAS F. BOLICH, JR.
JERRY M. EDWARDS
HELEN H. FURBUSH
ANTHONY G. GIGLIO
KENNETH W. LARUE
JOHNNY M. MARSHALL, JR.
EUGENE H. MATTHEWS
THOMAS R. ORR
ALDEN D. PIERCE
STEVEN A. SWIFT
MICHAEL B. TRACY
ROBERT D. VANDERLUGT
MICHELE R. WATSON
DONALD R. XIQUES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

RAYMOND I. BRUTTOMESSO
JAMES D. COX
DAVID D. FERRIS, JR.
ROBERT A. GREEN
JEFFREY A. ISAACSON
DENNIS W. PRATHER
MICHAEL J. RIGO
MARK R. SANDS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

WILLIAM A. BAAS
MARK M. BAENZIGER
JAMES E. PUCKETT II

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THOMAS J. AMIS
JOHN E. M. BROWN
SUEANN K. SCHORR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JEFFERSON W. ADAMS
ROBERT B. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ROBERT W. MULAC
WILLIAM K. SALVIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

COLETTE E. KOKRON
CURTIS L. MICHEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TAWNYA J. RACOOSIN
TODD D. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ELISABETH S. STEPHENS
SHERYL L. TANNAHILL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DONALD W. BOSCH
ANN H. DUFF
THERESA M. STICE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DARREN E. ANDING
DANIEL S. BLACKBURN
MARK D. BRAZELTON
BRIAN A. CARPENTER
SCOTT W. EDWARDS
HEBERT F. FREDERICK
SCOTT K. FULLER
ANTHONY L. GILBERT
SCOTT R. GOOTEE
STEVEN P. KNIGHT
BRETT J. KORADE
EDWARD A. LIZAK
THOMAS A. LONG
DALE W. MAXEY
BRENT R. MCMURRY
SCOTT V. NEEDLE
CHRISTIAN PERRY
ROBERT T. RASCOLL
JOSEPH G. REHAK
STEVEN K. RENLY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JEFF A. DAVIS
BRENDA K. MALONE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MARK R. ASUNCION
DONALD A. CRIBBS
SARAH A. DACHOS
HIRAM S. JOHNSON
TIMOTHY N. KETTER
ROBERT H. PALM, JR.
RICHARD M. STACPOOLE
ERIK J. STOHLMANN
GREGORY P. STPIERRE
ELIZABETH A. THOMAS
PAULO B. VICENTE
BERNARD P. WANG
CLAY G. WILLIAMS
PHILIP W. YU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MARC C. ECKARDT
MICHAEL J. ROTH
FRANK M. SCHENK, JR.
PETER J. SMITH
ROBERT W. WITZLEB

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

WILLIAM A. DODGE, JR.
NICHOLAS M. HOMAN
BRIAN L. LUKE
TIMOTHY M. MAY
ALBERT M. MUSSELWHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ALLEN L. EDMISTON
JAMES B. GINDER
MARK A. GUZZO
JACQUELINE V. MCELHANNON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JASON L. ANSLEY
MAUREEN FOX
HARUNA R. ISA
MARK C. KESTER
MICHAEL N. OLUVIC
CHARLES A. PRATT
DALE C. RIELAGE
JOSEPH R. ROBSON, JR.
MATTHEW A. ROSS
LOUIS T. UNREIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

GEORGE A. ALLMON
WILLIAM E. BINDEL
CHRISTOPHER J. CARTER
ALAN D. DEAN
BRIAN M. LEPINE
WILLIAM E. NOEL
JEFFREY L. SHEETS
TIMOTHY G. SPARKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ERIC J. SKALSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

TED J. STEELMAN

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

DAVID A. MOORE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN P. AYRES
AARON G. BRESNAHAN
JOHN M. CARROLL
CARLOS B. DELEON
BRUCE E. FUCHS
DAVID S. HUBER
KEVIN W. KRICK
ROBERT D. LYNCH
MICHAEL S. MATIS
MARK A. MURPHY
JAMES A. PERDUTO
ANDREW S. TROY
CLAY L. WILD

DEPARTMENT OF STATE

DEBORAH RUTH MALAC, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LIBERIA.

NATIONAL COUNCIL ON DISABILITY

FERNANDO TORRES-GIL, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2014. (REAPPOINTMENT).

DEPARTMENT OF VETERANS AFFAIRS

THOMAS SKERIK SOWERS II, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (PUBLIC AND INTERGOVERNMENTAL AFFAIRS), VICE LADDA TAMMY DUCKWORTH.

HOUSE OF REPRESENTATIVES—*Thursday, May 10, 2012*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day.

Help us this day to draw closer to You so that, with Your Spirit and aware of Your presence among us, we may all face the tasks of this day.

Bless the Members of the people's House. Help them to think clearly, speak confidently, and act courageously in the belief that all noble service is based upon patience, truth, and love.

During this week of special recognition, we ask Your blessing on America's teachers, who give of their lives and talents to empower young Americans with the tools to mold creative and productive lives. Bless also the millions of foster parents, who have generously provided homes for young people in need of safe and secure shelter. May they be assured of the appreciation of a grateful Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. JENKINS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Ms. JENKINS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Colorado (Mr. COFFMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. COFFMAN of Colorado led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

REDUCING AMERICA'S MILITARY FOOTPRINT AND SPENDING IN EUROPE

(Mr. COFFMAN of Colorado asked and was given permission to address the House for 1 minute.)

Mr. COFFMAN of Colorado. Mr. Speaker, today I am announcing my intention to offer an amendment on the Defense authorization bill to reduce our military footprint and spending in Europe.

In January, the Pentagon announced that two U.S. Army combat brigade teams would be withdrawn from Europe. I don't think that goes far enough. The current proposal is only a step in the right direction. We should retain only the headquarters and support infrastructure necessary for expeditionary capabilities, and we should withdraw all four combat brigades from Europe.

In order for the U.S. military to modernize and move forward towards a more agile strategy, we must close bases in Europe. There is no longer a strategic reason to maintain nearly 80,000 troops in Europe.

Additionally, only four of our 28 NATO allies are spending more than 2 percent of their GDP on defense. The reason they can get away with spending so little on defense is that they are relying on the United States to provide it for them. We currently spend 4.7 percent of GDP on defense, but we should have higher priorities for our defense dollars these days than for the defense of Europe.

USIS INVESTIGATOR OF THE YEAR

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to honor Tim Earnshaw, who was recently named Investigator of the Year by the United States Investigations Services, which is the largest commercial provider of background investigations for the Federal Government.

Mr. Earnshaw was chosen out of a group of nearly 2,300 full-time employees from all across the country based on his exceptional performance shown through production and quality metrics, mentoring others, initiative leadership, and community leadership.

Mr. Earnshaw, who has worked for USIS for the past 7½ years, lives with his wife, Colleen, in my district of North Providence, Rhode Island, where they are active in several charitable and nonprofit organizations.

I was honored to welcome Mr. Earnshaw to my office recently and to congratulate him on winning this award. We all take great pride in his accomplishments today. His professionalism and work ethic are a great example of the extraordinary men and women of Rhode Island's First Congressional District.

IN TRIBUTE TO THE LIFE AND SERVICE OF JOE LANDERS

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to remember the service of Joe Landers, chief of police in Lowell, Arkansas, who died Friday morning, May 4, as a result of injuries suffered in a hit-and-run, drunk driver accident while on vacation in Florida on April 27.

Chief Landers was a dedicated public servant—everything you could want in a leader. He loved his job, his community, those under his command, and the people he served. It was evident in the way he carried out his duties.

He began his law enforcement career with the Benton County Sheriff's Office before joining the Lowell Police Department in 1995. In 1997, he was promoted to chief, and in the last 15 years, led his organization during a period of unprecedented growth. He was responsible for the development of the Lowell motorcycle patrol, dispatch center, K–9 unit, and the Special Response Team. In 2005, Chief Landers performed international duty as a law enforcement adviser in Iraq.

Mr. Speaker, our State and Nation has lost a valued member of the law enforcement community. Tomorrow will be a sad day when we say our final good-byes. I speak for Arkansas' Third Congressional District in expressing

our deepest sympathy to his family, to the city of Lowell, and to the great State of Arkansas.

TEACHER APPRECIATION WEEK

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, we honor American teachers nationwide this week, who, day in and day out, work to make a future brighter for America.

We all have had at least one or more teachers who has shaped our lives and who have believed in us. Mine was Mrs. Myrna Collins, who taught me in both the fourth and seventh grades back at Kearney Elementary School. This nonsense woman with a Texas drawl was determined that, despite the fact that I could be a handful, I was going to behave and learn—and learn I did.

A few years back, I made an effort to have lunch with Mrs. Collins, and she made the comment that she knew that I could be successful if I only applied myself, and she was right. Her guidance back then showed me how much could be accomplished with hard work and focus.

In the San Joaquin Valley and nationwide, teachers of America meet the challenges in the classroom with grace and grit every day. As we recognize these teachers throughout our country, we thank you for what you do every week of the school year.

God bless you, Mrs. Collins, for all the students whose lives you've touched. Thank you.

SAVING THE GREAT AMERICAN PATRIOTS OF THE AIR NATIONAL GUARD

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, it is my great honor and personal privilege to represent Selfridge Air National Guard Base, the home of the 107th Fighter Squadron, also known as the Michigan Red Devils.

The 107th flies the A–10, and they just recently returned from a redeployment to Afghanistan, where they performed so magnificently, so bravely, and made us all proud.

The 107th was one of the units scheduled to be eliminated under the President's proposed budget; but, fortunately, the House Armed Services Committee will present a Defense reauthorization bill, scheduled for a floor vote here next week, which reverses that and saves the 107th along with protecting the Air National Guard across the entire country.

Instead, the Air Force will be required to do a cost analysis of the National Guard cuts, which is very good because the Air National Guard performs 35 percent of the flying missions for just 6 percent of the budget. That is the best bang for the taxpayers' buck in these very restrained budgetary times.

This House, Mr. Speaker, is going to do the right thing for the great American patriots of the Air National Guard, and I urge my colleagues in the Senate to do the same.

□ 0910

PROTECT THE AMERICAN DREAM

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, in Congress, it's our job to help protect the American Dream. We have to remain the land of opportunity where anyone willing to work hard and stay focused can secure a brighter future. If Congress fails to act, 7 million college students across the country will see their student loan interest rates double to 6.8 percent.

I met some of these students last week at Palm Beach State College. Whether it's the young man who works 85 hours a week while carrying 12 credit hours—the first in his family to go to college—or the young man who described in passion the 14-year path he has embarked upon to serve out his dream by becoming a surgeon, their pursuing higher education is a path of opportunity.

If we want to protect the American Dream here in Congress, then we should give legislation that keeps interest rates low a fair shot. After all, that's all America's students are asking for—a fair shot at the American Dream.

WORKING FOR JOBS

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, for almost 40 months, unemployment has been at or above 8 percent. That's too high for too long.

Right now, over 88 million people are not even considered in the workforce. These are people who have given up on searching for a job. It's time to restore economic freedom to America and put Americans back to work. This will happen when Washington stops being an obstacle to job creation through its overtaxing, overspending, overregulating practices, and starts promoting an economic environment where our job creators can do what they do best: create jobs.

Americans are ready to go to work. Just this past week, I sponsored a job fair in East Liverpool, Ohio, where hundreds of Ohioans showed up for a chance to enter the workforce. In fact, many job seekers actually left the job fair with renewed self-confidence, hope in the fact that they had a job to go to the next day, and a belief that the American Dream still might exist for them. We need to see more of this, Mr. Speaker.

BARBARISM

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, I have watched saddened as this House led by the Republican majority has fought to gut those things that made and that will make this country great.

I'm reading a history of the U.S. House of Representatives right now, and early in that history, this body—when this Nation was barely yet born—pulled together the resources to build the Erie Canal, coming together to do great things that benefited the Nation. The list of those things goes on and on: the Louisiana Purchase, public education, land grant colleges, the GI Bill. I could go on for a very long time.

Today, the Republican majority says to transportation and infrastructure, which are key to our businesses, they say kill it; to medical research, kill it; to education, kill it. Mr. Speaker, that instinct is utterly inconsistent with who we have always been as a country and why we are great and powerful and ultimately economically prosperous. It is not stewardship. It is not governance. It is barbarism.

NATO SUMMIT

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, today I rise to call attention to the NATO summit that will take place next week in Chicago.

NATO was founded with the signing of the Washington Treaty in 1949 to safeguard the freedom and security of all of its members. Since then, the alliance has been the mainstay of the transatlantic cooperation that has been an important part of this Nation's security.

All 27 of our NATO allies, along with 22 non-NATO partners, have served shoulder to shoulder with our brave men and women in Afghanistan, working to ensure that that country never again becomes a safe haven for terrorists.

In Chicago, we will continue important discussions on the transition of security responsibility from ISAF to the Afghans. Particularly in today's global economic environment, Mr. Speaker, it is essential that we recognize the value of NATO as a proven

force multiplier. The alliance is working to ensure that NATO is well prepared for future challenges.

As we welcome our friends to Chicago on May 20 and 21, we affirm the vitality of this transatlantic bond and of our continued commitment to our common defense.

PROVIDING FOR CONSIDERATION OF H.R. 5652, SEQUESTER REPLACEMENT RECONCILIATION ACT OF 2012

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 648 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 648

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–21 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. YODER). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I appreciate you coming in early to be with us early this morning. This is a big day. This is the reconciliation bill.

I serve on both the Rules Committee and the Budget Committee, Mr. Speaker. As you know, we've had some tremendous successes in the appropriations process. This week, we've been working through the Commerce-Justice-Science bill. It's a bill that's reduced spending to those levels that we had in 2008, doing those things that the voters sent us here to do.

We're going to vote on that bill today in final passage. But that appropriations process that we have control over here in the House, that process where we reduced spending from 2010 levels down to 2011 levels, down to 2012 levels, and are going to go down again to 2013 levels to be responsible stewards of taxpayers' dollars, those are only one-third of the taxpayer dollars.

Two-thirds of the taxpayer dollars that are spent in this town—and by spent I really mean borrowed and then spent—come on what they call mandatory spending programs. Mr. Speaker, as you know, mandatory spending programs are dollars that go out the door whether Congress acts or not. Appropriation bills require Congress to act affirmatively, but mandatory spending goes right out the door without any oversight from this body until you get to reconciliation.

Reconciliation is that process that Democrats put in place wisely years and years ago to allow the House and the Senate to come together and begin to reduce, restrain, do oversight on those mandatory spending dollars. This is a rule that brings that bill to the floor.

That bill is going to be coming under a closed rule, Mr. Speaker. We're talking about a bill that has been put together by almost every committee of jurisdiction here in this House and then assembled by the Budget Committee and brought here to the floor. It's been the subject of countless hearings already. We looked at whether we'd be able to bring a Democratic substitute to the floor. None was submitted that complied with the rules of the House.

So we have one bill on the floor today, an up-and-down vote, on whether or not we're willing to engage in the first serious reconciliation process on this floor—I would argue—since 1997. Some folks might say 2003. I say 1997. Why, Mr. Speaker?

□ 0920

I'll tell you, it's the right thing to do anyway. It's the right thing to do anyway as responsible stewards of taxpayer dollars. But in this case, these aren't reductions for the sake of reductions. These are reductions for the sake of complying with what I would argue is a very good deficit-reduction agreement between the President and the Senate and the House last August. And as a part of that agreement, we put in some blanket cuts to national security, some blanket cuts to national defense. And some commentators have described these cuts, Mr. Speaker, as being intentionally so crazy that they would never happen but would be used only as a tool to get the Joint Select Committee to act.

As you know, Mr. Speaker, the Joint Select Committee did not succeed last fall. It's a source of great frustration for me and is also a source of great frustration for the Members who served on that committee. They had an opportunity to bring an up-or-down vote to both the House and the Senate floor on anything they came up with, Mr. Speaker. They didn't have to get the whole $1.2 trillion. They didn't have to get $1.5 trillion. They could have gotten $1 trillion. They could have gotten $500 billion. They could have gotten $250 billion, and we would have brought that to the floor for an up-or-down vote. But they got nothing.

So where are we? Well, in the words of Secretary of Defense Leon Panetta, he says:

> We are at a place where, if these cuts were allowed to go, the impact of these cuts would be devastating to the Defense Department.

I happen to share his concerns. Again, these were across-the-board cuts put in place to be so intentionally crazy that Congress would never allow them to occur, and it would spur the Joint Committee to action.

I happen to have supported an amendment offered by CHRIS VAN HOLLEN of Maryland, the ranking member on the Budget Committee. When we were going through the Budget Committee process last year, he offered an amendment that said, dadgummit, everything's got to be on the table, and that includes the Defense Department. I agree with him. The Defense Department does need to be on the table. And in fact, the Defense Department is undergoing $300 billion worth of reductions today.

This bill does nothing to change that. There is $300 billion being reduced from the Defense Department, as well it should. It's not easy, but it should happen, and it is happening. This isn't dealing with that. This is dealing with even additional cuts. Again, in the words of Secretary of Defense Leon Panetta, a former Democratic Member of this House:

> The impact of these cuts would be devastating for the Department.

So we have an opportunity, Mr. Speaker, to do what, I would argue, you and I came here to do—and not just you and I, but my colleagues on the other side of the aisle—to do those things not just that happened year after year after year, those things that have 12 months of efficacy and then go away, but the things that can be set in permanent law to change the direction of spending and borrowing in this country. And, candidly, Mr. Speaker, it's more about the borrowing than it is about the spending.

There are priorities in this country that we need to focus on, and I would argue that we've done a great job of focusing on those priorities. But when you are borrowing 40 cents of every dollar from your children and your grandchildren, we have to redefine what responsibility is because, I will tell you, that is irresponsible.

And this bill then takes a step in two directions: one, turning back this second round of Defense Department cuts—not the first round but the second round, the round that Leon Panetta describes as devastating to the Defense Department—and then setting us on a path to bend that cost curve going forward by tackling mandatory spending programs for the first time in almost a decade.

And with that, Mr. Speaker, I urge my colleagues to strongly support this rule.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia, my friend, Mr. WOODALL, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in very strong opposition to this rule. It is totally closed, and it denies Democrats, led by the gentleman from Maryland (Mr. VAN HOLLEN), the substitute.

We're not asking for dozens of amendments or something that hasn't been done in the past with regards to reconciliation bills. All we are asking for is one vote on our substitute, one vote on what we believe is a better alternative to the Republican bill. Last night in the Rules Committee, every single Republican—every single one of them—voted to deny Democrats that opportunity.

Mr. Speaker, as one who does not believe in arbitrary and thoughtless across-the-board cuts as a way to balance our budget, I want to support Mr. VAN HOLLEN's substitute in order to avoid the implementation of the Budget Control Act's sequester. In my opinion, to allow this sequester to go into full effect would be bad for the country.

We are here in this awful mess because a so-called supercommittee failed to reach agreement last fall on a comprehensive and balanced deficit-reduction plan due in very large part to the absolute refusal of Republicans to put revenues on the table. Bowles-Simpson, Rivlin-Domenici, and the Gang of Six all had deficit-reduction proposals that sought to be balanced with both spending cuts and revenues. They sought to be fair. They realized that you cannot solve our long-term fiscal problems by slashing and burning the last century of social progress in America.

But, today, my Republican friends have brought to the floor a reconciliation bill that actually makes sequestration look good. What's going on here is very simple—very troubling, but very simple. They are protecting the massive Pentagon budget and demanding no accountability by exempting it from sequestration and finding even deeper cuts in programs that benefit the people of this country.

The bill before us would create a government where there is no conscience, where the wealthy and well connected are protected and enriched, and where the middle class, the poor, and the vulnerable are essentially forgotten. I have never seen anything like this. It is outrageous. It takes my breath away.

My friends won't cut billions in subsidies for Big Oil at a time when oil companies are making record profits and gouging Americans at the pump. They won't address the inequities of the Tax Code, which allows billionaire Warren Buffett to pay a lower tax rate than his secretary. The revenues from fixing these two unjust policies alone would result in billions and billions and billions of dollars in deficit reduction. But the Republicans have protected Big Oil, and they've protected the billionaires. However, my Republican friends take a meat-ax to SNAP, formerly known as food stamps. This is a program to help poor people afford food.

My friends on the other side of the aisle should heed the words of President John F. Kennedy:

> If a free society will not help the many who are poor, they cannot save the few who are rich.

Mr. Speaker, we are one country. We should care about one another, especially those who are most vulnerable. That's not a weakness or something we should be ashamed of. Rather, it's something that makes us strong and great.

As my friends know, I have spent a lot of time and effort in Congress on the issues of hunger, food insecurity, and nutrition. Tens of millions of our fellow citizens don't have enough to eat, and every single one of us—Democrats and Republicans alike—should be ashamed. And that's why I am so outraged by the $36 billion in SNAP cuts.

This notion that SNAP promotes a culture of dependency, that SNAP is a golden ticket to prosperity is just wrong. Some on the Republican side have even claimed that SNAP enslaves Americans. Give me a break. In fact, even in 2010, when unemployment was close to 10 percent and jobs were scarce, the majority of SNAP households with a nondisabled working-age adult were working households—working households.

Working families are trying to earn more. No one wakes up in the morning dreaming to be on SNAP, but these are tough economic times. Some people have no choice. But we know that SNAP enrollment and spending on SNAP will go down as the economy improves, as families see their incomes rise and no longer need SNAP to feed their families. Don't take my word for it. This is directly from the Congressional Budget Office.

Of course, last night in the Rules Committee, we heard the tired line that there's a lot of abuse in the SNAP program. We heard that there are countless numbers of people receiving benefits who do not deserve them. That, Mr. Speaker, is simply not true.

It's a common and unfortunate misconception that SNAP is rife with fraud, waste, and abuse. Many have decried SNAP as a handout that can be sold or traded for alcohol and other items that shouldn't be purchased with taxpayer funds. It cannot. And to the extent that there is abuse, the USDA is cracking down on it.

SNAP is both effective and efficient. In fact, the error rate for SNAP is not only at an all-time low, but it has among the lowest—if not the lowest—error rate of any Federal program. If only we could find a program at the Pentagon that had such a low error rate.

Last night we also heard about categorical eligibility, a process in which a low-income person is automatically eligible for food stamps if they are already enrolled in another low-income assistance program.

□ 0930

Categorical eligibility—and I think it's important to state this because there's such misconception here. Categorical eligibility makes it easier for poor people, those people who are already approved for low-income assistance programs, to receive SNAP benefits. But it also makes it easier on the States that have to administer these programs. This saves time and money and paperwork, because the people who are already eligible for similarly administered benefits do not have to reapply for SNAP, and States do not have to waste workers' hours processing paperwork for people who are already eligible based on their incomes.

Categorical eligibility does not mean that people who don't qualify for SNAP get those benefits. To the contrary, people still have to qualify for the program to receive food. Any claim that this is a fraudulent practice or that it is rife with abuse is just another falsehood and smear against one of the most efficient Federal programs.

The demonization of SNAP and other food and nutrition programs by my Republican friends must come to an end. We have an obligation in this country to provide a circle of protection for the most vulnerable.

Cutting $36 billion means that more than 22 million households will see a cut in their benefit. This means 22 million families will have less food tomorrow than they do today. In fact, 2 million people would be cut from the SNAP program altogether. Another 280,000 kids will lose access to free school meals.

My friends on the other side of the aisle don't like to hear this, but sometimes the truth hurts. If this bill before us becomes law, it will take food out of the mouths of children in America, all in the name of protecting tax cuts for

the wealthy and increased Pentagon spending. The Republican reconciliation bill threatens Medicare, it threatens children's programs, it threatens educational programs, as well as programs that support our infrastructure. In short, if this were to be adopted as law, it would threaten our economy as a whole.

And the bill not only protects the Pentagon budget, it increases it by billions of dollars. Does anyone here honestly believe there's not a single dollar to be saved anywhere in the Pentagon? If you do, you're not reading the newspapers. It's there in front of us every single day, the abuse that goes on. No-bid defense contractors. I can go on and on and on.

We have, and will continue to have, the strongest military on the face of the Earth. But at some point national security must mean more than throwing billions of dollars at unnecessary nuclear weapons or at pie-in-the sky Star Wars programs that will never actually materialize.

But national security has to mean taking care of our own people. It means educating our children. It means an infrastructure that isn't crumbling around us. It means clean air and clean water and a health care system that works. Those should be our priorities. But sadly, those are not the priorities in the bill before us today.

Of course, Senator REID says the bill is dead in the water in the Senate. At a press conference yesterday, the Senate Majority Leader said:

> As long as Republicans refuse to consider a more reasonable approach, one that asks every American to pay his fair share while making difficult choices to reduce spending, the sequester is the only path forward.

That's a pretty clear statement that the Senate will not consider this bill. Quite frankly, it's the right thing to do.

A reasonable approach is what the American people want. Yes, they want us to get our fiscal house in order. They want us to reduce the deficit in a fair way so that the wealthiest among us pay their fair share. But mostly the American people want jobs, something the House Republican leadership continues to ignore.

The American people know that the best way to bring this deficit down is through job creation. They want the economy to improve. They want their lives to get better. This bill does not do that.

Mr. Speaker, let me conclude by quoting President Dwight Eisenhower in a speech he made in 1953:

> Every gun that is made, every warship launched, every rocket fired, signifies in the final sense a theft from those who hunger and are not fed, those who are cold and are not clothed.

I'm afraid, Mr. Speaker, that President Eisenhower wouldn't recognize today's Republican Party.

We should reject this closed rule and the underlying bill, and I reserve the balance of my time.

Mr. WOODALL. I yield myself such time as I may consume.

I say to my friend, as the Republican Budget chairman said to him yesterday, I appreciate his passion on this issue. What brings us to the very best decisions that we can make in this body, Mr. Speaker, is having folks who work hard day in and day out educating themselves on the issues. They can bring the very best case for the American people to the floor.

And that's why I would ask my friend whether or not he believes it actually helps that debate to get involved in some of those rhetorical feats of mind, I guess we would call them, because he knows as well as I know that under the law of the land, in 2002, food stamp benefits, SNAP benefits, would have gone up by about 40 percent over the last 10 years, and Republicans and Democrats came together over the last decade and increased those benefits 270 percent, Mr. Speaker.

Now, this proposal suggests that instead of going up 270 percent, we allow those benefits to go up 260 percent. That's the draconian cut.

We see that in the same rhetoric in the student loan program, Mr. Speaker. Everyone in this body knows the law of the land was that student loan rates were at 6.8 percent—a below-market rate of 6.8 percent. They were lowered for a very small fraction of the student population for a very temporary period of time to 3.4 percent, and the law now hasn't gone back to 6.8 percent, to standard levels. But folks want to talk about that as a doubling instead of a returning to common law.

And more importantly, Mr. Speaker, to continue to suggest, as he knows is not the case, that Republicans are unwilling to focus on the Defense Department, let me say it plainly. I believe there is waste and fraud and abuse in the Defense Department, and I stand here willing to work with you to eradicate it all. I supported Ranking Member VAN HOLLEN's amendment to put Defense on the table. The budget that this House passed—the only budget that's passed in all of Washington, D.C.—reduced defense spending by $300 billion in recognition of exactly that.

And, Mr. Speaker, again, the rhetoric just gets a little overheated from time to time, and, candidly, I think it gets in the way of us doing the people's business. When I say to you that Secretary of Defense Leon Panetta, on August 4, 2011, said:

If these defense cuts happen—and God willing that will not be the case, but if it did happen—it would result in a further round—because we've already cut once; in fact, already cut twice—a further round of very dangerous across-the-board defense cuts that I believe, says Leon Panetta, Secretary of Defense, would do real damage to our security, our troops, and their families.

I would say to my friend: How does it advantage us to make this a Republican-Democratic issue when the Democratic chairman of the House Budget Committee, Leon Panetta, says allowing these cuts to go forward would be dangerous to our defense, to our national security, to our troops, and to our families? How does it advantage us to make this a Republican-Democratic issue when President Clinton's OMB Director, Leon Panetta, says this would be dangerous across-the-board defense cuts that would do real damage to our security, our troops, and our families? How does it advantage us to make this a partisan issue when President Clinton's Chief of Staff, Leon Panetta, former OMB Director, former Democratic Budget Committee chairman, says: I believe allowing these cuts to go forward would do real damage to our security, to our troops, and to our families?

Do we have real choices to make? We do.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WOODALL. I would be happy to yield to my friend from Maryland.

Mr. VAN HOLLEN. Thank you.

The Democrats have a substitute amendment that would replace the sequester in a different way. It would prevent the across-the-board cuts from happening to defense and the non-defense programs. So there's an agreement that that meat-ax approach is the wrong way. We have an alternative.

The gentleman just talked about how we have this great debate of ideas on the floor of the House. I have a very simple question: Why are we not going to get an up-or-down vote on our idea on how we would replace the sequester in a balanced way?

Mr. WOODALL. Reclaiming my time, I thank the gentleman both for his comments and for his offering of that substitute.

The reason is threefold:

Number one, that substitute doesn't comply with the rules of the House. We made a decision in this body that we were going to not continue to ask for more and more and more out of taxpayers' pockets but that we were going to try to do our own business here in terms of oversight on all the money that's already being borrowed and spent and sent out the door.

□ 0940

Number two, that happened to be the rules that we adopted in this Congress, Mr. Speaker, but under the rules adopted in the last Congress in which you were the Budget chairman, you know your substitute would also not have been in order under the PAYGO rules that you instituted. Again, not a Republican or Democratic issue. Under a Republican House, the substitute is not

in order. And under a Democratic House, the substitute is not in order.

But, number 3, and, I would argue, most importantly, I say to my friend, we've got a trust deficit with the American people, and it doesn't surprise me. When we talk about the 5-year impact of the reconciliation plan that we passed out of our Budget Committee and I hope that this House will pass today, we're talking about a net effect on debt reduction, the process for which reconciliation was created, of $65 billion over 5 years. Over the next 5 years, $65 billion is not going to have to be borrowed from our children and our grandchildren. Under the gentleman's substitute, over that same period of time, spending is actually going to go up by almost $37 billion. This is a process that is designed to reduce borrowing and spending, to reduce the burden we are placing on our children, and the gentleman's substitute increases the burden that we place on our children.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WOODALL. I would be happy to yield.

Mr. VAN HOLLEN. I don't want to take up all your time, but I would like to make the point that what our substitute does is, dollar for dollar, replace the sequester, which is what our Republican colleagues have said is the object of this effort, which is to make sure that we don't have the meat-ax approach.

I would just note that the gentleman said that one of the reasons that we're not going to have an opportunity to vote on ours is because it doesn't comply exactly with the rules. In bringing the Republican bill to the floor today, I'm reading right here on the report, the committee report, you waived three rules. You waived three rules, and yet you can't allow an up-or-down vote on a substitute amendment. You know that you have it within the power to allow our substitute, just as you waived these three rules.

Mr. WOODALL. Reclaiming my time, I would say to my friend, what we have within our power is the power to stop the borrowing and the spending. I'm reading here from today's Congressional Quarterly, because folks sometimes get confused, Mr. Speaker. We talked about the Reading Clerk and the tough work they had yesterday, reading today from Congressional Quarterly, it says here that Democrats left open the possibility that they would offer an alternative proposal through a motion to recommit, which is allowed under the rule. My friend on the Rules Committee knows that to be true. My friend on the Budget Committee knows that to be true.

I look forward to your using that opportunity to bring your substitute to the floor for a vote. I think that is the right of the minority. I'm glad we preserved the right of the minority, Mr. Speaker.

And with that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume just to reemphasize the point that Mr. VAN HOLLEN made.

You know, the Rules Committee has the right to be able to waive the rules to bring any piece of legislation to the floor. And as Mr. VAN HOLLEN rightly pointed out, in the report on this rule, the Republicans waive, implement waivers because their proposal, without these waivers, would violate the rules.

And so, you know, my friend talks about that this shouldn't be a partisan discussion. I would just say to my friend, the reason that this is a partisan discussion is because the Republicans have made it such by denying us the right to come to the floor and offer our substitute, not as a procedural matter, but as a real substitute. You have politicized this debate. You have shut us out, and that is why there is frustration.

And I just want to say one other thing again because I am so sick and tired of the demonization of programs that benefit poor people in this country, especially the SNAP program.

My friend was talking about all of this money that we invested in SNAP as if somehow we were giving these very generous benefits out. Just for the record, in 2002, the average SNAP benefit was $1 per meal per day per person—$1. With all of the improvements we have made, today it is about $1.50 per meal per day; and it is going to go down next year because of cutbacks we've already made in this program, unfortunately, to offset other things over the past few years. That means in a 10-year period that we have increased this benefit by 50 cents per meal. Now, I don't know about my friend, but $1.50 doesn't go very far today.

So when we're talking about trying to help people get through this economic crisis, that's what we're talking about. So this is not some extravagant, overly generous benefit. That's what it is. That's what it is. And rather than cutting waste in the Pentagon budget, which we all know exists, you protect the Pentagon budget. Rather than going after subsidies for oil companies and going after billionaire tax breaks, you protect all of that. And where do you go to find the savings? From programs that help the poorest of the poor. I mean, it's outrageous.

Mr. Speaker, at this point I would like to yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the ranking member of the Budget Committee.

Mr. VAN HOLLEN. Mr. Speaker, I thank my colleague from Massachusetts, and thank him for his leadership on efforts to ensure that those families who are struggling most in our country continue to have access to food and nutrition, and that children in our country continue to have access to health care. And that's what this debate is all about, because we do have an alternative.

There is no disagreement on two things: Number one, we need to reduce our deficit in this country in a credible way; number two, the meat-ax approach of the sequester is not a smart way to do it.

So how should we go about reducing our deficit? Well, we propose to do it in the same balanced way that every bipartisan commission that has looked at this issue has recommended—through a combination of difficult cuts. And I would remind everybody that just last August we cut a trillion dollars through a combination of cuts as well as cuts to tax breaks for special interests and by asking the wealthiest people in this country, people who are making $1 million a year, to contribute a little bit more toward deficit reduction.

Mr. WOODALL. Will my friend yield?

Mr. VAN HOLLEN. I will yield very briefly, yes.

Mr. WOODALL. I have a very brief question.

My understanding of your substitute is that it raises $3 in taxes for every $1 in spending cuts. Could you tell me which bipartisan commissions have represented that, have also agreed that $3 to $1 is the right combination?

Mr. VAN HOLLEN. Absolutely. I'm glad the gentleman asked the question.

Simpson-Bowles, Rivlin-Domenici, they proposed an approach which was about $3 in cuts to $1 in revenue, depending on the accounting rules. We've already enacted $1 trillion in cuts, 100 percent in cuts. You voted for that; I voted for that, 100 percent cuts.

What this does is, for the next 1 year, we do another $30 billion in cuts—a little over that, actually—and then we get about $80 billion through closing loopholes.

For example, we say that the big oil companies don't need taxpayer subsidies to encourage them to go drill. They've already testified, their chief executives, they don't need that. They're making plenty right now. We also say that millionaires should pay the same effective tax rate as the people who work for them.

And if you take that approach, frankly, with the trillion dollars in cuts we've already made, we are still cutting a lot more than the bipartisan groups recommended compared to the revenue. So our ratio of cuts to revenue is much higher because those bipartisan groups, they recommended that trillion dollars in cuts, and we adopted that on a bipartisan basis.

What they are not doing, what you're not doing, is taking the other part of their recommendation, frankly, which

is to say let's close some of these outrageous tax loopholes for the purpose of deficit reduction. And because 98 percent of our House Republican colleagues have signed this pledge saying that they won't take one penny of——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield an additional 2 minutes to the gentleman.

Mr. VAN HOLLEN. You won't ask one penny more for people making over $1 million a year to help reduce our deficit, not one penny. And the math is pretty simple after that; because you ask nothing of them, your budget whacks everyone else. That's why your budget ends the Medicare guarantee; that's why you cut $800 billion out of Medicaid; and that's why, in your sequester proposal here, you whack programs that help the most vulnerable, struggling families.

Let's talk about what the nonpartisan Congressional Budget Office said your proposal would do: 22 million households with children would see their food and nutrition support cut under the SNAP reductions; 300,000 kids will no longer get the school lunch program; 300,000 kids will lose their health coverage under the children's health insurance program. Those are the decisions you have to make because you don't want to ask the oil companies to give up their taxpayer subsidy.

We say the American people would make a different choice. We have that different choice in the substitute amendment. That substitute amendment would prevent those cuts to the Defense Department. It would prevent cuts to NIH and biomedical research. But it would prevent those cuts without whacking seniors and children's health programs. It would do it in a balanced way.

We say we don't need the direct payments to agricultural businesses. These are payments that go to ag businesses whether they're making money or not. The spigot is on. We cut those; you don't in your proposal that's before us today. Why not? Instead, you cut the food and nutrition programs.

So we think the right approach is the balanced approach that every bipartisan group that has gotten together has recommended.

□ 0950

Because 98 percent of our Republican colleagues have signed this pledge saying they're not going to ask the folks at the very top to put in one penny, one dime more, you're smacking everybody else. We don't think that's the right way to go. We agree we should reduce the deficit. And we eliminate the sequester, but just in a different way.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds to say we just disagree on what balance is. When our proposal for budget reduction is to reduce spending by $65 billion over 5 years and your proposal for budget reduction is to spend an additional $35 billion over those same 5 years, we disagree on what balance is. We are moving in the wrong direction under your proposal, right direction under our proposal. I'm very proud of our proposal, proud to serve on the committee with my friend.

With that, Mr. Speaker, I yield 3 minutes to the gentlelady from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding, and I rise to support the rule.

Mr. Speaker, I am very proud to represent Selfridge Air National Guard Base, which is home to the Michigan Red Devils, the 107th Fighter Squadron.

The 107th, Mr. Speaker, flies A–10s, and they recently returned from a redeployment to Afghanistan where they performed so bravely and made us all proud. The 107th was one of the Air Guard units scheduled to be eliminated under the President's budget proposal, but fortunately the House Armed Services Committee will present a Defense reauthorization bill next week which reverses that and saves the 107th, along with protecting the Air National Guard actually across the entire country.

This House is going to do the right thing for the great American patriots of the Air National Guard by prioritizing spending within our budget, not by spending more money. So I would certainly urge our colleagues in the Senate to join us.

Mr. Speaker, we need to remember that the cuts that caused the Obama administration to target the Air Guard were before the sequester. If the sequester is allowed to go into effect, the impact on the community that I represent, for example, would be immense, and the defense corridor we are building as a part of our economic revitalization would be stopped, really, dead in its tracks. Not only would the National Guard again be put at risk of massive new cuts, but military contracting across the board would be faced with additional cuts. In Macomb County alone—the county that I'm proud to represent as part of my congressional district—this would mean $200 million in additional cuts, Mr. Speaker, and obviously would cost countless jobs in the defense-related corridor.

This House has taken steps to stop the devastation of our Air National Guard and now is taking steps to stop the devastation of our defense base and needless loss of jobs with commonsense reforms. So I would urge all of my colleagues to join me in supporting reconciliation today, and the Defense reauthorization bill that's coming to the floor next week.

Mr. MCGOVERN. Mr. Speaker, at this time I'm proud to yield 5 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this bill, which chooses to slash programs that help struggling families get back on their feet without closing a single tax loophole or eliminating a single special interest subsidy.

Our budget should reflect our values and, as many in the faith community have argued, it should advance the moral responsibilities of the Nation to provide for the common good. I note that the Catholic Bishops just sent a letter concluding that ''the proposed cuts to programs in the Republican budget reconciliation fail this basic moral test.'' I'm pleased that the bishops are speaking out, as they should.

Forty percent of the total cuts here come from cutting assistance to low- and moderate-income families, including food stamps, Medicaid, the Children's Health Insurance Program, and social services for vulnerable children and elderly and disabled people. But instead of eliminating big agricultural subsidies where people don't have to plant a seed and they get paid, this budget would cause more than 200,000 children to lose their school lunch and would cut the food stamp program by $36 billion. That means 46 million Americans, one-half of whom are children, would see their benefits cut, and 2 million Americans would lose them entirely. This, at a time when one in seven seniors faces the threat of hunger and one in five children right here in America—a land of plenty—face a similar risk. They are going to bed hungry in the United States of America. We know the impact of hunger and malnutrition: lower performances at school, poor growth, and an immune system less able to fend off illness.

Instead of ending subsidies to big oil companies, this budget eliminates the Social Services Block Grant, which provides childcare assistance to low-income working mothers, addresses child abuse, and provides care for the elderly and disabled. About 23 million people, half of them children, would lose services.

Instead of ending tax breaks that allow corporations to ship jobs overseas, this budget cuts Medicaid, slashes the Children's Health Insurance Program, and forces 350,000 Americans to forego health care coverage provided by the health care reform.

Instead of asking millionaires to pay the same tax rates as middle class families, this budget makes children who are U.S. citizens but have immigrant parents ineligible for the child tax credit, harming 2 million families and 4.5 million children who are United States citizens. They end the Medicare guarantee for seniors in this Nation.

These cuts have a catastrophic effect on the most vulnerable in our Nation,

and for what? All to protect special interest subsidies and tax breaks for the richest members of our society. My friends, it's $150,000 for the average millionaire in a tax cut. That's what we're talking about in this piece of legislation. It is wrong. Budgets are about choices, about values. And this bill exposes exactly what this majority is all about.

We need to pass legislation that strengthens and rebuilds the middle class of this country, creates jobs, invests in rebuilding our infrastructure, supports manufacturers, and restores fairness to our Tax Code. This reverse Robin Hood agenda of the House majority fails in every single regard, and I urge my colleagues to oppose it.

Mr. WOODALL. Mr. Speaker, you know, when I hear my colleagues talk, it sounds as if we have a choice about doing one thing or another thing. I will say to my colleagues, when you're borrowing $1.4 trillion a year from your children——

Ms. DELAURO. Will the gentleman yield?

Mr. WOODALL. Just a moment. I'd be happy to yield to my friend.

When you're borrowing $1.4 trillion a year from your children, when you're mortgaging the future of this country, it's not a choice of either spending cuts or revenue changes; we've got to have both. We've got to have both. And to describe it to the American people as if we can do one or the other and get ourselves out of this mess, we cannot. We absolutely cannot. It takes both.

I would ask my friends—and with this, I'd be happy to yield to my colleague—when this House brought to the floor a tax cut bill that gave every Member of Congress a tax cut at the end of 2011 that said we only have to pay 4 percent of payroll taxes that we owe, instead of 6 percent of payroll taxes that we owe, I voted ''no.'' I said there's not a Member in this body that needs a tax cut. I said we have too big a problem in this Nation to give tax cuts to Members of Congress. I voted ''no.'' Did anybody else vote ''no'' with me? Did anybody else vote ''no'' with me?

I will not be lectured about how it is that tax cuts are distributed in this country when we have opportunities to cut them on this floor, to eliminate them on this floor, and my colleagues continue to vote ''yes.'' We could have added a provision that eliminated those tax cuts for the rich. We did not, and we should have.

With that, I'd be happy to yield to my friend.

Ms. DELAURO. I thank the gentleman for yielding.

The fact of the matter is that there are choices, and the majority refuses to make those choices.

Let's not provide the tax cuts for people who are making over $250,000 in this Nation. Let us pull back from Afghanistan in an orderly way and save the money. Let us cut the subsidies for those who are sending the jobs overseas.

Mr. WOODALL. Reclaiming my time from my colleague, and I very much appreciate her passion—if I can get regular order, please, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from Connecticut will suspend.

The gentleman from Georgia has the time.

Mr. WOODALL. I thank the Speaker for his help there. I'm sorry that I needed it, but I appreciate him offering it.

You know, we passed a budget in this House, a comprehensive budget in this House. And to hear my colleagues talk, you'd think this is the only bill we're going to pass for the rest of the year. To hear my colleagues talk, you'd think we're not going to bring the farm bill to the floor and go after ag subsidies. To hear my colleagues talk, you'd think we're not going to bring a tax bill to the floor and try to raise revenues in this country. To hear my colleagues talk, this is it.

This isn't it. This is the bill that responds to the Chairman of the Joint Chiefs of Staff, General Martin Dempsey, who said in February of this year about the cuts that we're trying to prevent today:

> I will tell you that I am prepared to say that sequestration will pose an unacceptable risk.

□ 1000

That's what we're here to talk about today: How do we mitigate the unacceptable risk? How do we mitigate against the challenges that former Democratic Budget Committee chairman, former Clinton OMB Director, former Clinton Chief of Staff, current Secretary of Defense Leon Panetta says threaten our national security?

And, again, we're going to have a choice, Mr. Speaker. We've brought a very powerful program, a very powerful proposal to the floor today, a very powerful proposal. For the first time in over a decade, we're trying to get a handle on that out-of-control portion of spending in this budget. Just a little bit, Mr. Speaker. Just a little bit.

And, again, we just have a different idea of what balance is. We have a different idea of what deficit reduction is. My idea of deficit reduction is over the next 5 years we reduce the deficit.

My colleagues' idea of deficit reduction is over the next 5 years we spend an additional $40 billion above and beyond what we were going to borrow and spend anyway. It's a legitimate difference of opinion. I'm glad we're bringing this rule to the floor, Mr. Speaker, so that we can have a vote on that opinion. I look forward to the debate on the underlying bill.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself 30 seconds to respond to the gentleman.

First of all, no one here on our side is arguing that sequestration should go into effect. We don't think that's good for our country, but we think that the Republican reconciliation bill is even worse for our country because of the cuts in so many programs that actually help our people.

There's no balance in there. The gentleman can say I'm all for balance. There's none in your reconciliation bill. It's all cuts to programs that actually help the people of this country.

And, finally, I'd just say we have an alternative to sequestration. Mr. VAN HOLLEN brought that before the Rules Committee last night. The Rules Committee Republicans, every single one of them, voted ''no.''

Mr. Speaker, at this time I'd like to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I think I'll let this thing cool down a little bit.

But the gentleman on the other side of this debate is quite wrong. There's no balance in this particular bill at all. There is no balance.

The cuts are devastating. Meals on Wheels for seniors, Medicare programs, Medicaid programs for seniors. And if you take a look at the rest of the issues, school lunch programs, kids are going to go hungry. There's no balance.

There is no tax proposal in this. There's no balance at all.

But the reason I rise today is to add one more problem that's not being solved by this reconciliation. The National Flood Insurance bill was folded in to this reconciliation, and it has a gaping hole. The Corps of Engineers has gone through the Nation's levees and downgraded those levees, creating an enormous problem for agriculture throughout this Nation, and certainly in California, where many of the levees have been downgraded. It's now impossible for farmers and the agricultural community to obtain loans to continue to produce and to enhance their agricultural production.

This amendment, which I had hoped could be put into the bill but was not allowed by the Rules Committee, would simply require an immediate study by the Department of Agriculture and the Federal Emergency Management Agency to undertake a study on the impact of the downgrading of the levees and the resultant inability to get national flood insurance, and the impact that that has on the agricultural communities, keeping in mind that agriculture, in a flood zone, is one of the very best ways to reduce the risk.

I would hope that the majority would consider, as this thing moves along, to fold into the National Flood Insurance Program an opportunity for the Farm Flood Program that I've introduced, which would allow farmers to obtain

national flood insurance, and then the lending that the banks could make available so they can continue to build the necessary facilities for their agricultural production.

Mr. WOODALL. Mr. Speaker, there are no tough choices here. I talked to the gentleman whose seat I took the other day. I said, John, you know, when you were up here as a Congressman, you made it look fun. Folks were always saying thank you, thank you, thank you for all the spending that was going on here. I said, I don't get to make any fun decisions.

When you've increased the public debt in this country by 50 percent over the last 4 years, you're all out of giveaway decisions. All we have now are tough decisions. That's all we have.

And, again, I know that my friend from Massachusetts speaks with passion and conviction. His advocacy for the neediest among us is an inspiration on the floor and in committee and on and on, and I don't fault him for that a bit.

But I would say to my friend, had we not given that payroll tax cut to Members of Congress, we could have provided that food stamp increase that you discussed earlier to an additional 2 million individuals in this country, an additional 2 million individuals in this country had we foregone that tax increase right here. But we didn't. We chose just to go along with the program and cut away, spend away. We can't do that. We've got to stop that.

And I would say to my friend, because it's hard, I have the same families struggling in my district that you do. In fact, our foreclosure rate in my district is higher than it is in your district. Our number of folks who are going homeless in Georgia as a result of foreclosures, higher than it is in Massachusetts.

But when you talk about the additional 1.8 million folks, 1.8 million folks, Mr. Speaker, according to the CBO, who are going to lose their food stamp benefits under this bill, there's no question about that.

But here's the thing, Mr. Speaker, and this is important. This bill doesn't cut anybody from food stamps. This bill says the only people who can get food stamps are people who apply and qualify for food stamps. Hear that, Mr. Speaker.

The CBO tells us, and my friend from Massachusetts quotes, that 1.8 million people are going to lose food stamp benefits. But the only change this bill makes is that you actually have to apply for the benefits to get the benefits. So that means 1.8 million people in this country are receiving food stamp benefits who would not qualify for food stamp benefits if they had to go and apply.

Mr. Speaker, that is not mean-spirited. If you want to change the food stamp rules, if you want to make it a laxer process, whatever you want to do, let's do that. But let's not demonize each other. Let's not say we're trying to throw poor children out in the streets, when all we're saying is we have a successful food stamp program, and why don't we just limit it to those people who qualify for it.

Mr. GARAMENDI. Will the gentleman yield?

Mr. WOODALL. I'd be happy to yield to my friend from California.

Mr. GARAMENDI. I thank you for the courtesy of yielding.

The fact of the matter is that 1.8 million people will not be able to get the supplemental food that they get from food stamps. They're going to be hungry. That's a fact.

Now, the rest of the fact is the application process has been supported by the Federal Government and by the legislation so that the States can reach out to those people that are hungry and that are able to qualify for food stamps. That's gone in this bill. So the ability to reach out and to bring into those programs——

Mr. WOODALL. Reclaiming my time from my friend, I would say reaching out and bringing folks into the program who do not qualify for the program. The rules for the program are clear, Mr. Speaker. If you qualify for food stamps, I am the first one who wants you to have it. If you qualify for the SNAP program, under SNAP program rules, you should get food stamps.

Mr. MCGOVERN. Will the gentleman yield?

Mr. WOODALL. I'll be happy to yield to my friend.

Mr. MCGOVERN. Just so the gentleman understands, the General Accountability Office says the error rate in the SNAP program is less than 3 percent. What is he talking about when people are getting benefits that they don't deserve? I'd like to know the numbers of that. How much?

Mr. WOODALL. This is important, Mr. Speaker, and I hope folks are paying attention back in their offices. The gentleman is talking about the error rate, the error rate, folks who have mistakenly gotten food stamps because in the application process they got the application process wrong. They shouldn't have qualified but they have given them away anyway.

What the CBO says is something entirely different. What the CBO says is that 1.8 million American families, if they walked into the office today and applied for food stamps today, would not qualify for food stamps. It's not an error. It's not a mistake. It's that the rules of the game have been changed to say we just want everybody, we just want everybody to have a part in the program.

When the gentleman says it's a paperwork nightmare for States, I happen to agree with the gentleman. There's a tremendous paperwork challenge for States. But this does not solve that. All we're saying is go through the application process. To suggest that we're trying to take benefits away from people who need those benefits is disingenuous.

Mr. MCGOVERN. Will the gentleman yield?

Mr. WOODALL. I would be happy to let the gentleman have his own time, Mr. Speaker, because I reserve the balance of my time.

The SPEAKER pro tempore. Just by way of time update, the gentleman from Georgia has 6 minutes remaining. The gentleman from Massachusetts has 6½ minutes remaining.

Mr. MCGOVERN. I yield myself 30 seconds, Mr. Speaker.

The gentleman is wrong. He's just wrong when he talks about the abuse of the SNAP program, that people are somehow getting benefits that they're not entitled to. And the demagoguery that's going on with regard to categorical eligibility is just inexcusable. That actually cuts paperwork and bureaucracy at a State level, and it helps people who are eligible to get the benefits.

I'd also say to the gentleman, he gets up on the floor and talks about this payroll tax cut for Members of Congress. That was a payroll tax cut for everybody.

□ 1010

Now, if you wanted to exempt Members of Congress, that would be minuscule. That would do nothing to provide any benefit to anyone.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I would say to my friend that I wish he would show me the code sections here that go into the SNAP program, the codes that say, under the SNAP program, the income criteria that we had yesterday is changing, and so folks aren't going to get those benefits tomorrow. That's not here. All this bill does is to say you need to apply, and you need to earn those benefits on your own merits.

When the gentleman talks about paperwork, he knows good and well the CBO took that into consideration. When the CBO says 1.8 million families are no longer going to qualify, it means some folks are going to get thrown off of categorical eligibility because that is the gaming of the system. They're going to go back in, and they're going to apply for benefits, and they're going to get them, but 1.8 million are going to go back in and apply and get denied because they don't qualify for benefits.

Mr. Speaker, if we need to change the eligibility criteria, if we have folks in need who can't qualify, let's change the eligibility criteria. But in the name of good government, when we're going into programs and saying we have rules of the game—we just want people to have to follow them—to somehow define that as being mean-spirited, it galls me.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself 1 minute.

What galls me is that the Republican majority is balancing the budget on the backs of the most vulnerable in this country, on the poorest of the poor.

The gentleman talks about the CBO. The CBO says that cutting $36 billion from the SNAP program means that more than 22 million households will see a cut in their benefits. It means that 22 million families will have less food tomorrow than they do today. In fact, 2 million people would be cut from SNAP altogether. That is not my making up numbers. That's the CBO. That's where I get that from. I think that's cruel and inhumane during one of the worst economic crises that we've faced.

Yes, we have to balance the budget, and we have to make tough choices, but why does it have to be on the backs of the most vulnerable? Why can't Donald Trump pay a couple of more dollars in taxes? Why can't we end the subsidies to Big Oil? Why can't we make it so that Warren Buffett pays the same tax rate as his secretary? That's all we're saying here.

Your reconciliation bill represents your priorities. What we're arguing is that your priorities are wrong and bad for the country. We have an alternative. You won't even let us have the opportunity to debate that alternative on the floor.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I would say to my friend from Massachusetts that I am prepared to close if he has any more speakers.

Mr. MCGOVERN. I'm it.

Mr. WOODALL. Then I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I urge my colleagues to defeat the previous question. If we defeat the previous question, I will offer an amendment to this closed rule to let the House work its will and to give Mr. VAN HOLLEN's substitute an up-or-down vote in the House. It deserves more than a procedural vote.

I ask unanimous consent, Mr. Speaker, to insert the text of the amendment in the RECORD, along with extraneous materials, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I think what we're talking about here today are two different visions for this country. The Republicans have their vision that is outlined in their reconciliation package. Mr. VAN HOLLEN, I think, has adequately summarized what the Democratic priorities are.

The main difference is that, in their proposal, there is no balance. It's a meat-ax approach to everything—cut, cut, cut, cut—regardless of what it means to the people of this country. What we're trying to do and, quite frankly, what other bipartisan commissions have recommended, is a more balanced approach: we cut spending, but there are also some revenues to be raised.

At a time in our country when we have a Tax Code that allows Warren Buffett to pay a lower tax rate than his secretary, it seems that it's time for a little fairness, and that's all we're asking for here. That's all we're asking for—a balanced, fair approach. We are prepared to make the tough choices. Yes, some of those tough choices mean cuts. But I'd say to the Republicans that some of those tough choices may mean you'll have to go back on the pledge that you signed with Grover Norquist, that you'll have to support closing tax loopholes and raising taxes on the wealthiest individuals in this country.

Mr. Speaker, I would at this time like to insert in the RECORD a letter from the U.S. Conference of Catholic Bishops, and I want to read one paragraph from that letter, which is to the Members of Congress:

> The Catholic bishops of the United States recognize the serious deficits our country faces, and we acknowledge that Congress must make difficult decisions about how to allocate burdens and sacrifices and balance resources and needs. However, deficit reduction and fiscal responsibility efforts must protect and not undermine the needs of poor and vulnerable people. The proposed cuts to programs in the budget reconciliation fail this basic moral test. The catechism of the Catholic Church states it is the proper role of government to ''make accessible to each what is needed to lead a truly human life: food, clothing, health, work, education and culture, suitable information, the right to establish a family, and so on.'' Poor and vulnerable people do not have powerful lobbyists to advocate their interests, but they have the most compelling needs.

Mr. Speaker, that paragraph sums up what I feel and what so many of us feel about what my friends on the other side of the aisle are doing. Yes, we have to make tough choices, but why are always the tough choices on the backs of middle-income families and on the backs of the poor?

There are people in this country who are hungry. We are the richest country on the planet, and we have hungry people here. Yet what is our response? It's not to figure out a way to help deal with this terrible scourge. Our response—their response—is to take a meat-ax approach to SNAP, which will cut benefits. That's what the CBO says, that it will cut benefits and that people will have less food tomorrow than they have today if this is to become law.

I think that's a horrible choice. That's not a choice we should be discussing on the floor. Yes, let's make these programs more efficient. But I'm going to tell you the SNAP Program is a hell of a lot more efficient than the Pentagon—the waste, the fraud, and the abuse in the Pentagon, the wasteful weapons systems in the Pentagon. I want to tell you that I don't care what Leon Panetta says. There are savings to be found in the Pentagon's budget, and we ought to go after that. We ought to make sure that Donald Trump pays his fair share in taxes, and we ought to close these corporate tax loopholes that allow corporations to get away with paying no taxes. Middle-income families can't do that.

This is about fairness. That's what we're looking for—fairness and balance. This is a tough time. But rather than following the European model—which my friends seem to love, a model of austerity and of cut, cut, cut, cut, which is not very popular, as they're seeing—what we're trying to do here is to make responsible cutbacks and responsible investments: investing in a robust highway bill to put people back to work, investing in education to make sure our young people are prepared to compete in the 21st century economy, and, yes, investing in the social safety net and investing in programs that provide a circle of protection to the poor and the most vulnerable.

There is nothing wrong with that. We should be proud of the fact that we are a country that cares. Let's not give that up. That's a strength. It's not a weakness. It's a strength. I say to my colleagues that my biggest problem with what the Republicans are doing is that it fails that test. What it does is it goes after the most vulnerable in a way that, I think, is cruel and wrong.

Mr. Speaker, I urge my colleagues to vote ''no'' and to defeat the previous question. I urge a ''no'' vote on the rule, and I yield back the balance of my time.

> COMMITTEE ON DOMESTIC JUSTICE AND HUMAN DEVELOPMENT,
> *Washington, DC, May 8, 2012.*
>
> U.S. HOUSE OF REPRESENTATIVES,
> *Washington, DC.*
>
> DEAR REPRESENTATIVE: As you vote on a reconciliation package for the fiscal year 2013 budget, I would like to affirm the principle contained in the Committee Report that the ''budget starts with the proposition that first, Congress must do no harm.'' In this light, I urge you to ensure all policies meet the moral criteria established by the Catholic bishops of the United States to create a circle of protection around programs that serve poor and vulnerable people and communities:
>
> 1. Every budget decision should be assessed by whether it protects or threatens human life and dignity.
>
> 2. A central moral measure of any budget proposal is how it affects the lives and dignity of ''the least of these'' (Matthew 25). The needs of those who are hungry and homeless, without work or in poverty should come first.
>
> 3. Government and other institutions have a shared responsibility to promote the common good of all, especially ordinary workers and families who struggle to live in dignity in difficult economic times.

A just framework for future budgets cannot rely on disproportionate cuts in essential services to poor persons; it requires shared sacrifice by all, including raising adequate revenues, eliminating unnecessary military and other spending, and addressing the long-term costs of health insurance and retirement programs fairly.

I reiterate our strong opposition to an unfair proposal that would alter the Child Tax Credit to exclude children of hard-working, immigrant families. The bishops' conference has long supported the Child Tax Credit because it is pro-work, pro-family, and one of the most effective antipoverty programs in our nation. Denying the credit to children of working poor immigrant families—the large majority of whom are American citizens—would hurt vulnerable kids, increase poverty, and would not advance the common good.

The Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps), provides vital food security to families during tough economic times. It is estimated that cuts proposed in this bill would deny assistance to two million families, and cut the benefit for everyone else. No poor family that receives food assistance would be unaffected, constituting a direct threat to their human dignity. If savings in agricultural programs need to be achieved, subsidies and direct payments can be reduced and targeted to small and moderate-sized farms.

The Social Services Block Grant is an important source of funding for programs throughout the country that serve vulnerable members of our communities—the homeless, the elderly, people with disabilities, children living in poverty, and abuse victims. We should prioritize programs that serve ''the least of these,'' not eliminate them.

The Catholic bishops of the United States recognize the serious deficits our country faces, and we acknowledge that Congress must make difficult decisions about how to allocate burdens and sacrifices and balance resources and needs. However, deficit reduction and fiscal responsibility efforts must protect and not undermine the needs of poor and vulnerable people. The proposed cuts to programs in the budget reconciliation fail this basic moral test. The Catechism of the Catholic Church states it is the proper role of government to ''make accessible to each what is needed to lead a truly human life: food, clothing, health, work, education and culture, suitable information, the right to establish a family, and so on'' (no. 1908). Poor and vulnerable people do not have powerful lobbyists to advocate their interests, but they have the most compelling needs.

As you pursue responsible deficit reduction, the Catholic bishops join other faith leaders and people of good will urging you to protect the lives and dignity of poor and vulnerable families by putting a circle of protection around these essential programs and to refrain from cutting programs that serve them.

Sincerely,

Most Reverend STEPHEN E. BLAIRE,
Chairman, Committee on Domestic Justice and Human Development.

Mr. WOODALL. Mr. Speaker, I thank my friend from Massachusetts for joining me on the floor today.

I will say I think he chose exactly the right words when he was trying to make his points: describe your opposition as hating women and children, and that's your best chance of winning your argument. If only it were true.

And that's what I hope the American people take home from debates like these, Mr. Speaker—that there are serious challenges here and that there are serious people who are here who are trying to solve these challenges. But we get wrapped around the axle in the name-calling I hear, that I would argue does nothing to feed a child and that does nothing to take care of a family.

The gentleman says that we're the richest Nation in the world. I would tell the gentleman there is no poorer nation on the planet. There is not a nation on the planet that has borrowed more money than this Nation has—not one, not one. What do they say about socialism, Mr. Speaker? It's a great plan until you run out of other people's money. Guess what? We've run out of other people's money.

I just want to show you a chart, Mr. Speaker. This is a chart—and I'll show it so that other Members can see it. The green line represents tax revenues in this country. It goes back to 1947. What you'll see is that tax revenues are fairly flat as a percent of the economy. In fact, because this chart goes all the way back to 1947, it reflects the New Deal with FDR. It reflects all of that growth in government. The red line is the government spending. It goes all the way back through 1965. It reflects Lyndon Johnson and all the Great Society spending that goes on.

I just want to make sure all of my colleagues can see it there. The red line represents where spending is going in this Nation, and the green line represents where taxes are historically in this Nation. Mr. Speaker, does this look like we have a tax problem here? Does it look like we have a spending problem in this Nation?

□ 1020

Taxes have remained the same as a percentage of GDP, as has spending, until now. Until now, we have a spending-driven crisis in this Nation. I say to my friend that, again, he chose all the right talking points: they want to protect the rich; they want to protect the oil companies.

There is one bill in this Congress that you know well, Mr. Speaker, that eliminates every single corporate loophole exemption deduction and break. There's one. That same bill, Mr. Speaker, eliminates every loophole the wealthy use to avoid paying their fair share. Mr. Speaker, it is the single most popularly cosponsored tax bill, fundamental reform bill in the House and in the Senate. It has almost 70 Members in the House; it has nine Members in the Senate, and there is one Democrat on it.

Mr. Speaker, giving the right speech down here about what folks ought to do doesn't move us in the right direction. Putting your name behind some legislation and moving something forward gets us in the right direction. This Budget Committee chairman sitting here beside me, I'm so proud of him. Chairman PAUL RYAN, that's a man known around this country as a man who is trying.

There are a lot of folks here who are known for blaming. There aren't many folks who are known for trying, who say, I don't care about the slings and the arrows. America is facing crisis. And if not me, then who?

We got that in the House-passed budget, Mr. Speaker, folks who said, If not me, then who? And they made tough choices. Here we have the first reconciliation bill. My colleagues on the other side are going to offer a motion to recommit to this deficit-reduction bill that actually increases spending and call that balance.

Mr. Speaker, the food stamp program spending has increased 270 percent over the last decade. The mean-spirited folks that my colleagues talk about want to increase it by 260 percent instead. These aren't easy decisions, Mr. Speaker, but they're not going to put one family out that qualifies for food stamps.

We're going to move beyond the demagoguery, Mr. Speaker. We're going to move into the real business that governing this Nation takes. I hope we'll get a strong bipartisan vote on this rule. I hope we'll get a strong bipartisan vote on the underlying bill. I urge my colleagues to vote in favor of both the rule and the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 648 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

Strike ''and (2)'' and insert ''(2) a further amendment in the nature of a substitute submitted for printing in the Congressional Record pursuant to clause 8 of rule XVIII, if offered by Representative Van Hollen of Maryland or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3)''.

(The information contained herein was provided by the Republican minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's

ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 237, nays 177, not voting 17, as follows:

[Roll No. 244]

YEAS—237

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—17

Burgess
Dicks
Donnelly (IN)
Filner
Granger
Hinchey
Hurt
Johnson (GA)
Lynch
Mack
McCaul
Noem
Paul
Slaughter
Stutzman
Waters
Young (AK)

□ 1046

Ms. VELÁZQUEZ and Mr. RUSH changed their vote from ''yea'' to ''nay.''

Mr. KISSELL changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HURT. Mr. Speaker, I was not present for rollcall vote No. 244, on ordering the previous question on H. Res. 648. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 244, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 183, not voting 15, as follows:

[Roll No. 245]

AYES—233

Adams	Gosar	Olson
Aderholt	Gowdy	Palazzo
Akin	Granger	Paulsen
Alexander	Graves (GA)	Pearce
Amash	Graves (MO)	Pence
Amodei	Griffin (AR)	Petri
Bachmann	Griffith (VA)	Pitts
Barletta	Grimm	Platts
Bartlett	Guinta	Poe (TX)
Barton (TX)	Guthrie	Pompeo
Bass (NH)	Hall	Posey
Benishek	Hanna	Price (GA)
Berg	Harper	Quayle
Biggert	Harris	Reed
Bilbray	Hartzler	Rehberg
Bilirakis	Hastings (WA)	Reichert
Bishop (UT)	Hayworth	Renacci
Black	Heck	Ribble
Blackburn	Hensarling	Rigell
Bonner	Herger	Rivera
Bono Mack	Herrera Beutler	Roby
Boustany	Huelskamp	Roe (TN)
Brady (TX)	Huizenga (MI)	Rogers (AL)
Brooks	Hultgren	Rogers (KY)
Buchanan	Hunter	Rogers (MI)
Bucshon	Hurt	Rohrabacher
Buerkle	Issa	Rokita
Burton (IN)	Jenkins	Rooney
Calvert	Johnson (IL)	Ros-Lehtinen
Camp	Johnson (OH)	Roskam
Campbell	Johnson, Sam	Ross (FL)
Canseco	Jones	Royce
Cantor	Jordan	Runyan
Capito	Kelly	Ryan (WI)
Carter	King (IA)	Scalise
Cassidy	King (NY)	Schilling
Chabot	Kingston	Schmidt
Chaffetz	Kinzinger (IL)	Schock
Coble	Kline	Schweikert
Coffman (CO)	Labrador	Scott (SC)
Cole	Lamborn	Scott, Austin
Conaway	Lance	Sensenbrenner
Cravaack	Landry	Sessions
Crawford	Lankford	Shimkus
Crenshaw	Latham	Shuler
Culberson	LaTourette	Shuster
Davis (KY)	Latta	Simpson
Denham	Lewis (CA)	Smith (NE)
Dent	LoBiondo	Smith (NJ)
DesJarlais	Long	Smith (TX)
Diaz-Balart	Lucas	Southerland
Dold	Luetkemeyer	Stearns
Dreier	Lummis	Stivers
Duffy	Lungren, Daniel E.	Sullivan
Duncan (SC)	Manzullo	Terry
Duncan (TN)	Marchant	Thompson (PA)
Ellmers	Marino	Thornberry
Emerson	McCarthy (CA)	Tiberi
Farenthold	McCaul	Tipton
Fincher	McClintock	Turner (NY)
Fitzpatrick	McCotter	Turner (OH)
Flake	McHenry	Upton
Fleischmann	McKeon	Walberg
Fleming	McKinley	Walden
Flores	McMorris Rodgers	Walsh (IL)
Forbes	Meehan	Webster
Fortenberry	Mica	West
Foxx	Miller (FL)	Westmoreland
Franks (AZ)	Miller (MI)	Whitfield
Frelinghuysen	Miller, Gary	Wilson (SC)
Gallegly	Mulvaney	Wittman
Gardner	Murphy (PA)	Wolf
Garrett	Myrick	Womack
Gerlach	Neugebauer	Woodall
Gibbs	Nugent	Yoder
Gibson	Nunes	Young (FL)
Gingrey (GA)	Nunnelee	Young (IN)
Gohmert		
Goodlatte		

NOES—183

Ackerman	Fudge	Neal
Altmire	Garamendi	Olver
Andrews	Gonzalez	Owens
Baca	Green, Al	Pallone
Baldwin	Green, Gene	Pascrell
Barrow	Grijalva	Pastor (AZ)
Bass (CA)	Gutierrez	Pelosi
Becerra	Hahn	Perlmutter
Berkley	Hanabusa	Peters
Bishop (GA)	Hastings (FL)	Peterson
Bishop (NY)	Heinrich	Pingree (ME)
Blumenauer	Higgins	Polis
Bonamici	Himes	Price (NC)
Boren	Hinojosa	Quigley
Boswell	Hirono	Rahall
Brady (PA)	Hochul	Rangel
Braley (IA)	Holden	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Richmond
Capps	Hoyer	Ross (AR)
Capuano	Israel	Rothman (NJ)
Cardoza	Jackson (IL)	Roybal-Allard
Carnahan	Jackson Lee (TX)	Ruppersberger
Carney	Johnson, E. B.	Rush
Carson (IN)	Kaptur	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda T.
Chandler	Kildee	Sanchez, Loretta
Chu	Kind	Sarbanes
Cicilline	Kissell	Schakowsky
Clarke (MI)	Kucinich	Schiff
Clarke (NY)	Langevin	Schrader
Clay	Larsen (WA)	Schwartz
Cleaver	Larson (CT)	Scott (VA)
Clyburn	Lee (CA)	Scott, David
Cohen	Levin	Serrano
Connolly (VA)	Lewis (GA)	Sewell
Conyers	Lipinski	Sherman
Cooper	Loebsack	Sires
Costa	Lofgren, Zoe	Smith (WA)
Costello	Lowey	Speier
Courtney	Luján	Stark
Critz	Lynch	Sutton
Crowley	Maloney	Thompson (CA)
Cuellar	Markey	Thompson (MS)
Cummings	Matheson	Tierney
Davis (CA)	Matsui	Tonko
Davis (IL)	McCarthy (NY)	Towns
DeFazio	McCollum	Tsongas
DeGette	McDermott	Van Hollen
DeLauro	McGovern	Velázquez
Deutch	McIntyre	Visclosky
Dicks	McNerney	Walz (MN)
Dingell	Meeks	Wasserman Schultz
Doggett	Michaud	Waters
Doyle	Miller (NC)	Watt
Edwards	Miller, George	Waxman
Ellison	Moore	Welch
Engel	Moran	Wilson (FL)
Eshoo	Murphy (CT)	Woolsey
Farr	Nadler	Yarmuth
Fattah	Napolitano	
Frank (MA)		

NOT VOTING—15

Austria	Donnelly (IN)	Noem
Bachus	Filner	Paul
Berman	Hinchey	Slaughter
Broun (GA)	Johnson (GA)	Stutzman
Burgess	Mack	Young (AK)

□ 1053

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 245, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 105. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

H. Con. Res. 106. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 117. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

H. Con. Res. 118. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2224. An act to require the President to report to Congress on issues related to Syria.

SEQUESTER REPLACEMENT RECONCILIATION ACT OF 2012

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 648, I call up the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to House Resolution 648, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–21 shall be considered as adopted, and the bill, as amended, shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 5652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sequester Replacement Reconciliation Act of 2012''.

SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—AGRICULTURE
Sec. 101. Short title.
Sec. 102. ARRA sunset at June 30, 2012.
Sec. 103. Categorical eligibility limited to cash assistance.
Sec. 104. Standard utility allowances based on the receipt of energy assistance payments.
Sec. 105. Employment and training; workfare.
Sec. 106. End State bonus program for the supplemental nutrition assistance program.
Sec. 107. Funding of employment and training programs.
Sec. 108. Turn off indexing for nutrition education and obesity prevention.
Sec. 109. Extension of Authorization of Food and Nutrition Act of 2008.
Sec. 110. Effective dates and application of amendments.
TITLE II—COMMITTEE ON ENERGY AND COMMERCE
Subtitle A—Repeal of Certain ACA Funding Provisions
Sec. 201. Repealing mandatory funding to states to establish American Health Benefit Exchanges.

Sec. 202. Repealing Prevention and Public Health Fund.
Sec. 203. Rescinding unobligated balances for CO-OP program.
Subtitle B—Medicaid
Sec. 211. Revision of provider tax indirect guarantee threshold.
Sec. 212. Rebasing of State DSH allotments for fiscal year 2022.
Sec. 213. Repeal of Medicaid and CHIP maintenance of effort requirements under PPACA.
Sec. 214. Medicaid payments to territories.
Sec. 215. Repealing bonus payments for enrollment under Medicaid and CHIP.
TITLE III—FINANCIAL SERVICES
Sec. 301. Table of contents.
Subtitle A—Orderly Liquidation Fund
Sec. 311. Repeal of liquidation authority.
Subtitle B—Home Affordable Modification Program
Sec. 321. Short title.
Sec. 322. Congressional findings.
Sec. 323. Termination of authority.
Sec. 324. Sense of Congress.
Subtitle C—Bureau of Consumer Financial Protection
Sec. 331. Bringing the Bureau of Consumer Financial Protection into the regular appropriations process.
Subtitle D—Flood Insurance Reform
Sec. 341. Short title.
Sec. 342. Extensions.
Sec. 343. Mandatory purchase.
Sec. 344. Reforms of coverage terms.
Sec. 345. Reforms of premium rates.
Sec. 346. Technical Mapping Advisory Council.
Sec. 347. FEMA incorporation of new mapping protocols.
Sec. 348. Treatment of levees.
Sec. 349. Privatization initiatives.
Sec. 350. FEMA annual report on insurance program.
Sec. 351. Mitigation assistance.
Sec. 352. Notification to homeowners regarding mandatory purchase requirement applicability and rate phase-ins.
Sec. 353. Notification to members of congress of flood map revisions and updates.
Sec. 354. Notification and appeal of map changes; notification to communities of establishment of flood elevations.
Sec. 355. Notification to tenants of availability of contents insurance.
Sec. 356. Notification to policy holders regarding direct management of policy by FEMA.
Sec. 357. Notice of availability of flood insurance and escrow in RESPA good faith estimate.
Sec. 358. Reimbursement for costs incurred by homeowners and communities obtaining letters of map amendment or revision.
Sec. 359. Enhanced communication with certain communities during map updating process.
Sec. 360. Notification to residents newly included in flood hazard areas.
Sec. 361. Treatment of swimming pool enclosures outside of hurricane season.
Sec. 362. Information regarding multiple perils claims.
Sec. 363. FEMA authority to reject transfer of policies.
Sec. 364. Appeals.
Sec. 365. Reserve fund.
Sec. 366. CDBG eligibility for flood insurance outreach activities and community building code administration grants.
Sec. 367. Technical corrections.
Sec. 368. Requiring competition for national flood insurance program policies.
Sec. 369. Studies of voluntary community-based flood insurance options.
Sec. 370. Report on inclusion of building codes in floodplain management criteria.
Sec. 371. Study on graduated risk.
Sec. 372. Report on flood-in-progress determination.
Sec. 373. Study on repaying flood insurance debt.
Sec. 374. No cause of action.
Sec. 375. Authority for the corps of engineers to provide specialized or technical services.
Subtitle E—Repeal of the Office of Financial Research
Sec. 381. Repeal of the Office of Financial Research.
TITLE IV—COMMITTEE ON THE JUDICIARY
Sec. 401. Short title.
Sec. 402. Encouraging speedy resolution of claims.
Sec. 403. Compensating patient injury.
Sec. 404. Maximizing patient recovery.
Sec. 405. Punitive damages.
Sec. 406. Authorization of payment of future damages to claimants in health care lawsuits.
Sec. 407. Definitions.
Sec. 408. Effect on other laws.
Sec. 409. State flexibility and protection of States' rights.
Sec. 410. Applicability; effective date.
TITLE V—COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
Sec. 501. Retirement contributions.
Sec. 502. Annuity supplement.
Sec. 503. Contributions to Thrift Savings Fund of payments for accrued or accumulated leave.
TITLE VI—COMMITTEE ON WAYS AND MEANS
Subtitle A—Recapture of Overpayments Resulting From Certain Federally-subsidized Health Insurance
Sec. 601. Recapture of overpayments resulting from certain federally-subsidized health insurance.
Subtitle B—Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit
Sec. 611. Social security number required to claim the refundable portion of the child tax credit.
Subtitle C—Human Resources Provisions
Sec. 621. Repeal of the program of block grants to States for social services.
TITLE VII—SEQUESTER REPLACEMENT
Sec. 701. Short title.
Sec. 702. Protecting veterans programs from sequester.
Sec. 703. Achieving $19 billion in discretionary savings.
Sec. 704. Conforming amendments to section 314 of the Congressional Budget and Impoundment Control Act of 1974.
Sec. 705. Treatment for PAYGO purposes.
Sec. 706. Elimination of the fiscal year 2013 sequestration for defense direct spending.

TITLE I—AGRICULTURE

SEC. 101. SHORT TITLE.

This title may be cited as the ''Agricultural Reconciliation Act of 2012''.

SEC. 102. ARRA SUNSET AT JUNE 30, 2012.

Section 101(a)(2) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 120) is amended by striking ''October 31, 2013'' and inserting ''June 30, 2012''.

SEC. 103. CATEGORICAL ELIGIBILITY LIMITED TO CASH ASSISTANCE.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the 2d sentence of subsection (a) by striking ''households in which each member receives benefits'' and inserting ''households in which each member receives cash assistance'', and

(2) in subsection (j) by striking ''or who receives benefits under a State program'' and inserting ''or who receives cash assistance under a State program''.

SEC. 104. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C) by striking clause (iv), and

(2) in subsection (k) by striking paragraph (4) and inserting the following:

''(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.''.

(b) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) by striking ''and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))'', and

(2) in subparagraph (A) by inserting before the semicolon the following: '', except that such payments or allowances shall not be deemed to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))''.

SEC. 105. EMPLOYMENT AND TRAINING; WORKFARE.

(a) ADMINISTRATIVE COST-SHARING FOR EMPLOYMENT AND TRAINING PROGRAMS.—

(1) IN GENERAL.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(A) in subsection (a) by inserting ''(other than a program carried out under section 6(d)(4) or section 20)'' after ''supplemental nutrition assistance program'' the 1st place it appears, and

(B) in subsection (h)—

(i) by striking paragraphs (2) and (3), and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking ''(g), (h)(2), or (h)(3)'' and inserting ''or (g)''.

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended is amended by striking '', (g), (h)(2), and (h)(3)'' and inserting ''and (g)''.

(b) ADMINISTRATIVE COST-SHARING AND REIMBURSEMENTS FOR WORKFARE.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

SEC. 106. END STATE BONUS PROGRAM FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

SEC. 107. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

For purposes of fiscal year 2013, the reference to $90,000,000 in section 16(h)(1)(A) of the Food

and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) shall be deemed to be a reference to $79,000,000.

SEC. 108. TURN OFF INDEXING FOR NUTRITION EDUCATION AND OBESITY PREVENTION.

Section 28(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2037(d)) is amended by striking ''years—'' and all that follows through the period at the end, and inserting ''years, $375,000,000.''.

SEC. 109. EXTENSION OF AUTHORIZATION OF FOOD AND NUTRITION ACT OF 2008.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended by striking ''2012'' and inserting ''2013''.

SEC. 110. EFFECTIVE DATES AND APPLICATION OF AMENDMENTS.

(a) GENERAL EFFECTIVE DATE.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on October 1, 2012, and shall apply only with respect to certification periods that begin on or after such date.

(b) SPECIAL EFFECTIVE DATE.—Section 107 and the amendments made by sections 102, 103, 104, and 109 shall take effect on the date of the enactment of this Act and shall apply only with respect to certification periods that begin on or after such date.

TITLE II—COMMITTEE ON ENERGY AND COMMERCE

Subtitle A—Repeal of Certain ACA Funding Provisions

SEC. 201. REPEALING MANDATORY FUNDING TO STATES TO ESTABLISH AMERICAN HEALTH BENEFIT EXCHANGES.

(a) IN GENERAL.—Section 1311(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(a)) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available under such section 1311(a), the unobligated balance is rescinded.

SEC. 202. REPEALING PREVENTION AND PUBLIC HEALTH FUND.

(a) IN GENERAL.—Section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 203. RESCINDING UNOBLIGATED BALANCES FOR CO-OP PROGRAM.

Of the funds made available under section 1322(g) of the Patient Protection and Affordable Care Act (42 U.S.C. 18042(g)), the unobligated balance is rescinded.

Subtitle B—Medicaid

SEC. 211. REVISION OF PROVIDER TAX INDIRECT GUARANTEE THRESHOLD.

Section 1903(w)(4)(C)(ii) of the Social Security Act (42 U.S.C. 1396b(w)(4)(C)(ii)) is amended by inserting ''and for portions of fiscal years beginning on or after October 1, 2012,'' after ''October 1, 2011,''.

SEC. 212. REBASING OF STATE DSH ALLOTMENTS FOR FISCAL YEAR 2022.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r-4(f)) is amended—

(1) by redesignating paragraph (9) as paragraph (10);

(2) in paragraph (3)(A) by striking ''paragraphs (6), (7), and (8)'' and inserting ''paragraphs (6), (7), (8), and (9)''; and

(3) by inserting after paragraph (8) the following new paragraph:

''(9) REBASING OF STATE DSH ALLOTMENTS FOR FISCAL YEAR 2022.—With respect to fiscal 2022, for purposes of applying paragraph (3)(A) to determine the DSH allotment for a State, the amount of the DSH allotment for the State under paragraph (3) for fiscal year 2021 shall be treated as if it were such amount as reduced under paragraph (7).''.

SEC. 213. REPEAL OF MEDICAID AND CHIP MAINTENANCE OF EFFORT REQUIREMENTS UNDER PPACA.

(a) REPEAL OF PPACA MEDICAID MOE.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by striking subsection (gg).

(b) REPEAL OF PPACA CHIP MOE.—Section 2105(d)(3) of the Social Security Act (42 U.S.C. 1397ee(d)(3)) is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(3) in the paragraph heading, by striking ''CONTINUATION OF ELIGIBILITY STANDARDS FOR CHILDREN UNTIL OCTOBER 1, 2019'' and inserting ''CONTINUITY OF COVERAGE''.

(c) CONFORMING AMENDMENTS.—

(1) Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended by striking paragraph (74).

(2) Effective January 1, 2014, paragraph (14) of section 1902(e) (as added by section 2002(a) of Public Law 111–148) is amended by striking the third sentence of subparagraph (A).

(d) EFFECTIVE DATE.—Except as provided in subsection (c)(2), the amendments made by this section shall take effect on the date of the enactment of this section.

SEC. 214. MEDICAID PAYMENTS TO TERRITORIES.

(a) LIMIT ON PAYMENTS.—Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended—

(1) in paragraph (2)—

(A) by striking ''paragraphs (3) and (5)''; and

(B) by inserting ''paragraph (3)'' after ''and subject to'';

(2) in paragraph (4), by striking ''(3), and'' and all that follows through ''of this subsection'' and inserting ''and (3) of this subsection''; and

(3) by striking paragraph (5).

(b) FMAP.—The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by striking ''shall be 55 percent'' and inserting ''shall be 50 percent''.

SEC. 215. REPEALING BONUS PAYMENTS FOR ENROLLMENT UNDER MEDICAID AND CHIP.

(a) IN GENERAL.—Paragraphs (3) and (4) of section 2105(a) of the Social Security Act (42 U.S.C. 1397ee(a)) are repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by section 2105(a)(3) of the Social Security Act, the unobligated balance is rescinded.

(c) CONFORMING CHANGES.—

(1) AVAILABILITY OF EXCESS FUNDS FOR PERFORMANCE BONUSES.—Section 2104(n)(2) of the Social Security Act (42 U.S.C. 1397dd(n)(2)) is amended by striking subparagraph (D).

(2) OUTREACH OR COVERAGE BENCHMARKS.—Section 2111(b)(3) of the Social Security Act (42 U.S.C. 1397kk(b)(3)) is amended—

(A) in subparagraph (A)—

(i) in clause (i), by inserting ''or'' after the semicolon at the end; and

(ii) by striking clause (ii); and

(B) by striking subparagraph (C).

TITLE III—FINANCIAL SERVICES

SEC. 301. TABLE OF CONTENTS.

The table of contents for this title is as follows:

TITLE III—FINANCIAL SERVICES

Sec. 301. Table of contents.

Subtitle A—Orderly Liquidation Fund

Sec. 311. Repeal of liquidation authority.

Subtitle B—Home Affordable Modification Program

Sec. 321. Short title.
Sec. 322. Congressional findings.
Sec. 323. Termination of authority.
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Subtitle C—Bureau of Consumer Financial Protection

Sec. 331. Bringing the Bureau of Consumer Financial Protection into the regular appropriations process.

Subtitle D—Flood Insurance Reform

Sec. 341. Short title.
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Sec. 346. Technical Mapping Advisory Council.
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Sec. 355. Notification to tenants of availability of contents insurance.
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Sec. 367. Technical corrections.
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Sec. 373. Study on repaying flood insurance debt.
Sec. 374. No cause of action.
Sec. 375. Authority for the corps of engineers to provide specialized or technical services.

Subtitle E—Repeal of the Office of Financial Research

Sec. 381. Repeal of the Office of Financial Research.

Subtitle A—Orderly Liquidation Fund

SEC. 311. REPEAL OF LIQUIDATION AUTHORITY.

(a) IN GENERAL.—Title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act is hereby repealed and any Federal law

amended by such title shall, on and after the date of enactment of this Act, be effective as if title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act had not been enacted.

(b) CONFORMING AMENDMENTS.—

(1) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(A) in the table of contents for such Act, by striking all items relating to title II;

(B) in section 165(d)(6), by striking '', a receiver appointed under title II,'';

(C) in section 716(g), by striking ''or a covered financial company under title II'';

(D) in section 1105(e)(5), by striking ''amount of any securities issued under that chapter 31 for such purpose shall be treated in the same manner as securities issued under section 208(n)(5)(E)'' and inserting ''issuances of such securities under that chapter 31 for such purpose shall by treated as public debt transactions of the United States, and the proceeds from the sale of any obligations acquired by the Secretary under this paragraph shall be deposited into the Treasury of the United States as miscellaneous receipts''; and

(E) in section 1106(c)(2), by amending subparagraph (A) to read as follows:

''(A) require the company to file a petition for bankruptcy under section 301 of title 11, United States Code; or''.

(2) FEDERAL DEPOSIT INSURANCE ACT.—Section 10(b)(3) of the Federal Deposit Insurance Act (12 U.S.C. 1820(b)(3)) is amended by striking '', or of such nonbank financial company supervised by the Board of Governors or bank holding company described in section 165(a) of the Financial Stability Act of 2010, for the purpose of implementing its authority to provide for orderly liquidation of any such company under title II of that Act''.

(3) FEDERAL RESERVE ACT.—Section 13(3) of the Federal Reserve Act is amended—

(A) in subparagraph (B)—

(i) in clause (ii), by striking '', resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or'' and inserting ''or is subject to resolution under''; and

(ii) in clause (iii), by striking '', resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or'' and inserting ''or resolution under''; and

(B) by striking subparagraph (E).

Subtitle B—Home Affordable Modification Program

SEC. 321. SHORT TITLE.

This subtitle may be cited as the ''HAMP Termination Act of 2012''.

SEC. 322. CONGRESSIONAL FINDINGS.

The Congress finds the following:

(1) According to the Department of the Treasury—

(A) the Home Affordable Modification Program (HAMP) is designed to ''help as many as 3 to 4 million financially struggling homeowners avoid foreclosure by modifying loans to a level that is affordable for borrowers now and sustainable over the long term''; and

(B) as of February 2012, only 782,609 active permanent mortgage modifications were made under HAMP.

(2) Many homeowners whose HAMP modifications were canceled suffered because they made futile payments and some of those homeowners were even forced into foreclosure.

(3) The Special Inspector General for TARP reported that HAMP ''benefits only a small portion of distressed homeowners, offers others little more than false hope, and in certain cases causes more harm than good''.

(4) Approximately $30 billion was obligated by the Department of the Treasury to HAMP, however, approximately only $2.54 billion has been disbursed.

(5) Terminating HAMP would save American taxpayers approximately $2.84 billion, according to the Congressional Budget Office.

SEC. 323. TERMINATION OF AUTHORITY.

Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended by adding at the end the following new subsection:

''(c) TERMINATION OF AUTHORITY TO PROVIDE NEW ASSISTANCE UNDER THE HOME AFFORDABLE MODIFICATION PROGRAM.—

''(1) IN GENERAL.—Except as provided under paragraph (2), after the date of the enactment of this subsection the Secretary may not provide any assistance under the Home Affordable Modification Program under the Making Home Affordable initiative of the Secretary, authorized under this Act, on behalf of any homeowner.

''(2) PROTECTION OF EXISTING OBLIGATIONS ON BEHALF OF HOMEOWNERS ALREADY EXTENDED AN OFFER TO PARTICIPATE IN THE PROGRAM.—Paragraph (1) shall not apply with respect to assistance provided on behalf of a homeowner who, before the date of the enactment of this subsection, was extended an offer to participate in the Home Affordable Modification Program on a trial or permanent basis.

''(3) DEFICIT REDUCTION.—

''(A) USE OF UNOBLIGATED FUNDS.—Notwithstanding any other provision of this title, the amounts described in subparagraph (B) shall not be available after the date of the enactment of this subsection for obligation or expenditure under the Home Affordable Modification Program of the Secretary, but should be covered into the General Fund of the Treasury and should be used only for reducing the budget deficit of the Federal Government.

''(B) IDENTIFICATION OF UNOBLIGATED FUNDS.—The amounts described in this subparagraph are any amounts made available under title I of the Emergency Economic Stabilization Act of 2008 that—

''(i) have been allocated for use, but not yet obligated as of the date of the enactment of this subsection, under the Home Affordable Modification Program of the Secretary; and

''(ii) are not necessary for providing assistance under such Program on behalf of homeowners who, pursuant to paragraph (2), may be provided assistance after the date of the enactment of this subsection.

''(4) STUDY OF USE OF PROGRAM BY MEMBERS OF THE ARMED FORCES, VETERANS, AND GOLD STAR RECIPIENTS.—

''(A) STUDY.—The Secretary shall conduct a study to determine the extent of usage of the Home Affordable Modification Program by, and the impact of such Program on, covered homeowners.

''(B) REPORT.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this subsection, the Secretary shall submit to the Congress a report setting forth the results of the study under subparagraph (A) and identifying best practices, derived from studying the Home Affordable Modification Program, that could be applied to existing mortgage assistance programs available to covered homeowners.

''(C) COVERED HOMEOWNER.—For purposes of this subsection, the term 'covered homeowner' means a homeowner who is—

''(i) a member of the Armed Forces of the United States on active duty or the spouse or parent of such a member;

''(ii) a veteran, as such term is defined in section 101 of title 38, United States Code; or

''(iii) eligible to receive a Gold Star lapel pin under section 1126 of title 10, United States Code, as a widow, parent, or next of kin of a member of the Armed Forces person who died in a manner described in subsection (a) of such section.

''(5) PUBLICATION OF MEMBER AVAILABILITY FOR ASSISTANCE.—Not later than 5 days after the date of the enactment of this subsection, the Secretary of the Treasury shall publish to its Website on the World Wide Web in a prominent location, large point font, and boldface type the following statement: 'The Home Affordable Modification Program (HAMP) has been terminated. If you are having trouble paying your mortgage and need help contacting your lender or servicer for purposes of negotiating or acquiring a loan modification, please contact your Member of Congress to assist you in contacting your lender or servicer for the purpose of negotiating or acquiring a loan modification.'.

''(6) NOTIFICATION TO HAMP APPLICANTS REQUIRED.—Not later than 30 days after the date of the enactment of this subsection, the Secretary of the Treasury shall inform each individual who applied for the Home Affordable Modification Program and will not be considered for a modification under such Program due to termination of such Program under this subsection—

''(A) that such Program has been terminated;

''(B) that loan modifications under such Program are no longer available;

''(C) of the name and contact information of such individual's Member of Congress; and

''(D) that the individual should contact his or her Member of Congress to assist the individual in contacting the individual's lender or servicer for the purpose of negotiating or acquiring a loan modification.''.

SEC. 324. SENSE OF CONGRESS.

The Congress encourages banks to work with homeowners to provide loan modifications to those that are eligible. The Congress also encourages banks to work and assist homeowners and prospective homeowners with foreclosure prevention programs and information on loan modifications.

Subtitle C—Bureau of Consumer Financial Protection

SEC. 331. BRINGING THE BUREAU OF CONSUMER FINANCIAL PROTECTION INTO THE REGULAR APPROPRIATIONS PROCESS.

Section 1017 of the Consumer Financial Protection Act of 2010 is amended—

(1) in subsection (a)—

(A) by amending the heading of such subsection to read as follows: ''BUDGET, FINANCIAL MANAGEMENT, AND AUDIT.—'';

(B) by striking paragraphs (1), (2), and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively; and

(D) by striking subparagraphs (E) and (F) of paragraph (1), as so redesignated;

(2) by striking subsections (b), (c), and (d);

(3) by redesignating subsection (e) as subsection (b); and

(4) in subsection (b), as so redesignated—

(A) by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $200,000,000 to carry out this title for each of fiscal years 2012 and 2013.''; and

(B) by redesignating paragraph (4) as paragraph (2).

Subtitle D—Flood Insurance Reform

SEC. 341. SHORT TITLE.

This subtitle may be cited as the ''Flood Insurance Reform Act of 2012''.

SEC. 342. EXTENSIONS.

(a) EXTENSION OF PROGRAM.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking ''the earlier of the date of the enactment into law of an Act

that specifically amends the date specified in this section or May 31, 2012'' and inserting ''September 30, 2016''.

(b) EXTENSION OF FINANCING.—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended by striking ''the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012'' and inserting ''September 30, 2016''.

SEC. 343. MANDATORY PURCHASE.

(a) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—

(1) IN GENERAL.—Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) is amended by adding at the end the following new subsection:

''(i) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—

''(1) FINDING BY ADMINISTRATOR THAT AREA IS AN ELIGIBLE AREA.—For any area, upon a request submitted to the Administrator by a local government authority having jurisdiction over any portion of the area, the Administrator shall make a finding of whether the area is an eligible area under paragraph (3). If the Administrator finds that such area is an eligible area, the Administrator shall, in the discretion of the Administrator, designate a period during which such finding shall be effective, which shall not be longer in duration than 12 months.

''(2) SUSPENSION OF MANDATORY PURCHASE REQUIREMENT.—If the Administrator makes a finding under paragraph (1) that an area is an eligible area under paragraph (3), during the period specified in the finding, the designation of such eligible area as an area having special flood hazards shall not be effective for purposes of subsections (a), (b), and (e) of this section, and section 202(a) of this Act. Nothing in this paragraph may be construed to prevent any lender, servicer, regulated lending institution, Federal agency lender, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, at the discretion of such entity, from requiring the purchase of flood insurance coverage in connection with the making, increasing, extending, or renewing of a loan secured by improved real estate or a mobile home located or to be located in such eligible area during such period or a lender or servicer from purchasing coverage on behalf of a borrower pursuant to subsection (e).

''(3) ELIGIBLE AREAS.—An eligible area under this paragraph is an area that is designated or will, pursuant to any issuance, revision, updating, or other change in flood insurance maps that takes effect on or after the date of the enactment of the Flood Insurance Reform Act of 2012, become designated as an area having special flood hazards and that meets any one of the following 3 requirements:

''(A) AREAS WITH NO HISTORY OF SPECIAL FLOOD HAZARDS.—The area does not include any area that has ever previously been designated as an area having special flood hazards.

''(B) AREAS WITH FLOOD PROTECTION SYSTEMS UNDER IMPROVEMENTS.—The area was intended to be protected by a flood protection system—

''(i) that has been decertified, or is required to be certified, as providing protection for the 100-year frequency flood standard;

''(ii) that is being improved, constructed, or reconstructed; and

''(iii) for which the Administrator has determined measurable progress toward completion of such improvement, construction, reconstruction is being made and toward securing financial commitments sufficient to fund such completion.

''(C) AREAS FOR WHICH APPEAL HAS BEEN FILED.—An area for which a community has appealed designation of the area as having special flood hazards in a timely manner under section 1363.

''(4) EXTENSION OF DELAY.—Upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, the Administrator may extend the period during which a finding under paragraph (1) shall be effective, except that—

''(A) each such extension under this paragraph shall not be for a period exceeding 12 months; and

''(B) for any area, the cumulative number of such extensions may not exceed 2.

''(5) ADDITIONAL EXTENSION FOR COMMUNITIES MAKING MORE THAN ADEQUATE PROGRESS ON FLOOD PROTECTION SYSTEM.—

''(A) EXTENSION.—

''(i) AUTHORITY.—Except as provided in subparagraph (B), in the case of an eligible area for which the Administrator has, pursuant to paragraph (4), extended the period of effectiveness of the finding under paragraph (1) for the area, upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, if the Administrator finds that more than adequate progress has been made on the construction of a flood protection system for such area, as determined in accordance with the last sentence of section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)), the Administrator may, in the discretion of the Administrator, further extend the period during which the finding under paragraph (1) shall be effective for such area for an additional 12 months.

''(ii) LIMIT.— For any eligible area, the cumulative number of extensions under this subparagraph may not exceed 2.

''(B) EXCLUSION FOR NEW MORTGAGES.—

''(i) EXCLUSION.—Any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) shall not be effective with respect to any excluded property after the origination, increase, extension, or renewal of the loan referred to in clause (ii)(II) for the property.

''(ii) EXCLUDED PROPERTIES.—For purposes of this subparagraph, the term 'excluded property' means any improved real estate or mobile home—

''(I) that is located in an eligible area; and

''(II) for which, during the period that any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) is otherwise in effect for the eligible area in which such property is located—

''(aa) a loan that is secured by the property is originated; or

''(bb) any existing loan that is secured by the property is increased, extended, or renewed.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect the applicability of a designation of any area as an area having special flood hazards for purposes of the availability of flood insurance coverage, criteria for land management and use, notification of flood hazards, eligibility for mitigation assistance, or any other purpose or provision not specifically referred to in paragraph (2).

''(7) REPORTS.—The Administrator shall, in each annual report submitted pursuant to section 1320, include information identifying each finding under paragraph (1) by the Administrator during the preceding year that an area is an area having special flood hazards, the basis for each such finding, any extensions pursuant to paragraph (4) of the periods of effectiveness of such findings, and the reasons for such extensions.''.

(2) NO REFUNDS.—Nothing in this subsection or the amendments made by this subsection may be construed to authorize or require any payment or refund for flood insurance coverage purchased for any property that covered any period during which such coverage is not required for the property pursuant to the applicability of the amendment made by paragraph (1).

(b) TERMINATION OF FORCE-PLACED INSURANCE.—Section 102(e) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(e)) is amended—

(1) in paragraph (2), by striking ''insurance.'' and inserting ''insurance, including premiums or fees incurred for coverage beginning on the date on which flood insurance coverage lapsed or did not provide a sufficient coverage amount.'';

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and 6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

''(3) TERMINATION OF FORCE-PLACED INSURANCE.—Within 30 days of receipt by the lender or servicer of a confirmation of a borrower's existing flood insurance coverage, the lender or servicer shall—

''(A) terminate the force-placed insurance; and

''(B) refund to the borrower all force-placed insurance premiums paid by the borrower during any period during which the borrower's flood insurance coverage and the force-placed flood insurance coverage were each in effect, and any related fees charged to the borrower with respect to the force-placed insurance during such period.

''(4) SUFFICIENCY OF DEMONSTRATION.—For purposes of confirming a borrower's existing flood insurance coverage, a lender or servicer for a loan shall accept from the borrower an insurance policy declarations page that includes the existing flood insurance policy number and the identity of, and contact information for, the insurance company or agent.''.

(c) USE OF PRIVATE INSURANCE TO SATISFY MANDATORY PURCHASE REQUIREMENT.—Section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''lending institutions not to make'' and inserting ''lending institutions—

''(A) not to make'';

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking ''less.'' and inserting ''less; and''; and

(C) by adding at the end the following new subparagraph:

''(B) to accept private flood insurance as satisfaction of the flood insurance coverage requirement under subparagraph (A) if the coverage provided by such private flood insurance meets the requirements for coverage under such subparagraph.'';

(2) in paragraph (2), by inserting after ''provided in paragraph (1).'' the following new sentence: ''Each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.'';

(3) in paragraph (3), in the matter following subparagraph (B), by adding at the end the following new sentence: ''The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.''; and

(4) by adding at the end the following new paragraph:

''(5) PRIVATE FLOOD INSURANCE DEFINED.—In this subsection, the term 'private flood insurance' means a contract for flood insurance coverage allowed for sale under the laws of any State.''.

SEC. 344. REFORMS OF COVERAGE TERMS.

(a) MINIMUM DEDUCTIBLES FOR CLAIMS.—Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) by striking ''The Director is'' and inserting the following: ''(a) IN GENERAL.—The Administrator is''; and

(2) by adding at the end the following:

''(b) MINIMUM ANNUAL DEDUCTIBLES.—

''(1) SUBSIDIZED RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, and for which the chargeable rate for such coverage is less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be $2,000.

''(2) ACTUARIAL RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, for which the chargeable rate for such coverage is not less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be $1,000.''.

(b) CLARIFICATION OF RESIDENTIAL AND COMMERCIAL COVERAGE LIMITS.—Section 1306(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (2)—

(A) by striking ''in the case of any residential property'' and inserting ''in the case of any residential building designed for the occupancy of from one to four families''; and

(B) by striking ''shall be made available to every insured upon renewal and every applicant for insurance so as to enable such insured or applicant to receive coverage up to a total amount (including such limits specified in paragraph (1)(A)(i)) of $250,000'' and inserting ''shall be made available, with respect to any single such building, up to an aggregate liability (including such limits specified in paragraph (1)(A)(i)) of $250,000''; and

(2) in paragraph (4)—

(A) by striking ''in the case of any nonresidential property, including churches,'' and inserting ''in the case of any nonresidential building, including a church,''; and

(B) by striking ''shall be made available to every insured upon renewal and every applicant for insurance, in respect to any single structure, up to a total amount (including such limit specified in subparagraph (B) or (C) of paragraph (1), as applicable) of $500,000 for each structure and $500,000 for any contents related to each structure'' and inserting ''shall be made available with respect to any single such building, up to an aggregate liability (including such limits specified in subparagraph (B) or (C) of paragraph (1), as applicable) of $500,000, and coverage shall be made available up to a total of $500,000 aggregate liability for contents owned by the building owner and $500,000 aggregate liability for each unit within the building for contents owned by the tenant''.

(c) INDEXING OF MAXIMUM COVERAGE LIMITS.—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period at the end and inserting ''; and'';

(3) by redesignating paragraph (5) as paragraph (7); and

(4) by adding at the end the following new paragraph:

''(8) each of the dollar amount limitations under paragraphs (2), (3), (4), (5), and (6) shall be adjusted effective on the date of the enactment of the Flood Insurance Reform Act of 2012, such adjustments shall be calculated using the percentage change, over the period beginning on September 30, 1994, and ending on such date of enactment, in such inflationary index as the Administrator shall, by regulation, specify, and the dollar amount of such adjustment shall be rounded to the next lower dollar; and the Administrator shall cause to be published in the Federal Register the adjustments under this paragraph to such dollar amount limitations; except that in the case of coverage for a property that is made available, pursuant to this paragraph, in an amount that exceeds the limitation otherwise applicable to such coverage as specified in paragraph (2), (3), (4), (5), or (6), the total of such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1).''.

(d) OPTIONAL COVERAGE FOR LOSS OF USE OF PERSONAL RESIDENCE AND BUSINESS INTERRUPTION.—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)), as amended by the preceding provisions of this section, is further amended by inserting after paragraph (4) the following new paragraphs:

''(5) the Administrator may provide that, in the case of any residential property, each renewal or new contract for flood insurance coverage may provide not more than $5,000 aggregate liability per dwelling unit for any necessary increases in living expenses incurred by the insured when losses from a flood make the residence unfit to live in, except that—

''(A) purchase of such coverage shall be at the option of the insured;

''(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

''(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

''(i) a competitive private insurance market for such coverage does not exist; and

''(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;

''(6) the Administrator may provide that, in the case of any commercial property or other residential property, including multifamily rental property, coverage for losses resulting from any partial or total interruption of the insured's business caused by damage to, or loss of, such property from a flood may be made available to every insured upon renewal and every applicant, up to a total amount of $20,000 per property, except that—

''(A) purchase of such coverage shall be at the option of the insured;

''(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

''(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

''(i) a competitive private insurance market for such coverage does not exist; and

''(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;''.

(e) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.—Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following new subsection:

''(d) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.—

''(1) AUTHORITY.—In addition to any other terms and conditions under subsection (a), such regulations shall provide that, in the case of any residential property, premiums for flood insurance coverage made available under this title for such property may be paid in installments.

''(2) LIMITATIONS.—In implementing the authority under paragraph (1), the Administrator may establish increased chargeable premium rates and surcharges, and deny coverage and establish such other sanctions, as the Administrator considers necessary to ensure that insureds purchase, pay for, and maintain coverage for the full term of a contract for flood insurance coverage or to prevent insureds from purchasing coverage only for periods during a year when risk of flooding is comparatively higher or canceling coverage for periods when such risk is comparatively lower.''.

(f) EFFECTIVE DATE OF POLICIES COVERING PROPERTIES AFFECTED BY FLOODS IN PROGRESS.—Paragraph (1) of section 1306(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)) is amended by adding after the period at the end the following: ''With respect to any flood that has commenced or is in progress before the expiration of such 30-day period, such flood insurance coverage for a property shall take effect upon the expiration of such 30-day period and shall cover damage to such property occurring after the expiration of such period that results from such flood, but only if the property has not suffered damage or loss as a result of such flood before the expiration of such 30-day period.''.

SEC. 345. REFORMS OF PREMIUM RATES.

(a) INCREASE IN ANNUAL LIMITATION ON PREMIUM INCREASES.—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended by striking ''10 percent'' and inserting ''20 percent''.

(b) PHASE-IN OF RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.—

(1) IN GENERAL.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting ''or notice'' after ''prescribe by regulation'';

(B) in subsection (c), by inserting ''and subsection (g)'' before the first comma; and

(C) by adding at the end the following new subsection:

''(g) 5-YEAR PHASE-IN OF FLOOD INSURANCE RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.—

''(1) 5-YEAR PHASE-IN PERIOD.—Notwithstanding subsection (c) or any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in flood insurance maps, becomes designated as such an area, during the 5-year period that begins, except as provided in paragraph (2), upon the date that such maps, as issued, revised, updated, or otherwise changed, become effective, the chargeable premium rate for flood insurance under this title with respect to any covered property that is located within such area shall be the rate described in paragraph (3).

''(2) APPLICABILITY TO PREFERRED RISK RATE AREAS.—In the case of any area described in paragraph (1) that consists of or includes an area that, as of date of the effectiveness of the flood insurance maps for such area referred to in paragraph (1) as so issued, revised, updated, or changed, is eligible for any reason for preferred risk rate method premiums for flood insurance coverage and was eligible for such premiums as of the enactment of the Flood Insurance Reform Act of 2012, the 5-year period referred to in paragraph (1) for such area eligible

for preferred risk rate method premiums shall begin upon the expiration of the period during which such area is eligible for such preferred risk rate method premiums.

''(3) PHASE-IN OF FULL ACTUARIAL RATES.—With respect to any area described in paragraph (1), the chargeable risk premium rate for flood insurance under this title for a covered property that is located in such area shall be—

''(A) for the first year of the 5-year period referred to in paragraph (1), the greater of—

''(i) 20 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

''(ii) in the case of any property that, as of the beginning of such first year, is eligible for preferred risk rate method premiums for flood insurance coverage, such preferred risk rate method premium for the property;

''(B) for the second year of such 5-year period, 40 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

''(C) for the third year of such 5-year period, 60 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

''(D) for the fourth year of such 5-year period, 80 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

''(E) for the fifth year of such 5-year period, 100 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

''(4) COVERED PROPERTIES.—For purposes of the subsection, the term 'covered property' means any residential property occupied by its owner or a bona fide tenant as a primary residence.''.

(2) REGULATION OR NOTICE.—The Administrator of the Federal Emergency Management Agency shall issue an interim final rule or notice to implement this subsection and the amendments made by this subsection as soon as practicable after the date of the enactment of this Act.

(c) PHASE-IN OF ACTUARIAL RATES FOR CERTAIN PROPERTIES.—

(1) IN GENERAL.—Section 1308(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(c)) is amended—

(A) by redesignating paragraph (2) as paragraph (7); and

(B) by inserting after paragraph (1) the following new paragraphs:

''(2) COMMERCIAL PROPERTIES.—Any nonresidential property.

''(3) SECOND HOMES AND VACATION HOMES.—Any residential property that is not the primary residence of any individual.

''(4) HOMES SOLD TO NEW OWNERS.—Any single family property that—

''(A) has been constructed or substantially improved and for which such construction or improvement was started, as determined by the Administrator, before December 31, 1974, or before the effective date of the initial rate map published by the Administrator under paragraph (2) of section 1360(a) for the area in which such property is located, whichever is later; and

''(B) is purchased after the effective date of this paragraph, pursuant to section 345(c)(3)(A) of the Flood Insurance Reform Act of 2012.

''(5) HOMES DAMAGED OR IMPROVED.—Any property that, on or after the date of the enactment of the Flood Insurance Reform Act of 2012, has experienced or sustained—

''(A) substantial flood damage exceeding 50 percent of the fair market value of such property; or

''(B) substantial improvement exceeding 30 percent of the fair market value of such property.

''(6) HOMES WITH MULTIPLE CLAIMS.—Any severe repetitive loss property (as such term is defined in section 1366(j)).''.

(2) TECHNICAL AMENDMENTS.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(A) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''the limitations provided under paragraphs (1) and (2)'' and inserting ''subsection (e)''; and

(ii) in paragraph (1), by striking '', except'' and all that follows through ''subsection (e)''; and

(B) in subsection (e), by striking ''paragraph (2) or (3)'' and inserting ''paragraph (7)''.

(3) EFFECTIVE DATE AND TRANSITION.—

(A) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply beginning upon the expiration of the 12-month period that begins on the date of the enactment of this Act, except as provided in subparagraph (B) of this paragraph.

(B) TRANSITION FOR PROPERTIES COVERED BY FLOOD INSURANCE UPON EFFECTIVE DATE.—

(i) INCREASE OF RATES OVER TIME.—In the case of any property described in paragraph (2), (3), (4), (5), or (6) of section 1308(c) of the National Flood Insurance Act of 1968, as amended by paragraph (1) of this subsection, that, as of the effective date under subparagraph (A) of this paragraph, is covered under a policy for flood insurance made available under the national flood insurance program for which the chargeable premium rates are less than the applicable estimated risk premium rate under section 1307(a)(1) of such Act for the area in which the property is located, the Administrator of the Federal Emergency Management Agency shall increase the chargeable premium rates for such property over time to such applicable estimated risk premium rate under section 1307(a)(1).

(ii) AMOUNT OF ANNUAL INCREASE.—Such increase shall be made by increasing the chargeable premium rates for the property (after application of any increase in the premium rates otherwise applicable to such property), once during the 12-month period that begins upon the effective date under subparagraph (A) of this paragraph and once every 12 months thereafter until such increase is accomplished, by 20 percent (or such lesser amount as may be necessary so that the chargeable rate does not exceed such applicable estimated risk premium rate or to comply with clause (iii)).

(iii) PROPERTIES SUBJECT TO PHASE-IN AND ANNUAL INCREASES.—In the case of any pre-FIRM property (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1974), the aggregate increase, during any 12-month period, in the chargeable premium rate for the property that is attributable to this subparagraph or to an increase described in section 1308(e) of the National Flood Insurance Act of 1968 may not exceed 20 percent.

(iv) FULL ACTUARIAL RATES.—The provisions of paragraphs (2), (3), (4), (5), and (6) of such section 1308(c) shall apply to such a property upon the accomplishment of the increase under this subparagraph and thereafter.

(d) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this subtitle, is further amended—

(1) in subsection (e), by inserting ''or subsection (h)'' after ''subsection (c)''; and

(2) by adding at the end the following new subsection:

''(h) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, the Administrator shall not provide flood insurance coverage under this title for any property for which a policy for such coverage for the property has previously lapsed in coverage as a result of the deliberate choice of the holder of such policy, at a rate less than the applicable estimated risk premium rates for the area (or subdivision thereof) in which such property is located.''.

(e) RECOGNITION OF STATE AND LOCAL FUNDING FOR CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT OF FLOOD PROTECTION SYSTEMS IN DETERMINATION OF RATES.—

(1) IN GENERAL.—Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended—

(A) in subsection (e)—

(i) in the first sentence, by striking ''construction of a flood protection system'' and inserting ''construction, reconstruction, or improvement of a flood protection system (without respect to the level of Federal investment or participation)''; and

(ii) in the second sentence—

(I) by striking ''construction of a flood protection system'' and inserting ''construction, reconstruction, or improvement of a flood protection system''; and

(II) by inserting ''based on the present value of the completed system'' after ''has been expended''; and

(B) in subsection (f)—

(i) in the first sentence in the matter preceding paragraph (1), by inserting ''(without respect to the level of Federal investment or participation)'' before the period at the end;

(ii) in the third sentence in the matter preceding paragraph (1), by inserting '', whether coastal or riverine,'' after ''special flood hazard''; and

(iii) in paragraph (1), by striking ''a Federal agency in consultation with the local project sponsor'' and inserting ''the entity or entities that own, operate, maintain, or repair such system''.

(2) REGULATIONS.—The Administrator of the Federal Emergency Management Agency shall promulgate regulations to implement this subsection and the amendments made by this subsection as soon as practicable, but not more than 18 months after the date of the enactment of this Act. Paragraph (3) may not be construed to annul, alter, affect, authorize any waiver of, or establish any exception to, the requirement under the preceding sentence.

SEC. 346. TECHNICAL MAPPING ADVISORY COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Technical Mapping Advisory Council (in this section referred to as the ''Council'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall consist of—

(A) the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator''), or the designee thereof;

(B) the Director of the United States Geological Survey of the Department of the Interior, or the designee thereof;

(C) the Under Secretary of Commerce for Oceans and Atmosphere, or the designee thereof;

(D) the commanding officer of the United States Army Corps of Engineers, or the designee thereof;

(E) the chief of the Natural Resources Conservation Service of the Department of Agriculture, or the designee thereof;

(F) the Director of the United States Fish and Wildlife Service of the Department of the Interior, or the designee thereof;

(G) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration of the Department of Commerce, or the designee thereof; and

(H) 14 additional members to be appointed by the Administrator of the Federal Emergency Management Agency, who shall be—

(i) an expert in data management;

(ii) an expert in real estate;

(iii) an expert in insurance;

(iv) a member of a recognized regional flood and storm water management organization;

(v) a representative of a State emergency management agency or association or organization for such agencies;

(vi) a member of a recognized professional surveying association or organization;

(vii) a member of a recognized professional mapping association or organization;

(viii) a member of a recognized professional engineering association or organization;

(ix) a member of a recognized professional association or organization representing flood hazard determination firms;

(x) a representative of State national flood insurance coordination offices;

(xi) representatives of two local governments, at least one of whom is a local levee flood manager or executive, designated by the Federal Emergency Management Agency as Cooperating Technical Partners; and

(xii) representatives of two State governments designated by the Federal Emergency Management Agency as Cooperating Technical States.

(2) QUALIFICATIONS.—Members of the Council shall be appointed based on their demonstrated knowledge and competence regarding surveying, cartography, remote sensing, geographic information systems, or the technical aspects of preparing and using flood insurance rate maps. In appointing members under paragraph (1)(H), the Administrator shall ensure that the membership of the Council has a balance of Federal, State, local, and private members, and includes an adequate number of representatives from the States with coastline on the Gulf of Mexico and other States containing areas identified by the Administrator of the Federal Emergency Management Agency as at high-risk for flooding or special flood hazard areas.

(c) DUTIES.—

(1) NEW MAPPING STANDARDS.—Not later than the expiration of the 12-month period beginning upon the date of the enactment of this Act, the Council shall develop and submit to the Administrator and the Congress proposed new mapping standards for 100-year flood insurance rate maps used under the national flood insurance program under the National Flood Insurance Act of 1968. In developing such proposed standards the Council shall—

(A) ensure that the flood insurance rate maps reflect true risk, including graduated risk that better reflects the financial risk to each property; such reflection of risk should be at the smallest geographic level possible (but not necessarily property-by-property) to ensure that communities are mapped in a manner that takes into consideration different risk levels within the community;

(B) ensure the most efficient generation, display, and distribution of flood risk data, models, and maps where practicable through dynamic digital environments using spatial database technology and the Internet;

(C) ensure that flood insurance rate maps reflect current hydrologic and hydraulic data, current land use, and topography, incorporating the most current and accurate ground and bathymetric elevation data;

(D) determine the best ways to include in such flood insurance rate maps levees, decertified levees, and areas located below dams, including determining a methodology for ensuring that decertified levees and other protections are included in flood insurance rate maps and their corresponding flood zones reflect the level of protection conferred;

(E) consider how to incorporate restored wetlands and other natural buffers into flood insurance rate maps, which may include wetlands, groundwater recharge areas, erosion zones, meander belts, endangered species habitat, barrier islands and shoreline buffer features, riparian forests, and other features;

(F) consider whether to use vertical positioning (as defined by the Administrator) for flood insurance rate maps;

(G) ensure that flood insurance rate maps differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(H) ensure that flood insurance rate maps take into consideration the best scientific data and potential future conditions (including projections for sea level rise); and

(I) consider how to incorporate the new standards proposed pursuant to this paragraph in existing mapping efforts.

(2) ONGOING DUTIES.—The Council shall, on an ongoing basis, review the mapping protocols developed pursuant to paragraph (1), and make recommendations to the Administrator when the Council determines that mapping protocols should be altered.

(3) MEETINGS.—In carrying out its duties under this section, the Council shall consult with stakeholders through at least 4 public meetings annually, and shall seek input of all stakeholder interests including State and local representatives, environmental and conservation organizations, insurance industry representatives, advocacy groups, planning organizations, and mapping organizations.

(d) PROHIBITION ON COMPENSATION.—Members of the Council shall receive no additional compensation by reason of their service on the Council.

(e) CHAIRPERSON.—The Administrator shall serve as the Chairperson of the Council.

(f) STAFF.—

(1) FEMA.—Upon the request of the Council, the Administrator may detail, on a nonreimbursable basis, personnel of the Federal Emergency Management Agency to assist the Council in carrying out its duties.

(2) OTHER FEDERAL AGENCIES.—Upon request of the Council, any other Federal agency that is a member of the Council may detail, on a nonreimbursable basis, personnel to assist the Council in carrying out its duties.

(g) POWERS.—In carrying out this section, the Council may hold hearings, receive evidence and assistance, provide information, and conduct research, as the Council considers appropriate.

(h) TERMINATION.—The Council shall terminate upon the expiration of the 5-year period beginning on the date of the enactment of this Act.

(i) MORATORIUM ON FLOOD MAP CHANGES.—

(1) MORATORIUM.—Except as provided in paragraph (2) and notwithstanding any other provision of this subtitle, the National Flood Insurance Act of 1968, or the Flood Disaster Protection Act of 1973, during the period beginning upon the date of the enactment of this Act and ending upon the submission by the Council to the Administrator and the Congress of the proposed new mapping standards required under subsection (c)(1), the Administrator may not make effective any new or updated rate maps for flood insurance coverage under the national flood insurance program that were not in effect for such program as of such date of enactment, or otherwise revise, update, or change the flood insurance rate maps in effect for such program as of such date.

(2) LETTERS OF MAP CHANGE.—During the period described in paragraph (1), the Administrator may revise, update, and change the flood insurance rate maps in effect for the national flood insurance program only pursuant to a letter of map change (including a letter of map amendment, letter of map revision, and letter of map revision based on fill).

SEC. 347. FEMA INCORPORATION OF NEW MAPPING PROTOCOLS.

(a) NEW RATE MAPPING STANDARDS.—Not later than the expiration of the 6-month period beginning upon submission by the Technical Mapping Advisory Council under section 346 of the proposed new mapping standards for flood insurance rate maps used under the national flood insurance program developed by the Council pursuant to section 346(c), the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator'') shall establish new standards for such rate maps based on such proposed new standards and the recommendations of the Council.

(b) REQUIREMENTS.—The new standards for flood insurance rate maps established by the Administrator pursuant to subsection (a) shall—

(1) delineate and include in any such rate maps—

(A) all areas located within the 100-year flood plain; and

(B) areas subject to graduated and other risk levels, to the maximum extent possible;

(2) ensure that any such rate maps—

(A) include levees, including decertified levees, and the level of protection they confer;

(B) reflect current land use and topography and incorporate the most current and accurate ground level data;

(C) take into consideration the impacts and use of fill and the flood risks associated with altered hydrology;

(D) differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(E) identify and incorporate natural features and their associated flood protection benefits into mapping and rates; and

(F) identify, analyze, and incorporate the impact of significant changes to building and development throughout any river or costal water system, including all tributaries, which may impact flooding in areas downstream; and

(3) provide that such rate maps are developed on a watershed basis.

(c) REPORT.—If, in establishing new standards for flood insurance rate maps pursuant to subsection (a) of this section, the Administrator does not implement all of the recommendations of the Council made under the proposed new mapping standards developed by the Council pursuant to section 346(c), upon establishment of the new standards the Administrator shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate specifying which such recommendations were not adopted and explaining the reasons such recommendations were not adopted.

(d) IMPLEMENTATION.—The Administrator shall, not later than the expiration of the 6-month period beginning upon establishment of the new standards for flood insurance rate maps pursuant to subsection (a) of this section, commence use of the new standards and updating of flood insurance rate maps in accordance with the new standards. Not later than the expiration of the 10-year period beginning upon the establishment of such new standards, the Administrator shall complete updating of all flood insurance rate maps in accordance with the new standards, subject to the availability of sufficient amounts for such activities provided in appropriation Acts.

(e) TEMPORARY SUSPENSION OF MANDATORY PURCHASE REQUIREMENT FOR CERTAIN PROPERTIES.—

(1) SUBMISSION OF ELEVATION CERTIFICATE.—Subject to paragraphs (2) and (3) of this subsection, subsections (a), (b), and (e) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a), and section 202(a) of such Act, shall not apply to a property located in an area designated as having a special flood hazard if the owner of such property submits to the Administrator an elevation certificate for such property showing that the lowest level of the primary residence on such property is at an elevation that is at least three feet higher than the elevation of the 100-year flood plain.

(2) REVIEW OF CERTIFICATE.—The Administrator shall accept as conclusive each elevation certificate submitted under paragraph (1) unless the Administrator conducts a subsequent elevation survey and determines that the lowest level of the primary residence on the property in question is not at an elevation that is at least three feet higher than the elevation of the 100-year flood plain. The Administrator shall provide any such subsequent elevation survey to the owner of such property.

(3) DETERMINATIONS FOR PROPERTIES ON BORDERS OF SPECIAL FLOOD HAZARD AREAS.—

(A) EXPEDITED DETERMINATION.—In the case of any survey for a property submitted to the Administrator pursuant to paragraph (1) showing that a portion of the property is located within an area having special flood hazards and that a structure located on the property is not located within such area having special flood hazards, the Administrator shall expeditiously process any request made by an owner of the property for a determination pursuant to paragraph (2) or a determination of whether the structure is located within the area having special flood hazards.

(B) PROHIBITION OF FEE.—If the Administrator determines pursuant to subparagraph (A) that the structure on the property is not located within the area having special flood hazards, the Administrator shall not charge a fee for reviewing the flood hazard data and shall not require the owner to provide any additional elevation data.

(C) SIMPLIFICATION OF REVIEW PROCESS.—The Administrator shall collaborate with private sector flood insurers to simplify the review process for properties described in subparagraph (A) and to ensure that the review process provides for accurate determinations.

(4) TERMINATION OF AUTHORITY.—This subsection shall cease to apply to a property on the date on which the Administrator updates the flood insurance rate map that applies to such property in accordance with the requirements of subsection (d).

SEC. 348. TREATMENT OF LEVEES.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended by adding at the end the following new subsection:

''(k) TREATMENT OF LEVEES.—The Administrator may not issue flood insurance maps, or make effective updated flood insurance maps, that omit or disregard the actual protection afforded by an existing levee, floodwall, pump or other flood protection feature, regardless of the accreditation status of such feature.''.

SEC. 349. PRIVATIZATION INITIATIVES.

(a) FEMA AND GAO REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess a broad range of options, methods, and strategies for privatizing the national flood insurance program and shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with recommendations for the best manner to accomplish such privatization.

(b) PRIVATE RISK-MANAGEMENT INITIATIVES.—

(1) AUTHORITY.—The Administrator of the Federal Emergency Management Agency may carry out such private risk-management initiatives under the national flood insurance program as the Administrator considers appropriate to determine the capacity of private insurers, reinsurers, and financial markets to assist communities, on a voluntary basis only, in managing the full range of financial risks associated with flooding.

(2) ASSESSMENT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Administrator shall assess the capacity of the private reinsurance, capital, and financial markets by seeking proposals to assume a portion of the program's insurance risk and submit to the Congress a report describing the response to such request for proposals and the results of such assessment.

(3) PROTOCOL FOR RELEASE OF DATA.—The Administrator shall develop a protocol to provide for the release of data sufficient to conduct the assessment required under paragraph (2).

(c) REINSURANCE.—The National Flood Insurance Act of 1968 is amended—

(1) in section 1331(a)(2) (42 U.S.C. 4051(a)(2)), by inserting '', including as reinsurance of insurance coverage provided by the flood insurance program'' before '', on such terms'';

(2) in section 1332(c)(2) (42 U.S.C. 4052(c)(2)), by inserting ''or reinsurance'' after ''flood insurance coverage'';

(3) in section 1335(a) (42 U.S.C. 4055(a))—

(A) by inserting ''(1)'' after ''(a)''; and

(B) by adding at the end the following new paragraph:

''(2) The Administrator is authorized to secure reinsurance coverage of coverage provided by the flood insurance program from private market insurance, reinsurance, and capital market sources at rates and on terms determined by the Administrator to be reasonable and appropriate in an amount sufficient to maintain the ability of the program to pay claims and that minimizes the likelihood that the program will utilize the borrowing authority provided under section 1309.'';

(4) in section 1346(a) (12 U.S.C. 4082(a))—

(A) in the matter preceding paragraph (1), by inserting '', or for purposes of securing reinsurance of insurance coverage provided by the program,'' before ''of any or all of'';

(B) in paragraph (1)—

(i) by striking ''estimating'' and inserting ''Estimating''; and

(ii) by striking the semicolon at the end and inserting a period;

(C) in paragraph (2)—

(i) by striking ''receiving'' and inserting ''Receiving''; and

(ii) by striking the semicolon at the end and inserting a period;

(D) in paragraph (3)—

(i) by striking ''making'' and inserting ''Making''; and

(ii) by striking ''; and'' and inserting a period;

(E) in paragraph (4)—

(i) by striking ''otherwise'' and inserting ''Otherwise''; and

(ii) by redesignating such paragraph as paragraph (5); and

(F) by inserting after paragraph (3) the following new paragraph:

''(4) Placing reinsurance coverage on insurance provided by such program.''; and

(5) in section 1370(a)(3) (42 U.S.C. 4121(a)(3)), by inserting before the semicolon at the end the following: '', is subject to the reporting requirements of the Securities Exchange Act of 1934, pursuant to section 13(a) or 15(d) of such Act (15 U.S.C. 78m(a), 78o(d)), or is authorized by the Administrator to assume reinsurance on risks insured by the flood insurance program''.

(d) ASSESSMENT OF CLAIMS-PAYING ABILITY.—

(1) ASSESSMENT.—Not later than September 30 of each year, the Administrator of the Federal Emergency Management Agency shall conduct an assessment of the claims-paying ability of the national flood insurance program, including the program's utilization of private sector reinsurance and reinsurance equivalents, with and without reliance on borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016). In conducting the assessment, the Administrator shall take into consideration regional concentrations of coverage written by the program, peak flood zones, and relevant mitigation measures.

(2) REPORT.—The Administrator shall submit a report to the Congress of the results of each such assessment, and make such report available to the public, not later than 30 days after completion of the assessment.

SEC. 350. FEMA ANNUAL REPORT ON INSURANCE PROGRAM.

Section 1320 of the National Flood Insurance Act of 1968 (42 U.S.C. 4027) is amended—

(1) in the section heading, by striking ''REPORT TO THE PRESIDENT'' and inserting ''ANNUAL REPORT TO CONGRESS'';

(2) in subsection (a)—

(A) by striking ''biennially'';

(B) by striking ''the President for submission to''; and

(C) by inserting ''not later than June 30 of each year'' before the period at the end;

(3) in subsection (b), by striking ''biennial'' and inserting ''annual''; and

(4) by adding at the end the following new subsection:

''(c) FINANCIAL STATUS OF PROGRAM.—The report under this section for each year shall include information regarding the financial status of the national flood insurance program under this title, including a description of the financial status of the National Flood Insurance Fund and current and projected levels of claims, premium receipts, expenses, and borrowing under the program.''.

SEC. 351. MITIGATION ASSISTANCE.

(a) MITIGATION ASSISTANCE GRANTS.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: ''Such financial assistance shall be made available—

''(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

''(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

''(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.'';

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking ''flood risk'' and inserting ''multi-hazard'';

(B) by striking ''provides protection against'' and inserting ''examines reduction of''; and

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

''(1) REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under subparagraph (4).'';

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

''(2) REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NFIF.—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

''(3) PRIORITY FOR MITIGATION ASSISTANCE.—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

''(A) severe repetitive loss structures;

''(B) repetitive loss structures; and

''(C) other subsets of structures as the Administrator may establish.'';

(C) in paragraph (5)—

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

''(4) ELIGIBLE ACTIVITIES.—Eligible activities may include—'';

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (E), (G), and (H);

(iv) by inserting after subparagraph (C) the following new subparagraph:

''(D) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);'';

(v) by inserting after subparagraph (E), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

''(F) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed $50,000 for any mitigation plan of a State or $25,000 for any mitigation plan of a local government or Indian tribe;'';

(vi) in subparagraph (H); as so redesignated by clause (iii) of this subparagraph, by striking ''and'' at the end; and

(vii) by adding at the end the following new subparagraphs:

''(I) other mitigation activities not described in subparagraphs (A) through (G) or the regulations issued under subparagraph (H), that are described in the mitigation plan of a State, community, or Indian tribe; and

''(J) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed $50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least $1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph.'';

(D) by adding at the end the following new paragraph:

''(6) ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator.''; and

(E) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

''(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

''(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

''(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

''(3) OTHER MITIGATION ACTIVITIES.— In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking ''certified under subsection (g)'' and inserting ''required under subsection (d)''; and

(ii) by striking ''3 times the amount'' and inserting ''the amount''; and

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) by striking ''Riegle Community Development and Regulatory Improvement Act of 1994'' and inserting ''Flood Insurance Reform Act of 2012'';

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

''(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

''(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed $40,000,000 and shall remain available until expended.

''(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) COMMUNITY.—The term 'community' means—

''(A) a political subdivision that—

''(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

''(ii) is participating in the national flood insurance program; or

''(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

''(2) REPETITIVE LOSS STRUCTURE.—The term 'repetitive loss structure' has the meaning given such term in section 1370.

''(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term 'severe repetitive loss structure' means a structure that—

''(A) is covered under a contract for flood insurance made available under this title; and

''(B) has incurred flood-related damage—

''(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding $15,000, and with the cumulative amount of such claims payments exceeding $60,000; or

''(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.''.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (7), by inserting ''and'' after the semicolon; and

(2) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

''(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding $90,000,000 to remain available until expended, of which—

''(A) not more than $40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

''(B) not more than $40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

''(C) not more than $10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).''.

(B) in paragraph (3), by striking ''section 1366(i)'' and inserting ''section 1366(e)'';

(2) in subsection (c), by striking ''sections 1366 and 1323'' and inserting ''section 1366'';

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

''(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

''(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.''.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

SEC. 352. NOTIFICATION TO HOMEOWNERS REGARDING MANDATORY PURCHASE REQUIREMENT APPLICABILITY AND RATE PHASE-INS.

Section 201 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4105) is amended by adding at the end the following new subsection:

''(f) ANNUAL NOTIFICATION.—The Administrator, in consultation with affected communities, shall establish and carry out a plan to

notify residents of areas having special flood hazards, on an annual basis—

''(1) that they reside in such an area;

''(2) of the geographical boundaries of such area;

''(3) of whether section 1308(g) of the National Flood Insurance Act of 1968 applies to properties within such area;

''(4) of the provisions of section 102 requiring purchase of flood insurance coverage for properties located in such an area, including the date on which such provisions apply with respect to such area, taking into consideration section 102(i); and

''(5) of a general estimate of what similar homeowners in similar areas typically pay for flood insurance coverage, taking into consideration section 1308(g) of the National Flood Insurance Act of 1968.''.

SEC. 353. NOTIFICATION TO MEMBERS OF CONGRESS OF FLOOD MAP REVISIONS AND UPDATES.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

''(l) NOTIFICATION TO MEMBERS OF CONGRESS OF MAP MODERNIZATION.—Upon any revision or update of any floodplain area or flood-risk zone pursuant to subsection (f), any decision pursuant to subsection (f)(1) that such revision or update is necessary, any issuance of preliminary maps for such revision or updating, or any other significant action relating to any such revision or update, the Administrator shall notify the Senators for each State affected, and each Member of the House of Representatives for each congressional district affected, by such revision or update in writing of the action taken.''.

SEC. 354. NOTIFICATION AND APPEAL OF MAP CHANGES; NOTIFICATION TO COMMUNITIES OF ESTABLISHMENT OF FLOOD ELEVATIONS.

Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended by striking the section designation and all that follows through the end of subsection (a) and inserting the following:

''SEC. 1363. (a) In establishing projected flood elevations for land use purposes with respect to any community pursuant to section 1361, the Administrator shall first propose such determinations—

''(1) by providing the chief executive officer of each community affected by the proposed elevations, by certified mail, with a return receipt requested, notice of the elevations, including a copy of the maps for the elevations for such community and a statement explaining the process under this section to appeal for changes in such elevations;

''(2) by causing notice of such elevations to be published in the Federal Register, which notice shall include information sufficient to identify the elevation determinations and the communities affected, information explaining how to obtain copies of the elevations, and a statement explaining the process under this section to appeal for changes in the elevations;

''(3) by publishing in a prominent local newspaper the elevations, a description of the appeals process for flood determinations, and the mailing address and telephone number of a person the owner may contact for more information or to initiate an appeal;

''(4) by providing written notification, by first class mail, to each owner of real property affected by the proposed elevations of—

''(A) the status of such property, both prior to and after the effective date of the proposed determination, with respect to flood zone and flood insurance requirements under this Act and the Flood Disaster Protection Act of 1973;

''(B) the process under this section to appeal a flood elevation determination; and

''(C) the mailing address and phone number of a person the owner may contact for more information or to initiate an appeal; and''.

SEC. 355. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

The National Flood Insurance Act of 1968 is amended by inserting after section 1308 (42 U.S.C. 4015) the following new section:

''SEC. 1308A. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

''(a) IN GENERAL.—The Administrator shall, upon entering into a contract for flood insurance coverage under this title for any property—

''(1) provide to the insured sufficient copies of the notice developed pursuant to subsection (b); and

''(2) require the insured to provide a copy of the notice, or otherwise provide notification of the information under subsection (b) in the manner that the manager or landlord deems most appropriate, to each such tenant and to each new tenant upon commencement of such a tenancy.

''(b) NOTICE.—Notice to a tenant of a property in accordance with this subsection is written notice that clearly informs a tenant—

''(1) whether the property is located in an area having special flood hazards;

''(2) that flood insurance coverage is available under the national flood insurance program under this title for contents of the unit or structure leased by the tenant;

''(3) of the maximum amount of such coverage for contents available under this title at that time; and

''(4) of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator where such information is available.''.

SEC. 356. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

Part C of chapter II of the National Flood Insurance Act of 1968 (42 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

''SEC. 1349. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

''(a) NOTIFICATION.—Not later than 60 days before the date on which a transferred flood insurance policy expires, and annually thereafter until such time as the Federal Emergency Management Agency is no longer directly administering such policy, the Administrator shall notify the holder of such policy that—

''(1) the Federal Emergency Management Agency is directly administering the policy;

''(2) such holder may purchase flood insurance that is directly administered by an insurance company; and

''(3) purchasing flood insurance offered under the National Flood Insurance Program that is directly administered by an insurance company will not alter the coverage provided or the premiums charged to such holder that otherwise would be provided or charged if the policy was directly administered by the Federal Emergency Management Agency.

''(b) DEFINITION.—In this section, the term 'transferred flood insurance policy' means a flood insurance policy that—

''(1) was directly administered by an insurance company at the time the policy was originally purchased by the policy holder; and

''(2) at the time of renewal of the policy, direct administration of the policy was or will be transferred to the Federal Emergency Management Agency.''.

SEC. 357. NOTICE OF AVAILABILITY OF FLOOD INSURANCE AND ESCROW IN RESPA GOOD FAITH ESTIMATE.

Subsection (c) of section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(c)) is amended by adding at the end the following new sentence: ''Each such good faith estimate shall include the following conspicuous statements and information: (1) that flood insurance coverage for residential real estate is generally available under the national flood insurance program whether or not the real estate is located in an area having special flood hazards and that, to obtain such coverage, a home owner or purchaser should contact the national flood insurance program; (2) a telephone number and a location on the Internet by which a home owner or purchaser can contact the national flood insurance program; and (3) that the escrowing of flood insurance payments is required for many loans under section 102(d) of the Flood Disaster Protection Act of 1973, and may be a convenient and available option with respect to other loans.''.

SEC. 358. REIMBURSEMENT FOR COSTS INCURRED BY HOMEOWNERS AND COMMUNITIES OBTAINING LETTERS OF MAP AMENDMENT OR REVISION.

(a) IN GENERAL.—Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

''(m) REIMBURSEMENT.—

''(1) REQUIREMENT UPON BONA FIDE ERROR.—If an owner of any property located in an area described in section 102(i)(3) of the Flood Disaster Protection Act of 1973, or a community in which such a property is located, obtains a letter of map amendment, or a letter of map revision, due to a bona fide error on the part of the Administrator of the Federal Emergency Management Agency, the Administrator shall reimburse such owner, or such entity or jurisdiction acting on such owner's behalf, or such community, as applicable, for any reasonable costs incurred in obtaining such letter.

''(2) REASONABLE COSTS.—The Administrator shall, by regulation or notice, determine a reasonable amount of costs to be reimbursed under paragraph (1), except that such costs shall not include legal or attorneys fees. In determining the reasonableness of costs, the Administrator shall only consider the actual costs to the owner or community, as applicable, of utilizing the services of an engineer, surveyor, or similar services.''.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue the regulations or notice required under section 1360(m)(2) of the National Flood Insurance Act of 1968, as added by the amendment made by subsection (a) of this section.

SEC. 359. ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

''(n) ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.—In updating flood insurance maps under this section, the Administrator shall communicate with communities located in areas where flood insurance rate maps have not been updated in 20 years or more and the appropriate State emergency agencies to resolve outstanding issues, provide technical assistance, and disseminate all necessary information to reduce the prevalence of outdated maps in flood-prone areas.''.

SEC. 360. NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREAS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

''(o) NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREA.—In revising or updating any areas having special flood hazards, the Administrator shall provide to each owner of a property to be newly included in such a special flood hazard area, at the time of issuance of such proposed revised or updated flood insurance maps, a copy of the proposed revised or updated flood insurance maps together with information regarding the appeals process under section 1363 (42 U.S.C. 4104).''.

SEC. 361. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended by adding at the end the following new section:

''SEC. 1325. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

''In the case of any property that is otherwise in compliance with the coverage and building requirements of the national flood insurance program, the presence of an enclosed swimming pool located at ground level or in the space below the lowest floor of a building after November 30 and before June 1 of any year shall have no effect on the terms of coverage or the ability to receive coverage for such building under the national flood insurance program established pursuant to this title, if the pool is enclosed with non-supporting breakaway walls.''.

SEC. 362. INFORMATION REGARDING MULTIPLE PERILS CLAIMS.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

''(d) INFORMATION REGARDING MULTIPLE PERILS CLAIMS.—

''(1) IN GENERAL.—Subject to paragraph (2), if an insured having flood insurance coverage under a policy issued under the program under this title by the Administrator or a company, insurer, or entity offering flood insurance coverage under such program (in this subsection referred to as a 'participating company') has wind or other homeowners coverage from any company, insurer, or other entity covering property covered by such flood insurance, in the case of damage to such property that may have been caused by flood or by wind, the Administrator and the participating company, upon the request of the insured, shall provide to the insured, within 30 days of such request—

''(A) a copy of the estimate of structure damage;

''(B) proofs of loss;

''(C) any expert or engineering reports or documents commissioned by or relied upon by the Administrator or participating company in determining whether the damage was caused by flood or any other peril; and

''(D) the Administrator's or the participating company's final determination on the claim.

''(2) TIMING.—Paragraph (1) shall apply only with respect to a request described in such paragraph made by an insured after the Administrator or the participating company, or both, as applicable, have issued a final decision on the flood claim involved and resolution of all appeals with respect to such claim.''.

SEC. 363. FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

''(e) FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.—Notwithstanding any other provision of this Act, the Administrator may, at the discretion of the Administrator, refuse to accept the transfer of the administration of policies for coverage under the flood insurance program under this title that are written and administered by any insurance company or other insurer, or any insurance agent or broker.''.

SEC. 364. APPEALS.

(a) TELEVISION AND RADIO ANNOUNCEMENT.—Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104), as amended by the preceding provisions of this subtitle, is further amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(5) by notifying a local television and radio station,''; and

(2) in the first sentence of subsection (b), by inserting before the period at the end the following: ''and shall notify a local television and radio station at least once during the same 10-day period''.

(b) EXTENSION OF APPEALS PERIOD.—Subsection (b) of section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(b)) is amended—

(1) by striking ''(b) The Director'' and inserting ''(b)(1) The Administrator''; and

(2) by adding at the end the following new paragraph:

''(2) The Administrator shall grant an extension of the 90-day period for appeals referred to in paragraph (1) for 90 additional days if an affected community certifies to the Administrator, after the expiration of at least 60 days of such period, that the community—

''(A) believes there are property owners or lessees in the community who are unaware of such period for appeals; and

''(B) will utilize the extension under this paragraph to notify property owners or lessees who are affected by the proposed flood elevation determinations of the period for appeals and the opportunity to appeal the determinations proposed by the Administrator.''.

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall apply with respect to any flood elevation determination for any area in a community that has not, as of the date of the enactment of this Act, been issued a Letter of Final Determination for such determination under the flood insurance map modernization process.

SEC. 365. RESERVE FUND.

(a) ESTABLISHMENT.—Chapter I of the National Flood Insurance Act of 1968 is amended by inserting after section 1310 (42 U.S.C. 4017) the following new section:

''SEC. 1310A. RESERVE FUND.

''(a) ESTABLISHMENT OF RESERVE FUND.—In carrying out the flood insurance program authorized by this title, the Administrator shall establish in the Treasury of the United States a National Flood Insurance Reserve Fund (in this section referred to as the 'Reserve Fund') which shall—

''(1) be an account separate from any other accounts or funds available to the Administrator; and

''(2) be available for meeting the expected future obligations of the flood insurance program.

''(b) RESERVE RATIO.—Subject to the phase-in requirements under subsection (d), the Reserve Fund shall maintain a balance equal to—

''(1) 1 percent of the sum of the total potential loss exposure of all outstanding flood insurance policies in force in the prior fiscal year; or

''(2) such higher percentage as the Administrator determines to be appropriate, taking into consideration any circumstance that may raise a significant risk of substantial future losses to the Reserve Fund.

''(c) MAINTENANCE OF RESERVE RATIO.—

''(1) IN GENERAL.—The Administrator shall have the authority to establish, increase, or decrease the amount of aggregate annual insurance premiums to be collected for any fiscal year necessary—

''(A) to maintain the reserve ratio required under subsection (b); and

''(B) to achieve such reserve ratio, if the actual balance of such reserve is below the amount required under subsection (b).

''(2) CONSIDERATIONS.—In exercising the authority under paragraph (1), the Administrator shall consider—

''(A) the expected operating expenses of the Reserve Fund;

''(B) the insurance loss expenditures under the flood insurance program;

''(C) any investment income generated under the flood insurance program; and

''(D) any other factor that the Administrator determines appropriate.

''(3) LIMITATIONS.—In exercising the authority under paragraph (1), the Administrator shall be subject to all other provisions of this Act, including any provisions relating to chargeable premium rates and annual increases of such rates.

''(d) PHASE-IN REQUIREMENTS.—The phase-in requirements under this subsection are as follows:

''(1) IN GENERAL.—Beginning in fiscal year 2012 and not ending until the fiscal year in which the ratio required under subsection (b) is achieved, in each such fiscal year the Administrator shall place in the Reserve Fund an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

''(2) AMOUNT SATISFIED.—As soon as the ratio required under subsection (b) is achieved, and except as provided in paragraph (3), the Administrator shall not be required to set aside any amounts for the Reserve Fund.

''(3) EXCEPTION.—If at any time after the ratio required under subsection (b) is achieved, the Reserve Fund falls below the required ratio under subsection (b), the Administrator shall place in the Reserve Fund for that fiscal year an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

''(e) LIMITATION ON RESERVE RATIO.—In any given fiscal year, if the Administrator determines that the reserve ratio required under subsection (b) cannot be achieved, the Administrator shall submit a report to the Congress that—

''(1) describes and details the specific concerns of the Administrator regarding such consequences;

''(2) demonstrates how such consequences would harm the long-term financial soundness of the flood insurance program; and

''(3) indicates the maximum attainable reserve ratio for that particular fiscal year.

''(f) AVAILABILITY OF AMOUNTS.—The reserve ratio requirements under subsection (b) and the phase-in requirements under subsection (d) shall be subject to the availability of amounts in the National Flood Insurance Fund for transfer under section 1310(a)(10), as provided in section 1310(f).''.

(b) FUNDING.—Subsection (a) of section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraph:

''(10) for transfers to the National Flood Insurance Reserve Fund under section 1310A, in accordance with such section.''.

SEC. 366. CDBG ELIGIBILITY FOR FLOOD INSURANCE OUTREACH ACTIVITIES AND COMMUNITY BUILDING CODE ADMINISTRATION GRANTS.

Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (24), by striking ''and'' at the end;

(2) in paragraph (25), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(26) supplementing existing State or local funding for administration of building code enforcement by local building code enforcement departments, including for increasing staffing, providing staff training, increasing staff competence and professional qualifications, and supporting individual certification or departmental accreditation, and for capital expenditures specifically dedicated to the administration of the building code enforcement department, except that, to be eligible to use amounts as provided in this paragraph—

''(A) a building code enforcement department shall provide matching, non-Federal funds to be used in conjunction with amounts used under this paragraph in an amount—

''(i) in the case of a building code enforcement department serving an area with a population of more than 50,000, equal to not less than 50 percent of the total amount of any funds made available under this title that are used under this paragraph;

''(ii) in the case of a building code enforcement department serving an area with a population of between 20,001 and 50,000, equal to not less than 25 percent of the total amount of any funds made available under this title that are used under this paragraph; and

''(iii) in the case of a building code enforcement department serving an area with a population of less than 20,000, equal to not less than 12.5 percent of the total amount of any funds made available under this title that are used under this paragraph,

except that the Secretary may waive the matching fund requirements under this subparagraph, in whole or in part, based upon the level of economic distress of the jurisdiction in which is located the local building code enforcement department that is using amounts for purposes under this paragraph, and shall waive such matching fund requirements in whole for any recipient jurisdiction that has dedicated all building code permitting fees to the conduct of local building code enforcement; and

''(B) any building code enforcement department using funds made available under this title for purposes under this paragraph shall empanel a code administration and enforcement team consisting of at least 1 full-time building code enforcement officer, a city planner, and a health planner or similar officer; and

''(27) provision of assistance to local governmental agencies responsible for floodplain management activities (including such agencies of Indians tribes, as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) in communities that participate in the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), only for carrying out outreach activities to encourage and facilitate the purchase of flood insurance protection under such Act by owners and renters of properties in such communities and to promote educational activities that increase awareness of flood risk reduction; except that—

''(A) amounts used as provided under this paragraph shall be used only for activities designed to—

''(i) identify owners and renters of properties in communities that participate in the national flood insurance program, including owners of residential and commercial properties;

''(ii) notify such owners and renters when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

''(iii) educate such owners and renters regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

''(iv) educate such owners and renters regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under this title for such properties and the contents of such properties;

''(v) encourage such owners and renters to maintain or acquire such coverage;

''(vi) notify such owners of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator of the Federal Emergency Management Agency (in this paragraph referred to as the 'Administrator') where such information is available; and

''(vii) educate local real estate agents in communities participating in the national flood insurance program regarding the program and the availability of coverage under the program for owners and renters of properties in such communities, and establish coordination and liaisons with such real estate agents to facilitate purchase of coverage under the National Flood Insurance Act of 1968 and increase awareness of flood risk reduction;

''(B) in any fiscal year, a local governmental agency may not use an amount under this paragraph that exceeds 3 times the amount that the agency certifies, as the Secretary, in consultation with the Administrator, shall require, that the agency will contribute from non-Federal funds to be used with such amounts used under this paragraph only for carrying out activities described in subparagraph (A); and for purposes of this subparagraph, the term 'non-Federal funds' includes State or local government agency amounts, in-kind contributions, any salary paid to staff to carry out the eligible activities of the local governmental agency involved, the value of the time and services contributed by volunteers to carry out such services (at a rate determined by the Secretary), and the value of any donated material or building and the value of any lease on a building;

''(C) a local governmental agency that uses amounts as provided under this paragraph may coordinate or contract with other agencies and entities having particular capacities, specialties, or experience with respect to certain populations or constituencies, including elderly or disabled families or persons, to carry out activities described in subparagraph (A) with respect to such populations or constituencies; and

''(D) each local government agency that uses amounts as provided under this paragraph shall submit a report to the Secretary and the Administrator, not later than 12 months after such amounts are first received, which shall include such information as the Secretary and the Administrator jointly consider appropriate to describe the activities conducted using such amounts and the effect of such activities on the retention or acquisition of flood insurance coverage.''.

SEC. 367. TECHNICAL CORRECTIONS.

(a) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.) is amended—

(1) by striking ''Director'' each place such term appears, except in section 102(f)(3) (42 U.S.C. 4012a(f)(3)), and inserting ''Administrator''; and

(2) in section 201(b) (42 U.S.C. 4105(b)), by striking ''Director's'' and inserting ''Administrator's''.

(b) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) by striking ''Director'' each place such term appears and inserting ''Administrator''; and

(2) in section 1363 (42 U.S.C. 4104), by striking ''Director's'' each place such term appears and inserting ''Administrator's''.

(c) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)) is amended by striking ''Director'' each place such term appears and inserting ''Administrator''.

SEC. 368. REQUIRING COMPETITION FOR NATIONAL FLOOD INSURANCE PROGRAM POLICIES.

(a) REPORT.—Not later than the expiration of the 90-day period beginning upon the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency, in consultation with insurance companies, insurance agents and other organizations with which the Administrator has contracted, shall submit to the Congress a report describing procedures and policies that the Administrator shall implement to limit the percentage of policies for flood insurance coverage under the national flood insurance program that are directly managed by the Agency to not more than 10 percent of the aggregate number of flood insurance policies in force under such program.

(b) IMPLEMENTATION.—Upon submission of the report under subsection (a) to the Congress, the Administrator shall implement the policies and procedures described in the report. The Administrator shall, not later than the expiration of the 12-month period beginning upon submission of such report, reduce the number of policies for flood insurance coverage that are directly managed by the Agency, or by the Agency's direct servicing contractor that is not an insurer, to not more than 10 percent of the aggregate number of flood insurance policies in force as of the expiration of such 12-month period.

(c) CONTINUATION OF CURRENT AGENT RELATIONSHIPS.—In carrying out subsection (b), the Administrator shall ensure that—

(1) agents selling or servicing policies described in such subsection are not prevented from continuing to sell or service such policies; and

(2) insurance companies are not prevented from waiving any limitation such companies could otherwise enforce to limit any such activity.

SEC. 369. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDIES.—The Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess options, methods, and strategies for offering voluntary community-based flood insurance policy options and incorporating such options into the national flood insurance program. Such studies shall take into consideration and analyze how the policy options would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches.

(b) REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the results and conclusions of the study such

agency conducted under subsection (a), and each such report shall include recommendations for the best manner to incorporate voluntary community-based flood insurance options into the national flood insurance program and for a strategy to implement such options that would encourage communities to undertake flood mitigation activities.

SEC. 370. REPORT ON INCLUSION OF BUILDING CODES IN FLOODPLAIN MANAGEMENT CRITERIA.

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall conduct a study and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) to include widely used and nationally recognized building codes as part of the floodplain management criteria developed under such section, and shall determine—

(1) the regulatory, financial, and economic impacts of such a building code requirement on homeowners, States and local communities, local land use policies, and the Federal Emergency Management Agency;

(2) the resources required of State and local communities to administer and enforce such a building code requirement;

(3) the effectiveness of such a building code requirement in reducing flood-related damage to buildings and contents;

(4) the impact of such a building code requirement on the actuarial soundness of the National Flood Insurance Program;

(5) the effectiveness of nationally recognized codes in allowing innovative materials and systems for flood-resistant construction;

(6) the feasibility and effectiveness of providing an incentive in lower premium rates for flood insurance coverage under such Act for structures meeting whichever of such widely used and nationally recognized building code or any applicable local building code provides greater protection from flood damage;

(7) the impact of such a building code requirement on rural communities with different building code challenges than more urban environments; and

(8) the impact of such a building code requirement on Indian reservations.

SEC. 371. STUDY ON GRADUATED RISK.

(a) STUDY.—The National Academy of Sciences shall conduct a study exploring methods for understanding graduated risk behind levees and the associated land development, insurance, and risk communication dimensions, which shall—

(1) research, review, and recommend current best practices for estimating direct annualized flood losses behind levees for residential and commercial structures;

(2) rank such practices based on their best value, balancing cost, scientific integrity, and the inherent uncertainties associated with all aspects of the loss estimate, including geotechnical engineering, flood frequency estimates, economic value, and direct damages;

(3) research, review, and identify current best floodplain management and land use practices behind levees that effectively balance social, economic, and environmental considerations as part of an overall flood risk management strategy;

(4) identify examples where such practices have proven effective and recommend methods and processes by which they could be applied more broadly across the United States, given the variety of different flood risks, State and local legal frameworks, and evolving judicial opinions;

(5) research, review, and identify a variety of flood insurance pricing options for flood hazards behind levees which are actuarially sound and based on the flood risk data developed using the top three best value approaches identified pursuant to paragraph (1);

(6) evaluate and recommend methods to reduce insurance costs through creative arrangements between insureds and insurers while keeping a clear accounting of how much financial risk is being borne by various parties such that the entire risk is accounted for, including establishment of explicit limits on disaster aid or other assistance in the event of a flood; and

(7) taking into consideration the recommendations pursuant to paragraphs (1) through (3), recommend approaches to communicating the associated risks to community officials, homeowners, and other residents.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the National Academy of Sciences shall submit a report to the Committees on Financial Services and Science, Space, and Technology of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Commerce, Science and Transportation of the Senate on the study under subsection (a) including the information and recommendations required under such subsection.

SEC. 372. REPORT ON FLOOD-IN-PROGRESS DETERMINATION.

The Administrator of the Federal Emergency Management Agency shall review the processes and procedures for determining that a flood event has commenced or is in progress for purposes of flood insurance coverage made available under the national flood insurance program under the National Flood Insurance Act of 1968 and for providing public notification that such an event has commenced or is in progress. In such review, the Administrator shall take into consideration the effects and implications that weather conditions, such as rainfall, snowfall, projected snowmelt, existing water levels, and other conditions have on the determination that a flood event has commenced or is in progress. Not later than the expiration of the 6-month period beginning upon the date of the enactment of this Act, the Administrator shall submit a report to the Congress setting forth the results and conclusions of the review undertaken pursuant to this section and any actions undertaken or proposed actions to be taken to provide for a more precise and technical determination that a flooding event has commenced or is in progress.

SEC. 373. STUDY ON REPAYING FLOOD INSURANCE DEBT.

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit a report to the Congress setting forth a plan for repaying within 10 years all amounts, including any amounts previously borrowed but not yet repaid, owed pursuant to clause (2) of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)).

SEC. 374. NO CAUSE OF ACTION.

No cause of action shall exist and no claim may be brought against the United States for violation of any notification requirement imposed upon the United States by this subtitle or any amendment made by this subtitle.

SEC. 375. AUTHORITY FOR THE CORPS OF ENGINEERS TO PROVIDE SPECIALIZED OR TECHNICAL SERVICES.

(a) IN GENERAL.—Notwithstanding any other provision of law, upon the request of a State or local government, the Secretary of the Army may evaluate a levee system that was designed or constructed by the Secretary for the purposes of the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) REQUIREMENTS.—A levee system evaluation under subsection (a) shall—

(1) comply with applicable regulations related to areas protected by a levee system;

(2) be carried out in accordance with such procedures as the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, may establish; and

(3) be carried out only if the State or local government agrees to reimburse the Secretary for all cost associated with the performance of the activities.

Subtitle E—Repeal of the Office of Financial Research

SEC. 381. REPEAL OF THE OFFICE OF FINANCIAL RESEARCH.

(a) IN GENERAL.—Subtitle B of title I of the Dodd-Frank Wall Street Reform and Consumer Protection Act is hereby repealed.

(b) CONFORMING AMENDMENTS TO THE DODD-FRANK ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in section 102(a), by striking paragraph (5);

(2) in section 111—

(A) in subsection (b)(2)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (A), (B), (C), and (D), respectively;

(B) in subsection (c)(1), by striking ''subparagraphs (C), (D), and (E)'' and inserting ''subparagraphs (B), (C), and (D)'';

(3) in section 112—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking ''direct the Office of Financial Research to'';

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraphs (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), and (N) as subparagraphs (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), and (M), respectively; and

(B) in subsection (d)—

(i) in paragraph (1), by striking ''the Office of Financial Research, member agencies, and'' and inserting ''member agencies and'';

(ii) in paragraph (2), by striking ''the Office of Financial Research, any member agency, and'' and inserting ''any member agency and'';

(iii) in paragraph (3)—

(I) by striking '', acting through the Office of Financial Research,'' each place it appears; and

(II) in subparagraph (B), by striking ''the Office of Financial Research or''; and

(iv) in paragraph (5)(A), by striking '', the Office of Financial Research,'';

(4) in section 116, by striking '', acting through the Office of Financial Research,'' each place it appears; and

(5) by striking section 118.

(c) CONFORMING AMENDMENT TO THE PAPERWORK REDUCTION ACT.—Effective as of the date specified in section 1100H of the Dodd-Frank Wall Street Reform and Consumer Protection Act, section 1100D(a) of such Act is amended to read as follows:

''(a) DESIGNATION AS AN INDEPENDENT AGENCY.—Section 3502(5) of subchapter I of chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act) is amended by inserting 'the Bureau of Consumer Financial Protection,' after 'the Securities and Exchange Commission,'.''.

(d) TECHNICAL AMENDMENTS.—The table of contents for the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) by striking the item relating to section 118; and

(2) by striking the items relating to subtitle B of title I.

TITLE IV—COMMITTEE ON THE JUDICIARY

SEC. 401. SHORT TITLE.

This title may be cited as the ''Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2011''.

SEC. 402. ENCOURAGING SPEEDY RESOLUTION OF CLAIMS.

The time for the commencement of a health care lawsuit shall be 3 years after the date of manifestation of injury or 1 year after the claimant discovers, or through the use of reasonable diligence should have discovered, the injury, whichever occurs first. In no event shall the time for commencement of a health care lawsuit exceed 3 years after the date of manifestation of injury unless tolled for any of the following—

(1) upon proof of fraud;

(2) intentional concealment; or

(3) the presence of a foreign body, which has no therapeutic or diagnostic purpose or effect, in the person of the injured person.

Actions by a minor shall be commenced within 3 years from the date of the alleged manifestation of injury except that actions by a minor under the full age of 6 years shall be commenced within 3 years of manifestation of injury or prior to the minor's 8th birthday, whichever provides a longer period. Such time limitation shall be tolled for minors for any period during which a parent or guardian and a health care provider or health care organization have committed fraud or collusion in the failure to bring an action on behalf of the injured minor.

SEC. 403. COMPENSATING PATIENT INJURY.

(a) UNLIMITED AMOUNT OF DAMAGES FOR ACTUAL ECONOMIC LOSSES IN HEALTH CARE LAWSUITS.—In any health care lawsuit, nothing in this title shall limit a claimant's recovery of the full amount of the available economic damages, notwithstanding the limitation in subsection (b).

(b) ADDITIONAL NONECONOMIC DAMAGES.—In any health care lawsuit, the amount of noneconomic damages, if available, may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same injury.

(c) NO DISCOUNT OF AWARD FOR NONECONOMIC DAMAGES.—For purposes of applying the limitation in subsection (b), future noneconomic damages shall not be discounted to present value. The jury shall not be informed about the maximum award for noneconomic damages. An award for noneconomic damages in excess of $250,000 shall be reduced either before the entry of judgment, or by amendment of the judgment after entry of judgment, and such reduction shall be made before accounting for any other reduction in damages required by law. If separate awards are rendered for past and future noneconomic damages and the combined awards exceed $250,000, the future noneconomic damages shall be reduced first.

(d) FAIR SHARE RULE.—In any health care lawsuit, each party shall be liable for that party's several share of any damages only and not for the share of any other person. Each party shall be liable only for the amount of damages allocated to such party in direct proportion to such party's percentage of responsibility. Whenever a judgment of liability is rendered as to any party, a separate judgment shall be rendered against each such party for the amount allocated to such party. For purposes of this section, the trier of fact shall determine the proportion of responsibility of each party for the claimant's harm.

SEC. 404. MAXIMIZING PATIENT RECOVERY.

(a) COURT SUPERVISION OF SHARE OF DAMAGES ACTUALLY PAID TO CLAIMANTS.—In any health care lawsuit, the court shall supervise the arrangements for payment of damages to protect against conflicts of interest that may have the effect of reducing the amount of damages awarded that are actually paid to claimants. In particular, in any health care lawsuit in which the attorney for a party claims a financial stake in the outcome by virtue of a contingent fee, the court shall have the power to restrict the payment of a claimant's damage recovery to such attorney, and to redirect such damages to the claimant based upon the interests of justice and principles of equity. In no event shall the total of all contingent fees for representing all claimants in a health care lawsuit exceed the following limits:

(1) Forty percent of the first $50,000 recovered by the claimant(s).

(2) Thirty-three and one-third percent of the next $50,000 recovered by the claimant(s).

(3) Twenty-five percent of the next $500,000 recovered by the claimant(s).

(4) Fifteen percent of any amount by which the recovery by the claimant(s) is in excess of $600,000.

(b) APPLICABILITY.—The limitations in this section shall apply whether the recovery is by judgment, settlement, mediation, arbitration, or any other form of alternative dispute resolution. In a health care lawsuit involving a minor or incompetent person, a court retains the authority to authorize or approve a fee that is less than the maximum permitted under this section. The requirement for court supervision in the first two sentences of subsection (a) applies only in civil actions.

SEC. 405. PUNITIVE DAMAGES.

(a) IN GENERAL.—Punitive damages may, if otherwise permitted by applicable State or Federal law, be awarded against any person in a health care lawsuit only if it is proven by clear and convincing evidence that such person acted with malicious intent to injure the claimant, or that such person deliberately failed to avoid unnecessary injury that such person knew the claimant was substantially certain to suffer. In any health care lawsuit where no judgment for compensatory damages is rendered against such person, no punitive damages may be awarded with respect to the claim in such lawsuit. No demand for punitive damages shall be included in a health care lawsuit as initially filed. A court may allow a claimant to file an amended pleading for punitive damages only upon a motion by the claimant and after a finding by the court, upon review of supporting and opposing affidavits or after a hearing, after weighing the evidence, that the claimant has established by a substantial probability that the claimant will prevail on the claim for punitive damages. At the request of any party in a health care lawsuit, the trier of fact shall consider in a separate proceeding—

(1) whether punitive damages are to be awarded and the amount of such award; and

(2) the amount of punitive damages following a determination of punitive liability.

If a separate proceeding is requested, evidence relevant only to the claim for punitive damages, as determined by applicable State law, shall be inadmissible in any proceeding to determine whether compensatory damages are to be awarded.

(b) DETERMINING AMOUNT OF PUNITIVE DAMAGES.—

(1) FACTORS CONSIDERED.—In determining the amount of punitive damages, if awarded, in a health care lawsuit, the trier of fact shall consider only the following—

(A) the severity of the harm caused by the conduct of such party;

(B) the duration of the conduct or any concealment of it by such party;

(C) the profitability of the conduct to such party;

(D) the number of products sold or medical procedures rendered for compensation, as the case may be, by such party, of the kind causing the harm complained of by the claimant;

(E) any criminal penalties imposed on such party, as a result of the conduct complained of by the claimant; and

(F) the amount of any civil fines assessed against such party as a result of the conduct complained of by the claimant.

(2) MAXIMUM AWARD.—The amount of punitive damages, if awarded, in a health care lawsuit may be as much as $250,000 or as much as two times the amount of economic damages awarded, whichever is greater. The jury shall not be informed of this limitation.

(c) NO PUNITIVE DAMAGES FOR PRODUCTS THAT COMPLY WITH FDA STANDARDS.—

(1) IN GENERAL.—

(A) No punitive damages may be awarded against the manufacturer or distributor of a medical product, or a supplier of any component or raw material of such medical product, based on a claim that such product caused the claimant's harm where—

(i)(I) such medical product was subject to premarket approval, clearance, or licensure by the Food and Drug Administration with respect to the safety of the formulation or performance of the aspect of such medical product which caused the claimant's harm or the adequacy of the packaging or labeling of such medical product; and

(II) such medical product was so approved, cleared, or licensed; or

(ii) such medical product is generally recognized among qualified experts as safe and effective pursuant to conditions established by the Food and Drug Administration and applicable Food and Drug Administration regulations, including without limitation those related to packaging and labeling, unless the Food and Drug Administration has determined that such medical product was not manufactured or distributed in substantial compliance with applicable Food and Drug Administration statutes and regulations.

(B) RULE OF CONSTRUCTION.—Subparagraph (A) may not be construed as establishing the obligation of the Food and Drug Administration to demonstrate affirmatively that a manufacturer, distributor, or supplier referred to in such subparagraph meets any of the conditions described in such subparagraph.

(2) LIABILITY OF HEALTH CARE PROVIDERS.—A health care provider who prescribes, or who dispenses pursuant to a prescription, a medical product approved, licensed, or cleared by the Food and Drug Administration shall not be named as a party to a product liability lawsuit involving such product and shall not be liable to a claimant in a class action lawsuit against the manufacturer, distributor, or seller of such product. Nothing in this paragraph prevents a court from consolidating cases involving health care providers and cases involving products liability claims against the manufacturer, distributor, or product seller of such medical product.

(3) PACKAGING.—In a health care lawsuit for harm which is alleged to relate to the adequacy of the packaging or labeling of a drug which is required to have tamper-resistant packaging under regulations of the Secretary of Health and Human Services (including labeling regulations related to such packaging), the manufacturer or product seller of the drug shall not be held liable for punitive damages unless such packaging or labeling is found by the trier of fact by clear and convincing evidence to be substantially out of compliance with such regulations.

(4) EXCEPTION.—Paragraph (1) shall not apply in any health care lawsuit in which—

(A) a person, before or after premarket approval, clearance, or licensure of such medical

product, knowingly misrepresented to or withheld from the Food and Drug Administration information that is required to be submitted under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or section 351 of the Public Health Service Act (42 U.S.C. 262) that is material and is causally related to the harm which the claimant allegedly suffered

(B) a person made an illegal payment to an official of the Food and Drug Administration for the purpose of either securing or maintaining approval, clearance, or licensure of such medical product; or

(C) the defendant caused the medical product which caused the claimant's harm to be misbranded or adulterated (as such terms are used in chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.)).

SEC. 406. AUTHORIZATION OF PAYMENT OF FUTURE DAMAGES TO CLAIMANTS IN HEALTH CARE LAWSUITS.

(a) IN GENERAL.—In any health care lawsuit, if an award of future damages, without reduction to present value, equaling or exceeding $50,000 is made against a party with sufficient insurance or other assets to fund a periodic payment of such a judgment, the court shall, at the request of any party, enter a judgment ordering that the future damages be paid by periodic payments, in accordance with the Uniform Periodic Payment of Judgments Act promulgated by the National Conference of Commissioners on Uniform State Laws.

(b) APPLICABILITY.—This section applies to all actions which have not been first set for trial or retrial before the effective date of this title.

SEC. 407. DEFINITIONS.

In this title:

(1) ALTERNATIVE DISPUTE RESOLUTION SYSTEM; ADR.—The term ''alternative dispute resolution system'' or ''ADR'' means a system that provides for the resolution of health care lawsuits in a manner other than through a civil action brought in a State or Federal court.

(2) CLAIMANT.—The term ''claimant'' means any person who brings a health care lawsuit, including a person who asserts or claims a right to legal or equitable contribution, indemnity, or subrogation, arising out of a health care liability claim or action, and any person on whose behalf such a claim is asserted or such an action is brought, whether deceased, incompetent, or a minor.

(3) COMPENSATORY DAMAGES.—The term ''compensatory damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities, damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature. The term ''compensatory damages'' includes economic damages and noneconomic damages, as such terms are defined in this section.

(4) CONTINGENT FEE.—The term ''contingent fee'' includes all compensation to any person or persons which is payable only if a recovery is effected on behalf of one or more claimants.

(5) ECONOMIC DAMAGES.—The term ''economic damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities.

(6) HEALTH CARE LAWSUIT.—The term ''health care lawsuit'' means any health care liability claim concerning the provision of health care goods or services or any medical product affecting interstate commerce, or any health care liability action concerning the provision of health care goods or services or any medical product affecting interstate commerce, brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider, a health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action, in which the claimant alleges a health care liability claim. Such term does not include a claim or action which is based on criminal liability; which seeks civil fines or penalties paid to Federal, State, or local government; or which is grounded in antitrust.

(7) HEALTH CARE LIABILITY ACTION.—The term ''health care liability action'' means a civil action brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider, a health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action, in which the claimant alleges a health care liability claim.

(8) HEALTH CARE LIABILITY CLAIM.—The term ''health care liability claim'' means a demand by any person, whether or not pursuant to ADR, against a health care provider, health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, including, but not limited to, third-party claims, cross-claims, counterclaims, or contribution claims, which are based upon the provision of, use of, or payment for (or the failure to provide, use, or pay for) health care services or medical products, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action.

(9) HEALTH CARE ORGANIZATION.—The term ''health care organization'' means any person or entity which is obligated to provide or pay for health benefits under any health plan, including any person or entity acting under a contract or arrangement with a health care organization to provide or administer any health benefit.

(10) HEALTH CARE PROVIDER.—The term ''health care provider'' means any person or entity required by State or Federal laws or regulations to be licensed, registered, or certified to provide health care services, and being either so licensed, registered, or certified, or exempted from such requirement by other statute or regulation.

(11) HEALTH CARE GOODS OR SERVICES.—The term ''health care goods or services'' means any goods or services provided by a health care organization, provider, or by any individual working under the supervision of a health care provider, that relates to the diagnosis, prevention, or treatment of any human disease or impairment, or the assessment or care of the health of human beings.

(12) MALICIOUS INTENT TO INJURE.—The term ''malicious intent to injure'' means intentionally causing or attempting to cause physical injury other than providing health care goods or services.

(13) MEDICAL PRODUCT.—The term ''medical product'' means a drug, device, or biological product intended for humans, and the terms ''drug'', ''device'', and ''biological product'' have the meanings given such terms in sections 201(g)(1) and 201(h) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(g)(1) and (h)) and section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)), respectively, including any component or raw material used therein, but excluding health care services.

(14) NONECONOMIC DAMAGES.—The term ''noneconomic damages'' means damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.

(15) PUNITIVE DAMAGES.—The term ''punitive damages'' means damages awarded, for the purpose of punishment or deterrence, and not solely for compensatory purposes, against a health care provider, health care organization, or a manufacturer, distributor, or supplier of a medical product. Punitive damages are neither economic nor noneconomic damages.

(16) RECOVERY.—The term ''recovery'' means the net sum recovered after deducting any disbursements or costs incurred in connection with prosecution or settlement of the claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys' office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose.

(17) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, or any political subdivision thereof.

SEC. 408. EFFECT ON OTHER LAWS.

(a) VACCINE INJURY.—

(1) To the extent that title XXI of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a vaccine-related injury or death—

(A) this title does not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this title in conflict with a rule of law of such title XXI shall not apply to such action.

(2) If there is an aspect of a civil action brought for a vaccine-related injury or death to which a Federal rule of law under title XXI of the Public Health Service Act does not apply, then this title or otherwise applicable law (as determined under this title) will apply to such aspect of such action.

(b) OTHER FEDERAL LAW.—Except as provided in this section, nothing in this title shall be deemed to affect any defense available to a defendant in a health care lawsuit or action under any other provision of Federal law.

SEC. 409. STATE FLEXIBILITY AND PROTECTION OF STATES' RIGHTS.

(a) HEALTH CARE LAWSUITS.—The provisions governing health care lawsuits set forth in this title preempt, subject to subsections (b) and (c), State law to the extent that State law prevents the application of any provisions of law established by or under this title. The provisions governing health care lawsuits set forth in this title supersede chapter 171 of title 28, United States Code, to the extent that such chapter—

(1) provides for a greater amount of damages or contingent fees, a longer period in which a health care lawsuit may be commenced, or a reduced applicability or scope of periodic payment of future damages, than provided in this title; or

(2) prohibits the introduction of evidence regarding collateral source benefits, or mandates or permits subrogation or a lien on collateral source benefits.

(b) PROTECTION OF STATES' RIGHTS AND OTHER LAWS.—(1) Any issue that is not governed by any provision of law established by or under this title (including State standards of negligence) shall be governed by otherwise applicable State or Federal law.

(2) This title shall not preempt or supersede any State or Federal law that imposes greater procedural or substantive protections for health care providers and health care organizations from liability, loss, or damages than those provided by this title or create a cause of action.

(c) STATE FLEXIBILITY.—No provision of this title shall be construed to preempt—

(1) any State law (whether effective before, on, or after the date of the enactment of this Act) that specifies a particular monetary amount of compensatory or punitive damages (or the total amount of damages) that may be awarded in a health care lawsuit, regardless of whether such monetary amount is greater or lesser than is provided for under this title, notwithstanding section 303(a); or

(2) any defense available to a party in a health care lawsuit under any other provision of State or Federal law.

SEC. 410. APPLICABILITY; EFFECTIVE DATE.

This title shall apply to any health care lawsuit brought in a Federal or State court, or subject to an alternative dispute resolution system, that is initiated on or after the date of the enactment of this Act, except that any health care lawsuit arising from an injury occurring prior to the date of the enactment of this Act shall be governed by the applicable statute of limitations provisions in effect at the time the injury occurred.

TITLE V—COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

SEC. 501. RETIREMENT CONTRIBUTIONS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8334(c) of title 5, United States Code, is amended—

(A) by striking ''(c) Each'' and inserting ''(c)(1) Each''; and

(B) by adding at the end the following:

''(2) Notwithstanding any other provision of this subsection, the applicable percentage of basic pay under this subsection shall—

''(A) except as provided in subparagraph (B) or (C), for purposes of computing an amount—

''(i) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 1.5 percentage points;

''(ii) for a period in calendar year 2014, be equal to the applicable percentage under this subsection for calendar year 2013 (as determined under clause (i)), plus an additional 0.5 percentage point;

''(iii) for a period in calendar year 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (ii) or this clause, as the case may be), plus an additional 1.0 percentage point; and

''(iv) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (iii));

''(B) for purposes of computing an amount with respect to a Member for Member service—

''(i) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

''(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (i) or this clause, as the case may be), plus an additional 1.5 percentage points; and

''(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (ii)); and

''(C) for purposes of computing an amount with respect to a Member or employee for Congressional employee service—

''(i) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

''(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (i) or this clause, as the case may be), plus an additional 1.5 percentage points; and

''(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (ii)).

''(3)(A) Notwithstanding subsection (a)(2), any excess contributions under subsection (a)(1)(A) (including the portion of any deposit under this subsection allocable to excess contributions) shall, if made by an employee of the United States Postal Service or the Postal Regulatory Commission, be deposited to the credit of the Postal Service Fund under section 2003 of title 39, rather than the Civil Service Retirement and Disability Fund.

''(B) For purposes of this paragraph, the term 'excess contributions', as used with respect to contributions made under subsection (a)(1)(A) by an employee of the United States Postal Service or the Postal Regulatory Commission, means the amount by which—

''(i) deductions from basic pay of such employee which are made under subsection (a)(1)(A), exceed

''(ii) deductions from basic pay of such employee which would have been so made if paragraph (2) had not been enacted.''.

(2) GOVERNMENT CONTRIBUTIONS.—Section 8334(a)(1)(B) of title 5, United States Code, is amended—

(A) in clause (i), by striking ''Except as provided in clause (ii),'' and inserting ''Except as provided in clause (ii) or (iii),''; and

(B) by adding at the end the following:

''(iii) The amount to be contributed under clause (i) shall, with respect to a period in any year beginning after December 31, 2012, be equal to—

''(I) the amount which would otherwise apply under clause (i) with respect to such period, reduced by

''(II) the amount by which, with respect to such period, the withholding under subparagraph (A) exceeds the amount which would otherwise have been withheld from the basic pay of the employee or elected official involved under subparagraph (A) based on the percentage applicable under subsection (c) for calendar year 2012.''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8422(a)(3) of title 5, United States Code, is amended—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) by inserting after subparagraph (A) the following:

''(B) Notwithstanding any other provision of this paragraph, the applicable percentage under this paragraph for civilian service by employees or Members other than revised annuity employees shall—

''(i) except as provided in clause (ii) or (iii), for purposes of computing an amount—

''(I) for a period in calendar year 2013, be equal to the applicable percentage under this paragraph for calendar year 2012, plus an additional 1.5 percentage points;

''(II) for a period in calendar year 2014, be equal to the applicable percentage under this paragraph for calendar year 2013 (as determined under subclause (I)), plus an additional 0.5 percentage point;

''(III) for a period in calendar year 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under subclause (II) or this subclause, as the case may be), plus an additional 1.0 percentage point; and

''(IV) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (III));

''(ii) for purposes of computing an amount with respect to a Member—

''(I) for a period in calendar year 2013, be equal to the applicable percentage under this paragraph for calendar year 2012, plus an additional 2.5 percentage points;

''(II) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under subclause (I) or this subclause, as the case may be), plus an additional 1.5 percentage points; and

''(III) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (II)); and

''(iii) for purposes of computing an amount with respect to a Congressional employee—

''(I) for a period in calendar year 2013, 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (including as increased under this subclause, if applicable), plus an additional 1.5 percentage points; and

''(II) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (I)).''; and

(C) in subparagraph (C) (as so redesignated by subparagraph (A))—

(i) by striking ''9.3'' each place it appears and inserting ''12''; and

(ii) by striking ''9.8'' each place it appears and inserting ''12.5''.

(2) GOVERNMENT CONTRIBUTIONS.—Section 8423(a)(2) of title 5, United States Code, is amended—

(A) by striking ''(2)'' and inserting ''(2)(A)''; and

(B) by adding at the end the following:

''(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2012, the normal-cost percentage under this subsection shall be determined and applied as if section 501(b)(1) of the Sequester Replacement Reconciliation Act of 2012 had not been enacted.

''(ii) Any contributions under this subsection in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

''(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.

''(iv) The preceding provisions of this subparagraph shall be disregarded for purposes of determining the contributions payable by the United States Postal Service and the Postal Regulatory Commission.''.

SEC. 502. ANNUITY SUPPLEMENT.

Section 8421(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)'';

(2) in paragraph (2), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)''; and

(3) by adding at the end the following:

''(4)(A) Except as provided in subparagraph (B), no annuity supplement under this section shall be payable in the case of an individual who first becomes subject to this chapter after December 31, 2012.

''(B) Nothing in this paragraph applies in the case of an individual separating under subsection (d) or (e) of section 8412.''.

SEC. 503. CONTRIBUTIONS TO THRIFT SAVINGS FUND OF PAYMENTS FOR ACCRUED OR ACCUMULATED LEAVE.

(a) AMENDMENTS RELATING TO CSRS.—Section 8351(b) of title 5, United States Code, is amended—

(1) by striking paragraph (2)(A) and inserting the following:

''(2)(A) An employee or Member may contribute to the Thrift Savings Fund in any pay period any amount of such employee's or Member's basic pay for such pay period, and may contribute (by direct transfer to the Fund) any part of any payment that the employee or Member receives for accumulated and accrued annual or vacation leave under section 5551 or 5552. Notwithstanding section 2105(e), in this paragraph the term 'employee' includes an employee of the United States Postal Service or of the Postal Regulatory Commission.'';

(2) by striking subparagraph (B) of paragraph (2); and

(3) by redesignating subparagraph (C) of paragraph (2) as subparagraph (B).

(b) AMENDMENTS RELATING TO FERS.—Section 8432(a) of title 5, United States Code, is amended—

(1) by striking all that precedes paragraph (3) and inserting the following:

''(a)(1) An employee or Member—

''(A) may contribute to the Thrift Savings Fund in any pay period, pursuant to an election under subsection (b), any amount of such employee's or Member's basic pay for such pay period; and

''(B) may contribute (by direct transfer to the Fund) any part of any payment that the employee or Member receives for accumulated and accrued annual or vacation leave under section 5551 or 5552.

''(2) Contributions made under paragraph (1)(A) pursuant to an election under subsection (b) shall, with respect to each pay period for which such election remains in effect, be made in accordance with a program of regular contributions provided in regulations prescribed by the Executive Director.''; and

(2) by adding at the end the following:

''(4) Notwithstanding section 2105(e), in this subsection the term 'employee' includes an employee of the United States Postal Service or of the Postal Regulatory Commission.''.

(c) REGULATIONS.—The Executive Director of the Federal Retirement Thrift Investment Board shall promulgate regulations to carry out the amendments made by this section.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect 1 year after the date of the enactment of this Act.

TITLE VI—COMMITTEE ON WAYS AND MEANS

Subtitle A—Recapture of Overpayments Resulting From Certain Federally-subsidized Health Insurance

SEC. 601. RECAPTURE OF OVERPAYMENTS RESULTING FROM CERTAIN FEDERALLY-SUBSIDIZED HEALTH INSURANCE.

(a) IN GENERAL.—Paragraph (2) of section 36B(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

(b) CONFORMING AMENDMENT.—So much of paragraph (2) of section 36B(f) of such Code, as amended by subsection (a), as precedes ''advance payments'' is amended to read as follows:

''(2) EXCESS ADVANCE PAYMENTS.—If the''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 2013.

Subtitle B—Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit

SEC. 611. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

''(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

''(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.''.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of such Code is amended to read as follows:

''(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return,''.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of such Code is amended by inserting ''WITH RESPECT TO QUALIFYING CHILDREN'' after ''IDENTIFICATION REQUIREMENT'' in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

Subtitle C—Human Resources Provisions

SEC. 621. REPEAL OF THE PROGRAM OF BLOCK GRANTS TO STATES FOR SOCIAL SERVICES.

(a) REPEALS.—Sections 2001 through 2007 of the Social Security Act (42 U.S.C. 1397–1397f) are repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 404(d) of the Social Security Act (42 U.S.C. 604(d)) is amended—

(A) in paragraph (1), by striking ''any or all of the following provisions of law:'' and all that follows through ''The'' and inserting ''the'';

(B) in paragraph (3)—

(i) by striking ''RULES'' and all that follows through ''any amount paid'' and inserting ''RULES.—Any amount paid'';

(ii) by striking ''a provision of law specified in paragraph (1)'' and inserting ''the Child Care and Development Block Grant Act of 1990''; and

(iii) by striking subparagraph (B); and

(C) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 422(b) of the Social Security Act (42 U.S.C. 622(b)) is amended—

(A) in paragraph (1)(A)—

(i) by striking ''administers or supervises'' and inserting ''administered or supervised''; and

(ii) by striking ''subtitle 1 of title XX'' and inserting ''subtitle A of title XX (as in effect before the repeal of such subtitle)''; and

(B) in paragraph (2), by striking ''under subtitle 1 of title XX,''.

(3) Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(A) in paragraph (4), by striking '', under subtitle 1 of title XX of this Act,''; and

(B) in paragraph (8), by striking ''XIX, or XX'' and inserting ''or XIX''.

(4) Section 472(h)(1) of the Social Security Act (42 U.S.C. 672(h)(1)) is amended by striking the 2nd sentence.

(5) Section 473(b) of the Social Security Act (42 U.S.C. 673(b)) is amended—

(A) in paragraph (1), by striking ''(3)'' and inserting ''(2)'';

(B) in paragraph (4), by striking ''paragraphs (1) and (2)'' and inserting ''paragraph (1)''; and

(C) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(6) Section 504(b)(6) of the Social Security Act (42 U.S.C. 704(b)(6)) is amended in each of subparagraphs (A) and (B) by striking ''XIX, or XX'' and inserting ''or XIX''.

(7) Section 1101(a)(1) of the Social Security Act (42 U.S.C. 1301(a)(1)) is amended by striking the penultimate sentence.

(8) Section 1128(h) of the Social Security Act (42 U.S.C. 1320a-7(h)) is amended—

(A) by adding ''or'' at the end of paragraph (2); and

(B) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(9) Section 1128A(i)(1) of the Social Security Act (42 U.S.C. 1320a-7a(i)(1)) is amended by striking ''or subtitle 1 of title XX''.

(10) Section 1132(a)(1) of the Social Security Act (42 U.S.C. 1320b-2(a)(1)) is amended by striking ''XIX, or XX'' and inserting ''or XIX''.

(11) Section 1902(e)(13)(F)(iii) of the Social Security Act (42 U.S.C. 1396a(e)(13)(F)(iii)) is amended—

(A) by striking ''EXCLUSIONS'' and inserting ''EXCLUSION''; and

(B) by striking ''an agency that determines eligibility for a program established under the Social Services Block Grant established under title XX or''.

(12) The heading for title XX of the Social Security Act is amended by striking ''BLOCK GRANTS TO STATES FOR SOCIAL SERVICES'' and inserting ''HEALTH PROFESSIONS DEMONSTRATIONS AND ENVIRONMENTAL HEALTH CONDITION DETECTION''.

*(13) The heading for subtitle A of title XX of the Social Security Act is amended by striking ''**Block Grants to States for Social Services**'' and inserting ''**Health Professions Demonstrations and Environmental Health Condition Detection**''.*

(14) Section 16(k)(5)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(k)(5)(B)(i)) is amended by striking '', or title XX,''.

(15) Section 402(b)(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(3)) is amended by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B).

(16) Section 245A(h)(4)(I) of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1255a(h)(4)(I)) is amended by striking '', XVI, and XX'' and inserting ''and XVI''.

(17) Section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (B)—

(I) by striking ''—'' and all that follows through ''(i)'';

(II) by striking ''or'' at the end of clause (i); and

(III) by striking clause (ii); and

(ii) in subparagraph (D)(ii), by striking ''or title XX''; and

(B) in subsection (o)(2)(B)—

(i) by striking ''or title XX'' each place it appears; and

(ii) by striking ''or XX''.

(18) Section 201(b) of the Indian Child Welfare Act of 1978 (25 U.S.C. 1931(b)) is amended by striking ''titles IV–B and XX'' each place it appears and inserting ''part B of title IV''.

(19) Section 3803(c)(2)(C) of title 31, United States Code, is amended by striking clause (vi) and redesignating clauses (vii) through (xvi) as clauses (vi) through (xv), respectively.

(20) Section 14502(d)(3) of title 40, United States Code, is amended—

(A) by striking ''and title XX''; and

(B) by striking '', 1397 et seq.''.

(21) Section 2006(a)(15) of the Public Health Service Act (42 U.S.C. 300z-5(a)(15)) is amended by striking ''and title XX''.

(22) Section 203(b)(3) of the Older Americans Act of 1965 (42 U.S.C. 3013(b)(3)) is amended by striking ''XIX, and XX'' and inserting ''and XIX''.

(23) Section 213 of the Older Americans Act of 1965 (42 U.S.C. 3020d) is amended by striking ''or title XX''.

(24) Section 306(d) of the Older Americans Act of 1965 (42 U.S.C. 3026(d)) is amended in each of paragraphs (1) and (2) by striking ''titles XIX and XX'' and inserting ''title XIX''.

(25) Section 2605 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624) is amended in each of subsections (b)(4) and (j) by striking ''under title XX of the Social Security Act,''.

(26) Section 602 of the Child Development Associate Scholarship Assistance Act of 1985 (42 U.S.C. 10901) is repealed.

(27) Section 3(d)(1) of the Assisted Suicide Funding Restriction Act of 1997 (42 U.S.C. 14402(d)(1)) is amended by striking subparagraph (C) and redesignating subparagraphs (D) through (K) as subparagraphs (C) through (J), respectively.

(c) EFFECTIVE DATE.—The repeals and amendments made by this section shall take effect on October 1, 2012.

TITLE VII—SEQUESTER REPLACEMENT

SEC. 701. SHORT TITLE.

This title may be cited as the ''Sequester Replacement Act of 2012''.

SEC. 702. PROTECTING VETERANS PROGRAMS FROM SEQUESTER.

Section 256(e)(2)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

SEC. 703. ACHIEVING $19 BILLION IN DISCRETIONARY SAVINGS.

(a) REVISED 2013 DISCRETIONARY SPENDING LIMIT.—Paragraph (2) of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

''(2) with respect to fiscal year 2013, for the discretionary category, $1,047,000,000,000 in new budget authority;''.

(b) DISCRETIONARY SAVINGS.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

''(A) FISCAL YEAR 2013.—

''(i) FISCAL YEAR 2013 ADJUSTMENT.—On January 2, 2013, the discretionary category set forth in section 251(c)(2) shall be decreased by $19,104,000,000 in budget authority.

''(ii) SUPPLEMENTAL SEQUESTRATION ORDER.—On January 15, 2013, OMB shall issue a supplemental sequestration report for fiscal year 2013 and take the form of a final sequestration report as set forth in section 254(f)(2) and using the procedures set forth in section 253(f), to eliminate any discretionary spending breach of the spending limit set forth in section 251(c)(2) as adjusted by clause (i), and the President shall order a sequestration, if any, as required by such report.''.

SEC. 704. CONFORMING AMENDMENTS TO SECTION 314 OF THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.

Section 314(a) of the Congressional Budget Act of 1974 is amended to read as follows:

''(a) ADJUSTMENTS.—

''(1) IN GENERAL.—The chair of the Committee on the Budget of the House of Representatives or the Senate may make adjustments as set forth in paragraph (2) for a bill or joint resolution, amendment thereto or conference report thereon, by the amount of new budget authority and outlays flowing therefrom in the same amount as required by section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(2) MATTERS TO BE ADJUSTED.—The chair of the Committee on the Budget of the House of Representatives or the Senate may make the adjustments referred to in paragraph (1) to—

''(A) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a);

''(B) the budgetary aggregates as set forth in the appropriate concurrent resolution on the budget; and

''(C) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget.''.

SEC. 705. TREATMENT FOR PAYGO PURPOSES.

The budgetary effects of this Act and any amendment made by it shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

SEC. 706. ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DEFENSE DIRECT SPENDING.

Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for the defense function (050) for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 1 hour.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 5652, the Sequester Replacement Reconciliation Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I would like to remind everybody for a minute as to how we got here. Why are we doing this? What's going on?

When the President was requesting an increase in the debt limit last year, he wanted a blank check. Just increase the debt limit. Borrowing unchecked. Then when that wasn't going to happen, he asked for a big tax increase. That didn't occur.

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What occurred out of that was the Budget Control Act. You've got to cut at least a dollar's worth of spending for every dollar of debt-limit increase that occurs.

So Congress passed the Budget Control Act with no tax increases, spending cuts. Half of it, approximately, were the caps on discretionary spending netting about $1 trillion in savings—$917 billion, to be specific. The other half, the $1.2 trillion, was the Select Committee—people call this the supercommittee. That committee failed to produce a result. As a result of that, a sequester occurs. And the sequester, according to people on a bipartisan basis, is not good government. The sequester, according to the Secretary of Defense, the President himself, would hollow out our military when it kicks in on January 2 next year. The sequester will take nondefense discretionary spending down 8 percent and defense down 10 percent.

We believe the purpose of the sequester was to replace the fact that Congress isn't governing. Well, let's have Congress govern. That's why we're doing this. What we're doing is we're bringing a bill to the floor to cut 405 percent of the spending cuts that are in the sequester in the first year. A net deficit reduction of $242.8 billion to set aside the sequester under discretionary for 1 year of $78 billion, we think that's a good tradeoff.

More to the point, we need to get in the habit of doing reconciliation because 61 percent of the Federal budget is off limits, it's autopilot, it's not touched. Congress doesn't deal with it. So we should look at this part of our government that is not being dealt with.

The last time we used reconciliation for its intended purpose—to cut spending, to reduce deficits—was 2005. So rather than just having annual discretionary spending bouts and debates, we should look at the other parts of government that are on autopilot.

Take a look at what we're doing. We basically are doing five things. We're stopping the abuse by ensuring individuals are actually eligible for the taxpayer benefits they receive—novel idea, I know. We're eliminating government slush funds to stop bailouts. We're controlling runaway, unchecked spending. We're putting restraints on government spending by bureaucracies. And we're getting rid of duplicative spending.

I can go through each program, and we will do this in this debate, but what we're simply saying is people should actually be eligible for the benefits that they receive, whether it's a tax credit, whether it's a SNAP benefit, whatever it is. When we take a look at why we're cutting spending, we are doing this with the guise of the fact that we have a spending-driven debt crisis on the horizon. If taxes go back to where they've been for the last 40 years, which is what they are projected to do, there's no way you can fix this problem by raising taxes.

We have a spending-driven debt crisis, and the debt crisis is one in which we have a tidal wave of debt coming to this country just like Europe is experiencing. If we don't get our spending under control and we don't get our deficit under control, the people who need government the most—the poor, the elderly—they're the ones who get hurt the first and the worst.

We need to get spending and, therefore, deficits under control to prevent a debt crisis. That's what this does. It's a downpayment. Instead of saving hundreds of billions of dollars like this bill does, we need to get into the practice of actually saving trillions of dollars, which is what our budget does, in order to prevent a debt crisis from ruining the American Dream for Americans.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there's agreement here on two things: one, we need to reduce our long-term deficits—the question is not whether we need to do that, but how; second, we agree that the automatic, indiscriminate, meat-ax cuts scheduled to begin next January are the wrong way to reduce the deficit. We need a responsible alternative.

Now, the House Democrats put forward a budget, as did the President, that deals with this issue over 10 years in a balanced way, building on the more than $1 trillion of cuts we already made on a bipartisan basis last August, and including additional cuts, but also cutting tax loopholes that benefit special interests, and asking people who make more than $1 million per year to help a little bit more toward deficit reduction. That is the kind of bipartisan approach that's been recommended by bipartisan groups like Simpson-Bowles and Rivlin-Domenici. Unfortunately, the Republican approach to the budget—and now to the sequester issue—takes this lopsided approach.

Now, let's remember, 98 percent of our House Republican colleagues, while they come down here and talk about how we have this big deficit and debt problem, they have signed a pledge that says we're not going to ask for one penny of additional contribution from people making more than $1 million a year to help reduce our deficit, not one penny. We won't take one penny of taxpayer subsidies away from the big oil companies to help reduce the deficit.

And the math is pretty simple after that. If you say from the beginning you're not going to ask people making $1 million a year to help do a little more to reduce our common deficit, if you say you're not going to ask companies that have these tax loopholes that actually incentivize them to ship jobs overseas to pay a little bit more, what do you do? Your budget has to whack everyone else, and that's what it did. That's why their budget ended the Medicare guarantee. That's why they cut $800 billion from Medicaid—two-thirds of Medicaid spending goes to help seniors and disabled people in nursing homes. That's why they slash vital investments in education, research, infrastructure, things that had been bipartisan investments to help our economy grow. That's what they did then.

And now on this sequester proposal, what do they do? The chairman talks about eligibility. These are people who are eligible to get food and nutrition assistance because they're struggling. The nonpartisan Congressional Budget Office, which is our referee around here, has told us what the real-world consequences of their proposal before us today would be. Over 22 million households with kids would see their food and nutrition support reduced; 300,000 kids knocked off the school lunch program; 300,000 kids knocked off the Children's Health Insurance Program. Those are the kinds of choices they make because they refuse to take a balanced approach to this deficit issue.

Now, I want to say one word about defense spending. Last August, as part of the bipartisan Budget Control Act, our Republican colleagues deliberately chose to expose defense spending to deep additional cuts rather than ask millionaires and big corporations to share a greater responsibility for paying for our national security. Now our Republican colleagues are on the floor today saying these defense cuts would devastate our national security; but they still, even today, apparently aren't concerned enough about the impact of those cuts on national security to ask millionaires to pay a little bit more for our common defense. That's the same kind of mentality that led us to put two wars—Iraq and Afghanistan—on our national credit card. Even as we asked our soldiers to sacrifice, we said we're just going to put that on our national credit card.

So there's a fundamental question here: If you're so concerned about those cuts to defense, why is it you won't close one special interest tax loophole to help pay for them?

We, the Democrats, had a substitute amendment that we would have been able to debate and vote on right here today. We took an alternative approach. We also prevented those defense cuts. You know how we did it? We said we don't need to make these big agricultural subsidies in direct payments. We also don't think we should have taxpayer subsidies for the big oil companies. We did it in a different way. Apparently, our Republican colleagues are kind of worried about what we were going to propose because they brought a closed rule to the floor, meaning Democrats didn't have an opportunity to get a vote on our alternative.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. I yield myself 1 minute to say, Mr. Speaker, that the gentleman's substitute raises taxes $85 billion and raises spending $55 billion on the net to achieve simply $30 billion in deficit reduction. This bill achieves $243 billion in deficit reduction without raising taxes.

The ratio of tax increases to spending cuts gross 3 to 1. That's what they think balance is.

□ 1110

Let's look at food stamps. Food stamps went up 270 percent over the last decade. If this passes, it will have gone up 260 percent.

Let's talk about Medicaid and SCHIP. This program has gone up 50 percent over the last 10 years. It's projected to grow 125 percent over the next 10 years. If this passes, it will grow 123 percent over the next 10 years.

If we can't have a civil debate about how to slow the growth of spending around here then we'll never get this under control. Medicaid alone made $15.8 billion in overpayments in 2011 alone. If we can't deal with this waste, if we can't deal with this overspending, we can't fix this problem.

With that, Mr. Speaker, I yield 7 minutes of my time to Mr. HENSARLING of the Financial Services Committee, and ask unanimous consent that he be allowed to yield time.

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. HENSARLING) will control the time.

Mr. HENSARLING. I thank the gentleman from Wisconsin for yielding.

Mr. Speaker, I would like to yield 1 minute to the distinguished chairman of the Financial Services Committee, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, the Financial Committee's work on this reconciliation package saves more than $35 billion. But more importantly, it does what 2,300 pages of Dodd-Frank, 400 new regulations, over 2,000 newly hired Federal regulators, many them living in my Maryland colleague's district, and more than $24 million worth of compliance work required of America's companies, at the cost of $100 billion, don't: it ends the bailouts.

A bailout fund doesn't end the bailout; it guarantees them. We're telling the big banks what my Democratic colleagues didn't want to tell them: if they make risky bets and make bad decisions, they're on the hook, not the taxpayers. No more privatizing the profits, no more socializing the losses. In short, no more bailouts, period.

Mr. VAN HOLLEN. At this time I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank Ranking Member VAN HOLLEN.

Well, here we are again. America is still recovering from the worst economic downturn since the Great Depression, and the Republicans don't seem to understand that we need to focus on job creation.

Our economy has been producing private sector jobs each month for the last 2 years, in stark contrast to the Bush years. But today we're not debating job growth to balance the budget. We aren't considering a transportation bill today. No, that would create the most new jobs, making real investments in America by putting people back to work and growing our economy.

Today we are debating nothing more than the latest political talking points for the Republican Party. We all know that this strategy is going nowhere in the Senate. So instead of focusing on economic growth and job creation, the Republicans have decided to protect their rich friends and slash the programs that the most needy in our country depend upon.

While protecting the well-heeled, here's what the Republican bill does to ordinary families:

Cuts health coverage for the least among us, 300,000 low-income children.

The Republican bill slashes food and nutrition support for the unemployed and for struggling children and families.

The Republican bill eliminates Social Services Block Grants, which give States and local communities flexibility to target funding for essential services like Meals on Wheels, preventing child abuse and neglect, and providing child care for working parents.

The Republican bill wants to repeal the Prevention and Public Health Fund established under the Affordable Care Act. And what does that do? It supports cancer screenings, including for breast and cervical cancer, immunizations, education, research, and prevention, which, in the end, saves the most money. Prevention saves money.

If the Republicans were serious about putting our fiscal house in order, they would put forward a serious proposal that grows our economy and creates jobs to balance the budget and involves shared sacrifice. That's how you balance budgets—you grow the economy.

I look forward to that day.

Mr. HENSARLING. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Speaker, a lot of discussion here this morning about who we're protecting. Well, really the reason we're here today is to protect the future of America.

They're throwing around a lot of large numbers here, but I think what we need to do is put in perspective what we're talking about here today. I want to talk to you about a little family that's making $24,000 a year. Unfortunately, this family is spending $37,000 a year, so they're spending $13,000 more a year than they're making.

And they just got their credit card statement the other day, Mr. Speaker, and they found out they owe $157,000 on their credit card. And people out there would say, that's a family that doesn't have a future.

Unfortunately, the family that I'm just talking about here, Mr. Speaker, is the United States of America, because I took the eight zeros off of the front of these numbers that we're kicking around today.

So I think the American people ought to be excited that we're here today making a start. And let me point out, this is just a start to addressing a very large problem. And so when we go into some of the programs out there like the Consumer Protection Financial Bureau basically that was tucked inside the Fed, has no accountability, that was the reason I was pleased to introduce H.R. 1355 to bring accountability to that.

The American people deserve accountability, and they also deserve for this body to come together and work on this very large problem because, as has been pointed out, a lot of the things that we actually vote on, in fact, this $13,000 deficit, if we eliminated the part of spending that we are talking about voting on in these appropriation bills, it would only eliminate $11,000 of that deficit. And so this family would still have a $2,000 budget deficit, even after we eliminate all of the programs that we vote on.

Mr. Speaker, this is the business that we are supposed to be about. Let's work together and protect the future of our children and our grandchildren so that they will have a future, they will have an opportunity to have jobs and opportunities in America.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I just would like to respond to the chairman of the Budget Committee in terms of the ratio of cuts to revenue. I think the gentleman will recall that one of the recommendations that the bipartisan commission made was the trillion dollars in cuts that we made as part of the Budget Control Act, that was 100 percent cuts. If you take that into account, the reality is what we've done so far with our proposal is 92 percent cuts, 8 percent revenue, and with that revenue generated by closing those tax loopholes I talked about earlier.

With that, I yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in opposition to the Sequester Replacement Reconciliation Act, the second phase in the Republicans' Pathway to Poverty plan.

This bill, once again, fails to reach any measure of fairness and shared responsibility. All of us agree that the implementation of sequestration would be a damaging, harmful approach to take in an effort to achieve deficit reduction.

The difference between Democrats and Republicans is that, instead of taking a balanced approach, the Republicans would replace sequestration with tax breaks to millionaires and special interests while ending the Medicare guarantee, slashing investments that strengthen our economy, and shredding the social safety net. Not surprisingly, important provisions of the Affordable Care Act are in their sights.

The Prevention and Public Health Fund was an unprecedented investment in our Nation's health and well-being, particularly the health of America's women and children. By providing funding for vital cancer and infection screenings, modernizing vaccine systems, and the fight against epidemics like obesity and diabetes, this fund truly invests in our Nation's health, and it will provide savings down the line by helping to catch afflictions early.

By seeking to undermine the Affordable Care Act, the Republican reconciliation bill would eliminate funding for hundreds of thousands of lifesaving screenings, all to score political points with their extreme base.

Mr. Speaker, just a few years ago, when I was 41 years old, I found a lump in my breast, which was confirmed to be cancer in a series of screenings, including a clinical screening just like the ones that this fund provides. These screenings saved my life.

But this bill would prevent 326,000 women from having access to the same lifesaving screenings that I did. It will prevent an estimated 10,300 women from being diagnosed with breast and cervical cancer in its early stages, and it may cost them their lives.

Furthermore, this bill slashes funding for screening for birth defects, developmental disabilities, and hearing loss in children.

How can any of us, in good conscience, cut funding by cutting investments in children's health?

Frankly, as a mom of three young kids, I'm stunned because I think it's just common sense that you don't pay down a deficit our children didn't create by compromising their health.

Our constituents deserve a balanced approach to deficit reduction. The Republicans' approach would deny women like me access to screenings that save lives and deny children the screenings they need so we can keep them healthy. It's unacceptable, and I ask colleagues with a conscience to vote down this terrible bill.

□ 1120

Mr. HENSARLING. Mr. Speaker, I yield myself 2 minutes.

It is important for us to remember why we are here. We are here because

the President's policies have failed—a trillion-dollar deficit, a second trillion-dollar deficit, a third trillion-dollar deficit, and now a fourth trillion-dollar deficit—putting the Nation on the road to bankruptcy. That's why we have a reconciliation bill before us.

I hear my friends on the other side of the aisle talk about deep cuts. The deepest cuts that are happening in America today are to the family budgets of breadwinners who are either unemployed or underemployed due to the economic policies of this administration. We just got the news last month: the third month in a row where job growth is down. We're not even keeping pace. We have the lowest labor force participation rate in 30 years because, Mr. Speaker, people have given up on the Obama economy. Those are the deep cuts that truly count.

Republicans have a plan for America's job creators. We want to get this economy going; and as we do, as people go back to work, they will get off of the welfare checks and onto the paychecks. That's what counts. So Republicans have brought forth a reconciliation plan that says, You know what? Maybe we ought to quit spending money we don't have, and maybe this will help provide part of the confidence that job creators need to put America back to work.

I am very proud of the work that was done on the Financial Services Committee, among other things, to end the perpetual Wall Street bailout fund that was put in by the Democrats in the Dodd-Frank bill, because if you lose your ability to fail in America, you lose your ability to succeed, and the American people are tired of the bailouts.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, before I turn to one of my colleagues, let me say in response to my friend Mr. HENSARLING that the American people are well aware of what was happening to the economy the very day the President was sworn in as President of the United States: losing 800,000 jobs every month, the economy in free fall, almost 9 percent in negative economic growth. People's retirement savings had dropped by one-third compared to where they were in 2007. That's the economy the President inherited.

As a result of the extraordinary measures taken by the President, by the previous Congress and, most importantly, with the fortitude of the American people, what we see is this. After the day the President was sworn in and when the economy was in free fall—those were jobs lost—we began to lift ourselves slowly out. We have now had 25 consecutive months of positive private sector job growth.

Is it enough? No. Of course, we had no help from our Republican colleagues in working on the turnaround. The President's jobs bill that he submitted to this House last September is still sitting here. Fortunately, we finally did a piece of it with the payroll tax cut.

My Republican colleagues say they have an answer. Their answer is back to the old trickle-down economics: another round of tax breaks for the folks at the very top, and somehow that's going to trickle down and lift everybody up.

Do you know what? We tried it. It didn't work. It was called 8 years of the Bush administration. We had two back-to-back tax cuts at the end of the 8 years, a net job loss in the private sector after those 8 years, and we had big deficits. The last time we had a balanced budget here was in 2001, which was before those policies. So it is important for us to get the history of the past right in order to make sure we know how to move forward properly in the future.

I now yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this just as I appreciate his setting the stage in terms of why we're here, in terms of what President Obama inherited when he was elected to office.

But another reason we're here is that the Republican leadership doesn't want to work with us in a balanced and reasonable way to reduce the deficit and get us on a sustainable path. Nothing is a greater illustration of this than the response to an amendment that I offered in the Budget Committee. On Monday, when we were dealing with this, I offered up to my colleagues:

Instead of eliminating food stamp benefits for 2 million people, cutting benefits early to 20 months, reducing benefits for 44 million people in total, school lunches for 280,000 children, I said, Wait a minute. Why don't we work together on something that we agree on?

I've worked with the chairman of the Budget Committee in the past to try and reform agriculture subsidies. We got reconciliation instruction from the Ag Committee that takes it all out of the nutrition for poor people, for children, for struggling families. I said, Why don't we go to where we agree: crop insurance wastes billions, and direct payments go to farmers who don't need them and don't deserve them.

We have an opportunity to put reasonable limits on the amount that goes to the wealthiest agribusiness interests. We've worked on that together. A majority of the Budget Committee, I'm sure, agrees. It would pass on the floor, and we could meet this objective and more without assaulting the well-being of 44 million struggling Americans. I've looked at those people in my community, and I can't imagine my colleagues who are proposing this have worked with the food kitchens, have worked with the food stamp recipients.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. The answer, in part, was that we can't do this. We do agree on some farm reform, but we have to do it when we reform the farm bill. That's coming up for reauthorization later. You'll have to do it in the farm bill. That's where we deal with direct payments. That's where we deal with crop insurance.

Hello? Where are food stamps authorized? They're in the exact same farm bill, and the Republicans have decided they're going to ignore this opportunity for a bipartisan compromise that will save more money and protect families. Instead, they're going to protect agribusiness and avoid an opportunity for everybody to win on the floor. It's shameful and should be rejected.

Mr. HENSARLING. Mr. Speaker, I would like to yield 30 seconds to the gentleman from Texas (Mr. CANSECO).

Mr. CANSECO. I thank the gentleman from Texas for yielding.

Mr. Speaker, the Financial Services Committee has responsibly contributed, roughly, $35 billion in deficit reduction measures to this bill, and I am happy that one of these measures that I sponsored—a repeal of the Office of Financial Research—was adopted by voice vote in our committee. This agency, which was created by the Dodd-Frank, is a threat to the privacy of every American citizen, and it has no place in a system of checks and balances such as ours. Repealing the OFR will save $270 million over 10 years, and Americans will be better off for it.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield myself the remaining 1½ minutes.

The American people know that after the Nation's first, second, third, and now fourth trillion-dollar deficit—the American people know after the worst employment record in 30 years—that the problem is with the President's economic policies. Ultimately, the debate comes down to this: Do we have a debt crisis because Washington spends too much or because the American people are undertaxed?

My colleagues on the other side of the aisle say a nation can tax its way into economic growth, that it can tax its way into economic prosperity. They want to impose taxes on 40 percent of the income on small businesses, and they somehow think they will create more jobs.

Mr. Speaker, if you gave them every job-harming tax increase that they have asked for, it would be roughly 16 percent of the additional $11 trillion of debt that the President wants to put on

this economy, our children and our grandchildren. The American people know we can do better. It is time to quit spending money we don't have for jobs the stimulus program never creates.

□ 1130

I'm proud to be a part of this reconciliation package which will save the draconian cuts that are aimed at our warfighters and their families and be able to begin the process of ensuring that a great Nation lives within its means and that we can give the next generation greater hope, greater opportunity, greater economic growth.

I urge all my colleagues to support this reconciliation bill.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I would just point out that the nonpartisan Congressional Budget Office has stated that as a result of the economic recovery bill and the extraordinary actions that were taken, over 4 million jobs were created or saved. That means a lot to the people who didn't lose their jobs and to the people who were losing their jobs at the rate of 800,000 per month when the President was sworn in. Are we where we want to be? Of course not. Are we a lot better off than we were? We're pulling ourselves up. The last thing we want to do is go back to where we were.

Nobody on the Democratic side has said we can deal with this on the tax side alone. I keep hearing that. It's just not true. We just voted on a bipartisan basis in August for a trillion dollars in cuts. What we propose is what every bipartisan group that has looked at this challenge has said: you have to do this through a combination of cuts, but you also have to get rid of all that pork-barrel stuff in the Tax Code and use some of that to reduce our deficit. Ask the folks who have been making over a million dollars a year to help pay more for our common defense. That is just common sense.

With that, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, normally when we think of reconciliation, we think of a coming together, of finding common ground. This is not such a reconciliation. Rather, this is a bill that provides more tax breaks to the few and more pain to the many. It is, in fact, a wreck, as in a train- or auto-wreck—''wreckonciliation.''

There is legitimate concern that we must address our budget difficulties to avoid a long-term budget wreck, but I am concerned about the wreck that this legislation under consideration today poses to the lives of so many Americans. It is a wreck for educational opportunity. The failure of this Budget Committee to address the needs of our youngest Americans with Head Start and early learning, the failure to extend the More Education tuition tax credit that I authored for more opportunity at the Alamo Colleges, at Texas State and institutions across this country.

It is a wreck for our most vulnerable neighbors, the Texas seniors, who rely on one hot meal a day from Meals on Wheels. Their director says it will be ''devastating'' to eliminate the Social Services Block Grant, a wreck for those seniors. It is a wreck for those who are relying on food security, like the 74-year-old who gave me this paper plate at the food bank in San Antonio:

''My Social Security check doesn't give me enough to buy any groceries, just my rent and utilities. Without the food bank, I would starve.''

Those are the kinds of people for whom this bill is a wreck right now.

We had a President once who realized the need for shared sacrifice. He had almost half of his budget from new revenue. What he said was that ''closing off special interest loopholes'' was just ''a matter of simple fairness.'' His name was Ronald Reagan. I think we might follow that example.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman another 30 seconds.

Mr. DOGGETT. We would contrast that example with those Republican Presidential candidates who said they wouldn't support $1 of additional revenue for $10 of spending cuts to get our budget in balance.

This is a ''wreckonciliation'' bill that asks nothing of Mr. Exxon, that asks nothing more of hedge fund managers, but asks those who are most vulnerable in our society to share more pain.

I think we must reject this reconciliation bill which is a wreck for so many American families.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 1½ minutes to just address a few of these.

If you're eligible for food stamps today, you'll be eligible for food stamps tomorrow under this bill. We're simply saying you have to be eligible for this benefit to actually get the benefit.

The slush fund, which is called the Preventive Services Fund, doesn't fund cervical and breast cancer research. It funded things such as the Pitt County, North Carolina, funds for signage to promote recreational destinations, including public parks, bike lanes, and more. The city of Boston received a $1 million grant for urban gardening. The New York Department of Health used a $3 million taxpayer-funded grant from this fund to lobby for a soda-tax initiative. The Cascade Bicycle Club Education Foundation granted $3 million to the Seattle and King County Public Health Facility to use taxpayer dollars to ''improve the walking and biking environment.'' This is where our taxpayer dollars are going.

With regard to the child tax credit, one investigation in Indiana said an illegal immigrant is claiming $29,608 as a tax credit for 20 children who live in Mexico and have never visited the United States before.

What we're saying is government spending on these programs should go to the people who they are intended for, not to people who are not eligible and are not intended for. If we're going to do prevention for health care, then do cancer screenings, do cancer research. Don't fund signs for bike paths.

With that, Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California, the chairman of the House Armed Services Committee, Mr. MCKEON.

Mr. MCKEON. Mr. Speaker, I rise today in strong support of H.R. 5652.

Fifty percent of the savings that we have already generated this year have come from the military cuts, and we're talking about adding another $500 billion to $600 billion on top of that next January with sequestration. That's over a trillion dollars a year coming out of the military over the next 10 years, while defense spending only accounts for less than 20 percent of our budget and while we're fighting a war in Afghanistan and facing other uncertainties around the world.

Let me remind everyone here of the major consequences of sequestration. There will be 200,000 troops taken out of the Army and the Marines, bringing our force level down below pre-9/11 levels. The ability to respond to contingencies in North Korea and Iran and other hot spots around the world will be put in jeopardy. We will have a fleet of fewer than 230 ships for a Navy that has protected the sea lanes around the world and our commerce. Ninety-five percent of our commerce travels on the sea. They've protected that since World War II. They'll be taken down to pre-World War I levels.

We'll have a smaller Air Force than at any time since the Air Force was created and two rounds of base closures. That's why Secretary Panetta has said, It's not shooting ourselves in our foot with sequestration; it's shooting ourselves in the head. That's why 31 organizations representing more than 5½ million American troops and veterans have called on Congress to act immediately to prevent these catastrophic cuts to our military.

Mr. Speaker, I urge all Members to support our troops, support our national security, and support this bill.

Mr. VAN HOLLEN. Mr. Speaker, I also urge all our colleagues to support our troops and support our military, and the Democratic substitute that we offered would have made sure that the sequester on defense spending did not take place.

I have great respect for the chairman of the Armed Services Committee, Mr. MCKEON, who just spoke. Here's what he said not long ago. He said:

We need to address our budget problems comprehensively, through smarter spending and increased revenue.

He also said:

If it came that I only had two choices, one was a tax increase and one was a cut in defense over and above where we already are, I would go to strengthen defense.

In our Democratic substitute, we said let's close some of those tax loopholes to generate a little more revenue to help pay for defense; let's ask people who are making over a million dollars a year to get rid of some of their tax breaks to help pay for our common defense so that we don't have to have a budget that whacks everybody else in the country. That's what the chairman of the Armed Services Committee said. I agree with him. He got beaten down by many in the Republican Party after he made those comments with them saying, oh, you violated that pledge that says we're not going to raise one more penny of revenue to reduce the deficit. But he was candid.

□ 1140

Unfortunately, neither he nor any one of us are going to have a chance to vote on the Democratic substitute that makes sure that we don't have the defense sequestration. We just do it in a balanced way, through cuts as well as closing some of these tax loopholes.

I now yield 2 minutes to the gentlelady from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank the ranking member.

Mr. Speaker, two of the most prominent independent scholars on Congress, Thomas Mann and Norm Ornstein, recently completed a detailed research initiative. They've never been shy in criticizing either side of the aisle. But their latest research concluded that the Republican Party has become ''ideologically extreme; scornful of compromise; unpersuaded by conventional understanding of facts, evidence, and science.'' And they said:

When one party moves this far from the mainstream, it makes it nearly impossible for the political system to deal constructively with the Nation's challenges.

The Republican budget is a perfect example of that. The Republican budget shields special interests from participating in deficit reduction, and instead says, We want to end Medicare as we know it. We target children and our older neighbors and middle class families for the overwhelming burden of deficit reduction.

If a political party wanted to undermine the health and economic security of millions of American families, well, then, this is the way to do it. And it's too bad, because I believe Democrats and Republicans agree on the need for deficit reduction, but we have starkly different visions on how to get there. Others have called this Republican budget extreme, reverse Robin Hood, destructive, and a threat to middle class security.

And here's an example. In the Budget Committee, I offered an amendment to say, It's time. We don't have the luxury to be giving big oil companies tax breaks any longer. Instead, let's make sure that children across America can see a doctor, can get the immunizations that they need. But what was the vote? The Republicans rejected that commonsense amendment. It was paid for by eliminating these Big Oil subsidies.

This is what Thomas Mann and Norm Ornstein mean by they are ''ideologically extreme.'' It's not in keeping with our values, as Americans. And I urge my colleagues to vote ''no'' on the Republican budget and sequestration plan.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds to make three points.

That line the gentlelady used about Medicare was rated the ''lie of the year'' in 2011 by PolitiFact. Number two, the reason the Democratic substitute is not being considered is because it violates the House rules. What's interesting about that is, it would have violated the House rules that the Democrats had when they were in the majority. The third point is, when it comes to tax loopholes, we're proposing to close those tax loopholes in order to lower tax rates for American families and businesses to create jobs. They want to do it to prevent spending cuts; $3 of tax increases for $1 of spending cuts is the math and the logic that the other side chooses to use. When you have a spending problem, you've got to cut spending.

With that, Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. LUCAS), the chairman of the Committee on Agriculture, and ask unanimous consent that he be allowed to yield time.

The SPEAKER pro tempore. Without objection, the gentleman from Oklahoma will control the time.

There was no objection.

Mr. LUCAS. Mr. Speaker, I rise in support of this legislation.

It's no secret that we're facing a severe debt crisis right now. We have almost $16 trillion in debt piled up. And if we don't act quickly, we will be passing a crushing burden on to our children and grandchildren.

Reducing government spending, though, is never an easy task. We face difficult choices, but House Republicans have lived up to our responsibility to find ways to cut our costs so that we can once again live within our means.

The House Agriculture Committee has been asked to do its part by finding $33 billion in savings over 10 years. We did that by making credible, commonsense reforms to the Supplemental Nutrition Assistance Program, or SNAP. These provisions reduce waste and abuse and close program loopholes.

SNAP, formerly known as food stamps, comprises almost 80 percent of the Agriculture Committee's mandatory spending. Over the past 10 years, the cost of SNAP has nearly tripled, increasing by 270 percent. The changes that we're proposing today cut only 4 percent over the next 10 years.

I would like to make it absolutely clear. None of these recommendations will prevent families that qualify for assistance under SNAP from receiving their benefits. We are working to better target the program and improve its integrity so that families in need can continue to receive nutritional assistance.

Opponents of this legislation would have you believe that we are decimating the nutritional safety net and that hungry children and seniors will be left to fend for themselves. That is a false and misleading scare tactic. It's important to remember that many of the very people opposing these cuts proposed and voted for similar measures during the last Congress when they were in control of this body. Not once, but twice my colleagues on the left voted to cut a temporary increase in SNAP benefits under the American Recovery and Reinvestment Act. One of those cuts was to pay for the bailout of a union. And now that House Republicans are advocating that same policy, those across the aisle are crying foul.

By ending the artificial increase in SNAP benefits, we can save $5.9 billion over 10 years, and we won't be turning that into more government spending. It will go towards deficit reduction.

This legislation also ends bonuses that have been awarded to States on the taxpayer dime. States are responsible for administering SNAP, and it's their duty to make sure the program is operating in the most efficient and effective fashion. We save nearly $500 million by ending bonuses that are given to States for merely doing their job. We also find savings by closing loopholes that allow States to game the system when administering SNAP.

First, we'll stop States from abusing the Low Income Home Energy Assistance Program, LIHEAP, to inflate SNAP benefits. States are exploiting the interaction between LIHEAP and SNAP by sending a token check to households which can trigger hundreds of dollars in increased SNAP benefits. LIHEAP is a valuable program for households in need of assistance with heating and energy costs. It shouldn't be abused in this fashion.

In New York City, a $1 LIHEAP check triggers an additional $131 in SNAP benefits per month for nearly 90,000 households. In Washington State, a $1 LIHEAP check triggers an additional $43 million in SNAP benefits. That's egregious, and taxpayers know it. These token checks not only undermine the integrity of both SNAP and LIHEAP, but they also cost taxpayers billions of dollars in overpayments. Closing this loophole saves $14.3 billion

over 10 years and ensures that both LIHEAP and SNAP are targeted to the families who truly need the assistance.

Another loophole we've closed is called categorical eligibility, which allows any household that receives a benefit from certain low-income assistance programs to become automatically eligible for SNAP. Some of these benefits can be as simple as providing a household with a pamphlet or access to a 1–800 number hotline. When States implement categorical eligibility, these households do not need to meet SNAP or gross income tests. That's how lottery winners slip through the cracks and continue to receive nutrition assistance. When someone is categorically eligible for SNAP, States don't have to verify assets, like lottery winnings.

And it isn't just lottery winners that are unfairly collecting benefits either. The Cincinnati Enquirer reported that one woman collecting $500 per month in SNAP benefits had $80,000 in savings, a paid-for home valued at about $300,000, and a Mercedes.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield the gentleman an additional 30 seconds.

Mr. LUCAS. So let me repeat what I said earlier: These provisions do not decimate the program and leave struggling families to fend for themselves. What they do is restore program integrity. They reserve taxpayer dollars for families that are in need of assistance. Every one of these provisions represents common sense and good government in a time of fiscal restraint.

There's no denying that SNAP provides important support to many Americans.

□ 1150

That's why it's important that we ensure the integrity of the program. Those who qualify for SNAP under the law will continue to receive benefits.

By voting for this package, we're not only doing our part to reduce the debt, we're improving the implementation of this important program while continuing to meet the nutritional needs of our fellow Americans.

I urge my colleagues to put aside the rhetoric and vote for these reforms.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

First, I would just like to respond to the chairman of the Budget Committee and point out that the Rules Committee waived three rules to bring the Republican legislation to the floor. It couldn't waive one rule to allow a Democratic substitute to have an up-or-down vote. And the one rule you wouldn't waive is the one that rigs the process against closing special interest tax loopholes.

To the chairman of the Agriculture Committee, I think everybody needs to know that the Ag Committee didn't reduce one subsidy to ag businesses—not one. Even though the overall Republican budget says it should be $30 billion, there's a bipartisan bill that would do that, but not one. Instead, they took $33 billion out of food and nutrition programs.

Now, we should be very clear on this. People say that they're going to make sure that everyone who's eligible to get food stamps will. And then they say, under SNAP, suggesting that there are a lot of people who are getting it who are cheating. That's not true. All those other people are eligible. They're eligible.

And it's not Democratic scare tactics saying all these people are going to lose their access to food and nutrition programs. It's the nonpartisan Congressional Budget Office, the referee here, that was never contested by our Republican colleagues in the Budget Committee. They say 22 million American households with children will see their food and nutrition support reduced; 2 million Americans, approximately, will lose all access to the food and nutrition programs through SNAP; 300,000 kids will lose the school lunch program. Those aren't our facts. That's what the Congressional Budget Office says.

With that, I yield 2 minutes to the gentlelady from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Thank you, Ranking Member VAN HOLLEN.

I rise today in strong opposition to H.R. 5652, the Sequester Replacement Reconciliation Act.

Not long ago, we were here debating a very misguided budget resolution. And today, with H.R. 5652, the leadership has decided to double down on the draconian cuts that were contained in that budget.

We should be able to come together and have a frank discussion about deficit reduction. That is what the American people expect, and that's what the American people deserve. But instead, here we are today considering another bill, and here we are today with another missed opportunity. There's not even the ability to consider a balanced alternative today. This is of particular concern because of what is actually in this bill.

Instead of cutting back generous agriculture subsidies, this bill is cutting food stamps, the Supplemental Nutrition Assistance Program. This means a reduction in benefits for an estimated 47 million people and a loss of benefits for almost 2 million people.

Instead of closing loopholes for oil companies, this bill eliminates the Social Services Block Grant—not reduces, not tweaks, eliminates the Social Services Block Grant—which are grants that assist States in providing a wide range of services, from support to Meals on Wheels, to foster care. These are programs that feed struggling seniors and protect abused children. These are just two examples.

Now, we have a moral responsibility to get this right, Mr. Speaker. This bill, yet again, attempts to balance the budget on the backs of the most vulnerable—our seniors, our children, those who are struggling—while not asking the most fortunate in our society to contribute anything more.

I urge my colleagues to reject this latest misguided effort by voting against H.R. 5652.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds simply to say that the Social Services Block Grant, according to the Government Accountability Office, is a textbook example of overlap and duplication of Federal programs. It's one of 69 programs to fund early education; it's one of 200 programs serving Americans with disabilities; and it's one of 49 programs providing education and training services. The program demands no accountability for results and provides no means to measure the impact of the programs.

Mr. Speaker, we've got to end duplication and waste in government. We're saying also, on the tax side, close loopholes for tax reform, not to fuel more spending.

With that, Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PITTS), a member of the Energy and Commerce Committee, and ask unanimous consent that he be allowed to yield time.

The SPEAKER pro tempore. Without objection, the gentleman from Pennsylvania will control the time.

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

The reconciliation package we bring to the floor today sensibly reduces spending so that we can continue to adequately defend our Nation.

The first responsibility of the Federal Government is to keep our Nation safe from foreign threats. By cutting wasteful spending and reforming programs, we can continue to maintain a military that keeps us secure at home and makes the world a more peaceful place.

I am proud to report that the Energy and Commerce Committee exceeded the budget instructions by $17 billion to save a total of $114 billion over 10 years. In three titles, we cut wasteful programs created by ObamaCare, reform the Medicaid program, and reform our broken medical liability system.

With the Nation struggling with trillion-dollar deficits, the President chose to increase government spending by more than another $1 trillion with his health care law. This wasn't reform; it was a government takeover of one-sixth of the U.S. economy that will increase dependency and bankrupt the Nation. We continue to push for full repeal, but also do everything we can to

stop wasteful and unwise spending immediately.

The Prevention and Public Health Fund is a classic example of how government bureaucrats fail to spend public funds wisely. The health care law provided an advance appropriation of $16 billion and called for a permanent annual allotment of $2 billion per year for this fund. That's $2 billion a year in perpetuity. So, in 2036, 2037, and 2057, the Secretary of HHS has complete authority over this $2 billion to spend on whatever he or she wishes without coming back for appropriations authorization from Congress. Let's call this what it is: It's a slush fund for the Secretary of Health and Human Services.

Almost any program can make a claim that it is preventative. The Secretary has the sole role of control of the fund and, so far, has found some quite interesting ways to spend it. For example:

In Pitt County, North Carolina, a recipient used the money to fund signage for parks and bike lanes;

In Boston, they spent $1 million on urban gardening;

One of the vaunted successes of the program was getting the city of Baldwin Park, California, to put a 9-month moratorium on construction of fast food restaurants. Government should be encouraging job creation, not finding ways to stop it for a few months;

New York spent $3 million to lobby for a soda tax issue;

Philadelphia spent money to push for higher State cigarette excise taxes. Why on Earth is the Federal Government paying for campaigns to lobby State governments?

These are all examples from just the last 2 years. Who knows what projects will get money in the future.

We have numerous public health and prevention funds that can be managed through the yearly appropriations process. A permanent slush fund with limited oversight guarantees that money will be wasted every year.

We also repealed the unlimited authority to fund the implementation of State health insurance exchanges. ObamaCare gave the Secretary a credit card with no limit, a bottomless direct appropriation. This is unprecedented and unwise. Again, we need oversight in order to make sure that the public's money is being wisely spent. Congress never should have abdicated its authority in this area, and now we need to reclaim it.

We defund the CO-OP program before billions of public dollars can be lost. The Office of Management and Budget estimates that a significant portion of the funds given to unproven CO-OPs would never be returned to the Treasury. We would stop this funding before HHS creates its own Solyndra.

□ 1200

The President's health care law places a dramatically increased burden on State Medicaid programs. The maintenance of effort provisions restrict States from making commonsense reforms to stop fraud and abuse. We know that Medicaid is rife with fraudulent claims. In 2011, there were $15 billion in improper payments. We need to give States the flexibility to run these programs efficiently and to help the truly needy.

We also repeal an unwise bonus program that encourages States to undermine the integrity of the program. We should not place unnecessary barriers to qualifying for Medicaid, but neither should we encourage States to oversimplify reviews of eligibility. We do not have unlimited funds. Again, Medicaid coverage needs to be open only to the truly needy.

Finally, we include real medical liability reform in this reconciliation package. The President's health care law gave a pitiful $50 million for liability reform demonstration projects.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield the gentleman an additional 30 seconds.

Mr. PITTS. This is paying lip service to a $200 billion problem.

I recently heard from a doctor who has been practicing in my district for decades. He bemoaned defensive medicine but was even more concerned that doctors being trained in today's climate don't even realize that they are prescribing unnecessary tests.

Defensive medicine is simply becoming the norm. Medical liability reform means saving for consumers, for doctors, and for the government.

Mr. Speaker, I am proud of the job we've done in the Energy and Commerce Committee.

I urge all of my colleagues to support the reconciliation package.

I would now yield such time as he may consume to the gentleman from Florida (Mr. DIAZ-BALART).

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has again expired.

Mr. RYAN of Wisconsin. I yield the gentleman an additional 1 minute.

Mr. DIAZ-BALART. Thank you, Mr. Chairman.

I rise today to engage in a colloquy with my friend from Pennsylvania (Mr. PITTS), chairman of the Energy and Commerce Health Subcommittee.

Mr. Chairman, I am clearly no fan of ObamaCare, and I know that you are not as well, Mr. PITTS. You and your committee have done some excellent work in the reconciliation process in eliminating some of the major spending abuses in this law. I do have a concern, however, with one of the provisions that would affect Puerto Rico and what they receive in Medicaid funding.

The fact of the matter is the question regarding Medicaid funding for the territories was separate and has been separate from many issues that many of us on this side of the aisle find so objectionable in ObamaCare—for example, like the individual mandate and the raid on Medicare and the slew of job-killing new taxes and regulations. They are at least partially responsible for the unacceptable unemployment situation, including 10 percent unemployment among Hispanics in the United States.

As you know, the bill before us returns the Medicaid funding cap and Federal match to pre-ObamaCare levels for the U.S. territories.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has again expired.

Mr. DIAZ-BALART. If I may have an additional 30 seconds, Mr. Chairman.

Mr. RYAN of Wisconsin. An additional 30 seconds. I've got three other committees that are coming.

Mr. DIAZ-BALART. I thank the gentleman.

For years, the territories have expressed concern with the funding levels, and I believe that PPACA was a vehicle to try to alleviate some of those concerns. My hope is that we can work together, along with Governor Fortuño, who has been the most fiscally responsible Governor in Puerto Rico, looking into the funding levels in Medicaid so that we can properly address the needs of the millions of U.S. citizens in the territories.

Mr. PITTS. Mr. Speaker, I very much appreciate the gentleman's concerns and want to assure him that these issues deserve the attention of my Health Subcommittee. And as we continue the legislative process, I will gladly work with the gentleman and Governor Fortuño to address the needs of our most vulnerable citizens in the territories.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

I know it makes our Republican colleagues feel better when they pretend that these cuts don't harm real people, but the reality is they do harm real people, and the cuts that were made in Energy and Commerce will mean that 300,000 children will no longer get health care throughout the Children's Health Insurance Program. That's not my fact. That's from the nonpartisan Congressional Budget Office.

We have heard a lot about the fact that cuts to the prevention fund to help provide for healthier starts, that won't have any impact. We hear these stories coming up. I would just like to put in the RECORD information from the Centers for Disease Control that refutes this urban legend that somehow these funds were used to spay or neuter dogs. These things just aren't true.

The reality is that it will mean 326,000 women will not get breast cancer screenings and 284,000 will not get cervical cancer screenings. That's what

happens when you zero out the prevention fund.

CDC ANALYSIS: ENERGY & COMMERCE COMMITTEE'S PRESS RELEASE REGARDING COMMUNITIES PUTTING PREVENTION TO WORK

BACKGROUND

CDC carefully monitors grantee activity for appropriate use of Federal funds, and to ensure that investments are directed to evidence-based interventions that make a difference in health.

CDC continues to review all reported allegations regarding grantee activities.

CDC has not found among these examples any instance in which the anti-lobbying prohibitions have been violated. Many allegations relate to activities that were performed by outside organizations not using federal funds, or activities that actually took place before CDC funding was even awarded to the grantee. Other activities are, in fact, permissible under the restrictions, such as educating the public on health risks.

See below for information on CDC's Communities Putting Prevention to Work program, which was primarily funded in FY 2009 with funding from the Recovery Act.

See below for additional information on how CDC implements restrictions on grantee lobbying with Federal funding.

CDC ANALYSIS OF PRESS RELEASE STATEMENTS

On May 2, the Energy and Commerce Committee issued a press release including references to activities of specific CDC grantees. Below is CDC's analysis of each statement and further information relevant to the work being done within these CPPW communities.

PITT COUNTY HEALTH DEPARTMENT, NORTH CAROLINA

Energy and Commerce Press Release Statement: ''Pitt County, North Carolina, a recipient of a CPPW grant funded by health care law, used these federal taxpayer funds to place 'signage to promote recreational destinations including public parks, bike lanes, and more.''

CDC Analysis

Improving physical activity by placing signage about parks, bike lanes and safe routes to school is an effective, evidence-based activity that can increase physical activity.

CPPW staff in Pitt County, North Carolina has been working to implement a wide range of interventions to address obesity prevention within their community.

One of the ten approved objectives included in Pitt County's workplan is to evaluate county planning and include comprehensive land use plans, transportation plans, and other plans that set community standards for biking, walking, and zoning restrictions.

Elements included incorporating elements to improve infrastructure for biking and walking, improve interconnectivity of existing and proposed mobility networks, and make it easier to establish access to healthy food. Among the steps was the implementation of bike racks, signage, and crosswalks once changes to planning documents were implemented.

According to Pitt County, approximately $66,000 of their $1.6 million in CPPW funding supported activities to implement bike racks and signage for cross walks, safe routes to schools, and other directional signs.

This project is the only one of those in the Energy and Commerce release that is funded by PPHF.

NASHVILLE/DAVIDSON COUNTY METRO PUBLIC HEALTH DEPARTMENT, TENNESSEE

Energy and Commerce Press Release Statement: The City of Nashville, which received a $7.5 million ''Communities Putting Prevention to Work'' grant, provided free pet spaying and neutering.

CDC Analysis

No CPPW funds were used to pay for spaying or neutering dogs. Rather, a grant from PetSmart paid for the veterinary neutering services.

A published report in The Hill on May 3, 2012 includes a direct account from the grantee that non-Federal funds were used. (http://thehill.com/blogs/healthwatch/health-reform-implementation/225367
-official-no-taxpayer-funds-went-to-neuter
-tenn-dogs).

The Nashville/Davidson County CPPW project has been working on a range of strategies to promote safe and accessible opportunities for physical activity.

As part of the effort to increase outdoor physical activity in low income areas, CPPW has worked with other groups on a variety of activities to make parks safe. These include enforcement of an existing leash law and other pet ordinances, increased community awareness of responsible dog ownership, and publicizing referrals to spay/neuter services supported by other funding sources.

The Nashville/Davidson County CPPW project has been involved in promoting safe parks because the large number of loose/stray dogs was identified by the community as a safety risk and environmental barrier to increasing outdoor physical activity in low income areas.

The Nashville/Davidson County CPPW project has been working on a range of strategies to promote safe and accessible opportunities for physical activity and improve nutrition—two modifiable risk factors to prevent obesity.

The Community Guide for Preventive Services includes evidence-based recommendations that creation of or enhanced access to places for physical activity combined with informational outreach activities is effective in increasing levels of physical activity, as measured by an increase in the percentage of people engaging in physical activity or other measures of physical activity.

Early data indicate that the public education campaign has been successful.

This project was funded in 2009 by the Recovery Act, not by the PPHF.

BOSTON PUBLIC HEALTH COMMISSION, MASSACHUSETTS

Energy and Commerce Press Release Statement: ''The City of Boston received $1 million for 'urban gardening.' ''

CDC Analysis

This project tackles two evidence-based strategies for addressing obesity: increasing physical activity, and improving the availability of fresh fruits and vegetables to underserved areas.

The CPPW project in Boston has supported a range of evidence-based strategies to increase opportunities for physical activity and supported four evidence-based projects to improve nutrition among low-income residents in Boston—two modifiable risk factors to prevent obesity. Boston has focused on improving access to fresh fruits and vegetables in neighborhoods that have limited access.

Up to 360,000 Bostonians now have increased access to fresh fruits and vegetables as a result of this CPPW investment.

CPPW funds are being used to improve access to affordable produce in Roxbury, Mattapan, and Dorchester, which have higher rates of obesity—at 40 percent, 33 percent, and 31 percent, respectively—and chronic disease than the city as a whole.

The project includes hiring and training up to 250 youths to work with The Food Project to build 400 backyard gardens in the three neighborhoods; transforming a vacant 10,000-square foot greenhouse in the heart of Roxbury into a community growing and education center; doubling the number of community garden plots in Dorchester, and expanding the Nightingale Garden in Dorchester by 65,000 square feet, so that it stretches across 1.5 acres.

To ensure the sustainability of these urban gardening gains, Boston has enacted city-wide changes regarding use of open city land to encourage temporary or permanent land utilization for community gardens and other agricultural use.

An evaluation of a large urban gardening project found that gardeners reported a higher consumption of specific vegetables and a lower consumption of sweet foods and drinks than non-gardeners. Focus groups conducted with inner-city youth revealed that those involved in garden programs reported more willingness to eat healthy food and try unfamiliar food, than those not involved in a program.

This project was funded in 2009 by the Recovery Act, not by the PPHF.

NEW YORK STATE DEPARTMENT OF HEALTH

Energy and Commerce Press Release Statement: ''The New York Department of Health used a $3 million taxpayer-funded grant to lobby for a soda tax initiative.''

CDC Analysis

The press release mischaracterizes the program, which is not one that used CDC funding.

CDC has been in contact with the grantee and the grantee reports that no CPPW funds were used by the New York State Department of Health (NYSDOH) to lobby the New York State Legislature for a soda tax.

The actual use of CPPW funding by NYSDOH is to implement strategies to increase access to healthy food choices.

CDC worked with NYSDOH at the beginning of the project period to ensure that activities were both appropriate and in compliance with applicable anti-lobbying provisions. CDC has monitored the use of funds throughout project implementation.

As background, prior to CPPW funds being awarded, the Governor's office initiated and put forth a soda tax proposal. However, the Governor did not pursue implementing a tax and withdrew his proposal, and the grantee has stated no CPPW dollars were used to pursue this.

This project was funded in 2009 by the Recovery Act, not by the PPHF.

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH, CALIFORNIA

Energy and Commerce Press Release Statement: '' . . . moratorium on fast food construction in Baldwin Park, California . . .''

CDC Analysis

No Los Angeles County CPPW funds were used to lobby for a moratorium on fast food restaurants. The presentation referenced in the press release referred to a city-led and funded initiative supported by the California Center for Public Health Advocacy, an independent organization, and was not supported by CPPW funding.

Los Angeles County work on a moratorium predated the inception of the CPPW program. These efforts were documented to have

started in 2008 by this independent organization.

This independent organization has provided education and community-driven feedback to the City Planning Department in Baldwin Park, California. Los Angeles County reports that no CPPW funds were used to support lobbying activities.

CDC staff regularly interact with grantees to ensure that they are implementing the activities and strategies set forth in the grantee's work plan and that grantees are adhering to administrative requirements, including adhering to provisions relating to lobbying.

This project was funded by the Recovery Act, not the PPHF.

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Energy and Commerce Press Release Statement: ''. . . increased cigarette taxes in South Carolina.''

CDC Analysis

The South Carolina Department of Health and Environmental Control reports that no CPPW funds supported lobbying for the South Carolina Cigarette Tax.

CPPW funds were used for public education efforts on the science of health effects of second hand smoke exposure. Activities included developing fact sheets for the public that provided scientific data.

CDC staff regularly interact with grantees to ensure that they are implementing the activities and strategies set forth in the grantee's work plan and that grantees are adhering to administrative requirements, including adhering to provisions relating to lobbying.

This project was funded in 2009 by the Recovery Act, not by the PPHF.

PHILADELPHIA DEPARTMENT OF PUBLIC HEALTH, PENNSYLVANIA

Energy and Commerce Press Release Statement: ''The Philadelphia Department of Public Health used their taxpayer-funded grant to push for higher state cigarette excise tax rates.''

CDC Analysis

No CPPW funds are being used by PDPH for lobbying or for any other activities in support of a state cigarette excise tax.

Philadelphia Department of Public Health (PDPH) has been researching potential opportunities for a higher cigarette excise tax at the local level, but this does not fall within the scope of CPPW activity and is not being paid for by CPPW funds.

This project was funded in 2009 by the Recovery Act, not by the PPHF.

SEATTLE AND KING COUNTY PUBLIC HEALTH, WASHINGTON

Energy and Commerce Press Release Statement: ''The Cascade Bicycle Club Education Foundation received a portion of the $3 million grant awarded to Seattle and King County Public Health and used the taxpayer dollars to 'improve the walking and biking environment.' ''

CDC Analysis

CPPW project in Seattle/King County has been working to implement a wide range of evidence-based strategies to address obesity prevention.

One of the seventeen approved objectives included within Seattle and King County's CPPW obesity workplan is to increase opportunities for physical activity through changes made to local transportation plans and other planning tools.

Evidence-based infrastructure changes to support bicycling and walking are interventions that aim to increase physical activity as means to combat obesity, and are working in Seattle/King County where 327,000 residents already benefit from sustainable changes made in their neighborhoods.

Sustainable changes have come from technical assistance from the project that led to improvements in approaches to new and reconstructed roadways in the area meet safety and mobility needs of all travelers, including pedestrians and bicyclists and also community members who have visual or mobility impairments.

This project was funded in 2009 by the Recovery Act, not by the PPHF.

BACKGROUND: CDC'S COMMUNITIES PUTTING PREVENTION TO WORK INITIATIVE

Communities Putting Prevention to Work (CPPW) is primarily a Recovery Act funded program that provides states and localities with resources to support locally designed efforts to create healthy environments for their residents.

The preponderance of work under the CPPW program has been completed; most were one-time awards made in FY 2009.

Only one community listed in the press release, Pitt County North Carolina, is funded by the Prevention and Public Health Fund (PPHF).

Each CPPW community selected strategies from evidence-based interventions based on local context, priorities, and capacity. CDC provided support to these communities through a competitive process. Awardees then developed a locally relevant workplan, which allowed CDC to monitor progress on an ongoing basis.

CPPW programs are funded under a 2-year cooperative agreement to implement evidence- and practice-based strategies, with overarching goals, such as increasing availability of healthy foods and beverages, improving access to safe places for physical activity, discouraging tobacco use, and encouraging smoke-free environments.

Each workplan represents a multi-pronged approach to address obesity and/or tobacco prevention. All objectives and activities included within the workplan must comply with federal lobbying restrictions.

CDC does not allow funding to be used for lobbying at the Federal, state, or local level. Awards include specific language to this effect; grantees are educated on this requirement; and CDC monitors the use of grant funds by grantees and their sub-recipients to ensure compliance.

What problem was CPPW designed to address?

CPPW provides a significant investment in the prevention of chronic diseases.

Obesity and tobacco are two leading causes of preventable death and disability.

CPPW aims to address poor nutrition, lack of physical activity and tobacco use to make an impact on preventing serious health problems such as heart disease, stroke, type 2 diabetes, and cancer.

Annually obesity-related medical spending costs our nation $147 billion.

Annually, tobacco use costs our nation $96 billion in direct medical expenses.

Seven out of ten deaths among Americans each year are from chronic diseases.

BACKGROUND: CDC STEPS TO PREVENT LOBBYING WITH FEDERAL FUNDING

CDC is committed to ensuring the proper use of appropriated funds, and to ensuring awardees' compliance with all applicable regulations and statutes related to lobbying activities. CDC's policy prohibits lobbying at the federal, state, and local levels. These restrictions apply to CDC grants, including the CPPW and CTG programs.

CDC awardees, including those in the CPPW and the CTG programs, are informed about the federal laws relating to use of federal funds, including applicable anti-lobbying provisions. Included within funding opportunity announcements is specific language restricting lobbying, including ''any activity designed to influence action in regard to a particular piece of pending legislation.'' This lobbying prohibition was also included within the terms and conditions to which each grantee agreed prior to receiving federal funds. In addition, CDC staffs have conducted trainings for CPPW and CTG awardees on these prohibitions.

Applicable lobbying restrictions do not prohibit awardees from interacting with policymakers. Federal law allows many activities that are not considered lobbying and that community awardees may decide to pursue. For example, awardees may use funds to disseminate information about public health problems and science-based solutions and to implement specific programs, such as evidence-based educational materials and media on the health effects of increasing physical activity or decreasing exposure to secondhand smoke.

We take our responsibility as stewards of taxpayer dollars very seriously. CDC staff interact with awardees regularly to monitor implementation of the activities and strategies set forth in awardees' work plans and compliance with administrative requirements, including provisions related to lobbying. In addition, CDC staff monitors the use of federal funds by awardees using tools such as on-site review and risk mitigation plans.

CDC continues to review all reported allegations regarding grantee activities. Thus far, we have not found among these examples any instance in which the anti-lobbying prohibitions have been violated. Many allegations relate to activities that were performed by outside organizations not using federal funds, or activities that actually took place before CDC funding was even awarded to the grantee. Other activities are, in fact, permissible under the restrictions, such as educating the public on health risks.

I now yield 2 minutes to the gentlelady from Pennsylvania (Ms. SCHWARTZ), a member of the Budget Committee, who has focused very clearly on these health issues.

Ms. SCHWARTZ. Mr. Speaker, I appreciate the ranking member's comments and his good work and important work on the plan, the Republican plan and the Democratic alternative.

Let me start by saying very clearly, once again, House Republicans are taking a shortsighted approach to deficit reduction and economic growth in this country. The Federal budget is a statement of our priorities and our values as a Nation, and Republicans have made their priorities and their values very clear. The Federal budget is about choices: the choice to protect seniors; the choice to grow our middle class; the choice to make smart investments in our economy. Or not.

The Republicans have made their choice very clear. They are choosing to cut prevention and public health efforts, immunizations and flu vaccines, screenings for birth defects, developmental disabilities, and hearing loss in children. They are hurting mothers

who need prenatal care, children who need hearing and eye exams, women who need screenings for cancer and heart disease, and our frailest, sickest seniors who need nursing home and in-home care.

Republicans are choosing to eliminate essential health services that save dollars and save lives. This choice will hurt millions of American women, children, and seniors. Instead, Republicans are choosing to protect tax breaks for the largest oil and gas companies and tax breaks for companies that ship American jobs overseas.

There is a better way. The Democratic budget takes a balanced approach to deficit reduction and makes spending cuts and targeted investments to grow our economy, and it meets our obligations to our Nation. The Republican plan rejects this balanced approach. It rejects efforts to grow our economy. It rejects protections for our seniors, our children, and our future. It is the wrong choice for the American people, and we must reject this plan.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of H.R. 5652, to stop sequestration of our Nation's defense. We need certainty in the future of our national defense.

We need certainty in the industry that serves our national defense. We can't wait until January to make decisions about sequestration, what the funding is going to be. The Pentagon will begin in the next month to prepare industry to begin stopping contracts, not issuing contracts, basically putting small suppliers out of business, putting small contractors out of business.

It is important for the readiness of our Nation, to defend our Nation, that we avoid sequestration at all costs. There is much more to be said about this. This is serious. When we talk about sequestration regarding our national defense, this, my colleagues, is serious. We've got to take this first step so, before the deadline, we can complete this job.

Mr. Speaker, I rise in support of H.R. 5652, the Sequester Replacement Reconciliation Act of 2012. It is the first step we must take if we are to avert sequestration and prevent the dismantling of our national security.

Contrary to what some would say, this is not just a political exercise today. This is a very real action that we must take for our nation to avoid the threat to our national security and our nation's economic security if we do not stop sequestration from taking place next January.

The Secretary of Defense and our nation's senior military leadership have all warned of the severe consequences we face if automatic sequestration takes effect next year. We are a nation at war in Afghanistan, we face multiple threats around the globe, our troops are stretched thin from multiple deployments, and our equipment is wearing out.

These situations will only grow worse with sequestration as we are forced to further draw down our forces and significantly scale back—if not stop altogether—the repair and replacement of our vehicles, aircraft, and ships. And the prospect of a hollow force would be an almost certainty as training and maintenance would be delayed and canceled.

As the Chairman of the Appropriations Subcommittee on National Defense, I know that we have already made a number of difficult spending decisions—$39 billion of cuts last year and any major reductions as required by sequestration will affect the readiness of our troops. I also know that any decision we are going to make about averting sequestration cannot wait until the eleventh hour, as so many other decisions are made before recess.

Our service chiefs tell me that planning will have to begin this summer on how to respond to sequestration. Industry leaders are already hearing the award of contracts will be delayed and that the advance procurement of material and equipment will be postponed. This will not only affect the large defense contractors, but will impact thousands of small businesses in every part of our nation who provide unique components for some of our most critical defense systems.

At a time when our national security remains at risk from emerging threats abroad and from ongoing terrorist operations, our nation's economy also remains at risk from a softening job market that will only worsen with the closure of small defense suppliers and layoffs at larger defense contractors.

The Secretary of Defense has already warned that sequestration could add a full one percent to our nation's unemployment rate—many of these as a direct result of civilian furloughs and military personnel draw downs, but also from the companies and small businesses back home who are second and third-tier suppliers for contracts that will be abrogated or canceled.

Mr. Speaker, this cannot be an issue on which we act then sit and wait for our colleagues in the Senate to respond. This is an issue on which we must work together, in an expedient manner, to send a message to our nation's military leadership and to the leadership of industry that we are serious about averting this crisis and that we are committed to working in a bipartisan manner to do it sooner rather than later.

Our military leadership wants certainty. They want certainty for our troops in the field and for their families at home. The leaders of business and industry want certainty so they can make the investments they need to make to help us rebuild our worn out force. And small business suppliers want certainty that they will be able to continue providing the critiical components for systems that are in many cases their only line of work.

Mr. Speaker, the specter of sequestration is a serious national security issue and it is a serious national economic issue. This is not an issue that will be solved by talking at one another. This is an issue that will only be solved by working together in the best traditions of this House and the Senate. We have risen to the challenge before and we can do so again. The legislation we consider today is a first step in this process. We can't wait or we will face the most severe and in my opinion irreversible consequences for the security of our nation.

Mr. VAN HOLLEN. Mr. Speaker, it is serious, and the Democratic substitute proposal would have prevented those cuts from going across the board in defense, as well as the non-defense part of the budget. Unfortunately, our Republican colleagues don't think it is serious enough to ask oil companies to do without taxpayer subsidies to help cover the cost. They apparently don't think it is serious enough to ask people making $1 million a year to help with our deficit reduction to pay for the military that we have.

I yield 2 minutes to the ranking member of the Financial Services Committee, Mr. FRANK, to talk about some of the impact of this on taxpayers.

Mr. FRANK of Massachusetts. Mr. Speaker, the Republican approach does some cutting, but it does even more shifting. I agreed with The Wall Street Journal editorial of a few weeks ago, which praised the gentleman from Wisconsin because he was shielding the military from any significant cuts and, instead, was making it up from Medicare and Medicaid. That's The Wall Street Journal, Mr. Murdoch, thanking the gentleman from Wisconsin for cutting Medicare and Medicaid, not to balance the budget or reduce the deficit, but to pump up military spending.

Similarly, this claim that they are saving $20-some-odd billion in dealing with the liquidation authority is exactly wrong. What the Republican approach says, and we have a roll call vote in our committee which did this, it continues their position that the large financial institutions, financial institutions with more than $50 billion in assets, should pay nothing—nothing—for the costs of cleaning up the mess.

□ 1210

In our original bill in 2010, we met CBO's requirement that there be a $20 billion cost by assessing the large financial institutions. To get cloture in the Senate, three Republicans managed to back off. In our committee this year, the Republicans said, We don't like this, and it's going to cost $20 billion. CBO, by the way, says that it costs $20 billion only within the 10-year window. CBO said the $20 billion will be paid out, and it will be repaid by the large financial institutions. I will submit another article from The Wall Street Journal making that point.

But here's what the Republicans did: they said, Let's not have the financial institutions be vulnerable. We looked at what CBO said, and we said, okay, CBO says the $20 billion from the financial institutions will come at the end of the 10 years rather than the beginning. So we had an amendment to assess the large financial institutions $20 billion—$29 billion, the CBO said it

would cost—at the beginning of the period. The Republicans said the banks were being overtaxed and voted it down on a party-line vote.

[From the Wall Street Journal, Apr. 18, 2012]

WOULD REPEAL OF KEY DODD-FRANK PROVISION REALLY SAVE $22 BILLION?

A House committee later today will vote on a bill being pushed by Republicans to repeal a central plank of the 2010 Dodd-Frank financial law, claiming it would save taxpayers $22 billion over 10 years.

The figure triggered some head-scratching around Washington. ''It's tough to understand where the $22 billion comes from—it's a wild assumption since there are currently no cash flows involved with this part of Dodd-Frank,'' Brian Gardner, a Washington analyst with investment bank Keefe, Bruyefte & Woods, in a note to clients. (He's a former GOP Hill aide). ''Republicans on the committee would only eliminate the possibility that the government might have to spend money on liquidating a distress financial firm in the future,'' he wrote, adding that investors shouldn't waste any time thinking about the issue since the GOP bill ''has virtually no shot at passing'' the Senate.

The provision in question is the so-called ''orderly liquidation authority'' that gives regulators broad new powers to take control of faltering megafirms and wind them down in an orderly way so that their failure doesn't wreak havoc on the broader economy a la 2008. The provision does allow the Federal Deposit Insurance Corp. to borrow money from the Treasury to finance the process—but that money, by law, has to be paid back to Treasury. If the FDIC can't recoup enough by selling off assets of the failed firm, then regulators will levy a fee on the big financial firms left standing over a five-year period.

House Republicans say they got the $22 billion figure from the nonpartisan Congressional Budget Office. Looking at that office's 2011 cost estimate for the whole Dodd-Frank bill shows how the CBO came up with the number—and the budget quirks behind it that make it far from a tangible boost to government coffers.

First, the CBO assumes regulators have to step in and use their new powers to deal with a teetering financial giant during the next 10 years. That's a pretty big if. Nonetheless, as CBO puts it, while the likelihood of the feds having to use this new process in any year ''is small, the potential costs of liquidating a systemically important firm could be large.'' And experts do say there will be another financial crisis sooner or later.

Even so, the CBO's approach of only looking at 10 years at a time is another quirk at play here. As the agency explained in its 2011 document, ''[A] snapshot of cash flows in any given 10-year budget window is unlikely to net to zero because the spending to liquidate a firm would occur before the income was received to cover those costs.''

In other words, the CBO is assuming that the FDIC won't be able to get all the money it needs to pay back Treasury within the 10-year period—but that doesn't mean that the FDIC won't ever get that money. If the law works as it is supposed to, in the end the total cost to taxpayers would be zero—not $22 billion.

Of course, there are lots of critics who say that this new resolution authority won't work and either regulators or Congress will decide to bailout financial firms when the next crisis strikes, in which case taxpayers would be on the hook. But the CBO is assuming the law works like it's supposed to.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds.

Medicaid is projected to grow at 125 percent over the next decade; under this bill, it will grow 123 percent. Food stamps grew 270 percent; under this bill, they would have grown 260 percent. Only in Washington is this considered draconian cuts. Slowing the growth of spending is not cutting; it's slowing the growth of spending.

With that, Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. FRANKS), a member of the Judiciary Committee, and ask unanimous consent that he be allowed to yield time.

The SPEAKER pro tempore. Without objection, the gentleman from Arizona will control the time.

There was no objection.

Mr. FRANKS of Arizona. I certainly thank the gentleman.

Mr. Speaker, I believe it's important, first of all, in this challenge that we have with our Federal budget, to realize that all budgets, whether they are personal budgets or business budgets or budgets by governments, all of them eventually and inevitably come to balance. They either do so by wise fiscal policy or by catastrophic failure.

The fact is that this administration has spent us into the stone age and added to our deficit approximately $1 trillion a year since they came into office. Mr. Speaker, the result is that we have more people living in poverty under this administration than ever before. So there is something wrong with the equation.

Now, having listened to the debate over this reconciliation bill, it's clear to me that Republicans and Democrats have a very fundamental, philosophical difference over whether or not we should take steps to reduce the Federal deficit and avoid the arbitrary and inflexible automatic spending cuts that are set to go into effect next year.

Republicans propose to reduce the deficit and avoid the automatic sequestration by eliminating wasteful programs, wasteful government spending, and curbing fraud in government programs in general. The President, on the other hand, has proposed raising taxes on the American people and American families and businesses, while at the same time increasing Federal Government spending. I cannot think of a more stark contrast, Mr. Speaker.

My friends on the other side of the aisle have demagogued this reconciliation bill beyond recognition. The fact, however, remains that this bill reduces the deficit—not by some parade of horribles, but by stopping fraud, eliminating government slush funds and duplicative programs, and controlling runaway Federal spending. It does so while preventing devastating defense cuts that the Obama administration's own Defense Department has called ''unacceptable.'' And it does so by making sure that the domestic spending cuts that the President's own budget claimed will ''inflict great damage on critical domestic priorities'' do not go unaddressed.

As part of the reconciliation process, the Judiciary Committee, Mr. Speaker, has recommended reforms to our medical liability system to rein in unlimited lawsuits and to make health care more accessible and affordable to all Americans.

According to the Congressional Budget Office, the Judiciary Committee's proposed medical liability reforms will reduce the deficit by more than $48 billion the very first year and beyond. The simple fact is that frivolous lawsuits drive physicians out of the practice of medicine in the primes of their careers, it pushes others away from high-risk medical specialties, and causes the vast majority of health care providers to practice defensive medicine. Studies indicate that the cost of health care lawsuit abuse is between $230 billion and $650 billion annually. The Judiciary Committee's proposal helps to eliminate the cause of this out-of-control lawsuit abuse.

Mr. Speaker, I would just urge my colleagues to join me in supporting this reconciliation package so that we can both reduce the Federal deficit and avoid the draconian sequestration of Defense Department funding that threatens serious harm to our national security.

Mr. Speaker, just a word on our national security. There is no more important thing to our economy of any kind than making sure that we are doing everything to be productive in a secure environment. If our national security is undermined, our economic security will be writing its own economic obituary.

With that, Mr. Speaker, I yield back the balance of my time and thank the gentleman for yielding.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

We keep hearing from our Republican colleagues that there's nothing more important than making sure we defend our national security. We agree that that's essential. We also agree that we need a strong economy. What's confusing is, if that's so important, why are our Republican colleagues refusing to ask the big oil companies to give up their big subsidies? They've said they don't need them.

So, Mr. Speaker, again, we also keep hearing that these cuts aren't going to have an effect. There's the old saying that you're entitled to your own opinions, but not your own facts. What we've been talking about are facts from the Congressional Budget Office about the number of kids that would lose their health care and the number of

struggling families that would lose their food and nutrition support.

I now yield 1 minute to the gentleman from Puerto Rico (Mr. PIERLUISI).

Mr. PIERLUISI. Mr. Speaker, I strongly oppose the provision in this legislation that would single out the Medicaid programs in the U.S. territories for a 65 percent cut, even though the territories are already treated in a profoundly unequal manner under this program. I'm joined in my opposition to this cut by the Republican Governor of Puerto Rico, Luis Fortuño, who knows discrimination when he sees it.

And I'd like to remind the gentleman from Wisconsin that in the case of the territories, we are talking about an actual cut. We're not talking about a reduction in the growth of our funding, because we have a cap to live with.

Just as we fought to obtain the funding that this bill now seeks to repeal, we will fight alongside our allies in the White House, the Senate, and this Chamber to retain this funding. This is a fight we intend to win.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ISSA), chairman of the Oversight and Government Reform Committee, and ask unanimous consent that he be allowed to yield time.

The SPEAKER pro tempore. Without objection, the gentleman from California will control the time.

There was no objection.

Mr. ISSA. Mr. Speaker, I rise in strong support of this legislation.

Our committee has participated in $83 billion worth of this package, saving our men and women in uniform from finding themselves holding wooden rifles. I use that term because it once happened. It wouldn't happen under sequestration, but we would make cuts that would make them just as endangered in some cases as if they were carrying wooden rifles.

Now, many people will talk about public servants in a less than kind way. I am not one of them. The Federal workforce has kept its promises. The Federal workers are not always well led or well managed, but they themselves deliver the product they're asked to deliver. However, the President's own commission—often called Simpson-Bowles on which the chairman of the Budget Committee served—found something that they all agreed on, that was that, in fact, the pension program that we as Federal employees—and I say ''we'' because Members of Congress pay into Social Security, have a 401(k), but we also have a pension—that that pension was more generous than our counterparts in the private sector.

□ 1220

They recommended that we, in fact, make it a 50/50 shared pension. My contribution from our committee, in fact, does that. At a rate of 5 percent, phased in over 5 years, we bring the Federal workforce, members of the civilian DOD, members of your Park Service and Members of Congress, House and Senate, we bring us all into paying what Simpson-Bowles, on a bipartisan basis, very much felt was a fair share.

Now, I want to make sure that everyone understands today that this is, in fact, a changing for members of the Federal workforce from what they perceived they would always have. It will not be easy. They will know that after this goes into effect, they will, in fact, not have as much take-home as they did the day before.

That's not to say it isn't due, that it isn't known, and it doesn't need to happen. What it's to say is, let's be understanding. These are tough times. The American people have made sacrifices for many years before this one. The Federal workforce has made some sacrifices. The President implemented a pay freeze.

But I must tell you, our looking at it is that because of an outdated system, the pay freeze does not, in fact, freeze pay. Step increases have virtually automatically, almost 100 percent automatically caused the vast majority of these individuals to be eligible and receive pay increases, even at a time in which, theoretically, it was frozen.

Additionally, civil servants know that if we're going to continue to hold on to a civil service workforce that has the confidence of the American people, their wages have to be comparable to their civilian counterparts.

Our committee will continue to work with others to study to make sure we do keep Federal workers fairly paid as compared to the nongovernment workforce. But our bill today takes the President's own recommendations, the recommendations made to the President, and implements them, for a savings over 10 years of $83 billion.

We believe this is the Federal workforce and we, as their representatives, asking them to make a reasonable sacrifice, one that I know they will do, while remaining confident that they will deliver the kinds of products they can.

Lastly, Mr. Speaker, there are things that are not in this bill. The kind of pay-for-performance that we'd like to see enhanced, the kind of procedure for a quick remedy for individuals who have become disabled—those are not in there. There are many other savings and improvements for the Federal workforce. We intend to go back on a bipartisan basis and do that.

But when it comes to purely paying your fair share, we believe that Simpson-Bowles got it right. We believe the Federal workforce will not like this, but they will accept that this allows them to say our package is not inherently more generous than the private sector. It's been normalized for it.

That and other changes that we made in this bill allow the Federal workforce to say stop saying that we somehow get something everyone else doesn't. The Federal workforce pays into Social Security, into Medicare and, in fact, they're going to be paying half the cost of their pension plan, which is commensurate with their private sector.

So I want to be very positive here in saying this is never easy to do in times of austerity, but, in fact, the Federal workforce will stand behind this, as Congress will, in recognizing that they're doing their share.

I'm very proud of the people throughout government who recognize that getting this right is part of being able to say to the American people, we're all in this together.

With that, I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I appreciate the words the chairman of the Government Reform Committee said with respect to Federal employees.

If you listen to the comments of a lot of these colleagues, they have made Federal civil servants scapegoats, and, in fact, their budget that's before us today does hit Federal employees.

So the folks in the intelligence community who helped track down Osama Bin Laden, what do they get under this proposal? A 5 percent pay cut.

How about the folks at NIH who are, every day, looking to find cures and treatments for diseases that plague every American family? A 5 percent pay cut.

How about the nurses who work in the Veterans Hospitals? A 5 percent pay cut.

And yet, you don't cut the direct payment subsidies to agriculture. You don't cut the subsidies to the big oil companies. You just want to whack Federal civil servants.

With that, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), who has been working on this issue for a very long time.

Mr. HOYER. I want to thank my friend, Mr. VAN HOLLEN, for the work he's done.

I want to rise in opposition to this focus on Federal employees. First of all, Federal employees have contributed $75 billion over the last 2 years towards helping us reduce the deficit—$75 billion. No other working American has been asked to do that.

You treat Federal employees in this House as second-class working people. That's wrong. This is a 5 percent tax increase on Federal employees. Nobody else, nobody else do we ask—the richest people in America we don't ask to solve this deficit problem. But Federal employees, yes, a $75 billion contribution. And you don't blink an eye because it's easy, because we demagogue about government and, by association,

we demagogue about bureaucrats used as an epithet.

These are, as Mr. VAN HOLLEN pointed out, people who protect our food, try to make sure that we can find cures for cancer, protect us from terrorism, guard our borders. That's who we're talking about. And we treat them as second-class citizens. That's wrong. It's wrong for our country, it's wrong for the American people, and it's wrong for us as an institution representing the government of this country.

Ladies and gentlemen, reject this. I'm going to talk about other aspects of this so-called reconciliation bill at a future date. But I ask you on this basis alone: federal employees—I will tell you as one who represents a large number of them—are ready to participate in helping to bring down this deficit and meet this crisis. But do not ask them to do it alone.

That's what Mr. VAN HOLLEN says about oil companies, big corporations, loopholes, and the wealthiest in America. Don't simply ask more from those who have less and ask less from those who have more. That is not good policy. Let us not pursue it.

Mr. VAN HOLLEN. I thank the gentleman from Maryland.

It is now my privilege to yield 3 minutes to another great Member of Congress from the State of Maryland (Mr. CUMMINGS), the ranking member on the Government Reform Committee.

Mr. CUMMINGS. Thank you, Mr. VAN HOLLEN. This week marks the 28th anniversary of Public Service Recognition Week, a week in which we honor the contributions of Federal, State, local, and government employees. These employees include outstanding public servants like IRS' Shauna Henline, from Representative ROB BISHOP's congressional district, who saved the United States taxpayers billions of dollars by identifying and bringing to justice tax evaders and scammers.

They include the State Department's Shane Morris, a constituent of Representative CHRISTOPHER SMITH of New Jersey, who played a critical role in ensuring that United States diplomats in the Middle East continued to receive classified information, material, and equipment during the Arab Spring uprisings in 2011.

Instead of us using this week to celebrate the good work of government employees who dedicate their lives to serving others, the Republican majority has put legislation on the House floor today that would take billions of dollars out of their pockets.

I ask my colleagues on the other side of the aisle, where is the appreciation or compassion for the dedication and commitment that public employees display day by day? It certainly is not in this bill, which is an uncompassionate and wrongheaded approach to our fiscal problems.

The Federal employee-related provisions in this bill which were reported out of the Oversight Committee would reduce the take-home pay of nearly 3 million middle class Americans by 5 percent, mandating increased retirement contributions.

The bill also would eliminate the FERS annuity supplement for new workers who retire before they are eligible for Social Security at 62. According to the Office of Personnel Management, the average annuity amount for current FERS retirees is nearly $700 per month. I do not think any American who has dedicated his life to the public service should be forced to lose that much money on a monthly basis, particularly those on a fixed retirement budget.

Our middle class Federal employees have already contributed $75 billion towards deficit reduction and other government programs, while millionaires and billionaires have not been asked to contribute one additional cent to improve our government's financial condition.

□ 1230

I strongly urge my colleagues to oppose this legislation and, instead, to support a more rational and equitable budget proposal that asks for shared sacrifice from everyone in our country.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds.

Members of Congress and Federal employees contribute .8 percent to their pensions. According to the CBO, their benefits are 48 percent higher than their average private sector counterparts. We think it's just reasonable and appropriate that they contribute about 5.8 percent to their pensions and contribute their half. It's the least we can ask of ourselves as Members of Congress and of hardworking Federal employees, that we treat ourselves like private sector workers are treated. More to the point, Mr. Speaker, if we want to have the moral authority to get spending under control, we need to ask more of ourselves.

With that, I yield 5 minutes to the gentleman from Michigan (Mr. CAMP), the chairman of the Ways and Means Committee, and ask unanimous consent that he be allowed to yield time.

The SPEAKER pro tempore. Without objection, the gentleman from Michigan will control the time.

There was no objection.

Mr. CAMP. I thank the chairman for yielding.

Mr. Speaker, back in 2010, I served on the President's debt commission, otherwise known as the Simpson-Bowles Commission. During that Commission, we heard nonpartisan, expert testimony that debts as large as ours slow economic growth by about 1 percent. In America, that translates into 1 million fewer jobs. So, to start getting our debt under control and our economy back on track, we passed the Budget Control Act, but we all know that was a blunt and ineffective tool. As a result, Republicans have stepped forward with a smarter plan.

Today, I want to highlight the more targeted, sensible reductions in spending the Ways and Means Committee has offered as part of the reconciliation process, each of which has enjoyed bipartisan support.

Our first recommendation requires exchange subsidy overpayments in the Democrats' health care law to be repaid in full. This is simple and common sense. If you aren't entitled to the benefit, you don't get to keep it. This policy will reduce the deficit by $43.9 billion over the next 10 years.

A Democrat-controlled House and a Democrat-controlled Senate first used a version of this offset in 2010 to pay for a temporary Medicare so-called ''doc fix.'' This Congress also endorsed this policy as part of the 1099 repeal legislation that became law early last year. As Secretary Sebelius has previously said, requiring the return of exchange subsidy overpayments ''makes it fairer for recipients and all taxpayers.''

Mr. Speaker, I now yield 1½ minutes to the gentleman from Texas (Mr. SAM JOHNSON) to discuss the committee's second recommendation. He is a true American hero, as well as the chairman of the Social Security Subcommittee.

Mr. SAM JOHNSON of Texas. I thank the gentleman for yielding.

Mr. Speaker, due to a loophole in the Tax Code, the IRS is shoveling out billions of American taxpayer dollars to those who are here illegally.

The good news is this reconciliation measure includes a commonsense solution based on legislation I've authored that would save $7.6 billion by putting a stop to this. The provision would stop illegal immigrants from getting the $1,000 refundable Child Tax Credit by simply requiring tax filers to provide their Social Security numbers.

Right now, those who are here illegally can get cash from Uncle Sam by providing an IRS-provided taxpayer ID number to claim this refundable credit. According to a recent report by NBC Indianapolis' WTHR, illegal immigrants are even filing tax returns that claim children who do not live in America.

Mr. Speaker, there really shouldn't be any controversy over this. The American people are speaking out against this. Treasury's tax IG has spoken out against this. Democrat Senator CLAIRE MCCASKILL has spoken out against this. Even the administration supports through the funding of a verification program the idea of preventing illegals from receiving public benefits.

Mr. Speaker, we can fix this and put a stop to the abuse of precious taxpayer dollars by simply requiring a Social Security number. Americans want,

need, and deserve the better protection of their hard-earned money, and we owe it to the United States of America to take action today.

Mr. CAMP. I now yield 1 minute to the chairman of the Human Resources Subcommittee, the gentleman from Kentucky (Mr. DAVIS), to discuss the committee's final recommendation.

Mr. DAVIS of Kentucky. Thank you, Mr. Chairman.

Mr. Speaker, I rise in support of this legislation, including the provision to end the duplicative Social Services Block Grant.

As chairman of the Ways and Means Human Resources Subcommittee, we held a hearing last year on duplicative programs such as SSBG. Despite what we have heard from some on the other side, our concern is focused squarely on the design of the SSBG program, which does not serve taxpayers well for a number of reasons.

SSBG is duplicative and unfocused. It supports 29 different types of social services with no eligibility requirements. The Federal Government already spends $446 billion per year on other social services programs, which is about 260 times the amount of SSBG spending. With no State spending requirements or accountability for results, SSBG is more akin to stimulus dollars than other more effective antipoverty programs.

With staggering deficits, we can't afford to send money to States without accountability through a program that is replicated by literally dozens of other Federal programs. That's what SSBG does today, and it is why it makes sense to end this duplicative program.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 1 minute.

Mr. CAMP. Today, the economy is down and we're out of money, so it is our responsibility to reevaluate these programs, to assess whether they're meeting their intended purposes and to determine if the American taxpayer can afford them. We must reduce the burden our debt is putting on our economy, on our families, on job creation in this country. This legislation does that. It encompasses commonsense, bipartisan policies; and I urge its passage.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, with respect to the Child Tax Credit, I would like to insert into the RECORD a letter we received from the Catholic bishops on this subject. In part, it reads:

I reiterate our strong opposition to an unfair proposal that would alter the Child Tax Credit to exclude children of hardworking immigrant families.

The bishops also talk about the devastating impacts of eliminating the Social Services Block Grant.

COMMITTEE ON DOMESTIC JUSTICE AND HUMAN DEVELOPMENT,
Washington, DC, May 8, 2012.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: As you vote on a reconciliation package for the fiscal year 2013 budget, I would like to affirm the principle contained in the Committee Report that the ''budget starts with the proposition that first, Congress must do no harm.'' In this light, I urge you to ensure all policies meet the moral criteria established by the Catholic bishops of the United States to create a circle of protection around programs that serve poor and vulnerable people and communities:

1. Every budget decision should be assessed by whether it protects or threatens human life and dignity.

2. A central moral measure of any budget proposal is how it affects the lives and dignity of ''the least of these'' (Matthew 25). The needs of those who are hungry and homeless, without work or in poverty should come first.

3. Government and other institutions have a shared responsibility to promote the common good of all, especially ordinary workers and families who struggle to live in dignity in difficult economic times.

A just framework for future budgets cannot rely on disproportionate cuts in essential services to poor persons; it requires shared sacrifice by all, including raising adequate revenues, eliminating unnecessary military and other spending, and addressing the long-term costs of health insurance and retirement programs fairly.

I reiterate our strong opposition to an unfair proposal that would alter the Child Tax Credit to exclude children of hard-working, immigrant families. The bishops' conference has long supported the Child Tax Credit because it is pro-work, pro-family, and one of the most effective antipoverty programs in our nation. Denying the credit to children of working poor immigrant families—the large majority of whom are American citizens—would hurt vulnerable kids, increase poverty, and would not advance the common good.

The Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps), provides vital food security to families during tough economic times. It is estimated that cuts proposed in this bill would deny assistance to two million families, and cut the benefit for everyone else. No poor family that receives food assistance would be unaffected, constituting a direct threat to their human dignity. If savings in agricultural programs need to be achieved, subsidies and direct payments can be reduced and targeted to small and moderate-sized farms.

The Social Services Block Grant is an important source of funding for programs throughout the country that serve vulnerable members of our communities—the homeless, the elderly, people with disabilities, children living in poverty, and abuse victims. We should prioritize programs that serve ''the least of these,'' not eliminate them.

The Catholic bishops of the United States recognize the serious deficits our country faces, and we acknowledge that Congress must make difficult decisions about how to allocate burdens and sacrifices and balance resources and needs. However, deficit reduction and fiscal responsibility efforts must protect and not undermine the needs of poor and vulnerable people. The proposed cuts to programs in the budget reconciliation fail this basic moral test. The Catechism of the Catholic Church states it is the proper role of government to ''make accessible to each what is needed to lead a truly human life: food, clothing, health, work, education and culture, suitable information, the right to establish a family, and so on'' (no. 1908). Poor and vulnerable people do not have powerful lobbyists to advocate their interests, but they have the most compelling needs.

As you pursue responsible deficit reduction, the Catholic bishops join other faith leaders and people of good will urging you to protect the lives and dignity of poor and vulnerable families by putting a circle of protection around these essential programs and to refrain from cutting programs that serve them.

Sincerely,

Most Reverend STEPHEN E. BLAIRE,
Chairman, Committee on Domestic Justice and Human Development.

I now yield 2 minutes to the gentleman from California, the ranking member of the Energy and Commerce Committee, Mr. WAXMAN, who has been working so hard on these issues.

Mr. WAXMAN. Mr. Speaker, the bill that is before us today is an unbalanced package of cuts that hurts the most vulnerable populations in our society and the working middle class.

There was a budget agreement on a bipartisan basis between the Congress and the President by which we would shield low-income programs from the cuts that are now before us today. That agreement is being rejected, and the Republicans are pushing for cuts for low-income programs such as Medicaid, SNAP—which is the food stamp program—helped by the Social Services Block Grant and which are vital to maintaining and continuing our economic recovery. These are the safety net programs. With the slashes in Medicaid, we will have hundreds of thousands of people, including 300,000 children, denied health insurance.

Is this something that we have to do when we're not letting others do their fair share?

The bill would establish a Federal medical malpractice system that tramples on the meaning of states' rights, which the Republicans have said is a central tenet of their point of view. They would undermine our future health care by cutting prevention and public health investments. They would make it harder for women to access important and life-saving preventative care, and they fail to protect Medicare from billions of dollars in cuts that would happen under the sequestration.

But we shouldn't be surprised.

This is all based on the Ryan budget that the Republicans passed on the House floor last month. Under that budget, defense spending is increased over investments in health, education, and research. Medicare, as we know it, would come to an end. The number of uninsured would rise, but millionaires and billionaires would receive enormous tax cuts.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 30 seconds.

Mr. WAXMAN. Instead of a budget that actually reduces the deficit, which this budget would not do, and that tries to do it in a balanced and fair way, the Ryan budget, and this bill specifically, targets those most in need; and it puts our Nation's financial recovery at risk. I urge a ''no'' vote on the bill.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. VAN HOLLEN. I yield 1 minute to the gentlelady from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Speaker, to say I rise in strong opposition to this bill would be an understatement. In addition to the other egregious cuts, this bill would eliminate the critically needed $6.3 billion in funding that the U.S. territories' Medicaid programs receive under the Affordable Care Act.

□ 1240

More than that, it sends a clear message to Americans in the territories that while they are American enough to defend this Nation during times of war, they are not American enough for this Nation to protect and preserve their health and well-being. This bill is un-American and it is unjust.

I ask my colleagues to vote ''no'' on this terrible reconciliation bill.

Mr. Speaker, to say that I rise today in strong opposition to this bill would be an understatement.

The truth is that there are so many elements included in this bill that warrant everyone's strong opposition that the list reads like a dishonor roll: the attacks on Medicare and CHIP; the elimination of funding for the Exchanges that will expand health insurance to more than 30 million uninsured Americans; and the repeal of the Prevention and Public Health Fund, which expands access to preventive health care services to millions of Americans who—as a result—would have improved overall health and well-being. The list goes on for far too long.

But, it gets worse because this bill also includes a provision to eliminate the critically needed 6.3 billion dollars in funding that the U.S. Territories' Medicaid programs received under the Affordable Care Act—a funding influx that, two years ago, my colleagues on both sides of the aisle and in both chambers deemed legitimate and necessary. And, if that is not bad enough, this bill also bumps our FMAP down from 55 to 50 percent—a percentage that every expert has agreed is far too low and unjust, given the territories' income, poverty and cost of living numbers.

I will call it like I see it: it bullies the most vulnerable Americans in the territories whose medical needs surpass their financial resources; and this bill sends the very clear message to Americans in the territories that while they are ''American enough'' to defend this nation and its honor during times of war, they are not ''American enough'' for this Nation to help protect and preserve their health, health care and thus well-being. It is un-American; it is unjust; it is an unnecessary embarrassment; and it must not pass.

We have one last chance to do the right thing; let's do it and not pass this bill.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma, a member of the Budget Committee, Mr. COLE.

Mr. COLE. Mr. Speaker, the American people know in their gut that they're not taxed too little, and they also know that the Federal Government spends too much.

This bill is an important first step in restraining spending and bringing our out-of-control deficit under control. I'm very proud of our chairman, Mr. RYAN, on our committee for bringing it to the floor. I'm even prouder of the six authorizing committees that systematically did their job of reviewing nondiscretionary spending and finding real savings that we can use to reduce the deficit and protect important investments in defense.

Taming the deficit will require that we take these steps each and every year going forward. We haven't done it since 2005. It's time to do it today. Let's take a step in the right direction.

Mr. VAN HOLLEN. Mr. Speaker, I yield 2 minutes to the distinguished ranking member of the Ways and Means Committee, the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, this bill is vivid evidence of the radicalization of the Republican Party.

I recall decades ago chairing a committee in the Michigan State Senate and addressing a number of reforms affecting the lives of working men and women. I directly engaged in give and take and negotiated final legislation with Governor George Romney, resulting in legislation that passed on a bipartisan basis.

Today, the radicalization of the Republican Party would make that impossible. Instead, we have a bill that would take away food stamps for 2 million Americans, children, working parents, and seniors. It would threaten 280,000 school meals and end the Social Services Block Grants, which provide home care, transportation for individuals with disabilities, protection for abused children, and Meals on Wheels. All of this and much more extremism to carry out an additional tax cut of $240,000 for the very wealthiest 1 percent of taxpayers.

We can turn off the budget sequester and the damaging across-the-board cuts, but not with this extreme partisan bill. The House leadership refuses to follow a bipartisan path. This bill is sad proof of how the Republican Party of today has moved dramatically to the extreme, leaving behind most Americans, except the very wealthy.

Mr. Speaker, I now would like to enter into the RECORD letters from organizations that are opposed to this bill's drastic cuts in services for the elderly, the disabled, and children:

CATHOLIC CHARITIES USA,
Alexandria, VA, April 25, 2012.

Hon. PAUL RYAN,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE RYAN: As the House Committee on the Budget evaluates the priorities expressed in the federal budgeting process, we urge you to reject the proposed elimination of the Social Services Block Grant (SSBG) as proposed by the House Committee on Ways and Means.

Everyday thousands of individuals who are disabled, children, preschoolers, homeless, elderly, or at risk of being abused are receiving services because of SSBG funding. These funds prevent the need for more expensive and less desirable interventions. SSBG is a flexible federal funding source that allows states, local governments and non-profit organizations to support local programs and services for vulnerable children, youth, and elderly and disabled people. States have a long history of cooperation with community and faith-based organizations in the allocation of SSBG funds.

Catholic Charities USA (CCUSA) is a network of more than 1,600 social service agencies and institutions providing services to more than 10 million people annually. As one of the nation's largest social service providers, CCUSA recognizes the critical need for SSBG funding and uses these funds in almost every category of direct services.

Among those vulnerable populations that receive critical assistance from SSBG-funded programs are: Children: Local Catholic Charities agencies use SSBG funds to provide child care to low-income families; foster care support service; and prevention and protective services for neglected and abused children. Youth: Local Catholic Charities agencies utilize funds from SSBG to supplement work with expecting and parenting teens; drug counseling for troubled youth; and special services for youth involved in or at risk of involvement with criminal activity. Elderly: Local Catholic Charities rely heavily on SSBG funds to support Meals on Wheels programs that address both nutrition and isolation issues for frail elderly persons; transportation services for persons who also need assistance with their grocery shopping, doctor appointments, and during church services; adult day care; and emergency shelter and assistance for victims of elder abuse.

The following provides some examples of programs at local Catholic Charities agencies that would be affected by the elimination of SSBG funding:

New Jersey: In Newark, SSBG funds are used to support many programs and services, among them counseling and child abuse prevention services for families referred from the State child welfare system; supervised housing for youth exiting the child welfare system for independent living; The funds are used to provide services directed towards preventing, reducing or eliminating dependency; achieving or maintaining self-sufficiency; preventing neglect, abuse or exploitation of children and adults; and preventing or reducing inappropriate institutional care.

Pennsylvania: In Wilkes-Barre/Scranton SSBG funding supports activities at a homeless veterans residence, Maternity Home and Senior Citizens Housing.

Texas: In Beaumont, SSBG funds the soup kitchen, long term disaster recovery, financial education and counseling programs. In Brownsville, SSBG funds are used to assist

with long-term recovery from disasters including replacing essential items for those who were rendered homeless from such disasters.

Wisconsin: In LaCrosse, SSBG funds provide services for children and adolescents in their Disabilities Services Program. Its mission is to keep these young people in their homes and prepare them for congregate or semi-independent living and provides a unique niche and without it many would not be able to be in mainstreamed into the community and would be at risk for institutional care.

We acknowledge that tough choices will be made as part of your ongoing budget discussions and that every one of these tough choices will be met with frustration, disappointment and even anger from certain segments of the population. Catholic Charities USA recognizes that social service initiatives will not be immune to those difficult decisions. However, as you look for savings within the budget, we reject the notion that those most vulnerable among us should feel the greatest impact of future reductions.

Rather than simply embracing quick answers to the immediate need to shave dollars off the federal budget by impairing local organizations' ability to deliver critical services to those in need, now is the time to work together to create a new national approach to service delivery that enable the country to permanently make a difference in the lives of those living in poverty.

Sincerely,

FR., LARRY SNYDER,
President.

May 5, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: As groups of faith that provide critical support for those living on the margin, we write to urge you to reject the House Budget Committee's proposal to repeal funding for the Social Services Block Grant (SSBG).

The SSBG is a flexible federal funding source that allows states, local governments and nonprofit organizations to support and supplement programs and services on the local level for vulnerable children, youth, the elderly and people with disabilities. States have a long history of cooperation with community and faith-based organizations in the allocation of SSBG funds.

According to the Department of Health and Human Services, the SSBG helped more than 22 million individuals in 2009, 49 percent of whom were children. In 1996, funding for SSBG was cut, and while it was intended to increase to $2.8 billion in 2003, instead it was reduced to $1.7 million and has remained at this level. The flat funding level has failed to keep up with inflation, forcing states to cut back on social services or tap into funds allocated for the Temporary Assistance for Needy Families. In these times of economic hardship, states are dealing with budget crises and a growing number of people in need of social services. SSBG funds are critical to help states fill in gaps with the flexibility to target the funds according to their needs.

SSBG plays an important role in the types of services provided by our organizations to low-income people. The elimination of funding would disproportionately impact the most vulnerable populations by impairing our ability to provide services that help children in need of child care, youth in need of intervention and prevention services, and older Americans and persons with disabilities who might otherwise need to be placed in institutional care. The slightest reduction in funding for this vulnerable population would compromise their livelihood and possibly their lives. Therefore, we strongly urge you to protect SSBG funding so that these vital programs continue to be available to these vulnerable populations.

Sincerely,

CATHOLIC CHARITIES USA.
JEWISH COUNCIL FOR PUBLIC AFFAIRS.
ASSOCIATION OF JEWISH FAMILY & CHILDREN'S AGENCIES.
THE JEWISH FEDERATIONS OF NORTH AMERICA.
LUTHERAN SERVICES IN AMERICA.

EASTER SEALS
DISABILITY SERVICES,
Washington, DC, April 19, 2012.

DEAR REPRESENTATIVE: On behalf of Easter Seals I am writing to urge you to oppose legislation that eliminates the Social Services Block Grant (SSBG) and cuts the Supplemental Nutrition Assistance Program (SNAP). We urge you to vote against these proposals if they come before the full House of Representatives.

The Social Services Block Grant is a critical resource that enables Easter Seals affiliates throughout the country to provide quality services that support the independence of people with disabilities. Our affiliates work with localities to provide inclusive child care for children with disabilities, adult day services for older adults, recreational programs for people with disabilities of all ages and much more. Without SSBG, access to these critical services would be extremely limited. In addition, many of the people with disabilities we serve rely on SNAP and other federal supports to remain independent.

Easter Seals appreciates the urgency for the federal government to be fiscally responsible and to strengthen our national economy. At the same time, we know that people with disabilities disproportionately rely on government services to live, learn and work in their communities. These services were created by government because the private market place would not meet the unique needs of people with disabilities.

Again, please oppose proposals to eliminate SSBG and cut SNAP. Thank you for considering our views.

Sincerely,

KATHERINE BEH NEES,
Senior Vice President, Government Relations.

AARP,
May 9, 2012.

DEAR MEMBER OF CONGRESS: On behalf of over 38 million members and other Americans who are age 50 and older, AARP is writing to express serious concerns with the House Reconciliation proposal pursuant to the Fiscal Year 2013. While the reconciliation package offers ideas for confronting our nation's deficits and debt, AARP believes the proposal lacks balance and could jeopardize the health and economic security of older Americans, as well as their families.

STATE HEALTH INSURANCE EXCHANGES

The reconciliation proposal strikes funding for state health insurance exchanges (Exchanges), as well as rescinds obligated funds which states are relying on for future use. The establishment of the Exchanges is one of a number of initiatives in the Patient Protection and Affordable Care Act (ACA) to improve access to affordable, quality care. AARP believes the Exchanges can promote more cost-effective care, improve pricing transparency, and increase health insurance companies' accountability for quality health care. The Exchanges' functions are critical in determining eligibility for individuals or employers seeking to purchase qualified health plans (QHPs), and in particular for determining eligibility for the premium tax credits under the rules as set out by the IRS. Exchanges are also important for facilitating a seamless eligibility system with State Medicaid programs under the rules set out for Medicaid. AARP supports innovative ways to provide access to affordable, quality care. The House proposal to defund the Exchanges by $13.5 billion dollars will make it more difficult for millions of Americans to obtain affordable and quality healthcare.

SUBSIDIES—TRUE UP

The proposal would require those who receive Exchange subsidies overpayment to repay the full amount of the overpayment. Individuals and families would still be allowed to keep the subsidies they are entitled to receive under the ACA. AARP supports health insurance Exchanges' subsidies to individuals up to 400 percent of the federal poverty level. The subsidies and their proper administration are a critical element in assuring affordability of quality healthcare coverage for individuals and families. Without these subsidies, many of our members and other Americans will not be able to afford coverage or the cost sharing for covered care. We believe that efforts to change percentage limits or decrease the subsidy levels will erode the affordability protection of the credits, and will mean that over time more people will find insurance unaffordable.

REPEAL OF THE PUBLIC HEALTH FUND

The proposal repeals the prevention and public health fund. This fund is an important component in state and community efforts to prevent illness and promote health, so that all Americans can lead longer, more productive lives. An estimated 32.5 million people with Medicare received at least one free preventive benefit in 2011, including the new Annual Wellness Visit, since the health reform law was enacted. Seventy-five percent of all health care costs in our country are spent on the treatment of chronic diseases, many of which could be easily prevented. More than 70 million Americans ages 50 and older—four out of five older adults—suffer from at least one chronic condition. More than half of older adults have more than one chronic condition, and 11 million live with five or more chronic conditions. A focus on prevention will not only lead to better health for Americans, but will also help reduce the need for costly treatment and intervention of these chronic diseases.

The prevention and Public Health Fund has also been used to bolster the health care workforce to ensure that consumers would have access to clinicians providing primary care, prevention, and wellness care. In 2010, it helped to transition 800 part time nursing students to full time status to help infuse the healthcare workforce. Without such funding, more consumers would go without necessary preventive and primary care and would end up needing more advanced interventions in acute care or chronic care institutions—thereby decreasing their quality of life, overburdening the health care delivery system, and increasing the cost of health care. AARP strongly urges the House to oppose repeal of the prevention fund.

REPEAL OF MEDICAID AND CHIP MAINTENANCE-OF-EFFORT REQUIREMENTS

AARP opposes the reconciliation provision eliminating the Medicaid Maintenance-of-Effort (MOE) requirement included as part of the ACA. We are concerned this will lead to state Medicaid cuts that could leave many older Americans, people with disabilities, and children without health care coverage.

Medicaid often covers services that other programs, such as Medicare, do not generally cover, including home health aide and personal attendant care services, as well as nursing home services. In fact, Medicaid is the largest payer of long-term care for older adults and people with disabilities. Because of the extremely high cost of long-term services and supports—the average annual cost of nursing home care is over $75,000—many older Americans, including middle income Americans, have to virtually deplete all of their personal resources to finance their ongoing care. Medicaid is a last resort for these individuals and many other Americans who find themselves uninsured or uninsurable in the private market due to a catastrophic illness such as cancer. It provides the needed long-term care services that Medicare does not cover.

Starting in 2014, the ACA expands Medicaid coverage for persons with incomes up to 133% of the federal poverty level, to ensure that people who cannot afford care on the private market still have access to core services without the inefficiencies and expense of uncompensated care. The MOE provisions included in ACA serve as a bridge to 2014, making certain that important health coverage remains in place until the new law is fully implemented. According to the non-partisan Congressional Budget Office's scoring, the MOE elimination would lead to hundreds of thousands of these vulnerable Americans losing coverage each year.

Reducing Medicaid coverage is not the solution for reining in health care costs. To be exact, cuts to Medicaid and CHIP will only result in costly uncompensated care, which in turn will result in higher health care costs in the private market. Rather than simply continue to shift costs, health care costs should be reduced by pursuing more effective ways to deliver and coordinate care; by working to prevent and treat costly chronic conditions; by carefully expanding home and community-based services; and by reining in costs associated with waste and fraud.

REPEAL OF INCREASED FEDERAL MEDICAID FUNDING CAP AND MATCH FOR TERRITORIES

AARP opposes the reconciliation provision that would replace the ACA's increased Medicaid federal match and cap for the territories with the levels in place prior to the ACA. We supported raising the cap on Medicaid funding for Puerto Rico, the U.S. Virgin Islands, and the other territories. AARP believes that quality, affordable health coverage should be available to all Americans wherever they reside, and this reconciliation provision would only serve to further increase health care inequities for Americans who live in the U.S. territories. The proposal would cut federal funding for Medicaid in the territories by 65% over the next decade. Such a drastic cut would be a crippling blow that would devastate Medicaid within the territories, as well as budgets within the territories.

ELIMINATING SOCIAL SERVICES BLOCK GRANT (SSBG)

The proposal aims to eliminate the SSBG. SSBG serve a unique purpose and are not duplicative of other funding. The original intent of SSBG funds was to increase the flexibility of state governments to set social services spending priorities outside the constraints of federal program dollars. Since SSBG funds must be directed to services for low income and vulnerable persons and enable them to be more independent or gain greater economic self-sufficiency, around 23 million seniors, children and disabled persons will experience reduced or no services since many states lack the capacity to replace the funds if this proposal were to take effect. Home delivered meals (1.7 million seniors), adult protective services and transportation services are most frequently noted as services for seniors supported by the SSBG. In two recent reports by AARP and the National Association of States United for Aging and Disabilities on a wide array of supportive and long-term care services, states acknowledge that maintaining current services levels is the greatest challenge as the population ages at an increasing rate. About 1.8 million children at risk of abuse and 4.4 million kids may lose child care related care services, while an estimated 1 million disabled persons are affected by a loss of transportation funds. Given the extreme vulnerability of the populations receiving services under SSBG, AARP cannot support this approach to balancing the federal budget and urges rejection of this proposal.

BLOCK GRANT SNAP AND NARROW ELIGIBILITY

The reconciliation proposal aims to cut and block grant the Supplemental Nutrition Assistance Program (SNAP). It contradicts the evidence of the major reputable studies on nutrition programs, including the Government Accountability Office's findings that SNAP was very effective in meeting its mission and targeting goals. Further, all the major bipartisan deficit reduction proposals considered by Congress in the past two years have agreed that the safety net needs to be kept intact so those least able are not asked to bear the burden of balancing the federal budget. The House proposal cuts about $35 billion over 10 years from nutrition programs without sacrifices from farm subsidies or other agriculture spending. The result is a significant reduction in assistance to buy food. 2.7 million seniors are currently receiving SNAP benefits. Additionally, the proposal results in close to 2 million persons being eliminated from SNAP assistance as application and eligibility requirements are tightened by prohibiting coordination with the Low Income Home Energy Assistance Program (LIHEAP) and other low income benefits, eliminating the Recovery Act enhancement that helped SNAP benefits gain on the inflated cost of food during the recession, and capping the amount that can be spent to provide nutrition to low income households. AARP urges Congress to reject proposals to cap or reduce SNAP funding, restrict eligibility or reduce benefits. Instead Congress should support proposals to increase benefit adequacy so that households have the resources to purchase a nutritionally adequate diet.

On behalf of our millions of members and all older Americans, we reiterate our concerns about the harm this reconciliation proposal could cause Medicare and Medicaid beneficiaries, as well as other older Americans and their families. We strongly urge you to enact a reconciliation package that will better protect the interests of our nation's seniors and their families. If you have any questions, feel free to call me, or please have your staff contact Joyce Rogers, Senior Vice President of our Government Affairs office at 202–434–3750.

Sincerely,

A. BARRY RAND,
Chief Executive Officer.

THE ARC,
Washington, DC, May 3, 2012.

Chairman DAVE CAMP,
Committee on Ways and Means, House of Representatives, Washington, DC.

Ranking Member SANDER M. LEVIN,
Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN CAMP AND RANKING MEMBER LEVIN: I am writing to express the strong opposition of The Arc of the United States (The Arc) to two proposals approved by the Committee on Ways and Means at its April 18 markup of budget reconciliation language.

The Arc is the largest national community-based organization advocating for and serving people with intellectual and developmental disabilities and their families. We have more than 140,000 members and more than 700 state and local chapters nationwide. We are concerned that the proposals to eliminate the ''safe harbor'' for individuals and families receiving premium tax credits under the Affordable Care Act (ACA) and to eliminate the Social Services Block Grant (SSBG) could harm people with intellectual and developmental disabilities and their families.

''SAFE HARBOR'' FOR PREMIUM TAX CRAFTS UNDER THE AFFORDABLE CARE ACT

The ACA protects individuals and families from having excessive penalties if the premium tax credit paid towards insurance coverage during the year exceeds the actual amount the individual or family was due. The protection, through a ''safe harbor'' that caps the amount of the premium tax credit an individual or family under 400% of poverty will have to re-pay, recognizes that there are certain instances that cannot be easily accounted for that will change the amount of credit due.

Eliminating this ''safe harbor'' will hurt people with disabilities who have lower average incomes than non-disabled workers and often work part-time. Penalizing low income people for changes in earnings or family status that occur during the year by removing the repayment cap will leave people with disabilities vulnerable to an unaffordable tax bill. This could lead to more people refusing coverage for fear of the repayment penalty.

SOCIAL SERVICES BLOCK GRANT

The Social Services Block Grant (SSBG) helps provide critical services to approximately 23 million people with disabilities, seniors, and children across the United States. For example, the SSBG helps provide vital services for people with disabilities and their families, including respite care and transportation; Meals on Wheels and other supportive services for seniors; child care and related assistance for children; and child protective services for at risk children.

For people with intellectual and developmental disabilities, the SSBG can provide invaluable supports and can help leverage state and local funding to deliver essential services. For example, in New Jersey the SSBG helps fund an independent Living program operated by The Arc of Bergen and Passaic Counties. The program assists low-income people with developmental disabilities who are on a waiting list for services from the State Division of Developmental Disabilities (DDD) or who do not qualify for the full array of state DDD services.

Under the program, The Arc of Bergen and Passaic Counties receives referrals from homeless shelters, mental health providers, and other agencies and often provides emergency stabilization for referred individuals and families who are in crisis. The program provides people with developmental disabilities with individualized supports such as: locating and maintaining housing; landlord relations; job search and employer/employee relations; budgeting, bill paying, and other financial challenges; and accessing medical and mental health care.

SSBG funds leverage matching County contributions as well as funding from the Community Development Block Grant. Without the SSBG portion, the program would not be viable.

New Jersey's program is an example of how the SSBG can fill gaps in the service continuum and act as a lifeline for people with disabilities. Eliminating the SSBG would reduce essential funding at a time when state and local budgets are under severe pressure and people with disabilities, seniors, and families need more help.

PRESERVING THE ''SAFE HARBOR'' FOR PREMIUM TAX CREDITS AND THE SSBG

In closing, The Arc believes that eliminating the SSBG and the ''safe harbor'' for premium tax credits under the Affordable Care Act could harm people with disabilities and their families, and we oppose the proposed elimination of these important supports. Thank you for considering our views.

Sincerely,

MARTY FORD,
Director, Public Policy Office.

NATIONAL FOSTER CARE COALITION,
April 23, 2012.

DEAR MEMBER OF CONGRESS: We are a coalition of diverse groups opposed to the recent actions of the House Ways and Means Committee to find federal budget savings through the elimination of the Social Services Block Grant (SSBG). The actions taken on Wednesday, April 18, 2012, by the Ways and Means Committee, through budget reconciliation, will hurt some of this nation's most vulnerable families and children.

SSBG is a major funder for state and local child abuse prevention services, child protective services (CPS) and it supplements services for adoptions and for services to infants, children and youth in foster care. In some states, it is a significant source of local funding for adult protective services.

During the 1996 welfare reform debate, the Congress and Governors agreed to reduce SSBG funding to $2.38 billion temporarily and return it to its former level of $2.8 billion in 2003. The reductions were agreed to at a time when members of both parties and houses were looking for revenue to balance the federal budget. SSBG contributed to that deficit reduction. It was to be restored when the fiscal condition improved. Instead, Congress reduced SSBG further to $1.7 billion to help pay for a 1998 transportation bill in lieu of other revenue sources. During this period, deficits not only declined but were eliminated. Although this cut was intended to be temporary, SSBG was never restored. We are disappointed that some would propose to once again use SSBG for deficit reduction—despite the fact that SSBG funding contributed not a dollar to current deficits.

The champions of SSBG have included the leadership from both parties, including the bipartisan leadership of both the House Ways and Means Committee and the Senate Finance Committee. We hope these champions will remain strong.

SSBG helps to fill the numerous state budget gaps in areas as diverse as senior services, mental health services, and services to people with disabilities. While we focus on SSBG's vital importance to child abuse prevention and child welfare services, it also supports services for those adults in jeopardy of entering a nursing home or institution, it supports other low-income individuals and families including adults who have been abused; children in need of child care; and youth in need of transitional services.

Imposing these cuts to child abuse prevention funding and child welfare services at a time when state and local budgets are under severe pressure and families need more help, will create a human deficit while failing to deal with the current financial one.

The undersigned organizations ask you to reject this proposed elimination of SSBG.

Sincerely,

Alliance for Children and Families; Alliance for Children's Rights; American Academy of Pediatrics; American Association on Health and Disability; American Federation of State, County and Municipal Employees (AFSCME); American Group Psychotherapy Association; American Professional Society on the Abuse of Children; American Psychological Association; Ampersand Families, MN; Association for Ambulatory Behavioral Healthcare; Association of University Centers on Disabilities; Bazelon Center for Mental Health Law; Bill Wilson Center, CA; Black Administrators in Child Welfare; Buncombe County, North Carolina; California Alliance of Child and Family Services; California Youth Connections; Children's Advocacy Institute; Children's Aid Society; Children and Families First, DE; Children and Families Futures; Children's Defense Fund; Children First for Oregon; Children's Home Society of America; Children's Home Society of North Carolina; Children's Rights Project, CA; Child Welfare League of America; CLASP; Clinical Social Workers Association; Coalition on Human Needs; Connecticut Association of Foster and Adoptive Parents; Council of Family and Child Caring Agencies, NY; County Welfare Directors Association of California; Dave Thomas Foundation for Adoption; Depression and Bipolar Support Alliance; Every Child Matters; Family Service Center of South Carolina; First Focus Campaign for Children; Foster Care to Success Foundation; Foster Family-Based Treatment Association; Great Circle, MO; John Burton Foundation; Larry Brown Associates; Lutheran Services in America; Mental Health America; Minnesota Association of County Social Service Administrators; Mississippi Children's Home Services; Missouri Coalition of Children's Agencies; National Adult Protective Services Association; National Alliance of Children's Trust and Prevention Funds; National Alliance to End Homelessness; National Association for Children's Behavioral Health; National Association for the Education of Homeless Children and Youth; National Association of Area Agencies on Aging; National Association of Counsel for Children; National Association of County Human Services Administrators; National Association of Social Workers; National Center on Shaken Baby Syndrome; National Center for Housing and Child Welfare; National Crittenton Foundation; National Federation of Families for Children's Mental Health; National Foster Parent Association; National Indian Child Welfare Association; National Respite Coalition; New York Council on Adoptable Children; New York Public Welfare Association; Nebraska Children's Home Society; Nebraska Families Collaborative; North American Council on Adoptable Children; North Carolina Association of County Directors of Social Services; NYSCCC Support, Information and Advocacy for Foster & Adoptive Families; Oklahoma Therapeutic Foster Care Association; Ohio Job and Family Services Directors' Association; Parents Anonymous; Prevent Child Abuse America; Prevent Child Abuse Indiana; Public Children Services Association of Ohio; School Social Work Association of America; Stop It Now; Three Rivers Adoption Council, PA; The Villages of Indiana; Voice for Adoption; Voices for America's Children; Weill Cornell Medical College's Division of Geriatrics and Gerontology.

CWLA,
Washington, DC, April 19, 2012.

Hon. DAVE CAMP,
Chairman, House Ways and Means Committee, 1102 Longworth HOB, Washington, DC.

Hon. SANDER LEVIN,
Ranking Member, House Ways and Means Committee, 1106 Longworth HOB, Washington, DC.

DEAR CHAIRMAN CAMP AND RANKING MEMBER LEVIN: On behalf of the Child Welfare League of America (CWLA) representing hundreds of public and private child-serving member agencies serving millions of children and families in all fifty states, I write this letter to express opposition to the Committee's proposal to eliminate the Social Services Block Grant (SSBG). At its inception, Title XX was an entitlement to fund social services. It was then restructured in 1981 into a block grant that would provide states more flexibility to support an array of services to children, youth, and families.

The Social Services Block Grant (SSBG) has long supported our most vulnerable children and continues to be a critical resource for child welfare. This flexible funding stream creates and sustains strong communities through a broad range of health and human services. SSBG represents 12% of federal funds states spend to provide child abuse prevention, adoption, foster care, child protection, independent and transitional living and residential services for children and youth. Nationwide, more than 2.6 million children received a range of child welfare services funded in part or in total by SSBG.

According to the latest data available, 39 states use SSBG funds for child abuse and neglect prevention, 22 states use them for adoption assistance, while 36 states allocate them to provide foster care services for children who may not be eligible for federal IV–E support. States also use SSBG to fund independent and transitional living services to youth aging out of the foster care system, residential treatment and other prevention and intervention services.

Unfortunately, this Committee has proposed eliminating SSBG in its entirety, despite the fact less than a decade ago this Committee shared bipartisan support for increasing funding to this vital safety net. Elimination of SSBG would place a huge, undue burden on states already facing tight

budgets. At a time when states are struggling to avoid further cuts to the human service delivery systems, arguing that funding for the SSBG should be eliminated because it is duplicative disregards the underlying need for services that will not go away even if funding does.

In closing, I ask that you not turn your back on vulnerable children and families, in an attempt to reduce the deficit. CWLA appreciates your leadership in these trying times.

Sincerely,

CHRISTINE JAMES-BROWN,
President/CEO.

COALITION ON
HUMAN NEEDS,
Washington, DC, April 18, 2012.

DEAR MEMBER OF THE HOUSE COMMITTEE ON WAYS AND MEANS: This morning, the Committee will mark up legislation making reckless and extreme cuts in assistance for poor and vulnerable people, cutting even more deeply than the House budget resolution required of you. It is particularly striking, considering that tax policy is within the jurisdiction of your Committee, that the chokes for reducing the deficit come solely by hurting low-income children and families, seniors, and the uninsured.

The Coalition on Human Needs strongly urges you to reject this course. Here are some of the reasons why the reconciliation cuts proposed are so unwise:

Denying the Child Tax Credit to millions of poor children: By eliminating the Child Tax Credit for working families who use a Taxpayer Identification Number instead of a Social Security Number, you will hurt millions of poor children by raising their families' taxes by an average of $1,800. Their incomes average $21,000 a year; four out of five of the children in these families are citizens. A decision to make poverty deeper for millions of children is reckless because it increases the chances that these children will suffer inadequate nutrition, become sick, experience developmental delays, and fall behind in school—all documented outcomes associated with child poverty. It is wrong and makes no sense to compromise children's life chances by deepening their poverty.

Permanently terminating the Social Services Block Grant: Ending this vital source of funds to programs operated by states will mean millions of low-income seniors, children, and families will do without help. In particular, this extreme cut will deny protection to millions of children and older people who are victims of abuse or neglect—a truly reckless choice. Some examples of the services that will be terminated:

Child Protective Services: 41 states used over $270 million in SSBG funds to protect children from abuse and neglect in FY 2009, providing services to more than 1.75 million children, in a year when child protective services agencies received an estimated 3.3 million reports of child abuse or neglect.

Among other services to protect children from abuse and neglect provided through SSBG:

36 states used $391 million for foster care services for more than 451,000 children.

Over the course of FY 2009, more than 700,000 children spent at least part of the year in foster, kinship, or residential care. Many states use SSBG funds to pay foster care costs for children not eligible for Title IV–E foster care assistance. 30 states used $133 million in SSBG funds in FY 2008 for prevention and intervention services for more than 640,000 children.

(Source: the National Foster Care Coalition, citing data collected by the Office of Community Services, HHS (http://www.acf.hhs.gov/programs/ocs/ssbg/reports/ssbg__focus__2009/child__protective__services.html)).

Adult Protective Services (for seniors); 34 states used $216 million in SSBG funds to provide adult protective services to seniors who were victims of abuse or neglect in FY 2009. These funds provided protective services to 579,465 seniors in 2009, up from 411,691 in 2005. These funds provided core protective services for older adults: investigations, interventions, and shelters for abused elders. Such services are not funded by the Older Americans Act, and so states use SSBG to carry out these essential protections. Ten states use 10 percent or more of their SSBG funds for adult protective services, among them:

New York: 37%
South Carolina: 23%
West Virginia: 18%
Texas: 16%
Oklahoma: 16%
Tennessee: 13%

A false rationale for terminating the Social Services Block Grant is that its funds are ''duplicative.'' These core protective services are not provided elsewhere. In the case of seniors, the Older Americans Act does not provide them at all. State funding in many states has been reduced, even for services to protect children and seniors from abuse and neglect. (Source: Office of Community Services, HHS, FY 2009 reports, at http://www.acf.hhs.gov/programs/ocs/ssbg/reports/ssbg__focus__2009/child__protective___services.html.)

Child Care: 35 states used $391 million in FY 2009 to provide child care.

Six states spent more than 20 percent of their SSBG funds for child care:

California: 52%
Oregon: 43%
Connecticut: 35%
Pennsylvania: 31%
Delaware: 21%
Rhode Island: 21%
New Hampshire: 20%

(Source: Office of Community Services, HHS, SSBG focus reports, http://www.acf.hhs.gov/programs/ocs/ssbg/reports/ssbg__focus__2009/child__care.html)

States were struggling to provide child care in the face of severe state budget shortfalls and eroding federal assistance. According to the National Women's Law Center, 37 states reduced their child care assistance in FY 2011 below FY 2010 levels. At the federal level, even the increases proposed in the President's budget for FY 2013 will only support 1.5 million children receiving child care, down from 1.7 million children in FY 2010. (Source: http://www.nwlc.org/resource/additional-child-care-funding-essential-stop-state-cuts) To deny child care assistance to the 4 million children who make use of SSBG funds would inflict grossly irresponsible harm to low-income working families. Making work more difficult at a time when the economy remains so fragile makes no sense.

When the Social Services Block Grant was created, its stated purpose was to give states flexibility by pooling funds from previously separate funding streams so states could determine where the funds were most needed. Now to take the funding away because it is ''duplicative'' misses the point of this flexible funding source, denying states support for the services they have deemed important, because other funding sources are either nonexistent or inadequate to meet need.

Recapturing overpayments In premium subsidies under the Affordable Care Act: There have already been policy changes to get some of the overpayments back when people do not estimate their income correctly. To seek the full cost of the premium subsidies back will be a tremendous disincentive to participating in the program at all, since many low-income families' earnings fluctuate in a way that makes it impossible to be certain what level of subsidy to claim. Having to repay the entire amount will create significant hardships for families already living on the edge.

Sincerely,

DEBORAH WEINSTEIN,
Executive Director.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to a distinguished gentleman on the Budget Committee, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, we've heard a lot about fairness, which the Democrats have defined to mean taxing businesses to finance a variety of welfare programs.

The problem is businesses do not pay business taxes. Business taxes can only be paid by consumers through higher prices; by employees through lower wages; and by investors—mainly pension funds—through lower earnings. There is no other way to pay a business tax.

So the net effect of pursuing their definition of ''fairness'' is to push more consumers into debt, push more employees into unemployment, and push more retirees into poverty, which in turn requires more and more government welfare spending until their financial house of cards collapses. That's the economic spiral their policies are producing in our time.

The House budget, which this act advances, breaks that cycle and restores policies that throughout our history have lifted our Nation from times of want and despair to eras of prosperity and abundance.

Mr. VAN HOLLEN. Mr. Speaker, we're still waiting for this House to take up the President's jobs bill that was submitted last September. We've seen 25 consecutive months of positive private sector job growth. It was a whole lot better than where we were in January when the President was sworn in, losing 800,000 jobs a month. But we need to sustain that recovery, and we're still waiting. The clock is ticking. Let's take that legislation up so that we can accelerate the recovery.

With that, I yield 2 minutes to the gentlelady from Texas, representing the ranking member of the Judiciary Committee, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Mr. Speaker, I thank the ranking member, and I thank the ranking member of the full Judiciary Committee, Mr. CONYERS, who worked extensively to bring reason to this discussion.

I must remind my colleagues that this is a debate that is, of course, necessary, but it is not going anywhere.

This is in essence to respond to the potential and pending sequestration and the deadlock of the committee, but the deadlock of the committee gave us an opportunity to work in a bipartisan manner.

My good friend who just spoke on the other side of the aisle talked about abundance and prosperity and talked about welfare. What I would say to the gentleman is that we're not talking about welfare. We're talking about investment in people, and we're talking about not having a siege upon our children.

On April 25, 2012, we were back in the Judiciary Committee again looking at medical malpractice for the umpteenth time. I wondered why we were there. It was because each committee was told to find a way to find money. So the directions of the Republicans for the Judiciary Committee were to oppress the sick and to be able to cap medical malpractice insurance on innocent victims such as women and children and the elderly when the medical system fails us as it relates to medical devices and other elements.

We were told to eliminate for the children of America by limiting noneconomic damages, restricting punitive damages, limiting access to courts for poor victims of medical malpractice, shortening the statute of limitations for claims, eliminating the protections of children, and prohibiting joint and several liability. We were simply told to shut the courthouse door for children that needed to be able to have the opportunity to have their lives saved, just like a little boy who needed surgery in a hospital in San Antonio. They told the family it was a serious surgery and they needed to have a cardiologist on staff. He went into surgery, and, of course, things went wrong. There was no cardiologist there; there was a mishap; there was a fault; and that little boy died. They want to deny that poor family access to the courthouse. That is what that bill does.

When my friends begin to talk about what else it does, it cuts SNAP, the nutrition program. It cuts Medicaid.

Mr. Speaker, what I would say is that this bill is a siege on children. We should oppose it. It is not reconciliation. It is oppression. I would ask us to vote against it.

Mr. Speaker, I rise today in strong opposition to H.R. 5652, the ''Sequester Replacement Reconciliation Act of 2012'' This piece of legislation should really be entitled the ''Ryan's Replacement Sequester to Thwart the Bipartisan Budget Control Act of 2012''

Whatever anyone wants to entitle this measure, one thing will still remain true . . . this legislation is unfair. It literally takes money out of programs dedicated to serving low income families, children, seniors, the disabled, the most in need of our assistance. Why isn't the funding coming from war savings. There has been a consistent attack on the other side of the aisle on programs that are proven to be affective at combating the stresses associated with poverty, aging, and long term care. Before us is a measure that is a wolf in sheep's clothing.

In my lifetime, I have never seen such a concerted effort to ransom the American economy in order to extort the American public. While I support bipartisan efforts to decrease the debt and to resolve our differences over budgetary revenue and spending issues, I cannot support a bill that unduly robs average Americans of their economic security and ability to provide for their families while constraining the ability of Congress to deal effectively with America's economic, fiscal, and job creation troubles.

My colleagues on the other side of the aisle are trying to give the American people the impression that their sentimental and unbridled concern for the military means that it is necessary to take an ax to programs for seniors and low income that is not something that our military would be proud to be connected too. Why not use, instead, war savings and a small finite tax on income over $1 million dollars.

This unbalanced bill modifies last year's bipartisan Budget Control Act to cancel the sequestration of discretionary spending currently scheduled to occur in January 2013 in order to prevent cuts to defense. That is fine but Republicans have already voted twice this year to pass their budget to end the Medicare guarantee and increase costs for seniors while giving massive tax breaks to the wealthiest Americans.

While the U.S. economy is healing, the world economy continues to be in a fragile state and all economies are linked through trade and finance. In this environment, this bill sends the economy downward. However, over the last few years the economy has been steadily growing. We are not where the American people should be but the economy has gained jobs.

According to Secretary Solis she stated ''know where our nation's unemployment rate stands. I have to report it every month. But we've now added private sector jobs to our economy for 26 months running. Since President Obama took office, we've created 4.2 million new jobs. That's no small potatoes when you consider we were bleeding 750,000 jobs a month when this President took office. I know we've got a lot more to do. But we're making progress.'' During this time of progress, this is no time to cut the social safety net for those still unemployed—no time to cut food stamps, medicaid, or medicare.

The President signed the Recovery Act which invested in mass transit, roads, and bridges to build critical infrastructure and secure construction jobs. The Recovery Act also included strong Davis-Bacon and Buy American provisions, to stimulate local economies and create high-quality jobs. In total, the Recovery Act supported up to 3.5 million jobs through the end of 2010.

It is essential that we allocate the money spent on previous wars to programs to help expand opportunities for the American people.

Mr. Speaker, if you asked the typical American family what they would need to do to balance their family budget, they would respond: spend less. But they would also be quick to acknowledge that without a job, or in the case of the federal budget, tax revenue, the budget will never balance. It is critical to address both sides of the ledger. It is also imperative for the Republicans to place the President's jobs bill on the agenda to vote on and pass.

Sure, save money but cutting benefits but without additional revenue, the budget is doomed. Moreover, you surely would not find any family in Texas that would suggest buying luxury items, while struggling to balance the family budget is a sensible approach. But Republicans insist on advocating for tax breaks for the wealthy—the luxury class.

ECONOMISTS

Economists have long pointed to investments in ''human capital''—the productive capability that is embedded in people—as one of the most important determinants of economic growth. A large and growing body of literature has examined the returns to investments in human capital from both a societal and individual perspective.

In his book, Dangerous Half-Truths & Total Nonsense, Pfeffer writes: ''There is compelling evidence that when companies use Human Resources best practices based on the best research, they trump the competition. These findings are replicable in industry after industry, from automobiles to textiles, to computer software to baseball. ''We must use our Human Resources wisely.

ENERGY AND DEFICIT REDUCTION

And speaking of saving money and reducing the deficit, I have introduced H.R. 3710 which increases the acreage to 10 percent of what is already allocable under a proposal by Interior Secretary Salazar, as announced on November 8, 2011. In other words, more land will be available for exploration, in line with two objectives: decreasing our dependence on foreign sources for oil, and plugging our budget deficit.

The monies will be deposited into the DRES Fund and invested by the Secretary of the Treasury, until the money is transferred to the Coastal and Ocean Sustainability Health Fund (COSH). Annually, the Secretary of the Interior is required to lease 20 percent of the DRES. In addition, this bill will help foment job creation in an industry that is already responsible for 9.2 million American Jobs.

The bill also establishes the Deficit Reduction Energy Security Fund, housed within the United States Treasury Department, which will receive the accrued funds that are dedicated to deficit reduction. In order to ensure that the putative funds generated from the leasing activities which derive from this bill inure to the goal of deficit reduction, the legislation also sets up the aforementioned COSH.

This bill establishes in the Department of the Treasury, the COSH, which shall fund grants for addressing coastal and ocean disasters; and programs and activities that restore, protect, maintain, manage, or understand marine resources and their habitats, and ocean, and coastal resources, including baseline scientific research, and other programs in coordination with federal and state agencies. Monies will be deposited into the COSH fund from interest accrued on OCS royalties, rents, revenues, and fees that will remain, for the period of one year, in the Fund before moving the entirety of the principle in the general Treasury. The bill authorizes the Secretary of

Commerce to make grants for such purposes. I look forward to working with members of this Committee and our colleagues to ensure passage of this legislation.

Simply put Mr. Speaker, my bill does not rob Peter to pay Paul but actually requires that money made from the hard work of drilling by our companies is rededicated to reducing our deficit—common sense fiscal and energy policy.

As called for by the House's FY 2013 budget resolution, it replaces the $98 billion sequester in discretionary spending with a $19 billion reduction in the discretionary cap for FY 2013 and with ''reconciliation'' savings from mandatory programs recommended by six House committees. These cuts hurt the American people, children and families.

It also eliminates the separate cap on defense spending for the year to allow for higher spending levels. The measure would modify mandatory programs to save $19.7 billion through FY 2013 and about $315 billion over 10 years, including by decreasing benefits and eligibility for the food stamp program, reducing and repealing elements of the 2010 health care law, and requiring all current and future federal workers to pay an additional 5 percentage points of this salary toward their federal pensions.

President Obama and Democrats oppose the GOP measure, and say that preventing the January 2013 sequester and replacing the savings that would come through sequestration should be done in a ''balanced'' approach in which revenue is part of the solution.

Republicans must abandon their ideological agenda and join Democrats to restore fairness, opportunity, and prosperity to our budget and our economy.

TAXES AND THE BUFFETT RULE AND TAXES

Mr. Speaker, the cloud looming over this Congress is an unintended ''triple-watching hour'' of tax increases that will take effect at the beginning of 2013.

The expiration of the Bush Tax Cuts, the end of the recently extended Payroll Tax Cut, and increases in capital gains and dividends taxation will shock the conscience and wallets of the American people. That is why Congress needs to enact bi-partisan legislation that helps lower the deficit but does not wreck havoc on the financial soul of the middle class. This is a moral document and frankly, the other side is getting more than a little fresh with the American people. It is May and we are voting on a vacuous budget that will likely pass but is doomed to failure in the Senate.

But again, tax reform that lowers the rate, reduces the deficit, and does not pick winners and losers is not easy, but let's not forget, if President Reagan and then-Speaker Tip O'Neill could do it in 1986, anything is possible. But this morning we are not doing a bipartisan dance, but participating in a roller-derby, a truly zero-sum game.

In the budget, the Administration calls for individual tax reform that: cuts the deficit by $1.5 trillion, including the expiration of the high-income 2001 and 2003 tax cuts. As a matter of sound fiscal policy, I am supportive of this effort. I recognize the economic benefits that many attribute to the Bush Tax Cuts, but we must ask ourselves are they affordable at this time.

The President's budget also eliminates inefficient and unfair tax breaks for millionaires while making all tax breaks at least as good for the middle class as for the wealthy; and observes the Buffett Rule that no household making more than $1 million a year pays less than 30 percent of their income in taxes.

The individual income tax is a hodgepodge of deductions, exemptions, and credits that provide special benefits to selected groups of taxpayers and favored forms of consumption and investment. These tax preferences make the income tax unfair because they can impose radically different burdens on two different taxpayers with the same income. In essence, Congress has been picking winners and losers.

THE HOPE AND PROMISE OF THE DEMOCRATIC ALTERNATIVE BUDGET

Preserves the Medicare guarantee and the Social Safety Net. The Democratic budget rejects any policy to end Medicare's guarantee of health care coverage for seniors and disabled workers, and ensures the social safety net remains intact.

Protects Medicare Beneficiaries. Rejects the Republican budget's proposal to end the Medicare guarantee. It supports reforms in the Affordable Care Act (ACA) to close the prescription drug ''donut hole'' for seniors with high prescription drug costs and ensure free preventive care. As a result of these measures, as well as provisions in the ACA to make Medicare spending more efficient, a person in Medicare will save an average of about $4,200 on premiums and coinsurance from 2011 through 2021. Medicare beneficiaries with high prescription drug costs will save even more—an average of nearly $16,000 over the same period.

Preserves Medicaid for Low-Income Families and Seniors. Maintains Medicaid to ensure that 57 million low-income people continue to get health care. Seniors and people with disabilities account for two-thirds of Medicaid spending, and children account for another 20 percent.

Preserves Supplemental Nutrition Assistance (SNAP). Fully funds SNAP and supports the President's proposal to continue certain benefits added because of the economic downturn. Nearly three-quarters of people served by SNAP are in families with children, and one-quarter are in households with someone who is elderly or disabled.

Protects Social Security from Privatization. Social Security is not responsible for our current deficits and should not be cut to reduce the deficit. However, many Republicans continue to advocate privatization, which would put retirees' financial security at risk and worsen the deficit for decades. Our budget affirmatively rules out privatization.

Helps Create More Jobs Now. Unlike the Republican resolution, our budget includes the President's jobs initiatives, including the following:

Transportation Jobs. $50 billion to fund jobs that address immediate surface transportation priorities and $10 billion to establish an infrastructure bank.

Tax Credits for Job Creation. A temporary 10 percent tax credit for new jobs and wage increases.

Tax Incentives for Manufacturing. Includes a number of incentives for domestic manufacturing, such as providing a tax credit for companies that return operations and jobs to the U.S. while eliminating tax breaks for companies that move opertions and jobs overseas.

Education Jobs. $80 billion to promote jobs creating the infrastructure to help students learn and create a better future workforce, including $30 billion to put hundreds of thousands of Americans back to work upgrading at least 35,000 crumbling public schools, and $25 billion to help prevent hundreds of thousands of educator layoffs.

First Responder Jobs. $5 billion to help states and localities hire police officers and firefighters and reverse previous layoffs.

Jobs for Veterans. $1 billion for the President's proposal to establish a Veterans Job Corps and employ at least 20,000 veterans.

Builds a Stronger America through Long-Term Growth. Our budget invests in research, education, and innovation that will create a globally competitive workforce for the future.

Education Investments. Follows the President's request for increased investment in education and includes his request for $6 billion to prevent the interest rate on subsidized student loans from doubling this July.

Innovation and Research Investments. Funds science and engineering workforce development and supports innovative manufacturing processes that will reduce costs by using less energy, improving product quality, and accelerating product development.

Small Business Investments. Provides additional resources for the Small Business Administration (SBA) to ensure that the lending volume for loan programs remains the same, rather than shrinking and denying many small businesses' access to capital.

Infrastructure Investments. In addition to short-term jobs initiatives for transportation, our budget includes the President's six-year surface transportation proposal to create construction jobs and fuel long-term economic growth. It also includes additional funding to maintain America's harbors, seaports, and waterways.

Reduces the Deficit through Shared Responsibility. Congress has already reduced projected deficits by more than $1 trillion through discretionary cuts for 2011 and 2012 and enacting tight spending limits for the next nine years. Our budget further reduces the deficit with policies that balance spending cuts increased revenue.

Gets Deficits Under Control. The deficit falls from 8.7 percent of GDP in 2011 to under 3 percent of GDP by 2015, and it remains there through the ten-year budget window.

Cancels Sequestration and Replaces it with Balanced Deficit Reduction. Replaces the $1.2 trillion in deficit reduction under the scheduled Budget Control Act sequestration with greater deficit reduction from targeted spending cuts and revenue increases.

Provides Tax Relief for Working Families and Ends Tax Breaks for the Wealthy. Extends the 2001–03 tax cuts for the middle class and rejects tax increases on the middle class. Accommodates expansion of incentives for low- and middle-income families to earn income, save for retirement, and attend college. To increase fairness and reduce the deficit, this budget ends unwarranted and fiscally irresponsible Bush-era tax cuts for millionaires,

closes a variety of corporate tax loopholes, and establishes a ''Buffett Rule'' to ensure that working families do not face a higher tax rate than the wealthiest Americans.

RYAN REPUBLICAN ALTERNATIVE: HURT AND PAIN—PART II

Ends the Medicare Guarantee. The Republican budget ends the Medicare guarantee, giving seniors a voucher with an artificial price cap to purchase insurance and leaving it up to them to figure out how to keep their costs down as the value of their voucher fails to keep pace with projected growth in health care costs. This plan will raise health care costs for seniors and leave traditional Medicare to ''wither on the vine.''

Reopens the Medicare ''Donut Hole'' and Increases Costs of Preventive Care Services. The budget takes away important Medicare improvements for seniors and persons with disabilities by repealing key provisions of the Affordable Care Act. The budget reduces the prescription drug health by re-opening the coverage gap, or ''donut-hole,'' and it increase costs to seniors for preventive care services. Reopening care services. Reopening the donut hole alone will increase costs for Medicare beneficiaries with high prescription drug costs by an average over $10,000 over the next ten years.

Abandons American Workers. Putting Americans back to work is the fastest and most effective way to reduce the short-term deficit-in fact, the Congressional Budget Office estimates that slow growth and under-employment account for over one-third of the projected deficit for 2012. But the Republican budget turns it back on American workers, ignoring the President's proposals for new jobs for teachers, first responders, construction workers, and veterans involved in building a better infrastructure that will boost our economy now and in the future. Independent analysts have found that the Republican budget could lead to the loss of more than 2 million jobs over two years.

Transportation Jobs. Instead of investing in infrastructure, the Republican budget reduces transportation spending by at least one-quarter over 10 years. Next year, transportation spending would be barely one-half of this year's level, a steep cut that could delay or stop projects already underway. A failure to invest in transportation will also hurt businesses' ability to transport goods and supplies in the long run, weakening future economic growth.

Tax Breaks for Outsourcing jobs. The Republican budget boosts tax incentives that encourage multinational companies to ship profits, intellectual property, and thousands of jobs overseas while costing the American economy billions of dollars.

Makes College More Expensive, Undermining U.S. Competitiveness. The budget eviscerates funding for higher education, eliminating the $104 billion that Congress has already enacted to help sustain the maximum Pell grant award and to provide for yearly inflationary increases. It adds an average of $2,800 in higher loan repayment costs to more than 7 million low-and moderate-income college students by letting the interest rate on subsidized students loans double, from 3.4 percent to 6.8 percent. It also eliminate $47 billion for lower-cost loans for low-income students as well as repayment plans enacted and paid for by previous Democratic Congresses. It even rejects the President's proposal to extend a $2,500 tax cut to working families to help cover the costs of college, refusing to extend the American Opportunity Tax Credit beyond December. Overall, mandatory higher education funding is cut by $166 billion over ten years versus current law levels, and by $285 billion below the President's request.

Slashes the Social Safety Net. The Republican budget shreds the social safety net for seniors, low-income children, persons with disabilities, and families struggling to get by in a challenging economy, all while cutting taxes for the very wealthy.

Slashes Medicaid for Seniors and Low-Income Families. The budget slashes Medicaid by $810 billion and converts it into a block grant to states. ''Block-granting'' Medicaid is not entitlement reform it is entitlement destruction. This is simply code for deep, arbitrary cuts in support to the most vulnerable seniors, individuals with disabilities, and low-income children.

Block-grants and Cuts Supplemental Nutrition Assistance (SNAP). The budget slashes SNAP funding by $133.5 billion over ten years, harming the million who rely on this aid to feed their families. Nearly three-quarters of people served by SNAP are in families with children, and one-quarter are in households with someone who is elderly or disabled.

Abandons Fairness. The budget provides tax breaks for the wealthy and special interests at the expense of everyone else. Republicans' refusal to ask millionaires to pay one more penny in taxes leads them to place the entire burden of reducing deficits and debts on the shoulders of middle-income families and seniors. This budget dismantles the Medicare guarantee, cuts back and nutritional assistance for low-income children and families, and severely underfunds the crucial health care safety net for more than 56 million Americans provided by Medicaid. At the same time, it showers an additional $4.6 trillion in tax cuts (over and above extending all of the Bush-era tax cuts) that primarily benefit the wealthy. Overall, millionaries can expect an average tax cut of $394,000 in this budget, which includes $129,000 just from extending all of the Bush-era tax cuts.

Mr. Speaker, again I call on my colleagues to vote against H.R. 5652, an unrealistic, unpragmatic, and unPATRIOTIC so-called bill that is a punch to the gut of the most vulnerable Americans.

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS®,
Washington, DC, May 10, 2012.

MEMBER OF CONGRESS,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the nation's 300,000 professional fire fighters and emergency medical personnel, I write to express my strong opposition to H.R. 5652, the Sequester Replacement Reconciliation Act of 2012. This legislation would rewrite the bipartisan Budget Control Act of 2011 by placing greater economic hardships on working class Americans or vulnerable populations.

Although the IAFF is deeply concerned with the impact that defense cuts will have on our federal members employed at defense installations, we cannot support unraveling the Budget Control Act through the unbalanced and draconian approach of H.R. 5652. Balancing the budget on the backs of fire fighters without requiring those who are well off in our society to share more of the burden is simply inexcusable. To solve our fiscal challenges, we must have shared sacrifice from all members in our society. Instead of shared sacrifice, H.R. 5652 just leaves fire fighters sacrificed at the altar.

One of the main ways H.R. 5652 achieves savings in the federal budget is by shifting a greater burden for funding essential services to state and local governments. Over the past five years, states already have cut nearly $300 billion from their operating budgets as a result of the Great Recession. Even as the private sector recovers, state and local governments are still struggling to balance their budgets, leading to continued job losses among fire fighters and other public sector employees. Since April 2012, the U.S. economy has lost 584,000 jobs in the public sector. Further cuts in federal aid for essential government services will only exacerbate public sector job losses and undermine core functions of government such as fire protection and emergency medical treatment.

Specifically, H.R. 5652 would completely eliminate the Social Services Block Grant, saving the federal government $18.7 billion. Originally established during the Reagan administration, these critical funds help state and local governments provide essential services to 23 million seniors, children, and disabled Americans. Home-based services like Meals on Wheels, child-care services for low-income families, and programs to prevent child abuse and neglect all receive funding, in whole or in part, through the Social Services Block Grant.

H.R. 5652 would also cut $22.7 billion from the Medicaid program. Created along with Medicare in 1965, Medicaid represents an historic joint commitment by the federal government and our states and territories to provide essential health care to our nation's poor. Medicaid is one of our nation's core safety-net programs. As the depths of the Great Recession grew, so too did Medicaid enrollment, creating increased pressures on state budgets. The proposed cuts in H.R. 5652 to Medicaid will only add to state budget pressures. For example, nearly half of the cuts will come from a reduction in the state provider tax threshold. States can use the revenues generated from the provider tax to offset their share of Medicaid payments.

Eliminating the Social Services Block Grant and cutting Medicaid would have disastrous consequences for our local communities. State and local governments would be hard-pressed to fill the budget holes created by H.R. 5652. Without these funds, state and local governments may be forced to eliminate these programs or cut funding from other essential programs such as the fire service to balance their budgets. Either way, the consequences to our local communities would be devastating.

Furthermore, the IAFF strenuously objects to forcing drastically higher pension contributions from current and future federal employees. H.R. 5652 would require all current federal employees to contribute an additional five percent in pay toward their defined benefit pension plan, with no enhancement in benefits. Federal workers have already contributed $60 billion toward deficit reduction through a two-year pay freeze. Forcing greater economic sacrifices from federal fire fighters is particularly insulting, given the sacrifices these brave men and women already make on the job. The nation's federal fire fighters protect many of

America's most vital national assets, ranging from sensitive military bases to Veterans hospitals. Federal fire fighters should not be treated like a piggy bank for Congress.

For these reasons, we urge you to reject H.R. 5652, the Sequester Replacement Reconciliation Act of 2012 when it comes for a vote in the U.S. House of Representatives. Thank you for your consideration of the views of America's front line domestic defenders.

Sincerely,

HAROLD A. SCHAITBERGER,
General President.

□ 1250

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1½ minutes to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. Mr. Speaker, it is interesting just to hear all the hyperbole. As a freshman that walks in this body, I'm not used to hearing all the back-and-forth. I am used to sitting down at a table and working things out and actually going through the facts. It's always fascinating for me to be able to hear the speeches and to be able to hear how impressive things are when there are some simple things. It reminds me again of how difficult it really is to bring down Federal spending and to actually balance our budget when we can't agree on simple things—simple things like:

Should we write a check and mail it on April 15 to people that are here in this country illegally? Yes or no.

If people do not qualify for food stamps, should we give them food stamps anyway?

If there's a TARP program that's out there that all of us, in a bipartisan manner, have said does not work—it was supposed to give home assistance for mortgages to millions of people, and it's been a miserable failure—can we close down that program and use those dollars?

The answer seems to come back, no, no, and no. And it's this repetitive statement again and again of, if we'll just tax those oil companies, everything will be all right. Well, I'm sorry, but a $4 billion tax on oil companies, which will cause prices to increase on gasoline, does not solve a $1 trillion hole.

This is a first step. This is a beginning point to say we've got to get in balance. And this is a real, practical way to begin to deal with fraud and abuse and waste in our system and duplication in government so we do not have the across-the-board sequestration, so we do not have a big hit on our defense. We've got to solve this. And we should be able to come together and say this is waste, abuse, and fraud. Let's settle that before we deal with taxes.

Mr. VAN HOLLEN. Mr. Speaker, we keep hearing about waste, fraud, and abuse. We all need to do everything humanly possible to make sure there's no waste, fraud, and abuse. We keep hearing about these people who are receiving assistance under Food and Nutrition programs like they are cheating the system. They are eligible for the program. And that is why the nonpartisan Congressional Budget Office says that 22 million households with kids are going to see their food nutrition cut, not because they're getting it somehow fraudulently. It is because what the Republican proposal does is cut it off. Almost 2 million people will be eliminated from access to the Food and Nutrition program.

I now yield 1½ minutes to the gentlelady from Wisconsin (Ms. MOORE), somebody who knows a lot about these issues and is a terrific member of the Budget Committee.

Ms. MOORE. I thank the gentleman from Maryland.

It's important that the American people know the truth about this sequestration replacement bill. And no matter how many times we hear that this package is going to cut welfare programs or socialist programs, like Medicare and Medicaid, things that we call the safety net, all for the sake of reserving every last dime of military spending, ignoring the opportunity to rout out waste, fraud, and peace dividends, it doesn't add up.

The math I was taught is that what you do to one side of an equation, you have to do to the other side of the equation for it to balance out. You can't just subtract from the social safety net—Medicare, Medicaid, food stamps, cut the Social Services Block Grant, stop the Wall Street bailouts; you can't just add more tax cuts for the wealthiest, add more defense spending, maintain oil subsidies, maintain expensive corporate farm subsidies and say that that's a balanced approach.

I have very limited time, but I want to say to Americans: It don't add up. This dog doesn't hunt. You can't just cut the social safety net and add billions of dollars of corporate welfare and say that that's a balanced equation. It doesn't support simple math.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds all Members to address their remarks to the Chair.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1½ minutes to the distinguished chairman of the Agriculture Committee, the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Speaker, I yield to the gentleman from Pennsylvania for the purpose of joining me in a colloquy.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I would like to ask the gentleman from Oklahoma if he could respond to the notion: All of us want to protect the social safety nets for the truly needy, but we also want to stop abuses within the system that take money from those programs and hurt the poor, for example, people who hide their assets to fraudulently qualify, people who misuse food stamps for alcohol and tobacco.

So I would like to ask the gentleman if he is going to be doing more to close the loopholes, to reduce waste and abuse, and reform the system, while really protecting those who qualify.

Mr. LUCAS. The gentleman from Pennsylvania is exactly right. That is the goal of our language in this bill, and it will be the additional efforts that we will undergo in the comprehensive farm bill that will follow soon.

Mr. MURPHY of Pennsylvania. I have one additional question for the gentleman.

In fairness here, will you be bringing forward a bill to the House from the committee that's truly going to reform farm subsidies, produce savings, and result in deficit reduction?

Mr. LUCAS. I would say to the gentleman from Pennsylvania that, when we come with our comprehensive farm bill, things that have been identified by many people as a concern, like the direct payments, will not be there. We will address all spending in all portions of the farm bill. We will make reductions in every part of agricultural spending, as we do our part in helping address this huge, tremendous national deficit.

Mr. MURPHY of Pennsylvania. I thank the gentleman for his responses.

Mr. VAN HOLLEN. Mr. Speaker, I was glad to hear that last colloquy, because this Republican proposal cut the Food and Nutrition programs in the Ag Committee's jurisdiction and then didn't ask for one penny from the ag subsidies. If our Democratic substitute had been made in order, that was one of the cuts that we made in order to prevent devastating cuts to the Food and Nutrition programs for over 22 million American families with children.

I now yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Mr. Speaker, this bill seeks to achieve a very worthy goal: reduce the debt of the United States and establish a sustainable level of spending. I share that goal, but I oppose this bill for two reasons:

First, the proponents of this bill know—or they certainly should know—that there is absolutely no chance this bill will be passed by the Senate or signed by the President. That turns this into a political manifesto, not a practical proposal.

Second, and most importantly, the design of this bill guarantees that it will fail. Our budget is a three-pronged stool: domestic spending, Pentagon spending, and revenues. And if you want a strong and durable stool, you need three strong legs. This budget cuts two away. It takes revenues off the table completely, and it exempts the Pentagon, with its nearly $700 billion budget, from making any contribution to debt reduction.

Mr. Speaker, our debt problem is serious but solvable. There were 100 of us

in this House—60 Democrats and 40 Republicans—who wrote to the supercommittee, and we said the obvious: Put everything on the table. By doing so, we can succeed.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY), a member of the Budget Committee.

Mr. MULVANEY. I thank the gentleman from Wisconsin.

Mr. Speaker, in my office, as we all do, we get emails, from time to time, from constituents, viral emails alleging, from time to time, some type of violent fraud in the system or some type of bizarre government overreach, and we actually research them in my office to find out if they are true or not.

□ 1300

And we got this one this week—in fact, we got dozens of them this week—about a program that, supposedly, was part of an investigative report by a television station in the Midwest. It said that, supposedly, illegal immigrants were able to file paperwork every April 15 and receive a thousand dollars back from the Federal Government for every child that they had, regardless of whether or not they could prove the child existed, regardless of whether or not the child actually lived in the country.

I was stunned by it, to be quite frank with you, and we gave it to my office to actually research it. And it turns out, Mr. Speaker, stunningly, it's absolutely true. Absolutely true. And it's not just the radio station or television station in the Midwest. The IRS admits that this is true. The inspector general looked into this and said we are spending $4 billion every single year—over $4 billion—on this type of program. They admit that it's true, and the IRS has asked us to act. And we have done nothing.

This is an outrage, Mr. Speaker. I'm surprised to hear anybody defend this system. This is the type of waste, fraud, and abuse that undermines confidence in the way we do business in this town. This is the type of thing that gives people concern that we don't have any idea what we're doing about anything.

The good news here is that, for a change, we actually have a chance to do something about it. We could pass the bill of the gentleman from Texas (Mr. JOHNSON), but we could also do something today. We don't have to wait to fix this type of abuse. We can pass this reconciliation bill today and stop this program and at least take a small step towards restoring confidence in the way the American government provides services to its people. And I hope we do exactly that.

Mr. VAN HOLLEN. I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), who is on the Ways and Means Committee and knows a lot about this issue.

Mr. NEAL. Mr. Speaker, we just heard a moment ago from the gentleman from South Carolina that there was an illicit or perhaps illegal initiative that was taking place across the country in the Midwest. So the answer in that instance is to notify the U.S. Attorney's Office if it's fraudulent. The answer there is to notify immigration authorities.

But this argument right here is not about illegal immigration. This argument today is about once again asking the wealthiest people in our society just to sacrifice a bit.

When the gentleman talks about $4 billion of fraud, there isn't anybody on the Democratic side that encourages or countenances the idea of fraud. Tell the American people where the expenditures go.

A million new veterans have been created between Afghanistan and Iraq. You're 20 years old, and you've been wounded in Iraq or Afghanistan, you're going to be in the care of the VA system for the next 50 or 60 years. We are obligated to take care of them. That's where the money goes.

We cut taxes in this country by $2.3 trillion during the Bush years, and my Republican pals were all culpable in that argument. You can fight two wars in Afghanistan and Iraq, now both north of $2 trillion, and cut taxes by $2.3 trillion, and people wonder why we're in the predicament that we're in.

Twelve successive years of tax cuts, and at the same time asking nothing of the people at the very top, who, incidentally, during the Clinton years were not even asking for a tax cut. Their argument was: Pay down the debt.

We are being asked to revisit with this budget what went awry during the Bush years. We are being asked with this budget to go back to the policies that got us into this predicament during the Bush years. We are being asked at this time, once again, to ask the poorest people in our society to shoulder the burden of tax cuts for the wealthiest in America—tax cuts that have not paid for themselves, tax cuts that will not pay for themselves, and tax cuts that do not take us on a sound path to fiscal stability in the near- or long-term future.

This conversation should be about balancing the budget, and it should be done by Democrats and Republicans, not with a sledge hammer, as is being proposed early this afternoon.

Mr. RYAN of Wisconsin. I would say, Mr. Speaker, this is not a tax cut bill, this is a spending cut bill.

With that, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Mr. Speaker, I rise in strong support of H.R. 5652, the Sequester Replacement Reconciliation Act. I commend Budget Committee Chairman PAUL RYAN for the leadership in bringing this important legislation to the floor.

This reconciliation legislation will make necessary and strategic reforms to a number of mandatory programs to better ensure that those most in need of government assistance receive it, instead of individuals who are not eligible or indeed may be gaming the system. With these reforms, we will find nearly $328 billion in savings over 10 years. Furthermore, H.R. 5652 will offset $78 billion in cuts to the Department of Defense as a result of sequestration.

Mr. Speaker, I am pleased to see that there are two provisions that I authored that have been included in H.R. 5652. The first is H.R. 5, which seeks to address the rising cost of health care through meaningful, fair, and balanced medical liability reform. The second is H.R. 1683, the State Flexibility Act, which seeks to correct a problem created by the failed stimulus and ObamaCare. This provision gives States the opportunity to root out waste, fraud, and abuse in the Medicaid program.

I urge all of my colleagues on both sides of the aisle to support H.R. 5652.

Mr. VAN HOLLEN. I yield 2 minutes to the distinguished Democratic Whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, the challenging times we live in force us to make difficult choices about our priorities. The reconciliation bill before us today is an example of choosing the wrong priorities.

While we must address our deficits and avert sequestration, the Republican reconciliation bill does it absolutely the wrong way. It places the entire burden of deficit reduction on the most vulnerable while asking nothing of the best off. Indeed, it asks for more from those who have less, and less from those who have more. It harms seniors and children by eliminating Social Services Block Grants, which provide for programs for our communities like child protection services and Meals on Wheels.

They say they're getting rid of fraud, waste, and abuse—I've heard that for 31 years—while they added $6.4 trillion to the deficit. It slashes food stamp funding by $33.2 billion. They say that's waste, fraud, and abuse. CBO does not agree. It's real assistance to families in need. Furthermore, it cuts the pay of middle class workers who serve the public—the only workers it adversely affects.

These are the priorities we've seen throughout the Republican budget: Ending the Medicare guarantee, slashing jobs while cutting taxes for the wealthiest at the expense of seniors. The gentleman from Wisconsin says

this bill doesn't do that. He's correct. His budget did that.

Middle class families and those who are the most vulnerable pay the price.

Democrats have our own proposal. Unfortunately, it wasn't made in order. As the gentleman from Maryland, my colleague said, you only had to waive one rule as opposed to the three you waived for your budget, but you wouldn't do it because you didn't want to have the American public see the real alternatives out here. I regret that. To that extent, you closed down this rule which you railed so much against.

The SPEAKER pro tempore (Mr. WOMACK). The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 30 seconds.

Mr. HOYER. Unlike today's Republican bill, our proposal reduces deficits in a balanced way and prevents sequestration through a balanced combination of spending cuts and revenues.

And let me say something: Nobody is asked to make a sacrifice in the richest country on Earth; what we have to do is make appropriate contributions. Nobody is asked to make a sacrifice—and certainly not the most vulnerable in our country, as does this reconciliation bill.

Mr. Speaker, I urge opposition to this bill. We can and should do better.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. VAN HOLLEN. I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank the gentleman from Maryland and I rise in opposition to this bill.

It should come as no surprise the Republicans in Congress do not take the budget deficit seriously. When they were in total control during 6 of the 8 Bush years, they did nothing to reduce the deficit. Quite the opposite.

Republicans say they're all for cutting spending, just not the spending they like. So here we have an attempt to replace sequestration so that they can continue to destroy the social safety net while protecting defense spending, Big Oil, and the wealthiest in this country, yet again asking the middle and lower classes to bear the cost of cutting the budget.

I said when they agreed to the sequester that they'd try to back out of the deal to protect their pet policies and gut the social safety net. And that's what we see in this document: cutting food stamps, cutting SNAP, hurting senior citizens, repealing evidence of health care reforms, hurting Federal workers.

□ 1310

I voted against the Budget Control Act because it was an unbalanced budget that put the responsibility of balancing the budget on the backs of the middle class. But at least it was an agreement that put both defense and discretionary spending up for equal cuts. It was an agreement that both parties came to, recognizing the need to cut Federal spending. Now the Republicans are trying to back out of that. And in backing out of that, they are protecting the wealthiest among us, hurting the middle class. This is the wrong way to go. It is a shameful document.

Mr. RYAN of Wisconsin. I continue to reserve.

Mr. VAN HOLLEN. I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, it's called a reconciliation act, but how do we reconcile more money for bombs while cutting money for bread? How do we reconcile our Nation helping oil companies, arms merchants, and war profiteers while cutting assistance to low- and moderate-income families?

My colleagues are worried about abuse of food stamps. I wish they would have additional concern and sympathy for the abuse of the middle class, for 10 million Americans out of work, for millions losing their homes, their retirement security.

Let's look to where the real fraud is in our government—in wars based on lies, over trillions of dollars, billions of U.S. money lost or stolen in Afghanistan. Just in the last week, $80 million for a consulate that they are not even going to use, they are going to close. And we blame poor people using food stamps?

The real deficit we're dealing with here is a moral deficit, and it's time that we face the truth.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Speaker, I rise in strong opposition to this misguided budget that we'll vote on today. This package literally takes food off the table for millions of disadvantaged Americans by cutting $33 billion from the SNAP program.

I ask my Republican colleagues: Where are your priorities? Is it to take from the poor to give to the rich?

SNAP is a lifeline for 46 million Americans. We continue to spend hundreds of millions of dollars every year to assist foreign countries, but we don't spend money to take care of the struggling families right here at home. It's a shame.

This budget proposal not only cuts benefit levels, but it also keeps thousands of children from receiving school meals. Can you imagine going to school on an empty stomach and having to take a test? In America, this should not happen.

I understand the value of the SNAP program because I once relied on food stamps. Unless you've been in that situation, you don't know what it's like. You have no choice. You have no choice but to receive assistance to feed your family.

I ask my colleagues to make sure that we vote against this and make sure that we put food on the table for the 46 million people who are going hungry right here in the United States. Vote ''no'' on this.

Mr. VAN HOLLEN. Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore. The gentleman from Maryland has 3 minutes remaining. The gentleman from Wisconsin has 7 minutes remaining.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself 2 minutes.

As we said at the beginning, there is no disagreement over the fact that we need to have a plan to reduce our deficit. The question has been how. And there is no dispute about whether we need to replace the sequester, the meat-ax cuts that will take place automatically January 1. Again, the question is how.

The Republican approach once again asks nothing of people who are doing so well in this country, people who are making over $1 million a year. And because they ask nothing of them, their budget hits everybody else. The figures we're talking about today, these are about real people. These are figures from the nonpartisan Congressional Budget Office as to the impact of their proposal: 300,000 kids will lose their health care coverage under CHIPs; 22 million kids will see their food and nutrition support under SNAP reduced; 2 million people will see all of their food and nutrition support eliminated. Those are facts.

I know people want to pretend that this doesn't impact real people. That makes it easier to say we're not going to ask big oil companies to get rid of their subsidies if we can pretend that the cuts don't have an impact, but they do. And that's why every bipartisan group that's looked at this budget challenge has said we need a combination of cuts. We did a trillion more, and we have cuts in our substitute, but you also need to get some revenue by closing some of these tax loopholes.

Mr. Speaker, the Democrats had a substitute amendment. The Republicans won't even let us have a vote on it. They waived three provisions in their rules to bring up their proposal. They wouldn't waive one to hear an alternative.

We keep hearing that it's so important to reduce the deficit; apparently, not important enough to ask for one penny from people who are making a million dollars a year.

We keep hearing that the impact of sequester is going to hit defense. But again, not one penny from the oil companies to help take a balanced approach.

I urge rejection of the Republican proposal.

I wish we could have an up-or-down vote on the Democratic substitute. That would be democracy, but maybe that's asking too much these days.

Mr. Speaker, I now yield the balance of my time to a lady who has spent her life fighting for justice and trying to make sure that is reflected in the budgets that we present to the American people, the distinguished Democratic leader, Ms. PELOSI.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 minute.

Ms. PELOSI. Mr. Speaker, I want to thank the gentleman for yielding.

I want to call to the attention of all of our colleagues and those who follow the work of Congress the extraordinary contribution that Ranking Member CHRIS VAN HOLLEN has made to this debate. He has led our Democratic members on the Budget Committee in a way that reflects the values of our country: how we can meet the needs of our children, their health, their education, and the economic security of their families.

When people ask me what are the three most important issues facing the Congress, I always say the same thing: our children, our children, our children. And the issues that are addressed in the budget address the needs of our children directly and the families in which they live.

I watched with great pride the debate and the strong distinction that has been made between a values-based budget, put forth by the Democrats, that supports a thriving middle class, and the Ryan Republican Tea Party budget that upholds millionaires over the middle class.

We are here today because the Republicans in the House have decided over and over again to walk away from a bipartisan, bicameral agreement that we reached to avert economic crisis and to reduce our deficit and to honor the full faith and credit of the United States of America. They are walking away and punishing the middle class, because they refuse to close even one special interest tax loophole to reduce our deficit. They are putting Big Oil and millionaires ahead of America's middle-income families.

In recent weeks, House Republicans have voted twice—not once, but twice; here we go again, in the words of a great Republican President—have voted twice to pass a budget that gives massive tax breaks to the wealthiest Americans while ending the Medicare guarantee and increasing cost for seniors in the meantime. That is an absolute fact. Today Republicans are voting to begin implementing their out-of-touch budget, and middle class people, seniors, women, and children will pay the price.

Consider these few things. I know that members of the committee have made the case, but I just want to focus on a few things that affect people very directly in their lives.

This Republican-Ryan-Tea Party budget will assault women's health by eliminating the Prevention Fund: 326,000 women would not get the breast cancer screening they're slated to receive next year; 248,000 women would not get the cervical cancer screening they're slated to receive next year. Those are big numbers, but every individual case is important to the families that those women live in.

□ 1320

So the numbers are staggering, but the specific cases are what is important, and this is hundreds of thousands.

This budget would harm children and seniors, literally taking food out of the mouths of babies, as nearly 300,000 children would lose free or reduced-cost school meals—300,000 kids. Wait a minute. We're going to give a $400,000 tax cut to people making over $1 million a year, and we're going to take food from 300,000 children to do that.

1.7 million seniors would lose Meals on Wheels—people are familiar with that in their neighborhoods, in their communities—and other services.

It would put Wall Street ahead of middle class and working families by weakening the Consumer Financial Protection Bureau. In the Wall Street reform bill, we not only had the biggest changes in regulations so that the recklessness on Wall Street would no longer cause joblessness on Main Street—the recklessness of some. I don't paint everyone with the same brush. The recklessness of some on Wall Street would not create, again, massive joblessness on Main Street.

In that same legislation—and they were the biggest regulation changes in a long time, decades—the biggest change in history was in the Consumer Financial Protection Bureau. This budget weakens consumer protection. That's just not right.

So, here we are again with the Republican budget, to name a few.

In contrast to this draconian Republican bill, Democrats are fighting for a balanced approach that creates jobs, expands opportunity, reduces the deficit, protects the health and economic security of America's families, and honors the entrepreneurial spirit of America.

Republicans are focused on obstruction rather than solutions. Americans have rejected Republican obstructionism and made it clear over and over again: We must work together to find solutions.

Because this legislation will have a devastating impact, it's opposed by numerous organizations, from Easter Seals, to the National Women's Law Center, to the U.S. Conference of Catholic Bishops, and Voices for America's Children.

As the Obama administration wrote in expressing their strong opposition to this bill, the bill's unbalanced provisions fail the test of fairness and shared responsibility. At the same time the House is advancing tax cuts that benefit the most fortunate Americans, this legislation would impose deep budget cuts that cost jobs and hurt the middle class and vulnerable Americans, especially seniors, veterans, and children.

Mr. Speaker, instead of the slash-and-burn approach, let's come together in a bipartisan way, in a balanced way, to cut our deficit by growing the economy, creating growth, creating jobs, bringing in revenue to reduce the deficit, to make the priority choices that reflect the values of our country, the values of fairness and opportunity, of sustaining a thriving middle class for the middle class and all who aspire to it. It is the backbone of our democracy. For that reason, I urge my colleagues to vote ''no'' on this devastating bill.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself the balance of my time.

First off, Mr. Speaker, let me thank those six committees that contributed to making this possible.

Over 60 percent of the Federal budget is in a category of spending we call mandatory spending. It's a budget term of art that means that part of spending is on autopilot. Congress does not address or oversee or set the levels of that spending in any given year. Congress does address what we call discretionary spending. That's government agency budgets—about 39 percent of the budget every single year. The last time Congress actually looked at this 60 percent of spending on autopilot for savings was 2005. It's important that we make sure that we're scrutinizing how we're spending hard-earned taxpayer dollars, and it's a shame that we haven't revisited this category of spending since 2005. We're doing that here.

Now, the President, the Secretary of Defense, the Speaker of the House, the minority leader of the House, they've all said that this sequester is a mistake; it's bad, it's going to hurt. Not only does it hollow out defense, according to the Defense Secretary, but it also creates an 8 percent across-the-board cut to domestic discretionary spending, like the National Institutes of Health. We think we should prevent that. On a bipartisan basis, we think we should prevent that. That's what we're doing. This is the only plan that says, Prevent that from happening, and here's how you pay for it. Here's our plan to stop that from happening, this event that everybody says should be stopped.

Now, when we take a look at what this package does, I think we want to look at, is our government working the way it ought to be?

In particular, we're hearing lots of comments about how this hurts people, how this hurts the poor. Let's take a look at our poverty-fighting efforts.

And should we measure our poverty-fighting efforts based on inputs or based on outcomes? Should we measure our poverty-fighting efforts based on how much money we're spending and how many programs we're creating? Or should we think about how many people are we getting out of poverty?

Here's the problem: These efforts aren't working. One out of six Americans today are in poverty. We have the highest poverty rates we've had in a generation. These programs aren't working. Let's fix them. Let's pass reforms that instead decrease the poverty rate, which is happening these days, and get people back into lives of self-sufficiency.

Let's go back to the American idea of an opportunity society with a safety net that doesn't keep people in poverty but gets people out of poverty into lives of self-sufficiency. And we're not going to be able to achieve that if we don't grow our economy. We're not going to be able to achieve that if we don't have more opportunities in society so that people who are on the bottom rung of the economic ladder can't climb up and out.

We shouldn't be defining success as how many people we have on these benefit programs. We should be defining success as to how many people we are graduating from these benefit programs into lives of self-sufficiency, into jobs. That's the American idea.

So when you take a look at whether these programs are working well or not, we need to reform them. We haven't touched these programs for decades. Food stamps, we've gone from 17 million people to 45 million people in a decade, a 270 percent spending increase—$1.8 billion in overpayments last year alone. We're just saying you need to qualify for the benefit to get the benefit.

Medicaid. If we think this is such a success, then why are half the doctors filling out surveys saying they're not going to take any new Medicaid patients. If this program is working so well, then why was $15.8 billion in overpayments made just last year? Does this devastate Medicaid? Instead of increasing Medicaid by 125 percent over the next decade, this proposal increases it by 123 percent over the next decade—hardly draconian.

What we're saying is we need to make these programs work to achieve their intended results. Give States more flexibility to customize their benefits to meet the needs of the people in their States. That's what these Medicaid reforms are all about.

When we hear the other side talk about no spending cuts but more tax increases, that's going to slow down job creation. We're the first ones who came to this floor saying, ''Close these tax loopholes, but close these tax loopholes to create economic growth by reforming the Tax Code.'' Treat people fairly in the Tax Code so that a company or a person who makes the same amount of money pays the same level of tax. You do that by getting rid of tax shelters and tax loopholes, not to raise spending, but to lower tax rates so American businesses can survive, can thrive, and create jobs. Upward mobility. Economic opportunity. That's what we're trying to achieve here.

□ 1330

Mr. Speaker, we should not be talking to each other in this society as if we're stuck in some class, as if this person's middle class, that person's lower class, and that person's upper class. Our ancestors left those class-based societies to form this country, which should not be a class-based society. It should be a society of upward mobility, where we can make the most of our lives, based on our own God-given talent and our own effort. We should not be speaking to people as if they're stuck in their current station in life and the government is here to help them cope with it.

We need to get ourselves out of this debt crisis because, if we have a debt crisis, if we keep on this path where we're borrowing 40 cents of every dollar we spend, we're going to have a debt crisis. Europe is in a debt crisis.

And what happens when you're in a debt crisis? Immediate austerity, cutting benefits to seniors, cutting benefits to people in the safety net, raising taxes. That slows down the economy, especially for the youth.

Look what we're doing right now. Half of our Nation's college graduates are either unemployed or underemployed—half.

It's not working. We need to change these policies. We need to grow the economy. And if we have a debt crisis because of this spending, then the people who need government the most, they're the ones who get hurt the first and the worst.

We're leading. The President, no plan to fix this. The Senate, no budget since 2009. And our friends on the other side of the aisle, tax increases, spending increases, no spending cuts.

Mr. Speaker, this is a small step in the right direction. It's something Congress should do every day. I urge passage of this bill.

Mr. CONNOLLY of Virginia. Mr. Speaker, this morning, I met with homeless individuals and families, and community leaders who advocate on their behalf. I can tell you that even in my district the wealthiest in the nation—we have real needs. While our poverty rate may be the envy of most jurisdictions across the nation, that's just a statistic. In real numbers, more than 60,000 people are struggling with poverty—hard working men and women trying to provide for themselves, and tens of thousands of children not knowing where they'll sleep tonight, or if they'll eat. In fact there are more people below the poverty line in Fairfax County than the total population of more than 100 of Virginia's 139 jurisdictions.

This sequester replacement is a short sighted and cynical action. Make no mistake; this is NOT about fiscal responsibility. It forces sacrifices on the less fortunate among us; seniors and children who will lose supplemental meal assistance; struggling single parents who will lose child care support, threatening their ability to work; lower income families who will lose their health care. What this plan does not do is ask similar sacrifices from the most wealthy in our nation. In fact, it paves the way for another tax cut for the top 1 percent. Oil and gas companies, which have seen $290 billion in profits over the last 4 years are not asked to contribute even 1 penny of the $16 billion in special tax breaks they received.

No, this Republican Reconciliation Ruse is really an attempt to fundamentally change American values at the expense of the sick, the old, the young and the disadvantaged. I would ask my colleagues to go home and talk to those individuals struggling to get by in their community, and faith leaders who work with them, and ask how these draconian cuts affect their lives. I urge my colleagues to reject this Republican Reconciliation Ruse and to work toward truly comprehensive, responsible and bipartisan deficit reduction that safeguards the less fortunate among us and is reflective of our nation's shared values.

Mr. GENE GREEN of Texas. Mr. Speaker, I ride in strong opposition to the draconian cuts to health care, food stamps, and other essential programs that are being proposed by the House majority in H.R. 5652.

Last summer, this Congress and the Administration agreed on a path to reduce the national deficit by over $2.1 trillion. Over half of this amount was going to come either through a bipartisan agreement by the so-called ''Super Committee'' or through sequestration.

I do not like sequestration. It is an inefficient way to make spending decisions that affect millions of Americans. However, this is what was agreed to and for the House majority to go back on that agreement and not have an open and frank debate on how this chamber can agree to reduce our national deficit while preserving essential programs and services is more than just disappointing. For millions of our fellow Americans, it is a matter of survival.

This legislation would result in cutting food stamps by over $33 billion dollars. Nearly 50 cents of every dollar into food stamps helps children get the food they need to grow and thrive.

H.R. 5652 would gut vital health care services, including ending the Prevention and Public Health Trust Fund, which is essential for finding better ways to promote wellness, prevent disease, and protect against public health emergencies.

This bill would also reduce matching state funds to Medicaid, as well as make it more difficult to qualify for the program and make devastating cuts to the Children's Health Insurance Program (CHIP).

It would make sharp cuts to the Social Services Block Grant program, which could result in 1.7 million children losing access to protective services, 450,000 children being denied foster care, and 640,000 children losing child abuse prevention services.

This legislation would also eliminate the FDIC's ability to unwind financial institutions that are ''too big to fail'' in an orderly way, eliminate the Consumer Financial Protection Bureau's (CFPB) funding source, and cut pension contributions to federal workers.

I stand with our nation's servicemembers and am committed to making sure that they have the tools and resources necessary to protect America from any and all threats.

However, support for our nation's heroes should not and cannot come at a cost to America's most vulnerable. We can find a better way to balance our priorities, protect those in need, and honor our servicemen and women.

I call on Members on both sides of the aisle to join me in finding a better way to reduce our deficit while protecting children, the needy, and America's men and women in uniform and vote against this legislation.

Mr. BURTON of Indiana. Mr. Speaker. I rise today to express my strong support in favor of the H.R. 5652, the Sequester Replacement Act of 2012. This legislation reflects the support I have for the Republican Budget and the principles I have stood for during my almost thirty years in this House, a return to fiscal sanity and responsibility. This legislation also makes certain that the brave men and women in our Armed Forces will have the resources to protect this Nation from the many threats we face in an uncertain world.

However, I do have one concern. During my tenure here I have been an advocate for equal treatment for our fellow Americans in Puerto Rico, who have defended this Nation in record numbers in every military conflict since U.S. citizenship was conferred on them in 1917. Puerto Ricans take pride in their American citizenship and our Nation should be grateful for their service.

My dear friend and former colleague, Governor Luis Fortuno, was recently able to accomplish what other Puerto Rican Governors have tried to do for decades in lessening the disparities between the funding of federal healthcare programs in the territories and the states. Through his hard work, persistence and dedication, Governor Fortuno was able to obtain an increase in Medicaid funding for the US territories that reduces the gap. Unfortunately, the available legislative vehicle in which this could be accomplished was Obamacare, which I have been a staunch opponent of for a whole host of reasons that have nothing to do with Medicaid in Puerto Rico. I am, as a result, troubled that we have included the repeal of the expansion of Medicaid for Puerto Rico and the other territories in H.R. 4966. I believe there are other ways to cut spending that do not contribute to the perception that Puerto Ricans are less deserving U.S. citizens than residents of the states.

I want to assure our fellow citizens in Puerto Rico that the action we take today is just a step in what promises to be a long budget negotiation. As we continue to move forward to repeal Obamacare, I know I am not alone among my Republican colleagues in the belief that we should adequately fund federal healthcare programs in Puerto Rico and the other US territories. As we continue to work this year to reach an agreement on the budget with the Senate, I am hopeful that the principle of equal treatment for Puerto Rico will not be lost, and that the final budget product will bring our fellow citizens in Puerto Rico closer than ever to the parity they deserve in federal healthcare programs.

Mr. LANGEVIN. Mr. Speaker, today's debate is about priorities. The Republican reconciliation bill provides a stark contrast between the measures Democrats know are necessary to get our fiscal house in order—creating jobs and encouraging investments, and those that Republicans covet—tax cuts for special interests and giveaways for millionaires.

It is high time we get serious about our fiscal situation, and I, like most Americans, am prepared to make sacrifices to put us on a sustainable path.

But this reconciliation bill sends our country in the wrong direction—reducing benefits for our children, elderly, and most vulnerable to pay for tax cuts to millionaires and subsidies for oil and gas companies. Under the Republican plan, 22 million families could see their food and nutrition assistance cut, and up to 300,000 children could lose both their health coverage and their school lunch program. Jeopardizing struggling families is not the way to get your country back on track.

I see the importance of these programs to my constituents every day. There are thousands of hard working Rhode Islanders who still can't make ends meet, who need a little help so their kids don't go to bed hungry or sleep in a cold house. The economic downturn has been a trying time for everyone, and all of us have a family member or a friend who has been forced to ask for help at one time or another. yet Republicans are trying to pull away the helping hand the government offers to those who are living on the edge.

At a time when we ought to be investing in our future, the Republican budget offers shortsighted measures that will irreparably shortchange our most critical national investments. With unemployment at 11.1 percent in my home state of Rhode Island, my number one priority is spurring job growth and development. Unfortunately, this Republican budget, which gives away $3 trillion in tax breaks to corporations and the super-wealthy, will do just the opposite.

Democrats are offering a fair and balanced approach that keeps the promises made to our seniors, preserves our social safety net, and maintains investments in our economic security. With key recommendations of the bipartisan Simpson-Bowles and Domenici-Rivlin budget commissions as a guide, it addresses both sides of the ledger—through strategic spending cuts and revenues. There is simply no other way to equitably address our fiscal challenges.

Mr. Speaker, the Republican budget is not what the American public wants, it is not what Rhode Islanders need, and it is not what our future generations deserve. I urge my colleagues to reject it.

Mr. PASCRELL. Mr. Speaker, I believe that our Vice President, JOE BIDEN was correct when he said, ''Don't tell me what you value, show me your budget, and I'll tell you what you value''. Well Mr. Speaker, we have seen the Tea Party budget, and we sure know what their values are.

The majority values millionaires over women and children's access to healthcare. They value corporate welfare for outsourcing jobs over helping the next generation of workers afford college. And they value oil and gas companies over ensuring that our most vulnerable citizens, including seniors and children, have access to important nutrition and healthcare programs, plain and simple.

As a Member of the Committee on Ways and Means, I fought against that committee's unfair reconciliation legislation that inordinately placed the burden of increased defense spending and tax cuts for the very wealthy on seniors, the disabled and middle class families.

Instead of asking the wealthiest amongst us to pay just a small fraction of their income more, the majority's legislation squeezes it out of the 14.5% of U.S. children living in poverty in New Jersey. This bill will snatch $1,800 from the pockets of a family earning $21,000 a year. Instead of cutting back on oil and gas subsidies for companies like Exxon, which made an almost $10 billion profit last quarter, this bill cuts $47 billion in tax credits for middle class families could to purchase health insurance.

In short, the majority's choice is to cut $75 billion from programs that directly benefit seniors, the middle class and poor, in order to protect special interests and millionaires.

We must fight back against the Tea Party assault on the middle class, women, children, and the poor, and I ask my colleagues to vote no on this legislation.

Mr. DAVIS of Illinois. Mr. Speaker, I resolutely oppose H.R. 5652, the Sequester Replacement Act of 2012. As our nation struggles to emerge from one of its worst economic crises, I am profoundly disappointed with the Republican Leadership for offering legislation that would harm tens of millions of Americans to deliver a windfall of additional wealth to already-privileged individuals and companies. Such overt protection for the wealthiest and most secure at the expense of the most vulnerable represents an affront to American values and blatant disregard of a policymaker's responsibility to protect our nation's citizens. Robbing the poor, children, elderly, and ill to further balloon the wealth of the most affluent in our country is deplorable.

The Sequester Replacement Act of 2012 clearly demonstrates the fundamental disagreement between parties at present. The Democratic lawmakers believe that the federal government has the responsibility to help it citizens during times of struggle and economic hardship. To achieve this support and revitalize our nation, the Democrats maintain that shared responsibility among the wealthy and the middle class, defense and non-defense initiatives, and spending cuts and revenues are necessary. Strengthening our national and individual economic well-being requires balance. In contrast, the Republican Leadership asserts that the responsibility for helping the poor or vulnerable falls to individual charity and the path to economic revitalization is to eviscerate federal services that support the poor, elderly, children, and ill to deliver billions of dollars in financial assistance to the wealthiest individuals, oil companies, and businesses that ship jobs overseas.

There are multiple provisions within the Republican Sequestration bill that exemplify the approach of giving massive tax breaks to the wealthiest while slashing vital services to the vulnerable.

Take the elimination of the Social Services Block Grant, which provides critical support for child care, child welfare, and elderly services. Nearly all SSBG funds serve the needs of vulnerable adults, children and disabled. Terminating the program will affect approximately 23 million people, half of them children. Cutting SSBG means the 1.7 million seniors would lose ''Meals on Wheels'' and other home-based services. Eliminating SSBG means that 1.7 million children likely lose access to protective services, 451,000 children would be denied foster care, and 640,000 children likely lose child abuse prevention services. Stopping SSBG means that 4.4 million children would lose child care and related assistance—a loss that is especially egregious when 22 states reported considerable wait-lists for child care assistance in 2011.

Slashing $36 billion to the food assistance program for the poor would reduce aid to 47 million Americans, terminate benefits for approximately 2 million low-income individuals, and revoke the automatic eligibility for free school meals for nearly 300,000 low-income children. In my Congressional District alone, there are 40,784 households receiving benefits—with 49.2% of these families having children under 18 and 30.9% having one or more people over the age of 60. These families already are bearing the brunt of our economic hardship. They cannot sustain further cuts to their food aid.

Repealing the Medicaid and CHIP maintenance-of-effort requirements directly threatens the health coverage of millions of pregnant women, infants and children. Medicaid finances about 41% of births each year, serving as THE source of health care for 1 out of 4 children in our country—especially children with special healthcare needs. Removing the maintenance-of-effort protections of coverage would increase the number of uninsured children by at least 300,000 in 2015, as estimated by the Congressional Budget Office.

Eliminating the Prevention and Public Health Fund further jeopardizes the health and well-being of women and children. Specifically, loss of the Prevention Fund means about 2.2 million fewer childhood vaccinations to prevent childhood diseases, 326,000 fewer breast cancer screenings, and 284,000 fewer cervical cancer screenings. Cutting the Prevention Fund means stopping tobacco cessation and obesity prevention programs. I have been a strong proponent of prevention my entire adult life given its proven ability to improve the quality of life for citizens with minimal financial investment. Indeed, proven community-based prevention programs yield an estimated return of $5.60 for every dollar invested. Since 2010, the state of Illinois has received $31 million from the Prevention Fund. I cannot support the loss of these funds.

Dramatically reducing the Child Tax Credit by $7.6 billion means that more than 3 million children would lose the pro-family support that their low-income families need to put food on the tables and roofs over their heads.

The Republican reconciliation bill offers an unacceptable vision for our nation that calls on the most vulnerable of our citizens to support a privileged lifestyle for the most secure. At a time in our history where more than one in five children currently lives in poverty and tens of millions of citizens struggle with unemployment, underemployment, and foreclosure, I cannot support such a vision that would undermine the well-being of millions of Americans. We must pursue a balanced approach to strengthening our nation's and our citizens' economic well-being, asking all to share in the sacrifice.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong opposition to H.R. 5652, ''Sequester Replacement Reconciliation Act of 2012,'' which slashes $238 billion over 10 years and cancels the discretionary sequestration scheduled for 2013 to exempt defense spending from the cuts agreed upon by the Republican majority in the Budget Control Act of 2011. This bill is unfair to children, seniors, women, and working families. This abomination is unworthy of a civilized nation. Little wonder that so many faith-based and leading national organizations, from the U.S. Conference of Catholic Bishops to the National Education Association oppose this bill. I stand with them in strong opposition to this assault on working and middle class families.

My Democratic colleagues and I agree that the scheduled sequester, with its indiscriminate, across-the-board cuts, should be replaced with a balanced deficit reduction package that includes both spending cuts and additional revenues. Republicans disagree and would let the burden and cost of deficit reduction fall on the shoulders of children, seniors, working families, and the middle class rather than close even one special interest tax loophole or ask any sacrifice of the truly wealthy.

This bill makes cuts to critical safety-net programs that millions of people rely on, all while returning to policies that sparked the recession in the first place. They are choosing the wrong programs to cut in order to reduce the deficit. Let me highlight a few examples to illustrate just how extreme and unfair this legislation is.

Mr. Speaker, H.R. 5652 makes cuts in the Supplemental Nutrition Assistance Program (SNAP), the program formerly known as food stamps) that would result in reducing benefits for all 46 million SNAP participants—one million of whom live in Los Angeles County—and terminate assistance for at least two million. Low-income households who do not lose benefits altogether will face monthly reductions of $50, $60, or even $90 a month. In 2010, SNAP kept 4.4 million people from being poor, 1 million of whom were lifted out of poverty just from the increase in SNAP benefits that began in 2009.

You cannot make a nation's economy healthy by impoverishing its people.

A 9-year panel study conducted by the Department of Agriculture showed that the federal food assistance program alone was responsible for lifting low-income persons purchasing power by six percent. This is a program that is proven to work, and yet this Republican bill seeks to slash it $33.2 billion. With cuts of this magnitude, eligibility for the program will have to be scaled back dramatically, and benefits will be cut deeply for those who still qualify. This will have serious effects on millions of low-income families who rely on the program just to get by.

The bill also proposes to end the Prevention and Public Health Fund. Since the Affordable Care Act was passed in 2010, the Department of Health and Human Services has awarded more than $90.6 million in Prevention Fund grants to my home state of California. These grants are used to combat obesity, tobacco use, unhealthy nutrition practices, and to fund other programs that promote good health. If the Republican sequestration replacement were to become law, these essential programs will have to be scaled back or cut entirely.

Mr. Speaker, we need get our fiscal house in order but I will not vote to balance the budget on the backs of the poor, the vulnerable, or the middle class.

My Democratic colleagues and I supported a balanced approach to the current fiscal challenge that preserves Medicare. House Republicans favor ending Medicare as we know it, along with gutting the Children's Health Insurance Program and the Child Tax Credit.

The Republican approach is unfair, unwise, and short-sighted. For example, childhood immunizations are among the most cost effective preventative health measures available. On average each dollar invested in children's immunization saves $16.50 in medical and societal costs down the road. Given the persistent rise in the cost of treating serious health problems it makes absolutely no sense to cut programs that will lead to substantial cost reductions in the future.

Mr. Speaker, this bill would leave our most vulnerable citizens exposed and unprotected. I cannot and will not support legislation that inflicts such grave hardship on the most vulnerable of our citizens while asking nothing of those who benefited most from the reckless economic policies of the previous administration.

We cannot have a serious conversation about getting our budget under control when House Republicans are taking large items like revenue and defense off the table, all while repealing programs like the Social Services Block Grant. This unique grant allows states to help their citizens become more self-sufficient by providing child care, preventing and addressing child abuse, and supporting care for the elderly and disabled. Slashing the Social Services Block Grant program in an effort to avoid the defense cuts reflects poorly upon those who propose to do so.

Mr. Speaker, if House Republicans are unwilling to abide the agreement they made just last year, how can they be trusted to keep faith with promises made to seniors, children, the poor and weak, that bind us together as a nation?

What we need right now is for responsible leaders to work together to come to an agreement on a balanced long-term approach to resolve our fiscal challenges. As legislators, our constituents are looking to us to get on with, and serious about, the work that must be done to get our fiscal house in order and make the needed investments that will grow our economy and position our people to compete and with in an increasingly globalized world. That is what they sent us here to do and they deserve no less.

Mr. Speaker, my constituents did not send me to Congress to make the wrong choice for

our nation. That is why I cannot support the legislation before us. It places the burden for the nation's financial crisis squarely on the shoulders of the middle class and the poor, while failing to ask anything of those most able to contribute toward economic recovery.

For these reasons, I stand in strong opposition to H.R. 5652, the Sequester Replacement Reconciliation Act of 2012, and urge my colleagues to join me in rejecting this radical and dangerous proposal.

Mr. MARKEY. Mr. Speaker, I rise in strong opposition to H.R. 5652, the Sequester Replacement Reconciliation Act of 2012.

As the Ranking Democrat on the House Natural Resources Committee, which has jurisdiction over the various insular territories of the United States, I wish to call the attention of my colleagues to the adverse impact of this bill on the 4.1 million Americans who live on the five U.S. territories—Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands.

Of all the cuts being proposed by this bill today, perhaps none is as cynical, thoughtless and irresponsible as the Republican proposal to repeal Section 1204 of the Health Care and Education Reconciliation Act of 2010, which finally mitigated the profoundly unjust treatment that these Americans in the five U.S. territories have always been subject to under the Medicaid program.

If this proposal is enacted, it would cut total federal funding for Medicaid in the territories by 65% over the next decade—a crippling blow that would devastate the territories' Medicaid programs and drastically restrict the ability of millions of Americans to receive care.

The territories' Medicaid programs are already vastly underfunded. By law, they are supposed to receive a 50% federal funding match, but they get nowhere near it. Unlike the 50 states and the District of Columbia, the amount that the federal government can contribute to their Medicaid programs is capped, and so Puerto Rico, for example, receives less than a 20% match.

The 50 states and the District of Columbia, on the other hand, receive up to an 80% match. Even the wealthiest states—which receive the lowest match rates—get 50%.

If the federal match for each of the territories was calculated the same way they are calculated for the states, each of the territories would have Federal Medical Assistance Percentages, (FMAP) in the 75% to 83% range based on their poverty levels.

The results of this chronic underfunding by the federal government are both devastating and predictable: too many patients in the territories receive inadequate care and too many providers in the territories are not adequately compensated for their services.

Because the treatment of the territories under Medicaid was a travesty from both a moral and public policy perspective, the Affordable Care Act (ACA) sought to partially redress this profound inequality. It provided $6.3 billion in additional Medicaid funding to the territories between the fourth quarter of Fiscal Year 2011 and Fiscal Year 2019.

The territories have already begun to use—and will continue to use—this new funding to increase the number of low-income individuals that can receive Medicaid coverage and to provide beneficiaries with essential health services. Prior to this funding increase, the territory governments could not afford to provide many basic services or to cover many of their neediest residents under Medicaid. Every penny of this money will be used.

H.R. 5652 cuts funding that would merely narrow the inequality gap between the states and the territories. It still would not come close to eliminating it.

It is important to remember that residents of the territories are Americans who, if they are not receiving adequate health care, can relocate to the states and become eligible for fully-funded Medicaid whenever they wish. Thus, treating territory residents like second-class citizens under Medicaid is extraordinarily short-sighted.

It is also important to remember that residents of the territories serve in disproportionate numbers in the U.S. military. Residents of the territories have made tens of thousands of deployments to Iraq, Afghanistan and the Horn of Africa since 2001, and nearly 170 service members from the territories have lost their lives.

The Republicans should explain to the hundreds of thousands of soldiers and veterans from the territories why they are ''American enough'' to defend our country in combat, but somehow not ''American enough'' to receive a modicum of fair treatment under critical health care programs.

I urge my colleagues to vote against this mean-spirited bill.

Ms. LEE of California. Mr. Speaker, I rise in strong opposition to the Sequester Replacement Reconciliation Act.

Today, House Republican leadership is asking low and middle income families to sacrifice their health care and basic services in order to protect bloated and wasteful Pentagon spending and to protect tax cuts for millionaires.

This out of touch budget to end the Medicare guarantee while giving massive tax breaks to Big Oil and the wealthiest is not a serious proposal, Mr. Speaker.

In these difficult times for millions of struggling families, Republicans are asking that we vote to cut $36 billion from the food stamp program and children's health services so we can spend more money on cold war weapons that do nothing to improve our national security.

Our budget should reflect our values. We should not be balancing our budget on the backs of the most vulnerable.

We do not have to make these heartless cuts that hurt our poor and struggling families so we can spend more money to build two more nuclear submarines or buy more over budget V–22 helicopters.

We do not have to make choices that abandon the needy, our seniors and the futures of our children.

We must come together to protect people who are struggling, our Nation's children and our elderly during economic downturns, not make them more vulnerable.

We must protect and invest in the futures of our most vulnerable families, not dole out more money to the Pentagon for outdated and over budget weapons programs that we don't need and doesn't make America any safer.

We should not be shortchanging the education of our children, risk the health of our seniors and allow our infrastructure to crumble beneath our feet so that bloated defense contractors can keep getting contracts.

The priorities on display in this bill are clear and shameful. Once again, the Republicans put millionaires and billionaires, subsidies for big oil and gas, and bloated Pentagon spending above everyone and everything else.

As co-chair of the Out of Poverty caucus, I urge my colleagues to reject this attack on our most vulnerable.

Mr. STARK. Mr. Speaker, the legislation we are considering today is quite possibly the moral low-point of this House Republican Majority. Not only does it negate a law that was agreed to just last year to cut the deficit, it makes unconscionable cuts to safety net programs that help to feed hungry children and seniors and to protect them from abuse. It could also cause 14 million children to lose health insurance due to massive cuts to Medicaid and the Children's Health Insurance Program (CHIP).

Republican leaders are claiming that this legislation is needed to reduce the deficit. That is false. The reality is that we are voting today to protect the bloated defense budget and tax breaks for millionaires.

The choice before us could not be clearer: will you stand with families, children, and seniors? Or will you stand with special interests? Do you believe America should be a nation that cares if children have enough to eat and seniors can age with dignity? Or do you believe our country should be run by and for the wealthiest among us?

The Sequester Replacement and Reconciliation Act (H.R. 5652) is designed to prevent the pending automatic spending cuts, or ''sequester,'' that Congress passed last year in the Budget Control Act. Half of the $110 billion in cuts under the sequester would come from the defense budget. That makes sense, as roughly half of our discretionary budget is dedicated to defense. Medicare and other vital programs will also take a hit under the sequester.

As an alternative to the reckless Reconciliation Act before us today, Congress could come up with a balanced approach to replace the sequester while still cutting the deficit. Such an approach should include ending taxpayer subsidies for oil companies, rolling back subsidies for agri-business, allowing the Bush tax cuts for millionaires to expire, closing tax loopholes that allow lawyers and lobbyists to avoid paying Medicare taxes. A balanced approach should also include cuts to defense, bringing the Afghan War to an end, and eliminating federal programs that do not work.

Yet instead of trying to legislate responsibly, the Republican Majority is doubling down on their budget and bringing legislation to the floor that only asks families, children, seniors, and federal workers to sacrifice. H.R. 5652 eliminates the Social Services Block Grant, which funds Meals on Wheels and child abuse prevention programs. It continues the assault on Health Reform by making it harder for working people to afford insurance. It undermines the new Wall Street Reform law by defunding the Consumer Financial Protection Agency. It makes devastating cuts to Food Stamps, Medicaid, and CHIP. Our nation will be a sicker and crueler place if this legislation

is allowed to become law. I urge all of my colleagues to oppose this immoral and irresponsible bill.

Mr. QUIGLEY. Mr. Speaker, today the House will consider the Sequester Replacement Reconciliation Act.

This bill is a broken promise.

It would eliminate the Social Service Block Grant, which funds essential services like child abuse prevention and Meals on Wheels.

It would cut off food assistance for 1.8 million Americans, and leave 100,000 children and senior citizens without health insurance, so we can increase defense spending.

We spend nearly as much on defense every year as the rest of the world combined.

This includes billions maintaining a nuclear arsenal designed for the Cold War, and $500 million a year for military bands.

We can protect ourselves and our allies with a leaner, smarter defense.

Yet if we make cuts like these, our military will have little to defend.

We will only solve our debt crisis with a balanced, bipartisan approach that honors our commitments.

Mr. SENSENBRENNER. Mr. Speaker, I rise today in regards to H.R. 5652, the Sequester Replacement Reconciliation Act of 2012.

Eliminating the threat of our massive national debt must be a top priority for this Congress. I am pleased that House Republicans have identified and put forward a sensible plan. This reconciliation bill will forestall the Budget Control Act's sequestration cuts to defense while, at the same time, offer alternative reductions in federal spending. This measure is a critical first step in getting our fiscal house in order and doing so in a responsible manner.

In addition to the number of spending reforms that are included in H.R. 5652, there is an important reform that was proposed—meaningful medical liability reform. Specifically, H.R. 5, the Help Accessible, Efficient, Low-cost, Timely Healthcare, which seeks to ensure that the cost of frivolous litigation is not passed on to consumers in the form of higher health-care premiums by capping non-economic damages in medical liability lawsuits. While I am supportive of these efforts, I currently own shares in multiple corporations that may benefit from its enactment.

While my participation in legislative consideration of H.R. 5652 would not appear to violate current House Rules and established precedent, as in all matters susceptible to subjective examination, there are no bright line rules to determine whether a Member should recuse himself or herself in legislation that may benefit that Member in a personal or financial manner. While this may be a gray area, I do not want to raise any potential ethical questions regarding my participation in this legislation. As a result, I have acted to dispel any appearance of conflict by recusing myself from legislative consideration of H.R. 5652 in the 112th Congress.

Mr. YOUNG of Alaska. Mr. Speaker, I commend our Leaders and Chairman RYAN for the bold budget which we are going to approve today. Many of the programs targeted for cuts in the Reconciliation Package are worthwhile initiatives that I have and will continue to support such as childhood nutrition programs and family support services. However, the future of this nation and that of our children and grandchildren depends on our resolve to address the debt crisis while making certain that our national security is protected. This is not an easy vote, but it is a necessary one.

Despite my willingness to support our Leadership in making these tough choices, I rise to express some concern over one particular provision which would eliminate the Medicaid expansion in the U.S. territories. While on this side we have all voted for the full repeal of Obamacare, this provision had very little to do with that measure. The territories provision was instead intended to close the gap between healthcare funding on the mainland and in the U.S. territories. Puerto Rico, for example, had previously funded 80% of its Medicaid, while states with similar demographics funded only 20%. The provision I am concerned about helped to close that gap.

While we will continue to pursue the full repeal of Obamacare, I will continue to stand for the closing of that gap and for fully funding healthcare in the U.S. territories. The citizens of those jurisdictions are Americans and deserve to be treated with equality.

Mr. REYES. Mr. Speaker, I rise today in opposition to the ''Sequester Replacement Reconciliation Act of 2012.'' While my Democratic colleagues and I are working to stimulate the economy and create jobs, protect and extend health care coverage, and promote affordable, high-quality education for all Americans, Tea Party Republicans have launched a radical, ideological, and partisan attack on American families. The ''Sequester Replacement Reconciliation Act'' is yet another misguided attempt to eliminate critical support for middle-class Americans, seniors, veterans, and children in favor of Bush Administration policies that caused the recent economic recession. It is utterly and truly irresponsible to balance the budget on the backs of our seniors, veterans, children, and families.

This bill is a joke. The Tea Party Republicans have proposed to reduce the deficit by slashing more than $300 billion dollars from programs on which millions of ordinary Americans rely. For example, this bill cuts over $33 billion dollars in funding for nutrition programs that help millions of hard-working Americans feed their families. I am appalled that my colleagues across the aisle are more concerned with cutting taxes for millionaires and billionaires than supporting programs which ensure that our nation's children have enough to eat.

In addition, this extreme, hyper-partisan bill would eliminate the Social Services Block Grant program. This vital program provides much needed social services—including daycare and protective services, foster care and adoption services, and transportation and meals for elderly and disabled individuals—to roughly 23 million of the most vulnerable Americans. If that was not enough, this irresponsible piece of legislation would also slash funding for Medicaid, cut pension contributions for federal workers, and eliminate funding for the Consumer Financial Protection Bureau—an office established to protect consumers engaged in financial transactions.

Our nation's seniors, veterans, children, and families should not be forced to bear the burden of fiscal austerity measures while millionaires and billionaires are not asked to pay their fair share in taxes. I urge my colleagues to stand together in opposition to yet another right-wing attack on programs that have a significant impact on the residents of my district and millions of ordinary Americans. I remain committed to working with my colleagues to fight against fundamentally flawed bills like the ''Sequester Replacement Reconciliation Act of 2012,'' and to support a budget proposal that creates jobs, expands health care coverage, and promotes access to affordable education.

Mrs. MALONEY. Mr. Speaker, once again, the Republican majority is proposing legislation that puts Americans directly on the Road to Austerity. Similar to the Ryan Budget, the Sequester Replacement Reconciliation Act is noteworthy for the harsh austerity it demands of the many and the lavish benefits it extends to the few.

Instead of closing tax loopholes or asking millionaires to contribute to deficit reduction, this bill focuses only on cutting spending while hurting millions of Americans.

This bill puts the burden of deficit reduction squarely on the backs of seniors, the middle class, and the most vulnerable among us:

It slashes food stamps by $33.2 billion at a time when families can least afford it; permanently eliminates the Social Services Block Grant program which provides assistance for nearly 23 million Americans including 4.4 million children and 1.7 million older Americans who receive ''Meals on Wheels''; cuts investments to women's health by eliminating the Prevention and Public Health Fund which promotes maternal and child health; and politicizes the funding process for the Consumer Financial Protection Bureau which was created by the Dodd-Frank law to deal with banks that are ''too big to fail.''

Mr. Speaker, Democrats agree that we need deficit reduction, but demand that we do it in a balanced and fair way. The proposal before us shreds the social safety net that protects millions of hardworking families in an effort to protect defense cuts under sequestration and makes billions of dollars in cuts beyond what was agreed to under the Budget Control Act for FY13.

This bill is another example of a partisan bill that has no chance of going anywhere but that sends a message to all Americans: You are on your own. From Medicare to child protective services, to respite care for disabled individuals, the Republican majority is cutting your services while handing a neatly wrapped gift to our Nation's millionaires.

I strongly urge a ''no'' vote.

Mr. SCHOCK. Mr. Speaker, the recent vote in support of the H.R. 5652—Sequester Replacement Reconciliation Act was a necessary vote to deliver on our promise to bring an end to the fiscal nightmare in Washington. We promised to restore a better future for of children and grandchildren and the action we recently took delivers on that promise.

Section 204 of H.R. 5652 reversed two Medicaid provisions affecting the U.S. territories—increases in both the federal match rate and the cap on federal Medicaid spending—created in Obamacare. While I fully support a repeal of Obamacare, I also understand the rationale for these provisions addressed a disparity in the treatment of U.S. territories

under Medicaid going back decades. Prior to the changes, Puerto Rico paid 80 percent of its share of Medicaid, even though it has a population of almost 4 million and a poverty level percentage similar to the state of Mississippi. Unlike the 50 states, where no U.S. state pays more than 50 percent of its share, the territories operate under a different reimbursement formula. The adjustment in the Medicaid payments to territories helped to close this gap.

It is imperative for Members to recognize the importance of increased Medicaid funding to the territories, especially given the deep respect we share for our fellow U.S. citizens. I urge my colleagues to ensure equitable Medicaid funding to the territories as we move forward during this necessary budgetary negotiations.

Mr. RYAN of Wisconson. Mr. Speaker, on behalf of myself and Chairmen LUNGREN and ISSA, I would like to submit the following letters regarding H.R. 5652, the Sequester Replacement Reconciliation Act of 2012.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, May 8, 2012.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, Washington, DC.

DEAR CHAIRMEN ISSA AND RYAN: I am writing to you concerning the jurisdictional interest of the Committee on House Administration on the Committee on Oversight and Government Reform's April 26, 2012, amendments to title 5, United States Code, to comply with the reconciliation directive included in section 201 of the Concurrent Resolution on the Budget for Fiscal Year 2013, H. Con. Res. 112. These amendments to title 5 contain provisions that fall within the jurisdictional of the Committee on House Administration.

I recognize the dictates of the budget reconciliation process require these amendments be brought before the House of Representatives in an expeditious manner, and accordingly, I waive the Committee's consideration of the amendments to title 5, United States Code. However, agreeing to waive jurisdiction over these amendments should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on House Administration.

I ask that a copy of your letters of May 3, 2012 and this response be included in the Committee on Oversight and Government Reform's transmittals to the Committee on Budget and also be placed in the Congressional Record during any floor consideration of these amendments.

I look forward to working with you on matters of mutual concern.

Sincerely,

DANIEL E. LUNGREN,
Chairman, Committee on House Administration.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 3, 2012.

Hon. DANIEL E. LUNGREN,
Chairman, Committee on House Administration, Washington, DC.

DEAR CHAIRMAN LUNGREN: I write to you concerning your Committee's jurisdictional interest in the Committee on Oversight and Government Reform's April 26, 2012, amendments to title 5, United States Code, to comply with the reconciliation directive included in section 201 of the Concurrent Resolution on the Budget for Fiscal Year 2013, H. Con. Res. 112.

I appreciate your willingness to support expediting the budget reconciliation process. I acknowledge that the amendments contain provisions under the jurisdiction of the Committee on House Administration, and agree that your willingness to waive further consideration of these amendments is without prejudice to your Committee's jurisdictional interest in this or similar legislation in the future.

I will include a copy of this letter and any response in Oversight and Government Reform's transmittals to the Committee on Budget and request this letter and any response be placed in the Congressional Record during floor consideration of these amendments. Thank you for your cooperation as we work towards the resolution of the budget reconciliation process.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 10, 2012.

Hon. DANIEL E. LUNGREN,
Chairman, Committee on House Administration, Washington, DC.

DEAR MR. CHAIRMAN: I write to you regarding your Committee's jurisdictional interest in H.R. 4966, the Sequester Replacement Act of 2012. The bill, as reported from the Committee on the Budget on May 7, 2012, contains provisions that fall within the jurisdiction of the Committee on House Administration.

I appreciate your willingness to support expediting floor consideration of this important legislation. I acknowledge that H.R. 4966 contains provisions under the jurisdiction of the Committee on House Administration, and understand and agree that your willingness to waive further consideration of the bill is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support a request from your Committee for an appropriate number of conferees.

I will include a copy of this letter and your letter of May 8, 2012, which discussed this matter, in the Congressional Record during any floor consideration of H.R. 4966. Thank you for your cooperation as we work towards enactment of this legislation.

Sincerely,

PAUL RYAN,
Chairman, Committee on the Budget.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, May 8, 2012.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, Washington, DC.

DEAR CHAIRMAN RYAN: I write to you concerning the jurisdictional interest of the Committee on House Administration in H.R. 4966, the Sequester Replacement Act of 2012. The bill, as reported from the Committee on the Budget on May 7, 2012, contains provisions that fall within the jurisdiction of the Committee on House Administration.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, I will waive Committee consideration of provisions that fall within the Committee's jurisdiction. However, agreeing to waive jurisdiction over these amendments should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on House Administration.

Additionally, the Committee on House Administration expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 4966 for provisions within the Committee's jurisdiction.

I ask that a copy of this letter and your response be placed in the Congressional Record during any floor consideration of H.R. 4966.

I look forward to working with you on matters of mutual concern.

SincereIy,

DANIEL E. LUNGREN,
Chairman, Committee on House Administration.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 10, 2012.

Hon. DANIEL E. LUNGREN,
Chairman, Committee on House Administration, Washington, DC.

DEAR CHAIRMAN LUNGREN: I write to you concerning your Committee's jurisdictional interest in the Committee on Oversight and Government Reform's April 26, 2012, amendments to title 5, United States Code, to comply with the reconciliation directive included in section 201 of the Concurrent Resolution on the Budget for Fiscal Year 2013, H. Con. Res. 112.

I appreciate your willingness to support expediting the budget reconciliation process. I acknowledge that the amendments contain provisions under the jurisdiction of the Committee on House Administration, and understand and agree that your willingness to waive further consideration of these amendments is without prejudice to your Committee's jurisdictional interest in this or similar legislation in the future.

I will include a copy of this letter, Oversight and Government Reform's transmittals to the Committee on the Budget, and any response from the Committee on House Administration in the Congressional Record during any floor consideration of these amendments. Thank you for your cooperation as we work towards the completion of the budget reconciliation process.

Sincerely,

PAUL RYAN,
Chairman, Committee on the Budget.

The SPEAKER pro tempore. Pursuant to House Resolution 648, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LOEBSACK. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LOEBSACK. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Loebsack moves to recommit the bill H.R. 5652 to the Committee on the Budget with instructions to report the same back to the House forthwith with the following amendment:

At the end of title V, add the following:

SEC. 504. PROHIBITION ON TAXPAYER-FUNDED PENSIONS FOR MEMBERS OF CONGRESS WHO BECOME HIGHLY-PAID LOBBYISTS.

(a) IN GENERAL.—Any former Member of Congress who is registered as a lobbyist, and whose annual income from lobbying activities exceeds $1,000,000, shall not be eligible to receive benefits under either the Civil Service Retirement System or the Federal Employees' Retirement System for the period of time during which such former Member is employed as such a lobbyist and receiving from lobbying activities an annual income that exceeds $1,000,000.

(b) DEFINITION.—For purposes of this section, the term ''former Member of Congress'' means an individual who becomes a former Member of Congress after the date of the enactment of this Act.

SEC. 505. ENSURING THAT MEMBERS OF CONGRESS PAY THEIR FAIR SHARE FOR RETIREMENT BENEFITS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8334(c) of title 5, United States Code, is amended—

(A) by striking ''(c) Each'' and inserting ''(c)(1) Each''; and

(B) by adding at the end the following:

''(2) Notwithstanding any other provision of this subsection, the applicable percentage of basic pay under this subsection shall, for purposes of computing an amount with respect to a Member for Member service—

''(A) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

''(B) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under subparagraph (A) or this subparagraph, as the case may be), plus an additional 1.5 percentage points; and

''(C) for a period in any calendar year after 2017, be equal to the applicable percent age under this subsection for calendar year 2017 (as determined under subparagraph (B)).''.

(2) GOVERNMENT CONTRIBUTIONS.—Section 8334(a)(1)(B) of title 5, United States Code, is amended—

(A) in clause (i), by striking ''Except as provided in clause (ii),'' and inserting ''Except as provided in clause (ii) or (iii),''; and

(B) by adding at the end the following:

''(iii) In the case of a Member, the amount to be contributed under clause (i) shall, with respect to a period in any year beginning after December 31, 2012, be equal to—

''(I) the amount which would otherwise apply under clause (i) with respect to such period, reduced by

''(II) the amount by which, with respect to such period, the withholding under subparagraph (A) exceeds the amount which would otherwise have been withheld from the basic pay of the Member involved under subparagraph (A) based on the percentage applicable under subsection (c) for calendar year 2012.''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8422(a)(3) of title 5, United States Code, is amended—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) by inserting after subparagraph (A) the following:

''(B) Notwithstanding any other provision of this paragraph, the applicable percentage under this subsection shall, for purposes of computing an amount with respect to a Member (other than an individual who is a revised annuity employee by virtue of becoming a Member after December 31, 2012)—

''(i) for a period in calendar year 2013, be equal to the applicable percentage under this paragraph for calendar year 2012, plus an additional 2.5 percentage points;

''(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under clause (i) or this clause, as the case maybe), plus an additional 1.5 percentage points; and

''(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under clause (ii)).''; and

(C) in subparagraph (C) (as so redesignated by subparagraph (A)), in the line relating to a Member, by striking ''9.3'' and inserting ''12''.

(2) GOVERNMENT CONTRIBUTIONS.—Section 8423(a)(2) of title 5, United States Code, is amended—

(A) by striking ''(2)'' and inserting ''(2)(A)''; and

(B) by adding at the end the following:

''(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2012, the normal-cost percentage under this subsection for Members shall be determined and applied as if section 505(b)(1)(B) of the Sequester Replacement Reconciliation Act of 2012 had not been enacted.

''(ii) Any contributions under this subsection with respect to Members in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

''(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.''.

SEC. 506. ANNUITY SUPPLEMENT TERMINATION APPLICABLE TO MEMBERS OF CONGRESS ONLY.

Section 8421(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)'';

(2) in paragraph (2), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)''; and

(3) by adding at the end the following:

''(4) No annuity supplement under this section shall be payable in the case of any individual who, after December 31, 2012, first becomes subject to this chapter by virtue of being a Member.''.

SEC. 507. EXCLUSION OF MEMBERS OF CONGRESS FROM PROVISIONS ALLOWING CONTRIBUTIONS TO THRIFT SAVINGS FUND OF PAYMENTS FOR ACCRUED OR ACCUMULATED LEAVE.

Notwithstanding any other provision of this title, nothing in section 503 or any amendment made by section 503 shall apply with respect to a Member (within the meaning of section 8331 or 8401 of title 5, United States Code).

Mr. LOEBSACK (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

Mr. RYAN of Wisconsin. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

Mr. RYAN of Wisconsin (during the reading). Mr. Speaker, I ask unanimous consent that further reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa is recognized for 5 minutes in support of his motion.

PARLIAMENTARY INQUIRY

Mr. LOEBSACK. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the inquiry.

Mr. LOEBSACK. Mr. Speaker, is it not the case that if my final amendment is adopted, the underlying bill is amended and we immediately vote on final passage of the bill, as amended?

The SPEAKER pro tempore. If a motion to recommit with forthwith instructions is adopted, the amendment is reported by the chair of the committee and is immediately before the House.

Mr. LOEBSACK. Thank you, Mr. Speaker.

Mr. Speaker, while I oppose the underlying bill, I am offering this amendment to prohibit former Members of Congress who cash in to become million-dollar lobbyists from collecting their pensions. My amendment also stops Members of Congress from getting a better deal than everyone else by asking them to contribute the same amount to their pensions as other Federal employees.

We all know that Americans' faith in their government has been severely damaged. If Congress does not take action to stop the revolving door between Capitol Hill and Washington lobby firms, there is little chance that that faith can be restored. It is time we take action and put a stop to these practices.

Members of Congress who choose to take this route, especially those making exorbitant salaries as millionaire lobbyists, should forego their pensions. It's that simple. It is patently ridiculous that these Members are finding a way to have their cake and eat it, too. It is just another example of special Washington privileges for out-of-touch elites, privileges that I have promised not to take and that should be ended.

I have vowed never to use my public service for personal gain to become a lobbyist. I first ran for office because, having grown up in poverty, I know that Iowa families need a strong voice

and an advocate who will ensure that their voices are heard over the voices of the special interests who dominate Washington.

I came here for one reason: to serve the people of Iowa. I go back to Iowa every weekend and visit with my constituents so that I know what's on their minds and what they want to happen here in Washington.

Sadly, some people come to Washington to cash in, and I think we can all agree that this is unacceptable. I believe that former Members of Congress who become millionaire lobbyists should never be able to collect their pensions. It's that simple.

My final amendment would make sure that millionaire lobbyists aren't using their status as former Members to line their pockets at the expense of middle class Americans.

In these tough economic times, we have had to make difficult choices in order to improve our Nation's fiscal status. While I might not like all the cuts that have been made or are being proposed, I know that we need to be on better footing if our economy is to recover.

□ 1340

The unemployment rate remains far too high, and we need to get the economy moving again and get people back to work. Americans need jobs. That is my number one priority here in Congress, and it is something I think about each and every day.

With all of the sacrifices that Iowa families are making as a result of the economic downturn and as a result of all of the cuts that are affecting their communities, Members of Congress also need to find ways to tighten their belts. Maintaining special benefits for Members of Congress at a time like this is both intolerable and inexplicable. That is why my final amendment would also increase the contributions that Members of Congress make to their pensions by the same amount that the underlying bill increases them for Federal employees.

This is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill, as amended, would be immediately voted upon. I urge my colleagues on both sides of the aisle to join me in putting the interests of the American people before those of the lobbyists and special interest groups by supporting my amendment.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. RYAN of Wisconsin. Mr. Speaker, I appreciate the gentleman for bringing this to our attention. We just received the legislation about 3 or 4 minutes ago, and there are a couple of observations I want to make.

Number one, I think this is an intriguing policy with respect to denying pensions to the Members who become lobbyists. I think the gentleman should introduce legislation and send it to committee, like the legislation should be passed, and we should give it proper review instead of springing it at the last minute.

The second point I would make is on an area where we completely agree, which is that Members of Congress should bear an even higher burden than we're asking of other Federal employees. This bill does that. The underlying bill does that. The underlying bill says:

In addition to Federal employees going from paying .8 percent to their pensions, they go to 5.8 percent from their paychecks to contribute to their pensions so that they pay half of their pension benefits as is required through most private sector arrangements. Members of Congress will pay 9.8 percent to their pensions under this bill. This bill has an 8.5 percent pay cut to Members of Congress, and it only has a 5 percent pay cut to all other Federal employees.

So we are already incorporating the idea, which we agree with. Members of Congress, in order to exercise moral authority, are the ones who should take the biggest pay cuts and have the biggest pension contributions relative to anybody else. That's why we have it in this bill already. While I understand the gentleman's interest—I appreciate it—it is something that we are already accommodating in this bill. As a result, I would urge a ''no'' vote.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LOEBSACK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 170, nays 232, answered ''present'' 11, not voting 18, as follows:

[Roll No. 246]

YEAS—170

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Frank (MA)
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Israel
Jackson Lee (TX)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—232

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
DeGette
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (TN)
Ellison
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.

Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

ANSWERED ''PRESENT''—11

Brown (FL)
Clarke (NY)
Cleaver
Fudge
Hoyer
Jackson (IL)
Rohrabacher
Rush
Sensenbrenner
Watt
Waxman

NOT VOTING—18

Berman
Broun (GA)
Burgess
Donnelly (IN)
Duncan (SC)
Filner
Flores
Heinrich
Johnson (GA)
Mack
Meeks
Napolitano
Noem
Paul
Paulsen
Sires
Slaughter
Stutzman

□ 1406

Messrs. GUTHRIE, HUNTER, BENISHEK, KINZINGER of Illinois, HALL, WOODALL, and LAMBORN changed their vote from ''yea'' to ''nay.''

Mr. SCHRADER, Ms. BERKLEY, Ms. TSONGAS, Mr. NEAL, Ms. HOCHUL, Messrs. CARSON of Indiana, RICHMOND, and Mrs. DAVIS of California changed their vote from ''nay'' to ''yea.''

Messrs. CLEAVER, JACKSON of Illinois, RUSH, and Ms. BROWN of Florida changed their vote from ''yea'' to ''present.''

Ms. FUDGE, Messrs. WATT, ROHRABACHER, and WAXMAN changed their vote from ''nay'' to ''present.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 246, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, May 10th, 2012, I was absent during rollcall vote No. 246 in order to attend my grandson's graduation. Had I been present, I would have voted ''yea'' on the Motion to Recommit with Instructions H.R. 5652, To provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. VAN HOLLEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 199, answered ''present'' 1, not voting 13, as follows:

[Roll No. 247]

AYES—218

Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Barletta
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—199

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gohmert
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Labrador
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Woolsey
Yarmuth

ANSWERED ''PRESENT''—1

Sensenbrenner

NOT VOTING—13

Berman
Burgess
Donnelly (IN)
Filner
Heinrich
Mack
McIntyre
Napolitano
Noem
Paul
Paulsen
Slaughter
Stutzman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1415

Mr. RUSH changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 247, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, May 10, 2012, I was absent during rollcall vote No. 247 in order to attend my grandson's graduation. Had I been present, I would have voted "no" on final passage of H.R. 5652, To provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The SPEAKER pro tempore (Mr. WEST). Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. NADLER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. NADLER. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Nadler moves to recommit the bill H.R. 5326 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 17, line 6, after the dollar amount, insert ''(reduced by $1,500,000)''.

Page 21, line 23, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 37, line 23, after the dollar amount, insert ''(increased by $20,500,000)''.

Page 38, line 18, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 39, line 11, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 39, line 17, after the dollar amount, insert ''(increased by $4,500,000)''.

Page 39, line 20, after the dollar amount, insert ''(increased by $500,000)''.

Page 40, line 5, after the dollar amount, insert ''(increased by $2,500,000)''.

Page 40, line 8, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 65, line 1, after the dollar amount, insert ''(reduced by $9,000,000)''.

Page 70, line 6, after the first dollar amount, insert ''(reduced by $7,000,000)''.

Mr. NADLER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

PARLIAMENTARY INQUIRY

Mr. NADLER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. NADLER. Mr. Speaker, if the final amendment I am offering were to be adopted, is it not the case that the bill will be amended and that the House will then proceed to final passage right away?

The SPEAKER pro tempore. As the Chair stated earlier today, if a motion to recommit with forthwith instructions is adopted, the amendment is reported by the chair of the committee and is immediately before the House.

Mr. NADLER. Thank you, Mr. Speaker.

Mr. Speaker, whether it is an attempt to deny women reproductive or other health services, or a refusal to support efforts to achieve equal pay for equal work, many women in America today feel under siege. Indeed, many women across the country feel a war is being waged upon them by policymakers.

Today, with this final amendment to the CJS Appropriations bill, Members of the House will have a chance to say where they stand.

□ 1420

This is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill, as amended, will proceed to final passage.

This amendment would increase, by $20 million, money spent on grants under the Violence Against Women Act, or VAWA.

Passed in 1994, VAWA is a landmark piece of legislation that has helped an incalculable number of women and families avoid or recover from crimes of violence. Grant programs under VAWA target domestic violence, dating violence, stalking, sexual assault, and rape. These are crimes many women know all too well.

Indeed, violence against women remains a pervasive problem and a national tragedy. In 2008, about 1.8 million women over the age of 12 were subjected to a crime of violence. In that same year, almost 3,000 women were murdered, many by someone close to them. Every year, 1.3 million women over the age of 18 are assaulted by intimate partners. We need to do more to stop this epidemic; we need to do more for America's women.

I want to acknowledge what I expect the opponents of this motion may say—that funding for the VAWA grant programs in the underlying bill is a few million dollars above last year's level and above the President's request. I would point out, as a response, that the money in this bill is hundreds of millions of dollars below the last authorized amount and $15 million below the appropriation for fiscal year 2010. Additionally, this is not the last stop for this bill. When we conference with the Senate, which has a higher total funding level for CJS, we should have the highest possible funding level for VAWA from which to negotiate.

The amendment offsets the $20 million increase for VAWA by cuts to administrative accounts. We have heard from our colleagues of the need to cut government spending, to cut administrative expenses, to prevent the types of excesses we have seen recently in the GSA and other agencies with Las Vegas conference extravaganzas. Well, now is our chance to put our money where our mouth is and shift funding from these types of administrative expenses to preventing violence against women.

This is a question of values and priorities. What kind of message do we want to send to women across the country? Do we want GSA-style wild party, extravagant conferences or do we want to safeguard the lives of women? Do we value women's safety? Are we willing to make sure that we have the resources needed?

I ask all Members today: Stand up for your mothers; stand up for your wives; stand up for your daughters and for women everywhere. Stop the violence. Pass this motion to recommit.

I now yield to the sponsor of a truly meaningful bill to reauthorize VAWA based on bipartisan legislation which has already passed the Senate and a former victim of domestic violence herself, the gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, I ask my colleagues to please see this request through the eyes of a child who was assaulted by a family member and comes forward at school to confide in a beloved teacher; the woman in an isolated rural area, where local law enforcement is under-resourced and transportation or legal services may be lacking or nonexistent; the women on college campuses, where rates of intimate partner violence are among the highest. Please, Mr. Speaker, see this through the eyes of victims with disabilities who are at high risk of abuse and are often dependent on their abusers for care.

In short, this VAWA funding means that a woman—and even men—who have been victimized can step out of the shadows away from their abusers and get access to counseling, legal services, or other services. And, Mr. Speaker, every single day, for three women, this VAWA funding is the difference between life and death.

It is so true that the CJS legislation before us has provided the requested level of support for victims and their families; but it's been chronically underfunded since the day they opened their doors, and there are thousands of men, women, and children who are not being served.

Please, this is an opportunity to provide a small increase to fill the gap between available resources and the desperate need to serve folks. We must commit adequate resources toward these effective, lifesaving programs. And, Mr. Speaker, we must do it now.

I ask my colleagues to vote for this motion to recommit.

Mr. NADLER. Mr. Speaker, to summarize, we can devote $20 million to Las Vegas-style conferences and administrative expenses or to services to prevent violence against women. That's the choice. Vote ''yes'' on the motion to recommit.

I yield back the balance of my time.

Mr. WOLF. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. You know, Mr. NADLER, you could have offered an amendment last night. We had a whole total open process. And Mr. RUNYAN—where is Mr. RUNYAN?—Mr. RUNYAN added money to this project, to Violence Against Women.

Secondly, this is a bipartisan bill. There's been no political shenanigans at all. And let me tell you something—I wasn't going to mention it; we didn't make it a big deal—this bill has $420 million. We're $7.5 million above the current fiscal year for this issue. Also, we're $7.5 million above President Obama's request for Violence Against Women. We're above it. And then with Mr. RUNYAN, we are even higher above it.

Also, this administration has not been good on sexual trafficking. We have language in this bill to direct the Attorney General to have a task force at every U.S. attorney's office for sexual trafficking. We are above the administration on sexual trafficking. So, I mean, it is kind of political. We are above the administration, and we have a task force on this issue. And so I could go on and on and on.

But last night, we had a whole, totally open, and we accepted a number of amendments. You could have come down here up to midnight last night.

There is no disagreement about the importance of these programs and need to stop it. It is very important. This is a good bill, a solid bill, bipartisan support. Members on both sides of the aisle had ample opportunity to have their amendments considered. In fact, on floor consideration, 63 amendments were offered and 36 were adopted.

We were above the President's request on Violence Against Women. We were above the President's request on the issue of sexual trafficking. Also, and I know some of you were concerned about it, the NICS background check, we were above the administration on that, and also have language directing the Attorney General to deal with that NICS issue. The Brady Commission, the Brady people support it, and the NRA supports it. So on all of those issues, we were above the administration.

I yield to the gentlewoman from Florida.

Mrs. ADAMS. I thank you, and I would again ask my colleagues on the other side of the aisle to quit making politics with an issue so near and dear to all of us.

We are above what the President put in. Just like the chairman said, we have constantly been above what the President has asked for. And you, as well as I, know that this has become a political issue when it should never have been a political issue. We can no longer allow politics to take control over good policy. We can no longer allow misrepresentation about amounts and this and that over good policy.

We have a bill coming to the floor. We know that we need to address this issue, and it has been addressed even more than the administration has asked for. So with that, I would ask that you do not—do not—approve this motion to recommit.

Mr. WOLF. Mr. Speaker, I think we have actually said enough. I think it is a good bill. I want to thank again Mr. FATTAH and all the Members on both sides of the aisle. It was a good, bipartisan bill. I urge rejection of the amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. NADLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 181, nays 233, not voting 17, as follows:

[Roll No. 248]

YEAS—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—233

Adams
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul

McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—17

Aderholt
Berman
Burgess
Cardoza
Donnelly (IN)
Filner
Heinrich
Mack
Markey
McIntyre
Napolitano
Noem
Paul
Paulsen
Royce
Slaughter
Stutzman

□ 1445

Ms. WASSERMAN SCHULTZ changed her vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 248, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

Mr. LUJÁN. Mr. Speaker, during rollcall vote No. 248 on H.R. 5326, I mistakenly recorded my vote as ''nay'' when I should have voted ''yea.''

Mr. MARKEY. Mr. Speaker, on rollcall No. 248, I was unavoidably detained, but had I voted I would have voted ''yea.''

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, May 10th, 2012, I was absent during rollcall vote No. 248 in order to attend my grandson's graduation. Had I been present, I would have voted ''yea'' on the Motion to Recommit with Instructions H.R. 5326, Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 247, nays 163, not voting 21, as follows:

[Roll No. 249]

YEAS—247

Ackerman
Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Calvert
Camp
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—163

Altmire
Amash
Andrews
Baldwin
Bass (CA)
Becerra
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Butterfield
Campbell
Capps
Capuano
Carnahan
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Flake
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—21

Baca
Barton (TX)
Berman
Burgess
Burton (IN)
Cardoza
Carson (IN)
Cooper
Costello
Donnelly (IN)
Filner
Gallegly
Heinrich
Mack
McIntyre
Napolitano
Noem
Paul
Paulsen
Slaughter
Stutzman

□ 1451

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 249, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''nay.''

Mr. COOPER. Mr. Speaker, I was unable to be present for rollcall vote No. 249 today. Had I been present, I would have voted ''nay.''

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, May 10th, 2012, I was absent during rollcall vote No. 249 in order to attend my grandson's graduation. Had I been present, I would have voted ''nay'' on final passage of H.R. 5326, Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 244, 245, 246, 247, 248, and 249. Had I been present, I would have voted ''aye'' on rollcall vote Nos. 246 and 248. Had I been present, I would have voted ''no'' on rollcall vote Nos. 244, 245, 247 and 249.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4004

Mr. COLE. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 4004.

The SPEAKER pro tempore (Mr. SOUTHERLAND). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I am pleased to yield to my friend, the majority leader, Mr. CANTOR, for the purpose of inquiring as to the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House is not in session. On Tuesday, the House will meet at noon for morning-hour and at 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and at noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of bills under suspension of the rules, a complete list of which will be announced by the close of business tomorrow. Among next week's suspensions will be H.R. 365, the National Blue Alert Act, sponsored by Congressman MICHAEL GRIMM, which will coincide with National Police Week and will help deter the threat of violence against our Nation's law enforcement officers.

In addition, the House will consider two important bills under a rule. The first is H.R. 4970, the Violence Against Women Act reauthorization, sponsored by Congresswoman SANDY ADAMS, herself a former sheriff. Our second rule bill, which will take up the remainder of the week, is H.R. 4310, the National Defense Authorization Act, sponsored by Chairman BUCK MCKEON. This bipartisan bill provides for the funding of our armed services prior to Memorial Day, as is the House's appropriate custom.

Mr. HOYER. I thank the gentleman for his information.

On the Violence Against Women Act, a very important piece of legislation which we have reauthorized in the past in a bipartisan fashion, it is under a rule. Does the gentleman know whether it will be an open rule or whether there will be, perhaps, a modified open rule with amendments being printed? Will the gentleman tell us? I have a lot of folks on my side of the aisle who are very interested in dealing with certain portions of that bill, and they'd be interested to know whether or not they will be able to offer amendments.

Mr. CANTOR. I will just tell the gentleman, as he knows, the Rules Committee is the one to decide the process by which bills come to the floor and the rules for those bills; and the Rules Committee will be meeting on Tuesday.

Mr. HOYER. I would tell the majority leader, for the purposes of his planning and anticipation, as he may well know, the bill that has been reported out of the Judiciary Committee is controversial. There was a bill that passed through the other Chamber, which passed overwhelmingly—more than 2–1—and it is not like this bill.

□ 1500

There are Members that would like to incorporate the Senate's provisions in the House bill, and I know we would appreciate it if we would be given that opportunity to offer that on the floor as an alternative. If the gentleman would take that into consideration, perhaps talk to Mr. DREIER about making such amendments in order, we would very much appreciate that. Of course we would also appreciate, perhaps, if you wanted to take up the Senate bill as a substitute. We think we would have overwhelming votes for that on this side of the aisle. In light of the fact that you and I have been working in such a bipartisan fashion lately, perhaps that would be a good way to continue that process.

I yield to my friend.

Mr. CANTOR. It has certainly been an improved sense of cooperation, and I appreciate that on the gentleman's part in trying to deliver results and trying to make sure we get America back to work.

I would say to the gentleman, as he rightly noted, that this bill has traditionally been reauthorized. The approach that we tried to focus on was to do what it is that the gentleman and I have been trying to do the last couple of weeks, and that is to separate out things that divide us and try to unite us around the central focus of a particular piece of legislation.

VAWA is a program that calls for the commitment of taxpayer dollars to fund the appropriate services for abused women. This is a bill that is much needed, and it is one that I think deserves our bipartisan support. We tried to stay away from issues that divide us, and we tried to listen to the GAO in terms of its recommendations under this program to make sure that taxpayer dollars are spent at their most efficient levels so that we can get more out of the dollars being spent. That is the spirit with which we will bring this bill to the floor.

Again, I know it's an important bill. We all care deeply about making sure that abused women receive the necessary services that they need.

Mr. HOYER. I thank the gentleman for his observations, and clearly he and I agree on the importance of this piece of legislation.

Certainly we're concerned about violence perpetrated against all women who happen to be in this country and subject to violent acts by others. So we want to make sure that we can, in fact, protect all women who are subject to abuse. Hopefully we can pursue that objective.

Mr. Leader, the appropriation bill we just passed was somewhat more controversial than I had hoped it would have been, in part because of the riders that were adopted to that bill, which were strongly opposed by many on this side of the aisle, and in part because we do not believe it complied with the agreement that we reached with reference to funding levels.

There are now 11 more appropriation bills to go. Can the gentleman tell me the next appropriation bill that he expects to have on the floor?

Mr. CANTOR. I would say to the gentleman that we are looking to accommodate the needs of the committee as they move forward and with their bills and their agenda. It is our intention to continue with the kind of debate that we had on the CJS bill this week.

As you know, it's been some time since this House was able to see an appropriations process work in a very open fashion like we had this week. We intend to continue to do that with the bills. It's the Speaker's commitment that this be an open process and that Members have a right to air their views, and that those issues and amendments can come to a vote.

I say to the gentleman that we look forward to working with him and looking to the committee to bring forward the bill that they think is ready next to be brought to the floor.

Mr. HOYER. I thank the gentleman for that information.

As I said, one concern we had on our side of the aisle was the riders, many of which we thought were inappropriate. They were adopted, but we did not favor them. The second was, of course, the level of funding. The Appropriations Committee clearly articulated very early in this process they thought the monies available to them under the Ryan constrictions on 302(a) were too low to meet some of the commitments that they had.

First of all, pursuant to what he says the Speaker wants to do and he wants to do, and I think we ought to do—we didn't always get that done lamentably—does the gentleman believe that we're going to have the time to bring each one of the appropriation bills to the floor between now and the August break so that the Senate might consider them and we might consider them individually, as opposed to in some omnibus piece of legislation?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, all I would say to the gentleman is it is certainly the intention and the commitment we have to bring these bills forward for an open and fair debate.

I know the gentleman has expressed now twice the fact that his side didn't like some of the votes that occurred on the specific provisions of some bills. This is a democratic process, as he knows. Twenty-three Members on his side of the bill ended up supporting the CJS bill. Again, this is the House's will at work, and we hope to be able to work with him in this very new environment in which we're operating on appropriations bills.

The commitment that we have is still that we want to bring these bills forward under a very challenging fiscal time in our country and do so without earmarks. This does represent a new construct within which we are operating. Again, we look forward to the gentleman's participation towards that end in a successful way.

Mr. HOYER. I thank the gentleman for his comments.

I want to make it clear that clearly I understand it is the democratic process that riders are offered and the House does its will. There it is. The gentleman is absolutely correct, that's the process.

But I want to emphasize that we still have great concerns about the agreement that we reached not being carried out pursuant to what we believed the agreement was in terms of funding levels and 302(a) allocations; that is, the general allocation to the Appropriation Committee. I know the gentleman knows that we have that concern. I know the gentleman has also made the observation that that was a cap and not an agreed number. I will tell my friend again—I think I said this a couple of weeks ago—that undermines our willingness to make agreements if what we make an agreement on is the most that you'll do, but then come in at levels substantially below that which we think we agreed to, and in fact is in the law.

I want to make it clear that was my major concern and continues to be my major concern. I understand, as all of us do on this floor, that the majority will rule on the amendments, and what amendments are adopted are adopted. There were a lot of them on the floor, as you know better than I, because there were a lot from your side, and that's appropriate.

Let me ask you about the transportation conference, Mr. Leader. We are very concerned about this. We think this is a jobs bill. We think it's an important bill. This bill, as you know, was adopted overwhelmingly by some 74 Senators. Half of the Republican Conference in the Senate is voting for the transportation bill. We're in conference now. We've been in conference for some time. Can the gentleman tell me what he thinks the status of the conference is and when we might adopt this bill? Obviously, we have it extended until the end of June, but we must act before then. Can the gentleman tell me the status of the conference?

Mr. CANTOR. As the gentleman rightly suggests, we are in conference with the Senate. Deliberations are ongoing. We are very mindful, as he indicates, of the expiration of the existing authorization of the program at the end of June, knowing that is our deadline.

Mr. HOYER. I thank the gentleman.

I want to say as we close this colloquy—which some people will say was one of our more tame colloquies—perhaps that's appropriate. On a week that we did have an opportunity to come together, I want to thank the gentleman. I want to again say that Neil Bradley did an excellent job working with John Hughes and my staff and the Financial Services staff of Mr. FRANK, Mrs. MCCARTHY, Mr. MILLER's staff, and the Senate.

□ 1510

I think we've done what we ought to do more of. And we passed a bill which, as you know, my party supported unanimously because we believe it does, in fact, make us more competitive in the international marketplace and will help keep and grow jobs. So I want to thank the gentleman for his work on that and, again, thank Mr. Bradley and Mr. Hughes for their work on that. And hopefully the Senate will act on that with dispatch.

Mr. CANTOR. Mr. Speaker, I will join the gentleman in thanking both of our staffs. They did tremendous work, as well as Mr. MILLER on the Financial Services Committee and the staff there, Mr. BACHUS' staff. Your office can be instrumental, I think, in helping move the Senate along. But everyone from the chief of staff on down in your office—and we want to thank you as well for your team's commitment to working, again, in a very difficult equation where there were a lot of differences that we tried to work through but, in the end, didn't want to unilaterally disarm American business in the name of competitiveness in our country.

Mr. HOYER. I thank the gentleman for his remarks. I want to apologize to your chief of staff for not mentioning him.

I yield back the balance of my time.

HOUR OF MEETING ON TOMORROW

Mr. KING of Iowa. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow; and when the House adjourns on that day, it adjourn to meet at noon on Tuesday, May 15, 2012, for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RURAL POST OFFICES

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. Mr. Speaker, this week the postal service announced a new strategy to keep rural post offices open. My district in Arkansas could have lost as many as 100 post offices.

This new plan from the postal service is not perfect. The retail window at many post offices will have limited operating hours. However, access to the retail lobby and post office boxes will remain unchanged. More importantly, towns will keep their ZIP codes, and community identities will be preserved.

In November of 2011, I introduced H.R. 3370, Protecting Our Rural Post Offices Act, which prohibits the postal service from closing rural post offices that do not have an alternative office within 8 miles. Now that the postal service has announced plans to keep all post offices open, Congress can enact reforms that will ensure rural Americans no longer have to worry about access to mail services.

So many of the challenges we face in Washington are not Democrat versus Republican; rather, urban versus rural interests. In small communities across Arkansas and across the country, the post office represents the town identity and lets the world know the community exists. If post offices were to completely close and small communities no longer had their own ZIP codes, cities' identities would be lost. For my part, I will continue efforts to ensure rural Arkansas communities keep access to postal services.

HONORING OUR NATION'S MOTHERS

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise this afternoon to pay tribute to the Nation's mothers and to be able to wish them a wonderful and happy Mother's Day.

This morning I had the privilege of going to the women's war memorial at Arlington Cemetery to lay a wreath for our fallen women who fell in battle and in service to their Nation; many of them were mothers. I stand today to say to them, even in the loss of life, we thank you. We honor you.

I honor my mother, who lost her life in 2010, Ivaleta Jackson, along with my aunt, Valerie Bennett, along with my living aunt, Vickie Bennett, and as well Audrey Bennett and some of the mothers of my community: Ruby Mosley, Dany Simmons, Sylvia Gonzalez, Ester Campos. So many mothers who have served their communities. The late Beulah Shepard. So many of them.

But I want to say to the Nation's mothers that we have an obligation to ensure that your children are protected and that the lives of women are protected and that we recognize and respect all of the service, all of you that are stay-at-home mothers who take care of the children at home; those who work; those who work and have children. To those who do so many things, I am so honored to be able to say, you are, in fact, America's sheroes. We honor you this weekend. But, actually, as we're taught, we honor you every day of the year.

God bless you. God bless the United States of America.

VOTER PHOTO ID LAWS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, when people fraudulently vote, they infringe on the rights of lawful voters. One solution is to require valid photo IDs. The Supreme Court has upheld photo IDs to vote, but some object.

Attorney General Eric Holder is investigating Texas' photo voter ID laws even though such IDs will be free to those who need them. A person needs an ID to open a bank account, to use a credit card, to check into a hotel, to drive, to buy a lottery ticket, to buy alcohol, cash a check, board a plane, or even visit a public school. When Eric Holder spoke in Austin recently, it was reported that people had to present a valid photo ID to enter the building he was speaking in. Isn't that ironic.

A local D.C. paper printed an editorial claiming photo ID laws disenfranchised voters. But to enter the paper's facilities, a person must present a photo ID. Ironic again. It would seem the only ones who would be disenfranchised by voter photo ID laws would be unlawful voters.

And that's just the way it is.

HONORING STAFF SERGEANT TRAVIS MILLS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it's always my privilege and honor to address you here on the floor of the United States House of Representatives.

Today, I come before you with a humble heart and an appreciation for a young American whom I believe this Congress needs to honor. I will be reading into the RECORD a poem in honor of an American hero, Staff Sergeant Travis Mills, Bravo Troop 4, 73rd Cav, 82nd Airborne, United States Army, North Carolina.

Mr. Speaker, I rise today to honor this remarkable young man, Staff Sergeant Travis Mills. On April 10, 2012, while out on patrol with his troops in Mialand province, Afghanistan, Staff Sergeant Mills almost lost his life during an IED explosion.

He is known for leading his men in combat. Where they go, he goes. After the explosion, while being airlifted on the bird, an extraordinary moment was noted by the medic onboard. While bravely wounded, he did not shed even a tear, and he asked how his men were doing, who were also wounded. He then smiled at them, gave them a wink to reassure them—this is a man who lost four limbs, Mr. Speaker. It was impressive, to say the least.

Staff Sergeant Travis Mills lost three of those limbs initially and later a fourth limb. In two short weeks, already his progress and courage was an inspiration, to say the least. And now he embarks upon his recovery. It's clear that nothing is going to slow his recovery down.

□ 1520

I will now read a poem, penned by Albert Caswell, titled: ''They'll Not Take That From You.''

And what can these, our brief lives so make?
All out upon our life's wait?
All within these, our short lives await . . .
So then which steps must we all so take?
All in our times worth, not to forsake . . .
All in which we so create . . .
For the path is straight my friend . . .
And our journey is but a long and hard one, so then!
For its all in our hearts depends . . .
If its up in Heaven we wish to wake . . .
Travis, no they'll not take that from you!
They may take your strong arms and legs . . .
They may even make you cry out in pain, as do they!
Until, it's for death you beg!
But there are a few most magnificent things, Travis,
so they . . .
That, they'll not so take from you . . .
All because of what you so gave!
The word of hero,
now comes before, and after, your fine name this day!
And Heaven for you Travis one day, awaits!
As from you, this they'll not so take!
They'll not take that from you!
For it's that most splendid word, of ''Honor'' . . .
That which so courses all through your magnificent veins!
For you were one of those most gallant ones of all . . .
Who, like all of those other fine souls before you,
who so stood tall!
Who so selflessly marched off to war,
to hear that clarion call!
Leaving behind all that they so loved . . .
All of your most precious loves,
who you held so very high above . . .
All for The Greater Good!
With tears all in your most magnificent eyes,
as you so left and so said your last goodbyes . . .
With your heart of gold comprised,
marching off to war so ready to die . . .
Travis, no they'll not take that from you!
With all your most splendid valor, and grace . . .
With all of your most magnificent courage so all in place,
as you so heroically stared all in death's face!
As with smell of death upon you so wafted,
and yet with each new step somehow you still kept pace!
As such heartache upon your fine soul was placed . . .
As all for your Brothers In Arms You So Led The Way!
As so boldly you so stood all there in uniform . . .
As why now you so hold such a special place!
All in our hearts so very warm . . .
All in this our human race.
No . . . No . . . They will not take that from you!
For Travis,
yours will always be a heart of such honor and faith!
One of such most splendid grace!
As we so look upon your magnificent face . . .
And so see what you so gave . . .
As there we all so find such a fine soul as comprised . . .
Who above all others we must now so place . . .
With but your most heroic will,
as Travis you climbed mountains and so climbed hills . . .
As your own blood was so spilled,
and still you did not lose pace!
And now your new battle has just begun!
As your fine heart,
now so shines all like that morning sun!
As you rebuild with each new step, all one by one!
No Fine One,
You're Airborne and They'll not take that from you!
For it was you,
who so chose to answer freedom's most noble call . . .
As our Lord God your great valor saw . . .
They'll Not Take That From You!
For in these, our most troubled times,
all in these our most shortest of all lives . . .
Only, but one thing so lives on . . . so shines's!
As not so gone, as out into eternity so survives!
As is what we so do upon this earth!
Do we in the darkness so reside?
Or is it with our goodness,
that we so make even the Angels too cry?
For if all in our most noble deeds,
that we so succeed to fight evil's needs . . .
Then, it's Heaven we shall all so see.
For these are such things,
that which only our magnificence can so bring!

And that no one else can so take from you Travis . . . sing!
No Travis, They Will Never So Take That From You!
And now the time has so come!
To mount up Cav, my son!
To go Airborne to recovery, to get up and run!
To win one more battle,
like all of those other ones you've won!
Because, Travis you are Army Strong!
You Are America's Heart and Son!
They may have taken your strong arms and legs!
But, your fine heart and soul they can not so touch,
can they!
And that's what you run with this very day . . .
Bravo my son, you are Airborne in every way!
As once again, you are out on point leading the way!
For Travis, SSG Mills you have so many lives to touch!
So many hearts to fill as such!
And so many years from now,
Heaven is yours one day so don't rush!
And your family and this world,
so needs men like you as such!
Travis, They'll Not Take That From You!

I yield back the balance of my time.

AMERICAN VALUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 52 minutes as the designee of the majority leader.

Mr. GOHMERT. Thank you, Mr. Speaker.

We are really blessed here in the Capitol with some of the greatest people that work around here and touch the lives of so many. So many come from around the country to admire our great national Capitol, and the people that work around here touch them one way or another.

Albert Caswell is one of those great folks. It seems every day we see him with wounded warriors, in addition to his regular duties as a tour guide. He's taken them through the Capitol, doing poems for them, having them signed by Members of Congress, getting them entered in the RECORD, getting them to individual warriors. He just does great work, so I'm quite pleased my friend STEVE KING read that into the RECORD.

The truth is, freedom is not free, and we're surrounded by people who have given a great deal—given limbs, given so much. I was standing by a Gold Star mom in Texas this past week, and I really wasn't sure who gave the most. Her son gave everything—gave his life. But his mother gave her son.

We're told by Jesus, Greater love has no one than this, that a man lay down his life for his friends.

This Nation has experienced so much love by people who have laid down their lives for their country, but at the same time millions of parents have given their children proper teaching to love the things that make this country the greatest country in the world. Instill those values in their children for them to be willing to show the greatest love that anyone can have.

I do know, from being so close to parents who have given their children, that that is an unfathomable love. To care about your country and its freedoms so much that you're willing to risk a child's life for the good of others, and ultimately give that child for the good of the country.

□ 1530

It is so terribly difficult.

So we have people on foreign soil who are risking their lives; some have given their lives for this country. We have law enforcement. We have intelligence agents, agents from all parts of State, local, and Federal Government who put their lives at risk every day so we can enjoy the freedoms we have. We owe them not to be stupid about the way we carry out the government's business and the way in which we protect the citizens of this country, the people in this country, from all enemies, foreign and domestic.

Now, we have some very noble patriots that serve at the various levels of our Federal entities that are charged with keeping us safe. Having visited with Secretary Panetta, who called me a few weeks ago, having had multiple conversations with Director Mueller as Director of the FBI, so many others in our Federal law enforcement, our Federal intelligence, justice, we have a great lot of noble people. But here again, we cannot be foolish about the way we go about protecting America.

There are people who have been at war with the United States since 1979. President Carter hailed the Ayatollah Khomeini as a man of peace as he came back from exile and for the first time in so many years gave a foothold for radical terrorizing Islam to have a country in Iran. Americans soon found out the price of bad judgment in international affairs.

Not too long thereafter, there was an attack against the American Embassy in Tehran. I know at Fort Benning, Georgia, where I was, a lot of folks were put on alert that it may be necessary for us to go and defend this Nation because an attack against a country's embassy is an attack against that country. It is an act of war. So there was an act of war committed in Iran in 1979, and our response was so benign that it is still being used as a recruiting tool by radical Islamists today to show how Americans are not very smart, they don't have the stomach for a strong fight so we can still prevail.

We had a benign response in 1983 after the attack on our marines and lost around 300 precious marine lives in Beirut. The response was to pull them out without a fight.

So many times we've been attacked in the last 30 years, acts of war, and we failed to recognize what they were until 2001 when most of America woke up at that point, that there are people who want to destroy America. When bin Laden wrote that they had spent around $500,000 to train those people and to carry out the mission of crashing planes into American buildings to destroy buildings and to kill thousands of Americans—apparently they were hoping for more, in the range of 50,000 or so to be killed in the Twin Towers. But as bin Laden has pointed out, an investment, from their standpoint, the way they saw it, of around $500,000 cost America trillions and trillions of dollars. And even before he was taken out, it was clear to him that they helped put America on track to be bankrupt. From his standpoint, that was a tremendous investment. Invest $500,000 in an act of war and cost your enemy not only thousands of lives but trillions of dollars, not only in damage but in the money spent to try to secure the Nation.

That's why it is so important that we be smarter about the way our money is spent, that we utilize a little bit more discernment, a little more wisdom in the way that we take on those who are bent on our destruction. They are still there. And the Taliban's strength, as both Senator FEINSTEIN and Representative ROGERS, the two chairs from the Senate and House, respectively, of our Intelligence, our Homeland Security—I guess, Intelligence—they understand and they believe the Taliban is stronger now than it was before. It is growing in strength. We have not been very wise about the way we took on an enemy that wants to take this country down.

Now, there are some who have been a little oversensitive, and it seems that some who are our Muslim friends who have been more defensive about any questions about radical Islam than they have been about condemning the radicals that have hijacked their religion. And it would be helpful for those of us who know there are moderate Muslims who just want to live in peace, to have their help in condemning radical Islam instead of condemning those of us who stand up against and condemn radical Islam.

America, one of our great traits is we don't want to really offend people around the world. There have been some ugly Americans over the years who give us a bad name, but all in all, Americans are loving, caring, forgiving people. And the only nation in the history of the world that has ever sent treasure in the form of money and our greatest assets, our individuals, to fight and die on behalf of people in another nation over which we want no control, we want no territory, we just want freedom to reign in the world so we can live in peace and help extend that freedom to others around the world.

That's why, over the years, as stories have unfolded about high-handed leaders in other countries who say, We want Americans out; we don't like you. And the response has come in some situations, Do you want us to remove all of the dead bodies of Americans who gave their lives so you could have the freedom to tell us where to go and what to do?

Americans have had a place in history like no other nation.

Ironically, as one general recently said in conversation, virtually every deployment he has had into harm's way, he has been sent there by the United States on behalf of Muslims who were being mistreated by others, including Christians. So, for some of us it gets a little discouraging that our Muslim friends who want to live in peace will not take notice of the fact that this country has stood up against tyranny, against moderate Muslims around the world, and we continue to do that.

□ 1540

We are doing that in Afghanistan and we get no credit for that. Instead, we get condemned because we want to protect what we have, and we get so caught up in political correctness that we're afraid to call things as they are.

Now, I mentioned before, but that line in the ''Patton'' movie may or may not have actually been said. But it is a fact for military strategists, as Patton looked over the carnage from a battle in which his tanks took on the tanks of that incredible German Field Marshal Rommel, and reportedly Patton said something like, paraphrasing, Rommel, you glorious, childless son—or apparently, son—I read your book.

Going through military science, we were taught that if you want to be able to fight effectively on behalf of your country, you have to know your enemy. We would prefer we have no enemies. As Christians—those of us who are—we're taught to love your neighbor as yourself. Jesus, himself, said, when he was asked by a lawyer, What's the most important commandment? He said, Love God. The second is like it, Love your neighbor. And on those two things, those two laws, hang all the law and the prophets.

The full face of Moses depicted above the door in the center back in the gallery is there because he was considered perhaps the greatest lawgiver of all time. Of all the lawgivers who have side profiles, Moses has the one full face. And if you were to outline the Ten Commandments that Moses was used to provide, you could outline them under two headings: number one, love God; number two, love each other. They all fall under those two commands.

Since we have a very rich Judeo-Christian heritage here in America, for at least the first 130, 140 years of our country's history people have been proud to constantly quote the Bible here on the House floor as the ultimate authority for reasoning behind good legislation. As one goes right out those doors, straight down the halls a matter of feet, you come to Statuary Hall. It is the place where the House of Representatives met for most of the 1800s. And except for after the fire in 1814 that the British set, a fire which was put out by what insurance policies would call an act of God, a deluging rain that put out the fire, preserved this Capitol's shell so that it didn't implode and become a bunch of ruins, right down the hall in Statuary Hall—formerly, the House of Representatives—for most of the 1800s, it was a place of nondenominational Christian worship services.

I hope one day we'll have a plaque down there so that the 15,000 or so people a day that come through can read and understand that the man, Thomas Jefferson, who coined the phrase ''separation of church and State''—not in the Constitution, as most Americans apparently believe, but in a letter to the Danbury Baptists about why, really, we shouldn't have an official denomination of the Christian religion—Jefferson attended church virtually every Sunday he was in Washington just down the hall. They had nondenominational Christian worship services.

So it is amazing the lack of education that has occurred in recent generations so that you can have one of the cable channels—is it BSNBC or something like that? They reported that in the past week there was some kind of a prayer service in Statuary Hall by a bunch of right-wingers, when what was actually done was not nearly as stout in Christian nature as what Thomas Jefferson used to do as President when he attended church down there, and the Speaker's podium was used as the pulpit each Sunday for most of the 1800s.

Most people credit Madison with having more to do with the Constitution than anyone else of our Founders. Madison also attended church, a nondenominational Christian church, in Statuary Hall—back then, the House of Representatives—and he found no affront to the Constitution to attend church in the U.S. Capitol. For much of the 1800s, the largest Christian church in the Nation's capital was here at the Capitol in the House of Representatives where they attended church each Sunday.

The Congressional Research Service did some research on material that we provided to see what they believed was documented and what wasn't. They said Jefferson normally came down Pennsylvania Avenue on horseback by himself. One story is of Jefferson coming down Pennsylvania Avenue with a big Bible under his arm, and one of the citizens said, Mr. President, where are you going? Well, it was Sunday morning, and he said, I'm going to church up in the Capitol. He said, Sir, you don't believe everything those Christians do up there. And he said, Sir, I am the highest elected magistrate in this country. It is imperative that I set the proper example.

So he came to church, and he did not find attending church down in the House of Representatives as offending the notion that he dreamed up of a separation of church and State—his words.

He's also the person that coined the phrase having a ''wall of separation'' that the Supreme Court has many, many years later misconstrued because they didn't know their history, weren't properly taught. But Jefferson did not find it an affront to his concept of separation of church and State to bring the United States Marine Band into the Capitol to play Christian hymns for the Christian worship services.

So what to some cable channel may have been this strange, weird thing that happened because they have not been properly educated, to Thomas Jefferson, to James Madison was just a matter of propriety and course. Certainly, there's nothing wrong with bringing the Marine Band to play hymns in the House of Representatives for a nondenominational church Christian worship service, because it was nondenominational. They weren't putting emphasis on any particular denomination.

When Randolph, during the 1787 Constitutional Convention, saw that things were falling apart and heard this inspirational speech by Benjamin Franklin, how Franklin, in his words—we have his words because he wrote them down in his own handwriting—said:

> I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth: God governs in the affairs of man. And if a sparrow cannot fall to the ground without His notice, is it possible an empire could rise without His aid?

Franklin went on to say:

> We've been assured, sir, in the sacred writing that, unless the Lord build the house, they labor in vain that build it.

Some of us were taught he was a deist, but in his own words, in his own handwriting, the speech that he gave to the other members at the Constitutional Convention, he urged them by saying, Firmly believe this. He said:

> I also firmly believe without His concurring help, we shall succeed in our political building no better than the builders of Babel.
>
> We'll be confounded by our local partial interests and we, ourselves, shall become a by-word down through the ages.

□ 1550

Well, Randolph, his proposal, after Franklin, was we basically have had so much disagreement, such a spirit of anger in here, I move that we all go to church. Here we are, the end of June, we're about to celebrate the country's

anniversary. I move that we all go to church together, and all of us—the irony of this, all of us, as part of the Constitutional Convention, that are going to give this Nation the Constitution that will one day cause the Supreme Court to say we don't think that you can constitutionally do what the Founders and the writers of the Constitution did, he said, we all ought to go to church together in celebration of the anniversary and then come back and pick this up.

One wrote that there was a new spirit. They all went to the Reformed Calvinistic Church. They all went to the same church. They all heard the same sermon. And it evoked a spirit of unity and collaboration, that although there were differences, they were able to come together thereafter and give us the Constitution.

So it's part of our heritage. And as part of our heritage, we welcome people from all faiths, or no faiths. But just because you don't have a faith, don't come in and tell us we can't have and enjoy what the Founders provided and assured in the First Amendment that we could have.

Don't try to mis-educate any more Supreme Court Justices, so that although they're brilliant of intellect, they're ignorant of our history and what the Constitution means so they do not really understand the freedoms that we were provided and that there is a prohibition against our practicing our religion.

Some have twisted those words, the language, our Constitution, and political correctness to the point that it is exposing us to unnecessary danger. And although these people that we have in authority here in this town mean well, and they all want to see the country do well and thrive, we can't be stupid about the way we go around helping protect the country.

So, we have people in America that are more concerned with political correctness and more concerned that someone does not get offended while we are fighting for our Nation's life, fighting for the Nation's existence against powers that want to destroy us. They're concerned we might offend somebody, we might offend those who want to kill and destroy us, and, what's worse, we might offend someone who is a moderate and practices under the name of the same religion of those who want to destroy us.

And just like Patton was pointing out, you can't defend yourself unless you know the enemy that wants to destroy you.

9/12 was a day like I've not experienced in my lifetime. We were scared. Americans across the country came together. We prayed. We didn't care about political correctness. Courthouse squares around the country, we grabbed hands. We did in Tyler, Texas. They did all around the country, people holding hands and singing hymns, singing ''Amazing Grace,'' singing ''God Bless America,'' people praying for God's protection once again, just like Ben Franklin told us we would have to have or we would succeed no better than the builders of Babel.

We came together, and for that day, and for a time thereafter, there was no such thing as a hyphenated American. There was no Euro-American, there was no African-American, no Asian-American, Native-American. There were Americans here in America, and we were concerned about having a future for us and our children and, hopefully, their children and their children. And we were smart for a short time, and in a bipartisan way, this Chamber came together.

I was on the bench at the time as a judge. I was qualifying a jury panel when the Twin Towers were hit. Nobody was concerned about hyphenated Americans because we were Americans. And what this Chamber did, in coming together with the Senate and saying, You know what? Let's study where we went wrong. And a bipartisan commission was put together to study, in complete candor, what had gone wrong. How did the worst attack against America on its own soil occur without us realizing what was coming?

We had the 9/11 Commission report that came out of that, and the 9/11 Commission report used words like ''enemy'' 39 times, ''jihad'' 126 times, ''Muslim'' 145 times because those who wanted to destroy us and tried used that term about themselves. That's who they said they were before the attack. They used terms in the report 32 times like ''Islam'' because those who attacked us in the worst attack in our history on our soil used that term about themselves.

And I am very sorry for our moderate Islamic friends who want to live in peace with all Americans because they're Americans. And I'm sorry if people are offended that those who hated us so much they would bring down the World Trade Centers, try to wipe out the Pentagon, try to wipe out what some say is the most recognized building in the world, this Capitol, I'm sorry if they're offended that those people call themselves Muslim. They call themselves Islamists.

''Muslim Brotherhood'' was mentioned five times in the 9/11 Commission report because it was important. There was an interwoven nature to what was going on in the attack. They used ''religious,'' that word, 65 times. They mentioned ''Hamas'' four times. They mentioned ''Hezbollah'' two times. They mentioned ''al Qaeda'' 36 times. They mentioned ''caliph'' seven times. They mentioned ''shari'a'' twice.

But apparently we have leaders who mean well, I know that, who think they're protecting America, who are more concerned about not offending people who don't want to hurt us than they are about just speaking truth. And how can you deal with an enemy unless you're willing to recognize them in truth?

So now, because in the very recent months, the FBI counterterrorism lexicon, this effort by our FBI that's going on in the Justice Department, it's going on in the Intelligence Department, it's going on in the State Department, it's going on in the White House, itself—they're leading the charge—we don't want to offend anyone.

□ 1600

So no longer is an FBI agent who is new, someone who may barely remember what occurred on 9/11, allowed to be taught what the enemy who attacked us said about themselves. They're not allowed to be taught what they said motivated our enemy. How can you deal with your enemy? How can you take them on and win that fight and come out victorious unless you recognize what motivates them? Because, when you know what motivates them, you can predict more likely what they will do next.

That's why there are novelists in America who do a better job of projecting where we will be hit next than our own government intelligence agencies, other than our own government FBI. It's why some noticed that there was a soldier on al Jazeera who was saying exactly what Major Hasan had said: in essence about how, with his being a Muslim, if he were sent to a Muslim country where he might accidentally kill another Muslim for one of the unrecognized allowances to kill another Muslim, then they would have to act up and kill Americans to avoid having to risk going to a Muslim country and killing a Muslim.

The guy is saying basically the same things Hasan did before he killed 13 of our precious servicemembers in an act that in our political correctness this administration now refers to as ''workplace violence.''

I came to know and love some Pearl Harbor survivors. They had no idea that what they experienced at Pearl Harbor, according to the thinking of this administration, was an act of workplace violence, where someone came into the workplace of all of these civilians and all of these soldiers and sailors and marines in Pearl Harbor and killed them in their workplace. They didn't understand that because that's not what it was—nor was it workplace violence at Fort Hood. It was an act of war against our military.

I am grateful we have Members of the House and Senate who had the foresight to file a bill to make sure that they should have Purple Hearts, because it was not workplace violence. They died for their country. They died

for freedom. They laid down their lives, which they knew were at risk from the moment they took the oath, which is just like all of us who have been in the service have taken.

Political correctness must be set aside so that we can speak candidly and truthfully. So, if there really is nothing to fear from the radical Islamists who have hijacked the name of a religion away from the mass moderate Muslims, it is time for more than just three or four or a handful of moderate Muslims to step forward and help us in calling it what it is.

Now, I recognize that, for any Muslim to step forward and condemn another Muslim, it is a very, very risky proposition. It's far more risky for them to do that than for a considered infidel like me to step up and condemn radical jihadist Islamists, because I'm already an infidel in their eyes; but moderates know that if they speak out publicly they could be targeted for turning on their own religion. Among the radicals—crazies—who are trying to highjack the religion, they get angrier at a moderate Muslim than they do at an infidel for speaking against another Muslim. So it is very risky for a moderate to step up and join those of us who want to recognize accurately what our enemy is.

But, in the name of political correctness, not only have we cleansed our National Intelligence Strategy, which is becoming a misnomer—how can you have intelligence if you're not allowed to recognize your enemy for what your enemy calls himself?—our FBI counterterrorism lexicon, how it has been cleansed of the terms that those at war with us call themselves.

It is important that we learn from our mistakes because, if we refuse to learn from our mistakes, we're going to keep making them. Most people have been taught the old adage: ''Those who refuse to learn from history are destined to repeat it.'' We should not have to experience another major attack on our own soil and the loss of thousands of American lives before we have another heartbreaking day like September 12 of 2001 on which we come together, embrace, and say we're not hyphenated Americans—we're Americans. We are one people, and we will stand together. We shouldn't have to have more Americans killed as they were on 9/11 to bring us together like that.

But I beg, Mr. Speaker, of my colleagues: Let's help educate our Federal Government that it's okay to call people ''radical Islamists'' if they have called themselves that and that it's okay to describe people in our FBI counterterrorism lexicon and in our intelligence materials what the terrorists, themselves, call themselves. It's okay, and we won't be mad at each other when we do that.

What happens when we try to become too politically correct is that we have things like the FBI and a wonderful Director who, I believe, unintentionally has hurt the FBI by his 5-year up-or-out policy, which we now know has cost us thousands and thousands and thousands of years of experience by running off our more experienced FBI agents in favor of agents in charge, who may go from having 26 years of experience to having 5 or 6 years of experience, who may not even have been out of college at the time of 9/11 and who are now in charge as the most experienced people we have in our offices around the country. That has hurt us.

At the same time, for example, in June of 2002, our FBI Director took fire for giving a speech to the American Muslim Council, which the Director's spokesman described as ''the most mainstream Muslim group in the United States.'' But, at the time of the speech in 2002, the head of the American Muslim Council was a man named al-Amoudi, who was videotaped in October of 2000 delivering a speech just yards away from the White House, proclaiming:

I have been labeled by the media in New York as being a supporter of Hamas. We are all supporters of Hamas. I wish they'd added that I'm also a supporter of Hezbollah.

That was also the same year, 2002, that the AMC, the American Muslim Council, board adviser and former acting president, Jamil al-Amin, was arrested for murdering a Georgia police officer. Al-Amoudi was arrested in 2003 in a Libyan assassination plot targeting the Saudi Crown Prince, and was later identified by the U.S. Treasury as one of al Qaeda's top fund-raisers in the United States.

At the time of our FBI Director's speech in 2002, al-Amoudi had been under investigation by the FBI for almost a decade for funneling money between Osama bin Laden and the ''Blind Sheikh.''

In October of 2003, just days before the ceremony honoring a Detroit Muslim leader, Imad Hamad, and bestowing on him the FBI Director's award for exceptional public service, the FBI had to contact Hamad and tell him he wasn't going to receive the reward.

□ 1610

The FBI initially claimed they had decided to give the award to a victim of the 9/11 terror attacks, but later an FBI spokesman revealed that unflattering information about Hamad had been made public during the deportation proceedings for one of his close associates. In fact, the INS fought for two decades to deport Hamad for his suspected support for the Popular Front for the Liberation of Palestine, a designated terrorist organization by this government. That information came to light not due to any checking or vetting by the FBI, but thanks to an article published by the New York Post.

It brings me back to the point about a young soldier after the 13 military members were killed at Fort Hood by Major Hasan who was on al-Jazeera saying the same things Hasan did before he went to kill. We had people that actually noticed that, but it would have been politically incorrect to do anything about it. You know, they say those things. If it had not been for a gun dealer in Texas who found this young private suspicious, if it had not been for that gun dealer calling in local authorities and alerting them, we would have had another Fort Hood shooting and lost other precious members of our military. They were saved not because of the intelligence community, the FBI counterterrorism, or the Homeland Security countering violent extremism, because we don't want to use the term jihad or Islamic jihad. So it's countering violent extremists. No, none of those picked it up. There were people who noticed and reported it, but nothing was done because it might be politically incorrect. They risked the lives of our precious military in political correctness. If not for the work of a gun dealer in Texas and local law enforcement jumping right on top of it, we could have lost military members.

Here are some other examples. Palestinian Islamic Jihad leader Sami al-Arian had meetings and conversations with high-ranking officials at the Justice Department and the Homeland Security Department despite being the subject of FISA wiretap warnings since the early 1990s and having his home raided in 1995. He was still having meetings at the DOJ, Homeland Security, and having access to our government's inner sanctum. As part of a plea agreement, al-Arian admitted to being a part of the leadership structure of the terrorist group, and they were meeting with him.

In 2008, our FBI director handed one of his Director's Community Leadership Awards to Imam Yahya Hendi, who had testified during al-Arian's trial as a defense witness. Hendi had served as a moderator during a 2000 fundraiser for the Benevolence International Foundation, which was shut down in November 2002 by the U.S. Government and designated a terrorist organization for its support of al Qaeda and a number of other Islamic terrorist groups.

An FBI agent testified during the Holy Land Foundation trial that CAIR was a front for the terrorist group Hamas, and the FBI was publicly forced to sever its ties with CAIR. They had all this information, and yet they continued to, as their own information says, partner with CAIR, though CAIR—they knew we had evidence—was partnering with terrorists.

In September of 2010, known Hamas cleric, Mustapha, who was a part of a 6-week FBI Citizen's Academy, was treated to guided tours at the top-secret National Counterterrorism Center,

FBI headquarters, and the FBI Academy at Quantico. Mustapha's participation in the FBI program came after he was personally named a coconspirator in the Holy Land Foundation trial and after his appointment as a Muslim chaplain to the Illinois State Police had been revoked. Illinois had already figured out what he was and what he believed before he was given tours of our top-secret National Counterterrorism Center.

Time magazine featured a profile of Mohamed Majid, imam of the All Dulles Area Muslim Society—or they call themselves ADAMS for short. I'm sure John Adams appreciates that. He is the current president of the Islamic Society of North America, which also was a named coconspirator to fund terrorism in the Holy Land Foundation trial. And both the district court and the Fifth Circuit Court of Appeals examined the record and said there is plenty of evidence here to support their being named specifically as supporters of terrorism.

But in November 2005, Majid was awarded by the FBI for the imam's cooperation in the war on terror, claiming, ''Majid regularly tips off the Bureau.'' But in a letter to the ADAMS center community the very next day, Majid told his mosque Members he did no such thing. Majid made clear that he never reported on anyone in the Muslim community and that his relationship with the FBI was one-sided, and the outreach meetings, ''are solely to create avenues to work with law enforcement to preserve our civil liberties and civil rights.'' Majid has met with top DOJ officials urging the criminalization of criticism of Islam. It's okay to burn a Bible; it's okay to criticize Christianity and Judaism; and police allowed people to scream and cuss obscenities about God during a prayer at a Tea Party, but it's not okay to be critical of these people.

It's time to wake up. It's time to set political correctness aside. And Mr. Speaker, I would ask that this letter, signed by 22,000 Americans begging us to end political correctness that risks our liberty, be made a matter of the RECORD.

With that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HEINRICH (at the request of Ms. PELOSI) for today after noon.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today after 1 p.m. on account of attending her grandson's graduation.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2224. An act to require the President to report to Congress on issues related to Syria; to the Committee on Foreign Affairs.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2668. An act to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station''.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, May 11, 2012, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5945. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiamethoxam; Pesticide Tolerances [EPA-HQ-OPP-2010-1079; FRL-9331-8] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5946. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Trifloxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2011-0138; FRL-9336-5] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5947. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Trinexapac-ethyl; Pesticide Tolerances [EPA-HQ-OPP-2010-0524; FRL-9337-9] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5948. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's Evaluation of the TRICARE Program for Fiscal Year 2012, pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

5949. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report presenting the specific amounts of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center during fiscal year 2013; to the Committee on Armed Services.

5950. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report presenting the specific amounts of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center during fiscal year 2013; to the Committee on Armed Services.

5951. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's Fiscal Year 2010-2018 Strategic Workforce Plan; to the Committee on Armed Services.

5952. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''State High Risk Pool Grant Program for Federal Fiscal Year 2010''; to the Committee on Energy and Commerce.

5953. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Lead Ambient Air Quality Standards [EPA-R05-OAR-2010-0100; FRL-9641-8] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5954. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Atlanta; Fine Particulate Matter 2002 Base Year Emissions Inventory [EPA-R04-OAR-2012-0050-201207(a); FRL-9639-4] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5955. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Macon; Fine Particulate Matter 2001–Base–Year Emissions Inventory [EPA-R04-OAR-2011-0850-201154(a); FRL-9639-8] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5956. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Identification and Listing of Hazardous Waste Exclusion [FDMS Docket No.: EPA-R08-RCRA-2011-0823; FRL-9640 2] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5957. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Mojave Desert Quality Management District [EPA-R09-OAR-2011-0990; FRL-9626-4] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5958. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Feather River Air, Quality Management District [EPA-R09-OAR-2011-0900; FRL-9626-3] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5959. A letter from the Secretary, American Battle Monuments Commission, transmitting the Commission's FY 2011 Annual Report pursuant to Section 203, Title II of the Notification and Federal Antidiscrimination and Retaliation (No FEAR) Act; to the Committee on Oversight and Government Reform.

5960. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the

Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 11; Correction [Docket No.: 0808041037-1649-02] (RIN: 0648-AX05) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5961. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XB026) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5962. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery [Docket No.: 0910051338-0151-02] (RIN: 0648-XB059) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5963. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report entitled, ''2011 Annual Report of the Director of the Administrative Office of the U.S. Courts''; to the Committee on the Judiciary.

5964. A letter from the Secretary, Department of Transportation, transmitting the Department's report of obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs for Fiscal Year 2011 as of September 30, 2011; to the Committee on Transportation and Infrastructure.

5965. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; South Bend, IN [Docket No.: FAA-2011-0250; Airspace Docket No. 11-AGL-6] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5966. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Security Considerations for Lavatory Oxygen Systems [Docket No.: FAA-2011-0186; Amdt. Nos. 21-94,25-133, 121-354, 129-50; SFAR 111] (RIN: 2120-AJ92) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5967. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Removal of Category IIIa, IIIb, and IIIc Definitions [Docket No.: FAA-2012-0019; Amdt. No. 1-67] (RIN: 2120-AK03) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5968. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department of Defense requests to be enacted during the second session of the 112th Congress; jointly to the Committees on Armed Services and Foreign Affairs.

5969. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department of Defense requests to be enacted during the second session of the 112th Congress; jointly to the Committees on Appropriations, Armed Services, Foreign Affairs, Intelligence (Permanent Select), and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2621. A bill to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes; with an amendment (Rept. 112–473). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2745. A bill to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada; with an amendment (Rept. 112–474). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3874. A bill to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; with amendments (Rept. 112–475). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BOUSTANY (for himself and Mr. RICHMOND):

H.R. 5708. A bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes; to the Committee on Ways and Means.

By Mr. LIPINSKI:

H.R. 5709. A bill to amend the Public Health Service Act to provide for the public disclosure of charges for certain hospital and ambulatory surgical center treatment episodes; to the Committee on Energy and Commerce.

By Mr. WESTMORELAND (for himself, Mr. BRALEY of Iowa, Mr. PITTS, Mr. GARRETT, Mr. GOHMERT, Mr. MANZULLO, Mr. COLE, Mr. FLEISCHMANN, Mr. AUSTIN SCOTT of Georgia, and Mr. KINGSTON):

H.R. 5710. A bill to amend the Energy Policy Act of 2005 to establish minimum efficiency standards for self-contained commercial refrigerators and freezers, and to direct the Department of Energy to establish standards for other related products; to the Committee on Energy and Commerce.

By Mr. CARNAHAN (for himself, Ms. BASS of California, Mr. BLUMENAUER, Mr. CARSON of Indiana, Mr. COHEN, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. FILNER, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KUCINICH, Ms. LEE of California, Ms. MCCOLLUM, Ms. NORTON, Mr. RANGEL, Mr. REYES, Ms. RICHARDSON, Mr. ROSS of Arkansas, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SEWELL, Mr. TONKO, Mr. TOWNS, Ms. WATERS, and Ms. WOOLSEY):

H.R. 5711. A bill to amend the Public Health Service Act to provide grants for treatment of heroin, cocaine, methamphetamine, 3,4-methylenedioxymethamphetamine (ecstasy), and phencyclidine (PCP) abuse, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself, Mr. KINZINGER of Illinois, and Mr. REICHERT):

H.R. 5712. A bill to authorize the Secretary of Labor to establish a pilot program to have community business leaders mentor members of the Armed Forces under the Transition Assistance Program, and for other purposes; to the Committee on Armed Services.

By Mr. BUTTERFIELD (for himself, Mr. WATT, and Mr. KISSELL):

H.R. 5713. A bill to amend the Transportation Equity Act for the 21st Century to ensure that the highest priority consideration is given to local comments when selecting a toll pilot project, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MILLER of North Carolina (for himself and Mr. ELLISON):

H.R. 5714. A bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 5715. A bill to amend the Pension Protection Act of 2006 to extend special funding rules for certain plans maintained by commercial airlines, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself and Mrs. MALONEY):

H.R. 5716. A bill to establish a Skin Cancer Research Fund to increase funding for the conduct or support of research relating to skin cancer by the National Institutes of Health; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself and Mr. BERG):

H.R. 5717. A bill to require the Army Corps of Engineers to notify the public of certain flood predictions regarding the Missouri River System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS:

H.R. 5718. A bill to amend the Internal Revenue Code of 1986 to revise the new market tax credit rules for population census tracts with low populations; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. MCDERMOTT, Mr. PASCRELL, Mr. LEWIS of Georgia, Ms. BERKLEY, Mr. NEAL, Mr. LARSON of Connecticut, Mr. GERLACH, and Mr. BLUMENAUER):

H.R. 5719. A bill to amend the Internal Revenue Code of 1986 to increase the deduction allowed for student loan interest; to the Committee on Ways and Means.

By Mr. CARNEY (for himself, Mr. PETERS, Mr. RENACCI, Mr. OWENS, Mr. MEEHAN, and Mr. DOLD):

H.R. 5720. A bill to establish procedures for the presentation and expedited consideration by Congress of the recommendations in the Federal Regulatory Reform Report prepared by the Office of Information and Regulatory Affairs, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN:

H.R. 5721. A bill to suspend temporarily the duty on certain electric cooktops; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5722. A bill to suspend temporarily the duty on strontium europium halophosphate for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5723. A bill to suspend temporarily the duty on Yttrium europium oxide for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5724. A bill to suspend temporarily the duty on on Barium magnesium aluminum oxide for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5725. A bill to suspend temporarily the duty on Calcium chloride phosphate activated by manganese and/or antimony for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5726. A bill to suspend temporarily the duty on Lanthanum phosphate for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Ms. DELAURO (for herself and Mr. BRALEY of Iowa):

H.R. 5727. A bill to rebuild the American middle class by creating jobs, investing in our future, building opportunity for working families, and restoring balance to the tax code; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, Agriculture, Transportation and Infrastructure, Financial Services, Science, Space, and Technology, Small Business, the Judiciary, Rules, Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH:

H.R. 5728. A bill to extend the temporary reduction of duty on Acephate; to the Committee on Ways and Means.

By Ms. HANABUSA:

H.R. 5729. A bill to amend the Small Business Act to permit Native Hawaiian Organizations to have status as HUBZone small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. HUIZENGA of Michigan:

H.R. 5730. A bill to amend title XVIII of the Social Security Act to make publicly available on the official Medicare Internet site medicare payment rates for frequently reimbursed hospital inpatient procedures, hospital outpatient procedures, and physicians' services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa (for himself, Mr. SMITH of New Jersey, Mr. PITTS, Mr. JONES, Mr. HULTGREN, Mr. HUIZENGA of Michigan, Mr. MURPHY of Pennsylvania, Mr. LANKFORD, Mr. GOHMERT, Mr. CANSECO, Mr. ROSS of Florida, Mr. LANDRY, Mr. LIPINSKI, Mrs. MYRICK, Mrs. SCHMIDT, Mr. BENISHEK, Mrs. HARTZLER, Mr. JOHNSON of Ohio, Mr. MCHENRY, Mr. SOUTHERLAND, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mr. PEARCE, Mr. MANZULLO, Mr. COLE, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. SCHWEIKERT, Mrs. ELLMERS, Mr. GARRETT, Mr. FLORES, Mr. HARRIS, Mrs. BLACK, Mr. JORDAN, Mr. MARCHANT, Mrs. BLACKBURN, Mr. BARTLETT, Mr. SCOTT of South Carolina, Mr. BRADY of Texas, Mrs. BACHMANN, Mr. FLEMING, Mr. MILLER of Florida, Mr. KELLY, Mr. MCCOTTER, Mr. LAMBORN, and Mr. BROUN of Georgia):

H.R. 5731. A bill to prohibit Federal assistance for telemedicine abortions and to ban interstate abortions using telemedicine technology; to the Committee on the Judiciary, and in addition to the Committees on Agriculture, Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK:

H.R. 5732. A bill to authorize a competitive grant program to implement and evaluate digital learning in rural locales; to the Committee on Education and the Workforce.

By Mrs. MALONEY:

H.R. 5733. A bill to suspend temporarily the duty on instant print film for analog photography; to the Committee on Ways and Means.

By Mr. ROHRABACHER:

H.R. 5734. A bill to provide compensation for the deadly acts by elements of the Pakistani military and intelligence services against United States citizens; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself and Mr. REYES):

H.R. 5735. A bill to provide for the establishment of a Tomb of Remembrance at Arlington National Cemetery for interment of cremated fragments of the remains of members of the Armed Forces killed in Afghanistan, Iraq, or a subsequent conflict when the fragments are unidentifiable by use of DNA testing or other means because of the condition of the fragments, are unclaimed, or are identified and authorized by the person designated to direct disposition of the remains for internment in such memorial; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY (for himself and Mr. SMITH of Washington):

H.R. 5736. A bill to amend the United States Information and Educational Exchange Act of 1948 to authorize the domestic dissemination of information and material about the United States intended primarily for foreign audiences, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CANSECO (for himself, Mr. HINOJOSA, Mr. POSEY, Mr. CUELLAR, and Mr. WESTMORELAND):

H.J. Res. 108. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rules submitted by the Department of the Treasury and the Internal Revenue Service relating to the reporting requirements for interest that relates to deposits maintained at United States offices of certain financial institutions and is paid to certain nonresident alien individuals; to the Committee on Ways and Means.

By Mr. FRANKS of Arizona (for himself, Mr. MCDERMOTT, Ms. LEE of California, Mr. WAXMAN, Ms. MCCOLLUM, Ms. WATERS, Ms. CLARKE of New York, Ms. BORDALLO, Mr. GRIJALVA, Ms. MOORE, Mr. BERMAN, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. WOOLSEY, Ms. HAHN, Mr. MARINO, Mr. CARTER, and Mr. MCGOVERN):

H. Con. Res. 123. Concurrent resolution recognizing the potential for the virtual elimination of pediatric HIV and AIDS and keeping HIV positive mothers alive; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARROW:

H. Res. 649. A resolution expressing the sense of the House of Representatives that Congress should work to eliminate the facilitated sexual exploitation and trafficking of minors over the Internet; to the Committee on the Judiciary.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. SARBANES, Mr. PALLONE, Mr. SIRES, Mr. GRIMM, Ms. LEE of California, Mr. JACKSON of Illinois, and Mr. MCGOVERN):

H. Res. 650. A resolution expressing the sense of the House of Representatives that the former Yugoslav Republic of Macedonia should work within the framework of the United Nations process with Greece to achieve longstanding United States and United Nations policy goals of finding a mutually acceptable name, for all uses, for the former Yugoslav Republic of Macedonia; to the Committee on Foreign Affairs.

By Mr. HOLT (for himself, Ms. CHU, Mr. ELLISON, Ms. SCHAKOWSKY, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mr. HONDA, and Mr. MORAN):

H. Res. 651. A resolution expressing the sense of the House of Representatives regarding the illicit ethnic and religious profiling and surveillance of Muslim American communities by the New York Police Department; to the Committee on the Judiciary.

By Mr. BACA:

H. Res. 652. A resolution recognizing the need to pursue research into the causes, a treatment, and an eventual cure for rhabdomyosarcoma, supporting the goals and ideals of the Claire Frick Rhabdomyosarcoma Awareness Month, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BERKLEY:

H. Res. 653. A resolution recognizing the goals of National Travel and Tourism Week and honoring the valuable contributions of travel and tourism to the United States; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself, Mr. CLARKE of Michigan, Mr. FALEOMAVAEGA, Mr. SABLAN, and Ms. RICHARDSON):

H. Res. 654. A resolution recognizing the immense impact that Bruce Jun Fan Lee had on American and global popular culture and the important role he played in creating a bridge between cultures, championing values of self-respect, self-discipline, and tolerance in our Nation, and pioneering and cultivating the genres of martial arts, martial arts films, fitness and philosophy in the United States and the world; to the Committee on Oversight and Government Reform.

By Mr. MORAN (for himself, Mr. LARSEN of Washington, Mr. DEUTCH, Mr. MCGOVERN, Ms. MCCOLLUM, Mr. REYES, Mr. KUCINICH, Mr. ELLISON, Ms. BORDALLO, Ms. SEWELL, Mr. SABLAN, Ms. WATERS, Mr. SERRANO, Ms. WOOLSEY, and Ms. NORTON):

H. Res. 655. A resolution expressing support for the designation of June 7, 2012, as National Hunger Awareness Day; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

202. The SPEAKER presented a memorial of the House of Representatives of the State of Wyoming, relative to Joint Resolution No. 1 urging the Congress to pass a comprehensive and aggressive budget resolution; to the Committee on the Budget.

203. Also, a memorial of the House of Representatives of the State of Wyoming, relative to Joint Resolution No. 5 calling all Americans to defend our freedom of religion by opposing this mandate; to the Committee on Energy and Commerce.

204. Also, a memorial of the Senate of the State of Rhode Island, relative to Senate Resolution urging the Congress and the President to make the Republic of Poland eligible for the United States Department of State's Visa Waiver Program; to the Committee on the Judiciary.

205. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Memorial 1007 urging the Congress to adopt a Veterans Remembered Flag; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BOUSTANY:

H.R. 5708.

Congress has the power to enact this legislation pursuant to the following:

Article 1; Section 8; Clauses 1 & 3:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. LIPINSKI:

H.R. 5709.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution of the United States grants the Congress the power to enact this law.

By Mr. WESTMORELAND:

H.R. 5710.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact legislation pertaining to the rules and regulations for property owned by the United States pursuant to Article IV, Section 3, Clause 2 of the Constitution.

By Mr. CARNAHAN:

H.R. 5711.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Ms. BALDWIN:

H.R. 5712.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article 1, Section 8 of the Constitution of the United States.

By Mr. BUTTERFIELD:

H.R. 5713.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 1 of the Constitution. Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Under Article I, Section 8, Clause 18 of Section 8 of the Constitution, Congress may make all laws which shall be necessary and proper for carrying into execution its powers and all—powers vested by the Constitution in the government of United States.

By Mr. MILLER of North Carolina:

H.R. 5714.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. ANDREWS:

H.R. 5715.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3.

By Mr. BILBRAY:

H.R. 5716.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I Section 8 Clause 8 of the U.S. Constitution which reads that Congress has the power ''To promote the Progress of Science and useful Arts.''

By Mrs. NOEM:

H.R. 5717.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 14: To make rules for the Government and regulation of the land and naval forces.

By Mr. TOWNS:

H.R. 5718.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted under the constitutional authority of Article I, Section 8, Clause 1.

By Mr. RANGEL:

H.R. 5719.

Congress has the power to enact this legislation pursuant to the following:

Article XVI of the Constitution—Congress shall have power to lay and collect taxes on incomes . . .

By Mr. CARNEY:

H.R. 5720.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV,

Clause 8 of Section 8 of Article I,

Clause 18 of Section 8 of Article I,

Clause 3 of Section 8 of Article I,

Clause 6 of Section 8 of Article I of the Constitution.

By Mr. COHEN:

H.R. 5721.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Article I, Section 8 of the United States Constitution.

By Mr. DAVIS of Kentucky:

H.R. 5722.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. DAVIS of Kentucky:

H.R. 5723.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. DAVIS of Kentucky:

H.R. 5724.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. DAVIS of Kentucky:

H.R. 5725.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. DAVIS of Kentucky:

H.R. 5726.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Ms. DELAURO:

H.R. 5727.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. GERLACH:

H.R. 5728.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Ms. HANABUSA:

H.R. 5729.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HUIZENGA of Michigan:

H.R. 5730.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which states Congress has the power to ''regulate Commerce . . . among the several states.''

By Mr. KING of Iowa:

H.R. 5731.

Congress has the power to enact this legislation pursuant to the following:

Because this legislation provides limitations for how the federal government spends money, it is authorized by the Constitution under Article 1, Section 8, Clause 1, which grants Congress its spending power.

Because this legislation prohibits a certain interstate commercial activity, it is authorized by the Constitution under Article 1, Section 8, Clause 3 which grants Congress the power to regulate commerce among the several states.

By Mr. LOEBSACK:

H.R. 5732.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mrs. MALONEY:

H.R. 5733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROHRABACHER:

H.R. 5734.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. STIVERS:

H.R. 5735.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12 of the United States Constitution

By Mr. THORNBERRY:

H.R. 5736.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. CANSECO:

H.J. Res. 108.

Congress has the power to enact this legislation pursuant to the following:

Congress has authority to enact this legislation pursuant to Article I, Section 8, Clause 3 of the constitution. Should this IRS rule go into effect, commerce will likely be significantly impacted as deposits are pulled from U.S. financial institutions, thereby decreasing capital available for lending.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Ms. EDWARDS.
H.R. 157: Mr. SULLIVAN and Mr. SCALISE.
H.R. 436: Ms. HERRERA BEUTLER.
H.R. 459: Mr. DANIEL E. LUNGREN of California and Mr. WEBSTER.
H.R. 668: Mr. PLATTS.
H.R. 750: Mr. OLSON.
H.R. 860: Mr. FITZPATRICK and Mr. ROGERS of Kentucky.
H.R. 931: Mr. FLEMING and Mr. NEUGEBAUER.
H.R. 1005: Mr. FILNER and Mr. JOHNSON of Ohio.
H.R. 1068: Mr. ANDREWS.
H.R. 1085: Mr. DINGELL.
H.R. 1092: Mr. RIGELL.
H.R. 1116: Mrs. CHRISTENSEN and Mr. DICKS.
H.R. 1167: Mr. BENISHEK.
H.R. 1219: Ms. BONAMICI and Mr. BENISHEK.
H.R. 1260: Mr. JOHNSON of Ohio.
H.R. 1327: Mr. FORBES.
H.R. 1342: Mr. CARTER.
H.R. 1370: Mr. GINGREY of Georgia.
H.R. 1375: Ms. HAHN and Mrs. MALONEY.
H.R. 1416: Mr. PETERSON.
H.R. 1417: Mr. CLAY.
H.R. 1648: Mr. PETERS.
H.R. 1653: Ms. SEWELL.
H.R. 1756: Mr. TURNER of New York.
H.R. 1802: Mr. GRIJALVA, Mr. PALLONE, and Mr. LATHAM.
H.R. 1810: Mr. NEAL and Mr. NUNES.
H.R. 1867: Mr. SCHIFF.
H.R. 1956: Mr. SMITH of Texas, Mr. GERLACH, Mr. QUAYLE, Mr. MULVANEY, and Mr. BARTLETT.
H.R. 1960: Mr. JOHNSON of Ohio.
H.R. 2028: Ms. RICHARDSON, Mr. JACKSON of Illinois, Ms. NORTON, Ms. BORDALLO, and Ms. WATERS.
H.R. 2077: Mr. BILBRAY.
H.R. 2082: Mr. CROWLEY.
H.R. 2140: Ms. RICHARDSON.
H.R. 2152: Mr. MURPHY of Connecticut, Ms. HAHN, and Mr. RICHMOND.
H.R. 2187: Ms. MOORE.
H.R. 2197: Mr. KUCINICH and Ms. SUTTON.
H.R. 2245: Mr. BISHOP of Georgia.
H.R. 2268: Mr. FORBES.
H.R. 2304: Mr. AUSTIN SCOTT of Georgia.
H.R. 2315: Mr. GUTIERREZ and Mr. CONYERS.
H.R. 2368: Mr. CONYERS.
H.R. 2595: Mr. MILLER of North Carolina and Mrs. DAVIS of California.
H.R. 2654: Mr. CONYERS.
H.R. 2697: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2962: Ms. BUERKLE.
H.R. 2964: Mr. DUNCAN of Tennessee.
H.R. 3168: Mr. PITTS.
H.R. 3187: Mr. CLARKE of Michigan and Mr. MILLER of Florida.
H.R. 3192: Mr. MCCOTTER.
H.R. 3199: Mr. HANNA.
H.R. 3238: Mr. RANGEL and Mr. JACKSON of Illinois.
H.R. 3269: Mr. HUELSKAMP, Mr. FILNER, Mr. CHABOT, and Mr. JOHNSON of Georgia.
H.R. 3307: Mr. REHBERG.
H.R. 3316: Mr. CONYERS.
H.R. 3317: Mr. CONYERS.
H.R. 3364: Mr. MURPHY of Connecticut and Mr. ROGERS of Kentucky.
H.R. 3423: Mr. BONNER, Mr. MATHESON, Mr. TIERNEY, Mr. GERLACH, Mr. FORBES, Mr. WOMACK, and Mr. COOPER.
H.R. 3435: Mr. KIND.
H.R. 3487: Mr. ROGERS of Michigan.
H.R. 3506: Ms. BALDWIN, Ms. HERRERA BEUTLER, and Mr. CONNOLLY of Virginia.
H.R. 3511: Mr. BUCSHON and Mr. MILLER of Florida.
H.R. 3596: Ms. MATSUI.
H.R. 3599: Ms. BONAMICI.
H.R. 3600: Mr. PAUL.
H.R. 3612: Mr. HINOJOSA and Mr. AMODEI.
H.R. 3619: Mr. KUCINICH, Mr. CAPUANO, and Mr. CONYERS.
H.R. 3656: Mr. HINOJOSA.
H.R. 3665: Ms. WATERS and Mr. DEFAZIO.
H.R. 3679: Mr. WALDEN.
H.R. 3713: Ms. ESHOO.
H.R. 3798: Mrs. NAPOLITANO.
H.R. 3811: Mr. NEUGEBAUER.
H.R. 3839: Mr. WELCH and Mr. BISHOP of Georgia.
H.R. 3855: Mr. MCCOTTER.
H.R. 3856: Mr. NUGENT.
H.R. 3862: Mr. SCALISE.
H.R. 3863: Mr. BENISHEK.
H.R. 3993: Ms. HIRONO and Mr. BENISHEK.
H.R. 4017: Mr. SCHIFF.
H.R. 4045: Mr. KIND.
H.R. 4046: Mr. MILLER of Florida.
H.R. 4055: Mr. OWENS, Ms. PINGREE of Maine, Mr. HIGGINS, Mr. CASSIDY, Mr. JACKSON of Illinois, and Mr. SMITH of Washington.
H.R. 4066: Mr. HARRIS, Mr. BENISHEK, and Mr. GERLACH.
H.R. 4093: Mr. NUGENT.
H.R. 4107: Mr. AMODEI.
H.R. 4120: Mr. GERLACH, Mr. JACKSON of Illinois, and Mr. TURNER of New York.
H.R. 4134: Mr. DINGELL.
H.R. 4156: Mr. WOLF.
H.R. 4160: Mr. FLAKE.
H.R. 4169: Mr. MARINO.
H.R. 4174: Mr. YODER and Mr. BUTTERFIELD.
H.R. 4176: Mrs. MCCARTHY of New York and Mr. YODER.
H.R. 4180: Mr. LANCE, Mr. CONAWAY, and Mr. MARCHANT.
H.R. 4228: Mr. OLSON.
H.R. 4232: Mr. FORBES and Mr. TIBERI.
H.R. 4234: Mr. KISSELL.
H.R. 4237: Mr. MILLER of Florida.
H.R. 4238: Mr. JACKSON of Illinois.
H.R. 4256: Mr. TIBERI.
H.R. 4269: Mr. POSEY, Mr. ROE of Tennessee, and Mrs. ELLMERS.
H.R. 4271: Mr. DINGELL, Ms. ESHOO, and Mr. DOYLE.
H.R. 4278: Mr. GRIFFITH of Virginia.
H.R. 4286: Mr. OLVER, Mr. RANGEL, and Mr. BOSWELL.
H.R. 4287: Mr. BACA, Mr. TOWNS, and Mrs. NAPOLITANO.
H.R. 4298: Mr. GRIFFITH of Virginia.
H.R. 4318: Mr. CONYERS.
H.R. 4330: Mr. LOEBSACK.
H.R. 4336: Mr. POSEY.
H.R. 4343: Mr. POSEY.
H.R. 4350: Mr. SOUTHERLAND and Mr. SCHIFF.
H.R. 4367: Mr. POSEY, Mr. MICHAUD, Mr. PRICE of Georgia, and Mr. GRIFFIN of Arkansas.
H.R. 4380: Mr. OLVER.
H.R. 4385: Mr. FARENTHOLD, Mr. CULBERSON, Mrs. BLACKBURN, Mr. PRICE of Georgia, Mr. JORDAN, Mr. PENCE, Mr. PITTS, Mr. STEARNS, Mr. SCALISE, Mr. FINCHER, Mr. OLSON, Mr. CONAWAY, and Mr. JONES.

H.R. 4386: Mrs. ELLMERS.
H.R. 4390: Mr. JACKSON of Illinois.
H.R. 4399: Ms. JENKINS.
H.R. 4402: Mr. HECK, Mr. LONG, and Mr. JONES.
H.R. 4405: Ms. JENKINS, Ms. SCHAKOWSKY, and Mr. WILSON of South Carolina.
H.R. 4406: Mr. RYAN of Ohio, Mr. LATOURETTE, Ms. KAPTUR, Mr. KELLY, Mr. MCCOTTER, and Mr. BENISHEK.
H.R. 4454: Mr. MILLER of Florida.
H.R. 4534: Mr. OLVER.
H.R. 4711: Mr. NEAL.
H.R. 4712: Mr. NEAL.
H.R. 4713: Mr. NEAL.
H.R. 4714: Mr. NEAL.
H.R. 4826: Mr. COSTELLO.
H.R. 4972: Mr. NADLER.
H.R. 4976: Mr. HECK, Mr. LONG, and Mr. JONES.
H.R. 4978: Mr. RANGEL.
H.R. 5044: Mr. JOHNSON of Ohio, Mr. MILLER of Florida, and Mr. SCALISE.
H.R. 5050: Mr. HINCHEY and Mr. GRIMM.
H.R. 5144: Mr. LONG and Ms. JACKSON LEE of Texas.
H.R. 5188: Ms. NORTON, Mr. RANGEL, and Mr. KILDEE.
H.R. 5303: Mr. ACKERMAN and Mr. WILSON of South Carolina.
H.R. 5542: Mr. DINGELL.
H.R. 5544: Mr. KLINE.
H.R. 5647: Mr. MURPHY of Connecticut and Mr. POLIS.
H.J. Res. 13: Mr. GRIFFIN of Arkansas.
H.J. Res. 92: Mr. CONYERS.
H.J. Res. 104: Mr. PETERSON.
H. Con. Res. 107: Mr. GRIJALVA.
H. Con. Res. 115: Mr. CALVERT, Mr. LUCAS, Mr. YOUNG of Florida, and Mr. MCCOTTER.
H. Res. 111: Mr. CONYERS, Mr. PLATTS, Mr. BRALEY of Iowa, Mr. ENGEL, and Mr. MICA.
H. Res. 521: Mrs. MALONEY and Mr. LEVIN.
H. Res. 560: Mr. CICILLINE.
H. Res. 568: Mr. BOUSTANY, Mr. FRANKS of Arizona, Mr. NEUGEBAUER, and Mrs. SCHMIDT.
H. Res. 618: Mr. WITTMAN.
H. Res. 644: Mr. FARR, Mr. GERLACH, Mr. BISHOP of Georgia, and Mr. POSEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4004: Mr. COLE.

PETITIONS, ETC.

Under clause 3 of rule XII,

43. The SPEAKER presented a petition of Representative Joe Gibbons of the Florida House of Representatives, Florida, relative to urging the Congress to review and act on recommendations made by the Blue Ribbon Commission on America's Nuclear Future (BRC); which was referred to the Committee on Energy and Commerce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5652

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Balanced Approach to Replace the Sequester Act of 2012 for Fiscal Year 2013''.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—BUDGET PROCESS AMENDMENTS TO REPLACE FISCAL YEAR 2013 SEQUESTRATION
Sec. 101. Repeal and replace the 2013 sequester.
Sec. 102. Protecting veterans programs from sequester.
TITLE II—AGRICULTURAL SAVINGS
Sec. 201. One-year extension of agricultural commodity programs, except direct payment programs.
TITLE III—FLOOD INSURANCE REFORM
Sec. 301. Short title.
Sec. 302. Extensions.
Sec. 303. Mandatory purchase.
Sec. 304. Reforms of coverage terms.
Sec. 305. Reforms of premium rates.
Sec. 306. Technical Mapping Advisory Council.
Sec. 307. FEMA incorporation of new mapping protocols.
Sec. 308. Treatment of levees.
Sec. 309. Privatization initiatives.
Sec. 310. FEMA annual report on insurance program.
Sec. 311. Mitigation assistance.
Sec. 312. Notification to homeowners regarding mandatory purchase requirement applicability and rate phase-ins.
Sec. 313. Notification to members of congress of flood map revisions and updates.
Sec. 314. Notification and appeal of map changes; notification to communities of establishment of flood elevations.
Sec. 315. Notification to tenants of availability of contents insurance.
Sec. 316. Notification to policy holders regarding direct management of policy by FEMA.
Sec. 317. Notice of availability of flood insurance and escrow in RESPA good faith estimate.
Sec. 318. Reimbursement for costs incurred by homeowners and communities obtaining letters of map amendment or revision.
Sec. 319. Enhanced communication with certain communities during map updating process.
Sec. 320. Notification to residents newly included in flood hazard areas.
Sec. 321. Treatment of swimming pool enclosures outside of hurricane season.
Sec. 322. Information regarding multiple perils claims.
Sec. 323. FEMA authority to reject transfer of policies.
Sec. 324. Appeals.
Sec. 325. Reserve fund.
Sec. 326. CDBG eligibility for flood insurance outreach activities and community building code administration grants.
Sec. 327. Technical corrections.
Sec. 328. Requiring competition for national flood insurance program policies.
Sec. 329. Studies of voluntary community-based flood insurance options.
Sec. 330. Report on inclusion of building codes in floodplain management criteria.
Sec. 331. Study on graduated risk.
Sec. 332. Report on flood-in-progress determination.
Sec. 333. Study on repaying flood insurance debt.
Sec. 334. No cause of action.
Sec. 335. Authority for the corps of engineers to provide specialized or technical services.
TITLE IV—OIL AND GAS SUBSIDIES
Sec. 401. Limitation on section 199 deduction attributable to oil, natural gas, or primary products thereof.
Sec. 402. Prohibition on using last-in, first-out accounting for major integrated oil companies.
Sec. 403. Modifications of foreign tax credit rules applicable to major integrated oil companies which are dual capacity taxpayers.
TITLE V—THE BUFFETT RULE
Sec. 501. Fair share tax on high-income taxpayers.
TITLE VI—RETIREMENT CONTRIBUTIONS FOR MEMBERS OF CONGRESS
Sec. 601. Retirement contributions.

TITLE I—BUDGET PROCESS AMENDMENTS TO REPLACE FISCAL YEAR 2013 SEQUESTRATION

SEC. 101. REPEAL AND REPLACE THE 2013 SEQUESTER.

(a) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DISCRETIONARY SPENDING.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

(b) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DIRECT SPENDING.—Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

(c) SAVINGS.—The savings set forth by the enactment of title II shall achieve the savings that would otherwise have occurred as a result of the sequestration under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. PROTECTING VETERANS PROGRAMS FROM SEQUESTER.

Section 256(e)(2)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

TITLE II—AGRICULTURAL SAVINGS

SEC. 201. ONE-YEAR EXTENSION OF AGRICULTURAL COMMODITY PROGRAMS, EXCEPT DIRECT PAYMENT PROGRAMS.

(a) EXTENSION.—Except as provided in subsection (b) and notwithstanding any other provision of law, the authorities provided by each provision of title I of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651) and each amendment made by that title (and for mandatory programs at such funding levels), as in effect on September 30, 2012, shall continue, and the Secretary of Agriculture shall carry out the authorities, until September 30, 2013.

(b) TERMINATION OF DIRECT PAYMENT PROGRAMS.—

(1) COVERED COMMODITIES.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1103 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713).

(2) PEANUTS.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7953).

(c) EFFECTIVE DATE.—This section shall take effect on the earlier of—

(1) the date of the enactment of this Act; and

(2) September 30, 2012.

TITLE III—FLOOD INSURANCE REFORM

SEC. 301. SHORT TITLE.

This title may be cited as the ''Flood Insurance Reform Act of 2012''.

SEC. 302. EXTENSIONS.

(a) EXTENSION OF PROGRAM.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking ''the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012'' and inserting ''September 30, 2016''.

(b) EXTENSION OF FINANCING.—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended by striking ''the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012'' and inserting ''September 30, 2016''.

SEC. 303. MANDATORY PURCHASE.

(a) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—

(1) IN GENERAL.—Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) is amended by adding at the end the following new subsection:

''(i) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—

''(1) FINDING BY ADMINISTRATOR THAT AREA IS AN ELIGIBLE AREA.—For any area, upon a request submitted to the Administrator by a local government authority having jurisdiction over any portion of the area, the Administrator shall make a finding of whether the area is an eligible area under paragraph (3). If the Administrator finds that such area is an eligible area, the Administrator shall, in the discretion of the Administrator, designate a period during which such finding shall be effective, which shall not be longer in duration than 12 months.

''(2) SUSPENSION OF MANDATORY PURCHASE REQUIREMENT.—If the Administrator makes a finding under paragraph (1) that an area is an eligible area under paragraph (3), during the period specified in the finding, the designation of such eligible area as an area having special flood hazards shall not be effective for purposes of subsections (a), (b), and (e) of this section, and section 202(a) of this Act. Nothing in this paragraph may be construed to prevent any lender, servicer, regulated lending institution, Federal agency lender, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, at the discretion of such entity, from requiring the purchase of flood insurance coverage in connection with the making, increasing, extending, or renewing of a loan secured by improved real estate or a mobile home located or to be located in such eligible area during such period or a lender or servicer from purchasing coverage on behalf of a borrower pursuant to subsection (e).

''(3) ELIGIBLE AREAS.—An eligible area under this paragraph is an area that is designated or will, pursuant to any issuance, revision, updating, or other change in flood insurance maps that takes effect on or after the date of the enactment of the Flood Insurance Reform Act of 2012, become designated as an area having special flood hazards and that meets any one of the following 3 requirements:

''(A) AREAS WITH NO HISTORY OF SPECIAL FLOOD HAZARDS.—The area does not include any area that has ever previously been designated as an area having special flood hazards.

''(B) AREAS WITH FLOOD PROTECTION SYSTEMS UNDER IMPROVEMENTS.—The area was intended to be protected by a flood protection system—

''(i) that has been decertified, or is required to be certified, as providing protection for the 100-year frequency flood standard;

''(ii) that is being improved, constructed, or reconstructed; and

''(iii) for which the Administrator has determined measurable progress toward completion of such improvement, construction, reconstruction is being made and toward securing financial commitments sufficient to fund such completion.

''(C) AREAS FOR WHICH APPEAL HAS BEEN FILED.—An area for which a community has appealed designation of the area as having special flood hazards in a timely manner under section 1363.

''(4) EXTENSION OF DELAY.—Upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, the Administrator may extend the period during which a finding under paragraph (1) shall be effective, except that—

''(A) each such extension under this paragraph shall not be for a period exceeding 12 months; and

''(B) for any area, the cumulative number of such extensions may not exceed 2.

''(5) ADDITIONAL EXTENSION FOR COMMUNITIES MAKING MORE THAN ADEQUATE PROGRESS ON FLOOD PROTECTION SYSTEM.—

''(A) EXTENSION.—

''(i) AUTHORITY.—Except as provided in subparagraph (B), in the case of an eligible area for which the Administrator has, pursuant to paragraph (4), extended the period of effectiveness of the finding under paragraph (1) for the area, upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, if the Administrator finds that more than adequate progress has been made on the construction of a flood protection system for such area, as determined in accordance with the last sentence of section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)), the Administrator may, in the discretion of the Administrator, further extend the period during which the finding under paragraph (1) shall be effective for such area for an additional 12 months.

''(ii) LIMIT.— For any eligible area, the cumulative number of extensions under this subparagraph may not exceed 2.

''(B) EXCLUSION FOR NEW MORTGAGES.—

''(i) EXCLUSION.—Any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) shall not be effective with respect to any excluded property after the origination, increase, extension, or renewal of the loan referred to in clause (ii)(II) for the property.

''(ii) EXCLUDED PROPERTIES.—For purposes of this subparagraph, the term 'excluded property' means any improved real estate or mobile home—

''(I) that is located in an eligible area; and

''(II) for which, during the period that any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) is otherwise in effect for the eligible area in which such property is located—

''(aa) a loan that is secured by the property is originated; or

''(bb) any existing loan that is secured by the property is increased, extended, or renewed.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect the applicability of a designation of any area as an area having special flood hazards for purposes of the availability of flood insurance coverage, criteria for land management and use, notification of flood hazards, eligibility for mitigation assistance, or any other purpose or provision not specifically referred to in paragraph (2).

''(7) REPORTS.—The Administrator shall, in each annual report submitted pursuant to section 1320, include information identifying each finding under paragraph (1) by the Administrator during the preceding year that an area is an area having special flood hazards, the basis for each such finding, any extensions pursuant to paragraph (4) of the periods of effectiveness of such findings, and the reasons for such extensions.''.

(2) NO REFUNDS.—Nothing in this subsection or the amendments made by this subsection may be construed to authorize or require any payment or refund for flood insurance coverage purchased for any property that covered any period during which such coverage is not required for the property pursuant to the applicability of the amendment made by paragraph (1).

(b) TERMINATION OF FORCE-PLACED INSURANCE.—Section 102(e) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(e)) is amended—

(1) in paragraph (2), by striking ''insurance.'' and inserting ''insurance, including premiums or fees incurred for coverage beginning on the date on which flood insurance coverage lapsed or did not provide a sufficient coverage amount.'';

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and 6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

''(3) TERMINATION OF FORCE-PLACED INSURANCE.—Within 30 days of receipt by the lender or servicer of a confirmation of a borrower's existing flood insurance coverage, the lender or servicer shall—

''(A) terminate the force-placed insurance; and

''(B) refund to the borrower all force-placed insurance premiums paid by the borrower during any period during which the borrower's flood insurance coverage and the force-placed flood insurance coverage were each in effect, and any related fees charged to the borrower with respect to the force-placed insurance during such period.

''(4) SUFFICIENCY OF DEMONSTRATION.—For purposes of confirming a borrower's existing flood insurance coverage, a lender or servicer for a loan shall accept from the borrower an insurance policy declarations page that includes the existing flood insurance policy number and the identity of, and contact information for, the insurance company or agent.''.

(c) USE OF PRIVATE INSURANCE TO SATISFY MANDATORY PURCHASE REQUIREMENT.—Section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''lending institutions not to make'' and inserting ''lending institutions—

''(A) not to make'';

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking ''less.'' and inserting ''less; and''; and

(C) by adding at the end the following new subparagraph:

''(B) to accept private flood insurance as satisfaction of the flood insurance coverage requirement under subparagraph (A) if the coverage provided by such private flood insurance meets the requirements for coverage under such subparagraph.'';

(2) in paragraph (2), by inserting after ''provided in paragraph (1).'' the following new sentence: ''Each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by

such private flood insurance meets the requirements for coverage under such sentence.'';

(3) in paragraph (3), in the matter following subparagraph (B), by adding at the end the following new sentence: ''The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.''; and

(4) by adding at the end the following new paragraph:

''(5) PRIVATE FLOOD INSURANCE DEFINED.—In this subsection, the term 'private flood insurance' means a contract for flood insurance coverage allowed for sale under the laws of any State.''.

SEC. 304. REFORMS OF COVERAGE TERMS.

(a) MINIMUM DEDUCTIBLES FOR CLAIMS.—Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) by striking ''The Director is'' and inserting the following: ''(a) IN GENERAL.—The Administrator is''; and

(2) by adding at the end the following:

''(b) MINIMUM ANNUAL DEDUCTIBLES.—

''(1) SUBSIDIZED RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, and for which the chargeable rate for such coverage is less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be $2,000.

''(2) ACTUARIAL RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, for which the chargeable rate for such coverage is not less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be $1,000.''.

(b) CLARIFICATION OF RESIDENTIAL AND COMMERCIAL COVERAGE LIMITS.—Section 1306(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (2)—

(A) by striking ''in the case of any residential property'' and inserting ''in the case of any residential building designed for the occupancy of from one to four families''; and

(B) by striking ''shall be made available to every insured upon renewal and every applicant for insurance so as to enable such insured or applicant to receive coverage up to a total amount (including such limits specified in paragraph (1)(A)(i)) of $250,000'' and inserting ''shall be made available, with respect to any single such building, up to an aggregate liability (including such limits specified in paragraph (1)(A)(i)) of $250,000''; and

(2) in paragraph (4)—

(A) by striking ''in the case of any nonresidential property, including churches,'' and inserting ''in the case of any nonresidential building, including a church,''; and

(B) by striking ''shall be made available to every insured upon renewal and every applicant for insurance, in respect to any single structure, up to a total amount (including such limit specified in subparagraph (B) or (C) of paragraph (1), as applicable) of $500,000 for each structure and $500,000 for any contents related to each structure'' and inserting ''shall be made available with respect to any single such building, up to an aggregate liability (including such limits specified in subparagraph (B) or (C) of paragraph (1), as applicable) of $500,000, and coverage shall be made available up to a total of $500,000 aggregate liability for contents owned by the building owner and $500,000 aggregate liability for each unit within the building for contents owned by the tenant''.

(c) INDEXING OF MAXIMUM COVERAGE LIMITS.—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period at the end and inserting ''; and'';

(3) by redesignating paragraph (5) as paragraph (7); and

(4) by adding at the end the following new paragraph:

''(8) each of the dollar amount limitations under paragraphs (2), (3), (4), (5), and (6) shall be adjusted effective on the date of the enactment of the Flood Insurance Reform Act of 2012, such adjustments shall be calculated using the percentage change, over the period beginning on September 30, 1994, and ending on such date of enactment, in such inflationary index as the Administrator shall, by regulation, specify, and the dollar amount of such adjustment shall be rounded to the next lower dollar; and the Administrator shall cause to be published in the Federal Register the adjustments under this paragraph to such dollar amount limitations; except that in the case of coverage for a property that is made available, pursuant to this paragraph, in an amount that exceeds the limitation otherwise applicable to such coverage as specified in paragraph (2), (3), (4), (5), or (6), the total of such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1).''.

(d) OPTIONAL COVERAGE FOR LOSS OF USE OF PERSONAL RESIDENCE AND BUSINESS INTERRUPTION.—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)), as amended by the preceding provisions of this section, is further amended by inserting after paragraph (4) the following new paragraphs:

''(5) the Administrator may provide that, in the case of any residential property, each renewal or new contract for flood insurance coverage may provide not more than $5,000 aggregate liability per dwelling unit for any necessary increases in living expenses incurred by the insured when losses from a flood make the residence unfit to live in, except that—

''(A) purchase of such coverage shall be at the option of the insured;

''(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

''(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

''(i) a competitive private insurance market for such coverage does not exist; and

''(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;

''(6) the Administrator may provide that, in the case of any commercial property or other residential property, including multifamily rental property, coverage for losses resulting from any partial or total interruption of the insured's business caused by damage to, or loss of, such property from a flood may be made available to every insured upon renewal and every applicant, up to a total amount of $20,000 per property, except that—

''(A) purchase of such coverage shall be at the option of the insured;

''(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

''(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

''(i) a competitive private insurance market for such coverage does not exist; and

''(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;''.

(e) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.—Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following new subsection:

''(d) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.—

''(1) AUTHORITY.—In addition to any other terms and conditions under subsection (a), such regulations shall provide that, in the case of any residential property, premiums for flood insurance coverage made available under this title for such property may be paid in installments.

''(2) LIMITATIONS.—In implementing the authority under paragraph (1), the Administrator may establish increased chargeable premium rates and surcharges, and deny coverage and establish such other sanctions, as the Administrator considers necessary to ensure that insureds purchase, pay for, and maintain coverage for the full term of a contract for flood insurance coverage or to prevent insureds from purchasing coverage only for periods during a year when risk of flooding is comparatively higher or canceling coverage for periods when such risk is comparatively lower.''.

(f) EFFECTIVE DATE OF POLICIES COVERING PROPERTIES AFFECTED BY FLOODS IN PROGRESS.—Paragraph (1) of section 1306(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)) is amended by adding after the period at the end the following: ''With respect to any flood that has commenced or is in progress before the expiration of such 30-day period, such flood insurance coverage for a property shall take effect upon the expiration of such 30-day period and shall cover damage to such property occurring after the expiration of such period that results from such flood, but only if the property has not suffered damage or loss as a result of such flood before the expiration of such 30-day period.''.

SEC. 305. REFORMS OF PREMIUM RATES.

(a) INCREASE IN ANNUAL LIMITATION ON PREMIUM INCREASES.—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended by striking ''10 percent'' and inserting ''20 percent''.

(b) PHASE-IN OF RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.—

(1) IN GENERAL.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting ''or notice'' after ''prescribe by regulation'';

(B) in subsection (c), by inserting ''and subsection (g)'' before the first comma; and

(C) by adding at the end the following new subsection:

''(g) 5-YEAR PHASE-IN OF FLOOD INSURANCE RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.—

''(1) 5-YEAR PHASE-IN PERIOD.—Notwithstanding subsection (c) or any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in flood insurance maps, becomes designated as such an area, during the 5-year period that begins, except as provided in paragraph (2), upon the date that such maps, as issued, revised, updated, or otherwise changed, become effective, the chargeable premium rate for flood insurance under this title with respect to any covered property that is located within such area shall be the rate described in paragraph (3).

''(2) APPLICABILITY TO PREFERRED RISK RATE AREAS.—In the case of any area described in paragraph (1) that consists of or includes an area that, as of date of the effectiveness of the flood insurance maps for such area referred to in paragraph (1) as so issued, revised, updated, or changed, is eligible for any reason for preferred risk rate method premiums for flood insurance coverage and was eligible for such premiums as of the enactment of the Flood Insurance Reform Act of 2012, the 5-year period referred to in paragraph (1) for such area eligible for preferred risk rate method premiums shall begin upon the expiration of the period during which such area is eligible for such preferred risk rate method premiums.

''(3) PHASE-IN OF FULL ACTUARIAL RATES.—With respect to any area described in paragraph (1), the chargeable risk premium rate for flood insurance under this title for a covered property that is located in such area shall be—

''(A) for the first year of the 5-year period referred to in paragraph (1), the greater of—

''(i) 20 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

''(ii) in the case of any property that, as of the beginning of such first year, is eligible for preferred risk rate method premiums for flood insurance coverage, such preferred risk rate method premium for the property;

''(B) for the second year of such 5-year period, 40 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

''(C) for the third year of such 5-year period, 60 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

''(D) for the fourth year of such 5-year period, 80 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

''(E) for the fifth year of such 5-year period, 100 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

''(4) COVERED PROPERTIES.—For purposes of the subsection, the term 'covered property' means any residential property occupied by its owner or a bona fide tenant as a primary residence.''.

(2) REGULATION OR NOTICE.—The Administrator of the Federal Emergency Management Agency shall issue an interim final rule or notice to implement this subsection and the amendments made by this subsection as soon as practicable after the date of the enactment of this Act.

(c) PHASE-IN OF ACTUARIAL RATES FOR CERTAIN PROPERTIES.—

(1) IN GENERAL.—Section 1308(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(c)) is amended—

(A) by redesignating paragraph (2) as paragraph (7); and

(B) by inserting after paragraph (1) the following new paragraphs:

''(2) COMMERCIAL PROPERTIES.—Any nonresidential property.

''(3) SECOND HOMES AND VACATION HOMES.—Any residential property that is not the primary residence of any individual.

''(4) HOMES SOLD TO NEW OWNERS.—Any single family property that—

''(A) has been constructed or substantially improved and for which such construction or improvement was started, as determined by the Administrator, before December 31, 1974, or before the effective date of the initial rate map published by the Administrator under paragraph (2) of section 1360(a) for the area in which such property is located, whichever is later; and

''(B) is purchased after the effective date of this paragraph, pursuant to section 345(c)(3)(A) of the Flood Insurance Reform Act of 2012.

''(5) HOMES DAMAGED OR IMPROVED.—Any property that, on or after the date of the enactment of the Flood Insurance Reform Act of 2012, has experienced or sustained—

''(A) substantial flood damage exceeding 50 percent of the fair market value of such property; or

''(B) substantial improvement exceeding 30 percent of the fair market value of such property.

''(6) HOMES WITH MULTIPLE CLAIMS.—Any severe repetitive loss property (as such term is defined in section 1366(j)).''.

(2) TECHNICAL AMENDMENTS.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(A) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''the limitations provided under paragraphs (1) and (2)'' and inserting ''subsection (e)''; and

(ii) in paragraph (1), by striking '', except'' and all that follows through ''subsection (e)''; and

(B) in subsection (e), by striking ''paragraph (2) or (3)'' and inserting ''paragraph (7)''.

(3) EFFECTIVE DATE AND TRANSITION.—

(A) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply beginning upon the expiration of the 12-month period that begins on the date of the enactment of this Act, except as provided in subparagraph (B) of this paragraph.

(B) TRANSITION FOR PROPERTIES COVERED BY FLOOD INSURANCE UPON EFFECTIVE DATE.—

(i) INCREASE OF RATES OVER TIME.—In the case of any property described in paragraph (2), (3), (4), (5), or (6) of section 1308(c) of the National Flood Insurance Act of 1968, as amended by paragraph (1) of this subsection, that, as of the effective date under subparagraph (A) of this paragraph, is covered under a policy for flood insurance made available under the national flood insurance program for which the chargeable premium rates are less than the applicable estimated risk premium rate under section 1307(a)(1) of such Act for the area in which the property is located, the Administrator of the Federal Emergency Management Agency shall increase the chargeable premium rates for such property over time to such applicable estimated risk premium rate under section 1307(a)(1).

(ii) AMOUNT OF ANNUAL INCREASE.—Such increase shall be made by increasing the chargeable premium rates for the property (after application of any increase in the premium rates otherwise applicable to such property), once during the 12-month period that begins upon the effective date under subparagraph (A) of this paragraph and once every 12 months thereafter until such increase is accomplished, by 20 percent (or such lesser amount as may be necessary so that the chargeable rate does not exceed such applicable estimated risk premium rate or to comply with clause (iii)).

(iii) PROPERTIES SUBJECT TO PHASE-IN AND ANNUAL INCREASES.—In the case of any pre-FIRM property (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1974), the aggregate increase, during any 12-month period, in the chargeable premium rate for the property that is attributable to this subparagraph or to an increase described in section 1308(e) of the National Flood Insurance Act of 1968 may not exceed 20 percent.

(iv) FULL ACTUARIAL RATES.—The provisions of paragraphs (2), (3), (4), (5), and (6) of such section 1308(c) shall apply to such a property upon the accomplishment of the increase under this subparagraph and thereafter.

(d) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this subtitle, is further amended—

(1) in subsection (e), by inserting ''or subsection (h)'' after ''subsection (c)''; and

(2) by adding at the end the following new subsection:

''(h) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, the Administrator shall not provide flood insurance coverage under this title for any property for which a policy for such coverage for the property has previously lapsed in coverage as a result of the deliberate choice of the holder of such policy, at a rate less than the applicable estimated risk premium rates for the area (or subdivision thereof) in which such property is located.''.

(e) RECOGNITION OF STATE AND LOCAL FUNDING FOR CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT OF FLOOD PROTECTION SYSTEMS IN DETERMINATION OF RATES.—

(1) IN GENERAL.—Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended—

(A) in subsection (e)—

(i) in the first sentence, by striking ''construction of a flood protection system'' and inserting ''construction, reconstruction, or improvement of a flood protection system (without respect to the level of Federal investment or participation)''; and

(ii) in the second sentence—

(I) by striking ''construction of a flood protection system'' and inserting ''construction, reconstruction, or improvement of a flood protection system''; and

(II) by inserting ''based on the present value of the completed system'' after ''has been expended''; and

(B) in subsection (f)—

(i) in the first sentence in the matter preceding paragraph (1), by inserting ''(without

respect to the level of Federal investment or participation)'' before the period at the end;

(ii) in the third sentence in the matter preceding paragraph (1), by inserting '', whether coastal or riverine,'' after ''special flood hazard''; and

(iii) in paragraph (1), by striking ''a Federal agency in consultation with the local project sponsor'' and inserting ''the entity or entities that own, operate, maintain, or repair such system''.

(2) REGULATIONS.—The Administrator of the Federal Emergency Management Agency shall promulgate regulations to implement this subsection and the amendments made by this subsection as soon as practicable, but not more than 18 months after the date of the enactment of this Act. Paragraph (3) may not be construed to annul, alter, affect, authorize any waiver of, or establish any exception to, the requirement under the preceding sentence.

SEC. 306. TECHNICAL MAPPING ADVISORY COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Technical Mapping Advisory Council (in this section referred to as the ''Council'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall consist of—

(A) the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator''), or the designee thereof;

(B) the Director of the United States Geological Survey of the Department of the Interior, or the designee thereof;

(C) the Under Secretary of Commerce for Oceans and Atmosphere, or the designee thereof;

(D) the commanding officer of the United States Army Corps of Engineers, or the designee thereof;

(E) the chief of the Natural Resources Conservation Service of the Department of Agriculture, or the designee thereof;

(F) the Director of the United States Fish and Wildlife Service of the Department of the Interior, or the designee thereof;

(G) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration of the Department of Commerce, or the designee thereof; and

(H) 14 additional members to be appointed by the Administrator of the Federal Emergency Management Agency, who shall be—

(i) an expert in data management;

(ii) an expert in real estate;

(iii) an expert in insurance;

(iv) a member of a recognized regional flood and storm water management organization;

(v) a representative of a State emergency management agency or association or organization for such agencies;

(vi) a member of a recognized professional surveying association or organization;

(vii) a member of a recognized professional mapping association or organization;

(viii) a member of a recognized professional engineering association or organization;

(ix) a member of a recognized professional association or organization representing flood hazard determination firms;

(x) a representative of State national flood insurance coordination offices;

(xi) representatives of two local governments, at least one of whom is a local levee flood manager or executive, designated by the Federal Emergency Management Agency as Cooperating Technical Partners; and

(xii) representatives of two State governments designated by the Federal Emergency Management Agency as Cooperating Technical States.

(2) QUALIFICATIONS.—Members of the Council shall be appointed based on their demonstrated knowledge and competence regarding surveying, cartography, remote sensing, geographic information systems, or the technical aspects of preparing and using flood insurance rate maps. In appointing members under paragraph (1)(H), the Administrator shall ensure that the membership of the Council has a balance of Federal, State, local, and private members, and includes an adequate number of representatives from the States with coastline on the Gulf of Mexico and other States containing areas identified by the Administrator of the Federal Emergency Management Agency as at high-risk for flooding or special flood hazard areas.

(c) DUTIES.—

(1) NEW MAPPING STANDARDS.—Not later than the expiration of the 12-month period beginning upon the date of the enactment of this Act, the Council shall develop and submit to the Administrator and the Congress proposed new mapping standards for 100-year flood insurance rate maps used under the national flood insurance program under the National Flood Insurance Act of 1968. In developing such proposed standards the Council shall—

(A) ensure that the flood insurance rate maps reflect true risk, including graduated risk that better reflects the financial risk to each property; such reflection of risk should be at the smallest geographic level possible (but not necessarily property-by-property) to ensure that communities are mapped in a manner that takes into consideration different risk levels within the community;

(B) ensure the most efficient generation, display, and distribution of flood risk data, models, and maps where practicable through dynamic digital environments using spatial database technology and the Internet;

(C) ensure that flood insurance rate maps reflect current hydrologic and hydraulic data, current land use, and topography, incorporating the most current and accurate ground and bathymetric elevation data;

(D) determine the best ways to include in such flood insurance rate maps levees, decertified levees, and areas located below dams, including determining a methodology for ensuring that decertified levees and other protections are included in flood insurance rate maps and their corresponding flood zones reflect the level of protection conferred;

(E) consider how to incorporate restored wetlands and other natural buffers into flood insurance rate maps, which may include wetlands, groundwater recharge areas, erosion zones, meander belts, endangered species habitat, barrier islands and shoreline buffer features, riparian forests, and other features;

(F) consider whether to use vertical positioning (as defined by the Administrator) for flood insurance rate maps;

(G) ensure that flood insurance rate maps differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(H) ensure that flood insurance rate maps take into consideration the best scientific data and potential future conditions (including projections for sea level rise); and

(I) consider how to incorporate the new standards proposed pursuant to this paragraph in existing mapping efforts.

(2) ONGOING DUTIES.—The Council shall, on an ongoing basis, review the mapping protocols developed pursuant to paragraph (1), and make recommendations to the Administrator when the Council determines that mapping protocols should be altered.

(3) MEETINGS.—In carrying out its duties under this section, the Council shall consult with stakeholders through at least 4 public meetings annually, and shall seek input of all stakeholder interests including State and local representatives, environmental and conservation organizations, insurance industry representatives, advocacy groups, planning organizations, and mapping organizations.

(d) PROHIBITION ON COMPENSATION.—Members of the Council shall receive no additional compensation by reason of their service on the Council.

(e) CHAIRPERSON.—The Administrator shall serve as the Chairperson of the Council.

(f) STAFF.—

(1) FEMA.—Upon the request of the Council, the Administrator may detail, on a non-reimbursable basis, personnel of the Federal Emergency Management Agency to assist the Council in carrying out its duties.

(2) OTHER FEDERAL AGENCIES.—Upon request of the Council, any other Federal agency that is a member of the Council may detail, on a non-reimbursable basis, personnel to assist the Council in carrying out its duties.

(g) POWERS.—In carrying out this section, the Council may hold hearings, receive evidence and assistance, provide information, and conduct research, as the Council considers appropriate.

(h) TERMINATION.—The Council shall terminate upon the expiration of the 5-year period beginning on the date of the enactment of this Act.

(i) MORATORIUM ON FLOOD MAP CHANGES.—

(1) MORATORIUM.—Except as provided in paragraph (2) and notwithstanding any other provision of this subtitle, the National Flood Insurance Act of 1968, or the Flood Disaster Protection Act of 1973, during the period beginning upon the date of the enactment of this Act and ending upon the submission by the Council to the Administrator and the Congress of the proposed new mapping standards required under subsection (c)(1), the Administrator may not make effective any new or updated rate maps for flood insurance coverage under the national flood insurance program that were not in effect for such program as of such date of enactment, or otherwise revise, update, or change the flood insurance rate maps in effect for such program as of such date.

(2) LETTERS OF MAP CHANGE.—During the period described in paragraph (1), the Administrator may revise, update, and change the flood insurance rate maps in effect for the national flood insurance program only pursuant to a letter of map change (including a letter of map amendment, letter of map revision, and letter of map revision based on fill).

SEC. 307. FEMA INCORPORATION OF NEW MAPPING PROTOCOLS.

(a) NEW RATE MAPPING STANDARDS.—Not later than the expiration of the 6-month period beginning upon submission by the Technical Mapping Advisory Council under section 346 of the proposed new mapping standards for flood insurance rate maps used under the national flood insurance program developed by the Council pursuant to section 346(c), the Administrator of the Federal Emergency Management Agency (in this section referred to as the ''Administrator'') shall establish new standards for such rate maps based on such proposed new standards and the recommendations of the Council.

(b) REQUIREMENTS.—The new standards for flood insurance rate maps established by the Administrator pursuant to subsection (a) shall—

(1) delineate and include in any such rate maps—

(A) all areas located within the 100-year flood plain; and

(B) areas subject to graduated and other risk levels, to the maximum extent possible;

(2) ensure that any such rate maps—

(A) include levees, including decertified levees, and the level of protection they confer;

(B) reflect current land use and topography and incorporate the most current and accurate ground level data;

(C) take into consideration the impacts and use of fill and the flood risks associated with altered hydrology;

(D) differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(E) identify and incorporate natural features and their associated flood protection benefits into mapping and rates; and

(F) identify, analyze, and incorporate the impact of significant changes to building and development throughout any river or costal water system, including all tributaries, which may impact flooding in areas downstream; and

(3) provide that such rate maps are developed on a watershed basis.

(c) REPORT.—If, in establishing new standards for flood insurance rate maps pursuant to subsection (a) of this section, the Administrator does not implement all of the recommendations of the Council made under the proposed new mapping standards developed by the Council pursuant to section 346(c), upon establishment of the new standards the Administrator shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate specifying which such recommendations were not adopted and explaining the reasons such recommendations were not adopted.

(d) IMPLEMENTATION.—The Administrator shall, not later than the expiration of the 6-month period beginning upon establishment of the new standards for flood insurance rate maps pursuant to subsection (a) of this section, commence use of the new standards and updating of flood insurance rate maps in accordance with the new standards. Not later than the expiration of the 10-year period beginning upon the establishment of such new standards, the Administrator shall complete updating of all flood insurance rate maps in accordance with the new standards, subject to the availability of sufficient amounts for such activities provided in appropriation Acts.

(e) TEMPORARY SUSPENSION OF MANDATORY PURCHASE REQUIREMENT FOR CERTAIN PROPERTIES.—

(1) SUBMISSION OF ELEVATION CERTIFICATE.—Subject to paragraphs (2) and (3) of this subsection, subsections (a), (b), and (e) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a), and section 202(a) of such Act, shall not apply to a property located in an area designated as having a special flood hazard if the owner of such property submits to the Administrator an elevation certificate for such property showing that the lowest level of the primary residence on such property is at an elevation that is at least three feet higher than the elevation of the 100-year flood plain.

(2) REVIEW OF CERTIFICATE.—The Administrator shall accept as conclusive each elevation certificate submitted under paragraph (1) unless the Administrator conducts a subsequent elevation survey and determines that the lowest level of the primary residence on the property in question is not at an elevation that is at least three feet higher than the elevation of the 100-year flood plain. The Administrator shall provide any such subsequent elevation survey to the owner of such property.

(3) DETERMINATIONS FOR PROPERTIES ON BORDERS OF SPECIAL FLOOD HAZARD AREAS.—

(A) EXPEDITED DETERMINATION.—In the case of any survey for a property submitted to the Administrator pursuant to paragraph (1) showing that a portion of the property is located within an area having special flood hazards and that a structure located on the property is not located within such area having special flood hazards, the Administrator shall expeditiously process any request made by an owner of the property for a determination pursuant to paragraph (2) or a determination of whether the structure is located within the area having special flood hazards.

(B) PROHIBITION OF FEE.—If the Administrator determines pursuant to subparagraph (A) that the structure on the property is not located within the area having special flood hazards, the Administrator shall not charge a fee for reviewing the flood hazard data and shall not require the owner to provide any additional elevation data.

(C) SIMPLIFICATION OF REVIEW PROCESS.—The Administrator shall collaborate with private sector flood insurers to simplify the review process for properties described in subparagraph (A) and to ensure that the review process provides for accurate determinations.

(4) TERMINATION OF AUTHORITY.—This subsection shall cease to apply to a property on the date on which the Administrator updates the flood insurance rate map that applies to such property in accordance with the requirements of subsection (d).

SEC. 308. TREATMENT OF LEVEES.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended by adding at the end the following new subsection:

''(k) TREATMENT OF LEVEES.—The Administrator may not issue flood insurance maps, or make effective updated flood insurance maps, that omit or disregard the actual protection afforded by an existing levee, floodwall, pump or other flood protection feature, regardless of the accreditation status of such feature.''.

SEC. 309. PRIVATIZATION INITIATIVES.

(a) FEMA AND GAO REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess a broad range of options, methods, and strategies for privatizing the national flood insurance program and shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with recommendations for the best manner to accomplish such privatization.

(b) PRIVATE RISK-MANAGEMENT INITIATIVES.—

(1) AUTHORITY.—The Administrator of the Federal Emergency Management Agency may carry out such private risk-management initiatives under the national flood insurance program as the Administrator considers appropriate to determine the capacity of private insurers, reinsurers, and financial markets to assist communities, on a voluntary basis only, in managing the full range of financial risks associated with flooding.

(2) ASSESSMENT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Administrator shall assess the capacity of the private reinsurance, capital, and financial markets by seeking proposals to assume a portion of the program's insurance risk and submit to the Congress a report describing the response to such request for proposals and the results of such assessment.

(3) PROTOCOL FOR RELEASE OF DATA.—The Administrator shall develop a protocol to provide for the release of data sufficient to conduct the assessment required under paragraph (2).

(c) REINSURANCE.—The National Flood Insurance Act of 1968 is amended—

(1) in section 1331(a)(2) (42 U.S.C. 4051(a)(2)), by inserting '', including as reinsurance of insurance coverage provided by the flood insurance program'' before '', on such terms'';

(2) in section 1332(c)(2) (42 U.S.C. 4052(c)(2)), by inserting ''or reinsurance'' after ''flood insurance coverage'';

(3) in section 1335(a) (42 U.S.C. 4055(a))—

(A) by inserting ''(1)'' after ''(a)''; and

(B) by adding at the end the following new paragraph:

''(2) The Administrator is authorized to secure reinsurance coverage of coverage provided by the flood insurance program from private market insurance, reinsurance, and capital market sources at rates and on terms determined by the Administrator to be reasonable and appropriate in an amount sufficient to maintain the ability of the program to pay claims and that minimizes the likelihood that the program will utilize the borrowing authority provided under section 1309.'';

(4) in section 1346(a) (12 U.S.C. 4082(a))—

(A) in the matter preceding paragraph (1), by inserting '', or for purposes of securing reinsurance of insurance coverage provided by the program,'' before ''of any or all of'';

(B) in paragraph (1)—

(i) by striking ''estimating'' and inserting ''Estimating''; and

(ii) by striking the semicolon at the end and inserting a period;

(C) in paragraph (2)—

(i) by striking ''receiving'' and inserting ''Receiving''; and

(ii) by striking the semicolon at the end and inserting a period;

(D) in paragraph (3)—

(i) by striking ''making'' and inserting ''Making''; and

(ii) by striking ''; and'' and inserting a period;

(E) in paragraph (4)—

(i) by striking ''otherwise'' and inserting ''Otherwise''; and

(ii) by redesignating such paragraph as paragraph (5); and

(F) by inserting after paragraph (3) the following new paragraph:

''(4) Placing reinsurance coverage on insurance provided by such program.''; and

(5) in section 1370(a)(3) (42 U.S.C. 4121(a)(3)), by inserting before the semicolon at the end the following: '', is subject to the reporting requirements of the Securities Exchange Act of 1934, pursuant to section 13(a) or 15(d) of such Act (15 U.S.C. 78m(a), 78o(d)), or is authorized by the Administrator to assume reinsurance on risks insured by the flood insurance program''.

(d) ASSESSMENT OF CLAIMS-PAYING ABILITY.—

(1) ASSESSMENT.—Not later than September 30 of each year, the Administrator of the Federal Emergency Management Agency shall conduct an assessment of the claims-paying ability of the national flood insurance program, including the program's utilization of private sector reinsurance and reinsurance equivalents, with and without reliance on borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016). In conducting the assessment, the Administrator shall take into consideration regional concentrations of coverage written by the program, peak flood zones, and relevant mitigation measures.

(2) REPORT.—The Administrator shall submit a report to the Congress of the results of each such assessment, and make such report available to the public, not later than 30 days after completion of the assessment.

SEC. 310. FEMA ANNUAL REPORT ON INSURANCE PROGRAM.

Section 1320 of the National Flood Insurance Act of 1968 (42 U.S.C. 4027) is amended—

(1) in the section heading, by striking ''REPORT TO THE PRESIDENT'' and inserting ''ANNUAL REPORT TO CONGRESS'';

(2) in subsection (a)—

(A) by striking ''biennially'';

(B) by striking ''the President for submission to''; and

(C) by inserting ''not later than June 30 of each year'' before the period at the end;

(3) in subsection (b), by striking ''biennial'' and inserting ''annual''; and

(4) by adding at the end the following new subsection:

''(c) FINANCIAL STATUS OF PROGRAM.—The report under this section for each year shall include information regarding the financial status of the national flood insurance program under this title, including a description of the financial status of the National Flood Insurance Fund and current and projected levels of claims, premium receipts, expenses, and borrowing under the program.''.

SEC. 311. MITIGATION ASSISTANCE.

(a) MITIGATION ASSISTANCE GRANTS.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: ''Such financial assistance shall be made available—

''(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

''(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

''(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.''.

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking ''flood risk'' and inserting ''multi-hazard'';

(B) by striking ''provides protection against'' and inserting ''examines reduction of''; and

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

''(1) REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under subparagraph (4).'';

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

''(2) REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NFIF.—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

''(3) PRIORITY FOR MITIGATION ASSISTANCE.—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

''(A) severe repetitive loss structures;

''(B) repetitive loss structures; and

''(C) other subsets of structures as the Administrator may establish.'';

(C) in paragraph (5)—

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

''(4) ELIGIBLE ACTIVITIES.—Eligible activities may include—'';

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (E), (G), and (H);

(iv) by inserting after subparagraph (C) the following new subparagraph:

''(D) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);'';

(v) by inserting after subparagraph (E), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

''(F) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed $50,000 for any mitigation plan of a State or $25,000 for any mitigation plan of a local government or Indian tribe;'';

(vi) in subparagraph (H); as so redesignated by clause (iii) of this subparagraph, by striking ''and'' at the end; and

(vii) by adding at the end the following new subparagraphs:

''(I) other mitigation activities not described in subparagraphs (A) through (G) or the regulations issued under subparagraph (H), that are described in the mitigation plan of a State, community, or Indian tribe; and

''(J) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed $50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least $1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph.'';

(D) by adding at the end the following new paragraph:

''(6) ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator.''; and

(E) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

''(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

''(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

''(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

''(3) OTHER MITIGATION ACTIVITIES.— In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking ''certified under subsection (g)'' and inserting ''required under subsection (d)''; and

(ii) by striking ''3 times the amount'' and inserting ''the amount''; and

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) by striking ''Riegle Community Development and Regulatory Improvement Act of 1994'' and inserting ''Flood Insurance Reform Act of 2012'';

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

''(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

''(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed $40,000,000 and shall remain available until expended.

''(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) COMMUNITY.—The term 'community' means—

''(A) a political subdivision that—

''(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

''(ii) is participating in the national flood insurance program; or

''(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

''(2) REPETITIVE LOSS STRUCTURE.—The term 'repetitive loss structure' has the meaning given such term in section 1370.

''(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term 'severe repetitive loss structure' means a structure that—

''(A) is covered under a contract for flood insurance made available under this title; and

''(B) has incurred flood-related damage—

''(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding $15,000, and with the cumulative amount of such claims payments exceeding $60,000; or

''(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.''.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (7), by inserting ''and'' after the semicolon; and

(2) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

''(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding $90,000,000 to remain available until expended, of which—

''(A) not more than $40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

''(B) not more than $40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

''(C) not more than $10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).''.

(B) in paragraph (3), by striking ''section 1366(i)'' and inserting ''section 1366(e)'';

(2) in subsection (c), by striking ''sections 1366 and 1323'' and inserting ''section 1366'';

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

''(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

''(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.''.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

SEC. 312. NOTIFICATION TO HOMEOWNERS REGARDING MANDATORY PURCHASE REQUIREMENT APPLICABILITY AND RATE PHASE-INS.

Section 201 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4105) is amended by adding at the end the following new subsection:

''(f) ANNUAL NOTIFICATION.—The Administrator, in consultation with affected communities, shall establish and carry out a plan to notify residents of areas having special flood hazards, on an annual basis—

''(1) that they reside in such an area;

''(2) of the geographical boundaries of such area;

''(3) of whether section 1308(g) of the National Flood Insurance Act of 1968 applies to properties within such area;

''(4) of the provisions of section 102 requiring purchase of flood insurance coverage for properties located in such an area, including the date on which such provisions apply with respect to such area, taking into consideration section 102(i); and

''(5) of a general estimate of what similar homeowners in similar areas typically pay for flood insurance coverage, taking into consideration section 1308(g) of the National Flood Insurance Act of 1968.''.

SEC. 313. NOTIFICATION TO MEMBERS OF CONGRESS OF FLOOD MAP REVISIONS AND UPDATES.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

''(l) NOTIFICATION TO MEMBERS OF CONGRESS OF MAP MODERNIZATION.—Upon any revision or update of any floodplain area or flood-risk zone pursuant to subsection (f), any decision pursuant to subsection (f)(1) that such revision or update is necessary, any issuance of preliminary maps for such revision or updating, or any other significant action relating to any such revision or update, the Administrator shall notify the Senators for each State affected, and each Member of the House of Representatives for each congressional district affected, by such revision or update in writing of the action taken.''.

SEC. 314. NOTIFICATION AND APPEAL OF MAP CHANGES; NOTIFICATION TO COMMUNITIES OF ESTABLISHMENT OF FLOOD ELEVATIONS.

Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended by striking the section designation and all that follows through the end of subsection (a) and inserting the following:

''SEC. 1363. (a) In establishing projected flood elevations for land use purposes with respect to any community pursuant to section 1361, the Administrator shall first propose such determinations—

''(1) by providing the chief executive officer of each community affected by the proposed elevations, by certified mail, with a return receipt requested, notice of the elevations, including a copy of the maps for the elevations for such community and a statement explaining the process under this section to appeal for changes in such elevations;

''(2) by causing notice of such elevations to be published in the Federal Register, which notice shall include information sufficient to identify the elevation determinations and the communities affected, information explaining how to obtain copies of the elevations, and a statement explaining the process under this section to appeal for changes in the elevations;

''(3) by publishing in a prominent local newspaper the elevations, a description of the appeals process for flood determinations, and the mailing address and telephone number of a person the owner may contact for more information or to initiate an appeal;

''(4) by providing written notification, by first class mail, to each owner of real property affected by the proposed elevations of—

''(A) the status of such property, both prior to and after the effective date of the proposed determination, with respect to flood zone and flood insurance requirements under this Act and the Flood Disaster Protection Act of 1973;

''(B) the process under this section to appeal a flood elevation determination; and

''(C) the mailing address and phone number of a person the owner may contact for more information or to initiate an appeal; and''.

SEC. 315. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

The National Flood Insurance Act of 1968 is amended by inserting after section 1308 (42 U.S.C. 4015) the following new section:

''SEC. 1308A. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

''(a) IN GENERAL.—The Administrator shall, upon entering into a contract for flood insurance coverage under this title for any property—

''(1) provide to the insured sufficient copies of the notice developed pursuant to subsection (b); and

''(2) require the insured to provide a copy of the notice, or otherwise provide notification of the information under subsection (b) in the manner that the manager or landlord deems most appropriate, to each such tenant and to each new tenant upon commencement of such a tenancy.

''(b) NOTICE.—Notice to a tenant of a property in accordance with this subsection is written notice that clearly informs a tenant—

''(1) whether the property is located in an area having special flood hazards;

''(2) that flood insurance coverage is available under the national flood insurance program under this title for contents of the unit or structure leased by the tenant;

''(3) of the maximum amount of such coverage for contents available under this title at that time; and

''(4) of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator where such information is available.''.

SEC. 316. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

Part C of chapter II of the National Flood Insurance Act of 1968 (42 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

''SEC. 1349. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

''(a) NOTIFICATION.—Not later than 60 days before the date on which a transferred flood

insurance policy expires, and annually thereafter until such time as the Federal Emergency Management Agency is no longer directly administering such policy, the Administrator shall notify the holder of such policy that—

''(1) the Federal Emergency Management Agency is directly administering the policy;

''(2) such holder may purchase flood insurance that is directly administered by an insurance company; and

''(3) purchasing flood insurance offered under the National Flood Insurance Program that is directly administered by an insurance company will not alter the coverage provided or the premiums charged to such holder that otherwise would be provided or charged if the policy was directly administered by the Federal Emergency Management Agency.

''(b) DEFINITION.—In this section, the term 'transferred flood insurance policy' means a flood insurance policy that—

''(1) was directly administered by an insurance company at the time the policy was originally purchased by the policy holder; and

''(2) at the time of renewal of the policy, direct administration of the policy was or will be transferred to the Federal Emergency Management Agency.''.

SEC. 317. NOTICE OF AVAILABILITY OF FLOOD INSURANCE AND ESCROW IN RESPA GOOD FAITH ESTIMATE.

Subsection (c) of section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(c)) is amended by adding at the end the following new sentence: ''Each such good faith estimate shall include the following conspicuous statements and information: (1) that flood insurance coverage for residential real estate is generally available under the national flood insurance program whether or not the real estate is located in an area having special flood hazards and that, to obtain such coverage, a home owner or purchaser should contact the national flood insurance program; (2) a telephone number and a location on the Internet by which a home owner or purchaser can contact the national flood insurance program; and (3) that the escrowing of flood insurance payments is required for many loans under section 102(d) of the Flood Disaster Protection Act of 1973, and may be a convenient and available option with respect to other loans.''.

SEC. 318. REIMBURSEMENT FOR COSTS INCURRED BY HOMEOWNERS AND COMMUNITIES OBTAINING LETTERS OF MAP AMENDMENT OR REVISION.

(a) IN GENERAL.—Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

''(m) REIMBURSEMENT.—

''(1) REQUIREMENT UPON BONA FIDE ERROR.—If an owner of any property located in an area described in section 102(i)(3) of the Flood Disaster Protection Act of 1973, or a community in which such a property is located, obtains a letter of map amendment, or a letter of map revision, due to a bona fide error on the part of the Administrator of the Federal Emergency Management Agency, the Administrator shall reimburse such owner, or such entity or jurisdiction acting on such owner's behalf, or such community, as applicable, for any reasonable costs incurred in obtaining such letter.

''(2) REASONABLE COSTS.—The Administrator shall, by regulation or notice, determine a reasonable amount of costs to be reimbursed under paragraph (1), except that such costs shall not include legal or attorneys fees. In determining the reasonableness of costs, the Administrator shall only consider the actual costs to the owner or community, as applicable, of utilizing the services of an engineer, surveyor, or similar services.''.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue the regulations or notice required under section 1360(m)(2) of the National Flood Insurance Act of 1968, as added by the amendment made by subsection (a) of this section.

SEC. 319. ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

''(n) ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.—In updating flood insurance maps under this section, the Administrator shall communicate with communities located in areas where flood insurance rate maps have not been updated in 20 years or more and the appropriate State emergency agencies to resolve outstanding issues, provide technical assistance, and disseminate all necessary information to reduce the prevalence of outdated maps in flood-prone areas.''.

SEC. 320. NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREAS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

''(o) NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREA.—In revising or updating any areas having special flood hazards, the Administrator shall provide to each owner of a property to be newly included in such a special flood hazard area, at the time of issuance of such proposed revised or updated flood insurance maps, a copy of the proposed revised or updated flood insurance maps together with information regarding the appeals process under section 1363 (42 U.S.C. 4104).''.

SEC. 321. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended by adding at the end the following new section:

''SEC. 1325. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

''In the case of any property that is otherwise in compliance with the coverage and building requirements of the national flood insurance program, the presence of an enclosed swimming pool located at ground level or in the space below the lowest floor of a building after November 30 and before June 1 of any year shall have no effect on the terms of coverage or the ability to receive coverage for such building under the national flood insurance program established pursuant to this title, if the pool is enclosed with non-supporting breakaway walls.''.

SEC. 322. INFORMATION REGARDING MULTIPLE PERILS CLAIMS.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

''(d) INFORMATION REGARDING MULTIPLE PERILS CLAIMS.—

''(1) IN GENERAL.—Subject to paragraph (2), if an insured having flood insurance coverage under a policy issued under the program under this title by the Administrator or a company, insurer, or entity offering flood insurance coverage under such program (in this subsection referred to as a 'participating company') has wind or other homeowners coverage from any company, insurer, or other entity covering property covered by such flood insurance, in the case of damage to such property that may have been caused by flood or by wind, the Administrator and the participating company, upon the request of the insured, shall provide to the insured, within 30 days of such request—

''(A) a copy of the estimate of structure damage;

''(B) proofs of loss;

''(C) any expert or engineering reports or documents commissioned by or relied upon by the Administrator or participating company in determining whether the damage was caused by flood or any other peril; and

''(D) the Administrator's or the participating company's final determination on the claim.

''(2) TIMING.—Paragraph (1) shall apply only with respect to a request described in such paragraph made by an insured after the Administrator or the participating company, or both, as applicable, have issued a final decision on the flood claim involved and resolution of all appeals with respect to such claim.''.

SEC. 323. FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

''(e) FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.—Notwithstanding any other provision of this Act, the Administrator may, at the discretion of the Administrator, refuse to accept the transfer of the administration of policies for coverage under the flood insurance program under this title that are written and administered by any insurance company or other insurer, or any insurance agent or broker.''.

SEC. 324. APPEALS.

(a) TELEVISION AND RADIO ANNOUNCEMENT.—Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104), as amended by the preceding provisions of this subtitle, is further amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(5) by notifying a local television and radio station,''; and

(2) in the first sentence of subsection (b), by inserting before the period at the end the following: ''and shall notify a local television and radio station at least once during the same 10-day period''.

(b) EXTENSION OF APPEALS PERIOD.—Subsection (b) of section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(b)) is amended—

(1) by striking ''(b) The Director'' and inserting ''(b)(1) The Administrator''; and

(2) by adding at the end the following new paragraph:

''(2) The Administrator shall grant an extension of the 90-day period for appeals referred to in paragraph (1) for 90 additional days if an affected community certifies to the Administrator, after the expiration of at least 60 days of such period, that the community—

''(A) believes there are property owners or lessees in the community who are unaware of such period for appeals; and

''(B) will utilize the extension under this paragraph to notify property owners or lessees who are affected by the proposed flood elevation determinations of the period for appeals and the opportunity to appeal the determinations proposed by the Administrator.''.

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall apply with respect to any flood elevation determination for any area in a community that has not, as of the date of the enactment of this Act, been issued a Letter of Final Determination for such determination under the flood insurance map modernization process.

SEC. 325. RESERVE FUND.

(a) ESTABLISHMENT.—Chapter I of the National Flood Insurance Act of 1968 is amended by inserting after section 1310 (42 U.S.C. 4017) the following new section:

''SEC. 1310A. RESERVE FUND.

''(a) ESTABLISHMENT OF RESERVE FUND.—In carrying out the flood insurance program authorized by this title, the Administrator shall establish in the Treasury of the United States a National Flood Insurance Reserve Fund (in this section referred to as the 'Reserve Fund') which shall—

''(1) be an account separate from any other accounts or funds available to the Administrator; and

''(2) be available for meeting the expected future obligations of the flood insurance program.

''(b) RESERVE RATIO.—Subject to the phase-in requirements under subsection (d), the Reserve Fund shall maintain a balance equal to—

''(1) 1 percent of the sum of the total potential loss exposure of all outstanding flood insurance policies in force in the prior fiscal year; or

''(2) such higher percentage as the Administrator determines to be appropriate, taking into consideration any circumstance that may raise a significant risk of substantial future losses to the Reserve Fund.

''(c) MAINTENANCE OF RESERVE RATIO.—

''(1) IN GENERAL.—The Administrator shall have the authority to establish, increase, or decrease the amount of aggregate annual insurance premiums to be collected for any fiscal year necessary—

''(A) to maintain the reserve ratio required under subsection (b); and

''(B) to achieve such reserve ratio, if the actual balance of such reserve is below the amount required under subsection (b).

''(2) CONSIDERATIONS.—In exercising the authority under paragraph (1), the Administrator shall consider—

''(A) the expected operating expenses of the Reserve Fund;

''(B) the insurance loss expenditures under the flood insurance program;

''(C) any investment income generated under the flood insurance program; and

''(D) any other factor that the Administrator determines appropriate.

''(3) LIMITATIONS.—In exercising the authority under paragraph (1), the Administrator shall be subject to all other provisions of this Act, including any provisions relating to chargeable premium rates and annual increases of such rates.

''(d) PHASE-IN REQUIREMENTS.—The phase-in requirements under this subsection are as follows:

''(1) IN GENERAL.—Beginning in fiscal year 2012 and not ending until the fiscal year in which the ratio required under subsection (b) is achieved, in each such fiscal year the Administrator shall place in the Reserve Fund an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

''(2) AMOUNT SATISFIED.—As soon as the ratio required under subsection (b) is achieved, and except as provided in paragraph (3), the Administrator shall not be required to set aside any amounts for the Reserve Fund.

''(3) EXCEPTION.—If at any time after the ratio required under subsection (b) is achieved, the Reserve Fund falls below the required ratio under subsection (b), the Administrator shall place in the Reserve Fund for that fiscal year an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

''(e) LIMITATION ON RESERVE RATIO.—In any given fiscal year, if the Administrator determines that the reserve ratio required under subsection (b) cannot be achieved, the Administrator shall submit a report to the Congress that—

''(1) describes and details the specific concerns of the Administrator regarding such consequences;

''(2) demonstrates how such consequences would harm the long-term financial soundness of the flood insurance program; and

''(3) indicates the maximum attainable reserve ratio for that particular fiscal year.

''(f) AVAILABILITY OF AMOUNTS.—The reserve ratio requirements under subsection (b) and the phase-in requirements under subsection (d) shall be subject to the availability of amounts in the National Flood Insurance Fund for transfer under section 1310(a)(10), as provided in section 1310(f).''.

(b) FUNDING.—Subsection (a) of section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraph:

''(10) for transfers to the National Flood Insurance Reserve Fund under section 1310A, in accordance with such section.''.

SEC. 326. CDBG ELIGIBILITY FOR FLOOD INSURANCE OUTREACH ACTIVITIES AND COMMUNITY BUILDING CODE ADMINISTRATION GRANTS.

Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (24), by striking ''and'' at the end;

(2) in paragraph (25), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(26) supplementing existing State or local funding for administration of building code enforcement by local building code enforcement departments, including for increasing staffing, providing staff training, increasing staff competence and professional qualifications, and supporting individual certification or departmental accreditation, and for capital expenditures specifically dedicated to the administration of the building code enforcement department, except that, to be eligible to use amounts as provided in this paragraph—

''(A) a building code enforcement department shall provide matching, non-Federal funds to be used in conjunction with amounts used under this paragraph in an amount—

''(i) in the case of a building code enforcement department serving an area with a population of more than 50,000, equal to not less than 50 percent of the total amount of any funds made available under this title that are used under this paragraph;

''(ii) in the case of a building code enforcement department serving an area with a population of between 20,001 and 50,000, equal to not less than 25 percent of the total amount of any funds made available under this title that are used under this paragraph; and

''(iii) in the case of a building code enforcement department serving an area with a population of less than 20,000, equal to not less than 12.5 percent of the total amount of any funds made available under this title that are used under this paragraph,

except that the Secretary may waive the matching fund requirements under this subparagraph, in whole or in part, based upon the level of economic distress of the jurisdiction in which is located the local building code enforcement department that is using amounts for purposes under this paragraph, and shall waive such matching fund requirements in whole for any recipient jurisdiction that has dedicated all building code permitting fees to the conduct of local building code enforcement; and

''(B) any building code enforcement department using funds made available under this title for purposes under this paragraph shall empanel a code administration and enforcement team consisting of at least 1 full-time building code enforcement officer, a city planner, and a health planner or similar officer; and

''(27) provision of assistance to local governmental agencies responsible for floodplain management activities (including such agencies of Indians tribes, as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) in communities that participate in the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), only for carrying out outreach activities to encourage and facilitate the purchase of flood insurance protection under such Act by owners and renters of properties in such communities and to promote educational activities that increase awareness of flood risk reduction; except that—

''(A) amounts used as provided under this paragraph shall be used only for activities designed to—

''(i) identify owners and renters of properties in communities that participate in the national flood insurance program, including owners of residential and commercial properties;

''(ii) notify such owners and renters when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

''(iii) educate such owners and renters regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

''(iv) educate such owners and renters regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under this title for such properties and the contents of such properties;

''(v) encourage such owners and renters to maintain or acquire such coverage;

''(vi) notify such owners of where to obtain information regarding how to obtain such

coverage, including a telephone number, mailing address, and Internet site of the Administrator of the Federal Emergency Management Agency (in this paragraph referred to as the 'Administrator') where such information is available; and

''(vii) educate local real estate agents in communities participating in the national flood insurance program regarding the program and the availability of coverage under the program for owners and renters of properties in such communities, and establish coordination and liaisons with such real estate agents to facilitate purchase of coverage under the National Flood Insurance Act of 1968 and increase awareness of flood risk reduction;

''(B) in any fiscal year, a local governmental agency may not use an amount under this paragraph that exceeds 3 times the amount that the agency certifies, as the Secretary, in consultation with the Administrator, shall require, that the agency will contribute from non-Federal funds to be used with such amounts used under this paragraph only for carrying out activities described in subparagraph (A); and for purposes of this subparagraph, the term 'non-Federal funds' includes State or local government agency amounts, in-kind contributions, any salary paid to staff to carry out the eligible activities of the local governmental agency involved, the value of the time and services contributed by volunteers to carry out such services (at a rate determined by the Secretary), and the value of any donated material or building and the value of any lease on a building;

''(C) a local governmental agency that uses amounts as provided under this paragraph may coordinate or contract with other agencies and entities having particular capacities, specialties, or experience with respect to certain populations or constituencies, including elderly or disabled families or persons, to carry out activities described in subparagraph (A) with respect to such populations or constituencies; and

''(D) each local government agency that uses amounts as provided under this paragraph shall submit a report to the Secretary and the Administrator, not later than 12 months after such amounts are first received, which shall include such information as the Secretary and the Administrator jointly consider appropriate to describe the activities conducted using such amounts and the effect of such activities on the retention or acquisition of flood insurance coverage.''.

SEC. 327. TECHNICAL CORRECTIONS.

(a) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.) is amended—

(1) by striking ''Director'' each place such term appears, except in section 102(f)(3) (42 U.S.C. 4012a(f)(3)), and inserting ''Administrator''; and

(2) in section 201(b) (42 U.S.C. 4105(b)), by striking ''Director's'' and inserting ''Administrator's''.

(b) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) by striking ''Director'' each place such term appears and inserting ''Administrator''; and

(2) in section 1363 (42 U.S.C. 4104), by striking ''Director's'' each place such term appears and inserting ''Administrator's''.

(c) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)) is amended by striking ''Director'' each place such term appears and inserting ''Administrator''.

SEC. 328. REQUIRING COMPETITION FOR NATIONAL FLOOD INSURANCE PROGRAM POLICIES.

(a) REPORT.—Not later than the expiration of the 90-day period beginning upon the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency, in consultation with insurance companies, insurance agents and other organizations with which the Administrator has contracted, shall submit to the Congress a report describing procedures and policies that the Administrator shall implement to limit the percentage of policies for flood insurance coverage under the national flood insurance program that are directly managed by the Agency to not more than 10 percent of the aggregate number of flood insurance policies in force under such program.

(b) IMPLEMENTATION.—Upon submission of the report under subsection (a) to the Congress, the Administrator shall implement the policies and procedures described in the report. The Administrator shall, not later than the expiration of the 12-month period beginning upon submission of such report, reduce the number of policies for flood insurance coverage that are directly managed by the Agency, or by the Agency's direct servicing contractor that is not an insurer, to not more than 10 percent of the aggregate number of flood insurance policies in force as of the expiration of such 12-month period.

(c) CONTINUATION OF CURRENT AGENT RELATIONSHIPS.—In carrying out subsection (b), the Administrator shall ensure that—

(1) agents selling or servicing policies described in such subsection are not prevented from continuing to sell or service such policies; and

(2) insurance companies are not prevented from waiving any limitation such companies could otherwise enforce to limit any such activity.

SEC. 329. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDIES.—The Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess options, methods, and strategies for offering voluntary community-based flood insurance policy options and incorporating such options into the national flood insurance program. Such studies shall take into consideration and analyze how the policy options would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches.

(b) REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the results and conclusions of the study such agency conducted under subsection (a), and each such report shall include recommendations for the best manner to incorporate voluntary community-based flood insurance options into the national flood insurance program and for a strategy to implement such options that would encourage communities to undertake flood mitigation activities.

SEC. 330. REPORT ON INCLUSION OF BUILDING CODES IN FLOODPLAIN MANAGEMENT CRITERIA.

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall conduct a study and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) to include widely used and nationally recognized building codes as part of the floodplain management criteria developed under such section, and shall determine—

(1) the regulatory, financial, and economic impacts of such a building code requirement on homeowners, States and local communities, local land use policies, and the Federal Emergency Management Agency;

(2) the resources required of State and local communities to administer and enforce such a building code requirement;

(3) the effectiveness of such a building code requirement in reducing flood-related damage to buildings and contents;

(4) the impact of such a building code requirement on the actuarial soundness of the National Flood Insurance Program;

(5) the effectiveness of nationally recognized codes in allowing innovative materials and systems for flood-resistant construction;

(6) the feasibility and effectiveness of providing an incentive in lower premium rates for flood insurance coverage under such Act for structures meeting whichever of such widely used and nationally recognized building code or any applicable local building code provides greater protection from flood damage;

(7) the impact of such a building code requirement on rural communities with different building code challenges than more urban environments; and

(8) the impact of such a building code requirement on Indian reservations.

SEC. 331. STUDY ON GRADUATED RISK.

(a) STUDY.—The National Academy of Sciences shall conduct a study exploring methods for understanding graduated risk behind levees and the associated land development, insurance, and risk communication dimensions, which shall—

(1) research, review, and recommend current best practices for estimating direct annualized flood losses behind levees for residential and commercial structures;

(2) rank such practices based on their best value, balancing cost, scientific integrity, and the inherent uncertainties associated with all aspects of the loss estimate, including geotechnical engineering, flood frequency estimates, economic value, and direct damages;

(3) research, review, and identify current best floodplain management and land use practices behind levees that effectively balance social, economic, and environmental considerations as part of an overall flood risk management strategy;

(4) identify examples where such practices have proven effective and recommend methods and processes by which they could be applied more broadly across the United States, given the variety of different flood risks, State and local legal frameworks, and evolving judicial opinions;

(5) research, review, and identify a variety of flood insurance pricing options for flood hazards behind levees which are actuarially sound and based on the flood risk data developed using the top three best value approaches identified pursuant to paragraph (1);

(6) evaluate and recommend methods to reduce insurance costs through creative arrangements between insureds and insurers

while keeping a clear accounting of how much financial risk is being borne by various parties such that the entire risk is accounted for, including establishment of explicit limits on disaster aid or other assistance in the event of a flood; and

(7) taking into consideration the recommendations pursuant to paragraphs (1) through (3), recommend approaches to communicating the associated risks to community officials, homeowners, and other residents.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the National Academy of Sciences shall submit a report to the Committees on Financial Services and Science, Space, and Technology of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Commerce, Science and Transportation of the Senate on the study under subsection (a) including the information and recommendations required under such subsection.

SEC. 332. REPORT ON FLOOD-IN-PROGRESS DETERMINATION.

The Administrator of the Federal Emergency Management Agency shall review the processes and procedures for determining that a flood event has commenced or is in progress for purposes of flood insurance coverage made available under the national flood insurance program under the National Flood Insurance Act of 1968 and for providing public notification that such an event has commenced or is in progress. In such review, the Administrator shall take into consideration the effects and implications that weather conditions, such as rainfall, snowfall, projected snowmelt, existing water levels, and other conditions have on the determination that a flood event has commenced or is in progress. Not later than the expiration of the 6-month period beginning upon the date of the enactment of this Act, the Administrator shall submit a report to the Congress setting forth the results and conclusions of the review undertaken pursuant to this section and any actions undertaken or proposed actions to be taken to provide for a more precise and technical determination that a flooding event has commenced or is in progress.

SEC. 333. STUDY ON REPAYING FLOOD INSURANCE DEBT.

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit a report to the Congress setting forth a plan for repaying within 10 years all amounts, including any amounts previously borrowed but not yet repaid, owed pursuant to clause (2) of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)).

SEC. 334. NO CAUSE OF ACTION.

No cause of action shall exist and no claim may be brought against the United States for violation of any notification requirement imposed upon the United States by this subtitle or any amendment made by this subtitle.

SEC. 335. AUTHORITY FOR THE CORPS OF ENGINEERS TO PROVIDE SPECIALIZED OR TECHNICAL SERVICES.

(a) IN GENERAL.—Notwithstanding any other provision of law, upon the request of a State or local government, the Secretary of the Army may evaluate a levee system that was designed or constructed by the Secretary for the purposes of the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) REQUIREMENTS.—A levee system evaluation under subsection (a) shall—

(1) comply with applicable regulations related to areas protected by a levee system;

(2) be carried out in accordance with such procedures as the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, may establish; and

(3) be carried out only if the State or local government agrees to reimburse the Secretary for all cost associated with the performance of the activities.

TITLE IV—OIL AND GAS SUBSIDIES

SEC. 401. LIMITATION ON SECTION 199 DEDUCTION ATTRIBUTABLE TO OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

(a) DENIAL OF DEDUCTION.—Paragraph (4) of section 199(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) SPECIAL RULE FOR CERTAIN OIL AND GAS INCOME.—In the case of any taxpayer who is a major integrated oil company (as defined in section 167(h)(5)(B)) for the taxable year, the term 'domestic production gross receipts' shall not include gross receipts from the production, transportation, or distribution of oil, natural gas, or any primary product (within the meaning of subsection (d)(9)) thereof.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2012.

SEC. 402. PROHIBITION ON USING LAST-IN, FIRST-OUT ACCOUNTING FOR MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 472 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(h) MAJOR INTEGRATED OIL COMPANIES.—Notwithstanding any other provision of this section, a major integrated oil company (as defined in section 167(h)(5)(B)) may not use the method provided in subsection (b) in inventorying of any goods.''.

(b) EFFECTIVE DATE AND SPECIAL RULE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years ending after December 31, 2012.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendment made by this section to change its method of accounting for its first taxable year ending after December 31, 2012—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account ratably over a period (not greater than 8 taxable years) beginning with such first taxable year.

SEC. 403. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

''(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company (as defined in section 167(h)(5)(B)) to a foreign country or possession of the United States for any period shall not be considered a tax—

''(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

''(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

''(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

''(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

''(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term 'dual capacity taxpayer' means, with respect to any foreign country or possession of the United States, a person who—

''(A) is subject to a levy of such country or possession, and

''(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

''(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'generally applicable income tax' means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

''(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

''(i) persons who are not dual capacity taxpayers, and

''(ii) persons who are citizens or residents of the foreign country or possession.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHELD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

TITLE V—THE BUFFETT RULE

SEC. 501. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59B. Fair share tax.

''SEC. 59B. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) PHASE-IN OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2013, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2012' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such taxes are attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during the taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CONFORMING AMENDMENT.—Section 26(b)(2) of such Code is amended by redesignating subparagraphs (C) through (X) as subparagraphs (D) through (Y), respectively, and by inserting after subparagraph (B) the following new subparagraph:

''(C) section 59B (relating to fair share tax),''.

(c) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

TITLE VI—RETIREMENT CONTRIBUTIONS FOR MEMBERS OF CONGRESS

SEC. 601. RETIREMENT CONTRIBUTIONS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8334(c) of title 5, United States Code, is amended—

(A) by striking ''(c) Each'' and inserting ''(c)(1) Each''; and

(B) by adding at the end the following:

''(2) Notwithstanding any other provision of this subsection, the applicable percentage of basic pay under this subsection shall, for purposes of computing an amount with respect to a Member for Member service—

''(A) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

''(B) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under subparagraph (A) or this subparagraph, as the case may be), plus an additional 1.5 percentage points; and

''(C) for a period in any calendar year after 2017, be equal to the applicable percent age under this subsection for calendar year 2017 (as determined under subparagraph (B)).''.

(2) GOVERNMENT CONTRIBUTIONS.—Section 8334(a)(1)(B) of title 5, United States Code, is amended—

(A) in clause (i), by striking ''Except as provided in clause (ii),'' and inserting ''Except as provided in clause (ii) or (iii),''; and

(B) by adding at the end the following:

''(iii) In the case of a Member, the amount to be contributed under clause (i) shall, with respect to a period in any year beginning after December 31, 2012, be equal to—

''(I) the amount which would otherwise apply under clause (i) with respect to such period, reduced by

''(II) the amount by which, with respect to such period, the withholding under subparagraph (A) exceeds the amount which would otherwise have been withheld from the basic pay of the Member involved under subparagraph (A) based on the percentage applicable under subsection (c) for calendar year 2012.''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8422(a)(3) of title 5, United States Code, is amended—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) by inserting after subparagraph (A) the following:

''(B) Notwithstanding any other provision of this paragraph, the applicable percentage under this subsection shall, for purposes of computing an amount with respect to a Member (other than an individual who is a revised annuity employee by virtue of becoming a Member after December 31, 2012)—

''(i) for a period in calendar year 2013, be equal to the applicable percentage under this paragraph for calendar year 2012, plus an additional 2.5 percentage points;

''(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under clause (i) or this clause, as the case maybe), plus an additional 1.5 percentage points; and

''(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under clause (ii)).''; and

(C) in subparagraph (C) (as so redesignated by subparagraph (A)), in the line relating to a Member, by striking ''9.3'' and inserting ''12''.

(2) GOVERNMENT CONTRIBUTIONS.—Section 8423(a)(2) of title 5, United States Code, is amended—

(A) by striking ''(2)'' and inserting ''(2)(A)''; and

(B) by adding at the end the following:

''(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2012, the normal-cost percentage under this subsection for Members shall be determined and applied as if section 601(b)(1)(B) of the Balanced Approach to Replace the Sequester Act of 2012 for Fiscal Year 2013 had not been enacted.

''(ii) Any contributions under this subsection with respect to Members in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

''(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.''.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE BOSTON CARMEN'S UNION, LOCAL 589

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize the Boston Carmen's Union, Local 589, who for the past 100 years has been a strong voice for transportation professionals in Boston and the surrounding areas.

As it celebrates its centennial, the Boston Carmen's Union represents 6,000 union members and is a part of the Amalgamated Transit Union, the largest labor union in America with over 190,000 members. The union was born in the same way as the labor movement itself: with a great deal of cooperation, dedication and perseverance. In 1912, after a number of failed attempts to meet with management to assert their rights and address their grievances, the first organized Boston Elevated Carmen's Union voted to strike—1,389 votes to 8. During the strike, the newly-formed union faced uncooperative tactics and strike breakers hired by the transit company. Despite these challenges, the union members fought for their rights, enjoying strong support from the labor community, and soon after, from District Attorney Joseph Pelletier, Governor Eugene Foss and legendary Boston Mayor John ''Honey Fitz'' Fitzgerald. Finally, after more than six weeks of striking, the union was able to come to a settlement and gained recognition from Boston Elevated Company.

In the years to come, the Carmen's Union continued to grow and collaborate with other local unions, evolving with the changing transit industry to best serve its members. As it marks this centennial milestone, the Boston Carmen's Union has both served and represented the many transportation professionals whose important work forms the backbone of our city and the surrounding area's infrastructure. It is with their help that the employees of the MBTA have been able to stand up for better working conditions, hours and wages.

The Boston Carmen's Union has a stellar record of activism and community service. This year, the union participated in the National Day of Action for Transportation on April 4th. The event gathered the Carmen's membership and supporters to demand fair treatment for transit workers and to demonstrate that available, affordable and well-maintained public transit is an issue of civil rights. The union also works hard to build awareness about the crucial role transportation professionals play in the daily life of every Bostonian. From subway drivers to mechanics to baggage handlers, and so many more, members of the Local 589 provide integral services to their communities every single day.

Along with its efforts to improve working conditions for its membership and empower them to assert their rights as an employee, the Boston Carmen's Union values its ability to play a positive role in the community. When firefighters, policemen or other public servants are killed in the line of duty, members of Local 589 routinely volunteer their time and services to provide transport to and from the memorial service. I applaud the Boston Carmen's Union both for its dedication to its mission of empowering transportation and allied professionals and for its commitment to serving the Boston community and beyond.

Mr. Speaker, I urge my colleagues to join me in congratulating the Boston Carmen's Union, Local 589, its President John Lee and the entire community on the celebration of 100 years of service to the Commonwealth of Massachusetts.

HONORING THE BUFFALO AND ERIE COUNTY HISTORICAL SOCIETY'S SESQUICENTENNIAL ANNIVERSARY AND PARTNERSHIP WITH THE NEWLY RESTORED HOTEL LAFAYETTE IN DOWNTOWN BUFFALO, NEW YORK

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. HIGGINS. Mr. Speaker, it is my great honor to recognize the Buffalo and Erie County Historical Society (BECHS) on the occasion of their 150th Anniversary celebration. It is with great enthusiasm that I learned of their recent partnership with the newly restored Hotel Lafayette in Downtown Buffalo and I am inspired by their creative collaboration with significant restoration projects throughout our great city and region.

As the premier historical organization in western New York, the Buffalo and Erie County Historical Society serves to collect, research, interpret and share the rich history of the Niagara Frontier. Founded in 1862, the organization holds more than 100,000 artifacts, 200,000 photographs, and 20,000 books.

On Thursday May 10, 2012, the Buffalo and Erie County Historical Society will celebrate their 150th Anniversary Gala and will partner with the Hotel Lafayette at a premier event held at the hotel to announce their collaboration and concept of leveraging western New York history as a brand. Their shared vision will be showcased at the hotel in the form of inspired images, artifacts and ephemera from the museums vast collection.

Other creative collaborative efforts include: the use of BECHS-designed Pan-American dinnerware for use as dessert plates in the newly named Pan-American Grill and Brewery in the Hotel, curating reproduced images for the hotel suites and corridors, and wall coverings to name a few.

As Buffalo's Congressional Representative, and a former teacher of History and Economics at Buffalo State College, it gives me great pride to see such innovative collaborations come to life. This presents a remarkable opportunity to tell the great story of Buffalo, its rise as one of America's fastest growing cities with a bustling and diversified economy, home of the Pan-American Exposition in 1901, and home of many of the great works of architectural and landscape greats of America. This partnership also allows us to tell the story of a city that is making a great comeback, in large part due to the creativity and contributions of its citizens.

Mr. Speaker, I ask my colleagues to join me in recognizing the long-standing work and commitment of the staff, board of directors, docents and volunteers at the Buffalo and Erie County's Historical Society on the occasion of their 150th Anniversary Gala at the grand, Hotel Lafayette.

IN RECOGNITION OF THE PRESIDIO ROCKETRY NATIONAL FINALISTS

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. CANSECO. Mr. Speaker, I am proud to rise today to congratulate students from Presidio High School and Lucy Rede Franco Middle School for qualifying for this year's Team America Rocketry Challenge national finals. This prestigious competition, which includes approximately 7,000 students from across the country, is the largest model rocket contest in the world.

Through their extraordinary talent and hard work these 3 teams earned a spot within the top 100 finalists, earning them a trip to Washington, DC for the national finals on May 12th. I am proud to congratulate Ana Karen Nieto, Itza Hanai Rodriguez, Antonio Bujanda, Marla Baltazar, Dylan Rivera, Rene Cardona, Gwynelle Condino, Jillianne Franco, Andres Villa, Hector Montemayor, and John Valeriano for this outstanding achievement and wish them the best of luck in the competition.

IN RECOGNITION OF JASON BRANCH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize and congratulate Specialist Jason Branch, the winner of the Massachusetts Army National Guard's 2012 Best Warrior Competition.

To be eligible for the grueling contest, Spc. Branch was first selected by his unit, the

189th Engineer Detachment, as the most qualified candidate. The Massachusetts Best Warrior Competition is known to test participants with rigorous physical and mental challenges. Now in its fourth year, the competition continues to evolve to meet the caliber of the contestants. This year's event included tests of physical fitness and marksmanship, a written exam and a challenging mock urban combat situation. The demanding weekend culminated in an interview with a board of Command Sergeants Major testing each participant's knowledge on a variety of subjects.

Throughout the competition, Spc. Branch demonstrated the dedication, ingenuity and perseverance that make an excellent soldier, and in the end, emerged victorious amongst the commissioned officers competing. When not in uniform, he continues to serve his community as a Unit Manager at Plymouth's Radius HealthCare and Pediatric Center, playing a vital role in the rehabilitation of the center's patients. Spc. Branch truly represents the very best of our community and our country.

Mr. Speaker, please join me in congratulating Spc. Jason Branch as he is honored for his excellence as a soldier, and we wish him the best of luck as he moves on to the regional stage of the competition.

CONGRATULATING PRESIDENT MA YING-JEOU ON HIS RE-ELECTION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. SAM JOHNSON of Texas. Mr. Speaker, I stand today to recognize and congratulate Ma Ying-jeou, President of Taiwan, as he continues to honorably serve the people of the Republic of China. On January 14, 2012, through a free and fair election, the people of Taiwan reelected Ma Ying-jeou to serve a second term as president, continuing the country's commitment to a strong and stable democratic government.

Over the past century Taiwan has increasingly become an influential free-market democracy in the Asia-Pacific region. Now a model government to surrounding countries, Taiwan continues to play a vital role in maintaining peace and stability in the region and has experienced sustained economic growth and sociopolitical development in recent years.

As a result, U.S.-Taiwan relations have become especially close. Our shared economic, cultural, political, and strategic values coupled with our mutual interest in forging strong ties have encouraged innovation and growth between our nations. U.S. arms sales to Taiwan have more than doubled over the past several years and on December 22, 2011, the U.S. State Department announced Taiwan's nomination for inclusion into the Visa Waiver Program. Officials estimate acceptance into this program will increase the more than 400,000 Taiwanese citizens who visit the United States each year by 20 to 30 percent.

As a member of the Congressional Taiwan Caucus, I commend President Ma for his exemplary leadership and his efforts to advance and ensure regional stability and peace. President Ma and his administration have worked tirelessly to develop a strong strategy of rapprochement which upholds our shared values of freedom, democracy, and the rule of law. I look forward to the future as we continue to work together to seek mutual best interests for both the United States and Taiwan.

Mr. Speaker, I would ask that my colleagues join me in congratulating President Ma Ying-jeou and wish him continued success as he begins his second term as president of the Republic of China.

CONGRATULATING CUMBERLAND SCHOOL OF LAW

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. BACHUS. Mr. Speaker, it is an honor to join my colleagues ROBERT ADERHOLT, MARTHA ROBY, and DENNIS ROSS in congratulating Cumberland School of Law on the celebration of their fiftieth anniversary as an entity on the campus of Samford University in Birmingham, Alabama. The school's legacy and impress extends across the globe and indeed into this very chamber, my three colleagues having walked its historic halls as law students.

What began as a humble and at times struggling law school in the hills of Lebanon, Tennessee, through tenacity and divine providence blossomed into a first rate and nationally-recognized center of legal education. Today, Cumberland boasts the fourth ranked trial advocacy program in the nation and has served as the educational backdrop for countless State and Federal judges, legislators, and other elected officials. Judge John Carroll, whose service as the Dean and chief advocate for the law school, deserves our utmost commendation for thrusting Cumberland onto the national stage. His dedication and leadership have ensured the continued growth and prosperity of this respected law school.

Mr. Speaker, as a body that daily ponders the law and the effects of law, it is only fitting and proper that we honor an institution dedicated to excellent legal education and commend Cumberland and Judge John Carroll on a job very well done. The city of Birmingham, our great State of Alabama, indeed the entire Nation owes a debt of gratitude to Cumberland School of Law for its educational prowess, its historic legacy, and its integral part in preparing the next generation of our Nation's leaders.

HONORING DR. WILLIAM FOEGE, RECIPIENT OF THE PRESIDENTIAL MEDAL OF FREEDOM

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. McDERMOTT. Mr. Speaker, I rise today to recognize a great epidemiologist and immunization champion Dr. William Foege and to celebrate his receipt of the Presidential Medal of Freedom, the Nation's highest civilian honor. Dr. Foege's commitment to public health throughout his career—particularly in the area of promoting child survival and immunization worldwide—is nothing less than extraordinary.

In 1966, Dr. Foege served as a medical missionary in a remote part of Nigeria where he encountered the devastating disease of smallpox. He campaigned tirelessly for a more aggressive response to this terrible disease. In the absence of sufficient vaccine supply, Dr. Foege developed a strategy called ''surveillance and containment'' to combat the spread of smallpox. An innovative strategy, his focus on ''hot zones'' was remarkably successful and led to the global eradication of smallpox in 1979.

Dr. Foege's work led him to become the Chief of the Centers for Disease Control and Prevention (CDC) Smallpox Eradication Program and in 1977 he was elevated to Director of the CDC where he remained an aggressive champion for childhood immunization and continued his leadership in the fight for the eradication of smallpox.

Dr. Foege's accomplishments and awards are many and span his long career. After leaving the CDC, he formed the Task Force for Global Health (1984), which continues today as a critical nexus for the establishment of international collaborations to promote child wellness and survival. The impact that Dr. Foege and the Task Force has had on the world through childhood immunizations to prevent polio, measles, river blindness, and many other diseases has been nothing short of astonishing.

In 1986, Dr. Foege joined the Carter Center in Georgia serving as their Executive Director until 1992. He is a professor emeritus at the Rollins School of Public Health at Emory University in Atlanta and an affiliate professor of epidemiology in my District at the University of Washington (UW), School of Public Health. In 1999, he became senior medical advisor to the Bill & Melinda Gates Foundation where he remains an emeritus fellow. With this record of accomplishment and service, it is clear why UW chose to name their Bioengineering-Genome Sciences building after Dr. Foege.

To this day, Dr. Foege continues to educate the world on domestic and international health policies through his writing and speaking engagements. His is a career defined by service and rooted in science. Dr. Foege's enthusiasm and talent for global health continues to generate and influence future generations of public health professionals. I am delighted that he has been awarded this honor.

WELCOMING THE SEVENTH HONOR FLIGHT SOUTH ALABAMA TO WASHINGTON, DC

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. BONNER. Mr. Speaker, it is with great pride that I recognize Honor Flight South Alabama and the World War II veterans this very special organization is bringing on its seventh

flight to Washington, D.C. on May 9, 2012. It is also my honor to insert this tribute into the RECORD during the week of the 67th anniversary of the Victory in Europe (V–E Day).

Founded by the South Alabama Veterans Council, Honor Flight South Alabama is an organization whose mission is to fly heroes from southwest Alabama to see their national memorial.

Nearly seven decades have passed since the end of World War II and, regrettably, it took nearly this long to complete work on the memorial that honors the spirit and sacrifice of the 16 million who served in the U.S. Armed Forces and the more than 400,000 who died. Sadly, many veterans did not live long enough to hear their country say ''thank you,'' yet for those veterans still living, Honor Flight provides for many their first—and perhaps only—opportunity to see the National World War II Memorial, which honors their service and sacrifice.

This Honor Flight begins at dawn when the veterans will gather at historic Fort Whiting in Mobile and travel to Mobile Regional Airport to board a chartered flight to Washington. During their time in their nation's capital, the veterans will visit the World War II Memorial, Arlington National Cemetery, and other memorials.

The veterans will return to Mobile Regional Airport that evening, where some 1,000 people are expected to greet them.

Mr. Speaker, the May 9, 2012, journey of heroes from South Alabama is an appropriate time for us to pause and thank them—and all of the soldiers who fought in World War II. They collectively—and literally—saved the world. They personify the very best America has to offer, and I urge my colleagues to take a moment to pay tribute to their selfless devotion to our country and the freedoms we enjoy.

I salute each of the veterans who made the trip to Washington. May we never forget their valiant deeds and tremendous sacrifices:

Bradford Amazeen; Frank Boykin, Jr.; Henry Brady; Wesley Davis; Charles Jackson; Manley Kulman; Archie Lewis; Raymond Lovell; Travis Mitchell; Niland Mortimer; Wilson Oglesby; James O'Rear; John Osterday, Sr.; Almon Ready; Kermit Reedstrom; Dr. James Rencher; Harold Richard; Jesse Robinson; Raymond Roser; Lawrence Roubion, Jr.; John Ruffin; James Santa Cruz, Jr.; Harold Schumann; Richard Stairhime; Lloyd Stewart; William Sumrall; Harlan Taylor; Tom Ware; Robert Wheeler; Wendell Williamson; Hugh Blount; William Boone; Cecil Bosarge; John Bosco; Howard Bowman; Vercial Bray; William Brennan; Claude Broun; Johnnie Burgess; Paul Carroll, Jr.; Cordelia Catlin; Dan Coleman; Leo Crain; Miles Crutchfield; Carl Daughdrill; Dr. Conan Davis; Nathan Denmark; Kirby Evans; Almus Goins; Johnnie Grovenstein; Michael Guarino; Angelo Harris, Jr.; John Hickman, Sr.; Joseph C. Holliday; Philip Kile; Richard Lentz; Alfred Phillips; Rudolph Rolison, Sr; John Tyson, Sr.; Thomas Brown; Frank Daniels; Lyman Daugherty; Elisha Davis, Jr.; John Folson; Edward Haeflinger; Oliver Henderson, Jr.; Frank Holyfield; Hal Johnson; Mitford Keel; Thomas Kelly, Jr.; James Lambeth; Father George Lassett; Josephine Lassett; Donald LeDuc; Seymour Lichtenfeld; Arnold Loucks; John Magnon; Ulderico Marcucci; Moss McCarty; Raymond McCrary; Earl McDonald; Pervis McMillan; Nicolas McShea, Jr.; Robert Nodar; Edward O'Neal; Charles Parker; Kenneth Patrick; Edwin Phillips; Arthur Raines; and James Werner.

IN MEMORY OF GARY SAIN

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. WEBSTER. Mr. Speaker, I rise today to recognize the passing of a friend and an ardent advocate for Central Florida. Gary Sain passed away May 6, 2012, just hours after delivering opening remarks at the Boys and Girls Club of Central Florida's ''Celebrate the Future'' fundraiser, an event for which Gary served as chairman, and which typified Gary's dedication to the people and community of Central Florida.

I would like to extend my deepest sympathy to Pam Sain and the Sain family. Gary was a talented and enthusiastic proponent of Central Florida's future and development. Gary was personable, humble and energetic. He was refreshing to be around and optimistic for the future. He envisioned great things for Central Florida, and he worked hard to make them happen.

As CEO of Visit Orlando, Gary was instrumental in making Orlando America's number one tourist destination. With his work, Orlando became the first travel destination to host more than 50 million visitors in a calendar year, with 51.5 million people visiting Orlando in 2010.

Gary's vision for Orlando, and the legacy he leaves, will serve the Central Florida area well for years to come. His work will be carried on, but he will be sorely missed. May his example of dedication, hard work and altruistic enthusiasm lead many to follow in his steps.

CONGRESSIONAL CAUCUS ON CPA AND ACCOUNTANTS

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. CONAWAY. Mr. Speaker, on behalf of the Congressional Caucus on CPA and Accountants, I rise today to congratulate the American Institute of Certified Public Accountants (AICPA), on reaching the historic milestone of 125 years of service to its members and the public. Founded in 1887, the AICPA has grown into an organization with over 377,000 members in 128 countries.

As the ten CPAs and accountants in Congress, we each have deep personal connections to the accounting profession and profound respect for the work the AICPA does to strengthen it. As a professional organization, the AICPA supports and educates its members, but it also promotes financial literacy and education for the general public as well.

The accounting profession is about trust: trust between a CPA and a client, and trust between an auditor and the public. It is these relationships, carefully tended, that are the foundation of our economy. For 125 years, the AICPA has been hard at work building this trust by promoting the highest standards of independence, objectivity, competence, and ethics for the profession.

The AICPA's members practice in specialties across the accounting spectrum—from private practice to business and industry to education to government to consulting—but all are supported by the resources, information, and leadership provided by the Institute. The AICPA serves its members in many activities including standards, certification, peer review, education, thought leadership, and promoting the public image and professionalism of CPAs.

For over a century, the AICPA has stood as a custodian of the accounting community, protecting the integrity of the profession and promoting the competence of its members. Today, Americans are served by a cadre of well trained, objective CPAs whose analysis and advice serves as the foundation for millions of financial and business decisions each day. These professionals are the living legacy of the AICPA's 125 years of service.

Today, as a member of AICPA, I join with my fellow CPAs and accountants to congratulate the staff, leadership, and members of the American Institute of Certified Public Accountants on their 125th Anniversary. Our nation is a better, stronger nation because of your work.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, and 223. Had I been present, I would have voted ''aye'' on rollcall vote Nos. 202, 205 and 214. I would have voted ''no'' on rollcall vote Nos. 199, 200, 201, 203, 204, 206, 207, 208, 209, 210, 211, 212, 213, 215, 216, 217, 218, 219, 220, 221, 222, and 223.

HONORING DR. AILEEN RIOTTO SIREY FOR HER SERVICE TO THE NATIONAL ORGANIZATION OF ITALIAN AMERICAN WOMEN AND OUR COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. DELAURO. Mr. Speaker, it is with my heartfelt thanks and appreciation that I rise today to join the many family, friends, and colleagues who have gathered to pay tribute to the invaluable contributions of my good friend, Dr. Aileen Riotto Sirey. After founding and leading the National Organization of Italian American Women for more than 30 years,

Aileen has decided to step down from the helm. She has led NOIAW with pride, integrity, honor and, most importantly, passion—molding it into the outstanding organization it is today.

Aileen has one of the most unique personal stories I have ever come across. After receiving both her undergraduate and graduate degrees from Brooklyn College, she began teaching in Brooklyn. With the birth of her daughter, JoAnne, she left the workforce and spent the next five years as a full time mother. When she decided to go back to work, she joined Beth Israel Hospital as a community organizer and she was soon recruited by the Maternal Infant Care Project, a program within the New York City Health Department, to develop the first In-Hospital Family Planning Program. Under this program, community women were recruited, screened, and trained in peer counseling in birth control and were placed in 25 New York City Hospitals. Women talking to women about family planning—which at the time was still not commonplace—was an extraordinary effort. Aileen went on to work for two consulting firms in health services and later earned her doctorate in psychology and started her own practice. For most this would seem like a lifetime of work already completed—but not for Aileen.

One of Aileen's greatest professional interests has been the effects of culture on values, attitudes, and behaviors. It was because of this interest that, more than 30 years ago, Aileen gathered a small group of Italian American women in her Upper West Side apartment. That meeting and their desire to assist other Italian American women and develop a nationwide network of women sharing a common ancestry sparked the formation of the National Organization of Italian American Women. Through their commitment to this effort, NOIAW members have developed a very successful scholarship and mentoring program and also offer a variety of educational and social programs. Today, NOIAW has a strong membership and is well-known as a resource for other Italian American women pursuing their own educational and professional aspirations. Throughout our nation's history, Italian Americans have played a pivotal role in the success and progress of America. The myriad of invaluable contributions that those of Italian ancestry have made to this nation are immeasurable. NOIAW celebrates these contributions and our rich ethnic history—it is Aileen's lasting legacy to our country and to all Italian-American families.

I have had the distinct pleasure to work with Aileen on a variety of projects over the years. She is an extraordinary resource and her positive energy and enthusiasm is contagious. She instills an inspiration in others that does not quickly fade. I consider myself fortunate to call her my friend and would be remiss if I did not extend a special note of thanks to her for her many years of special friendship and support.

More than anything else, Aileen's greatest pride is in her family. I am proud to join her husband, Charles, her daughter and son-in-law, JoAnne and Sol, and her granddaughters, Emma and Maia, as well as all of those who have gathered this evening in extending my very best wishes to Aileen Riotto Sirey as she celebrates her retirement. She has set an extraordinary example of service and dedication—it is a bar to which we should all strive.

WOMEN WHO MAKE A DIFFERENCE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize this year's ''Women Who Make a Difference'' being honored by the YWCA in my home of Bucks County, Pennsylvania.

Since 1954, the YWCA of Bucks County has worked to empower women and provide a wide range of educational programs to the disadvantaged and vulnerable populations in our community.

After accepting nominations from the community, the YWCA has chosen the following women to receive this year's honors: Anne Clark, Yolando D'Arcangelo, Jeryl DeGideo, Susan Eckert, Mynetta Edwards, Kim Everett, Kathy Feldcamp, L.J. Herman, Jo Klienmann-Wood, Jacqueline Garnett Neal, Sally Pollock, and Kathleen Rosso-Gana.

All of these women have made a big difference in my Congressional District. Their overall empathy for others has helped our neighbors fight life threatening diseases and overcome physical challenges. Their enthusiasm for learning has inspired our youth, and their sense of duty has compelled them to assist total strangers in crisis, sometimes putting their own lives at risk.

The hard work and dedication that these women have shown has made Bucks County a better place for all of us. Thanks again to the YWCA and all of this year's honorees.

MILITARY APPRECIATION MONTH

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. JENKINS. Mr. Speaker, as a Nation, we pride ourselves on the support we give our men and women in uniform.

So much so, that over the last ten years, ''Support the Troops'' has become a rallying cry that cuts through all social and political difference.

This month is Military Appreciation Month, and today I rise to thank the men and women serving in our military in Kansas and around the world.

This week, as the House attempts to block the gutting of our defense department, I think it is important to remember that the first priority of the Federal Government is to protect us and there are brave men and women across the globe who deserve our support.

So from Fort Riley, Fort Leavenworth, Forbes Field, and other military installation across Kansas's Second District and indeed the world, I want to express my sincere gratitude to the men and women of our armed services. Your service makes my service possible.

ACLU RECOGNIZES SHARON KISSEL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. NORTON. Mr. Speaker, I enter this statement on behalf of the American Civil Liberties Union, ACLU. The ACLU is a non-partisan organization with more than 500,000 members, 53 state and local affiliations, and countless additional activists and supporters, dedicated to the principles of equality and justice as set forth in the U.S. Constitution and in our laws protecting individual rights. The ACLU asked me to enter the following statement into the RECORD recognizing Sharon Kissel, a DC resident who serves as Legislative Librarian for the organization.

On the 15th anniversary of Sharon Kissel's tenure with the American Civil Liberties Union Washington Legislative Office, her colleagues and many friends would like to honor her tremendous work over the past two decades on many of our nation's most pressing civil rights and civil liberties issues. In her role as the Legislative Librarian, Sharon is one of the unsung heroines in the ACLU's efforts to achieve equal justice, freedom, and fairness for all. Over the past 15 years, Sharon's work has been critical to a wide range of issues, including the ACLU's advancement of the Fair Sentencing Act, the Violence Against Women Act, and the ACLU's national security advocacy.

Sharon has been a key participant in some of the most important civil liberties and civil and human rights campaigns over the past 15 years. One area of concern particularly in which she has been involved is the restoration of the rule of law in interrogations and detention practices in violation of human rights and the U.S. Constitution. She has participated in one of the leading coalitions against torture and indefinite detention, as a researcher, writer, and source of wise counsel for her colleagues.

Further, her work has been an integral part of the ACLU's efforts to protect our democracy from Constitutional amendments that would diminish the basic rights afforded to all Americans. Her research and advice were important to helping prevent an array of constitutional amendments, including the flag desecration amendment, the school prayer amendment, the federal marriage amendment, and the so-named victims' rights amendment. Without the work of Sharon and her coalition partners, the Bill of Rights would have been riddled with exceptions.

No matter what the issue, Sharon always approaches research with a joy and a curiosity that is contagious, which is part of the reason she is beloved by her current and former colleagues. Sharon is also described by her colleagues as a ''genius'' for her ability to find arcane tidbits of legislative history. Her daily in-depth review of the CONGRESSIONAL RECORD and other legislative research provides incredibly timely information. By feeding her colleagues these buried nuggets of information, Sharon helps the rest of the legislative staff shine as advocates for their issues. Sharon is the ACLU's secret weapon—pouring over 800-

page bills and the barrage of amendments attached to omnibus bills. Her keen attention to Congress and broader public policy debates has enabled the ACLU to address many potential challenges to civil liberties, even before they reach the House or Senate floor. Moreover, Sharon has ushered the entire ACLU team's legal research capacity into the 21st century. She works continually to maximize resources and expand access to online research tools for her colleagues nationally. Throughout her career, Sharon's colleagues have also celebrated and admired her perennial role as a patient teacher and a devoted mentor to many who have worked with her over the years.

In addition to her invaluable work at the ACLU, Sharon's impressive career as a librarian spans over 40 years, and includes her work at the White House, the World Bank, the Federal Reserve, the U.S. Department of the Interior, the Bar Association of the District of Columbia, and Shea & Gardner. Sharon also organized and managed the information resource center for President Bill Clinton's transition team after his election in 1992. Furthermore, Sharon's accomplishments in the field of library science extend to her professional affiliations—she has previously served as the President of the Law Librarians' Society of Washington, DC, and as a Member of the Board of Directors of the National Equal Justice Institute Library. Sharon has also worked as a faculty member for the American Association of Law Libraries Summer Institute.

Sharon came of age during the civil rights movement, and her passion for civil rights and social justice extends to her personal life. She has been actively engaged in DC politics for decades and is the go-to resource on local civic and political issues, with a particular interest in safety and zoning issues. Many in the office, who have been working in national politics for decades, go to Sharon for information on local DC matters. Sharon's strong personal belief in the Bill of Rights and her devotion to her local community occasionally have sparked her to take action, such as the time she organized a demonstration of roughly 30 librarians in front of Kramer Books when it appeared that the bookstore was going to comply with Kenneth Starr's subpoena of private book purchases in 1998. The owner of the store ultimately decided to challenge the subpoena on constitutional grounds.

Sharon and her beloved husband of over 40 years, Peter, also are active alumni of their alma mater, Syracuse University, and they established an endowed fund at the Maxwell School of Citizenship and Public Affairs to support activities that contribute to public understanding of civil rights and liberties. Sharon actually decided to pursue a career in librarianship after a work-study job in the Maxwell School Library, and Sharon and Peter have long maintained close ties to the school. She also received an M.L.S. from the University of Maryland, where she was a member of the Phi Kappa Phi Honorary Society.

Beyond her many professional accomplishments and contributions, Sharon is a dear friend to many at the ACLU. She has a generous and compassionate spirit. Sharon is always willing to share her deep love of Ireland and Irish politics, which has been a shared passion of her and her husband throughout their lives, and she will often bring back food or treats from her trips to Ireland with Peter to share with her colleagues. She is devoted to her family and enjoys her dogs, traveling, gardening, art, and music—especially Irish music! The personal and professional lives of her ACLU colleagues are richer because of Sharon's contributions, and we honor her 15 years of service to the ACLU and hope for many more.

WILLIAM F. EZZELL

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. CONAWAY. Mr. Speaker, I rise today to pay tribute to William F. (Bill) Ezzell, one of America's leading Certified Public Accountants on his retirement from Deloitte, LLP.

As a member and former Chairman of the Board of Directors of the America Institute of Certified Public Accountants (AICPA), Bill has been an industry leader and pace setter for the accounting profession. His numerous accomplishments include the establishment of a major project within the AICPA foundation to increase the number of PhDs teaching auditing and tax in university accounting programs. He also played an integral role in the implementation of key legislation including Sarbanes-Oxley Act of 2002 as well as the associated regulations.

Bill has been a frequent speaker and panelist at corporate governance forums and accounting conferences and has an expertise in emerging issues of interest to audit committees, corporate management, and auditors.

Bill graduated from the University of North Carolina, Chapel Hill with a B.S. degree in Business Administration and Accounting and had been with Deloitte 38 years. He has been a Commissioner on the Pathways Commission on the Future of Accounting Education, a recipient of the AICPA Gold Medal for Distinguished Service, and is a former Chairman of the AICPA Legislative Task Force.

Mr. Speaker, the Accounting Profession will miss Bill Ezzell's leadership and the Congress will miss the expertise he has provided through the years. I know my colleagues join me in thanking my good friend Bill for his years of service to the accounting profession and the guidance he has given us over the years. We wish him well on a well-earned retirement and hope he will be successful in his future endeavors.

HONORING CHERYL E. THOMPSON UPON HER RETIREMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Ms. Cheryl E. Thompson on the occasion of her retirement from Mantua Elementary School on June 30, 2012. She began in the Fairfax County Public School System in 1973 as a Physical Education teacher and she became the Lead Physical Education teacher at Mantua 21 years ago. After serving in that capacity for 11 years, Ms. Thompson was promoted to Assistant Principal, a role which she embraced for the last decade.

Ms. Thompson has served the children of Fairfax County for the past four decades, spending the last 21 years at Mantua, where she personified the concept of community-building. She was the voice of the Mantua Elementary Intramural Basketball Finals; she organized and served as the DJ for the yearly Ice Cream Social, Sixth Grade End-of-Year Party, Spirit Parade, and the Mantua Citizens Association Pool Party. Ms. Thompson coached girls' basketball at Woodson High School, my daughter's alma mater, for 14 years, winning a number of division titles and the Virginia State Title in 1982. She earned Woodson Coach of the Year honors three times. The athletic instruction and support that Ms. Thompson gave to her students was exemplary; however, her dedication to her students' education is even more admirable. She earned Teacher of the Year and Support Employee of the Year honors with Mantua Elementary as well.

While Ms. Thompson's absence will be felt throughout the Fairfax County Public School System, and especially at Mantua Elementary School, her dedication to her community will continue to resonate. I urge my colleagues to join me in congratulating her on her retirement and recognizing her many accomplishments.

COMMENDING FORMER IOWA CHIEF JUSTICE MARSHA TERNUS AND JUSTICES DAVID BAKER AND MICHAEL STREIT

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. BRALEY of Iowa. Mr. Speaker, courage is a virtue that is too often in short supply. That's why I congratulate former Iowa Chief Justice Marsha Ternus and Justices David Baker and Michael Streit. These courageous public servants received the prestigious John F. Kennedy Profile in Courage Award for doing their jobs on the Iowa Supreme Court. Together, they stood up for equal protections under the law for all Iowans. These courageous Justices were part of a unanimous decision that recognized marriage equality for all Iowans.

Although these Justices faced intimidation and threats after deciding the landmark case Varnum v. Brien, they did what they were supposed to do: uphold the Constitution. Justice Baker's words are a great example of why they deserve such a prestigious honor, ''I am comfortable with my vote in that case and even if I had known what would have occurred, I would have not changed my vote. We fulfilled our role as judges.''

Efforts to intimidate judges and try and turn the bench into a political soap box will do nothing to advance justice. Iowa judges are

chosen based on merit, not politics. After they are appointed, their positions are subject to retention elections. In 2010, these judges were on the ballot for a retention vote and were ousted from their positions on the Supreme Court after large sums of out-of-state money funded a ''Vote No'' campaign.

They were voted off the bench because they fulfilled their sworn oath to uphold the Constitution of Iowa, which guarantees equal protection under the law to all citizens of Iowa, without regard to their sexual orientation. They are great role models for my children and all Iowans. By their actions, they became symbols that doing what's right isn't always easy; and doing what's easy isn't always right.

HONORING THE 60TH WEDDING ANNIVERSARY OF CONCETTA (CONNIE) AND CARMEN CACCIOTTOLO

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to honor two long time residents of the 3rd Congressional District of Illinois, Concetta, Connie to her friends, and Carmen Cacciottolo who will be celebrating their 60th wedding anniversary on May 3rd, 2012.

Their story starts back in 1937 when Connie and Carmen met in their kindergarten class at St. Mary of Mount Carmel School in Chicago. At the age of five, Connie and Carmen became very good friends; and now, 75 years later, they are celebrating 60 years of marriage. They attended classes together throughout grade school and split for their four years of high school with Connie attending Lourdes and Carmen attending Tilden Tech. On May 3, 1952, Connie and Carmen were married at St. Richard Church on Kostner Avenue in Chicago.

Carmen served our country proudly in the United States Army during the Korean War for two years. Upon returning home, Carmen worked as a full-time printer and lithographer for Raynor/Carquivelle Company while running the family-owned Italian store on Kolin Avenue in the Archer Heights community with Connie.

Connie went on to become a real-estate agent, insurance sales representative, and finally retired from her job at Talman/LaSalle Bank after 23 years. Carmen retired after 38 years with Raynor/Carquivelle. Connie and Carmen have raised three beautiful children: James, born in 1957, Albert in 1963, and their daughter Mary Ann who was born in 1964. All three of them still live close to their parents in the Chicago area preserving their strong family bonds.

Since their retirements, Connie and Carmen have enjoyed spending time with their five grandchildren: Kristin, Anthony Connor, Jenna and their angel Megan. Connie and Carmen have selflessly given their time for their community. They have been active residents in the Chicago Archer Heights neighborhood, at their schools, church, and community, including the local American Legion and V.F.W. After moving to Palos Park in 1995 they once again became active in their new church, Sacred Heart, with the local senior club, along with their neighbors and the Palos Park Women's Club.

Today as Connie and Carmen Cacciottolo celebrate their 60th wedding anniversary with their children, grandchildren, neighbors, friends, and bridal party, I would like to extend my best wishes to the happy couple. This is truly an amazing event in their lives, and as they celebrate together their 60 wonderful years of love and marriage, I wish them great happiness and joy for many more years to come.

PERSONAL EXPLANATION

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. HONDA. Mr. Speaker, on May 8, I was unavoidably detained and was not present for several of the rollcall votes on amendments to H.R. 5326 held that day. Had I been present I would have voted:

''no'' on rollcall 202, the Peters Amendment to increase funding for the International Trade Administration and US Trade Representative by decreasing funding for NASA's Cross Agency Support account. While I support fully funding the Interagency Trade Enforcement Center in FY 13, I believe it is unwise to do that by taking funding away from NASA.

''no'' on rollcall 203, the Broun Amendment (#1), which unwisely seeks to make dramatic cuts to numerous accounts in the bill.

''no'' on rollcall 204, the McClintock Amendment, which would make an excessive 59 percent cut to the International Trade Administration at a time when we are trying to grow US exports.

''no'' on rollcall 205, the Michaud Amendment to increase funds for Economic Development Assistance Programs by taking funds from the Bureau of Census, Periodic Censuses and Programs. While I support increasing EDA funding, if there is any lesson to be learned from the last decadal census it is that short-changing the program in the early years of a census cycle leads to much greater costs in later years.

''no'' on rollcall 206, the Scalise Amendment, which seeks to cut Economic Development Administration funding at a time when we need to invest in growing our economy.

''no'' on rollcall 207, the Pompeo Amendment, which would go even further than the Scalise and completely eliminate Economic Development Assistance programs and grants.

''no'' on rollcall 208, the Quayle Amendment, which unwisely seeks to cut funding for the Advanced Manufacturing Technology Consortia, which will help us regain our edge so that we ''Make it in America'' again.

''no'' on rollcall 209, the Harris Amendment, which continues Republican efforts to keep their heads in the sand on climate change by cutting funding for a NOAA climate website.

''no'' on rollcall 210, the Grimm Amendment, which sought to increase funding for Regional Information Sharing Activities at DOJ by cutting funding for NOAA. While I support RISS, I do not believe this is an appropriate offset for that funding.

''no'' on rollcall 211, the Broun Amendment (#2), a wrong-headed attempt to cut funding to recover Pacific salmon.

''no'' on rollcall 212, the Runyan Amendment. While I support increasing funding for the Edward Byrne Memorial Justice Assistance Grant program, which is a worthy program, the offset used is ill advised, particularly because it would impact the Civil Rights Enforcement Office of the DOJ.

''no'' on rollcall 213, the Davis (IL) Amendment. While I support the Second Chance Act grants that this amendment sought to increase funding for, I am greatly concerned that the State Criminal Alien Assistance Program is already woefully underfunded and cannot support further reducing SCAAP funding for an offset.

''no'' on rollcall 214, the Grimm Amendment. While I support the COPS program that this amendment sought to increase funding for, I cannot support the use of NASA as an offset.

''no'' on rollcall 215, the Huizenga Amendment, which seeks to allow the outsourcing of federal correctional worker jobs.

''no'' on rollcall 216, the Johnson (GA) Amendment. While I support the EEOC and the purpose that this amendment sought to increase funding for, I cannot support the use of NASA as an offset.

''no'' on rollcall 217, the Flake Amendment, which sought to make drastic cuts to the National Science Foundation.

''no'' on rollcall 218, the Westmoreland Amendment, which sought to dramatically reduce funding for the Legal Services Corporation at a time when more and more Americans facing hard times rely upon the services it provides.

''no'' on rollcall 219, the Austin Scott (GA) Amendment, which went even further than the Westmoreland Amendment and sought to eliminate LSC.

''no'' on rollcall 220, the Black Amendment, which blocks the federal government's ability to defend its authority to write and enforce immigration law.

''no'' on rollcall 221, the Blackburn Amendment, which sought to make indiscriminate, across the board cuts of 1 percent throughout the bill.

''no'' on rollcall 222, the Broun (GA) Amendment, which sought to make draconian cuts to most of the agencies within the bill.

''no'' on rollcall 223, the Southerland Amendment, which unwisely prohibits the use of funds to develop, approve, or implement fishing catch shares programs in certain areas. Catch shares have been shown to be a successful tool for managing fisheries, one we should not rule out.

RECOGNIZING THE RELATIONSHIP BETWEEN ISRAEL AND THE UNITED STATES

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. REED. Mr. Speaker, I rise today to once again reaffirm my interest in maintaining a

strong working relationship with Israel. Unrest in the Middle East has once again brought national security concerns to their doorstep.

Our two unwavering democracies in the United States and Israel have held firm together against outside threats for more than 60 years. As a close ally and trading partner, it is imperative that we provide training and materials for their military for years to come.

The nations surrounding Israel continue to seek nuclear weapons, an action that directly compromises the United States' security and interests. We must work together to ensure that Israel is able to defend themselves if such an event occurs. With the passing of H.R. 4133, I am pleased to see our nation again confirm its support for Israel's right to self-defense. This security cooperation will provide Israel with necessary aircraft and weaponry against the ever-present threat of attack.

The continued violence against the Israeli people must be condemned. However, as there is no immediate end in sight, the United States must stand up and continue to support Israel as they look to enhance their national security.

IN RECOGNITION OF THE RETIREMENT OF DR. CHRISTOPHER T. JONES

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to honor Christopher T. Jones as he retires from the Center for Domestic Preparedness (CDP) in Anniston, Alabama.

Dr. Jones joined the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) as Superintendent for the CDP on August 3, 2008.

He began his public service career with the Department of the Army Medical Command, following successful completion of active duty as a U.S. Naval Medical Service Corps officer. Dr. Jones then served as Deputy Under-Secretary of Defense (Environmental Security) liaison to the U.S. Public Health Service's Agency for Toxic Substances and Disease Registry, where he worked collaboratively with Federal and State agencies addressing high-risk public health issues arising from releases of military compounds, to include weapons of mass destruction components and military munitions.

Dr. Jones earned a Bachelor of Science degree in Health Sciences from Fairmont State College and a Master of Science degree in Occupational Health from West Virginia University. Additionally, he holds an MBA from Florida Institute of Technology, with an emphasis in federal procurement and earned a Doctorate of Education from George Washington University's Executive Leadership Program. He graduated in 2010 from the Executive Leadership Program, Center for Homeland Defense and Security at the Naval Postgraduate School. He's a member of the Academy of Management and a recipient of The Surgeon General of the Army Commander's Award for Civilian Service.

As Superintendent for the CDP, Dr. Jones brought leadership to workforce, operational and contracting challenges. Dr. Jones greatly helped in achieving the mission of the National Training Program and institutionalizing the CDP as the Nation's premier first responder training center in the United States. A native West Virginian, Dr. Jones is married with three children.

Mr. Speaker, I offer my congratulations to Dr. Jones and thank him for his outstanding service to our community and our Nation.

HONORING THE 100 YEAR ANNIVERSARY OF THE SAINTS PETER AND PAUL BASEBALL CLUB

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate the Saints Peter and Paul Baseball Club for one hundred years of service to Chicago's McKinley Park community. This year, the club will celebrate a century of quality athletics and social outreach by hosting the Centennial Celebration and Annual Dinner Dance. The Saints Peter and Paul Baseball Club has been a valuable asset to the community for many years, and I thank all those involved in the club and the current president, Mr. William Gonerka, for their dedication to our community.

The club was founded in 1912 by a group of parishioners from Saints Peter and Paul Church who realized the need for a community organization that could provide both athletic and social outlets for youth in the area. Growing with the community, the club soon expanded its sponsorship to other sports such as basketball, softball, and touch football and broadened its fundraising efforts for parishes and local schools. For the last twenty years, the club has continued its stewardship to the neighborhood by hosting communion breakfasts, trips to White Sox and Bears games, and other parish social events. Although Saints Peter and Paul Church has since joined with St. Maurice and Our Lady of Good Counsel to form the Blessed Sacrament Parish, members of the club have continued to hold events under their original name.

For the last one hundred years, the Saints Peter and Paul Baseball Club has worked to form healthy relationships and camaraderie among the people of McKinley Park. In supporting numerous athletic programs and acting as a social organization, the club has created a safe and productive outlet for many members of the local community. The work of this organization has helped members of the community develop vital leadership skills, appreciate the value of teamwork, and cultivate self discipline. I am grateful for the Saints Peter and Paul Baseball Club's outstanding one hundred years of service and am proud of the members who keep the club active.

A TRIBUTE IN HONOR OF FLORENCE LARIVIERE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. ESHOO. Mr. Speaker, I rise today to honor an extraordinary woman, an environmentalist before the term was invented, one who has taught generations the value of wetlands and forests, mountains and oceans, and who learned and taught so many how to protect and preserve these immeasurably valuable resources. A gentle giant of a woman; a quiet roar of a voice; a tiny footstep with a huge footprint . . . Florence LaRiviere has righted many wrongs and prevented many environmental tragedies by the sheer force of her knowledge, determination, advocacy, participation, and persuasive talents.

Florence LaRiviere recognized the devastation that development was creating in San Francisco Bay long before others did. She saw the need for a National Wildlife Refuge and working closely with many others, she persuaded Congressman Don Edwards, despite opposition from the U.S. Fish and Wildlife Service, to introduce legislation creating the Refuge. President Nixon signed the legislation creating it in 1972.

One of my proudest moments as a Member of Congress was the 1998 inclusion of the 1600 acres of Bair Island in the Don Edwards San Francisco Bay National Wildlife Refuge. Florence worked closely with me on this project, tirelessly promoting it, working with the Citizens committee, challenging the owners of the property and using many creative means to move public opinion.

Mr. Speaker, I'm very proud to have my Bay Area colleagues—Rep. ZOE LOFGREN; Rep. MIKE THOMPSON; Rep. MIKE HONDA; Rep. JERRY MCNERNEY, and Rep. JACKIE SPEIER join me in honoring this great and good woman, our dear friend of many years, as she is honored with the 2012 National Wetlands Award. This is an honor she has earned and richly deserves. We ask the entire House of Representatives to join us in thanking Florence LaRiviere for her decades of invaluable service. She is a national treasure and it is a high privilege to represent her.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PASCRELL. Mr. Speaker, I missed the following eleven rollcall votes. Had I been present I would have voted:

1. Aye—Peters (D–MI)—Page 3, Line 10-Adds $9 million for International Trade Administration offset by cuts to Cross Agency Support—NASA.

2. Nay—Broun (R–GA)—Page 3, Line 10—3% cut to Salaries and Expenses/Administrative Accounts, $847 million, and puts the savings into the Spending Reduction Account.

3. Nay—McClintock (R–CA)—Page 3, Line 10—Cuts $277.8 million from the International

Trade Administration and puts the savings into the Spending Reduction Account.

4. Aye—Michaud (D–ME)—Page 5, Line 17—Adds $38 million Economic Development Administration, offset: Census Account.

5. Nay—Pompeo (R–KS)—Amendment No. 3—Cuts funding for the Economic Development Administration, $219.5 million, and puts the savings in the Spending Reduction Account.

6. Nay—Scalise (R–LA)—Page 6, Line 7—Reduces spending and overhead of Economic Development Administration and the Department of Commerce to FY08 levels and reduces the Deficit by $18.2 million.

7. Nay—Quayle (R–AZ)—Page 11, Line 18—Eliminates funding for Advanced Manufacturing Technology Consortia, $21 million, and puts the savings into the Spending Reduction Account.

8. Nay—Harris (R–MD)—Amendment No. 10—Strikes $542,000 increase from National Oceanic and Atmospheric Administration Climate Website and puts the savings into the Spending Reduction Account.

9. Aye—Grimm (R–NY)—Page 13, Line 2-Adds $18 million for Regional Information Sharing Systems, offset: National Oceanic Atmospheric Administration Climate Services.

10. Nay—Broun (R–GA)—Page 15, Line 13—Cuts $15 million from the Pacific Coastal Salmon Recovery account and puts the savings into the Spending Reduction Account.

11. Aye—Runyan (R–NJ)—Page 21, Line 23—Transfers $22.4 million from Department of Justice General Administrative Expenses to the Byrne Memorial Justice Program.

TO COMMEND THE HURLEY ELEMENTARY SCIENCE BOWL TEAM FOR REACHING THE NATIONAL SCIENCE BOWL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Alfredo Guzman, Ulises Trejo, Vanessa Campos and Alondra Arciga of Hurley Elementary School, and their coaches Ms. Jazmine Smith-Falicetti, Ms. Roxana Del Real, and Ms. Shellie Affolter for earning the opportunity to compete in the 2012 National Science Bowl.

Two weeks ago, I had the opportunity to meet with these outstanding students and congratulate them and their teachers on their success. They clearly represent our country's bright future. Their confidence, intellect, and respectfulness will take them far, and I encouraged them to pursue studies in science, engineering, and math.

The National Science Bowl is a nationwide academic competition that tests students' knowledge of mathematics and science. This competition was launched by the Department of Energy as a new way to encourage students' interest in math and science career opportunities. During the bowl, competitors participate in a fast paced question-and-answer quiz, as well as attend science seminars and workshops. Middle school teams also compete in the Lithium-Ion Battery-Powered Model Car Challenge. This challenge stimulates creativity and fosters engineering skills as students compete to design, build, and race model cars.

Since the beginning of January, regional tournaments have been held across the country narrowing the competition to the best and the brightest in the nation. Hurley Elementary was the only school from the Midway Network of the Chicago Public School system that qualified to compete in the Chicago Regional Science Bowl. Likewise, the national competition was extremely tough this year as only 44 middle school teams earned the opportunity to compete in the final rounds in Washington, D.C.

As a team of sixth graders competing against students up to two years older, it has been an amazing accomplishment for Hurley to make it to the national competition. Although they did not bring home any awards this year, I am proud that they advanced as far as they did. Their hard work coupled with natural talent will take them far in life. I commend Ms. Smith-Falicetti, Ms. Del Real, and Ms. Affolter, for motivating these excellent young minds as well. Their leadership and guidance has been an invaluable asset to this team. I am proud of these bright students and I look forward to seeing what they accomplish in the future.

TRIBUTE TO SUSAN BLACK ELWELL

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise to pay tribute to Susan Black Elwell, a constituent and a woman of strength, courage, and vision. I am sad to say that Susan just lost her life to cancer, but, until her very last weeks, she used her life to make a difference in the lives of others. From her work as a founder and director of an innovative neighborhood nursery school and her visionary leadership of the largest and oldest women's political club in Maryland, to her service as a Peace Corps volunteer, Susan sought to enlighten and engage others through education and activism.

Born in North Bay, Ontario and raised in Pittsburgh, Pennsylvania, Susan graduated from Chatham College for Women in 1962. She came to Washington as a young college graduate, working for the Washington Urban League and then the Peace Corps, where she met her husband Richard. They served in the Peace Corps together in Niger. After returning to the Washington, D.C. area and starting a family, Susan became a founder and the first director of the Chevy Chase Baptist Church Children's Center for children aged 6 months to 5 years. An innovative school, CCBC Children's Center became a much sought-after nursery school.

Susan was an active member of the Chevy Chase Historical Society Board. In 2007, she launched a new Historical Society program called ''History Go-Round,'' a series of programs for residents who love to learn about our community's history. The series offered neighbors with similar interests guided visits to historical sites, roundtables led by distinguished speakers, and exploration of historical sites both in the neighborhood and throughout the larger community.

Susan brought the same creativity and enthusiasm to her leadership of the Woman's Suburban Democratic Club, Maryland's oldest and largest political group, which celebrates its 55th anniversary this year. As a board member and president, she led the group to unprecedented growth and activity, encouraging a broader membership and mentoring younger members.

In addition to these achievements, Susan was a Master Gardener, the founder of the Chatham College for Women's Washington Area Alumnae Club, a Democratic precinct chair, and a lifelong activist. In 2005, she was awarded the William Trimble Beatty Award, which is presented to a Chatham College volunteer who embodies the spirit and hard work of that college's founder, Reverend William Trimble Beatty. Even as she has fought her own battle with cancer, she spoke out against the shortage of some cancer drugs and the terrible impact these shortages have on those who so desperately need them.

Mr. Speaker, I was honored to know Susan and to represent her in Congress. As an elected official, I benefitted from her idealism, wisdom, and hard work. More importantly, her strong sense of community and her dedication to building a better, more educated and thoughtful community made the world a better place, and she will be deeply missed.

I send my deepest condolences to her husband Richard and son Martin, stepsons David, Joe, and Peter, and daughter-in-law, Josie, and ask that my colleagues join me in paying tribute to this remarkable woman.

CONGRATULATING GOLD EAGLE CO. OF CHICAGO FOR RECEIVING THE PRESIDENT'S ''E'' AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the owners and employees of the Gold Eagle Company of Chicago, Illinois. On May 17, 2012, they will receive the prestigious President's ''E'' Award from the Department of Commerce. The ''E'' Award is presented to select American companies that demonstrate excellence in their ability to export American goods abroad. I appreciate the work of the employees and management at this company who have demonstrated leadership and resilience over the past several years.

Creative and successful in its business growth model, Gold Eagle utilizes innovative international marketing strategies that have led to four years of dynamic export expansion. Moreover, Gold Eagle has demonstrated its ability to overcome export barriers, selling its products in more than 75 countries and five continents. To reward rising global sales and its commitment to entering international markets, the Department of Commerce will recognize Gold Eagle at its 50th Annual President's

"E" Award Ceremony. The Secretary of Commerce, John Bryson, will present the award. For strengthening America's trade portfolio and creating high-paying jobs, I commend everyone at Gold Eagle for their hard work in pioneering product development and market expansion.

Located on Chicago's Southwest side, Gold Eagle has been an unwavering stalwart of the local economy. The company, founded in 1932, is an industry leader in the manufacturing of automotive and marine engine additives, fluids, and cleaners. This is not the first time Gold Eagle's excellence has been recognized: the company was named by the Illinois Department of Commerce and Economic Opportunity as 2008's Manufacturer of the Year, and Chairman Bob Hirsh and Vice President Rich Hirsh were named Ernst & Young's Illinois Entrepreneurs of the Year in 2002. In its mission to create innovative chemical products that help "protect, preserve, and perform," Gold Eagle has been committed to community development, sustainability, and employee satisfaction for over eighty years.

For their efforts in creating manufacturing jobs and providing quality products around the world, I am proud to have Gold Eagle in my district. I wish them my sincerest congratulations as they receive this prestigious award, and thank them for their efforts in driving export growth in this challenging global trade environment.

HONORING MR. GORDON HIRABAYASHI, RECIPIENT OF THE PRESIDENTIAL MEDAL OF FREEDOM

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. McDERMOTT. Mr. Speaker, I rise today to recognize the late Mr. Gordon Kiyoshi Hirabayashi and to celebrate his Presidential Medal of Freedom, the Nation's highest civilian honor. As a student at the University of Washington during the bombing of Pearl Harbor, Mr. Hirabayashi resisted the internment of Japanese Americans by refusing to board a bus to an internment camp and by questioning the constitutionality of an imposed curfew.

Mr. Hirabayashi challenged Executive Order 9066, which authorized the Japanese American internment during World War II. Along with Mr. Hirabayashi, Fred Korematsu and Minoru Yasui brought lawsuits before the Supreme Court. Though Mr. Hirabayashi lost his first case in 1943, he would go on to win in 1987 as the evidence proved there was no military reason for the exclusion order.

As Mr. Hirabayashi noted "there was a time when I felt that the Constitution failed me, but with the reversal in the courts and in public statements from the government, I feel that our country has proven that the Constitution is worth upholding. The U.S. government admitted it made a mistake. A country that can do that is a strong country. I have more faith and allegiance to the Constitution than I ever had before."

As the representative of Seattle, I am proud this high honor will be presented, albeit posthumously, to Mr. Hirabayashi. He had the bravery and strength to stand up for civil rights during a time when racism was widespread against Japanese and people of Japanese descent. I join many in honoring Mr. Hirabayashi for his courage.

MAJOR GENERAL ROBERT SCOTT FRIX

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to celebrate the life of Major General Robert Scott Frix, and recognize his 34 years of service in the United States Army. General Frix will be interred May 11, 2012 at Arlington National Cemetery.

Major General Frix served in the United States Army for 34 years as a combat infantryman, Ranger instructor, master parachutist, and master aviator. He served tours in the Vietnam War, Operations Desert Shield and Desert Storm, and was deployed to Pakistan, Afghanistan, Kenya, and Somalia. Among Major General Frix's decorations are the Distinguished Service Medal, Legion of Merit, Distinguished Flying Cross, Bronze Star Medal, Air Medals for valor, Meritorious Service Medal, and the Army Commendation Medal.

Major General Frix passed away Thursday, December 15, 2011, at his home in Sequim, Washington. He is survived by his loving wife, Maureen; his sister, Joanna; his brother-in-law, Andrew; his son, Alexander; his daughter-in-law, Kathryn; and his daughter, Michele.

Major General Frix lived his life in dedication to his Country, and he has passed that down to his family. Major General Frix's life serves as an inspiration to all of us on living a life dedicated to service to our country and to our fellow man.

HONORING ROSE PADILLA JOHNSON AND THE FAMILY RESOURCE CENTER

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Rose Padilla Johnson, and the Family Resource Center located in San Leandro, California. The Davis Street Family Resource Center provides services to over 20,000 people annually. Rose Johnson has provided outstanding leadership as Executive Director of the Center for the past twenty years.

Rose has transformed Davis Street into one of the most vibrant and comprehensive nonprofit providers of human services in Central Alameda County and the Greater San Leandro area.

She began her career working with low income, immigrant families in Alameda County. Her focus on working poor families throughout her career has led her to develop a keen understanding of the problems facing them. Rose's vision, leadership, business and community relationships, and sheer determination have grown Davis Street from the $380,000 organization of 1994 to the current $11,000 million dollar agency today.

Davis Street provides childcare services to over 1,000 children monthly and over 4,000 individuals receive food and clothing from the Center. Hundreds of individuals, who are uninsured and underinsured, are seen in the Center's medical and dental clinic and hundreds of others consult with housing and employment specialists, tax specialists, therapists, and counselors who specialize in drug and alcohol prevention.

In October 2002, Rose achieved her personal goal of creating a "one stop shop" in the form of the Davis Street Family Resource Center. All of the agency's programs are in one location, thereby eliminating transportation obstacles for those needing assistance.

Under Rose's advocacy and leadership, Davis Street launched a $3.5 million Capital Campaign to secure the purchase of Davis Street's 22,000 square foot building. On June 30, 2010, the organization became proud owners of the building.

In addition to her work at Davis Street, Rose is active in the community contributing her time and expertise to the San Leandro Chamber of Commerce, Alameda County Childcare Local Planning Council, the San Leandro Rotary Club and is co-administrator of the RotaCare Free Clinic. She is the recipient of many significant awards and honors.

I join the community in congratulating Rose Padilla Johnson for her 20 years of exemplary commitment and leadership, which have lead to the phenomenal success of the Davis Street Family Resource Center.

TRIBUTE TO PETE REIXACH

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PAUL. Mr. Speaker, I rise today to recognize A.J. "Pete" Reixach, Jr. as he retires from his longtime position as the executive port director for Port Freeport, Texas. Port Freeport is one of the largest ports in my district, and it has been a pleasure to work alongside Mr. Reixach on a number of maritime issues. Pete is very well known in South Texas and the port community not only for his strong commitment to Port Freeport, but also for his efforts to expand international trade throughout the Gulf. He also is very well known for his tremendous contributions to the Brazoria County business community.

I'm happy to announce that Pete will not be retiring from the port business altogether, however. On the contrary, congratulations are in order for his recent promotion to chairman of the American Association of Port Authorities board. With his years of experience, talent, and expertise on a wide variety of issues I am certain Pete will enjoy a very successful tenure as chairman of the AAPA board. I'm also happy to see the Gulf coast represented at the highest level of the AAPA.

Pete has been an integral part of Gulf Coast port operations since his career began in

1970. He started as the assistant manager of the Greece-based Hellenic Lines Ltd. in New Orleans. He later arrived in Houston to become the general manager for Netherlands-based F.A. Voight Inc., before becoming the Texas Gulf Coast port assistant manager in 1985 and then general manager in 1986. In 1988 he finally made his way down to Port Freeport where he has been the executive port director now for over 20 years.

Port Freeport is ranked 16th among U.S. ports in international cargo transport. The landscape extends over 7,500 acres creating promise for future infrastructure and development. Port Freeport serves my district through technological advancement and is one of the leading job creators on the Texas Gulf Coast. Pete understands the importance of economy-enhanced sustainability efforts especially during these tumultuous times.

Not only has Pete been a treasured asset in Port Freeport, but he has also taken an active role on the national level as chairman of the Gulf Ports Association of the Americas and was vice chairman of AAPA Legislative Policy Council. Locally, he has also been involved with the Texas Ports Association and served on the Brazosport Area Chamber of Commerce.

The AAPA board has certainly gained a knowledgeable leader to spearhead their international trade efforts. In September, Pete will assume a one year chairmanship during the AAPA's 99th annual convention in Halifax, Nova Scotia. Mr. Speaker, it is my pleasure to commemorate this great accomplishment and to wish Pete Reixach all the best as he moves into the next part of his career.

JANELLE JAMISON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Janelle Jamison for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Janelle Jamison is a 12th grader at Ralston Valley High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Janelle Jamison is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Janelle Jamison for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

SIX ISSAQUAH POLICE OFFICERS HONORED IN WASHINGTON, D.C.

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. REICHERT. Mr. Speaker, September 24 of last year during a beautiful fall afternoon, six police officers in Issaquah, Washington stopped a gunman intent on murdering innocent people. Because of their quick actions and bravery, the officers will be honored Saturday evening at the 19th annual TOP COPS Awards ceremony in Washington, D.C.

On that fateful day last fall, the gunman walked through yards and on sidewalks indiscriminately firing a rifle at homes, businesses, and passersby. Not far away, more than 100 people were watching a youth football game at a local school. Before the players and spectators could find refuge, the six officers put an end to his rampage utilizing the information being relayed via 9–1–1 operators. On that day, as on every day, law enforcement officers saved lives calmly, swiftly and selflessly.

Each year, Mr. Speaker, the National Association of Police Organizations recognizes law enforcement officers from federal, state, country and local agencies for acts of bravery, courage and outstanding service to their communities over the preceding year. I am proud that six of our nation's finest officers—and who serve in the district that I represent—8th of Washington—will be acknowledged with the rest of our heroes during police week.

Mr. Speaker, to Officers Brian Horn, Jesse Petersen, Laura Asbell, Tom Griffith, Corporal Christian Munoz, and Sergeant Chris Wilson, I say "thank you." I will continue to support you and all of our law enforcement professionals around the country.

HONORING STEVE DENSLEY

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. CHAFFETZ. Mr. Speaker, I rise to honor the service and dedication of Steve Densley, President and Chief Executive Officer of the Utah Valley Chamber of Commerce. He served and guided Utah Valley for over three decades, becoming the second longest sitting Chamber President in Utah history. Steve Densley leaves a tradition of excellence in business and leadership throughout Utah Valley. He has been recognized numerous times throughout his career including the Provo City Mayor's Medal of Honor and the Silver Beaver award from the Utah National Parks Council of the Boy Scouts of America. Mr. Densley was also chosen to be a representative of the U.S. Chamber of Commerce to serve on the Western Region Board of Regents. Mr. Densley has served on over 70 boards, committees and councils during his 30-year career.

Steve Densley is a 35-year resident of the city of Provo and the proud husband of Colleen Densley. They have a beautiful family, with six children and 17 grandchildren. Mr. Densley was an All-American football and basketball player at Jordan High School and is an alumnus of Brigham Young University. He was honored with the Distinguished Alumni Award from the same university.

I invite my colleagues to join me in celebrating the accomplishments of this community leader who has served the Utah Valley Chamber of Commerce for the past 30 years. In essence Steve Densley built the Utah Valley Chamber of Commerce into what it is today and will leave a lasting legacy.

ERIKA SOLIS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Erika Solis for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Erika Solis is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Erika Solis is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Erika Solis for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING HOBSON PATRICK WOOD

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish today to honor one of the most prominent leaders in my District.

Hobson Patrick Wood, or Pat as he was known by everyone, passed away recently at the age of 83. He was well-known and beloved in Knoxville for his endless optimism and service.

Pat was a longtime friend of mine, and my District is a better place because of him and his tireless effort to make Knoxville a better place, both through his business ventures and through community service.

He is probably best known for his real estate and insurance firm, the Wood Agency, which he created in the 1950's. He later went on to form the Lawler-Wood group, which is responsible for developing large portions of downtown Knoxville, including the old Whittle building now housing the U.S. District Court and my Knoxville District office. Much of the downtown skyline of Knoxville is a product of Pat's community development work.

His business partner, Rodney Lawler, remembered Pat as one of the most generous people he has ever known. He told the Knoxville News Sentinel the only disagreement the two men ever shared was when Pat tried to give him too big a share of a deal they were working on. ''We had a disagreement, a sizeable disagreement, over him being too generous to me,'' Lawler said.

Pat loved Knoxville and spent his entire career there, never losing touch with East Tennessee despite great personal success.

He also served the community as a political leader, being elected to the Knox County Court and serving on the board of the 1982 World's Fair, which he was instrumental in bringing to Knoxville.

I offer my condolences to his three children, five grandchildren, and devoted wife of 25 years, Brenda, who said she will remember Pat as ''a loving husband and father and friend.''

I too will remember Pat as a good family man who touched the lives of hundreds of people in many positive ways.

Mr. Speaker, I urge my colleagues and other readers of the RECORD to join me in remembering Pat Wood and the immeasurable impact he made on my District.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 196, 197, and 198. Had I been present, I would have voted ''aye'' on rollcall vote Nos. 196, 197 and 198.

JACOB CISNEROS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jacob Cisneros for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jacob Cisneros is an 11th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jacob Cisneros is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jacob Cisneros for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING COMMUNITY HEALTH CENTER, INC. AS THEY CELEBRATE THEIR 40TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to join all of those gathered in congratulating the Community Health Center, Inc. on their 40th anniversary. This is a remarkable milestone for this outstanding organization and I am proud to recognize their invaluable contributions to our community.

Health care is a right, not a privilege. It is a simple motto and the fundamental basis of the establishment of Community Health Center, Inc. Forty years ago, a group of students from Wesleyan University joined with community activists in Middletown—drawn together through a shared vision for affordable, accessible and responsive health care—to create a free clinic to meet the needs of the community. Fueled by idealism and a deep belief that patients should be the cornerstone of whatever was created, the Community Health Center, Inc. was born.

Since its inception, CHC has become a fixture in Middletown's downtown community. What began as a free clinic has grown to provide care for 130,000 Connecticut residents—ninety percent of whom live at or near poverty level. Though its main offices remain in Middletown, CHC has expanded to include more than two hundred locations throughout Connecticut. In addition to the provision of primary care, CHC has also become known for its work in two other areas: research innovation through their Weitzman Center as well as training the next generation of health professionals through their residency programs. Recognized as a national model of care, most recently CHC was named by both the Joint Commission and the National Committee for Quality Assurance as a Primary Care Medical Home—the first and only health care organization in Connecticut, and one of the first in the Nation, to receive such a designation.

President and CEO Mark Masselli has been there from the beginning. As a founding member of CHC, Mark has devoted a lifetime of hard work and energies to turning the vision of CHC into a reality. His leadership has been integral to the success of CHC and I would be remiss if I did not extend a special note of congratulations and thanks to Mark for his extraordinary work.

I have had the privilege of working closely with Mark and the team at CHC and have often found myself in awe of the quality and quantity of service that they provide every day. The staff and administration dedicate themselves to providing those most in need with a wide-range of patient-centered medical, dental and behavioral health services. In fact, as they celebrate their 40th anniversary, they also mark the opening of the newest addition—the Dodd Primary Care Center, a revolutionary new space housing a 21st century delivery system of primary health care. This innovative, and beautiful, new facility will ensure that CHC can continue to provide outstanding care to the thousands of residents they see every year.

I could not be more proud to join the Middletown community in celebrating this very special anniversary with the Community Health Center. Their outstanding dedication and commitment to ensuring that everyone—regardless of circumstance—has access to affordable, quality health care serves as an example to us all. I am honored to extend my heartfelt congratulations and very best wishes to Mark Masselli and the entire CHC family on this very special occasion.

RECOGNIZING CONVOY OF HOPE

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize Convoy of Hope's generous outreach following last year's tornado which devastated the community of Joplin, Missouri, on May 22, 2011.

Convoy of Hope provides food, clothing, medical aid and other resources to disaster areas or to those in need. They are a shining example of the generous American spirit and the immense power of private faith-based charities to be a force for good in our local communities. Since its founding in 1994, Convoy of Hope has served over 51 million people throughout the world. Hours after the tornado struck Joplin, Convoy of Hope was on the scene offering a helping hand to those in need.

Convoy of Hope's initial response was coordinated with the cooperation of Ignite Church in Joplin where a mobile distribution site was established. Twelve local churches in Joplin and surrounding states organized volunteers to assist Convoy of Hope in the disaster response effort, which has provided more than 3 million pounds of food, water and supplies to help the community get back on its feet.

Through a partnership with Pyramid Foods, Convoy of Hope operated a ''compassion store'' where tornado victims received free relief products like rakes, shovels, trash bags and gloves to assist them with debris removal. The compassion store remained opened until November 2011.

In January 2012, Convoy of Hope announced their commitment to provide $1 million to help tornado victims on the series finale of ABC's Extreme Makeover: Home Edition, which featured the building of seven homes in seven days in Joplin. In February, Convoy of Hope, in partnership with the Global Green Building, Project Safe Home and T.F. Concrete Forming systems, embarked on a mission to help build storm-resilient homes for at least a dozen deserving families.

Convoy of Hope is constructing homes that emphasize protections against strong winds and promote energy efficiencies. Convoy of Hope and its partners are coordinating these and future efforts with the Department of Homeland Security and the Federal Emergency Management Agency to provide guidance on other future ''resilient'' constructions.

These new high-tech, low-energy buildings are specially designed with reinforced concrete walls and other innovations to be sturdier than traditional houses.

Convoy of Hope and their 3,852 volunteers served 12,161 families, helped clear and clean 42 houses at no cost to the homeowners, and completed four major critical needs projects for homeowners who did not have adequate resources to address the safety concerns on their property.

Convoy of Hope's generous spirit of outreach helped thousands of Joplin residents during a dark chapter in their lives. I know that many families impacted by this tornado are grateful for the helping hand and support they received from Convoy of Hope.

FRANK CURIEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Frank Curiel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Frank Curiel is a 11th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Frank Curiel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Frank Curiel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

RECOGNIZING DANIELLE GREEN-BYRD

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. DAVIS of Illinois. Mr. Speaker, I am honored to have the pleasure to recognize a hometown hero, Ms. Danielle Green-Byrd as she has been selected as the inaugural recipient of the Red Cross, Tiffany Circle Distinguished Woman Warrior Award for her outstanding service to our country.

Ms. Green-Byrd is a 1999 graduate of the University of Notre Dame with a BA in Psychology as a full scholarship athlete, excelling in varsity basketball. Once a standout left-handed shooter, she scored 1,106 points, averaging 9.5 points and 4.5 rebounds per game for the women's basketball team.

Upon graduating from college, Danielle chose to serve her country by enlisting in the Army and subsequently sent to Iraq, serving with the 571st Military Police Company from Fort Lewis, Washington during Operation Iraqi Freedom. She explained that she wanted to gain life lessons as an enlisted soldier before one day receiving a commission.

One of the first women injured during the beginning of the conflict in Iraq, Danielle had been at her post for only a few minutes when two rocket propelled grenades hit a barrier on the ground and exploded. A third hit her arm and damaged her thigh and face. She lost her left hand and arm and was awarded the Purple Heart.

Presently, Danielle is the assistant sports coordinator in the Chicago Board of Education's Department of Sports Administration and Facility Management and spends time with military veterans in the Chicagoland area. She enjoys time playing golf, a sport that she has said has taught her patience and brought enjoyment.

I am so proud to acknowledge a ''she-ro'' who is still living among us and I encourage her to continue to live her dreams, give back to the community and continue to make the greater Chicagoland community a better place.

Congratulations and may God continue to bless you in every field of human endeavor.

JAZMIN MEDINA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jazmin Medina for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jazmin Medina is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jazmin Medina is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jazmin Medina for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

TRIBUTE TO DANIEL R. MANTHE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to Daniel R. Manthe, an extraordinary leader in education policy and a dear friend who recently passed away.

In my nearly half-century in education policy and politics, I have been blessed to work with and meet the widest range of committed and caring teachers and leaders. Daniel R. Manthe was both. Dan had education in his heart and mind and was one of the most knowledgeable people I ever met in the field. His efforts to make education more effective made a difference in the quality of education in whatever he touched. Education is better because of him.

As a young teacher, Dan toiled and suffered innumerable indignities securing the signatures that formed the roots and early support base for the Michigan Education Association. As an Assistant Superintendent for the first Wayne County Intermediate School District, and then the modernized and retooled Wayne Regional Education Service Agency, Dan not only crafted the Michigan student aid formula section for education service agencies, but became the go-to person whenever any legislative bill or regulation even hinted at changing state education policy or practice for the county school district delivery system. His embedded in-depth knowledge base was beyond compare and unquestionably accurate.

Dan also had an innate ability to be able to know and foretell the inter-agency effects of legislation outside the education realm. He was the recognized expert on the complicated process of school consolidation and was Dan universally liked and admired in the corridors of the State Capitol of Michigan. He was courteous, knowing, and ever ready with a joke and generous in assisting young people new to the Capitol. Dan secured handwritten amendments, bill drafts and multiple documents and was often the first to recognize emerging, important legislative information.

Dan Manthe proudly represented the children of Wayne County, Michigan—all 34 districts, from Detroit to Ecorse, Hamtramck and Belleville. He was sought out by administrators and union members alike for his sage advice and deep expertise on how to accomplish various legislative feats. He tutored and fine-tuned the skills of a lineup of Michigan Department of Education state directors of legislation and school law who have gone on to become chiefs of staff for a Michigan governor and Speaker of the state House, a multi-district legislative consultant, and several Congressional and state legislative assistants.

Mr. Speaker, please join me in paying tribute to Daniel R. Manthe, a great Michigan education leader as we offer our heartfelt condolences to Dan's family on his passing.

EVERETT MILLER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Everett Miller for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Everett Miller is an 11th grader at Standley Lake High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Everett Miller is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and

develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Everett Miller for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

MOTHERS' DAY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to celebrate Mothers' Day and to thank our nation's mothers, grandmothers, and aunts, as well as all the women who mentor and nurture future generations. On this holiday, I thank these incredible women by recommitting myself to the effort to preserve Medicare and to protect their health and wellbeing.

My mother was a true inspiration to me, and she taught me the importance of a solid work ethic and compassion for others in the community. She took on the challenge of raising two children by herself, which meant work during the day and school at night. Life certainly was not easy for her, but she always provided for my family and is one of the strongest women I have ever known.

Today, many families in my district and across the country are also coping with limited resources while demonstrating the same determination and compassion that my mother instilled in me. Many are seniors who cannot afford the exorbitant cost of treatments for chronic medical conditions and preventive care. Medicare program is a vital lifeline for so many and should be protected at all costs.

The proposed Republican plan to end Medicare as we know it would distribute vouchers for beneficiaries to purchase health insurance. Under the plan, the voucher would not grow as fast as health care costs, shifting the burden of the costs onto seniors. It would repeal the free preventive services benefit in Medicare, increasing seniors' out-of-pocket costs for preventive care by over $110 million in 2012 alone.

The Republican plan would have a particularly damaging effect on women, who, on average, live longer than men, have lower incomes than men, and have more chronic health conditions than men—making Medicare even more vital to their wellbeing. 57 percent of women on Medicare live below 200 percent of the federal poverty line, compared to 45 percent of men. Additionally, 49 percent of women on Medicare have three or more chronic health conditions, compared to 38 percent of men.

As a representative of the 37th Congressional District of California, this issue is of particular importance to me. In California alone, there are nearly 2.7 million female Medicare beneficiaries, more than any other state in the country.

Mr. Speaker, I stand in solidarity with these women—America's mothers and grandmothers—as I reaffirm my support of the Medicare program. I will not support legislation that balances our budget on the backs of our nation's most vulnerable citizens, and I encourage my colleagues to join me in this critical fight.

Mr. Speaker, I wish a happy Mothers' Day to all the mothers of the 37th district and across the country.

JESSE LUCERO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jesse Lucero for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jesse Lucero is an 11th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jesse Lucero is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jesse Lucero for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. CHU. Mr. Speaker, I rise today to recognize May as Asian Pacific American Heritage month and to a service organization from my district, the Pacific Asian Consortium in Employment (PACE) that provides crucial services to our community. This month gives us an opportunity to reflect and honor the Asian American and Pacific Islanders (AAPIs) who have enriched our nation with their countless contributions to American history.

While generations of AAPIs have had profound impact on our nation and have achieved the American Dream, the AAPIs community is extremely diverse and some AAPIs have challenges and require assistance from federal programs to overcome obstacles in the journey to achieve the American Dream. Around the country, there are a number of AAPI community based organizations that provide assistance to the diverse AAPI community and doing great work to support AAPIs families. I applaud them for the work that they do everyday to help AAPIs to overcome these obstacles and to support to better their lives for themselves and their families.

An example of an outstanding AAPI organization is the Pacific Asian Consortium in Employment (PACE) that is lead by a committed and dedicated individual—Kerry Doi, the President and CEO. The mission of the PACE is to create economic solutions to meet the challenges of employment, education, housing, business development and the environment in the Pacific Asian and other diverse communities. PACE is a non-profit community development organization founded in 1976 to address the employment and job training needs of the Pacific Asian Islander communities. PACE has since expanded into a variety of service areas, all tailored to meet the growing and changing needs of the multi-ethnic communities in Los Angeles County. Now, in addition to job training and employment services, significant PACE programs encompass: business development; early childhood education; financial education and asset building; housing and rehabilitation services; weatherization and energy-conservation programs; and affordable housing development. PACE's guiding principle in all their programs is the idea of expanding opportunity. A small sample of their business lines include:

An extensive workforce development center which offers a variety of job training opportunities.

190 affordable housing units and a home repair service to enable elderly and disabled persons to stay in their homes.

An extensive energy and environmental program that promotes energy conservation.

A business development center that provides entrepreneurial training, business counseling and access to capital.

28 school sites offering early childhood education programming for more than 1,900 low income children and their families.

A financial literacy and asset building program that provides financial skills training.

This year, PACE established a new initiative called the Diversity and Democracy: America's Strength program that celebrates the important contributions that our nation's many diverse ethnicities, nationalities and races have made to our way of life—and the important role that government has played in their success. With the donation of 40 tickets from Southwest Airlines, PACE embarked on a journey to bring a diverse group of Federal program participants to Washington, DC to meet and hold a briefing with their elected representatives in Congress and representatives of federal agencies and the White House to tell their stories of how these programs have helped them on their journey to achieve the American Dream. The clients who are of various ethnic backgrounds will tell their own unique story describing how various programs empowered them to be able to become productive, economically self-sufficient Americans. They hope by conveying their real stories from PACE program participants will illustrate the key role that the various Federal programs have played in the lives of low income, ethnic minority, refugees, immigrants and asylees. Numbers tell one story; faces tell an even more important story.

As we in Congress debate the funding levels of the Federal programs that have helped numerous PACE participants, it is important that we listen to the voices of the PACE participants who have been helped by these programs that helped them—to start a business, to get the job training they need to secure

good paying jobs, to provide early childhood education and to help refugees gain the skills they need to begin a new life in America. I encourage all my colleagues to read the compelling stories of these individuals who have become productive, economically self-sufficient Americans because of the existence of these Federal programs.

WORKFORCE DEVELOPMENT

I am Arax Nazarian.

My story is about hope—how I almost lost it and then found it again.

In April 2009, my family and I arrived in the U.S. as refugees from Iran. We fled our country seeking opportunities for a better life and to raise our son in a safe place without harsh discrimination. We came here without any money. But we had lots of hope.

The U.S. was going through one of its worst economic downturn in 2009. I worried about how I could get a job to support my family, repay my debt and help my parents back home. I spoke very little English. I didn't have any work experience in the U.S. I also needed some time to adjust to a new society, new culture, and new rules.

I applied for different full time jobs but I was denied repeatedly for different reasons. I was studying days and nights to improve my English and at the same time working in any odd jobs that I could find. But I was barely making ends meet. I felt helpless, desperate, frustrated and sad. I was losing hope.

My worry and sadness must have shown on my face.

Because my 11-year old son came to me one day and said, ''Don't worry, Mom. I don't need a new bow for my violin and I am not interested in going on the school's field trip. I just need your smile.'' I choked back the lump in my throat with a sense of guilt that I could not provide for my child's needs. I also felt a tinge of pain and pride in my heart that my child would sacrifice his own needs for his mother. I must not give up hope.

A ray of hope came to me when I heard about the Transitional Subsidized Employment program. I started my first Work Experience job at PACE's Home Energy Assistance Program Department where needy families get helped by paying their gas and light bills. Through this on-the-job training opportunity I became more skilled and confident. I learned about my new society, work environment, rules and regulations. Little by little I adjusted myself to a new life here in the United States.

Then I was offered a permanent job and I am now working at PACE Weatherization Department as a Program Support Clerk. I have earned recognition and respect from my coworkers.

And the best of all, I am able to support my family. I am happy that I am no longer dependent on public aid. My husband has a peace of mind to focus on his education in pursuing his career as an Electrician. My son has been growing up with good manners. He is one of the best students in his school, and receiving many awards.

I hope the program will continue to give other people the same opportunities I received. These programs give people hope, create jobs and change people's lives. They gave me my hope and changed my life.

EARLY CHILDHOOD EDUCATION

My name is Benjamin Alcaraz.

My story is about a Legacy through Education.

Like many other families in my neighborhood my mother and father emigrated from Mexico to America for a better life. One thing my mother always preached to her children was to get an education and bring her a High School Diploma. This for any immigrant family was considered a great accomplishment. After my father abandoned our family, my mother's determination to give her children an advantage through education became more acute.

That was when Head Start became a focal point in our lives. My mother enrolled me in a neighborhood Head Start school. I have vivid memories of her cleaning and helping to prepare food for the classroom as a parent volunteer. But what it did more than anything was what education meant to her and what it should mean to me. Once I was in the K–12 system, I flourished. I joined the honors program, and was the 1st in my family to go to a four year university straight after high school.

Now at the age of 33 I have two sons of my own, Mario and Alexander. And I do all of the things my mother did with me like reading books, counting, and learning. And I told them to bring me their College Degrees, one step up from the goal my mother set for me. Once Mario was old enough, I began to look for a preschool for him. I still live in the same neighborhood and I still have vivid memories of my Head Start days. Behold, the same school is still there! Mario loved it once he was enrolled in the same school.

Every day was a new adventure and a new learning experience, for both Mario and me. Just like my mother some 29 years ago, I was now the one helping out with the school, joining the policy councils and looking for ways to grow as a parent.

Head Start did not just give Mario a leg up in learning, but it also helped me to become a better parent. Mario has moved on to the K–12 system, but the experience, the social interaction, and the growth he gained from Head Start was immediately noticeable by his Kindergarten teachers. They expressed that they appreciate those parents who send their kids through Head Start program because they noted those children are more prepared for the K–12 system. Now Mario still sees me involved in his Elementary school and knows how much we as a family emphasize the importance of education.

And I know he understands this expectation because he declared that he will be attending UCLA after high school. Head Start instilled a love of education with Mario and I know it will do the same with my second son, Alexander. And I know they will carry on my mother's legacy of an emphasis on education, especially early on, with their young ones when the time comes. And I know they will also be looking for ways to be as involved as I am as parents.

EARLY CHILDHOOD EDUCATION

My name is Estella Navarrette.

My story is about Mariana and her Head Start experience.

Mariana is my 6th child out of 7. Being a single mom for so many years putting all my children through schools was a well-adjusted routine for me by the time Mariana reached the pre-school age. Playing both mommy and daddy for my seven children were all about finances, feeding and clothing them. Educating my children was not on my radar screen.

As Mariana grew older, she started to be curious and interested about school because of her older siblings coming home talking about their days at school. Right around this time I became a stay-at-home mom because of the learning disability of my youngest child.

Realizing Mariana's interest in school became more persistent, I began looking for information about a Head Start program. And that was when I came across PACE Early Childhood Education and enrolled her in the program.

Mariana was a very quiet and timid child. She was afraid to do anything. With the Head Start program I saw the change in her. Mariana went from always being quiet to being very outspoken. She expresses her feelings whether they are good or bad, and accepts them.

Before Head Start, Mariana reminded me of the same traits I had when I was her age. But unlike me, Mariana will not grow up with a sense of insecurity. I did not have the same opportunity as she does. Mariana will have the opportunity to grow with confidence. She will feel secure and develop a sense of independence because of the learning that the Head Start education has instilled in her. What Mariana has learned at school, she brings home to share with her other siblings. She is so proud and animated in explaining how her day at Head Start went to her siblings. She even dished out project assignments to them. While explaining the projects to them she gets everyone to sit around like she did at school. I was watching Mariana playing this lead with her sibling and can't help but feel proud and appreciative of how important education is at this early age. Through the process that Mariana has been going through, Head Start has not only brought an interest in education to her, but it has also brought our family together.

Our schedules were always crazy and there was never any family time. Everyone was so busy with school and I was occupied for being a single mom caring for a child with disabilities. Now, after dinner Mariana brings everyone together for family time and to appreciate education.

I appreciate PACE Early Childhood Education because of the love, compassion, and interest that their staff has for our children. I want to thank the PACE organization for showing how warm hearted and caring they are about early childhood education.

ENERGY & ENVIRONMENTAL SERVICES

My name is Francisco Talamantes.

I work for PACE's Home Energy Assistance Program or HEAP. The HEAP program helps families pay their utility bills. I help hundreds of families each week to pay for their electricity, water or gas bills.

For example, a lady in her late 20s walks into the office one day with a notice from the utility company that her electricity was about to be disconnected. She had that worry and weary look on her face. Her husband lost his job recently and they have 3 young children to support. Her situation was dire. Should they not feed their children or live in darkness without electricity?

Her electric bill was over $1000. I calmed her down and told her to not worry and this program is here to help her. Right away you can see the relief on her face. She filled out her application and we got the proper documents copied, and I was able to call the utility company and help her with $1000, which was enough to prevent disconnection. So perhaps for a little while, they can feed their children with hot food that can be cooked on their electric stove. And perhaps for a little while, her children can read and do their homework not in the dark.

These stories are very common. My coworkers sometimes asked me why I could be so patient and empathetic for so many clients that line up all way down the hall way

each day. Do you know why? Because I was one of those children like this lady when I was young. This lady reminded me of when I was growing up when my family also often faced the choice between having food on the table or paying the utility bills.

I feel very honored and proud to be here today. You see, I come from an immigrant family. My parents were born and raised in Mexico and when my father lost his job there he decided to come to this country for a better life. With little education and not being able to speak English, it was hard for my father to find a job. He did his best and was able to find a job to support his family, but still struggled because he did not make much.

What my father brought home was barely enough to pay for rent and food for my eight brothers and sisters. It was great that we had food and a roof over our head but we still worried about our lights being disconnected. So my dad had to work extra shifts to pay the electric bill since we did not know about HEAP program like this.

With the HEAP program families can find relief and hope that they will have a good chance to overcome their financial struggles. I know what it feels like for not having electricity, water or gas. I feel for the struggle our clients are going through when they come to my window for assistance. My job makes it easier for families to succeed and I feel honored to help them.

BUSINESS DEVELOPMENT

My name is Guojian Cui.

My story is about my transformation as an F.O.B.

I am a trained artist specializing in Chinese calligraphy and traditional Chinese framing. But since I came to America in 1993 with one suitcase and a big dream, I had worked in various other odd jobs for 17 years. But I had always yearned to follow my true passion.

You can tell that I am getting old, thin on top and losing my teeth. For 17 years, I felt like an F.O.B.—''Free on Board''. It is a shipping term. For 17 years, I felt like a shipping good in between departure and destination. I was going somewhere but have not yet arrived. With one push, I could fall into the ocean; or with a push in a different direction I could land in my dream.

In 2009, a push helped me land in my dream. I decided to set up an art gallery business providing framing and Chinese calligraphy services. But my plan ran into a lot challenges. I faced the challenges of having limited start-up capital. I faced the challenges that my traditional way of using water, paste, brush and simple tools can't compete with modern framing technology. I faced the challenge of declining demand for valuable art because of the near economic crash in 2009. The sharp increase of price of oil did not help either because it made all materials and supplies more expensive. I needed to buy equipment and machines to make my framing more precise. I needed a computer and gave up my abacus. I needed some technical assistance. I felt like an F.O.B. again because I could give up and get dumped into the ocean like a piece of damaged good. Or I could get a different push and land where I wanted to land.

I met PACE's Business Counselor Dandan Shan right around this time. He is a smart young man. He encouraged me to step forward and not give up. He told me that PACE has programs to help small business to start up. So, I was encouraged. I was transformed to become a different F.O.B.—Focus on Business. I was given a little push to step forward on boarding the battle field of business. PACE offered me some technical assistance and some financial support through its Individual Development Account or IDA program designed especially for business start-ups. With the help of PACE, I started my gallery in September, 2010. And I became another FOB—Fighting on Board of the business battle field. I was having fun because I was also a different F.O.B.—Fun on Board.

Now, I have more and more customers and they become my friends. They are satisfied with my services and getting good prices in the deal. For this Year of Dragon, my Chinese calligraphy of ''Dragon'' was prominently displayed on all the lamppost banners in Los Angeles Chinatown. My conclusion? Micro businesses do need that assistance and that critical push to move forward because it really can help people to go forward with their own business.

This is my F.O.B. Story.

WORKFORCE DEVELOPMENT

My name is Hasmik Sargsyan.

My story is about reaching for the American Dream.

My family and I immigrated to the US in 2007. As an immigrant family, we had to start our life from zero. We had no job, no car, not knowing English, and no one to support morally or help with any advice. In my home country I was a Certified Public Accountant. In the new land my husband and I took any job that came along, and attended school to learn English as a fourth language. Besides taking English classes, I pushed myself to take classes in accounting with a dream that someday I will return to my profession. I got very little sleep in those days for always being busy going to classes, working, washing, cooking, and taking care of my three children.

As I was improving my English skills and beginning to acclimate with my new environment, I did not realize that my own struggle paled in comparison to what my children were going through.

My eldest son always wanted to be an artist and in those days he could only afford to draw pictures with regular pencils. Understanding our financial situation, at his young age, he never asked for anything. I don't know enough about his potential as an artist or if I was just an adoring parent, but I liked his drawing very much. But I could not afford to buy him any art supplies or pay for any art classes. It was extremely painful for me for not being able to help my child to reach his dream as I was struggling to reach mine.

At that time, I was attending Glendale College. I heard about programs that help people with employment. I called many workforce programs in Los Angeles but only PACE responded to me. PAC's Transitional Subsidized Employment program helped me to land a temporary job that helped me to gain work experience, knowledge, skills and confidence. Then PACE offered me a permanent position in the Department of Energy and Environmental Services in Weatherization Program as a Program Specialist. It was unbelievable to me when I was being interviewed and they said to me ''you are hired''. I started to cry because they gave me hope that I had lost.

I am so thankful for this program. Now I am self sufficient and I feel happy awakening every day with the sense of joy knowing that I have a job. I have gained recognition from my co-workers. I am grateful that I no longer live at the expense of the government. I cannot find words to express my gratitude for what PACE and the federal government program have done for my family, especially for my son. Now I can afford to pay for his art lessons and buy him art supplies for his drawing. Because of this, he is taking part in many Art exhibitions. I believe that one day he will become a famous artist and he will write about the history of his family and the struggles of immigrant lives.

My story is neither a special nor an extraordinary one, but it is similar to the lives of many other people who have been struggling. We are truly grateful with the support we received to reach for our American Dream. I wish the opportunities afforded me will continued to be made for other families like mine.

BUSINESS DEVELOPMENT

My name is Judy Thang.

My story is about how a passionate entrepreneur got started!

Starting a business as a young woman is tough in any industry. Being a graphic designer working with small business owners is even harder. As a recent graduate from a California State University, I've always had two passions—starting my own business and helping other small business owners build their brand image. I guess my parents passed their entrepreneur bug to me.

My parents owned a restaurant where I worked as a little cashier at age 12 and graduated to potato peeling when I got older. They promoted my little sister from janitor to cashier. We grew up with lots of work ethic, eating lots of delicious hot wings. When my parents moved to Australia, my sister and I kept the restaurant operating for a while. So naturally, out of school, I couldn't wait to open my own business. I took a low-paying job in marketing to gain some experience, then quit a few years later to start my business, girlwithflair design.

I had no money, no formal design experience, and no connection in the industry since I majored in business. There were a lot of obstacles. Age was my biggest difficulty. Here I was, trying to convince a client to let me build his brand image and generate sales, but I looked like I was fresh out high school! I charged peanuts for what I did three years ago.

Fortunately, I found Swann, my savior and mentor at PACE Woman Business Center. Here are a few important things she and PACE have done for me: 1) Great Advice—When I had problems with my pricing, she gave me invaluable advice on how to stick to my guns; 2) Networking—I've gotten to know other small business owners, which makes me not feel so lonely; 3) I've gotten a lot of referrals to other small business owners.

It has only been a year, but I am far from where I started. I now have an office space in Chinatown, a much steadier clientele and lots of happy customers that help me constantly with new referrals. Without Swann's guidance in the past year, I would probably be eating instant noodles everyday for dinner. That, or go find a 'real' job, as my parents would say. I'd rather eat instant noodles.

I have come forward to share my story because I believe in the value of social programs that empower people to start their own businesses. Programs such as PACE Woman Business Center provide hope and opportunity for underrepresented segments of society. These are the people working at restaurants for minimum wages, making tamales, bookkeeping or assembling furniture in between work who dream of becoming an entrepreneur one day. The fact that

they are great at their hobby and passionate enough to invest their energy, time and money to pursue it merits the support that programs such as PACE Women Business Center provides.

EARLY CHILDHOOD EDUCATION

My Name is Kimberly Hua. I am a Head Start Parent.

My story is about ''The Window of Opportunity''.

When my family and I emigrated here from Vietnam, my parents could barely provide food and shelter for me and my two siblings, much less taking us on buses to go places. My parents did not speak English and did not know where to look for help. They did not know that they could have put my siblings and me through free pre-schools that would prepare us for kindergarten. Their concern was working two jobs to make ends meet. So from the beginning, school was hard for me and I struggled every day. I ended up hating school and did not appreciate the value of a quality education.

The ''window of opportunity'' opened for my children when I enrolled my two sons in the PACE Head Start Program. I wanted to make sure that my sons would have the opportunity that I did not have when I was a child. Although I appreciated the benefits and resources that PACE Head Start education offered to my children, I was working a lot and did not spend enough time with my children.

I did not know at the time that this ''opportunity'' was for me too. What changed was when I became a PACE parent policy committee member.

My active volunteerism inspired and empowered my children to develop their own sense of independence and self-confidence and love of learning. In my children's eyes, I was no longer just their mother; I was also a teacher and a mentor. Because of all that, I believe that my children will establish a solid educational foundation and acquire the early learning skills to carry them throughout their higher education.

Watching my children blossoming at the Head Start Program, I was inspired to grow with them. I decided to follow my life-long dream of pursuing an advanced degree. I completed my master's degree with a 3.80 GPA in April this year. I will always be grateful to the parenting and empowerment programs that Head Start program had to offer to parents like me. My story of ''The Window of Opportunity' is why I am here today to show my support for the Head Start program. I believe early education can play a critical role for young children and increase their odds of success in later life.

The Head Start program also played a critical role for parents like me. It helped me to become a better parent to my children. Along the way, I became a better person and an advocate for my community.

BUSINESS LOANS

My name is Linda Wong.

My story is about sacrifice and courage.

My parents immigrated to the US from Taiwan when I was 6 years old so their children could have a better education in America. My sister and I were the only two Chinese children in a new school that taught in a language that I knew nothing of, except my new name, Linda—I was no longer Chih-Ling. I quickly learned that adapting to a new culture would be just as challenging as the language barrier.

There were many days when I came home crying because I was made fun of for being different. My parents did their best to console me, while hiding their own struggles of assimilating to this country. When I was 16 my father decided to leave my mother, my sister and I to return to Taiwan.

Since my mother did not speak any English, I was left with all the responsibilities of my father: I made sure all the bills were paid on time, did all the grocery shopping and signed my own letters of excuse when I was sick from school. Some might think a child with that kind of ''freedom'' would take advantage of the situation; however, this had the opposite effect on me. I knew I had to really work hard in school to get into a good college since my parents had sacrificed for us to have a better life.

After receiving my Bachelors of Arts from Otis College of Art & Design, I was hired by a multi-million dollar jewelry company to help launch their first clothing collection. I took the skills I learned there and formed my own clothing company, The Battalion. In 2011 my business generated $350,000 in sales, but lacked the capital to pay our fabric vendors and contractors. If we could not pay to produce the goods that we had already sold we would lose both the orders and trust of our customers. We turned to PACE to help us find solution to our problem. In March 2011, with the guidance of PACE's Mr. Howard Sun, The Battalion received a loan of $30,000 from PACE SBA Micro-Loan Program. Two months later we promptly delivered our products to our customers' satisfaction.

Running a business never gets any easier; there are always new challenges and roadblocks that loom ahead. It is easier to summon the courage to face these obstacles when you have a program like PACE in your corner. I believe this is an essential program because it makes it possible to succeed for people who have sacrificed and have courage to charge forward.

EARLY CHILDHOOD EDUCATION

My name is Patrick Martinez. I am a Head Start parent.

My story is about keeping a promise, a promise I made to my son before he was even born. I vowed that I'd be there for him no matter what obstacles we faced.

My story began with a typical boy meets girl story. Boy and girl fall in love. They give birth to a precious little baby boy after spending eight years together.

The arrangement was for me to be a stay-home dad to take care of my child and our home. I was very proud of my little family. Then it became the girl leaves boy story.

My baby boy and I were kicked out of our house. We suddenly found ourselves displaced.

We found ourselves having to live at my parents' house. In a living room that grew cramped with our play pens and diapers. Why did this happen to us? What was I to do? I was in a lot of pain and felt depressed. I was left with two choices. I either walk the road of self-destruction, or keep that promise I made to my son. One night, to distract my heart and mind, I watched one of my favorite movies, Star Wars. I sat on the couch watching that movie, while my son slept in his playpen in front of me. I tearfully looked into that playpen as he slept and I thought, ''You're my Luke! You're A New Hope.'' We weren't going to succumb to the Dark Side. That promise would be kept.

Early the next morning my Padawan and I went to seek help at a local agency. That agency led us to services such as food stamps, fatherhood support groups and parenting classes. I took everything and anything I felt that could help my son and me. We were then led to PACE Head Start program. Through PACE and Head Start I watched my son grow socially and mentally. I grew along side of my son through its parenting and Male Involvement programs. I became a more engaged father. I became encouraged to volunteer at my son's site, which I've done nearly every single day. I became involved on the parent policy committees at both the delegate and grantee levels. Through this involvement, I was helping other families as well and by being a positive male role model to my son and to other families.

PACE and Head Start have made me a man, a better parent, a leader, an advocate, and a representative for my community. It has enriched my son's education, as well as thousands of other children they serve. If Head Start and the services were to be cut, it could surely crumble the future of hundreds of thousands of families like mine. That is how effective and powerful this program is to our children, our families, our community, and our country. Early childhood education is where our future leaders are created and where our families are strengthened. Without this program we may lose all hope.

My story of that promise is why I am here today to tell how Head Start and early childhood education helps parents keep promises to our children.

JADA HERRERA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jada Herrera for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jada Herrera is a 7th grader at Wheat Ridge 5–8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jada Herrera is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jada Herrera for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN MEMORY OF DR. ZEB F. POINDEXTER, JR.

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of a trailblazer, Dr. Zeb Ferdinand Poindexter, Jr. With exceptional distinction, Dr. Poindexter served his community and acted as a role model for young people from diverse backgrounds.

Dr. Poindexter was born in Forth Worth, TX on April 5, 1929. He excelled in school, graduating from Wiley College with a B.S. in 1949 and then Texas Southern University with an M.S. in Endocrinology in 1952. Dr. Poindexter, upon completion of his Master of Science, served our great nation as a Second Lieutenant and later Captain in the United States Air Force. Later, he and the University of Texas (UT) took a bold and historically meaningful step forward when he was accepted into University of Texas School of Dentistry in Houston. He became the first African American to receive a doctoral degree from the school in 1956.

Dr. Poindexter's graduation from and association with the University of Texas (UT) literally changed the image of UT. His indelible example can continue to impact future generations of UT graduates, should UT take another bold and historically meaningful step forward by naming the School of Dentistry in his honor. It would symbolize his commitment to UT, and memorialize UT's commitment to inclusivity and diversity.

After receiving his degree from UT, Dr. Poindexter opened the first dental clinic in south Houston. The clinic still stands as a landmark to his achievement in the Sunnyside neighborhood. After establishing his practice, he went on to form the Zeb F. Poindexter, Jr. Chapter of the Student National Dental Association, and become the first black member of both the University of Texas Dental School faculty and the Houston District Dental Society.

Dr. Poindexter's leadership and community service have been consistently recognized by his colleagues. Amongst other honors, Dr. Poindexter became the president of the Gulf State Dental Association, life member of the Alpha Phi Alpha Fraternity, Incorporated, board member of the Urban League, and received the University of Texas Outstanding Alumnus Award in 1990.

Finally, Mr. Speaker, Dr. Poindexter will be dearly missed by his wife of 58 years, Ruby Poindexter, son, Dr. Zeb F. Poindexter, III, and daughters, Merlene Russell and Eleanor Patricia Dixon. He is also survived by his sisters, Revodia Johnson, Vandetta King, his brother, James Poindexter, and numerous nieces, nephews, grandchildren, great-grandchildren and great-great grandchildren. He will be remembered in the city of Houston as a dedicated public servant and principled leader.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL TEACHER DAY

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. HINOJOSA. Mr. Speaker, I rise in support of H. Res. 645 to urge my colleagues and our Nation to observe Teacher Appreciation Week and the monumental contributions of America's teachers.

As a cosponsor of H. Res. 645, I commend our Nation's teachers for their tireless work on behalf of millions of students and families; their knowledge and expertise; and their selfless dedication to their profession.

Throughout the year, our Nation's teachers spend countless hours preparing lesson plans, evaluating student progress, counseling students and families, and instilling the vital importance of civic responsibility and national service.

In South Texas, we are fortunate to have exceptional educators who work day in and day out to educate and prepare children, youth, and adult learners to lead prosperous and healthy lives.

I especially want to thank Dr. Daniel King, Superintendent of the Pharr-San Juan-Alamo (PSJA) Independent School District, for honoring 44 of PSJA's teachers of the year this month.

Today, it's truly an honor for me to recognize and congratulate two of PSJA's outstanding teachers of year: my daughter, Iliana Hinojosa, a pre-kindergarten teacher at Dr. William Long Elementary who was selected as the PSJA Elementary District Teacher of the Year; and Agnes Ocampo, a science teacher at PSJA Memorial High School who was selected as the PSJA Secondary District Teacher of the Year.

Due to their hard work and extraordinary commitment to students and academic excellence, Iliana and Agnes have advanced to the regional competition. This is quite an accomplishment!

Iliana Hinojosa and Agnes Ocampo are shining examples of what can be achieved in our nation's classrooms. By instilling a love of learning in our children and ensuring that they succeed, Iliana and Agnes are transforming lives and helping students to reach their full potential.

As our nation observes Teacher Appreciation Week, I urge my colleagues and all Americans to support critical investments in education that help to provide all students with a high quality education and to make teaching one of the most valued professions in America.

IN RECOGNITION OF THE CONTRIBUTIONS OF DEBORAH SZEKELY

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mrs. DAVIS of California. Mr. Speaker, I rise today to recognize a treasured member of the San Diego community. Deborah Szekely is an extraordinary woman of tenacity and dedication, and on May 3rd she celebrated her 90th birthday.

Deborah is a renowned health and wellness advocate, philanthropist, community leader, and champion for childhood nutrition. At 90 years old, she represents the beauty and energy that comes from a life committed to health and wellness, and she outpaces younger fitness advocates. She truly lives what she teaches. Along with her husband, Edmond Szekely, she founded Rancho la Puerta, a destination spa and wellness center in Baja California, and the Golden Door Spa in Escondido, California. She is committed to helping others prioritize healthy living.

Deborah has worked with my office on initiatives related to educating children about health and nutrition. She is committed to changing the culture of eating and making sure young children understand the importance of healthy food, and the role it plays in wellness. Ever the energetic advocate, on May 3, 2012, her 90th birthday, Deborah launched wellnesspring.org, a grassroots effort to encourage the creation of a culture of wellness throughout the United States. I appreciate her laser focus when it comes to reaching people and educating them about the importance of living a healthy lifestyle and eating well.

In addition to her healthy living work, Deborah has served as the president of the Inter-American Foundation, worked with the Organization of American States, and served as principal delegate to the Inter-American Commission on Women. She currently works as the Chairman and Founder of the New Americans Museum in San Diego and serves on the Board of Directors for the Center for Science in the Public Interest and the Old Globe Theatre in San Diego.

Deborah ran for Congress in 1982, and while she did not win that election, through that process she conceived the idea of Setting Course, a publication of the Congressional Management Foundation which provides guidance on the fundamentals of managing a congressional office. The first edition of Setting Course was published in 1984, and the 12th edition of Setting Course just recently came out. This manual has been an invaluable resource to congressional offices, including my own. Deborah is still a member of the Board of Directors for the Congressional Management Foundation and continues her critical role in the publication of Setting Course.

I truly admire Deborah's ongoing commitment to helping people of all ages understand the importance of good nutrition, healthy living, and being a force for positive change in their communities.

UNITED STATES DEPARTMENT OF AGRICULTURE'S 150TH ANNIVERSARY

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to pay tribute to one of our greatest American success stories. Today let us all pause to recognize the United States Department of Agriculture's 150th birthday.

President Abraham Lincoln established the USDA 150 years ago, on May 15, 1862. That act helped ground our Nation's agriculture industry in science, and helped give our Nation the ability to lead the world in feeding the globe. One of the first responsibilities delegated to the USDA was the Homestead Act. The Homestead Act gave pre-approved U.S. citizens undeveloped federal land at no cost if they agreed to develop that land. This act led to the settling of the Great Plains; today those lands are the world's largest producers of wheat and corn.

Our nation's agriculture industry has, throughout our history, been a significant force in our economy. One out of every twelve Americans is employed in an agriculture-related industry. So it is important to recognize that agriculture is not just a nostalgic notion of the past but remains a foundation of the American economy. The influence of American farmers and ranchers not only reaches every state and household within the United States, but it can be felt all around the world. The Port of Long Beach, in my district, exports millions of metric tons of agricultural cargo to our vital Asian trade partners every year.

American consumers spend on average less than ten percent of their disposable income on food. That ten percent represents the lowest percentage in the history of the world. By comparison, most European consumers spend more than double that and in developing countries the percentage is often higher than 50 percent. Our nation's advanced system of production agriculture is evidence of how successful the USDA has been in ensuring a safe, affordable and abundant food supply.

Today, the United States is the world leader in the development and use of agricultural biotechnology, contributing to our positive balance of agricultural trade. We must continue supporting policies that promote the smart use of research, science and biotechnology that has enabled production agriculture to thrive. We must embrace the importance of agricultural innovation in the same way we endorse innovation in fields such as health care or communications.

Mr. Speaker, our producers remain a critical source of jobs and innovation. Maintaining a strong agriculture industry is vital to the present and future U.S. economy and is critical to the economic and political stability. It is with great pride and respect that I honor our nation's farmers and ranchers and extend birthday wishes to the USDA.

TEACHER APPRECIATION WEEK

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to pay tribute to the teachers of Broward and Miami-Dade Counties during National Teacher Appreciation Week, taking place this year from May 7 through May 11, 2012.

This week affords students, parents, and communities across the nation a chance to come together and honor the extraordinary work our teachers are doing in the classroom to transform the lives of young people and educate the next American generation.

It is a time to remember that education is the cornerstone of a vibrant and prosperous America, and to recognize the teachers that make America's successful future a reality.

As a member of Congress and the proud mother of three children in Broward County Public Schools, I see the talent and hard work of our teachers every day—not just in my role as a policy maker, but in a very personal way.

Educating the next generation is an essential and great act of public service—it's a calling that our teachers have answered because they care, they believe in our children, and they choose to make a difference in the lives of future generations.

For our students, nothing is more important than an excellent teacher at the front of the room and in their lives, and now more than ever, we must make an investment in our future by investing in our teachers.

We must provide them with the resources they need to successfully do their jobs, and we must afford them the respect and support that their profession deserves.

Thank you to Florida's teachers for investing your skills and talents into the lives of future generations, and thank you for the sacrifices made each day to ensure that our kids have the tools they need to learn. We are all grateful for your work.

HONORING FALLEN STAFF SGT. THOMAS KENT FOGARTY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. STARK. Mr. Speaker, I rise, along with my colleague Rep. BARBARA LEE of California, to honor the service and sacrifice of Staff Sgt. Thomas Kent Fogarty, age 30, of Alameda, California. He was killed in action on May 6th, 2012 in Pakita Province, Afghanistan. The married father of two sons, ages 2 and 5, was felled by an improvised explosive device that detonated near the vehicle he was commanding.

My heart goes out to SSG Fogarty's wife Vanessa, their young sons, his parents and his friends for the loss of this noble man and soldier. SSG Fogarty made the ultimate sacrifice in service to his country. His fellow countrymen and women, and I, will be forever grateful.

A graduate of Alameda High School, SSG Fogarty entered the military in 2003 and his first deployment was in January of 2005. His tragic and untimely death occurred after eight years and three months of service to his country, and only a month after his arrival in Afghanistan. He had served two previous tours in Iraq. Before being deployed, SSG Fogarty was a military recruiter. He was assigned to the 3rd Battalion (Airborne), 509th Infantry Regiment, 4th Brigade Combat Team (Airborne), 25th Infantry Division at Joint Base Elmendorf-Richardson in Alaska.

SSG Fogarty was an accomplished soldier. His military awards include: 3 Army Commendation Medals, 2 Army Good Conduct Medals, National Defense Service Medal, Afghanistan Campaign Medal w/Bronze Service Star, Iraq Campaign Medal w/Bronze Service Star, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, 2 Noncommissioned Officers Professional Development Ribbons, Army Service Ribbon, Overseas Service Ribbon, Combat Infantryman Badge, Combat and Special Skill Badge, Basic Marksmanship Qual Badge—Bar, Weapon: Rifle (Inscription: Rifle), Expert, Parachutist Badge, Basic, U.S. Army Recruiter Identification Badge, Gold, and Overseas Service Bar.

It is because of the commitment of truly brave individuals like SSG Fogarty that our Nation can enjoy the freedoms that we are all afforded. It takes an exceptional man to give his life for the betterment of his country, and SSG Fogarty was a truly exceptional man.

HUNTER FRITZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Hunter Fritz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Hunter Fritz is a 7th grader at Oberon Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Hunter Fritz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Hunter Fritz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

CONGRATULATING PRESIDENT MA YING-JEOU OF TAIWAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. TOWNS. Mr. Speaker, I rise to congratulate President Ma Ying-jeou on his inauguration to his second term as the leader of The Republic of China (Taiwan).

Back in January of this year, the people of Taiwan reelected President Ma Ying-jeou and on May 20th he will have his second inauguration. President Ma has worked hard to maintain a peaceful relationship with China and his efforts must be recognized. The United States deeply appreciates his efforts to keep the peace, promoting stability in an important region.

Over his first term, President Ma worked with the United States to continue Taiwan's longstanding security partnership with the United States, requesting to purchase and U.S. defense systems. I and my colleagues in Congress remain strong supporters of The Taiwan Relations Act, which spells out the relationship between the United States and Taiwan, and is critical to the peace and prosperity of the region.

President Ma achieved acceptance from the World Health Organization for Taiwan to observe at the World Health Assembly, a significant step forward for Taiwan's international standing, and for the health of the people of the East-Asian and Pacific region. We should

work to encourage Taiwan's participation in participate in other international organizations such as the United Nations' International Civil Aviation Organization (ICAO).

I would also like to note that this also marks the 10th anniversary of the Congressional Taiwan Caucus, of which I have been a proud member for years.

President Ma has diligently maintained peace and stability and we look forward to his future term as it provides an opportunity to achieve even greater accomplishments for the people of Taiwan and further strengthen the U.S.-Taiwan relationship.

HONORING THE 175TH ANNIVERSARY OF UNION BAPTIST CHURCH IN ALTON, ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 175th anniversary of the Union Baptist Church in Alton, Illinois.

In the first half of the 19th century, Alton, Illinois had developed as a major stop on the Underground Railroad as slaves came north in search of their freedom. It was a small group of these former slaves, some having arrived via the Underground Railroad and some having previously been freed, that gathered to form a Baptist Church in Alton.

The group organized as the African Mission Freedmen. In 1837, the same year that the City of Alton was incorporated and also the same year that the famed abolitionist journalist, Elijah Lovejoy, was killed, the Union Baptist Church was founded. The first pastor was Rev. John Livingston and one of the founding members, John Anderson, had worked as a pressman for Elijah Lovejoy at The Alton Observer.

As the church congregation grew, a two-story building was constructed in 1854, with Union Baptist Church meeting on the second floor and the first African-American school in Alton using the first floor.

The church was forced to sell the building in the later years of the 19th Century and went back to meeting in congregation homes. In the early 1900s a new church was built.

The 175-year history of Union Baptist Church has seen its membership go through periods of decline, followed by resurgence. Throughout those years, however, the spirit of its founders, who came searching for freedom and a better life, has sustained the church and kept it thriving as a place of worship up to today.

Mr. Speaker, I ask my colleagues to join me in honoring the 175th anniversary of the Union Baptist Church and to wish the congregation the best for many years to come.

A TRIBUTE TO KAYLA DE WEERD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. LATHAM. Mr. Speaker, I rise today to honor and congratulate Kayla De Weerd, a 14-year-old 4–H'er of Hull, Iowa, who has been named the state's top high school youth volunteer for 2012 by the Prudential Spirit of Community Awards.

The Prudential Spirit of Community Awards program is our country's largest youth recognition program based entirely on volunteer community service. Since 1995, 345,000 American youths have participated in this program, with only 102 state honorees chosen each year. Kayla's path to this prestigious award began with her efforts through Reach Out Iowa, a federally funded grant that supports young people who benefit their local communities through service.

To accomplish this goal, Kayla started a nutrition and physical activity program at her junior high school. Kayla gave presentations to her fellow classmates warning of the dangers of obesity and how to live a responsible, healthy lifestyle to avoid the long-term consequences of inactivity. In addition to arming her peers in the fight against obesity, Kayla also educated others to effectively implement similar programs in more schools across her community. Kayla and her mother, Deb, traveled to Washington D.C. earlier this week to accept this great honor.

Mr. Speaker, I applaud Miss De Weerd for her sincere dedication to positively impact the lives of others in her community and beyond. Kayla's commitment to a cause greater than herself is a testament to the high-quality character and unwavering work ethic instilled in Iowans both young and old. I know I speak for all of my colleagues in the United States Congress in congratulating Kayla, thanking her supportive family, and thanking all of those involved in this wonderful project for their life-changing efforts. Thank you.

PERSONAL EXPLANATION

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. OWENS. Mr. Speaker, I unintentionally voted "aye" on rollcall No. 215 when I intended to vote "no" on the Huizenga amendment to H.R. 5326. I reiterate my strong support for public sector employees.

HONORING THE WEST ESSEX FIRST AID SQUAD'S 75TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the West Essex First Aid Squad, located in the Township of West Caldwell, Essex County, New Jersey as they celebrate their 75th anniversary.

The West Essex First Aid Squad formed in November of 1937, when a group of local citizens joined together to solve the problem of obtaining a prompt and efficient "First Aid and Ambulance" service to meet the needs of the sick and injured. Two months later, the group had completed training, and on January 7, 1938 the West Essex First Aid Squad answered its first call for help.

During its early years, from 1937 to 1941, the Squad answered 543 calls for assistance and contributed 2,402 man-hours answering those calls, additional hours were logged for training and practicing. During its second 5 years from 1942 to 1947, the number of calls more than tripled to 1,759.

The West Essex First Aid Squad now includes 85 volunteer members who serve Caldwell, West Caldwell, North Caldwell, Essex Fells, and Fairfield. The Squad's four ambulances and one rescue truck provide 24-hour emergency medical service to the community, as well as rescue with the Jaws of Life, all at no cost to the public they serve. In 2007 and 2008, the Squad received more than 2,500 calls each year.

Men and women of the West Essex First Aid Squad have demonstrated a marked commitment to the public by dedicating their time and resources to providing lifesaving services to the community. The Squad is always available to provide aid to local fire departments. The Squad also provides support during hazardous material incidents, structure fires, and natural disasters.

The West Essex First Aid Squad has exhibited dedication to serving the community by answering a full spectrum of calls for help, ranging from complaints of chest pain or difficulty breathing, to motor vehicle collisions. The volunteers further serve the community by standing by at community events such as football games, parades, concerts, and 4th of July fireworks. Members have not only volunteered their time to the Squad and to public events, but have also sponsored blood drives and donated their time and talents in offering first aid and CPR instruction to members of the community.

The West Essex First Aid Squad is truly a selfless group of individuals, devoted to providing basic life support services, emergency medical services, and heavy rescue to the public. Through their steadfast dedication to addressing the needs of area families and businesses, the West Essex First Aid Squad has proved itself to be a pillar of our community.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the West Essex First Aid Squad as they celebrate their Seventy-fifth anniversary.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President

Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,674,047,733,490.96. We've added $5,047,170,684,577.88 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNITION OF NATIONAL CANCER RESEARCH MONTH

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. DELAURO. Mr. Speaker, I rise today to recognize May as National Cancer Research Month. This month we recognize the critical importance of cancer research and the contributions of researchers, clinicians, and patients across the country.

Before I was a Congresswoman, I was a survivor of ovarian cancer. I was lucky—my cancer was found by chance in its earliest stage, and I have now been cancer-free for 25 years now. So I arrived in this body knowing firsthand the crucial importance of medical research.

I am glad to say that our progress in fighting cancer since the National Cancer Act of 1971 has been nothing short of amazing. Nearly 12 million Americans are cancer survivors. There is a vaccine to help prevent cervical cancer. The overall five-year survival rate has increased from 52 percent in 1975 to 80 percent today.

And biomedical research is growing our economy. The National Institutes of Health support over 300,000 researchers at more than 3,000 universities, institutions, and businesses across the country. Every single dollar of National Institutes of Health funding is estimated to result in an additional two dollars of business activity and economic impact. Keeping it simple, this means that research supports jobs, and has a nearly two-fold return on our federal investment.

But, there is more to be done. Some cancers, including ovarian cancer, still have an extraordinarily high mortality rate and are typically caught far too late in the disease. This year, more than 1.6 million Americans are expected to be diagnosed with cancer. More than 570,000 Americans will pass away this year because of cancer; meaning more than 1,500 Americans each day, or one person a minute, will die because of this disease.

This is why our continued investments in cancer research are so important. Medical research creates investment opportunities for private industry. It strengthens our university medical system. It creates jobs, makes America more competitive, and drastically improves the quality of life for so many Americans. And it has the potential to save lives.

And it is why this month we join to thank scientists and clinicians for their work on cancer research. And we thank the patients who support that research by participating in clinical trials.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote numbers 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, and 243. Had I been present, I would have voted "Aye" on rollcall vote numbers 224, 225, 227, 237, 238, 239, and 240. I would have voted "No" on rollcall vote numbers 226, 228, 229, 230, 231, 232, 233, 234, 235, 236, 241, 242 and 243.

A TRIBUTE TO IOWA'S TOP COPS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize six members of the Des Moines Police Department, Sergeant Michael McTaggart, Reserve Officer John Carter, and Senior Police Officers Colin Boone, Aaron Cawthorn, Jeremy Sprague, and Robin Swank, for being named Iowa's TOP COPS for 2012.

In the early morning of August 28th, 2011, these officers responded to a report of a car accident in Des Moines to find a vehicle on its side completely engulfed in flames. Inside the car, the cries for help of three teenage girls could be heard. Fighting jagged metal and fire hot enough to melt glass, Des Moines' finest didn't hesitate in risking their own lives to save the lives of the three trapped young girls. The quick action of these officers embodies the professionalism the Des Moines Police Department instills in its officers, but it's the selfless courage displayed immediately by these law enforcement professionals that truly makes this story inspiring. All six officers involved in the rescue were awarded the DMPD's highest honor, the Medal of Valor.

For their display of courage, the National Association of Police Organizations bestowed these officers with Iowa's 2012 TOP COP Honorable Mention award. This award is a tribute to outstanding law enforcement officers who display actions above and beyond the call of duty. Each year, TOP COPS are nominated nationwide by their fellow police officers, but only one case from each state is selected to be honored with this award. Each State's TOP COPS are invited to an award ceremony in Washington D.C., which is attended by celebrities, politicians and members of the national law enforcement community alike to pay tribute to these local heroes.

Mr. Speaker, the extraordinary heroism displayed in the face of danger by these police officers is nothing short of awe-inspiring. These members of the Des Moines Police Department are a testament to the high quality of our State's law enforcement community. I know I speak for all of my colleagues in the United States Congress in congratulating Jeremy, Robin, Colin, Aaron, John and Michael, and thanking all of Iowa's police officers for their selfless efforts in protecting communities across our great state. Thank you.

ON THE OCCASION OF THE 40TH ANNUAL DEBUTANTE SCHOLARSHIP COTILLION OF THE THETA LAMBDA OMEGA CHAPTER OF THE ALPHA KAPPA ALPHA SORORITY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. PETERS. Mr. Speaker, I rise today to recognize the members and alumni of the Alpha Kappa Alpha Sorority, Inc.'s (AKA) Theta Lambda Omega Chapter on the 40th anniversary of its Debutante Scholarship Cotillion.

Over a hundred years ago, in 1908, AKA was founded by a group of brave, determined and socially conscious African-American women at Howard University in Washington, D.C. As the first organization of its type, the pioneers of AKA banded together out of simple need to ensure that women of color not only attend college, but that their experiences while there helped them to fulfill their greatest potential. Over the decades following its creation, AKA has not only empowered its members, but has cultivated an attitude of commitment to service to the community.

Like its national organization, the Theta Lambda Omega Chapter of AKA shares in a rich history and commitment of service. Over the last four decades, the members of the Theta Lambda Omega chapter have engaged in countless community service projects and organized many charitable campaigns that have had a tremendous impact on communities in southeast Michigan.

Among the Theta Lambda Omega chapter's many endeavors is a concerted effort to improve educational opportunities in the Pontiac community. As part of this effort, the Chapter's Emerging Youth Leaders Initiatives help youth develop their leadership skills, encourage parental involvement in the education process and promote civic activism. In addition to helping youth develop these important skills, the sorority provides scholarships to members and future members helping them achieve their educational goals.

For the past 40 years the Theta Lambda Omega Chapter has gathered to honor the young women of Pontiac and its surrounding communities at the annual Debutante Scholarship Cotillion. The scholarship cotillion is one of many community service contributions of the Pontiac chapter of Alpha Kappa Alpha Sorority and during the 40th year celebration, eleven extraordinary hard-working young women and high school seniors will receive scholarships to assist them in attending college. Each debutante is recognized for their outstanding scholastic achievements in addition to the many hours they have committed to community service and personal development.

Mr. Speaker, for almost half of a century, the Theta Lambda Omega Chapter of the Alpha Kappa Alpha sorority has been supporting the young women in Southeast Michigan and giving them the tools they need to

build a bright future. Over its time, Theta Lambda Omega chapter and its members have been honored with many awards for their work, which has undoubtedly strengthened and ensured the continued vibrancy of the region. I wish the members and alumni of the Theta Lambda Omega Chapter of the Alpha Kappa Alpha Sorority many more years of success as they fulfill their mission in service to our community.

PERSONAL EXPLANATION

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. CARNAHAN. Mr. Speaker, due to being unavoidably delayed, I missed the vote on the Huelskamp Amendment, which prohibits the use of funds in contravention of the Defense of Marriage Act, to H.R. 5326 (roll No. 235), the Commerce, Justice, Science, and Related Appropriations Act for FY 2013. I would have voted against this amendment, had I been present to record my vote.

IN MEMORY OF DORIS B. MCMILLAN

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of an exceptional public servant and psychiatric nurse, Doris B. McMillan. A loving mother, godmother, grandmother and great-grandmother, Mrs. McMillan devoted her life to serving her family and community.

Mrs. McMillan was born in New York City on July 8, 1928. She was educated in New York City, graduating from the Psychiatric Institute of Nursing in Rockland County and then completed her graduate studies at Long Island University Psychiatric Institute at Columbia University and Glassboro State College.

After Mrs. McMillan completed her studies, she started her career as a school nurse in New Jersey with the Cape May County Special Services School. Mrs. McMillan excelled in her profession, she went on to work as a nurse at the Atlantic County Jail, and also became the supervisor and director of nursing at Harborfields Juvenile Correction Facility. Mrs. McMillan worked tirelessly for the underserved in society, frequently serving as an advocate for female inmates in county jails.

In addition to her lifelong service in her community, Mrs. McMillan volunteered her time with several organizations, including the Red Cross, The Advisory Commission on the Status of Women and the American Association of Retired People.

Finally, Mr. Speaker, Doris B. McMillan leaves to cherish her legacy a host of friends and family members, including her beloved son, Minister Robert Muhammad of Houston.

CELEBRATING JEWISH AMERICAN HISTORY MONTH

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mr. HONDA. Mr. Speaker, as the proud representative of one of the most ethnically diverse congressional districts in the Nation, I am honored to join my friends in the Jewish American community in celebration of Jewish American Heritage Month, and to recognize the many contributions Jewish Americans have made to our country.

Jewish immigrants, like the immigrants from many other countries throughout our Nation's history, came to our country for the promise of freedom, tolerance and socioeconomic mobility. For more than 350 years, Jewish Americans have enriched American society by placing a strong value on education, community and culture.

Through their entrepreneurial spirit and innovations in technology, the Jewish American community has contributed to the economic vitality of our nation and particularly of my district, leading the way in renewable energy development and high technology. Without question, Silicon Valley would not be the hub of innovation it is today without the many significant contributions of Jewish Americans.

The Jewish American community in my district serves as a shining example of what makes Silicon Valley a global leader. I am privileged to serve a district that celebrates its diversity, and proud to represent a community of Jewish Americans whose contributions in the fields of technology, business, education, and many others, have served as a testament to America's promise as a land of opportunity and of dreams.

HOUSE OF REPRESENTATIVES—*Friday, May 11, 2012*

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 11, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

Once again, we come to You to ask wisdom, patience, peace, and understanding for the Members of this people's House. The words and sentiments that have been spoken and heard in these recent days were born of principle, conviction, and commitment.

We ask discernment for the Members, that they might judge anew their adherence to principle, conviction, and commitment, lest they slide uncharitably toward an inability to listen to one another and work cooperatively to solve the important issues of our day.

Give them the generosity of heart and the courage of true leadership to work toward a common solution, with sacrifice on both sides. We pray that their work results not in a Nation comprised of winners and losers, but where our citizens know in their hearts that we Americans are all winners.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Tuesday, May 15, 2012, for morning-hour debate.

There was no objection.

Accordingly (at 11 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until Tuesday, May 15, 2012, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5970. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonel Timothy P. McGuire, United States Army, to wear the grade of brigadier general; to the Committee on Armed Services.

5971. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a report to Congress specifying each Reserve component the additional items of equipment that would be procured and additional military construction projects for FY 2013; to the Committee on Armed Services.

5972. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 107-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

5973. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

5974. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Foreign Affairs.

5975. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's 2011 Freedom of Information Act Litigation and Compliance Report, pursuant to 5 U.S.C. 552(e)(6); to the Committee on Oversight and Government Reform.

5976. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5977. A letter from the Administrator, Small Business Administration, transmitting the Administration's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5978. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2012 and 2013 Harvest Specifications for Groundfish [Docket No.: 111213751-2102-02] (RIN: 0648-XA758) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5979. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB149) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5980. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the 2011 Report to Congress on Apportionment of Membership on the Regional Fishery Management Councils; to the Committee on Natural Resources.

5981. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB138) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5982. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB118) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5983. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the

Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB122) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5984. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XB103) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5985. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Colorado Springs, CO [Docket No.: FAA-2011-1191; Airspace Docket No. 11-ANM-21] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5986. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—amendment of Class D and Class E Airspace; and Establishment of Class E Airspace; Bozeman, MT [Docket No.: FAA-2011-0783; Airspace Docket No. 11-ANM-16] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5987. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment of Federal Airways; Alaska [Docket No.: FAA-2011-0010; Airspace Docket No. 11-AAL-1] (RIN: 2120-AA66) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5988. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Douglas, AZ [Docket No.: FAA-2011-1313; Airspace Docket No. 11-AWP-17] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5989. A letter from the Secretary, Department of Health and Human Services, transmitting the Report to Congress: Plan to Reform the Medicare Wage Index; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 1838. A bill to repeal a provision of the Dodd-Frank Wall Street Reform and Consumer Protection Act prohibiting any Federal bailout of swap dealers or participants; with amendments (Rept. 112–476, Pt. 1). Ordered to be printed.

Mr. BACHUS: Committee on Financial Services. H.R. 3283. A bill to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to provide an exemption for certain swaps and security-based swaps involving Non-U.S. persons, and for other purposes; with an amendment (Rept. 112–477, Pt. 1). Ordered to be printed.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 365. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; with an amendment (Rept. 112–478). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCKEON: Committee on Armed Services. H.R. 4310. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; with an amendment (Rept. 112–479). Referred to the Committee of the Whole House on the state of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 1838. Referral to the Committee on Agriculture extended for a period ending not later than May 30, 2012.

H.R. 3283. Referral to the Committee on Agriculture extended for a period ending not later than May 30, 2012.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISRAEL:

H.R. 5737. A bill to provide that a former Member of Congress receiving compensation as a highly-paid lobbyist shall be ineligible to concurrently receive Federal retirement benefits; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself, Mr. CAMP, Mr. CONYERS, Mr. WALBERG, Mr. CLARKE of Michigan, and Mr. PETERS):

H.R. 5738. A bill to designate the facility of the United States Postal Service located at 15285 Samohin Drive in Macomb, Michigan, as the ''Lance Cpl. Anthony A. DiLisio Clinton-Macomb Carrier Annex''; to the Committee on Oversight and Government Reform.

By Mr. SCOTT of South Carolina (for himself and Mr. CLYBURN):

H.R. 5739. A bill to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ISRAEL:

H.R. 5737.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1, of the U.S. Constitution.

By Mrs. MILLER of Michigan:

H.R. 5738.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7.

By Mr. SCOTT of South Carolina:

H.R. 5739.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 2 of Section 3 of Article IV of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 942: Mr. GARDNER, Mrs. BLACKBURN, Mr. CROWLEY, and Mr. MCCOTTER.

H.R. 1259: Mr. BILIRAKIS and Mr. WEBSTER.

H.R. 1742: Mr. ELLISON, Mr. QUIGLEY, Mrs. CAPPS, and Mr. HINCHEY.

H.R. 1860: Mr. OWENS.

H.R. 2139: Mr. NEUGEBAUER, Mr. SHERMAN, Mrs. DAVIS of California, Mr. SIMPSON, Mr. YOUNG of Florida, Mr. COOPER, and Mr. PASCRELL.

H.R. 2310: Mr. DINGELL.

H.R. 2569: Mr. FITZPATRICK and Mrs. MYRICK.

H.R. 2980: Mr. HINCHEY.

H.R. 2989: Mr. CLARKE of Michigan, Mr. PRICE of Georgia, Mr. BLUMENAUER, Mr. HIMES, and Mr. KIND.

H.R. 3015: Mr. COHEN.

H.R. 3032: Mr. THORNBERRY.

H.R. 3067: Mr. GINGREY of Georgia, Mr. POMPEO, Mr. HINOJOSA, Mr. COSTA, Mr. BILBRAY, Mr. TURNER of Ohio, Mr. WALDEN, Mr. TERRY, Mr. STIVERS, Mr. KINZINGER of Illinois, Mr. BUCSHON, and Mr. DENT.

H.R. 3091: Ms. JENKINS.

H.R. 3288: Mr. ROYCE.

H.R. 3790: Mrs. DAVIS of California.

H.R. 4152: Mr. DAVIS of Illinois.

H.R. 4180: Mr. GRAVES of Missouri.

H.R. 4229: Mr. TIBERI, Mr. SCHIFF, and Mr. MCCOTTER.

H.R. 4970: Mr. HECK.

H. Con. Res. 122: Mr. LAMBORN, Ms. BUERKLE, and Mr. MCHENRY.

EXTENSIONS OF REMARKS

UNITED STATES HOUSE OF REPRESENTATIVES PROCLAMATION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Mrs. Melody Poole Ellis has answered that call by giving of herself as an educator at Dunaire Elementary, and as a beloved daughter, mother, wife and friend; and

Whereas, Mrs. Ellis has been chosen as the 2012 Teacher of the Year, representing Dunaire Elementary school; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, motivational speeches and words of wisdom; and

Whereas, Mrs. Ellis is a virtuous woman, a courageous woman and a fearless leader who has shared her vision, talents and passion to help ensure that our children receive an education that is relevant not only for today, but well into the future, as she truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Melody Poole Ellis for her leadership and service for our District and in recognition of this singular honor as 2012 Teacher of the Year at Dunaire Elementary School;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim April 25, 2012, as Mrs. Melody Poole Ellis Day in the 4th Congressional District.

Proclaimed, this 25th day of April, 2012.

REGARDING MAY 9, 2012 ''PRESENT'' VOTE ON H.R. 4133

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Ms. LEE of California. Mr. Speaker, I strongly support Israel, its rights as a nation, and its unequivocal right to defend itself. I fully support the provisions of this resolution aimed at strengthening Israel's defensive military capabilities. Unfortunately, this resolution also contains overly broad provisions that go well beyond support for those defensive capabilities. Specifically, I am concerned about provisions that include the terms ''defensive articles'' and ''defensive services'' and ''specialized munitions,'' which security experts understand to include a vast array of offensive weapons, including bunker-buster bombs. The increased militarization of the Middle East could endanger Israel's security and is a source of regional and global instability. While the bill enumerated ways the U.S. can lend military support to Israel, there was not an emphasis on achieving a negotiated peace with its neighbors. No amount of American military assistance will fully compensate for the lack of a productive and effective peace process. This bill was a missed opportunity for Congress to show balanced support for a comprehensive peace plan. The neglected Israeli-Palestinian peace process must be given stronger support by the United States, and this bill reflects the lack of U.S. leadership in achieving a lasting peace. Because of these flawed provisions, I voted present on H.R. 4133.

HONORS TEMPLE EMANUEL ON THEIR 50TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to join the many who have gathered in celebration of Temple Emanuel's 50th Anniversary. This milestone is a very special occasion, not only for the administration and members, but for the community as well.

Founded in 1962, Temple Emanuel was the vision of a group of families seeking a better quality of Jewish education for their children and an experience different from what they had found in more typical Reform congregations. Chartered by the Union of American Congregations in 1966, Temple Emanuel, under the direction of Rabbi Mark Winer, found its home on what was originally a working farm. While awaiting the construction of its sanctuary, congregants first used the barn for services and the property's home was used for the offices and as a school building.

Working with members knowledgeable in architecture, design, and finance, their Temple Emanuel's current sanctuary was completed in 1991. Rabbi Winer had introduced the concept of ''services in the round,'' so the new sanctuary was built with movable seating to fit any occasion. Services were participatory, with animated discussion and a self published Siddur, the traditional Jewish prayer book. Rabbi Brieger, Temple Emanuel's second rabbi, continued this style of worship. A former song leader with the North American Federation of Temple Youth and codirector of the International Torah Corps, Rabbi Brieger had strong roots in the Reform movement and excellent musical skills. Under his direction, and through song and communal prayer, Temple Emanuel's congregation developed its unique style and strengthened their connection to Judaism. Temple Emanuel is currently led by Rabbi Michael Farbman who came to the congregation following Rabbi Brieger's retirement in 2009. With his dynamic guitar playing services and the creation of the Temple Emanuel Band, whose members range from middle school to retirement age, Rabbi Farbman continues the strong musical influence of his predecessors while bringing a new joy and energy to the congregation's worship.

In addition to their religious dedication, the congregants of Temple Emanuel are also deeply concerned with their community and their work on behalf of others extends far beyond the walls of their synagogue. Their members collect and donate food to local food pantries several times a year, they have been involved with Sister City projects, and have participated in Abraham's Tent—an effort to address homelessness in which congregations volunteer to provide meals and overnight shelter to twelve homeless men for the duration of their week, alleviating overcrowding in the shelters and demonstrating support for the homeless members of our communities—since its inception. Temple Emanuel's religious school students have regular Tzedakah projects which include making gift baskets for children residing in domestic violence shelters, collecting books and school supplies for area children's programs, and raising money for animal shelters. Through all of these efforts and more, the members of Temple Emanuel have touched the lives of thousands of people in need—setting a example of service to which we should all strive.

Our houses of worship play a vital role in our communities—providing people with a place to turn to for comfort when they are most in need. In its first fifty years, there have been many who have worshiped within its halls and many who have found peace and strength in the outstretched arms of Temple Emanuel. It is with my deepest thanks and appreciation for all of their good work that I stand today to pay tribute to Temple Emanuel as they celebrate their 50th Anniversary. Their contributions have left an indelible mark on our community and a legacy that will live on for generations to come.

UNITED STATES HOUSE OF REPRESENTATIVES PROCLAMATION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, Fifty years ago, DeKalb County, Georgia, was blessed with an educational institution that continues today to uplift and assist citizens in gaining knowledge to enhance their lives and the lives of others by investing in dreams; and

Whereas, In 1961, DeKalb Area Vocational School—now Georgia Piedmont Technical College—was founded to promote a student-centered environment for lifelong learning and development, encompassing academic and technical education for employment in a global community here in DeKalb County, Georgia, to service the citizens of DeKalb County and nearby communities; and

Whereas, Georgia Piedmont Technical College has grown from one campus to nine campuses in DeKalb, Newton, Rockdale and Morgan counties; and

Whereas, Georgia Piedmont Technical College continues to be a resource for citizens in DeKalb County and throughout the state of Georgia by providing excellent community service, educational opportunities and stellar leadership; and

Whereas, the U.S. Representative of the Fourth District of Georgia is officially honoring, recognizing and congratulating Georgia Piedmont Technical College on its 50th anniversary as an anchor in our District;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim April 14, 2012, as Georgia Piedmont Technical College Day in the 4th Congressional District of Georgia.

Proclaimed, this 14th day of April, 2012.

IN SUPPORT OF FUNDING FOR THE DEBBIE SMITH DNA BACKLOG PROGRAM

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to express my appreciation to Chairman WOLF and Ranking Member FATTAH for working together to ensure that the Debbie Smith DNA Backlog Grant Program is adequately funded in the Commerce, Justice, and Science Appropriations Act for Fiscal Year 2013.

Given these difficult economic times, difficult choices must be made as to where scarce funds are to be allocated. Given the importance of the DNA Backlog Grant program to law enforcement agencies in my congressional district, I would have liked for the program to have received even more funding. But I am very pleased that the bill provides funding at the amount requested by the Administration, the sponsor of the authorizing legislation and my good friend, Congresswoman MALONEY from New York, and is more than eighty percent of the amount of funding I requested the Committee to provide.

The DNA Backlog Grant program provides funding to help reduce and eliminate the backlog of DNA evidence in state and local labs across the Nation. The "Justice For All Act" (P.L. 108–405) expanded the use of DNA technology to convict the guilty and free the innocent. In 2008, Congress again showed its overwhelming bipartisan support for this initiative by passing "The Debbie Smith Reauthorization Act" which extends this program through FY 2014.

There is an ever-present need to continue robust funding for programs such as the Debbie Smith DNA Backlog Grant Program in order to make sure victims do not fall through the cracks of the system.

Women who have been raped have a right to expect police to thoroughly investigate the case and prosecute the offenders; however, many rape kits across the country are never even tested, and the perpetrators never face justice. Nowhere is this problem greater than in Los Angeles County, where there is a backlog of more than 12,000 rape kits sitting untested in storage facilities. Of those kits, 499 are attached to cases past the 10-year statute of limitations for rape in California, meaning that even if those kits are tested, the offenders cannot be tried for their crimes.

The current fiscal crisis has already hindered efforts to eliminate the backlog, as Los Angeles city officials have been denied the funds necessary for hiring crime laboratory analysts. Continued cuts, however small, will continue a trend of neglecting this pursuit of justice, and thousands of women and their families will be denied their basic security and peace of mind.

DNA evidence is critical in sexual assault cases, and I would like to highlight one recent success story from my district in Long Beach. The alleged crime occurred in August of 2003, when a 17-year-old student was sexually assaulted by a stranger on her high school campus. The DNA collected at the scene went untested for 7 years due to the laboratory's backlog, but in 2011 Redondo Beach police arrested the attacker. The DNA match showed the chance of the DNA belonging to someone else was one in a trillion, providing nearly irrefutable proof of his guilt. I ask for unanimous consent to include in the RECORD copies of newspaper stories that discuss in greater detail the importance of robust funding for the DNA initiative to reduce the backlog in Los Angeles, California.

Mr. Speaker, the DNA Initiative is an invaluable tool for law enforcement today, and it will continue to be a legislative priority of mine. That is why I am pleased that funding for this vitally important program was not reduced as so many other worthwhile programs have been. I commend my colleagues on the Committee for funding the program at the level requested by the President and those of us in this body that strongly support the program.

ZOELLICK LEAVES A LASTING LEGACY AT THE WORLD BANK

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Ms. MCCOLLUM. Mr. Speaker, today's global challenges demand global solutions. From poverty and hunger, to climate change and the financial crisis, the complexities of the 21st century require not only American leadership, but also effective global institutions. While the world continues to change at a rapid pace, the World Bank—with its wealth of experts and resources for fighting poverty—is a critical multilateral instrument for addressing these global challenges.

During his 5-year term, outgoing World Bank President Robert Zoellick has helped lead a turnaround at the World Bank and reestablished for the United States a key partner in advancing vital U.S. interests abroad. President Zoellick has placed new focus on pragmatic, common-sense solutions. He recognized that in order to meet the challenges of a changing world, the World Bank had to change along with it. In the last 5 years, the Bank has transitioned from a once rigid top-down approach to development, into a flexible, collaborative, and more democratic institution.

President Zoellick recognized a critical reality: that alleviating poverty is vital to economic recovery. Investments in global health, education, food security, and empowering women and girls not only lift millions of people out of poverty, but create important sources for economic growth. These investments make the world a safer place to do business. Even as it responded to the global financial crisis, the World Bank under President Zoellick raised $90 billion for the International Development Association, the Bank's fund for the world's poorest. The World Bank worked with developing countries to strengthen their social safety nets and build resilience to crisis, and invested in critical infrastructure to remove investment barriers.

At the World Bank, President Zoellick leaves behind a real, tangible legacy. His push to institute a "Freedom of Information Act" unleashes public innovation by allowing free, open access to the World Bank's trove of economic data. This unprecedented step has ushered in a new era of accountability and transparency. President Zoellick created the Climate Investment Funds, which have already leveraged nearly $50 billion for practical investments in energy efficiency, technology development, and combating deforestation. These remarkable contributions will continue long after President Zoellick leaves the World Bank next month.

As co-chair of the bipartisan Caucus for Congressional-World Bank Dialogue, I look forward to working with the World Bank to continue the progress achieved during President Zoellick's tenure.

Dr. Jim Yong Kim, the World Bank's next president, should give Congress—a major investor in the World Bank—confidence that an American with a proven track record of success will be advancing this shared vision for global development. Dr. Kim's significant contributions to global health, his commitment to partnerships on the ground in developing countries, and his proven management skills will make him an effective leader of this vital multilateral institution.

Together, we can build on the innovation, accountability, and effectiveness that President Zoellick has brought to the World Bank during his successful 5-year term.

UNITED STATES HOUSE OF REPRESENTATIVES PROCLAMATION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, we are saddened by the death of Mr. Robert Lee Smith because our lives have been touched by the life of this one man; and

Whereas, Mr. Robert Lee Smith's work is present in our community and his church, Hillcrest Church of Christ; being a deacon, Bible School instructor, bus driver and singer; and

Whereas, this highly effective motivator utilized his skills to aid in the growth and development of his church; and

Whereas, he gave of himself, his time and talent as he served his family, friends and community, and

Whereas, Mr. Robert Lee Smith was a husband, a son, a father, a friend and a man of great integrity who remained true to the uplifting of our community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow a special recognition on Mr. Robert Lee Smith for his leadership, friendship and service to all as a citizen of great worth and so noted distinction;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby attest to the 112th Congress of the United States that Mr. Robert Lee Smith of Decatur, DeKalb County, Georgia is deemed worthy and deserving of this "Congressional Recognition" by declaring Mr. Robert Lee Smith U.S. Citizen of Distinction in the 4th Congressional District.

Proclaimed, this 15th day of April, 2012.

UNITED STATES HOUSE OF REPRESENTATIVES PROCLAMATION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, White's Chapel United Methodist Church has been and continues to be a beacon of light to our county for the past one hundred forty-two years; and

Whereas, Pastor Harold Cobb and the members of the White's Chapel United Methodist Church family today continues to uplift and inspire those in our county; and

Whereas, the White's Chapel United Methodist Church family has been and continues to be a place where citizens are touched spiritually, mentally and physically through outreach ministries and community partnership to aid in building up our District; and

Whereas, this remarkable and tenacious Church of God has given hope to the hopeless, fed the needy and empowered our community for the past one hundred forty two (142) years, being organized in 1870 after Captain White donated two acres of land to a small group of former slaves in order for them to continue to worship together as a congregation; and

Whereas, White's Chapel has produced many spiritual warriors, people of compassion, people of great courage, fearless leaders and servants to all, but most of all visionaries who have shared not only with their Church, but with Rockdale County their passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the White's Chapel United Methodist Church family for their leadership and service to our District on this the 142nd Anniversary of their founding;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim March 25, 2012 as White's Chapel United Methodist Church Day in the 4th Congressional District of Georgia.

Proclaimed, this 25th day of March, 2012.

NEW HOPE: IN HONOR OF AN AMERICAN HERO, CORPORAL MARK LITYNSKI, 3–5 LIMA COMPANY, MARINE CORPS

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Mr. WALZ of Minnesota. Mr. Speaker, I submit the following for the RECORD:

NEW HOPE

From out of that darkness of most evil war!
From out of that pain and such heartache that one must endure!
From out of that death and destruction,
and oh such suffering of all the more!
As from out of this most dreadful of gores!
Come, all of those and their loved ones . . .
whose daily lives are but filled with such anguish for sure!
And from out of all of this,
must now all somehow, someway so endure!
To find the strength and the courage, to rebuild with not much more!
Then Hope to insure!
As comes their most swollen of tears so for sure!
That which their Mothers and Fathers,
their so Sisters and Brothers,
and their Husbands and Wives,
and all of their most precious of all Children whose eyes must now pour!
And just when all so seems lost!
All out of this darkness of war, with its most tragic of all costs!
With but nothing so left,
but to so cling to Hope to so bless!
To so give us the strength to take just one more most courageous of steps!
But, comes only our very best of the best!
Our most brightest of all lights, as are you Mark so yes!
So shining above all of the rest!
Such brilliance, to all of our souls to caress!
That with all of your courage Mark,
our Nation you have so blessed!
Bringing Hope, from out of your most magnificent heart's breath!
So splendid and pure, so very special for sure!
Giving us Hope!
With something which so reaches so deep down inside all of our souls!
To have and to hold, which so helped you to so somehow endure!
While, against all the odds Mark . . . your victory it now so insured!
With that kind of Hope, that which so let's one so march off to war!
And come back home from a battlefields of honor so injured,
and still somehow to give more!
With Such New Hope!
All In Your Profiles In Courage!
All in what you so bore!
Teaching us all, what Heaven is for!
And Heather, your most magnificent wife!
all in her devotion and love, and so selfless sacrifice!
Standing by her Man!
Bringing tears to even our Lord eyes!
Yes Mark, with all of your Hope and fine faith . . .
You have, to all of us so shown us the way!
Because, no matter the cost . . .
your fine heart would never so wave!
As we've so watched you Mark,
so heroically moving onward day after day!
To So Teach Us!
To So Reach Us!
To So Beseech Us!
All in what your fine heart has all to say!
All in your Most Splendid Shades of Green . . .
Ooo . . . Rah, Jar Head!
For you are but a Marine's Marine!
Because, all in you . . .
There Is New Hope for all human beings!
And you and your family,
are some of the best things that this county has ever seen!
Coming back without an arm and both of your legs . . .
Teaching us all about,
what the word selfless sacrifice all so conveys!
As on that morning when you so awoke . . .
All there in that darkness,
as it was there somehow that you so found such Hope!
That so gave you the strength,
all in what your fine heart so meant . . .
but to so help your fine soul to somehow to cope!
Showing us all,
the very meaning of the word Hope!
And as we look into your eyes,
it's the tears we now find . . .
As so easily you could of so given up,
or so given in and so died!
And yet instead,
you so chose all in your most gallant heart to so keep Hope alive!
Because, just in a few short month's my son . . .
Marine . . . already, look what you've done!
And look at all of what you've so begun!
As you've climbed mountains!
Took beaches!
Won major battles, to so beseech us!
So Fearless! So Brave!
For Mark, you are one of America's greatest of all son's!
And you and your fine wife,
shining there ever so bright . . .
have so shone us all how so to behave!
As you've come so far and so fast,
all from that grave of a past!
Shining like a Star,
to so carry our heart's far!
Yea Mark . . . That's who you are, A Shining Star!
A Star of Hope!
And as long as one finds, so very deep down inside . . .
That kind of courage and strength!
From all of that Hope and what it so meant!
Then, so surely, there is no mountain that we can not so climb!
With New Hope we will find!

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Ms. ESHOO. Mr. Speaker, on May 8, 2012, I inadvertently voted "yes" on rollcall vote number 210 (Grimm amendment to H.R. 5326) when I meant to vote "no."

I would like to correct for the RECORD that I wanted to vote "no" on rollcall vote 210.

UNITED STATES HOUSE OF REPRESENTATIVES PROCLAMATION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 11, 2012

Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Ms. Shundra Y. Nephew has answered that call by giving of herself as an educator at Edward L. Bouie, Sr., Elementary Traditional Theme School, and as a beloved daughter, granddaughter and friend; and

Whereas, Ms. Nephew has been chosen as the 2012 Teacher of the Year, representing Edward L. Bouie, Sr., Elementary Traditional Theme School; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, motivational speeches and words of wisdom; and

Whereas, Ms. Nephew is a virtuous woman, a courageous woman and a fearless leader who has shared her vision, talents and passion to help ensure that our children, receive an education that is relevant not only for today, but well into the future, as she truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Shundra Y. Nephew for her leadership and service for our District and in recognition of this singular honor as 2012 Teacher of the Year at Edward L. Bouie, Sr., Traditional Theme Elementary School;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim March 30, 2012, as Ms. Shundra Y. Nephew Day in the 4th Congressional District.

Proclaimed, this 30th day of March, 2012.

SENATE—*Monday, May 14, 2012*

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our Father, strengthen our Senators for today's challenges. Empower them with the courage of obedience so that in doing Your will they will find peace. Give them such trust in You that they may experience setbacks without ever doubting Your providential leading. In all of their strivings, energize them with perseverance to bring each task to its appointed end. Lord, as they try to make good decisions, give them the light to see what they ought to do and the resolve to do it. May they ride out the storms of difficulties and discouragement with the knowledge that You will sustain them.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 14, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move that the Senate proceed to Calendar No. 396, H.R. 2072.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to calendar No. 396, H.R. 2072, a bill to reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. REID. Mr. President, we are now on the motion to proceed to the Ex-Im Bank bill. We are working on an agreement to begin consideration of the bill. I don't know if we can reach that, but we are trying.

At 4:30 today the Senate will proceed to executive session to consider two U.S. district judges from Maryland and Illinois. At 5:30 there will be up to three rollcall votes. The first two will be on confirmation of George Levi Russell and John J. Tharp, and the third will be on cloture on the motion to proceed to the Ex-Im Bank bill.

There was a time when legislation that would reduce the deficit and support hundreds of thousands of jobs would fly through the Senate with bipartisan support but not so anymore. Instead, a worthy measure that would support 300,000 American jobs—the Export-Import Bank—may stall in the Senate this evening. The holdup is more Republican obstructionism.

Tonight the Senate will vote on whether to end the filibuster of reauthorization of this most important legislation. The bank helps American companies grow and sell their products overseas. Last year this bank financed 3,600 private companies and added almost 300,000 jobs in more than 2,000 American communities.

The last time the Senate considered this in legislation, it was offered by a Republican Senator and it passed by unanimous consent. What that means is it comes to the floor, sponsored by a Republican, and everybody agrees and we don't even have a vote here. It is done by unanimous consent. So it is unfortunate that I had to file cloture again. I have filed cloture, cloture, cloture on so many different things. We shouldn't have to argue over bipartisan proposals such as this one. It should just pass as it has in the past. But I remain hopeful that we can find a way to work together on it.

The Export-Import Bank has the support of two groups that rarely see eye to eye—the chamber of commerce and labor unions. Today I got a letter from the National Association of Manufacturers, as did every other Senator. It says: The National Association of Manufacturers—we refer to it as NAM—the largest manufacturing association in the United States, representing manufacturers in every industrial sector in all 50 States, urges us to support the Export-Import Bank Reauthorization Act.

The Export-Import Bank of the United States—referred to as the Ex-Im Bank—is one of the only tools manufacturers in the United States have to counter hundreds of billions of dollars of export financing foreign governments offer to their exporters. In 2010 Canada, France, and India provided 7 times and China and Brazil 10 times more export assistance as a share of GDP than did the United States. The Ex-Im Bank levels the playing field for U.S. exporters by matching credit support other nations provide, ensuring that our Nation's manufacturers can compete based upon the price and performance of their products. It also enables small and medium-sized manufacturers to capture new markets in emerging economies abroad. In 2010 the bank supported more than $41 billion in export sales from more than 3,600 companies, supporting approximately 290,000 jobs here—rather than the 300,000 I said—export-related American jobs.

Denying Ex-Im reauthorization will hurt manufacturers of every size and threaten thousands of U.S. manufacturing jobs. Small and medium-sized companies are particularly vulnerable and those that receive direct Ex-Im Bank support as well as those who supply larger companies. So manufacturers urge your support of H.R. 2072, which authorizes the bank through September 2014 and provides a modest increase in its lending authority and enhances congressional oversight over the bank.

That letter was signed by one of the officers of the bank.

This legislation has Republican cosponsors. Why do we have to go through this endless procedural process? Why can't we just pass it, as we have done in so many years past? They are saying: We want amendments. Amendments to kill the bill after saying they support the bill?

The House passed this bill without amendment—I repeat, without amendment—on a 330-to-93 vote last week. But that 93 kind of says it all. Ninety-three is the mainstay of the tea party caucus in the House. They are opposed to everything, just as almost 50 percent of the Senate Republicans are against everything. That is what we have here.

Even though there is outward support for this legislation, they want to kill this bill. They don't want the government to have anything to do with our lives—period, nothing—which is unrealistic in this modern world and, in fact, in any world.

This legislation is exactly the kind of smart investment Congress must make to keep the economy on the road to recovery, and it is the kind of consensus proposal that shouldn't require Democrats to have to try to break a filibuster.

When Senate Democrats brought this reauthorization to the floor previously—in fact, in March—we assumed it would pass by a strong bipartisan vote. Surprise was here—the Republicans voted against it. Nearly unanimously they voted against it in March despite their public confessions of support for it. Then a day or two after they voted no, they sent me a letter saying: We have to get this done. So they voted against it in March, and now they are threatening to do it, for different reasons this time: They don't have enough amendments. They want amendments. So they are once again forcing us to run out the clock on this measure, which expires at the end of this month.

Frankly, the behavior of my Republican colleagues over the last week has been a little baffling. They say they support our efforts to keep interest rates on Federal loans from doubling for 7 million college students. They voted the proposal down. Now, a few days later, they say they support the Ex-Im Bank, but they voted it down once and they are threatening to do it again.

With Republicans willing to use every obstructionist tactic in the book—even some that are not in the book, even on bills they support—it is a wonder the Senate gets anything done at all.

Further delay would allow the bank's lending authority to lapse, putting jobs at risk. But there is still time for my colleagues on the other side to reverse course. There is still time to work together to pass this measure.

I understand my Republican colleagues want to offer amendments to the bill. I have already said so. Their amendments generally would just eliminate the bank—not make it stronger, not lessen it a little bit, just gut the Export-Import Bank, and some just eliminate it altogether. Even if those amendments weren't egregious, changing this legislation now would only waste more time. And we have been told the House isn't going to accept any amendments. But why would we accept any amendment that gets rid of the bank?

The process of reauthorizing this bank has taken months already. There is really no reason to waste more time. American exporters are counting on us to get something done this week. So I hope my Republican colleagues will consider the consequences of yet another filibuster and join Democrats to reauthorize this Export-Import Bank without delay.

Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. At 4:30 p.m., under the previous order, the Senate will proceed to executive session.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask I be permitted to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ARREST AND DETENTION OF NAMBARYN ENKHBAYAR

Mrs. FEINSTEIN. Mr. President, for about the past week I have been very concerned and involved in a situation involving Mongolia. It is a small country. It has been a democratic country for the past 20 years. At one time it was part of the Soviet bloc but no longer.

I have talked to many people at the State Department, the Vice President's office, the chairman of Brookings, the former Ambassador to Mongolia. I come to the floor to address the situation of Mr. Nambaryn Enkhbayar, the former President of Mongolia from 2005 to 2009.

I was in Mongolia when he was President and had the opportunity to get to know him as a distinguished international statesman who, sadly, is facing so-called allegations of corruption in the country he led so well and so long. Mr. Enkhbayar, in addition to being President of the country, was previously Prime Minister and has held many other leadership positions in government over the years. As President, he designed and effectively executed Mongolia's ''third neighbor'' policy of diversifying its diplomatic and economic relations beyond the strong ties with its immediate neighbors, China and Russia.

Specifically, Mr. Enkhbayar personally emphasized relations with the United States; with our Asian allies such as Japan, Korea and Australia; and with Europe.

At the request of the Bush Administration, he dispatched Mongolian troops to fight alongside Americans in Iraq and Afghanistan, held two summits with President Bush and concluded Mongolia's Millennium Challenge pact in 2007.

Under his leadership, the Mongolian Government strengthened its international peace-keeping role with the United Nations, joined and then took a leading role in the Community of Democracies, provided humanitarian transit for North Korean refugees through Mongolia, and developed important intelligence exchanges with American counterparts.

Domestically, Mr. Enkhbayar contributed to Mongolia's political maturation with his graceful concession and cooperation after he lost his re-election bid in the 2009 presidential election to Mr. Elbegdorj, the current President of Mongolia. This smooth transition of the presidency from one party to another at that time did much to solidify the foundations of democratic politics in the country.

Sadly, the atmosphere in Mongolia has become less conducive to such fair play this year, as Mongolia approaches an important parliamentary election in June.

After retiring from politics with the end of his presidential term in 2009, Mr. Enkhbayar re-entered the public arena again this year with the formation of a third major party and the fielding of a slate of candidates, including for himself, for the parliament.

Just as the campaigning for this election was starting in earnest a month ago, Mr. Enkhbayar was arrested under charges brought by the Anti-Corruption Agency of Mongolia, an organization established while he was president.

It is important to say that building practices of good governance and challenging corrupt practices form an important benchmark of achievement for any developing democracy. We should applaud vigorous efforts to combat corrupt practices in the country. That is needed.

But it is equally important that those fighting corruption avoid a sense of involvement in such practices themselves. Certainly, to say the least, the bringing of charges against a political leader in the midst of an important election campaign is unusual.

As extraordinary as the timing of the charges, the process of Mr. Enkhbayar's subsequent arrest and incarceration was of even more concern.

Mr. Enkhbayar was ostensibly wanted for questioning, but on the evening and early morning of April 12–13, he was forcefully removed from his home by several hundred law enforcement officials and without any resistance on his part and then spirited away for confinement in a remote prison where all access was severely limited.

In incarceration, Mr. Enkhbayar suffered further indignities and irregularities of due process.

He had inadequate access to family and counsel. He reportedly received abusive verbal treatment. After initiating a ''dry hunger strike'' without liquids to protest these circumstances—which is his right under international law as a prisoner—he was denied adequate medical treatment and endured attempts to force feed him.

Only after his health was at risk, Mr. Enkhbayar was released on bail this morning so he could receive the medical treatment he so desperately needs.

It is my hope he will be well enough to continue with his campaign for parliament.

Yet I am deeply concerned that he still may be charged with corruption, allegations that have been deemed by one of his attorneys to be ''insubstantial, stale and petty.''

Our concern now should be, in the first instance, Mr. Enkhbayar's health and even his physical survival of this ordeal.

Secondly, we need to press for due process in the adjudication of his case and ensure he is afforded his full rights to a speedy, transparent and fair hearing of the charges, with full legal assistance with his defense.

We cannot be sure at this time that either of these considerations, the minimum that is owed any citizen or any human being under the rule of law in a democracy, can be secured. So I call upon the authorities of Mongolia to announce that the procedures and schedule for adjudication of his case will proceed and that President Enkhbayar will be accorded full due process rights to which he is entitled. To do less would be to reinforce fears the process employed here is politically driven and meant exclusively to remove Mr. Enkhbayar from participation in the parliamentary election now underway.

Finally, this brings me to a larger issue concerning fears for the fate of Mongolian democracy and for the now strong relationship between Mongolia and the United States. Mongolia has been rightly acclaimed for the extraordinary progress it has made in building democratic practices and institutions since the collapse of the Soviet Union 20 years ago. Indeed, Mongolia is the only successful, functioning democracy from the Pacific Ocean to Eastern Europe through the entire expanse of inner Asia. A small country, due to its achievement, has become a country of large significance on the world stage—the best argument that a free and brave people can move their country from authoritarianism to democracy in a relatively short period of time. Having done so, Mongolians have enjoyed an extraordinary degree of support and attention from the outside world, led by our country, the United States.

The Mongolian-American relationship now encompasses Mongolia's impressive economic potential as it develops its rich mineral resources with the help of foreign partners, many of them American companies with a strong interest in investment there. However, all this promise could be negatively impacted by the emergence of the practices we have seen in the case of Mr. Enkhbayar.

The chill of intimidation is felt by every Mongolian citizen, for if such treatment can be applied to a former President and still popular leader, no one is safe. And then such harsh treatment tends to bring reciprocity, and the country is in danger of falling into a vicious cycle of political score settling. For the sake of Mongolia and the future of its people, the country's leaders must step away from this risk immediately.

It is equally true that once having lost one's good reputation, it is almost impossible to restore it. There is still time for Mongolia's authorities to correct a dangerous turn of events probably no one expected or wanted. There are many friends abroad, including this Senator, who pray they will do so. Should the troubling circumstance of Mr. Enkhbayar's case continue, it would thereafter be impossible for Mongolia's friends in America and around the world in other democracies to continue speaking with the hope, promise, and optimism for the country's future with which we have for the last two decades. Much is at stake in Mongolia now. Its political leaders and people have been wise and skillful in choosing the right course in many times of challenges and crises in the past.

I call upon our friends there to help their country, their supporters, and themselves by taking the humane and lawful actions that are needed now to reclaim their reputation at the forefront of the communities of democracies. I hope it has been obvious that I speak as a friend—a concerned friend—but one who wishes Mongolia well.

Thank you very much, Mr. President.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Before I give my remarks, let me compliment the Senator from California not only on what she just said but on the remarks she made on television yesterday concerning the danger to our country when people leak information relating to our effort to defeat terrorists, which makes it all the more difficult for us to accomplish our job, and it undercuts the mission of the many men and women in the military, our intelligence services, and the civilian forces of government and, frankly, in the governments of allies that are working very hard to identify and prevent terrorism from occurring. When leaks such as this occur, it undercuts that effort tremendously. I thought the Senator from California did a very good job of pointing out how that is so and why we have to go after the people who are responsible.

Mrs. FEINSTEIN. I can't thank the Senator enough. I am very worried about this leak. I was reading the London news clips, and as the Senator knows, I chair the Senate Intelligence Committee. I believe I can speak for the leadership of both committees in saying we have not been briefed. This has been very closely held because of the seriousness of the operation. And to see what is now in the papers, which essentially endangers the asset, puts him in fear of his life, tells our allies we cannot be trusted to carry out a mission without leaking that mission and also thereby alerting al-Qaida in the Arabian Peninsula that they need to increase their security to prevent penetration—it is, I think, the most serious leak certainly in the time I have been chairman of the committee.

I thank the Senator for raising it and for the Senator's solidarity in that belief.

Mr. KYL. I compliment the chair of the committee for her very wise remarks. I know the ranking member, Senator CHAMBLISS, is in full accord. This is a very bipartisan effort. I hope we can succeed in getting to the bottom of it.

UNEMPLOYMENT

Mr. President, I wanted to talk today a little bit about unemployment and the economy. There have been a lot of news stories—some very serious, as the one we just discussed, and some a little bit more frivolous—that I think are distracting from what I believe is the top domestic problem in the United States today, the lagging unemployment. I wish to focus on that today and what we could do about it versus what we are or are not doing about it. There are troubling economic trends, and I think maybe we can make some recommendations to the President about how we can help to get out of the ditch we are in.

Unfortunately, the administration has been claiming that the economy is continuing to heal and touting the latest jobs report, and I think that misleads the American people, and here is why: It is true that by their measure the unemployment rate has declined from 8.2 percent to 8.1 percent, but that doesn't represent progress if you look behind the numbers. If you look behind the numbers and the actual employment data, employers added only 115,000 jobs last month. That is less than the 180,000 Wall Street was expecting and, more importantly, it is less than the 150,000 jobs that have to be created each month to keep up with the new entrants into the workforce, for example, the kids graduating from college and high school who are entering the workforce. In order to keep up with that number, about 150,000 per

month, the private sector has to create that many jobs to stay at zero, and if it doesn't, then we are actually getting behind.

The fact that we have had several straight months where there has been an actual increase in the number of jobs created doesn't measure the success properly. We have to measure those months where job creation was above 150,000, and in that case less than half of the months since the President has been in office have met that criteria. So we are actually sliding backward, not moving forward.

Here is another way to look at the unemployment picture: There are so many people who have given up looking for work under the Obama economy now that they don't show up in the unemployment statistics. That is why this number, 8.2 percent, actually goes down to 8.1 percent, not because there are a lot more people finding work but, rather, a whole lot more people have stopped looking for work so they are not counted in the unemployed looking for work.

In March, for example, there were about three people dropping out of the system for every one job created. Think of that. In April the rate was 4.5 dropouts per new job. So each month we are finding more and more people are simply not looking for work. They are dropping out of that group of people who wish to be employed and who are looking for work. They have stopped so they don't show in the unemployment numbers.

In fact, in the month of April, 522,000 people dropped out of the labor force. Remember, last month 115,000 jobs were created and some people thought that was great. Well, it is nice that it was 115,000 and not none, but the reality is if 522,000 people dropped out of the labor force that same month, it shows there is not much to cheer about. What that meant in terms of overall statistics was that a number that the Labor Department calls the labor force participation rate, which is how many of the people who could be working here are actually working, dropped to 63.6 percent, which is the lowest level since 1981 when we were headed into a big recession at that time. In other words, we have fewer people actually working in this country as a percentage of those who could than at any time since 1981.

James Pethokoukis of the American Enterprise Institute said:

> If the size of the labor force as a share of the total population was the same as it was when Barack Obama took office—65.7 then versus 63.6 today—the unemployment rate would be 11.1 percent.

That is why you hear people say the real unemployment rate is not 8.1 percent, it is 11.1 percent. What that means is the more people who give up looking for work, the better the official unemployment number gets, but it doesn't tell the real story. Pethokoukis also noted—and I am quoting:

> If the participation rate just stayed where it was last month, the unemployment rate would have risen to 8.4 percent!

So the unemployment rate is primarily a factor of how many people are still looking for work. And if they have given up, then they don't show in these statistics anymore. This is very troubling because it also shows that Americans do not see their situation bettering; they don't have a sense of optimism that things are getting better. There is a resignation beginning to be created here that things are not going to get better and there is no point in trying to look for work, and of course that has ramifications up and down the economy, a couple of which I will mention here.

Because there is this view that the economy is not continuing to heal, as the President said, we have got very sluggish economic growth. Back at the very same point in the Reagan recovery, the very same point that President Obama is at right now, at that time economic growth was 6.1 percent. Today it is 2.4 percent under the Obama economy.

Social Security disability claims are rising, and they are rising dramatically. What it shows is that instead of people continuing to look for work, they are filing for disability, and a lot of them are getting on disability. We have had a tremendous increase in disability claims and determinations of disability in this country. More Americans are using food stamps than at any other point in our history. One out of two recent college graduates cannot find a job or is underemployed for their skill.

I gave a commencement address on Saturday and talked to some of the students about what they were going to be doing. Most of them had something to do, but a lot of kids do not have a job even though they have spent 4, 5, or 6 years and untold thousands of dollars getting a college education.

Senator THUNE recently noted that the poverty rate among women has reached a 17-year high, and that there are nearly 700,000 fewer women working today than when President Obama took office. I don't mean to divide this into gender or any other kind of group, but the reality is that groups in this country suffer when we have poor economic growth and are not creating enough jobs. If you want to get it right down to what kind of people are having a problem, here is a situation: 700,000 fewer women working today than when President Obama took office. There are 22.8 million Americans who remain unemployed or underemployed or who are only marginally attached to the workforce. These are 22.8 million Americans who could be working productively, and if they were, our economy would be doing much better. Guess what would also be happening. People would be earning income and paying income taxes, the government would have more revenue, and we would be better able to afford all of the things the American people expect of the government.

The number of long-term unemployed has increased by 89 percent under the Obama administration. These are the people who have been out of work for a long period of time—at least 6 months and many of them more than a year. And all of this as the cost of living for middle-income Americans soars. For example, worker health insurance has gone up 23 percent, even after ObamaCare. Gas prices are now about $4 a gallon. They have doubled since President Obama took office. Home values nationwide have plunged by 14 percent in my State of Arizona, and in many places it is by 50 percent.

So instead of creating a to-do list for the Senate, as the President has done just 6 months before the election—asking us to vote on what a lot of people call show votes and dividing the country by pitting one group against another—I urge the President to make some real steps to steady the economy and reassure the job creators.

Let me give four specific examples of what the President could do to lead and what I think Congress would be willing to do to follow.

First of all—and a couple of these things are to stop doing something that is bad. A lot of people say government can usually do best by just getting out of the way because we have a very robust private sector if it is not too tied down with government regulation and taxation. So the first suggestion I have is let's stop the largest tax increase that will automatically occur—it is the largest tax increase in the history of our country—on January 1.

Someone may say: What? I didn't hear about that.

I am speaking about the so-called Bush tax cuts. Ten years ago Congress passed these tax cuts, but they had a limit of 10 years. Actually, it was a shorter period than that. They were extended 2 years ago because the President said it would be bad for the economy if these tax rates were allowed to go up, and he was right. He was right then, and he is right today. It would be bad for the economy. It would be bad for businesses, especially small businesses. It would be bad for the American family. Yet, automatically, if Congress does not act and the President does not act, every one of the marginal income tax rates will go up. Things such as the marriage tax penalty, the child tax credit, the capital gains rate, dividends tax rate, the death tax rate—all of these combined will go up, resulting in the largest increase in the country.

When we consider economic growth, when we talk about a wet blanket or

when we talk about something that will kill economic recovery, that kind of a tax increase, which means taking money out of the private sector and giving it to government, is about the worst medicine one could think of. So my hope is that the President will lead and Congress will provide the support necessary to extend our current Tax Code and to ensure we don't have the biggest tax increase in the history of the country.

I mentioned taxation and regulation. Well, regulation is No. 2. Over 28,000 pages of new Federal regulations have been added to the books in just this calendar year. Think about that—28,000 pages. We think of going to the store and buying a book of 200 pages, or 300 pages if it is a really big one. How about 28,000 pages of new Federal regulations just this year.

Bureaucracies such as the National Labor Relations Board and the Environmental Protection Agency continue to churn out rules and regulations that confuse job creators and hamper their ability to expand and hire. One example: Because of a public outcry, it was finally decided that the Department of Labor won't issue regulations basically saying that kids couldn't work on the family farm. Many of us worked on family farms. Maybe we didn't like it at the time, but we all agree it did us a lot of good. The reality is that it is not something the Federal Government ought to be poking its nose into. So there was finally enough political push-back from the FFA and the 4 H Clubs and the Farm Bureau and really everybody who was sensible about looking at it that they pulled it back. But unless the American people apply pressure and push back against this stuff, bureaucrats and the Federal Government are going to continue to figure that they can run our lives better than we can do it ourselves.

One of the biggest burdens in terms of regulations is ObamaCare. It has made the regulatory state much bigger and much more expansive. It has resulted in an estimated 58.5 million annual paperwork hours, according to the American Action Forum—58.5 million annual paperwork hours. I have talked to businessmen and I have talked to medical offices and so on, and they are going nuts trying to figure out how to deal with all of these new regulations.

The House of Representatives has passed numerous bills that would reduce the regulatory burden Washington imposes on the economy, but the President and the Senate Democratic leadership have refused to bring those to the Senate floor. So that is the second thing we could do.

It all boils down to this: We should rely more on the power of freedom than on the power of government. If we do, the American people will do the rest. So let's stop this biggest tax increase in the history of the country. Let's stop issuing these burdensome regulations.

How about the third thing: American energy. We could be one the most energy-wealthy countries in the world—if not the most—just taking advantage of our own resources. We would no longer have to be dependent on the Middle East for our sources of energy. But unfortunately, here, too, the President and Senate Democrats have repeatedly pursued tax increases on the oil and gas industries, raised the cost of gasoline, and increased our dependence on foreign oil, according to the Congressional Research Service—the nonpartisan entity that looks into these things when we ask them.

Instead of basing an energy strategy on punitive tax hikes, we think it would be better if the President would just work with us and work with the House of Representatives to expand the development of domestic resources offshore, on our Federal lands, in Alaska. We have plenty of oil and gas and we have plenty of other kinds of reserves of energy that could make this country not just no longer dependent on the Middle East but much wealthier than we are today. Part of that is just simply approving the Keystone Pipeline. This isn't even American resources; it is in Canada. They meet all of their environmental requirements. It doesn't damage the environment here in the United States. They have already done the environmental reviews for the pipeline. There are thousands of pipelines crisscrossing our country. This pipeline is not going to create an environmental problem. The President has said that the part that goes from Oklahoma down to Texas is fine with him but not the part that requires EPA's go-ahead.

So that is the third thing. Let's have an energy policy that takes advantage of what we have, including approving the Keystone Pipeline.

Finally, what the President and our Democratic friends here in the Senate could do is to join the House of Representatives and clear the deck of all of the legislation that has been piling up here on the Senate floor that isn't getting done that we all know has to get done before the end of the year. These are not optional. This is our homework. This is stuff we have to do, and it is all being put aside for the lameduck session.

The lameduck session is the time in between the election when new Members of Congress have been elected and the time they are sworn in—essentially at the end of the first week in November to the first week in January. I will be a lame duck; I am not running for reelection. I would rather the new Senator from my State make the decisions about the future of the country, but because all of these things are piling up, I will be one of the people here making these decisions for the future of our country. I don't mind being here, but it will be very bad for the country to pile up all of these things and expect to get them done smartly in the 5 or 6 weeks that surround Thanksgiving and Christmas.

What are some of these things? First of all, just funding the government—the appropriations bills. Nobody expects we are going to complete work on all of the appropriations bills to run the government, as a result of which we will have to, at the end of the year, pile a whole bunch of bills into what have been called Omnibus appropriations bills—''omnibus'' meaning we throw everything into the same pot. The problem with that, coupled with the fact that the Senate hasn't approved a budget in 3 years and won't approve a budget this year, presumably, is that nothing is prioritized; it is just basically a continuation of the spending from years past. So we are not making the critical decisions about dropping this and adding this that would provide more sensible funding of our Federal Government. So that is the first thing we ought to be doing, and that leads me to the second thing.

We have been borrowing so much money that it is very clear we are going to once again run up against the debt ceiling. We have borrowed so much that we have to increase the debt ceiling in order to pay the money we have borrowed. Nobody likes to do it. Nobody likes to say they voted to increase the debt ceiling. Well, then, why vote to incur the debt in the first place? Oh, we have no trouble doing that—at least some Members in this body and in the House don't—but the reality is that when those people have incurred that much spending, we have to pay the debt, and that means the debt ceiling has to be raised. When will this come to pass? Right after the election. We wouldn't want to take it up before the election. It might remind the American people about how much—too much—we are spending. Forty cents on every dollar we spend in this country we had to borrow. So the debt ceiling is something we are going to have to deal with.

Here is one of the biggest of all: sequestration. We agreed in the Budget Control Act last year that we would save about $1 trillion over 10 years on discretionary spending and we would try to save another $1.5 trillion in mandatory spending—the so-called entitlement programs that are really costing us big bucks, including Medicare, Medicaid, and Social Security, and there is a whole variety of other programs that are included in entitlement spending. Nobody is talking about ending these programs as we know them. What politician is going to call for an end to Social Security or Medicare? That is not what we are talking about. We are talking about effectuating savings. There is a huge amount of waste and

fraud and abuse that everybody acknowledges. We could save billions of dollars in all of these programs, and we need to do that.

We need to save $1.2 trillion, which is the actual amount required by law, over 10 years. When we subtract interest, that comes out to about $908 billion or $918 billion—I have forgotten which—each year. So some of us have introduced legislation to pay for this $900-plus billion for next year, to offset with spending reductions the cost of this sequestration. ''Sequestration'' is a fancy word for across-the-board spending cuts. Half of them go directly to the Department of Defense, and the other half are spread all across the other programs in our budget, from education, housing, you name it. Well, does it make sense to just take a meat ax and lop off the top 10 percent or top 12 percent or whatever it might be of the spending in all of these different programs? Would we want to buy four-fifths of an airplane in the military? Does that make sense or does it make more sense to save $10 here so we can spend $10 over here? Obviously, it makes more sense to do that.

Everybody assumes that somehow we are going to avoid sequestration in the lameduck session of Congress. Who is doing anything about it? Well, some of us have introduced legislation. Also, we hope that this week in the House of Representatives they will be able to amend the Defense authorization bill by adding a provision that says the numbers in that bill assume we have resolved this sequestration problem as a way to begin negotiations so we can find a solution that both Houses will agree to and both political parties will agree to. This shouldn't be partisan. Everybody loses if sequestration occurs. So let's solve that problem, and let's solve it before we get to the lameduck session. That is the third thing we can do.

Everybody familiar with our Tax Code knows there is a fourth thing. We have something that happens each year. There are 60 provisions in the Tax Code that expire every year. We have to renew them, and we do, so let's get about it. They have already expired. These are the so-called tax extenders—extending certain provisions of the Tax Code that everybody wants to see extended. They have already expired. We need to do it retroactively the first of the year. Everybody knows we are going to extend most of them; maybe we won't do all of them. We need to do that, so why not? Let's get that done.

We know there are other things that are occurring. There is something called the doc fix. Each year we have to figure out how to pay the doctors who take care of Medicare patients. It costs a lot of money. If we don't pay them, we are not going to have any doctors who will take care of Medicare patients. So it is always a dance: Well, we have to figure out how to pay the doctors. The reality is that if we don't pay them, then we only have ourselves to blame when our senior citizens can't find a doctor to take care of them when they need that care.

There are others as well. The payroll tax holiday expires, and there are many others we need to do as part of our business as Representatives and Senators. This isn't optional. These have to be done to keep the government running, the things we promised our constituents in legislation that we would do.

So another suggestion is let's start working on these big problems. Many of us who will be in a lameduck position are putting a letter together to our leadership asking them to please tackle these big problems. We should not be voting on a lot of these things. We should be done as of the end of the year. But if we have to, we will. It is not that we are not ready for the work. It is that these things should be done before the election.

This is my last point. You ask, why, if these are things we are supposed to do—the appropriations; dealing with the Tax Code, because it will automatically have a big tax increase if we do not; the sequestration; the debt ceiling; paying the doctors—if we have to do all of these things, why are we putting them off?

Well, here is the dirty little secret. Because if we actually tackled them, we would have to make some tough decisions. If we made tough decisions, we would have to take votes. If we take votes, those votes are going to be on the record. And if those votes are on the record before the election, our constituents will know what we think and how we act, and some of them may not like it.

So we do not want to be on the record, some of my colleagues say. Again, it does not bother me; I am not running for reelection. We do not want to be on the record before the election. It is a little bit like when the President leaned over to then-President of Russia Dmitry Medvedev and he said: Look, after my last election, I will have a lot more flexibility to deal with these issues. You tell Vladimir.

Well, after the election it is too late. The people have cast their ballots. Shouldn't the politicians be willing to say before the election what they stand for? And instead of making campaign promises, how about taking votes on real issues so the American people know where they stand? Then they can make an informed judgment: I like this person over that person because I like the way this person voted or I do not like the way that person voted.

That is what democracy is supposed to be all about. You make the tough decisions. You stand for election. The people either say yes or no. Then, by the way, they hold you in account. After you are elected, they continue to watch how you vote to decide whether they want to vote for you again. But in this day and age, we are playing hide the ball from the American people: Let's do not bring anything up until after the election. That way the American people will not see how we feel about these things.

Some of these are tough votes, I acknowledge. It is hard to figure out how to effectuate savings. If you have to come up with $100 billion in savings over 10 years, something has to go. So you cannot promise everything to everybody. You actually have to find $100 billion in savings somewhere.

Senator MCCAIN and I and Senators CORNYN and AYOTTE and RUBIO and GRAHAM and some others have introduced legislation to say: Here is how we would do it. If somebody has a different way of looking at it, tell us.

I will tell you the way we would do it. You can save $100 billion by doing two things. When people leave government employment, instead of hiring somebody to replace them, we would hire two people for every three who leave. The Bowles-Simpson Commission says only hire one for every three who leave. So we are being a lot more liberal than Bowles-Simpson. We say, every time three people leave the government, let's only hire two back. I bet we could get by as a country doing that. The other thing is, the President froze increases in Federal salaries, and we would simply extend that freeze through the middle of 2014.

There are other ways to do it. There are hundreds of billions of dollars to be saved. If you have a better idea, we are all for it, but at least come up with something and do not be afraid to vote. The American people are pretty smart. They get this stuff, and they know there is no free lunch. They know that government costs money, and they know you cannot save money by continuing to promise everything to everybody.

I urge my colleagues on both sides of the aisle, the leadership in both the House and the Senate, let's get serious about this. First of all, let's not raise taxes. Let's reduce regulations. Let's have a real energy policy. Let's get our work done—the work we know has to be done. And let's get it done as soon as we can. That would give families and businesses the knowledge of how to plan for the future. That would help them understand what they have to deal with and not have to incur this huge uncertainty, which is so much of a drag on our economy today.

These are four constructive suggestions. There is a lot more we could do. But when our economy is in as bad a shape as it is right now—and it is not getting much better; we have this many people not even looking for work anymore—we need to do something

more than be out on the campaign hustings talking small ball and trying to blame it on the other side.

Let's get to work, follow these four ideas, and I think we could make tremendous progress to get our country moving again. Frankly, if we did, I think the American people would reward us. They would say: Thank you. Thanks for finally doing something. That is what we sent you there for, and we will reward you for it. So ironically, good policy turns out to be good politics. I think we need a little bit more good policy.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of Wisconsin. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Wisconsin. Mr. President, I ask unanimous consent to enter into a colloquy with my colleagues for up to 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE BUDGET

Mr. JOHNSON of Wisconsin. Mr. President, by now, it should come as no surprise that the Senate has not passed a budget in over 3 years. I believe it has been 1,111 days. When I go to back to Wisconsin—and I think it is probably true of my colleagues—the people of Wisconsin, and I think the people all over America, want us to work together and solve our debt and deficit issue. Since I have been here, the Republicans have fulfilled the responsibility to show what the plan is for stabilizing our debt and deficit. The House passed a budget in the last 2 years, but the Democrats in the Senate have not. It is because they simply refuse to be held accountable. That is a real shame.

I realize the American public wants us to work with each other, but my suggestion is that the first individuals who need to work with each other, the first compromise that needs to be done is with our Democratic colleagues in this Chamber. They have 53 percent, and they only need 51 to pass a budget. They need to get together and work together, and they need to hammer out a compromise and pass a budget. The way that we get together and compromise in the entire process is the House budget would be presented with the Senate budget, we would do a conference, and we would have a process for being able to compromise. That is the basic minimum of what I think needs to be done in the Senate.

One point I want to make is that President Obama has made a number of promises during his administration, and one I will talk about now is on February 23, 2009. In his opening remarks to the fiscal responsibility summit, the President stated:

Today I am pledging to cut the deficit we inherited in half by the end of my first term in office. This will not be easy. It will require us to make difficult decisions and face challenges we have long neglected. But I refuse to leave our children with a debt that they cannot repay, and that means taking responsibility right now in this administration for getting our spending under control.

I point out that when he made those remarks, the most recent estimate for what the deficit would be in fiscal year 2009 was put forward by CBO on January 7, 2009. They were estimating that the deficit for that year would be $1.186 trillion or 1.2 rounded up. Half of that amount would be $593 billion. That is the promise President Obama made to this Nation in terms of the work he would put in and what he would deliver to our Nation in terms of deficit control.

The facts are far different. In 2009, largely because of the very partisan stimulus package the President passed, the deficit wasn't $1.2 trillion, it was $1.4 trillion. That was followed in 2010 by $1.29 trillion. Then in fiscal 2011, it was $1.3 trillion. The latest CBO estimate for deficit for this year will be $1.253 trillion, almost $1.3 trillion. That is double what the President promised he would be delivering to the American people in terms of deficit control.

Moving forward, this President in his budget is projecting increasing our debt from $15 trillion to over $25 trillion. I am not sure that is believable. The other quote of his was on September 26, 2011, in remarks at a DNC fundraiser in San Diego when he was trying to sell his Americans Job Act. He said the following:

What I have said is that this is a very simple principle that everybody should understand. Warren Buffett's secretary should not pay a lower tax rate than Warren Buffett. A teacher making $50,000 a year, or a firefighter making $50,000 a year, or $60,000, should not be paying a higher tax rate than somebody making $50 million a year. And that basic principle of fairness, if applied to our Tax Code, could raise enough money that not only do we pay for our jobs bill—

And here is the key quote:

—we would also stabilize our debt and deficits for the next decade.

Mr. President, I don't know what you call that last statement, but I think it could be called a doozy. I think the President has a very serious responsibility not to mislead the American public. I think that statement was a gross violation of that duty.

I have one chart here, a simple one. It shows the 4-year deficit figures for the last 3 administrations. Here's Bush's first 4-year administration, which is a $.8 trillion total deficit in 4 years. In the second 4 years, it is $1.2 trillion in deficit spending. This President will accumulate $5.3 trillion in deficit spending in his 4 years. Four years of the Buffett rule—that tax President Obama said would stabilize the debt and deficit—would be $20 billion. I realize the people in the gallery probably cannot see that line on the chart, but it is obviously not enough to stabilize the debt and deficit.

I think the President has the obligation and duty not to mislead the American public. That is what he did in this case.

Senator CORKER has been a real leader on this issue in terms of being a real hawk in trying to get our Nation's fiscal house in order. I wonder if he has any comments.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, I appreciate the Senator's comments, and I see the Senator from Texas and the Senator from Wyoming here also.

Look, I think the No. 1 responsibility we have in the U.S. Senate is to pass a budget and to lay out for the American people how we are going to spend the resources that come in. The last time we passed a budget was 1,111 days ago, and we spent over $10 trillion of the U.S. taxpayer money during that time.

To be honest, I have quit voting for any spending bills—any spending bills—until we come to a point in time where we at least lay out for the American people how much of their money we are going to spend and what we are going to spend it on.

Again, each year we have $3.5 trillion to $3.6 trillion being spent by the Federal Government with no plan. I am embarrassed for this body, candidly, that we have not even tried to take up a budget. I know that the committee itself began to take one up a few weeks ago, and the chairman was asked not to do it because it made no sense to do a budget at this time. Thankfully, the Parliamentarian ruled in this body that it was appropriate for us to take up a budget. Again, I cannot imagine a greater shirking of our responsibility than to not lay out to the American people exactly where their dollars are going.

What worries me most is that this is the greatest transference of wealth from these pages—from their generation to my generation—that has existed in modern history in this country. There is a tremendous transference of wealth as we do not deal with the issues of Medicare, Medicaid, and Social Security. What we are doing is actually piling up tremendous amounts of indebtedness so that the people of America will like us more as politicians, as we don't make difficult decisions and don't have to wrestle with the fiscal issues that we have as a Nation.

This is the thing that is ailing Western democracies around the world. We are seeing this play out, obviously, in Europe right now, as citizens are rising

up in protest over having to deal with the tough issues of the day. There has been this grand bargain in Western democracies—ours being one—where politicians have given citizens what they wish without asking them to pay for it.

I think we all understand that this is up now. We have a dilemma in this Nation. We have a dilemma around the world right now because of our inability to deal with this issue. So in the process, what we are doing is basically transferring wealth from that generation to my generation. It is absolute generational theft. I think it speaks to the greatest vulnerability we have as a Nation.

If you speak to all of our national security analysts or you speak to anybody in this body, we know our greatest threat is not what is happening in China, it is not what is happening in Iran, it is not what is happening in Syria, but the greatest threat to this Nation is us, ourselves. For some reason, this body has chosen to totally shirk our responsibilities as they relate to dealing with this issue.

I know over the next couple of weeks we are going to have the opportunity to vote on some budget resolutions. I agree with the Senator from Wisconsin. I hope there will be at least some way this body can come together and present a budget for debate. If not, I know there will be alternatives put forward. Again, this is the greatest threat to our Nation; that is, our inability to show the kind of discipline we need to show as a Nation. Our country's greatness is dissipating as we continue to shovel this under the rug and not deal with it. I do hope the Senate at some point soon will rise and deal with the major responsibilities we have in this Nation, and that is putting our country on sound footing.

I will close with this. I don't think there is anything we can do that would cause our economy to lift off more quickly than for people in this Nation and around the world to know that we actually have dealt with progrowth tax reform and entitlement reform, and passing longer term budgets and discretionary caps that would put this Nation on sound footing. I believe the economy would take off. I hope that is what we rise to do before the end of this year.

I yield the floor for my colleague and great friend from Texas.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Tennessee. It is interesting, because there are four of us on the floor right now—the Senator from Wisconsin, the Senator from Tennessee, the Senator from Wyoming, and myself. We have one thing in common. Every one of us has run a business. Every one of us was in business before we came to the Senate. So we know when we are talking about new taxes—which is all we hear from the administration—that is not going to help this economy grow, because our small businesses are scared to death out there.

I know because I have heard the Senator from Tennessee and the Senator from Wisconsin, who came straight out of a business and who ran for the Senate because he was so frustrated in business—we know that small business people out there today are looking at the increased taxes that are already in place with the Obamacare added taxes and surtaxes that have already been passed by the Democrats in Congress, without one single Republican vote. Those taxes are already on board to increase, plus you have the fines they are facing if they don't have the government-prescribed plan for the Obama health care plan. They are going to have to pay fines on top of the surtaxes to pay for the bill they are not going to be able to use. Then they are looking at the regulations that are coming out of this administration and saying: And Congress wants to spend another trillion dollars this year?

Every one of us knows we are looking at hitting the debt ceiling again—over $16 trillion—this fall, because this administration will not even consider lower taxes and lower spending levels. So I look at all of us on the Senate floor right now who have been in business, who have run a business, who have met that payroll, who have met the regulatory environment, and I think: Why on Earth don't we listen to the small businesspeople of this country and in this body and do what they do every year—pass a budget?

The Senator from Wyoming is here, and I would just ask if he has an idea of when was the last time the Senate passed a budget resolution.

Mr. BARRASSO. Well, I would tell my colleague from Texas, who has been a leader in this fight asking for a budget, demanding a budget, as of today it has been 1,111 days since the Senate passed a budget, in spite of the law that says they must do so by April 15 of each year. So April 15 came and went this year, as it did last year and the year before, and yet there is no budget.

So I look to the leadership of the Senator from Texas, who knows how the hard-working families in her State and the hard-working families of my State resent the fact that Washington refuses to be accountable. The Democrats in this body refuse to be accountable to the American people.

All the American people are asking for, in my view, is value for their money. They want to make sure the money they send to Washington is being spent effectively and efficiently, and they are actually getting value for their money.

I assume that is what my colleague is hearing from Texas as well.

Mrs. HUTCHISON. Well, of course. And the spending issue is very interesting. I look to my colleague from Tennessee, who is really one of the deficit hawks in the Senate, and when I look at the statistics that are being put out about the entitlement spending, the entitlement spending today is over 50 percent of our spending every year—mandatory spending. In 10 years it is going to be 75 percent of the spending in this country.

So I would ask my friend from Tennessee—because he has been pure on this issue, being the deficit hawk he is—how would we be able to solve the spending problem of this country without addressing Social Security, Medicare and Medicaid—mandatory spending—which will be at 75 percent of the budget in 10 years if we continue at this rate?

Mr. CORKER. I know the Senator from Texas spends a tremendous amount of time on appropriations issues and knows a great deal about this, and she knows more than me if we wiped out all discretionary spending—which this year will be capped at $1.47 trillion—we still wouldn't wipe out the budget deficit.

So the Senator is absolutely correct. We could do away with all defense spending, all educational spending, all research and development, and we could still not cause our budget not to have a deficit. Let me give a stat—and I talk about this a lot back home, and I am so glad the Senator has given me this opportunity.

The average American worker earns $43,500 today. So in a two-wage-earner family, that is $87,000. Over their lifetime, in today's dollars, that family will pay into the Medicare Program $119,000, and that includes the part the employer pays on their behalf. So between what they pay in and the employer—and the Senator from Texas has been an employer before and knows about paying the Medicare taxes into the system—that combined amount of money for the average American family is $119,000 in today's dollars. That same family, if they retired, would take out of the system, over their lifetime, $357,000. Now think about that. That is in today's dollars. Again, $119,000 going into Medicare on their behalf and $357,000 coming out of Medicare.

I think most people in this body—even people who haven't been in business—realize we cannot make that up with volume. Yet volume is on the way. There are 20 million more Americans over this next decade who are going to be part of that same formula—$119,000 in and $357,000 out.

I have been quoting these stats every year, and the numbers get further and further apart every quarter.

Mrs. HUTCHISON. I want to ask the Senator from Tennessee, because he brought this up, not only is it so clear there is more going out than coming back in, what would he say to the fact

we also—not we, because he, along with myself and the Senator from Wyoming—voted against the Obama health care bill, but interestingly, with those numbers the Senator just quoted, that bill cuts $500 billion more out of Medicare to pay for that overdraft the Senator is talking about. He was talking about a generational change as well. Oh, my goodness.

Mr. CORKER. Mr. President, $529 billion, to be exact. The Senator from Wyoming has brought out over and over the unsustainable growth problem we have, meaning every year we come to this cliff with physicians—and he is a physician and used to practice on a daily basis—and instead of dealing with that issue over a decade, which would have cost about $300 billion, instead, we swept that issue under the rug and took the full $529 billion to help create this entitlement.

I think most people in this body know there is no way this bill is going to work the way it is laid out; that the costs are going to be substantially more because in a free enterprise system, people act on their own behalf, in their own self-interest. The subsidies are so high for families up to $88,000 a year, the penalty is so low, what is going to happen is we are going to have millions and millions of people out on this program far beyond the projections that have been laid out.

So anyway, because we are talking about Social Security and Medicare, all of us want it to be solvent. That is what we want to see. We want to make sure Medicare and Social Security are here for generations down the road. But we all know—the Medicare trustee has said so—it is going to be insolvent by the year 2024.

One way to do deal with it is to put our heads in the sand and just let it happen in the years after we are gone, let it happen to the good citizens of this country. Another solution is to recognize: Hey, this is a big ship, and we need to turn it a little in another direction so these young people sitting in front of us don't have to carry the tab.

Mrs. HUTCHISON. I am so pleased the Senator from Tennessee brought that up because there is a way for us to at least fix one of the entitlements in a relatively painless way, and that is Social Security. It is going to have a few changes that some people will not like, but it could be so gradual if we do it now. We could simply raise the age 3 months a year.

In the bill I have proposed—and there are others that are equally as good, although none of them have been taken up—it would say: If you are 59 years old, you wouldn't have any change at all. If you are 58, you would retire 3 months later. So it would be very gradual. If we do that, and adjust the cost-of-living increase, we would not have to raise any social security taxes, we would not cut the core benefits at all, and we could gradually ease into a system that would be solvent for 75 years. Then our elderly, who need Social Security, will have it there.

That is a proposal on the table now. But what is happening in Congress? And where is the leadership from the White House? Nothing. Nothing.

I am going to turn to the Senator from Wyoming because he is one of the two actual physicians in the Senate, and he knows more about the Obama health care system. When we look at what the Obama health care system is doing to Medicare—cutting it $½ trillion—and then this Social Security issue we have discussed, the overall Medicare issue the Senator from Tennessee addressed, and what the Senator from Wisconsin has brought out in his charts—and he has been the real hands-on, most recently experienced small businessperson—I would ask the real doctor in this body: What is going to happen if the Supreme Court doesn't save America by throwing out the individual mandate on constitutional grounds and we actually have the implementation of ObamaCare, with the taxes and fines that are going to come in on January 1 of next year if we don't act? Where are we going to be in health care in this country?

Mr. BARRASSO. I would tell my colleague and friend from Texas, who is a wonderful student of this as well, this health care law is bad for patients, it is bad for providers—the doctors and nurses who take care of those patients—and it is terrible for taxpayers, who are going do get stuck footing the bill. So it is not a surprise this administration doesn't want to come to the Senate, is embarrassed to come to the Senate with a budget, because they know the American people would be so offended by the irresponsibility and the nature of such a budget.

That is the situation we find ourselves in now. As both my colleagues have said, they took $500 billion from Medicare—and not to save Medicare, not to strengthen Medicare—to start a whole new government program for someone else. That is why when I travel the State of Wyoming and I talk to seniors, they say they don't like this health care law. It is why the health care law is even more unpopular today than it was the day it was passed.

But I do notice our colleague from Wisconsin has a new chart I am trying to read from here, and so I will ask if he could share with us what is on that chart so that everyone gets a chance to see it and hear the explanation.

Mr. JOHNSON of Wisconsin. I thank the Senator from Wyoming. I came prepared with charts, and a number of things that have already been mentioned by my colleagues I am ready for.

We are talking about the true cost of the health care law. When this was passed—and I actually grossed up these figures because they actually netted out—the savings of Medicare with new spending in Medicare, the way ObamaCare was originally going to be paid for was about $1.3 trillion to cover about $1.1 trillion in outlays. That was split up in basically two ways: about $590 billion in taxes, fees, and penalties, and then $665 billion in reductions in Medicare, Medicaid, and Medicare Advantage.

Now, we have not imposed the $208 billion of the doc fix, the sustainable growth rate formulas, because even Washington realized if we reduce payments to providers, there will be less access for seniors. So I guess I don't have any reason to believe those cuts in Medicare will actually occur.

If we move the budgetary window forward to the timeframe when ObamaCare truly kicks in—because, initially, by the way, we had 10 years of revenue and only 6 years of outlays. But really we only had 4 years of full outlays. If we move the budget window forward, the true cost of ObamaCare over a 10-year window is $2.4 trillion, and that is a very minimal estimate. That is very conservative. If we don't impose Medicare cuts, and we only grow the taxes, fees, and penalties—about $816 billion—that leaves a $1.6 trillion deficit risk over 10 years.

We are talking about these deficits now that for 4 years have been $1.4 trillion, $1.3 trillion, and $1.3 trillion, $1.3 trillion. We are trying to close a $1.3 trillion deficit with about $1 trillion worth of discretionary spending. The other graph I had—and this plays into what the earlier part of the conversation was—reflects the 1960s, when 68 percent of our expenditures were appropriated. They were under some control in Congress. And 32 percent were the mandatory programs and interest. Currently, about 36 percent of government expenditures are appropriated and 64 percent are basically off-budget, on automatic pilot.

As the Senator from Texas pointed out, 10 years forward, only about 25 percent of our Federal budget will be appropriated—will be discretionary spending. Everything else is on automatic pilot. That is simply not sustainable.

The last graph I want to put up—and we haven't talked about this yet—reflects what I really fear. If we take a look at the average borrowing costs for the United States from 1970 through 1999, when we were a far more creditworthy nation, our debt's GDP ratio ranged from about 40 percent to 67 percent. Our average borrowing cost as a nation was 5.3 percent. Over the last 3 years, from 2010 to 2012, our average borrowing cost has been 1.5 percent because we have held rates artificially low.

If we just revert to that mean, that would actually be a 3.8-percent differential. Applied to our debt, that

would be $600 billion to $700 billion per year in additional interest expense. Compare that to $1 trillion worth of discretionary spending, and that would totally wipe out the defense budget, for example, or if we maintain the defense budget, it would wipe out all discretionary spending.

That is what we need to be concerned about. That is the day of reckoning I am concerned about: when creditors from around the world take a look at the United States and say: You know what. I am not going to loan you any more money. What is more likely to occur is they will say: I will loan you more money but at a far higher interest rate.

I know the Senator from Tennessee is fully aware of these types of figures.

Mr. CORKER. I would say to the Senator from Wisconsin and everyone, that is an outstanding chart, and I like the one before it even better. But the fact is that it is so easily known, the illumination is so bright that we have a major fiscal issue in this country, and we are watching how that can play out and be so destructive to people's lives right now in Europe as they try to deal with these issues.

Our Nation is so large and the economy is so big that there will not be anyone to come to our rescue such as we are seeing play out in some of these other countries. And for us to see what is happening and to know we are participating in this—we are participating in this because spending here in America is on auto pilot. We are going to spend $45 to $47 trillion of the American people's money over the next decade. We have not a single document in place to lay out how that is going to take place. I think it is incredibly irresponsible.

It would be an embarrassment to me if I had some ability to run this place and to know that we had no budget and yet we know the calamity that is going to occur if we do not deal with this issue. We understand it full well, and we are doing nothing about it. Instead, we are dealing with all kinds of issues that are all about elections and whether one side can make the other side look bad and is this going to make a tough vote for somebody else, instead of dealing with our No. 1 responsibility.

I am hoping that somehow at least 60 folks in this body will be willing to pass a budget to then create a conference between the House and Senate so we can take a major step toward living up to our financial obligations as a country.

I thank the Senator so much for organizing this today.

I yield the floor.

Mr. JOHNSON of Wisconsin. The Senator from Wyoming looks as though he might have another concluding comment.

Mr. BARRASSO. I just want to thank my colleagues who are here today sharing their time and their insight. They have a lot of insight because they have run businesses, they have worked to actually meet a budget and live within a budget, have dealt with government regulations. And the Senator from Texas was talking about these regulations. They are burdensome, they are expensive, and they are time-consuming. It is hard to budget when you don't know what to expect. That is what the American people who create jobs and who work jobs need—some predictability and some certainty so they can make wise decisions. And when you have a Congress led by the Democrats in the Senate who do not pass a budget, the predictability isn't there, the certainty isn't there. There is so much confusion and uncertainty that people have a hard time making the longer term decisions.

To my colleague from Wisconsin, I know that is what I saw in my medical office, and as I talk to my colleague, I know they have the same situation in Wisconsin.

I thank my colleague from Wisconsin as well as my colleagues from Texas and Tennessee for their leadership and their continued efforts to try to get the Democrats in this body and this administration to pass a budget, which by law they are mandated to do. Yet, even today, now we are at 1,111 days without a budget. To me, that is inexcusable.

Mr. JOHNSON of Wisconsin. I appreciate those comments.

I will conclude.

There really are two plans on the table right now. One is from the House Republicans. It actually passed the Chamber. Republicans were willing to put their votes to a budget. Republicans are willing to be held accountable. Of course, the other plan would be the President's budget, which last year lost in this body 0 to 97, and his current budget lost in the House 0 to 414. So I guess you can say that is a plan that doesn't sound like a particularly serious plan.

So I join my colleagues, and I thank the Senators from Texas and Wyoming and Tennessee for joining me. I would join them in asking this body to please exercise your responsibility, own up to your duty, and let's pass a budget.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING JOHN PAUL HAMMERSCHMIDT

Mr. PRYOR. Mr. President, my colleague and I would like to extend a special birthday greetings to former Congressman John Paul Hammerschmidt. So with the President's approval, I will turn it over to Senator BOOZMAN and let him lead off.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOOZMAN. Mr. President, it is a pleasure to be with the senior Senator from Arkansas discussing somebody for whom we both have a great deal of affection; that is, the former Congressman of the Third District of Arkansas, the district I used to represent. Congressman Hammerschmidt represented the district for 26 years, and he just recently celebrated his 90th birthday on May 4.

John Paul has led a life dedicated to public service. In fact, that is truly an understatement. Along with that, he served as a combat pilot during World War II and is part of the ''greatest generation.''

Once he returned home to Harrison, AR, he ran the family lumber business while spearheading efforts to create a two-party political system in the State of Arkansas. John Paul helped mold the political landscape of the State of Arkansas, and he never lost sight of the reason why he was doing that and why he worked so hard to provide a two-party system, that being the people of Arkansas.

By the time he was elected to Congress in 1966 as the first member of his party to represent Arkansas in Congress since Reconstruction, John Paul had a reputation of working to help others. He did that for 26 years as a Member of Congress. By the time he retired, he was the ranking member of the House Transportation and Infrastructure Committee. He served in Congress with the same enthusiasm that propelled him into office and was well respected by his colleagues on both sides of the aisle for his strong work ethic, approach to getting work done, and his responsiveness to constituent service.

Eleven years ago, when I was a newly-elected Member of Congress who also represented the district John Paul used to represent, he gave me advice that I continue to follow; that is, the key to good governing and the key to good public service is that, once elected, there aren't any more Republicans, there aren't any more Democrats—there are just the people of Arkansas and the people of America, and we need to take care of them.

His words ring as true today as they did 11 years ago. His efforts to work with his colleagues in both political parties benefitted Arkansas and America and show what it truly means to be bipartisan. Despite being in the House minority, he was able to achieve much success in Congress because he recognized that the key to good governing and good public service is that you treat everyone fairly and set aside political differences. This ideology allowed him to be influential in a variety

of different areas. He is credited with securing improvements for roads and infrastructure projects, including Interstate 540 and the Northwest Arkansas Regional Airport, protecting the Buffalo River under the designation as a national river, and setting the example of exemplary constituent service that we strive to continue today.

He is showing no signs of letting his age slow him down by any means. He continues his service on numerous boards and for organizations with the same vigor he demonstrated throughout his career. John Paul played an important role in our State's history, and he is still continuing to play an important role in our State's history. He also was an important influence on me, as he was to so many others in Arkansas. I consider him a friend and a mentor.

I recall the first time that I was in Washington being sworn in, in 2001. He took my brother and me to the Members' dining room. It was a very special time, and just his hospitality to all of us throughout the years was so gracious. I appreciate very much his advice and friendship.

John Paul is able to leave his fingerprints on projects important to Arkansas through his hard work, dedication, and commitment. He never forgot about the people he was sent to Washington to represent, and we are truly grateful for his tireless efforts to represent the people of Arkansas.

Mr. PRYOR. Mr. President, John Paul Hammerschmidt is 90. There are many colleagues here in this Chamber, who serve in this body today, who worked alongside him either during their service in the House or when they were in the Senate. He is one of the Arkansas greats. He served northwest Arkansas, which is the Third Congressional District, 26 years in the Congress. Looking back at his career, John Paul once said, ''The only reason people should be in public office is to purely serve other people.'' Indeed, he set the bar for constituent service—from delivering a Social Security check to a senior bogged down in bureaucracy or fighting for disability benefits for a veteran. Today, each of us in Arkansas congressional delegation tries to emulate his legendary casework management.

One of John Paul's most significant contributions was preserving the Buffalo River as a free-flowing stream. According to the Pryor Center for Arkansas Oral and Visual History, John Paul first floated the Buffalo at age 12 after taking wood from his father's lumberyard to build himself a boat. Nearly 40 years later, he established the Buffalo as the first National River. This was not an easy achievement, but one that was built with persistence and through relationships within the community. Today, tens of thousands of Arkansas families, including mine, enjoy floating the Buffalo National River.

John Paul also used his time in Congress to help northwest Arkansas expand its infrastructure to keep up with the region's fast growth. It is one of the fastest growing sections of the country. As a member of the Public Works Committee, John Paul was credited with securing bipartisan support on key infrastructure legislation. We could use a little of his magic today. You can't go far in northwest Arkansas without seeing his impact. We have the John Paul Hammerschmidt Highway, an access road to Carter Field near Rogers, an industrial park at Diamond City, JPH Plaza, the John Paul Hammerschmidt Business and Conference Center at North Arkansas College in Harrison, John Paul Hammerschmidt Lake at Fort Smith and the JPH Federal Building in Fayetteville.

Upon John Paul's retirement, former Congressman, Commerce and Transportation Secretary Norman Mineta spoke on the floor of the House of Representatives, saying:

> There is no individual in the House who is more loved and respected than John Paul Hammerschmidt. His honesty, gentleness, decency, and integrity are second to none. Don't be swayed by his quiet manner, because underneath is a man with strong convictions, a sense of purpose, and a keen desire to get things done.

It is fair to say that John Paul never actually retired. He remains involved in many civic organizations, including the Northwest Arkansas Council and March of Dimes. Higher education continues to be a priority. John Paul serves on not one but two boards of trustees—the Board of Trustees at the University of the Ozarks and he is a Trustee of Arkansas State University.

John Paul Hammerschmidt has spent decades serving others and giving back to his community. I am pleased to have this opportunity to pay tribute to all he has achieved so far and to wish him a happy 90th birthday and many more years of health and happiness.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF GEORGE LEVI RUSSELL III, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND

NOMINATION OF JOHN J. THARP, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of George Levi Russell, III, of Maryland, to be United States District Judge for the District of Maryland, and John J. Tharp, Jr., of Illinois, to be United States District Judge for the Northern District of Illinois.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes of debate equally divided in the usual form.

Mr. LEAHY. Mr. President, I ask unanimous consent that the time run until 5:30 p.m. on the nominees, which would be approximately 50 minutes, but that time be divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, last week, 5 months into the year, the Senate finally was allowed to finish clearing the backlog of 19 judicial nominees who were needlessly stalled since last year by Senate Republicans. Today the Senate is being allowed to consider two of the 19 judicial nominees now awaiting final Senate action. George Levi Russell is nominated to fill a judicial emergency vacancy in the U.S. District Court for the District of Maryland and John Tharp to fill a judicial emergency vacancy in the Northern District of Illinois. These nominees have the support of their home State Senators and were reported 3 months ago with the bipartisan majority of the Judiciary Committee.

I hope the fact that the majority leader was able to obtain consent to move these nominations signals that the Senate is being allowed to return to regular order, and that the majority leader will be able to schedule a vote without further delay on the nomination of Paul Watford of California to fill a judicial emergency vacancy on the Ninth Circuit. His nomination was reported before those being considered today and has been skipped in the order. He is a fine nominee with outstanding qualifications and bipartisan support.

Last week, we were finally able to confirm Judge Jacqueline Nguyen of California to fill a judicial emergency vacancy on the Ninth Circuit after a needless 5-month delay. Her nomination had been reported unanimously by

the Judiciary Committee and was confirmed by a vote of 91 3. It took the filing of 17 cloture petitions in March to get Senate Republicans to agree to consider her nomination.

The Ninth Circuit is still in dire need of judges. With nearly three times the number of cases pending as the next busiest circuit, we cannot afford to further delay Senate votes on the other two nominations to the Ninth Circuit. Paul Watford of California passed the Committee more than 3 months ago. Andrew Hurwitz of Arizona passed the Committee more than 2 months ago. There is no good reason for Senate Republicans to further delay votes on these Ninth Circuit nominees. The 61 million people served by the Ninth Circuit are not served by this delay. The circuit is being forced to handle more than double the caseload of any other without its full complement of judges. The Senate should be expediting consideration of Paul Watford and Justice Andrew Hurwitz, not delaying them.

The Chief Judge of the Ninth Circuit, Judge Alex Kozinski, a Reagan appointee, along with the members of the Judicial Council of the Ninth Circuit, wrote to the Senate months ago emphasizing the Ninth Circuit's ''desperate need for judges,'' urging the Senate to ''act on judicial nominees without delay,'' and concluding ''we fear that the public will suffer unless our vacancies are filled very promptly.'' The judicial emergency vacancies on the Ninth Circuit are harming litigants by creating unnecessary and costly delays. The Administrative Office of U.S. Courts reports that it takes nearly 5 months longer for the Ninth Circuit to issue an opinion after an appeal is filed, compared to all other circuits. The Ninth Circuit's backlog of pending cases far exceeds other Federal courts. As of the end of 2011, the Ninth Circuit had 14,041 cases pending before it, far more than any other circuit.

If caseloads were really a concern of Republican Senators, as they contended last year when they filibustered the nomination of Caitlin Halligan to the D.C. Circuit, they would not be delaying the nominations to fill judicial emergency vacancies in the Ninth Circuit. If caseloads were really a concern, Senate Republicans would consent to move forward with votes on Paul Watford and Andrew Hurwitz without these months of unnecessary delays.

Paul Watford was rated unanimously well qualified by the ABA's Standing Committee on the Federal Judiciary, the highest rating possible. He clerked at the United States Supreme Court for Justice Ruth Bader Ginsburg and on the Ninth Circuit for now Chief Judge Alex Kozinski. He was a Federal prosecutor in Los Angeles. He has the support of his home State Senators and bipartisan support from noted conservatives such as Daniel Collins, who served as associate deputy attorney general in the Bush administration; professors Eugene Volokh and Orin Kerr; and Jeremy Rosen, the former president of the Los Angeles chapter of the Federalist Society.

Justice Hurwitz is a respected and experienced jurist on the Arizona Supreme Court. His nomination has the strong support of both his Republican home state Senators, Senator JOHN MCCAIN and Senator JON KYL, who introduced him to the Judiciary Committee at his hearing in January. Senator KYL said of Justice Hurwitz:

> It is very easy to see and it is obvious to those of us who have been in Arizona a long time why Justice Hurwitz was awarded the ABA's highest rating, unanimous well qualified. So it will be my privilege to support his nomination, and I am honored to be able to introduce him to the panel today.

Given that both nominees are superbly qualified mainstream nominees with bipartisan support, the long delays that have plagued these nominations are hard to understand.

While discussing the Ninth Circuit, I should also clear up the history of President Bush's Ninth Circuit nominees. Senate Democrats did not oppose Randy Smith joining the Ninth Circuit. Judge Smith was confirmed unanimously by a vote of 94–0. His nomination was unnecessarily complicated and delayed by President Bush who initially insisted on nominating Judge Smith to a California seat on the Ninth Circuit. He is not a Californian and was not supported by the California Senators. When President Bush took my advice and renominated Judge Smith to fill an Idaho vacancy on the Ninth Circuit at the beginning of 2007, he was confirmed quickly.

Carolyn Kuhl was another nominee President Bush tried to ram through the Senate in spite of the opposition of her home State Senators. It was Senate Republicans and the Republican chairman who blatantly disregarded Senate Judiciary procedure by proceeding with that nomination despite the objection of both home State Senators. At the time I noted that this was a provocative step that ratcheted up partisanship and the use of judicial nominees for partisan political purposes. By contrast, I have respected objections of Republican home State Senators, even when they change their position from support to opposition, as happened recently with a Kansas nominee to the Tenth Circuit.

Senate Democrats opposed William Gerry Myers because he was an ideologue who spent over 20 years of his career as a lobbyist and as an outspoken antagonist against long-established environmental protections. Mr. Myers' advocacy often took positions that were legally unsupportable. Mr. Myers' record as a partisan ideologue was not offset by other qualifications to be a court of appeals nominee; he received a partial not qualified rating from the American Bar Association, had never tried a jury case, nor had he served as counsel in any criminal litigation.

The fact is, even after the Senate was forced to invoke cloture to overcome Republican filibusters of President Clinton's nominations of Richard Paez and Marsha Berzon to the Ninth Circuit, the Senate proceeded to confirm seven of the nine Ninth Circuit nominees of President Bush. We reduced vacancies on the Ninth Circuit during President Bush's two terms to only a single vacancy. Four of President Bush's Ninth Circuit nominees were confirmed during his first 4-year term: Judge Richard Clifton, Judge Jay Bybee, Judge Consuelo Callahan, and Judge Carlos Bea. By contrast, Senate Republicans are opposing our moving forward to consider and confirm Paul Watford and Andrew Hurwitz, who are both strongly supported by their home State Senators, to fill judicial emergency vacancies, and they filibustered the nomination of Goodwin Liu, who also had the strong support of his home State Senators.

The American people deserve better. Our courts need qualified Federal judges, not vacancies, if they are to reduce the excessive wait times that burden litigants seeking their day in court. It is unacceptable for hard-working Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait 3 years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

We have much more work to do to help resolve the judicial vacancy crisis that has persisted for more than 3 years. When the Majority Leader and the Republican leader came to their interim understanding in March, it resulted in votes on 14 of the 22 judicial nominations then awaiting final consideration. Because the arrangement took months to implement what the Senate could have done in hours, the backlog of judicial vacancies and judicial nominees continues. Today we are almost back to where we started with 19 judicial nominees awaiting action.

We are still lagging far behind what we accomplished during the first term of President George W. Bush. During President Bush's first term we reduced the number of judicial vacancies by almost 75 percent. When I became Chairman in the summer of 2001, there were 110 vacancies. As Chairman, I worked with the administration and Senators from both sides of the aisle to confirm 100 judicial nominees of a conservative Republican President in 17 months.

We continued when in the minority to work with Senate Republicans to confirm President Bush's consensus judicial nominations well into 2004, a

Presidential election year. At the end of that Presidential term, the Senate had acted to confirm 205 circuit and district court nominees. In May 2004, we reduced judicial vacancies to below 50 on the way to 28 that August. Despite 2004 being an election year, we were able to reduce vacancies to the lowest level in the last 20 years. At a time of great turmoil and political confrontation, despite the attack on 9/11, the anthrax letters shutting down Senate offices, and the ideologically driven judicial selections of President Bush, we worked together to promptly confirm consensus nominees and significantly reduce judicial vacancies.

In October 2008, another Presidential election year, we again worked to reduce judicial vacancies and were able to get back down to 34 vacancies. I accommodated Senate Republicans and continued holding expedited hearings and votes on judicial nominations into September 2008. We lowered vacancy rates more than twice as quickly as Senate Republicans have allowed during President Obama's first term.

By comparison, the vacancy rate remains nearly twice what it was at this point in the first term of President Bush, and has remained near or above 80 for nearly three years. Again, if we could move forward to Senate votes on the 19 judicial nominees ready for final action, the Senate could reduce vacancies below 60 and make progress.

The Senate needs to consider these judicial nominees if we are to make real progress in reducing the burden of judicial vacancies. That is what we did in the most recent Presidential election years of 2004 and 2008 and what we should be doing this year. We have a long way to go. We need to work to reduce the vacancies that are burdening the Federal judiciary and the millions of Americans who rely on our Federal courts to seek justice. Let us work in a bipartisan fashion to confirm these qualified judicial nominees so that we can address the judicial vacancy crisis and so they can serve the American people.

Today, we can finally fill two judicial emergency vacancies with excellent nominees. George Levi Russell III is nominated to fill a judicial emergency vacancy on the District of Maryland, where he has been an active member of the legal community for over 20 years. Currently an Associate Judge in the Circuit Court of Maryland for Baltimore City, he previously spent 10 years as an Assistant U.S. Attorney in the District of Maryland, serving in both the criminal and civil divisions. Judge Russell's nomination has the strong support of the Maryland Senators, Senators MIKULSKI and CARDIN.

John ''Jay'' Tharp is nominated to fill a judicial emergency vacancy on the Northern District of Illinois. This is the second time Mr. Tharp has been nominated to that position, having also been nominated by President George W. Bush in July 2008. A former Captain in the Marine Corps, Mr. Tharp is currently a partner in the Chicago office of Mayer Brown LLP. He began his legal career as a Federal prosecutor in the Northern District of Illinois and clerked for Judge Joel Flaum on the U.S. Court of Appeals for the Seventh Circuit. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Tharp well qualified, its highest rating. Mr. Tharp's nomination has the bipartisan support of Illinois' Democratic Senator DICK DURBIN and Republican Senator MARK KIRK.

Both Judge Russell and Mr. Tharp were favorably reported by the Judiciary Committee on February 16th of this year. I look forward to their confirmations today.

Mr. President, using the time allocated to the majority, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Senator LEAHY are printed in today's RECORD under ''Morning Business.'')

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the remaining time between now and 5:30 be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.

● Mr. KIRK. Mr. President, I wish to offer my strong endorsement for the nomination of John ''Jay'' Tharp to the U.S. District Court for the Northern District of Illinois.

Jay Tharp will be an outstanding addition to the Federal bench. He made a name for himself as an assistant U.S. attorney whose cases included political corruption and money laundering. His impressive tenure in that office includes service in the General Crimes Division and the Organized Crime Drug Enforcement Task Force. Since leaving the U.S. Attorney's office in 1997, Tharp has worked at Mayer Brown LLP, where he was made partner in 1999. He is currently coleader of Mayer Brown's securities litigation and enforcement practice.

I want to thank Senator DURBIN for his continued dedication and hard work to ensure the Senate's timely confirmation of both Illinois judicial nominees, Jay Tharp and John Lee.

Under Senate tradition for Illinois, the senator from the party not in control of the White House makes nomination recommendations to the White House for one Federal district court judgeship for every three of the party in power. The arrangement is intended to ensure the orderly filing of Federal judge vacancies on the Illinois bench. Under that tradition, John Tharp was my first recommendation.

Jay served our country in the Marine Corps from 1982 to 1988, achieving the rank of Captain and earning the Navy Achievement Medal and the Navy Distinguished Midshipman Award. He subsequently attended Northwestern University Law School on a full merit John Henry Wigmore Scholarship. While at Northwestern, Jay served as book review editor of the Northwestern Law Review. He graduated magna cum laude in 1990.

Last week, the Senate voted to confirm John Lee to fill one of the vacancies for the Northern District. Senator DURBIN and I worked closely to recommend both Jay Tharp and John Lee and today's vote on Jay's nomination will hopefully conclude the process to fill these two vacancies.

I would also like to thank my Judicial Review Advisory Board, chaired by Peter Baugher of Schopf & Weiss LLP, for their hard work in selecting Jay Tharp. In February 2011, I formed this 14-member bipartisan, Statewide screening committee and charged it with identifying ''the strongest applicants from Illinois for consideration by the President and U.S. Senate.''

My Advisory Board received nearly 50 applications, met five times, and spent over 300 man-hours to review judicial candidates. The Advisory Board's review process included personal interviews as well as calls to colleagues, opposing counsel, and judges.

I urge my colleagues to support Jay Tharp's nomination.●

Mr. DURBIN. Mr. President, pending before the Senate is the nomination of Jay Tharp to serve on the District Court for the Northern District of Illinois. Senator KIRK and I have agreed on a bipartisan approach to this. We each have appointed bipartisan committees who review prospective applicants and then make recommendations. We each have a veto over the other's recommendation, so it is totally bipartisan. In the case of Jay Tharp, there was no veto—certainly not by me—and in this case, he was sponsored by Senator KIRK. He is an extraordinarily talented individual.

The reason I have entered into the CONGRESSIONAL RECORD the official statement of Senator KIRK is because, obviously, he can't be here. He is in rehab at this point from a stroke he suffered in January, and there was an encouraging video released last week showing the progress he is making. We are all anxious for him to return. I promised him in a phone conversation last week that I would move this nomination as quickly as possible so that

his nominee is approved. His statement now in the RECORD speaks to his feelings about Jay Tharp's nomination, and it speaks for itself. I will now add my own comments.

I am glad Mr. Tharp is finally getting a vote in the Senate. It has taken a long time. In fact, it has taken too long for this day to come. Nominees who are noncontroversial, eminently qualified, who go through the committee without even a hint of resistance from Democrats or Republicans shouldn't have to sit on this calendar for week after week and month after month. It has now become standard around here, as have these mind-numbing filibusters become standard around here, and it isn't fair.

It isn't fair first to the country to leave vacancies on the Federal bench, creating hardships in courts around the Nation where people come to the courthouse expecting timely consideration of important matters, from criminal charges to civil litigation.

It isn't fair to the nominees. It really takes a pretty stalwart individual to put their name up to be a Federal judge because they are going to go through three or four different levels of investigation and some pretty serious investigation by the Federal Bureau of Investigation, for example. That is part of the process. There are investigations by the White House, by the Senators' offices, by the Senate Judiciary Committee. So it is not an easy undertaking. There might have been a time—I know there was—when these nominations were made in 48 hours with hardly a question asked. It doesn't happen anymore. Hard questions are asked, and then comes the suspense of starting the process and waiting for it to end. These poor nominees sit there with their professional and personal lives on hold, having said they are prepared to step forward and serve a lifetime appointment on the Federal judiciary, and then they wait day after weary day, week after weary week, month after month, sitting on this Executive Calendar so that at some point there will be a bargaining session and some names will go forward and some won't.

This is what happened to Jay Tharp, but it shouldn't have, nor should it have happened to John Lee, the nominee who was approved last week for Illinois. Both nominees are extraordinarily qualified and should have gone through without this resistance, but this reflects what is happening in the Senate.

What is interesting about Jay Tharp is that every aspect of his nomination has been bipartisan. As I said, Senator KIRK put him through a bipartisan process for selection, and Senator KIRK reviewed and approved all of the candidates and then recommended him. It was last November 10 that the White House sent two nominations to the Senate to fill vacancies: John Lee, who was approved last Monday, and Jay Tharp, who we will be considering this evening.

John Lee was my choice; Jay Tharp was Senator KIRK's choice. We agreed, as I said, on both nominees. They were both nominated on the same day. They appeared together at the hearing before the Judiciary Committee in January. Both were reported out of the committee in February—about 3 or 4 months ago—in a bipartisan voice vote.

It was my hope we could bring them to a quick vote. There was an urgent need to fill the vacancies. We had been contacted by the chief judge of the district in Chicago, Jim Holderman. He had written to both of us, Senator KIRK and myself, and asked: Please move on these judges.

I felt an obligation, after Senator KIRK's illness, to try to get this job done. I knew Senator KIRK would be here in person if it were humanly possible. I put his statement in the RECORD. I know how strongly he feels about the qualities of Jay Tharp.

Unfortunately, for reasons hard to understand, this has dragged on for almost 6 months since their nominations were sent to the Senate. Up until a few years ago, this, as I said, was not the way things were handled—not when it came to bipartisan nominees who were coming out of the committee with no controversy. That certainly is the case now. We now see routine objections. There is a presumption that something must be wrong with a nominee, and we will just sit on it for weeks and months. That is not good. It is not fair to the nominees. It is not fair to the process. It certainly is not good for the judiciary.

Under the last nominations agreement negotiated in March, for some reason John Lee made the cut, Jay Tharp did not. I appealed to Senator KYL, to Senator MCCONNELL. I sent a letter in writing and spoke to it on the Senate floor.

This is Senator MARK KIRK's first nomination for a Federal judgeship, and I know how important it is to him. I thank those who were responsible for bringing it forward today. I am sure he will be relieved. I know Jay Tharp will be relieved when this is over.

I have been very happy to stand and support Jay Tharp, as well as John Lee. They are both extraordinary individuals. There are other well-qualified nominees sitting on this Senate calendar in a similar circumstance. After today's votes, there will be 17 nominees pending on the calendar, and nearly all of them—almost all of them—were voted out of committee without any dissenting votes, with the exception of Senator LEE of Utah, who votes customarily against all judicial nominees. These nominees, but for a few, have not had any controversy. Six of these nominees are in areas designated as judicial emergencies, including two nominees for seats in the Ninth Circuit—Paul Watford and Andrew Hurwitz, who are extraordinarily well qualified.

I hope my Republican colleagues will give us a break. These people deserve to get their moment on the Senate floor. They deserve a vote, and the areas they are going to serve deserve a full complement of competent jurists.

It is time to restore sanity, comity, and good faith to the way we treat judicial nominations on the Senate floor. That should start today.

Let me discuss Jay Tharp's background for the record. He was nominated when a judgeship opened up after Judge Blanche Manning took senior status. He is currently a partner in the Chicago office of Mayer Brown, where he is the co-leader of the firm's securities litigation and enforcement practice.

He was born into a military family—he is very proud of it—as the son of a lieutenant colonel in the Marine Corps.

Jay Tharp attended Duke University on an ROTC scholarship. He received his undergraduate degree summa cum laude and was commissioned as a second lieutenant in the Marine Corps.

He served on Active Duty with the Marines for 6 years, achieving the rank of captain and earning the Navy Achievement Medal and the Navy Distinguished Midshipman Award.

After his military service, he attended Northwestern University Law School. He graduated magna cum laude and served on their Law Review. Upon graduation, he was a clerk for Judge Joel Flaum on the Seventh Circuit, and then worked as an assistant U.S. attorney in Chicago for 6 years.

After his tenure as a Federal prosecutor, he joined Mayer Brown, where his practice has been in complex commercial litigation and criminal investigations. He has received numerous recognitions. He has served as an adjunct professor of trial advocacy at Northwestern University Law School, and he is a member of the Law Fund Board at Northwestern, which oversees fundraising efforts.

In short, Jay Tharp is a picture-perfect nominee for the Federal bench. He has the qualifications, temperament, and integrity to serve the Northern District well. I urge my colleagues to support his nomination.

I just say to Jay Tharp, the day has come, finally. I am sorry you got caught up in what has become a tiring political exercise, where people are just stuck on a calendar waiting for something to happen which springs them loose. This evening will be your opportunity.

I hope the Senate—and I know Senator KIRK will join me in saying this—will give Jay Tharp the unanimous vote he deserves. He is an extraordinarily well-qualified nominee, and I am happy to support his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I will be urging the people in my caucus to vote for these nominees, both of them. Today, the Senate is expected to confirm these two nominees: Judge Russell to the District of Maryland and Mr. Tharp to the Northern District of Illinois. As I said, I support the nominees, and I do, in fact, expect that both of them will be confirmed.

We continue to confirm the President's nominees at a brisk pace. In fact, with today's confirmations, we will have confirmed 145 of President Obama's district and circuit court nominees. I would like to put this in perspective.

We confirmed two Supreme Court nominees during President Obama's term so far. Everyone knows it takes a tremendous amount of time and resources to consider Supreme Court nominees.

The last time the Senate confirmed two Supreme Court nominees was during President Bush's second term. During President Bush's entire second term, the Senate confirmed only 120 district and circuit court nominees.

Compare that, if you will, to the 145 district and circuit court nominees we have confirmed so far since President Obama has become President. Let me say that same thing a different way. We have confirmed 25 more nominees for President Obama than we did for President Bush in a similar time period. Of course, President Obama's term is not over yet.

With these facts in mind, I hope my colleagues will understand why I get a little frustrated when I hear all of these complaints about how we are not confirming enough nominees. The fact is President Obama is being treated much more fairly than Senate Democrats treated President Bush.

It is especially frustrating to hear the other side complain about the vacancy rate. The fact is the Senate is doing its job. We are confirming the nominees who are sent to us. Of course, we cannot confirm nominees who are not up here from the White House. If there is a problem, then it rests with the President.

Right now, there are 77 judicial vacancies. But the President has made only 29 nominations. That means 48 vacancies or over 60 percent—actually, nearly 63 percent—have no nominee. Stating it another way, there are currently 44 million Americans living in districts with vacancies where the President has not submitted a nominee to the Senate.

I suspect the President neglected to share that statistic with all the groups he summoned to the White House 1 week ago today to discuss judicial nominees, probably with the point of getting those organizations to put more pressure on the Congress to approve more nominees, and somehow approve nominees who are not even here yet for us to approve.

I could go on, but I do not intend to. I do not like to get into this back-and-forth with the other side. But it gets a little tiresome to hear the same misleading statements over and over. I want to set the record straight, and I have done that.

I congratulate the nominees who will be confirmed tonight. Both the nominees and their families should be proud.

George Levi Russell III, presently serving as an associate judge to the Circuit Court of Maryland, is nominated to be U.S. District Judge for the District of Maryland. Judge Russell received his BA from Morehouse College in 1988 and his JD from the University of Maryland School of Law in 1991. Upon graduation from law school, he clerked for Hon. Robert M. Bell, chief judge for the Court of Appeals of Maryland. Judge Russell then worked as an associate at the law firms Hazel and Thomas, P.C. and Whiteford, Taylor, and Preston, where he handled cases involving personal injury, product liability, and medical malpractice. In 1994, Judge Russell became an assistant U.S. attorney for the U.S. Attorney's Office for the District of Maryland. He worked in the civil division for 5 years, defending government agencies in discrimination, automobile accident, and medical malpractice cases. In 2000, Judge Russell rejoined the private sector for 2 years, working at the law offices of Peter G. Angelos, where he represented plaintiffs in class action and private personal injury cases. In 2002, he returned to the U.S. Attorney's Office and joined the criminal division for 5 years. There Judge Russell prosecuted those accused of violent crimes and narcotics cases.

In 2007, then-Governor Robert Ehrlich appointed Judge Russell to be an associate judge on the Circuit Court of Maryland for Baltimore City. In November 2008, he was elected to a 15-year term. Judge Russell has sat on each of the four dockets of this court: criminal, civil, family, and juvenile.

The ABA Standing Committee on the Federal Judiciary has given Judge Russell a rating of Substantial Majority ''Qualified'' and Minority ''Not Qualified'' for this position.

John J. Tharp, Jr., is nominated to be U.S. district judge for the Northern District of Illinois. Mr. Tharp was first nominated to this position by President Bush in 2008. Mr. Tharp received his BA from Duke University in 1982 and his JD from Northwestern University School of Law in 1990. Mr. Tharp served in the U.S. Marine Corps from 1982 to 1988, became a captain in 1987, and has received several military honors. Following graduation from Northwestern University School of Law in 1990, Mr. Tharp began his legal career as a clerk for Judge Flaum on the Seventh Circuit Court of Appeals. After working as an associate at Kirkland & Ellis for a year, he joined the U.S. Attorney's Office for the Northern District of Illinois, Chicago, as a Federal prosecutor where he served in the Criminal Receiving and Appellate Division, General Crimes Division, and Organized Drug Enforcement Task Force. He handled cases involving narcotics and money laundering investigations, financial frauds, political corruption, tax crimes, bank robberies, and firearms offenses.

In 1997, Mr. Tharp left the U.S. Attorney's Office and moved to his current firm, Mayer Brown, where his practice focuses on civil concerns, including tort, contract, intellectual property, environment, tax, and unfair competition claims, securities fraud, professional liability, and governmental investigations.

In 2009, Mr. Tharp's firm selected him to serve as coleader of the securities enforcement practice. In 2010, that group merged with the securities litigation group, and he continues to serve as coleader of the combined Mayer Brown securities litigation and enforcement practice. He has an ABA rating of Unanimous ''Well Qualified.''

I urge my colleagues to support these nominees. I think they probably will be supported overwhelmingly.

I yield the floor.

Mr. CARDIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I am so proud to be here on the floor of the Senate to support the nomination of Judge George Russell III. He is nominated to the U.S. District Court for the District of Maryland, and he has the enthusiastic support of Senator CARDIN and myself. Senator CARDIN will speak right after me.

I thank Senators LEAHY and GRASSLEY for moving this nomination, and I thank Senators REID and MCCONNELL for their cooperation.

I take my advice-and-consent responsibilities very seriously. When I consider someone for the Federal bench, I have four criteria: absolute personal integrity, judicial competence and temperament, a commitment to core constitutional principles, and a history of civic engagement in Maryland.

I cite these standards because I mean it. I must say Judge Russell—he is currently on the Circuit Court of Baltimore City—brings the right values to the bench. He has the necessary experience. He has seen the legal system

from all perspectives and brings forth a top-notch background.

He is nominated to fill the seat of Judge Peter Messitte, who took senior status 3 years ago. I think it is a matter of urgency to confirm Judge Russell because of the backlog we have in our Maryland Federal court.

Prior to taking the bench, Judge Russell spent his legal career as a litigator. He spent 10 years as an assistant U.S. attorney in Maryland. He handled both criminal and civil cases. While there he was also a community outreach coordinator. What does that mean? For an assistant U.S. attorney, it meant he worked with the community creating vital programs to reduce violent crimes.

As a young attorney, Mr. Russell also served as a law clerk for Judge Robert Bell. Judge Bell is the chief judge of the Maryland Court of Appeals. I might add, Judge Bell enthusiastically endorses this Nominee.

Judge Russell is a man born and raised in Baltimore. He graduated from the University of Maryland School of Law and has spent his entire career in Maryland. His father, also a judge, was a legal pioneer in Maryland, serving as the city's first African-American circuit judge.

This judge, Judge Russell, has public service in his DNA, both working as a U.S. attorney and on the Federal bench and also in his connection to the everyday life of people. He has been on the board of directors of the Enoch Pratt Library, Big Brothers and Big Sisters, and the Community Law Center. He has often been recruited to be a motivational speaker, an inspirational speaker, particularly to high school and middle school students to encourage them to stay in school and off the street. He has particularly been enthusiastic about mentoring young attorneys and law students.

The reason I talk about his civic engagement is that we want judges who do not live in a bubble. It is great to be a legal scholar, it is great to know the law inside and out, but a great judge knows people. This man, Judge George Russell III, by being out there—whether it is making sure the library is there for young people who want to move up; Big Brothers and Sisters, to keep young people out of trouble; or working at the Community Law Center—he has involved himself in the gritty aspects of Baltimore City. He is a devoted public servant. He comes with a great background.

He brings together recommendations from both the public and private sector. I urge my colleagues to endorse the nomination of Judge Russell. I ask their support in voting for him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first, I thank Senator MIKULSKI for her leadership on the process we have used in Maryland on filling judicial vacancies. I am very proud to work with Senator MIKULSKI in a process that screens lawyers who are interested in becoming Federal judges in order that we can get the very best to recommend to the President.

We think the President has chosen the very best in Judge Russell to fill the district court vacancy for the District of Maryland. But I really wanted to applaud my colleague in the Senate for the seriousness that we both take on filling these vacancies. We understand these are lifetime appointments. We want to make sure we get individuals who have the qualifications, who have the temperament, who have the integrity, and have the commitment to public service to serve our judiciary.

I rise today to urge the Senate to confirm Judge George Levi Russell III, of Maryland, to be U.S. District Judge for the District of Maryland. Judge Russell was reported by voice vote out of the Judiciary Committee on February 16. Judge Russell currently sits as a trial judge in the Baltimore City Circuit Court.

Judge Russell is an excellent candidate. He received bipartisan support from the Judiciary Committee and is ready to take office upon confirmation of the Senate. Judge Russell brings a wealth of experience to this position in both State and Federal courts. Earlier in his career he served as a Federal prosecutor and as an attorney in private law practice. He now sits as a State court trial judge in Maryland.

Judge Russell graduated from Moorehouse College with a B.A. in political science and a J.D. from the Maryland Law School in 1991. He passed the Maryland Bar and was admitted to practice in Maryland in 1991. He then clerked for Chief Judge Robert Bell on the Maryland Court of Appeals, which is our highest State court. He worked as a litigation associate for 2 years at Hazel & Thomas, and then briefly at Whiteford, Taylor. He then served as an assistant U.S. attorney for the District of Maryland from 1994 to 1999, handling civil cases. In that capacity he represented various Federal Government agencies in discrimination, accident, and medical malpractice cases. He then worked as an associate at the Peter Angelos law firm for 2 years.

In 2002, he went back to the U.S. Attorney's Office, handling criminal cases until 2007. He represented the United States in the criminal prosecution of violent crimes and narcotic cases during the investigatory stage, at trial, and on appeal. This included the initiation of monitoring of wiretaps to infiltrate and break up violent gangs in Baltimore City.

He also served as the Project Safe neighborhood coordinator for the office from 2002 until 2005. He participated in community outreach programs in coordination with the Baltimore City State's Attorney's Office to reduce violent crime in Baltimore communities.

In 2007, Governor Ehrlich, a Republican, appointed him to serve as an associate judge of the Baltimore City Circuit Court for a term of 15 years. As a trial judge, Judge Russell has presided over hundreds of trials that have gone to verdict or judgment and he has experience in handling jury trials, bench trials, civil cases, and criminal cases. He has the professional experience which has been recognized by a Republican Governor and a Democratic President.

Judge Russell has strong roots, legal experience, and community involvement in the State of Maryland. He was born and raised in Baltimore City and has extended family who live in Baltimore. He served as a director and trustee of the board of the Enoch Pratt Free Library, which serves the disadvantaged throughout the State of Maryland. He served on the board of directors of the Community Law Center, which is an organization designed to help neighborhood organizations improve the quality of life for their residences.

He has also served as a board member on several organizations that devote substantial resources to helping the disadvantaged, including the Big Brothers and Big Sisters of Maryland. I know he has often spoken to young people in school about the obligations, duty, and mandate of a judge, and he tries to demystify the role of a judge in a black robe.

Judge Russell is particularly concerned with addressing the drug, violence, and mental health problems that plague Baltimore City. Judge Russell comes from a very distinguished family in the legal profession of Maryland. Judge Russell's father, George L. Russell, Jr., was also a groundbreaking African-American lawyer in Maryland. He was the first African-American judge on the Maryland Circuit Court in the 1960s and was later Baltimore's first African-American Solicitor.

He was also the first African-American president of the Baltimore City Bar Association. In later years, Judge Russell was named by the Governor to chair the Maryland Museum of African-American History and Cultural Commission and served as chairman of the board of the Maryland African-American Museum Corporation.

He was also asked to chair Baltimore's Judicial Nominating Commission. He has received numerous awards from the Maryland Bar Foundation and NAACP.

His family is deep in public service, including his wife who serves as a judge on the District Court of Maryland for Baltimore City. I am absolutely convinced that Judge Russell possesses the qualifications, temperament, and passion for justice that will make him an

outstanding Federal trial judge. He will serve the people of Maryland very well in this position. I therefore urge my colleagues to vote for the confirmation of Judge Russell to serve as a judge for the U.S. District Court for the District of Maryland.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 2072

Mr. REID. Mr. President, I ask unanimous consent that at 11:15 a.m, Tuesday, May 15, the motion to proceed to Calendar No. 396, H.R. 2072, be adopted; that the only first-degree amendments in order to the bill be Lee No. 2100, Paul No. 2101, Corker No. 2102, Vitter No. 2103, and Toomey No. 2104; that there be no amendments in order to any of the amendments prior to the votes; that there be no motions or points of order in order other then budget points of order and the applicable motions to waive; that there be up to 2 hours of debate to run concurrently on the amendments and the bill equally divided between the two leaders or their designees prior to votes in relation to the amendments in the order listed; that upon disposition of the amendments, the Senate proceed to vote on passage of the bill, as amended, if amended; that there be 2 minutes equally divided prior to each vote, and all after the first vote be 10-minute votes; that the amendments and passage of the bill require 60 votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, we have pending now a cloture vote. I have spoken to the Republican leader very recently. We think it would be in the best interests of the Senate to do away with the cloture vote. Therefore, I ask unanimous consent that the cloture vote scheduled for this evening be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. There should only be one rollcall vote tonight because the Maryland judge we expect to be able to voice-vote.

The PRESIDING OFFICER. All time is expired.

Under the previous order, the question is, Will the Senate advise and consent to the nomination of George Levi Russell III, of Maryland, to be United States District Judge for the District of Maryland.

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of John J. Tharp, Jr., of Illinois, to be United States District Judge for the Northern District of Illinois.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY), the Senator from North Carolina (Mrs. HAGAN), and the Senator from Florida (Mr. NELSON) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. DEMINT), the Senator from Illinois (Mr. KIRK), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from South Dakota (Mr. THUNE), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea'' and the Senator from South Carolina (Mr. DEMINT) would have voted ''nay.''

The PRESIDING OFFICER (Mr. MERKLEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 1, as follows:

[Rollcall Vote No. 90 Ex.]

YEAS—86

Akaka	Gillibrand	Merkley
Alexander	Graham	Mikulski
Ayotte	Grassley	Murray
Barrasso	Harkin	Nelson (NE)
Baucus	Hatch	Portman
Begich	Heller	Pryor
Bennet	Hoeven	Reed
Bingaman	Hutchison	Reid
Blumenthal	Inhofe	Risch
Boozman	Inouye	Roberts
Boxer	Isakson	Rockefeller
Brown (MA)	Johanns	Rubio
Brown (OH)	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Schumer
Cardin	Kerry	Sessions
Carper	Klobuchar	Shaheen
Chambliss	Kohl	Shelby
Coats	Kyl	Snowe
Coburn	Landrieu	Stabenow
Cochran	Lautenberg	Tester
Collins	Leahy	Toomey
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Corker	Lugar	Vitter
Crapo	Manchin	Warner
Durbin	McCain	Webb
Enzi	McCaskill	Whitehouse
Feinstein	McConnell	Wyden
Franken	Menendez	

NAYS—1

Lee

NOT VOTING—13

Blunt	Hagan	Paul
Burr	Kirk	Thune
Casey	Moran	Wicker
Cornyn	Murkowski	
DeMint	Nelson (FL)	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mrs. HAGAN). The Senate will resume legislative session.

The Senator from Ohio.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012—MOTION TO PROCEED—Continued

Mr. BROWN of Ohio. Madam President, I rise to discuss the Export-Import Bank reauthorization's importance to strengthen manufacturing and creating jobs in places such as my home State of Ohio.

Ohio is the third leading manufacturing State in the country. Only Texas, which has twice our population, and California, which has three times our population, produce more goods than we do.

The Export-Import Bank's mission is simple: It facilitates exports and contributes to job creation in the United States. It does this through loans and guarantees of insurance, filling in gaps in trade financing at no ultimate cost to taxpayers. Yet, despite this record of success, exports and jobs are at stake because Congress cannot agree to Ex-Im reauthorization, in large part because there is a group of people in this body and down the hall in the House of Representatives who simply think the Federal Government should not have a role in much of anything.

The bank's lending authority is set to expire May 31, 17 days from now. We must act. The Export-Import Bank has been reauthorized by both Chambers, by both parties, decade after decade, and we know how important it is for job creation, but it has taken too long to get this reauthorization moving. While manufacturers wait, Congress has stalled. We cannot wait any longer.

We know that Ohio workers can compete with anyone in the world when the playing field is level. When we stamp the ''Made in Ohio'' label, it is a sign that an item was made with pride by some of the finest workers in the United States and some of the finest workers in our country.

We know that U.S. manufacturing is getting stronger due in no small part to increased exports with the help of the Ex-Im Bank. Ohio has had quicker increases in job growth than other States.

We know that the manufacturing sector nationally has gained back some number of jobs that it lost. As an example, from 1965 to 1998 or 1999, this country had roughly the same number of manufacturing jobs. It was a smaller percentage of GDP and a smaller percentage of the workforce but a pretty

constant similar number of jobs in 1999 as we had in 1965. But in the decade after 1999, we lost between 3 and 4 million manufacturing jobs in this country.

Since 2010, almost every single month we have seen manufacturing jobs increase in Ohio, in the Presiding Officer's home State of North Carolina, and in State after State in this country. That is good, obviously, but too many people in my State are still out of work or underemployed. What will happen to Ohio workers in our growing manufacturing sector if we fail do what we should be doing here, if we fail to fund this critical resource?

Ohio's manufacturers have been able to increase their exports with the assistance and the assurance that the Ex-Im Bank provides. In Fremont, OH, workers at Crown Battery, an employee-owned company, make renewable energy systems. With the help of the Ex-Im Bank's short-term, multibuyer insurance policy, about $400,000 worth of Crown Battery's storage battery manufacturing equipment was exported to South Africa. Middletown Tube Works in Butler County in southwest Ohio exports tubular steel to Spain and Portugal with less risk because of the Ex-Im Bank. Before that support, Nook Industries in Cuyahoga County required international customers to pay cash in advance of every order, which is an average of 4- to 6-weeks. Now Nook Industries has major customers in places such as China, South Korea, and Israel because of Ex-Im Bank support.

Exporting is especially tough for small businesses. Large businesses need this less than the small company that makes things, that manufactures things. Less than 1 percent of the Nation's nearly 26 million small businesses export their products. Imagine if we can increase that only a little bit in percentage terms.

One of the most important resources to help small and medium-sized businesses—especially those that make things—boost their exports is the Ex-Im Bank. That is why the Ohio Manufacturers Association strongly supports its reauthorization. They said:

> The Ex-Im Bank is the only tool that American manufacturers have to counter the huge sums of export financing—many hundreds of millions of dollars—that other countries and other governments provide their exporters.

Tom Buffenbarger, president of the International Association of Machinists, told the Senate Banking Committee:

> America's working families struggle in today's difficult economy [and] have little patience for Beltway politics that continue to stall a proven instrument of export growth and job creation.

I hear from the head of the Ohio Manufacturers Association and I hear from small business owners who want to expand and gain access to foreign markets but can't secure private financing due to the credit risk associated with some overseas investments.

Export-supported jobs linked to the manufacturing sector already account for an estimated 7 percent of our total private sector employment. More than one-fourth of the manufacturing jobs in Ohio depend on exports for their jobs.

In 2011 the bank worked with nearly 100 Ohio businesses to support more than $400 million in export sales. To renew the Bank's charter should be a cause that all Senators support just like the 25 times that the Senate unanimously reauthorized the agency since its establishment almost 80 years ago. It is a matter of American jobs and a matter of global competitiveness.

Some people who seem to oppose everything the Federal Government wants to do because of this philosophy that the Federal Government never does anything of use—forgetting Medicare, Social Security, clean drinking water, all that—even though the Senate has reauthorized this program 25 times, they are standing in the way and blocking it.

We faced a trade deficit with China of almost $300 billion in 2011, meaning that we imported about $800 million a day more than we exported to China. We know that China's export-import and development banks provide as much as $100 billion in export credits each year. That is more than three times as many new export credits as our U.S. Export-Import Bank.

It is time we continue fighting for and investing in American manufacturing. It is so important, like we do so well in Ohio, that we make things. It creates wealth, it creates a strong middle class, and it creates opportunity for our young people. It is time to end the delay and reauthorize the Export-Import Bank.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPREME COURT REVIEW

Mr. LEAHY. Madam President, I was fortunate to be able to attend the argument before the U.S. Supreme Court on the constitutionality of the provision in the affordable care act providing that individuals should take personal responsibility for paying for their health care by obtaining health insurance or pay a fine. I have watched a lot of arguments in the Supreme Court. Obviously, as the chairman of the Judiciary Committee I pay close attention—as do all Members—to what goes on there. I heard a great deal of instant analysis from commentators after the argument, including their predictions on how the Court will rule. I didn't hear much devoted to the role of the Chief Justice of the United States.

When I watched the arguments, I saw a Chief Justice that day who I thought seemed well aware of the significance of this decision. Chief Justice Roberts had not been appointed when the Court intervened in the Presidential election of 2000, but he certainly saw the reaction to that decision in Bush v. Gore, a 5-to-4 decision that the country viewed as partisan. In fact, many in the country felt that five people on the Supreme Court decided a Presidential election that was actually for the person who got less votes than the one they said lost. That decision was unprecedented. In a shocking admission, the Court itself said that it should never be considered precedent or cited in the future. That decision shook the confidence of the American people in the Supreme Court and, as Justice Stevens observed at the time, the loser in that decision was ''the Nation's confidence in the judge as an impartial guardian of the rule of law.'' That activism undermined the reputation of the Court as fair and impartial.

But the Chief Justice did participate in the Court's recent 5-to-4 decision in Citizens United that divided along ideological lines and continues to engender a significant backlash. That decision was one in which the Supreme Court reached out to decide a matter not argued initially and in which it made a broad constitutional ruling that reversed nearly 100 years of progress in the country to control the corrupting influence of money in our elections and politics. That decision led directly to the super PACs and campaign excesses that are now plaguing our Democratic elections, and actually plagued this year's Republican Presidential primaries. As bad as its effect is on both Republicans and Democrats and elected offices, I believe it has contributed to the further erosion of the public's confidence in the Supreme Court to be an independent arbiter.

The constitutional challenge to the affordable care act is the current instance in which narrow ideology and partisanship are pressuring the Supreme Court to intervene where it should not, to override the law and constitutional legal understandings

that have been settled since the Great Depression, and also to overturn the actions of the people who are elected to represent all Americans in both the House and the Senate. I was struck by how little respect some of the Justices showed to Congress and of how dismissive they were to the months of work that included dozens of hearings, or the committee actions and the debate of amendments and motions and points of order on the Senate and House floors before the measure was enacted, how that was almost summarily dismissed by some.

Their actions will not help restore Americans' confidence in the Court to fairly apply the law. According to a recent poll, half of all Americans expect the justices to decide the challenge to the affordable care act mainly based on their ''partisan political views,'' while only 40 percent expect them to decide the case ''on the basis of the law.'' That has contributed to the historically low percentage of Americans, fewer than half, that said in a recent poll that they approve of the Supreme Court.

I am not going to be offended if some of the Justices don't like us personally or disagree with the policy judgments reflected in the law as individuals, as citizens, or as human beings; they are entitled to their personal views just as we are. But as Justices, they are supposed to put those petty personal views and feelings aside. They are supposed to begin their inquiry by respecting the will of the people as reflected in the work of Congress and to defer to Congress unless the laws we pass violate the Constitution. However, during the argument, it seemed that the Justices were second guessing the policy judgments that were made during the extended legislative process. That is not the purpose or proper exercise of judicial review. Acting out based on their personal views in this matter would be the height of conservative judicial activism. Let me repeat that. Acting out based on their personal views in this matter would be the height of conservative judicial activism.

The Chief Justice seemed to understand that deference to the elected branch is fundamental to the proper exercise of judicial review. I was struck that more than once he commented on the extreme arguments coming from other Justices by noting they were not being fair. Chief Justice Roberts was right in that regard.

I thought I saw—at least the day I watched—a Chief Justice who understands the importance of this case to all Americans, including those millions who would otherwise continue without health care insurance and access to affordable health care—the kind of health care insurance and access to affordable health care each one of us in this Chamber has and each member of the Supreme Court has. This case is also significant because of the impact it will have on the American people's view of the Supreme Court.

We all remember when the Chief Justice was nominated, and he testified that if confirmed, he would act with judicial modesty, he would honor precedent, and he would acknowledge the limited role of the judiciary and seek to bring the Court together. When I voted to confirm Chief Justice Roberts as Chief Justice of the United States—and many of my Democratic colleagues voted the other way, and I respect them for that—I said that I was voting with hope and faith. I credited his testimony. I trusted that he would act to fulfill his responsibilities in accordance with the testimony he gave to the Senate.

I said then that if I thought he ''would easily reject precedent'' or ''use his position on the Supreme Court as a bulwark for activism,'' I would not have supported his confirmation. I contrasted the technical reasoning and unjust holding of Chief Justice Taney in the Dred Scott case with the leadership that Chief Justice Warren provided in the unanimous decision in Brown v. Board of Education. I spoke about the need to curtail the current activism of the Supreme Court and for appropriate deference to congressional action taken by the people's elected representatives, which is precisely what should happen in the matter currently before the Supreme Court.

I was encouraged by the assurances he gave during the confirmation process that he would respect congressional authority. Well, this case is a fundamental test. After all, he relied heavily during the hearing on the recent Gonzales v. Raich decision as controlling precedent in upholding congressional authority to act under the Commerce Clause. He also assured us that despite his previous record of advocacy, as Chief Justice he would not continue to urge additional restrictions on Congress's Spending Clause powers.

I trust that he will be a Chief Justice for all of us and that he has a strong institutional sense of the proper role of the judicial branch. It is the Supreme Court of the United States, not the Supreme Court of the Democratic Party or the Republican Party; not the Supreme Court of liberals or conservatives but the Supreme Court of the United States. And the Chief Justice is the Chief Justice of the United States, all 320 million of us. The conservative activism of recent years has not been good for the Court.

Given the ideological challenge to the Affordable Care Act and the extensive, supportive precedent, it would be extraordinary for the Supreme Court not to defer to Congress in this matter that so clearly affects interstate commerce. This case should not become an instance in which a conservative, activist majority on the Supreme Court intervenes by way of another 5–4 decision driven by ideology to rewrite the law. The law is consistent with the understanding of the Constitution the Court and the American people have had for the better part of a century, and should be upheld. To do otherwise would undoubtedly further erode the reputation and legitimacy of the Supreme Court.

The Supreme Court argument gave me reason to hope the Supreme Court will do the right thing. The authority of Congress to enact the Affordable Care Act is firmly rooted in what previous Congresses enacted and the Supreme Court has upheld as constitutional over the last century to protect hardworking Americans. Working Americans have long been required to pay for Social Security and Medicare by the deduction of taxes reflected in their paychecks every month. I said at the time that, after all, if they could overturn the Affordable Care Act, why couldn't they overturn Social Security or Medicare? There would be just as much reason to overturn those.

The key to the test for constitutionality under the Commerce Clause is whether the law substantially affects interstate commerce. That is the long-established constitutional test supported time and time again by the Supreme Court. As a law passed by Congress passed to regulate a market that makes up one-sixth of the U.S. economy, the Affordable Care Act is well within the limits set by the Supreme Court's own precedent on Congress's Commerce Clause power.

The personal responsibility requirement that is the focus of the legal challenge is necessary to ensure that Americans who have paid for their health care by buying health insurance are not stuck with paying the $43 billion in health care costs incurred by millions of Americans who do not buy health insurance and then must rely on expensive emergency health care when inevitably faced with medical problems. That is what Congress concluded after extensive study and debate and what we included in the text of the law itself. There is no question this act by Congress regulates matters undeniably affecting interstate commerce.

Even though this law easily meets the tests established by the Supreme Court's own precedent on the limits of the Commerce Clause, partisan opponents of President Obama want judges to override these legislative decisions properly made by Congress, the elected representatives of the American people. They want to challenge the wisdom understood by generations of Supreme Court justices from the great Chief Justice John Marshall in upholding the constitutionality of the national bank nearly 200 years ago to Justice Cardozo in finding Social Security constitutional early in the last century.

The outlandish examples of hypothetical laws Congress has not passed reduce these matters to ridiculous absurdities. That may be popular in Federalist Society circles or on political blogs or to those who want to bind the Constitution enough to be on a bumper sticker slogan, but they have no place in the Supreme Court's determination. There may come a time when Congress passes a law that is law at the edge of its authority, when the boundary of what should be seen as affecting commerce needs to be more closely considered. That time may come. I hope it doesn't. That time may come, but this is not the time and this is not the case. The Affordable Care Act is squarely within longstanding constitutional lawmaking to deal with an important national problem.

For years, we have heard Republican Senators say that they do not want judges making law from the bench. That is precisely what they are asking the Supreme Court to do in this case. Republican opponents lost in Congress. Their opposition and obstruction delayed but did not prevent enactment of the Affordable Care Act. Now they want conservative activists on the Supreme Court to intervene and turn their policy disagreements into law by reading them into the Constitution. That is wrong.

In his efforts to reach out to Republicans, the President adopted a model Republicans proposed in the 1990s so as not to replace private insurance with a program of Government insurance like Medicare, but to rely on personal responsibility to obtain private insurance in the marketplace or pay a tax penalty. What is telling about the partisan nature of these challenges is that many of those who now claim that this is unconstitutional are the very ones who proposed it. Senate Republicans were in favor of ensuring personal responsibility with an individual mandate until President Obama was for it, and now they are against it. Their views may have changed, their partisan interests may have shifted, but the Constitution has not.

Americans are already beginning to see some of the benefits of the Affordable Care Act. Seniors on Medicare who have high-cost prescriptions are starting to receive help when trapped within a coverage gap known as the ''donut hole.'' Since the Affordable Care Act was signed into law, young adults in Vermont and around the country have gained health insurance coverage by being able to stay on their parents' health insurance plans until their 26th birthdays. Americans are receiving preventative screening coverage with no deductible or co-pay. The law is making possible more and better care while controlling costs.

The Affordable Care Act builds on some of the cornerstones of American economic security built over the last century. I believed that when it passed, and I still believe it today, that Congress acted within its constitutional authority to enact laws to help protect all Americans. Just as some in this country disagreed when Congress passed Social Security, the Court agreed that we acted within our authority to do so. One may agree or disagree with parts of the Affordable Care Act, but the fact is that Congress acted within its authority. I hope and have faith that the Supreme Court will not overstep the judiciary's role by substituting policy preferences for the legislative determinations of Congress.

HYDROPOWER POTENTIAL

Mr. GRASSLEY. Madam President, a strong economy needs affordable, abundant, and reliable energy. In recent years, Americans have experienced higher prices for energy across the spectrum. This has led to an enormous growth in private and public research and development of innovative and advanced energy technologies. These innovative technologies include fuel from algae, solar, and wind generation, battery manufacturing, advanced nuclear, and many others.

I recently had an opportunity to visit with Virgil Vanderloo, of Ackley, IA. It was immediately apparent that Virgil has a passion for new and innovative ideas regarding hydroelectric power generation. Virgil does not have an engineering background he is a retired farmer. For 30 years he farmed land in Hardin, Plymouth, and Woodbury Counties. It is because of this time as a farmer that Virgil came to appreciate the land and its rich natural resources. Now, he is pursing a concept to capture the power from our Nation's rivers to generate electricity.

After speaking with Mr. Vanderloo and reviewing the material he compiled, he believes that his concept may have the potential to increase the production of hydroelectricity and capture a renewable energy source that currently goes uncollected. Mr. Vanderloo's concept includes placing barges below dams fitted with water turbines to produce electricity. He reasons that this type of electricity generation could be viable on the 30 or so dams along the Mississippi River. If viable, this concept could conceivably be implemented on many of the more than 50,000 nonpowered dams in the United States.

After all, the U.S. Department of Energy just last month published a study that indicated the United States could get as much as 12 gigawatts of energy per year by utilizing the hydropower potential of existing dams. The idea proposed by Virgil could be one the innovations in hydropower technologies that could help us use existing dams to generate renewable energy.

I would like to make an appeal to hydroelectric designers and engineers to review the concept presented by Mr. Vanderloo. I have posted his information on the Internet which can be accessed at httP//1.usa.gov/J1A5Ky. I hope those with scientific and engineering expertise in this area will review his proposal and contact him directly. It may have promise, and I hope this brings attention to his ideas regarding hydroelectric power generation.

TAIWAN'S PRESIDENTIAL INAUGURATION

Mr. CHAMBLISS. Madam President, January 14, 2012, marked Taiwan's fifth direct Presidential election, and on May 20, President Ma Ying-jeou will be sworn in for his second and final term as the leader of our friend and ally Taiwan. I would like to congratulate President Ma on his reelection, and I would also like to congratulate Taiwan for its commitment to democracy.

Since the island's first Presidential elections in 1996, the people and Government of Taiwan have enthusiastically embraced democratic values and ideals. From extremely high rates of voter participation in elections to public and open political discourse and debate, signs of a vibrant democracy can be seen throughout Taiwan's society.

The January elections proved a continuation of Taiwan's commitment to a democratic form of government, and President Ma's reelection demonstrates the faith the people of Taiwan have in his leadership. I therefore close by urging all my colleagues to join me in congratulating President Ma on his second inauguration and Taiwan's people for their embrace of democracy. I look forward to continuing to work to advance the strong relationship between Taiwan and the United States and our common goals and interests.

TRIBUTE TO MERLE J. SMITH, JR.

Mr. BLUMENTHAL. Madam President, today I wish to pay tribute to Commander Merle J. Smith, Jr., of Mystic, CT, who was honored on April 1, 2012, during the Coast Guard's annual Eclipse Week, as the first African-American graduate of the Coast Guard Academy in 1966.

Founded in 1876 in New London, CT, the Coast Guard Academy has made fundamental progress since its first African-American cadet. Over the past decades, it has diversified its student body, provided support to underrepresented students, and raised awareness about the Coast Guard, its Academy, and military training more generally among a wide range of communities. Commander Smith was honored this year with the inaugural Merle J. Smith Pioneer Award as one of the first to realize the ideal of minority participation and for his contributions

to our Nation since paving the way for future cadets on that infamous graduation day.

After leaving the Academy, Commander Smith served in Vietnam in 1969, commanding a patrol boat on more than 80 missions and becoming the first African-American member of the maritime service to earn a Bronze Star. While in the Coast Guard, he received a law degree from George Washington University, and after his military tenure, dedicated many years as an attorney for Groton-based Electric Boat. Commander Smith also taught at the Academy as a part-time law teacher and then later as an adjunct professor. He is a shining example of the wide range of possibilities offered to Academy graduates—whether they choose to pursue a career in the military, in a civilian profession, such as the law, or both—and is a stellar role model for cadets past and present.

The Coast Guard and Coast Guard Academy began adopting equal opportunity policies in earnest when President Kennedy ordered the diversification of the forces defending our coasts. Now, each year, the Coast Guard hosts Eclipse Week, a week-long effort to put its diversity efforts in the spotlight. Discussions on openness and inclusivity are facilitated. Minority alumni are welcomed on campus to form relationships with current and incoming Academy students as well as interested high school students.

In addition to Commander Smith, the Coast Guard honored three other valuable members of their community—partners in the pursuit of equal representation—during this year's Eclipse Week. Frances Neal was awarded this year's Humanitarian Award for her legacy of lovingly serving food to cadets for 25 years. One of the Academy's most beloved equal opportunity officers, JoAnn P. Miller, or ''Mama Miller,'' as she was affectionately called by cadets, was also celebrated. And, Vice Admiral Manson K. Brown, a student of Commander Smith's, was given this year's Genesis Award for his service as a Pacific Area commander and his work founding the Genesis Club while attending the Academy—an organization still in existence that supports underrepresented cadets.

The Coast Guard promotes diversity not only though Eclipse Week, but also by running community-based initiatives such as the U.S. Coast Guard Office of Diversity and its various programs, including Diversity Champion of the Week, Affinity Groups, and Strategic Education Partnerships. It also has an active Office of Inclusion and Diversity, headed by Chief Diversity Officer, Antonio Farias, that facilitates partnerships between high school and college students, as well as cadets, so that citizens of all backgrounds can see what it means to work towards a career in the Coast Guard and in the U.S. military. And, in 2011, Rear Admiral Sandra Stosz became the first female Service Academy superintendent in our Nation's history. She was recently named as one of Newsweek's ''150 Women Who Shake the World.'' More than 30 years ago, Eclipse Week's goal was racial inclusivity. Today, this yearly event aims to promote diversity more comprehensively.

Displayed in the historical archive of the Coast Guard's Web site, is a photograph of Commander Smith on the day of his graduation, proudly shaking the hand of his father, Colonel Merle J. Smith, Sr., and smiling at the camera. This image speaks of generational advancement, community, and hope. However, the weathered sepia of the photograph of father and son also reminds us that we cannot become complacent, stuck in stories of progress from previous decades. We must always be ready, ''Semper Paratus,'' for progress. The theme of this year's Eclipse Week—''openness, inclusion, change''—is apt and inspiring for the work ahead.

REMEMBERING JOSEPH WILLIAM AUBIN

Mr. BLUMENTHAL. Madam President, this past Sunday, the Vietnam Veterans Memorial Fund, VVMF, held a dedication ceremony on the National Mall, commemorating ten courageous men whose names recently have been carved on the black granite walls of the Vietnam Veterans Memorial.

One of them—a brave and beloved airman, Joseph William Aubin—hailed from Bridgeport, CT. On the morning of May 26, 1966, Chief Warrant Officer Aubin, an experienced Chief Aviation Electronic Technician, was asked at the last minute to join a mission. He unquestioningly boarded the Skywarrior aircraft with his team from NAS Cubi Point in the Philippines to explore critical suspicious activity in Vietnam. On the way, he and his team encountered damaging weather conditions that unexpectedly doomed the engines. In this critical moment, Chief Warrant Officer Aubin was instructed to ''bail out'' into the South China Sea. Along with three of his team members, he died there.

Since that day in 1966, Chief Warrant Officer Aubin and the three other men who perished during the mission—ATR3 Richard Carl Hunt from Guys Mills, PA, LT Walter Allan Linzy from Nashville, AR, and ATR3 Richard Dwaine Stocker from Jacksonville, AR—have been remembered as the ''Lost Back End Crew.'' Chief Warrant Officer Aubin's body was never recovered, but he is no less deserving to be memorialized. Now, the entire Nation can visit the site of the Vietnam Memorial to honor him and his ultimate sacrifice.

Chief Warrant Officer Aubin will never be forgotten. Names carved into the wall are written into our national memory and history for all generations to visit emotionally and physically. Newly inscribed names reaffirm the message that the Nation recalls all commemorated at this memorial with deep gratitude and appreciation.

ADDITIONAL STATEMENTS

RECOGNIZING JOHN T. CYR AND SONS, INC.

● Ms. COLLINS. Madam President, today I wish to offer my congratulations to John T. Cyr and Sons, Inc., on its 100th anniversary. This outstanding Maine company demonstrates why family businesses are so important to our Nation's economy and to communities in every State. The determination and vision that led to a century of success define America's entrepreneurial spirit.

Sometime around 1903, John Thomas Cyr moved his family from Caribou, ME—my hometown—to Old Town, near Bangor, where he found work in a lumber mill. Nine years later, in 1912, at the age of 51, John T. Cyr struck out on his own. Joined by his son, Joseph, they started a livery stable and delivery business.

What began with horses, buggies, and wagons is today a thriving enterprise of 22 luxury motor coaches, 200 school buses, and nearly 250 employees. A company that got its start hauling lumber for a local canoe factory now serves 17 school districts across Maine with an exemplary safety record. They offer tours throughout the United States and Canada from New York City at Christmas to Washington, D.C., in cherry blossom season. As a native of Aroostook County, I know how valuable their daily intercity service is to the towns and cities of northern Maine.

Handed down and nurtured through the generations, this is a true family business, owned and operated by the founder's grandson, Joe Cyr, joined by his brother, Pete, son Mike, and daughter Becky.

Their remarkable story of growth, of meeting challenges, and of delivering value was expertly told in a recent article in Maine Trails magazine. I would like to complement that account with my personal observations.

Before coming to the Senate, I worked at Husson University in Bangor, where I had the pleasure of getting to know Joe Cyr, Class of 1962, and his wonderful wife, Sue, Class of 1965. Joe has been a longtime member of the Husson Board of Trustees, and Sue been a volunteer supporter of uncommon energy. Joe and Sue's generosity to Husson includes significant gifts to athletic programs, a new home for the university president, the annual fund, and most recently, the new Cyr Alumni Center. The countless ways they

serve—from the Boys Scouts and the Y to St. Joseph Hospital—touch people of all ages.

People throughout Maine are fortunate to have such a family as the Cyrs, but I am especially lucky—my summer camp on Cold Stream Pond is just down the road from theirs. As much as I cherish our time together, having dinner, playing cards, and enjoying the beautiful Maine summer evenings, I cherish even more being in the presence of those who give so much to others and who see the act of giving as the greatest reward. I am delighted to extend my congratulations to the Cyr family in their business's centennial year and to thank them for their contributions to the State of Maine.

I ask that the Maine Trails article be printed in the RECORD.

The article follows.

[From the Maine Trails, Feb./Mar. 2012]

DRIVING THROUGH HISTORY

(By Kathryn Buxton)

FROM HORSE DRAWN WAGONS TO MODERN COACHES AND SCHOOL BUSES, CYR BUS LINE TRAVELS THROUGH HISTORY INTO AN ELITE CLUB OF 100-YEAR-OLD MAINE BUSINESSES

It's midday at Cyr Bus Line, and about a dozen drivers in black company jackets are gathered, waiting for the next wave of activity to begin. That's when the company's fleet of school buses head out to pick up students for the trip home from Old Town's high school, middle school and three elementary schools. A fresh layer of snow covers the ground outside, and everyone is alert and ready to get to work. Outside, a coach bus pulls in to the lot, returning from its daily run to Aroostook County. The bus will be washed down and ready for its 6 p.m. departure from downtown Bangor.

It is a scene that has played out countless times over the past 100 years since John T. Cyr and his son Joseph founded the company on South Water Street in 1912. Previous to that, John had been working for the Jordan Lumber Company in Old Town. Joseph had been working for the Old Town Woolen Mill. They applied for a trucking license and were approved by the Old Town city council on May 21, 1912. John and Joseph had two horses and the company's frst jobs were hauling lumber for Old Town Canoe. The Cyrs also operated a livery stable at the family homestead on French Island (also known as Treat-Webster Island), and for many years, the Cyr stable was the go-to place if you needed a horse and buggy to visit friends or family. The company's wagons and carriages also delivered mail and served as hearses, transporting local citizens to their fnal resting place.

FATHERS AND SONS

John T. Cyr & Sons, Inc./Cyr Bus Line celebrates its 100th anniversary this year, putting it in an elite group of Maine companies that have been in business for a century or more. Old Town Canoe, located nearby in Old Town is one. Another is the famous outdoor retailer L.L. Bean, which as Mike Cyr is quick to point out, is also celebrating its 100th anniversary this year.

''Cyr Bus is a fxture here,'' said Mike Cyr, one of a fourth generation of Cyrs to work in the family business. ''A lot of people figured we had already been here for 100 years.''

For the Cyrs, a century of company history is inextricably meshed with the family history. Through the years many family members have left their mark on the business. Four of John's five sons—Joseph, Albert, Arthur and Harvey—all worked for the company in its infancy (Clibby, a ffth son who worked in the woolen mill, eventually became an Old Town firefighter). Albert, 19 and a weaver at the Old Town Woolen Mill in 1912, was a silent partner for many years, coming on board full-time as the business continued to grow through the 1920s. Arthur and Harvey, young children when their father and brothers founded the company, grew up in the business and eventually joined their brother Albert in running the company in the 1930s and 40s after their father and brother died unexpectedly in 1934. Harvey bought out his brothers in 1951. Today, the company is run by Harvey's son, Joe Cyr. His brother, Pete, works in the company's body shop. Joe's son, Mike, oversees the company's coach division and manages information technology—everything from the company's two-way radio system to its computer hardware and software. Daughter Becky Whitmore is the bookkeeper. Helping them these days, is general manager Rick Soules, who the Cyrs hired not quite two years ago. Bringing Rick in was a necessity as the company has grown and diversified, and as Joe, now 71, has begun to scale back the time he spends at the office.

Working with family has always been one of the great joys of the business, according to family patriarch and company president, Joe Cyr, with the business officially for nearly 50 years.

Joe drove trucks for H.E. Sargent and worked as a surveyor for James W. Sewall during the summers before coming to work at Cyr with his dad. His memories of working alongside family go even further back—to being with his dad in the office when he was six or seven, driving a company truck when he was 11 and washing buses as a kid. At 15, he was driving buses for the family concern. He also found time to get his degree from Old Town High School and a year of study at University of Maine at Farmington and another year and a half at Husson College. He left school and joined the company full-time in 1962 when a cousin who had been the company bookkeeper died. For a while, Joe was not only the bookkeeper, he served as the company mechanic, secretary and payroll clerk. In just a few years, Joe was running the company, and after his father Harvey died in 1967, he bought the business from his mother for $25,000.

Looking back, Joe said he has never regretted the decision to spend his professional life at the helm of the family firm and he always has considered himself honored to work alongside his father, son, daughter, brother and cousins. ''Frankly, I feel pretty darn lucky,'' said Cyr talking from his winter home in Daytona Beach Shores, Florida where there is a small community of Old Town snowbirds. Joe started heading south in the winter 10 years ago, but he still maintains close contact with Mike, Rick Soules—Cyr's general manager—and others via phone and e-mail several times a day. And he reels off facts about the business in quickfire fashion. How many vehicles in the company fleet? ''250.'' How many coaches? ''22.'' How many square feet at the company's headquarters?

''We've got about 20,000 under cover there,'' said Cye, stopping only to calculate the many expansions they have made at the 10-acre site since 1980.

MILESTONES AND CHALLENGES

The company has lived through good times and bad. There was 1934 when the family's two male patriarchs died—John in May and Joseph in August. There were also two devastating fires at the company's headquarters on French Island. The first was in the early 1950s and the company garage and its full fleet of eight buses were destroyed. The second fire hit in 1970, destroying the company garage, an apartment over the garage and one bus. In both cases, the family and employees came together to get buses back on the road quickly.

There were good times, as well. Nineteen hundred and twenty-two was an important landmark. That was when John and Joseph Cyr helped usher in the era of the automobile. They bought the company's first motorcars—Studebakers—to transport Old Town children to school. Four years later, after housing the company fleet at several different locations in Old Town, Cyr consolidated its operations at a single location on French Island. The area was growing, and by the early 1930s, cars were no longer large enough to transport all the students traveling to Old Town schools from Stillwater and Gillman Falls. So the city asked Cyr to buy a bus.

Cyr also had a taxi service, begun soon after the company's founding, as well as freight hauling and storage services. By the late 1930s, brothers Albert, Arthur and Harvey were also operating a regular bus service connecting Old Town, Great Works, Milford and Bradley, with special runs to locations including Trenton and Green Lake. By the mid 1940s, the company's regular motor coach routes had expanded to include Old Town, Eddington, North Brewer and Bangor.

The company also operated a limousine service, and during the war transported German prisoners of war for the U.S. Government to detention camps in the rural reaches of the state. In the late 1950s and early 60s, Harvey, now head of the company, expanded its stake in the school bus business. By 1962, Joe had joined his father, Harvey, in the business full-time, and John T. Cyr & Sons boasted a fleet of 12 buses, several cars and two dump trucks at its headquarters on French Island.

In 1976, Joe purchased the fleet of Pinecrest Bus Service, the company that had been providing school bus service to the city of Brewer (two years later, Cyr bought Pinecrest's lot and garage). Then, Cyr bid for the contract to serve the Bangor school system in 1978. They won the business. The ramifcations were enormous for the small family-run firm. It required purchasing more than two dozen new school buses at a cost of about $17,000 each. It was one of the few times since Joe had taken the helm they had to borrow money, but it was, Mike recalled, a calculated risk his dad felt he had to take.

''He figured if he didn't do it, one of the big guys would come in and take the business,'' said Mike. That year, there was a 60-cent-per-gallon run up in fuel costs which caused several anxious hours for the Cyrs. At the time, fuel for buses was purchased by the bus company. Now, it is common for school systems to purchase their own fuel, and Joe Cyr said that adds more stability to contracts. Still, it all worked out well. ''I still hate to borrow money, though,'' admitted Joe recently.

Perhaps the biggest milestone came when the city was in the midst of a two-decade effort to redevelop French Island that had, over the years, become increasingly overcrowded. As a result, Cyr moved its headquarters across the river to its current location at 153 Gilman Falls Avenue in Old Town in 1980. Long-time local residents can still

remember the day in late October when the company's fleet of buses made their way across the bridge from the island to Cyr's new home on Gilman Falls Avenue.

Over the years, the Cyrs have also been active in the community. The business has been a long-time member of the MBTA where Joe has served as a board member. Joe was for several years president of the Bangor Chamber of Commerce during the 1980s and has sat on several boards, including St. Joseph's Hospital and Merrill Merchant Bank. The family was a major contributor to the Cyr Family Field House at the Old Town-Orono YMCA completed in 2001.

CLOSE AT HAND

In 1984, Cyr took over the Aroostook County route, operated by Bangor & Aroostook Railroad (B & A) since 1957 when the railroad had ceased service to The County. The same day B & A shuttered its service, Cyr bought the firm's coach bus and hired its driver. Passengers didn't miss a day of service. Today Cyr continues to run the daily transportation lifeline to the county, connecting Bangor, Caribou, Fort Kent, Houlton, Howland, Limestone, Oakfield, Orono, Madawaska, Mars Hill, Medway, Presque Isle, Sherman and Van Buren. (The service, considered an essential transportation link, receives an operating subsidy from MaineDOT.) A Cyr bus departs Bangor every afternoon and makes the return trip from Presque Isle every morning.

In 1990, the company purchased North-star Tours and began offering charter tours throughout the country and to Canada as Cyr Northstar Tours. In 2003, Cyr purchased Maine Line Tours & Charters, a South Portland-based division of Peter Pan Bus Lines. The move made John T. Cyr Maine's largest charter operation, and in 2004, the company was honored as Metro magazine's tour operator of the year. Nonetheless, the long hours and splitting energies between operations in Old Town and Southern Maine took its toll. The Cyrs sold the South Portland charter operation in 2007.

''It was profitable,'' remembered Mike of the decision to sell. ''But we just weren't comfortable being in two places at one time.'' Today the company operations have become increasingly complex, with three divisions and increasing federal regulations regarding hours of service for the company's long-distance drivers and expanded environmental requirements on buses. At the same time, this year, the Cyrs estimate, their buses will log more than 3 million miles. Mike describes the Cyr philosophy as one that has grown from his dad's unique combination of conservative fiscal approach, a hands-on understanding of the business and a willingness to step up when someone presents a challenge. Much of their business—in both the school bus and tour charter divisions—comes to them through word-of-mouth. ''My dad hardly ever says 'no,' '' said Mike. ''Someone asks us to do something, and we figure out how to get it done.''

''We could have grown a lot more,'' said Joe. ''Instead we take what comes and do the best job we can. We're not trying to be the biggest.''●

TRIBUTE TO LORIN JOHNSTON

● Mr. CORKER. Madam President, I rise today to recognize Master Police Officer Lorin Johnston of the Chattanooga Police Department who was one of ten law enforcement officers honored at the White House on Saturday as a National Association of Police Organizations TOP COP. The TOP COPS awards pay tribute to law enforcement officers for actions above and beyond the call of duty.

The National Association of Police Organizations states:

Officer Lorin Johnston has lived one of a cop's worst nightmares. On a bright spring morning last April, Officer Johnston, along with three other officers, investigated a silent alarm at a pawn shop, indicating that an armed robbery was in progress. As soon as they arrived, they were spotted by the suspect, who engaged them in a frantic gun battle. During the gunfight, Johnston was struck by a bullet in the middle of the back, despite his vest.

As the perp tried to flee out a side door, Sgt. Tim Chapin, Johnston's close personal friend, was waiting in his patrol car. The suspect took aim at the car, shooting straight through the windshield. Sgt. Chapin hit the gas and knocked the suspect down, causing him to drop the .45-caliber Glock he was carrying along with a loaded clip of ammunition.

Assuming he had disarmed the robber, Sgt. Chapin jumped out of the car and gave chase. Then, without warning, the suspect pulled out a second gun, turned and fired. His bullet struck Chapin squarely in the face, killing him instantly. Just then Officer Johnston came on the scene as the cop-killer was running around the corner, where he was pursued, and ultimately taken down by two other brave officers. Johnston knelt protectively over his friend, shielding him until help arrived. Not until he received medical treatment did Officer Johnston realize he had taken a second bullet to the leg. Johnston's courage and loyalty, despite his own injuries, make him a living testament to the outstanding qualities found only in America's TOP COPS.

Lorin Johnston's acts of selflessness and heroism in the line of duty exemplify the meaning of true public service. As a former mayor of Chattanooga, I am particularly proud and grateful for the bravery and dedication of officers like Lorin Johnston who enter into harm's way in order to keep us safe.

As we honor Officer Johnston, we also remember Sergeant Tim Chapin, a 26-year veteran of the Chattanooga Police Department, for paying the ultimate sacrifice.

I am proud to join my fellow Tennesseans in congratulating Officer Johnston on this well-deserved honor and in remembering law enforcement officers across the country who go above and beyond the call of duty to keep our communities safe.●

RECOGNIZING THE NEVADA MILITARY SUPPORT ALLIANCE

● Mr. HELLER. Madam President, today I wish to recognize an organization from my home State of Nevada whose continuous support of military service men and women and their families is truly inspiring. Their unwavering commitment to military families across the Silver State is unmatched and demonstrates their passion for those in need.

Members of our military serve the United States to preserve and protect our freedom, and for that I am forever grateful. They dedicate their lives to serving this great nation and constantly make sacrifices to ensure the safety of our country. Generations of Americans enjoy greater peace and security because of the tireless efforts of these brave men and women.

The Nevada Military Support Alliance provides comfort and care, both personal and financial, to the families and survivors of Nevada's fallen and returning patriots. When a soldier does come home from a war zone, returning to civilian life is not an easy task. Both the soldier and their families experience an incredible amount of stress during this transition. This is where the Nevada Military Support Alliance steps in. They offer unprecedented levels of assistance for Nevada military members and their families for the rarities of challenges they face on a day-to-day basis.

We can never do enough for our nation's veterans, but with the help of the Nevada Military Support Alliance, we can ensure that more assistance is provided. Their continued dedication to our active military, veterans, and their families is unparalleled and stands as an example for us all.

As the Nevada Military Support Alliance celebrates their Second Annual Gala this weekend, I want to thank them for everything they have given to Nevada's men and women in uniform and for ensuring that support is provided for these heroes. We owe our veterans and their families a great deal of gratitude for their personal sacrifices. On behalf of everyone who enjoys the freedoms that are unique to our great nation, thank you.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5326. An act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

H.R. 5652. An act to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

ENROLLED BILL SIGNED

The President pro tempore (Mr. INOUYE) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 2668. An act to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station''.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5326. An act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5652. An act to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mrs. HUTCHISON, and Mr. LAUTENBERG):

S. 3173. A bill to allow funds under title II of the Elementary and Secondary Education Act of 1965 to be used to provide training to school personnel regarding how to recognize child sexual abuse; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY:

S. 3174. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program; to the Committee on Small Business and Entrepreneurship.

By Mr. AKAKA:

S. 3175. A bill to amend subchapter III of chapter 84 of title 5, United States Code, to authorize certain employees to be automatically enrolled to increase contributions to Thrift Savings Plan accounts; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WEBB (for himself and Mr. LEE):

S. 3176. A bill to provide that the President must seek congressional approval before engaging members of the United States Armed Forces in military humanitarian operations; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. Res. 459. A resolution commending the 1st Stryker Brigade Combat Team, 25th Infantry Division upon its completion of a deployment to Afghanistan in support of Operation Enduring Freedom; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 351

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 351, a bill to authorize the exploration, leasing, development, and production of oil and gas in and from the western portion of the Coastal Plain of the State of Alaska without surface occupancy, and for other purposes.

S. 368

At the request of Mr. KOHL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 368, a bill to amend the Consolidated Farm and Rural Development Act to suspend a limitation on the period for which certain borrowers are eligible for guaranteed assistance.

S. 957

At the request of Mr. BOOZMAN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 957, a bill to amend title 38, United States Code, to improve the provision of rehabilitative services for veterans with traumatic brain injury, and for other purposes.

S. 960

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 960, a bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home.

S. 1299

At the request of Mr. MORAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1461

At the request of Mr. NELSON of Florida, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1461, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 1577

At the request of Mr. BAUCUS, the names of the Senator from Idaho (Mr. RISCH) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from Nebraska (Mr. NELSON), the Senator from Wisconsin (Mr. KOHL) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1647

At the request of Mr. CRAPO, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1647, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gain rates.

S. 1872

At the request of Mr. CASEY, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1882

At the request of Mr. BINGAMAN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1882, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 1993

At the request of Mr. NELSON of Florida, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1993, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2046

At the request of Ms. MIKULSKI, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2046, a bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes.

S. 2066

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2066, a bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public land and ensure continued opportunities for those activities.

S. 2103

At the request of Mr. LEE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2146

At the request of Mr. BINGAMAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2146, a bill to amend the Public Utility Regulatory Policies Act of 1978 to create a market-oriented standard for clean electric energy generation, and for other purposes.

S. 2165

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

At the request of Mrs. BOXER, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from Mississippi (Mr. WICKER), the Senator from Hawaii (Mr. AKAKA), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2165, supra.

S. 2179

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2179, a bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes.

S. 2205

At the request of Mr. MORAN, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2222

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2222, a bill to require the Commodity Futures Trading Commission to take certain actions to reduce excessive speculation in energy markets.

S. 2246

At the request of Mr. BOOZMAN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2246, a bill to direct the Secretary of Labor to provide off-base transition training, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2344

At the request of Mr. VITTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2344, a bill to extend the National Flood Insurance Program until December 31, 2012.

S. 2367

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 2367, a bill to strike the word ''lunatic'' from Federal law, and for other purposes.

S. 3079

At the request of Mr. PAUL, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 3079, a bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 401

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 401, a resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mrs. HUTCHISON, and Mr. LAUTENBERG):

S. 3173. A bill to allow funds under title II of the Elementary and Secondary Education Act of 1965 to be used to provide training to school personnel regarding how to recognize child sexual abuse; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I rise today on behalf of myself and Senator HUTCHISON, to introduce bipartisan legislation that would expand No Child Left Behind professional development funding to include training for teachers and school personnel on how to recognize signs of sexual abuse in students.

According to the National Child Abuse and Neglect Data System, 695,000 children were victims of maltreatment in 2010. Approximately 9.2 percent, or 63,940 children, were victims of sexual abuse; this is an increase from 7.6 percent in 2009.

Recent events have shown that warning signs of sexual abuse in children are being missed. The vast majority of States mandate that teachers report suspicions of child abuse, yet not all States require teachers to participate in training.

According to the National Child Abuse and Neglect Data System, 60 percent of all reports of child abuse and neglect are made by professionals, yet only 16 percent of abuse and neglect is reported by education personnel.

Given the amount of time teachers and school personnel spend with children, it is of absolute importance that the warning signs of child sexual abuse be identified, reported, and acted on. It is critical to make sure all school personnel have access to training on how to recognize child sexual abuse.

The Helping Schools Protect Our Children Act of 2012 expands the list of allowable uses for Elementary and Secondary Education Act, ESEA, Title II funding to permit States to use this funding to train teachers, principals, and other school personnel on how to recognize child sexual abuse. Under current law, Title II provides grants to States for a variety of purposes related to recruitment, retention, and professional development of K–12 teachers and principals. Our bill would allow professional development funds in schools to be used to provide teachers with the tools to recognize child sexual abuse.

I am proud that Senator KAY BAILEY HUTCHISON, Senate Minority Whip JON KYL, and my colleague Senator FRANK LAUTENBERG have joined me as original cosponsors on this bill.

It is essential that as mandated reporters, school personnel should have the proper training to recognize child abuse. When there are no witnesses, what happens behind closed doors in an abusive home can scar a child for a lifetime. The more we learn to recognize the signs of abuse or neglect, the better we will foster a safe environment for young people to learn and grow.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Helping Schools Protect Our Children Act of 2012''.

SEC. 2. TRAINING TEACHERS TO RECOGNIZE CHILD SEXUAL ABUSE.

(a) STATE ACTIVITIES.—Section 2113(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6613(c)) is amended by adding at the end the following:

''(19) Providing training for all school personnel, including teachers, principals, and pupil services personnel, regarding how to recognize child sexual abuse.''.

(b) LOCAL EDUCATIONAL AGENCY ACTIVITIES.—Section 2123(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6623(a)) is amended by inserting after paragraph (8) the following:

''(9) Providing training for all school personnel, including teachers, principals, and pupil services personnel, regarding how to recognize child sexual abuse.''.

(c) ELIGIBLE PARTNERSHIP ACTIVITIES.—Subpart III of part A of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6631 et seq.) is amended—

(1) in section 2132(a), by striking ''the activities'' and inserting ''activities''; and

(2) in section 2134(a)—

(A) in paragraph (1)(B), by striking ''and'' after the semicolon;

(B) in paragraph (2)(C), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(3) providing training for school personnel, including teachers, principals, and pupil services personnel, regarding how to recognize child sexual abuse.''.

By Mr. KERRY:

S. 3174. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, today I am introducing the Vocational and Technical Entrepreneurship Development Act to provide critically needed support to help expand entrepreneurship education programs for young adults. At a time when young adults ages 18–24 face an unemployment rate of approximately twice the national average, it is more important than ever to provide additional resources to help them start their own business. Young entrepreneurs need our help to give them the skills necessary to turn their passion into a successful career.

The Vocational and Technical Entrepreneurship Development Act provides support through small business development centers for high schools, technical schools, and nonprofit organizations serving young adults to develop and implement entrepreneurship education programs. Entrepreneurs who have access to business education programs are more likely to succeed, which often translates to jobs not only for them but for their communities as well. Small businesses are the engine of our economy and the ingenuity of young American entrepreneurs will continue to help drive our economic growth in the future. It is critical that we do everything possible to support our young entrepreneurs and harness their great ideas today that will turn into jobs tomorrow. I ask my colleagues to support job growth and the entrepreneurs who are the future of our economy by supporting this legislation.

By Mr. AKAKA:

S. 3175. A bill to amend subchapter III of chapter 84 of title 5, United States Code, to authorize certain employees to be automatically enrolled to increase contributions to Thrift Savings Plan accounts; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, I rise today to introduce the Save More Tomorrow Act of 2012. This act seeks to make a modest, commonsense modification to the Thrift Savings Plan, or TSP, which is the tax-deferred, defined contribution plan for Federal employees, similar to private sector 401(k) plans.

The Save More Tomorrow Act would build on the Thrift Savings Plan Enhancement Act of 2009, which was enacted with support from large, bipartisan majorities in Congress. Under the Thrift Savings Plan Enhancement Act, new Federal employees are automatically enrolled in the TSP unless they opt out, with a default employee contribution rate of 3 percent of basic pay. This legislation would adjust the TSP's automatic enrollment mechanism to allow it to automatically increase employee contributions, unless the employee chooses a different contribution rate. To accomplish this, the bill authorizes the Federal Retirement Thrift Investment Board, the agency that administers the TSP, to pair the current auto enrollment at 3 percent with automatic escalation of 1 percent per year, for at least 2 consecutive years following the first year of enrollment. This promotes a goal of the Federal Employees' Retirement System Act of 1986, often referred to as FERSA, which was designed to encourage Federal employees to save at least 5 percent of their pay in the TSP.

This ''three plus one plus one'' model closely mirrors the model Congress prescribed for the private sector in the Pension Protection Act of 2006, which Mr. BOEHNER of Ohio introduced, the House and Senate passed with significant bipartisan support, and President George W. Bush signed into law. In enacting the Pension Protection Act, Congress endorsed pairing automatic enrollment with automatic escalation, by incentivizing companies to automatically enroll employees in 401(k) plans at no less than a 3 percent savings rate, and automatically escalate that rate by at least 1 percent for at least 3 years.

This act is informed by rigorous oversight I have conducted as Chairman of the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia. For example, at a recent Subcommittee hearing, Dr. Brigitte Madrian, a Harvard Kennedy School professor and leading expert on employer-sponsored retirement savings plans, stated, ''the evidence from the private sector is that automatic escalation is, in fact, extremely effective at increasing employee savings rates. And you asked specifically is this [automatic escalation] something that should be considered for the Thrift Savings Plan, and I would say absolutely.''

To preempt any possible misconceptions or misunderstandings that may arise regarding this act, I want to be clear from the outset about which employees the Save More Tomorrow Act applies to, and the voluntary nature of the bill. Since this act builds on the statutory framework established by the Thrift Savings Enhancement Act, it only applies to newly hired Federal employees who are eligible to participate in the TSP's automatic enrollment feature. Additionally, just like the TSP's auto enrollment feature, auto escalation authorized by this act would be voluntary, and allow participants to terminate default contributions, or change contribution rates, at any time.

This bill has a limited, targeted scope. It would increase the savings only of the small percentage of new employees who enroll in the TSP, but do not raise their contribution rate enough to reach the goal Congress established with FERSA of having most Federal employees contributing at least 5 percent of basic pay. Under the Thrift Savings Plan Enhancement Act, an impressive 97.2 percent of new Federal employees are enrolling in the TSP—82,632 Federal employees have been automatically enrolled in the TSP since the practice began in August 2010. Most of those employees increase their contributions far above the default rate of 3 percent. These enrollees boast an average TSP savings rate of 12.1 percent. Currently, only about 9 percent of employees in the Federal Employee Retirement System enrolled in the TSP contribute less than 5 percent.

Of course, one must not confuse this act's limited scope with the potential benefits. From the most recent survey of TSP participants, we know that just like in the private sector, low-income

workers who can least afford to forgo matching contributions are the most likely to do so. Lower-income Federal employees are more than twice as likely as higher-income employees to cite automatic enrollment as the reason they are contributing to the TSP. Many employees who contribute less than 5 percent are not even aware of the benefits of increasing the amount they save—18 percent of this group reported they did not contribute 5 percent because they were unaware agencies matched contributions dollar-for-dollar on the first 3 percent of basic pay, and 50 cents on the dollar for the next 2 percent.

Today's Federal workers must plan carefully to ensure their retirement security. Fortunately, the vast majority of the Federal employees are responsibly saving for retirement, exhibiting average savings rates that are far greater than the private sector. However, I am concerned that the most financially vulnerable Federal employees, individuals earning less than $25,000 a year, are saving at a lower rate that will hinder their ability to retire with dignity. We should build on the success of the Thrift Savings Plan Enhancement Act by making it as easy as possible for employees to increase their contributions.

The Save More Tomorrow Act is a limited, yet effective legislative response to do just this. Informed by rigorous data from real world experiences in the private sector, this act represents the best in serious, evidence-based policymaking. The modest authorities provided by the Save More Tomorrow Act will enhance the Federal Retirement Thrift Investment Board's ability to meet FERSA's goal of encouraging TSP contributions of 5 percent of pay. I strongly urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3175

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Save More Tomorrow Act of 2012''.

SEC. 2. AUTOMATIC ESCALATIONS.

Section 8432(b)(2) of title 5, United States Code, is amended—

(1) in subparagraph (A), by striking ''enrolled to make'' and all that follows and inserting the following: ''enrolled to—

''(i) make contributions under subsection (a) at the default percentage of basic pay; and

''(ii) increase the percentage of basic pay contributed under subsection (a) by the eligible individual by 1 percent each year beginning in the first year following the year in which the eligible individual began making contributions under clause (i) and each year thereafter for not less than 2 years (which the Executive Director shall establish by regulation).''; and

(2) in subparagraph (C)—

(A) in the matter preceding clause (i), by inserting ''and have the contributions of the individual automatically increased'' after ''automatically enrolled'';

(B) in clause (i), by inserting ''(which shall terminate the automatic increases in the contributions of the employee under subparagraph (A)(ii))'' after ''automatic enrollment''; and

(C) in clause (ii), by inserting ''and an automatic increase in contributions under subparagraph (A)(ii)'' after ''automatic enrollment''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 459—COMMENDING THE 1ST STRYKER BRIGADE COMBAT TEAM, 25TH INFANTRY DIVISION UPON ITS COMPLETION OF A DEPLOYMENT TO AFGHANISTAN IN SUPPORT OF OPERATION ENDURING FREEDOM

Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 459

Whereas the 1st Stryker Brigade Combat Team, 25th Infantry Division, known as the ''Arctic Wolves'', is headquartered in Fort Wainwright, Alaska and is made up of approximately 4,300 selfless, brave, and dedicated soldiers;

Whereas the 1st Stryker Brigade Combat Team, 25th Infantry Division has a distinguished history of service to the United States, beginning with World War I and continuing through Operation Iraqi Freedom and Operation Enduring Freedom;

Whereas the 1st Stryker Brigade Combat Team, 25th Infantry Division most recently departed for Afghanistan in April 2011, following 2 deployments in support of Operation Iraqi Freedom;

Whereas, while deployed in Afghanistan, the 1st Stryker Brigade Combat Team, 25th Infantry Division conducted more than 60 named operations in Zabul Province and Southern Kandahar Province;

Whereas, while deployed in Afghanistan, the 1st Stryker Brigade Combat Team, 25th Infantry Division conducted more than 7,500 patrols;

Whereas, while deployed in Afghanistan, the 1st Stryker Brigade Combat Team, 25th Infantry Division cleared more than 600 improvised explosive devices and more than 9,300 pounds of explosives;

Whereas 1st Stryker Brigade Combat Team, 25th Infantry Division members Specialist James R. Burnett, Jr., Private Danny Chen, Private First Class Matthew C. Colin, Specialist Ryan J. Cook, Private First Class Douglas L. Cordo, First Sergeant Kenneth B. Elwell, Specialist Douglas J. Green, Private First Class Ryan J. Larson, Specialist Christophe Jean Claude Marquis, Sergeant First Class Johnathan B. McCain, Specialist Bradley L. Melton, Private First Class Brandon S. Mullins, Private First Class Dustin P. Napier, Specialist Calvin M. Pereda, Private First Class Cheizray Pressley, Sergeant Rodolfo Rodriguez, Jr., Sergeant Timothy D. Sayne, Sergeant Jeffrey C. S. Sherer, Private First Class Tyler M. Springmann, Private Lamarol J. Tucker, and Private First Class Brett E. Wood gave the ultimate sacrifice for their country in support of the mission in Afghanistan;

Whereas the members of the 1st Stryker Brigade Combat Team, 25th Infantry Division are now returning to Alaska to their proud families and to an appreciative and admiring country;

Whereas the strength and unflinching support of the families of the members of the 1st Stryker Brigade Combat Team, 25th Infantry Division have made the United States as strong as it is today; and

Whereas the 1st Stryker Brigade Combat Team, 25th Infantry Division has served with courage, compassion, and selflessness, and has earned the respect of not only Alaskans, but of all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) commends the members of the 1st Stryker Brigade Combat Team, 25th Infantry Division for their exemplary service to the United States and the completion of their first deployment in support of Operation Enduring Freedom; and

(2) recognizes the service and sacrifice of the members of the 1st Stryker Brigade Combat Team, 25th Infantry Division and their families.

Mr. BEGICH. Mr. President, I rise to commend the members of the 1st Stryker Brigade Combat Team, 25th Infantry Division from Fort Wainwright, AK upon completion of their deployment to Afghanistan in support of Operation Enduring Freedom. I am pleased to offer a resolution with Senator LISA MURKOWSKI to recognize the service of these Arctic Wolves and honor the 21 brave soldiers who made the ultimate sacrifice for the Nation.

Deployed to Kandahar, one of the most volatile areas of Afghanistan, the 1/25 SBCT conducted more than 7,500 patrols and over 60 named operations. They made significant gains against insurgents in the Southern region. Our nation will forever be grateful to them and we will never forget those who perished or were wounded during their tour.

We must also never forget Private Danny Chen. While the actions of those involved in the maltreatment of Private Chen are not a reflection of the honorable service of thousands of others in the brigade, abuse and hazing of another individual must never be tolerated under any circumstances. Private Chen was a son, he was a friend, he was a soldier. He will be remembered.

I also want to thank the families of the Arctic Wolves for their service and sacrifice. The support of their loved ones gives strength to our military.

I urge my colleagues to join me in thanking the Arctic Wolves and their families for the sacrifices they make every day on behalf of our country.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public

that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 22, 2012, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the report produced by the American Energy Innovation Council titled ''Catalyzing American Ingenuity: The Role of Government in Energy Innovation'' and related issues.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Abigail_Campbell @energy.senate.gov.

For further information, please contact Mike Carr at (202) 224–8164 or Abigail Campbell at (202) 224–1219.

MEASURE READ FOR THE FIRST TIME—H.R. 5652

Mr. BROWN of Ohio. Madam President, I understand that H.R. 5652 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 5652) to provide reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

Mr. BROWN of Ohio. Madam President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

ORDERS FOR TUESDAY, MAY 15, 2012

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, May 15, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; and that the majority leader be recognized; further, that the Senate recess from 12:30 until 2:15 to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN of Ohio. It is the majority leader's intention to resume the motion to proceed to the Export-Import Bank reauthorization bill, legislation particularly important to my State, tomorrow morning, and equally divide the first hour, with the majority controlling the first half and the Republicans controlling the final half.

Today we reached an agreement to complete action on the Export-Import Bank reauthorization. Senators should expect up to six votes as early as 2:15 tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWN of Ohio. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:42 p.m., adjourned until Tuesday, May 15, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. MICHAEL T. FLYNN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. (SELECT) WILLIAM M. FAULKNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN M. PAXTON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN A. TOOLAN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. PAUL K. LEBIDINE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT B. NELLER

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

JAMES J. RENDA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

AUGUST S. HEIN

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

CHRISTOPHER J. MATHEWS

To be major

CATHERINE M WARE
TIMOTHY K. WILLIAMS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICARDO A. BRAVO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MATTHEW W. MOFFITT

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531, 3064, AND 716:

To be major

NATHANIEL V. CHITTICK

THE FOLLOWING NAMED OFFICER APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

LAURI M. ZIKE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

TIMOTHY A. CRANE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

RYAN L. JERKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MATTHEW R. SUN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GREGORY P. CHANEY
PAUL W. GUEVARA
LAWRENCE E. SCHLOEGL

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

AMY F. COOK
RICHARD L. GOLDENBERG
NATHANIEL JONES, JR.
PAUL S. TAMARIBUCHI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

MICHAEL I. ALLEN
STANLEY P. ALLEN
JEFFREY C. BOTSFORD
BRIAN W. CHEPEY
HAROLD E. CLINE
ADOLPH G. DUBOSE, JR.
PETER O. FERRIS
RICHARD D. GARVEY
ROBERT J. GLAZENER
KENNETH L. HAFTORSON
PAIGE K. HEARD
KENNETH J. HURST
DENNIS E. HYSOM
PETER E. JOHNSON
RAJMUND KOPEC
CHARLES W. KUHLMAN
YO S. LEE
PAUL D. MADEJ
STEVEN A. MAGLIO
EDWARD C. MARTIN
KAREN L. MEEKER
JIMMY D. NICHOLS
DANIEL S. OH
TONY S. PETROS
DANIEL R. PETSCH
DARIN M. POWERS
MICHAEL L. REEVES
DERRICK E. RIGGS
RANDAL H. ROBISON
TERRY E. ROMINE
FELIX SERMON, JR.

TIMOTHY D. SMITH
JEFFREY L. SPANGLER
ALLEN W. STALEY
BRADLEY A. WEST
MATTHEW S. WYSOCKI

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

STEVEN J. PORTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GLENN E. GABORKO, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ROGER L. BLANK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MICHAEL C. BARBER
DAVID G. ORAVEC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOSEPH A. DAVIS
SCOTT D. EBERWINE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DAVID H. DUTTLINGER
WILLIE F. RAY
DARCY I. WOLFE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

FRANK J. BRAJEVIC
BRIAN R. GULDBEK
RUSSELL K. KIRK
GREGORY R. KLEIN
JAMES B. MORRIS
DAVID E. WOOLSTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

LAUREN D. BALES
CARL T. BERGREN
PAMELA D. BOSWELL
CYNTHIA L. GIBSON
JERRY H. HUTCHINSON, JR.
PAMELA C. MILLER
CLIFFORD E. RESKE
DAVID A. SERAFINI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHRISTOPHER J. CORVO
TERRENCE W. COSTELLO IV
COLLEEN M. GLASERALLEN
MARK F. KLEIN
SHANNON H. KOPPLIN
EVA M. LOSER
JOHNNY M. NILSEN
THOMAS J. WELSH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MARIA L. AGUAYO
KEVIN J. BARTOE
PHILLIP G. CYR
JASON B. FAUNCE
DOUGLAS W. KING
TIMOTHY C. LIBERATORE
MICHAEL MONREAL
MICHAEL P. OESTEREICHER
TIMOTHY J. ROGERS
ANDREW J. SCHULMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DAVID O. BYNUM
JOHN V. DICKENS III
STANLEY W. FORNEA
MICHAEL W. GORE
HERBERT L. GRIFFIN, JR.
STEVEN R. MOSES
TIMOTHY J. OSWALD
KIMBERLY SAWATSKY
STEPHEN J. SHAW
FRANK W. SHEARIN III
THOMAS R. STEWART
MELVIN H. UNDERWOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DOUGLAS J. COHEN
JOHN V. DANNER, JR.
JOHN P. ELLINGTON
MATTHEW S. GABE
JASON A. GOLDEN
BARBARA T. HANNA
THOMAS J. LAMBERT
WAINA J. MCFARLANE
DAVID L. OPPENHEIM
ROBERT P. SCHULHOF, JR.
JONATHAN I. SHAPIRO
PAUL G. TRIPLETT
KEVIN P. WHITMORE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

RICHARD S. BARLAMENT
SIMON T. COLE
MICHAEL T. CURRAN
JAMES V. HARRIS
MARK N. HURVITZ
CARL H. ISETT
STEVEN K. KILPATRICK
MARK W. KLEINHENZ
JENNIFER A. LEDNICKY
JACQUELYN MCCLELLAND
EDWARD G. MONINGER III
CHARLES W. PARKER III
MICHAEL F. PERRY
JOHN S. SIBLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BRIAN E. BEHARRY
WALTER D. BRAFFORD
MICHAEL M. CARSON
JANET A. DELOREYLYTLE
KARINA J. DICK
BRENDA R. HAMILTON
JAMES M. HILL
DANIEL E. KIRKWOOD
JOHN F. MILLER
BRENDA L. NELSON
TIMOTHY J. NEUMANN
TRENT L. OUTHOUSE
BILLY J. PHILLIPS
DARREL G. VAUGHN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

PATRICK J. BLAIR
BARBARA A. COLEMAN
GLENDON B. DIEHL, JR.
DUANE A. EGGERT
MATTHEW W. HEBERT
ERIC R. HOFFMAN
BRENT M. KELLN
BRENDAN T. MELODY
MARSHALL R. MONTEVILLE
SAMUEL T. OLAIYA
FRANK P. PEARSON
MICHAEL C. PREVOST
MICHAEL D. ROSENTHAL
EDWARD J. SULLIVAN
LEE A. VITATOE
AARON D. WERBEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JAMES T. ALBRITTON
ROGELIO E. ALVAREZ
PAUL A. AMODIO
STEPHEN E. ARMSTRONG
ALBERT R. BAKER
EDWIN F. BOGDANOWICZ
KYLE A. BRYAN
JUANITO R. BUCKLEY
EDWARD T. BUTZIRUS
RICARDO BYRDSONG
TIMOTHY L. DANIELS
ROBERT E. DARE
SONYA I. EBRIGHT
DAVID W. EGGE
KRISTEN B. FABRY
FRANK W. FUTCHER
GARY HAYMAN
DANIEL B. HODGSON
TIMOTHY R. JETT
DAVID A. MARCH
ANDREW M. MATTHEWS
CARLA MEYERS
MARK W. MORGAN
CHRISTOPHER D. PARKER
KERRY L. PEARSON
GERALD P. RAIA
JEFFERY T. RATHBUN
JOHN B. THERIAULT
ROBERT L. WILLIAMS, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

VERONICA G. ARMSTRONG
DIXIE L. AUNE
NORMAN F. J. CHARBONEAU
NANCY K. CONDON
RAMONA M. DOMEN
SCOTT A. JOHNSON
SHARON W. KINGSBERRY
CYNTHIA A. KUEHNER
AMY MCBRIDE
LISA M. MORRIS
LISA A. OSBORNE
SUSAN M. PENNEBECKER
EVELYN M. QUATTRONE
DEBORAH E. ROY
KARIN E. WARNER
MARY P. WHITE
MARIA A. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JULIANN M. ALTHOFF
FRANK M. BISHOP
JEFFREY W. BITTERMAN
DAVID L. BLAZES
JOHN F. BOGARD
TROY F. BOREMA
LISA M. CARTWRIGHT
ALEXANDER B. CHAO
JEFFREY C. CLEARY
DAVID R. CONGDON
TIMOTHY F. DONAHUE
KEVIN A. DORRANCE
TRENT D. DOUGLAS
ANGELA S. EARLEY
ELIZABETH FERRARA
STEPHEN L. FERRARA
JERRY R. FOLTZ
THOMAS G. FRIEDRICH
SAWSAN GHURANI
MARK T. GOULD
PATRICK N. GROVER
DALE R. HARMAN
JAMES M. HARRIS
ERICH R. HEINZ
MATTHEW J. HICKEY
EILEEN M. HOKE
ROMEO C. IGNACIO
RONNY L. JACKSON
REX A. KITELEY
REES L. LEE
CHRISTOPHER C. LUCAS
ROSEMARY C. MALONE
MICHAEL J. MATTEUCCI
MICHAEL J. MEIER
TIMOTHY F. MOTT
JEFFREY D. ODELL
DAVID M. OLIVER
PIERRE A. PELLETIER
DAVID P. REGIS
ERIC S. SAWYERS
MERYL A. SEVERSON III
BRADFORD L. SMITH
BRIAN A. SMOLEY
BRUCE J. TAYLOR, JR.
ANNETTE M. VONTHUN
JEFFREY S. WEISS
NECIA L. WILLIAMS
GEOFFREY A. WRIGHT
JOHN WYLAND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CASEY S. ADAMS
ANITA C. BACHER
ANALIZA BENJAMIN
LYNNE F. BLANKENBEKER
MICHAEL J. COFFEL
JUDY L. DYE
JOHN M. FLAITZ
DEBORAH A. FLANAGAN
KARLA D. HAYS
SANDRA J. JOHNSTON
JAMES R. MCMAHON
JESSICA D. REED
MARY M. RUSSELL
KIMBERLY M. SANDBERG
ANITA J. SMITH
RENICE A. WASHINGTON

KAREN G. YOUNG

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS AS MEMBERS OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 188:

To be commander

RUSSELL E. BOWMAN

To be lieutenant commander

JOSEPH D. BROWN

To be lieutenant

MEGHAN K. STEINHAUS

THE JUDICIARY

FRANK PAUL GERACI, JR., OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK, VICE DAVID G. LARIMER, RETIRED.

FERNANDO M. OLGUIN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE JACQUELINE H. NGUYEN, ELEVATED.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14, 2012:

THE JUDICIARY

GEORGE LEVI RUSSELL, III, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.

JOHN J. THARP, JR., OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 15, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 16

10 a.m.

Environment and Public Works

Children's Health and Environmental Responsibility Subcommittee

To hold hearings to examine growing long-term value, focusing on corporate environmental responsibility and innovation.

SD–406

Health, Education, Labor, and Pensions

To hold hearings to examine identifying opportunities for health care delivery system reform, focusing on lessons from the front line.

SD–430

Homeland Security and Governmental Affairs

Business meeting to consider S. 1910, to provide benefits to domestic partners of Federal employees, S. 1515, to permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984, S. 2218, to reauthorize the United States Fire Administration, S. 2170, to amend the provisions of title 5, United States Code, which are commonly referred to as the ''Hatch Act'' to eliminate the provision preventing certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title, S. 1100, to amend title 41, United States Code, to prohibit inserting politics into the Federal acquisition process by prohibiting the submission of political contribution information as a condition of receiving a Federal contract, H.R. 2415, to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the ''Trooper Joshua D. Miller Post Office Building'', H.R. 3220, to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the ''Master Sergeant Daniel L. Fedder Post Office'', H.R. 3413, to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the ''Private Isaac T. Cortes Post Office'', and the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President.

SD–342

Judiciary

To hold an oversight hearing to examine the Federal Bureau of Investigation.

SD–226

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on proposed budget estimates for fiscal year 2013 for Northern Command and Southern Command Programs.

SVC–217

Appropriations

Department of the Interior, Environment, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Environmental Protection Agency.

SD–124

2 p.m.

Joint Economic Committee

To hold hearings to examine how the taxation of labor and transfer payments affect growth and employment.

SD–G50

2:30 p.m.

Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Communications Commission.

SR–253

Foreign Relations

To hold hearings to examine the nominations of Peter William Bodde, of Maryland, to be Ambassador to the Federal Democratic Republic of Nepal, Piper Anne Wind Campbell, of the District of Columbia, to be Ambassador to Mongolia, and Dorothea-Maria Rosen, of California, to be Ambassador to the Federated States of Micronesia, all of the Department of State.

SD–419

United States Senate Caucus on International Narcotics Control

To hold hearings to examine drug threats in West Africa, focusing on drug trafficking and United States efforts to counter emerging narcotics-related threats.

SD–562

MAY 17

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine S. 2146, to amend the Public Utility Regulatory Policies Act of 1978 to create a market-oriented standard for clean electric energy generation.

SD–366

10 a.m.

Judiciary

Business meeting to consider S. 2554, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017, S. 2276, to permit Federal officers to remove cases involving crimes of violence to Federal court, S. 2076, to improve security at State and local courthouses, S. 2370, to amend title 11, United States Code, to make bankruptcy organization more efficient for small business debtors, and the nominations of David Medine, of Maryland, to be Chairman, James Xavier Dempsey, of California, Elisebeth Collins Cook, of Illinois, Rachel L. Brand, of Iowa, and Patricia M. Wald, of the District of Columbia, all to be a Member of the Privacy and Civil Liberties Oversight Board.

SD–226

10:30 a.m.

Commerce, Science, and Transportation

Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold hearings to examine the United States response to tsunami generated marine debris.

SR–253

2 p.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on proposed budget estimates for fiscal year 2013 for European Command and Special Operations Command Programs.

SVC–217

Commission on Security and Cooperation in Europe

To receive a briefing on Ukraine's upcoming elections, focusing on political parties, civil society and domestic observers ahead of the elections, the electoral framework, as well as the broader political context.

210, Cannon Building

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine fulfilling the Federal trust responsibility, focusing on the foundation of the government-to-government relationship.

SD–628

2:30 p.m.

Foreign Relations

To hold hearings to examine the nominations of Edward M. Alford, of Virginia, to be Ambassador to the Republic of The Gambia, Mark L. Asquino, of the District of Columbia, to be Ambassador to the Republic of Equatorial Guinea, Douglas M. Griffiths, of Texas, to be

Ambassador to the Republic of Mozambique, and David J. Lane, of Florida, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture, all of the Department of State.

SD–419

MAY 21

2:30 p.m.
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine national security, focusing on foreign language capabilities in the Federal government.

SD–342

MAY 22

9:30 a.m.
Armed Services
SeaPower Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

10 a.m.
Energy and Natural Resources
To hold hearings to examine the report produced by the American Energy Innovation Council titled ''Catalyzing American Ingenuity: The Role of Government in Energy Innovation'' and related issues.

SD–366

11 a.m.
Armed Services
Readiness and Management Support Subcommittee
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SD–G50

2 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

3:30 p.m.
Armed Services
Airland Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

5 p.m.
Armed Services
Personnel Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

MAY 23

9:30 a.m.
Armed Services
Strategic Forces Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.

SR–232A

10 a.m.
Veterans' Affairs
To hold hearings to examine seamless transition, focusing on a review of the Integrated Disability Evaluation System.

SD–562

2:30 p.m.
Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2013.

SR–222

MAY 24

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2013.

SR–222

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine programs and services for native veterans.

SD–628

MAY 25

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2013.

SR–222

JUNE 7

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine Universal Service Fund Reform, focusing on ensuring a sustainable and connected future for native communities.

SD–628

JUNE 28

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine creating positive learning environments for all students.

Room to be announced

SENATE—*Tuesday, May 15, 2012*

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, strong to save, we know that You desire to save and not to destroy. Save our Senators from the blindness which is not even aware of mistakes. Save them from the pride that ignores the security of many advisers. Save them from the self-will which can see no flaw within itself. Save them also from the callousness that will not care for those in pain.

Lord, save us all when we put the blame on someone or on something else, and from hearts so hardened that we cannot repent. Today, give our lawmakers a sense of destiny and a deep dependence on Your guidance and Your grace.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 15, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move that the Senate proceed to Calendar No. 396, H.R. 2072.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to calendar No. 396, H.R. 2072, a bill to reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. REID. Mr. President, we are now on the motion to proceed to the Export-Import Bank reauthorization bill. I ask unanimous consent that the hour following my remarks and those of the Republican leader be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans the final half.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, at 11:15 today the motion to proceed to the Export-Import Bank will be adopted, and there will be up to 2 hours of debate on the bill, and there will be up to five amendments. At 12:30 the Senate will recess until 2:15 for our weekly caucus meetings. As early as 2:15 there will be up to six rollcall votes in order to complete action on the Export-Import Bank. There could possibly be five votes as part of the order—I have been told they may not all be offered—and then we will have final passage on the bill.

MEASURE PLACED ON CALENDAR

Mr. REID. Mr. President, H.R. 5652 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

Mr. REID. Mr. President, I would object to any further proceedings on this issue at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the item shall be placed on the calendar.

Mr. REID. Mr. President, I am happy to announce that Democrats and Republicans have reached an agreement to move forward with reauthorization of the Ex-Im Bank legislation.

This bank helps American companies sell their products overseas and hire workers here at home. It helped private companies add almost 300,000 jobs last year in more than 2,000 American communities. That is why the labor groups, manufacturers, U.S. Chamber of Commerce, and many other organizations have urged the Senate to move quickly to reauthorize this bank, whose lending limit is just about to expire.

The second ranking officer at the chamber of commerce wrote to all Senators yesterday.

Failure to enact this legislation would put at risk . . . American jobs at 3,600 companies that depend on Ex-Im to compete in global markets. . . . Because other countries are providing their own exporters with an estimated $1 trillion in export finance—often on terms more generous than Ex-Im can provide—failure to reauthorize Ex-Im would amount to unilateral disarmament and cost tens of thousands of American jobs. China, for instance, has three export credit agencies that last year provided $300 billion in export finance to its exporters—ten times more than Ex-Im provided. This bill would help level the financial playing field in export markets and ensure transparency in Ex-Im's operations.

This is directly from the chamber of commerce.

This legislation helps American businesses export their products instead of exporting jobs. Reauthorizing this important legislation is the kind of consensus proposal that should not result in any kind of a partisan fight. I spoke to Senator MCCONNELL yesterday, and we made the decision that this is the best way to move forward. I am hopeful that the Senate will pass it overwhelmingly, signaling to American businesses that Congress will do what it takes to help them compete in the global market. But while Republicans say publicly that they support this important measure, they have instead insisted on votes on a number of amendments that would gut or even kill the bill.

The chamber of commerce will consider votes on this measure—and any amendments that would weaken the bank—to be keys to determine whether Senators are business-friendly. The extreme amendments offered by my Republican colleagues would certainly weaken the bank. One amendment just eliminates the bank. These kinds of amendments are unacceptable to the business community.

The National Association of Manufacturers issued a similar warning yesterday, which I read here on the floor. We agree, we can't afford to give an inch to our global competitors. Canada, France, and India already provide seven times the assistance to their exporters that America does. China and Brazil provide 10 times the support.

So Senate Republicans are faced with a choice: They can continue to support these extreme amendments that would

effectively kill the Export-Import Bank and risk the wrath of the American business community or they can work with the Democrats to reauthorize this bank without adding amendments that would undermine its ability to help businesses grow. We have been told that the House is going to accept no amendments. It was very hard for them to get done what they did. I admire and appreciate what they did do. I am optimistic that my Republican colleagues will make the right choice and help us defeat these vexatious amendments.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, there is a lot of talk on the left these days about the Senate being a dysfunctional institution. And they are right. For the past few years, the Senate hasn't functioned as it should. The question is, Why? In my view, the answer is quite clear: a majority party that believes it should be able to dictate from above the shape of every single piece of legislation we take up.

The common complaint from the other side, as I understand it, is that because Republicans insist on playing a role in the legislative process around here, we are somehow violating some unspoken rule that says Democrats should always get their way, that we are somehow disturbing the legislative harmony by suggesting we do the kinds of things our constituents want. We have been dealing with this strange view of the Senate in some form or fashion for 5 years but particularly over the past 3.

Here is how it works. Following the lead of our very liberal President, Democratic leaders in the Senate propose some piece of legislation without any Republican input at all. Then Republican amendments are blocked from even being considered. The point in most cases is to draw Republican opposition and ensure that the legislation fails. Democrats then cry obstruction as a way of distracting people from the fact that they basically have given up on governing and done nothing to ensure that our most pressing national problems actually get addressed. Rather than working with us on bipartisan solutions that reflect the concerns and input of our constituents and that therefore have a good chance of actually passing, Democrats blame the other side for obstruction—not only avoiding their own responsibilities as the majority party but handing the President a useful election-year theme on which to run.

What my colleagues and I have been saying for 3 years is that it doesn't have to be this way. Give us an opportunity to play a role in the process and we will work together on bipartisan solutions. Just look at the record. When Democrats blocked all debate and amendments on the Export-Import Bank legislation, it went nowhere. When they agreed to our reasonable requests for input on the bill, that changed. They could have accepted this offer, actually, much earlier, but they didn't because it didn't fit the story line. The same thing on the postal bill—when Democrats blocked all amendments and debate, the bill stalled. When they agreed to a reasonable list of amendments, it passed. The same could be said about trade adjustment assistance, patent reform, FAA reauthorization, the highway bill, unemployment insurance, the doc fix, the payroll tax holiday, and others. It is the same story every time: Poisoned pills are removed, Republican input is allowed, and then things happen.

Republicans have been crystal clear that the Export-Import Bank reauthorization needed some work. Remember, Democrats tried to add it as an amendment to the JOBS Act before the House reached the agreement that enabled it to pass on a bipartisan basis over in the House. But, again, they wanted to do it without giving Senate Republicans a chance to debate or amend on the floor, so it didn't go anywhere. Now that we are being allowed to offer further improvements to the bill, there is a path forward. Republicans fought for the right to make this bill more responsive to the concerns of the American people, who, understandably, want proof that we take our fiscal problems seriously. This is how the Senate is supposed to work, and it has been all too rare over the past several years.

The Founders established the Senate as a place where issues would be resolved through consensus and considered bipartisan debate, so that once that consensus is actually reached, our laws would be stable and we could move on, confident that we had done the right thing.

The Social Security Act of 1935 was approved by all but six Members of the Senate. The Medicare and Medicaid acts of 1965 were approved by all but 21. All but eight Senators voted for the Americans With Disabilities Act of 1990. The idea in all these cases—and many others—was that on issues of broad national importance, on issues that affect all of us, one party shouldn't be allowed to force its will on the other half of the Nation. Yet, over the past few years, Democrats have felt quite differently.

So I am pleased today to see a departure from the Democratic standard operating procedure on this particular piece of legislation before us. Because they have agreed to allow a reasonable amendment process on this bill—something they objected to last month and then objected again even as recently as last week—this bill will be considered today after debate and votes on amendments aimed at improving it.

There is a lesson here: When both sides have a chance to debate and amend, legislation tends to move. But when the majority refuses any ideas that they didn't come up with, things slow down. Let's hope this new process will stick.

NATIONAL POLICE WEEK

Mr. President, this week we commemorate National Police Week 2012 and pay tribute to the men and women in the law enforcement community for their service and their sacrifice.

In 1962 President Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which it falls as Police Week.

During National Police Week, the Nation's Capital welcomes tens of thousands of law enforcement officers to honor those who have fallen in the line of duty. Among those visiting Washington are hundreds of police officers from my home State of Kentucky, and I want to personally welcome them and extend a special-thank you for their service and sacrifice that they make to keep Kentucky's communities and families safe. Your hard work and dedication is unmatched and does not go unnoticed.

Today we honor the approximately 900,000 peace officers across the country as well as the more than 19,000 officers who have lost their lives dating back to the first known line-of-duty death in 1791, including 163 officers who died in 2011 and 36 officers who have been killed thus far in 2012. In addition, this year we are paying tribute to 199 officers who died in previous years but whose acts of courage and sacrifice were not discovered until recently.

It is with great sadness that one of those officers we lost last year was from the Commonwealth—Officer James Philip ''Stumpy'' Stricklen of the Alexandria, KY Police Department.

Officer Stricklen was well respected amongst his peers and a leader within the community. He will be sorely missed.

This week the Nation honors Officer Stricklen, as well as all those police officers that have fallen. I would also like to take a moment to remember the families of the fallen. It is only through supportive families that these men and women were able to dedicate their lives to protecting others. May God continue to look after them and may God continue to protect all those, whose daily work is to protect us.

I hope paying tribute to those who serve and especially those who have paid the ultimate sacrifice reminds all of us of the heroes we have all around us, keeping us safe, each day. I encourage everyone to take a moment this week and going forward to extend a thank you to law enforcement officers who have sworn to protect us and keep our communities safe.

On behalf of myself and my Senate colleagues, thank you to all members

of the law enforcement community for your service. You have our deepest admiration and respect.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, there will now be 1 hour of debate equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Illinois.

Mr. DURBIN. Mr. President, before I say a word about the Export-Import Bank, I wish to speak as in morning business. I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE PROCEDURE

Mr. DURBIN. Mr. President, the comments made by the Republican Senate leader about the procedures in the Senate are comments I wish to speak to directly.

First, perhaps to his surprise, let me say I agree with him. The Senate is not what it should be. It is an important part of this government, it is an important part of this Nation, and it should be an important forum for the deliberation of critical issues that face us. Historically that is the role it has played.

But what we have found over the last several years is that we have lapsed into a new Senate—and not a very good one, from my point of view. It is a Senate that is overrun with filibusters. Filibusters used to be so rare, one or two a year in the early days and then maybe a few more in the last 50 years, but now virtually every single week. The filibuster is basically shutting down the Senate, saying that we will not go forward to vote on a measure. It has been abused, overused and, frankly, has denigrated the reputation of this important institution.

What are the points of view? The point of view of the minority was well stated by the Republican leader. The minority wants an opportunity to offer amendments. I know the feeling. I have been in the minority in the Senate. It is your only opportunity to have a voice on the floor of the Senate and to express a point of view that may not be reflected by the President or the Senate majority. That is an understandable impulse. The majority in the Senate is usually trying to move an agenda—many times, in this case, the President's agenda—and, frankly, does not want to see this slowed down by an onslaught of amendments. There has to be a happy medium, and that is what we need to see.

The suggestion of the Senate Republican leader that the problem we have with filibusters has to do with the fact, as he said it, that the Republicans insist on playing a role in offering amendments is correct to a point. But I might remind the minority leader, what happened last week? We brought up the college student loan bill. The object was to make sure the interest rate on college student loans did not double July 1, from 3.4 percent to 6.8 percent—widely accepted, widely endorsed by President Obama and by Governor Romney. How about that? Both leading contenders for the Presidency said don't let this interest rate double. You would think that would be an easy thing to accomplish.

What we offered on the floor to the Republicans was an opportunity to bring up the measure and they could bring up their amendments to the measure. That, I think, is what the Senate Republican leader just asked for. How many Republican Senators voted with us to bring up the student loan measure, subject to amendment? None. Not one. So this suggestion that we are in filibuster because we do not offer an opportunity for amendment overlooks what happened last week. The college student loan bill offered ample opportunity to the Republicans to offer an amendment, but they still refused to allow us to proceed to that measure.

Here is what I suggest—perhaps a cooling-off period; perhaps that both sides do sit down and try to work out something that is reasonable.

Some can argue—and perhaps at times I have argued—that the Senate should be an open forum, open debate of many different issues. But in the interest of achieving things here in a reasonable period of time, I suggest what Senator REID, the Democratic leader, did on postal reform was a good-faith effort to come to some kind of compromise with the minority. If you will remember, Senator REID came to the floor and said we will accept relevant amendments to postal reform. We had quite a few of them, if you remember. I think it was a healthy time. It was a rare occasion, unfortunately, on the Senate floor, but it was a good-faith offer by the Democratic leader. It gave the Republicans opportunity to debate amendments. We debated them, we voted on them, and we passed postal reform.

I think we need to find some commonality here, where we can offer to the minority, whichever party is in the minority, the opportunity to offer relevant amendments to a bill. That means, of course, it is an amendment that relates to the subject matter of the bill. Two recent examples show how far afield you can reach. Senator BLUNT of Missouri offered an amendment to the transportation bill on the subject of birth control. Maybe there is some way you can link up transportation and birth control but I will not go there. I will just say that was a stretch to bring that issue to that bill, but he was given the chance. The junior Senator from Kentucky tried on bill after bill, totally unrelated to foreign policy, to offer an amendment on foreign aid to Egypt. That shows how far you can stretch the opportunity to offer a floor amendment.

As I said, there can be moments where we want to do that but as a matter of course around here I hope we will try to find some common ground. Wouldn't it be refreshing if the Senate floor was actually a floor where amendments were offered, debate ensued, and a matter moved to final passage instead of watching us lurch from one mind-numbing filibuster to another? I have said it on the floor before, but a lot of people with cable TV are complaining to the cable TV providers that there must be something wrong with C–SPAN, nothing is happening on C–SPAN. It is the Senate. And many times nothing happens because we are lurching through filibusters.

Today we are going to move to the Export-Import bill.

President Obama challenged us back in 2010 to create jobs by doubling exports of American-made products by 2015. It is a challenge to create and develop new technology, to tap into new markets and create new relationships, to more efficiently ship overseas our agricultural products and manufactured goods. In 2010, exports supported more than 9.2 million American jobs. Every $1 billion in new exports sales supports 6,000 additional jobs. By doubling exports, we have the opportunity to create millions of new jobs right here at home, jobs that could put the millions of Americans still unemployed or underemployed back to work.

Last year, Congress passed free trade agreements that will increase exports and provide access to markets in South Korea and Panama for U.S. exporters. The South Korea Free Trade Agreement alone is estimated to support 70,000 additional jobs by opening up Korea's $560 billion market to U.S. companies.

Earlier this year, I introduced a bill with Senators BOOZMAN and COONS in the Senate and Congressmen CHRIS SMITH and BOBBY RUSH in the House that would boost U.S. jobs by increasing American exports to Africa by 200 percent in real dollars over the next ten years. This broadly bipartisan legislation takes common sense steps. The bill would coordinate the various U.S. Government export efforts aimed at Africa, make sure our Foreign Service Officers have appropriate training on helping U.S. companies understand new markets, and ensure that our Department of Commerce keeps a focus on Africa. And the bill makes a change at the Export Import Bank—a bank which actually makes hundreds of millions of dollars in profits for the American taxpayer.

Our bill empowers the Export Import Bank to be more aggressive in countering concessional—or below market—loans being offered by China and others to help their businesses crack into African markets.

You see this is a global economy and the competition from other nations and industry is fierce. Our government should be helping our businesses—and our workers—crack through to new markets where American quality and standards are in high demand. This isn't corporate welfare, it is smart business. It doesn't cost the American taxpayer anything—in fact it generates jobs and funding. These are all steps that will get us closer to meeting President Obama's challenge.

We have another opportunity to help U.S. businesses export more by reauthorizing the Export-Import Bank that is set to expire at the end of this month. The Export-Import Bank makes loans to firms exporting American-made products. These loans allow businesses—including a large number of small businesses—across the U.S. sell their goods to businesses all over the world. The Bank makes money off of these loans, money that is returned to the U.S. Treasury year after year. The bank has a loan loss rate of less than 2 percent—a figure most banks would envy.

It is estimated that the Export-Import Bank will return $359 million to the United States Treasury in fiscal year 2013 alone, and according to CBO the bank will return almost $1 billion over the next 5 years. This money is used directly to reduce the deficit. The Export-Import Bank is responsible for supporting 288,000 jobs at more than 2,700 U.S. companies. Mr. President, 113 of these companies are located in my home State of Illinois, and 80 of those are small businesses.

One of these companies is NOW Health Group in Bloomingdale, IL. This company is a natural food and supplement manufacturer with more than 640 employees, 35 of which are supported by assistance from the Export-Import Bank. According to NOW's Chief Operating Officer Jim Emme, ''The flexibility in the payment terms we can offer through our Export Import Bank policy has allowed us to grow our business in existing markets as well as open new ones.'' NOW has grown its exports from 2 percent of their overall business to more than 10 percent. They could not have done this without the Export Import bank. There are thousands of stories just like this all over the U.S.

The reauthorization increases the Bank's lending cap from $100 billion to $140 billion and authorizes the Bank through 2014. Legislation reauthorizing the Export-Import Bank has received overwhelming bipartisan support in the past. Similar legislation reauthorizing the Bank received bipartisan support in the Banking Committee and was reported out of Committee by a voice vote, and a similar Export-Import Bank reauthorization was introduced by a Republican back in 2006 and passed the Senate by unanimous consent.

I hope we can come to an agreement soon to quickly pass a bill to reauthorize the Export Import Bank, a bill the House has already passed with broad bipartisan support. This bill has support from labor organizations such as the AFL–CIO and the Machinists as well as the U.S. Chamber of Commerce and the National Association of Manufacturers.

Mr. President, this is a bill that gives American corporations, large and small, a fighting chance to build the products here in America and sell them overseas, creating jobs right here at home. We live in a world where China—most important China, but many other nations, have government support for their businesses' exporting. This is our government's support for our businesses to export. Boeing has its national headquarters in Chicago and most of their manufacturing operations in the State of Washington. Boeing is competing with Airbus. Airbus is a product, a plane that is created by a conglomerate of European nations which do their best to make sure that Airbus wins a contract. I think it is not unfair that Boeing have the same opportunity, nor Caterpillar in my State, nor many businesses much smaller.

So the Export-Import Bank reauthorization is a good idea. It will create jobs. The amendments being offered on the Republican side, by and large, limit the opportunities to help American businesses. I will be resisting those amendments. I hope we can move to passage of this measure in a timely fashion.

I yield for Senator LAUTENBERG.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

CONFIRMING JUDICIAL NOMINEES

Mr. LAUTENBERG. Mr. President, I rise to join with my colleagues on this side to urge our colleagues on the other side of the aisle to move quickly to confirm highly qualified judicial nominees. They passed review by the Judiciary Committee. They passed all kinds of scrutiny.

We are on the verge of serious economic improvements. As that takes place, we have a lot of parts to keep moving. We must do everything we can to fill the positions that can help, directly and indirectly, to resolve disputes or problems, to help Americans across the country to find work, stay in their homes, provide their children with health care and education. We have to cooperate on all fronts to accelerate the pace of the recovery we see ahead of us.

One of the places both sides benefit is to keep our justice system moving efficiently. People need to know they can get disputes resolved, hopefully quickly, but heard and decided. One of the things that looms large is the trial of those who are charged with felonious deeds, criminal acts. Let's get those who are convicted finally punished if it is called for. But let's make sure that part of our judiciary functioning is moving as rapidly as it can be.

Property rights are at risk. Businesses need certainty about rights and responsibilities. Unfortunately, delays in confirming qualified judicial nominees who have passed the scrutiny of the Judiciary Committee are threatening to grind the wheels of justice to a halt when there are vacancies around. Nearly 1 in 11 judgeships across the country is awaiting the position to be filled. If these positions were physicians, firemen, cops, and 1 out of 11, almost 10 percent of these jobs, were not filled, we would do something as rapidly as we could to get them resolved. At this point in President George Bush's Presidency, the Senate had confirmed 25 more judges than have been confirmed since President Obama took office. These are seriously needed nominees who have been forced to wait nearly four times as long as the Bush nominees to be confirmed after being favorably reported, as I mentioned, by the Judiciary Committee.

As a result, the vacancy rate is nearly twice what it was at this point in President Bush's first term. These vacancies are not some remote problems that only lawyers and academics care about. Judicial vacancies affect the ability of everyday Americans and businesses to see justice served, and countless of them have had their cases delayed.

I am encouraged that we have been able to confirm a number of nominees lately, including two last evening. It is my hope that for the good of the country we will pick up the pace in confirming nominees—particularly as I see it from our State's point of view. In our State of New Jersey we have three distinguished nominees who have been approved by the Judiciary Committee and are awaiting votes by the full Senate so they can get to work fulfilling their obligation to dispense justice.

One of these people is magistrate judge Patty Shwartz, who has been nominated to serve on the Third Circuit Court of Appeals. She passed with flying colors with an examination of her background. She would be the only woman from New Jersey serving as an active Third Circuit judge and only the second woman ever to represent New Jersey on that court. Her presence would tell women something important about our understanding of where women are in our society. Since 2003 Patty Shwartz has served as a U.S. magistrate judge in the District of New Jersey, where she has handled 4,000

criminal and civil cases. She spent almost 14 years as an assistant U.S. attorney, supervising hundreds of criminal cases, including civil rights, violent crime, drug trafficking, and fraud cases.

I review her qualifications only to make the case that this is a person eminently qualified to sit on the bench. We need her presence there to move the volume of cases that are awaiting review, and she is bottled up here by reluctance on the other side. She passed the test. Let's let her go to work.

John Lacey, past president of the Association of the New Jersey Federal Bar, said that Judge Shwartz is ''thoughtful, intelligent, and has an extraordinarily high level of common sense.''

Thomas Curtin, chairman of the Lawyers Advisory Committee for the U.S. District Court of New Jersey, said:

Every lawyer in the world will tell you that she's extraordinarily qualified, a decent person, and an excellent judge.

The American Bar Association clearly agrees. They gave her the highest rating of unanimously ''well qualified.''

Judge Shwartz graduated from Rutgers University with the highest honors. She received her law degree from the University of Pennsylvania Law School, where she was editor of the Law Review and was named her class's Outstanding Woman Law Graduate.

The two nominees for New Jersey's district court are similarly well qualified.

Kevin McNulty currently leads an appellate practice group in New Jersey. He spent more than a decade in the U.S. Attorney's Office in New Jersey, rising to the Deputy Chief of the Criminal Division and Chief of the Appeals Division.

Mr. McNulty clerked for U.S. district judge Frederick B. Lacey after receiving his law degree from New York University, where he was a member of the Law Review, and his undergraduate degree came from Yale University. He was named Lawyer of the Year in 2008 by the New Jersey Law Journal, and the ABA rated him unanimously ''well qualified.'' I am confident that his work as a judge will earn him similar praise.

Judge Michael Shipp, yet another appointee, has equally impressive credentials. As a U.S. magistrate judge in the District of New Jersey since 2007, he has conducted proceedings in both civil and criminal cases, including ruling on motions, issuing recommendations to district court judges, and performing district court judge duties in cases with magistrate jurisdiction.

Judge Shipp previously worked in the New Jersey Attorney General's Office as assistant attorney general in charge of consumer protection and then as counsel to the attorney general, where he ran a department of 10,000 employees.

He has also worked as a litigator at a distinguished law firm, Skadden Arps, and as a law clerk to New Jersey Supreme Court Justice James Coleman, Jr.

Judge Shipp is a graduate of Rutgers University and Seton Hall University Law School, where he continues to teach as an adjunct law professor—a position he has held for more than a decade.

I review the qualifications of these judges to remove any doubt about whether they could do a good job. They can do a great job. Their backgrounds say they are ready to go to work, and here we are, frankly, seeing them held up, in my view, unnecessarily. Let's get this behind us. There are things on which we can cross the aisle without invading the province of the other Members, and I think we just ought to cooperate on judges. I think I can speak for the Democrats here that we will cooperate. We will consider the judges who are presented from their side, but we want to just get going with judges altogether.

I thank Chairman LEAHY and Ranking Member GRASSLEY for moving these nominees through the Judiciary Committee, but now it is time to bring them to the floor and confirm them. Judge Shwartz, Mr. McNulty, and Judge Shipp have brought honor to New Jersey and to our country, and they deserve to be confirmed. More importantly, the American people deserve to see these vacancies filled so the promise of justice for all can truly be fulfilled.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I wish to continue to emphasize the remarks Senator LAUTENBERG made. I have not been here that long, but what I have seen happen in the last 2 or 3 years where judges appointed by the President of the United States are slow-walked or just ignored or blocked in this body is just outrageous.

In 2007, during my first month in office, I was presented with a Republican judge, coming from a Republican President, approved by my predecessor, Senator DeWine, and my colleague, Senator Voinovich. I met with her, talked with her, and I sent my approval to the Judiciary Committee. She was confirmed in the second or third month I was here, because I believe the President of the United States should have the right to choose judges as long as they are qualified. That is why I ask that we move forward on these judicial nominations.

In June 2010 U.S. district judge James Carr took senior status, creating a vacancy in the Northern District Court in Toledo, OH. That means that Ohioans seeking criminal or civil justice have to wait, which creates a backlog of too many cases. That is what we have seen happen.

In 2007 Senator Voinovich, a Republican, and I assembled a commission of distinguished Ohio lawyers to find the best candidate for the job. It wasn't in 2007; it was later than that. In 2009 there was a President from a different party, so we updated the commission. This commission, appointed by Senator Voinovich and myself, consisted of legal professionals from the Southern District of the State to suggest nominations for the vacant judgeships for the Northern District of the State. We did the reverse, with lawyers from the north choosing for the Southern District, to make sure there was not a conflict of interest. This commission was very bipartisan. One of them had a Republican majority, one of them had a Democratic majority.

Following Judge Carr's retirement, the commission made a selection. I interviewed three nominees, sent those names to the President, and then the President nominated Jeffery Helmick. Jeffery Helmick is a Toledo native, a brilliant and distinguished lawyer who has earned the respect of his colleagues for doing his job well. Yet for nearly 2 years his nomination has languished. For nearly 2 years he has had to place his defense practice and life on hold, awaiting Senate confirmation. This is no way to treat a public servant.

According to the U.S. Constitution, it is our job to confirm qualified nominees to serve on our Nation's highest court. But as of April of 2012—Senator LAUTENBERG mentioned this, and Senator NELSON from Florida will in a moment—there are 81 judicial vacancies throughout the United States. In my State of Ohio, the court is saying there is a judicial emergency. The nonpartisan Administrative Office of the Courts, the nonpartisan agency charged with running our Federal courts, recently declared a judicial emergency for the Northern District of Ohio.

Mr. Helmick has the enthusiastic support of all of the Federal judges in Toledo, including those appointed by Republican Presidents, was recommended by a bipartisan process created by Senator Voinovich and me, and yet his nomination is still stuck even though there is a judicial emergency and even though he was approved in a bipartisan manner by the Judiciary Committee. The result is that litigants in the Northern District are experiencing delays in having their cases resolved. In too many cases, justice conferred—as the saying goes—can be just denied.

Our Nation's courts have been a beacon of hope—sometimes, not always—for the vulnerable and the powerless, but this confirmation delay clogs our courts, obstructs justice, and damages our democracy. Maybe some people are playing political games by slow-walking these judges. In the end, they might think it is cute, funny, and they

might think they gain politically from it, but it does obstruct justice, it does clog our courts, and it does damage our democracy. So it is not cute, it is not funny, and it is not worthy of any political gains in this Chamber.

Jeffrey Helmick will make an outstanding judge on the U.S. District Court for the Northern District of Ohio. We need to confirm him, and we need to confirm him this month before Congress breaks.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the time on the Democratic side be equally controlled by myself and Senator LEVIN.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. That would mean how many minutes?

The ACTING PRESIDENT pro tempore. There is 6½ minutes remaining for the majority.

Mr. NELSON of Florida. For the total?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. NELSON of Florida. Then I will speed up my remarks until I see Senator LEVIN come in.

Mr. President, I, too, wish to talk about the vacancies. There is no sense for all of this slow-walking. Fortunately in Florida we have a process that takes the politics out of the selection of judges. The two Senators appoint a judicial nominating commission of prominent people all over the State, and they do the interviews and they do the selections of at least three for each vacancy. Because they do this in a nonpartisan way—notice what I said. I didn't say ''bipartisan,'' I said ''nonpartisan way,'' which is the way the selection of the judiciary ought to be done. Because they do that in a nonpartisan way, all three of the nominees who come to the two Senators—any one of them can be a Federal judge because they are all so qualified.

Fortunately, with the agreement we have with the White House, the President can name whomever he wants. He agrees to accept the nominee and make his pick from among the three we send him if we approve all three after the two Senators have, in fact, gone through and interviewed them. So we have a process. Why should there be a delay on judges like that? There absolutely shouldn't.

For example, take one of our Federal judges. Judge Jordan was elevated by the President to the Eleventh Circuit Court of Appeals unanimously out of the Judiciary Committee. At the end of the day, he won on this Senate floor 94 to 5, but he was held up for 4 months. Why? There is too much gamesmanship and partisanship in the process, and particularly coming out of a State such as Florida where it is nonpartisan in the selection of judges.

We have two vacancies in the Southern District and two vacancies in the Middle District of Florida right now. One of the judges is up on the docket. Two others have just come through and had their hearing in committee. The fourth is being vetted by the White House. Let's go on and get approved these judges where there is no controversy.

I see my colleague from Michigan is here. I will turn the remainder of my time to him.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, Members of the Senate have a duty and obligation to carefully consider the votes we take on nominations to the Federal courts. Our Constitution has established a judicial branch with vitally important responsibilities and with considerable independence from the other branches of government. The Founders were right to do so. They were also right to give this body a say on nominations to that independent branch. It is the one chance that the people, through their elected representatives, have to influence the makeup of the Federal courts.

I do not begrudge any Senator the right to carefully question judicial nominees, to carefully weigh their qualifications, and to exercise their best judgment as they exercise their responsibilities that the Founders assigned to the Senate.

The question we must all answer is this: When do careful consideration and the exercise of good judgment become damaging delay? For just as we can fail to serve our constituents by failing to properly scrutinize judicial nominees, we can fail to serve them by failing to act on these nominations after there has been sufficient time for the Judiciary Committee and the Senate to scrutinize them.

Today nearly 1 in 10 Federal judgeships is vacant. Roughly half of all Americans live in judicial districts or circuits in which the Federal courts have declared a judicial emergency, meaning according to the standards established by the Supreme Court, residents face the prospect of unacceptable delays in having cases heard because vacancies have led to a troubling backlog of cases.

It is a precept of Western judicial thought that justice delayed is justice denied; that even a correct verdict can be without justice if it comes too late to matter to the parties involved, especially if that delay is not justified by the circumstances or the complexity of the case.

The dangers for our Nation in these judicial emergencies are great: First, that Americans may be robbed of justice by unjustified delay; second, that Americans may come to doubt that the courts are capable of dispensing justice because they cannot function effectively; and, third, that in seeking to clear the growing backlog of cases the courts may rush to judgment and may fail to apply the rigor that Americans expect and deserve.

Mr. President, I ask unanimous consent I be allowed to proceed for an additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEVIN. The Judiciary Committee has favorably reported 17 judicial nominations that are now awaiting votes on the floor of the Senate. There is no question that the wait for many of the judicial nominees of President Obama has been unacceptable. Under the previous President, at this point in his term the average district court nominee waited 22 days from favorable report by the Judiciary Committee to Senate confirmation. The average circuit court nominee waited 28 days.

By contrast, the average district court nominee under President Obama has faced a wait of 97 days, and the average for circuit court nominees is 138 days. Yet the vast majority of these nominees are not controversial. They enjoy bipartisan support. We should move quickly to confirm these nominees who have been receiving bipartisan backing, particularly, and to review, debate, and act as expeditiously as we can on the small number of nominations about which there is some debate.

There is a great deal of discussion about which party is to blame about the ever-slower pace of judicial nominations. I have my own strong beliefs on that question. Our constituents are best served not by arguing over blame, but by our exercise of the responsibility the Constitution bestows upon us. I simply ask all of my colleagues to consider on each of these nominations the damage done by delay and inaction, and to carefully consider the threat to justice from the growing crisis of delay in our courts. We can and should act promptly on the 17 nominees on the calendar.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I ask unanimous consent to enter into a colloquy with my Republican colleagues: Senators KYL, COBURN, ISAKSON, and HELLER for up to 30 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

THE BUDGET

Mr. JOHANNS. Mr. President, I rise today with my colleagues to talk about something I think is an issue that without a solution will affect every single aspect of life in our country. I

am speaking about our debt crisis, the impending fiscal cliff, and the lack of a budget to address those issues. As I said, I am very pleased to be joined by my colleagues to talk about this issue.

Unfortunately, for whatever reason, the Senate has lacked the will and the leadership to fulfill what I consider its most basic legislative function: writing and adopting a budget resolution. That has gone on for more than 3 years.

While I understand we are rapidly approaching the time where Presidential politics will consume the entire agenda, the U.S. national debt is also rapidly approaching a significant milestone: $16 trillion worth of debt. We should look no further than Greece or Spain to see what this level of debt would do to an economy if it goes unchecked.

There are so many frightening statistics, but here is one: America's per capita national debt already significantly outpaces that of Greece or Spain. So as we watch them spiral further into crisis, we should be jolted into action by the very suggestion that our debt is equally as alarming. Yet we are unable to pass a basic budget resolution to get our spending in check. That constitutes a lack of leadership.

As I said, I have many colleagues here today who can talk about a better approach. I would like to start today with Senator JOHNNY ISAKSON.

Senator ISAKSON has spent his career working on budget issues.

I say to Senator ISAKSON, what is the impact of no budget resolution for 3 years? Is there a better way? Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is, no discipline for 3 years. The result of no discipline for 3 years is we spend $10.4 trillion without a budget.

I do not know how good you are with your memory, I do not know how good I am with mine, but if I do not have a budget or a guidepost to go by, and I am spending $10.4 trillion, I am making big mistakes. I am making big mistakes not with my money but with the money of the people of the United States of America.

Last night I did a telephone townhall back to Georgia. At one time we had a little over 3,200 callers on the line. Question after question, with a very simple question: How can you guys operate without a budget? Why can't you get a budget? Why can't you bring a budget to the floor.

The fact is it is because our budget requirements cast out 10 years of planning for taxes, 10 years of planning for expenditures, 10 years of planning for the government. A lot of people just do not want us to know what their plans are for the next 10 years.

But every American family in this country has had to sit around their kitchen table, reprioritize their expenditures, and budget what income they have because of difficult economic times. The Government should ask of itself only what it forces upon all of its people.

I have a suggestion to consider, a suggestion that 20 of our 50 States practice. Forty percent of our State governments now have a biennial budget. It is a proposal that has been before this body for years. I am proud to be the cosponsor with Senator JEANNE SHAHEEN from New Hampshire. It is a budget process and a discipline that ends this no budget and also memorializes the most important thing we need to do and the least thing we do in this body; that is, oversight.

The biennial budget proposes we would do our budgeting in odd-numbered years and our appropriating in odd-numbered years and do it for a 2-year period rather than a 1-year period. Then, in the even-numbered year—an election year—we would do oversight of spending. We do not ever do any oversight.

The best oversight person in the Senate sits to my right. His name is TOM COBURN. He is going to be the closing act in this colloquy. He is going to show some pictures that cast a lot more than 1,000 words about the duplication of expenditures in this government, primarily because we have no oversight and we have no discipline. We go back at appropriations year after year after year but never look at justifying what we spent in the year before.

So to the Senator from Nebraska, I say to the people of Georgia and the people of the United States, I want to expect of myself and our government at least what is mandated upon you. I want us to begin to be accountable for our spending and hold accountable those who spend that money. I want us to do our appropriations in a balanced way, in a disciplined way, and never again go 1,000 days without a budget, never again have $10.4 trillion of spending without a budget, never again look the American people in the eye and say: I, as your Government, am not willing to do what you must do.

It is absolutely time we stop the redundancy, start prioritizing, and start conducting oversight. When we do that, America will be better off, our fiscal policy will be better off, our debt and deficit will come down, and we will return to those days all of us yearn for, with better prosperity and absolute accountability.

I thank the Senator from Nebraska for giving me the opportunity to expound on the biennial budget.

Mr. JOHANNS. Mr. President, I thank Senator ISAKSON.

Senator ISAKSON referenced my time as Governor of Nebraska. But I speak on behalf of all Governors. The Governor has to deliver a budget. In Nebraska, we used a 2-year budget, and that is what makes me proud to cosponsor the Senator's idea. It is the right approach. It simply says we are going to do our very best to get a budget passed and do the oversight necessary to make sure that budget is working.

So I compliment the Senator on his idea. It is definitely a better way forward.

Let me, if I might, now turn to Senator KYL.

I say to Senator KYL, when I was Governor I always had the first shot at delivering a budget. I would deliver it. I would do the State of the State Address. It was not that much different from the way it is done in Washington, with the President's February budget proposal. The State of the Union Address coincides with that.

With my budget—and I think most Governors would say this—even when there was real arm wrestling with the legislative process, I always believed I would get about 90 to 95 percent of my budget proposals across the finish line. It was a serious proposal. There were no gimmicks. It was a balanced budget. It did not borrow money to balance the budget.

I say to the Senator, how do you regard the President's budget submission these last years, and why isn't it getting more support in a bipartisan sort of way?

Mr. KYL. Mr. President, I say to my colleague, first of all, I will repeat what Senator ISAKSON said. As a Governor, you had to balance the budget. You know how to do it. You understand the importance of it. I appreciate the Senator's work on this colloquy today in that regard.

I would note that my own State of Arizona just concluded its work on a budget. It was hard. The Governor had her proposals. The State legislature did its work. It was hard slogging because they had to make tough decisions, but they did. Just last week, they finished the budget in the legislative session.

Families have to do it, States have to do it, but here in the Congress now, under the Democratic control of the Senate, for 3 straight years there has not been a budget.

As the Senator knows, however, the President submits a budget each year. Last year, his budget was, frankly, met with derision from pundits, from experts, and from economists who said it was not a serious proposal. I looked up the number. Last year his budget was rejected 97 to 0 in the Senate.

So what about this year? Well, the same thing. It was not a serious effort. It was a political document. Everybody could see it. So they put it to a vote in the House of Representatives. It was

defeated 414 to 0. Not a single Democrat voted for the President's budget. They understood it was not serious.

Well, we will have an opportunity to vote on the President's budget again this afternoon, and I expect the same fate. Why? Well, three quick points.

First of all, it accelerates our path to national bankruptcy. It fails to address entitlement spending. It has a slew of job-killing tax hikes. And it does nothing to effectuate even the President's own deficit reduction committee plan for reducing the deficit.

Just a couple of numbers: It contains a whopping $1.8 trillion tax hike on individuals, small businesses, investment, and family-owned farms. Think about the job-killing nature, the wet blanket that puts over our economy—a $1.8 trillion tax hike. This comes on top of the tax hikes that are already embedded in ObamaCare, which will extract an additional $4 trillion from the private sector by 2035 according to the Joint Economic Committee. Even with this tax hike, the President's budget would increase deficits by nearly $6.4 trillion over the next decade.

Now, you stop and think: Wait. Aren't the tax hikes supposed to be there in order to balance the budget? Well, you would think so. But under the President's budget, notwithstanding all of the new revenue from taxes, it increases the deficit by nearly $6.4 trillion, and it would spend a staggering $45.4 trillion during the period of the budget, which is $1.2 trillion higher than the Congressional Budget Office baseline from last March.

I know these statistics are mind boggling, and I hate to cite them. But you do need to back up what you are saying with the actual data. That is the point. The President's budget is a job killer, it increases taxes, and it still never balances.

I would point out that under his budget, while spending would reach 23.5 percent of the economy this year, and never get below 22 percent of GDP over the next decade, the historical average is much lower: 20.8 percent of GDP.

So bottom line, the President's budget would lock in the fourth straight year of deficits above $1 trillion, and even though the President—and here is what the President said—he promised to ''cut the deficit in half by the end of my first term. . . . ''

Well, the President's budget would never balance notwithstanding the huge tax increases. That is what is wrong with the President's budget. It is why it is not going to pass today. It is why it did not pass last year.

Mr. JOHANNS. Very clearly this body is saying, the Senate and the House of Representatives, when they vote on the President's budget, they are saying very clearly: The President's budget spends too much, it taxes too much, and it borrows too much. It does not solve any problems.

I think actually that is the very clear unanimous message at this point from these bodies. This is not a serious budget proposal.

Mr. KYL. If I could add one other item to what my colleague said, we all know the big problem is spending on entitlements, the so-called mandatory spending. Well, the only thing mandatory about it is that it has to be spent unless we say something different. But we do not have the courage around here to reform our entitlement programs to the point that they are going to be available for at least our kids by the time they retire, and in some cases they may not even be available for some of us.

The other thing I would want to say about the President's budget is it continues this glidepath to insolvency for Medicare, which the recent Trustees Report says has an unfunded liability of $26.4 trillion. So in addition to spending too much, taxing too much, and borrowing too much, it does not do anything about the biggest problem we have, which is the broken entitlement programs that are not going to work for the people who are currently anticipating they will be there for them when they retire.

Mr. JOHANNS. Senator KYL makes an excellent point. If I could call on my colleague, Senator COBURN, who, as much as any Member of the Senate, has been the watchdog when it comes to spending and programs that duplicate each other, he has been the person who oftentimes has stood on the Senate floor alone and pointed out to everybody how much waste there is in the Federal Government.

Senator COBURN has been a great leader. He was on the fiscal commission, a member of the original Gang of 6. I would like to hear his views on the budgetary mess we find ourselves in now.

Mr. COBURN. Well, let me, first of all, I thank my colleague. I have a couple of charts that are oversized. The reason they are oversized is because we cannot get it all on one chart. I would ask unanimous consent to display those charts.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COBURN. What most people do not realize is the Federal Government is now twice the size it was in 2001. Think about that. We are spending twice as much money as we did in 2001. As a matter of fact, if we go back 15 years, our deficit this year is bigger than what our entire budget was. That is how out of control the Federal Government is.

There is a political reason we are not having a budget. Everybody understands that. Nobody is going to say that. The political reason no budget was proposed and run through the Senate to create a conference committee with the House is because we do not want to make the hard choices in an election year.

Budgets for families are about making hard choices, and yet here we are supposed to represent leadership in our country. We refuse to make hard choices about the direction.

I had the great opportunity to speak with some members in the War College class not long ago. We got into talking about budgets. They said: Do you realize how difficult it is for us to try to spend money when you send us a continuing resolution, and we do not know about it until 10 days before it is going to take effect, how difficult it is for us to try to manage in a prudent way the money that the Federal Government spends when we have no budgetary guidelines? There is waste out the kazoo when you ask us to do that.

So regardless of the fact that there is a law that says we will pass a budget, which has been totally ignored by the majority leader, the consequences of that are tremendous. What most people talk about is how do we get out of the problem. What I would put forward in terms of our budget, there is not a problem in front of our country we cannot solve.

What we lack is leadership to pull us together as Americans to say: Here is the problem. Here are the solutions. Let's find a compromise in the middle for the solution, and let's solve our problem. We have refused to do that. But, most importantly, we refuse to look at ourselves.

I have a couple of examples. The GAO put out its second annual report—the first one was last year, the second annual report this year—in terms of duplicative programs. We have had amendments on this floor fail routinely that said we ought to know what we are doing before we pass another bill. We ought to know what is already out there. That has been rejected by my colleagues.

But I am going to show charts that show how ridiculous we are in terms of how we are well meaning but absolutely stupid in terms of how we address problems that we perceive is the Federal Government's role.

The GAO put out a list of duplications. I am just going to read a few of them. I have given speeches on the floor on others, but there are 209 different programs—209 different programs in the Federal Government for science, technology, engineering, and math initiatives for our educational system. We spend $3 billion a year on that.

The overlap is unbelievable. Here is the chart that shows all of the different programs with all of the different agencies involved, all of them overlapping, most of the money wasted in terms of how we spend it because there is no concentration, there is no coordination, and what we have is a ridiculous array—not that it is wrong to

want to have more science, more technology, more engineering, and more math students. But we are spending all the money on the bureaucracy when we could have five programs: one for upper level, one for lower level, one for minorities, one for disadvantaged, and one for others. Here is the complex. It is mind boggling how many programs we have, and there is not a metric to measure whether any one of these is effective. That is $3 billion a year.

We could have one-tenth as many programs and spend one-half as much money and have more students come out with science, technology, engineering, and math backgrounds. But we have decided to do it piecemeal and never do the oversight and never consolidate. If we wanted to get out of a $1 trillion deficit, we do it $1 billion at a time, not do it with $1 trillion at a time.

The other program, which is even more difficult to ascertain, is in the Department of Justice grants. Let me go through those just for a second. There are 253 duplicative programs in the Department of Justice. We spend a total of $3.9 billion a year, and here is what the GAO tells us. People who apply for one grant in DOJ—for one thing—turn around and apply for it somewhere else for exactly the same thing. The Department of Justice does not know they just gave them two grants for exactly the same thing because there are so many different grant programs and nobody is watching the store.

So the point is nobody would run their household this way. No business would operate this way. States that are successful do not operate this way. The reason we do this is because we do not have a budget and we do not have any oversight and we are not minding the store. The way to change what is coming for our country is to start doing everything that is necessary to address the problem.

And the problem is this: We are spending money we do not have on things we do not need, and nobody in Congress wants to do the hard work of ferreting out what works and what does not and making the hard choices because every one of these programs has a constituency.

So the parochialism and the constituency and short-term thinking we are now bound up in keeps us from saving ourselves. Last quote, and I will finish with this: John Adams said, ''There has yet to be a democracy that did not murder itself.'' We are on that way if we do not change direction. It is not a Democrat-Republican problem. It is all our problem. It will not matter what our political persuasion is when we face the very difficult coming times if we do not respond with a cogent budget for this country.

Mr. JOHANNS. I thank the Senator. We look at those charts and reach the conclusion, inescapably, if we do not start doing oversight and start figuring this out, we are not going to solve this problem. My colleague's reputation as a watchdog of the Federal Government is well earned.

Let me now turn to my colleague, Senator HELLER. Senator HELLER brings great experience. He might be the newest Member of the Senate—I think he is—but he has great experience on the House side. He has seen how the budget process works there. He now has some experience on the Senate side. The Senator sees the lack of a budget process.

I would like him to offer some thoughts on what is broken and what we might do to fix this.

Mr. HELLER. I thank the Senator from Nebraska for yielding time and also those from Oklahoma and Arizona for this colloquy that we are having today and the ability to talk about issues that, frankly, the other side will not talk about—in fact, their conspicuous absence today on the other side is clear of the depth of their budget.

As we have heard, we have not had a budget for the last 3 years. So I rise today in support of a serious debate concerning the direction of our Nation. Three years have passed since Congress adopted a binding budget resolution. In this light, I respectfully submit that the American people do not believe that today's debate is serious. They know the Senate is not going to adopt a budget; once again it will ignore one of the most basic and important jobs of Congress.

What the Senate is doing this week could be considered political comedy if the stakes were not so high. In fact, the fact is this is not a serious discussion.

In May of last year, the majority leader stated: There is no need to have a Democratic budget, in my opinion. It would be foolish for us to do a budget at this stage. As early as February of this year, it was stated by the majority leader that there is no need to bring a budget to the Senate floor this year.

If that is the case, this week's debate is nothing more than a political sideshow, and the American people are tired of it. Ever wonder why the approval rating of Congress is so low? They hate Washington because it spends its time on stunts like this instead of working together for the good of the country; pushing votes for campaign press releases instead of solving problems.

The bottom line is if Congress does not do its job, then its Members should not get paid. That is exactly what I have proposed with the No Budget, No Pay Act. The American people know in an election year too many of their representatives in Washington are afraid of the tough choices that would help get our Nation on a path of fiscal sanity.

Most of the people watching the so-called budget debate will witness exactly what they have come to expect from Washington: the Republicans blaming Democrats, Democrats blaming Republicans. At the end of the day, all we will have accomplished is filling another page in the CONGRESSIONAL RECORD.

Unfortunately, Americans will face the same fiscal disasters they did before this debate. Unless we change course, Federal spending per household is projected to rise to $34,602 by the year 2022, a 15-percent increase in one decade.

The government's own actuaries tell us Medicare is going bankrupt in 10 years, Social Security one decade later. Both sides should be willing to come together to strengthen and preserve these programs for future generations instead of simply ignoring the problems because it is inconvenient in an election year.

Our national debt will reach $16 trillion before the end of the year. The Federal Government's unfunded obligations will total some $100 trillion. Yet there will be no budget this year, just like there has been no budget for the past 3 years. We cannot look beyond the beltway and say this failure of leadership has not had tremendous impact on the people we represent.

National unemployment has registered above 8 percent for the last 38 months. Nevada has led the Nation in unemployment for more than 2 years. Almost everyone I speak to in Nevada—businesses, job creators, elected officials, and families—speaks of the uncertainty that has characterized their lives in this economy.

We are not moving forward as a Nation, and it is no surprise to these nononsense folks. They know from everyday life in their businesses and in their households that you cannot move forward without a plan. When Americans look to Washington, they see no meaningful proposal, no viable plan, and no progress.

There are those who claim the Budget Control Act is a budget, and I strongly disagree. This bill does not establish priorities or a path forward for our Nation as a real budget should. It does not provide certainty, nor does it address many of the pressing fiscal problems we have today. If the Budget Control Act were truly a budget, there would be no need for this discussion today. It is past time for Congress to hold itself accountable.

That is why I have advocated my No Budget, No Pay Act for nearly a year. My legislation calls on the House and Senate to pass a concurrent budget resolution and the regular appropriations bills before the beginning of each fiscal year. Failure to do so would result in the loss of pay until we take our jobs seriously and make these bills our legislative priority.

The Congressional Budget Act of 1974 already requires Congress to pass a budget by April 15. My bill creates an enforcement mechanism to further encourage Members of Congress to do their constitutional duty.

I have spoken on this floor previously about No Budget, No Pay, but I believe now is the time to consider whether we are willing to make this promise to our constituents. I believe it is more important now than ever because the American people are increasingly losing confidence in Congress and its ability to deliver solutions.

No Budget, No Pay is not a silver-bullet solution to our Nation's fiscal challenges, but it would indicate that we are hearing the concerns of the American people and are willing to participate in the dialog necessary to get our country moving again.

I am pleased that 10 of my Senate colleagues have cosponsored this important effort, and others have expressed support for No Budget, No Pay on the Senate floor. I am especially grateful to Senators LIEBERMAN and COLLINS for holding a hearing to discuss No Budget, No Pay as a meaningful proposal that would help hold Congress accountable to the American people. This bipartisan bicameral proposal is worthy of the Senate's time if we are serious about regaining the trust of the American people whom we are supposed to be representing.

My colleagues, our Nation can literally no longer afford to survive on sound bites and press releases about the importance of budgeting. We need to engage in the serious business of budgeting for our Nation's future. That work should start today. Sadly, I simply don't believe we will make the tough choices necessary until Members of Congress have more skin in the game. I will continue calling for the adoption of the No Budget, No Pay Act.

The PRESIDING OFFICER (Mr. MANCHIN). The Republican time has expired.

The PRESIDING OFFICER. Under the previous order, the Senate agrees to the motion to proceed to H.R. 2072, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2072) to reauthorize the Export-Import Bank of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate equally divided between the two leaders or their designees.

The Senator from Utah is recognized.

AMENDMENT NO. 2100

Mr. LEE. Mr. President, I ask unanimous consent that we move to amendment No. 2100 to H.R. 2072.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 2100.

Mr. LEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs)

At the appropriate place, insert the following:

SEC. ___. TERMINATION OF EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Notwithstanding any other provision of this Act or any other provision of law, the authority of the Export-Import Bank of the United States under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) terminates on May 31, 2013.

(b) TERMINATION OF AUTHORITY.—Notwithstanding any other provision of this Act or any other provision of law, on and after June 1, 2013—

(1) the Export-Import Bank of the United States may not enter into any new agreement for the provision of a loan, a loan guarantee, or insurance, the extension of credit, or any other form of financing;

(2) the Bank shall continue to operate only to the extent necessary to fulfill the obligations of the Bank pursuant to agreements described in paragraph (1) entered into before June 1, 2013; and

(3) the President of the Bank shall take such measures as are necessary to wind up the affairs of the Bank, including by reducing the operations of the Bank and the number of employees of the Bank as the number of remaining agreements described in paragraph (1) decreases.

(c) REPEAL OF EXPORT-IMPORT BANK ACT OF 1945.—Notwithstanding any other provision of this Act or any other provision of law, effective on the date on which the Export-Import Bank of the United States has fulfilled all outstanding obligations of the Bank pursuant to agreements described in subsection (b)(1) entered into before June 1, 2013, the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is repealed.

SEC. ___. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—The President shall initiate and pursue negotiations with other major exporting countries, including members of the Organisation for Economic Co-operation and Development and countries that are not members of that Organisation, to end subsidized export financing programs and other forms of export subsidies.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of the negotiations described in subsection (a) until the President certifies in writing to those committees that all countries that support subsidized export financing programs have agreed to end the support.

Mr. LEE. Mr. President, it is time that we wind down the Export-Import Bank. My amendment, No. 2100, would do precisely that. The American people cannot be the world's financial backstop. The government should not be picking winners and losers. Businesses in Utah and across the country are not receiving government help and are shutting their doors after decades of serving their communities. We should not, through this government, be adding insult to injury by using the tax money they contributed to prop up companies overseas.

We need to end the corporate welfare that distorts the market and feeds crony capitalism. The corporations that largely benefit from the Ex-Im Bank should have no trouble marshaling their resources to compete in today's economy. If they are struggling, then they are most likely not deserving of taxpayer help; and if they are turning billions in profit, then they clearly do not need taxpayer-subsidized loans.

Further, government subsidies breed undue favoritism from government bureaucrats who control where the money goes. Unless we want more Solyndras, we should end the practice immediately.

Some have suggested that the Ex-Im Bank is good for businesses. What is best for American businesses is getting the Federal Government out of their way, letting them operate without burdensome government regulations and without a complex tax system.

Having the government pick winners and losers does not make industries stronger, it makes them more dependent on subsidies. When government is picking who wins, the loser is always the taxpayer.

We have an opportunity today to reverse the status quo and defend the American taxpayer. My amendment winds down the Ex-Im Bank. I urge my colleagues to support amendment No. 2100.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I rise today to urge my colleagues in the Senate to pass the Export-Import Bank legislation now before us. This debate this morning is about jobs, it is about manufacturing jobs, and it is about U.S. manufacturing jobs. That is because this bank is one of the most powerful tools we have for manufacturing jobs in America.

This is a debate about whether the Members in this Chamber believe access to financing is a key tool for U.S. companies to compete on an international basis when they are trying to get U.S. manufactured products sold

overseas. In fiscal year 2011 alone, the bank supported nearly 290,000 export-created jobs in America. Those are the jobs that are going to be threatened if the Senate does not act.

This authority expires on May 31. That is right, 16 days from now. And between now and then, the House is in session for only 5 days, so we can't afford to take this to the brink one more time with amendments passed by the Senate that are gutting amendments. These five amendments that will be considered would basically lapse the bank's authority and this would put into the debate more uncertainty about our economy.

We need to act now to renew the bank's charter, and businesses can't wait. They need the planning and certainty to hire more people. Failing to act will stifle U.S. economic opportunity. That is why nearly two dozen Governors, Democrats and Republicans alike, have urged the bank's extension, and so has the Chamber of Commerce, the National Association of Manufacturers, and the Small Business Association.

Mr. President, I ask unanimous consent to have printed in the RECORD a chart reflecting the jobs supported in each State by Ex-Im financing so that Members, if they wish to, can come and look at both the revenue that was generated and the jobs that were supported.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOBS SUPPORTED THROUGH EX-IM FINANCING BY STATE, FY2011

State	Export Value [1]	Jobs Supported [2]
Alabama	$72,192,614	523
Alaska	$3,793,545	28
Arizona	$170,943,313	1,239
Arkansas	$108,584,180	787
California	$3,468,983,437	25,150
Colorado	$150,993,779	1,095
Connecticut	$345,097,326	2,502
Delaware	$33,517,187	243
District of Columbia	$222,874,472	1,616
Florida	$1,054,197,361	7,643
Georgia	$487,633,648	3,535
Hawaii	$201,600	1
Idaho	$12,843,584	93
Illinois	$2,322,581,920	16,839
Indiana	$248,668,941	1,803
Iowa	$42,914,160	311
Kansas	$779,197,432	5,649
Kentucky	$38,186,699	277
Louisiana	$209,979,110	1,522
Maine	$20,673,669	150
Maryland	$220,489,400	1,599
Massachusetts	$565,960,139	4,103
Michigan	$320,510,673	2,324
Minnesota	$299,186,062	2,169
Mississippi	$25,040,065	182
Missouri	$414,499,691	3,005
Montana	$2,304,000	17
Nebraska	$57,942,908	420
Nevada	$31,910,400	231
New Hampshire	$39,842,746	289
New Jersey	$360,580,503	2,614
New Mexico	$5,055,359	37
New York	$804,093,389	5,830
North Carolina	$456,429,400	3,309
North Dakota	$18,708,353	136
Ohio	$398,413,384	2,888
Oklahoma	$235,300,682	1,706
Oregon	$213,921,302	1,551
Pennsylvania	$1,353,113,343	9,810
Puerto Rico	$10,555,200	77
Rhode Island	$11,877,600	86
South Carolina	$158,092,961	1,146
South Dakota	$13,468,905	98
Tennessee	$126,161,932	915
Texas	$4,865,359,960	35,274
Utah	$50,424,234	366
Vermont	$14,406,062	104
Virginia	$349,933,601	2,537
Washington	$11,469,897,102	83,157
West Virginia	$5,712,000	41
Wisconsin	$645,545,956	4,680
Wyoming	$1,512,000	11
Subtotal by State	$33,340,307,290	241,717
Not Allocated by State [3]	$6,307,692,710	45,731
TOTAL	$39,648,000,000	287,448

[1] Export value has been adjusted for inflation.

[2] Figure based on analysis completed for FY2011 Annual Report, which used formula of 7,250 jobs supported by $1 billion in export value.

[3] Programs such as short-term multi-buyer insurance in which exporter not identified at time of authorization.

Ms. CANTWELL. Mr. President, the default rate on the bank is consistently less than 2 percent lower than most commercial lending. I am sure we will hear a lot about that during the debate today. But since 2005, the Export-Import Bank has returned $3.7 billion to the U.S. Treasury, above and beyond the cost of operation. So, yes, my colleagues, this is actually something that is making money for the Federal Government. Not only is it helping U.S. manufacturers sell their products overseas—financing in a way I think is equivalent to what the Small Business Administration does; helping to provide a certain level of financing that makes deals come through—I think it is why we find banks are supportive.

The money comes back into U.S. taxpayers' pockets and it supports our winning in a global situation by getting our products sold. It has been incredibly helpful to our economy, with zero cost to the taxpayers, and, in fact, the nonpartisan Congressional Budget Office concluded a 4-year reauthorization of the bank would reduce the deficit by up to $900 million over 5 years. So the bank works for businesses and it works for U.S. taxpayers.

There is a compromise that is before us. I know it may not be the compromise that I or the Senator from South Carolina—who I see is on the floor—would have written into the legislation, but nonetheless it is a compromise and it is time to act. The reason I say that is because so many States also are counting on the Export-Import Bank, just as Washington State is.

Pennsylvania, for example, has over $1.4 billion in exports and 9,800 jobs related to the Export-Import Bank; Massachusetts, with $566 million. This is from the annual report of the Ex-Im Bank in 2011. So they had $566 million of economic revenue generated in Massachusetts and over 4,000 jobs. Why? Because we helped Massachusetts exporters get access to capital so they could sell their products overseas and win in the international marketplace. Texas, another example, with $4.9 billion in exports, and 35,274 jobs.

These are jobs America needs. This is a global economy in which America needs to be able to compete, and getting access to capital so that products can be sold is a critically important issue.

Florida, another great example of the support of the Ex-Im Bank, had $1.1 billion in exports and over 7,643 jobs. So that State has been another big winner; the State of North Carolina, $456 million in exports and 3,309 jobs; and Ohio, another example of manufacturers and businesses, with $398 million in exports and 2,888 jobs.

While there are many people who would like to say this program should be discontinued—and I am sure some of my colleagues are not in favor of it because there are many programs they wish to get rid of—I would say this is a program that is good for the U.S. taxpayers. The Ex-Im Bank has generated $3.7 billion for U.S. taxpayers since 2005.

Again, what is this debate about? The underlying amendments my colleagues are offering are trying to gut the Ex-Im Bank. They simply don't like it, and they want to get rid of it or say it is not a viable tool. I guess because one in four jobs in Washington State is based on trade, I know how critically important it is. Whether we are talking about agricultural products or selling airplanes or selling music stands, as one company we saw, or selling grain silos, companies need to be able to compete in the international marketplace and they need to be able to get sales for their products. This has been a very viable and important tool for them.

Some of my colleagues have previously raised concerns about the bank's transparency and oversight, and these concerns have been heard and addressed in this legislation. I wish to talk about the five ways this new compromise bill addresses those concerns.

There is more oversight. Under the amended bill, we would have a quarterly report on its default rate, and the first of these reports would be due September of this year. The bank has historically maintained a low default rate of less than 2 percent, but under this provision, if the default rate reaches 2 percent or higher, the bank will have to develop a plan to fix the problem and report to Congress within 1 month. If the default rate stays above 2 percent for more than 6 months, they will be subject to a review of an independent auditor.

These are very viable and important additions to the legislation. Not only would the auditor be there to help fix what was going on, he would have the oversight for anything that was involved with the bank they needed to report on. So there is less risk.

The second change to the underlying bill is the Government Accountability Office must study and report back to

the bank safeguards that prevent it from taking loans that are too risky. Again, since the bank has had a historically low default rate, we are happy to add this language, but it is another layer of protection on something that is performing and performing well. But as I say, we are happy to add that to the legislation.

More public input. The bank will have to open a public comment period for transactions greater than $100 million and it will have to notify Congress about these transactions so there is more transparency on what some consider the bigger financial loans in which the bank is involved.

Fourth, we have added more accountability. There is an annual report where the bank has to justify the need of every transaction—every transaction. That way the public will know if the bank has acted because a private lender would not have or if it acted in response to foreign export credit agencies.

And then fifth, the Treasury must engage nations in discussions about the need for export financing worldwide. I know some of my colleagues on the other side of the aisle would hope the President would end all export financing and leave that discussion at the World Trade Organization. But I would ask my colleagues, what is the difference between this and the Small Business Administration that provides an opportunity, a bridging of capital between small businesses and the opportunities to join with private financing to make deals happen.

As I said earlier, I live in a State where we know how beneficial export markets are to our products—whether we are speaking of cherries or apples or airplanes or a variety of new technologies—and these products are winning the day in the international marketplace. They are also creating jobs. So for my colleagues on the other side of the aisle who wish to end this program or say it ought to be ended on an international basis, we are happy to hear what the world community wants to debate and discuss on this basis, but I would ask why, in the moment of crisis in our financial institutions, when one of the supposedly most risk-averse institutions can't figure out why it lost $2 billion, would we want small businesses across America to pay the price for the fact they can't get financing of their products sold in an international marketplace? We have to wake up and understand this is about helping small businesses and helping them win the day for products that are created in the United States—created in the United States and sold abroad.

This compromise legislation that is offered today is the best path forward. These amendments are an attempt to gut the underlying bill and to stop the authorization of the bank and have it curtailed. As I said, we only have about 5 legislative days, given the House's schedule, to get this done. Some of my colleagues want to tell all those businesses I mentioned in all those States—Ohio, Pennsylvania, Florida, and others—that we don't know anymore whether this program exists and so let's actually stop the funding and lose jobs.

I know there are people in my State—such as Lawrence Stone from SCAFCO or Bill Perdue from Sonico—who gave me the message the American people want us to focus on creating jobs and supporting businesses. They want a program like this to continue and they want the jobs it creates for their communities.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I will gladly yield and let Senator CORKER go ahead of me—I understand the Senator has an amendment to offer—with the understanding I be allowed to speak for 5 minutes after he is done.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee.

AMENDMENT NO. 2102

Mr. CORKER. I thank the Senator from South Carolina and certainly the Senator from Washington State. I want to say I put my credentials for supporting exports up against anybody here, and I think the purpose of our being in this body is to try to create good policies.

I have an amendment I wish to call up. It is amendment No. 2102, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. CORKER] proposes an amendment numbered 2102.

Mr. CORKER. I ask unanimous consent to dispense with the reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Export-Import Bank of the United States to provide financing only for transactions subsidized by export credit agencies of other countries or for which private sector financing is unavailable or prohibitively expensive and to require the Bank to maintain a ratio of capital to the outstanding principal balance of loans and loan guarantees of not less than 10 percent)

Strike section 25 and insert the following:

SEC. 25. LIMITATION ON FINANCING BY THE EXPORT-IMPORT BANK OF THE UNITED STATES TO TRANSACTIONS SUBSIDIZED BY OTHER COUNTRIES OR FOR WHICH PRIVATE SECTOR FINANCING IS UNAVAILABLE OR PROHIBITIVELY EXPENSIVE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) or any other provision of law, the Export-Import Bank of the United States may not provide any financing (including any guarantee, insurance, or extension of credit, or participation in any extension of credit) for the exportation of any article unless the Bank certifies to Congress in writing that—

(1) an export credit agency of a foreign country is providing financing for the exportation of a substantially similar article from that country; or

(2) private sector financing for the exportation of the article is not available or is prohibitively expensive.

(b) ADDITIONAL INFORMATION REQUIRED.—If the Export-Import Bank of the United States certifies under subsection (a)(2) that private sector financing for the exportation of an article is not available or is prohibitively expensive, the Bank shall also include in the certification the following:

(1) An explanation of why private sector financing is not available or is prohibitively expensive.

(2) An explanation of how financing by the Bank for the exportation of the article does not put the United States at a substantial risk of loss.

(3) If private sector financing is available but prohibitively expensive, an assessment of the difference between the cost of private sector financing and the cost of financing provided by the Bank.

(c) REPORT ON REGULATORY BARRIERS.—For any transaction relating to the exportation of an article financed by the Export-Import Bank of the United States after certifying under subsection (a)(2) that private sector financing is unavailable, the Secretary of the Treasury shall submit to Congress a report that—

(1) assesses the extent to which private sector financing is unavailable as a result of excessive regulation of domestic financial institutions by the Federal Government or the obligations of the United States under international agreements relating to risk management by financial institutions; and

(2) makes recommendations for eliminating the barriers to private sector financing identified under paragraph (1).

SEC. 26. CAPITAL RATIO REQUIREMENT FOR THE EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Export-Import Bank of the United States shall maintain a capital ratio of not less than 10 percent.

(b) CAPITAL RATIO DEFINED.—In this section, the term ''capital ratio'' means the ratio of the capital of the Export-Import Bank of the United States to the total outstanding principal balance of all loans made or guaranteed by the Bank.

SEC. 27. EFFECTIVE DATE.

Except as provided in section 9(b), this Act and the amendments made by this Act shall take effect on the earlier of June 1, 2012, or the date of the enactment of this Act.

Mr. CORKER. Mr. President, I will be very brief. Again, this amendment is very simple and it does two things I would think the Senator from Washington especially would support, after all we have gone through, and especially after her alluding to some of the most recent developments in the financial system. I hope this amendment will receive broad support in this body.

The Ex-Im Bank is set up to finance transactions that cannot be financed in the private sector. That is the purpose for its existence. So, No. 1, what this

amendment will do is to cause the Ex-Im Bank to certify there is no private sector financing—or at least no private sector financing at a reasonable cost—before any loan goes through the Ex-Im Bank.

The second piece I think is very important. The way the Ex-Im Bank is set up right now, there are no capital requirements. The Senator from Washington was just talking about something that happened at JPMorgan. Fortunately, we have put in place since the financial crisis very strong capital requirements at our financial institutions, and what that has done is to make them healthy and to cause them to be able to withstand things that may happen as relates to default rates or other failures.

The Ex-Im Bank, believe it or not, is set up to finance things that no other bank will finance, and yet it has no capital requirements other than having to maintain $1 billion. So they are able to loan, per this new legislation, $140 billion but they only have to have $1 billion in capital reserves, which means you are creating with this mechanism 140-to-1 leverage ratios.

What we have gone through with our entire financial system is a process to make sure we have adequate capital. What our amendment does is to require that the Ex-Im Bank adhere to the normal sound financial practices we want our financial institutions across our country to adhere to by establishing a 10-percent capital base.

Again, I think this is a very good government amendment. We don't want to see the same happen with Ex-Im Bank that we have seen happen with Fannie, with Freddie, with so many of our institutions in this country that did not have proper capital reserves.

I urge strong support for this amendment which will make the Ex-Im Bank something that ensures—or hopefully helps ensure—that our U.S. taxpayers are never in a situation where we have to come to the aid of this institution because it hasn't reserved properly, it doesn't have the proper capital standards in place, that I think people in this body on both sides of the aisle have overwhelmingly supported for the private sector.

I would hate to see us be in a situation where we want to create something in government that risks taxpayers' money, when we have just gone through a process of understanding that it is very important for the financial institutions of our country to have appropriate capital standards. Here we are getting ready to pass legislation on this floor which, I am sorry, has almost no capital standards in place because you only have to have $1 billion—that is all—at the Ex-Im Bank, $1 billion against a $140 billion loan base. I think anybody here thinking about this understands those standards are not nearly appropriate, and I hope this amendment will receive overwhelming support.

It is my sense that if we pass this, the House would easily pass this. Contrary to what the Senator from Washington was saying, I think this would make the legislation better and, my sense is, receive overwhelming support in the House if added to it.

I yield the floor, and I thank the Senator from South Carolina for his tremendous courtesy.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I rise in support of the compromise that was outlined by Senator CANTWELL.

Basically, 6 years ago the Congress of the United States by voice vote reauthorized the Export-Import Bank. If you are in business, like Boeing and GE, and thousands of other companies out there that are making products in the United States and selling them overseas, the idea that the Congress would, by voice vote, reauthorize the bank had to make you believe that this model of doing business would be made available to you. Here we are, later down the road, a lot of concern about the bank, and some people actually want to do away with it.

I understand free markets pretty well, and I would love to live in a world where no country interfered in the marketplace at all and the best products would win based on a level playing field. But why do we have the Export-Import Bank? It is about 70 years old. There is a long record here. Products made in America and sold overseas—sometimes because of the volatile nature of the region in question traditional banks won't lend money. What happened is about 70 years ago we created a bank to help us export products, and that bank, the Export-Import Bank, as Senator CANTWELL said, makes money, doesn't lose money, and it has been a sound way to get American-made products into the international marketplace.

Here is the reality: Canada, France, Germany, Italy, Japan, Britain, Brazil, China, and India all have export banks of their own. The G–7 countries we competed against between 2006 and 2010 doubled the amount of Ex-Im financing available in their countries. This is what American businesses are competing against.

Our good friend up North, Canada, is one-tenth our size. The Canadian Ex-Im Bank did $100 billion worth of financing for Canadian-made products last year, compared to $32 billion in support of American manufacturers.

The only area of our economy that has been strong lately is exports. So imagine this: America does away with the Export-Import Bank. All of the countries I just described have their banks available to their manufacturers. Boeing makes planes in Washington and in South Carolina. Eight out of ten planes being manufactured in Charleston, SC, by Boeing, the 787s, are sold based on export-import financing, 8 out of 10. That is why they needed a second line of production. They are competing against Airbus. France has three Export-Import Banks. China's Export-Import Bank is larger than those of the United States, Germany, Canada, and Britain combined.

It is one thing to do reform; it is another to unilaterally surrender. It is one thing to lead the world; it is another to put the people who make products in America at risk unnecessarily. The legislation in the House did compel the President, the Department of Commerce, and Treasury to try to get these Export-Import Banks wound down over time. If we could do that, great, because I think the American workers and the American companies can compete anywhere in the world on a level playing field. At the end of the day, this is about whether we are going to unilaterally surrender. We are weeks away.

Senator CORKER has a good amendment, a decent amendment, but it doesn't quite get us to where we need to be at this late hour. One part of this amendment is that you can't make a loan under the Export-Import Bank until the company proves that the other countries in question are not offering loans in that area. That is pretty hard to do when countries such as China are not very transparent.

This amendment is billed as good government, and I know his motivations are sound. He is not ideologically against the bank. But at this late hour, it will bring the legislation down. And, quite frankly, the second prong of what he is proposing I think is a real burden to put on American businesses at a time when it is hard enough already to create jobs in America.

To those who want to end the bank without other countries doing so, I think you would be doing a great disservice to people in this country who are selling products overseas. In my State alone, you would be destroying the ability of Boeing Company to grow in South Carolina. GE makes gas turbines in Greenville, SC. One-third of those turbines made in Greenville are sold through ex-im financing. If you can get the other parts of the world to do this, count me in. Until we do it together, I am going to allow this bank to stay in business because it makes money, it doesn't lose money. There is a difference between leading the world and putting your companies at risk in a world based on reality, and the reality is that export-import financing by our competitive nations is growing, it is not being reduced.

This bill that passed the House was 330 votes. We live in a time in Congress where you can hardly declare Sunday as a holiday, but 330 Members of the

House voted to extend this bank for 3 years with reforms. Count me in the reform camp.

Some people say this bank has kind of gotten out of its lane and is making loans that are not traditionally export-import loans. I agree with that. Some say the bank is not transparent enough. I agree with that. The bottom line is it has been reformed; not as much as some would wish, but it definitely has been reformed.

Sixty-two percent of the Republican Conference in the House voted to reauthorize this, so I want to acknowledge Representative CANTOR, Representative HOYER, TIM SCOTT, and my delegation, who have tried to bring about reform. At the end of the day, the Senate now is receiving a product that went through the House, a lot of giving and taking. They produced a compromise, as Senator CANTWELL said, that would be different than I would have written, but it truly is reform. It allows a 3-year extension of the bank at $140 billion with reforms that are, quite frankly, I think common sense, and 62 percent of the House Republicans supported this. The tea party was split.

At the end of the day we have a decision to make as a Senate: Are we going to allow this bank to fail, or are we going to allow the bank to stay in business under a new way of doing business? I think it would be a travesty and a detrimental event to the economy of this country if this bank were to go out of business and the banks of everybody we compete with are doubling in size. If you want to grow the footprint in America of selling products made in America overseas, this bank has a niche. Where you cannot find traditional financing, this bank allows American products to be sold, and I think it is a very sound business practice. The bank is making money.

The bank has been around for 70 years and there are no subprime mortgages here. This is about selling American products to a willing buyer overseas where you can't find traditional financing. Our friends in China—sometimes they are not our friends; they manipulate their currency, they steal intellectual property—their bank is going like gangbusters. The last thing I am going to do with my vote is take American companies that are struggling to make it, creating jobs in America through selling products overseas, and put them at a disadvantage against the Chinese or any other country that is doing business. We will wind down these things together or we will stay in business to allow those in America to make products and sell them overseas.

From a South Carolina perspective, this is a very big deal. It was a big deal to get Boeing to come to South Carolina. This is a request by Boeing, and many other small businesses such as Mount Vernon Mills, to keep the program around.

I will end where I started. Six years ago, those people in the manufacturing community had the bank reauthorized by voice vote. They set up a business model assuming the bank was going to be around, because nobody even objected to it enough to get a rollcall. Six years later, we can't make wild, radical changes. We have made reforms. But the worst thing we can do is to have told the community 6 years ago by voice vote this bank will be in place and 6 years later do away with it when no one else is doing away with their banks. That makes no sense to me. That is not good government. That, to me, is unilateral surrender. I didn't want to unilaterally disarm when we were competing against the Soviets in the Cold War, and I sure as heck don't want to unilaterally disarm in a world economy very much interconnected.

These amendments, most of them, are designed to wind down the bank. They are ideologically driven. Senator CORKER is trying to make it better, but there is a component of his amendment that I think would make it very difficult for our companies to get a loan. At the end of the day, we need to vote these amendments down and pass the House product.

To the Members of the House, Republicans and Democrats, you worked this out among yourselves in a way that I think the Senate should embrace and endorse.

And to Senator REID and Senator MCCONNELL, we are allowing votes on an important piece of legislation. The Senate is operating in the best traditions of the Senate; people have their say, people get to vote.

Here is my say: Bring your amendments to the floor. I respect your ideological position. I respect the idea of the free markets and where we want to go. But I am asking my colleagues not to put American businesses at risk at a time when our economy is on its knees. Do not destroy this bank at a time when competitor nations are doubling the size of theirs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I appreciate my colleague from South Carolina coming down to talk about his important tool for U.S. manufacturers and why it is important in his State and why we need to get on to the business of passing this House legislation that was a compromise that involved many people and, as my colleague from South Carolina stated, a very robust vote out of the House of Representatives.

I also wish to say a few words about my colleague's amendment, Senator CORKER. I will trust what my colleague from South Carolina says, that the amendment may be seen as a reform of the system, well intended, but I can tell you, it will have very adverse effects.

The Corker amendment basically is calling for a 10-percent capital ratio requirement. It is not based on any fact or reason. The bank has had a default rate of less than 2 percent—1.5 percent. So raising the reserve ratio would have a very adverse effect on the bank itself, and it would quadruple the reserves and basically cause problems with the bank and how it is leveraged.

If this is an issue about reform, there are many reforms in the underlying bill. To the provision that would say you would have to verify, if you are an individual business, that you can't get financing, I have read the Senator's amendment. I am not sure how you would prove that. It is not clear from the legislation. Does that mean you would have to survey every time the ex-im program was implemented for a business?

Let's say SCAFCO in Spokane, WA, which is a grain silo producer that is selling silos in many different parts of the world—every time they wanted to get financing for one of those silos, what would they do? Would they petition five banks in a region? Would they petition 100 banks in a region? I want people to understand what that competition is like.

Let's pretend that SCAFCO, as I said, which makes large grain elevators and is selling products all over the world and is one of the world leaders, and we have an Ex-Im Bank requirement that says they have to prove there is no financing available, and they are selling a lot of product in South America, in Africa, in Asia. Now somebody else says, You know what. I can get financing for the product out of Russia or I can get financing for the product out of China and I don't have that same requirement, so I am not going to buy from you, I am going to buy from them.

That is what you are doing. You are basically hamstringing American competitors in an international marketplace by not allowing them the financing tools. Of course the bank has to show they can't get financing, but this new provision puts an undue burden on these individuals—because of the language and how vague it is, how are they ever going to prove that there isn't someone there?

Instead of hamstringing American businesses, why not allow those American businesses to continue under this legislation that, as my colleague from South Carolina said, has been around for decades and been very effective? And we are including more transparency.

I urge my colleagues to defeat the Corker amendment because of its requirements on capital ratio that they do not need and, second, on an ability to prohibit the financing based on a clause that I don't even know how it can be met. My colleagues from States that are using this program will understand that it will be very hard for our

businesses to continue to compete with such a requirement.

I know my colleague Senator LEE was here earlier. The Lee amendment basically would out-and-out defund the Export-Import financing program. I get that some of my colleagues on the other side of the aisle believe we should not have this program. I think it has been a very important tool for U.S. companies to win in their sales of U.S. products overseas and, as I said, creates thousands of jobs. I do not think the amendment of Senator LEE, which would basically abolish the bank as of September 30, 2013, is a good way to go.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Louisiana.

AMENDMENT NO. 2103

Mr. VITTER. Mr. President, I now call up Vitter amendment No. 2103, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 2103.

Mr. VITTER. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries)

Strike section 8 and insert the following:

SEC. 8. NONSUBORDINATION REQUIREMENT.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 7 of this Act, is further amended by adding at the end the following:

''(j) NONSUBORDINATION REQUIREMENT.—Notwithstanding any other provision of law, the Bank shall not make or guarantee a loan that is subordinate to any other loan.''.

SEC. 8A. PROHIBITION ON FINANCING OF FOSSIL FUEL PROJECTS IN FOREIGN COUNTRIES THAT ARE SUBSTANTIALLY SIMILAR TO CERTAIN FOSSIL FUEL PROJECTS IN THE UNITED STATES.

(a) IDENTIFICATION OF CERTAIN DOMESTIC FOSSIL FUEL PROJECTS.—Not later than 90 days after the date of the enactment of this Act, the Export-Import Bank of the United States shall identify projects involving the production, refining, or transportation of fossil fuels in the United States that could benefit from the provision of a loan, loan guarantee, or other form of financing by a Federal agency.

(b) PROHIBITION ON FINANCING OF CERTAIN FOSSIL FUEL PROJECTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, on and after the date that is 90 days after the date of the enactment of this Act, the Bank shall not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) with respect to any project in a foreign country that the Bank determines is substantially similar to a project identified under subsection (a).

(2) CERTIFICATION REQUIRED.—If, on and after the date that is 90 days after the date of the enactment of this Act, the Export-Import Bank of the United States provides financing with respect to a project involving the production, refining, or transportation of fossil fuels in a foreign country, the Bank shall certify to Congress that to the knowledge of the Bank there are no projects in the United States that are substantially similar to the project in the foreign country that could benefit from the provision of a loan, loan guarantee, or other form of financing by a Federal agency.

(c) DEFINITION OF FOSSIL FUEL.—In this section, the term ''fossil fuel'' means natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from natural gas, petroleum, or coal.

SEC. 8B. PROHIBITION ON, AND REPEAL OF MINIMUM INVESTMENT GOALS FOR, FINANCING OF RENEWABLE ENERGY PROJECTS.

(a) PROHIBITION ON FINANCING OF CERTAIN RENEWABLE ENERGY PROJECTS.—Notwithstanding any other provision of law, the Export-Import Bank of the United States shall not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) with respect to any project that involves the manufacture of renewable energy products in a foreign country.

(b) REPEAL OF MINIMUM INVESTMENT GOAL FOR FINANCING OF RENEWABLE ENERGY PROJECTS.—Section 534(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (12 U.S.C. 635g note) is repealed.

Mr. VITTER. Mr. President, this amendment is borne of real frustration that a lot of folks have faced over the last few years, particularly in my State of Louisiana. As you know, we have had a rough time, particularly following the BP disaster.

First there was that real environmental disaster, which was a shock to our system and our ecology. But second, and of perhaps even more lasting impact, there was the economic hit that was magnified enormously when the Obama administration, in my opinion, overreacted and instituted a full-blown moratorium on production drilling—drilling in the Gulf of Mexico. That formal moratorium was ended in late 2010, but a de facto moratorium continued for many months. Even now there is a permanent logjam that has permitting at a much lower pace than before the BP disaster.

This is a broader problem because, at least off the coast of Louisiana, we are producing some energy. In many other places of the country where we have an abundance of energy, we are not allowed to get it because this Federal Government, particularly under this Obama administration, puts well over 90 percent of our domestic resources off limits.

In the midst of everything that was going on in the gulf, in the midst of that moratorium shutting down jobs in the Gulf of Mexico, President Obama traveled to Brazil and he said that the United States wanted to be a tremendous partner and cheerleader of the development of Brazil's offshore industry. I have to tell you, that was like rubbing salt in the wounds of tens of thousands of oilfield workers and others who were suffering because of the Obama administration policy here in this country really discouraging energy development. The way President Obama proposed to be a strong supporter and partner and cheerleader of Brazilian offshore development was through an Export-Import Bank loan.

There are many of these sorts of loans. In August 2009—talking about Brazil, the case I mentioned—the Wall Street Journal reported in an editorial that ''the U.S. is going to lend billions of dollars to Brazil's State owned oil company, Petrobras, to finance exploration of the huge offshore discovery in Brazil's Tupi oil field in the Santos Basin near Rio de Janeiro.'' Again, the Export-Import Bank approved a $2 billion loan to aid Brazilian oil production. That is what President Obama was cheering and encouraging and making happen. It has happened other places as well. Again, the Ex-Im Bank specifically approved a $2.84 billion loan and loan guarantee to a subsidiary of Colombia's national oil company. This money was intended to expand and upgrade an oil refinery in Cartagena, Colombia. In 2011 the Ex-Im Bank again authorized $1 billion for Pemex, Mexico's national oil and gas company.

Here we have this Federal Government, through the Ex-Im Bank, financing energy production overseas at the same time as this Federal Government tries to shut down and make difficult a lot of that activity here at home. That is the frustration that produced this amendment, No. 2103. This amendment is simple. It simply says that Ex-Im Bank is not going to provide those loans or loan guarantees related to fossil fuel development in foreign countries if there are similar projects in this country that are not getting comparable help. It is not suggesting that the Ex-Im Bank is going to participate directly in projects in this country. It simply says first things first—American jobs, American energy, American production. So we are not going to finance the world to produce energy when we create obstacles right here at home to do the same.

The last several years have proved the need for this sort of commonsense provision, in my opinion. President Obama traveling to Brazil, ballyhooing the development of their industry while his moratorium and other policies substantially shut down our own here in the United States, proves the need for this commonsense amendment.

I urge all my colleagues, Republicans and Democrats, to support this Vitter amendment No. 2103. Again, it is very simple, very logical, and pure common sense. Before the Ex-Im Bank uses U.S. taxpayer money to fund, to finance the

guarantee of oil and gas and other energy development overseas in foreign countries, we are going to look here at home to see if similar projects exist and are they getting any similar help or inducement from the Federal Government.

I urge support of this amendment as a way to move forward in a commonsense way on this reauthorization.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I rise to address the Vitter amendment, No. 2103. In speaking in opposition to that amendment, as I said, like all these amendments that are up for us to vote on today, I believe they are detrimental not only to the Export-Import financing program but to the compromise that has been worked out by Republicans and Democrats in the House of Representatives in the legislation that is being supported by the chamber of commerce, U.S. manufacturers, a bipartisan list of Governors, and many businesses across America.

The reason the Vitter amendment is a horrible idea, actually, is that the amendment would basically cut off or curtail American companies in their ability to compete on energy projects on a worldwide basis; that is, it would eliminate the bank's current 10 percent goal for renewable energy projects. This is a longstanding requirement that has been incorporated into the Senate Foreign Operations bill. Why someone would oppose it here I am not sure.

As somebody who knows a lot about energy and works on energy all the time, I can tell you that one of the goals we have as a country should be for the United States to win in the energy debate. Look at what a tremendous market opportunity new energy solutions are for our economy, for the worldwide economy. It is somewhere from $4 trillion to $6 trillion. A lot of people like to talk about the Internet and the great things on the Internet. By comparison, it was somewhere between $2 and $4 trillion. This is an economic opportunity way beyond that.

When you look at what China is doing, they need to invest $3.7 trillion by 2030 in order to build 1,300 gigawatts of new electricity-generating capacity. The Chinese Government alone needs to spend $3.7 trillion on energy. My colleague from Louisiana wants to say: Let's hamstring U.S. companies—those that might have a solution to some of China's energy needs—from getting the appropriate financing so they can be successful in this program. To me, it is wrongheaded in the fact that we want to be selling to China, as I said, just because in the Northwest we already know what China is as a market. We sell them software, we sell them airplanes, we sell them coffee—we sell them lots of things. We understand they are a market. To curtail the solutions U.S. companies are working on, whether it is battery technology or smart grid technology or solutions for a whole range of products—you could even say nuclear power solutions or other clean energy source solutions—all of these things would be curtailed under the Vitter amendment.

We do not want to go backward. Not only does the United States want to be a leader in energy solutions in the United States, the United States should have the goal of being an energy winner in the international marketplace, growing jobs through selling solutions that we think can be quite successful in and around the developing world and in China.

I ask my colleagues to defeat this amendment and to make sure we get this bank. As I said regarding the Export-Import financing program, we have about 5 legislative days to give the predictability and certainty American businesses would like to see in making sure U.S. manufacturers win in a global marketplace.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. I rise today in support of H.R. 2072, the Export-Import Bank Reauthorization Act of 2012. After too much delay, it is time for the Senate to pass this bill.

The Export-Import Bank supports nearly 290,000 jobs a year, assists thousands of American businesses, and helps reduce the Federal budget deficit. It shouldn't be surprising, then, to hear that the bank has the approval of labor unions, the chamber of commerce, the Business Roundtable, and the National Association of Manufacturers.

Indeed, the bank is supported by a wide majority in both Houses of Congress. The bill before us today passed with an overwhelming vote of 330 to 93 in the House of Representatives last week as Republicans and Democrats came together in support of truly bipartisan legislation. When we passed a similar bill out of the Senate Banking Committee last year, it had unanimous bipartisan support.

Despite the urgent need for passage of the bill, there are several Republican amendments. I urge all of my colleagues to vote against those amendments and pass this bill without delay. We are at the finish line today with a bill that has already been approved in the House and has bipartisan support in the Senate. Unless we pass this bill, the Ex-Im Bank's authorization will lapse on May 31 and nearly 300,000 American jobs will be at risk. Unless we pass this bill, American exporters will be put at a disadvantage with their foreign competitors, who, in many cases, receive far greater assistance from their own nations' export credit agencies.

Let's come together and pass this bipartisan bill and score a victory for the hundreds of thousands of American workers whose jobs are supported by the Ex-Im Bank.

I urge my colleagues to oppose the amendments and support reauthorization of the Export-Import Bank today so we can send this bill to the President and have it signed into law without delay.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2104

Mr. TOOMEY. Mr. President, I call up my amendment No. 2104, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania, Mr. TOOMEY, for himself, Mr. DEMINT and Mr. LEE, proposes an amendment numbered 2104.

Mr. TOOMEY. Mr. President, I ask that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than $100,000,000,000 until the Secretary of the Treasury certifies that the Secretary has initiated international negotiations to eliminate export financing programs and to prohibit an increase in that lending authority to more than $120,000,000,000 until a multilateral agreement to eliminate export financing programs has been completed)

Strike section 3 and insert the following:

SEC. 3. LIMITATIONS ON OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'';

(2) in subparagraph (E), by striking the comma at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) during fiscal year 2012 and each succeeding fiscal year, $100,000,000,000, except that—

''(i) the applicable amount for each of fiscal years 2013 and 2014 shall be $120,000,000,000 if—

''(I) the Bank has submitted a report as required by section 4(a) of the Export-Import Bank Reauthorization Act of 2012;

''(II) the rate calculated under section 8(g)(1) of this Act is less than 2 percent for

the quarter ending with the beginning of the fiscal year, or for any quarter in the fiscal year; and

''(III) the Secretary of the Treasury has certified in writing to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that the Secretary has initiated the negotiations required by section 11(a) of the Export-Import Bank Reauthorization Act of 2012; and

''(ii) notwithstanding clause (i), the applicable amount for fiscal year 2014 shall be $140,000,000,000 if—

''(I) the rate calculated under section 8(g)(1) of this Act is less than 2 percent for the quarter ending with the beginning of the fiscal year, or for any quarter in the fiscal year;

''(II) the Bank has submitted a report as required by subsection (b) of section 5 of the Export-Import Bank Reauthorization Act of 2012, except that the preceding provisions of this subclause shall not apply if the Comptroller General has not submitted the report required by subsection (a) of such section 5 on or before July 1, 2013; and

''(III) the Secretary of the Treasury has submitted to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the text of a multilateral agreement to eliminate subsidized export financing programs (including aircraft export credit financing) agreed to by—

''(aa) each country that is a member of the Organisation for Economic Co-operation and Development; and

''(bb) each country that is not a member of that Organisation that, during fiscal year 2012 or any fiscal year thereafter, provided export financing in excess of $50,000,000,000.''.

Mr. TOOMEY. Mr. President, this is an amendment that deals with the reauthorization of the Ex-Im Bank. I urge my colleagues to support this amendment. I think it is a very important measure to begin the process of phasing out a very unfortunate practice that we participate in, as do many of our trading partners, which is the active taxpayer subsidization of exports.

I want to be very clear. There is a very real risk that is carried by American taxpayers, and that risk is systematically underpriced. The fact is the Ex-Im Bank extends loans and provides guarantees to countries and companies buying American exports. It provides those loans and those loan guarantees under terms that are not available in the private sector.

There is a reason those terms are not available in the private sector. It is because the private sector necessarily requires full compensation for whatever risks they take, and there is a risk in any loan. The Ex-Im Bank underprices these loans systematically, and that is why it is important, that is why it exists, and that is why it does business that the private sector cannot win away from the Ex-Im Bank. The Ex-Im Bank necessarily and systematically underprices the risks that taxpayers are on the hook for. This is what many of us object to, the risk that the taxpayers are forced to bear.

In addition to enforcing taxpayers to incur this risk, it is quite unfair to American companies that have to compete with the foreign companies that get the subsidized financing. This isn't just theoretical. This happens all the time. Some years ago I was involved in a dispute because the Ex-Im Bank was going to finance the acquisition of equipment by a foreign—I think it was a Chinese steelmaker—which would enable them to make steel at lower prices than American steelmakers could make because the American companies wouldn't be able to obtain this equipment with the subsidy that the Chinese companies could obtain through the Ex-Im Bank.

More recently is the case of Delta Airlines, which has observed that the price they have to pay for jets is higher than the price paid by other countries that are operating competing routes but buying their aircraft through the subsidies of the Ex-Im Bank.

In 2008 President Obama, referring to Ex-Im Bank, said this is ''little more than a fund for corporate welfare.'' I think that is a little bit harsh. I understand how this has come to be, I understand why it has been extended, and I understand why people believe we have to subsidize our exports. It is because other countries around the world subsidize theirs. In other words, if our German and French and Chinese and Russian taxpayers are made to take a risk in subsidizing the sales of their manufacturers, then our taxpayers ought to take a similar risk.

I think there is a logical solution. Let's require the administration to sit down with our trading competitors and negotiate a mutual phaseout of all of these export subsidies. Frankly, it is in everybody's interest. We could have a level playing field on which no taxpayers are subject to this risk, no taxpayers are asked to subsidize the sales of private companies, and I think that is what we ought to do. This is what my amendment would accomplish.

My amendment says we will go ahead with the reauthorization of the Ex-Im Bank, but the first increase in the lending limit we are currently at—the bump-up of $20 billion that is contemplated in this bill that has passed the House—would be contingent upon the administration informing Congress that they have begun the process of negotiating a phaseout of all export subsidies.

I recognize this phaseout would not occur immediately but would be a gradual process that would happen over time. So under my amendment the second increase would only occur when the administration came back and informed Congress that they had, in fact, reached an agreement with our leading trading partners on a framework that would phase out subsidization of exports.

I think this is a very sensible way to deal with the only compelling argument I have heard in favor of forcing taxpayers to continue to take this risk; that is, well, everyone does it, so we must. Since that is the only reason, then let's start the process of persuading everyone else not to do it. We have tremendous leverage in both bilateral and multinational trade negotiations of all sorts. There are ways that the administration—if it makes this issue a priority—can persuade our trading partners that this is the right direction to go.

Each of our trading partners has their own constituency of taxpayers who would probably rather not be forced to subsidize this process just as we do. I think this amendment does it in a careful fashion that allows businesses to continue for now provided we start in a different direction, a direction that will avoid continuing to put taxpayers at risk.

I urge my colleagues to support my amendment numbered 2104.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I would like to speak in support of Senator TOOMEY's amendment and to point out some of the things about the Ex-Im Bank that are important for the taxpayers to know.

As a businessman I know if I can get a guaranteed loan, I would take it in a second. I don't blame companies that are interested in lower rate financing. But as Congressmen and Senators and as the President of the United States, our job is to protect taxpayers. We are forgetting in this debate that when we guarantee a loan, we are signing the taxpayers' names to a loan guarantee. In the real world if an individual or a business guarantees a loan, that is a very real liability to them, and we are not just talking about the Ex-Im Bank.

The taxpayers of this country are now liable for about $1 trillion for student loans, trillions of dollars for mortgages and other loan guarantees and insurance.

We cannot continue to pass these bills without realizing someday these bills are going to come due and the folks across the country are going to have to pay them.

We were promised, when Fannie Mae and Freddie Mac were making all these loans, that it was good for the taxpayer, that we were making money, we could not lose. But the taxpayers have lost billions of dollars. And now as we continue to guarantee loans around the world, some of the countries these loans are going to are on the watch list by Moody's and other ratings services because of the financial situation in Europe and all across the world, which is more and more strained. We cannot assume this money is coming back to the taxpayer.

We probably heard already from some of the speakers that the Export-Import

Bank was started many decades ago during Franklin Roosevelt's administration, and there was a limit on how much could be lent. It was $3.5 billion. But we know how government works and how government grows. The bill we are considering this week is not in the millions; it is in the billions; and it is not $3 billion or $4 billion, it is $140 billion of loan guarantees to American companies that are selling overseas.

Unfortunately, that does not help American companies that want to sell here in America, which means much of the domestic market for our products is financed at a higher rate. It is only the rest of the world. And we are the biggest consuming market in the world. This is not an idea we should continue in America. We are in a bidding war with China and Europe to see who can subsidize the most loans at a time when all of us are broke.

We need to bring this to a close. Senator TOOMEY's amendment is a logical way to proceed. The World Trade Organization is set up to make sure there is a level playing field and that we are not subsidizing imports and exports. But this is a very real subsidy and a very real risk to the American people.

Let's begin the process of taking away this excuse of why we need to subsidize them. The excuse is always: We have to do it because they are doing it. But as a world trading organization, we need to take down these subsidies and phase them out. We can do that and decrease the amount of money the American taxpayer is liable for. It is common sense. Hopefully, my colleagues will support it today.

Mr. LEVIN. Mr. President, I am pleased the Senate is voting on H.R. 2072, the Export-Import Bank Reauthorization Act of 2012. This bill will reauthorize the Export-Import Bank, which has been operating under temporary extensions. We are overdue to reauthorize and expand this important agency.

The Export-Import Bank is an important tool U.S. companies can use to promote the export of American-made manufactured goods, particularly exports of small- and medium-sized manufacturers which make up the largest portion of the Export-Import Bank's transactions. The Export-Import Bank provides financing to foreign purchasers of U.S. goods when private financing is not available. That financing allows U.S. businesses to sell more U.S. goods abroad, which means we create more jobs here at home. And the reality is that many of our trading partners that compete against us in the global marketplace use aggressive export financing to advantage their companies. We need to offer the same type of support to American manufacturers so that they can compete in overseas markets on a level playing field.

Over the last 5 years the Export-Import Bank helped 148 Michigan companies export $2.7 billion worth of goods overseas, supporting and creating jobs in Michigan. Over 100 of these Michigan companies were small businesses selling a broad range of products manufactured in Michigan, including fabricated metal products, machinery, auto parts, chemicals, wood products, paper, and food. The three top export destinations for these Michigan exports were Mexico, Turkey, and Canada.

The Export-Import Bank is self-financing and in fact contributes money to the U.S. Treasury every year. This is a win-win situation to reauthorize the Export-Import Bank and increase its authorization level at no cost to the government so that we can export more American-made goods and create and support U.S. jobs here at home.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for the next 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. I have enjoyed listening to my colleagues on the other side of the aisle talk about Senator TOOMEY's amendment and all about subsidies. Well, it is hard to argue about subsidies when we are talking about the Ex-Im Bank generating $3.7 billion for U.S. taxpayers since 2005.

So if this is a subsidy, we need a lot more of it because you are winning in producing jobs and you are actually producing money for the Treasury. This is a very important tool for us to win in a global economy. I think my colleague from South Carolina who spoke earlier said it best when he talked about the manufacturing jobs that are now in that State and what an important tool it is.

I am not one of those who basically says: Oh, we should do it because other countries do it. I am saying, you should recognize that is going on, but that the United States needs to understand there is a global marketplace for its products. If you believe in U.S. manufacturers, as I do—and I have seen them in my State—they are winning the day in producing products and services that can beat the competition in international marketplaces. They can.

I have seen grain silos, I have seen music stands, and, yes, I have seen airplanes. So the question is, are we going to let U.S. products that can beat the competition in an international marketplace lose because the purchaser of those products is looking for financing mechanisms that will help them secure financing and purchase of those products? That is the question.

Does the United States want to do those kinds of activities? I say we should be even more aggressive. Why? Because the global development of many countries that are now buying U.S. products is going to continue to grow. In my State, in southwest Washington, in Vancouver, I saw the second largest grain elevator in the entire world—the second largest grain elevator. I said: Why do we have the second largest grain elevator in the entire world right here at the Port of Vancouver? They said to me: Because as the Asian middle class rises, they want to eat beef. And if they want to eat beef, they have to have grain.

What is wrong with the United States selling grain to Asian markets because they want our product—or all these other products we have been talking about today? These are examples of products in the United States where we are actually building a product that many countries and many end customers want. We should celebrate that, and we should realize, as the growing middle class around the globe increases, there is even more opportunity for the United States to sell products and win the day in the marketplace. So I do not know what they are talking about when they say ''subsidies,'' because this has been good for the U.S. taxpayers, and it has been good for our economy.

Specifically to the Toomey amendment, this amendment would require unnecessary conditions for helping the bank in the future. Basically, it would put a hold on the financing of the Export-Import Bank until we negotiated on an international basis to terminate this kind of financing.

As I said, for many States, they have had great benefits. In Pennsylvania, they have had the economic benefit—this is in just 2011—of $1.4 billion in exports and over 9,000 jobs. So here is something that has actually created jobs, created money for the U.S. economy—basically money back to U.S. taxpayers that we have used to help pay down the deficit. So how is it that is bad for us? In the meantime, that manufacturer in Pennsylvania is winning and getting his product out on an international basis and, hopefully, expanding his business to many different countries.

We had numbers on some of the other examples of companies that have been helped in various States. These are products and services like many in my State. We have visited a grain silo producer in Spokane, WA, that is winning in selling its product. We visited a music stands company, Manhasset Music Stands. You would think somebody might be able to compete with them and beat them in the international marketplace, but, in fact, they are winning the day in the international marketplace, and the Export-Import Bank helps them in doing so.

There are many examples of how this particular program is a win for taxpayers, is a win for manufacturers, and is a win for the U.S. economy. These amendments that are all trying to gut the Export-Import Bank would send

this back to the House, when we need to be sending it to the President's desk, giving certainty and predictability to our economy, giving certainty and predictability to a program that has existed for decades, for which often there has been a voice vote—instead of holding it up, actually making sure manufacturers have the opportunity and know where the financing is.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

Mr. HELLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—MOTIONS TO PROCEED

Mr. CONRAD. Mr. President, I ask unanimous consent that following leader remarks on Wednesday, May 16, the Senate proceed to the consideration of motions to proceed to the following budget resolutions listed, en bloc: Calendar No. 357, S. Con. Res. 41; Calendar No. 354, H. Con. Res. 112; Calendar No. 356, S. Con. Res. 37; Calendar No. 384, S. Con. Res. 42; and Calendar No. 395, S. Con. Res. 44; that there be 6 hours of debate on the motions to proceed equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on the five motions to proceed in the order listed above; that there be 2 minutes equally divided between the votes and that all after the first vote be 10-minute votes; that the motions to reconsider be considered made and laid upon the table; that notwithstanding the adoption of any motion to proceed, the Senate proceed to the remaining votes on motions to proceed; further, that at the conclusion of those votes, the Senate resume consideration of the budget resolution if a motion to proceed is adopted; and that if no motion to proceed has been adopted, the majority leader be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. HELLER. Mr. President, reserving the right to object, there has not been a budget passed in the Senate and the House in over 3 years. I would argue that the exercise we have ending tomorrow will have no substantial difference. I do not think there is anyone in America who believes we will have a budget at the end of tomorrow. The Congressional Budget Act of 1974 requires Congress to pass a budget by April 15. So with that, I ask unanimous consent that the request of the leader be modified so that S. 1981, the No Budget, No Pay Act, be automatically discharged from the Homeland Security and Government Affairs Committee, the bill be immediately placed on the calendar, and that when the Senate proceeds to the budget votes mentioned in the Senator's request, the Senate also vote on the motion to proceed to S. 1981 under the same terms and conditions of the other budget votes.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. CONRAD. Objection has been heard on our side.

The PRESIDING OFFICER. There is objection to the modification. Is there objection to the original request? Without objection, it is so ordered.

Mr. CONRAD. Mr. President, just on the note that the Senator raised, I want to make clear that I have heard over and over: No budget resolution has passed in 1,000 days. What is not being said is that instead of a budget resolution last year, the Senate and the House passed the Budget Control Act. The Budget Control Act is not a resolution, it is a law. A resolution, as all Members know, is purely a congressional document. It never goes to the President for his signature.

Last year, instead of a budget resolution, this body and the other body passed legislation called the Budget Control Act that set a budget, budget limits, and spending limits for this year and next. Actually, it went even further: It set 10 years of spending caps. A budget resolution usually only sets 1 year of spending caps.

So I wanted to make clear that instead of a budget resolution being passed last year, the House and the Senate passed the Budget Control Act to set spending limits for this year and next and for the 8 years beyond.

In addition, the Budget Control Act established a supercommittee and gave it special authority to reform the tax system and the entitlement system and said that if they could come to an agreement, they would not face a filibuster. With a simple majority, we could reform the tax system and the entitlement system here in the Senate. The Budget Control Act further said that if the special committee does not agree to reform the tax system, to reform the entitlement system, there will be an additional $1.2 trillion of spending cuts put in place over and above the $900 billion of cuts put in place by the Budget Control Act through spending caps for 10 years. That is a total—because the special committee did not agree—of over $2 trillion of spending cuts that are now in law as a result of the Budget Control Act. That is the largest spending cut package in the history of the United States, and it is law. It is law because of the Budget Control Act passed last year.

Now, my colleagues can go and shout it through the rooftops, as they have done, that the Congress has not passed a budget resolution in 1,000 days, but they are not telling the whole story. They are not telling people that instead of a resolution, the House and the Senate passed a law. A law is stronger than any resolution. A resolution is purely a congressional document. A law has to be signed by the President of the United States.

The Budget Control Act was passed by the Senate on an overwhelming bipartisan vote, passed by the House, and signed by the President of the United States. It sets the budget limits for this year and next, and it goes beyond that. It sets 10 years of spending caps, saving $900 billion. And because the special committee could not agree to reforming the tax system and the entitlement system, it put in place another $1.2 trillion of spending cuts that are now in law. That is a total of over $2 trillion of spending cuts.

What we do not have is the longer term plan the Budget Control Act hoped would come about as a result of the work of the special committee. So that is work we still need to do, but nobody should be under any misimpression or misunderstanding that we do not have spending limits in place for this year and next and, in fact, for all discretionary spending, spending limits in place for the whole of the next 10 years. That is a fact.

Tomorrow we are going to have a chance to debate fundamental issues of where the resources of the United States go. But we are in a different situation than we normally would be because the Budget Control Act is in law. We know what the appropriators can spend for this year and next. That is locked in. And tomorrow we will have a chance to debate longer term plans.

I will be interested to see what some of our colleagues say about some of the truly extraordinary and extreme budget plans that are being offered by my colleagues on the other side—plans to eliminate Medicare in 2 years, plans to cut Social Security benefits by 39 percent, plans to have trillions of dollars of additional tax cuts for the wealthiest among us, and at the same time cut education 25 percent, cut funding to reduce our dependence on foreign energy by 60 percent, plans to cut spending beyond the Budget Control Act limitations by another $2 trillion.

We are going to see, from some of my colleagues on the other side, truly extreme plans. I hope they will be voted down tomorrow. I hope we will be able

to make clear to the American people with the Budget Control Act law that passed last year, instead of a budget resolution, there are spending caps in place this year and next and the 8 years beyond.

Tomorrow will be an interesting day to discuss different Members' views of the fiscal future of this country. Make no mistake, we need to come together on a long-term plan to get us back on track.

I was part of the Bowles-Simpson Commission. In fact, it was the idea of Senator Gregg and myself to have such a commission. I voted for the findings of that commission to save more than $4 trillion. I was part of the Group of 6 who spent an entire year trying to find a way to implement Bowles-Simpson. So I am fully prepared to have this debate and this discussion.

I am eager for us to come together around a plan to get us back on track, but it is going to require all sides to get out of their fixed positions. That is probably unlikely right before an election, but it needs to happen before the end of this year. I am very hopeful that Bowles-Simpson—that fiscal commission plan—serves as a good example of where we might find common ground. Both sides, all sides, need to get out of their fixed positions to reach an agreement to get our country back on track.

I yield the floor.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012—Continued

The PRESIDING OFFICER. The Senator from Washington is recognized.

Ms. CANTWELL. Mr. President, we yield back all time.

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, the question is on agreeing to amendment No. 2100.

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. FRANKEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 12, nays 86, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—12

Cornyn	Hatch	Paul
Crapo	Kyl	Risch
DeMint	Lee	Rubio
Grassley	McCain	Vitter

NAYS—86

Akaka	Feinstein	Mikulski
Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Barrasso	Graham	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Hutchison	Reed
Blunt	Inhofe	Reid
Boozman	Inouye	Roberts
Boxer	Isakson	Sanders
Brown (MA)	Johanns	Schumer
Brown (OH)	Johnson (SD)	Sessions
Burr	Johnson (WI)	Shaheen
Cantwell	Kerry	Shelby
Cardin	Klobuchar	Snowe
Carper	Kohl	Stabenow
Casey	Landrieu	Tester
Chambliss	Lautenberg	Thune
Coats	Leahy	Toomey
Coburn	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Collins	Lugar	Warner
Conrad	Manchin	Webb
Coons	McCaskill	Whitehouse
Corker	McConnell	Wicker
Durbin	Menendez	Wyden
Enzi	Merkley	

NOT VOTING—2

Kirk	Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2101

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 2101 to be offered by the Senator from Kentucky, Mr. PAUL.

Mr. PAUL. Mr. President, I call up amendment No. 2101.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2101.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the Export-Import Bank of the United States from providing financing to a person or for a project in a country the government or central bank of which holds debt instruments of the United States)

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FINANCING BY THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR PERSONS OR PROJECTS IN COUNTRIES THAT HOLD DEBT INSTRUMENTS OF THE UNITED STATES.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States may not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) to a person or with respect to a project in a country the government or central bank of which holds debt instruments of the United States.

(b) DEBT INSTRUMENTS OF THE UNITED STATES DEFINED.—In this section, the term ''debt instruments of the United States'' means bills, notes, and bonds issued or guaranteed by the United States or by an entity of the United States Government.

Mr. PAUL. Mr. President, first, we borrow billions of dollars from China, India, and Saudi Arabia. Then we loan it back to them again.

Republicans rightly complain that we are sending taxpayer money to the President's major donors at Solyndra and BrightSource. Now Republicans need to be consistent and say we are not going to send Ex-Im loans to even bigger companies that are even more profitable. If it is wrong for the government to choose winners and send our money to corporations, we should say it is wrong and we should vote against this.

Does anybody remember the President threatening to increase taxes on corporate jets? Ex-Im Banks are now going to increase the loans for corporate jets tenfold.

My amendment will stop this charade. My amendment will stop sending taxpayer dollars overseas to countries from whom we already are borrowing money. It makes no sense, and the time is now to stop it.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment is simply another attempt to gut the Export-Import Bank financing that U.S. manufacturers use to increase the sales of their products around the globe.

The amendment would prohibit U.S. exporters from using the financing for any country that owns U.S. debt. So basically we are saying we are going to prohibit U.S. manufacturers, who make good products, from hoping to sell those to places such as China and others just because of the amount of U.S. debt.

This is about job creation in America for a program that actually generates money to our Treasury and helps us pay down the deficit. We should be helping all U.S. manufacturers sell all around the globe and create jobs at home.

I urge my colleagues to oppose the Paul amendment.

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 9, nays 89, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—9

Coburn	Lee	Risch
DeMint	Moran	Rubio
Hatch	Paul	Vitter

NAYS—89

Akaka	Feinstein	Menendez
Alexander	Franken	Merkley
Ayotte	Gillibrand	Mikulski
Barrasso	Graham	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inhofe	Reid
Boxer	Inouye	Roberts
Brown (MA)	Isakson	Sanders
Brown (OH)	Johanns	Schumer
Burr	Johnson (SD)	Sessions
Cantwell	Johnson (WI)	Shaheen
Cardin	Kerry	Shelby
Carper	Klobuchar	Snowe
Casey	Kohl	Stabenow
Chambliss	Kyl	Tester
Coats	Landrieu	Thune
Cochran	Lautenberg	Toomey
Collins	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Coons	Lieberman	Warner
Corker	Lugar	Webb
Cornyn	Manchin	Whitehouse
Crapo	McCain	Wicker
Durbin	McCaskill	Wyden
Enzi	McConnell	

NOT VOTING—2

Kirk	Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2102

Under the previous order, there will be 2 minutes of debate equally divided prior to the vote in relation to amendment No. 2102 offered by the Senator from Tennessee, Mr. CORKER.

Mr. CORKER. Mr. President, the most important thing this amendment does is establish capital in the Ex-Im Bank. Right now the way the Ex-Im Bank is set up, there is over $1 billion worth of capital against $140 billion in loans. That is a leverage ratio of 140 to 1.

This body spent a tremendous amount of time in a bipartisan way to make sure the financial institutions of our country had proper capital ratios. This amendment establishes a 10-percent capital reserve for the Ex-Im Bank. By their definition these loans are more risky than the private sector would make, and that is why the sponsors are trying to extend the Ex-Im Bank.

As a responsible body, the very least we can do is to cause them to have the appropriate capital reserved against the loans they are making which are more risky by definition than the private sector loans.

I hope this will receive a strong bipartisan vote. My guess is the House will take this almost in unanimous consent.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment would force the Ex-Im Bank financing to increase its reserves by nearly 400 percent to maintain that 10-percent ratio. Basically we already have a board that audits third-party accountants, OMB, and a bank inspector general reviewing this. This amendment basically would take away from money that actually goes to the Treasury.

This Ex-Im Bank has generated $3.7 billion for taxpayers since 2005. My colleague would rather have that put aside as opposed to helping us pay down the deficit. It has a reserve ratio that has worked for decades, worked successfully, and I like the fact that it helps us pay down the deficit.

I urge my colleagues to vote no on the Corker amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2102.

Mr. CORKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 36, nays 62, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—36

Alexander	Crapo	Moran
Ayotte	DeMint	Murkowski
Barrasso	Enzi	Paul
Boozman	Grassley	Risch
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johnson (WI)	Snowe
Cochran	Kyl	Thune
Collins	Lee	Toomey
Corker	McCain	Vitter
Cornyn	McConnell	Wicker

NAYS—62

Akaka	Hagan	Mikulski
Baucus	Harkin	Murray
Begich	Hatch	Nelson (NE)
Bennet	Heller	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Inouye	Pryor
Blunt	Johanns	Reed
Boxer	Johnson (SD)	Reid
Brown (MA)	Kerry	Roberts
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Durbin	Lugar	Warner
Feinstein	Manchin	Webb
Franken	McCaskill	Whitehouse
Gillibrand	Menendez	Wyden
Graham	Merkley	

NOT VOTING—2

Kirk	Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2103

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2103, offered by the Senator from Louisiana, Mr. VITTER.

The Senator from Louisiana.

Mr. VITTER. Mr. President, this amendment is very simple. It simply says that if we are going to have the U.S. taxpayer, through the Ex-Im Bank, finance and guarantee and loan money to traditional energy projects around the world, maybe we should have the same policy and the same help for U.S. projects producing U.S. energy here at home. That is, pure and simple, what it is all about. This is not a theoretical concern. A year ago President Obama traveled to Brazil to praise the development of their offshore industry, to give them U.S. taxpayer help through the Ex-Im Bank. But policies in this country were doing exactly the opposite—hurting U.S. activity to produce U.S. energy, to produce U.S. jobs.

If you want to create that reasonable, fair playing field to promote U.S. jobs here at home too, please support this amendment.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, the Senator from Louisiana has the right intentions, but this amendment would truly be a vote against U.S. jobs and manufacturing. It would wrongly target renewable energy manufacturing, and it would threaten millions of dollars in the export of U.S.-made products at a time when we should be seeking to expand these markets overseas.

If you look particularly at the wind industry, it is already suffering because we have not had the courage, frankly, to extend the production tax credit for wind, and it has bipartisan support; that is, the extension of the wind production tax credit. So we have to pass that production tax credit immediately. But in the meantime, let's not create a double whammy and pass the Vitter amendment because that would damage our opportunity to export renewable energy projects and services. Without question, that sector is expanding dramatically. It is the source of a lot of jobs in my State and I think in every State in the Nation.

Let's expand our markets. Let's export. Let's not limit that possibility. The Vitter amendment would do just that, so I urge all of you to vote against the Vitter amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to amendment No. 2103.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mrs. SHAHEEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 61, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—37

Alexander	Enzi	Murkowski
Ayotte	Grassley	Paul
Barrasso	Hatch	Risch
Boozman	Hoeven	Rubio
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coats	Isakson	Snowe
Coburn	Johanns	Thune
Cochran	Johnson (WI)	Toomey
Corker	Kyl	Vitter
Cornyn	Lee	Wicker
Crapo	McCain	
DeMint	McConnell	

NAYS—61

Akaka	Graham	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Portman
Bingaman	Inouye	Pryor
Blumenthal	Johnson (SD)	Reed
Blunt	Kerry	Reid
Boxer	Klobuchar	Roberts
Brown (MA)	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Collins	Lugar	Udall (NM)
Conrad	Manchin	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Moran	

NOT VOTING—2

Kirk	Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2104

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2104, offered by the Senator from Pennsylvania, Mr. TOOMEY.

Mr. TOOMEY. Madam President, there are two things we know about reauthorizing the Ex-Im Bank. We know our taxpayers are subject to a risk for which they are not fairly compensated in the sense that Ex-Im necessarily systematically underprices the risk. That is precisely why a borrower goes to them.

We also know it is unfair to a domestic competitor that cannot obtain the financing at the same rate that a foreign company can. We are told we should do this anyway because everyone else does it, because all of our competitors around the world subsidize their exports.

So I would suggest the logical conclusion is we should work to phase out export subsidies all around the world. That is what this amendment does. It reauthorizes Ex-Im. It lifts the limit of the borrowing cap. But it makes it contingent on the administration beginning a process of negotiating a phase-out of export subsidies. It makes the second increase in the lending cap contingent on an actual agreement that will, over time, get us all out of the business of risking taxpayer dollars in export subsidies.

I think this is a sensible way. It will allow an adjustment to take place for those who are dependent on this bank, but it will get taxpayers off the hook in time.

So I urge support.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, I think this is a nonsensical provision. It says the bank can only make loans—can make more loans if there is an international agreement to terminate the bank.

I know in Pennsylvania, Wallquest finished 2010 with export sales over $17 million, a 61-percent increase because it obtained Ex-Im financing. During the first 2 years, its workforce grew from 80 to 150. Now I know that may not be a big story, but it is the story of the Ex-Im Bank.

So capping it and saying we are not going to give any more money for more loans until we negotiate an end to the bank, I think, is the wrong way to go. I urge my colleagues to defeat the Toomey amendment.

The PRESIDING OFFICER. The question is on agreeing to the Toomey amendment.

Mr. TOOMEY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 63, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—35

Alexander	Burr	Corker
Ayotte	Chambliss	Cornyn
Barrasso	Coats	Crapo
Boozman	Coburn	DeMint
Enzi	Lee	Sessions
Grassley	McCain	Shelby
Hatch	McConnell	Snowe
Hutchison	Moran	Thune
Inhofe	Paul	Toomey
Isakson	Portman	Vitter
Johnson (WI)	Risch	Wicker
Kyl	Rubio	

NAYS—63

Akaka	Gillibrand	Merkley
Baucus	Graham	Mikulski
Begich	Hagan	Murkowski
Bennet	Harkin	Murray
Bingaman	Heller	Nelson (NE)
Blumenthal	Hoeven	Nelson (FL)
Blunt	Inouye	Pryor
Boxer	Johanns	Reed
Brown (MA)	Johnson (SD)	Reid
Brown (OH)	Kerry	Roberts
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Lugar	Warner
Durbin	Manchin	Webb
Feinstein	McCaskill	Whitehouse
Franken	Menendez	Wyden

NOT VOTING—2

Kirk	Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on passage of the bill before us.

The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Madam President, I urge all Senators to support final passage of the Export-Import Bank Reauthorization Act. Passing this bill today will make sure American exporters will not be put at a disadvantage to their foreign competitors, that nearly 300,000 American jobs will not be put at risk, and that the Ex-Im Bank will continue to return hundreds of millions of dollars to the Treasury.

I want to thank many of my colleagues for their leadership on this issue, including Ranking Member SHELBY, Senator WARNER, Senator CANTWELL, and Majority Leader REID.

I would also like to take this opportunity to recognize my staff for their hard work and important contributions to building bipartisan support for the reauthorization of the Ex-Im Bank.

In particular, I want to say a special thanks to Patrick Grant, Colin McGinnis, Adam Healy, Lev Bagramian, and Charles Yi, who did exceptional work in the Banking Committee to help us get to this point today.

I am also pleased this bill, which passed out of the Banking Committee with unanimous bipartisan support, served as the framework for the House bill before us today. Once again, I strongly urge a ''yes'' vote on this important jobs legislation.

I yield the floor.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. KERRY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 20, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—78

Akaka	Feinstein	Mikulski
Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baucus	Graham	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Roberts
Brown (MA)	Johanns	Schumer
Brown (OH)	Johnson (SD)	Sessions
Burr	Kerry	Shaheen
Cantwell	Klobuchar	Shelby
Cardin	Kohl	Snowe
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Chambliss	Leahy	Thune
Coats	Levin	Udall (CO)
Coburn	Lieberman	Udall (NM)
Cochran	Lugar	Warner
Collins	Manchin	Webb
Conrad	McCaskill	Whitehouse
Coons	Menendez	Wicker
Durbin	Merkley	Wyden

NAYS—20

Barrasso	Hatch	Paul
Corker	Inhofe	Risch
Cornyn	Johnson (WI)	Rubio
Crapo	Kyl	Sanders
DeMint	Lee	Toomey
Enzi	McCain	Vitter
Grassley	McConnell	

NOT VOTING—2

Kirk	Rockefeller

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the bill is passed.

The majority leader is recognized.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

Mr. REID. Madam President, I move now to proceed to Calendar No. 365.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 365, S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

EXECUTIVE SESSION

NOMINATION OF JEREMY C. STEIN TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM—MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 646, Jeremy C. Stein, of Massachusetts, to be a member of the Board of Governors of the Federal Reserve System.

The PRESIDING OFFICER. Without objection, the clerk will report the nomination.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to Calendar No. 646, Jeremy C. Stein, of Massachusetts, to be a member of the Board of Governors of the Federal Reserve System.

CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk with respect to the Stein nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System.

Harry Reid, Patrick J. Leahy, Jeff Bingaman, Christopher A. Coons, Carl Levin, Ron Wyden, Ben Nelson, Joseph I. Lieberman, Jeanne Shaheen, Richard Blumenthal, John F. Kerry, Kirsten E. Gillibrand, Barbara Boxer, Dianne Feinstein, Sheldon Whitehouse, Jeff Merkley, John D. Rockefeller IV, Tim Johnson.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER (Mr. BENNET). Without objection, the Senate resumes legislative session.

EXECUTIVE SESSION

NOMINATION OF JEROME H. POWELL TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to executive session to consider Calendar No. 647, Jerome H. Powell, of Maryland, to be a member of the Board of Governors of the Federal Reserve System.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to Calendar No. 647, Jerome H. Powell, of Maryland, to be a member of the Board of Governors of the Federal Reserve System.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk with respect to that nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System.

Harry Reid, Patrick J. Leahy, Jeff Bingaman, Christopher A. Coons, Carl Levin, Ron Wyden, Ben Nelson, Joseph I. Lieberman, Jeanne Shaheen, Richard Blumenthal, John F. Kerry, Kirsten E. Gillibrand, Barbara Boxer, Dianne Feinstein, Sheldon Whitehouse, Jeff Merkley, John D. Rockefeller IV, Tim Johnson.

Mr. REID. Mr. President, I ask unanimous consent to waive the mandatory quorum under rule XXII for both cloture motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

PASSAGE OF THE EXPORT-IMPORT BANK REAUTHORIZATION ACT

Mr. REID. Mr. President, I want to express my appreciation for the good work done on this most important measure that just passed the Senate on the Export-Import Bank. It was reported out of the Banking Committee. Senator JOHNSON did a great job with his committee.

In addition to that, the work of Senator CANTWELL was exemplary. She is a terrific legislator. When she gets her teeth in something, she won't let go and she would not let us take our eye off the prize; that is, passing this important legislation. I have such admiration for her legislative skills, and at this time I spread across the RECORD my admiration and congratulations on this legislation, which means so much to her and the entire country.

UNANIMOUS CONSENT REQUEST—S. 2344

Mr. REID. Mr. President, the national flood insurance program is to expire the end of May, this month. The insurance program provides coverage for almost 6 million people who work in flood zones. It is self-sustaining. For more than 40 years it has guarded American homeowners against flood-related disasters. If the program expires, new housing construction will

stall, new housing construction will come to a halt, and taxpayers will be on the hook for future disasters.

We have not been able to bring flood insurance to the floor because we have had a lot of problems with Senate procedure that some believe is abusive. It has left us with so little time. As you see, I have filed cloture on two nominations to the Federal Reserve. I will file later on a judge who has been waiting for almost a year.

No one believes there is enough time to pass, conference, and enact a long-term flood insurance bill before the end of this month, so under the situation we will have to do another short-term extension simply to keep the bill from expiring. Thus I will seek to pass an extension of this important program now.

Therefore, I ask unanimous consent the Senate proceed to consideration of Calendar No. 366, S. 2344, which is an extension of the National Flood Insurance Program, that that bill be read a third time, passed, the motion to reconsider be laid on the table, and there be no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, I object. I will hold my comments until after the majority leader finishes his talk, so I can explain my position.

Mr. REID. The Senator can go ahead if he wishes.

Mr. COBURN. The majority leader wants me to go ahead?

Mr. REID. Seriously, I am anxious to hear it.

Mr. COBURN. We have had 14 short-term extensions to the National Flood Insurance Program. That is over the past 4½, 5 years. There is a bill set to be brought to the floor. Yet we are going to have a short-term extension again.

This program is not financially sound and it is not self-sustaining. It runs a $900 million deficit every year. What is the National Flood Insurance Program? Do we need it? Yes. Am I objecting that we do need it? No. But the vast majority of the moneys that are expended by hard-working Americans go to subsidize the insurance for homeowners of second and vacation homes. Multiple times in the Senate and in the House, both sides have concurred that this should be taken away, this subsidy for those in terms of second homes and vacation properties.

What I would expect, if we are going to do an extension, is that then we ought to do an extension with something that both bodies have already passed, which includes making those people who have properties eight times the average value of the rest of the homes in the flood insurance program carry their fair share of their insurance. So I am not inclined, no matter what happens to the flood insurance program, to allow us to continue to extend.

I would make one other point. We will not have time in December to fix this, with everything else that is coming up. So the time to fix this is now. I will not object to the 5-year reauthorization coming to the floor. I don't think anybody on our side will as well. We should address this and be done with it. But another short-term extension is not what this country needs. We cannot afford losing another $900 million, plus the American taxpayer is on the hook for $1.34 trillion with this program right now. The average subsidy to the average home—not the vacation home—is over $1,000 a year.

I have no objection to supporting those who actually need our help, who are in flood-prone areas. But for those who have the tremendous benefit and the opportunity to have second and third homes, I think it is objectionable we continue to subsidize their purchase of flood insurance.

With that, I object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, before my friend leaves the floor, I hope we can do a short-term bill. As my colleague knows, the impediment to the regular function of the Senate this year has been the offering of irrelevant amendments. I am wondering if I could say through the Chair to my friend, the junior Senator from Oklahoma, what kind of agreement does he think we can get on the number of amendments on something like this?

Mr. COBURN. Mr. President, I would respond to the majority leader through the Chair and say I will help him in any way I could with my side of the aisle to make sure we have cogent amendments to this bill and also agree to a limited number of them, since it is important that we reauthorize this program.

Mr. REID. I say again through the Chair to my friend, how many amendments does he think he would need?

Mr. COBURN. One or two.

Mr. REID. I thank my friend from Oklahoma. It is something I wish to be able to do. We have so much to do—we have the farm bill, we have cyber security, we have the FDA bill, I am filing cloture on nominations—people who have been waiting to change their lives. So I am sorry we cannot legislate more.

I have sympathy with my friend from Oklahoma. I don't agree with everything he said, but this is a program that needs to be changed and I recognize that. I will continue working with my friend. Maybe there is some way we can work together and figure out a way to move this forward. It is hard.

What I would suggest is I would be happy to work on my side, because Senator JOHNSON has talked to me twice today on this legislation, to figure out what amendments my folks want to offer, because they want to offer amendments. If my friend from Oklahoma would also make a decision on his side of, as he indicated, cogent amendments, relevant amendments, we could put this in a little package and move to it without having to file cloture and do these amendments. I wish to do that.

I will work on my side to find out what amendments there are. If my friend will do that, on Monday or Tuesday we will talk about this and see if we can get a very concise agreement to do it. This is important legislation. My friend is not denying that. But I think we do have to make some changes in it. I am happy to move forward on it. I think the House is going to take something up real soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. If the Senator from New Jersey will give me a courtesy of 5 minutes to speak as in morning business and I will be through.

I appreciate what the majority leader has said. I will work my side of the aisle, to see if the possibility of moving this is there and I will give it my 100-percent effort between now and next Monday when I see the majority leader to see if we cannot do it.

I will make a couple of points. Our Nation is in big trouble and we are not acting as if it is in big trouble. It seems that the way we are operating is from crisis to crisis. That is not good for the country, it is not good for the agencies, it is certainly not good for the individuals, and it makes it where we actually cannot do effective legislating.

The idea behind the flood insurance program is almost 50 years old. There is nothing wrong with its intent. But we cannot afford $900 million a year in subsidies to the very wealthy in this country for their second or vacation homes. If we are talking about fairness, as the President talks, then it is time to reform this program—whether it is with an extension or not—this component of it where there is a fair premium, where we are not subsidizing those who can in fact take care of themselves in this country.

Whether it is this bill or the farm bill where we are subsidizing 4 percent of the farmers with 60 percent of the crop insurance premium, it is the same issue.

I look forward to working with the majority leader and I will do my part to try to gather up the amendments that might be there and work with our leadership to try to bring this bill to the floor.

I thank the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

VIOLENCE AGAINST WOMEN ACT

Mr. MENENDEZ. Mr. President, I rise to speak about the Violence

Against Women Act that the Senate passed, but we seem to have a challenge with our colleagues in the House of Representatives. In my view, violence against any woman is still violence. Apparently, my Republican colleagues in the House do not share that view. Republicans in the House have introduced a bill that would not protect all women. Their bill would roll back protections for certain vulnerable populations. It would strip provisions in the Senate bill that protect women from discrimination and abuse, specifically Native American women, the LGBT community, and for undocumented immigrants it actually rolls back protections they have under current law.

We have seen that violence against women is an epidemic and it plagues all of us, not just some of us. We have fought against it, we have tried to end it, we have established programs and policies at the national and State levels to mitigate it. We have stood with the victims of domestic violence. Now we must stand and reaffirm our outrage.

It is in my mind a no-brainer. I am, frankly, hard-pressed to understand why anyone would stand in the way of denouncing violence against any woman, no matter who they are, no matter what their sexual orientation or citizenship. I am hard-pressed to understand why anyone would choose to exclude violence against certain women, turn back the clock to a time when such violence was not recognized, was not a national disgrace, and make a distinction when and against whom such violence meets our threshold of outrage. There can be no such threshold and no such distinction. Violence against any woman is an outrage, plain and simple.

Is the message to be that we are willing for some reason that in my mind defies logic to accept violence against certain women? Because that seems to be the message the other body is sending us. I cannot believe anyone would take such a position, but that is exactly what we would do if we listened to our Republican House colleagues, and that is completely unacceptable to this Senator and should be unacceptable to every Member of Congress and every American. If our friends on the other side deny they are waging a political and cultural war against women, then why are they willing to accept an actual war against certain women by excluding them from protection under the Violence Against Women Act?

The reauthorization of the Violence Against Women Act doesn't just affect those who are or might become victims of sexual violence or domestic violence; it affects all of us. Nearly one in five women reports being the victim of rape or attempted rape. One in six reports being stalked. One in four reports having been beaten by their partner. Of those who report being raped, 80 percent report being raped before the age of 25. The short-term physical and emotional trauma of such an event cannot be overstated. Domestic and sexual violence is an issue that affects us all, and we must all be part of a solution.

Since 1994, the Violence Against Women Act has been the centerpiece in our comprehensive approach to protect and empower women, and it must remain so. Since the passage of VAWA in 1994, there has been enormous positive change.

From 1993 to 2010, the rate of intimate partner violence declined 67 percent. More victims are reporting violence to police, and those reports are resulting in more arrests and prosecutions. VAWA is working, but there are still women who need protection.

For example, in 1 day in New Jersey, a survey found that domestic violence programs assisted 1,292 victims. On that same day, New Jersey domestic violence hotlines answered 444 phone calls. So our work on this issue is not yet done.

Looking to the merits of the reauthorization, let me highlight, for the record, several critical changes in the legislation—changes that did not simply extend successful programs but built upon them. Every reauthorization of the Violence Against Women Act has incorporated new understanding and updated knowledge, and this reauthorization was and should be no different.

First and foremost, the Senate reauthorization includes additional training for law enforcement, victim services, and courts that increase the focus on high-risk offenders and victims, including connecting high-risk victims with crisis intervention services. I am sure no one can argue against that.

Second, the Senate bill strengthens our response to sexual assault while increasing the connection to nonprofit groups. Sexual assault coalitions in every State have been indispensable allies. I met with a large roundtable before our debate and discussions in the Senate, and this bill supports their efforts. It included a 20-percent setaside for assistance to States for sexual assault programs and also included reforms to reduce the unprecedented backlog of rape kits.

I have been proud to support funding to reduce this backlog. Just recently I supported Senator LEAHY's effort to fund the Debbie Smith DNA Backlog Grant Program at the current level of $125 million with at least $90 million directly spent on reducing the DNA backlogs. I am happy to say the Violence Against Women Act will make important strides to reduce the backlog.

Most importantly, given the debate on this legislation, this reauthorization recognizes that domestic and sexual violence affects all groups regardless of their sexual orientation. We included commonsense protections against discrimination on race, religion, national origin, sex, and disability because it is, quite simply, the right thing to do because all violence against women is an outrage to all of us.

For the first time the Senate bill established the fundamental notion that victims cannot be denied services based on gender identity or sexual orientation. We included provisions to protect immigrant victims of violence and Native American victims.

In the Senate the bill passed 68 to 31 with a dozen Republicans voting in support of the final legislation despite Republican attempts to weaken the bill during the Senate's consideration of the legislation. Unfortunately, Republicans in the House are attempting to weaken the bill and do what a minority in the Senate could not. For the first time in the nearly 20-year history of the Violence Against Women Act, the House reauthorization doesn't expand protections but instead eliminates a series of them.

In its version, the House sent an undeniable message: If you are Native American, LGBT, or undocumented, you do not deserve protection. That is the House message.

To start, LGBT victims do not receive the protection they need in the House bill. Professionals in the field specifically requested nondiscrimination provisions based upon their direct experiences. Studies on the issue only confirm this need: 45 percent of LGBT victims were turned away from domestic violence shelters, and 55 percent were denied protective orders. The Senate version ensures all victims, gay or straight, share in the protections of VAWA. But the House version denies these critical protections to LGBT victims.

Under the House legislation, immigrant victims of violence would fare far worse than under current law—far worse than under current law. Domestic violence advocates tell us that often abusers threaten their significant others that they will take them to the authorities with the possibility of deportation unless they continue to submit themselves to dangerous and inhumane treatment.

The Violence Against Women Act provides a way out, but the House version of that law does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. VAWA protects these victims with confidentiality when they come forward to seek help. The House version instead creates a cruel possibility that in seeking help, the victim will be exposed and face more abuse. How perverse is that?

House Republicans would put burdensome new requirements on immigrant victims and give them less help than

they receive under the current law. The abuser often possesses the relevant evidence while the abused faces language barriers, isolation, and limited access to legal representation.

In past Violence Against Women Act debates, we have had wide bipartisan consensus around protections for these victims because a victim is a victim is a victim. But the House reauthorization ignores this consensus and places an unimaginable burden on self-petitioners.

Under the House proposal, the program to protect immigrant victims, called the U Visa Program, would be a hollow shell of its former self. The permanent visa would now be temporary, reducing the incentive for immigrants to take the risk and assist law enforcement in identifying the person who may have committed a sexual rape.

Of course proponents claim these reforms are needed to combat ''fraud'' in the system. But I have to ask: What fraud? To obtain a U visa in the first place, law enforcement personnel must personally sign off. Is there a suggestion that somehow the law enforcement personnel are engaged in a fraud? There is no evidence of fraud in this program. The simple enforcement technique has proven profoundly effective. Yet the House insists on adding additional burdens on a vulnerable population only to fight a nonexistent problem.

Moreover, allowing these abusers to go free puts more criminals in our community who can then victimize more women in the future. Our whole goal is to end the abuse and to get the abuser to ultimately face up to their punishment. Instead we would say: Oh, no. Let the abuser go ahead and continue their abuse, and we will subject the victim ultimately to a set of circumstances in which not only will they not come forth and talk about the abuse, we will subject the victim ultimately to facing even greater challenges in their lives.

Knowing what is at stake and what it would mean to the many victims of domestic violence and sexual violence, there is no question we must pass final legislation as soon as possible. The debate should be about one thing and one thing only: protecting victims, all victims. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

I yield the floor

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING FALLEN KANSAS POLICE OFFICERS

Mr. MORAN. Mr. President, earlier today I attended a memorial service to honor our Nation's law enforcement officers who laid down their lives to protect their fellow citizens. Since 1962, May 15 has stood as a day of remembrance for the many fallen police officers who faithfully served our communities and our Nation. They must never be forgotten.

This year 362 names were added to the National Law Enforcement Officers Memorial, and among those names were three brave officers from Kansas. Two of these men died in the line of duty many years ago, but we paused today to remember their sacrifice.

In 1892 Andrew Balfour of Kiowa County was filling his duties as a local sheriff and pursuing a man who was wanted for theft when he was mortally wounded. Andrew passed away at the young age of 41, leaving behind a wife and six children.

In 1992, William Bloomfield, a deputy sheriff, was serving in Bourbon County and arresting a well-known killer when he was killed during a fierce gun battle.

These two men were killed while carrying out their duties. Rather than shirk from danger, police officers face danger with courage, and that is exactly what these two men did.

Just 5 months ago, Kansans were grieved by the loss of another officer, SGT David Enzbrenner of Atchison, KS. On December 9, 2001, David joined a fellow officer on a routine call to see a local resident. As they were turning to leave the front steps of the home, a person suddenly appeared and opened fire on David without warning. This act of violence was unprovoked and forever robbed the Enzbrenner family of their father, husband, and the Atchison community of a loyal public servant.

When we lose someone in a community in Kansas, it is not just a name to us. It is somebody we go to church with, it is somebody we see at our kids' activities at school, it is somebody we know and care for. That is how Atchison felt about David.

In remembering David, Atchison Mayor Allen Reavis said:

> He was No. 1 father, No. 1 husband, No. 1 partner to his fellow officers, No. 1 son.

Inscribed on the National Law Enforcement Memorial in Washington are these words:

> It is not how these officers died that made them heroes, it is how they lived.

Police Chief Mike Wilson served alongside David for 24 years and referred to the words inscribed on the National Law Enforcement Memorial when he said this about his former colleague and friend:

> Those words speak directly to David. How true about our brother.

David was dedicated to his family, his fellow law enforcement officers, and his community. He was well known in Atchison and well loved. David attended high school there and served in the Atchison Police Department for 24 years. David was also on the board of trustees at his local church and found great joy in teaching and coaching his daughters on their softball teams.

Last December I witnessed the impact that David had on the local community when I attended his memorial service and more than 2,000 people gathered to pay their respects to him. During the service, many moving tributes were read about David and how he lived his life. One that stood out from among the others was a statement from David's wife Kerri. She said this about her husband:

> David was a man of few words. He always tried to keep a simple life. And when I questioned things, he would remind me that it's okay sometimes not to understand.

We don't fully understand. We don't understand at all why David's life was taken or why the lives of more than 19,000 officers we remembered today ended so soon. But we express our gratitude for their service and dedication to their communities and to our country.

During National Police Week, we also remember their families and the loved ones they left behind. May God comfort them in their time of grief and be a source of strength for them. May he also protect all those who continue to serve today.

I want to especially mention David Enzbrenner's wife Kerri and his three teenage daughters Avery, Abbi, and Celia. I want them to know we honor the way David lived his life and tell them we love and care for them today and always.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE AGAINST WOMEN ACT

Mrs. SHAHEEN. Mr. President, I come to the floor today to join my colleague, Senator MENENDEZ, and I think some of our other colleagues who will be here soon, to reaffirm our commitment to the reauthorization of the Violence Against Women Act. That act recently passed out of the Senate with a strong bipartisan vote that recognizes our bipartisan commitment to end domestic and sexual abuse, stalking, and dating violence. The House of Representatives will soon be taking a vote on their proposed counterpart to the Violence Against Women Act, and I want to address some of the concerns I

have with the bill that is on the floor in the House.

What we have seen in this country is that domestic violence has a significant impact on families, on victims. It comprises the very stability of our towns and communities. The Violence Against Women Act provides essential resources for victims and for law enforcement. I was pleased to see so many of us in the Senate put politics aside and support this important reauthorization.

Unfortunately, the House version of the reauthorization of the Violence Against Women Act does not provide the same level of protection for victims, and it does not include some resources that have specifically been requested by law enforcement.

In the House bill protections are diminished for college students, for lesbian, gay, and transgender victims, for immigrants, and for Native Americans.

The Senate bill strengthens the Violence Against Women Act to provide more protections to more women and their families. The House bill weakens the law by failing to state that same-sex couples will have equal access to services, by decreasing protections for immigrant victims, and by declining to expand the jurisdiction of tribal courts.

One example of some of the changes in the House bill, where I think it fails, is around protections the Senate bill provides to women students on college campuses.

The Senate bill provides strong protections that have been omitted in the House bill. The Senate bill includes a provision requiring a university to implement prevention programs, teaching all students, male and female, how to help prevent sexual violence and dating violence, including bystander education.

The Senate bill also requires a university to make reasonable accommodations for students who need to change their living, working, or academic situation as a result of being victimized. For example, if a young woman is the victim of an assault and her attacker lives in her dorm, what the Senate bill would do is require the university to help that young woman find another place to live. Unfortunately, these kinds of protections are not included in the House bill.

The Department of Justice recently estimated that 25 percent of college women will be victims of rape or attempted rape before they graduate within a 4-year college period, and women between the ages of 16 to 24 will experience rape at a rate that is four times higher than the assault rate for all women.

There is no doubt this is a serious problem. The safeguards we implemented in the Senate bill must be preserved if we are to provide the protections that young women and men in college deserve.

When we were working on our reauthorization in the Senate, I had a chance to meet with case workers at crisis centers and with some of the victims of domestic violence in New Hampshire.

I heard from one woman who said if it had not been for that 24-hour hotline and her caseworker at the Bridges Crisis Center in Nashua, she would never have been able to leave her abuser. She was finally able to stand up for herself and end the terrible cycle of abuse because of the Violence Against Women Act.

All victims should have equal access to these important resources, and it is imperative this bill provide that.

So I urge my colleagues in the House to insist on these essential components so we can move forward on this reauthorization and we can protect all of the victims of domestic violence.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

REMEMBERING CHUCK COLSON

Mr. COATS. Mr. President, I rise this evening to honor a longtime friend, confidant, and mentor, Chuck Colson, whose life we will celebrate tomorrow at a memorial service at the National Cathedral.

It has been said that a man's character can be tested by the way he responds to adversity. If that is the case, Chuck Colson's character was one of remarkable strength, tenacity, faith, and humility.

Chuck was a brilliant man with a resume of impressive accomplishments at a very young age: A scholarship to an Ivy League school and a law degree from George Washington University; a veteran and, at one time, the youngest captain in the Marine Corps; a former chief of staff to a U.S. Senator from Massachusetts; and then top assistant and legal counsel to the President of the United States.

Now, this does not sound like the type of man who would find himself sitting alone in a Federal prison cell, but that is exactly what happened to Chuck Colson, and what happened there changed his life forever.

Known as President Nixon's ''hatchet man,'' Colson pleaded guilty to obstruction of justice in the Daniel Ellsberg case during the Watergate scandal and went from White House Special Counsel to incarcerated felon.

In 1974, Chuck Colson entered Maxwell Federal Prison Camp in Alabama. This fall from perhaps the closest confidant of the President of the United States to a Federal prison cell is about as far and as deep as anyone can fall. That is what we call hitting rock bottom. But rock bottom for Chuck Colson became a time of repentance, a time of grace, and a time of transformation.

Far from the Rose Garden, it was behind those prison bars where Chuck Colson made one of the most important decisions of his life—one that would impact the lives of thousands. He decided to dedicate the rest of his life serving the God he loved.

Scripture in Proverbs reads:

> Trust in the Lord with all your heart and lean not on your own understanding; in all your ways submit to him, and he will make your paths straight.

With a redemption that can only come through the grace of God, and with a renewed sense of vision, Chuck did just that. He put his trust in the Lord and submitted to Him. He decided to let God write the story of his life rather than trying to control his own destiny.

That transformation is the story we will celebrate tomorrow at the National Cathedral—a story of redemption and a testament to the power of God's forgiveness and love.

Chuck Colson's experience in prison and his renewed sense of vision opened his eyes to a sector of our society that is often forgotten. Once a prisoner himself—and having experienced the depth of his own need for repentance and transformation; even those at the very bottom of society—Chuck believed that God could change them and any willing heart.

As described in the first two of his many published books—the first one, ''Born Again,'' and the second one, ''Life Sentence''—Chuck dedicated his now transformed life to serving prison inmates and the families of prisoners.

In 1976, he practiced what he preached and founded Prison Fellowship, a Christian ministry to give prisoners the opportunity to experience the radically transforming power of Christ that he had experienced himself.

Chuck Colson's ministry took him to visit 600 prisons in the United States and in 40 other countries. He worked relentlessly to improve prison conditions, increase access to religious programs, and provide resources and support to the families of prisoners.

Prison ministry was not his only passion. In his later years, Chuck focused his efforts on developing other Christian leaders who could influence their communities through their faith. This became the cornerstone of the Chuck Colson Center for Christian Worldview, a research and training center established to promote Christian worldview teaching.

Chuck has touched the lives of many people through his ministry, books, lectures, and charity work. I am one of those who is personally grateful for the positive influence he has had on my life.

It was in April 1976 that I attended an annual Fort Wayne, IN, mayor's prayer breakfast. I was intrigued with the speaker who was announced as Chuck Colson—recently released from prison,

formerly a Watergate figure and legal counsel to the President.

As I sat through his presentation, I was touched in a way and reached in a way that transformed my life, and I am ever grateful to Chuck Colson for using himself as, I think, a conduit for a message I also needed to receive.

It resulted in a radical change of course for me: from a predictable, settled, purposeful, I thought, life as an attorney in a midsized firm in Fort Wayne, IN, to becoming engaged in politics, something I never thought I would engage in. It was Chuck Colson who made me ask that same question and make that same decision he made; that is, to no longer try to control the direction of my life, but subject myself to the control of someone who had a plan for me. And that plan was not a specific one of serving in the Senate or Congress. It was simply to be open to the possibility of a path that perhaps I had not ever thought would be taken.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, I find myself standing here in the Senate delivering this tribute to Chuck Colson.

Marsha and I will miss him greatly. We will continue to be motivated and inspired by the example of how life should be lived.

When I first came to the Senate, I was here just 2 days when I received a call from Chuck Colson. He said: I have a gift for you. It is a precious gift, and one I do not want to give, but I think this gift can be more useful to someone who can speak as a U.S. Senator than to someone like me who can speak as head of Prison Fellowship.

That gift was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, both through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years, and I was the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush.

Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled ''Charles Colson found freedom in prison.'' I think that piece certainly is worth reading. I ask unanimous consent that the article be printed in the RECORD immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COATS. Mike Gerson said in his column:

Chuck led a movement of volunteers attempting to love some of their least lovable neighbors. This inversion of social priorities—putting the last first—is the best evidence of a faith that is more than a crutch, opiate, or self-help program. It is the hallmark of authentic religion—and it is the vast, humane contribution of Chuck Colson. Chuck Colson's remarkable life story can serve as a guiding light and provide all of us the courage and the strength to overcome whatever adversity we may face in our own lives.

May we remember the example of Chuck Colson and the words prayed so often by my very good friend:

Please show me how You want me to live and give me the power to live that way.

EXHIBIT 1

[From the Washington Post, Apr. 22, 2012]

CHARLES COLSON FOUND FREEDOM IN PRISON

(By Michael Gerson)

Charles W. Colson—who spent seven months in prison for Watergate-era offenses and became one of the most influential social reformers of the 20th century—was the most thoroughly converted person I've ever known.

Following Chuck's recent death, the news media—with short attention spans but long memories—have focused on the Watergate portion of his career. They preserve the image of a public figure at the moment when the public glare was harshest—a picture taken when the flash bulbs popped in 1974.

But I first met Chuck more than a decade after he left the gates of Alabama's Maxwell prison. I was a job-seeking college senior, in whom Chuck detected some well-hidden potential as a research assistant. In him, I found my greatest example of the transforming power of grace. I had read many of the Watergate books, in which Chuck appears as a character with few virtues apart from loyalty. I knew a different man. The surface was recognizable—the Marine's intensity, the lawyer's restless intellect. The essence, however, had changed. He was a patient and generous mentor. And he was consumed—utterly consumed—by his calling to serve prisoners, ex-prisoners and their families.

Many wondered at Chuck's sudden conversion to Christianity. He seemed to wonder at it himself. He spent each day that followed, for nearly 40 years, dazzled by his own implausible redemption. It is the reason he never hedged or hesitated in describing his relationship with Jesus Christ. Chuck was possessed, not by some cause, but by someone.

He stood in a long line of celebrated converts, beginning with the Apostle Paul on the Damascus road, and including figures such as John Newton, G.K. Chesterton and Malcolm Muggeridge. They were often received with skepticism, even contempt. Conversion is a form of confession—a public admission of sin, failure and weakness. It brings out the scoffers. This means little to the converted, who have experienced something more powerful than derision. In his poem, ''The Convert,'' Chesterton concludes: ''And all these things are less than dust to me/ Because my name is Lazarus and I live.''

Prison often figures large in conversion stories. Pride is the enemy of grace, and prison is the enemy of pride. ''How else but through a broken heart,'' wrote Oscar Wilde after leaving Reading Gaol, ''may Lord Christ enter in?'' It is the central paradox of Christianity that fulfillment starts in emptiness, that streams emerge in the desert, that freedom can be found in a prison cell. Chuck's swift journey from the White House to a penitentiary ended a life of accomplishment—only to begin a life of significance. The two are not always the same. The destruction of Chuck's career freed up his skills for a calling he would not have chosen, providing fulfillment beyond his ambitions. I often heard him quote Alexander Solzhenitsyn, and mean it: ''Bless you, prison, for having been in my life.''

Chuck was a powerful preacher, an influential cultural critic and a pioneer of the dialogue between evangelicals and Catholics. But he was always drawn back to the scene of his disgrace and his deliverance. The ministry he founded, Prison Fellowship, is the largest compassionate outreach to prisoners and their families in the world, with activities in more than 100 countries. It also plays a morally clarifying role. It is easier to serve the sympathetic. Prisoners call the bluff of our belief in human dignity. If everyone matters and counts, then criminals do as well. Chuck led a movement of volunteers attempting to love some of their least lovable neighbors. This inversion of social priorities—putting the last first—is the best evidence of a faith that is more than crutch, opiate or self-help program. It is the hallmark of authentic religion—and it is the vast, humane contribution of Chuck Colson.

It is a strange feeling to lose a mentor—a sensation of being old and small and exposed outside his shade. Chuck's irrational confidence in my 21-year-old self felt a little like grace itself. The scale of his life—a broad arc from politics to prison to humanitarian achievement—is also the scale of his absence. But no one was better prepared for death. No one more confident in the resurrection—having experienced it once already. So my grief at Chuck's passing comes tempered—because he was Lazarus, and he lives.

Mr. COATS. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASEY.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE AGAINST WOMEN ACT

Mrs. MURRAY. Mr. President, it is very hard to believe that today marks exactly 2 months since I first came to the floor to advocate passage of the Senate's version of the Violence Against Women Act. I was very encouraged to see our body finally come together and eventually support this important legislation. The Violence Against Women Act has helped provide lifesaving assistance to hundreds of thousands of women and their families, and it certainly was a no-brainer to make sure all women had access to that assistance.

However, I was very disappointed to learn that, a day after we passed it, House Republicans pulled an immediate U-turn and introduced their

version of the bill that would undo the commonsense progress we made. The House Republican version of VAWA is a giant step backward for victims of domestic violence. It is dangerous and irresponsible and leaves women across the country more vulnerable to domestic abuse. Not only do they remove important protections that would be created by the Senate version of the bill, they actually strip existing protections already provided by this important law. In fact, it removes critical protections for LGBT victims, does little to address the epidemic of domestic and sexual violence in tribal communities, removes critical protections already in place for students on college campuses, and it rolls back protections for immigrant victims.

We have made a lot of progress since VAWA was first passed back in 1994. I hope no one will insist on putting partisan politics ahead of protecting victims of domestic violence. Where a person lives, whom they love or what their citizenship status may be should not determine whether their perpetrators are brought to justice.

The Senate bill that we passed last month builds on what works in the current law, it improves what doesn't, and it continues on the path of reducing violence toward women. It certainly should not be controversial.

Mr. President, it is time for the House Republicans to come to their senses and support our bipartisan bill so that women and families in this country can get the resources and support they need.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

150TH ANNIVERSARY OF USDA

Mr. DURBIN. Mr. President, today, I would like to recognize what Abraham Lincoln referred to as ''the people's department''—the U.S. Department of Agriculture.

On this day 150 years ago, President Lincoln signed legislation to create the U.S. Department of Agriculture. At the beginning, USDA's focus was on agriculture research, farming techniques, and keeping statistics. Today, more than ever, the USDA is ''the people's department.'' The USDA covers a broad range of issues that touch people's lives, from soil and water conservation to the school lunch program and from agriculture trade to expanding rural broadband services.

Through the efforts of USDA over the past 150 years, agriculture has become one of the most successful sectors in the U.S. economy. Agriculture accounts for 1 in 12 American jobs and provides our country with 86 percent of the food we consume. In 2011, agriculture trade set records by exporting nearly $140 billion in U.S. farm exports.

The USDA has worked to develop rural communities, conserve the environment, and ensure that people across the country have access to safe and healthy food choices. In rural communities, USDA has given money to improve health care facilities, grants to assist families purchase or refinance homes, and investments to secure broadband services. USDA has worked to protect critical wetlands habitats, National Forests, and water and soil. And USDA ensures the health and safety of Americans by providing nutrition assistance through SNAP payments, reforming the school lunch program, and adopting tougher standards for E. coli and Salmonella in animal production.

Illinois has played a large part in the evolution of agriculture policy. President Lincoln gained his respect for agriculture from his time spent on farms and in rural communities around the state of Illinois as well as in Kentucky and Indiana. The same year President Lincoln began USDA, he also signed into law the Homestead Act and the Morrill Land Grant College Act. Illinois has also had two Secretaries of USDA—John Block, who served from 1981 until 1986, and Edward Madigan, who served from 1991 through 1993.

Over the past 150 years, the U.S. Department of Agriculture has lived up to Lincoln's vision as a department for the people. I hope USDA continues its commitment to improve agriculture, nutrition, and rural communities around the country and across the globe in the Department's next 150 years.

Ms. STABENOW. Mr. President, today I wish to congratulate the U.S. Department of Agriculture on 150 years of service to the people of America.

On this day in 1862, President Abraham Lincoln created the Bureau of Agriculture and with it, America's commitment to an abundant supply of food and fiber. Lincoln grew up on a farm, and he understood the long hours of hard work that men and women like his parents spent working the land. Farming in those days was a very different proposition—much of the work was done by hand or animal labor. He rightly called it the People's Department because 90 percent of Americans at the time worked, like his folks, on farms.

Lincoln created the USDA at a time of great change in agriculture. Machinery was being introduced that lessened the workload and made farming more efficient. Families were heading westward and expanding the frontier. It was only 5 days later that Lincoln signed another important law that would have a dramatic effect on the future of agriculture in this country: the Homestead Act. That same year, Lincoln would also sign the law creating the Transcontinental Railroad, as well as the Land Grant Colleges Act, which has special meaning for me as a Michigan State University graduate.

But here is the most amazing thing: he did all of this during some of the worst fighting of the Civil War.

When he put pen to paper to create the Bureau of Agriculture, there had already been more than 100,000 casualties in the Civil War. He created all of these institutions that would have a lasting impact on this great Nation at a time when many people wondered how long this Nation could survive.

Mr. President, 150 years ago, in his address to Congress, Lincoln said, ''Fellow citizens, we cannot escape history. The fiery trial through which we pass will light us in honor or dishonor to the last generation.''

President Lincoln rose to the challenge. He saved the Union, and he created lasting institutions that are still with us and making a difference today.

If he could do all that in the middle of the Civil War, with enemy troops camped just across the river, what challenge can't we face today?

In the Agriculture Committee, we came together last month to pass, with an overwhelming bipartisan vote, the Agriculture Reform, Food and Jobs Act, or the farm bill. This is a bill we pass every 5 years to renew America's agriculture policy and to continue the important work of the Department of Agriculture.

It is critical that we pass the farm bill before the current bill expires in September. We passed a very strong bill out of committee, with real reforms that cut the deficit by $23 billion, and we did it in a bipartisan way.

We evaluated every program, eliminated duplication, and streamlined programs to save taxpayers money while getting better results on the ground, and we did it in a bipartisan way.

Change is never easy, but we came together because the farm bill is so important to the 16 million men and women whose jobs rely on American agriculture. They work hard every day producing the most affordable, healthy, and abundant supply of food, fiber, and energy in the world.

President Lincoln understood how important our food supply is—it feeds

the Nation and can be the difference in times of war. The leadership and innovation of those 16 million Americans have made our Nation the world's leader in agriculture. With an ever-growing global population, our farmers are truly feeding the world. It is critical for our national security that we pass this farm bill to continue our leadership.

It has been 150 years since President Lincoln created America's commitment to agriculture, and we have come a long way since then. We have been through floods and famines, dust bowls and depressions. But we have also seen great advances as we have learned to overcome these challenges with better risk management, conservation practices, and a commitment to fighting hunger.

Passing the farm bill will continue this great American success story.

The 150th anniversary of USDA's creation is a great time to celebrate farmers and rural communities. It is also a strong reminder that we here in Congress need to do our jobs too and pass the farm bill soon. Our country's future depends on it.

Mr. LEAHY. Today marks the 150th anniversary of the United States Department of Agriculture, and I would like to take a moment to pay tribute to USDA's mission and day-to-day work and to all those involved in the agriculture industry—from farmers and ranchers and foresters, to producers and manufacturers and researchers.

The Department of Agriculture is pillar and post in American agriculture, fostering durability while enabling innovation; bridging old and new, rural and urban. Agriculture has long been a centerpiece of Vermont's economy and way of life. The impact of agricultural industry is felt in every State, and in every household. In fact, one in every 12 Americans is employed in an agriculture-related industry, and in Vermont, the importance of our agricultural working landscape to tourism, to recreation and to the identity of our State is beyond measure.

One hundred and fifty years ago today, on May 15, 1862, with the stroke of President Abraham Lincoln's pen, the Department of Agriculture was established, with the purpose of acquiring information through ''scientific experiments'' and finding, collecting, and disseminating ''new and valuable seeds and plants.'' It is worth noting that the establishment of the USDA was the first in a series of the foundational acts of Congress that helped to develop our modern agricultural system.

Among these other landmark laws is the Morrill Act, named for Vermont's own Senator Justin Morrill, which established our land grant colleges, and which also is celebrating its 150th anniversary this year. Senator Morrill rightly believed that college education should expand beyond arts and classical studies to include agriculture and life sciences. In the last 150 years, our land grant colleges have provided the foundation for agricultural research and have helped give the United States a competitive advantage in the global market, in addition to becoming inarguably the best public institutions of higher learning in the world.

Thanks to the hard work of our Nation's agricultural producers, to the research done at our land grant colleges, to the dedication of U.S. Department of Agriculture employees across the country, and to the policies and programs overseen by the Department of Agriculture, American consumers enjoy a safe and plentiful food supply. We Americans spend, on average, less than 10 percent of our disposable income on food, the lowest in the world. This would not be possible without the science, policies, and vital programs advanced by the USDA in fostering our modernized agricultural and food systems.

The Department of Agriculture also manages some of the Nation's most significant ongoing conservation and environmental quality efforts.

Farming is hard work. Farming also is an inherently risky venture, subject to the whims of nature, as well as the volatility of the commodity marketplace. The programs USDA manages at the local level have helped make risk manageable for farmers—especially when it comes to small family farms. These programs have been a steadying element—a balance wheel, smoothing out major risks, allowing America's farmers to harness the earth's bounty and giving American consumers access to unrivaled food security and variety.

Despite—and, in some cases, as an unintended result of—the great advances in agriculture in the last 150 years, there is more work to be done. Too many Americans still endure hunger, with almost 50 million Americans living in food insecure households, while at the same time two-thirds of Americans are overweight, and obesity-related disease is fast becoming an epidemic in this country. Globally, 1 billion people—out of a population of 7 billion—are hungry and food insecure. As the world population increases, we must continue our scientific effort in agriculture research and innovation, and we must not simply produce more food; we must also improve access to and consumption of healthier foods. These goals need to be achieved while we work to restore natural ecosystems that are fundamental to sustaining life on earth.

My home State of Vermont has placed itself at the forefront of developing and implementing the agricultural and food systems that the planet will depend on in the 21st century, and the USDA is a critical partner in this essential venture. The USDA is providing needed technical support to enhance the efficiency of our dairy and diversified farms; the USDA provides the financial and risk management tools that farmers need to diversify and survive in a changing climate and volatile markets; the USDA supports cutting-edge research at the land grant University of Vermont; the USDA is vitally important to rural communities and businesses; USDA conservation programs are the lynchpin of our work to improve water quality; and the USDA Organic program has kept Vermont at the forefront of this fast-growing and promising sector. In fact, in Vermont, and across the Nation, the Department of Agriculture manages some of the Nation's most significant ongoing conservation and environmental quality efforts.

The USDA has deep and longstanding roots throughout rural America and in our communities. Being in and being of the communities that the USDA serves makes a crucial difference, as we saw last year in Vermont through the many ways that USDA's diligent workforce became an integral part of the response to the disastrous damage wrought by Hurricane/Tropical Storm Irene.

We face many challenges today, but with smart, effective and sustainable agricultural policies, the United States is in a prime position to lead the war against global hunger and toward public health while also protecting our water, air and open spaces for generations to come.

As a lifelong Vermonter, I value my State's farming traditions and I am proud of the hard work of Vermont's farmers who have persisted in a difficult economy, embracing innovation and change. Some are transitioning to organic operations, and others focusing on direct marketing opportunities or value-added products. Farming is not an easy way of life, but it has remained a cornerstone of Vermont's economy, and the Nation's, because of the dedication our farmers and producers, the research of our land grant colleges, and the policies and support of the Department of Agriculture. I am proud to see so many young people returning to the farms of Vermont. Some are continuing their family's farming legacy, while others are the first in several generations to turn back to the land. All of them have a deep dedication to the stewardship of Vermont's natural resources and to the working landscape that is helping to strengthen our economy.

I am proud to be a member of the Senate Committee on Agriculture, Nutrition, and Forestry and to have had the opportunity to serve as its chairman. I also consider it a great privilege to be able to offer Vermonters a seat at the table when policy matters affecting our State's farmers and our State's economy, such as our current work on the 2012 Farm Bill, are written and considered.

Agriculture is part of the lifeblood of the American economy then, now, and in the future.

I wish the Department of Agriculture a ''Happy 150th Birthday'' and continued success in the USDA's vital missions that are so important to each and every American family, and to the world.

Mr. ROBERTS. Mr. President, today I wish to recognize the marking of an historic event. 150 years ago—on May 15, 1862—President Abraham Lincoln signed into law an Act establishing what our Department of Agriculture is today.

Agriculture has come a long way in 150 years. Through science, innovation, ingenuity and plain old hard work, America's farmers have gone from producing enough food for their individual families to producing enough to meet the needs of 150 people per farmer—that's what I call the miracle of modern agriculture.

Some may have a romanticized view of agriculture production 150 years ago and pine for a return to the days of the past. But let me assure you, those were hard days. And if today's farmers and ranchers only produced the same yield and quality of food as the farmers and ranchers of yesteryear, we'd be in a world of hurt.

Today's farmers and ranchers produce the safest, most abundant and affordable food and fiber supply in the world—all while facing increased input costs and tightening regulations.

As if these challenges weren't enough, our producers face a challenge of worldwide significance. As the global population tops 9 billion in the next several decades, agriculture production must more than double to meet the expected demand for food and nutrition.

In addition to the sheer population expansion, global food demand will shift toward higher value proteins and commodities as economies develop and prosper. For example, in 1985 the average person in China consumed roughly 44 pounds of meat. This increased to 90 pounds per person in a short 15 years. That number is expected to double again by 2030.

That's no small task. It will take advancements in technology, efficiency and in some cases simply getting government and regulatory roadblocks out of the way. Doubling agriculture production will only occur through production techniques that combine the use of important conservation practices with the use of improved seed varieties that increase drought and disease resistance while increasing yields.

The importance of agriculture's mission cannot be overstated. It is also a matter of national security. A well fed world is a much safer and stable place than a hungry world. Full bellies lead to stability, economic growth and peace. Hungry bellies lead to discontent, instability, and extremism.

The more nations we can help to feed and bring economic prosperity, the more stable the world as a whole will become.

Now I don't know if 150 years ago President Lincoln knew how important the role of agriculture would become to global stability or what USDA's role would be in answering these challenges. But this anniversary provides us a unique opportunity to thank our producers for their efforts in bringing agriculture this far, and to let them know that we stand beside them in meeting the challenges ahead.

Mr. President, I yield the floor.

Mr. HARKIN. Mr. President, on this day, May 15, in 1862, President Lincoln signed into law an act establishing our nation's Department of Agriculture. This 150th anniversary is an important opportunity to recognize and celebrate the success and achievement of the many Americans who are involved directly or indirectly in producing, processing, and distributing food, fuel, and fiber for our nation and for export to foreign consumers.

The specific purposes of the new department mentioned in the 1862 act are ''to acquire and diffuse among the people of the United States useful information'' concerning agriculture, broadly and comprehensively defined, and ''to procure, propagate, and distribute among the people new and valuable seeds and plants.'' The responsibilities and authority entrusted to the Department of Agriculture have of course been enlarged over the course of the past 150 years, but this initial legislation contains the core elements of the Department's mission and role that have continued to this day.

You will notice in the act the emphasis on disseminating among the people of the United States information, knowledge, and technology that would be helpful and useful to them in their pursuits in agriculture. In doing so, the new Department would help to create, foster, and develop new, broadly-available opportunities among the people of the United States. Individuals and families could then capitalize on these opportunities through applying their own efforts and talents to create and grow farms and ranches, and in the process also to build and strengthen our nation. Some 2½ years later after signing the act, President Lincoln noted in his fourth and last message to Congress the success of the new Department of Agriculture in responding to and serving the needs of the people of our Nation: ''It is peculiarly the people's department, in which they feel more directly concerned than in any other.''

Two other landmark pieces of legislation in 1862 also reflect this approach of the Federal government offering a helping hand to the people of our nation in developing American agriculture. On May 20, 1862, President Lincoln signed what is commonly known as the Homestead Act in order to provide people who would otherwise not have the chance an opportunity to own land. And on July 2, 1862, President Lincoln signed into law the first Morrill Act to donate public lands to the states and territories to support education ''related to agriculture and mechanic arts''. This act was the first Federal assistance to higher education, and its purpose was to make this education widely available to multitudes of people who otherwise never would have obtained it.

Over the ensuing years, our Nation has benefited tremendously from these policies. The productivity of America's farmers and ranchers, along with those working in associated businesses and industries, is a foundation for our national economy and our way of life. We have been blessed in this country with a richness of natural resources to which Americans have applied their hard work, knowledge, and talents. The abundance of America's agricultural output has been instrumental in supporting our people and enabling them to pursue and to excel in many other fields. To be sure, our Nation's history has proven the wisdom of Daniel Webster's observation in 1840, ''When tillage begins, other arts follow.''

The responsibilities of the Department of Agriculture have of course grown over the years as the circumstances and needs of our Nation and its people have changed. The Department continues to play a critical role in supporting research, education, and extension involving food, agriculture, and related topics. It helps agricultural producers survive unpredictable economic losses from market fluctuations and damaging weather. The Department provides critical assistance to farmers and ranchers in conserving and protecting soil, water, wildlife, and other natural resources for future generations. And USDA nutrition assistance enables American children to eat healthy lunches, breakfasts, and snacks and low-income families to put food on the table. The Department of Agriculture also provides important assistance toward developing new sources of rural renewable energy and biobased products. Rural communities benefit from USDA programs that support vital facilities and foster the creation and growth of businesses and jobs. Of course, consumers rely on USDA to protect and ensure the safety of their meat and poultry. And its trade promoting efforts boost our agricultural exports.

On this anniversary of the Department of Agriculture, it is also important to recognize and commend the dedication, talent, and hard work of all of the people working in the Department of Agriculture wherever they may be—in local, county, State, or regional offices, here in Washington, or in a foreign country. I am also of

course proud that several Iowans have very capably led the Department of Agriculture, including our present secretary, Tom Vilsack.

So, today is a time to reflect upon and recognize the achievements of American agriculture and the contributions to that success from the Department of Agriculture. It is also a time to appraise and consider the huge challenges we face in the years ahead in producing the quantities of food needed to eradicate hunger in a growing global population and to do so in ways that conserve and sustain natural resources. Undoubtedly, our Nation and our Department of Agriculture will be called upon to continue our leadership in responding to and solving these crucial challenges.

Mr. JOHANNS. Mr. President, I come to the floor today to commemorate the 150-year anniversary of the U.S. Department of Agriculture.

I am pleased that my colleagues in the Senate have agreed the occasion is worthy of a resolution honoring this milestone in our nation's history. On May 15, 1862, President Abraham Lincoln signed legislation to establish the USDA. It gave the agency general authority to acquire and spread useful information on agricultural subjects and to assist in the development and use of new and valuable seeds and plants.

For the past 150 years, USDA has lent a helping hand to our farmers and ranchers as they provide the food, feed, fiber, and fuel to Americans, as well as a growing customer base around the world. In the 1850s, there was 1 farmer for every 2 people in the United States. Thanks to ongoing improvements in technology and management practices, today's farmers and ranchers are able to produce even more with efficient use of resources. Currently, the average farmer in the United States feeds more than 150 people.

The history of Nebraska has been closely intertwined with this story. In fact, thousands of homesteaders settled in the Nebraska territory after President Lincoln signed another piece of legislation—the Homestead Act—on May 20, 1862. This influx of population led to Nebraska becoming the Nation's 37th State. Since that time, USDA has served as a resource to the many farmers and ranchers who continue to make agriculture the leading industry in Nebraska's economy—just as the department has done for producers nationwide.

As the 28th Secretary of Agriculture, I was proud to work with men and women who are still committed to USDA's original mission of spreading information and developing new technologies to increase agricultural production.

Today's Department of Agriculture conducts valuable research through the land-grant university system and institutions like the University of Nebraska. USDA also helps to minimize the risks of weather and commodity price volatility for producers. And, the department helps to protect the health of our plants and animals. But, USDA's mission goes beyond helping producers. For example, those who enjoy a good steak, as well as other meat and poultry products in the U.S., have come to trust USDA's food safety inspection process.

Of growing importance is USDA's role in promoting exports of agriculture products. It is fitting that this anniversary falls in May—which is also world trade month. I think we can all agree that the benefits of trade are great especially to the agriculture sector.

Nebraska is a big agricultural State. And, in Nebraska alone, more than 30,000 jobs and more than $7.6 billion dollars in revenue were directly tied to exports last year. And, these numbers will only grow as we continue to expand access to customers around the world.

In fact, the Colombia Free Trade Agreement goes into effect today. It offers great opportunity to both the manufacturing and agriculture sectors. The Colombia Agreement eliminates barriers for many Nebraska agricultural products, including beef, corn, soybeans, pork, and wheat. For some time now, goods from Colombia have been entering the U.S. tariff-free, while American producers still paid tariffs on exports to Colombia as high as 40 percent.

It is good news for our agriculture producers and manufacturers that trade agreements are finally being implemented. The South Korea Agreement has already gone into effect, and I hope Panama Agreement won't be far behind. These types of free trade agreements are sorely needed so we can level the playing field for our exporters.

We cannot ignore the fact that the fastest-growing opportunities for American businesses, farms, and ranches are outside our borders. They are overseas in rapidly developing countries. I am confident that Nebraska farmers, businesses and workers, and those across the country, can compete with anyone in the world. And, in doing so, we can create new jobs here at home.

USDA has played a key role in making sure our farmers and ranchers have the tools to take advantage of these export opportunities. Additionally, the department recognizes that American agriculture is intertwined with the health of our rural communities. USDA works to ensure small-town-America is not overlooked by a Federal Government that is often focused on big urban areas.

Over the past 150 years, President Lincoln's vision of ''the People's Department'' has expanded beyond America's farms and ranches and rural communities. His vision is alive and well in the health of our schoolchildren, in our ability to supply energy from homegrown sources, and in our leadership role in helping feed some of the hungriest and neediest people around the world.

A key part of USDA's mission—one that consumes the largest portion of USDA's budget—is addressing hunger and meeting the nutritional needs of Americans. Whether through school lunches or assistance for hungry families, USDA plays an important role in supporting those in need.

USDA's mission is one of the most diverse of any department and in every area there are hard-working staff striving to meet the department's goals. On this day, I am happy to recognize the men and women of the ''People's Department.'' Their professionalism, dedication, and work ethic provide a shining example of why President Lincoln called the Department of Agriculture the ''People's Department.''

Together, we celebrate the growth and success of American agriculture and the health and well-being of the people of the United States. We honor the farmers, ranchers, and others whose ingenuity, adaptability, and skill have created the safest and most abundant food supply in the history of mankind.

Mr. CASEY. Mr. President, I am pleased to help recognize the 150th birthday of the United States Department of Agriculture—USDA. As a member of the Senate Committee on Agriculture, Nutrition and Forestry as well as the Committee on Foreign Relations, I understand the importance of agriculture to feeding our Nation and feeding the world.

One hundred and fifty years ago today President Abraham Lincoln signed the legislation creating the Department of Agriculture. This was followed in short order by the Homestead Act and then the Morrill Act establishing our great land grant college system, including The Pennsylvania State University. I suspect that few Americans at the time would have imagined that President Lincoln's leadership and vision in the area of agriculture would have such a profound impact on our country and the world.

Just recently, Dr. Rajiv Shah, the Administrator of the Agency for International Development said that the single-most effective way to eliminate world poverty was to increase agriculture yields. That is an extraordinary statement. It means that Penn State and the other agriculture research universities have a critical role to play in eliminating hunger, assisting in global food security and political stability.

The world's population just passed seven billion people and is on the way to nine billion people by 2050. This means we must double world food production by 2050 in order to meet the

challenge of feeding this increased population.

As noted recently by Bob Stallman, President of the American Farm Bureau Federation:

The importance of science and innovation . . . to agriculture will be significant as we face several challenges in the years ahead. . . . Further, we must accomplish this hefty goal while realizing that our Earth is fragile. To take care of our environment, we must embrace agriculture research, science, innovation and biotechnology. When it comes to medical care, communication and transportation we accept the importance of innovation. We need to do the same when it comes to the production of food.

Last year, net farm income and farm exports set a record and played a key role in helping to grow the U.S. economy. In order to ensure the food security of our Nation, I believe strongly that Pennsylvania farmers will continue to be productive, competitive and successful and supply food to communities in Pennsylvania, throughout the country and the world. Pennsylvania's proud agriculture tradition helped to build the Nation and agriculture continues to drive our economy.

We live in a nation that is as diverse in agricultural production as it is in the people who consume the products that farmers grow. As we reflect upon agriculture's past, and look toward agriculture's future, I hope we can continue to ensure that we have a safe, stable, secure supply of food. Agriculture is not just a nostalgic reflection of the past; it is critical to the U.S. economy and all Americans as we move forward. Therefore, I am pleased to extend birthday wishes to USDA, the land grant colleges and universities, and all those in the food value chain.

Ms. KLOBUCHAR. Mr. President, I am here today to commemorate the United States Department of Agriculture on its 150th anniversary.

Our country has changed dramatically since 1862, when President Abraham Lincoln signed a bill into law creating the Department of Agriculture.

Despite all the changes we have seen in the last century and a half, the USDA remains true to its original mission as ''The People's Department,'' administering critical programs that touch the lives of all Americans.

So as we celebrate this important milestone for the USDA, I think we should also take a moment to recognize the men and women who are putting its programs to use—the farmers and agriculture leaders who grow our crops, produce our food and power our homegrown energy supply.

Sometimes, people forget that food doesn't just magically appear on grocery store shelves. But the truth is that behind every aisle—whether it's dairy or produce—there is farmer or a rancher who has made it their livelihood to produce nutritious, abundant food.

In Minnesota, our economic strength is anchored in the soil of our land and the sweat of our farmers. Agriculture is our State's leading export, accounting for $75 billion in economic activity every year and supporting more than 300,000 jobs. And while we are 21st in the country for population, we are the sixth largest agricultural producer.

Minnesota is number one in turkeys, green peas, and oats, number two in spring wheat, number three in hogs and soybeans, and number four in corn.

I have spent the last year traveling across our State as part of an economic tour that has taken me to dozens of communities and businesses throughout Minnesota. And no matter where I go, I am always reminded of the critical role that farming plays in our State's economy.

For generations, the Department of Agriculture has stood behind our farmers and rural communities and made sure they had the tools and resource to move forward.

The USDA may be best known for administering the farm programs that help agricultural producers manage risk and recover from disasters—everything from floods to market failures. But programs such as crop insurance, which provides a safety net across 254 million acres, are just one component of the USDA's larger portfolio of priorities—everything from clean energy development and conservation to export promotion.

In terms of research, the USDA has helped our farmers and ranchers remain the most productive in the world. It has funded research that not only shields our food supply from pests and dangerous diseases, but also increases the productivity of farmers growing everything from wheat to watermelons.

Anyone who has visited a farm using modern precision agriculture can tell you just how far we have come. And in terms of the economic benefits, studies have shown that for every dollar spent on agricultural research, it returns over $20 to our economy.

The USDA is also making great headway with conservation programs. By working with hundreds of thousands of farmers and ranchers and implementing conservation practices on tens of millions of acres of private land, the USDA is helping reduce soil erosion and ensure clean drinking water.

And in preserving our natural resources, USDA is also strengthening key industries like fishing and hunting, which are so much more than just hobbies in my State—in Minnesota, sportsmen put $3.4 billion into our economy each year and support 55,000 jobs.

On the energy front, USDA is moving us closer to oil independence by encouraging the development of homegrown sources—like cellulosic biofuels, methane digesters and other renewable and energy efficient solutions. Altogether, those solutions are expected to save enough energy to power nearly 600,000 homes a year.

At a time of spiking gas prices and volatility in foreign oil markets, I believe we should be investing in the energy innovators of the Midwest—not the oil cartels of the Mideast.

With the right tools, America's farmers can develop the next generation energy sources that will power the world.

We are already feeding the world, and the USDA has helped make that possible through its work to lift export barriers and open new markets for agricultural goods. In 2011 farm exports reached a record high of $137 billion, which support 1.5 million jobs here in the U.S.

Finally, so much of the USDA's work boils down to strengthening rural communities. That is why programs to help finance everything from broadband to infrastructure for clean drinking water are so important. They are critical to ensuring a kid who grows up in rural American can stay in rural America and doesn't have to move somewhere else to find a job, raise a family or start a business.

In this sense, the USDA truly is the ''People's Department.'' This only underscores the importance of the work we're doing in the Senate to craft a strong and successful farm bill—one that builds on the success of existing programs while also making key improvements and accounting for challenges created by the current budget environment.

The Agriculture Committee took the first step by passing the farm bill out of committee in April, on a strong bipartisan vote of 16–5, that should pave the way for full Senate action.

The legislation strengthens and continues many vital programs that farmers rely on in States across the country.

It maintains a robust farm safety net which makes several improvements to the crop insurance program, including changes to ensure the program works better for fruit, vegetable and organic producers.

I sponsored an amendment that will give beginning farmers better access to the crop insurance program by making it more affordable for them to purchase coverage.

And because I believe we should do more to invest in the future of American agriculture, I worked to make sure the bill included provisions for the Beginning Farmers and Ranchers Program and for promoting public-private research opportunities.

Importantly, the bill we passed in the Committee also streamlines and strengthens the conservation programs that farmers rely on to keep our soil healthy and our water clean. It preserves the essential nutrition programs that millions of families and children rely on every day. And it includes a

strong energy title for encouraging homegrown energy production.

Every single American has a direct stake in the success of our farms and food businesses. Through the food we eat, the water we drink, the fuel we put in our cars and the air we breathe, each and every one of us is personally invested in the success of American agriculture, and that is why the USDA is such a critical resources.

I congratulate all my friends with the USDA on a remarkable 150 years, and I want to thank my colleagues on the floor today for their great work and dedication to supporting our farmers and rural communities. I look forward to working with all of my colleagues in the Senate to pass a strong Farm Bill that supports vital services at the USDA and gets the job done for our Nation's farmers.

Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize American agricultural producers on the 150th anniversary of President Lincoln signing legislation establishing the U.S. Department of Agriculture on May 15, 1862.

As President Lincoln said in his last annual address to Congress, ''[The Department of Agriculture] is precisely the people's Department, in which they feel more directly concerned than in any other.'' Many don't realize it, but USDA plays a unique role in the daily lives of every single American, ranging from the programs available that assist rural small businesses to providing the support system that makes it possible for our farmers and ranchers to produce the most affordable and abundant food supply of any country in the world.

As the main economic pillar and No. 1 industry in my State of South Dakota, it is important that we acknowledge and celebrate the economic importance of agriculture and the role that the USDA has played in implementing and supporting policies that have assisted our farmers and ranchers in becoming a leader in feeding, fueling, and clothing the world.

USDA's work on food, agriculture, economic development, science, risk management, natural resources conservation, and a whole host of other issues has enabled the agriculture industry to establish itself as a critical component in our economic success while having an influence on the lives of every single American. The Department, in coordination with our Nation's farmers and ranchers, has helped allow families to put nutritious, healthy food on their tables at a lower cost than almost anywhere else in the world. On average, less than 10 percent of American consumers' disposable income is spent on food.

Moreover, agriculture is the economic engine that drives our rural communities. Without viable family farms and ranches our small towns and Main Street businesses throughout South Dakota and our Nation would face significant hardships. According to the South Dakota Department of Agriculture, the agriculture industry has a $20 billion economic impact each year, accounting for one-third of the State's economic activity. The 46,000 agricultural producers on 31,500 farms combine with associated industries to employ more than 143,000 South Dakotans.

But the value of America's farmers and ranchers goes far beyond economic activity. Our producers are also the most productive in the world, providing the food, fuel, and fiber necessary to sustain us and millions of others throughout the world. Each year, just one South Dakota producer raises enough food to feed 155 people both here at home and abroad. As the world's population continues to grow to a projected 9 billion people by 2050, the demand for our agricultural products will only increase, and we will have to continue improving our productive capacity to double food production on fewer acres.

The increased yields needed to overcome the challenges ahead cannot be accomplished without the full use of sound science and innovative technology. In providing public land for the establishment of colleges to further agricultural research and education, the Morrill Land Grant College Act, which was also signed into law by President Lincoln in 1862, gave us such institutions as South Dakota State University and will remain a lasting achievement for the ongoing progress of production agriculture.

Therefore, on the 150th anniversary of its establishment, I commend USDA, and the American agricultural producers they assist, for providing the food, fuel, and fiber that we each rely on. I congratulate them and wish a happy birthday to USDA and those throughout the food chain.

Senator KOHL. Mr. President, in the fall of 1859, just two years prior to his election to the presidency, Abraham Lincoln spoke to the Wisconsin State Agricultural Society in my hometown of Milwaukee, WI. Lincoln concluded his speech saying, ''Let us hope . . . that by the best cultivation of the physical world, beneath and around us, and the intellectual and moral world within us, we shall secure an individual, social, and political prosperity and happiness.'' Just 3 years later, President Lincoln created the Department of Agriculture with these words in mind.

May 15, 2012 marks the 150th year of the U.S. Department of Agriculture, USDA. Perhaps more than any other department, USDA connects Americans to the land and to each other in ways seen and unseen. From its formation in 1862 through today, the Department has served millions of American's in a multitude of innovative ways.

From the earliest years of our Nation, agricultural production has been front and center. Today, roughly 1 out of every 12 Americans is employed in an agriculture related industry. Whether a producer, researcher, conservationist, food safety official, or one of many other agricultural professions, each person, including those who work in USDA, plays an important role in producing and delivering a safe and healthy food supply to the United States and the world.

Colleges and universities around the country have produced research that has improved crop yields, plant and livestock health, and soil quality, among others. Research has also led to the widespread use of conservation practices on farmland. While there are many different types of conservation efforts supported by USDA, they all share the same goal—to maintain the health and vitality of American farmland for future years and future generations. Once research and conservation efforts have been applied it becomes the job of agricultural producers to efficiently harvest and deliver their product to markets around the corner, or across the country. I believe American agricultural producers are the best in the world at what they do.

To help Americans sort through the incredible variety of their food choices at grocery stores or farmers markets, USDA provides critical guidance for nutrition assistance. Through the My Plate program and other nutrition education initiatives, USDA works to ensure that children, low-income individuals, seniors and the disabled not only understand what makes up a nutritious, healthy meal—but they create access to such meals year round, through programs such as the Special Nutrition Assistance Program for Women, Infants and Children, or the Supplemental Nutrition Assistance Program. These programs and others help feed those who have trouble accessing healthy foods, but they do so in a way that reinvests in agricultural producers and their rural communities.

I believe USDA's most important achievement has been the fulfillment of Lincoln's vision—harmoniously using all the tools, resources and programs at its disposal to contribute to social prosperity and happiness through the cultivation of the American land and its people.

It is with pride and respect that I honor USDA and our Nation's agriculture industry today.

HONORING LOST DHS PERSONNEL

Mr. LIEBERMAN. Mr. President, the mission of the Department of Homeland Security, DHS, is broad and diverse. The men and women of DHS protect our borders and modes of transportation; they guard our waterways; they protect U.S. and foreign leaders; they

prepare for and respond to disasters; they manage our immigration process; and, they defend us against cyber attack. DHS employees provide selfless service to their nation and they do so with honor and distinction under an ever-present threat. With National Police Week 2012 commencing, I would like to pay tribute to the Department of Homeland Security's agents, officers, and military personnel who lost their lives in the service of our Nation. Fifty-five courageous men and women of DHS have died in the line of duty since the Department's inception in 2003. We owe them more than a tribute on this day, but our gratitude begins with that.

They are:

Lorenzo R. Gomez, Immigration Enforcement Agent, U.S. Immigration and Customs Enforcement, El Paso, Texas, End of Watch: November 8, 2003.

James P. Epling, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: December 16, 2003.

Nathan B. Bruckenthal, Damage Controlman Third Class (E–4), U.S. Coast Guard, Iraq, End of Watch: April 24, 2004.

Travis W. Attaway, Senior Patrol Agent, U.S. Customs and Border Protection, Harlingen, Texas, End of Watch: September 19, 2004.

Jeremy M. Wilson, Senior Patrol Agent, U.S. Customs and Border Protection, Harlingen, Texas, End of Watch: September 19, 2004.

Philip C. Lebid, Special Agent, U.S. Secret Service, Tampa, Florida, End of Watch: November 22, 2004.

George B. DeBates, Senior Patrol Agent, U.S. Customs and Border Protection, Casa Grande, Arizona, End of Watch: December 19, 2004.

David G. Wilhelm, Assistant Special Agent in Charge, U.S. Immigration and Customs Enforcement, Atlanta, Georgia, End of Watch: March 11, 2005.

Christopher J. Smith, Assistant to the Special Agent in Charge, U.S. Secret Service, Atlanta, Georgia, End of Watch: March 25, 2005.

Nicholas D. Greenig, Senior Patrol Agent, U.S. Customs and Border Protection, Tucson, Arizona, End of Watch: March 14, 2006.

Jessica E. Hill, Lieutenant (O–3), U.S. Coast Guard, Arctic Ocean, End of Watch: August 17, 2006.

Steven Duque, Boatswain's Mate Second Class (E–5), U.S. Coast Guard, Arctic Ocean, End of Watch: August 17, 2006.

David N. Webb, Senior Patrol Agent, U.S. Customs and Border Protection, Ajo, Arizona, End of Watch: November 3, 2006.

Ramon Nevarez, Jr., Border Patrol Agent, U.S. Customs and Border Protection, Lordsburg, New Mexico, End of Watch: March 15, 2007.

David J. Tourscher, Border Patrol Agent, U.S. Customs and Border Protection, Lordsburg, New Mexico, End of Watch: March 16, 2007.

Ronald A. Gill, Jr., Port Security Specialist Third Class, U.S. Coast Guard Reserve, Puget Sound, Washington, End of Watch: March 25, 2007.

Clinton B. Thrasher, Air Interdiction Agent, U.S. Customs and Border Protection, McAllen, Texas, End of Watch: April 25, 2007.

Richard Goldstein, Border Patrol Agent, U.S. Customs and Border Protection, Indio, California, End of Watch: May 11, 2007.

Robert F. Smith, Air Interdiction Agent, U.S. Customs and Border Protection, El Paso, Texas, End of Watch: May 22, 2007.

Eric N. Cabral, Border Patrol Agent, U.S. Customs and Border Protection, Boulevard, California, End of Watch: July 26, 2007.

Julio E. Baray, Air Interdiction Agent, U.S. Customs and Border Protection, El Paso, Texas, End of Watch: September 24, 2007.

Luis Aguilar, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: January 19, 2008.

Jarod C. Dittman, Border Patrol Agent, U.S. Customs and Border Protection, San Diego, California, End of Watch: March 30, 2008.

Thomas G. Nelson, Captain (O–6), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

Andrew C. Wischmeier, Lieutenant Commander (O–4), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

David L. Skimin, Aviation Survival Technician First Class (E–6), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

Joshua W. Nichols, Aviation Maintenance Technician First Class (E–6), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

Nathaniel A. Afolayan, Border Patrol Agent, U.S. Customs and Border Protection, Artesia, New Mexico, End of Watch: May 1, 2009.

Cruz C. McGuire, Border Patrol Agent, U.S. Customs and Border Protection, Del Rio, Texas, End of Watch: May 21, 2009.

Robert W. Rosas, Jr., Border Patrol Agent, U.S. Customs and Border Protection, Campo, California, End of Watch: July 23, 2009.

Che J. Barnes, Lieutenant Commander (O–4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Adam W. Bryant, Lieutenant (O–3), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

John F. Seidman, Aviation Maintenance Technician Chief Petty Officer, U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Carl P. Grigonis, Avionics Electrical Technician Second Class (E–5), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Monica L. Beacham, Avionics Electrical Technician Second Class (E–5), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Danny R. Kreder, Jr., Aviation Maintenance Technician Third Class (E–4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Jason S. Moletzsky, Aviation Maintenance Technician Third Class (E–4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Mark F. Van Doren, Border Patrol Agent, U.S. Customs and Border Protection, Falfurrias, Texas, End of Watch: May 24, 2010.

Sean D. Krueger, Lieutenant (O–3), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

Adam C. Hoke, Aviation Maintenance Technician First Class (E–6), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

Brett M. Banks, Aviation Maintenance Technician Second Class (E–5), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

Charles F. Collins II, CBP Officer, U.S. Customs and Border Protection, Anchorage, Alaska, End of Watch: August 15, 2010.

Michael V. Gallagher, Border Patrol Agent, U.S. Customs and Border Protection, Casa Grande, Arizona, End of Watch: September 2, 2010.

John R. Zykas, CBP Officer, U.S. Customs and Border Protection, San Diego, California, End of Watch: September 8, 2010.

Shaun M. Lin, Maritime Enforcement Specialist Third Class (E–4), U.S. Coast Guard, Portsmouth, Virginia, End of Watch: October 13, 2010.

Brian A. Terry, Border Patrol Agent, U.S. Customs and Border Protection, Naco Cochise, Arizona, End of Watch: December 15, 2010.

Jaime J. Zapata, Special Agent, U.S. Immigration and Customs Enforcement, Mexico City, Mexico, End of Watch: February 15, 2011.

Hector R. Clark, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: May 12, 2011.

Eduardo Rojas, Jr., Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: May 12, 2011.

Dale T. Taylor, Lieutenant Commander (O–4), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

Thomas J. Cameron, Lieutenant Junior Grade (O–2), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

Fernando Jorge, Aviation Survival Technician (E–7), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

Andrew W. Knight, Avionics Electrical Technician (E–4), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

James A. Hopkins, Electronics Technician (E–6), U.S. Coast Guard, Kodiak, Alaska, End of Watch: April 12, 2012.

Richard W. Belisle, Civilian Employee (WG–8), Chief Boatswain's Mate (E–7), Retired, U.S. Coast Guard, Kodiak, Alaska, End of Watch: April 12, 2012.

NATIONAL POLICE WEEK

Mr. HOEVEN. Mr. President, today, people across our country observe Peace Officers Memorial Day. As we remember all of the fallen officers who have made the ultimate sacrifice while upholding justice and protecting our communities, I wish to echo the sentiments of Americans across the country in honoring the lives and exemplary service of all of the men and women who lost their lives this past year, including two North Dakota peace officers, Bismarck police Sgt. Steven Kenner and Burleigh County sheriff's department Deputy Sheriff Bryan Sleeper.

Sgt. Steven Kenner served with the Bismarck police department for more than 32 years when he was killed in the line of duty on July 8, 2011. Sergeant Kenner was a distinguished and well-respected member of the Bismarck police department. He also served as a decorated member of the North Dakota National Guard military police and founded the business C.A.R., Collision Analysis Reconstruction.

Colleagues, friends and family knew Sergeant Kenner to be a loving, hard-working and dedicated man who served his State with great pride. He was devoted to mentoring and training his

fellow officers, and his extensive knowledge and professionalism garnered the respect and admiration of his colleagues, who often referred to Sergeant Kenner as a gentle giant because his stature belied his kind nature and selfless service to others.

During Sergeant Kenner's distinguished career, he earned several awards, including the North Dakota Peace Officers Association Lifesaving Award. Sergeant Kenner was also actively involved in his community, serving in a variety of capacities, including as a member of the Missouri Valley Fraternal Order of Police, the National Trustee for North Dakota and the Midwest Association of Traffic Accident Investigators. He is survived by his wife, Debbie, and children James, Stephen, Kailey, and Tayler.

Last year, North Dakota also mourned Deputy Sheriff Bryan Sleeper who died in the line of duty on September 28, 2011. A lifelong North Dakotan, Deputy Sleeper graduated from the University of Mary in 1997, and worked at the North Dakota state penitentiary and the Bismarck rural fire department before beginning his distinguished career with the Burleigh County sheriff's department in 2007.

Deputy Sleeper was an active member of his community, and his involvement—like his job—aimed to improve the well-being of his fellow citizens. He earned his EMT certification and taught CPR and first aid at St. Alexius Medical Center and the Burleigh County sheriff's department. He was also a volunteer firefighter, member of the West Dakota SWAT team and the vice president of the Fraternal Order of Police Missouri Valley Lodge #3 for Bismarck. At the sheriff's department, he organized enforcement events including a blood drive and Christmas shopping event for children. Recognitions include the North Dakota Peace Officers Association Lifesaving Award.

Deputy Sleeper was a hardworking, ambitious and energetic man whose kind heart and engaging personality quickly endeared him to the people he met. An athlete and outdoors enthusiast, Deputy Sleeper was a natural leader and committed family man and friend. He is survived by his wife Lana, children Branden, Jeremy and Heather; and grandson Hunter.

This past week, North Dakotans added the names of Steven Kenner and Bryan Sleeper to the North Dakota Peace Officer Memorial located on the east side of the North Dakota State capitol. This memorial now bears the names of 61 brave men. These North Dakota peace officers, like the other officers from across our country who have been killed in the line of duty, have earned our unyielding gratitude for their service and heroism. These brave men and women keep our communities safe and secure, and it is fitting and right that we should pay tribute to these heroes who have paid the ultimate sacrifice.

Mikey and I extend our deepest sympathy to the families of all our fallen officers, especially the families of Sergeant Kenner and Deputy Sleeper. Our thoughts and prayers go out to them, and we pray that they will take comfort in knowing that their loved ones served their State and fellow citizens with great honor and pride.

TAIWAN'S PRESIDENTIAL INAUGURATION

Mr. HOEVEN. Mr. President, today I wish to recognize Inauguration Day in Taiwan on May 20, 2012. On January 14, Mr. Ma Ying-jeou was elected to his second term as President of the Republic of China. I offer congratulations to Mr. Ma not only for winning the election but for what his election symbolizes: the continued growth and maturation of democracy in the Republic of China. Taiwan is the first place in the ethnic Chinese world where democracy has taken root, and its democratic transformation has laid the foundation for reduced tensions across the Taiwan Strait and strengthened its ties with the United States as well.

Taiwan's democracy brightens the future of East Asia. Taipei poses no threat to Beijing, and its democratic government has fostered the development of strong cross-strait economic and cultural ties. I hope that, instead of building up its military forces in fear of a democratic Taiwan, Beijing will learn from Taiwan's example and reform its own political system. Democratization on both sides of the Taiwan Strait will lead to further expansion of the economic and cultural ties that have begun to flourish in recent years as well as improve security for the entire region.

The United States understands that our interests are well served by a free and democratic Taiwan. We want to see Taiwan grow and thrive as an important economic and trade partner, and we recognize that the safety and security of Taiwan is very important to the security of the entire Asia-Pacific region. The partnership between the United States and Taiwan, especially under the terms of the Taiwan Relations Act, has deterred aggressive action in the Taiwan Strait and opened the door for Taiwan to reach its full potential as a strong democracy and an important economic hub. I look forward to strengthening the links between Taiwan and the United States in the future, particularly through the removal of remaining trade barriers and a renewed commitment to addressing the security challenges facing Taiwan.

I hope that the United States and the Republic of China, as two fellow democracies, will continue to support each other and commit themselves to even closer ties in the future. And in that spirit, on the occasion of Taiwan's Inauguration Day, I congratulate the people of Taiwan and join them in celebrating the power and potential of democracy.

ADDITIONAL STATEMENTS

350TH ANNIVERSARY OF ST. FRANCIS XAVIER CATHOLIC CHURCH

● Mr. CARDIN. Mr. President, today I wish to celebrate the 350th anniversary of St. Francis Xavier Catholic Church in Leonardtown, MD. I hope my colleagues will join me in celebrating the centuries of history in marking this anniversary, including the establishment of Catholicism in English America. It was 350 years ago that Leonardtown, which was then known as Newtowne, was founded as the first settlement in the Maryland province after the establishment of St. Mary's City. Its geographic location places it within view of St. Clement's Island where the English colonists first landed in 1634. Prior to its settlement by the colonists, the Piscataway Indians and their forebears had occupied the site for many centuries.

Lord Baltimore founded the Maryland colony with the intention of providing his co-religionists with the civil liberty to exercise their religion freely, but it was not until the restoration of Charles II to the throne in England that the political climate in Maryland allowed for the building of a public chapel at Newtowne in 1662. The chapel was built by the local Catholics for the community that continues to the present day as Saint Francis Xavier's Parish, a parish within the Archdiocese of Washington.

In 1967, when the Society of Jesus withdrew from Newtowne to work in other areas, St. Francis Xavier Church, Newtowne Manor, and the 7.5 acres surrounding them were conveyed to the Archdiocese of Washington. The Archbishop of Washington at the time, James Cardinal Hickey, realized the religious, historical and archeological significance of these buildings, both of which are on the national Register of Historic Places, and he determined that they must be restored and preserved to maintain a link with the earliest days of the Roman Catholic Church in America.

While the site of the current church, a.d. 1731, and the Newtowne Manor House, a.d. 1789, the graveyard, and the site of the original chapel have been excavated by archaeologists, more work remains to be done to tell the full story of what is believed to be the second public Catholic chapel built in the colonies. The first is thought to be in neighboring Charles County, MD. I join Father Brian P. Sanderfoot and the Saint Francis Xavier Catholic Church

congregation in encouraging further investigation and exploration of their history. Their work will inform all of us about the colonial history of the Catholic community in Maryland and the early colonial life and freedoms evidenced in the records and archeological findings of St. Francis Xavier Catholic Church.●

CONGRATULATING ASHLEE SMITH

● Mr. HELLER. Mr. President, today I wish to honor a young Nevadan for being recognized as one of America's top 10 youth volunteers of 2012. Ashlee Smith, a seventh grader from Sparks, NV, was awarded the prestigious national Prudential Spirit of Community Award for her efforts to assist child victims of house fires and natural disasters. I am proud to congratulate one of Nevada's own for her leadership, compassion, and selflessness as she sets a fine example for students all across the United States who want to make a difference.

Ashlee's home burned down in a devastating fire in 2005, destroying all that her family owned—including her childhood toys. Ever since this experience, she has dedicated her free time to helping children who are victims of natural disasters recover their lost belongings. At 8 years old, she founded Ashlee's Toy Closet, a nonprofit organization that helps low-income children as well as those who have been affected by natural disasters. Over the past 5 years, she has collected and distributed more than 175,000 toys to children who have been affected by natural disasters. Ashlee's commitment to children in need is inspiring and reinforces the importance of serving our communities.

Having four children of my own, I understand the importance of creating an environment where our kids can give back to their communities. Encouraging our Nation's next generation of leaders to become engaged in community service will help ensure that they are active and positive contributors to their local community. We must encourage our Nation's youth to excel beyond the academic arena, demonstrate strong leadership skills, and show active initiative to support their communities.

I am proud to stand with the citizens of Sparks to congratulate Ashlee on this exceptional accomplishment. As she continues to grow her organization, I hope that she will serve as an example for Nevada's youth and will continue building upon this experience in her professional and personal future. Today, I ask my colleagues to join me in recognizing an ambitious Nevadan who has helped make a difference in the lives of thousands all over the Nation.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5652. An act to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

MEASURES READ FOR THE FIRST TIME

The following bill was read the first time:

S. 3187. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6083. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; St. Croix River, Stillwater, MN'' ((RIN1625–AA09) (Docket No. USCG–2012–0226)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6084. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; Niantic River, Niantic, CT'' ((RIN1625–AA09) (Docket No. USCG–2012–0305)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6085. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA'' ((RIN1625–AA09) (Docket No. USCG–2012–0362)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6086. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY'' ((RIN1625–AA09) (Docket No. USCG–2011–1132)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6087. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Anacostia River, Washington, DC'' ((RIN1625–AA09) (Docket No. USCG–2011–0591)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6088. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; Manchester Harbor, Manchester, MA'' ((RIN1625–AA09) (Docket No. USCG–2012–0344)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6089. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Saginaw River, Bay City, MI'' ((RIN1625–AA09) (Docket No. USCG–2011–1013)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6090. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sunken Vessel, Puget Sound, Everett, WA'' ((RIN1625–AA00) (Docket No. USCG–2012–0282)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6091. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY'' ((RIN1625–AA09) (Docket No. USCG–2012–0144)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6092. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA'' ((RIN1625–AA09) (Docket No. USCG–2012–0280)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6093. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; James River, Hopewell, VA'' ((RIN1625–AA09) (Docket No. USCG–2012–0292)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6094. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Intracoastal Waterway, Chesapeake, VA'' ((RIN1625–AA09) (Docket No. USCG–2012–0330)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6095. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Crowley Barge 750–2; Bayou Casotte; Pascagoula, MS'' ((RIN1625–AA00) (Docket No. USCG–2012–0190)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6096. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 2012 Mavericks Invitational, Half Moon Bay, CA'' ((RIN1625–AA00) (Docket No. USCG–2011–1146)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6097. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD'' ((RIN1625–AA00) (Docket No. USCG–2012–0101)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6098. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Matlacha Bridge Construction, Matlacha Pass, Matlacha, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–1115)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6099. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone for Margate Bridge, Intracoastal Waterway; Margate, NJ'' ((RIN1625–AA00) (Docket No. USCG–2012–0069)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6100. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Eighth Coast Guard District Annual Marine Events and Safety Zones'' ((RIN1625–AA00; 1625–AA08) (Docket No. USCG–2011–0286)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6101. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Coast Guard Exercise, Hood Canal, Washington'' ((RIN1625–AA00) (Docket No. USCG–2012–0283)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6102. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Non-Compliant Vessel Pursuit Training Course, Wando River, Charleston, SC'' ((RIN1625–AA00) (Docket No. USCG–2012–0138)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6103. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Sellwood Bridge Project, Willamette River; Portland, OR'' ((RIN1625–AA00) (Docket No. USCG–2011–1174)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6104. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 2012 Memorial Day Tribute Fireworks, Lake Charlevoix, Boyne City, Michigan'' ((RIN1625–AA00) (Docket No. USCG–2012–0337)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6105. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone'' ((RIN1625–AA00) (Docket No. USCG–2012–0045)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6106. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; East River, Brooklyn Bridge Scaffolding Repair, Brooklyn, NY'' ((RIN1625–AA00) (Docket No. USCG–2012–0263)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6107. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; TriMet Bridge Project, Willamette River, Portland, OR'' ((RIN1625–AA00) (Docket No. USCG–2011–1173)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6108. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Magothy River, Sillery Bay, MD'' ((RIN1625–AA00) (Docket No. USCG–2012–0001)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6109. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Choptank River and Cambridge Channel, Cambridge, MD'' ((RIN1625–AA87) (Docket No. USCG–2011–1164)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6110. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; North Atlantic Treaty Organization (NATO) Summit, Chicago, IL'' ((RIN1625–AA87) (Docket No. USCG–2012–0052)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6111. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Safety and Security Zones; Recurring Events in Captain of the Port of Long Island Sound Zone'' ((RIN1625–AA00, 1625–AA08, 1625–AA87) (Docket No. USCG–2008–0384)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6112. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Spa Creek and Annapolis Harbor, Annapolis, MD'' ((RIN1625–AA08) (Docket No. USCG–2011–1120)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6113. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Emerald Coast Super Boat Grand Prix; Saint Andrew Bay; Panama City, FL'' ((RIN1625–AA08) (Docket No. USCG–2012–0085)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6114. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Patriot Challenge Kayak Race, Ashley River, Charleston, SC'' ((RIN1625–AA08) (Docket No. USCG–2011–1095)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6115. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Tuscaloosa Dragon Boat Race; Black Warrior River; Tuscaloosa, AL'' ((RIN1625–AA08) (Docket No. USCG–2012–0218)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6116. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Lowcountry Splash Open Water Swim, Wando River and Cooper River, Mount Pleasant, SC'' ((RIN1625–AA08) (Docket No. USCG–2012–0252)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6117. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Smokin The Lake; Gulfport Lake; Gulfport, MS'' ((RIN1625–AA08) (Docket No. USCG–2012–0168)) received in the Office of the President of the Senate

on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6118. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Recurring Events in Northern New England'' ((RIN1625–AA00; 1625–AA08; 1625–AA87) (Docket No. USCG–2011–1023)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6119. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Potomac River, Charles County, MD'' ((RIN1625–AA08) (Docket No. USCG–2011–1176)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6120. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Hebda Cup Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI'' ((RIN1625–AA08) (Docket No. USCG–2012–0340)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6121. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Galveston Bay, Kemah, TX'' ((RIN1625–AA08) (Docket No. USCG–2012–0170)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6122. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Wy-Hi Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI'' ((RIN1625–AA08) (Docket No. USCG–2012–0342)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 1023. A bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes (Rept. No. 112–165).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Jessica Lynn Wright, of Pennsylvania, to be an Assistant Secretary of Defense.

*James N. Miller, Jr., of Virginia, to be Under Secretary of Defense for Policy.

*Frank Kendall III, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

*Erin C. Conaton, of the District of Columbia, to be Under Secretary of Defense for Personnel and Readiness.

*Heidi Shyu, of California, to be an Assistant Secretary of the Army.

*Derek H. Chollet, of Nebraska, to be an Assistant Secretary of Defense.

*Kathleen H. Hicks, of Virginia, to be a Principal Deputy Under Secretary of Defense.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER:

S. 3177. A bill to amend the Truth in Lending Act to require servicers to provide responses to mortgagors requesting residential mortgage loan refinancing, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE (for himself, Mr. RUBIO, and Mr. PAUL):

S. 3178. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BROWN of Ohio, and Mr. BEGICH):

S. 3179. A bill to amend the Servicemembers Civil Relief Act to enhance the protections accorded to servicemembers and their spouses with respect to mortgages, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND:

S. 3180. A bill to require the Department of Defense to develop a plan to track and respond to incidents of hazing in the Armed Forces; to the Committee on Armed Services.

By Mrs. GILLIBRAND (for herself and Mr. CARDIN):

S. 3181. A bill to amend title 10, United States Code, to require a plan to ensure the military leadership of the Armed Forces reflects the diversity of the population of the United States, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND:

S. 3182. A bill to require a report on implementation of a termination on the ground combat exclusion policy for female members of the Armed Forces; to the Committee on Armed Services.

By Mr. SCHUMER (for himself and Mr. BROWN of Ohio):

S. 3183. A bill to amend the Internal Revenue Code of 1986 to require the use of domestic property to be eligible for certain tax incentives for solar energy; to the Committee on Finance.

By Mrs. MURRAY:

S. 3184. A bill to suspend temporarily the duty on certain fitness equipment; to the Committee on Finance.

By Mr. CORNYN:

S. 3185. A bill to amend the Immigration and Nationality Act to provide certain immigration benefits for aliens with advanced degrees in science, technology, engineering, or mathematics and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 3186. A bill to make it unlawful to alter or remove the identification number of a mobile device; to the Committee on the Judiciary.

By Mr. HARKIN (for himself and Mr. ENZI):

S. 3187. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; read the first time.

By Mr. RUBIO (for himself, Mr. CORNYN, Mrs. HUTCHISON, Mr. NELSON of Florida, Mr. PAUL, Mr. INHOFE, Mr. DEMINT, Mr. BLUNT, and Mr. LEE):

S.J. Res. 40. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rules submitted by the Department of the Treasury and the Internal Revenue Service relating to the reporting requirements for interest that relates to the deposits maintained at United States offices of certain financial institutions and is paid to certain nonresident alien individuals; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BOXER (for herself and Mr. INHOFE):

S. Res. 460. A resolution designating the week of May 20 through May 26, 2012, as ''National Public Works Week''; considered and agreed to.

By Mr. LAUTENBERG (for himself, Ms. MURKOWSKI, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. BEGICH, Mr. WARNER, Ms. LANDRIEU, Mr. SANDERS, Mrs. GILLIBRAND, Ms. STABENOW, Mr. JOHNSON of South Dakota, Mr. COONS, Mrs. FEINSTEIN, and Mr. KOHL):

S. Res. 461. A resolution recognizing the teachers of the United States for their contributions to the development and progress of our Nation; considered and agreed to.

ADDITIONAL COSPONSORS

S. 534

At the request of Mr. KERRY, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 1173

At the request of Mr. WYDEN, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1173, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program.

S. 1288

At the request of Mr. ROBERTS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1288, a bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel.

S. 1497

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1497, a bill to amend title XVIII of the Social Security Act to extend for 3 years reasonable cost contracts under Medicare.

S. 1577

At the request of Mr. BAUCUS, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1701

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1701, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

S. 1872

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1878

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1878, a bill to assist low-income individuals in obtaining recommended dental care.

S. 1908

At the request of Mr. GRASSLEY, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1908, a bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organization, and for other purposes.

S. 1910

At the request of Mr. LIEBERMAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 1935

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2047

At the request of Mr. SCHUMER, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2047, a bill to authorize the Secretary of Education to make demonstration grants to eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools.

S. 2069

At the request of Ms. MIKULSKI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2069, a bill to amend the Public Health Service Act to speed American innovation in research and drug development for the leading causes of death that are the most costly chronic conditions for our Nation, to save American families and the Federal and State governments money, and to help family caregivers.

S. 2074

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2074, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 2076

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2076, a bill to improve security at State and local courthouses.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2245

At the request of Mr. BARRASSO, the names of the Senator from Utah (Mr. HATCH) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 2245, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 2276

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2276, a bill to permit Federal officers to remove cases involving crimes of violence to Federal court.

S. 2277

At the request of Mr. THUNE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2277, a bill to respond to the extreme fire hazard and unsafe conditions resulting from pine beetle infestation, drought, disease, or storm damage by declaring a state of emergency and directing the Secretary of Agriculture to immediately implement hazardous fuels reduction projects in the manner provided in title I of the Healthy Forests Restoration Act of 2003, and for other purposes.

S. 2299

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2299, a bill to amend the Servicemembers Civil Relief Act and title 38, United States Code, to improve the provision of civil relief to members of the uniformed services and to improve the enforcement of employment and reemployment rights of such members, and for other purposes.

S. 2320

At the request of Ms. AYOTTE, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 3048

At the request of Mr. BROWN of Ohio, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3048, a bill to provide for a

safe, accountable, fair, and efficient banking system, and for other purposes.

S. 3083

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3083, a bill to amend the Internal Revenue Code of 1986 to require certain nonresident aliens to provide valid immigration documents to claim the refundable portion of the child tax credit.

S. RES. 399

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 399, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

S. RES. 401

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Res. 401, a resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

S. RES. 435

At the request of Mr. CASEY, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. Res. 435, a resolution calling for democratic change in Syria, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BROWN of Ohio, and Mr. BEGICH):

S. 3179. A bill to amend the Servicemembers Civil Relief Act to enhance the protections accorded to servicemembers and their spouses with respect to mortgages, and for other purposes; to the Committee on Veterans' Affairs.

Mr. REED. Mr. President, today I introduce the Servicemember Housing Protection Act, and I thank Senators DURBIN, SHERROD BROWN, WHITEHOUSE, and BEGICH for joining me as original cosponsors of this bill.

In 1940, as World War II escalated across the globe, Congress enacted the Soldiers' and Sailors' Civil Relief Act ''to protect those who have been obliged to drop their own affairs to take up the burdens of the nation.'' In 2003, Congress passed a new version of this law to reflect the new challenges of post-9/11 service and renamed it the Servicemembers Civil Relief Act, SCRA. In 2010, in order to address the country's high foreclosure rates and their impact on servicemembers, Congress further amended this law to enhance foreclosure protections.

Also in 2010, when it became evident that military families needed an entity to serve as a watchdog, provide education, and help monitor and respond to concerns, questions, and complaints about consumer financial products and services, I led the bipartisan effort during the Dodd-Frank act debate to create a new Office of Servicemember Affairs within the Consumer Financial Protection Bureau, CFPB.

Our country has a strong tradition of ensuring that the laws that protect our servicemembers keep pace with the challenges that they face. The Servicemember Housing Protection Act seeks to address one such continuing challenge helping servicemembers with their housing needs so they can maintain a focus on the difficult task of protecting our country.

First, our bill would make it easier for servicemembers to submit their military orders to creditors and get their affairs in order prior to deployment. Currently, creditors require a copy of military orders in order to trigger SCRA protections. However, these orders are often not cut until just before deployment or once the servicemember is already deployed. Redefining military orders as either official orders or a letter from the servicemember's commanding officer would further ensure that a servicemember has more time to prepare for deployment and promptly receives SCRA protections, including the interest rate limitation of six percent on qualifying mortgages.

Second, this bill would extend foreclosure protections to surviving spouses. Currently, servicemembers have a 9-month window of foreclosure protection following service, to provide time to reacclimate to civilian life and get affairs back in order. Our bill extends this nine-month window of foreclosure protection to a surviving spouse. After suffering such an unspeakable loss, a military spouse should not have the additional burden of dealing with immediate foreclosure.

Lastly, this bill would help facilitate the transition from off-base to on-base housing. Due to the shortage of on-base military housing, many servicemembers temporarily find off-base housing until on-base housing becomes available. When a servicemember on a waiting list is given the chance to move into on-base housing, he or she is sometimes unable to terminate his or her off-base housing lease. Including an order to move from off-base to on-base housing as additional grounds for lease termination would allow servicemembers and their families the opportunity to move into the military housing community. We should extend this opportunity, which already is law in several states, such as Florida, Georgia, and Virginia, to servicemembers serving at any of our military bases.

While the men and women of our Armed Forces are protecting our nation overseas, we should do everything possible to protect their families and homes. I urge my colleagues to join Senators DURBIN, SHERROD BROWN, WHITEHOUSE, BEGICH, and me, as well as the Military Officers Association of America, in supporting this bill and taking these next steps to add protections for our military families.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 460—DESIGNATING THE WEEK OF MAY 20 THROUGH MAY 26, 2012, AS ''NATIONAL PUBLIC WORKS WEEK''

Mrs. BOXER (for herself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 460

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 20 through May 26, 2012, as ''National Public Works Week'';

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

SENATE RESOLUTION 461—RECOGNIZING THE TEACHERS OF THE UNITED STATES FOR THEIR CONTRIBUTIONS TO THE DEVELOPMENT AND PROGRESS OF OUR NATION

Mr. LAUTENBERG (for himself, Ms. MURKOWSKI, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. BEGICH, Mr. WARNER, Ms. LANDRIEU, Mr. SANDERS, Mrs. GILLIBRAND, Ms. STABENOW, Mr. JOHNSON of South Dakota, Mr. COONS, Mrs. FEINSTEIN, and Mr. KOHL) submitted the following resolution; which was considered and agreed to:

S. RES. 461

Whereas education is the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to our Nation's children;

Whereas the purpose of ''National Teacher Appreciation Week'', is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession;

Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and

Whereas students, schools, communities, and a number of organizations host teacher appreciation events in recognition of ''National Teacher Appreciation Week'': Now, therefore, be it

Resolved, That the Senate—

(1) thanks teachers for their service;

(2) promotes the profession of teaching; and

(3) recognizes students, parents, school administrators, and public officials who participate in teacher appreciation events during ''National Teacher Appreciation Week''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2105. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table.

SA 2106. Mr. ISAKSON (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2072, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2105. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 25 and insert the following:

SEC. 25. RENEWABLE ENERGY AND ENERGY EFFICIENCY TECHNOLOGIES.

(a) IN GENERAL.—The Export-Import Bank of the United States should work to increase the export of renewable energy technologies and end-use energy efficiency technologies with a goal of significantly expanding, year-after-year, the Bank's annual aggregate loan, guarantee, and insurance authorizations supporting those technologies.

(b) INCREASED REPORTING REQUIREMENTS.—The Export-Import Bank of the United States shall include in its annual report to Congress an analysis of any barriers to realizing the Bank's congressional directive to increase the Bank's financing for renewable energy technology and end-use energy efficiency technology and any tools the Bank needs to assist the Bank in overcoming those barriers. The analysis shall include barriers such as—

(1) inadequate staffing;

(2) inadequate financial products;

(3) lack of capital authority; and

(4) limitations imposed by domestic markets.

SEC. 26. EFFECTIVE DATE.

Except as provided in section 9(b), this Act and the amendments made by this Act shall take effect on the earlier of June 1, 2012, or the date of the enactment of this Act.

SA 2106. Mr. ISAKSON (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 26. EXTENSION OF THIRD-COUNTRY FABRIC RULE UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT; ELIGIBILITY OF SOUTH SUDAN FOR DESIGNATION FOR PREFERENTIAL TREATMENT.

(a) EXTENSION OF AGOA THIRD-COUNTRY FABRIC RULE.—Section 112(c)(1) of the African Growth Opportunity Act (19 U.S.C. 3721(c)(1)) is amended by striking ''September 30, 2012'' each place it appears in the text and in the heading and inserting ''September 30, 2015''.

(b) DESIGNATION OF SOUTH SUDAN.—Section 107 of the African Growth Opportunity Act (19 U.S.C. 3706) is amended by inserting ''Republic of South Sudan (South Sudan).'' after ''Republic of South Africa (South Africa).''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 15, 2012, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Tax Reform: What It Could Mean for Tribes and Territories.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''The High Cost of High Prices for HIV/AIDS Drugs and the Prize Fund Alternative'' on May 15, 2012, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 15, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on May 15, 2012, at 2:15 p.m. in room SD–562 of the Dirksen Senate Office Building to conduct a hearing entitled: ''Missed by the Recovery: Solving the Long-Term Unemployment Crisis for Older Workers.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. JOHANNS. Mr. President, I ask unanimous consent that Maureen McLaughlin, a detailee to the Senate Finance Committee, be granted the privileges of the floor for the duration of the consideration of H.R. 2072.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL PUBLIC WORKS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 460.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 460) designating the week of May 20 through May 26, 2012, as National Public Works Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 460) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 460

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 20 through May 26, 2012, as ''National Public Works Week'';

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

Mr. REID. Before we leave this, Mr. President, I might say that Senator BOXER and Senator INHOFE, the chair and the ranking member of that most important committee—the Environment and Public Works Committee—are doing their utmost on a bipartisan basis to complete the conference with the House to get the highway bill passed, which means 2.8 million jobs. As this legislation concerns National Public Works Week, it would certainly be a big celebration if we could get that bill done. I appreciate very much Senators BOXER and INHOFE working so closely together on that committee.

RECOGNIZING TEACHERS OF THE UNITED STATES

Mr. REID. Mr. President, I ask unanimous consent that we proceed to the immediate consideration of S. Res. 461.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 461) recognizing the teachers of the United States for their contributions to the development and progress of our Nation.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 461) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 461

Whereas education is the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to our Nation's children;

Whereas the purpose of ''National Teacher Appreciation Week'', is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession;

Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and

Whereas students, schools, communities, and a number of organizations host teacher appreciation events in recognition of ''National Teacher Appreciation Week'': Now, therefore, be it

Resolved, That the Senate—

(1) thanks teachers for their service;

(2) promotes the profession of teaching; and

(3) recognizes students, parents, school administrators, and public officials who participate in teacher appreciation events during ''National Teacher Appreciation Week''.

MEASURE READ THE FIRST TIME—S. 3187

Mr. REID. Mr. President, I understand that S. 3187 was introduced earlier today by Senators HARKIN and ENZI, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 3187) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

Mr. REID. I now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

Mr. REID. Mr. President, this is a very important piece of legislation done in the right way. Senators HARKIN and ENZI have done something in the way we always used to do things: They moved a bill out of committee to the Senate floor, truly a bipartisan bill, so important to our country, the FDA bill—Food and Drug Administration.

Senator ENZI has always been very focused on when we bring something to the floor, it must have the committee mark on it—and this bill does.

The reason I move to the bill today the way I have is to line this up for filing cloture on Thursday. I hope we don't have to file cloture, we move to proceed to it. Why don't we get on the bill? If we can get on the bill, we can start on it Monday, we can start offering amendments, and get this moving along.

I have talked to Senator ENZI, I have talked to Senator HARKIN. We had good luck on the highway bill. We had good luck also on the postal bill with relevant amendments. This is a very important piece of legislation. I hope we can move to this without having to file cloture. If I have to file cloture, I will have to file cloture, but I sure hope not. I admire the cooperation and the working together of Senators HARKIN and ENZI.

ORDERS FOR WEDNESDAY, MAY 16, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 on Wednesday, May 16; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, following any leader remarks tomorrow morning, the Senate will begin debate on several motions to proceed to resolutions introduced by Republican Senators. This is an agreed-upon method of proceeding on these resolutions.

ORDER OF PROCEDURE

It is my intention to equally divide the first hour, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes. I ask unanimous consent that be the case.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. So there is 6 hours of debate time allowed under the consent agreement that was approved earlier today. I certainly hope we can get this done expeditiously. Senator CONRAD will be leading efforts on our side opposed to this; and once we get this out of the way, we should move forward.

Tomorrow morning, after we understand the morning hour will be deemed expired and the time for the two leaders be reserved for their use later in the day, I ask unanimous consent that I be recognized at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:36 p.m., adjourned until Wednesday, May 16, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. MICHAEL R. MOELLER

DEPARTMENT OF STATE

THOMAS HART ARMBRUSTER, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

DAVID BRUCE WHARTON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZIMBABWE.

FOREIGN SERVICE

THE FOLLOWING NAMED PERSONS OF OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

ALBOINO LUNGOBARDO DEULUS, OF VIRGINIA
MARY LOUISE JOHNSON-PIZARRO, OF VIRGINIA
MARTINA CHRISTINA POLT, OF TENNESSEE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

RUSSELL M. COMEAU, OF THE DISTRICT OF COLUMBIA
VICTOR LERUN MARSH II, OF MICHIGAN
JENNIFER M. NOISETTE, OF FLORIDA
MICHAEL OWEN WARREN, OF UTAH

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

BOOYEON LEE ALLEN, OF CALIFORNIA
CLAY C. ALLEN, OF IDAHO
LA JUNE L. BARNES, OF NEW YORK
ZANE LEE BARNES, OF CALIFORNIA
NICHOLAS G. BARNETT, OF NEW YORK
BRIAN P. BAUER, OF ILLINOIS
ROBBIE LANEICE BROOKER, OF TEXAS
PETER H. BROWN, OF NEW YORK
JOSHUA MORGAN BUXTON, OF CALIFORNIA
DANIEL JAMES CARL, OF FLORIDA
ALBERT RAY CEA HENRIQUEZ, OF TEXAS
BROOKE HEILNER DEAN, OF WASHINGTON
ANTHONY JAMES DIAZ, OF KENTUCKY
EDMUND FLEETWOOD DUNSTAN III, OF MARYLAND
MARISA A. FERGUSON, OF VIRGINIA
DAVID KIP FRANCIS, OF TEXAS
NOAH J. GEESAMAN, OF FLORIDA
PALOMA H. GONZALEZ, OF CALIFORNIA
JACOB DANIEL GRANNELL, OF THE DISTRICT OF COLUMBIA
RYAN NICHOLAS GUIRLINGER, OF VIRGINIA
GARTH HALL, OF CALIFORNIA
SEAN MICHAEL HANIFEN, OF WASHINGTON
APRIL MCCONNELL HAYNE, OF FLORIDA
CHERYL A. HIPP, OF CALIFORNIA
ELIZABETH HOWARD, OF FLORIDA
HEERA KAUR KAMBOJ, OF NEW YORK
ALLA PAVEL KAMINS, OF VIRGINIA
SONIA JUNG KIM, OF GEORGIA
STEPHAN G. LANGLEY, OF WASHINGTON
THOMAS J. LEIBY, OF PENNSYLVANIA
BRIDGET MARY LINES, OF TEXAS
JOSEPH S. LIVINGSTON, OF NEW JERSEY
RYAN JASON LONG, OF WASHINGTON
JAMES MICHAEL LOWELL, OF TENNESSEE
MUNIR DAWAN MADYUN, OF GEORGIA
ANNA ARAMBULO MARTZ, OF TEXAS
WESLEY SIM MATHEWS, OF TEXAS
CHRISTOPHER H. MCHONE, OF TEXAS
ROLAND DAVID MCKAY, OF MICHIGAN
MORGAN D. MILES, OF WASHINGTON
JONATHAN ANDREW MITCHELL, OF PENNSYLVANIA
DOUG MORROW, OF FLORIDA
KATHRINE MARLENE MORTENSEN, OF FLORIDA
ELIZABETH FAWN NEDEFF, OF WASHINGTON
PHILLIP NELSON DE ASSIS, OF TEXAS
THU HUYNH NGUYEN, OF WASHINGTON
NATALYA A. NIKIFOROVA-SMITH, OF FLORIDA
CAROLINE CASEY NOHR, OF CALIFORNIA
KIMBERLY GIUSTI OLSON, OF OREGON
JEFFREY MICHAEL OSWEILER, OF IOWA
CHRIS F. PIERSON, OF CONNECTICUT
JOANNA HOPE PRITCHETT, OF NEW YORK
ABBEY H. RATHWEG-WEITZ, OF VIRGINIA
ERIN ALEXIS RATTAZZI, OF CALIFORNIA
SUNIL KUMAR RAVI, OF ARIZONA
STEPHANIE L. REED, OF TENNESSEE
CHUNNONG SAEGER, OF MARYLAND
MARYUM FATIMA SAIFEE, OF TEXAS
FELIX J. SALAZAR, OF MARYLAND
PHILIP SCOT SCHWADA, OF VIRGINIA
DAVID RYAN SEQUEIRA, OF FLORIDA
ARATI SHROFF, OF TEXAS
CLAIRE ELIZABETH SMOLIK, OF CALIFORNIA
NITZA SOLA—ROTGER, OF THE DISTRICT OF COLUMBIA
MASAMI TANAKA, OF ILLINOIS
MEGAN JO TETRICK, OF INDIANA
TOD M. THEDY, OF FLORIDA
SYGA THOMAS, OF CALIFORNIA
KEISHA N. TOMS, OF GEORGIA
WILLIAM-RANDALL TORRANCE, OF TEXAS
CYNDEE—NGA TRINH, OF TEXAS
CATHERINE TRUONG, OF NEVADA
JUSTIN W. TULL, OF VIRGINIA
THOMAS M. VENNER, OF ILLINOIS
RACHEL Y. WASHINGTON, OF TENNESSEE
BRIANNE ALICIA WATTS, OF ARIZONA
OTTO H. WESTHASSEL, OF VIRGINIA
C. LOGAN WHEELER, OF TENNESSEE
DAVID GARDINER WISNER, OF NEW YORK
HEATHER NICOLE WRIGHT, OF MARYLAND
CHANSONETTE REBECCA YUN, OF CALIFORNIA

THE FOLLOWING NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 1, 2012: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

BRADLEY ALAN FREDEN, OF ARIZONA

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be surgeon

MARY J. CHOI
LAURA A. COOLEY
PATRICIA H. DAVID
DUKE J. RUKTANONCHAI

To be senior assistant surgeon

FRANCISCA ABANYIE
NINA AHMAD
ANDREW I. GELLER
LEAH K. GILBERT
AARON M. HARRIS
FIONA HAVERS
RACHEL T. IDOWU
PREETHA J. IYENGAR
STEPHEN C. KO
GAYATHRI S. KUMAR
KEREN Z. LANDMAN
PHILIP A. LEDERER
ANNA-BINNEY MCCAGUE
ERIN MCNELLEY
JOLENE H. NAKAO
VUONG D. NGUYEN
MONICA PATTON
CELIA L. QUINN
KENNETH B. QUINTO
ALISON D. RIDPATH
MIRIAM L. SHIFERAW
NEIL M. VORA
JOSEPH V. WOODRING
BRIAN R. YABLON

To be junior assistant nurse officer

KIMBERLY A. BRINKER

To be assistant scientist officer

SHALON M. IRVING
JONETTA L. JOHNSON
MICHAEL T. LOWE
MATTHEW LOZIER
LEIGH A. MILLER
ELIZABETH RUSSELL
AMEE M. SCHWITTERS
ALICE M. SHUMATE
ANGELA M. THOMPSON-PAUL
TATIANA Y. WARREN
JASON A. WILKEN

To be assistant veterinary officer

LAURA ADAMS
TARA C. ANDERSON
ABBEY CANON
LIZETTE O. DURAND
LAURA S. EDISON
ILANA J. SCHAFER
RYAN M. WALLACE

To be assistant pharmacy officer

FRANK A. ACHEAMPONG
IRENE ADU-GYAMFI
MACKENZIE P. BROWN
JACQUELINE R. CAMPBELL
KALEB CHAMBERLAIN
LINDSEY N. CHILDRESS
WHITNEY A. CONROY
ALEJANDRA G. CUEVAS
LAUREN DAVIS
ALLAN DEMUTH
ANDREA R. DYER
ALLA Y. FABRIKANT
ASHLEY A. FITCH
JESSE FOSTER
DEWEY FOUTZ
CHRISTOPHER M. FRAZER
RAEANNE G. FULLER
AMY N. GOODPASTER
MEGAN E. GROSHNER
JASON D. HARRIS
KELLEE T. JAMES
KENDRA N. JENKINS
ANNA B. JEWULA
RUSSELL B. KERN
ANNA U. KIT
RANDI J. KUNS
BRYAN P. LELAND
HEATHER S. LIM
JENNIFER N. LIND
ALICIA LOH
JAMES O. LOTT
SARA H. LOW
MICHAEL J. MACMILLAN
MADALENE MANDAP
JULIA E. MARIE
CULLEN M. MCCHRISTIAN
KAMILAH M. MCKINNON
CHRISTOPHER R. MCKNIGHT
BROCK E. O'KEEFE
JONATHAN H. OWEN
KELLY S. PAK
SARAH S. PAK
HEENA V. PATEL
RONNIE L. RAEL
SALVADOR RIVAS, JR.
MATTHEW K. SASAKI
MARJANNE V. SCHNARR
ALISON M. SMITH
KRISTINA M. SNYDER
THANH D. TA
PATRICK R. TULLY
ANN P. UPSHAW
JENNIFER M. UTIGARD
KEITH R. WARSHANY
MARY K. WEN
RILEY J. WILLIAMS II
VALERIE S. WILSON
REBECCA WONG

To be junior assistant health services officer

AMELIA M. BREYRE
DANIEL V. DIGIACOMA
TIPHANY D. JACKSON
SARAH R. KASLOW
VINITA PURI
CHRISTOPHER J. SALMON
LEAH M. SITLER
COLIN M. SMITH
MEGHAN M. ZOMORODI

WITHDRAWAL

Executive Message transmitted by the President to the Senate on May 15, 2012 withdrawing from further Senate consideration the following nomination:

ARUNAVA MAJUMDAR, OF CALIFORNIA, TO BE UNDER SECRETARY OF ENERGY, VICE KRISTINA M. JOHNSON, RESIGNED, WHICH WAS SENT TO THE SENATE ON NOVEMBER 30, 2011.

HOUSE OF REPRESENTATIVES—*Tuesday, May 15, 2012*

The House met at noon and was called to order by the Speaker pro tempore (Mr. BISHOP of Utah).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 15, 2012.

I hereby appoint the Honorable ROB BISHOP to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

NATIONAL POLICE WEEK AND DEPUTY JOHN MECKLENBURG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. NUGENT) for 5 minutes.

Mr. NUGENT. Mr. Speaker, I rise today in reference to National Police Week, which is going on right now.

In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls as National Police Week. This year's National Police Week is Sunday, May 13, through Saturday, May 19.

As George W. Bush once described it:

Peace Officers Memorial Day and Police Week pay tribute to the local, State, and Federal law enforcement officers who serve and protect us with courage and dedication. These observances also remind us of the ongoing need to be vigilant against all forms of crime, especially to acts of extreme violence and terrorism.

On Sunday, May 13, I attended the candlelight vigil for our fallen officers from 2011. There were 163 peace officers who sacrificed their lives for us in the line of duty. Earlier today, I had the honor of attending the 31st National Police Officers Memorial Service right here on the front lawn of the Capitol. We honored over 19,000 law enforcement officers who have given their lives—the ultimate sacrifice—in the line of duty.

In 2011, 163 police officers gave their lives for this country. So far this year, we've lost over 40 officers in the line of duty. On July 3, 2011—and this is especially close to me—one of those who lost their lives was Hernando County Sheriff's Deputy John Mecklenburg, a deputy that I actually swore in to serve the citizens of Hernando County.

John died while in pursuit of a suspect and gave his life, and John left behind a wife, Penny, and two children. When he left that evening to go to work for the midnight shift, he had all expectations of coming home. But John gave the ultimate sacrifice for his county, for his State, and, ultimately, for his Nation.

I served as a police officer for 36 years before I came up here. I know what it is to go through the grief of losing one of our own. I want to thank the Fraternal Order of Police for highlighting this and working with the COPS organization to actually pay respect to those who have given the ultimate sacrifice.

We've been blessed in America, and we're protected by people who do it because it's the right thing to do, not because they're going to make a lot of money. They do it because they truly believe in the citizens that they serve. They do it with honor and dignity. And today, the President of the United States spoke to all of the survivors and police officers and their families that were in attendance on the front lawn of the Capitol, rightfully, as he should. We appreciate the President coming forward because it means so much to the survivors of a law enforcement officer who gave the ultimate sacrifice.

Once again, we've been blessed, Mr. Speaker, and we owe a debt of gratitude to our law enforcement officers who protect us 24 hours a day, 7 days a week.

Mr. Speaker, I ask that we also keep our thoughts and prayers, not only for the law enforcement officers that are out there today at this very minute across the United States putting their lives on the line, but also remember those who are serving in harm's way in our military who also have given the fullest measure that they can, and that's their life, in defense of this country.

Mr. Speaker, God bless us and God bless America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to meet their responsibilities during these days, enlightened by Your eternal Spirit.

We gather after celebrating Mother's Day. We thank You for the gift of self modeled by our mothers, who chose to place each of us before themselves in giving birth to us and nurturing us as we grew. May we all earn the pride of our mothers in the service we provide to the benefit of this Nation.

Finally, we take special notice this day, May 15, of National Peace Officers' Memorial Day, of the 163 peace officers who died this past year in the line of duty. We ask that You grant them eternal rest for having paid the ultimate price in protecting us, and give their families consolation in mourning their loss. May they be assured that we as a Nation hold them in our hearts and understand that we will always be indebted to them.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas (Mr. WOMACK) come forward and lead the House in the Pledge of Allegiance.

Mr. WOMACK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

NATIONAL DEFENSE AUTHORIZATION ACT

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last Wednesday, the House Armed Services Committee met to mark up the National Defense Authorization Act for fiscal year 2013. Over the past year, the administration has targeted defense spending to shift to other programs, which destroys jobs.

Chairman BUCK MCKEON has successfully developed a bipartisan bill that will limit shifts. The Department of Defense budget accounts for less than 20 percent of our discretionary spending and does not contribute to our growing national debt. The legislation provides the support our brave servicemembers, military families, and veterans deserve as they dedicate their lives to defend our freedoms and protect our families from foreign threats.

This week, the House will vote on the National Defense Authorization Act. I urge my colleagues to support this bill and give military families the resources they deserve as they fight to promote peace through strength.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HAPPY 150TH ANNIVERSARY TO UNITED STATES DEPARTMENT OF AGRICULTURE

(Mr. SABLAN asked and was given permission to address the House for 1 minute.)

Mr. SABLAN. Mr. Speaker, I stand today to pay tribute to a great American success story. Today marks the 150th anniversary of the founding of the United States Department of Agriculture.

President Abraham Lincoln founded USDA, as it's commonly called, and directed its focus to advancing America's agriculture industry through science and engineering. Today, our country's advanced system of production agriculture is evidence of how successful we are by being the world leader in food production, conservation innovations, in the development and use of agricultural biotechnology that helps produce biofuels, as well as helping farmers export their products that contribute to our positive balance of agricultural trade.

And so, Mr. Speaker, I pay tribute and extend my personal best wishes to USDA on its 150th anniversary. I also congratulate Secretary Vilsack and all the fine men and women who work or have worked in the Department, and I wish them another 150 years of success.

CONGRATULATING KENNAMETAL

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to honor a milestone achievement at Kennametal, a company headquartered in Latrobe, Pennsylvania, with facilities across the country, including one in the Third District of Arkansas.

The employees at the Rogers facility were presented with the Three Million Work Hour Award by the Arkansas Department of Labor, the Arkansas Workers' Compensation Commission, and the Arkansas Insurance Department for, as the name of the award suggests, going 3 million work hours without a lost-time accident.

Kennametal's Rogers, Arkansas, facility was established in 1953. The facility is home to 500 employees who manufacture round tool blanks, energy compacts, substrates, wear parts, pelletizing dies, hard-facing rod, and powdered metal.

Mr. Speaker, 3 million work hours without a lost-time accident is a great accomplishment. It's a testament to what can be done when a group of employees, however large, share a common vision and come together to work toward that goal. Today, I'm honored to share this accomplishment with the Nation. Congratulations, Kennametal. You deserve it.

□ 1410

COMMEMORATING PEACE OFFICERS MEMORIAL DAY

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Mr. Speaker, today is Peace Officers Memorial Day. Throughout the Nation, and in my home State of Missouri, flags fly at half staff at all our State buildings in honor of the members of our police forces who have reached the ends of their watch, including seven in 2011 and two in 2010.

These men and women gave their lives for their Nation, not on a battlefield with a foreign name, but in our neighborhoods, on streets our children walk. They're heroes, seldom recognized, frequently in danger, always ready to give what Abraham Lincoln called ''the last full measure of devotion'' to protect and serve our friends, our family, our community.

The peace officers lost in Missouri fell as enforcers of law and as first responders in times of need. We remember them all with an empty spot on the force and hearts full of thanks for their sacrifice and service.

MEDIA SPINS JOBS REPORT

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, according to the American Enterprise Institute, the labor force participation rate has dropped to its lowest level in 30 years. The only reason the unemployment rate fell slightly to 8 percent is because another 522,000 adults quit looking for work and are no longer counted.

Of course, it's no surprise that the liberal national media attempted to spin the numbers. Bloomberg dismissed the lack of new jobs as being a ''rounding error.'' Time magazine described the negative reports as being ''statistical noise.'' The liberal media fed this narrative with misleading statements like the economy is ''gaining steam,'' as The New York Times headlined the news, or that the economy was on a ''hiring surge,'' as the Associated Press claimed.

The liberal media show its bias when it ignores the President's failed promises and failed attempts to create jobs.

Americans are concerned about the lack of jobs and deserve the facts. When will the national media put their responsibility to the people ahead of protecting the President?

EMPLOYING AND FEEDING AMERICA

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, growing up on that two-wheel wagon rut mule farm, I learned firsthand the critical role that America's farmers and ranchers play in our economy. And on the 150th anniversary of the United States Department of Agriculture, we are reminded that the average farmer in the United States feeds more than 150 people worldwide, creating countless jobs along the way.

Just think about where your bowl of cereal, your toast, and your pancakes came from this morning. The grain was planted, raised, harvested and sold, then bought, produced, marketed, and sold to you for your morning meal. Think about all those jobs that originated from one planted seed.

As the world's second largest producer and the largest exporter of agricultural products, a robust agriculture industry is critical to America's economic success. Today, I honor and thank America's farmers and ranchers who feed the world while putting America to work. And I commend the USDA on its anniversary for helping them do so.

COMMUNICATION FROM THE HONORABLE DARRELL ISSA, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. BISHOP of Utah) laid before the House the following communication from the Honorable DARRELL ISSA, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the District of Columbia, for trial testimony.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DARRELL ISSA,
Member of Congress.

COMMUNICATION FROM CHAIR OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 10, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that the Committee on Oversight and Government Reform has been served with a subpoena, issued by the United States District Court for the District of Columbia, for documents.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 14, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 14, 2012 at 1:34 p.m.:

That the Senate passed without amendment H.R. 4967.

That the Senate passed S. 418.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1606

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Texas) at 4 o'clock and 6 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

MOBILE WORKFORCE STATE INCOME TAX SIMPLIFICATION ACT OF 2012

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1864) to limit the authority of States to tax certain income of employees for employment duties performed in other States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1864

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mobile Workforce State Income Tax Simplification Act of 2012''.

SEC. 2. LIMITATIONS ON STATE WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who performs employment duties in more than one State shall be subject to income tax in any State other than—

(1) the State of the employee's residence; and

(2) the State within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) WAGES OR OTHER REMUNERATION.—Wages or other remuneration earned in any calendar year shall not be subject to State income tax withholding and reporting requirements unless the employee is subject to income tax in such State under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the State during the calendar year.

(c) OPERATING RULES.—For purposes of determining penalties related to an employer's State income tax withholding and reporting requirements—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the States in which the employee will perform duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location of an employee, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this Act:

(1) DAY.—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a State for a day if the employee performs more of the employee's employment duties within such State than in any other State during a day.

(B) If an employee performs employment duties in a resident State and in only one nonresident State during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident State than in the resident State for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) EMPLOYEE.—The term ''employee'' has the same meaning given to it by the State in which the employment duties are performed, except that the term ''employee'' shall not include a professional athlete, professional entertainer, or certain public figures.

(3) PROFESSIONAL ATHLETE.—The term ''professional athlete'' means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(4) PROFESSIONAL ENTERTAINER.—The term ''professional entertainer'' means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(5) CERTAIN PUBLIC FIGURES.—The term ''certain public figures'' means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(6) EMPLOYER.—The term ''employer'' has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 (26 U.S.C. 3401(d)), unless such term is defined by the State in which the employee's employment duties are performed, in which case the State's definition shall prevail.

(7) STATE.—The term ''State'' means any of the several States.

(8) TIME AND ATTENDANCE SYSTEM.—The term ''time and attendance system'' means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the State in which the employee's employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee's wages for income tax purposes among all States in which the employee performs employment duties for such employer.

(9) WAGES OR OTHER REMUNERATION.—The term ''wages or other remuneration'' may be limited by the State in which the employment duties are performed.

SEC. 3. EFFECTIVE DATE; APPLICABILITY.

(a) EFFECTIVE DATE.—This Act shall take effect on January 1 of the 2d year that begins after the date of the enactment of this Act.

(b) APPLICABILITY.—This Act shall not apply to any tax obligation that accrues before the effective date of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1864, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COBLE. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1864.

On the way back to Washington, D.C., this past weekend, I looked around in my local airport and saw dozens of business travelers preparing to board airplanes to leave North Carolina and conduct business in other States. This happens, Mr. Speaker, every day in every State in America. The American workforce is more mobile in the 21st century than it has ever been.

Nonetheless, the diversity of State income tax laws places a significant burden on people who travel for work and their employers, many of which are small businesses. Currently, 41 States tax the wages earned by a nonresident for work performed there. I do not take issue with the right of those States to impose an income tax, but I am concerned that the disparity of tax rules among those States is damaging small businesses and stifling economic growth.

□ 1610

For example, some States require a nonresident to pay income tax if he or she works in that State for just one day. Other states do not collect tax until the nonresident works for a certain number of days in the particular jurisdiction. Small businesses must expend considerable resources to figure out how much they must withhold for their traveling employees in 41 different jurisdictions. Employees are also confused about when their tax liability is triggered and in which States they must file a tax return.

To alleviate this problem, on May 12 I introduced H.R. 1864, the Mobile Workforce State Income Tax Simplification Act, with the distinguished gentleman from Georgia (Mr. JOHNSON). The bill we introduced establishes a clear 30-day threshold for tax liability and employer withholding. Under the bill, States remain free to set any income tax rate they choose.

Tax simplification—on both the Federal and State level—will allow workers and employers to predict their tax liabilities with accuracy and expend fewer resources researching the nuances of each State's respective tax law. The money they would have spent hiring accountants and tax lawyers can then be spent on creating meaningful jobs and growing the economy.

I urge all Members to cast a ''yes'' vote on this bill, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1864, the Mobile Workforce State Income Tax Simplification Act. This is an important bipartisan bill that will help all workers across the country. It will also help businesses, large and small.

I have been working on this bill since I was a freshman in the 110th Congress, at which time Chris Cannon from Utah, a former Member, was the lead sponsor. In the 111th Congress, I was the lead sponsor on H.R. 1864 as it is known now. This term, the 112th Congress, Mr. COBLE, whom I have been quite pleased to work with, has been the lead sponsor. Again, he is a good friend of mine, and I appreciate the opportunity to work with him.

H.R. 1864 provides for a uniform and easily administered law that would ensure the correct amount of taxes withheld and paid to the States without the undue burden the current system places on employees and employers. From a national perspective, the Mobile Workforce bill will vastly simplify the patchwork of inconsistent and confusing State rules. It would also reduce administrative costs to States and lessen compliance burdens on American workers.

Take my home State of Georgia, for instance. If an Atlanta-based employee of a St. Louis company travels to headquarters on a business trip once per year, that employee is required to file a Missouri tax return, even if her annual visit only lasts for 1 day. However, if that employee travels to Maine, she would not be required to file a Maine tax return unless her trips lasts for 10 days. If she travels to Arizona on business, she would only have to file an Arizona income tax return if she was in the State for more than 60 days.

In each case, her employer is also liable for withholding those States' taxes out of her paycheck, and the only way she can avoid double taxation is if she files for a credit for each State's tax in her resident State.

H.R. 1864 would fix this problem by establishing a uniform threshold before State income tax laws would apply to traveling employees. This bill would protect employees who perform employment duties in a nonresident State if they work in the State for less than 30 days. Until that threshold is reached, they will continue to pay in their State of residency.

When I initially started working on this bill, the withholding threshold was 60 days. In response to the concerns by the Federation of Tax Administrators, I sought a compromise and lowered the threshold to 30 days. I understand that the FTA may still have some concerns about the bill, but I believe that it is a good bill that addresses the bulk of their concerns. The FTA's concerns have certainly not been ignored.

In addition to lowering the day threshold, we also worked to clarify that the bill's operating rules were not drafted to avoid paying withholding tax, and clarified if an employer has a time and attendance system designed to allocate wages among States, it must be used.

At a time when more and more Americans find themselves traveling for their job, this bill is a commonsense solution that helps workers who are employed in multiple States by simplifying the tax reporting requirements for them and for their employers.

Madam Speaker, for the vast majority of States, this bill carries a minimal or no revenue impact. In fact, this bill will greatly increase compliance rates. This bill will end up saving States the administrative costs of processing and remitting thousands of small returns from nonresidents.

While nothing is perfect, and the Federation of Tax Administrators may still have some concerns, this bill is truly the product of years of working with the States on an approach that balances their concerns with administrative ease and efficiency for employers and employees. This is truly a bipartisan effort that seeks to simplify State tax compliance, not reduce State taxes.

I yield back the balance of my time.

Mr. COBLE. Madam Speaker, I urge my colleagues to cast a ''yes'' vote on this matter, and I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, the American workforce is increasingly mobile. Fifty years ago, most people worked in the communities in which they lived. Today, many more Americans travel to other states for work.

The complexity and variation among state income tax laws is a burden on interstate commerce. In some states, for example, a non-resident employee must pay income tax if they work there for only one day. But in other states, income tax liability is not triggered until the 60th day.

Under this current patchwork system, employees who travel out of state for work must file tax returns in other jurisdictions even if their ultimate tax liability to a state is a few dollars.

In addition to burdening our interstate employees, different state income tax laws require employers to comply with a wide variety of tax withholding laws. Many of those employers are small businesses who can least afford these administrative costs.

This bipartisan bill, the Mobile Workforce State Income Tax Simplification Act, is sponsored by the Chairman of the Judiciary Committee's Subcommittee on Courts, Commercial and Administrative Law, HOWARD COBLE. I also appreciate Congressman HANK JOHNSON's cosponsorship of this legislation.

This bill simplifies state income tax policies without infringing on the rights of states to set their own tax rates. The bill provides that a state may not impose its income tax on non-resident employees unless they earn wages in the state for more than 30 days. The employee would still owe an income tax to their state of residence for wages earned during the first 30 days they work in a non-resident state.

This bill eases the burden that the current patchwork of state income tax laws places on traveling employees and small businesses. So rather than increasing the expense of navigating the maze of tax rules, businesses can use their resources to invest in creating jobs for American workers.

Finally, the bill we consider today reflects a few changes that were made at the request of state taxing authorities. I am pleased that the sponsors of the legislation were able to work cooperatively with all interested parties to bring a compromise version to the floor.

I encourage my colleagues to vote ''yes'' on the bill.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in strong support of H.R. 1864, The Mobile Workforce State Income Tax Simplification Act of 2011. This is a commonsense, bipartisan piece of legislation.

Every day millions of American workers travel outside their home state for business purposes. Each state into which they travel has its own set of unique requirements for filing a non-resident personal income tax return. As a result, in addition to filing a federal and any applicable home state income tax returns, these workers may be legally required to file an income tax return and pay non-resident state taxes in virtually every other state into which they have travelled.

H.R. 1864, the ''Mobile Workforce State Income Tax Simplification Act of 2011,'' would simplify the onerous burdens placed on employees who travel outside their resident states for temporary periods and on employers who have corresponding withholding requirements. The bill would establish fair, administrable and uniform rules to ensure that the appropriate amount of tax is paid to state and local jurisdictions without placing excessive burdens on employees and their employers.

This bill was reported out of the Judiciary Committee, by a bipartisan voice vote, which speaks volumes. I hope you will join me in supporting this important legislation impacting millions of American employees who travel for work to support their families.

Forty-one states currently impose a personal income tax on income earned within their borders regardless of whether an individual is a resident of the state—thereby requiring non-resident employees who must travel to other states for work purposes to pay tax after performing work there for even a limited amount of time. Employers are required to withhold that state's income tax on behalf of the employee and remit it to the state at the end of the year.

The committee notes that while some states require an employer to withhold income tax on the first day of the employee's travel, others use a hybrid system of time spent and dollars earned to trigger withholding, requiring individuals who travel for work to track and comply with the income tax laws of up to 41 different states. For instance, a nonresident's income tax liability is triggered in New York the moment he or she earns wages in the state, but the employer's withholding requirement is not triggered until the 14th day of wage-earning. In Idaho, meanwhile, a non-resident's income tax liability is not triggered until after he or she makes $1,000 in wages in the state.

I note that some committee Democrats oppose the bill because they fear it will lead to severe state revenue losses but believe that this is a solid bi-partisan piece of legislation.

This bill limits the authority of states to tax the income of nonresident employees who work for a limited amount of time in the state, allowing such individuals to be taxed only if they work in the state for 31 days or more.

Those limits would become effective on January 1 of the second year that begins after the bill's date of enactment, and it would not apply to any tax obligation that accrues before that time.

The bill prohibits states from taxing the wages or other earnings of non-residents unless they work in the state for 31 days or more during the calendar year. Similarly, states could not subject such income to state income tax withholding and reporting requirements, unless more than 30 days of work was performed.

Under the measure, an individual is considered to be present and performing employment duties within a state for a day if that individual performs more of his or her work within that state than in any other state during the day. If an individual works during one day both in his or her resident state and in just one non-resident state, the individual would be considered to have performed more of his or her employment duties in the non-resident state. Portions of the day during which an individual is in transit would not be considered in determining the location of where work was performed.

The bill provides that for purposes of determining state income tax withholding and reporting requirements, an employer could rely on an employee's determination of the time expected to be spent working for the employer in other non-resident states (absent the employer's actual knowledge of fraud by the employee in making the determination, or collusion between the employer and the employee to evade tax).

Employers could rely on an employee's determination even if the employer regularly maintains records of the location of employees, but if the employer maintains a time and attendance system that tracks where an employee works on a daily basis the data from the time and attendance system must be used instead of the employee's determination.

The bill stipulates that the term ''employee'' has the same meaning given to it by the state in which employment duties are performed—except the term would not include professional athletes, professional entertainers or certain public figures. States could, therefore, continue to tax those non-residents as they do now.

I urge my colleagues to join me in supporting this bill.

The SPEAKER pro tempore (Ms. FOXX). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 1864, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BORDER TUNNEL PREVENTION ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4119) to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Border Tunnel Prevention Act of 2012''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Trafficking and smuggling organizations are intensifying their efforts to enter the United States through tunnels and other subterranean passages between Mexico and the United States.

(2) Border tunnels are most often used to transport narcotics from Mexico to the United States, but can also be used to transport people and other contraband.

(3) From Fiscal Year 1990 to Fiscal Year 2011, law enforcement authorities discovered 149 cross-border tunnels along the border between Mexico and the United States, 139 of which have been discovered since Fiscal Year 2001. There has been a dramatic increase in the number of cross-border tunnels discovered in Arizona and California since Fiscal Year 2006, with 40 tunnels discovered in California and 74 tunnels discovered in Arizona.

(4) Section 551 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295) added a new section to title 18, United States Code (18 U.S.C. 555), which—

(A) criminalizes the construction or financing of an unauthorized tunnel or subterranean passage across an international border into the United States; and

(B) prohibits any person from recklessly permitting others to construct or use an unauthorized tunnel or subterranean passage on the person's land.

(5) Any person convicted of using a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists, or illegal goods is subject to an enhanced sentence for the underlying offense. Additional sentence enhancements would further deter tunnel activities and increase prosecutorial options.

SEC. 3. ATTEMPT OR CONSPIRACY TO USE, CONSTRUCT, OR FINANCE A BORDER TUNNEL.

Section 555 of title 18, United States Code, is amended by adding at the end the following:

''(d) Any person who attempts or conspires to commit any offense under subsection (a) or subsection (c) of this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.''.

SEC. 4. AUTHORIZATION FOR INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS.

Section 2516(1)(c) of title 18, United States Code, is amended by inserting '', section 555 (relating to construction or use of international border tunnels)'' before the semicolon at the end.

SEC. 5. FORFEITURE.

Section 982(a)(2)(B) of title 18, United States Code, is amended by inserting ''555,'' after ''545,''.

SEC. 6. MONEY LAUNDERING DESIGNATION.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 555 (relating to border tunnels),'' after ''section 554 (relating to smuggling goods from the United States),''.

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) success in combating the construction and use of cross-border tunnels requires cooperation between Federal, State, local, and tribal officials and assistance from private land owners and tenants across the border between Mexico and the United States;

(2) the Department of Homeland Security is currently engaging in outreach efforts in California to certain landowners and tenants along the border to educate them about cross-border tunnels and seek their assistance in combating their construction; and

(3) the Department should continue its outreach efforts to both private and governmental landowners and tenants in areas along the border between Mexico and the United States with a high rate of cross-border tunnels.

SEC. 8. REPORT.

(a) IN GENERAL.—The Secretary of Homeland Security shall submit an annual report to the congressional committees set forth in subsection (b) that includes a description of—

(1) the cross-border tunnels along the border between Mexico and the United States discovered during the preceding fiscal year; and

(2) the needs of the Department of Homeland Security to effectively prevent, investigate and prosecute border tunnel construction along the border between Mexico and the United States.

(b) CONGRESSIONAL COMMITTEES.—The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4119, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 4119, the Border Tunnel Prevention Act of 2012, strengthens current law and prohibits the construction, use, and financing of unauthorized tunnels across the U.S. border.

I thank the sponsors of this legislation, Mr. REYES of Texas and Mr. QUAYLE of Arizona, for their work on this bipartisan, bicameral bill.

□ 1620

Similar legislation passed the Senate by unanimous consent in January.

This legislation establishes the penalty for conspiracy or attempt to use, construct, or finance a cross-border tunnel. It also identifies the construction, financing, or use of a cross-border tunnel as a predicate offense for a charge of money laundering and for an application for judicial authorization to intercept wire, oral, or electronic communications. H.R. 4119 also allows the criminal forfeiture of property that enters the United States through a cross-border tunnel.

Reports of drug-smuggling tunnels have increased, particularly in the past 10 years. Drug traffickers have ramped up their use of underground smuggling in light of increased border security, either real or perceived. Mexican drug-trafficking organizations have used tunnels as a smuggling method since at least 1990.

A majority of cross-border tunnels continue to be found in California and Arizona. These tunnels range in sophistication from a simple 16-inch pipe to well-engineered tunnels equipped with electricity, ventilation, and rails. Ownership of the tunnels is often attributed to the Mexican drug cartels.

To find cross-border tunnels, U.S. agents use devices that range from ground-penetrating radar to seismic sensors. Despite these efforts, drug smugglers continue to build the tunnels.

In November 2011, Federal law enforcement agents shut down two sophisticated tunnels that led from an area near Tijuana's airport to an industrial park in the U.S. About 49 tons of marijuana were seized.

Drug traffickers are also skilled at setting up front companies to rent space in busy warehouse districts in the United States. Mining engineers and architects are employed to construct the tunnel and bore directly into the foundation of the front company's rented warehouse.

The Drug Enforcement Administration describes marijuana as ''the top revenue generator for Mexican drug trafficking organizations—a cash crop that finances corruption and the carnage of violence year after year.'' The profits from marijuana trafficking finance the drug cartels' other drug enterprises, which include the construction and use of cross-border tunnels.

Border tunnels are an unfortunate testament to the ingenuity and determination of the Mexican drug cartels. It is time for Congress to enhance law enforcement's ability to fight transnational organized crime and the drug cartels' construction of cross-border tunnels. This bill reaffirms our determination to bring an end to cross-border tunnels.

When Congress enacted the border-tunnel statute in 2007, it omitted the changes contained in this bill. H.R. 4119 simply corrects this to ensure that investigators are equipped with the ability to locate and shut down these tunnels and hold these dangerous criminals accountable.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

MAY 15, 2012.

HON. LAMAR SMITH,

Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH,

On March 21, 2012, the Committee on the Judiciary reported H.R. 4119, the Border Tunnel Prevention Act of 2012, as amended, favorably to the House. The Committee on

Ways and Means received an additional referral on the bill as a result of section 5(b) dealing with civil asset forfeiture, which falls within the jurisdiction of the Committee on Ways and Means. As a result of your Committee's agreement to remove section 5(b) of the bill, I agree to discharge the Committee on Ways and Means from further consideration of the bill so that a suspension version, incorporating the amendments to which we have agreed, may proceed expeditiously to the House Floor.

The Committee on Ways and Means takes this action with our mutual understanding that, by foregoing consideration of H.R. 4119 at this time, we do not waive any jurisdiction over the subject matter contained in section 5(b) in this or similar legislation, and that our Committee will be appropriately consulted and involved if that provision moves forward in any legislation so that we may address any issues that arise and fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this provision, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

DAVE CAMP,
Chairman.

CONGRESS OF THE
UNITED STATES
Washington, DC, May 15, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, 1102 Longworth House Office Building Washington, DC.

DEAR CHAIRMAN CAMP, thank you for your letter regarding H.R. 4119, the ''Border Tunnel Prevention Act of 2012,'' which the Judiciary Committee reported favorably, as amended, to the House on March 21, 2012.

As introduced, H.R. 4119 contained a provision (section 5(b)) that formed the basis of an additional referral of the bill to your committee. Today, on a motion to suspend the rules, the House will consider a version of H.R. 4119 that does not include section 5(b) of the introduced bill. I am most appreciative of your decision to discharge the Committee on Ways and Means from further consideration of H.R. 4119, as amended, so that it may proceed to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Ways and Means is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill, including section 5(b) of the bill as reported by the Judiciary Committee, which fall within your Rule X jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include this letter and your letter of even date herewith in the Congressional Record during floor consideration of H.R. 4119.

Sincerely,

LAMAR SMITH,
Chairman

MARCH 14, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing in regards to the jurisdictional interest of the Committee on Homeland Security over provisions in H.R. 4119, the ''Border Tunnel Prevention Act of 2012'', which the Committee on the Judiciary ordered to be reported out, without amendment, on March 6, 2012.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will discharge H.R. 4119 from further consideration. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. I request that you urge the Speaker to appoint members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this response and your letter be included in the Committee on the Judiciary report to H.R. 4119 and in the Congressional Record during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

PETER T. KING,
Chairman.

MARCH 15, 2012.

Hon. PETER T. KING,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN KING, thank you for your letter regarding H.R. 4119, the ''Border Tunnel Prevention Act of 2012,'' which is likely to be scheduled for consideration by the House in the near future.

I am most appreciative of your decision to forego consideration of H.R. 4119 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Homeland Security is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that Homeland Security be represented therein.

Finally, I shall be pleased to include this letter and your letter of March 14, 2012, in the Congressional Record during floor consideration of H.R. 4119.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. PIERLUISI. Madam Speaker, I yield myself such time as I may consume

I rise in support of H.R. 4119, the Border Tunnel Prevention Act of 2012. This bill would strengthen the laws that criminalize the use, construction, and financing of border tunnels.

Increasingly, cross-border tunnels are being used to smuggle people, drugs, and contraband into the United States. They can even be used to smuggle terrorists or weapons of mass destruction into the country. Cross-border tunnels present a serious problem for law enforcement, and I support this bill's efforts to stop the growing use of these tunnels.

This legislation is urgently needed because the number of tunnels has substantially increased in recent years. Whereas the first documented tunnel was discovered in 1990, the Department of Homeland Security reported last year that 154 attempted tunnels have been found since 1990, all but one of which were located along the Southwest border. In addition, the sophistication of some of these tunnels is also increasing in recent years. Cross-border tunnels range from small, hand-dug tunnels barely wide enough for a person to crawl through to professionally engineered tunnels built by Mexican drug cartels.

In November 2010, an Immigration and Customs Enforcement task force discovered a tunnel with two separate entrances in warehouses in Otay Mesa, California. One of the tunnel's walls were fortified with wood and cinder block supports, and the tunnel was equipped with rail, electrical, and ventilation systems. The tunnel was being used to import large amounts of marijuana into the U.S.

Current law already criminalizes the construction of a cross-border tunnel, allowing such a tunnel to be constructed on your property, or the use of such a tunnel. H.R. 4119 would strengthen existing law by making it a crime to attempt to engage in any of these activities, as well as to participate in any conspiracy involving any of these activities.

The bill also makes the construction or use of a tunnel a predicate offense for authorization of wiretaps, provides for criminal asset forfeiture of merchandise involved in tunneling, and includes a money-laundering provision. Border tunnels present a real and serious threat as a burgeoning tool for criminal activities.

I urge my colleagues to join me in supporting this measure which will help enhance the safety of our Nation's borders.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I reserve the balance of my time, and we are prepared to close.

Mr. PIERLUISI. Madam Speaker, I yield to the gentleman from Texas (Mr. REYES) as much time as he may consume to address the merits of this bill, which he cosponsored.

Mr. REYES. Madam Speaker, I rise today to ask my colleagues for their support of H.R. 4119, the Border Tunnel Prevention Act of 2012.

I also would like to express my appreciation and thank my cosponsors, Congressman QUAYLE, who I understand is on his way here and we anticipate that he will be speaking on this, Congressman Chairman DREIER, and Congressman THOMPSON. I would, in

particular, like to thank my good friend and colleague from Texas, Chairman SMITH, for his support in bringing this legislation to the floor. I also would like to thank Senator FEINSTEIN and Senator KYL for their work on a bipartisan, bicameral piece of legislation on the Senate side, which is S. 1236, the companion to the Border Tunnel Prevention Act of 2012.

The Border Tunnel Prevention Act of 2012 strengthens the 2006 Border Tunnel Prevention Act, which made it a crime to construct or finance an unauthorized tunnel or subterranean passage across an international border.

This bill seeks to provide law enforcement officials with enhanced investigative tools and additional options for prosecuting crimes related to the construction and financing of cross border tunnels.

The Border Tunnel Prevention Act of 2012 would criminalize the attempt or conspiracy to use, construct, or finance a cross-border tunnel and also permits the forfeiture of bulk cash and merchandise smuggled into the United States through these illicit passageways.

Thanks to the collaborative efforts of the Obama administration, Congress, Federal, State, local, and tribal law enforcement organizations, as well as ordinary Americans, the Southwest border is more secure than at any point in our Nation's history. Over the past several years, the Federal Government has dedicated unprecedented levels of personnel, technology, and resources towards border security. As a result, apprehensions today are down, and seizures of drugs, guns, and cash are up. Border cities are among the safest in the country, including El Paso, which for the second year is the safest city in America with a population of over half a million people.

While the strengthening of security along the Southwest border has produced impressive results, it has also led those who want to harm our country to seek new ways to undermine our efforts. Enhancing the security of our borders on land, air, and sea has literally pushed drug cartels and transnational criminal organizations underground as they try to smuggle illicit drugs and people and other types of contraband, as my good friend and colleague from Puerto Rico mentioned, to include the potential for terrorists and weapons of mass destruction being smuggled into the United States.

Over the last decade, drug cartels and transnational criminal organizations have been increasing both the use and complexity of cross-border tunnels. As was said earlier, approximately 154 tunnels have been discovered between Mexico and the United States since the 1990s, and more than 90 percent of those tunnels have been detected in this past decade. These cross-border tunnels are becoming more and more complex.

□ 1630

I've got a picture to show, and I know that the chairman was mentioning the complexity of the construction. One such tunnel is the one that was discovered in November of 2011. It was over 600 yards long, and you can see, it's got a rail system built in. It's got sophisticated lighting, and even a system to introduce fresh air into the tunnel.

No longer are these crude, handmade tunnels. These are sophisticated, well-engineered, and well-financed projects. So that is why it is imperative that this legislation be passed. We must give law enforcement officials the tools that they need to combat this growing threat to our national security and stop the flow of illicit drugs and other contraband into the United States.

Accordingly, I am proud to be the author of this, along with Congressman QUAYLE, and I urge all my colleagues in Congress to pass this vital piece of bipartisan legislation so that we can move forward with helping to defeat the drug cartels and the transnational criminal organizations and, further, continue the path towards really securing our borders and protecting our communities.

So with that, let me end by thanking, again, Chairman SMITH and my good friend and colleague from Puerto Rico and urging my colleagues to support this critical and vital piece of legislation.

Mr. PIERLUISI. Madam Speaker, I am prepared to close. We have no further speakers, so I urge my colleagues to vote in favor of H.R. 4119, the Border Tunnel Protection Act of 2012.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I just wanted to say, we were hoping that the other author, the other cosponsor of this bill, the gentleman from Arizona (Mr. QUAYLE), would be here. Unfortunately, he was detained. His flight was delayed from Arizona to Washington, D.C.

But in his absence, I just want to thank him for his work on this bill and for all of his efforts to reduce the amount of cross-border drug smuggling and thereby protect the lives of individuals in Arizona and all Americans. He has done great work on this particular piece of legislation. We all appreciate those efforts.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, the possibility of terrorists or weapons of mass destruction being transported through border tunnels is frightening. The possibility of narcotics or trafficking victims being transported through tunnels is disturbing. And I have real concerns about tunnels being used for run-of-the-mill illegal immigration and to smuggle goods or merchandise.

But these things are already illegal. And the penalty for doing any of these things through a tunnel is already double what it would be if the unlawful activity had not made use of a tunnel.

When this bill, H.R. 4119, was in the Judiciary Committee, I commented on what I saw as the redundancies in the bill. We already have laws against constructing or financing a tunnel between the United States and another country. The penalty for violating the law is a fine and up to 20 years in prison. And we have laws against knowing, or recklessly disregarding, that land you own or lease is being used by someone else who is building a tunnel, the penalty for that is a fine and up to 10 years in prison.

H.R. adds attempts to the crimes already available to address border tunnels. Yet, I wonder how many cases there have been where a prosecutor was unable to prosecute someone for attempting to construct a tunnel under the current border tunnel law but would be able to under H.R. 4119? For U.S. prosecutorial jurisdiction, the tunnel would have to be started on the U.S. side and not yet have crossed the border into Mexico to be an attempted border tunnel, because if it has already crossed the border, it IS a border tunnel, so you don't need an attempt law. But even before such an attempt is started, and certainly after it is started, it is already a conspiracy to build a border tunnel, which is already covered by current law.

We have had no hearings in the House on these issues, so it is not clear what information we are operating on in developing this bill. The Department of Homeland Security reports that 154 border tunnels or attempted border tunnels have been found since 1990. Laura Duffy, U.S. Attorney for the Southern District of California, stated in testimony before the Senate Caucus on International Narcotics Control on June 15, 2011, that all of the tunnels discovered thus far were started in Mexico. So if it takes crossing the border to be a border tunnel, and all of them are started in Mexico, the ''attempt'' provision of H.R. 4119 does not seem like a very useful tool in addressing border tunnels. Conspiracy laws, which already exist, would seem to be of better use. And if existing conspiracy charges are not enough of a prosecutorial incentive, it would seem you would want to wait until the tunnel is actually being used so you can really rack up the penalties for drugs, goods or people smuggling which allows a doubling of penalties.

Duffy also stated in her testimony that in prosecuting tunnel-related crimes, the Department of Justice uses the range of drug charges under Title 21 because the drug charges carry ''stiff mandatory minimum sentences and sometimes enable prosecutors to use 'career offender' sentencing enhancements.'' When you start doubling such drug penalties under the provisions of the current border tunnel law, you can easily get into sentences of many decades.

In addition to adding attempt and increasing the penalty for conspiracy, H.R. 4119 adds provisions for wiretap, forfeiture, and money laundering, which should always be done carefully, in my view. These are extraordinary government powers that were created and authorized to be used in extraordinary cases and circumstances, not to address ordinary crime.

We have come to routinely add these authorities to deal with the crime du jour, further cluttering up an already bloated Federal code with multiple, superfluous ways to charge every crime. There are no U.S. restrictions on the use of wiretaps outside the U.S. Since the tunnels are seemingly always started in Mexico, it is not clear what wiretap authorizations add to the investigative process.

We should not be decorating the criminal code with more and more pages. We ought to be simplifying the code. While I do think border tunnels are a serious problem, I believe we already have adequate laws with very harsh penalties to deal with the problem.

Mr. DREIER. Madam Speaker, illegal border tunnels pose a risk to our national security and undermine our efforts to protect the border. The threat lies not only in the illegal trafficking of drugs and humans, but also in the potential exploitation by terrorists. That is why I rise in support of H.R. 4119, the Border Tunnel Prevention Act of 2012. In 2006, I authored the House version of the original Border Tunnel Prevention Act, which criminalized the construction of illegal border tunnels into the United States with fines and imprisonment of up to 20 years. The law also carries a prison sentence of up to 10 years for those who recklessly allow others to build these tunnels on their land. In addition, the law doubled the sentence for using a tunnel to smuggle aliens, weapons, drugs, terrorists or illegal goods.

While the Border Tunnel Prevention Act of 2006 gave law enforcement agencies powerful tools to combat the construction of illegal border tunnels, they are still being used by criminals to smuggle drugs and other materials into our country. For example, last fall, in my home State of California, I was troubled to learn that an elaborate tunnel was discovered in San Diego that linked to a warehouse in Tijuana. The tunnel contained wooden flooring, a rail system and an elevator. Its discovery led to the seizure of more than 32 tons of marijuana. Unfortunately, this is just one example of the more than 40 tunnels that have been discovered in California in the last 5 years. H.R. 4119 will give law enforcement additional ability to investigate and prosecute criminals using these tunnels. The bill also prohibits attempts to use, construct or finance a cross-border tunnel. Finally, it provides for the forfeiture of cash and merchandise that is illegally brought into our country through a tunnel.

Madam Speaker, H.R. 4119 is a commonsense solution that helps combat those who attempt to illegally bring goods into our country. I urge all my colleagues to support this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4119, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

NATIONAL BLUE ALERT ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 365) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 365

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Blue Alert Act of 2012''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COORDINATOR.—The term ''Coordinator'' means the Blue Alert Coordinator of the Department of Justice designated under section 4(a).

(2) BLUE ALERT.—The term ''Blue Alert'' means information relating to the serious injury or death of a law enforcement officer in the line of duty sent through the network.

(3) BLUE ALERT PLAN.—The term ''Blue Alert plan'' means the plan of a State, unit of local government, or Federal agency participating in the network for the dissemination of information received as a Blue Alert.

(4) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' shall have the same meaning as in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(6)).

(5) NETWORK.—The term ''network'' means the Blue Alert communications network established by the Attorney General under section 3.

(6) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 3. BLUE ALERT COMMUNICATIONS NETWORK.

The Attorney General shall establish a national Blue Alert communications network within the Department of Justice to issue Blue Alerts through the initiation, facilitation, and promotion of Blue Alert plans, in coordination with States, units of local government, law enforcement agencies, and other appropriate entities.

SEC. 4. BLUE ALERT COORDINATOR; GUIDELINES.

(a) COORDINATION WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.

(b) DUTIES OF THE COORDINATOR.—The Coordinator shall—

(1) provide assistance to States and units of local government that are using Blue Alert plans;

(2) establish voluntary guidelines for States and units of local government to use in developing Blue Alert plans that will promote compatible and integrated Blue Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish a Blue Alert plan;

(B) criteria for evaluating whether a situation warrants issuing a Blue Alert;

(C) guidelines to protect the privacy, dignity, independence, and autonomy of any law enforcement officer who may be the subject of a Blue Alert and the family of the law enforcement officer;

(D) guidelines that a Blue Alert should only be issued with respect to a law enforcement officer if—

(i) the law enforcement agency involved—

(I) confirms—

(aa) the death or serious injury of the law enforcement officer; or

(bb) the attack on the law enforcement officer and that there is an indication of the death or serious injury of the officer; or

(II) concludes that the law enforcement officer is missing in the line of duty;

(ii) there is an indication of serious injury to or death of the law enforcement officer;

(iii) the suspect involved has not been apprehended; and

(iv) there is sufficient descriptive information of the suspect involved and any relevant vehicle and tag numbers;

(E) guidelines—

(i) that information relating to a law enforcement officer who is seriously injured or killed in the line of duty should be provided to the National Crime Information Center database operated by the Federal Bureau of Investigation under section 534 of title 28, United States Code, and any relevant crime information repository of the State involved;

(ii) that a Blue Alert should, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local governments), be limited to the geographic areas most likely to facilitate the apprehension of the suspect involved or which the suspect could reasonably reach, which should not be limited to State lines;

(iii) for law enforcement agencies of States or units of local government to develop plans to communicate information to neighboring States to provide for seamless communication of a Blue Alert; and

(iv) providing that a Blue Alert should be suspended when the suspect involved is apprehended or when the law enforcement agency involved determines that the Blue Alert is no longer effective; and

(F) guidelines for—

(i) the issuance of Blue Alerts through the network; and

(ii) the extent of the dissemination of alerts issued through the network;

(3) develop protocols for efforts to apprehend suspects that address activities during the period beginning at the time of the initial notification of a law enforcement agency that a suspect has not been apprehended and ending at the time of apprehension of a suspect or when the law enforcement agency involved determines that the Blue Alert is no longer effective, including protocols regulating—

(A) the use of public safety communications;

(B) command center operations; and

(C) incident review, evaluation, debriefing, and public information procedures;

(4) work with States to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the network with initiating, facilitating, and promoting Blue Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of a law enforcement organization representing rank-and-file officers;

(ii) representatives of other law enforcement agencies and public safety communications;

(iii) broadcasters, first responders, dispatchers, and radio station personnel; and

(iv) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the network;

(6) act as the nationwide point of contact for—

(A) the development of the network; and

(B) regional coordination of Blue Alerts through the network; and

(7) determine—

(A) what procedures and practices are in use for notifying law enforcement and the public when a law enforcement officer is killed or seriously injured in the line of duty; and

(B) which of the procedures and practices are effective and that do not require the expenditure of additional resources to implement.

(c) LIMITATIONS.—

(1) VOLUNTARY PARTICIPATION.—The guidelines established under subsection (b)(2), protocols developed under subsection (b)(3), and other programs established under subsection (b), shall not be mandatory.

(2) DISSEMINATION OF INFORMATION.—The guidelines established under subsection (b)(2) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local government), provide that appropriate information relating to a Blue Alert is disseminated to the appropriate officials of law enforcement agencies, public health agencies, and other agencies.

(3) PRIVACY AND CIVIL LIBERTIES PROTECTIONS.—The guidelines established under subsection (b) shall—

(A) provide mechanisms that ensure that Blue Alerts comply with all applicable Federal, State, and local privacy laws and regulations; and

(B) include standards that specifically provide for the protection of the civil liberties, including the privacy, of law enforcement officers who are seriously injured or killed in the line of duty and the families of the officers.

(d) COOPERATION WITH OTHER AGENCIES.—The Coordinator shall cooperate with the Secretary of Homeland Security, the Secretary of Transportation, the Chairman of the Federal Communications Commission, and appropriate offices of the Department of Justice in carrying out activities under this Act.

(e) RESTRICTIONS ON COORDINATOR.—The Coordinator may not—

(1) perform any official travel for the sole purpose of carrying out the duties of the Coordinator;

(2) lobby any officer of a State regarding the funding or implementation of a Blue Alert plan; or

(3) host a conference focused solely on the Blue Alert program that requires the expenditure of Federal funds.

(f) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Blue Alert plans that are in effect or being developed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 365, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in 1962, at the request of Congress, President Kennedy proclaimed today as National Peace Officers Memorial Day. Every May 15 we honor our Nation's law enforcement officers who have been killed in the line of duty. Earlier today, on the west front of the Capitol, we honored those officers who were killed last year while protecting us and enforcing the law.

H.R. 365, the National Blue Alert Act of 2012, establishes a nationwide system for distribution of time-sensitive information to help identify a violent suspect when a law enforcement officer is injured or killed in the line of duty.

Each year, hundreds of law enforcement officers are killed or seriously injured in the line of duty. America's law enforcement officers courageously put their lives on the line every day. They often work long and irregular hours in demanding and dangerous conditions. These officers run a high risk of being injured or killed by the same criminals that prey on Americans.

Just last month, in my home State of Texas, an Austin police officer was shot and killed while responding to a call about a drunk man shoplifting at the local Walmart. What seemed to be a routine call turned out to be a dangerous and deadly situation. We cannot bring Officer Padron back, but we can honor his sacrifice by helping to apprehend and bring to justice criminals who harm our men and women in blue.

In 1789, President George Washington appointed America's first law enforcement officers, 13 United States Marshals. Since then, over 21,000 local, State, and Federal law enforcement officers have been killed in the line of duty.

Despite the fact that national crime rates continue to drop, in 2011, 163 law enforcement officers were killed in the line of duty, a 14 percent increase over the previous year. Unfortunately, criminals are becoming even more violent, and their contempt for law enforcement and the rule of law is more evident than ever.

This bill encourages expansion of an integrated Blue Alert communications network throughout the United States, much like the well-known AMBER Alert system used to locate missing and abducted children. A Blue Alert broadcasts information and speeds apprehension of violent criminals when a law enforcement officer is seriously injured or killed in the line of duty. Blue Alerts use the same principle as AMBER Alerts for missing children and Silver Alerts for missing seniors.

The Blue Alert system is a cooperative effort among local, State, and Federal authorities, law enforcement agencies, and the general public. A Blue Alert provides a description of an offender who is still at large and may include a description of the offender's vehicle and license plate information. Like AMBER Alerts, Blue Alerts will help hinder the offender's ability to escape and will facilitate their capture.

The bill directs the Department of Justice to designate an existing officer as the Blue Alert national coordinator, who will encourage those States that have not already done so to develop Blue Alert plans and establish voluntary guidelines. As of today, 14 States have Blue Alert networks in place, and Ohio will implement its network in June.

An integrated nationwide Blue Alert system ensures that when tragedy strikes, the public is on notice and suspects can be more quickly apprehended and brought to justice. A nationwide Blue Alert network will be particularly effective when a suspect flees across State lines.

I want to thank the gentleman from New York (Mr. GRIMM) and Mr. REICHERT of Washington for their work on this issue. This is a bipartisan, bicameral bill. Similar legislation was approved by the Senate Judiciary Committee last September.

Supporters of this legislation include the National Fraternal Order of Police, the National Sheriffs' Association, the Federal Law Enforcement Officers Association, and the Sergeants Benevolent Association.

Too often, criminals in our society have no respect for authority and the rule of law. The goal of the Blue Alert is to immediately notify the entire community to assist in the location and apprehension of violent criminals who injure or kill police officers. This bill reaffirms our determination to ensure the future safety of our law enforcement men and women and the communities they serve to protect every day.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

□ 1640

Mr. PIERLUISI. Madam Speaker, I rise in strong support of H.R. 365, and I yield myself such time as I may consume to explain the bill and to respectfully urge my colleagues to vote for it.

The National Blue Alert Act of 2012 has strong bipartisan backing and was approved unanimously by the Judiciary Committee on April 25. I am proud to join my colleague, Mr. GRIMM, as the lead Democratic sponsor of this legislation, and I want to thank the gentleman from New York, a former FBI agent, for his leadership on this and on other law enforcement issues.

This bill constitutes an effort to protect and defend the men and women of law enforcement, who protect and defend us, our families, and our communities. The bill has been endorsed, as has been stated by the gentleman from Texas, by the Federal Law Enforcement Officers Association, the Fraternal Order of Police, the National Association of Police Organizations, the National Sheriffs' Association, and the Sergeants Benevolent Association. In our sister Chamber, an identical companion bill to H.R. 365 has been approved by the Senate Judiciary Committee and currently awaits floor consideration.

The legislation before us directs the Attorney General to establish a national Blue Alert communications network within the Department of Justice to disseminate information when a law enforcement officer is killed or seriously injured in the line of duty and when the suspect has not yet been apprehended. A Blue Alert would provide a physical description of the suspect and may include a description of the suspect's vehicle and license plate information.

The Blue Alert system is a cooperative effort among Federal, State, and local authorities, law enforcement agencies, and the general public. The Blue Alert system would use the same infrastructure as AMBER Alerts, which are disseminated for missing children, and Silver Alerts, which are disseminated for missing seniors.

Pursuant to the bill, the Attorney General will assign an existing DOJ officer to serve as the national coordinator for the Blue Alert communications network. The national coordinator's duties will include: encouraging State, territory, and local governments to develop Blue Alert plans; establishing voluntary guidelines for these government entities to use in developing such plans; developing protocols for efforts to apprehend suspects; and establishing an advisory group to assist State and local governments and law enforcement agencies to create, facilitate, and promote Blue Alert plans.

In the last 220 years, nearly 21,000 law enforcement officers have been killed in the line of duty in the United States, and many more have been seriously injured. In Puerto Rico, which is the jurisdiction I represent, over 325 law enforcement officers have been killed in the line of duty since 1900, with over 40 island officers killed between the year 2000 and the year 2010.

This year, two veteran Puerto Rico police officers were fatally shot in the line of duty—Abimael Castro Berrocal and Francis Crespo Mandry. Although at least one suspect has been apprehended, other suspects in both of these killings remain at large. This morning, these two officers, along with over 160 of their brothers and sisters in law enforcement who lost their lives in the line of duty in the past year, were honored in front of the Capitol as part of the National Peace Officers' Memorial Service.

The overriding purpose of this legislation is to help deter violent acts against police officers and, in the event such a violent act occurs, to ensure that the perpetrator is quickly apprehended and brought to justice. Police officers, unlike young children and seniors, are not a vulnerable population group in the traditional sense. They are strong, capable, and brave, but every day, they put themselves in harm's way to protect us. They have our backs, and it's important that we have theirs.

I encourage all of my colleagues to vote in favor of this bill, and I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from New York (Mr. GRIMM), who is the sponsor of this legislation.

Mr. GRIMM. Thank you for giving me this opportunity.

This is truly a very special opportunity for me to speak on this bill, H.R. 365, the National Blue Alert Act of 2012. As a former FBI special agent, it makes it a very special honor to have the House consider this important legislation, especially during National Police Week. Think about it. Thousands of law enforcement officers from around the world and this country are going to converge on our Nation's Capitol to honor those who have paid the ultimate sacrifice: to protect the citizens back at home.

On a personal note, I would like to extend my sincerest gratitude to New York City's police commissioner, Ray Kelly, and to the very brave men and women of the NYPD for their service to our great city. I encourage all of my colleagues to treat every week as if it were National Police Week, because it is truly those sacrifices made by these individuals that have inspired me to introduce this important legislation.

During my career in the FBI, I witnessed firsthand the danger posed by criminals who attack law enforcement officers and the particular threat that they pose to our communities. Time and time again, we have seen, if criminals are willing to attack police officers to avoid apprehension, then there is no limit to the lengths they will go or to the victims they will target simply to avoid being brought to justice.

According to the National Law Enforcement Officers Memorial Fund, 173 officers were killed in the line of duty in 2011. As Members of Congress representing New York City and Puerto Rico, it is a sad fact for me and for my friend and colleague, Congressman PIERLUISI, who is the lead cosponsor of this bill, that the New York City Police Department and the Puerto Rico Police Department both lost four officers—the most of any other agency—in 2011. Now, it is impossible to completely transform the hazardous nature of the work our law enforcement officers carry out every single day, but there are steps that we can take to enhance their safety and to quickly apprehend those who put them at risk.

The National Blue Alert Act does this by creating a national Blue Alert communications network within the United States Department of Justice to disseminate information on suspects who are being sought in connection with the death or injury of a law enforcement officer. Similar to the nationwide AMBER Alert system for missing children, the Blue Alert would rapidly notify law enforcement agencies, as well as the media and the public, in order for them to help aid in the apprehension of these extremely violent criminals. Additionally, this legislation would further encourage the expansion of the Blue Alert program beyond the handful of States where it currently exists by helping develop the Blue Alert plans, the regional coordination, and the development and implementation of new technologies to improve Blue Alert communications.

This legislation, as we have heard, is supported across the board by many law enforcement organizations, and I am certain that the National Blue Alert Act will enhance the safety of our communities as well as the law enforcement officers who protect them. I encourage its swift passage in the full House of Representatives, and I would like to thank my lead cosponsor and friend, Mr. PIERLUISI.

Mr. PIERLUISI. Madam Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Madam Speaker, I would certainly be remiss if I did not extend my commendation to the gentleman from New York and to my good friend and colleague from Puerto Rico for their leadership and their service in bringing this legislation to the floor, also and more especially to Chairman SMITH and our ranking member, Mr. CONYERS, for their support in bringing this bill to the floor for consideration.

Madam Speaker, I fully support the fundamental purpose of this bill, which is to create and integrate Blue Alert plans throughout the 50 States and the U.S. territories in order to disseminate information when a law enforcement officer is seriously injured in the line of duty. This program is similar to the

Silver Alert public notification system, which broadcasts information about missing persons, especially seniors with Alzheimer's disease; or the America's Missing: Broadcasting Emergency Response, known mainly as the AMBER Alert, a public notification system about a missing child.

□ 1650

Similarly, the intent of this legislation is to expeditiously apprehend the offenders that kill or hurt law enforcement officers.

Law enforcement officers put their lives on the line every day to protect and to serve the public. Each year, hundreds of law enforcement officers are killed or seriously injured in the line of duty. On average, one law enforcement officer is killed in the line of duty every 53 hours. Last year, 173 officers had been killed, up to 13 percent from 153 killed in the line of duty 2 years ago.

The Blue Alert system is a cooperative effort among local, State, Federal authorities, law enforcement agencies, and the general public. It provides a description of an offender who is still at large and may include the description of the offender's vehicle and license plate information.

Madam Speaker, I am concerned to learn just this morning that the initial provision for a grant program to be made available to States and territories in support of the Blue Alert system is nowhere to be found in the language of the bill. Instead, the current bill language will only provide that the Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.

Madam Speaker, while knowing that the Blue Alert system is not mandatory, resources should be made available to the 50 States and territories in order for the Blue Alert system network to work effectively and efficiently, otherwise the initial purpose of this bill will not be met under the current bill text before us today. However, I fully support the needs of the Blue Alert system. I urge that a grant program be made available to ensure that the law enforcement officers in the 50 States and territories are provided equal and fair treatment.

Again, I want to thank Chairman SMITH and Ranking Member CONYERS for their support of this bill, and I urge my colleagues to support this legislation.

Mr. SMITH of Texas. Madam Speaker, I am prepared to close. I reserve the balance of my time.

Mr. PIERLUISI. Madam Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. REYES).

Mr. REYES. Madam Speaker, I just wanted to add my support for this legislation and thank my colleagues from New York and Puerto Rico for introducing this very important piece of legislation.

As a former Border Patrol agent and chief in the United States Border Patrol, I had the experience of working both as an agent with all the other law enforcement agencies and then as a chief. I can tell you that there isn't a worse feeling than that phone call in the middle of the night that one of your agents or one of your officers has been injured or killed. That's why this legislation is so important not just to officers and agents across the country, but to their families.

I strongly urge that our colleagues support this very important piece of legislation and agree with my colleague from American Samoa that more than just the legislation, we ought to do everything we can to provide the funding to actually bring this critical program to fruition.

Again, I want to thank my colleagues and also Chairman SMITH for bringing this legislation to the floor, and I ask all our colleagues to strongly support it.

Mr. PIERLUISI. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield back the balance of my time as well.

Mr. BACA. Madam Speaker. I rise today in strong support of H.R. 365, the National Blue Alert Act.

This important bill directs the Attorney General to establish a national Blue Alert communications network within the Department of Justice to broadcast information when a law enforcement officer is seriously injured or killed in the line of duty.

It would also assign a Department of Justice officer to act as the national coordinator of the Blue Alert Communications Network.

The Blue Alert System would operate in a similar fashion as the "Amber Alert" system and would be implemented by law enforcement agencies and officers at all levels—local, State, and Federal.

Law enforcement officers and officials are among the bravest individuals in today's society.

Each day, they knowingly risk their personal safety and their lives to ensure that our communities are safer and more secure.

As such, we need to be sure to do all that we can to ensure their safety when possible.

Building and expanding on the existing blue alert networks in various states will ensure that important information is sent out in an efficient and timely manner.

I am proud to stand here today and offer my support for this important legislation.

I want to thank the gentleman from New York, Mr. GRIMM, for his hard work in bringing this important legislation before us today.

And I also want to thank all the brave men and women who work in law enforcement and sacrifice day in and day out for our safety.

I urge my colleagues to support this bill.

Ms. RICHARDSON. Madam Speaker, today I rise up in support of H.R. 365, the National Blue Alert Act of 2011. This bill would create a Federal information network that would make it easier to track down and prosecute those who seriously injure or kill State and Federal law enforcement officers.

In 2011 a total of 72 law enforcement officers were killed by perpetrators, 10 of which were in my home state of California. For the first time in 14 years there were more officers killed by gunfire than officers killed in traffic accidents.

Gun violence against law enforcement had declined in recent decades; however there was a 70 percent increase from 2008 to 2011. The cause for this increase is unknown, but with technology growing better each day, and methods becoming more sophisticated, these statistics should be going in the opposite direction.

Some officers attribute the rise in deaths to budget cuts and officers not having the necessary resources to ensure their own safety. Others believe that the new trend of sending officers to the most violent areas of the city as a preventative measure has led to the spike. Regardless, this is a problem that needs an immediate solution.

Due to this dramatic increase in only a few short years, the FBI conducted a study which showed many of the officers were killed while attempting to arrest or subdue a suspect who already had a history of violent crimes. With this information they implemented a new Federal program so that now when an officer pulls over a car and runs the license plate they will be informed if the suspect has a violent criminal record so they can be properly prepared.

While this new program is a step in the right direction, law enforcement officers will always be put in high risk situations. It is simply the nature of the job. They put their lives on the line everyday to protect the citizens of this country, and they deserve to know their government is doing everything it can to provide them with as much safety as possible.

The National Blue Alert Act of 2011 would ease the minds of officers, reassuring them of a quick and efficient response should anything happen to them while on duty. The bill would also increase the likelihood of catching a perpetrator who injures or kills an officer.

Madam Speaker, every stop an officer makes can be potentially fatal. Yet these men and women go to work every day because they know their service will save the lives of countless others. With this level of self sacrifice the very least we can do as elected officials is provide them with the reassurances within the National Blue Alert Act.

Today, I ask my colleagues to rise up in support of the National Blue Alert Act of 2011. A quick response may be all it takes to save the life of an officer who gives so much, and asks for so little in return.

Mr. RUNYAN. Madam Speaker, I rise today to offer my support for a bi-partisan piece of legislation that I am a co-sponsor of, H.R. 365, the National Blue Alert Act of 2012.

The Blue Alert system, similar to the "Amber Alert" system used for abducted children, would operate throughout the United States to quickly disseminate information to law enforcement organizations advising them of when an officer has been seriously injured or killed in the line of duty.

Currently, there is no national alert system to distribute this valuable information to law enforcement. In implementing H.R. 365, we can speed up the apprehension of criminals and ensure rapid broadcasting of information to enhance public safety for all of our constituents.

This piece of legislation is deficit neutral and is funded using previously appropriated dollars from the COPS Program. This bill is supported by the Fraternal Order of Police, the Sergeants Benevolent Association, the National Sherriff's Association, the National Association of Police Officers, and the Federal Law Enforcement Officers Association.

In observance of National Police Week, I urge my colleagues to support H.R. 365.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 365, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GRIMM. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

SECURITY IN BONDING ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3534) to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3534

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Security in Bonding Act of 2012''.

SEC. 2. SURETY BOND REQUIREMENTS.

Chapter 93 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:

''§ 9310. Individual sureties

''If another applicable law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9305 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

''(1) consist of eligible obligations described under section 9303(a); and

''(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the assets with a depository described under section 9303(b).''; and

(2) in the table of contents for such chapter, by adding at the end the following:

''9310. Individual sureties.''.

SEC. 3. GAO STUDY.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on the following:

(1) All instances during the 10-year period prior to the date of the enactment of this Act in which a surety bond proposed or issued by a surety in connection with a Federal project was—

(A) rejected by a Federal contracting officer; or

(B) accepted by a Federal contracting officer, but was later found to have been backed by insufficient collateral or to be otherwise deficient or with respect to which the surety did not perform.

(2) The consequences to the Federal Government, subcontractors, and suppliers of the instances described under paragraph (1).

(3) The percentages of all Federal contracts that were awarded to small disadvantaged businesses (as defined under section 124.1002(b) of title 13, Code of Federal Regulations) and disadvantaged business enterprises (as defined under section 26.5 of title 49, Code of Federal Regulations) as prime contractors in the 2-year period prior to and the 2-year period following the date of enactment of this Act, and an assessment of the impact of this Act and the amendments made by this Act upon such percentages.

(b) REPORT.—Not later than the end of the 3-year period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate containing all findings and determinations made in carrying out the study required under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3534, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from New York (Mr. HANNA), who is the sponsor of this legislation.

Mr. HANNA. Madam Speaker, I introduced H.R. 3534 with my colleague, Mr. MULVANEY from South Carolina, to address an issue in the construction industry I know all too well: surety bonding.

Bonding is not something most people think about, but it was a daily reality in my business. The concept is simple. Contractors on a Federal construction project are required to post assets prior to entering a contract to prove that they are capable of paying their subcontractors and downstream paying their suppliers for work. It indicates that a contractor is capable of successfully completing a project and is supposed to protect taxpayers and small businesses downstream in the event of failure or nonpayment.

The business of bonding is predicted on a zero failure rate. The assets pledged to back a project must be real, easily convertible to cash, and held by the contracting officer for the duration of the project—and most are. Unfortunately, a loophole in these laws has been exploited. It has resulted in a number of cases where assets pledged to back a bond issued by an individual surety have been insufficient or illusory. This has left small businesses and taxpayers without sufficient payment remedies, and in the case of one Colorado woman, nearly put her out of business.

A single stock or private residence, which is subject to huge changes in value or may have an existing first mortgage, are quite simply not acceptable assets to back multimillion-dollar projects. Madam Speaker, the Security in Bonding Act will remedy this problem by requiring individual sureties to pledge solely those assets described in contracting laws as ''eligible obligations.'' Further, it would require them to be placed in custody of the Federal Government just as they would using a corporate surety or posting an asset in lieu of corporate surety. This loophole is putting small businesses and workers and the taxpayer at risk. It is time to close this loophole and restore the integrity of the bonding process.

H.R. 3534 would ensure that if an individual surety bond is furnished for a Federal construction project, that small businesses and subcontractors providing goods and services on that contract will not need to worry about the integrity of their payment revenue. This bill provides the surety that small businesses need and subcontractors and citizens deserve from the Federal Government. Without it, good jobs and our limited taxpayer dollars will continue to be at risk.

In closing, I would like to extend a personal thanks to Chairman LAMAR SMITH for his leadership in advancing this legislation and for allowing me to join him during the committee's proceedings.

Madam Speaker, I urge my colleagues to support this legislation.

□ 1700

Mr. PIERLUISI. Madam Speaker, I rise in support of H.R. 3534, the Security in Bonding Act, and I yield myself such time as I may consume.

H.R. 3534 will strengthen the protection that surety bonds are intended to provide by requiring individual sureties to use low-risk cash assets, such as United States bonds, as collateral. At the same time, H.R. 3534 will require the Government Accountability Office to assess the impact of these enhanced collateral requirements on the availability of surety bonds for emerging businesses, and particularly for disadvantaged business enterprises, seeking to be prime contractors on Federal projects.

When the Federal Government enters into a contract, the American taxpayer, as well as those who subcontract

with the contractor, should be protected. That is why, under current law, any Federal construction contract valued at $150,000 or more requires a surety bond as a condition of the contract being awarded. The bond will pay the government and downstream contractors in the event that the contractor fails to perform the contract.

Bonds issued by so-called ''corporate'' sureties, which have been vetted and preapproved by the Treasury Department, provide financial assurance to taxpayers and contractors in the event that a contractor fails to perform. On the other hand, bonds issued by individual sureties have not been so vetted and are not subject to strong collateral requirements.

Accordingly, I support H.R. 3534 for several reasons.

To begin with, any entity that provides a surety bond should be held to strong underwriting standards. For instance, we know very well what happens when industries, particularly those involving financing, are not closely regulated. Consider mortgage lenders, for example. In a vacuum of regulation, unscrupulous and predatory lenders engaged in practices that hurt not just their borrowers, but ultimately jeopardized the Nation's economy and the financial well-being of all Americans. Measures such as H.R. 3534 are intended to mandate more reliable collateral standards, which is a commendable goal. Such strengthened requirements should help to ensure that American taxpayers are not made to pay for the consequences of undercollateralized bonds.

In addition, this bill will protect so-called ''downstream'' subcontractors and suppliers who very much depend on the economic vitality and performance of the general contractor and its surety. Many such downstream subcontractors and suppliers are small businesses owned by members of historically disadvantaged groups, including racial minorities, women, and the disabled. Ensuring that unnecessarily heightened risk is avoided for minority-owned businesses is key to their economic survival as well as to our Nation's fiscal health. According to the Commerce Department, these businesses are an ''integral part of local, national, and global business communities.'' Measures such as H.R. 3534 that strengthen collateral requirements lessen the incidence of poor underwriting practices and undersecured surety bonds.

Finally, H.R. 3534, as amended in committee, will help to ensure that it does not result in too much of a good thing. Particularly during these difficult economic times, our role in Congress should not be to construct unnecessary or overly burdensome hurdles to those who want to enter into a particular business or industry.

To the extent that heightened collateral requirements might dissuade individual sureties from providing bonds on Federal projects, there is a risk that new businesses may have a more difficult time bidding on Federal projects. We need to ensure that these businesses continue to be vital contributors to our Nation's economy, not only as subcontractors, but also as prime contractors. This is why there was bipartisan agreement in committee to add language requiring the GAO to, among other things, assess the impact that the enactment of H.R. 3534 may have on disadvantaged business enterprises' ability to successfully bid on Federal contracts. This analysis will help us monitor whether H.R. 3534 has any unintended consequences in this regard.

I thank Chairman SMITH for his willingness to work with us to reach a mutually agreeable result. I also commend the bill's sponsor, Representative RICHARD HANNA, as well as Representative JARED POLIS, the lead Democratic cosponsor, for their leadership on this important matter.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY) who is an original cosponsor of this legislation.

Mr. MULVANEY. I thank the gentleman from Texas.

This is not, Mr. Speaker, the most glamorous thing we're going to do in this 112th Congress. If you stop to think about it, there are not that many people who are aware of, let alone care about, what kind of security is offered on surety bonds.

I can assure you, it is important to some people. It really is. If you are the person who is entering into that contract, who is counting on somebody doing that work, the quality of that security in that surety bond is of the utmost importance to you. And as you heard the gentleman from New York (Mr. HANNA) mention, in certain cases, it could be a matter of life or death for your business. So I am proud to be the sponsor of this bill.

But that is not why I rise today, Mr. Speaker. I rise today to bring to light the fact that we are actually doing something on a bipartisan basis to help the country. We get a lot of criticism back home—I know we both do, the Republicans and the Democrats—for not being able to come together to fix things. And, yes, we do struggle, perhaps, to fix the big things, and maybe rightly so. We are unlikely to solve the issue of taxes versus spending here today, but it's nice to know that we're still able to get together from time to time on the small things.

Face it. It used to be, before this bill, that you could take marketable coal as collateral on a surety bond. That's outrageous. With this bill, we'll fix those types of things and actually make it safer to do business on a government contract. Again, is it the big things that stand between our country and its current lack of prosperity? Absolutely not. But it does make business better in the United States of America.

That's why I congratulate the gentleman from Texas (Mr. SMITH) and the ranking member, Mr. CONYERS. I also thank the gentleman from Missouri (Mr. GRAVES) and gentlelady from New York (Ms. VELÁZQUEZ) from the Small Business Committee who also took a look at this bill and also passed it on a bipartisan basis.

So with that, Mr. Speaker, I thank the gentleman. I thank my colleagues from across the aisle for actually coming together today to try to do something to help the Nation advance. And with that, I encourage everyone to support this bill.

Mr. PIERLUISI. Mr. Speaker, I have no further requests for time, so I will yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time as well.

Mr. Speaker, today the House continues its effort to restore the financial security of our country with consideration of H.R. 3534, the Security in Bonding Act of 2011. I thank Mr. HANNA for his sponsorship of this bill and Mr. GOWDY and Mr. POLIS, both members of the Judiciary Committee, for their support as well.

This bill protects the federal government from financial loss as it improves the effectiveness of surety bonds contractors must post when they perform construction projects for the United States.

Also, this bill protects small business subcontractors and enhances the financial security of the United States.

The bill amends federal acquisition law to requre individual sureties to post only low-risk collateral to back up their bonds. If the prime contractor defaults, the government and subcontractors will have recourse to real, stable, valuable assets to make them whole.

The Miller Act, enacted in 1935, requires a contractor to obtain surety bonds in favor of the government when the contractor undertakes a construction job worth more than $150,000. These surety bonds protect not only the United States but also subcontractors whom the prime contractor hires.

Unlike in the private sector, subcontractors on federal projects have no mechanic's lien rights; surety bonds are their sole protection.

A bid bond assures the federal contracting officer that the contractor bids in good faith and will complete the job if it is the winning bidder.

Similarly, a performance bond guarantees the United States that the contractor will not walk away from the job even if, for instance, the contractor found a more lucrative opportunity elsewhere.

The Federal Acquisition Regulation (FAR) currently allows a contractor to obtain a surety bond through a corporate surety or an individual surety. Alternatively, a contractor may deposit low-risk collateral, like T-bills or other cash equivalents, with the government to cover the project cost.

Corporate surety companies are regulated by the Treasury Department, which requires

the sureties to be sufficiently funded in an amount over the risk of default on the bonds they underwrite. But individual sureties are not approved by the Treasury, and they may pledge collateral whose value may fluctuate. For example, the FAR allows an individual surety to pledge stocks and bonds or real property.

The lax collateral requirements for individual sureties have seriously harmed subcontractors and the federal government.

At a hearing on this bill in the Courts, Commerical and Administrative Law Subcommittee, the President of a minority-owned construction company in Colorado, testified that they lost $100,000 because the prime contractor's individual surety bond was backed by valueless assets.

The federal government cannot afford to be left in the lurch because an individual surety bond proved to be worthless. American taxpayers deserve a government that acts carefully and with fiscal responsibility when it spends their money on construction projects.

I urge my colleagues to support this bill.

Mr. COBLE. Mr. Speaker, I rise in support of H.R. 3534.

Surety bonds are financial instruments used to provide financial security for large construction contracts. For example, prime contractors typically post payment bonds to assure subcontractors that they will be paid for their work. Prime contractors must also obtain bid and performance bonds to guarantee the owner that the work will be performed according to contract.

The federal government regularly contracts with privately owned businesses to complete construction projects. In doing so, the government requires contractors to obtain surety bonds. But the security provided to the government by a surety bond is only as good as the capital or assets that stand behind the bond.

There are currently three ways a contractor can satisfy the federal government's requirement for adequate assurance of performance and payment. The contractor can obtain a bond from a corporate surety approved by the Treasury Department, give the United States a possessory security interest in low-risk, liquid assets, such as T-bills, cash, or cash equivalents, or the contractor can secure a bond from an individual surety.

In recent years, there have been a number of instances in which individual surety bonds have not provided the security they purport to offer. In some cases, this was because the value of the pledged assets had decreased significantly, like when the stock market suddenly dropped or real estate values plummeted.

H.R. 3534 addresses this problem by requiring individual sureties to pledge low-risk assets. This will benefit government and subcontractors, who typically get the short end of the stick.

I am happy to report that H.R. 3534 is supported by the American Subcontractors Association and the National Association of Minority Contractors.

I urge all members to vote ''yea'' on final passage for H.R. 3534.

The SPEAKER pro tempore (Mr. CHAFFETZ). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3534, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1710

CHIMNEY ROCK NATIONAL MONUMENT ESTABLISHMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2621) to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2621

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Chimney Rock National Monument Establishment Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) NATIONAL MONUMENT.—The term ''national monument'' means the Chimney Rock National Monument established by section 3(a).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) STATE.—The term ''State'' means the State of Colorado.

SEC. 3. ESTABLISHMENT OF CHIMNEY ROCK NATIONAL MONUMENT.

(a) ESTABLISHMENT.—There is established in the State the Chimney Rock National Monument—

(1) to preserve, protect, and restore the archeological, cultural, historic, geologic, hydrologic, natural, educational, and scenic resources of Chimney Rock and adjacent land; and

(2) to provide for public interpretation and recreation consistent with the protection of the resources described in paragraph (1).

(b) BOUNDARIES.—

(1) IN GENERAL.—The national monument shall consist of approximately 4,726 acres of land and interests in land, as generally depicted on the map entitled ''Boundary Map, Chimney Rock National Monument'' and dated January 5, 2010.

(2) MINOR ADJUSTMENTS.—The Secretary may make minor adjustments to the boundary of the national monument to reflect the inclusion of significant archeological resources discovered after the date of the enactment of this Act on adjacent National Forest System land.

(3) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall—

(1) administer the national monument—

(A) in furtherance of the purposes for which the national monument was established; and

(B) in accordance with—

(i) this Act; and

(ii) any laws generally applicable to the National Forest System; and

(2) allow only such uses of the national monument that the Secretary determines would further the purposes described in section 3(a).

(b) TRIBAL USES.—

(1) IN GENERAL.—The Secretary shall administer the national monument in accordance with—

(A) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); and

(B) the policy described in Public Law 95–341 (commonly known as the ''American Indian Religious Freedom Act'') (42 U.S.C. 1996).

(2) TRADITIONAL USES.—Subject to any terms and conditions the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the national monument by members of Indian tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(c) VEGETATION MANAGEMENT.—The Secretary may carry out vegetation management treatments within the national monument, except that the harvesting of timber shall only be used if the Secretary determines that the harvesting is necessary for—

(1) ecosystem restoration in furtherance of section 3(a); or

(2) the control of fire, insects, or diseases.

(d) MOTOR VEHICLES AND MOUNTAIN BIKES.—The use of motor vehicles and mountain bikes in the national monument shall be limited to the roads and trails identified by the Secretary as appropriate for the use of motor vehicles and mountain bikes.

(e) GRAZING.—The Secretary shall permit grazing within the national monument, where established before the date of the enactment of this Act—

(1) subject to all applicable laws (including regulations); and

(2) consistent with the purposes described in section 3(a).

(f) UTILITY RIGHT-OF-WAY UPGRADES.—Nothing in this Act precludes the Secretary from renewing or authorizing the upgrading of a utility right-of-way in existence as of the date of the enactment of this Act through the national monument—

(1) in accordance with—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other applicable law; and

(2) subject to such terms and conditions as the Secretary determines to be appropriate.

(g) VOLUNTEERS.—The Secretary shall allow for the continued access and work of volunteers at the national monument.

(h) RESEARCH.—Scientific research, including archeological research, educational, and interpretive uses shall be permitted within the Monument.

(i) OTHER ADMINISTRATIVE COSTS.—Any signs, fixtures, alterations, or additions needed in connection with the designation or advertisement of the Monument shall be paid for only with non-Federal funds or amounts made available for such purposes in prior Acts of appropriation.

(j) DESIGNATION OF MANAGER.—As soon as practicable after the management plan is developed under section 5(a), the Secretary shall designate an employee of the Department of Agriculture whose duties shall include acting as the point of contact for the management of the national monument.

(k) OTHER RECREATIONAL USES.—The Secretary shall allow continued use of the national monument for hunting, fishing, and other recreational uses authorized on the date of the enactment of this Act, except that the Secretary may implement temporary emergency closures or restrictions of the smallest practicable area to provide for public safety, resource conservation, or other purposes authorized by law.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary, in consultation with Indian tribes with a

cultural or historic tie to Chimney Rock, shall develop a management plan for the national monument.

(b) PUBLIC COMMENT.—In developing the management plan, the Secretary shall provide an opportunity for public comment by—

(1) State and local governments;

(2) tribal governments; and

(3) any other interested organizations and individuals.

SEC. 6. LAND ACQUISITION.

The Secretary may acquire land and any interest in land within or adjacent to the boundary of the national monument by—

(1) purchase from willing sellers with donated or appropriated funds;

(2) donation; or

(3) exchange.

SEC. 7. WITHDRAWAL.

(a) IN GENERAL.—Subject to valid existing rights, all Federal land within the national monument (including any land or interest in land acquired after the date of the enactment of this Act) is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) subject to subsection (b), operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) LIMITATION.—Notwithstanding subsection (a)(3), the Federal land is not withdrawn for the purposes of issuance of gas pipeline rights-of-way within easements in existence as of the date of the enactment of this Act.

SEC. 8. EFFECT.

(a) WATER RIGHTS.—

(1) IN GENERAL.—Nothing in this Act affects any valid water rights, including water rights held by the United States.

(2) RESERVED WATER RIGHT.—The designation of the national monument does not create a Federal reserved water right.

(b) TRIBAL RIGHTS.—Nothing in this Act affects—

(1) the rights of any Indian tribe on Indian land;

(2) any individually held trust land or Indian allotment; or

(3) any treaty rights providing for nonexclusive access to or within the national monument by members of Indian tribes for traditional and cultural purposes.

(c) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State with respect to the management of fish and wildlife on public land in the State.

(d) ADJACENT USES.—Nothing in this Act—

(1) creates a protective perimeter or buffer zone around the national monument; or

(2) affects private property outside of the boundary of the national monument.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. With that, Mr. Speaker, I would like to yield such time as he may consume to the sponsor of this bill, the gentleman from Colorado (Mr. TIPTON), who has done such great work to move this potential issue forward.

Mr. TIPTON. I thank the gentleman for yielding.

Mr. Speaker, this past weekend I had the opportunity to be in a truly remarkable part of the United States in southwestern Colorado, an area called Chimney Rock, which is an area renowned for its cultural heritage and its important archeological traits.

Chimney Rock is considered by the historic preservation community and the archeological community to be one of the most significant archeological sites in the western United States. Centuries ago, hundreds of early Native Americans called the area home. Archeologists have uncovered ancient farming areas, homes, and other structures, indicating that this was a major cultural center for these early Americans. The ancestors of modern Pueblo Indians made a journey to this northernmost outpost of the Chacoan civilization to witness a rare lunar occurrence that they held to be sacred. Chimney Rock is only one of three sites like this in the entire world.

Despite the scarcity of this gem, the Chimney Rock site of the San Juan National Forest has yet to receive a designation worthy of its historical and cultural significance. The area is currently under the management of the U.S. Forest Service and is covered under the USFS Organic Act, which has no provision to be able to address preservation and the management of such a historic and culturally significant area as Chimney Rock.

H.R. 2621, the Chimney Rock National Monument Establishment Act, requires no additional Federal funds, and therefore no increase in spending. It ensures continued access to the area so that local ranchers will be able to utilize the lands that they depend on for grazing, for outdoorsmen to be able to continue to take advantage of the game opportunities in the area, and for members of the Indian tribes to be able to continue the use of Chimney Rock for traditional ceremonies. The bill also allows for continued archeological research and exploration in the area.

In addition to preserving and protecting the site's historical and cultural treasures, the national monument designation will give Chimney Rock the prestige and protection it deserves and elevate it to a status that will increase its exposure to the region and enable it to generate tourism, creating a potential economic boost for the surrounding communities and generating jobs. Without any new spending, making Chimney Rock a national monument will create a win-win situation for this remarkable place, for the local communities, the State of Colorado, Native Indian tribes, and future generations of American.

Mr. Speaker, it's my pleasure to able to sponsor H.R. 2621.

Mr. HEINRICH. I yield myself such time as I may consume.

I want to applaud the majority for bringing this strong conservation legislation to the House floor today to designate a national monument in Congressman TIPTON's district. There are a number of bills like Congressman TIPTON's waiting for action that would either designate a new national monument or provide designation of a new wilderness area. This includes a bill that I have sponsored to include new areas in the existing Manzano Mountains Wilderness.

Congratulations to Congressman TIPTON for his success in advancing local conservation efforts. I hope that this is the beginning of consideration of similar bills pending before the committee so that we can advance our conservation goals across the Nation.

I yield back the balance of my time.

Mr. BISHOP of Utah. In closing, may I just say that I want to commend the gentleman from Colorado (Mr. TIPTON) for taking the time and the effort to put forth a well thought-out and locally supported piece of legislation that designates an area of special significance in the district that he happens to represent. This legislation is an example of the way this type of designation should be done, as opposed to by administrative fiat under things like the Antiquities Act.

I urge the adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2621, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HEINRICH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT TO THE MESQUITE LANDS ACT OF 1986

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2745) to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2745

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT TO THE MESQUITE LANDS ACT OF 1986.

Section 3 of Public Law 99 548 (commonly known as the ''Mesquite Lands Act of 1986'') is amended—

(1) in subsection (d)(3)(B), by inserting ''and implementation'' after ''development'';

(2) in subsection (e)—

(A) in paragraph (1)(A), by striking ''For a period of 12 years after the date of the enactment of this Act,'' and inserting ''Until November 29, 2020,'';

(B) in paragraph (3), by striking ''Not later than 10 years after the date of the enactment of this subsection,'' and inserting ''Not later than November 29, 2019,'';

(C) in paragraph (5), by striking ''the date that is 12 years after the date of the enactment of this subsection,'' and inserting ''the date specified in paragraph (1)(A),''; and

(D) in paragraph (6), by striking ''of each parcel'' and all that follows through the period and inserting ''of each parcel under this subsection shall be deposited into the General Treasury.''; and

(3) in subsection (f)—

(A) in paragraph (1), by striking ''Not later than 1 year after the date of the enactment of this subsection, the'' and inserting ''The'';

(B) in paragraph (2), by inserting after subparagraph (C) the following:

''(D) The approximately 218 acres of land depicted as 'Hiatus' on the map titled 'Mesquite Airport Conveyance' and dated January 13, 2012.'';

(C) in paragraph (3), by striking ''until the date that is 12 years after the date of the enactment of this subsection,'' and inserting ''until November 29, 2020,'';

(D) by amending paragraph (4) to read as follows:

''(4) REVERTER.—If the land conveyed pursuant to paragraph (1) is not used by the city as an airport or for another public purpose, it shall revert to the United States, at the option of the Secretary, except that the city shall have an exclusive right to purchase such land.''; and

(E) by redesignating paragraph (5) as paragraph (7) and by inserting after paragraph (4) the following:

''(5) RIGHT TO PURCHASE LAND.—Until November 29, 2020, the City of Mesquite, Nevada, subject to all appropriate environmental reviews, including compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et. seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.), shall have the exclusive right to purchase the parcels of public land described in paragraph (2) that the Secretary did not convey to the city pursuant to paragraph (1).

''(6) PROCEEDS OF SALE.—The proceeds of the sale of each parcel under this subsection shall be deposited into the General Treasury.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. With that, Mr. Speaker, since this is a significant bill that makes a change that has been long overdue, I yield such time as he may consume to the sponsor of this bill, the gentleman from Nevada (Mr. HECK).

Mr. HECK. I rise in support of H.R. 2745, legislation amending the Mesquite Lands Act of 1986. The original Mesquite Lands Act provided the city of Mesquite, Nevada, the exclusive right to purchase, at fair market value, certain Federal land under the control of the Bureau of Land Management. As the city is landlocked by public lands and was the fastest growing city in the country for much of the 1990s, this legislation was amended in 1996 to allow the city to purchase additional Federal lands to ensure the city of Mesquite could continue to grow and prosper. In 1999, Congress passed the latest Mesquite Lands Act amendment with the specific purpose of providing land to construct a commercial airport and to provide more room for commercial and industrial development to, again, meet future demands for a rapidly growing tourism industry.

In 2002, the U.S. Fish and Wildlife Service issued a Mesquite Lands Act Biological Opinion, which promulgated certain terms and conditions associated with the land sale. A key term contained in the opinion is a mandate that the city participate in the development and implementation of a Habitat Conservation and Recovery Plan and a Hydrologic Monitoring and Mitigation Plan along the Virgin River.

In response to this opinion, Congress made a technical amendment to the act within the Clark County Conservation of Public Land and Natural Resources Act of 2002 that set aside a portion of the proceeds from the sale of each parcel for the ''development'' of the Recovery Plan and the Hydrologic Monitoring and Mitigation Plan. It is apparent that during the process language allowing for the ''implementation'' of these plans was inadvertently omitted from this amendment. Other land acts, such as the Lincoln and White Pine County Lands Act, clearly state that funds shall be expended on development and implementation of multispecies habitat conservation plans. I believe the same process should be applied to the Mesquite Lands Act.

H.R. 2745 is a legislative clarification regarding the special funds allowing for both the development and implementation of the Habitat Conservation and Recovery Plan and the Hydrologic Monitoring and Mitigation Plan. This is consistent with other plans in Nevada, and the same process should be applied to the city of Mesquite.

In addition to the clarification for the Habitat Conservation and Recovery Plan, there's an issue regarding the timing of the land sales identified in the 1999 amendment that is also addressed in H.R. 2745. The legislation originally gave the city of Mesquite 12 years to purchase the land from the date of enactment. However, due to severe economic conditions that continue to plague southern Nevada, along with a delay of the environmental impact statement for the airport site, the city is not in a position to purchase the final sections of property at this time, and therefore was not able to make this deadline. H.R. 2745 provides for an extension of an additional 8 years to allow economic conditions to improve.

In closing, I would again like to thank Chairman BISHOP and Ranking Member GRIJALVA, as well as the Natural Resources Committee Staff, for working with me on moving this legislation forward. H.R. 2745 will allow the city of Mesquite to continue to control the path of its future expansion and economic development, as well as correct an oversight in prior legislation.

□ 1720

Mr. HEINRICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation allows the city of Mesquite, Nevada, to continue acquiring certain lands from the Federal Government for its commercial airport.

Under the original 1986 legislation, some receipts from the sale of Federal lands would be retained to fund habitat improvements along the Virgin River within Clark County. As amended, H.R. 2745 directs the proceeds from the land sales to the Treasury, thus leaving the habitat work unfunded.

While the conservation work is important and deserves funding, we do not object to this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

Authored by Congressman HECK, H.R. 2745 was amended by the Natural Resources Committee and is further amended today to ensure that there is no cost to the taxpayer. This will treat all proceeds from land sales uniformly and, again, at no cost to the taxpayer.

So I urge adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2745, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HEINRICH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

BLACK HILLS CEMETERY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3874) to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3874

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Black Hills Cemetery Act''.

SEC. 2. LAND CONVEYANCES, CERTAIN CEMETERIES LOCATED IN BLACK HILLS NATIONAL FOREST, SOUTH DAKOTA.

(a) CEMETERY CONVEYANCES REQUIRED.—The Secretary of Agriculture shall convey, without consideration, to the local communities in South Dakota that are currently managing and maintaining certain community cemeteries (as specified in subsection (b)) all right, title, and interest of the United States in and to—

(1) the parcels of National Forest System land containing such cemeteries; and

(2) up to an additional two acres adjoining each cemetery in order to ensure the conveyances include unmarked gravesites and allow for expansion of the cemeteries.

(b) PROPERTY AND RECIPIENTS.—The properties to be conveyed under subsection (a), and the recipients of each property, are as follows:

(1) The Silver City Cemetery to the Silver City Volunteer Fire Department.

(2) The Hayward Cemetery to the Hayward Volunteer Fire Department.

(3) The encumbered land adjacent to the Englewood Cemetery (encompassing the cemetery entrance portal, access road, fences, 2,500 gallon reservoir and building housing such reservoir, and piping to provide sprinkling system to the cemetery) to the City of Lead.

(4) The land adjacent to the Mountain Meadow Cemetery to the Mountain Meadow Cemetery Association.

(5) The Roubaix Cemetery to the Roubaix Cemetery Association.

(6) The Nemo Cemetery to the Nemo Cemetery Association.

(7) The Galena Cemetery to the Galena Historical Society.

(8) The Rockerville Cemetery to the Rockerville Community Club.

(9) The Cold Springs Cemetery (including adjacent school yard and log building) to the Cold Springs Historical Society.

(c) CONDITION OF CONVEYANCE.—Each conveyance under subsection (a) shall be subject to the condition that the recipient accept the conveyed real property in its condition at the time of the conveyance.

(d) USE OF LAND CONVEYED.—The lands conveyed under subsection (a) shall continue to be used in the same manner and for the same purposes as they were immediately prior to their conveyance under this Act.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of each parcel of real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the survey for a particular parcel shall be borne by the recipient of such parcel.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield such time as she may consume to Mrs. NOEM of South Dakota, the sponsor of this bill, who has worked so hard and has done such a great job on it, to explain this commonsense bill.

Mrs. NOEM. Mr. Speaker, I thank the gentleman for yielding.

Today I rise in support of my legislation, H.R. 3874, the Black Hills Cemetery Act. This bill is of great importance to many communities in the Black Hills of South Dakota.

The Black Hills in South Dakota is home to a number of historic communities and cemeteries. Many of these originated in old mining towns in the 1800s. They have unique significance to the surrounding communities. These include the Englewood Cemetery, the Galena Cemetery, Hayward Cemetery, Mountain Meadows Cemetery, Roubaix Cemetery, Nemo Cemetery, Rockerville Cemetery, Silver City Cemetery, and the Cold Springs Cemetery.

These cemeteries are currently being managed by local cemetery associations or community groups in the surrounding areas, but have been technically owned by the U.S. Forest Service since the 1900s. This causes unnecessary liability for the U.S. Forest Service because of responsibility for upkeep and dealing with possible vandalism or damage to the property.

The Black Hills Cemetery Act would simply transfer ownership of these cemeteries and up to 2 acres of adjacent land to the caretaking communities that have managed them for generations under special-use permits issued by the Forest Service at almost no cost to taxpayers. It also makes clear that these cemeteries will continue to be used for the same purpose as they have always been used in the past.

I sponsored this bill at the request of these communities and the current caretakers of the cemeteries and in consultation with the U.S. Forest Service. An article by the Rapid City Journal talked about Dennis McMillin, who is chief of the local volunteer fire department that takes care of the Hayward Cemetery. He mentioned that passing this bill would make it less complicated for both the caretakers and for the United States Forest Service. He also mentioned that this bill is important because it allows for some expansion for those families who are still interested in burial plots.

A lot of local residents have relatives buried in these cemeteries, so this coming Memorial Day, many will pay their respects to family members. Many of these communities will hold special services on the cemetery grounds in the coming weeks. After the House passes this bill, these families and communities are one step closer to having these cemeteries officially in their care and will continue to do an excellent job managing them.

I would like to thank the communities and the local residents for their help in working with my office and for advocating for this bill. I would also like to thank Chairmen HASTINGS and BISHOP and their staffs for helping me push this bill forward.

It is important for those reasons that we pass this bill and that the Senate does the same. These communities have been asking for a solution to this situation for a number of years, and as their Representative, I'm glad we have the opportunity to pass this bill today off the House floor.

I urge my colleagues to support and pass this bill for the communities in South Dakota.

Mr. HEINRICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3874 conveys cemeteries currently on Forest Service lands to communities in South Dakota. These local communities already manage and maintain these cemeteries, and the legislation requires that these lands continue to be used for cemetery purposes.

We have no objections to this legislation, and with that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

This commonsense piece of legislation moves nine parcels of land to the respective communities that currently manage and maintain these cemeteries. It frees the Forest Service from administering these cemeteries so they can focus on other jobs, like maybe tackling the growing mountain pine beetle epidemic in the Black Hills. It's a great bill, I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 3874, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

HELPING EXPEDITE AND ADVANCE RESPONSIBLE TRIBAL HOME OWNERSHIP ACT OF 2011

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 205) to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases,'' approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2011'' or the ''HEARTH Act of 2011''.

SEC. 2. APPROVAL OF, AND REGULATIONS RELATED TO, TRIBAL LEASES.

The first section of the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955 (25 U.S.C. 415), is amended as follows:

(1) In subsection (d)—

(A) in paragraph (4), by striking ''the Navajo Nation'' and inserting ''an applicable Indian tribe'';

(B) in paragraph (6), by striking ''the Navajo Nation'' and inserting ''an Indian tribe'';

(C) in paragraph (7), by striking ''and'' after the semicolon at the end;

(D) in paragraph (8)—

(i) by striking ''the Navajo Nation'';

(ii) by striking ''with Navajo Nation law'' and inserting ''with applicable tribal law''; and

(iii) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(9) the term 'Indian tribe' has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a); and

''(10) the term 'individually owned allotted land' means a parcel of land that—

''(A)(i) is located within the jurisdiction of an Indian tribe; or

''(ii) is held in trust or restricted status by the United States for the benefit of an Indian tribe or a member of an Indian tribe; and

''(B) is allotted to a member of an Indian tribe.''.

(2) By adding at the end the following:

''(h) TRIBAL APPROVAL OF LEASES.—

''(1) IN GENERAL.—At the discretion of any Indian tribe, any lease by the Indian tribe for the purposes authorized under subsection (a) (including any amendments to subsection (a)), except a lease for the exploration, development, or extraction of any mineral resources, shall not require the approval of the Secretary, if the lease is executed under the tribal regulations approved by the Secretary under this subsection and the term of the lease does not exceed—

''(A) in the case of a business or agricultural lease, 25 years, except that any such lease may include an option to renew for up to 2 additional terms, each of which may not exceed 25 years; and

''(B) in the case of a lease for public, religious, educational, recreational, or residential purposes, 75 years, if such a term is provided for by the regulations issued by the Indian tribe.

''(2) ALLOTTED LAND.—Paragraph (1) shall not apply to any lease of individually owned Indian allotted land.

''(3) AUTHORITY OF SECRETARY OVER TRIBAL REGULATIONS.—

''(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any tribal regulations issued in accordance with paragraph (1).

''(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any tribal regulation issued in accordance with paragraph (1), if the tribal regulations—

''(i) are consistent with any regulations issued by the Secretary under subsection (a) (including any amendments to the subsection or regulations); and

''(ii) provide for an environmental review process that includes—

''(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

''(II) a process for ensuring that—

''(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Indian tribe; and

''(bb) the Indian tribe provides responses to relevant and substantive public comments on any such impacts before the Indian tribe approves the lease.

''(C) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, upon request of the Indian tribe, for development of a regulatory environmental review process under subparagraph (B)(ii).

''(D) INDIAN SELF-DETERMINATION ACT.—The technical assistance to be provided by the Secretary pursuant to subparagraph (C) may be made available through contracts, grants, or agreements entered into in accordance with, and made available to entities eligible for, such contracts, grants, or agreements under the Indian Self-Determination Act (25 U.S.C. 450 et seq.).

''(4) REVIEW PROCESS.—

''(A) IN GENERAL.—Not later than 120 days after the date on which the tribal regulations described in paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

''(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the tribal regulations described in paragraph (1), the Secretary shall include written documentation with the disapproval notification that describes the basis for the disapproval.

''(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Indian tribe.

''(5) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (3) and (4), if an Indian tribe carries out a project or activity funded by a Federal agency, the Indian tribe shall have the authority to rely on the environmental review process of the applicable Federal agency rather than any tribal environmental review process under this subsection.

''(6) DOCUMENTATION.—If an Indian tribe executes a lease pursuant to tribal regulations under paragraph (1), the Indian tribe shall provide the Secretary with—

''(A) a copy of the lease, including any amendments or renewals to the lease; and

''(B) in the case of tribal regulations or a lease that allows for lease payments to be made directly to the Indian tribe, documentation of the lease payments that are sufficient to enable the Secretary to discharge the trust responsibility of the United States under paragraph (7).

''(7) TRUST RESPONSIBILITY.—

''(A) IN GENERAL.—The United States shall not be liable for losses sustained by any party to a lease executed pursuant to tribal regulations under paragraph (1).

''(B) AUTHORITY OF SECRETARY.—Pursuant to the authority of the Secretary to fulfill the trust obligation of the United States to the applicable Indian tribe under Federal law (including regulations), the Secretary may, upon reasonable notice from the applicable Indian tribe and at the discretion of the Secretary, enforce the provisions of, or cancel, any lease executed by the Indian tribe under paragraph (1).

''(8) COMPLIANCE.—

''(A) IN GENERAL.—An interested party, after exhausting of any applicable tribal remedies, may submit a petition to the Secretary, at such time and in such form as the Secretary determines to be appropriate, to review the compliance of the applicable Indian tribe with any tribal regulations approved by the Secretary under this subsection.

''(B) VIOLATIONS.—If, after carrying out a review under subparagraph (A), the Secretary determines that the tribal regulations were violated, the Secretary may take any action the Secretary determines to be necessary to remedy the violation, including rescinding the approval of the tribal regulations and reassuming responsibility for the approval of leases of tribal trust lands.

''(C) DOCUMENTATION.—If the Secretary determines that a violation of the tribal regulations has occurred and a remedy is necessary, the Secretary shall—

''(i) make a written determination with respect to the regulations that have been violated;

''(ii) provide the applicable Indian tribe with a written notice of the alleged violation together with such written determination; and

''(iii) prior to the exercise of any remedy, the rescission of the approval of the regulation involved, or the reassumption of lease approval responsibilities, provide the applicable Indian tribe with—

''(I) a hearing that is on the record; and

''(II) a reasonable opportunity to cure the alleged violation.

''(9) SAVINGS CLAUSE.—Nothing in this subsection shall affect subsection (e) or any tribal regulations issued under that subsection.''.

SEC. 3. LAND TITLE REPORTS.

(a) IN GENERAL.—The Bureau of Indian Affairs shall prepare and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate a report regarding the history and experience of Indian tribes that have chosen to assume responsibility for operating the Indian Land Title and Records Office (referred to in this section as the ''LTRO'') functions from the Bureau of Indian Affairs.

(b) CONSULTATION.—In conducting the review under subsection (a), the Bureau of Indian Affairs shall consult with the Department of Housing and Urban Development Office of Native

American Programs and the Indian tribes that are managing LTRO functions (referred to in this section as the ''managing Indian tribes'').

(c) CONTENTS.—The review under subsection (a) shall include an analysis of the following factors:

(1) Whether and how tribal management of the LTRO functions has expedited the processing and issuance of Indian land title certifications as compared to the period during which the Bureau of Indian Affairs managed the programs.

(2) Whether and how tribal management of the LTRO functions has increased home ownership among the population of the managing Indian tribe.

(3) What internal preparations and processes were required of the managing Indian tribes prior to assuming management of the LTRO functions.

(4) Whether tribal management of the LTRO functions resulted in a transfer of financial resources and manpower from the Bureau of Indian Affairs to the managing Indian tribes and, if so, what transfers were undertaken.

(5) Whether, in appropriate circumstances and with the approval of geographically proximate Indian tribes, the LTRO functions may be performed by a single Indian tribe or a tribal consortium in a cost effective manner.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Under current law, each and every nonmineral lease that a tribe executes with a third party is subject to approval of the Department of the Interior before it can take effect. It doesn't matter whether the tribe and a third party have negotiated the terms of a lease to their mutual satisfaction; Washington, D.C., ultimately decides because, after all, Washington, D.C., always knows better.

Unfortunately, the result of this paternalism is predictable—the leases do not get approved on a timely basis, if at all. The government has erected all kinds of regulatory hurdles for tribes leasing their lands. In the private sector, time is money; and when the government delay costs money, investors take their business elsewhere.

In 2000, Congress agreed with a request by the Navajo Nation to let the tribe lease its land without Federal approval so long as the leasing occurs under tribal regulations and they have been approved by the Secretary. The amendments absolve taxpayers from liability for leasing decisions the Navajo Nation makes.

For years, many tribes have pleaded with Congress to let them manage their lands with less Federal supervision. H.R. 205 simply allows any tribe the same option that the Navajo Nation already enjoys. While this bill does not completely remove the government from tribal lands, which would be our goal, it takes a step in the right direction.

□ 1730

A previous version of this bill was introduced and ordered reported in the very last Congress, but it languished and saw no further action. So I am very pleased today that this bill, sponsored by a Democrat Member, that decreases Federal regulation of Indian lands is poised to pass with very strong bipartisan support.

I urge adoption of this measure, and I reserve the balance of my time.

Mr. HEINRICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, shortly after being elected to Congress, I met with some New Mexico tribal leaders who brought to my attention the onerous process for securing a long-term lease on trust land—an unnecessary procedural burden that affects every single home mortgage on Indian land.

We all know how important homeownership is to healthy communities, and the last thing the Federal Government should do is stand in the way of families ready and willing to buy a home. That's why I introduced this bill, the Helping Expedite and Advance Responsible Tribal Home Ownership Act, which we call the HEARTH Act.

Native families buying a house go through the same process as everyone else—they find a house they like, work with their bank to gain approval for a mortgage, and make an offer to the seller. But before these families can close on the sale, they must also get approval from the Bureau of Indian Affairs to lease the land that the house is built on. That approval can take between 6 months and 2 years—an intolerable delay for most buyers.

We all know that a seller is rarely able to wait 2 years to sell their house, and banks are often unable to hold a mortgage approval for anywhere near that long. I know that there are many Native families who would prefer to stay and raise their children in the communities where their families have lived for generations, but instead have had to move from Indian Country to nearby cities because they want to own a home. Families shouldn't be forced to make such an important decision based on how many months, or years, it will take a Federal bureaucracy to approve a mortgage on tribal land.

Similarly, many tribal communities lose out on commercial investment because the process for securing a lease through the BIA takes so long. In these tough economic times, we should not be making it harder for business to develop on tribal land.

The HEARTH Act would allow tribes to develop their own leasing regulations and make leasing decisions on the tribal level rather than waiting for BIA approval. Under the bill, tribes would submit their regulations to the Secretary of the Interior for approval. Once the regulations are approved, tribes would be authorized to make their own decisions about how to lease their land in accordance with approved leases. This process would be completely voluntary for tribes. A tribe that chooses not to submit leasing regulations for approval would continue under the current system of BIA approval.

Many tribes already have a lease approval process through their tribal government that approves land leases before they're even sent to the BIA. For those tribes that want the authority and responsibility for making final leasing decisions at the tribal level, the HEARTH Act would give them the option of doing so.

Our Nation is home to a vast diversity of tribes, and Federal policy should reflect that diversity. The HEARTH Act will allow tribes to exercise greater control over their own land, support self-determination, and eliminate bureaucratic delays that stand in the way of homeownership and economic development in tribal communities.

Mr. Speaker, before I close, I want to make sure to thank Representatives MARKEY, HASTINGS, BOREN, YOUNG, KILDEE, COLE, and LUJÁN for their meaningful work on this important legislation. Again, I ask my colleagues to vote ''yes'' on this important bipartisan bill to support Native families and communities.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Oklahoma (Mr. COLE), who has proven an expert as well as totally versed on the issues of Native Americans in the United States.

Mr. COLE. I thank the gentleman for yielding, and I thank him for those exceptionally generous comments.

Mr. Speaker, I rise today in support of H.R. 205, the HEARTH Act, by the gentleman from New Mexico (Mr. HEINRICH). I want to commend him for bringing forward and working so hard to secure the passage of this genuinely important piece of legislation.

Increased opportunity for economic development in Indian Country is the best way to raise the standards of living for tribal members. This legislation will help break down the barriers to economic development by making needed reforms to tribal leasing regulations.

H.R. 205 will streamline the existing bureaucratic process for leasing tribal trust lands by providing Indian tribes with the option to develop and manage their own surface leasing regimes.

Existing law requires that each lease of tribal surface lands be approved by the Secretary of the Interior. The secretarial approval process is costly, time consuming, often results in lost business and economic opportunities for tribal communities, and is far too cumbersome to be helpful to those it's designed to protect. These lease reforms come from a pilot program which implemented this same regime on the Navajo reservation over a decade ago. Based on the success of that pilot, it's only natural that these reforms be available to all tribes.

Under H.R. 205, once a tribe's own surface leasing regime is approved by the Department of the Interior, the tribe can proceed to negotiate, approve, and administer leases of tribal trust lands under its control. Passage of H.R. 205 will enable tribal governments to assume responsibility for the management of their lands, reduce Federal costs and government liability, and encourage more housing and economic development on Indian lands, resulting ultimately in job creation.

This bill has strong bipartisan support, is a priority for Indian Country, and is strongly supported by the administration. It empowers tribes, encourages tribal self-government, decreases the dependency of tribes on the Federal Government, and speeds up economic development in Indian Country.

I urge my colleagues to vote in favor of H.R. 205, the HEARTH Act. Again, I want to commend the gentleman from New Mexico for his hard work on this important legislation.

Mr. HEINRICH. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I could not help but listen with tremendous interest, and also to commend my good friend from Oklahoma, who also is the cochairman of our Native American Congressional Caucus. I fully associate myself with the eloquent remarks that he has made in addressing the needs of this legislation that needs to be passed.

I also want to commend my good friend from Utah and the gentleman from New Mexico for their management of this piece of legislation that is so important to our Native American community.

Mr. HEINRICH. Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. I urge adoption of this bill, and I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I rise in support of the legislation introduced by the gentleman from New Mexico (Mr. HEINRICH). The HEARTH Act will further tribal self-governance and self-determination by authorizing willing Indian tribes to take control of surface leasing on their own lands. Once tribal regulations are approved by the Secretary of the Interior, tribes will be able to lease their lands without federal oversight. H.R. 205 is groundbreaking legislation that enhances tribal control over tribal resources and I ask my colleagues to vote for its passage.

Importantly, H.R. 205 authorizes leasing activity for residential, business, and other purposes. A tribe could therefore use its authority under the HEARTH Act to engage in renewable energy projects on their lands. Indian country has the potential to develop millions of megawatts of wind and solar energy. This bill will help tribes pursue the economic, environmental and national security benefits that clean energy provides to all Americans.

During the Natural Resources Committee markup, a Democratic amendment added language to authorize tribes to seek the Secretary's technical assistance in developing a regulatory environmental review process for all types of leasing activity. If a tribe chooses to use its new authority to engage in leasing activity for renewable energy projects, for example, it can call upon the expertise of the Department of the Interior to inform development of an appropriate environmental review process. I'm confident that this will enhance tribes' ability to be the best managers of their own lands.

H.R. 205 also requires that approved tribal regulations must be ''consistent with'' existing federal regulations. The United States recognizes tribal primacy for a number of programs under three critical environmental laws—the Clean Water Act, the Safe Drinking Water Act, and the Clean Air Act. Tribes have successfully demonstrated their ability to implement these laws. I fully expect that tribes will do the same with the HEARTH Act requirement that their leasing regulations, at a minimum, meet existing Federal standards and may even choose to regulate more stringently where appropriate.

I applaud Mr. HEINRICH's leadership on this bill and again encourage my colleagues from both sides of the aisle to vote in favor of H.R. 205.

Mr. BACA. Mr. Speaker, I rise today in support of H.R. 205—The HEARTH ACT, and recognize the vital importance of homeownership and tribal self governance.

I am proud to serve as a cosponsor of this legislation and wish to thank Congressman HEINRICH for sponsoring this bill.

Homeownership is an essential part of the American dream.

Native American families desire to own their own homes just like other citizens of our nation.

Currently Native families can face up to a two year wait to purchase a home on tribal lands because of the bureaucratic red tape at the Bureau of Indian Affairs.

This long wait can be harmful to Native people because sellers often cannot wait for the time it takes for Bureau of Indian Affairs approval. This could result in lands within reservation borders being sold away from tribal members.

The HEARTH ACT allows tribal governments to approve trust land leases directly, significantly reducing the wait for approval and easing the home buying process for tribal families.

In the current housing market, the last thing the federal government should be doing is standing in the way of families looking to buy a home.

I urge my colleagues to join me in supporting homeownership for out Nation's first people, and ask that they vote yes on H.R. 205.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H.R. 205, the Helping Expedite and Advance Responsible Tribal Home Ownership (HEARTH) Act of 2011. As a member of the Native American Caucus and a proud co-sponsor of this legislation, I believe the HEARTH Act is an important step forward in supporting tribal self-determination and self-governance.

Native American families buying homes have to go through a unique and burdensome process that involves securing approval from the Federal Bureau of Indian Affairs to lease tribal land. This application process can take as long as two years to complete, often making the dream of owning a home on their tribal land unattainable. Sellers and mortgage lenders are usually unable or unwilling to wait this long, and buyers often resort to moving off tribal land.

The Bureau of Indian Affairs (BIA) plays an important role in the education, healthcare, infrastructure maintenance and law enforcement, among other services, for Native Alaskans and American Indians. The BIA oversees more than 55 million acres of some of the most economically depressed and isolated areas of the United States and is critical in improving the quality life of its members.

The HEARTH Act is a plan for reform that will improve the efficiency of the Bureau of Indian Affairs and will shift important responsibilities to tribes. Under this Act, tribes. Under this Act, tribes will develop their own regulations to be approved by the Secretary of the Interior, and local leaders can assume control over their own leasing processes. Families will avoid the lengthy wait and can seize the opportunity to invest in land that has been in their family and tribe for generations.

Mr. Speaker, I encourage my colleagues to join me in voting for this critical legislation. This is a bill we can all support as it will improve the efficiency of one of our federal bureaus while simultaneously improving housing opportunities for Native American populations. Home ownership is an important part of the American dream, and the HEARTH Act will help hard-working American families achieve that goal.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 205, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

AMBASSADOR JAMES R. LILLEY AND CONGRESSMAN STEPHEN J. SOLARZ NORTH KOREA HUMAN RIGHTS REAUTHORIZATION ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4240) to reauthorize the North Korean Human Rights Act of 2004, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The North Korean Human Rights Act of 2004 (Public Law 108–333; 22 U.S.C. 7801 et seq.) and the North Korean Human Rights Reauthorization Act of 2008 (Public Law 110–346) were the product of broad, bipartisan consensus regarding the promotion of human rights, transparency in the delivery of humanitarian assistance, and the importance of refugee protection.

(2) In addition to the longstanding commitment of the United States to refugee and human rights advocacy, the United States is home to the largest Korean population outside of northeast Asia, and many in the two-million strong Korean-American community have family ties to North Korea.

(3) Although the transition to the leadership of Kim Jong-Un after the death of Kim Jong-Il has introduced new uncertainties and possibilities, the fundamental human rights and humanitarian conditions inside North Korea remain deplorable, North Korean refugees remain acutely vulnerable, and the findings in the 2004 Act and 2008 Reauthorization remain substantially accurate today.

(4) Media and nongovernmental organizations have reported a crackdown on unauthorized border crossing during the North Korean leadership transition, including authorization for on-the-spot execution of attempted defectors, as well as an increase in punishments during the 100-day official mourning period after the death of Kim Jong-Il.

(5) Notwithstanding high-level advocacy by the United States, the Republic of Korea, and the United Nations High Commissioner for Refugees, China has continued to forcibly repatriate North Koreans, including dozens of presumed refugees who were the subject of international humanitarian appeals during February and March of 2012.

(6) The United States, which has the largest international refugee resettlement program in the world, has resettled 128 North Koreans since passage of the 2004 Act, including 23 North Koreans in fiscal year 2011.

(7) In a career of Asia-focused public service that spanned more than half a century, including service as a senior United States diplomat in times and places where there were significant challenges to human rights, Ambassador James R. Lilley also served as a director of the Committee for Human Rights in North Korea until his death in 2009.

(8) Following his 18 years of service in the House of Representatives, including as Chairman of the Foreign Affairs Subcommittee on East Asian and Pacific Affairs, Stephen J. Solarz committed himself to, in his words, highlighting ''the plight of ordinary North Koreans who are denied even the most basic human rights, and the dramatic and heart-rending stories of those who risk their lives in the struggle to escape what is certainly the world's worst nightmare'', and served as co-chairman of the Committee for Human Rights in North Korea until his death in 2010.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should continue to seek cooperation from foreign governments to allow the United States to process North Korean refugees overseas for resettlement in the United States, through persistent diplomacy by senior officials of the United States, including United States ambassadors to Asia-Pacific countries, and close cooperation with its ally, the Republic of Korea; and

(2) because there are genuine refugees among North Koreans fleeing into China who face severe punishments upon their forcible return, the United States should urge the People's Republic of China to—

(A) immediately halt its forcible repatriation of North Koreans;

(B) fulfill its obligations pursuant to the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, and the 1995 Agreement on the Upgrading of the UNHCR Mission in the People's Republic of China to UNHCR Branch Office in the People's Republic of China; and

(C) allow the United Nations High Commissioner for Refugees (UNHCR) unimpeded access to North Koreans inside China to determine whether such North Koreans are refugees requiring protection.

SEC. 4. SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.

Section 102(b)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended by striking ''2012'' and inserting ''2017''.

SEC. 5. RADIO BROADCASTING TO NORTH KOREA.

Not later than 120 days after the date of the enactment of this Act, the Broadcasting Board of Governors (BBG) shall submit to the appropriate congressional committees, as defined in section 5(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7803(1)), a report that describes the status and content of current United States broadcasting to North Korea and the extent to which the BBG has achieved the goal of 12-hour-per-day broadcasting to North Korea pursuant to section 103 of such Act (22 U.S.C. 7813).

SEC. 6. ACTIONS TO PROMOTE FREEDOM OF INFORMATION.

Subsections (b)(1) and (c) of section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended by striking ''2012'' and inserting ''2017'' each place it appears.

SEC. 7. SPECIAL ENVOY ON NORTH KOREAN HUMAN RIGHTS ISSUES.

Section 107(d) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817(d)) by striking ''2012'' and inserting ''2017''.

SEC. 8. REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE.

Section 201(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7831(a)) is amended, in the matter preceding paragraph (1), by striking ''2012'' and inserting ''2017''.

SEC. 9. ASSISTANCE PROVIDED OUTSIDE OF NORTH KOREA.

Section 203(c)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(c)(1)) is amended—

(1) by striking ''$20,000,000'' and inserting ''$5,000,000''; and

(2) by striking ''2005 through 2012'' and inserting ''2013 through 2017''.

SEC. 10. ANNUAL REPORTS.

Section 305(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7845(a)) is amended, in the matter preceding paragraph (1) by striking ''2012'' and inserting ''2017''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend and to submit extraneous materials for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4240, the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012. I would like to thank my co-author and ranking member, my good friend, Mr. BERMAN, and the dozens of bipartisan cosponsors who have joined us to continue the important human rights work that Congress began 9 years ago.

The North Korean regime remains one of the world's worst human rights abusers as the legacy of tyranny has been passed on to a new generation.

South Korea's National Human Rights Commission detailed, in a 380-page report released earlier this month, that Kim Jong-Un maintains the same hellish gulag as his father and grandfather before him.

Hundreds of thousands of men, women, and children are forced into slave labor, starved, and tortured to death in isolated camps. Even outside the camps, the North Korean people enjoy no freedoms of speech, religion, press, or assembly.

□ 1740

Officials crush any dissent and have reportedly authorized the on-the-spot execution of those attempting to flee the country.

A regime that maims its own people with impunity, cannot be trusted to keep its agreements with foreigners. Thus, solving the North Korean human rights issue is also an integral part of addressing the North Korean security threat.

North Korean women and girls are brutalized and trafficked in China, where they are sold into forced marriage and sexual slavery. And China, which sits on the Executive Board of the U.N.'s Refugee Protection Body, continues to forcibly repatriate North Koreans into danger.

H.R. 4240, Mr. Speaker, will continue the important bipartisan work of the North Korean Human Rights Act by extending, until the year 2017, its authorities to promote human rights, refugee protection, and freedom of information for the people of North Korea.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in strong support of H.R. 4240.

Mr. Speaker, I rise in strong support of H.R. 4240, The Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korean Human Rights Reauthorization Act of 2012, and I yield myself as much time as I may consume.

I'd like to begin by thanking the gentlelady from Florida and Chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for her leadership on this issue.

H.R. 4240 reauthorizes the North Korean Human Rights Act of 2004, along with some provisions that were included in the 2008 reauthorization. This bill, like its predecessors, is the product of a broad, bipartisan consensus regarding the atrocious human rights situation in North Korea.

This legislation continues to provide resources to assist North Korean refugees, support democracy and human rights programs, and promote freedom of information in the North. It also extends the Special Envoy for North Korean Human Rights Issues—a vital position that plays a central role in advocating for improved human rights in the North.

As innocent men, women and children flee the repressive North Korean regime at great personal risk, we have a moral obligation to assist these refugees and prevent their forcible repatriation. We must continue working with our close ally South Korea, other friends in the region, and the human rights community to expose the horrendous abuses being committed in the North.

Despite North Korea's efforts to appear ''strong and prosperous'' this year to celebrate the 100th birthday of the country's founder, vast numbers of its citizens continue to face starvation. Sadly, the North Korean regime's misguided priorities—pouring hundreds of millions of dollars into its so-called space program, its nuclear programs and its massive military—only underscore its cold-hearted callousness and blatant disregard for its own people.

For the vast majority of North Koreans, life remains as bleak as ever, with the average citizen enjoying no real political, religious, or personal freedoms. Hundreds of thousands of North Korean political prisoners remain imprisoned in gulags.

Some North Koreans endeavor to escape their country by any means possible—even if it means crossing into China, where many refugees are forced into prostitution and servitude. Others are sent back across the border to face torture or even death.

This bill calls on China to halt its forcible repatriation of North Koreans and allow the United Nations High Commissioner for Refugees unimpeded access to North Koreans inside China to determine whether fleeing North Koreans require protection.

Mr. Speaker, H.R. 4240 is an important demonstration of our bipartisan commitment to assist the North Korean people, and I urge my colleagues to support it.

I yield such time as he may consume to my friend and colleague from American Samoa (Mr. FALEOMAVAEGA), the ranking member of the Asia and Pacific Subcommittee.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend my good friend, the chairwoman of our Foreign Affairs Committee, as well as our ranking member, Mr. BERMAN, for bringing this legislation. And I am in full support, and I do associate myself with the comments and the statements made earlier by our great chairman as well as our ranking member, Mr. BERMAN.

I urge my colleagues to support this piece of legislation.

Mr. Speaker, I rise today in strong support of H.R. 4240, to reauthorize the North Korean Human Rights Act of 2004, and for other purposes. First, I want to thank House Foreign Affairs Chairwoman ILEANA ROS-LEHTINEN of Florida and Ranking Member HOWARD BERMAN of California for their leadership on this very critical issue. I also want to thank all the cosponsors and supporters of this legislation. This is an important piece of legislation because of the humanitarian assistance the U.S. provides North Korean refugees and for the promotion of democracy and freedom in North Korea.

H.R. 4240, or the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012, will allow the U.S. to continue to work with foreign countries in the assistance and migration of North Korean refugees to the U.S. It will also urge foreign countries, especially China, to stop the punishment and return of North Korean refugees. Importantly, H.R. 4240 will assist those who are providing humanitarian aid to North Koreans who are outside of North Korea.

Given that the U.S. has one of the largest Korean populations outside of the Korean Peninsula with millions who have ties to North Korea, the U.S. must continue its firm commitment to the aid of refugees and advocacy of human rights for the victims in North Korea. Even after the death Kim Jong-Il, North Korea continues to deprive its people of the most basic human rights. Both the international media and nongovernmental organizations continue to report of the severe military crackdown and brutal punishment for those who attempt to defect from North Korea.

Although it is estimated that there are less than 200 North Korean refugees who have resettled in the U.S. since 2004, I strongly believe that we must empower the North Korean people by continuing to promote democratic values and support of human rights programs.

On a personal note, I think it is only appropriate that this legislation is named in honor of the late Ambassador Lilley and the late Congressman Solarz who were the champions of human rights issues for the people of North Koreans. I even had the privilege to work closely with the late Congressman Solarz, who was Chairman of the East Asian and Pacific Affairs, the same subcommittee of which I am the Ranking Member today. I am grateful for his leadership and understanding of the Asia Pacific region.

Just as Ambassador Lilley and Congressman Solarz worked hard to protect the human rights of the North Korean people, we must remain vigilant in helping the people of North Korea who struggle daily to escape the oppression and tyranny of the North Korean regime.

Again, I thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for their leadership and I urge my colleagues to pass H.R. 4240.

Mr. BERMAN. Mr. Speaker, I have no further speakers. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time. I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of H.R. 4240, the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korean Human Rights Reauthorization Act of 2012. I commend Chairman ROS-LEHTINEN and Ranking Member BERMAN and the members of the House Foreign Affairs Committee for bringing this important measure to the floor.

Ambassador Lilley, as director of the Committee for Human Rights in North Korea and Congressman Solarz, as chairman of the House subcommittee on East Asia and later as co-chairman of the Committee on Human Rights in North Korea, refused to stand by silently as the North Korean government oppressed, abused and murdered its own people. Their leadership and advocacy helped to raise awareness about the deplorable conditions endured by the North Korean people, including the government's practice of executing on-the-spot attempted defectors.

This resolution encourages the United States government to continue working with foreign governments and with the Peoples Republic of China in particular, to help resettle refugees who escape North Korea. Additionally, the bill recognizes the efforts undertaken in North Korea by the Broadcasting Board of Governors and encourages the board to meet its goal of broadcasting 12 hours of daily radio transmissions into that country.

The United States has the largest international refugee resettlement program in the world. Since this Act was originally passed, 128 North Koreans have been successfully resettled, including 23 in the last year. The success of this program is a fitting tribute to the memory and work of Ambassador Lilley and Congressman Solarz.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4240, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF HOUSE REGARDING IMPORTANCE OF PREVENTING IRAN FROM ACQUIRING A NUCLEAR WEAPONS CAPABILITY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 568) expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 568

Whereas since at least the late 1980s, Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear capability;

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding the full and sustained suspension of all uranium enrichment-related and reprocessing activities by the Iranian Government and its full cooperation with the International Atomic Energy Agency (IAEA) on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas Iran remains in violation of all of the aforementioned United Nations Security Council resolutions;

Whereas, on November 8, 2011, the IAEA issued an extensive report that—

(1) documents ''serious concerns regarding possible military dimensions to Iran's nuclear programme'';

(2) states that ''Iran has carried out activities relevant to the development of a nuclear device''; and

(3) states that the efforts described in paragraphs (1) and (2) may be ongoing;

Whereas as of November 2008, Iran had produced, according to the IAEA—

(1) approximately 630 kilograms of uranium-235 enriched to 3.5 percent; and

(2) no uranium-235 enriched to 20 percent;

Whereas as of November 2011, Iran had produced, according to the IAEA—

(1) nearly 5,000 kilograms of uranium-235 enriched to 3.5 percent; and

(2) 79.7 kilograms of uranium-235 enriched to 20 percent;

Whereas, on January 9, 2011, IAEA inspectors confirmed that the Iranian Government had begun enrichment activities at the Fordow site, including possibly enrichment of uranium-235 to 20 percent;

Whereas Iran has repeatedly refused requests by IAEA inspectors to visit its Parchin military facility, a suspected site of Iranian activities related to testing of a nuclear weapon;

Whereas if Iran were successful in acquiring a nuclear weapon capability, it would likely spur other countries in the region to consider developing their own nuclear weapons capabilities;

Whereas, on December 6, 2011, Prince Turki al-Faisal of Saudi Arabia stated that if international efforts to prevent Iran from obtaining nuclear weapons fail, ''we must, as a duty to our country and people, look into all options we are given, including obtaining these weapons ourselves'';

Whereas top Iranian leaders have repeatedly threatened the existence of the State of Israel, pledging to ''wipe Israel off the map'';

Whereas the Department of State—

(1) has designated Iran as a ''state sponsor of terrorism'' since 1984; and

(2) has characterized Iran as the ''most active state sponsor of terrorism'';

Whereas Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hezbollah, and Shiite militias in Iraq that are responsible for the murders of hundreds of American forces and innocent civilians;

Whereas, on July 28, 2011, the Department of the Treasury charged that the Government of Iran had forged a ''secret deal'' with al Qaeda to facilitate the movement of al Qaeda fighters and funding through Iranian territory;

Whereas in October 2011, senior leaders of Iran's Islamic Revolutionary Guard Corps (IRGC) Quds Force were implicated in a terrorist plot to assassinate Saudi Arabia's Ambassador to the United States on United States soil;

Whereas, on December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in Iran, including torture, cruel and degrading treatment in detention, the targeting of human rights defenders, violence against women, and ''the systematic and serious restrictions on freedom of peaceful assembly'', as well as severe restrictions on the rights to ''freedom of thought, conscience, religion or belief'';

Whereas the Governments of the P5+1 nations (the United States, the United Kingdom, France, Russia, China, and Germany) have made repeated efforts to engage the Iranian Government in dialogue about Iran's nuclear program and its international commitments under the Treaty on the Non-Proliferation Nuclear Weapons;

Whereas talks between the P5+1 and Iran regarding Iran's nuclear program resumed on April 14, 2012, in Istanbul, Turkey, and the parties agreed to meet again on May 23, 2012, in Baghdad, Iraq;

Whereas in the 2006 State of the Union Address, President Bush stated that ''The Iranian Government is defying the world with its nuclear ambitions, and the nations of the world must not permit the Iranian regime to gain nuclear weapons.'';

Whereas, on March 31, 2010, President Obama stated that the ''consequences of a nuclear-armed Iran are unacceptable'';

Whereas in his State of the Union Address on January 24, 2012, President Obama stated, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.'';

Whereas Secretary of Defense Panetta stated, in December 2011, that it was unacceptable for Iran to acquire nuclear weapons, reaffirmed that all options were on the table to thwart Iran's nuclear weapons efforts, and vowed that if the United States gets ''intelligence that they are proceeding with developing a nuclear weapon then we will take whatever steps necessary to stop it'';

Whereas, on December 1, 2011, Deputy Secretary of State William J. Burns and Israeli Deputy Foreign Minister Daniel Ayalon issued a joint statement in Washington, DC, which emphasized that ''Iran is the greatest challenge we face today in the Middle East'' and that ''[c]ontinued efforts by the international community are critical to bringing about change in Iranian behavior and preventing Iran from developing a nuclear weapons capability.'';

Whereas the Department of Defense's January 2012 Strategic Guidance stated that United States defense efforts in the Middle East would be aimed ''to prevent Iran's development of a nuclear weapons capability and counter its destabilizing policies'';

Whereas, on March 4, 2012, President Obama stated that ''Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.''; and

Whereas, on April 9, 2012, President Obama stated ''[T]his continuing pursuit of nuclear weapons capability continues to be a major challenge.'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) warns that time is limited to prevent the Government of Iran from acquiring a nuclear weapons capability;

(2) urges continued and increasing economic and diplomatic pressure on Iran to secure an agreement with the Government of Iran that includes—

(A) the full and sustained suspension of all uranium enrichment-related and reprocessing activities;

(B) complete cooperation with the IAEA on all outstanding questions related to Iran's nuclear activities, including—

(i) the implementation of the Additional Protocol to the Treaty on the Non-Proliferation of Nuclear Weapons; and

(ii) the verified end of Iran's ballistic missile programs; and

(C) a permanent agreement that verifiably assures that Iran's nuclear program is entirely peaceful;

(3) expresses support for the universal rights and democratic aspirations of the Iranian people;

(4) affirms that it is a vital national interest of the United States to prevent the Government of Iran from acquiring a nuclear weapons capability;

(5) strongly supports United States policy to prevent the Government of Iran from acquiring a nuclear weapons capability;

(6) rejects any policy that would rely on efforts to contain a nuclear weapons-capable Iran; and

(7) urges the President to reaffirm the unacceptability of an Iran with nuclear-weapons capability and opposition to any policy that would rely on containment as an option in response to the Iranian nuclear threat.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend and to submit extraneous materials for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Resolution 568, which I introduced, together with the distinguished ranking member of the committee, the gentleman from California (Mr. BERMAN), my friend.

The Iranian regime continues to pose an immediate and growing threat to

the United States, to our allies, and to the Iranian people. In fact, just over the weekend, it was reported that the IAEA discovered a drawing that shows an explosive containment chamber of the type needed for nuclear arms-related tests. This was based on information from inside an Iranian military base.

Iran remains the world's leading state sponsor of terrorism, aiding multiple groups, including Hezbollah and Hamas, which continue to destabilize the Middle East and which are responsible for the deaths of Americans. It was only a few months ago that U.S. officials foiled a planned attack on U.S. soil that was commissioned by the Iranian regime, and the Iranian regime is believed to have been behind the attacks against Israeli Embassies that took place earlier this year.

I have much more to say, Mr. Speaker, but at this time I will reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in strong support of H. Res. 568, expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, and yield myself 3 minutes.

Mr. Speaker, this resolution is extremely timely, as next week the five permanent members of the U.N. Security Council and Germany will once again sit down with Iran to negotiate secession of Iran's nuclear weapons program. What better time for this body to send an unambiguous message that Iran must never be allowed to achieve a nuclear weapons capability and that its nuclear weapons program must end once and for all? That's exactly what this resolution does.

The United States must continue to take the lead in preventing Iran from obtaining the capability to build a nuclear weapon. If Iran were to achieve that capability, neighbors like Saudi Arabia and Egypt would want that capability as well. Others in the region would begin to defer to Iran as if it already were a nuclear power. And worst of all, once Iran acquires the capability, it would be able to build an actual nuclear weapon so quickly that we may not be able to stop it.

Stopping Iran from acquiring a nuclear weapons capability is not simply an American priority, but a global responsibility.

I want to be straightforward about my view. A regime that brutalizes its own people, trains, arms, and dispatches terrorist proxies, props up the repugnant Assad dictatorship, denies the Holocaust, and incites violence against and kills Americans should never be allowed to reach the nuclear threshold.

The urgent nature of the Iranian nuclear threat demands that the United States work with our allies to do everything possible diplomatically, politically, and economically to prevent Iran from acquiring a nuclear weapons capability. No option, as the President has said, can be taken off the table.

Mr. Speaker, the policy of preventing Iran from obtaining a nuclear weapons capability is not unfamiliar to the House of Representatives. Since 2009, we have passed five bills expressing congressional support for this policy. These bills have been supported by nearly every Member of the House.

The resolution before us today reminds us, as well as the world, how Iran has flaunted its flagrant disregard for U.N. Security Council resolutions, is an active state sponsor of terrorism, has engaged in serious human rights abuses against its own citizens, and plotted a heinous terrorist attack on American soil.

This resolution also reminds us of the urgency, as well as the seriousness, of the nuclear issue. And so, as the window is closing, we send a clear message that the House is aligned with the administration in thoroughly rejecting containment, a policy that would have us sit back and watch Iran get the bomb, then try to contain it as we contained the Soviet Union.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BERMAN. I yield myself an additional 30 seconds.

In fact, we have no choice but to stop Iran's nuclear weapons program before it ever reaches that point.

Mr. Speaker, I urge all of my colleagues to support this important resolution. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we know, Iran continues to sponsor violent extremist groups in Iraq and Afghanistan that have killed our men and women in uniform. With a nuclear weapons capability, the regime would dramatically increase its ability to threaten the United States and our allies.

We are running out of time to stop the nightmare of a nuclear weapons-capable Iran from becoming a reality. Estimates from the U.S. and Israeli officials indicate that Iran could develop nuclear weapons in less than 1 year. And even before the regime actually develops nuclear weapons, Iran may enter into what the Israeli Defense Minister calls a ''zone of immunity,'' and after that point we would have very few options left to actually stop Iran from going nuclear.

Right now, the regime is doing all it can to run down the clock and enter that zone of immunity. The most recent set of negotiations are just another way for Iran to hold off Western sanctions and buy more time to further their capabilities.

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We need to stop the regime before it possesses the capability to develop nuclear weapons, not before it makes a decision to develop nuclear weapons, because we may not know that they have actually made that decision until it is too late. Once that regime enters into the zone of immunity, it can decide at any time to develop nuclear weapons, and we would probably not be able to stop them.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the minority whip, my friend from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, the gentleman from California has been a leader on this issue as has the chair of the committee, ILEANA ROS-LEHTINEN. Representative BERMAN has been a leader in Congress when it comes to reminding us of how important it is to prevent the rise in nuclear war and a nuclear-armed Iran. We are fortunate as a country to have a partnership between the chair and the ranking member focused like a laser on this issue. So I thank my friend, Mr. BERMAN, and my friend, ILEANA ROS-LEHTINEN. Mr. BERMAN has also been instrumental in securing funding for the deployment of the Iron Dome anti-missile system to counter the threat from Iranian-supplied short-range rockets in the hands of terror groups like Hamas and Hezbollah.

I rise in strong support of the chair and ranking member's resolution, and I am proud to be a cosponsor with them of the resolution.

The most significant threat to peace, regional security, and American interests in the Middle East is Iran's nuclear program. This resolution makes clear that it is in America's security interest not to contain a nuclear Iran, but to prevent one. A nuclear Iran would destabilize an already volatile region where so many American troops are stationed—and a region so vital to the world's energy supplies.

Iran continues to be a sponsor of groups committed to the destruction of our ally Israel and of groups that threaten Americans throughout the world. Iran is believed to be pursuing not only a nuclear capability but also delivery technologies that could threaten our allies in Europe and the Middle East as well as American assets in the region.

Thankfully, the Obama administration has taken a strong lead in confronting Iran. President Obama has built a wide coalition of support that has imposed the strongest sanctions Iran has ever faced. In particular, we are hitting the Iranian Government where it hurts most—its oil exports and its banking sector. From the very start, his policy has been not containment but prevention.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. HOYER. This resolution reaffirms the administration's prevention policy, and I urge my colleagues to pass it as a strong sign that Iran must not be allowed to obtain a nuclear weapon.

Again, in closing, I want to congratulate the chair, ILEANA ROS-LEHTINEN, and the ranking member, HOWARD BERMAN, on their strong and unwavering leadership on this critically important issue to the national security of the United States of America and to international and global security as well.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

For the Iranian regime, the possession of the capability to produce a nuclear weapon would be almost as useful as actually having one. Tehran would be able to intimidate its neighbors and engage in even more threatening actions by reminding us that they could develop nuclear weapons anytime the regime wanted. Tehran might even decide not to reveal whether or not it had developed nuclear weapons, thereby keeping the world guessing and off balance indefinitely, all while claiming innocence. Tehran would be in the driver's seat, and the security of the United States, Israel, and our many other allies would be in their hands.

We need to make clear that containing a nuclear Iran is not an option, that nothing short of stopping Iran from developing a nuclear-weapons capability is good enough. So that is why Ranking Member BERMAN and I have introduced the resolution before us, House Resolution 568, which strongly supports preventing the Iranian regime from acquiring a nuclear-weapons capability. It rejects any policy that would rely on efforts to contain a nuclear weapons-capable Iran. It supports the right and democratic aspirations of the Iranian people. Lastly, it urges the President to reaffirm the unacceptability of an Iran with a nuclear-weapons capability and to oppose any policy that would rely on containment as an option.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. I am very pleased to yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank my friend from California, but, unfortunately, I must disagree with him.

This resolution contains broad and dangerous language that would undermine any diplomatic solution regarding Iran's nuclear program. Without explicit language stating there is no authorization for military action, this could be interpreted as a blank check for war. Former Secretary of State Colin Powell's chief of staff, Colonel Lawrence Wilkerson, stated:

> This resolution reads like the same piece of music that got us into the Iraq war.

Did not Congress learn anything from being hustled into a war based on misrepresentations?

At a time when the U.S. is engaging in its first successful direct talks with Iran in years, it is more critical than ever for Congress to support these negotiations. Even if language were added to H. Res. 568 to make it absolutely clear that this bill does not constitute an authorization for war and that only Congress can make such an authorization, it still puts Members of Congress on record as opposing a diplomatic solution, paving the way toward war with Iran. In the past, Congress has rejected its power to declare war, and now we want to tell the President that he can't declare diplomacy. Congress must reject resolutions that could lead the U.S. into yet another disastrous and costly war and tie the President's hands as he endeavors for a peaceful solution.

Have we not lost enough of our brave men and women to causes that are not in the interests of the U.S.?

H. Res. 568 lowers the bar for war by changing longstanding U.S. policy that Iran must not acquire nuclear weapons by, instead, drawing the red line for military action at Iran's achieving a nuclear-weapons capability. The term ''capability'' is undefined in the underlying resolution, and it could be applied to any country with a civilian nuclear program, including Japan and Brazil. This resolution, therefore, sets a precedent which could cause us to stumble from one war into another.

And, what, we haven't had enough wars?

Not all enrichment is devoted to building bombs. This resolution marks a significant shift in U.S. policy that could threaten critical upcoming negotiations with Iran on May 23. It is likely that a negotiated deal to prevent a nuclear-armed Iran would provide for Iranian enrichment for peaceful purposes, under the framework of the nonproliferation nuclear weapons treaty, with strict safeguards and inspections.

I want to point out, in conclusion, that Yuval Diskin, the former Shin Bet chief, has stated that attacking Iran will encourage them to develop a bomb.

Meir Dagan, the former Mossad chief, echoed his sentiment by saying:

> Attacking Iran is the stupidest thing I've ever heard of. It will be followed by a war with Iran. It's the kind of thing where we know how it starts but not know how it will end.

I think our diplomacy is having an effect, said General Martin Dempsey, Chairman of the Joint Chiefs of Staff.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

This resolution reaffirms the position of the House with respect to U.S. policy on Iran's nuclear program. Efforts to misrepresent this resolution really distract from the real problem, which is the increasing threat posed by Iran's nuclear program and the need to prevent Iran from obtaining a nuclear weapons capability.

Tehran has repeatedly lied to the world about its secret nuclear activities; Tehran has violated international nonproliferation obligations; and it has repeatedly threatened to destroy our ally Israel.

Just earlier this year, Ayatollah Khamenei said:

> The truly cancerous Israel must be destroyed in the region, and this will without doubt come to fruition.

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It is abundantly clear that Iran cannot be trusted with uranium enrichment or any component of the nuclear program. Even the U.N. Security Council resolutions have demanded that Iran stop all uranium enrichment and reprocessing.

Unless compelled to change course, Iran will soon have all of the basic components or capabilities to produce a nuclear weapon. The only thing that would be left for them to do will be to put the pieces together.

According to the International Atomic Energy Agency, Iran is expanding its stockpiles of uranium, advancing its missile capabilities, and burying and hiding its nuclear infrastructure. As if that were not enough, the smoking gun in the IAEA's November 2011 report was that Iran carried out, ''work on the development of an indigenous design of a nuclear weapon, including the testing of components.'' In addition, the IAEA uncovered evidence that Iran was attempting to miniaturize a warhead to fit on top of a ballistic missile.

As we fast-forward to this weekend, drawings were revealed showing a secret chamber at an Iranian military facility of the type needed for nuclear weapons testing. Again, the regime is building up its capacities on all fronts. When it has mastered all of these, Tehran would be able to intimidate its neighbors and engage in even more threatening actions, always with the threat that it could flip the switch and produce nuclear weapons at any time. At that point, the U.S. and other responsible nations would have no other option but to sit in fear of this nuclear-armed state sponsor of terrorism.

We must reaffirm our commitment to adoption of this resolution and stronger sanctions legislation to prevent this doomsday scenario from becoming a reality.

With that, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to the Delegate from American Samoa, the ranking member of the Asia and the Pacific Subcommittee of the House Foreign Affairs Committee, Mr. FALEOMAVAEGA.

Mr. FALEOMAVAEGA. Mr. Speaker, it is imperative that the United States and the international community understand that a nuclear-capable Iran is a global threat and a danger to the United States and, just as important, to the State of Israel, where Iranian leaders have continued to threaten Israel's existence by pledging that Israel must be wiped off the map. This is a direct threat to our closest ally in the Middle East.

Iran's reckless attitude continues to be a stimulus for the instability in the Middle East. My greatest fear is that a nuclear-capable Iran will cause other countries in the region to also build their own nuclear program.

With that, Mr. Speaker, I want to associate myself with the eloquent statements made earlier by our good chairman, Chairman ROS-LEHTINEN, and my good friend, Ranking Member BERMAN.

Mr. Speaker, I rise today in support of H. Res. 568, expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability. I want to thank House Foreign Affairs Chairwoman ILEANA ROS-LEHTINEN of Florida and Ranking Member HOWARD BERMAN of California for their leadership on this very important matter. I also want to thank all the cosponsors and supporters of this critical resolution.

H. Res. 568 reiterates the United States policy against the Government of Iran from ever acquiring nuclear arms capability and expresses the U.S.'s strong support for ensuring that the universal rights and aspirations for democracy of the Iranian people are protected.

It is imperative that the U.S. and the international community understand that a nuclear-capable Iran is a global threat and a danger to the U.S. and just as important to the State of Israel where Iranian leaders have continued to threaten Israel's existence by pledging that Israel must be ''wiped off the map.'' This is a direct threat to our closest ally in the Middle East. Iran's reckless attitude continues to be a stimulus for instability in the Middle East. My greatest fear is that a nuclear-capable Iran will cause other countries in the region to build their own nuclear weapons.

The United Nations Security Council has passed many resolutions demanding the suspension of Iran's nuclear program but it has fallen on deaf ears. In 2011, the International Atomic Energy Agency (IAEA) has reported that Iran's nuclear program was suspected of having ''possible military dimensions'' in their program and that Iran has continued to enrich uranium to levels that are capable of building a nuclear weapon.

The U.S. and our international community must continue to enforce economic and political sanctions on Iran. I certainly commend President Obama and his Administration for maintaining his position in not ''taking any options off the table'' in preventing Iran from ever having a nuclear weapon. The Administration must continue to pressure Iran to agree in having full and complete cooperation with the IAEA in addressing concerns relating to their nuclear activities.

I thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN again for their leadership and I urge my colleagues to pass H. Res. 568.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to the gentlelady from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Thank you, Ranking Member BERMAN, for yielding the time. I would like to engage the gentleman in a colloquy.

After reading the resolution and studying it, I just have a couple of questions that I would ask that you clarify your understanding about the resolution, and that is the resolved clauses, especially clauses 4 through 7, which are of some concern to me, but I'm interested in hearing from you.

In your view, does this resolution in any way constitute an authorization for the use of military force?

Mr. BERMAN. Will the gentlelady yield?

Ms. EDWARDS. I yield to the gentleman from California.

Mr. BERMAN. Absolutely not. This resolution is no way intended and in no way can it be interpreted as an authorization for the use of military force. It is a nonbinding resolution that endorses a diplomatic resolution to the Iranian nuclear program. It includes no operative authorizations regarding the use of force.

The SPEAKER pro tempore. The time of the gentlewoman from Maryland has expired.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Some may put forth the argument that this resolution undermines and threatens the ongoing P5+1 negotiations. The truth is, Mr. Speaker, that the Iranian regime is using these negotiations as a way to buy time and continue enrichment without any additional sanctions.

Time and again, the United States has come to the table with Iran, made concession after concession, and left with nothing in return. In one example, last month, the Los Angeles Times reported that U.S. officials are now willing to let Iran continue enriching uranium, even though multiple U.N. Security Council resolutions demand that Iran immediately halt uranium enrichment. And today's New York Times included a report, entitled, ''Iran Sees Success in Stalling on Nuclear Issue,'' and the report states:

Iran's negotiation team may be less interested in reaching a comprehensive settlement than in buying time and establishing the legitimacy of its enrichment program.

I couldn't say it better. It's time to stop glorifying negotiations for the sake of negotiations. This resolution strengthens the U.S. position and our leverage.

With that, I reserve the balance of our time.

Mr. BERMAN. I am pleased to yield 1 minute to a member of the Foreign Affairs Committee, my friend from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I thank the gentleman from California, and I rise today in strong support of House Resolution 568, a resolution making clear that the United States' policy towards Iran is not one of containment but is one of prevention.

I'm pleased to have co-introduced this resolution with a bipartisan group of colleagues, including the chair, Ms. ROS-LEHTINEN.

Indeed, this Congress, this administration, and this President understand that failing to prevent a nuclear-armed Iran would ignite a destabilizing arms race in the Middle East, would threaten the very existence of our ally Israel, and would endanger the security of the American people.

As Iran faces growing international isolation, now is not the time to roll back crippling economic sanctions, nor should we fall victim to this regime's penchant of hiding behind the pretense of negotiations simply to buy more time. With this resolution, we will send a message to Iran's regime and to the world that the U.S. will accept nothing less than a strict policy of prevention when it comes to this regime's illicit quest for nuclear weapons.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time to close on the resolution.

Mr. BERMAN. Mr. Speaker, I do have a few more speakers.

I am now pleased to yield 1 minute to the ranking member of the Europe and Eurasia Subcommittee of the House Foreign Affairs Committee, the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I rise today in support of H. Res. 568. This resolution supports President Obama's policy towards Iran.

As the President stated during the AIPAC annual convention in March:

Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.

President's Obama's commitment to Israel's security is ironclad. America has stood with Israel under this administration which has facilitated unprecedented levels of security assistance for Israel, increasing every single year, even in a tough domestic budget environment. Above all, President Obama has directed his administration to prevent—not merely contain—Iran achieving nuclear weapons capability.

I urge my colleagues to vote in favor of this resolution, supporting the President's position and affirming that the U.S.-Israel relationship is too important to be distorted by politics.

I thank Chairman ROS-LEHTINEN and Ranking Member HOWARD BERMAN for bringing us together in a united way and passing this resolution.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey, an individual who knows a lot about this subject, Mr. HOLT.

□ 1810

Mr. HOLT. Mr. Speaker, I thank the ranking member.

The threat of nuclear proliferation is the greatest threat to world peace. A nuclear Iran would destabilize the region and threaten the United States and our allies.

This resolution is not an authorization for military force. It is not a call for war. I would not support this resolution if it were.

Our shared goal must be to persuade Iran to end its nuclear weapons program. That's President Obama's purpose in agreeing to negotiations. That's our purpose here. The world does not have many tools available, but we should use, and the world is united in using, economic and diplomatic pressure. This does not preclude diplomatic resolution. In fact, it makes diplomatic resolution more possible.

Of course, ultimately, Iran should decide that it's not in her people's interest for Iran to pursue nuclear weapons. And we and all nuclear powers should stop behaving as if we think nuclear weapons are beneficial for a country. This resolution will help move us in that direction.

Mr. BERMAN. Mr. Speaker, could we get an indication of the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from California controls 6 minutes, and the gentlewoman from Florida controls 10 minutes.

Mr. BERMAN. I thank the Speaker.

I yield 1½ minutes to the other expert from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I would like to thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for bringing this resolution forward. I regret but do not doubt its necessity.

The issue raised in this resolution is not whether we are authorizing war—because we clearly are not. The issue is not whether the President would have to come to this Chamber—any President—should he conclude that war is necessary—because he clearly would. The issue in this resolution is not whether we should conduct negotiations but how we should conduct negotiations. And this resolution gives us an emphatic opportunity to say that when we are negotiating with a country that has conceived its nuclear weapons program in secret, that has brandished its nuclear weapons program with the rhetoric of hostility, and for whom the attainment of a nuclear weapon would be fraught with peril for free people everywhere, then in the context of that negotiation, our position must be that we will not support or stand for an Iran with nuclear weapons.

This is the issue. I would urge a ''yes'' vote. And, again, I thank the chair and the ranking member for their patriotic and unified leadership on this question.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 3 minutes to my friend from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this.

This is no dispute in this Chamber that a nuclear armed Iran is completely unacceptable. That's why it was so encouraging to hear the Democratic whip say with assurance—and I think we all agree—that we are hitting Iran where it hurts the most.

The news this weekend was filled with accounts of ''dark'' ships of oil tankers of Iran that are unable to deliver oil. They are having their oil trade significantly constricted. Their economy is being battered, their currency in free-fall.

The President has assembled the broadest coalition we have seen uniting behind this diplomatic effort. We have had a range of people in the past who have been, I think, too sympathetic to Iran or at least have not stood up to them. But they are falling in place with us.

Now we are on the verge of what hopefully will be encouraging diplomatic efforts scheduled to start next week. The resolution claims to support an endorsed diplomacy but, in fact, the timing and the wording undercuts that.

Now is the time that we ought to be united and we ought to be focused. We ought to make sure that we have a positive environment to seize on the pain that is being inflicted on the regime, to be able to capitalize on the coalition and be able to make progress. Instead, we have a resolution—and these concepts have been bandied about now for several months—but we have a resolution that's rushed to the House floor, unsettlingly timed before the negotiations.

It never had a hearing. It never had a markup. There was no opportunity to find out what, actually, the implications are of changing a standard from preventing Iran from ''acquiring'' nuclear weapons to preventing Iran from ''obtaining'' a nuclear weapons capability. These are not small matters, and they bear on the ultimate success of our coalition, the diplomacy, because every expert has concluded that an armed intervention, a military attack against Iran would be disastrous for all involved. And my colleague from Ohio quoted people from the Israeli Government who are convinced that military action would be folly.

But the point is, we shouldn't be at this point. We shouldn't be casting a cloud over the negotiations. It's unnecessary. It's nonproductive. I would urge a ''no'' vote.

Mr. BERMAN. Mr. Speaker, I yield myself the remainder of my time.

Ms. EDWARDS. Will the gentleman yield?

Mr. BERMAN. I yield to the gentlelady from Maryland.

Ms. EDWARDS. Mr. Speaker, if I could just ask the ranking member whether, under this resolution, the President would be required to come to the Congress for a specific authorization for the use of military force.

Mr. BERMAN. I thank the gentlewoman for the inquiry.

The President is the Commander in Chief. There is no authorization for the use of force.

Contrary to what was said earlier by my friend from Ohio, whatever one thought about the decision to go to war in Iraq, 5 months before that, Congress very explicitly provided an authorization for the use of force. There is nothing in this resolution, and there is no intention in this resolution, to provide that authorization.

Nuclear weapons capability—there are three elements, as defined by the Director of National Intelligence: fissile material production, one. Design, weaponization, and testing of a warhead, two. A delivery vehicle. To be nuclear-capable, you really have to have to master all three elements.

While Iran has the delivery system, they have not yet mastered—but they are making progress—on steps one and two. And if one day, when they've mastered all the other elements and they kick out the inspectors and they shut off the cameras, I will consider them nuclear-capable.

This is about achieving a goal through economic sanctions rigorously applied to achieve a diplomatic resolution. It is the perfect time to bring up this resolution.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Just 2 months ago, President Obama extended the national emergency, as we heard, with respect to Iran, declaring that the regime's activities pose ''an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.''

Well, this resolution is an important statement, clarifying congressional commitment to countering the Iranian threat. However, our focus must be on rapidly and dramatically ratcheting up sanctions, without the glaring exceptions that we now have, in order to put our boot on the throat of this dangerous regime.

□ 1820

We must compel the Iranian regime to permanently and verifiably dismantle its nuclear program, abandon its unconventional and missile development programs, and end its support for violent extremism. We do not want to

look back, Mr. Speaker, and wish that we had heeded the warning signs.

We anxiously await the other body's strengthening and passage of companion legislation to the measures that the House passed months ago. We must meet our responsibility to the American people and protect the security of our Nation, our allies, and the world from this threat of a nuclear capable Iran.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for H. Res. 568.

This bi-partisan resolution signifies the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.

I want to thank my friend from Florida, Congresswoman ILEANA ROS-LEHTINEN, for introducing this resolution.

For over 20 years Iran has engaged in a sustained and well-documented pattern of deceptive activities to acquire a nuclear capability outside of what can be considered for peaceful use.

The UN Security Council has adopted a number of resolutions since 2006 demanding the suspension of uranium enrichment-related and reprocessing activities by Iran and its cooperation with the IAEA on all nuclear activities, including the possible militarization of its nuclear program.

The IAEA's extensive report documents ''serious concerns'' regarding military dimensions to Iran's nuclear activity in hopes of developing a nuclear device.

If Iran is successful in acquiring a nuclear weapon capability, it will force other countries in the region to consider developing their own nuclear capabilities; notably, Saudi Arabia.

Iranian leaders have previously threatened the existence of Israel, pledging to ''wipe Israel off the map'' and since 1984 Iran has been recognized by the State Department as an active sponsor of terrorism.

I feel just as President Obama has previously stated, ''that the consequences of a nuclear-armed Iran are unacceptable'' and we are determined to prevent Iran from getting a nuclear weapon.

Our Congress must stand in one voice and prevent Iran from acquiring a nuclear weapons capability.

I ask my colleagues to join me in condemning Iran's nuclear ambitions and vote in favor of H. Res. 568.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of H. Res. 568, a bipartisan resolution affirming that it is our nation's policy to prevent Iran from acquiring nuclear weapons capability and emphasize that containment is not a viable option.

Iran is developing the capability to quickly produce a nuclear weapon at a time of its choosing. Iran's acquisition of such a capability would create a significant new regional danger and be an immediate threat to America's interest and allies in the Middle East.

A nuclear Iran would most likely trigger an arms race in the region that could de-stabilize an already fragile peace and threaten the global economy.

It is imperative that our nation continue to strengthen existing diplomatic and economic pressure on Iran and force it to change course before it is too late.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H. Res. 568, ''Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.'' As a member of the Homeland Security Committee and a proud cosponsor of this resolution, I believe it is of critical importance to American security to continue dialogue with Iran. However, we must also take a clear stance that the United States will take the necessary steps to prevent Iran from obtaining nuclear weapons.

H. Res. 568 rejects the possibility of containing a nuclear Iran. If Iran is able to develop nuclear weapons, Tehran will be able to leverage its new capabilities to secure its own agenda at the expense of broader American interests. Such a program would also likely spur other Middle Eastern countries to develop their own nuclear capabilities, leading to an arms race and massive instability. The development of these weapons is not just bad for the region. It is dangerous to the global community.

The United States has always maintained a strong relationship with the State of Israel and is committed to its security and prosperity. I was particularly alarmed to hear of top Iranian officials threatening to ''wipe Israel off the map,'' and I urge my colleagues not to take this threat lightly. The United States has a demonstrated history of supporting democracy, human rights, and peace throughout the Middle East. A nuclear arms race would be an affront to this ideal.

Mr. Speaker, I also stand with the people of Iran and strongly advocate for their rights and security. The United Nations' General Assembly has condemned Iran for failing to meet international human rights standards and expressed concern over a high frequency of executions and violations of minority groups' rights. As the United States exercises sanctions against Tehran, I would like to highlight the message that we are not seeking to punish the Iranian people and that we wish for them a responsive and stable government.

Mr. Speaker, we cannot afford to watch this situation continue to escalate while we sit idly by. President Obama, Secretary of Defense Panetta, and other American leaders have united and pledged to prevent Iran's nuclear weapons capability at any cost. I am proud to be a cosponsor of H. Res. 568 and hope that Congress can also unite to become another powerful voice against Iranian aggression.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to support H. Res. 568, ''Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.'' This measure affirms that it is vital to our national interest to prevent Iran from acquiring weapons of mass destruction. It also makes clear that our time is limited and we must act to prevent Iran from acquiring full nuclear weapons capability. As a Ranking Member of the Homeland Security Subcommittee on Transportation Security, I am well versed in the dangers posed by allowing countries who are against our interests to gain nuclear weapons. I have always been and will continue to be concerned for the average citizen of Iran. This measure is not a reflection of the will of the average Iranian but a reflection of the government which currently represents them. H. Res. 568 represents our commitment to national security.

The United States of America should increase economic and diplomatic pressure on Iran to secure an agreement that includes: (1) the suspension of all uranium enrichment-related and reprocessing activities, (2) ensures Iran's complete cooperation with the International Atomic Energy Agency, IAEA, regarding their nuclear activities, and (3) a permanent agreement that verifiably assures that Iran's nuclear program is entirely peaceful.

I support the Iranian people's universal human rights and access to inclusive, democratic representation. H. Res. 568 urges the President to reaffirm the unacceptability of an Iran that has nuclear weapons capability. This piece of legislation calls for enforcing tougher sanctions against Iran. Iran has been involved in the proliferation of weapons of mass destruction, whether they are nuclear or chemical or biological.

This timely piece of legislation addresses the need for the U.S. to take a strong stance against the aggressive and hostile behavior of these three countries. These governments are not our friends. We must not underestimate their ability to manufacture nuclear weapons. The government of Iran, under its president and leader, Mahmoud Ahmadinejad, has pursued policies undermining democracy and threatening regional security as well as our own national security.

Iran's actions regarding its nuclear program have been highly troublesome. Investigations conducted by the U.N.'s International Atomic Energy Agency, IAEA, have revealed that Iran has been in violation of the Nuclear Non-proliferation Treaty time and time again. In 2003, Iran confirmed that there are sites in the cities of Natanz and Arak that are under construction. But Iran insisted that these sites, like Bushehr, are designed to provide fuel for future power plants and nothing else.

Subsequent actions, however, have led us to believe otherwise. Stemming from the most recent IAEA report, experts believe that, with further enrichment of its existing stockpile of uranium, Iran already has enough raw material to make two or three nuclear weapons. Even though having the raw material is different from having an actual weapon, Ahmedinejad's belligerent and hostile actions create an atmosphere dangerous to U.S. national security.

Iran also has a horrific human rights abuse record. On December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in Iran.

The resolution included torture, cruel and degrading treatment in detention, the targeting of human rights defenders, violence against women, and ''the systematic and serious restrictions on freedom of peaceful assembly'' as well as severe restrictions on the rights to ''freedom of thought, conscience, religion or belief.''

The Iranian regime's treatment of women is particularly heinous. Prominent human rights activist Shirin Ebadi, the 2003 Nobel Peace

Prize Laureate, has faced intensified persecution from the Iranian government for her courageous activism and efforts to promote women's rights in Iran.

On 21 December 2008, dozens of government agents carried out a raid on the Defenders of Human Rights Center, run by Ms. Ebadi. The Center provides legal assistance to victims of human rights violations.

The raid on the Center occurred hours before they were planning on holding an event there to commemorate the 60th anniversary of the Universal Declaration of Human Rights. Center staff members and guests were harassed and intimidated and the center was forcibly closed. Later, officials identifying themselves as tax inspectors came to the Center to remove documents and computers, despite Ms. Ebadi's protests that they contained protected lawyer-client information. Ms. Ebadi has repeatedly been subjected to threats and intimidation for the work she does. Occurrences like this must stop.

The United States' relations with Iran have been volatile and tumultuous for almost 60 years. We are engaging with a hostile regime that has not demonstrated a desire to compromise or an ability to admit to its wrongdoings. Our focus now is to address the security concerns in the region.

The provisions put forth in this bill are vital to ensuring our nation's security interests. Those who govern Iran must be held accountable for its actions.

Mr. MORAN. Mr. Speaker, Iran's failure to comply with U.N. Security Council resolutions regarding its nuclear program, or its responsibilities as a member of the International Atomic Energy Agency, are deeply troubling.

A nuclear-armed Iran would represent a grave threat to the interests of the United States, Israel, and our other allies in the Middle East. This body has forcefully and repeatedly emphasized the singular importance of contributing to Israel's defense and well-being, most recently only last week when we overwhelmingly passed H.R. 4133, affirming the strategic relationship between Israel and the United States.

Sadly, the resolution before us does not contribute in any appreciable way either to Israel's security or to the goal of compelling Iran's cooperation on their nuclear program. The ambiguous language of H. Res. 568 effectively redefines the circumstances that could be used to justify a military strike against Iran. This could make it harder to reach an agreement through negotiations, since it could be argued that Iran—and indeed any country with a civilian nuclear program—already possesses ''nuclear weapons capability.'' The consensus in the U.S. and Israeli intelligence community remains that Iran has not made the decision to move ahead with the development of a nuclear weapon.

Furthermore, the resolution declares that, of all possible responses should Iran make that decision, our government cannot consider containment. By combining these two provisions, even in a non-binding resolution, the Congress risks accelerating a drive to war.

Since President Obama took office, the United States has carefully built a comprehensive regime of multi-lateral sanctions in response to Iran's intransigence. After extensive diplomatic efforts by this administration, Iran agreed to reengage with the international community, and the second major negotiations session will take place in Baghdad on May 23.

The United States and our partners enter the dialogue with Iran from a position of strength and unity, while reports indicate Iran's leadership is divided and weak. With the P5+1 negotiations, we have a unique opportunity to demonstrate our resolve to achieve the goal of full compliance by Iran with IAEA expectations, while reversing the clock on Iran's nuclear efforts and building toward a permanent agreement that ensures Iran will never develop a nuclear weapon.

The United States built a global alliance against Iran with the support of close, like-minded allies Britain, Germany and France. But our efforts also rely heavily on Russia and China, partners that have at times seen this issue very differently. It is critical that we maintain a consistent and reasoned approach towards Iran that will help us maintain this network of partners.

As we wind down two wars in the region, it is urgent that we make the most of our extensive diplomatic efforts and the platform of stringent sanctions the world community has imposed on Iran. We must capitalize on the opportunity presented by the Baghdad talks. This resolution is inconsistent with that aim.

Mr. REED. Mr. Speaker, I rise today to voice my support for H. Res. 568. It is imperative that the United States takes necessary steps to ensure that Iran is unable to acquire the capability to produce nuclear weapons.

The United States and all our allies must respond to this threat immediately. The stability of the entire Middle East region hangs in the balance as Iran seeks this technology. Iranian President Mahmoud Ahmadinejad has openly threatened both the United States and Israel in the recent past and as a result, swift and harsh sanctions must be put in place against the Iranian regime.

The United States' security and interests are clearly in danger. Satellite intelligence provides us with enough information to confidently assess that Tehran is concealing their true actions. International inspectors have been denied entry into the facilities, a troublesome act if there is nothing to hide. The containment and appeasement of Iran must not be considered. Instituting aggressive sanctions against this radical regime is a prudent and necessary course of action.

Mr. CAPUANO. Mr. Speaker, I rise today to discuss my vote in favor of H. Res. 568.

I would like to clarify that nothing in this resolution authorizes or empowers military action by the United States or U.S. encouragement of the use of force by any other country at this time. I have long made plain my conviction that all options should be available with respect to the Iranian nuclear program. I do not believe the military option should be taken off the table for future discussion at a future time. However, this is not an appropriate time to seriously consider or even to hint at military strikes. Most informed observers believe sanctions are heavily affecting the Iranian regime and may be moving it to recognize that the international community is united in opposition to its nuclear project. This is not the moment to loosen the screws, nor is it the moment for cheap bellicosity. Issues of peace and war should not be exploited for political advantage.

I vote yes despite these concerns. I regret that the leadership of this House has chosen this moment to make an unnecessary and untimely political statement. I believe this is profoundly ill timed and injudicious. I call upon the House leadership to stop holding such unhelpful votes at politically charged moments. This resolution heightens the rhetoric in a way that is at best unhelpful to ongoing, promising diplomatic efforts and may be actively damaging.

In addition, I note that the inclusion of language regarding Iran's ''nuclear weapons capability'' is overly broad and undefined. When considering such weighty issues, clarity is of the utmost importance, and Congress should be precise in what we are asking for in this resolution so that we may avoid misinterpretation.

Finally, I point out that the last resolve clause, which ''urges the President to reaffirm the unacceptability of an Iran with nuclear-weapons capability and opposition to any policy that would rely on containment as an option in response to the Iranian nuclear threat,'' is unnecessary and insulting. President Obama has always been clear, forceful, and mature when dealing with the Iranian nuclear program. It is evident that this clause is a political statement meant to score points during a political season.

Nonetheless, with these concerns I am required to vote. Though I considered answering present, I want to be clear about my strong stance on this issue. I do believe that a nuclear armed Iran would pose a danger to the peace of the region and the world. So, today I vote in favor of H. Res. 568, with the clear concerns I have stated.

Mr. PAUL. Mr. Speaker, I strongly oppose H. Res. 568, a resolution ''expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.''

Once again we see on the ''suspension'' calendar, which is customarily reserved for non-controversial legislation, a resolution designed to move the U.S. toward a military conflict with Iran. Sadly, it has become non-controversial for Congress to call for U.S. attacks on foreign countries that have neither attacked nor threatened the United States.

We should not fool ourselves about the timing of this legislation. Next week, high-level talks between Iran and the five permanent U.N. Security Council members plus Germany, P5+1, will resume. Those who seek U.S. military action against Iran must fear that successful diplomacy will undermine their calls for war.

Disturbingly, some of my colleagues have suggested this resolution can be read as a form of ersatz Congressional approval for the use of military force against Iran.

The International Atomic Energy Agency, IAEA, has the authority to monitor the Iranian nuclear program to determine whether nuclear material is being diverted from civilian to military uses. The IAEA has never reported an Iranian violation. This legislation attempts to scare us into believing otherwise, but that fact remains. And the U.S. Intelligence Community agrees with IAEA conclusions on this matter.

The most dangerous aspect of H. Res. 568 is that it dramatically lowers the threshold for conflict with Iran by replacing the prohibition against acquiring nuclear weapons to a prohibition against a ''capability'' to develop nuclear weapons.

However, as former senior Bush administration official, Flynt Leverett, has stated:

Iranian efforts to develop a ''nuclear weapons capability''. . . may make American and Israeli elites uncomfortable. But it is not a violation of the NPT. . . . While the NPT prohibits non-nuclear-weapon states from building atomic bombs, developing a nuclear weapons capability is, [allowed] under the NPT . . . It is certainly not a justification—strategically, legally, or morally—for armed aggression against Iran.

But this resolution states that the House ''rejects any United States policy that would rely on efforts to contain a nuclear weapons-capable Iran.'' That makes it very clear that the intent of the House is to authorize force against Iran not if it acquires a nuclear weapon, but if it has a ''capability'' to acquire them some time in the future. The term ''capability'' is left undefined, of course, leaving it open to very broad interpretations by this and future administrations.

Mr. Speaker, this is incredibly dangerous legislation. I urge my colleagues in the strongest manner to reject this stealth authorization for war on Iran.

Mr. DINGELL. Mr. Speaker, I rise in support of H. Res. 568, a resolution emphasizing the importance of preventing the Government of Iran from acquiring a nuclear weapon. I have long held that the United States should make every effort to stop Iran from acquiring a nuclear weapon and this resolution is consistent with that belief. Allowing them to do so would needlessly create instability in the region, potentially spark a nuclear arms race, and would threaten our ally Israel. As someone who has consistently defended the security of Israel, such an outcome would be unacceptable.

I applaud President Obama for taking a strong and decisive stand on this important issue. H. Res 568 recognizes the President's March 31, 2010 statement that the ''consequences of a nuclear-armed Iran are unacceptable,'' and I wholeheartedly agree. That being said, we should give diplomacy and tough economic sanctions every chance to succeed in dealing with Iran. As I have said in the past, the consequences of rushing to war are grave and should be made with all due consideration. I have high hopes for the talks that the international community is holding with Iran at the end of the month, and look forward to seeing the result. The whole world is indeed watching.

Mr. VAN HOLLEN. Mr. Speaker, I rise as a cosponsor of H. Res. 568 to commend Chairman ROS-LEHTINEN and Ranking Member BERMAN for crafting this bi-partisan resolution and to urge my colleagues to support the bill.

As President Obama has made clear, it is unacceptable for Iran to develop a nuclear weapon. The U.N. Security Council has passed numerous resolutions demanding that Iran comply with the Nuclear Nonproliferation Treaty and suspend its nuclear enrichment activities. The IAEA has repeatedly found Iran to be in violation of the U.N. resolutions.

A nuclear-armed Iran would pose a grave threat to the State of Israel, a country the President of Iran has stated should ''be wiped off the map.'' A nuclear Iran would also trigger a nuclear-arms race in the Middle East that would further destabilize an already volatile region. It is in the national security interests of the United States to prevent Iran from obtaining nuclear weapons.

The economic sanctions imposed on Iran have succeeded in bringing the Iranians to the negotiating table in Istanbul. It remains to be seen whether the Iranians are simply engaged in stall-tactics or are willing to end their effort to produce weapons-grade nuclear material. I know the Obama Administration will insist on a verifiable agreement when talks resume later this month. This resolution should send a strong signal to the Iranian regime that Congress stands with President Obama on this critical matter.

Mr. PASCRELL. Mr. Speaker, I rise in strong support of H. Res. 568, Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability. I reluctantly missed this vote due to a longstanding commitment to give the commencement address at Passaic County Community College, in my district, but had I been present, I would have voted AYE.

I am a proud to co-sponsor this legislation. It is completely unacceptable to allow Iran to obtain nuclear weapons, and the government of Iran has isolated itself from the community of nations because of its refusal to negotiate or suspend its program. I have long supported strong sanctions on the Iranian regime to pressure them to abandon their nuclear program.

A nuclear Iran would pose an existential threat to Israel, our greatest ally in the Middle East. I have always been a strong supporter of Israel's right to exist and defend itself, and I believe that the nation of Israel truly shares the ideals of freedom and democracy with the United States. Additionally, as a state sponsor of terror, the possibility that Iranian nuclear weapons could fall into the wrong hands is all too real. This would greatly increase the chance that a nuclear weapon could be detonated anywhere in the world. For these reasons, we simply cannot afford to contain a nuclear armed Iran.

I commend the House of Representatives for passing this legislation by an overwhelming bipartisan majority, which demonstrates the incredible level of support in the United States Congress and among the American people for protecting Israel and preventing Iran from obtaining nuclear weapons or nuclear weapons capability.

Mr. HONDA. Mr. Speaker, the House of Representatives overwhelmingly passed H. Res. 568, a resolution expressing a sense of the House regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability. Despite agreeing with the overall intent of the resolution, I was compelled to vote ''present'' due to concerns about how the resolution was drafted.

I wholeheartedly believe that stopping the proliferation of nuclear weapons is necessary to ensure the peaceful security of our Nation, and the world. Accordingly, I am gravely concerned about the prospect of a nuclear weapon-armed Government of Iran, which has vehemently antagonized its regional neighbors, particularly our ally Israel. H. Res. 568 expresses this concern and supports a permanent agreement with Iran that assures its nuclear program is entirely peaceful. I also agree with the support expressed in H. Res. 568 for the universal rights and democratic aspirations of the Iranian people, many of whom have suffered greatly in pursuit of these noble causes.

Unfortunately, H. Res. 568 employs dangerously ambiguous language when reframing U.S. policy to prevent this potential nuclear weapon threat. The resolution references nuclear weapons ''capability'' as a new basis for U.S. policy. A loose interpretation of the undefined ''capability'' term, combined with the resolution's strong rejection of any policy—U.S. or otherwise—that does not prevent a nuclear weapons-capable Iran, can easily accelerate the rhetoric for military action against Iran. Furthermore, the resolution's policy restrictions can only hinder the upcoming P5+1 negotiations with Iran. For these reasons, I voted ''present'' on H. Res. 568.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 568, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2072. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WEST) at 6 o'clock and 30 minutes p.m.

PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be authorized to file a supplemental report on the bill, H.R. 4310.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 365, by the yeas and nays;

H.R. 3874, by the yeas and nays;

H.R. 205, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NATIONAL BLUE ALERT ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 365) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 394, nays 1, not voting 36, as follows:

[Roll No. 250]

YEAS—394

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—1

Amash

NOT VOTING—36

Ackerman
Boustany
Braley (IA)
Brown (FL)
Campbell
Cardoza
Cassidy
Cohen
Conyers
Crawford
Dold
Filner
Fincher
Flake
Flores
Frank (MA)
Franks (AZ)
Fudge
Hinchey
Johnson (IL)
Labrador
Landry
Langevin
Luetkemeyer
McIntyre
Paul
Pelosi
Poe (TX)
Richmond
Rohrabacher
Scott (SC)
Shuler
Slaughter
Speier
Stutzman
Yarmuth

□ 1855

Messrs. THOMPSON of Pennsylvania and ENGEL changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LANGEVIN. Mr. Speaker, on rollcall vote No. 250, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. FILNER. Mr. Speaker, on rollcall 250, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

BLACK HILLS CEMETERY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3874) to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 1, not voting 30, as follows:

[Roll No. 251]

YEAS—400

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)

Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—1

Amash

NOT VOTING—30

Ackerman
Boustany
Brown (FL)
Cardoza
Cassidy
Cohen
Crawford
Dold
Filner
Fincher
Flake
Flores
Frank (MA)
Franks (AZ)
Fudge
Hinchey
Johnson (IL)
Labrador
Landry
Luetkemeyer
Manzullo
McIntyre
Paul
Poe (TX)
Richmond
Rohrabacher
Shuler
Slaughter
Speier
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1902

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 251, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

HELPING EXPEDITE AND ADVANCE RESPONSIBLE TRIBAL HOME OWNERSHIP ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 205) to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 31, as follows:

[Roll No. 252]

YEAS—400

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)

Lipinski	Paulsen	Scott, David
LoBiondo	Pearce	Sensenbrenner
Loebsack	Pelosi	Serrano
Lofgren, Zoe	Pence	Sessions
Long	Perlmutter	Sewell
Lowey	Peters	Sherman
Lucas	Peterson	Shimkus
Luján	Petri	Shuster
Lummis	Pingree (ME)	Simpson
Lungren, Daniel E.	Pitts	Sires
	Platts	Smith (NE)
Lynch	Polis	Smith (NJ)
Mack	Pompeo	Smith (TX)
Maloney	Posey	Smith (WA)
Marchant	Price (GA)	Southerland
Marino	Price (NC)	Stark
Markey	Quayle	Stearns
Matheson	Quigley	Stivers
Matsui	Rahall	Stutzman
McCarthy (CA)	Rangel	Sullivan
McCarthy (NY)	Reed	Sutton
McCaul	Rehberg	Terry
McClintock	Reichert	Thompson (CA)
McCollum	Renacci	Thompson (MS)
McCotter	Reyes	Thompson (PA)
McDermott	Ribble	Thornberry
McGovern	Richardson	Tiberi
McHenry	Rigell	Tierney
McKeon	Rivera	Tipton
McKinley	Roby	Tonko
McMorris Rodgers	Roe (TN)	Towns
	Rogers (AL)	Tsongas
McNerney	Rogers (KY)	Turner (NY)
Meehan	Rogers (MI)	Turner (OH)
Meeks	Rokita	Upton
Mica	Rooney	Van Hollen
Michaud	Ros-Lehtinen	Velázquez
Miller (FL)	Roskam	Visclosky
Miller (MI)	Ross (AR)	Walberg
Miller (NC)	Ross (FL)	Walden
Miller, Gary	Rothman (NJ)	Walsh (IL)
Miller, George	Roybal-Allard	Walz (MN)
Moore	Royce	Wasserman Schultz
Moran	Runyan	
Mulvaney	Rush	Waters
Murphy (CT)	Ryan (OH)	Watt
Murphy (PA)	Ryan (WI)	Waxman
Myrick	Sánchez, Linda T.	Webster
Nadler		Welch
Napolitano	Sanchez, Loretta	West
Neal	Sarbanes	Westmoreland
Neugebauer	Scalise	Whitfield
Noem	Schakowsky	Wilson (FL)
Nugent	Schiff	Wilson (SC)
Nunes	Schilling	Wittman
Nunnelee	Schmidt	Wolf
Olson	Schock	Womack
Olver	Schrader	Woodall
Owens	Schwartz	Woolsey
Palazzo	Schweikert	Yoder
Pallone	Scott (SC)	Young (AK)
Pascrell	Scott (VA)	Young (FL)
Pastor (AZ)	Scott, Austin	Young (IN)

NOT VOTING—31

Ackerman	Flores	Paul
Boustany	Frank (MA)	Poe (TX)
Brown (FL)	Franks (AZ)	Richmond
Cardoza	Fudge	Rohrabacher
Cassidy	Hinchey	Ruppersberger
Cohen	Johnson (IL)	Shuler
Crawford	Labrador	Slaughter
Dold	Landry	Speier
Filner	Luetkemeyer	Yarmuth
Fincher	Manzullo	
Flake	McIntyre	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1909

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend the Act titled 'An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 252, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Tuesday, May 15, 2012 I had obligations that necessitated my attention in Champaign, Illinois, in my district and missed suspension votes H.R. 365—National Blue Alert, H.R. 3874—Black Hills Cemetery Act, H.R. 205—HEARTH Act of 2011.

Had I been present, I would have voted "yea" on the above stated bills.

DEPARTMENT OF DEFENSE PROGRAM GUIDANCE MODIFICATION RELATING TO POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS

Mr. KLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4045) to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF PROGRAM GUIDANCE RELATING TO THE AWARD OF POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS TO MEMBERS AND FORMER MEMBERS OF THE RESERVE COMPONENTS UNDER DOD INSTRUCTION 1327.06.

(a) DISCRETION OF THE SECRETARY OF DEFENSE.—The Secretary of Defense may determine that the changes made by the Secretary to the Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence program administrative absence days or other benefits described in subsection (b) to members and former members of the reserve components under DOD Instruction 1327.06 effective as of October 1, 2011, shall not apply to a member of a reserve component, or former member of a reserve component, whose qualified mobilization (as described in such program guidance) commenced before October 1, 2011, and continued on or after that date until the date the mobilization is terminated.

(b) AUTHORIZED BENEFITS.—Under regulations prescribed by the Secretary of Defense, the Secretary concerned may provide a member or former member of the Armed Forces described in subsection (a) with one of the following benefits:

(1) In the case of an individual who is a former member of the Armed Forces at the time of the provision of benefits under this section, payment of an amount not to exceed $200 for each day the individual would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the individual, as authorized by such subsection.

(2) In the case of a member of the Armed Forces on active duty at the time of the provision of benefits under this section, either one day of administrative absence or payment of an amount not to exceed $200, as selected by the member, for each day the member would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the member, as authorized by such subsection.

(3) In the case of a member of the Armed Forces serving in the Selected Reserve, Inactive National Guard, or Individual Ready Reserve at the time of the provision of benefits under this section, either one day of administrative absence to be retained for future use or payment of an amount not to exceed $200, as selected by the member, for each day the member would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the member, as authorized by such subsection.

(c) EXCLUSION OF CERTAIN FORMER MEMBERS.—An individual who is a former member of the Armed Forces is not eligible under this section for the benefits specified in subsection (b)(1) if the individual was discharged or released from the Armed Forces under other than honorable conditions.

(d) FORM OF PAYMENT.—The payments authorized by subsection (b) may be paid in a lump sum or installments, at the election of the Secretary concerned.

(e) RELATION TO OTHER PAY AND LEAVE.—The benefits provided to a member or former member of the Armed Forces under this section are in addition to any other pay, absence, or leave provided by law.

(f) DEFINITIONS.—In this section:

(1) The term ''Post-Deployment/Mobilization Respite Absence program'' means the program of the Secretary concerned to provide days of administrative absence not chargeable against available leave to certain deployed or mobilized members of the Armed Forces in order to assist such members in reintegrating into civilian life after deployment or mobilization.

(2) The term ''Secretary concerned'' has the meaning given that term in section 101(5) of title 37, United States Code.

(g) COMMENCEMENT AND DURATION OF AUTHORITY.—

(1) COMMENCEMENT.—The authority to provide days of administrative absence under paragraphs (2) and (3) of subsection (b) begins on the date of the enactment of this Act and the authority to make cash payments under such subsection begins, subject to subsection (h), on October 1, 2012.

(2) EXPIRATION.—The authority to provide benefits under this section expires on October 1, 2014.

(3) EFFECT OF EXPIRATION.—The expiration date specified in paragraph (2) shall not affect the use, after that date, of any day of administrative absence provided to a member of the Armed Forces under subsection (b)

before that date or the payment, after that date, of any payment selected by a member or former member of the Armed Forces under such subsection before that date.

(h) CASH PAYMENTS SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—No cash payment may be made under subsection (b) unless the funds to be used to make the payments are available pursuant to an appropriations Act enacted after the date of enactment of this Act.

(i) FUNDING OFFSET.—The Secretary of Defense shall transfer $4,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

The SPEAKER pro tempore (Mrs. ROBY). Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. KLINE. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KLINE. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of the bill, H.R. 4045, legislation that would ensure members of the National Guard and Reserve—including members of Minnesota's famed Red Bulls—receive the benefits they have earned.

Simply put, this legislation ensures that promises made are promises kept. The bill will grandfather the Minnesota National Guard and more than 49,000 other servicemembers around the country who mobilized and deployed under the Pentagon's original Post-Deployment/Mobilization Respite Absence program policy, providing them the benefits they were promised prior to deployment.

Since September 11, 2011, members of the Reserve component have been uniquely affected by long deployments, leaving their families and careers to answer their Nation's call. In January of 2007, the Department of Defense instituted the PDMRA program to allow servicemembers the opportunity to spend more time with their families and readjust after multiple deployments in excess of 12 to 24 months. I would ask my colleagues to reflect on that number, 12 to 24 months. That is 1 to 2 years away from their families and their homes, putting their own lives on hold to protect and defend our families and our Nation.

Madam Speaker, last year, after more than 2,000 Minnesota soldiers were deployed, the Pentagon changed the PDMRA program, significantly reducing the leave available to the Red Bulls and many others across the Nation. With little notice, many soldiers and their families were forced to cope with unexpected financial challenges, less time at home with loved ones, and an increased urgency to find employment.

H.R. 4045, as amended, provides the Pentagon the authority to grandfather members of the National Guard and Reserve whose mobilization and deployment commenced before the Pentagon's PDMRA reduction policy took effect in October of last year. The legislation does three things:

First, for servicemembers still on active duty, the bill provides DOD the authority to immediately restore their PDMRA leave days lost and gives them the option of selling their leave in lieu of taking the PDMRA day if they determine that that is in their best interest;

Second, for servicemembers still in the service but off active duty, the bill provides DOD the authority to award a leave payment in lieu of the days they would have received for their service during the change; and

Finally, the former servicemembers who have left the military altogether but were affected during the PDMRA policy change, the bill provides DOD the authority to reward a leave payment in lieu of the PDMRA days they would have received for there service during the change.

In short, we're making these soldiers whole again and keeping our promises. The legislation is critical to ensuring our sons and daughters in uniform receive the benefits they were promised and have rightfully earned.

Sergeant Matthew Hite recently returned home to Minnesota after his third deployment with the Minnesota National Guard. While he's been in Kuwait the past 11 months, his 7-year-old son, Charles, has learned to play T-ball. Sergeant Hite wasn't there to see Charles get his first hit or make his first catch. ''It's frustrating'' Sergeant Hite told the Star Tribune, ''frustrating that the time we thought we had to spend with family is being taken away.''

Every day, members of the reserve component are stepping off planes, beginning the process of reintegration, and returning to their civilian lives. Every day, units are receiving their final orders specifying an end date to their mobilization. I am hopeful that this commonsense effort to do right by our men and women in uniform will become law.

I urge my colleagues to support H.R. 4045, and I reserve the balance of my time.

Ms. BORDALLO. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of this bill, and I thank the gentleman from Minnesota (Mr. KLINE) for bringing this measure to the floor. I also appreciate his continued leadership on pre- and post-deployment issues for the National Guard. The bill will correct an injustice for our National Guardsmen and reservists who have been putting their lives on the line to defend our Nation.

The fiscal year 2013 Defense authorization bill includes a provision that also addresses this problem; but, regardless, this sends a clear message to the Department of Defense that we want to fix this problem, and quickly. The bill gives DOD the clear authority they need to make the necessary changes and to do so before the Defense authorization bill is likely to be completed.

The bill is widely supported by outside groups, including the Military Officers Association of America, the National Guard Association of the United States, and the Enlisted Association of the National Guard of the United States, to name just a few.

However, while I support the bill, I must raise the concern that this bill bypassed the normal committee process, and the minority was not included in the decision to bring this measure to the floor, which violates our tradition of bipartisanship. Still, in the interest of protecting our men and women in uniform, I stand in support of the bill, and I urge all of my colleagues to support it as well.

I reserve the balance of my time.

□ 1920

Mr. KLINE. Madam Speaker, I am very happy to yield 3 minutes to my friend and colleague, a naval officer, another helicopter pilot, and a member of the Minnesota delegation, Mr. CRAVAACK.

Mr. CRAVAACK. I thank Chairman KLINE for the recognition.

Madam Speaker, I rise today in support of a critically important bill which I am a cosponsor of, offered by a fellow member of the Minnesota delegation, Chairman JOHN KLINE.

The Post-Deployment/Mobilization Respite Absence program is an important program that allows servicemembers the opportunity to readjust after deployments and spend more time with their families. This earned leave further provides returning servicemembers with more time and a less stressful environment in which to seek employment in a time where a job search is becoming increasingly more difficult. These earned benefits will help combat the high stress experienced by those who have returned home from prolonged deployments.

The Minnesota National Guard and tens of thousands of other guardsmen and reservists who have been deployed to the Middle East and were impacted by the PDMRA change were charged with the promise to defend our country. They have more than lived up to

their end of the bargain to keep their promise. Now it is time for the Department of Defense to live up to its end of the deal and provide these individuals with the full benefits they were promised at the time of their mobilization deployment.

As Chairman KLINE addresses in his support for this bill, some of the servicemembers affected by this policy change have performed multiple deployments in excess of 12 to 24 months since the beginning of the Iraq war. That is 1 to 2 full years that these servicemembers have been away from their families, halfway across the world in a combat environment. Some of the same servicemembers—specifically, the 2005–2007 Iraq deploying servicemembers—could stand to lose up to 24 days under the changes in the PDMRA policy.

I do not think it is too much to ask that those who were promised 24 days of leave for up to 2 years of deployed service to receive that leave. Therefore, it is imperative that we respect and honor the promises made to these individual families who have sacrificed so much in defense of our Nation.

Recently, I have had the great privilege of welcoming the Minnesota National Guard Red Bulls home from their deployment in Iraq and Kuwait. When I attended their deployment ceremony last year in Pince City, Minnesota, one of the commanding officers in the brigade, Lieutenant Colonel Eddie Frizell said to the families, ''I'll bring them all home.'' True to his word, the first thing Lieutenant Colonel Frizell said in a hand salute to Major General Rick Nash, the adjutant general of the Minnesota National Guard, when his feet touched the ground in Minnesota was, ''I brought them all home, sir.''

Madam Speaker, it is now time to bring them all the way home. I urge my colleagues to support the troops and support H.R. 4045, which will protect the promises made to our National Guard and Reserve, including members of the Minnesota's Red Bulls, by ensuring these servicemembers receive the benefits they were promised and highly deserve.

Ms. BORDALLO. Madam Speaker, I yield such time as she may consume to the gentlelady from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Madam Speaker, I rise today in strong support of H.R. 4045. This bill will ensure that all the servicemembers returning from overseas, including the Minnesota National Guard's Red Bulls, will receive the full benefits they were promised.

Last year, after more than 2,000 of Minnesota's brave soldiers had already been mobilized for war, the Department of Defense reduced the amount of leave that the servicemembers would receive.

For the Pentagon to apply this change to soldiers already deployed is simply unacceptable. Our men and women in uniform must be able to count on the benefits their Nation promised them when they left home.

H.R. 4045 will correct this serious error by exempting servicemembers, like the Red Bulls, who had already deployed before the Pentagon's policy shift.

Passage of this bill is a victory for the entire Minnesota delegation, which worked so hard on it. I especially want to thank Mr. KLINE for his perseverance on this issue and for getting it to the floor today. Thank you very much, Mr. KLINE.

But, as I said, I applaud all my colleagues for coming together on behalf of the Minnesota Red Bulls and all of the servicemembers and their families. America's men and women in uniform dedicate their lives to defending our Nation and its values, and we are grateful for their outstanding service.

As a daughter of a World War II disabled veteran of the Army Air Corps and as a member of the Appropriations Subcommittee on Military Affairs, it is a special honor to work on behalf of those who have served our country and to make sure that they receive every benefit that they've earned.

As the Red Bulls return to Minnesota from another deployment, they know they can count on their entire Minnesota congressional delegation to have their back.

I urge my colleagues to support this critical legislation.

Mr. KLINE. Madam Speaker, I am pleased to yield 3 minutes to another member of the Minnesota delegation, Mr. PAULSEN.

Mr. PAULSEN. I thank the gentleman for yielding.

I also rise in strong support of H.R. 4045.

Madam Speaker, the promises that we make to our young men and women and those who serve and have volunteered to put our Nation's uniform on should always, always be kept. And this important legislation does exactly that by assuring that nearly 50,000—tens of thousands servicemembers will receive the benefits that they, in fact, were promised.

In October of last year, the Department of Defense significantly changed the amount of earned time and leave time for our troops and began providing less time off for servicemembers after a long deployment. But in that process, they failed to take into account those reservists who were already deployed, including the 2,000 members of the Minnesota National Guard.

Madam Speaker, if we don't pass this legislation, members of the National Guard and the Reserve, including members of Minnesota's famed Red Bulls, will stand to lose approximately 27 days of leave that they were promised. They've already earned that leave.

Let's do the right thing. This is simple. This is straightforward. We need to keep the promises out there for our service men and women.

I want to applaud Chairman KLINE. I want to applaud all the members of the Minnesota delegation for working together on something so critical and important and for sending a bipartisan message that we will stand behind our promises to our troops and our men and women in uniform.

Ms. BORDALLO. Madam Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. I thank the gentlelady from Guam who, as always, is an absolute stalwart supporter of our military forces and has a long tradition, coming from Guam, in defense of this Nation.

Also, a special thank you to Colonel KLINE, my colleague from Minnesota, for his unwavering support of our veterans and for bringing this forward and trying to correct this injustice.

You've heard it today, Madam Speaker, about a change in policy. And while a stroke of the pen at the Pentagon may not seem like that much, it impacts our veterans and their families. These are folks that have deployed, in many cases, three times. For example, the Red Bulls from Minnesota: once for 9 months, once for 22 months, and once for a year.

We came up, as a Nation, to make the determination that these folks should have a little bit of time of leave when they come back, readjust with their families, see children they maybe have never celebrated a birthday with, and then try to go back and get into the job market.

As a Nation, these are our best and brightest. These are our future leaders. We want them getting readjusted. We want them back into the job market. And by the Pentagon changing this midstream, it's not so much the financial or the monetary insult; it's the insult to what these folks went through. When they went, they were promised a benefit. When they came back, we had cut it in half.

We hear a lot about a 99 and a 1 percent. There is a 99 and a 1 percent in this country—1 percent who are serving in uniform and have served overseas, 99 percent of us who have benefited from that sacrifice.

So I commend the delegation. I commend this House. If there is an issue that binds this Nation together, it's the absolute unwavering support of those who are willing to lay down their lives and sacrifice time with their families to serve each and every one of us. The least we can do is make sure that the benefits that were promised, that were guaranteed, are delivered upon. It's the right thing to do. It's the right thing for the country. It binds us together.

And I want to thank all of the folks here who made this possible. I urge my colleagues to support this piece of legislation.

□ 1930

Ms. BORDALLO. I thank the gentleman from Minnesota (Mr. WALZ), especially for his assistance with the Reserve Component Caucus.

I have no further requests for time, and I yield back the balance of my time.

Mr. KLINE. I have no further requests for time, and I'm going to close by thanking Members on both sides of the aisle. You've heard from members of the Minnesota delegation here tonight, my good friends, the Democrats Mr. WALZ and Ms. MCCOLLUM, Mr. CRAVAACK, and Mr. PAULSEN. This legislation affects members of the Guard and Reserve all over the country.

I'm especially pleased that my friend and fellow committee member and fellow traveler, Ms. BORDALLO, was managing the debate on the other side of the aisle. She and I have traveled to some fairly remote corners of Iraq and Afghanistan and places like that over the years, and I must say I've never been anywhere where our Nation was at conflict and where we had men and women serving in uniform that we didn't come across somebody from the Guam National Guard. So I really want to thank her for her support on this legislation and the support of men and women in uniform everywhere. I know from the reaction I see from those soldiers that when they see Ms. BORDALLO, there is great affection and respect there—both ways.

Again, I want to thank all who weighed in on this. It was clearly an injustice. It needed to be fixed, and this is one of those times when we've come together as Democrats and Republicans working together. We have Senators, Republicans and Democrats, in the Senate working the other body to move this through. Speed counts here. Every day that this is delayed, another soldier loses the opportunity to take advantage of this paid leave.

With that, Madam Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and pass the bill, H.R. 4045, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBER TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 note), as amended, and the order of the House of January 5, 2011, of the following member on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2014:

Mr. Elliot Abrams, Virginia

MILITARY MENTAL HEALTH AWARENESS DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, today I rise to recognize Military Mental Health Awareness Day, which is tomorrow, May 16, 2012. Our servicemembers have made tremendous sacrifices for our country, and many face serious conditions, including the potential for anxiety, depression, anger; and a growing number of those experience post-traumatic stress injury. For one reason or another, too many, tragically, result in suicide. According to the Army, during 2011, there were a total of 164 confirmed active duty suicides. For 2012, there have been 61 potential active duty suicides—35 confirmed and 26 still under investigation.

Madam Speaker, these statistics are daunting. One servicemember taking his or her own life is too many. In Congress, we have worked to increase access and availability and also to remove the stigma associated with these conditions in hopes that more soldiers, sailors, airmen, and marines will be more easily diagnosed and seek the available resources and treatments.

I want to thank everyone involved in Military Mental Health Awareness Day as we continue the important work of delivering care to these brave men and women who have served this country with honor and distinction.

BULLYING PREVENTION LAW

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, there's nothing more precious than the Nation's children. Of course, we love and respect our seniors, respect our families, and respect our men and women in the United States military. In fact, America has a great future. But all of us realize that that future is grounded not only on our democratic principles, but on what we do for our children.

Bullying in the Nation's schools is at epidemic proportions. Two weeks ago, in my community, one young person took a sock with a lock in it and caused another young person to leave that school in an ambulance to go to the hospital for some 15 to 20 stitches. We've seen the results of bullying that resulted in the suicide of one college student and the suicide of a 13-year-old. And we've certainly seen the movie ''Bully.''

I want to thank Lee Hurst for joining me last week in listening to the stories of those who tell real stories. Today, I introduced H.R. 5770, which is a bullying prevention law, including the reauthorization of the Juvenile Block Grant. It is imperative that this Congress make a national statement that bullying is unacceptable, but more importantly, that we give the tools to school districts around the Nation and communities to intervene and prevent bullying.

Our children are precious. I ask my colleagues to join in a bipartisan manner on this legislation.

FISCAL YEAR 2013 NATIONAL DEFENSE AUTHORIZATION ACT

The SPEAKER pro tempore (Mr. RIGELL). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Alabama (Mrs. ROBY) is recognized for 60 minutes as the designee of the majority leader.

Mrs. ROBY. Thank you, Mr. Speaker.

It is truly an honor tonight to stand with other freshman colleagues to discuss the ever-important number one constitutional responsibility of this Congress, in my opinion, very clearly spelled out: to provide for the common defense. Of course, this week the House will debate H.R. 4310, the Fiscal Year 2013 National Defense Authorization Act.

As you know, Mr. Speaker, we marked this up in committee last week into the wee hours of the morning and it passed the House Armed Services Committee on May 10 with a bipartisan vote of 56–5. This legislation specifically provides for pay, funding, and authorities for America's men and women in uniform; and it's the key mechanism by which we fulfill our constitutional duty to provide for the common defense.

This bill does many things. But I thought what I would do in the beginning of this hour, as I see some of my freshman colleagues joining us tonight, is that I would start by just telling you what happened to me just this morning, as it often does. I, of course, have two very large military installations in Alabama's Second District. So I oftentimes have military men and women in uniform on my planes as I fly back and forth to and from Washington.

This morning, my husband had come in with me because I had some extra

bags and he was helping me. And I could tell that there was a family sitting there, and I suspected that the young man was about to be deployed. The father came over to me and spoke. Now, I'm away from my children, as are all Members of Congress, but they're usually for very short periods of time, and whereas that sacrifice is difficult in a lot of ways, it pales in comparison to the sacrifice of our men and women in uniform who put themselves in harm's way, not to mention their family members, who are also sacrificing their children and their spouses and their loved ones.

This morning, on this plane ride, not unlike many others, it was a stark reminder to me and to my family as my husband stood by and watched this family as they greeted us, as clearly the mom had a little tear in her eye, and it was just such a huge reminder to us of what individuals who have chosen to enter into our military service do for us to fight for the very freedoms that allow for me, Mr. Speaker, to stand in front of you tonight to discuss this ever-important act.

□ 1940

And so to the young man that I met this morning in Montgomery, Alabama's regional airport, to all of our young men and women serving all over this great Nation and this world, thank you from the bottom of my heart for the privilege to serve them as a Member of the House Armed Services Committee and as a Member of this Congress. It is a tremendous honor and a privilege, and one that I certainly do not take lightly.

Overall, this bill that we passed out of committee that we will take up this week restores fiscal sanity to our defense budget and keeps faith with America's men and women, as I have already mentioned. It aligns our military posture in this very, very dangerous world and rebuilds the force after a decade of war.

Now, do not be mistaken. You know, Mr. Speaker, that we are currently working, under the law, $487 billion in cuts to the Department of Defense. We have sat as Members of the House Armed Services Committee in committee hearing after committee hearing where our joint chiefs and our commanders have sat in front of us and told us that, yes, in fact, we will have a smaller force as a result of these current cuts. I think we can all agree in these fiscal times that there is not an area that is funded by hardworking taxpayer dollars of this Federal Government that doesn't deserve harsh scrutiny when it comes to fiscal cuts. And our military is certainly going to sustain those with these $485 billion in cuts.

But under the Budget Control Act and the joint committee's failure to provide the necessary cuts under that law, the automatic trigger that we here in Congress call sequestration is set to take place at the beginning of January next year. What we have heard in our committee hearings over and over and over again from Secretary Panetta, from General Dempsey, and others, is that our military cannot sustain another half-trillion or more in cuts. Not only would we have a smaller force, but there is a danger of a less capable force, particularly in this time in our Nation's history as we continue to fight the war on terror both here at home and abroad.

I bring all of this up to say that, again, the light in our military is our military families and the men and women who serve this country so honorably. And we, as members of the House Armed Services Committee and as Members of this United States Congress, have a duty to ensure that we are not only acting fiscally responsibly, but we are doing it in a way that ensures that those men and women have everything that they need to accomplish the task and the mission that we send them into.

There are several suggestions that have been made as it relates to the $487 billion in cuts as we downsize our force. One of them that came out and has been scrutinized particularly is the C–130 decision. I just want to spend a little time, since I, as a member of the committee, had an amendment before the Armed Services Committee last week to deal with the way that our military looked at these potential cuts, and actually provide us with the information that we need to then in turn provide oversight as members of this committee as to whether or not these are decisions that are going to provide us with the fiscal restraint that we need.

The committee passed this amendment during markup. Representative CONAWAY from Texas and Representative PALAZZO from Mississippi also were on this amendment regarding the Air Force's C–130. I look forward, with the other Members of the Alabama delegation, to have a conversation specifically with Secretary Donley and General Schwartz as it relates to decisions regarding the C–130. Mind you, and I want to be very clear when I say this, this could be the C–130, this could be the Abrams tank, this could be MEADS, this could be any other aspect of our military where we need to be asking these same questions. Certainly this is important to us, the Representatives that signed on to this amendment, because the C–130 is located in our districts, but I want to be clear, because this is not about just protecting the mission at home. This is about making sure that across the board we are asking the right questions to protect the missions, as I've already stated, as well as making decisions that are going to find the savings that we need.

So our amendment very clearly just says, how did you determine which C–130 aircraft will be retired and relocated, and the methodologies underlying such determinations, including what assumptions were made to define and shape these specifics determinations. And the rationale for selecting various C–130 aircraft from regular and reserve components, and the details of the costs incurred, avoided or saved, with respect to these C–130s.

And here's the most important part—and again, this is why I believe this amendment could be applied throughout our military: the GAO has to audit the Secretary's report to make sure that the true cost and benefit of the planned retirement and relocations are realized. This amendment, like so many others in this National Defense Authorization Act, is straightforward. This is a straightforward provision to make sure that the Congress received the necessary information to make our authorizing decisions in an objective manner that will benefit our men and women in uniform and the American taxpayer.

I have my friend here from New York and hopefully others that will be joining us. I know we have many difficult decisions, but I just urge all of my colleagues this week, as we move through the National Defense Authorization Act and all of the amendments that will be debated and voted upon, that we will do so with this young man whom I spoke to this morning who is now deployed to Kuwait for a year, that we will do so with him and so many thousands of others in mind as we move through, making sure that we always do our best because we are supposed to keep faith with our military families and provide all that our men and women need to accomplish the mission.

With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. REED) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. REED. Mr. Speaker, I rise tonight to join with my colleague from Alabama (Mrs. ROBY) and applaud her leadership in establishing and taking the lead this evening to discuss a critical issue that we are dealing with here in Washington as we go forward with the debate on the National Defense Authorization Act.

Mr. Speaker, as you know, this is the authorization bill that takes care of our men and women in our military ranks. Mr. Speaker, I tender my comments this evening based on the fact that I am the son of a career military officer who spent 20 years in the Army, saw active duty in World War II and Korea, received the Silver Star, multiple Purple Hearts, multiple Bronze Stars, for his efforts and his sacrifices

that he made in those forums defending America and standing up for all of the freedoms and the beliefs that we all hold dear in America coast to coast. So I am honored to be a son of such a distinguished individual in our Armed Services, and though I never did wear the uniform, I carry with me the commitment that he passed on to my 11 older brothers and sisters that you always stand with our military, you always stand with our veterans, Madam Speaker, and that's why I join you tonight to come to the floor and discuss this important issue, because as we face the national debt crisis that we all know on both sides of the aisle is real, $15.7 trillion of national debt, it is clearly unsustainable.

We have to have a conversation, an open and honest conversation with all of the hardworking taxpayers of America and say here in Washington, D.C., we are going to try to get our act together, and to make the commonsense decisions when it comes to our fiscal house. And in that conversation, and as we go forward as we did last week with the issue of sequestration and the replacement, the reconciliation that Mr. RYAN from Wisconsin led, as we go forward with the debate on the National Defense Authorization Act this week, we need to go forward recognizing the cuts that have already occurred on the defense side of the ledger.

It is my understanding, looking at some of the numbers, that essentially 50 percent of the deficit reduction efforts to date have come at the expense of defense expenditures. That is approximately 20 percent of our Federal budget dedicated to defense spending.

□ 1950

So that 20 percent of defense spending is already absorbing 50 percent of the deficit reduction efforts that we have led here in Washington, D.C., primarily with the leadership of people like the lady from Alabama and other leaders in the freshman class.

So we have to make sure that when we go forward in this debate, we recognize the sacrifice and the hard decision—and rightfully so—that defense has been part of this conversation of getting our fiscal house in order, and every dollar has to be scrutinized, and that does include the defense budget.

But I think we're at the point, Madam Speaker, where we have to be very sensitive to any additional cuts—or those cuts that are going to be necessary because of the fiscal condition we find ourselves in America—that we do not cross that line in the sand that we must never break. That line in the sand is making sure that our men and women in harm's way are given the resources, the equipment, the tools to not only protect them when they're afield fighting for us and defending freedom of America, but when they come home as veterans and enjoy the benefits that they've earned by engaging in that sacrifice, by being in harm's way for all of us. We must make sure that we never cross that line with our cuts to our military that put those men and women in harm's way or those families that sacrifice so much with them, to have to endure the situation where those benefits that they earned are taken away. So we will stand, I think, united in a strong voice to make sure that doesn't happen. I know I am committed to it, Madam Speaker. And I will always stand—as my father taught me and taught my older brothers and sisters and my mother—you stand with the vets, you stand with the military. And though they have to be part of this conversation because of the harsh reality that we find ourselves in with $15.7 trillion worth of national debt, we cannot go that far that we jeopardize their very well-being and their sacrifices that they have recognized on our behalf.

So I was pleased to see in the proposal out of the FY13 National Defense Authorization Act the fact that we were able to beat back the administration's proposal to make significant fee increases in the TRICARE program—TRICARE being the health benefits that our veterans earned and enjoy—and which serves over 9.3 million beneficiaries, including 5.5 million military retirees. I am glad to see that the NDAA, the National Defense Authorization Act, stopped that approach to dealing with the cuts on TRICARE or in fee increases on the TRICARE side. I will always want to stand for those commonsense principles that say: Cuts, yes, we have to do them, but we cannot do them across that line.

There is one area that I would like to also address before I yield to some of my colleagues that have joined us here on the floor, and that's the detainee provisions of the National Defense Authorization Act, which is the language in the bill that deals with making sure that the rights that we enjoy as American citizens are protected when it comes to the detainment of individuals in America.

I am pleased to see that language that I cosponsored with gentlemen such as Mr. RIGELL, who has joined us this evening from Virginia, and Mr. LANDRY from Louisiana. When this issue came up in previous debates in last year's National Defense Authorization Act, there was a spirited debate, if you recall, Madam Speaker, in which the issue came up: Do American citizens still retain the rights as guaranteed under the Constitution when it comes to the writ of habeas corpus? There was a spirited debate, and I clearly came down on the side that we need to make sure that we protect those rights for American citizens, and that any issues of detainment are done in respect to the Constitution and all the rights that we enjoy as free citizens in America. I believe the bill did address that last year, but there was a legitimate question raised about it. So I'm pleased to see in this bill language, it is my understanding, that will make sure and be very clear that any American citizen detained in America has the rights as guaranteed under the Constitution. I hope my colleague from Virginia will touch on those issues, and I'm proud to stand with him to make sure that we send a clear message that American citizens continue to enjoy and will always continue to enjoy the rights and freedoms and protections as afforded to us under the Constitution, and that the writ of habeas corpus is secure and will continue to be secure as we move forward.

We can go on and on, but I know I have some colleagues. I notice I've got a non-freshman Member to join us tonight, Madam Speaker, to address this critical issue, and we are pleased to have our senior Members down with us.

With that, I yield to the gentleman from Kentucky.

Mr. DAVIS of Kentucky. I thank the gentleman for the opportunity to share with you tonight, as I remember those days being both a freshman doing Special Orders, and also serving on the Armed Services Committee before moving over to the Ways and Means Committee. I appreciate the chance to share.

One thing that I would emphasize: you know, over the last 18 months we've heard a lot of interesting arguments in the media about the 99 percent and the 1 percent and on and on, and it fueled lots of politics. I think the whole argument got best clarified by a group of Army men and women who put together a little video called ''The Real 1 Percent.'' It was focused on servicemembers and servicemembers' families.

Most recently, a little company called Ranger Up T-shirts—admittedly with a tie to my alumni in the Rangers—more accurately stated it was the 0.45 percent. It just talked about the descending level of public involvement in the military to almost a minimal level. People don't understand right now, at this time, that we are in the midst of two wars, we have threats of a wide spectrum that we've never had before. When I enlisted in the military 36 years ago next month, our Army was twice as big as it is today. We're carrying an operations tempo that's significant.

I'm very concerned about the cuts and have made that clear. I'm grateful for the leadership on the Armed Services Committee of Chairman MCKEON to try to keep moving these numbers in the right direction because it's my West Point classmates—who are commanding divisions today—who are out there facing these challenges of increased operations tempo. And what an operations tempo is is this, Madam

Speaker: that's how often the units have to rotate or deploy into some type of a theater of operations, whether it's peaceful or hostile.

With the drawdowns in personnel, if operations in Afghanistan continue through 2014 and beyond, potentially, that means the deployment rate of our marines and our soldiers could actually be greater than it was in recent years and actually exceed the time during the surge in Iraq in 2007. That's unconscionable to me.

The key to successful doctrine and to successful defense policy ultimately begins with investing in people. The second thing we do is address the threat. Then, after we address the threat, we look at doctrines to deal with that, and finally systems.

Are there opportunities to make cuts in defense to save money? Absolutely. But one of the challenges that often gets missed in debates in Washington, whether it's add money or cut money, is dealing with the root causes that demand that spending. For example, if we look at acquisition spending rather than cutting people, there's tremendous opportunities for cutting of spending. The Federal acquisition regulations, the defense acquisition regulations prescribe a level of overhead that would be considered unacceptable in the private sector.

The gentleman from Virginia, who's about to speak, who is a successful executive in the automotive industry, watched great changes take place over time in terms of what it took to bring a car to marketplace. I'm going to mention this in perspective of a defense example that I personally have been touched by.

Toyota, which is headquartered in my district, redesigns every part on every vehicle and retrains every employee—the entire customer service network and distribution and supply chains are redone every 3 years. The average time to bring an end item, a vehicle, online in the United States military right now is about 15 years.

Now, I keep in my office a little memento. As a former Army aviator who flew here and in the Middle East and had two delightful tours in lower Alabama, which the current Speaker pro tem represents, at Fort Rucker, Alabama, I was very excited about the V–22 Osprey coming online. I got to go to the factory in Fort Worth and was out on the floor, and I managed to pick up a piece of scrap that was cut off from flight test article number 1, the wing spar for flight test article number 1 for the V–22 Osprey. That was 22 June, 1987. Now, here we are almost 25 years later and that aircraft has just come into service. There were starts, there were stops, there were huge additional costs that were put in by requirements that in many cases are entirely unnecessary to get a safe and flight-worthy vehicle.

What this comes down to is, if we can collapse these acquisition timeframes from 15 years to 5, we're going to save all of that cost. We can afford to make the investments that are necessary in our active duty soldiers and in our veterans. It allows us to minimize the institutional impact of these deployment tempos and these wars. I think, furthermore, it's going to allow a more agile defense industrial base that will have predictability and can adapt our technology and our tools to new threats as they emerge, because a lot of the weapon systems that come online now in fact were designed for another era and another timeframe.

□ 2000

To overcome that, we've got to change the process, and that's going to come by a long period of interagency reform and other efforts. But I want to tell you, in this Defense authorization, the keys to beginning that process are addressed.

I think, in a very difficult political environment between the administration calls for spending cuts without bringing about the regulatory acquisition reform that's necessary to really sustain that, the political impasse with the Senate, it's been tremendously helpful to see the leadership of Chairman MCKEON, members of the Armed Services Committee to make sure that everything that's possible to be done will keep the money flowing before these rules and regulations can be changed.

The other thing that I would say as well is I voted against the Budget Control Act last year precisely because of defense sequestration. There was an unfair toll that was taken because the root causes were not addressed in that and, hopefully, this lays the foundation for that, along with other reforms that are going to be included in the bill.

At the end of the day, we have the ability to debate tonight freely. American citizens who are watching this can share whatever views they want to. They can go to bed and not be in fear because of men and women who volunteer to stand in harm's way to answer that call when it comes in the middle of the night, and I'm grateful for that, and they're the last people that we need to let down. And that's why I'm a strong supporter of this Defense authorization.

I thank you for the time to share tonight.

Mr. REED. I thank the gentleman from Kentucky for his comments and for coming this evening and spending some time with us. And your comments, before I yield to the gentleman from Virginia, have spurred some thoughts that I would like to add to the conversation.

One of the things you touched upon is the fact that, as we make cuts and we downsize government, defense has to be part of that conversation, and the gentleman from Kentucky recognized that in his comments, and I recognize that.

But I recall a conversation, as a freshman Member I came here and we've met some individuals over the time, and one conversation that really sticks out in my mind when it comes to this issue is a conversation that we had, a handful of us, with Secretary of Defense, then-Secretary of Defense Bob Gates. And what Mr. Gates expressed to us is he says, Lookit, we can go through this process, and we need to go through this process and downsizing our military and downsizing and tightening our belt where we can because of the national debt crisis that we now found ourselves in.

As former Joint Chief of Staff Admiral Mullen advised the President, the biggest threat to America was not a military threat; it was the national debt. And that type of sentiment is shocking to me, and it should scare all of us in that we have to get this fiscal threat under control.

But the conversation with Bob Gates was we're going to do this. But as we were engaging in that conversation, Madam Speaker, he pleaded with us and said, as we do this, as we make these cuts, please do not take these cuts or these dollars and apply them to other government spending or expand government in other areas because, what he was essentially saying was, if you take the money from defense and you put it in another area and further expand government, every year we are going to have this problem. We are going to compound the problem so that you take money from defense, grow government on other sides of the ledger, or other areas, and you're going to continuously take meat and bone eventually out of the military spending, and you're going to downsize the military to a point where it will not be able to do fundamentally what we need it to do, and that's to protect American citizens.

And the other thing I wanted to comment on, as the gentleman from Kentucky has rightfully pointed out, is that the threat that we face as we downsize and pull back from Iraq and Afghanistan, and I'm glad we're coming to an end in those engagements, and I see the finish line, obviously, in Afghanistan and the Iraqi situation where we have downsized ourselves and pulled ourselves back, and that's good.

But what we cannot do is we cannot get into a situation where we downsize our military, where we put them into a position where they no longer can be effective to annihilate the threats that are out there, because the threats are still there. The threats are still real, and we need the platform across the world to make sure that we have the ability to use the brightest and strongest people we have in America, the men and women of our armed services, so

that they have the platforms to go, strike, annihilate that threat, and then come back home.

And that is what we need to make sure we do not cross and we go too far in these cuts, that the men and women, when we ask of them to go and defend America and annihilate those threats so that we can fight them over there, rather than here on American soil, because we never want to have that experience of 9/11 again.

We have to make sure they have the resources and we stand with them so that they have those platforms in which to deploy and protect us, as they have been doing for generations.

With that, I would like to yield to my colleague from Virginia, and I'm so happy he has joined us this evening.

GENERAL LEAVE

Mr. RIGELL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore (Mrs. ROBY). Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. RIGELL. I thank the gentleman for yielding. And I rise tonight, Madam Speaker, in strong support of the NDAA that we'll vote on this week. And I also rise to really sound the alarm, Madam Speaker, about a budgetary cut to our Defense Department that is looming. It's right around the corner. And early January of next year, if not averted, it would have a most serious and detrimental impact on our ability to defend our great country. And I want to talk about that and share this with the American people. It's a matter of serious and grave importance, and it really should be understood by every American.

Now, Madam Speaker, I have the great privilege of serving and representing the Second District of Virginia, southeast corner, all the Eastern Shore, all of Virginia Beach, a good part of Norfolk and a bit of Hampton. Includes the Norfolk Naval Air Station, Norfolk Naval Station, Norfolk Naval Air Station Oceania, with the Dam Neck Annex, the Joint Expeditionary Base, Little Creek, Fort Story, Joint Base Langley, Eustis, Wallace Island Surface Combat Systems.

The 1 percent, they live in our district, they serve in our district. You see them in the lines at a Starbucks or the restaurants and businesses around town. They're hardworking men and women. They love their country, and they serve with great distinction.

Indeed, it's the district, of all 435, it has the highest concentration of men and women in uniform of all 435 districts. And it really is a high honor and really a high responsibility and duty to serve and represent the Second District.

I completely identify with my friend, the gentleman from New York, when the gentleman was referring to how he was inspired by his father's service. Indeed, that's why I sought this office is to honor my father's service, who was in World War II as a marine at Iwo Jima, and really the generation he represents, and also to meet the deep obligation that we have to our grandchildren and our children, and that is to pass on the blessings of liberty and freedom. And the principal way we do that is by meeting our constitutional duty to defend this great country.

Where we're headed, in January of next year, is in direct conflict with us meeting that deep obligation, the cuts that potentially will come if we don't avert it, and I'm doing everything I can with my colleagues here tonight to avert that. The formal term is ''sequestration.'' And as a businessman, I refer to it as a violent reduction. It's between 8 and 12 percent reduction. And it happens immediately.

Even for those who believe that our budget for defense ought to be less, there's no person that I know of that would agree that this is the responsible way to do it.

Now, as I look for leadership, the House has passed a mechanism by which sequestration would be completely averted and, indeed, I have already introduced an amendment to the NDAA which will come to the floor and I hope will pass, which will incorporate that mechanism into the NDAA, so a vote for the NDAA is also a vote to avert sequestration.

To put this in perspective, in addition to the $487 billion that was reduced by the President's budget, this is another $492 billion. It's almost a $1 trillion reduction over 10 years. It would have disastrous consequences for soldiers, veterans, national security and the economy.

□ 2010

I'll share with you a few examples of, really, the practical implications of this and how detrimental they are: the smallest ground force since 1940; a fleet of fewer than 230 ships when we know that our maritime needs are not decreasing—they're increasing—principally, in the Pacific. Now, that would be the smallest level since 1915; the smallest tactical fighter force in the history of the Air Force.

I know that there are other Representatives here tonight, my colleagues, who want to speak on this issue, so I want to close with this thought: I mentioned earlier that leadership is really about setting a clear and compelling vision for our country and then laying out that it's incumbent upon that person to also have a practical plan—the steps that the country needs to take to make that vision a reality.

I am very proud of the House in that we passed a comprehensive plan to do just that. As I look at where the administration is, there truly isn't a plan, and our Commander in Chief has not risen to address sequestration. In fact, he has made it clear that he would veto efforts to avert sequestration. I look to the Senate, and there is absolutely no action coming out of there. It hasn't passed a budget in over 1,000 days.

I am respectfully asking the American people to look at the record. I believe we are an imperfect party in that we haven't done everything just right, yet the record is clear: We have a plan; it's there; it has been passed. In the Senate, there is no plan. The administration really has no plan particularly when it comes to averting sequestration.

So, when my amendment comes to the floor tomorrow—or whenever it does hit the floor—I trust that my colleagues will see the wisdom of incorporating that into the NDAA. It would avert sequestration. This needs to happen in order to meet the deep obligation that we have to every American in order to honor the veterans who have served, to honor those veterans who are serving now and our gold star families—those who have lost loved ones in service to our country. I trust and believe we will do the right thing.

Mr. REED. I so appreciate the gentleman from Virginia for being down here and expressing the sentiments that he did.

Before I yield to the gentleman from Colorado, I had a thought as you were expressing your words for the RECORD and were addressing the Speaker.

Madam Speaker, I think it needs to be clearly laid out because I have seen some reports in our national media that have kind of set the stage a little bit, in my opinion, that what is going on here in Washington, D.C., with the sentiment and the debate is to try to avoid sequestration. Yes, that is true. We're trying to have an open and honest dialogue with all Americans as to how we can make sure that our men and women are not put in harm's way in our armed services, but what we cannot do is in any way deflect from what is causing this debate to occur, Madam Speaker. The reason this debate is occurring is that the national debt is forcing this debate to occur. What we are having is the conversation of how to address the national debt and to make sure that defense and the cuts are part of this conversation, but we cannot go too far and cross that line in the sand that I referred to earlier.

What I am deathly afraid of is that this is going to turn into some folks trying to paint us on this side of the aisle as just trying to avoid making cuts to the military. Yes, we are trying to do what is responsible and make sure that our military is protected, that our men and women are protected, and that we stand with our veterans

and stand with the benefits that they have earned and that they so deserve. But we cannot let the debate end there. The debate has to reflect what is causing this.

This is why I truly do believe that Admiral Mullen echoed those words to the President—that the biggest threat to America is our national debt—because with the national debt, what Admiral Mullen was pointing out to Madam Speaker and to everyone across America is that the national debt is going to cause us to have the debate in Washington, D.C., as to whether or not we are cutting too much out of defense and putting our men and women in harm's way. That is where we are in Washington today, and we cannot have the simple conversation that we are trying to avoid cuts for the purposes of avoiding cuts. No. Madam Speaker, we are dealing with a national debt crisis that is forcing us to have this debate.

What we are trying to do on this side of the aisle is to make sure that we do the responsible thing and to make sure that our military is strong—that she is ready to defend us on a moment's notice from any threats, foreign and domestic—and that we do not put men and women in harm's way when we ask them to go and fight for our freedom.

With that, I yield to the gentleman from Colorado, who has joined us this evening on this important topic.

Mr. GARDNER. I thank the gentleman from New York for his words and for his comments on sequestration, on defense spending, on the challenges that we face in this country. I also want to thank the Speaker, who is our colleague from Alabama, for her work in making sure that we are providing the leadership necessary for our Armed Forces.

The gentleman from Virginia mentioned a key word. He mentioned the word ''leadership.'' The leadership is obvious that this House has shown in making sure that we are strengthening and keeping our defense strong in this Nation while also addressing the very serious crisis that we face with our national debt and deficit: passing a reconciliation plan, working with Members of this House to make sure that we come up with ways to find spending cuts, to reduce spending but to do so in a way that is responsible, to do so in a way that provides the leadership that our Armed Forces deserve and that the people of this country deserve.

Last week, a week ago yesterday, I had the incredible opportunity to go to the Iwo Jima Memorial where I was able to join over 100 veterans from my district in northern Colorado who had served in World War II and the Korean war. These veterans came from Greeley, Fort Collins, and from across the State's eastern plains. They were there to spend one day in Washington to visit the World War II Memorial and to visit the various monuments that are here in their honor for their service and their sacrifice.

I met three brothers who served on the same ship in the Korean war. I met a gentleman who was 92 years old who had never been on an airplane since his time in World War II. As I was leaving, as they were departing for their bus, a gentleman who was 85 years old came up to me and put his hand on my shoulder. He stopped me and I turned around.

He said, You know, I don't have much time left here—I really didn't know where he was going and what he was talking about—but he said, We're counting on you.

And I've thought about that. I thought long and hard about those words: ''we're counting on you'' to do the right thing, to do what is right for our country, to do what is right for our military, to do what is right for our men and women across this country who go to work each and every day to try to make ends meet but who are protected by people they've never met around the globe.

There is no doubt that we have a very serious fiscal challenge in front of us. There is no doubt that we are $15 trillion in debt. There is no doubt that $1.5 trillion deficits must make tough decisions around this place happen. The one thing that we cannot do is jeopardize the safety and security of this country and put our men and women in uniform at risk.

I am somebody who has come to the House floor time and time again, who has gone back to the district, and who has stood with many of my colleagues—with the gentleman from New York—to say, You know what? I believe we can reduce spending at the Department of Defense. I believe there are ways that we can reduce spending. We can find waste, abuse. We can reduce duplicative programs, including those programs that may be within the Department of Defense. But we can never, never jeopardize the security of this country, the security of our men and women in uniform—those people who are serving on the front lines of freedom around the world—by cutting too far and too deep.

The question that, I think, every American and every person in this Chamber ought to be asking is: Where is the leadership from the White House? Where is the plan to avoid these cuts that jeopardize not only our men and women but the very security of this country? Where is that plan to avoid very costly cuts that jeopardize the future of this Nation?

We passed a plan out of this Chamber to reduce spending by $1.2 trillion but to do so in a way that provides the leadership that this Nation desperately needs.

Our men and women are standing up around this country—those men and women I met at the Iwo Jima Memorial a week ago, who stood in the trenches in Korea and World War II, who are counting on us to do what is right. Their legacy of freedom didn't end when the wars ended. It continues to this very day as they stand with their brothers and sisters in arms to make sure that this country has the ability to protect and defend itself.

□ 2020

Ultimately, the leadership provided by this House will make sure that we continue to fund our defense, that we continue to fund our men and women in uniform appropriately, and that our national security will remain protected against any and all threats. I believe the Secretary of Defense has even recognized the grave challenges that the sequestration poses for our men and women in uniform. But I think it's time the question be asked to the President of the United States:

Mr. President, where is your plan to protect our men and women in uniform? Where is your plan to continue the great protection of this country?

While my colleague from New York and my colleague from Virginia come and speak about the great risks and challenges that we face, everybody recognizes that we have to address our debt-and-deficit situation. It reminds me of a time when Zell Miller, a Senator from Georgia, asked the question: What are we going to do? Are we going to provide the ammunition for our men and women in uniform with spitballs, or are we going to do what is right, by providing them the ability to defend themselves?

With that, I thank again our colleague from Alabama (Mrs. ROBY) for her leadership on this very important issue.

Mr. REED. I so appreciate the gentleman from Colorado coming and offering his comments on this important issue.

Just briefly before I yield, I am reminded from the gentleman's comments when he referenced leadership and the story that the gentleman tells of the 85-year-old veteran who put his hand on his shoulder and said, We're counting on you, because that is the sentiment that forced or caused me to run for Congress in the beginning and to become a part of this freshman class of 2010.

I look at the national debt, I look at the economic turmoil that we find ourselves in, the fact that we cannot create jobs in America to the level so that people can put food on their table and put a roof over their head and go to bed comfortable and confident that they're going to get up tomorrow with a job to go to. I see the turmoil we face in America right now at the same magnitude as that generational crisis that that 85-year-old war veteran stood up for in World War II to stand as a united country to save Lady America and the freedom that she represents.

What I'm hearing in Washington, D.C.—and I'm sad to say out of the gentlemen in the administration, I see leadership that is trying to divide this country when we face a crisis the magnitude of such that is generational. Ladies and gentlemen of America and Mr. Speaker, the time is now to unite, not divide, and conquer this issue of the national debt because it is forcing us to have the conversation of cuts to our military that is going to put men and women in harm's way. That is not acceptable on our watch.

Mr. Speaker, at this point in time I know the gentleman from Virginia would like to speak, but I'm going to yield the balance of the time to the leader of the freshman class, the gentlelady from Alabama (Mrs. ROBY) who scheduled this Special Order.

Mrs. ROBY. Thank you to my friend from New York. I appreciate you being here tonight and controlling the time for a little while.

As we have a few more minutes, I would like to yield to the gentleman from Virginia.

Mr. RIGELL. I thank the gentlelady, my friend. It's a pleasure and a privilege to serve with the gentlelady on the House Armed Services Committee. I appreciate her leadership on the House Armed Services Committee and in holding this time tonight to talk about just the critical subject of defending this great country.

Just last night, I was with Congressman FORBES and Congressman WITTMAN in Chesapeake, Virginia, listening for over an hour to local contractors speaking about how this looming issue of sequestration is already affecting not only our larger economy in our region, but also just our ability to defend our great country. Companies are making decisions right now and critical and talented people are being laid off right now in advance of the sequestration that very well could occur in January of next year.

If I go back to my previous comments, I was talking about the failure of leadership, as I see it, the administration and also the Senate, because it's so important to understand kind of how we got here. In the role of Commander in Chief, it is really incumbent upon the President, in my view, to articulate and put forth a plan that would avert what his Secretary of Defense has made so clear is completely unacceptable. The level of cuts, the severity of the cuts, the suddenness of the cuts is really what we're referring to here. It's not the almost half a trillion that was already proposed in the administration's budget. That's bad enough. We're here tonight, I think in part, to sound the alarm to the American people that this is an additional almost half a trillion dollars of cuts. Mr. Speaker, you cannot build 90 percent of a submarine; you cannot build 90 percent of a carrier. It will be a legal nightmare. Contracts will have to be broken and then renegotiated. It will be a quagmire from just a legal standpoint.

So I thank the gentlelady for yielding and for the opportunity to again address this critical issue. And I call upon the administration and I call upon the Senate to meet the House where we are, which is to put forth specific plans. This is leadership.

I thank the gentlelady for yielding.

Mrs. ROBY. Thank you to my friend from Virginia.

I just point back to H.R. 5652, which is the Sequester Replacement Reconciliation Act that we passed in this House. Here we spend so much time while we're here in Washington, when we're back home in our districts, for me when I'm at the grocery store or pumping gas or taking my kids to school, talking about jobs and the economy. We're talking about the things that we here in this Congress have done to create so much uncertainty for you, the small business owner, and the reflection of the lack of jobs because of decisions that are made here.

All you have to do is look at the Sequester Replacement Reconciliation Act to see that what we need to be focusing on is priority. It's about priority. What is our job as Members of Congress as laid out by the Constitution of the United States? As I've already pointed out, it's to provide for a strong national defense. When we talk about jobs and the economy and then the stripping away of the tools that our men and women in uniform need in order to defend this country—I just want to give you a little snapshot to end on what that picture looks like.

Specifically, 200,000 soldiers and marines would have to separate from service, bringing our force well below pre-9/11 levels. We would have a fleet of fewer than 230 ships. That would be the smallest since 1915. We would have the smallest tactical fighter force in the history of the Air Force and a reduction of 20 percent in defense civilian personnel to go to your point.

These industries—aerospace, defense, and industrial base—directly employ more than 1 million people and support more than 2 million middle class jobs across the United States, all in an effort to protect our men and women who are fighting for and defending the freedom and liberty that everyone in this room so enjoys.

□ 2030

I could go on and on. You know that we could talk well past the hour, although we don't have that time.

Very quickly, I will thank my friend from Virginia once again. And is there anything else my friend from Colorado would like to add?

Mr. GARDNER. I know our friend from Virginia talked about the concerns of the Secretary of Defense, yet we still have no plan from this White House on how to deal with the very serious problem that faces our troops and jeopardizes our country's security.

I thank the gentlelady from Alabama for her leadership tonight.

Mrs. ROBY. I thank you both.

Again, to all of our veterans and military servicemembers and personnel, we just say thank you.

And I urge my colleagues to support the National Defense Authorization Act this week, as we move through the open process that we have, so that we can continue to give those men and women and their families all that they need to ensure that they are able to accomplish the mission.

Mr. Speaker, I yield back the balance of my time.

Mr. SCHILLING. Mr. Speaker, I want to thank Congresswoman ROBY for holding this important leadership hour. I rise today to speak on some important issues facing our military as well as some provisions within the National Defense Authorization Act.

Here is the bottom line: Our national debt, which is approaching $16 trillion—or $50,000 for every person in this country—is a national security threat and we must find ways to bring our spending under control.

This House has acted to change the debate from how much can Washington spend to how much spending can we cut? We've led by example and cut our own office budgets by almost 12 percent. With the belief that more common sense in Washington can lead to uncommon savings for the taxpayer we have taken a government wide approach to cutting spending

The House has also stressed efficiencies when it passed a bill by my colleague ALLEN WEST that would cut the Department of Defense's printing budget by 10 percent.

However, placing our warfighters at risk is not the solution to our debt problem. There are proposals out there to make deep cuts to the Department of Defense that would only create dangerous consequences for the stability of our fighting forces. One proposal would reduce Department of Defense civilian employee levels beyond what our organic industrial base can handle. As a member who represents a vital part of our organic base, the Rock Island Arsenal, these proposals strongly concern me.

The largest concentration of civilians in the Army is within the Army Materiel Command and the largest concentration of civilians within Army Materiel Command is found in our arsenals and depots—or our organic base. This organic base is what ensures that our military is warm and ready to go at a moment's notice.

That is why I am also concerned about proposals that would reduce organic base specialization in areas like manufacturing.

Without the ability to specialize in these areas, our warfighters could be left flatfooted when emergencies happen. For example, the Rock Island Arsenal was able to produce up-armor kits for the doors of Humvees for our troops in Iraq and Afghanistan when their vehicles were being attacked with IEDs. The Arsenal's ability to do this work quickly gave industry the time it needed to create long-term

fixes for them and provided our troops with the tools they needed to most safely and effectively accomplish their missions.

During this time of fiscal constraint we must be careful not to penalize our organic base—which provides quality to the warfighter and value to the taxpayer. We must preserve and strengthen our organic base, not weaken it. The workers at the Rock Island Arsenal are a great example of how manufacturing skill can yield success for our warfighters.

In addition to serving on the House Armed Services Committee, I also serve on the Small Business Committee where our focus is solely on job creation through helping small businesses.

Small businesses have proven that they can perform a service or produce goods for the government at a lower cost and often at a faster pace than their larger counterparts, but many challenges remain for businesspeople seeking to break through the bureaucracy.

My colleague on the Small Business Committee, Representative JUDY CHU, and I introduced H.R. 3985, the Building Better Business Partnerships Act in February, which passed through the Small Business Committee last month, to reform mentor-protégé programs that exist to help small businesses win government contracts.

The Building Better Business Partnerships Act allows the Small Business Administration to oversee civilian mentor-protégé programs to streamline the process for each agency and ensure the programs are benefitting all small businesses.

This bipartisan language was successfully included in the FY 2013 NDAA in Committee to help small businesses compete for and win more government contracts so they can create jobs and get folks back to work.

This week, the House will debate the Defense Authorization bill. Our Constitution requires that we "provide for the common defense" and for fifty years in a row, Congress has acted to authorize defense programs. I look forward to working on a bipartisan basis to deliver a strong, common sense defense bill for the United States of America.

Again, I want to thank Congresswoman ROBY for holding this leadership hour. This July, the Rock Island Arsenal will celebrate 150 years of protecting our brave men and women. As a member of the House I will continue to pursue policies that allow our arsenals to thrive and grow their workload so that the Rock Island Arsenal can celebrate another 150 years and beyond.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4970, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012, AND PROVIDING FOR CONSIDERATION OF H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Ms. FOXX (during the Special Order of Mr. REED), from the Committee on Rules, submitted a privileged report (Rept. No. 112 481) on the resolution (H. Res. 656) providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REAUTHORIZING THE VIOLENCE AGAINST WOMEN ACT

The SPEAKER pro tempore (Mr. ROKITA). Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I thank you for the opportunity to take this 1 hour.

We want to spend this hour discussing a piece of legislation that is extraordinarily important to every woman and every man who lives within the United States. It's the Violence Against Women Act, which is up for renewal, and we'll be discussing that. But before I go into that, we've just heard an hour of discussion on an extremely important matter, which is the issue of national defense.

I do sit on the House Armed Services Committee, and I spent about 16 hours last week working to move that bill out of committee. Every single person on that committee and every single person in this House and in the Senate cares deeply about this Nation's security and providing the necessary support for the men and women who are currently in the military and those who have served in the past. There's no doubt about that.

There is, however, a very important debate underway about how we provide those services, given the ability of this Nation to find the money to pay for it. You heard a most remarkable debate this last hour—or a discussion this last hour, not a debate—but a discussion that basically, on the one hand, said, we've got this terrible deficit problem, and we have to deal with it; and on the other hand, we have to spend more and more money on the military.

Now recognizing that the war in Afghanistan is drawing down and hopefully will very soon be over, we are moving away from carrying on two major wars to a period in which we will not be having men and women overseas in these wars. That allows this Nation to draw down the military in an appropriate and very careful manner. Unfortunately, the bill that moved out of the House Armed Services Committee didn't do that. In fact, it moved away from the current law, which is one that was voted on by all of our Republican colleagues, which was the Budget Control Act that actually said the military had to be brought down. And the discussion you heard here about the President not having a plan, it simply isn't true. The President has put forth a balanced solution to the deficit within the confines of the Budget Control Act, a balance that has been rejected by the Republicans, a balance that calls for revenues, ending unnecessary tax breaks—for example, for the oil industry. Why should they receive $5 billion a year of our tax money on top of the tens of billions of dollars in profits that they are making in the sale of overpriced gasoline and diesel to the American public?

So the President says, take away those unnecessary subsidies and bring those back into dealing with the necessary things that we must do in this Nation. He also said that men and women who earn over $1 million a year in adjusted gross income ought to be paying their fair share.

There was discussion a moment ago about the budget reconciliation bill that passed this House. Understand that the budget reconciliation bill, as proposed by the Republicans, would increase the national deficit by $4 trillion. How does it do it? By giving an extraordinary new tax break to those at the very top. Those who earn more than $1 million a year would see their taxes reduced. So at $1 million a year in earnings, they would receive an additional tax reduction of $394,000. That's neither fair, that's neither balanced, and that clearly leads to an additional $4 trillion.

Back to the defense. We need a wise Defense appropriations bill out of this House. Unfortunately, though, what did pass was not wise, and it actually increased the number of men and women in Afghanistan. These are our Armed Forces. Under that bill, there would be an increase of 20,000 new soldiers into Afghanistan. That's not where we want to go.

Having said enough about that, I just thought we ought to put a little balance on the previous hour of discussion. So let us get on to what we really wanted to talk about tonight, which is, how do we protect women in America?

In 1994, a previous Congress passed the Violence Against Women Act, and that act provided a level of protection to every woman in America to be protected from domestic violence. I have with me tonight one of the key architects of that piece of legislation. She is now a Member of Congress. She is from the great State of Maryland. Her name is DONNA EDWARDS. Back in the nineties, she was the founding director and the executive director of the National Network to End Domestic Violence.

The National Network to End Domestic Violence was an organization that Representative EDWARDS put together composed of State organizations that were dealing with domestic violence, many different kinds of organizations

throughout the United States. Representative EDWARDS put that together. And she's here tonight to lead the discussion on how we can renew the Violence Against Women Act in a way that expands the protection to all women in the United States, all women. And central to this discussion will be that issue of all women within the United States.

But before I turn it over to her, as the Republicans always want us to do, I would like to read a couple of clauses of the United States Constitution. The 14th Amendment, in the end of section 1, says:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. And section two of the 14th amendment of the United States Constitution, says, ''The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

''Any person,'' a key subject for tonight's debate.

Representative EDWARDS, you've been at this for many years. Please share with us the background, the history, and why this is such an important part of what we must do here.

Ms. EDWARDS. I thank the gentleman from California for yielding and for your leadership.

I was thinking here, as I was sitting, that 18 years ago almost this month, I testified before the House Judiciary Committee before the passage of the Violence Against Women Act on behalf of the domestic violence advocates and survivors all across this country. And 18 years ago, we were discussing with a bipartisan group of Members, Republicans and Democrats, men and women who believed that it was finally time for the Federal Government to provide resources for shelters and services and programs and support for law enforcement and for protections for women who were experiencing domestic violence.

□ 2040

And I am actually saddened today that here we are in the Congress with Republicans taking one track and Democrats on another track on an issue that for the time that I have had professional experience on working on this issue in State legislatures and in the Congress has always been worked across both sides of the aisle with great agreement about the need to protect women against violence, and that in fact we stand here today with a partisan divide that I think for so many millions of women across this country who are experiencing violence is not something that we understand.

Today, we had an opportunity on the grounds of the Capitol to honor peace officers from across the country. Some of those peace officers lost their lives because they were responding to situations of domestic violence.

When the Violence Against Women Act was passed in 1994, it was passed because of several years of prior work. I remember working on the Violence Against Women Act and its various iterations as early as 1990 with ORRIN HATCH, a Republican from Utah, and Senator JOSEPH BIDEN, now Vice President, a Democrat from Delaware, working on the House side with Republicans and Democrats as we sought the right kind of compromise so that we can end the scourge of domestic violence in homes all across this country.

Since the passage of the Violence Against Women Act as a bipartisan piece of legislation, it really revolutionized the way that violent crimes against women are prosecuted and prevented and the way that communities respond to survivors. I can recall as long ago as when I was in second grade living on a military installation in very close quarters where you could hear through the thin walls the family that was experiencing domestic violence. And our experience then is that the military police would respond. They would drive the servicemember around the block and he would be back in the home. That was happening not just on military installations, but in communities all across the country.

With the passage of the Violence Against Women Act, it was a real message to law enforcement: we're going to provide you the tools and training and capacity to respond appropriately to victims of domestic violence.

That's what we did in 1994. It's what we reauthorized with bipartisan support in 2000, and then again in 2005.

I can remember as a resident adviser in college the horrible situation of having to call an emergency service for a young woman who had attempted suicide because she was in a violent relationship. In 2005 and 2000 we put resources in the Violence Against Women Act that enabled colleges and universities and communities to provide the kind of support and services that that young woman would have needed.

I can recall being a coworker of a young woman who showed up at work every day, working in a high-technology field, fully educated, but she was experiencing violence. She calls me on the telephone in the middle of the night from a phone booth, naked, having been battered by her abuser, not having anyplace to go and a shelter very far away. Today, because of what we've done in the Federal level on violence against women, that particular survivor, that victim has recourse and has the ability to seek shelter and services available to her.

When I testified 18 years ago before our House Judiciary Committee, I told the story of my own family, a family of four girls—and they say one in four women experiences violence at any time in their lifetime. Well, that was my family. My one sister was held at gunpoint and at knifepoint in my household.

And I think that what we did in 1994, what we've done in constituent legislation reauthorizing the Violence Against Women Act in 2000 and 2005, has gone a long way to ensure that women like my sister, women like my coworker, like the students in college, like battered immigrant women who, under threat of deportation from their abuser, under the threat of their own physical safety, afraid—because they might be deported—from going to seek shelter and services.

Well, in 2005, when we reauthorized the Violence Against Women Act, we said to those battered immigrant women: you don't have to be under threat of deportation if you're experiencing domestic violence. And yet here we are today in a Congress where the other side of the aisle, the Republicans in the Congress, are actually proposing rollbacks in the protections that we have offered to those who have experienced domestic violence, whether they are citizen survivors or they're immigrant women or they require cultural and linguistic services or they're lesbians and gays and transgender people in relationships that also require services.

This is not the kind of country we are. I think certainly in 1994 and in the subsequent reauthorizations of the Violence Against Women Act in 2000 and 2005 that passed with overwhelming bipartisan support, that we did not envision that in 2012 we would actually be rolling back the protections that we had offered those who experience violence.

I will have more to say about this because I think when I think back to my history of working on this issue—and so many of us have in this Congress—across the aisles to provide the kinds of supports and services and shelters and programs and training and law enforcement and prosecution that hold people accountable, that it is really sad that we're here on this floor of the House today rolling back the protections for those who experience violence.

With that, if you would not mind, Mr. GARAMENDI, I know that we've been joined by others.

Mr. GARAMENDI. Why don't we work together here. But before we pass the baton to our colleagues here, I think we all need to recognize the extraordinary work that you have done over these many, many years on this issue, and understand now how it affected your family. And I dare say it affects every family in America. If it's one in four women are at some time in their life abused and threatened with violence, we're talking some 40 million women. It's an extraordinarily serious problem. And the legislation that you

helped write back in 1994 needs to be reauthorized and strengthened, not weakened.

I would like now to turn to SHEILA JACKSON LEE, our colleague from Texas, who is deeply interested in this and has spoken on this before. And then, with your permission, Representative EDWARDS, I'll let you conduct the rest of this meeting.

Ms. EDWARDS. Thank you, Mr. GARAMENDI.

Ms. JACKSON LEE.

Ms. JACKSON LEE of Texas. Let me thank the gentleman from California and applaud the gentlewoman from Maryland for her early, early involvement and leadership on this issue. It was certainly advocates like herself that allowed members of the Judiciary Committee, of which I was a very young member, to be able to draw upon that advocacy and write the VAWA legislation at that time. And I did it with bipartisan support. Chairman Hyde was the chairman of the Judiciary Committee at the time, and I remember distinctly. In fact, I was with Senate Members today who remember us from the House coming down to the swamp on the Senate side in a bipartisan manner to stand and support VAWA and its writing. And it couldn't have been done without the many stories and the many advocates like yourself. And so I'm delighted to serve on the Judiciary Committee on each and every reauthorization that has come about. I have been involved with it and been involved legislatively in a bipartisan manner.

The sadness today to all of us is that we're not able to do this in a bipartisan manner. And I will just briefly recount, if I can, what it means to a woman—and the enormous range of ages—and then conclude my remarks by indicating that the legislation that will be on the floor of the House tomorrow, H.R. 4970, is sad because it has not given the opportunity to do the right thing for women in a bipartisan manner.

□ 2050

Just let me cite these stories: Jonathan Barnes, 23, strangled his girlfriend, Jessica, to death. Barnes was charged with Jessica's murder.

Carlos Rodriguez, 38, strangled his wife, Rumalda, who was found deceased in her bed. She was 27.

Lucy Garcia, 63. Florentino Suchil, 54, beat and then ran over his girlfriend, Lucy, with a vehicle. She died from severe trauma.

Yolanda Punch, 47. Lonnie Punch, 47, shot his wife, Yolanda, to death at her friend's apartment complex.

Lucinda Bernard, 34. Donald Bernard, 44, stabbed his wife, Lucinda, to death in their home.

Rosa Limon, 25. Victor Azua, 28, shot his girlfriend, Rosa, to death before he shot and killed himself.

Shannon Strickhausen, 38, was shot by Jimmy Yarbrough. He shot Shannon to death before he turned the gun on himself. Her 14-year-old daughter who was at home called the police.

Vanessa Favela, 23, was shot and killed.

Donna Baeza, 48, was stabbed to death by Harold.

Marquita Brown, 25, was shot to death.

Another unidentified victim was shot by someone they believed to have been her husband, and the children discovered both deceased.

Someone by the name of Fortunata was killed by Juan Perez, shot to death.

It goes on and on in terms of the violence. It is not a respecter of age.

And what we have in this legislation, H.R. 4970, that is so striking for those of us who have dealt with women, I sat on the Houston Area Women's Center that provided refuge for women. I have dealt with women who have had their faces shot off and have had to run for their life.

Here's what we have in this legislation, very briefly. As we commemorated law enforcement officers who lost their lives today, we know when they come upon a domestic violence circumstance, they are in jeopardy. But what they want most of all is for that victim to be able to talk to them.

In a series of amendments to this legislation that is not in the Senate bill, we have taken to do immigration reform or immigration enforcement or immigration oppression, and we have used it in the wrong way. We have decided to take victims who happen to be immigrant women who happen to be here legitimately through the visa of their spouse, and we've indicated these three points. It would unduly restrict what we call the U visas. Currently to obtain a U visa for victims of serious crime, Federal, State or local law enforcement certifies that the applicant has or is likely to be helpful in the investigation, but this bill would restrict the law enforcement agency certification only to victims for 60 days. Some of these women are running for their lives. Some of these women cannot be found.

Another provision on this would encourage vulnerable victims of particularly serious crimes, this would deny them the opportunity for a green card. That has always been law, that you have the access. And then, of course, it would suggest that these victims are using their abuse to fraudulently get a status or to get an immigration process. So it would enhance the penalties for those women if they found some flaw in their testimony.

Clearly, a whole segment of the population would be ruled, in essence, ineligible for relief or help. But, more importantly, you would cast a whole litany of women who have been involved in this violence who happen to be immigrants, whose children happen to be immigrants, it would, in essence deny them the rights that they had before. It would take away current law.

Let me close by saying the Senator from Minnesota offered an amendment that I have offered and hope even though it may be a closed rule to be able to provide 70 percent funding to end the backlog of rape kits. There is a massive backlog of rape kits, which means that a woman is denied justice because those rape kits are not being processed. These rape kits are in hospitals. They are in evidence rooms. They are in back-door pantries. They are in places where they cannot be found, but they are there. We need to be able to put an emphasis on ensuring that these rape kits, sometimes years old, sometimes women haven't gotten justice. Sometimes the perpetrator, having raped again, has not been brought to justice because we have not been able to process those kits.

So there are many things that we could have done in a bipartisan manner. Tomorrow we will be debating this bill. Many people will be left out. I only say to the women and men who are on the floor tonight and those who may be listening to us, let's put this back. Let's go forward in a bipartisan manner. Let's make this bill the kind of bill that answers all of the concerns that have been expressed, and let's do better than H.R. 4970 because the women of this Nation deserve it.

Mr. GARAMENDI. I thank the gentlewoman from Texas for her very thoughtful and thorough discussion of this piece of legislation. It is about all women. We should never exclude any women from the protection of this law.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Maryland (Ms. EDWARDS) is recognized for 35 minutes as the designee of the minority leader.

Ms. EDWARDS. Mr. Speaker, I thank the gentleman for yielding his time, and I thank the gentlelady from Texas and for your leadership on the Judiciary Committee, and just a reminder to the Chair that at the latest count, the bill that the gentlelady from Texas refers to, H.R. 4970, that would reauthorize the Violence Against Women Act, is currently opposed by 325 advocacy organizations from around the country who remain concerned that the legislation proposed by the Republicans actually rolls back many protections for immigrant women, for Indian women, and for the LGBT community.

With that, I would like to yield to the gentlelady from California (Ms. LEE).

Ms. LEE of California. First, let me thank you, Congresswoman DONNA EDWARDS, for your long-time and

steady support and work on behalf of so many issues relating to women, especially those as they relate to violence against women. You have consistently over the years done this work, oftentimes when no one else was doing it, and thank you for staying the course. It is so important that we come together again in a bipartisan way to get the right bill, the correct bill, passed; and so thank you very much.

I want to thank Congressman GARAMENDI for your leadership in helping to put together this Special Order but also for your leadership on behalf of women all around the world. I know your wife very well and your children, and you have always really stood on the side of what was right for equity and for justice as it relates to women, so thank you very much.

I believe we all can agree there really is an acute need to put an end to domestic violence, dating violence, stalking, and sexual harassment. It's critical that we continue to speak out against intimate-partner violence at every opportunity and call attention and awareness to it whenever we can. And so that's why we really have to get this bill back in the shape that it needs to be in so we can protect women, because I can remember when I was in the California legislature. For example, I wrote California's Violence Against Women Act for the State of California; and I worked on many domestic violence bills that were signed into law, mind you, by then-Governor Pete Wilson, a Republican Governor. And, of course, I continue to cosponsor and work on numerous bills here in Congress to support victims of domestic violence and to prevent domestic violence.

Now, as someone who understands domestic violence on a deeply personal level, I know how traumatic this experience is. I know the strong and consistent support system needed to emerge as a survivor. There was no Violence Against Women Act in the late sixties and early seventies when I had to deal with many, many issues that we're talking about tonight. There was no place to turn. I also know from personal experience that domestic violence is not only physical. It is emotional. It is brutal. It is dehumanizing to the batterer and the battered. And without strong and enforceable criminal laws and services in place, one's life really can be shattered and destroyed.

Unfortunately, instead of being serious about the Federal reauthorization of VAWA, Republicans are attempting to roll back current law and weaken protections for women. This bill, H.R. 4970, would further marginalize LGBT victims, tribal victims, and immigrant victims by removing the limited, but important, protections that the Senate version extends to LGBT domestic violence victims, including key nondiscrimination provisions. Those are essential.

It removes the commonsense and constitutionally sound provisions in the Senate version that would allow the prosecution of nontribal violators who commit domestic violence against tribal women. This is horrible. It's wrong. It's immoral.

□ 2100

Under this bill, the protection of immigrant victims would be subject to unsubstantiated, abuser-provided evidence, among other bureaucratic barriers to protection, including delays in the prosecution of abusers.

Now, without changes and rollbacks like these—and these are only a few of them—I question, really, if the Republican proposal should even be called a Violence Against Women Act. I understand that Congresswoman ADAMS' amendment would make some small changes to this bill; however, it would still roll back key protections for immigrant victims, allowing the abuser to have the power during investigations and to maintain control of the victim's immigration status.

Under the guise of fraud concerns, Republicans are attempting to roll back important protections even as the Department of Homeland Security officials say that VAWA petitions are among the hardest immigration programs to defraud because of the already high evidence requirements.

Now, our colleagues in the Senate recognized the need to modernize and expand protections for victims of domestic violence, sexual assault, stalking, and dating violence. On April 26, the Senate version of the Violence Against Women Reauthorization Act passed with a rare show of bipartisan support, and that is what we are here to say we should do tomorrow in this House.

In this bill, though, that the House is considering, this would really pose a serious threat to the lives of victims. This is happening while all around the world nearly one in three women has been beaten, coerced into sex, or otherwise abused in her lifetime—one in three, here in the United States. As many as one in three American women report being physically or sexually abused by a husband or a boyfriend at least once in their lives. That's shocking.

In my home State of California, the statistics are even more staggering, where approximately 40 percent of California women experience physical intimate partner violence in their lifetimes. Of these women, three out of four had children under the age of 18 at home.

Children who see or experience domestic violence have a much greater chance to become either victims or perpetrators as adults. They are also more likely to attempt suicide, abuse drugs, run away from home, engage in teenage prostitution, and commit other crimes.

So there is unquestionable evidence of the need for a serious proposal to reauthorize the Violence Against Women Act. So I urge my colleagues to pass the Senate Violence Against Women Reauthorization Act.

We cannot afford to play political games with women's lives. We must not go back to the days, which many of us remember, where there were no protections, no safe places, where the courts would not allow battered women syndrome as admissible evidence in court, and women were incarcerated for defending themselves against their abusers.

So I have to thank Congresswoman EDWARDS, again, for your tremendous leadership in bringing us all together and continuing to try to work in a way that's in a bipartisan fashion—because that's the only way we can do this—on behalf of all women. This really is, in many ways, about life and death.

Ms. EDWARDS. I thank the gentlelady. And thank you so much for pointing out, especially with these diverse communities, the real importance of developing programs and services that respond directly to those communities, whether they're immigrant populations, LGBT populations, native populations, and others, that require the services and support that have been offered traditionally in the Violence Against Women Act and its subsequent reauthorizations up until now.

I'm actually reminded that, years ago, one of the most horrible calls that I responded to on a hotline was a woman in a lesbian relationship that was abusive and the difficulty of getting her into a program and services that were uniquely tailored to make sure that she could live safely. It is so sad for me to think, as the gentlewoman has pointed out, that we are going to roll back provisions in the Violence Against Women Act that would deny that woman the protections that would be offered to any other person who was experiencing domestic violence because we made some political and partisan decision about who should get services and who should be denied. So I thank the gentlelady.

With that, I'd like to yield to my good friend, the gentleman from California (Mr. FARR).

Mr. FARR. Thank you very much, Congresswoman EDWARDS, for your leadership before you even became a Member of Congress, but especially tonight to lead this discussion.

I can't believe what we're about to do tomorrow in a vote to reauthorize. I was here in 1994 when we were so proud of creating this historical legislation to protect women against violence. It wasn't some women; it was all women. And now we're on the verge, 18 years later, of saying, well, let's change that.

What's so appalling about it is we're going to take that in a debate tomorrow in this room, where every time

we're in session we start that session by getting up and taking a pledge to that flag behind you saying ''justice for all.'' That's our role. We're elected here to bring about justice for all.

We just had a census in the United States. In that census, we didn't just count some people because they were citizens, some people because they were rich, some people because they were this or that or had an education. We counted every living being in the United States. Why? Because the laws of this country are supposed to be protecting and enhancing and providing a quality of life for every living being. Now we're on the verge, in an election year—when the majority of voters in this country are women—to say to the women of this country, Oh, by the way, we're going to start taking back some of the provisions that have protected you.

You know, I rise, as Mr. GARAMENDI did before me, we rise as brothers, as husbands, as fathers, as a grandfather. In every one of those situations, the brother is because I have a sister, the husband is because I have a wife, the father is because I have a daughter, and the grandfather is because I have a granddaughter. My world in politics is about their lives and the future and growing up in the great country of the United States of America.

So here we are with this law that we passed back in 1994. We reauthorized it. We didn't have takeaways when we reauthorized that law in 2000. We didn't take away things when we reauthorized it in 2005. And now we're in 2012 and the vote before the Congress is: Let's take away some stuff. Why? It doesn't make any sense at all.

Why do you say, well, you can exclude Native Americans? Why? Aren't they? They're Americans. They're Native Americans. They're probably more American than anybody. Take away rights that those women have been given and now are being taken away.

Noncitizen women? Noncitizen women. Those are a lot of immigrants. It doesn't matter whether you have a green card or no card, taking away your rights to complain about violence.

To those in the lesbian, gay, bisexual, and transgender communities, they're individuals. You take away their rights? Shame.

It's an election year. Women are voting. I hope they will wake up and understand that the Congress, led by the Republican leadership in this House, is about to destroy the ability for people to access justice in a Congress and in a Nation where we pledge allegiance and pledge justice for all. Not tonight.

Thank you for having this special session.

Ms. EDWARDS. I thank the gentleman. And I thank him for his leadership because it took real courage for a bipartisan consensus to develop in this Congress, in this House of Representatives, in the Senate, with virtually no opposition because Members of Congress came together from every single State, from every community, from every congressional district and said that this kind of violence that happens in intimate relationships is not right, and that the Federal Government has a special role to play in making sure that those who experience violence have the ability to receive the kinds of programs and services and shelter and law enforcement protections, no matter what their status, because violence is wrong.

I thank the gentleman from California and other Members of the Congress who, in 1994—and then again in 2000, and then again in 2005—reauthorized the Violence Against Women Act across party lines because we share an oath and an obligation to provide those kinds of protections and services to all who experience violence. It is such a sad day that here we are here in the House of Representatives, and tomorrow we will have before us legislation that strips away that bipartisan effort that we engaged in just 18 years ago.

□ 2110

With that, I'd like to yield to my good friend, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I want to thank Congresswoman EDWARDS for her phenomenal leadership throughout her adult life on this issue, before she came to Congress and, obviously, now, a tremendous leader here on an issue of vital concern, and I underline the word vital, to America's families, to America's women, to those in tribal communities, to lesbian, gay, bisexual, transgender communities, to our immigrant families, to our immigrant spouses.

Let me just say that I don't recall ever the Violence Against Women Act being controversial. We have always, on a unanimous basis practically, passed it year after year after year. But this year, House Republicans have decided that they want to make an issue where they shouldn't be an issue. How sad. Sort of devolutionist, trying to move America backwards rather than forwards.

Every American should be free from fear. They should be free from abuse, and they should have equal protection under the law. The Violence Against Women Act does exactly that.

And I have two cases I just wanted to briefly mention, one from my district, where a horrible crime occurred. A woman was literally dismembered by her spouse, and each body part was put in a different trash can in the western part of one of the counties that I represent. And I thought about the agony that that woman suffered, year after year after year, fear for her own life, and eventually it was lost, and not reporting this, not going anywhere, being completely consumed by the fear that eventually resulted in her death. No American should face that.

And then I recall being called in our office by a gentleman saying, MARCY, you know, up the street from me, a woman has moved in with a man, and she's an immigrant from Russia. And my wife and I believe she's being beaten, but she's not a citizen. What can we do? How can we help her? This was years ago. This was a few years ago.

And I think of these cases that have come across during my period of service, and I know how important the Violence Against Women Act is to reduce domestic violence in our country and give women and give individuals a place to go. Even today, since 1994, we know that domestic violence has dropped more than 50 percent. However, the other 50 percent is still there. And I see this, sadly, in the regions that I represent. And I'm not alone. But there's still a lot of people that don't know where to go.

I recall one time traveling with then-Congresswoman, now Secretary of Labor Hilda Solis. We were down at the border in Texas, and we went to one women's shelter with this gigantic electric fence around it to try to protect the women in those border communities for the violence that they were enduring.

And so I want to thank Congresswoman EDWARDS for taking this lead tonight, to help to reauthorize this important program, to assure that we have adequate refuge for those who are living in fear in order to save their lives.

My goodness. This is the greatest country in the world, and we know that statistics show 1 in 4 women, this is a shocking number, have been the victims of severe physical domestic violence, and 1 in 5 women have been raped in their lifetimes, many in the U.S. military.

And I want to compliment Congresswoman JACKIE SPEIER for her phenomenal leadership on that issue to try to get justice inside the military, as well as in civilian society.

So I just want to say that I'm sorry that there are those who don't want to protect the lives of all citizens that live inside our borders, and immigrants that have come here who face tremendous obstacles of various kinds that many people can't imagine, but they're actually happening, and to make sure that all those within our borders are given equal protection under the law and justice and the opportunity to live in freedom without fear.

So I want to thank Congresswoman EDWARDS for bringing us together this evening and for making such a tremendous contribution to doing what's right and what's necessary for our country. Thank you for leading us forward.

Ms. EDWARDS. I thank the gentlelady, and thank her also for her leadership and commitment to all those who

experience violence. And I think the message here tonight is that clearly we need to reauthorize the Violence Against Women Act. I think we agree about that.

But the question is, what do we do that actually expands the protections of a really vital piece of legislation for women all across this country, however they're situated? Unfortunately, H.R. 4970 simply doesn't do that. It eliminates protections for crime victims that are offered by the U visa, as our colleagues have pointed out. It deters immigrant victims from reporting crimes by denying nearly all U visa recipients the protections offered by lawful permanent resident status.

If anyone has ever held the hand of an immigrant woman whose status is in question and whose abuser has known that and uses that as part of the instrument of violence against her, you could not be possibly for legislation that would, in fact, roll back the protections that she deserves. I've held that woman's hand.

There's no reason, in this great country, that we should not have protections for those who've come here, for those whose legal status is actually under threat only because they're a victim of violence.

Now, there are some who suggest that somehow there's great fraud going on, and that principally, women are saying that they are experiencing violence so that they can receive protections.

I have to tell you, in my more than 20 some years of working on issues of domestic violence, on responding to telephone calls, and taking intakes in shelters, and sitting with victims and survivors in court, I can't recall anyone saying that they had experienced violence when they hadn't. And so I don't know what fraud the other side is trying to get at.

What I do know is that H.R. 4970 would roll back protections from the very women, from the very victims who are the most vulnerable, who need those protections. It would endanger victims by making it difficult for them to obtain visa protection.

H.R. 4970 needlessly requires that an investigation or prosecution is actively pursued. Can you imagine that a batterer would love the idea that you'd have to pursue an active investigation and prosecution, otherwise that person is free to continue battering, free to continue the abuse because they know that they, in effect, have the protection of the law. This is, unbelievable.

H.R. 4970 would require that a victim help to identify the perpetrator. All of us who have worked, particularly, with victims of sexual assault and other victims, would know what a dangerous position it puts a victim in of having to identify a perpetrator. Very often a sexual assault victim will not even know who the perpetrator is.

So I would urge my colleagues, as we consider reauthorizing the Violence Against Women Act, which we know we need to do for those who experience violence all across this country, that we consider those who are the most vulnerable, and that we stop down this path of politicizing and turning the Violence Against Women Act into a partisan issue, when we know that since 1994, to 2000, to 2005, Republicans and Democrats in this Congress have come together to reauthorize the Violence Against Women Act because we stand together against domestic violence.

I've been joined by my colleague from Vermont, PETER WELCH, and I'm sure that he has a few words to share with us about supporting a robust, bipartisan Violence Against Women Act.

□ 2120

Mr. WELCH. Thank you.

You've been a leader on this; but the challenge that we face in Congress is whether we're going to take seriously the epidemic of violence that's inflicted on women throughout this country. This legislation has to address what is a very serious problem in this country, which is that women are being subjected to violent attacks and that do we have it in our heart—do we have it in our will?—to provide legal protections to women who are the victims of assaultive and violent conduct in this country? It's really that simple.

That should apply to all women. Any person who is attacked on the basis of gender should be protected. What their views are about anything—what their views are on politics, what their views are on sexual orientation—are really irrelevant to the basic, independent, individual right that all of us have—men and women, incidentally—which is to live our lives in peace and with protection and with the confidence that our physical integrity will not be violated. It's really as simple as that.

So this is a question of whether this country has it in its heart to understand that there is violence out there that is affecting half of our population. Do we as a society have the desire and have the will to provide legal protection to people who are on the receiving end of violent conduct?

In my view, we have that in our heart, we have it in our soul, we have it in our will, and we can do it.

Ms. EDWARDS. I think the gentleman from Vermont raises an interesting point. We do have it in our heart. The question is whether we have the will to do the right thing.

This is not a selfish question, because, in fact, while we can sympathize and empathize with the experiences of victims and can provide support and services to them, we also recognize that it is really costly to us as a society when people are experiencing violence in their homes. It impacts our workplaces; it impacts our communities; it impacts our streets. When young people witness violence—when children witness violence in their homes—it is more likely that they will either experience violence themselves or they will become perpetrators. Our prisons and jails are filled with young people, men and women, who, when you get down to the core and ask them the question about their life experiences, will repeat to you their experiences of violence.

So this isn't an abstract question about whether we feel good in doing it. The impact for all of our communities and for society is really tremendous. Domestic violence spills out onto our streets and into our workplaces. It is estimated that the cost to our Nation is on the order of $8 billion in lost productivity because of domestic violence. It's attributed to productivity and to health care costs—the violence that causes 2 million injuries each year, three deaths each day, untold amounts of suffering to women and others who experience violence.

I know that we talk about women because the overwhelming majority of those who experience intimate partner violence are women, but we want to acknowledge that there are some men who experience violence. Some of those men are in same-sex relationships, and for some of those men, the women are perpetrators of violence; but the overwhelming majority of violence is violence that takes place between men and women, with men being the principal perpetrators.

It is why we've supported at the Federal level through the Violence Against Women Act a system of shelters and services and support for those who experience violence. It's why we've provided training for police officers, for all in law enforcement—for our prosecutors so that they become better prosecutors, for our judges so that they actually understand in our family courts and in our criminal courts what's going on with violence and so that it makes them better at meting out justice. It's the reason that we provide training in workplaces and with medical practitioners—so that they are able to identify when violence is happening in the emergency rooms and other health care facilities. It is the reason that here in this Congress we have this debate.

The fact is, under H.R. 4970, which we are considering, if you are an immigrant woman, you can say, You know what? The abuser, because he knows about my immigration status, can abuse me all he wants because I will not be afforded any protection. There is no place that I can go. If you are from the LGBT community, you can experience untold violence, and there will not be protections and services for you.

So H.R. 4970 actually turns on its head what we began to do in 1994 with the first passage of the Violence

Against Women Act and with its subsequent reauthorizations, which is that we began to expand the protections. Then we began to ask: What are the levels of services that we can provide to communities, however they're situated, so that we can make sure we have culturally sensitive programs and services, linguistically sensitive programs and services, and programs targeted at specific communities so that they can take advantage of them?

Mr. WELCH. What about the kids? Whether they're lesbian or immigrants who take care of the children, isn't it the mothers who have the burden of that at the end of the day? Aren't we doing something that's going to protect those kids as well?

Ms. EDWARDS. The gentleman makes an amazing point.

When children witness violence, and especially as they grow older, children will often want to protect their mothers, and that actually puts them in greater danger. That is especially true for young boys, for male children, who will want to protect their mothers and think that they can intervene. There are children who grow up thinking that they were the reason that their mothers were experiencing violence, and then that has an untold downstream impact on them as they grow older.

The fact of the matter is we need to reauthorize the Violence Against Women Act, and we need to do that in a bipartisan fashion. We need to make sure that whether you're an immigrant woman, whether you're a Native American woman, or whether you are in the LGBT community that you have the full protections of the law against experiencing violence in your intimate relationships. This is the least that we can do. It is just unfortunate that the Republicans aren't even going to allow an amendment that would actually allow us to expand these protections so that we could come to a bipartisan solution.

I can't tell you—I will just say to the chair—how sad it makes me as somebody who was in the trenches in 1990 to 1994, with advocates from across this country who were seeking to expand protections and services and programs for those who were experiencing violence, to know that we were able to do that with Republican ORRIN HATCH from Utah; with JOE BIDEN from Delaware, a Democrat; with Connie Morella, a Republican from Maryland; with JOHN CONYERS, a Democrat from Michigan. We were able to do that across the aisle; but today, instead, what we are doing is a Republican bill that would roll back the protections that many of us had sought to have.

Mr. WELCH. You make a good point.

Is it the case in this country that it's Republican women or Democratic women or Republican children or Democratic children who are on the bad end of violence? We know that's not the case. There is a lot of human emotion that goes into this, and it's uncontrolled emotion. We know that whether you are a Republican or a Democrat child or woman that you're entitled to the physical integrity of your own safety.

So it's not an issue that should be decided on partisan grounds. It should be decided on the basic right of human beings to physical security, and it should be about the goal all of us, I believe, have—that we want to have respectful and loving relationships, particularly in our intimate relationships.

Ms. EDWARDS. I thank the gentleman for pointing out the baseline, which is, when you're experiencing violence, you don't identify yourself as a Republican or as a Democrat.

□ 2130

You're not a Christian or a Jew or a Muslim. Children witness violence, women—and some men—experience violence. Native American women experience violence, and so do immigrants experience violence. Our law should afford the full protection of the law against those who would perpetrate and provide services and programs for those against whom violence is committed.

I strongly urge the passage of the Violence Against Women Act that is a bipartisan bill. Unfortunately, H.R. 4970 simply misses the mark and would tip the scales in favor of abusers, that would tip the scales against immigrant women, that would tip the scales against the LGBT community, and would tip the scales across the board.

With that, I urge that we would defeat H.R. 4970 and come back to the table with sensible bipartisan legislation in the tradition of the Violence Against Women Act.

With that, I yield back the balance of my time.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 8, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 3247. To designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building''.

H.R. 3246. To designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''.

H.R. 3004. To designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building''.

H.R. 2244. To designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office''.

H.R. 2660. To designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office''.

H.R. 3248. To designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''.

H.R. 2767. To designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trant Post Office Building''.

H.R. 298. To designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building''.

H.R. 1423. To designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Michael E. Phillips Post Office''.

H.R. 2079. To designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office''.

H.R. 2213. To designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office''.

ADJOURNMENT

Ms. EDWARDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 16, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5990. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2011 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces for the period ending September 30, 2011, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

5991. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 14 officers to wear the authorized insignia of the grade of major general; to the Committee on Armed Services.

5992. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John C. Koziol, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5993. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Office of Minority and Women Inclusion's annual report for 2011; to the Committee on Financial Services.

5994. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2011, pursuant to 42 U.S.C. 13218; to the Committee on Energy and Commerce.

5995. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5996. A letter from the Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5997. A letter from the Chairman, Commodity Futures Trading Commission, transmitting the Commission's Federal Employee Antidiscrimination Retaliation Act of 2002 (No FEAR Act) Report for FY 2011; to the Committee on Oversight and Government Reform.

5998. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting the 2011 management reports and statements on the system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

5999. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the Commission's FY 2011 Annual Report pursuant to Section 203, Title II of the Notification and Federal Anti-discrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

6000. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for FY 2011 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107–174; to the Committee on Oversight and Government Reform.

6001. A letter from the Chief, Office of Special Counsel, transmitting the Office's annual report for FY 2011 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107–174; to the Committee on Oversight and Government Reform.

6002. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting the semiannual report of receipts and expenditures of appropriations and other funds for the period October 1, 2011 through March 31, 2012; (H. Doc. No. 112–108); to the Committee on House Administration and ordered to be printed.

6003. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Acting Director, Office of Sustainable Fisheries, NMFS, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB113) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6004. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB142) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6005. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Altus AFB, OK [Docket No.: FAA-2011-0630; Airspace Docket No. 11-ASW-8] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6006. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; [Docket No.: FAA-2011-1146; Airspace Docket No. 11-ASO-36] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6007. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Compulsory Points; Alaska [Docket No.: FAA-2010-1398; Airspace Docket No. 11-AAL-21] (RIN: 2120-AA66) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6008. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Inverness, FL [Docket No.: FAA-2011-0540; Airspace Docket No. 11-ASO-20] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6009. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Rugby, ND [Docket No.: FAA-2011-0433; Airspace Docket No. 11-AGL-12] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6010. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Areas R-3704A and R-3704B; Fort Knox, KY [Docket No.: FAA-2011-1274; Airspace Docket No. 11-ASO-34] (RIN: 2120-AA66) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6011. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kwigillingok, AK [Docket No.: FAA-2011-0881; Airspace Docket No. 11-AAL-18] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6012. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Jackson, MI [Docket No.: FAA-2011-1143; Airspace Docket No. 11-AGL-23] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6013. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Saginaw, MI [Docket No.: FAA-2011-1144; Airspace Docket No. 11-AGL-24] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6014. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Galbraith Lake, AK [Docket No.: FAA-2011-0865; Airspace Docket No. 11-AAL-14] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6015. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Springfield, MO; Lincoln, NE; Grand Rapids, MI [Docket No.: FAA-2011-1406; Airspace Docket No. 11-AWA-5] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6016. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Greenfield, IA [Docket No.: FAA-2011-0846; Airspace Docket No. 11-ACE-18] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6017. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Portsmouth, OH [Docket No.: FAA-2011-0850; Airspace Docket No. 11-AGL-17] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6018. A letter from the Director, Government Relations, Tennessee Valley Authority, transmitting the Statistical Summary for Fiscal Year 2011; to the Committee on Transportation and Infrastructure.

6019. A letter from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at Greater Rochester International Airport, Rochester, NY, Tupelo Regional Airport, Tupelo, MS, and Key West International Airport, Key West, FL will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers and that the screening company is owned and controlled by citizens of the United States, pursuant to 49 U.S.C. 44920 Public Law 107–71, section 108; to the Committee on Homeland Security.

6020. A letter from the Chiarman and Vice Chairman, U.S.-China Economic and Security Review Commission, transmitting notification of a public hearing held on ''Developments in China's Cyber and Nuclear Capabilities''; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCKEON: Committee on Armed Services. Supplemental report on H.R. 4310. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112–479, Pt. 2).

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4970. A bill to reauthorize the Violence Against Women Act of 1994; with an amendment (Rept. 112–480, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 656. Resolution providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112–481). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce,

Education and the Workforce, and Financial Services discharged from further consideration. H.R. 4970 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BIGGERT:

H.R. 5740. A bill to extend the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. HECK (for himself, Mr. QUIGLEY, and Mr. CHABOT):

H.R. 5741. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself and Mr. VISCLOSKY):

H.R. 5742. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2016; to the Committee on the Judiciary.

By Mr. ROGERS of Michigan:

H.R. 5743. A bill to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. GOSAR (for himself, Mr. MATHESON, Mr. ROSS of Arkansas, Mr. WALDEN, Mr. AMODEI, Mr. TIPTON, Mr. BISHOP of Utah, Mr. PEARCE, Mrs. MCMORRIS RODGERS, Mrs. LUMMIS, Mr. DUFFY, Mr. BERG, Mr. THOMPSON of Pennsylvania, Mr. DENHAM, Mr. SCHWEIKERT, Mr. SESSIONS, Mr. LONG, Mr. JOHNSON of Ohio, Mr. POMPEO, Mr. COLE, Mr. NUNES, Mr. CARTER, Mr. KING of Iowa, Mr. DESJARLAIS, Mr. FRANKS of Arizona, Mr. GARDNER, Mr. FLAKE, and Mr. QUAYLE):

H.R. 5744. A bill to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System lands and public lands managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON:

H.R. 5745. A bill to eliminate certain subsidies for fossil-fuel production; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Natural Resources, Science, Space, and Technology, Energy and Commerce, Agriculture, Appropriations, Financial Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. SAM JOHNSON of Texas, Mr. RANGEL, Mr. NUNES, Mr. STARK, Mr. REICHERT, Mr. LEWIS of Georgia, Mr. ROSKAM, Mr. BLUMENAUER, Mr. GERLACH, Mr. KIND, Mr. SCHOCK, Mr. CROWLEY, Ms. JENKINS, and Mr. PAULSEN):

H.R. 5746. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to real estate investment trusts, and for other purposes; to the Committee on Ways and Means.

By Mr. CUMMINGS (for himself, Mr. FILNER, Mr. SMITH of Washington, Mr. TIERNEY, Ms. BROWN of Florida, Mr. CONNOLLY of Virginia, Mr. MICHAUD, Mr. BRALEY of Iowa, Mr. DONNELLY of Indiana, and Mr. YARMUTH):

H.R. 5747. A bill to amend the Servicemembers Civil Relief Act to improve the protections for servicemembers against mortgage foreclosures, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. DELAURO (for herself, Mr. CARNAHAN, Ms. LEE of California, and Ms. MCCOLLUM):

H.R. 5748. A bill to provide assistance to sub-Saharan Africa to combat obstetric fistula; to the Committee on Foreign Affairs.

By Mr. GRIJALVA (for himself, Mr. CONYERS, Mr. DEFAZIO, Mr. FARR, Mr. FILNER, Ms. HAHN, Mr. HOLT, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. LEE of California, Mr. POLIS, Mr. STARK, and Ms. WATERS):

H.R. 5749. A bill to prohibit the transfer of defense articles and defense services to the governments of foreign countries that are engaging in gross violations of internationally-recognized human rights, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut (for himself and Mr. MURPHY of Connecticut):

H.R. 5750. A bill to amend the Harmonized Tariff Schedule to modify the tariffs on certain wrist watches, and for other purposes; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. CONYERS, and Mr. SCOTT of Virginia):

H.R. 5751. A bill to amend title 18, United States Code, to provide for limitations on detentions of certain individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of South Carolina:

H.R. 5752. A bill to suspend temporarily the duty on Di-tert-amyl-2′-hydroxyphenyl) benzotriazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5753. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperdine ethanol; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5754. A bill to suspend temporarily the duty on 4-Nitrobenzoyl chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5755. A bill to suspend temporarily the duty on 4-Hydroxy-2,2,6,6-Tetramethylpiperidine-N-oxyl; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5756. A bill to suspend temporarily the duty on 2-[2 -hydroxy - 3,5 - di (1,1dimethylbenzyl)phenyl]-2H-benzotriazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5757. A bill to suspend temporarily the duty on Pentaerythritol tetrakis (3,5-di-tert-butyl-4-hydroxyhydrocinnamate); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5758. A bill to suspend temporarily the duty on 1,1′-Methylenebis[3(hydroxymethyl)-2,5-dioxo-4-imidazolidinyl]urea]; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5759. A bill to suspend temporarily the duty on Allantoin; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5760. A bill to suspend temporarily the duty on Imidurea; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5761. A bill to suspend temporarily the duty on Fluorescent Brightener CBS-X; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5762. A bill to suspend temporarily the duty on Octadecyl-3-(3,5-di-tert-4-hydroxphenyl)-propionate; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5763. A bill to extend the suspension of duty on mixtures of N-phenyl-N-((trichloromethyl)thio)-benzenesulfonamide, calcium carbonate, and mineral oil; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5764. A bill to extend the reduction of duty on N-phenyl-pphenylenediamine; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5765. A bill to suspend temporarily the duty on 1,3-bis(3-methyl-2,5-dioxo-1H-pyrrolinylmethyl)benzene; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5766. A bill to suspend temporarily the duty on 2,2′-Dithiobisbenzothiazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5767. A bill to reduce temporarily the duty on Benzoyl chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5768. A bill to extend the temporary suspension of duty on Cyanuric chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5769. A bill to extend the temporary suspension of duty on Allyl pentaerythritol; to the Committee on Ways and Means.

By Ms. JACKSON LEE of Texas (for herself, Mr. LEWIS of Georgia, Ms. NORTON, and Mr. RANGEL):

H.R. 5770. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the use of Juvenile Accountability Block Grants for programs to prevent and address occurrences of bullying and to reauthorize the Juvenile Accountability Block Grants program; to the Committee on the Judiciary.

By Mr. SCOTT of South Carolina:

H.R. 5771. A bill to suspend temporarily the duty on modified phenolic resin in alkaline

solution; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5772. A bill to suspend temporarily the duty on 1,2-Bis(3-aminopropyl)ethylenediamine, polymer with N-butyl-2,2,6,6-tetramethyl-4-piperidinamine and 2,4,6-trichloro-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5773. A bill to suspend temporarily the duty on Uvasorb S130; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5774. A bill to suspend temporarily the duty on Phenol 2,4-bis(1,1-dimethyl ethyl),-phosphite (3:1); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5775. A bill to suspend temporarily the duty on Antioxidant 3114; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5776. A bill to extend the temporary suspension of duty on 2,2 -(2,5-Thiophenediyl)bis(5-(1,1-dimethylethyl); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5777. A bill to extend the temporary suspension of duty on Decanedioic acid, bis(2,2,6,6-tetramethyl-4-piperidinyl) ester; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5778. A bill to suspend temporarily the duty on p-Nitrobenzoic Acid; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5779. A bill to suspend temporarily the duty on 2,4-Dihydroxy-benzophenone; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5780. A bill to reduce temporarily the duty on ferroboron; to the Committee on Ways and Means.

By Mr. HULTGREN (for himself, Mr. PRICE of Georgia, Mr. PALAZZO, Mr. BROOKS, Mr. YODER, Mr. LATOURETTE, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. WOLF, Mr. WEST, Mr. CULBERSON, Mrs. ADAMS, Mr. SMITH of Texas, Mr. POSEY, Mr. POE of Texas, and Mr. OLSON):

H. Con. Res. 124. Concurrent resolution expressing the sense of the Congress that President Obama's delays in implementing a clear mission for the American space program represent a clear threat to American exceptionalism; to the Committee on Science, Space, and Technology.

By Mr. CLARKE of Michigan (for himself, Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. DAVIS of Illinois):

H. Res. 657. A resolution expressing the sense of the House of Representatives supporting Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:

H. Res. 658. A resolution supporting the goals and ideals of International Water Safety Day; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. BIGGERT:

H.R. 5740.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. HECK:

H.R. 5741.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LoBIONDO:

H.R. 5742.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. ROGERS of Michigan:

H.R. 5743.

Congress has the power to enact this legislation pursuant to the following:

The intelligence and intelligence-related activities of the United States government are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.

Article I, section 8 of the Constitution of the United States provides, in pertinent part, that ''Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States''; ''. . . to raise and support armies . . .''; ''To provide and maintain a Navy''; ''To make Rules for the Government and Regulation of the land and naval Forces''; and ''To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. GOSAR:

H.R. 5744.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses management of federal land. Accordingly, we turn to the following constitutional authority:

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The land at issue in this bill is but a small part of those holdings. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, § 3, Clause 2—the Property Clause—gives Congress plenary power and full authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as ''without limitation.'' Because of this express Constitutional authority, Congress has the right, if not the duty, to properly manage its public lands, including establishing forestation policies, and tree harvesting and tree salvaging. This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mr. ELLISON:

H.R. 5745.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 3

Article I, Section 8, Clause 18

By Mr. TIBERI:

H.R. 5746.

Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to Article 1, Section 8 which provides that, ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;'' and Article 1, Section 7 which provides that, ''All bills for raising Revenue shall originate in the House of Representatives.''

By Mr. CUMMINGS:

H.R. 5747.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 of the United States Constitution, the reported bill is authorized by Congress' power ''To provide for the common Defense and general Welfare of the United States.''

Article I, Section 8, Clause 18 of the United States Constitution, the reported bill is authorized by Congress' power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

Article I, Section 8, Clause 12 of the United States Constitution, the reported bill is authorized by Congress' power ''To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.''

By Ms. DELAURO:

H.R. 5748.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8, Clause 1 of the United States Constitution

By Mr. GRIJALVA:

H.R. 5749.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§ 1 and 8.

By Mr. LARSON of Connecticut:

H.R. 5750.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. NADLER:

H.R. 5751.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 18.

By Mr. SCOTT of South Carolina:

H.R. 5752.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5753.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5754.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5755.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5756.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5757.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5758.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5759.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5760.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5761.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5762.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5763.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5764.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5765.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5766.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5767.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5768.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5769.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 5770.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5771.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5772.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5773.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5774.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5775.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5776.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5777.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5778.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5779.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5780.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. CROWLEY.
H.R. 139: Ms. KAPTUR.
H.R. 184: Mr. WITTMAN.
H.R. 273: Mr. TIPTON and Ms. HIRONO.
H.R. 615: Mr. ROKITA.
H.R. 640: Mr. JACKSON of Illinois and Mr. LEVIN.
H.R. 750: Mr. SCALISE and Mr. CULBERSON.
H.R. 757: Mr. RIGELL.
H.R. 891: Mr. WELCH.
H.R. 1004: Mr. WALSH of Illinois.
H.R. 1044: Mr. KIND and Mr. WILSON of South Carolina.
H.R. 1091: Mr. GRIFFITH of Virginia.
H.R. 1145: Mr. MCKEON.
H.R. 1167: Mr. CULBERSON.
H.R. 1182: Mr. SCALISE, Mr. CULBERSON, and Mr. BENISHEK.
H.R. 1193: Mr. JACKSON of Illinois.
H.R. 1370: Mr. PRICE of Georgia, Mr. HARPER, and Mr. WESTMORELAND.
H.R. 1386: Mr. LUETKEMEYER, Mr. NUNES, Mr. COSTELLO, Mr. MCNERNEY, Mr. CONAWAY, Mr. FATTAH, Mr. WALZ of Minnesota, Mr. FITZPATRICK, Ms. ROS-LEHTINEN, Mr. RIGELL, Mr. COBLE, and Mr. VAN HOLLEN.
H.R. 1409: Mr. BENISHEK.
H.R. 1410: Mr. MORAN.
H.R. 1478: Mr. SESSIONS.
H.R. 1639: Mrs. BACHMANN.
H.R. 1704: Mrs. MCMORRIS RODGERS.

H.R. 1726: Mr. MATHESON.
H.R. 1744: Mr. QUAYLE.
H.R. 1925: Mr. LYNCH.
H.R. 1956: Mr. BRADY of Texas.
H.R. 1971: Mr. GINGREY of Georgia.
H.R. 2069: Mr. HOLDEN.
H.R. 2077: Mr. ROSS of Florida.
H.R. 2088: Mr. DINGELL.
H.R. 2092: Mr. WEST.
H.R. 2198: Mr. MANZULLO.
H.R. 2248: Mr. YARMUTH.
H.R. 2315: Ms. WOOLSEY, Mrs. LOWEY, Ms. BALDWIN, and Ms. ROYBAL-ALLARD.
H.R. 2353: Ms. PINGREE of Maine.
H.R. 2382: Mr. SHERMAN and Mr. ROTHMAN of New Jersey.
H.R. 2499: Ms. ROYBAL-ALLARD.
H.R. 2505: Mr. SCHIFF.
H.R. 2514: Mr. CULBERSON.
H.R. 2524: Mr. SMITH of Washington.
H.R. 2529: Mr. LUETKEMEYER.
H.R. 2569: Mr. KINGSTON, Mr. NEUGEBAUER, Mr. CARTER, Mr. HANNA, and Mr. JONES.
H.R. 2626: Mr. NEAL.
H.R. 2627: Mr. NEAL.
H.R. 2751: Mr. CARNAHAN.
H.R. 2774: Mr. MCCLINTOCK.
H.R. 2866: Mr. SESSIONS.
H.R. 2962: Ms. MOORE, Mr. PETERS, Ms. VELÁZQUEZ, Mr. LUETKEMEYER, Mr. CHABOT, Mr. SESSIONS, Ms. HAHN, and Mr. SCHRADER.
H.R. 2969: Mr. POSEY, Ms. LINDA T. SÁNCHEZ of California, Mrs. BONO MACK, Mr. TONKO, Ms. MCCOLLUM, and Mr. SCHIFF.
H.R. 3032: Mr. BILIRAKIS and Mr. STIVERS.
H.R. 3040: Mr. KILDEE.
H.R. 3053: Ms. MCCOLLUM.
H.R. 3067: Mr. WAXMAN, Mr. SMITH of Washington, Mr. MARINO, Mr. YOUNG of Alaska, Mr. LUETKEMEYER, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. CONNOLLY of Virginia, Mr. HONDA, Mr. ROYCE, Ms. FUDGE, and Mr. SCHILLING.
H.R. 3098: Mr. FLORES.
H.R. 3102: Mr. COURTNEY.
H.R. 3173: Mr. HARPER, Ms. HANABUSA, and Mr. CARNAHAN.
H.R. 3216: Mrs. MCCARTHY of New York.
H.R. 3264: Mr. SCALISE.
H.R. 3269: Mr. HURT, Mr. CAPUANO, Mr. HALL, and Mr. QUAYLE.
H.R. 3288: Mr. WAXMAN.
H.R. 3307: Mr. LIPINSKI and Mr. TONKO.
H.R. 3308: Mr. CULBERSON.
H.R. 3324: Mr. SCOTT of Virginia.
H.R. 3352: Mr. TONKO.
H.R. 3357: Mr. SCHIFF.
H.R. 3362: Mr. YODER.
H.R. 3364: Ms. CHU, Ms. PINGREE of Maine, Mr. HOLDEN, and Mr. YARMUTH.
H.R. 3418: Ms. MCCOLLUM.
H.R. 3443: Ms. BUERKLE.
H.R. 3590: Ms. CLARKE of New York.
H.R. 3612: Mr. HIGGINS and Mr. SCOTT of Virginia.
H.R. 3627: Mr. MURPHY of Pennsylvania.
H.R. 3635: Mr. RICHMOND.
H.R. 3643: Mr. THOMPSON of Pennsylvania and Mr. STUTZMAN.
H.R. 3665: Ms. MCCOLLUM.
H.R. 3687: Mr. OLVER, Ms. DELAURO, Mr. RANGEL, and Mr. GRIJALVA.
H.R. 3720: Mr. BROUN of Georgia.
H.R. 3761: Mr. RANGEL.
H.R. 3790: Mr. MCINTYRE.
H.R. 3798: Mr. THOMPSON of California and Mr. KILDEE.
H.R. 3863: Mr. HIGGINS.
H.R. 3889: Mr. JONES.
H.R. 3891: Ms. LEE of California.
H.R. 3993: Mr. HOLDEN.
H.R. 4057: Mr. CARTER.
H.R. 4070: Mr. ROGERS of Alabama.
H.R. 4077: Mr. SCHIFF.
H.R. 4104: Mr. RIBBLE, Mr. MCKEON, Mr. ROGERS of Alabama, Mrs. MCMORRIS RODGERS, Mr. MILLER of Florida, Mr. MICA, Mrs. MILLER of Michigan, Mr. SESSIONS, Mr. WEST, Mr. ROHRABACHER, Mr. ROKITA, Mr. PAULSEN, Mr. ROSKAM, Mr. SCALISE, Mr. ROGERS of Michigan, Mr. MCHENRY, Mrs. ELLMERS, Mr. YOUNG of Indiana, Mr. DENHAM, Mr. ISSA, Mr. DANIEL E. LUNGREN of California, Mr. FORBES, Mr. NUGENT, Mr. MCCOTTER, Mr. SOUTHERLAND, Mr. LUCAS, Mr. LOEBSACK, Mr. SHIMKUS, Mr. NUNNELEE, Mr. WITTMAN, Mr. GRIFFITH of Virginia, Mr. CAMPBELL, Mr. PEARCE, Mr. YOUNG of Florida, Mr. HUNTER, and Mr. ROE of Tennessee.
H.R. 4124: Ms. PINGREE of Maine.
H.R. 4164: Mr. OWENS, Mr. WILSON of South Carolina, Mr. STARK, and Mr. JOHNSON of Ohio.
H.R. 4170: Mr. SABLAN and Ms. ZOE LOFGREN of California.
H.R. 4183: Mr. DINGELL.
H.R. 4192: Ms. TSONGAS.
H.R. 4229: Mr. ROE of Tennessee, Mr. CRAVAACK, and Mr. CULBERSON.
H.R. 4232: Mr. HARPER.
H.R. 4240: Mr. ISRAEL.
H.R. 4259: Mr. SCHOCK, Ms. BASS of California, and Mr. COLE.
H.R. 4269: Mr. DUNCAN of Tennessee, Ms. HOCHUL, Mr. RAHALL, Mr. HARPER, Mr. WESTMORELAND, and Mr. KISSELL.
H.R. 4271: Mr. GUTIERREZ, Mr. NADLER, Mr. PETERS, and Mr. GARAMENDI.
H.R. 4290: Mr. SCHIFF, Ms. WOOLSEY, and Ms. HIRONO.
H.R. 4323: Mr. KING of New York, Mr. HURT, Mr. STIVERS, Mr. LUETKEMEYER, and Mr. RENACCI.
H.R. 4327: Mr. WALZ of Minnesota.
H.R. 4339: Mr. KUCINICH.
H.R. 4351: Mr. JACKSON of Illinois and Ms. WILSON of Florida.
H.R. 4367: Mr. PETERS, Mr. JOHNSON of Georgia, Mr. CRENSHAW, Mrs. BLACKBURN, and Mr. LEWIS of Georgia.
H.R. 4373: Mrs. EMERSON and Mr. ROTHMAN of New Jersey.
H.R. 4377: Mr. LONG and Mr. QUAYLE.
H.R. 4390: Mr. SMITH of Washington.
H.R. 4402: Mr. CONAWAY, Mr. JOHNSON of Ohio, Mr. BENISHEK, and Mrs. MCMORRIS RODGERS.
H.R. 4454: Mr. DUNCAN of Tennessee.
H.R. 4480: Mr. STEARNS.
H.R. 4625: Mr. DUNCAN of Tennessee.
H.R. 4848: Mr. KUCINICH.
H.R. 4965: Mr. HURT, Mr. COSTA, Mr. BROUN of Georgia, Mr. NUGENT, Mrs. ELLMERS, Mr. CARDOZA, Mr. KINGSTON, Mr. WESTMORELAND, and Mrs. EMERSON.
H.R. 4970: Mr. PENCE.
H.R. 4972: Ms. MCCOLLUM, Ms. ZOE LOFGREN of California, and Ms. SLAUGHTER.
H.R. 5050: Mr. NADLER.
H.R. 5187: Mrs. CAPPS.
H.R. 5284: Mr. BUCHANAN.
H.R. 5303: Mr. NADLER.
H.R. 5646: Mr. ROSS of Florida, Mr. BACHUS, and Mr. FRANKS of Arizona.
H.R. 5647: Mr. RYAN of Ohio and Ms. BERKLEY.
H.R. 5691: Mr. GEORGE MILLER of California and Mr. MARKEY.
H.R. 5720: Mr. WELCH.
H.R. 5738: Mr. HUIZENGA of Michigan.
H. Con. Res. 63: Mr. LIPINSKI.
H. Con. Res. 120: Ms. WATERS and Mr. HIGGINS.
H. Res. 111: Mr. CASSIDY and Mr. CRITZ.
H. Res. 177: Ms. JACKSON LEE of Texas.
H. Res. 282: Mr. GRIJALVA.
H. Res. 351: Ms. MOORE, Mr. COOPER, Ms. WATERS, and Mr. MORAN.
H. Res. 460: Ms. HAYWORTH.
H. Res. 526: Mr. MURPHY of Connecticut and Mr. JOHNSON of Ohio.
H. Res. 568: Mr. WALSH of Illinois, Mrs. NAPOLITANO, Mr. CARNAHAN, Mr. KEATING, Mr. FRANK of Massachusetts, Mr. CUMMINGS, Mr. DONNELLY of Indiana, Mr. LARSEN of Washington, Mr. DINGELL, Ms. HOCHUL, Mr. TURNER of Ohio, Mr. SHUSTER, Mrs. NOEM, Ms. KAPTUR, and Mr. RUSH.
H. Res. 583: Mr. LANGEVIN.
H. Res. 645: Mr. PERLMUTTER and Mr. PRICE of North Carolina.
H. Res. 646: Mr. BARROW and Mr. KISSELL.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4310

OFFERED BY: MR. WALSH OF ILLINOIS

AMENDMENT NO. 1: At the end of subtitle E of title V, add the following new section:

SEC. 544. EXPANSION OF DEPARTMENT OF DEFENSE PILOT PROGRAM ON RECEIPT OF CIVILIAN CREDENTIALING FOR MILITARY OCCUPATIONAL SPECIALTY SKILLS.

(a) EXPANSION OF PROGRAM.—Subsection (b)(1) of section 558 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2015 note) is amended by striking ''or more than five''.

(b) USE OF INDUSTRY-RECOGNIZED CERTIFICATIONS.—Subsection (b) of such section is further amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) consider utilizing industry-recognized certifications or licensing opportunities for civilian occupational skills comparable to the specialties or codes so designated; and''.

EXTENSIONS OF REMARKS

REMEMBERING DR. THOMAS E. FLORESTANO

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HOYER. Mr. Speaker, on March 31 my state of Maryland lost a giant in the realm of higher education. Dr. Thomas E. Florestano, who served for fifteen years as President of Anne Arundel Community College, sadly passed away at age 79.

The son of Italian immigrants, Tom was born in Annapolis and graduated from St. Mary's High School in 1952. He matriculated into the University of Maryland but paused his studies to serve in the U.S. Army as a military police officer in Korea and West Germany. Honorably discharged as a sergeant four years later, Tom returned to the University and earned a bachelor's degree in education in 1958.

While an undergraduate, Tom met his future wife of 52 years, Patricia Sherer. Together, they dedicated their careers to improving access to higher education for Maryland students, with Patricia teaching at the University of Baltimore and currently serving as chairwoman of the Board of Regents for the University System of Maryland.

After graduating, Tom worked as an education advisor at the Army Education Center in Fort Meade. Two years later, he joined the University of Maryland as assistant dean of student life and director of student activities. During this period, Tom earned his master's degree in education and later obtained his Ph.D., both from the University of Maryland.

Tom turned his attention to community college administration in 1970, when he took a job as dean of evening and community education and summer school at Prince George's Community College. After nine years there, Tom was appointed President of Anne Arundel Community College.

He took over during a time when the college was facing significant challenges, including tensions between faculty and administration as well as declining enrollment and budget shortfalls. Tom oversaw a program of revitalization that tripled enrollment, instituted new degree programs, expanded the campus, and turned deficits into sound finances by the time he retired in 1994. The legacy of his leadership of Anne Arundel Community College has been its transformation into the third-largest community college in Maryland. Even more so, Tom put the ''community'' back in ''community college.''

All of us who knew Tom recognized him as one who looked at a challenge and saw an opportunity and who looked at a student and saw a future. Those futures were what he worked so hard to make possible for thousands of Maryland students.

Tom will be greatly missed by the Maryland education community and by all of us who called him a friend. I join in celebrating his life and offering my condolences to Patricia, their son Tom Jr., daughter Leslie, son-in-law Kevin, and their extended family.

TRIBUTE TO ROMNEY, WEST VIRGINIA

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the 250th anniversary of the city of Romney. In 2012, the city will celebrate its 250th birthday with a year-long celebration. Romney is the oldest town in the oldest county in West Virginia. On December 23, 1762, Virginia's Governor signed the act that created Romney.

When Virginia was divided during the Civil War, Romney was located in what became West Virginia. The city was located in an area that was important to both the North and the South during the Civil War and is rumored to have changed hands 56 times as a result. Romney is home to the West Virginia Schools for the Deaf and the Blind as well as Davis History House, Hampshire County Courthouse, the Taggert-Hill House, the Wilson-Woodrow-Mytinger House, and the oldest office building in the state. I'm pleased to have this unique city in my district!

CONGRATULATING PRESIDENT MA AND THE PEOPLE OF TAIWAN

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. ROSS of Florida. Mr. Speaker, I extend my congratulations and best wishes to Mr. Ma Ying-jeou and the people of Taiwan as they celebrate Mr. Ma's presidential inauguration this May 20. Mr. Ma Ying-jeou won re-election as the fifth freely elected president of the Republic of China on January 14.

President George W. Bush once famously described Taiwan as ''a beacon of democracy to Asia and the world.'' His words were recognition of Taiwan's achievements in democratic developments. The United States and Taiwan value human rights, civil liberties and the rule of law. Our shared values have produced a strong and dependable friendship for the past century. Taiwan was one of the first to come to our aid after the events of September 11th and Hurricane Katrina. Taiwan continues to be our ally in the war against terrorism by cooperating with humanitarian assistance in Iraq and Afghanistan and providing intelligence. They have shown generosity and compassion by donating to the Twin Towers Fund and Pentagon Memorial Fund.

In honoring Taiwan, we need to continue to sell defensive weapons to Taiwan under the framework of the Taiwan Relations Act. Despite the rapprochement that has been built up between Taiwan and the PRC, a well-armed Taiwan is still the best guarantee to permanent peace in the Strait. Also, I firmly believe that Taiwan should have a much broader international visibility. I encourage my colleagues to support Taiwan's current bid to join the International Civil Aviation Organization (ICAO) as an observer.

To President Ma and the people of Taiwan, I extend my congratulations on their Presidential Inauguration Day.

HONORING WILFRED EARL ARCHER

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. BENISHEK. Mr. Speaker, let it be known, that it is a pleasure and honor to pay tribute to Wilfred Earl Archer, who was born in Port Huron, Michigan on Jan. 30, 1926, to Glen and Genevieve Archer. ''Bill'' was raised in Flint, Michigan, and attended North Muskegon High School. His family then moved to Detroit, where he attended Denby High School.

Following in the footsteps of his father, who served in the U.S. Army and fought in World War I, Bill felt an intense need to serve his country during World War II. He left school and enlisted in the U.S. Coast Guard, on April 1, 1943. He was stationed in San Diego, CA, where he received Amphibious Forces Training in operating Troop Carriers (LCVPs). He was then transferred to San Francisco and stationed on the USS *Middleton*, which was modified/transformed into an Assault Personnel Attack vessel. The *Middleton* was sent to Maui, Hawaii, and then to New Guinea to assist the 98th Infantry in the invasion of the Philippines. Bill was awarded five Battle Stars for service in the battles within the Pacific Theater; Saipan, Tinian, Okinawa, Leyte, and Luzon. As an LCVP engineer and gunner, Petty Officer 3rd Class Archer also served as a Diesel Electrical Engineer. He was honorably discharged in January of 1946. As a civilian, Bill worked at a foundry in Muskegon.

In 1948, Bill enlisted as a Staff Sergeant in the U.S. Army Air Corps, which shortly thereafter became the U.S. Air Force. He received training in aircraft engine repair in Biloxi, Mississippi. His military career took another direction when Bill was sent to Japan to activate the 1273rd Transport Squadron. While in

Japan, Bill achieved flying status as a Flight Engineer, and accumulated 18,000 flying hours while involved with embassy flights to the Philippines and India, and combat flights in the Korean Conflict. In 1949, Bill was a crew member of a C–54, which was the first U.S. aircraft destroyed in the Korean Conflict. It was unoccupied when it was bombed at an air base in Kempo, South Korea. After serving four years there, he was transferred back to the United States, and served in Great Falls, Montana, with Operation Blue Jay, to build an Air Force Base in Tule, Greenland. He received flight training in SA–16 Tri-Phib in West Palm Beach, Florida. He was promoted to Tech Sergeant, and flew AC–47s inspecting instrument landing equipment, at Hamilton Field in San Francisco. Bill later became part of the Strategic Air Command in Omaha, Nebraska. He attended flight engineer school at Chanute Air Force Base in Rantoul, Illinois and was assigned to Homestead Air Force Base in Florida as a Flight Engineer on KC 97s.

Bill retired from the Air Force, but retirement didn't last long. While working with the Civil Service, his knowledge as an F–4 aircraft Inspector led Bill to transfer from retired status to the U.S. Air Force Reserves, servicing and flying C–124s. He was sent to transport combat troops and materiel to Cam Rahn Bay, Republic of Vietnam. Bill was discharged from the U.S. Air Force Reserves in 1974. That was the end of an exemplary thirty-one-year military career, involving combat service in three major conflicts. Technical Sergeant Wilfred Earl Archer served with great distinction in World War II, the Korean Conflict, and the Vietnam War.

When his exemplary military career ended, and his civilian career began, Bill received a Teachers Certificate in Automotive Technology from Texas State Technical Institute, and later taught at the TSTI Connally campus. He is a Life member of the Veterans of Foreign Wars and served his fellow veterans as a VFW Commander of Post 2053 in White Cloud, Michigan.

HONORING MITCHELL SIMON OF EAST AMHERST, NY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HIGGINS. Mr. Speaker, I rise today to honor 11 year-old Mitchell Simon, a resident of the town of Amherst in Erie County and Western New York.

In many ways, Mitch is an entirely ordinary 11 year old boy. He loves playing baseball, riding his bike, and hanging around with his friends, his siblings and cousins. Mitch is an inquisitive young man, always present with a ready smile and a friendly face.

But in another area, he is very special indeed. Mitch was born with a rare condition that affected the function of his liver. After surgery at a very young age, Mitch was fortunate to live a relatively normal life. But in December 2011, troubles developed, and Mitch was placed on a waiting list to receive a liver transplant.

On Tuesday April 17, the call came, and Mitch and his family, led by parents Jason and Denise, made the trip to Pittsburgh, PA. Overnight, after a grueling surgical procedure, the miracle of life was handed back to Mitch.

After surgery, it was said that Mitch was soon sitting up in bed, playing his X-Box, but it's undeniable that the recovery has had its ups and downs. Any 11 year old would be frustrated to be in bed for too long, and we know that Mitch is fighting hard to get back home.

On Saturday, June 2, a benefit will be held for the Simon family, to help defray the costs associated with Mitch's illness. The response for the benefit has been overwhelming, with friends, relatives, schoolmates' families and Mitch's baseball and basketball teammates and their families all pitching in for a great cause.

I would be remiss if I did not also speak of the tremendous sacrifices made by those who promote and participate in organ and tissue donation. Mitch had the gift of life given back to him with his surgery, but this is not the Simon family's first such experience. Mitch's mom Denise was a kidney donor to her brother in 2002. While an unthinkable tragedy occurs with the death of a child, the Simon family will be forever thankful that another family's tragedy resulted in a new lease on life for Mitch. The miracle of organ donation is never ending, and one hopes that the Simon family's story—both as donors as well as recipients—is an inspiration to others to join the ranks of those willing to ''Donate Life.''

Mr. Speaker, it is my hope that you will join with me and with all of our colleagues to commend the Simon family and offer the best wishes of the House of Representatives to Mitch for a speedy recovery.

TRIBUTE TO DR. MAUREEN CLANCY-MAY

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize Dr. Maureen Clancy-May, and honor her for her years of service to the people of the St. Louis area.

Dr. Clancy-May has achieved many milestones during her 33 years in education. She received her Bachelor's in Teaching Exceptional Children from Southeast Missouri State University, her Masters of Education from the University of Missouri-St. Louis, and her Ph.D. from Saint Louis University in Educational Administration. Dr. Clancy-May then applied her knowledge as a teacher, a Director of Student Services, a Principal, and as an Assistant Superintendent for schools across the St. Louis area. She has also shared her knowledge and experience with other educators as an adjunct professor in the Education Leadership Department at Saint Louis University.

Since July 1, 2004, Dr. Clancy-May has worked as the Superintendent of Schools for the Bayless School District. There, she led the Bayless School District to achieve full accreditation and Missouri's Accreditation with Distinction. Under her guidance, Bayless Elementary School and Bayless Junior High earned both the Missouri and the National School of Character awards. Her determination to improve her school district resulted in numerous awards for the district, as well as a $1.5 million math and science grant.

In addition to her work in education, Dr. Clancy-May supports her community in many ways. She is an active member of the Rotary Club of St. Louis County and the Lemay Chamber of Commerce, and has served four years on the Board of the Affton Community Chamber of Commerce. She is a member of numerous education organizations, serving as a representative on the Missouri Association of School Administrators' Executive Committee and as the president of the Cooperating School Districts of the Greater St. Louis Area's Board. Dr. Clancy-May has also been recognized for her many accomplishments, including: being awarded with the FOCUS St. Louis What's Right with the Region Award; Hardee's Hometown Hero Award; and the Southeast Missouri State University Alumni Merit Award.

Dr. Clancy-May has dedicated much of her life to serving the St. Louis community. I congratulate Dr. Maureen Clancy-May for her devotion to one of the nation's most important professions: educating our children and preparing them for a responsible and productive adulthood.

HONORING LEWIS N. WALKER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to Dr. Lewis N. Walker, who will retire next month after years of distinguished service at Lawrence Technological University in Southfield, Michigan.

Dr. Walker joined Lawrence Tech in 1994, serving as provost for 12 years. During that time, he improved student access to computer technology, expanded international partnerships, and developed facility improvements to support emerging technologies and career fields. Dr. Walker is also credited with fostering and instituting the only required undergraduate leadership program in the country outside the Nation's three military academies.

In 2005, again through Dr. Walker's efforts, the University began a unique partnership with the Ferndale Public Schools to establish University High School, which offers a rigorous preparatory curriculum for public school students. This partnership is making a difference. A full 99 percent of University High School's first three graduating classes received their diploma, and 85 percent have gone on to higher education.

In 2006, Dr. Walker was made President of LTU. The severe economic downturn that began the following year brought a time of extraordinary challenge for the country, and especially for the State of Michigan. With steep job losses, especially in our State's vital auto and manufacturing sectors, there was a clear need for retraining of displaced workers. Through Dr. Walker's leadership, Lawrence

Tech stepped up and addressed the challenge through the ''Recovery Starts Here'' initiative, which provided grants to over 650 displaced workers and supported efforts to diversify Michigan's economy. This program was widely replicated and serves as an example of the vital synergies that can and should exist between institutions of higher education and our Nation's economy.

Building on the successful redevelopment of the campus quadrangle and A. Alfred Taubman Student Services Center, Dr. Walker set in motion the next phase of growth of LTU by laying the groundwork for development of a state-of-the-art Engineering, Life Sciences, and Architecture Complex. Over the years, my office has been pleased to work closely with Dr. Walker and his team on efforts to expand the University's Center for Innovative Materials Research. Dr. Walker has signed 40 agreements with other leading universities around the world to encourage partnerships and exchange programs.

Prior to his career at Lawrence Tech, Dr. Walker served at the University of Hartford as dean of engineering and a professor of electrical engineering. He holds three degrees from the University of Missouri-Columbia and has published more than 50 technical papers.

In so many ways, Dr. Walker's years of service at LTU have left the University and the community better than he found them. I urge all my colleagues to join me in honoring Lewis Walker as he steps down as President of Lawrence Technological University next month. I feel certain that the University and the State of Michigan will continue to benefit from his talents for many years to come.

IN RECOGNITION OF NEW JERSEY CITIZEN ACTION'S 30TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. PALLONE. Mr. Speaker, I rise today to congratulate New Jersey Citizen Action on the occasion of their 30th anniversary. New Jersey Citizen Action, NJCA, has worked on behalf of the constituents of New Jersey to protect and expand the rights of individuals and families. Their faithful dedication to protecting and serving the constituents of New Jersey is worthy of this body's recognition.

New Jersey Citizen Action is the state's largest citizen watchdog coalition that has diligently worked to secure economic and social justice for its constituents. NJCA is a nonprofit 501(c)(4) that currently touts an impressive 60,000 individual membership and is affiliated with 100 organizations. Most recently, NJCA has maintained seven active campaigns centered around progressive social and economic justice goals. Among many notable accomplishments, in 2010, NJCA launched a Consumer Health Helpline to assist consumers in securing affordable, quality health services. They have played a prominent role in the battle for Family leave insurance and are applauded for their grassroots campaign in support of national health reform. NJCA continues to educate thousands of minority and women small business owners and entrepreneurs about through various small business forums and consumer education workshops. They continue to field hundreds of volunteers for their annual ''Get Out the Vote'' campaigns and are commended for their aggressive nonpartisan campaign to turn out voters in underrepresented areas of New Jersey. In addition to their issue campaigns, NJCA has also provided free comprehensive outreach and education programs in the areas of housing and foreclosure counseling, tax preparation, benefits counseling and financial education. Throughout their thirty year history, New Jersey Citizen Action has continued to work independently as well as partner with various progressive organizations throughout New Jersey to insure that government continues to have a positive impact on its constituents.

Mr. Speaker, once again, please join me in leading this body in congratulating New Jersey Citizen Action for their thirty years of service to the New Jersey community. Their efforts continue to enhance and protect the lives of constituents throughout New Jersey.

REMEMBERING THE LIFE OF MRS. RUTH TINSMAN

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to celebrate the life of my dear friend Ruth Tinsman. Mrs. Tinsman, beloved wife of the late Jerry Tinsman, passed away on April 28, 2012, at the age of 81. My thoughts and prayers go out to her family and friends at this most difficult time. She is survived by her daughters Katheline Tinsman and Leann Tinsman, sister Patricia O'Rork, three grandchildren, and one great-grandchild.

It was a pleasure to work with Mrs. Tinsman when she served as my District Administrator from the time I first assumed office in 1993 until September 2001. Ruth was a hard-working professional with strong morals and values, impeccable work ethic, an undeniable compassion for others, in addition to a warm and loving personality. Prior to joining my office, Mrs. Tinsman was a Congressional Aide for Congressman William Lehman of Florida for 10 years. ''Ruth was great with people and my father's constituency. She always looked out for his best interest,'' said William Lehman, Jr., son of the late Congressman Lehman.

Mrs. Tinsman has devoted her life to helping others in her community. As a resident of the City of Hialeah, Florida for over 50 years, she worked tirelessly to improve the quality of life and well-being of all. Mrs. Tinsman has served as a dedicated and loyal member of the Hialeah Housing Authority Board of Commissioners since January 9, 1990. On November 18, 1999, she was elected Chairperson of the Board of Commissioners, which she served on for 10 years. The Ruth A. Tinsman Pavilion, an elderly development facility, was built and named after her in 1996 to honor her work and dedication to the community. Additionally, Mrs. Tinsman served on the board of Citrus Health Network, as well as President of ''Kids in Dade Society,'' developing programs to educate and keep children safe.

Mr. Speaker, Mrs. Ruth Tinsman will be remembered in South Florida for her love of and dedication to her community. Her legacy of care and compassion will live on for generations to come in the lives she has touched. Ruth was a dear friend and I am truly honored to have known her. She will be missed.

HONORING THE CAREER OF BOB McLENNAN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HIGGINS. Mr. Speaker, I rise today to honor the career and accomplishments of a distinguished member of my community, Bob McLennan.

Bob has been a tireless advocate for the Western New York labor community. He has served as a full-time officer for the National Association of Letter Carriers Branch #3 in Buffalo for the past 21 years. For the last 18 years he has served as the President of that organization and has been an important figure in educating the public and Members of Congress on pressing issues facing our community in Buffalo, NY.

For the last 18 years Bob has also served as Vice President of the Buffalo AFL–CIO labor council leaving his mark as a leader for working families. As one of the leading figures advocating for the National Association of Letter Carriers Bob has been described as being ''front and center leading one of the most effective NALC local branches in the country.''

Bob became a letter carrier in 1980 in Depew, NY and worked 30 years in that capacity until his retirement in 2010. Bob has since continued to advocate for the letter carriers in Buffalo and Washington, D.C. and will retire after a long and distinguished career. Bob is married to his wife Rosemary and has three sons, Ian, Connor, and Corey. He is also a proud grandfather with four grandchildren, Cailyn, Kiley, Ivy and Ginger.

My community of Western New York has benefited greatly from the leadership and foresight that Bob McLennan has exhibited through his work.

Mr. Speaker, I thank you for allowing me a few moments to commemorate the service of one of the hardest working men that I have had the good fortune to know.

INTRODUCTION OF THE UNITED STATES LEADERSHIP TO ERADICATE OBSTETRIC FISTULA ACT OF 2012

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. DELAURO. Mr. Speaker, I rise today to introduce the United States Leadership to Eradicate Obstetric Fistula Act of 2012, which

will help to eradicate a consequence of prolonged labor for pregnant women in low-resource areas.

Obstetric fistula is an avoidable and tragic medical condition which is a result of insufficient medical interventions that often results in the death of the child and devastating physical and social ramifications for the mother. An estimated 2 million women are currently suffering from an obstetric fistula, and women and girls in sub-Saharan Africa are disproportionately affected.

A simple surgical procedure or extended medical care is often needed to treat and cure women suffering from an obstetric fistula. It is therefore critical that the infrastructure in sub-Saharan Africa be further developed to better care for and treat women who have already developed an obstetric fistula and women who may develop a fistula in the future. It is also imperative if we are to prevent women and girls from developing a fistula. And it is important that obstetric fistula care and treatment not be overlooked within the general global health and development initiatives already under way.

This bill would authorize the development of a comprehensive strategy to not only prevent fistula, but successfully treat the women that are already suffering from this condition. It encourages the expansion of private-sector and multi-sector efforts in addition to public-private partnerships rather than relying strictly on public-sector efforts. It would also establish the International Obstetric Fistula Institute for Sub-Saharan Africa to implement parts of the comprehensive strategy.

This legislation focuses its efforts on sub-Saharan Africa to ensure a meaningful and successful strategy to eliminate this condition. Local factors that are part of the reason obstetric fistulas may develop vary dramatically in regions where women are afflicted. By focusing on a single region that is already rich in diversity, we believe that the strategy and campaign will be successful and sustainable.

This legislation has the potential to transform the empowerment of women in the region by eradicating fistula and, as a result, improving the social, educational, and economic conditions of fistula victims and their communities. Accordingly, addressing this issue is not only a moral imperative for the United States, but it is also in our best strategic interest. I urge my colleagues to support our efforts, and this legislation.

IN HONOR OF BARBARA HEHMEYER

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize Ms. Barbara Hehmeyer, and honor her for her 23 years of dedicated service to the Lemay Chamber of Commerce. She has made the Lemay Chamber one of the most vibrant Chambers of Commerce in Missouri's Third Congressional District.

Ms. Hehmeyer began working for the Lemay Chamber of Commerce in 1989 and has accomplished many great things during her tenure. She tirelessly pursued many projects that resulted in redeveloping and improving her community. She led the Lemay Development Corporation as it engaged in workforce and youth development activities, as well as neighborhood beautification efforts. Her advocacy for the Community Reinvestment fund will result in at least $15 million dollars in direct investment for the Lemay area. Barbara also played an instrumental role in bringing Pinnacle Entertainment's River City Casino to Lemay; a project that resulted in over $380 million in investment and has created 1,000 jobs for the people of St. Louis.

Barbara has also worked to strengthen not only her community but also the Lemay Chamber of Commerce itself. She has doubled the levels of membership in the Lemay Chamber and has established many innovative member benefits. She developed a modern day newsletter, and started annual events which recognize outstanding educators and provide scholarship for area high school students. Barbara also worked with the Lemay Child and Family center, BJC School, the Hancock Place school district, the Salvation Army, the Carondelet YMCA, and St. Louis Community College in implementing the successful Lemay Charting for Change project.

Barbara's commitment to the Lemay Chamber of Commerce and to the St. Louis region has been outstanding. For over two decades she has strived for and achieved excellence. I thank my constituent and good friend, Barbara Hehmeyer, for her work and dedication to our community, and invite my colleagues to join me today in recognizing her great work.

PAYING TRIBUTE TO U.S. ARMY COLONEL RICHARD E. CROGAN

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. ROGERS of Michigan. Mr. Speaker, I rise to honor the accomplishments U.S. Army COL Richard E. Crogan. His dedication to soldiers as a leader, warrior, and innovator has had a profound and lasting effect on United States Army Aviation. As the Commander for the Aviation Center Logistics Command, ACLC, Colonel Crogan supported an Army at war by providing maintenance, sustainment and logistics support and proficient U.S. and Allied Aviation Officers.

Colonel Crogan was responsible for oversight and quality assurance on the largest aviation service support contract in the U.S. Army. He was tasked with maintaining 587 rotary wing aircraft, providing over 500 launches every day to support an ever-increasing need for army aviation. Colonel Crogan was personally responsible for providing the aircraft required to professionally train aviators and provide the Army's next generation of great warriors. Aviation maintenance is an expensive proposition and Colonel Crogan's innovative leadership and creative solutions have shown a total cost saving during his command of more than $750,000,000.

Colonel Crogan's great leadership contributed significantly to the elimination of the flight training backlog on Fort Rucker which reduced the time aviators spent training from 22 months to 12 months. Aviators will now report to their units ten months earlier to begin missions and the Army will see enormous cost savings in a time of fiscal reduction. Colonel Crogan raises the bar for those around him as demonstrated by ACLC winning the Army Chief of Staff Supply Excellence Award in 2011.

Therefore Mr. Speaker, I ask our colleagues to join me in honoring COL Richard E. Crogan's exceptional service, dedication and devotion to duty, leadership, and professional competency. He exemplifies the fine tradition of military service and reflects great credit upon himself, the Department of the Army, and the United States of America. May he know that his nation is greatly appreciative of his dedication, and wishes him the best in all his future endeavors.

HONORING MR. JOSEPH FALBO

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to honor Mr. Joseph Falbo, who was recently named the ''2012 Dundalk Citizen of the Year'' by the Optimist Club of Dundalk. Mr. Falbo was chosen to receive this prestigious award for his remarkable efforts to improve the quality of life in his community.

Mr. Falbo has volunteered with the Dundalk Heritage Association since 1980, when he answered an ad in the Dundalk Eagle seeking volunteers to help erect a fence for Dundalk's signature event, the Heritage Fair. Working his way through the ranks, Mr. Falbo stepped up to serve as the organization's president in 2007 when its then-president fell ill.

From booking bands to ensuring the event runs on schedule, the fair requires year-round planning. Though unprepared and inexperienced, Mr. Falbo's first fair at the helm went off without a hitch. The event has grown since, with last year's shattering attendance records. He continues to make improvements to each year's fair. addition to being named the ''Citizen of the Year,'' Mr. Falbo recently received a ''Milestone Award'' from the Dundalk Renaissance Corp., which honors residents who help revitalize the community. The organization said Mr. Falbo's ''leadership and heavylifting'' ensure the annual fairs ''grow and evolve with our community.''

Despite his many awards and acclamations, Mr. Falbo remains humble and appreciative. When told he was receiving his most recent award, Mr. Falbo said he couldn't accept it unless his whole organization was also recognized.

Mr. Falbo also spent years coaching tee ball, baseball, and soccer teams for the Dundalk-Eastfield Recreational Council. Furthermore, Mr. Falbo helps with the group's annual Dundalk Christmas Parade.

In addition to his volunteer efforts, Mr. Falbo is a fixture in Dundalk's business community, having owned and operated his auto-repair shop since he took it over from his father in

the 1990s. He is a graduate of Dundalk High School.

Mr. Speaker, I ask that you join with me today to honor Mr. Joseph Falbo. His genuine love for his community and neighbors are an inspiration to us all, and are deserving of the utmost gratitude. It is with great pride that I congratulate Mr. Falbo on his exemplary contributions to the Dundalk community.

HONORING JAMES V. LOUGHRAN UPON THE OCCASION OF HIS RETIREMENT

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HIGGINS. Mr. Speaker, I rise today to honor James V. Loughran, a distinguished resident of the town of Amherst, Erie County, New York, upon the occasion of his retirement.

Coming from a large family with a longtime dedication to public service, Jim Loughran served with honor and distinction as a Rifleman with the United States Marine Corps. After multiple combat tours in Vietnam between 1967 and 1969, Jim made the decision to dedicate his professional career to his country with a career in the military.

Jim spent his military career principally in areas of administrative management and recruitment. Time and again Jim was called upon to manage and administer the safe deployment of Marines, often doing so for the largest active and reserve units within the Corps. On multiple occasions, Jim received commendations from his commanders who knew all too well the type of dedication and commitment that Jim showed to his country and to his duties.

Jim maintains a close relationship with former Joint Chiefs of Staff Chairman Peter Pace, under whom Jim served when both were stationed in Buffalo. On three different occasions, Jim was fortunate to serve under Gen. Pace's command, and their relationship speaks volumes about the type of soldier Jim was, and the impact that Jim's leadership had on his commanding officers.

Jim's commitment to his brothers and sisters in the military did not end when soldiers removed their uniforms. Jim took a serious interest in what soldiers and military personnel would have to face after their careers ended, and spent several years in hands-on counseling of veterans transitioning from military to civilian life.

In the mid-1990s, Jim faced that same transition himself. Our region was fortunate to attract Jim to come back home. And his community was all the better for that decision.

After several years of service to one of our region's most highly regarded members of the Erie County Legislature, Jim put his management skills to work as the Administrator for the Town of Amherst Justice Court. The largest such court in New York State, Jim served several town justices in Amherst by administering the operations of the court with flawless quality and impeccable honesty and integrity. Amherst Town Justice Mark Farrell has said that, ''Jim transformed Amherst Town Court into the most efficient justice court in New York State, leading in the management of the largest caseload and managing the largest such staff in the state. No one gets a job done better than Jimmy Loughran.''

Jim was an innovator. Working closely with Judge Farrell, Jim was on the ground floor in the formation of specialized courts, including service to veterans and to those in need of treatment for problem gambling. Jim also worked with town justices to form the Amherst Drug Court and Therapeutic Foundation, where today he serves as President. Jim is involved with dozens of professional and civic associations and has a particular interest with fundraising efforts for the many charities, including the Leukemia Society, the Make-A-Wish Foundation, the Cystic Fibrosis Foundation, and the St. Vincent de Paul Society.

Jim was faced with a health challenge not long ago, and his many friends and family members are delighted to see that he is working through it. On Thursday, May 17, what is sure to be a capacity crowd will fill the Sonoma Grille in the heart of Jim's beloved hometown of Amherst to fete Jim upon the occasion of his retirement.

A long time ago, during his Marine service, Jim earned the nickname ''Jimmy Good Guy,'' and that is as appropriate an appellation as has ever been assigned to a person. Jim earned that nickname simply because of his willingness to help someone—anyone—who was in need. No one who has had the good fortune to encounter Jim Loughran has left that engagement without knowing that Jim would do anything he could to help them.

That is why, Mr. Speaker, I am asking that all members of the House join with me, and with Jim's own friends and family, to wish Jim Loughran—the one and only ''Jimmy Good Guy''—the very best of good luck and good health in the months and years to come.

HONORING THE 95TH BIRTHDAY OF MR. GEORGE GAYNES

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. CAPPS. Mr. Speaker, today I rise to honor Mr. George Gaynes on the occasion of his 95th birthday. Mr. Gaynes is a distinguished member of the Santa Barbara community. He is a man who has devoted his life to the arts, a man who has delighted us all with his wonderful talents both on-stage and on-screen.

George Gaynes was born in 1917 in Helsinki, Finland. In Europe, he served in the Dutch and British Navies during World War II. Mr. Gaynes served as a translator on battleships since he spoke, and still speaks, six languages fluently. Mr. Gaynes, blessed with a wonderful singing voice, started his career in opera companies in Switzerland and London, and later in the New York City Opera Company singing basso.

After moving to the United States, Mr. Gaynes became an accomplished Broadway actor, best known for his on-stage role in Wonderful Town. He also had notable roles in the Cole Porter musical Out of This World and in the U.S. on-stage tour of My Fair Lady. Mr. Gaynes has also enjoyed a distinguished career on-screen. He is perhaps best known for his role in the Police Academy series as Commandant Eric Lassard, as Henry Warnimont on the NBC television series Punky Brewster, and as Arthur Feldman on The Days and Nights of Molly Dodd. Gaynes is also remembered for his role as Frank Smith on the popular soap opera General Hospital, and has appeared in movies such as The Way We Were, Tootsie, and The Crucible.

Gaynes met the love of his life, fellow dancer and actress Allyn Ann McLerie in 1952 in New York where they were both performing on Broadway. The couple has been married for 58 years and has two wonderful children, Iya and Matthew. They have one grandchild, Nicole Falcone Stryjak and are expecting their first great-grandchild, Portia, in June 2012.

George and Allyn Ann moved to Santa Barbara in 1989 and the couple immediately became involved in the issues important to our community and could always be counted upon to support those causes they believed in deeply. In fact, George has continuously contributed various ''Letters to the Editor'' on both local and national issues in several local newspapers. The couple were also founding members of the State Street Ballet Company in Santa Barbara.

George Gaynes is a man who has devoted his life to the arts and his community. Today I am pleased to recognize him as we celebrate his life as a distinguished actor and entertainer, a man dedicated to making the Central Coast and this Nation a richer, more vibrant place.

IN RECOGNITION OF KATM KAT COUNTRY 103

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CARDOZA. Mr. Speaker, I rise today to recognize KATM Kat Country 103, a country music radio station located in the 18th Congressional District of California. The station recently won two national awards in the country music industry. It was honored as the 2011 Station of the Year at the Country Music Association Awards as well as at the 2012 Academy of Country Music Awards. Both accolades are highly prestigious and speak volumes of Kat Country's performance.

Debuting on the air on April 4, 1992, Kat Country 103 has been providing country music to the Valley for over fifteen years. Kat Country 103 serves listeners from Sacramento to Merced and from the Foothills to the Bay Area. Under the slogan ''Continuous Country Favorites and Fun,'' it provides listeners with radio music, host concerts and events for fans, and participates in many charitable events as well. Kat Country is owned by Cumulus Media and is under the direction of Nikki Thomas, Program Manager.

Kat Country 103 received the news of its nomination for the Country Music Association's award through a telephone call from

country sensation Taylor Swift. Kat Country 103 was the first to interview Swift when she broke into the country music business.

Beyond providing music to its listeners, Kat Country 103 also strives to give back to the community and to those in need. Every year, it works with the Make-A-Wish Foundation by holding a telethon to raise money for the organization. It's hosted several charity concerts to support St. Jude's Children's Cancer Research Hospital and even collected donations of thirty-six million pennies for the hospital. In addition, every year at Christmastime it participates in the Marine Toys for Tots Foundation drive, collecting toys and gifts for disadvantaged children in the community. The station also supports the Second Harvest Food Bank, the American Cancer Society, and countless other organizations. It also recognizes and thanks its dedicated listeners by throwing an annual Listener Appreciation Concert. To show its sincere appreciation of support, the station invites nearly 20,000 listeners to attend an all-day concert, absolutely free. It has had such performers as Toby Keith, Taylor Swift, Blake Shelton, The Band Perry and countless others. This year it will welcome Montgomery Gentry as their opening act.

Please join me in congratulating Kat Country 103 and its staff on the recognition of their Country Music Association and Academy of Country Music Awards. They are a very deserving country music radio station and I am proud to have served them in the 18th California Congressional District.

HONORING MR. THOMAS W. LUCE III

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. SMITH of Texas. Mr. Speaker, I would like to recognize and honor a great Texan, Mr. Thomas W. Luce III, for his years of leadership and contributions to improving our public schools, strengthening higher education and supporting business and economic growth.

Mr. Luce was a founding and managing partner of the law firm of Hughes and Luce, LLP until his retirement from the firm in 1997. In addition to his active law practice, Mr. Luce has served on the boards or as guest lecturer at a number of schools of higher education, including the Kennedy School of Government at Harvard, the LBJ School of Public Affairs at The University of Texas at Austin, and Southern Methodist University.

Mr. Luce also has been appointed five times to major posts by Texas governors, including Chief Justice pro tempore of the Texas Supreme Court. He is perhaps best known for his role as the Chief of Staff of the Texas Select Committee of Public Education, which produced one of the first major reform efforts among public schools in 1984.

Mr. Luce served on the Dell Inc. Board of Directors from 1991 to 2005, until he was appointed United States Assistant Secretary of Education for Planning, Evaluation and Policy Development by President George W. Bush. He then served as Chief Executive Officer of the National Math and Science Initiative, Inc. from 2007 to 2011.

In addition, following his resignation from the Department of Education, Mr. Luce rejoined the board of Dell Inc. He is the longest serving outside board member of this Texas-based company and will leave the board when his term ends on July 13, 2012.

During his time on the Dell Board of Directors, Mr. Luce served on all four board committees and oversaw a period of rapid growth for Dell, a great American success story. In 1991, Dell reported $890 million of revenue and debuted on the Fortune 500 rankings the following year. Today, Dell is a $62 billion company and ranked No. 41 on the Fortune 500 list.

Michael Dell, founder, chairman and CEO of Dell, said, ''Tom is a great friend and trusted advisor to us all here at Dell, and it's been a true privilege to know him and benefit from his wise counsel for so many years. During his long service as a member of the Dell Board, Tom has contributed to our success in countless ways and has helped shape the strategies that have allowed us to develop and deliver the very best in technology solutions to our customers. On behalf of the global Dell team and my fellow Board members, it is my distinct honor to thank Tom for his commitment to our country and to Dell, and to wish him the very best in everything the future holds.''

I ask my colleagues to join me in honoring Mr. Luce and thanking him for his service to our country and his business leadership. We wish him the best in his future endeavors.

TAIWAN PRESIDENT MA YING-JEOU'S SECOND INAUGURATION

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. DAVID SCOTT of Georgia. Mr. Speaker, on January 14th, 2012, Taiwan President Ma Ying-jeou successfully won reelection and will be inaugurated for a second term on Sunday, May 20th. The day will be one of a celebration of democracy, however, like every day in Taiwan, it is one clouded by the ever-present, potential danger lurking a mere 100 miles to its west. The People's Republic of China and its more than 1,400 missiles will continue to target Taiwan. While Taipei and Beijing have made strides in terms of trade, investment, travel and tourism, as well as political strides via the repatriation of fugitives; the government of mainland China still espouses its belief in a right to take Taiwan by force. History is riddled with such fateful attempts in this conflict such as Mao Zedong's bombings of Taipei-administered islands Kinmen and Matsu in the 1950s.

In contrast to Taiwan's culture of democracy, mainland China's political culture is a closed one. The leadership and its central planners listen to few, the least of which include its own people. There is little nuance, dialogue or meaningful negotiation unless backed by the threat of brute force. The government of the People's Republic of China extends its intimidation tactics beyond its borders and against its regional neighbors, nations like Vietnam, the Philippines and others who lay at least some seafaring claim to the waters of the South China Sea.

We cannot let stand such intimidation and let Taiwan suffer the same fate. It is in our national strategic interest and in that of Taiwan's for us to continue our providing our steadfast support and in supplying Taiwan with defensive capabilities as under our obligations in the Taiwan Relations Act. Being sufficiently armed and defensively capable is sadly the only way that Taipei can interact with Beijing on what can at least pass for a perceived position of strength. The United States of America and the American people must continue to have the guts and vision to step forth and provide our democratic friend and ally access to the tools it needs to defend itself and free way of life.

Yet, while we must acknowledge the real concerns, the ever-looming storm on the horizon in this conflict, we must also take note of the successes of democracy. Taiwan continues to hold free and fair elections and we will do our part in supporting such continued success. So, on this day, please join me in congratulating President Ma on his inauguration. But even in celebration, we will not fall complacent; we will continue to urge our government to continue providing our support of Taiwan and our commitment in providing access to the defensive tools it needs to safeguard its democracy.

HONORING DR. SANDRA KURTINITIS

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to recognize Dr. Sandra Kurtinitis, president of the Community College of Baltimore County, who was recently named the 2012 ''Humanitarian of the Year'' by the Optimist Club of Dundalk.

This prestigious honor is reserved for individuals who serve the Dundalk-Edgemere community. As president of the Community College of Baltimore County for the past seven years, Dr. Kurtinitis leads the largest provider of higher education in the Baltimore region and is credited with establishing a leaner executive structure that prioritizes the classroom.

Throughout her tenure at the Community College of Baltimore County, Dr. Kurtinitis has gone above and beyond the call of duty to reconnect the once fledgling Dundalk campus with the community. As a result of Dr. Kurtinitis' efforts, enrollment at the Dundalk campus is thriving, having doubled from 2,500 students in 2005 to 5,000 students today.

Shortly after her arrival, Dr. Kurtinitis worked to place several of the college's signature programs on the Dundalk Campus in order to attract new students. Under her direction, the school constructed a new building to house a new program for dental hygienists and dental assistants. In an effort to integrate the school

with the surrounding community, the facility is open to the public and will offer low-cost preventive dental work to more than 2,000 residents each year.

In addition, Dr. Kurtinitis has overseen a $6 million renovation of the campus cafeteria and library. She also boosted the college's presence at community meetings and events, working closely with the Dundalk Renaissance Corporation and the Dundalk Chamber of Commerce. The college has begun entering a float in the annual Dundalk Independence Day parade, winning awards for the past three consecutive years.

A self-described ''servant leader,'' Dr. Kurtinitis is an experienced and respected educator, administrator and author. Before returning to Maryland, she served as president of Quinsigamond Community College in Massachusetts and, prior, taught English at Prince George's Community College for 22 years.

Mr. Speaker, I ask that you join with me today to honor Dr. Sandra Kurtinitis. Her dedication to quality education for all students is an inspiration. It is with great admiration and appreciation that I congratulate Dr. Kurtinitis on her well-deserved recognition and wish her many more years of success.

RECOGNITION OF FIFTY-EIGHT SOUTH JERSEY HIGH SCHOOL SENIORS FOR ENLISTING IN THE UNITED STATES ARMED SERVICES

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RUNYAN. Mr. Speaker, I rise today in recognition of 58 high school seniors in South Jersey for their admirable decision to enlist in the United States Armed Forces. Of these 48 seniors, 13 have joined the Marine Corps; their names are Dominigo Parson, Kyle Hohwald, Angel Gomez, Andrew Galiano, Blasé Salvatore, Cody Quick, Joshua Molinas, Jacob Presley, Hector Rivera, Anthony Pimpinello Jr., Giovanni Figueroa, Joseph Fabrizio, and Vincent Settineri II. Nine have joined the Army; their names are Dakota Beck, Brian Esposito, John Sabatino, Alan Ngyen, Kierra Law, Darryn Henwood, Ryan Madden, Kevin Roberts and Tony Ta. Ten have joined the Air Force; their names are Dane Urgo, Marvin Smith, Addison Steiger, Daniel Flowers, Rebecca Freedman, Alex Belii, Carlos Restrepo, Gabrille Swift, Matthew Vitalone, and Taylor Dockery. Four have joined the Navy; their names are John Weiser, Matthew Kapp, Craig Smith and Derek Smith. Twelve have joined the New Jersey Army National Guard; their names are Ronald Chin, Wyatt Cooper, Tyrell Powell, Daniel Szovati, Aleshia Morales, Tucker Patten, Jimmy Rodriguez, Yaritza Victor, Michael Murphy, Christian Shinkowitz, Andrew Krevetski and Jonathan Kellum. All of the 48 seniors will be recognized at the ''Our Community Salutes of South Jersey'' ceremony to be held during the evening of May 30.

As this month begins many of these young men and women will be celebrating their graduation with their fellow classmates. During that time their classmates will be preparing to move onto college or vocational school life, as these men and women begin their training in the armed services, beginning a life of service and sacrifice, all in the efforts of defending our nation and its ideals.

These young men and women now embark on a new chapter in their lives surrounded by the uncertainties of the world around them. But they should be eased by the knowledge that they are going to receive the best training available to our Armed Forces as well as the unwavering support of this chamber and the American people as they meet the challenges they may face in defense of our Nation.

I would like to offer my personal thanks to these brave young men and women. Their sacrifices are the reason why I have the privilege of addressing you in this great chamber of the House of Representatives. The freedom to debate the issues confronting our Nation is greatly provided by the sacrifices that these new Soldiers, Sailors, Airmen and Marines, along with those who came before them, have fought hard to defend.

Mr. Speaker, please join me in celebrating the remarkable dedication to our country that these young adults have demonstrated by enlisting in the Armed Forces. May we never forget to recognize all those who serve our Nation and the courage they have shown volunteering to risk their lives in defense of our freedoms. All Americans owe them, as well as all those who are currently and who have in the past served our country, a deep debt of gratitude.

PAYING TRIBUTE TO U.S. ARMY COLONEL CHANDLER C. (SKIP) SHERRELL

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. ROGERS of Michigan. Mr. Speaker, I rise to honor U.S. Army Colonel Chandler C. (Skip) Sherrell, who is retiring after 26 years of service to our Nation as an Army Aviation Officer. During his distinguished career, COL Sherrell served the Nation in peace and war in numerous positions of steadily increasing responsibility. Colonel Sherrell has led soldiers in combat, trained soldiers for war, and served as an advisor and assistant to the Chairman of the Joint Chiefs of Staff (CJCS), the Chief of Staff of the Army (CSA), and as a DoD Fellow to the United States Congress. He has served his Nation in Iraq, Saudi Arabia, Bosnia, Germany, and Korea, as well as in demanding assignments in the United States. His decorations for his service include awards for valor. He is an outstanding Army aviator, leader, and soldier, and he is deserving of our recognition.

COL Skip Sherrell concluded an outstanding career by serving for two years as the Chief of Staff of the U.S. Army Aviation & Missile Life Cycle Management Command (AMCOM). He brought a wealth of expertise in aviation operations to the AMCOM Command Group. Prior to joining AMCOM, Colonel Sherrell performed one of the most demanding and critical assignments of his career, serving as the Commander of Task Force (TF) 49. TF 49 was the Army's designation for a composite Aviation Brigade, formed from many units to perform combat operations in Iraq. In twelve months of intensive flying in multiple locations across Iraq, Colonel Sherrell led TF 49 to complete mission success with an impressive safety record—an outstanding achievement.

Colonel Sherrell served in a role that few Army officers experience: working as the Deputy Legislative Assistant to the Chairman of the Joint Chiefs of Staff (CJCS). Serving as a liaison to Congress as the personal representative of the CJCS is an important position, but more importantly, he also served as a soldier's advocate on Capitol Hill for equipment modernization and improved systems and protection.

Therefore Mr. Speaker, I ask our colleagues to join me in honoring COL Chandler C. (Skip) Sherrell's exceptional service, dedication and devotion to duty, leadership, and professional competency. He exemplifies the fine tradition of military service and reflects great credit upon himself, the Department of the Army, and the United States of America. May he know that his Nation is greatly appreciative of his dedication, and wishes him the best in all his future endeavors.

REMEMBERING THE LIFE OF MR. WAYNE L. NELSON

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life of Wayne L. Nelson, who died on April 30, 2012. Mr. Nelson was a deeply committed environmentalist. Throughout his life, he fought tenaciously for the protection of Florida's ecosystems. He always had a special concern for Lake Okeechobee, which is the seventh largest freshwater lake in the United States and the largest in the State of Florida. Mr. Nelson was widely respected by everyone of like mind who knew of his love for Florida's natural resources. Younger environmentalists trusted him for his knowledge and learned much from his advice.

An avid angler with a passion for conservation, Mr. Nelson founded Fishermen Against the Destruction of the Environment (FADE) as well as Clean Lake Environment and Recreation (CLEAR). Additionally, he was an active member of Greenpeace and Public Citizens.

Mr. Speaker, Wayne Nelson left a fine legacy of caring for our environment and teaching younger generations all that he knew. Wherever he went, he spread awareness of the importance of saving the earth, and he will be greatly missed by family, friends and everyone in the environmental community. My thoughts are with Mr. Nelson's loved ones during this most difficult time.

HONORING THE AFRICAN AMERICAN EDUCATION TASK FORCE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. LEE of California. Mr. Speaker, I rise today to honor the African American Education Task Force, co-chaired by Mr. Oscar Wright and Mrs. Wandra Boyd, for its record of success in encouraging and acknowledging academic achievement by African American youth in California's Oakland Unified School District.

Today, the African American Education Task Force and the Oakland Unified School District will celebrate a successful decade of recognizing our local African American students' Honor Roll status. The African American Education Task Force Academic Achievement Celebration takes place at the ACTS Full Gospel Church, pastored by Bishop Bob Jackson in Oakland, California.

During this year's event, 1,026 African American students from the 8th through 12th grades will be honored for attaining grade point averages of 3.00 or above for the 2011–2012 school year. This outstanding group of young people has accomplished a great deal, and we are pleased to commend them for their academic dedication and success. Especially in light of the great budgetary challenges faced by the State of California and the city of Oakland, these students have proven themselves to be bright, capable and resourceful.

I would like to take this opportunity to congratulate each and every student for earning this distinction. Thank you for understanding and promoting the importance of staying in school. By continuing to be the best students possible and by making the most of your education, you will enjoy a full range of opportunities to achieve your personal goals, as well as give back to your communities.

Your accomplishments represent the strength of your initiative and a commitment to excellence. The skills and discipline you have developed will be of great use as you continue to follow your dreams toward success. I am so very proud of you for taking personal pride in your studies. Oakland's future leaders are certainly present at this celebration of academic achievement, and I welcome your many civic contributions in the years to come.

On behalf of the residents of California's 9th Congressional District, I again salute you for your exemplary academic performance. I am confident that you will continue this fine record of scholarship, service and success. Keep up the good work, and I wish you the very best in all of your future endeavors.

RECOGNIZING MOUNT CARMEL BAPTIST CHURCH, MAY 15, 2012

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MEEKS. Mr. Speaker, I rise to recognize Mount Carmel Baptist Church who this year, will celebrate 100 years of service to the Arverne Community in my district.

Mount Carmel Baptist Church is committed to advancing the kingdom of our Lord and Savior Jesus Christ through the preaching and teaching of the Gospel, comforting the sick and distressed, and helping humanity.

Under the leadership of Rev. Joseph Hezekiah May, Mount Carmel Baptist Church became the flagship Baptist Church on Far Rockaway. Rev. May was a freedom fighter for affordable and appropriate housing and through his efforts, the City of New York took notice and began building public housing.

Mount Carmel Baptist Church has served as a pillar to the Arverne community through its desire to further the cause of the Gospel of Jesus Christ through social activism, pastoral care, community engagement and youth development.

On behalf of the more than 655,000 residents of Sixth Congressional District, we thank Mount Carmel for your outstanding contribution to our community, city, and state. We join with Mount Carmel to celebrate 100 years of service and wish you continued success in all of your endeavors.

RECOGNIZING SMSGT (RET.) WALTER LAMERTON'S EFFORTS TO BRING A USO CENTER TO TAMPA INTERNATIONAL AIRPORT

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor retired U.S. Air Force SMSgt (Ret.) Walter Lamerton of Trinity, Florida for his critical role in bringing the USO to Tampa International Airport.

On January 18, 2012, the USO Board of Governors voted to grant a charter for the USO expansion to Tampa. This USO Center is scheduled to open in August 2012 and will support the more than 300,000 service members and their families that annually transit the Tampa Bay community. At the time of the vote, USO Headquarters Staff stated that ''Many have applied, but that this is the first Chartered USO Center approved in the nation in over twenty years.''

Walter Lamerton was a driving force behind submitting this ultimately successful proposal to the USO Board of Governors. He worked closely with volunteers throughout the Tampa Bay area and effectively conveyed their message of support for our service members and their families to both the local community and to the USO Board of Governors, under a compact timeframe.

Mr. Lamerton's leadership and attention to detail were critical in the effort to bring the USO Center to Tampa. As a result, many of our Nation's service members and their families will directly benefit from his efforts for years to come.

As Vice-Chairman of the House Committee on Veterans' Affairs, I constantly find myself in awe of the sacrifices and efforts that have been made on behalf of our great country by the men and women who have worn the uniform of our Armed Services. Because of this, it is my distinct honor to recognize and express my gratitude to Walter Lamerton for his dedication in bringing the USO to the Tampa Bay area. His success in this endeavor will serve as a lasting legacy for all who support our military and their families. The USO Center at Tampa International Airport will, surely, be a shining star in our community.

PRAISE FOR TAIWANESE ELECTIONS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RANGEL. Mr. Speaker, as Taiwan prepares for its Presidential inauguration on May 20, I'd like to congratulate our friends in Taiwan for the smooth conclusion of their presidential election on January 14, when Mr. Ma Ying-jeou won a second term as President of Taiwan.

For over half a century, the United States and Taiwan have enjoyed strong relations over economic and security issues. Our shared interest in peace and stability has guided the relationship, and our commitment to Taiwan's security, as stated in the 1979 Taiwan Relations Act, has enabled Taiwan to build a strong democratic government which serves as a symbol of success for others in the region and beyond. Similarly, Taiwan's economic partnership with us has been extremely beneficial. Taiwan is currently our tenth largest trading partner, with over $68 billion in total bilateral trade.

During Mr. Ma's second term, I hope our relationship with Taiwan will continue to flourish in areas as diverse as trade, military cooperation, and the Visa Waiver Program.

Congratulations to Mr. Ma and the people of Taiwan.

THE DEATH OF NICHOLAS KING

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, it is my regrettable duty to report the death of a great American, Nicolas King. Mr. King died on April 3, 2012 in Santa Rosa, California. He was 79. Perhaps more than any other person, Mr. King was responsible for preserving the Watts Towers in Los Angeles, which has been visited by millions over the past 50 years.

King was instrumental in preserving the world famous Watts Towers which adds an aesthetic appeal to my 37th District. The unique work of folk art, was created over 33 years by Italian immigrant Simon Rodia. Rodia, described as a cement finisher and construction worker, began building the towers in 1921. The nearly 100-foot complex of spires and other structures are decorated with broken pottery, seashells, glazed tiles and pieces of colored glass.

In 1954, Rodia moved to Martinez, California to be closer to family and signed his property over to his neighbor, Louis Sauceda.

His former house had burned down, the gates to the walled property were open and unguarded, and the grounds were littered with refuse left by unwanted visitors. Nicholas King and his friend, William Cartwright, visited the famed Watts Towers for the first time and were surprised by what they saw.

The current owner was a dairy farmer by the name of Joseph Montoya. For $3,000 and a downpayment check of just $20, Nicholas King and William Cartwright became the owners of the Watts Towers. King and Cartwright cleaned up the area around the towers, and an architect friend of Cartwright soon drew up a plan for a caretaker's cottage on the property. But when the architect went to apply for a building permit, he discovered that an order had been issued earlier for Montoya to ''demolish and remove the fire-damaged dwelling and dangerous towers from the premises on or before March 5, 1957.'' The Watts Towers in 1959 passed a stress test in which the tallest spire was subjected to 10,000 pounds of force and avoided demolition.

With the establishment of the Committee for Simon Rodia's Towers in Watts, King and Cartwright yielded ownership of the towers to the committee. The group elected Cartwright as its chairman and he and King as permanent directors.

Born Robert Nicholas King in Sacramento on March 21, 1933, he studied acting at the Pasadena Playhouse after graduating from high school in 1951. King had uncredited roles in The Long, Hot Summer and as a medic in The Young Lions. He had the role of Arnie in Joy Ride (1958) and Georgie in The Threat (1960). He also had a recurring role on the TV version of the radio serial ''One Man's Family.''

In 1969, King became a partner in a land cooperative on the Garcia River in Point Arena in Northern California, where he moved with his wife, Kate, and their two young children. King was involved in logging and started a nursery business in which he grafted apple trees and sold root stocks and apples. He also helped organize the river preservation group Friends of the Garcia and was active in the group Save Our Salmon.

Nicholas King's inspirational life reminds us to preserve the rich artistic history of America. William Cartwright said it best, ''We knew we had to do something that we believed should have been done before us: preserving something that needed it and not abandoning it.'' Generations to come will be touched by the artwork at Watts Towers and we have Nicholas King to thank. He will be deeply missed and I urge my colleagues to join me in extending condolences to the King Family.

Mr. Speaker, I ask for a moment of silence in memory of Nicholas King.

THE 150TH ANNIVERSARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. DELAURO. Mr. Speaker, I rise today to recognize the 150th anniversary of the United States Department of Agriculture (USDA).

Last year, agricultural producers had record net farm income and trade surplus. One in twelve jobs is linked to agriculture and forestry and American consumers spend less than 10 percent of their disposable income on food. USDA programs affect each of us—from nutrition programs to food safety, conservation to plant and animal health, and rural development to research and extension.

The department manages anti-hunger and nutrition programs that help ensure millions of Americans have enough food. Food banks across the country count on the Emergency Feeding Assistance Program to keep their pantries stocked. USDA's Supplemental Nutrition Assistance Program is helping more than 46 million Americans. More than 30 million American school children rely on the National School Lunch Program for a nutritious lunch. But there is clearly more to do.

With almost 13 million unemployed in this economy, and one in six Americans living below the official poverty line, we know that millions of middle-class and working families are hurting. Across the country, nearly fifteen percent of American households were food insecure in 2010. In other words, nearly 50 million Americans, including over 16 million children, struggled with hunger. In my district in Connecticut, nearly one in seven households were not sure if they could afford enough food to feed their families. Earlier this month, the Meals on Wheels Association released its first report card on senior hunger: with 1 in 7 seniors facing the threat of hunger, the country received an F.

At a time such as this, our key federal food security policies become all the more vital. They make a difference for the health and well being of millions of families. In the words of Harry Truman, ''Nothing is more important in our national life than the welfare of our children, and proper nourishment comes first in attaining this welfare.''

As we look to the future, it is important that the United States maintains its leadership in agriculture. And we must also strive to ensure that everyone has access to the food they need to thrive.

CELEBRATING 150TH ANNIVERSARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in honor of the 150th anniversary of the United States Department of Agriculture (USDA). Founded by President Lincoln in 1862 as ''the People's Department,'' the USDA has helped modernize and advance American agriculture to the point where Americans now enjoy a safe and abundant food supply at a cost of less than ten percent of their disposable income. The USDA has been critical in protecting the farmers and ranchers who are the stewards of our land and essential to ensuring that our nation maintains an independent and secure food supply.

Over the course of its 150 years, the USDA has repeatedly been vital in solving the many agricultural challenges facing our nation. For example, a rapidly declining pollinating species population currently threatens the sustainability of our agriculture across the country. With one out of every three bites of food we eat the result of the intervention of pollinators like birds, bats, bees, and butterflies, the USDA has taken a lead role in addressing this looming disaster through programs like the Agricultural Research Service's research on the cause and treatment of Colony Collapse Disorder. The importance of the USDA is reflected in the fact that without pollinators, our country would not be able to grow food.

The USDA also does much more than just work with our local agriculture. It is a key player in addressing the changing needs of agriculture across the globe. The world's population is estimated to be nine billion people by 2050. Consequently, the world will need to produce more food in the next 50 years than has been produced during the past 10,000 years combined. The USDA, America's farmers, ranchers, and research scientists will answer this challenge together through programs such as Food for Progress, McGovern-Dole International Food for Education and Child Nutrition, the USDA National Hunger Clearinghouse, and the Norman Borlaug Commemorative Research Initiative.

One hundred and fifty years ago, President Lincoln recognized the potential of America's farmers to resourcefully cultivate our land to provide an ample food supply. Today, we must use the same innovative spirit in approaching agricultural production. By supporting USDA programs and initiatives, we are able to link research and scientific innovations to effective adaptations in order to successfully address the food security needs of our country. I am pleased to honor our country's farmers and ranchers, and acknowledge the work of the USDA on this historic occasion.

HONORING OFFICER CRAIG BIRKHOLZ

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. PETRI. Mr. Speaker, today I want to recognize those peace officers being honored during National Police Week, and I particularly want to honor a constituent of mine who was killed in the line of duty last year.

Officer Craig Birkholz was only 28 years old when he was shot and killed during a six-hour standoff at a home in Fond du Lac, Wisconsin, on March 20, 2011. Officer Birkholz is one of the 166 being honored today as part of National Peace Officers Memorial Day, and his name has been engraved on the National Memorial wall.

Officer Birkholz had been with the Fond du Lac Police Department for two years and was a veteran who had served in Iraq and Afghanistan with the Army. Born in Kenosha in 1982, he graduated cum laude from the University of Wisconsin-Oshkosh with a degree in criminal justice. In 2009, he married his wife, Ashley. Men and women such as Officer Birkholz, who make the ultimate sacrifice in order to keep us safe, truly are owed our eternal gratitude.

I hope that National Police Week celebrated here in Washington will help those affected by the loss of a relative or fellow officer know that their life of service will continue to be honored. We will remember the life and service of Officer Birkholz, and the memorial is a lasting tribute to him and all fallen officers.

TRIBUTE TO SIGNAL HILL POLICE OFFICER ANTHONY GINIEWICZ ON THE OCCASION OF BEING ADDED TO NATIONAL PEACE OFFICERS MEMORIAL WALL OF HONOR

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, later today the name of Anthony Giniewicz of Signal Hill, California, will be added to the National Peace Officers Memorial Wall of Honor. The National Law Enforcement Officers Memorial is the nation's monument to law enforcement officers who have died in the line of duty. Officer Giniewicz, who served on the Signal Hill Police Department, died on December 7, 2011, as a result of gunshot wounds sustained 26 years earlier during an exchange of gunfire with gang members. He will be enshrined on the Memorial Wall of Honor with 361 other peace officers who died in the line of duty in 2011, 19 of whom are from California.

Dedicated on October 15, 1991, the Memorial honors Federal, State and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our Nation and its people. Carved on its walls are the names of more than 19,000 officers who have been killed in the line of duty throughout U.S. history, dating back to the first known death in 1791.

On February 19, 1985, Officer Giniewicz and his partner were accosted by three gang members while off duty in Signal Hill, California. When Officer Giniewicz identified himself as a police officer the assailants opened fired and shot him multiple times. Miraculously, Officer Giniewicz survived the shooting but was paralyzed from the waist. He spend the next 26 years as a paraplegic and underwent multiple surgeries before succumbing on December 7, 2011 due to complications from his injuries.

It is fitting recognition of Officer Giniewicz's heroism that his name will be added to the National Law Enforcement Officers Memorial Wall during the National Peace Officers Memorial Service.

Officer Giniewicz was more than a police officer, he was a dedicated father, son, brother, friend, and role model to his colleagues on the Signal Hill Police Department. Although his injuries were severe and followed him throughout his life, he fought through it and was still able to enjoy many of the activities he loved before the shooting. Officer Giniewicz was a 35-year member of the Blue Knights Law Enforcement Motorcycle Club, as well as a lifetime member of the National Rifle Association.

Mr. Speaker, Officer Anthony Giniewicz epitomized everything that is good and true and great about America. He was brave and kind and fearless and devoted to serving others. He is survived by his mother, Nellie; son, Anthony Aleksandr; stepson, John; stepdaughter, Barbara; former wife, Barbara; six sisters Paula, Linda, Elaine, Christine, Diane and Laurie; and two grandchildren Katelyn and Marissa.

As a member of the Law Enforcement Caucus and the representative in Congress of Signal Hill, California, I am saddened at the loss of Officer Anthony Giniewicz but proud to represent the police department Officer Giniewicz served with such distinction. I am honored to represent the people of the 37th Congressional District of California in paying tribute to the 362 fallen heroes who will be joining the more than 19,000 gallant men and women who gave the last full measure of devotion to the communities they took an oath to protect and serve.

Mr. Speaker, I ask for a moment of silence in memory of Officer Anthony Giniewicz and every other man and woman whose name graces the National Peace Officers Memorial Wall of Honor.

HONORING DR. HAMID SHIRVANI, PRESIDENT OF THE CALIFORNIA STATE UNIVERSITY, STANISLAUS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. DENHAM. Mr. Speaker, my colleague, Mr. CARDOZA, and I rise today to acknowledge and honor Dr. Hamid Shirvani, President of the California State University, Stanislaus, to thank him for his leadership and dedication to the academic advancement of the Central Valley.

Dr. Hamid Shirvani faithfully served California State University, Stanislaus, as its President for seven years since his appointment on July 1, 2005.

Under his leadership, the academic reputation of the university grew in stature and the university received national recognition for its excellence, including its first appearance in the Princeton Review's Best Colleges list in 2007, and then every year since.

Dr. Shirvani carefully managed the resources of the university: eliminating a budget deficit that existed upon his arrival, building a reserve, and guiding the university through severe budget reductions that were not fully replaced by tuition increases. While these cuts were made more catastrophic by rising enrollment, Dr. Shirvani maintained and even improved the academic quality of the university by providing a high level of service to the students.

Demonstrating his deep commitment to support and strengthen the region, he proactively and tirelessly reached out to the region's business community to learn about their workforce needs, build partnerships, and create new academic programs to address those needs. He did all this while also providing high-quality, educational opportunities for students that would prepare them for well-paying jobs in the region after graduation.

President Shirvani tenaciously advocated on the university's behalf and established relationships with diverse educational partners and businesses and secured more than $118 million of external resources—the fruit of which included eight newly endowed professorships and many large donations used to provide scholarships to students with financial need, fund the development of new academic programs, and build and upgrade campus facilities.

His dedication to serving the students and putting their needs first was recognized when he was twice selected as President of the Year by the system-wide student body government, representing 430,000 students across 23 campuses, in 2007 and 2009.

He is a visionary leader who made substantial contributions to higher education in the Central Valley and worked hard to raise the profile and stature of the university.

In June 2012, President Shirvani will be leaving CSU Stanislaus to become the Chancellor of the North Dakota University System.

Mr. Speaker, please join us in honoring and commending Dr. Hamid Shirvani, President of the California State University, Stanislaus, for his numerous years of selfless service to the education of our community.

RECOGNIZING CURTIS WHITEHEAD, MAY 2012 STUDENT OF THE MONTH

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MEEKS. Mr. Speaker, I rise to recognize an outstanding student from my congressional district, Curtis Whitehead. Curtis is a senior at August Martin High School in Queens, NY and has won the April student of the month award. During his time at August Martin, Curtis has overcome challenges, excelled in his studies and discovered his true passions: cooking and acting. Since his sophomore year, he has had a recurring lead role on a Time Warner Cable production called ''Power Tools for Life.'' He has since, participated and excelled in countless culinary competitions. By all accounts Curtis is well liked and respected by his classmates and teachers, baking cookies and cupcakes for their birthdays and offering to help in times of need. Upon graduation Curtis will enroll in the Culinary Academy. I applaud Curtis Whitehead for winning student of the month and wish him the best in his future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,676,996,273,860.82. We've added $5,050,119,224,947.74 to our debt in

just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

MARISHA LOZADA

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. BARLETTA. Mr. Speaker, I rise to congratulate Marisha Lozada as a Gold Medal recipient of the Scholastic Art and Writing Awards of 2012 for her painting titled Woman with Black.

The Scholastic Art and Writing Awards is the largest, longest-running scholarship and recognition program for creative teens. Awards are presented annually by the Alliance for Young Artists and Writers, a nonprofit organization headquartered in New York.

This year, the Scholastic Art and Writing Awards program received 200,000 submissions from students in public, private and home schools across America. Of the 200,000 submissions, 60,000 students received regional recognition and 1,600 received national medals.

Mr. Speaker, the arts are an important part of America's cultural fabric, and student creativity should always be encouraged. Therefore, I congratulate Marisha Lozada for her passion and dedication to the arts, which is evident in her accomplishment.

CELEBRATING THE 50TH ANNIVERSARY OF THE LOGAN SQUARE NEIGHBORHOOD ASSOCIATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. GUTIERREZ. Mr. Speaker, I rise in honor of the Logan Square Neighborhood Association in Chicago, Illinois and wish to congratulate them for their 50 years of committed community service. Their visionary leadership, strategic partnerships and compassionate dedication to our community has made a real and lasting difference in the lives of the residents of Logan Square and the Chicagoland area.

Since 1962, the Logan Square Neighborhood Association has dedicated the last five decades to building a healthy community by directly serving thousands of residents each year and impacting the lives of tens of thousands more with nationally-recognized programs in education, housing, immigration, health and the arts. The Logan Square neighborhood has benefitted greatly from the Association's commitment to change and community involvement.

Among the Logan Square Neighborhood Association's many accomplishments are Parent Mentoring programs that help students, teachers and families bridge cultural differences between immigrants' homes and the schools their children attend, creating a new approach to parent engagement in schools. By partnering with local schools, the Association established Community Learning Centers that allow elementary schools to provide convenient, evening continuing education and physical activities. The Association partnered with community organizations to banish slumlords, ending unethical practices and helping make affordable rental housing available to families. Their home ownership programs have helped more than 100 moderate-income families purchase their first home and led to the first homeownership program for teachers that was adopted by the Chicago Board of Education. The Logan Square Neighborhood Association has also developed programs focusing on living wage jobs which helped to create more than 1,400 permanent, living wage jobs in the Logan Square community.

Because of their commitment to change and to improving the Logan Square community, it makes me proud to have the Logan Square Neighborhood Association serve the residents of the 4th Congressional District. It is with great honor that I commend the Logan Square Neighborhood Association for their 50 years of effectively serving our community. I wish them continued success.

HONORING THE 150TH ANNIVERSARY OF THE USDA

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HINOJOSA. Mr. Speaker, on May 15, 1862, President Abraham Lincoln signed legislation to create the U.S. Department of Agriculture. Today, exactly 150 years later, Lincoln would be proud of how the USDA touches almost every aspect of our daily lives. The USDA not only protects and strengthens our rich agricultural tradition, but it also supports nutrition programs, promotes and develops rural housing, utilities and businesses, food safety, animal health, natural resource conservation, reduces our dependence on foreign oil and much, much more. Because of the USDA, rural communities have affordable electricity and broadband; poor children are able to eat a nutritious meal every day through the School Lunch Programs, and we lead the world in agriculture exports.

My district in south Texas has benefited greatly from the work of the USDA. From providing assistance to rural farmers, to biotechnology research that works to develop drought resistant crops, to developing and upgrading our aging water treatment systems, the USDA is a vital partner in keeping south Texas moving forward. That is why I am honored to extend my thanks and congratulations to Secretary Vilsack and the thousands of people at the USDA for their tireless service.

HONORING NORM NEISS FOR HIS MORE THAN 50 YEARS OF SERVICE TO HIS COMMUNITY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Mr. Norm Neiss for the more than 50 years of service he has given to the Mantua community in Virginia.

Mr. Neiss dedicated his life to serving the nation, spending more than 29 years in the United States Navy as a naval aviator. He retired from the Navy in 1974, but his service to our country continued through his dedication to his community.

Mr. Neiss moved to Virginia in 1965 and has been an active member of the community ever since. He was the Chabad Lubavich Temple Liason, and he was a volunteer for the New Covenant Committee, the Architectural and Environmental Review Committee, the District Planning Commission, the Fairfax Federation, and the Fairfax County Citizen Emergency Response Team's medical corps. In addition to generously donating his time as a member of these many community organizations, Mr. Neiss served in a number of local leadership positions, heading the Providence District Council, heading the Mantua Neighborhood Watch, and serving as the President of the Mantua Community Association.

Mr. Neiss never sought recognition for his many efforts in the many organizations in which he so graciously gave of his time. Nevertheless, his neighbors noticed his dedication and the shining example that he set. They nominated Mr. Neiss as the 2012 Fairfax Federation of Citizens Associations Citizen of the Year. The Federation represents the homeowners, civic, and citizen associations for Fairfax County's more than 1 million residents. Further, in recognition of his tireless service, Mr. Neiss was selected to be the Grand Marshall for the 2012 Mantua Parade on June 9th.

Mr. Neiss' life-long dedication to serving his community is a wonderful example for us all. I urge my colleagues to join me in thanking Norm Neiss for the tireless efforts he so graciously has given over the past 50 years and to recognize the tremendous contributions he has made to the Mantua community and the nation.

PERSONAL EXPLANATION

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MEEKS. Mr. Speaker, on rollcall No. 240, Holt of N.J. Amendment to H.R. 5326, I inadvertently missed the vote.

Had I been present, I would have voted "yes."

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Bryan A. Rivera-Bruno for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Bryan has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING THE 90TH BIRTHDAY OF MR. STEVEN MEYER

HON. BRAD MILLER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MILLER of North Carolina. Mr. Speaker, I rise today to congratulate Steven Meyer on the occasion of his 90th birthday. Mr. Meyer is being honored by his family for the exceptional life he has led and for his many accomplishments in both the professional and personal realms.

Born in Moers, Germany in 1922, Mr. Meyer fled the Nazi Occupation with his family in 1939 and settled in New York, New York. Drafted by the Army in 1943, Mr. Meyer served with the Army Corps of Engineers in the European Theater of Operations. During his military career he worked as a planner for the D-Day invasion of Normandy, and while in the service Mr. Meyer gained his American citizenship. Following the war, Mr. Meyer had a 30-year career as a contract manager with Koppers Company in Pittsburgh, PA. While in Pittsburgh, he earned his degree in Mechanical Engineering from Carnegie Tech, now Carnegie Mellon. He raised two sons, Robert and Andrew, with his late wife Mrs. Irma Meyer, and has four grandchildren.

Mr. Meyer is an upstanding member of his community and a model citizen. During their years in Pittsburgh, Mr. Meyer and his wife participated in the Council for International Visitors, a program that helped recent arrivals to the United States acclimate to the local community, often hosting dinners at their home for visiting professors and businesspeople from around the world. Mr. Meyer was also active in SHARE, the South Hills Association for Racial Equality, and participated in many community Holocaust commemorations. Following Mrs. Meyer's passing in 2006, Mr. Meyer, together with his sons, endowed the Irma Meyer Memorial Lecture Series at the West Penn Hospital in order to better educate health care providers about end-of-life issues.

Steven Meyer currently resides at the Raleigh, N.C. Heritage Raleigh Brookdale Senior Living community in my congressional district, where he has assumed an active leadership role. He has thrice been elected president of the resident's council, and serves on various committees. In his retirement, Mr. Meyer has discovered a latent talent for painting and rediscovered his love for playing the piano. His paintings have been exhibited at Raleigh City Hall, and he often given piano recitals for fellow residents at the Heritage.

Mr. Speaker and distinguished colleagues, I ask you to join me in wishing Steven Meyer a happy birthday and best wishes for continued health and happiness.

JEWISH AMERICAN HERITAGE MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize May as Jewish American Heritage Month. Jewish community has been a vibrant presence in America for over 350 years and contributed greatly to American history and culture. The Jewish community has tirelessly worked to promote issues that affect all Americans, not just members of their own community. With a strong commitment to philanthropy, education, and human and civil rights, Jewish Americans have helped shape the United States into the beacon of hope and equality that it is today.

Approximately 5 million of the world's 13 million Jews live in the United States, constituting roughly 2 percent of the national population. Despite these relatively small numbers, the Jewish community has made a substantial impact on protecting America's promise of equality. Generations of Jewish Americans have pioneered workers' and civil rights, fought honorably in our armed forces, and served as a strong model for women's equality.

As we enter into the month of May, we should also recognize the 64th anniversary of Israel's founding in May of 1948. The United States has always maintained a strong relationship with Israel and has respected Israel's commitment to democracy and its resilience in the face of constant adversity. The Jewish community has played an important role in fostering this relationship.

Mr. Speaker, as a representative of one of the most diverse districts in the Nation, I firmly believe that an appreciation of other cultures and religions is what makes our country great. I am proud to celebrate Jewish American Heritage Month and the wonderful contributions the Jewish community has made throughout our Nation's history.

HONORING COLONEL PETER B. TRAINER AFTER 30 YEARS OF SERVICE WITH THE UNITED STATES AIR FORCE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize and pay tribute to Colonel Peter B. Trainer on the occasion of his retirement from the United States Air Force.

Colonel Trainer's professional achievements are numerous and I know he would be the first to acknowledge that none of them would have been possible without the support of his wife and family. Colonel Trainer's parents set the example of service as his father, Lt. Colonel Thomas R. Trainer, retired after a distinguished career in the Air Force.

He began his distinguished career in 1982 when he received his commission through ROTC at The Citadel in Charleston, South Carolina. From there, he proceeded on to numerous important assignments. After completing the Space Operations Officer Course at Lowry AFB, Colorado, he was assigned as a Satellite System Controller and later Assistant Chief, Satellite Mission Planning Branch, Defense Meteorological Satellite Program (DMSP), Offutt AFB, Nebraska. In 1986, he was assigned as the Chief of Satellite Operations, Space Systems Division Los Angeles AFB, California where Colonel Trainer was responsible for all command and control activities of the launch and early orbit checkout for two DMSP satellites. Colonel Trainer was then selected for special duty as an Air Force Recruiter and served as the Chief of Operations for the 3514th Recruiting Squadron, McGuire AFB, New Jersey, where he was responsible for Air Force accessions in an area that included New York City, New Jersey and Europe. In 1993, Colonel Trainer was assigned to Headquarters, U.S. Space Command where he qualified as a Space Surveillance Center Commander in the Cheyenne Mountain Operations Center. He was subsequently selected to become Chief of the Space Surveillance Section where he was a key player in the command's Space Control Mission.

In 1995, Colonel Trainer transitioned to his present status as a USAF Reserve Officer where he was chosen by U.S. Space Command Director for Operations to be the first Space Command Intern to the National Signals Intelligence Committee. Col. Trainer helped to shepherd in a new era of cooperation between Space Command and the National Reconnaissance Office. His successes continued as he later served as Chief, Space Exploitation and Integration Branch at U.S. Strategic Command, where he played an integral role in bringing tactical space capabilities, including ''Blue Force Tracking'' to our combatant forces. Following the attacks of September 11, 2001, Colonel Trainer served as one of the watch commanders that stood up the nation's Blue Force Tracking Missions Management Center during Operation Enduring Freedom. This experience and background led to his selection as Individual Mobilization

Augmentee to the Chief, Space and Missile Programs, Air Force Legislative Liaison, advocating for space and missile programs to Congress. Col. Trainer worked extensively with our colleagues on the House Armed Services Committee Strategic Forces Sub-Committee, developing great rapport with former members, Rep. Terry Everett and Rep. Ellen Tauscher. His dedication and success in supporting numerous projects, including the unveiling of the Operational Responsive Space Concept to Congress, led to his selection as the Legislative Liaison Reservist of the Year in 2006.

Perhaps the most challenging assignment was his final one as Individual Mobilization Augmentee to the Director, National Reconnaissance Office, where he serves as the senior reserve officer supporting the NRO and all associated space activities. In this position, he leads 60 total force professionals and aids the Director in the NRO's interaction with significant mission partners including the Director for National Intelligence, National Security Agency, National Geospatial-Intelligence Agency, Air Force Space Command, Strategic Command and other Combatant Commanders. In 2010, the Air Force Reserve recognized Col. Trainer's performance by selecting him to its Reserve Brigadier General Qualification List.

Colonel Trainer has excelled throughout his distinguished career and I am honored to pay tribute to this airman. Mr. Speaker, I ask my colleagues to join me in thanking Colonel Pete Trainer, his wife, Melanie, and their son, Nick, for their service to our country. I wish them Godspeed, and continued happiness as they start a new chapter in their lives.

SIDLEY AUSTIN LLP'S LOBBYING FOR CHINESE TELECOM FIRM HUAWEI

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WOLF. Mr. Speaker, I submit my recent correspondence with Mr. Carter G. Phillips, managing partner for Sidley Austin LLP, regarding the firm's representation of Chinese telecom firm Huawei. As noted in the letters, the U.S. national security community has serious concerns with Huawei's connections to the People's Liberation Army and Chinese intelligence.

Equally troubling is Huawei's well-documented history of supporting America's greatest adversaries—some of the most repressive and brutal regimes in modern history—including the Taliban regime in Afghanistan, Saddam Hussein regime in Iraq and the current regime in Iran.

Today, through Huawei, China exports its repressive technologies to likeminded governments. An October 27, 2011, Wall Street Journal piece reported that the Chinese telecom giant Huawei ''now dominates Iran's government-controlled mobile-phone industry . . . it plays a role in enabling Iran's state security network.''

Respected national security reporter Bill Gertz also recently reported that Huawei has also been ''linked to sanctions-busting in Saddam Hussein's Iraq during the 1990s, when the company helped network Iraqi air defenses at a time when U.S. and allied jets were flying patrols to enforce a no-fly zone. The company also worked with the Taliban during its short reign in Afghanistan to install a phone system in Kabul.''

For these reasons, I also wrote to Ms. Samantha Power, the director for multilateral affairs on the National Security Council at the White House. I also submit this letter for the RECORD. Given Huawei's troubling activities in Iran, I urged Ms. Power, in her capacity as chair of the newly-created Atrocities Prevention Board, to consider whether the company should be sanctioned.

It is inconceivable to me that a respected law firm like Sidley Austin would represent a Chinese state-directed company like Huawei, given the significant national security concerns as well as its appalling record of supporting some of the world's worst regimes.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 25, 2012.

Mr. CARTER G. PHILLIPS,
Managing Partner, Sidley Austin LLP, Washington DC.

DEAR MR. PHILLIPS: It has recently come to my attention that a lobbyist with your firm has been retained by the Chinese telecom firm Huawei to lobby Congress and the administration.

Given the longstanding and serious concerns from senior officials in the U.S. intelligence and defense communities, as well as the Congress, about Huawei's connections to the Peoples' Liberation Army and the potential vulnerabilities of its telecom products, I was surprised that a firm of your caliber would agree to represent a company that is so closely connected to the Chinese government.

In all my years in Washington, very rarely have I seen the leadership of defense, intelligence and civilian agencies come together in such a concerted effort to warn of a security threat from a foreign entity. When the White House, intelligence community, Defense Department and the Commerce Department all have worked to block Huawei from gaining greater access to U.S. networks, everyone should take notice.

Just last month, during a hearing before the House Commerce-Justice-Science (CJS) Appropriations subcommittee, which I chair, Secretary of Commerce John Bryson noted that the ''Commerce Department has been very focused on Huawei.''

Secretary Bryson told the panel ''I think you're right in characterizing that as a considerable challenge to our country. It appears that Huawei has capabilities that we may not fully detect to divert information. It's a challenge to our country . . . we have taken some steps to not have Huawei advance yet further in our country but the reality is in the market—they are advancing further so we need to address that further.''

Also noteworthy is that shortly after Secretary Bryson's testimony before the CJS subcommittee, Australia announced that is has banned Huawei from bidding to help build a nationwide high-speed Internet network due to concern about cyber attacks traced to China. Australia's actions follow several similar moves by the U.S. government to block Huawei access to American networks.

In 2009, The Washington Post reported that the National Security Agency ''called AT&T because of fears that China's intelligence agencies could insert digital trapdoors into Huawei's technology that would serve as secret listening posts in the U.S. communications network. In 2010, then-Commerce Secretary Locke called Sprint CEO Dan Hesse to raise concerns about Huawei, which ultimately resulted in Sprint choosing not to use Huawei equipment.

These moves should not be surprising given Huawei's long-documented deep ties to the Chinese government and the Peoples Liberation Army. According to a 2005 report by the RAND Corporation, ''both the [Chinese] government and the military tout Huawei as a national champion,'' and ''one does not need to dig too deeply to discover that [many Chinese information technology and telecommunications firms] are the public face for, sprang from, or are significantly engaged in joint research with state research institutes under the Ministry of Information Industry, defense-industrial corporations, or the military.''

The U.S. business community also is concerned about Huawei. On April 6, The Wall Street Journal reported that ''Cisco Systems Inc. Chief Executive John Chambers identified Huawei Technologies Co. as its toughest rival, stating that the Chinese company doesn't always 'play by the rules' in areas such as intellectual property protection and computer security . . . he suggested that, [unlike Huawei], Cisco is considered trustworthy by governments around the world.''

It's not just Huawei's longstanding and close connections to Chinese intelligence that is troubling. Huawei has also been a leading supplier of critical telecom services to some of the worst regimes around the world. Last year, The Wall Street Journal reported that Huawei ''now dominates Iran's government-controlled mobile-phone industry . . . it plays a role in enabling Iran's state security network.'' And given the president's April 23 executive order addressing entities that are providing Iran and Syria with technologies to repress their people, I would think representing Huawei would give you further pause.

For these reasons, I urge you to reconsider your firm's relationship with Huawei. I think you would agree that Sidley Austin's reputation and integrity is worth far more than its contract with a state-directed company like Huawei.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

SIDLEY AUSTIN LLP,
Washington, DC, April 27, 2012.

Re Huawei

Hon. FRANK R. WOLF,
Chairman, Commerce-Justice-Science Subcommittee, Washington, DC.

DEAR CONGRESSMAN WOLF: Thank you for your letter of April 25, 2012. We understand your concerns and appreciate your bringing them to the firm's attention.

Sincerely,

CARTER G. PHILLIPS,
Managing Partner.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 30, 2012.

Mr. CARTER G. PHILLIPS,
Managing Partner, Sidley Austin LLP, Washington, DC.

DEAR MR. PHILLIPS: Last week, I wrote you sharing concerns about your firm's representation of Chinese telecom firm Huawei. This company is of great concern to the U.S. national security community due to its well-

documented ties to the People's Liberation Army and continued questions about the integrity of its products.

Although Huawei generally dismisses all legitimate criticisms of its ties to the Chinese government as ''tired disinformation,'' I thought you should be aware that just last week the House Armed Services Committee singled out the threat from Huawei by name in its FY 2013 National Defense Authorization Act.

According to the committee report, the committee is concerned about the supply chain threat from Chinese telecom firms, ''specifically Huawei and ZTE Corporation, have been, and are likely to continue to provide billions of dollars in Chinese Government support. The report also stated that these firms have been blocked from certain deals with U.S. firms because of national security concerns.'' I have enclosed a copy of this section from the report for your reference. There should be no question that the national security community actively considers Huawei a serious concern.

Perhaps this is due, in part, to Huawei's longstanding history of supporting America's greatest adversaries—some of the most repressive and brutal regimes in modern history—including the Taliban regime in Afghanistan, Saddam Hussein regime in Iraq and the current regime in Iran.

Through Huawei, China exports its repressive technologies to likeminded governments. An October 27, 2011, Wall Street Journal piece reported that the Chinese telecom giant Huawei ''now dominates Iran's government-controlled mobile-phone industry . . . it plays a role in enabling Iran's state security network.''

Respected national security reporter Bill Gertz also recently reported that Huawei has also been ''linked to sanctions-busting in Saddam Hussein's Iraq during the 1990s, when the company helped network Iraqi air defenses at a time when U.S. and allied jets were flying patrols to enforce a no-fly zone. The company also worked with the Taliban during its short reign in Afghanistan to install a phone system in Kabul.'' I have also enclosed a copy of this article.

How can an American firm like Sidley Austin represent a company that has provided our enemies with equipment? How does Sidley Austin reconcile working for a company that is empowering the world's worst governments to monitor and repress their own people? Certainly this must give you pause.

Huawei is believed to receive billions of dollars in subsidies and assistance from the Chinese government—the same government that is an equal opportunity oppressor of people of faith. Catholic bishops, Protestant house church leaders and Tibetan Buddhist monks and nuns are routinely harassed, imprisoned and placed under house arrest. China maintains an extensive system of slave labor camps as large as that which existed in the former Soviet Union.

The 2010 Nobel Prize recipient Liu Xiaobo still languishes in prison to this day. China's abysmal human rights record has been thrust into the international spotlight with the courageous escape last week of Chen Guangcheng, the blind lawyer activist who, after serving several years in prison on trumped up charges, had been confined to a virtual prison in his home.

According to your Web site, Sidley Austin's mission is ''to adhere to the highest ethical standards.'' Representing a firm with Huawei's record certainly doesn't live up to your stated mission.

Again, I urge you to reconsider your firm's representation of Huawei, Rest assured, I will continue to inform my colleagues of Huawei's unrepentant record of supporting some of the world's most brutal regimes—and America's greatest adversaries—and the U.S. national security community's continued concern about their threat to our supply chain.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

OTHER DEFENSE ACTIVITIES

REVIEW OF THE SUPPLY CHAIN SECURITY AND INTEGRITY OF THE NUCLEAR WEAPONS COMPLEX

The committee is concerned by the findings of the Government Accountability Office (GAO) in its report, ''IT Supply Chain: National Security-Related Agencies Need to Better Address Risks'' (GA0–12–361). The report stated that, ''Although four national security-related departments—the Departments of Energy, Homeland Security, Justice, and Defense—have acknowledged these threats, two of the departments—Energy and Homeland Security—have not yet defined supply chain protection measures for department information systems and are not in a position to have implementing procedures or monitoring capabilities to verify compliance with and effectiveness of any such measures.''

The committee is also aware that its ''2011 Report to Congress,'' the U.S.-China Economic and Security Review Commission detailed specific supply chain threats originating from firms linked to the Government of the People's Republic of China. These firms, specifically Huawei and ZTE Corporation, have been, and are likely to continue to provide billions of dollars in Chinese Government support. The report also stated that these firms have been blocked from certain deals with U.S. firms because of national security concerns.

The committee is concerned by these developments as well and the information technology (IT) chain problems reported by GAO. Therefore, the committee directs the Secretary of Energy, in consultation with the National Counter Intelligence Executive, to provide a report to the congressional defense committees by August 31, 2012, on the supply chain risks to the Department of Energy. The report should address the following: (1) IT supply chain vulnerabilities of the Department of Energy, with special attention paid to the laboratories and plants of the national nuclear weapons enterprise; (2) Evaluate whether the Department of Energy, or any its major contractors, have a supply chain that includes technology produced by Huawei or ZTE Corporation; and (3) A plan for implementation of the recommendations of the GAO report referenced above.

Finally, the committee is aware that section 806 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) provided the Department of Defense the authority to protect its supply chain. The committee is also aware that section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87) provided the intelligence community similar authority. The committee further directs the Secretary of Energy to include in the report an assessment of any concerns may have about providing similar authority in order to protect the Department of Energy's IT supply chain.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 8, 2012.

MS. SAMANTHA POWER,
Director For Multilateral Affairs, National Security Council, Washington DC 20500

DEAR MS. POWER, I write regarding the administration's recently released initiative on atrocities prevention. As you know, this is an issue about which I care deeply and I am encouraged to see these matters prioritized. Moving forward, it will be essential to ensure that these efforts don't simply result in additional monitoring, but rather are the impetus for action in the face of grave human rights abuses.

My reason for writing is two-fold. I noted with interest President Obama's recent executive order authorizing sanctions and visa bans against those who commit or facilitate grave human rights abuses by means of facilitating information technology capabilities in Syria and Iran. It is my understanding that the sanctions are intended to impact not just the regimes in question, but the companies that enable them by providing technology which is ultimately used to oppress and brutalize the citizens of these lands. This executive order is an important first step, but I respectfully urge the administration to broaden the scope to include countries such as China which has a long and well-established track record of using technology to repress and even imprison its citizens.

Further, I urge the administration to examine whether Huawei Technologies, a Chinese telecom firm with deep connections to the People's Liberation Army (PLA) and Chinese intelligence, should be among the companies sanctioned under this new executive order. As you may know, Huawei has been a leading supplier of critical telecom services to some of the worst regimes around the world, including Iran. On October 27, 2011, the Wall Street Journal reported that Huawei ''now dominates Iran's government-controlled mobile-phone industry . . . it plays a role in enabling Iran's state security network.'' The article continued, ''This year Huawei made a pitch to Iranian government officials to sell equipment for a mobile news service on Iran's second-large mobile-phone operator, MTN Irancell. According to a person who attended the meeting, Huawei representatives emphasized that, being from China, they had expertise censoring the news.''

You may be aware that Huawei's actions in Iran appear to be consistent with its practice, Over many years, of doing business with rogue regimes. In a March 13, 2012 Washington Free Beacon piece, respected national security reporter, Bill Gertz, wrote, ''Huawei has been linked to sanctions-busting in Saddam Hussein's Iraq during the 1990s, when the company helped network Iraqi air defenses at a time when U.S. and allied jets were flying patrols to enforce a no-fly zone. The company also worked with the Taliban during its short reign in Afghanistan to install a phone system in Kabul.''

While there have been initial news reports suggesting that Huawei, in the face of public scrutiny and criticism, may be scaling back its operations in Iran, the Wall Street Journal also reported on December 10, 2011, that ''Huawei, which has about 1,000 employees in Iran, said it plans to continue servicing its existing Iranian contracts.''

In light of these realities, I respectfully request that the newly created Atrocities Prevention Board to take up these matters at the earliest possible time. I look forward to your prompt response.

Best wishes.
Sincerely,

FRANK R. WOLF,
Member of Congress.

CONGRATULATING TONY JIMENEZ FOR BEING NAMED SMALL BUSINESS PERSON OF THE YEAR

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to congratulate Tony Jimenez, President & CEO of MicroTech, for being named the Small Business Person of the Year by the Small Business Council of America, or SBCA. MicroTech is an innovative technology company located in Vienna, Virginia started by Mr. Jimenez in 2004. It provides a host of technology services—including cyber security, systems integration, and cloud computing—to the commercial and public sectors, serving more than half-a-million daily technology users.

The SBCA is a nationwide nonprofit representing more than 20,000 businesses in the retail, service and manufacturing sectors. According to the SBCA, the criteria for the Small Business Person of the Year award includes, ''dedication to small business in America as evidenced through promotion of a climate favorable to free enterprise, promotion of a positive image of American business through excellent business, civic or corporate leadership, [and] leadership in advancing the interest of small business in America.''

During its short history MicroTech has won a number of awards from a host of organizations. Just a few of the many recognitions include: the Red Herring Global 100, which recognizes the most innovative tech companies in the world; the AFFIRM Award which recognizes the top 100 most influential Hispanics in IT; the U.S. Chamber of Commerce ''Blue Ribbon Small Business;'' and the CRN Number 1 Fastest Growing Solutions Provider.

In addition to being an award-winning business professional, Mr. Jimenez is dedicated to giving back to the community and he was named a Top CEO Philanthropist; received recognition from the Washington Business Journal for top-privately-held corporate philanthropist; and received the USHAA Bravo Award for good business practices and philanthropy.

As my colleagues and I well know, small businesses are the economic engine of America, and MicroTech is a shining example. In its 8 years of existence Mr. Jimenez has created more than 400 jobs in 28 states. MicroTech is a shining success story and clearly demonstrates how a dedicated entrepreneur such as Mr. Jimenez can turn an idea into a successful business employing hundreds of Americans while serving as a tremendous corporate citizen in the community.

Mr. Speaker, I urge my colleagues to join me in recognizing the value that America's small business leaders bring to our economy, and join me in congratulating Tony Jimenez for being named the SBCA Small Business Person of the Year.

PERSONAL EXPLANATION

HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HEINRICH. Mr. Speaker, I unfortunately missed four votes the afternoon of May 10, 2012, which included rollcall votes 246, 247, 248 and 249.

If I had been present, I would have voted in favor of rollcall vote 246, the Democratic Motion to Recommit H.R. 5652.

If I had been present, I would have voted against rollcall vote 247, Representative RYAN's (WI–1) bill, H.R. 5652.

If I had been present, I would have voted in favor of rollcall vote 248, the Democratic Motion to Recommit H.R. 5326.

Lastly, I would have voted against rollcall vote 249, Representative WOLF's (VA–10) bill, H.R. 5326.

CELEBRATING THE U.S. DEPARTMENT OF AGRICULTURE'S 150TH ANNIVERSARY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. KAPTUR. Mr. Speaker, I rise today to congratulate the U.S. Department of Agriculture (USDA) for its 150th year of service. President Abraham Lincoln established USDA 150 years ago today in 1862.

American agriculture has been the second most productive sector of our nation's economy in the past decade. United States farm income is forecast at $91.7 billion in 2012, the second highest on record. Agriculture now accounts for 1 in 12 jobs in the United States.

United States agricultural exports have been particularly strong. Exports reached record levels in fiscal year 2011 of $137.4 billion. This level supported 1.15 million jobs here at home and contributed to a trade surplus of $42.7 billion in agriculture. Agriculture is one of the few sectors that the United States has consistently had a trade surplus.

American farmers and ranchers provide us with 86 percent of the food we consume. This efficiency results in American consumers spending less than 10 percent of their disposable incomes on food. By comparison, most European consumers spend more than double that, and in developing counties, the percentage is often as high as 50 percent.

USDA has played a vital role in the success of American agriculture. There is no doubt that without assistance from USDA American agriculture would not be as strong as it is today.

With the support of Congress, USDA provides a strong safety net for America's farmers and ranchers to ensure the United States continues to be the world's leader in agricultural production. USDA's crop insurance insures 264 million acres on about 500,000 farms. Crop insurance has helped more than 325,000 farmers who lost crops due to natural disasters over the past three years.

I want to highlight USDA's recent efforts in strengthening local and regional food systems. For many years, I have advocated and worked to provide federal assistance in supporting local food systems. Local food sales were valued at $4.8 billion in 2008 and are expected to grow in the coming years. We need to harvest this economic power to help create American jobs and strengthen our local economies.

The Know Your Farmer, Know Your Food (KYF) initiative represents a good first step in using USDA's programs to improve local food systems. KYF provides a one-stop shop for information on more than 25 USDA programs that could assist in developing and improving local food systems, encourages much needed collaboration across agencies to reduce bureaucratic barriers in supporting and expanding marketing opportunities in local food markets, and works to connect farmers directly to consumers, which helps increase the availability of healthy nutritious foods.

KYF efforts have been hugely successful related to farmers' markets. We have seen a 54 percent increase in the number of farmers' markets since 2008. Over 2,400 farmers' markets and farm stands are now authorized to accept EBT, an increase of 51 percent over last year.

Mr. Speaker, while there are many challenges still facing American agriculture, there is no doubt in my mind that USDA is up to the task. From my perspective, the future success of USDA and American agriculture will depend on our support for local food systems and other emerging markets such as the specialty crop market.

I congratulate USDA for its 150th Anniversary and thank all the department's employees for their service.

HONORING JOHN F. MURPHY HOMES

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize John F. Murphy Homes of Auburn, Maine on the occasion of its 35th anniversary.

John G. Murphy was one of Maine's foremost advocates on behalf of the developmentally disabled. In 1954, Mr. Murphy used his standing on the Lewiston Board of Finance to open the Garcelon School as an educational facility for mentally retarded children. After his passing in February of 1976, members of the Lewiston Auburn Association for the Mentally Retarded formed a foundation in Mr. Murphy's honor to continue his work.

On May 18, 1977, the John F. Murphy Foundation for the Mentally Retarded was officially established with the mission to provide housing for individuals with developmental disabilities. In March of 1978, they opened their first home at 23 Pleasant St. in Lewiston for 6 people. Today, the agency provides direct support to hundreds of Mainers and their families, employs more than 700 people in the greater Lewiston-Auburn area, and generates millions of dollars in local economic activity.

John F. Murphy Homes has helped to raise awareness about intellectual disabilities and the need for group care facilities. The organization's remarkable success is owed to the

outstanding vision of its founders and the tireless work of its employees. In January, John F. Murphy Homes received a $1.7 million grant from the Department of Housing and Urban Development to continue their important work.

John F. Murphy's example has truly made the Lewiston-Auburn community a better place for the mentally retarded.

Mr. Speaker, please join me in congratulating the John F. Murphy Homes on achieving 35 years of exemplary service to the Lewiston-Auburn community.

RECOGNIZING THE USDA FOR 150 YEARS OF SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to salute the United States Department of Agriculture (USDA) and its dedicated employees for 150 years of service to America. By working with farmers across America, the USDA has built the most productive, efficient agricultural economy on earth. It has rescued whole regions from the Dust Bowl, diversified production in the South to end regional dependence on cotton, led efforts to restore estuaries like the Chesapeake Bay through conservation programs, financed rural development, and rebuilt agriculture in war-torn countries in partnership with the Armed Services.

America's food security today stands in stark contrast to other industrialized countries which are heavily dependent on food imports. Only because of the USDA's work do we enjoy this security, which includes affordable food for working Americans. Today the USDA is working to ensure that food security includes healthy foods which address America's most challenging chronic health problems. Under Secretary Vilsack, the USDA is leading efforts to redevelop local food production. The benefits of this initiative are evident in my home state of Virginia, where growing wine, cheese, fruit, and vegetable production is bringing land back into production which had been fallow for decades. The USDA is much more than agriculture; it pursues a comprehensive program of rural development, and its recent efforts to strengthen local food supplies are emblematic of this comprehensive approach.

The USDA is playing a central role in conserving America's natural resources, as it has since its inception. Photographs from the Works Progress Administration should serve as a reminder of the resources that would have been lost but for USDA leadership. Before we had comprehensive agricultural conservation programs, cubic miles of prime soils were being lost throughout the South and Midwest to erosion from wind and rain. The USDA pioneered soil conservation methods which ensured that these regions would remain productive for generations to come. Building on that early success, USDA conservation programs are responsible for reducing agricultural pollution entering the Chesapeake Bay and other estuaries, ensuring that Americans can enjoy productive fisheries as well as productive agricultural lands.

In an era where government is disparaged all too frequently, the USDA is a shining example of the benefits of federal service. We never could have become the most powerful, prosperous nation on earth without the agency which worked with farmers to feed our armies and our workforce, and to conserve those natural resources that we will rely on for the next 150 years.

REMEMBERING CONSTANTINE G. VALANOS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HOYER. Mr. Speaker, I doubt there is a single member of this House or the Senate who has never set foot inside the Monocle on D Street. Just steps from the Capitol, the Monocle has been a political institution as much as it has been a warm and welcoming restaurant. Its tables have long been set with a spirit of friendship that transcends party; they have been host to meetings and discussions on nearly every issue of national importance. The Monocle has been a place of agreement, often at times when disagreement divided us in this House.

It was Constantine Valanos who brought that warm and inviting place to Capitol Hill and to all who serve here. Many of us knew Connie well. Connie made a point of knowing and remembering all of us who set foot in his restaurant, even if just once in a while. Sadly, Connie passed away last month at age 93.

Constantine George Valanos was born into a family of Greek immigrants in Albany, New York, as the First World War was drawing to a close. He grew up here in Washington, D.C., and served in the U.S. Navy during World War II. Following his discharge, Connie attended the George Washington University and pursued a career in accounting. In 1960, seeing an opportunity to buy and fix up an old restaurant on Capitol Hill, Connie and his wife, Helen—who passed away in 2005 after a fifty-three year marriage—opened the Monocle.

Among their first regular customers were then-Senators John F. Kennedy and Richard Nixon. Over the next fifty years the Monocle would see a steady stream of Senators, Representatives, future Presidents and Vice Presidents, Supreme Court justices, foreign diplomats, and ordinary Americans visiting with their elected officials.

After three decades at the helm, Connie and Helen passed the management of the business to their son, John, and daughter-in-law, Vasiliki, who continue to run the Monocle today and provide the same friendly and welcoming environment to all who step through the door.

The ancient Greek statesman Pericles said: ''What you leave behind is not what is engraved in monuments of stone but what is woven into the lives of others.'' Connie Valanos leaves behind a legacy not only of a restaurant but also of the countless ways in which he made that restaurant a place where leaders come together to hash out the agreements that help make our Nation great and improve lives around the world. The Monocle, as former Vice President and regular patron Walter Mondale once noted, is ''where laws are debated, where policies are set, and where the course of world history is changed.'' That is Connie's lasting legacy.

I join in celebrating Connie's life and in offering my condolences to his wife Judith, his children, John and George, his three grandchildren, and the entire Valanos family.

RECOGNIZING JESSIE ''DINK'' HOSMAN

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 91st birthday of Jessie C. ''Dink'' Hosman who was born June 3, 1921, and grew up in the Willard, Missouri area.

During World War II, Technician Fifth Grade Hosman was in Company B, 1st Battalion, White Combat Team, which fought all over Burma with ''Merrill's Marauders''. T/5 Hosman fought through some of the harshest conditions of the war where the enemy was often less of a concern than malaria, deadly Mite Typhus, Amoebic Dysentery, and malnutrition. T/5 Hosman spent two years in the jungle and also served in Panama and India. Being a member of ''Merrill's Marauders'' earned T/5 Hosman the distinction of United States Army Ranger.

T/5 Hosman helped secure the strategic Burma Road while it was being built in treacherous conditions. Extraordinarily, while ''Merrill's Marauders'' had such a high casualty rate, they never left a fellow soldier's body behind. T/5 Hosman received the Combat Infantryman Badge, the Presidential Unit Citation, and the Bronze Star Medal for exemplary service.

After the war, Jessie returned stateside and spent some time in San Francisco where he was given everything and anything he wanted to eat to make up for two years of malnutrition. Eventually Jessie returned home to the Willard area where he raised his family and purchased a farm where he ran a milk and beef cattle operation for 50 years.

These days, Jessie is enjoying life and taking it easy living with his daughter, Terri Hughes, and her husband, Jimmy Hughes, in Walnut Grove, Missouri. He still enjoys his hobbies of fishing, hunting, boating and his RV. Jessie has also attended several ''Merrill's Marauders'' reunions.

As the years create more and more distance from the events and heroes that defined World War II, I personally wanted to take this opportunity to recognize one of my constituents who is a Real American Hero. Without the sacrifices of America's Greatest Generation, we would not be enjoying the freedoms and rights they fought to preserve. May God bless Jessie C. Hosman. I wish him a very happy birthday and many more.

RECOGNIZING GMU PRESIDENT ALAN MERTEN ON HIS RETIREMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Dr. Alan G. Merten and to congratulate him on the occasion of his retirement following a distinguished, 16-year tenure as president of George Mason University.

Dr. Merten was Mason's fifth president, and under his leadership the University developed the culture, academics and reputation of a unique and world-class institution of higher learning. There are many examples of its growth and enhanced prestige, but I would like to cite a few statistics that speak to the caliber of excellence Dr. Merten has helped build at Mason. U.S. News and World Report ranks George Mason 138th among the best universities in the nation. Incoming freshman now average a 3.6 GPA, up from 3.0 in 1996. Mason's student body has grown to more than 32,000. While GMU was founded as a branch of the University of Virginia, it became an independent institution in 1972 and now is the largest university in the Commonwealth. Dr. Merten's success cultivating new funding opportunities and promoting the fields of information technology and biological sciences have sparked an increase in annual research funding from $28 million in 1996 to more than $100 million today.

When he steps down next month, Dr. Merten will conclude a career in higher education that has spanned more than four decades of service at numerous institutions. Dr. Merten holds an undergraduate degree in mathematics from the University of Wisconsin, a master's degree in computer science from Stanford University, and a PhD in computer science from the University of Wisconsin. He began his career in 1970 as an associate professor of industrial and operations engineering at the University of Michigan. He later served as an associate dean in the Michigan Business School where he was responsible for executive education and computing services. After serving for three years as the dean of the College of Business at the University of Florida, Dr. Merten accepted the deanship of the Samuel Curtis Johnson Graduate School of Management at Cornell University in 1989. In 1996, he accepted the position of President at GMU.

Dr. Merten is a well respected figure in the Northern Virginia community who has used his considerable and diverse talents to raise the profile of the University and our community. Throughout his tenure, Dr. Merten has expanded GMU's partnership with the regional business community, serving on the Board of Directors of the Greater Washington Board of Trade and the Northern Virginia Technology Council, and he was a member of the Virginia Governor's Blue Ribbon Commission on Higher Education. His tireless efforts advocating on behalf of the university in local, state, and federal government have earned him a reputation as a champion of higher education. After his retirement, Dr. Merten will continue to serve George Mason and our community in other capacities, as well as spend more time with his wife Sally, daughter Melissa, son Eric and four grandchildren.

Mr. Speaker, I ask that my colleagues join me in thanking Dr. Alan G. Merten for his tremendous contributions to George Mason University and the higher education community. I consider Dr. Merten a dear friend and wish him, his wife and family the best as he moves into retirement. Thanks to his leadership, the University and Northern Virginia are well positioned for future growth and success.

THE PASSING OF MURIEL WATSON

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. BILBRAY. Mr. Speaker, I rise today to honor one of San Diego's great citizens, Muriel Watson. Muriel passed on May 1, 2012 after a lengthy battle with cancer.

I had the pleasure of knowing Muriel when I was Mayor of Imperial Beach. I would also talk with her when I would ride my horses along the border. She was tenacious, dedicated and motivated to all of her causes and her attitude and intellect allowed her to accomplish anything she set her mind to.

Muriel was born in Newton, Massachusetts on October 23, 1930 as the only child of William and Cynthia Bianchi. She grew up as a teenager in San Diego, attended San Diego High School, and later earned her teaching degree at San Diego State College. She was a patron of the arts and would dance and act at the Old Globe theatre in San Diego from time to time.

After meeting her husband George Watson in 1953, a Border Patrol agent, Muriel began her work with the U.S. Border Patrol. She became involved with the Border Patrol Union as a Public Information Officer and testified before Congress regarding issues and concerns of the Border Patrol.

In addition to her involvement with the Border Patrol, Muriel created an initiative called ''Light Up the Border'' in 1989. The goal of the group was to shine car lights on the border in order to cut down on border violence. The group met monthly starting on November 4, 1989. At the first meeting, 23 cars were present and over the seven months of the program the group grew to 2000 cars in June of 1990.

Over the course of the program, Muriel was able to enlist the help of Congressman Duncan Hunter to begin construction on what today represents three layers of border fence, more agents, and lights on the border.

Muriel will be missed by those of us who knew her. Her memory will live on in the lives of her children and grandchildren, in the hearts and minds of the Border Patrol agents, and through the people of the causes she served.

TRIBUTE TO DEACON LAMOUNE CARLOS GLOVER

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RUSH. Mr. Speaker, I rise to pay tribute to the life and legacy of my friend and brother beloved, Deacon Lamoune Carlos Glover who made his heavenly transition on Tuesday, May 8, 2012. Deacon Glover was born April 23, 1968, in Chicago, Illinois to the late Robert and Lorraine Glover. A product of the Chicago Public Schools system, Lamoune attended Mollison Elementary School and Jean Baptiste Pointe DuSable High School, and later went on to attain an Associate Degree in Applied Science.

Lamoune's love for Christ started at an early age. At 6, his ''play mother'' May Turner took him to church. Lamoune was baptized at the age of twelve at the Gospel Temple Church, under the leadership of Pastor Warren L. Turner. There, he served as a member of the usher board and in the youth ministry.

Later in his journey, Lamoune began attending the Beloved Community Christian Church where I am privileged to serve as pastor and teacher. In 2002, Lamoune experiencing the transformative power of Jesus Christ and being led by the Holy Spirit re-dedicated his life to Christ. At Beloved, he served as a trustee, church steward and member of the Men's ministry.

In July 2003, Lamoune met his ''better half'' Joyce Lemon. After a loving three-year courtship, Lamoune and Joyce married on August 19, 2006. To this union, one beautiful, daughter was born, Ahrmani Glover.

In 2011, after nine years of devoted Christian service, I installed Bro. Lemoune as Deacon of the Beloved Community Christian Church. It was one of his proudest moments, for no matter what life threw Lamoune's way, he always somehow knew that with God, he would be ''okay''.

Mr. Speaker, in the Exodus story, as Israel did battle with the Amalekites, Moses stood on a hill with the staff of God in his hands, whenever Moses raised his hands Israel prevailed. When Moses hands grew tired so that he was forced to lower them, Israel suffered in battle, but Aaron and Hur, Moses' armor bearers, held Moses' hands up and Joshua and Israel defeated Amalek. Lemoune was such an armor bearer.

Deacon Lamoune Carlos Glover's life has been seen through the lenses of personal sacrifice, love, reconciliation, and perseverance. My sincerest thoughts and prayers are extended to his loving wife, Joyce, his children Otisha Pitts, Jakwon Webb and Ahrmani, grandchild Javion Goss, brothers, Robert Glover and Marvin Harvey, sister Bernadette Glover, his Beloved Community Christian Church family, and host of other family and friends. I am privileged to enter these words in the CONGRESSIONAL RECORD of the United States House of Representatives.

TRIBUTE TO DR. F. SHERWOOD ROWLAND

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me today in honoring Dr. F. Sherwood Rowland, who was born on June 28, 1927, in Delaware, Ohio, and who passed away on March 10, 2012, at his home in Corona del Mar, California, at the age of 84.

Professor Rowland was a giant in the scientific community. Along with his colleague Dr. Mario Molina, he discovered the serious threat to the earth's ozone layer posed by man-made chemicals called chlorofluorocarbons, or CFCs. These supposedly harmless chemicals were being released from aerosol sprays, refrigerators, and air conditioners. In their 1974 paper published in Nature, the two scientists showed that CFCs were depleting the planet's protective stratospheric ozone layer. They found that CFCs rose into the stratosphere, where they were broken apart by powerful ultraviolet rays and released chlorine atoms. The chlorine destroyed the ozone molecules protecting the planet's surface from harmful ultraviolet radiation.

Sherry Rowland recognized that the depletion of the ozone layer ''was not just a scientific question, but a potentially grave environmental problem.'' Increased exposure to ultraviolet radiation meant more cases of skin cancer and eye damage, as well as harm to plant and marine life.

Sherry Rowland spoke out about this danger to the ozone layer and argued for a ban on CFCs. Over the years, he did hundreds of press interviews and testified before Congress and state legislatures time and time again.

Professor Rowland persevered despite efforts to discredit his work. Scientific societies withdrew their invitations for him to speak about his research. And industry attacked him personally. In 1977, the president of one aerosol manufacturing company claimed that criticism of CFCs was ''orchestrated by the Ministry of Disinformation of the KGB.''

But Professor Rowland was ultimately vindicated by both his fellow scientists and the international community. In 1983, a British Antarctic Survey team confirmed the existence of a hole in the ozone layer above Antarctica. Four years later, the Montreal Protocol was signed. This landmark treaty phased out the production and use of CFCs. The ozone layer is now expected to fully recover around the middle of the century.

In 1995, Dr. Rowland received the recognition he deserved when he shared the Nobel Prize for Chemistry with Dr. Molina and Dr. Paul Crutzen for their ozone layer work.

Sherry Rowland's life stands as a testament to the critical role of scientific discovery in the development of wise and effective government policy.

One need only ponder what the world would be like today without the work and voice of Sherry Rowland to appreciate the magnitude of his contributions. Please join me in celebrating the life of Dr. Sherry Rowland, a man who literally helped save the world.

EVERETT LILLY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RAHALL. Mr. Speaker, the glorious hills of West Virginia fell more silent than usual this past week. A familiar voice was quieted by the passing of an American original. This last weekend, we celebrated the life and legacy of Mr. Everett Lilly, who passed on to his heavenly reward after 87 years on this Earth. Until just recently, Mr. Lilly's voice and mandolin playing were a familiar melodious staple for the ears and musical souls of southern West Virginians and countless ones beyond our borders.

Everett and his brother, Bea, who passed in 2005, introduced bluegrass music, Lilly-style, or as Mr. Lilly liked to call it, ''American Mountain Country Folk Music,'' to our country's northeast in the 1950's with Don Stover and Tex Logan. They rose to international fame and toured Japan. Everett played two separate stints with the legendary bluegrass group formed by Lester Flatt and Earl Scruggs. Most recently, even though he was well into his 80s, he toured with his own band, The Lilly Mountaineers, and taught classes at Mountain State University—passing on his knowledge and skill with mountain music and its accompanying lore.

The Lilly Brothers were inducted into the West Virginia Music Hall of Fame and the International Bluegrass Music Hall of Fame. Everett received the Vandalia Award, West Virginia's highest folk life honor, in 2009.

Tributes to Mr. Lilly and his considerable talents continue to be written, West Virginia's Mountain Stage's memorial to him reminds us that country singer, Marty Stuart, called Mr. Lilly, ''God's mandolin player.''

Let me just add that all the words used to describe Mr. Lilly's legacy like entertainment giant, pioneering artist, and musical legend and icon are true I knew Mr. Lilly and know his family. They are friends of mine and the best compliment I can pay him is that what you saw was what you got. I don't think he had a fake bone in his body, and he was more than ready to lend a helping hand whenever, wherever possible. Indeed, as our hometown newspaper, the Register Herald, summed it up succinctly, Everett was genuine.

Among the tens of thousands Mr. Lilly enlightened and entertained over the decades was everyone from presidents to just plain good people. Though he achieved international fame and the composition of his audiences would drastically change from venue to venue, he never did. Whether he was on the world stage or staged in front of a family barn here in southern West Virginia, Everett never strayed from his deep roots in Clear Creek, West Virginia.

The New York Times ran a warm story on Mr. Lilly's many accomplishments and concluded with perhaps what he considered his greatest, his family. Mr. Lilly's son, Jiles, preceded him in death, but he is survived by his wife of 64 years, JoAnn; three sons, Daniel, Mark and Everett Alan; four daughters, Karen Pierangelino, Diana Tomah, Ann Lilly and Laverne Wheeler; a sister, Flossie Williams; and numerous grandchildren and great-grandchildren.

''He played music right up to the end,'' Daniel Lilly told the Times. ''He was enjoying life and still riding his four-wheeler through the woods at the age of 87. He died at the kitchen table.''

He and his band used to play an old song that seems a fitting epitaph for his long happy career and life. I leave you with the lyrics to, ''Who will sing for me,'' confidant that the praises for Everett Lilly will continue to be sung by all those whose lives he touched. Mr. Speaker, my colleagues, we all could take a page or two from the songbook of this talented, this beloved son of West Virginia:

Often I sing for my friends
At death's cold hand I see
When I reach my journey's end
Who will sing for me

Chorus
I wonder (I wonder) who
Will sing (will sing) for me
When I come the cross
of that silent sea
Who will sing for me

When crowds shall gather round
And look down on me
Will they turn and walk away
Or will they sing one song for me

So I'll sing 'til the end
Contented I will be
Assured that some friends
Will sing one song for me

HONORING MR. MA YING-JEOU ON TAIWAN'S PRESIDENTIAL INAUGURATION DAY

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HANNA. Mr. Speaker, as Taiwan prepares for its Presidential Inauguration Day on May 20, I'd like to congratulate President Ma and our friends in Taiwan for a smooth completion of their presidential election on January 14. Mr. Ma Ying-jeou won a second term as President of the Republic of China (Taiwan).

President George W. Bush once famously described Taiwan as ''a beacon of democracy to Asia and the world.'' His words were recognition of Taiwan's achievements in democratic development. We trust Mr. Ma and his people will continue to deepen and improve Taiwan's democracy and instill an even stronger commitment to democratic values among Taiwan's people.

The United States and Taiwan have enjoyed a strong security and economic partnership for over half a century. Our common interest in peace and security has guided U.S.-Taiwan relations and our commitment to Taiwan's security, as stated in the 1979 Taiwan Relations Act, has enabled Taiwan to build a strong democratic government and today serves as a beacon for others in the region and beyond. Similarly, Taiwan's economic partnership with us has benefited both sides, resulting in Taiwan being our tenth largest trading partner, with total bilateral trade amounting to over $68 billion.

During Mr. Ma's second term, I hope our relationship with Taiwan will continue to flourish, especially in areas like military cooperation, Taiwan's inclusion in the Visa Waiver Program, as well as our trade relationship.

Congratulations to Mr. Ma and the people of Taiwan.

RECOGNIZING THE 150TH ANNIVERSARY OF THE DEPARTMENT OF AGRICULTURE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WOLF. Mr. Speaker, today is the 150th anniversary of the founding of the Department of Agriculture, which was established by President Lincoln on May 15, 1862.

I commend the hardworking individuals at the department who work with all elements of the food supply chain—including our farmers, growers, and ranchers, to support for packers and shippers, marketers and processors, equipment suppliers, researchers, and retailers—to ensure that Americans have access to affordable, safe and abundant food.

The USDA also assists with important conservation efforts, and connects the most vulnerable in our society with critical food resources. As we mark this anniversary, I hope we all will take this opportunity to recognize the continued need that exists at our local food pantries. I meet with food banks and pantries on a regular basis, and demand is at an all-time high. Families who use to donate food regularly are now coming to receive food.

I appreciate the support of my colleagues for the inclusion of language in the FY12 agriculture spending bill that was signed into law to make it easier to donate excess food from the Federal school lunch program to local food banks by ensuring they are covered by the Good Samaritan Act.

The American agriculture community should be commended for their work to ensure that everyone has safe food on the table.

A TRIBUTE TO AGRICULTURE

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, with the 150th anniversary of the U.S. Department of Agriculture upon us, I feel it important to pay tribute to the American farmers, ranchers, and producers who remain a cornerstone in the foundation of our country. Since the settlement of American colonies, agriculture has played a paramount role in the lives of American citizens.

Growing up in South Georgia, I witnessed the impact agriculture plays in our Nation's economy and national security. In Georgia, agriculture is directly related to one out of every seven jobs. It contributes billions of dollars to the State's economy and provides a safe and reliable source of food for American citizens. The U.S. Department of Agriculture has played and continues to play an important role in each of these aspects.

With the long-standing relationship between Georgia and the U.S. Department of Agriculture, the State of Georgia has become synonymous with agriculture. Georgia leads the Nation in broilers and value of egg production with $4 billion dollars and $570 million dollars, respectfully. It produces the second highest amount of cotton in the United States, and it produces almost half of the peanuts grown in the U.S. with a farm gate value of over $401 million dollars. Altogether, agriculture contributes about 12 percent annually to Georgia's $787 billion dollar economic output.

With the success of our Nation's agriculture sector, it is vital that the U.S. government create an optimal environment where farmers and ranchers can continue to provide our country with a consistent and safe supply of agriculture products. We can achieve this through appropriate policies that provide support for our Nation's agricultural producers.

Therefore, Mr. Speaker, during this time of honoring the 150th anniversary of the Department of Agriculture, it is with great esteem and pride that I honor our Nation's farmers, ranchers, and producers. I ask my fellow colleagues to provide continued support for our country's agriculture industry. With continued support, we can carry on our America's role as a world leader in reliable material and safe foods.

RECOGNIZING MICHIGAN HELMET CHOICE LAW

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WALBERG. Mr. Speaker, I rise today in support of the recent passage and signing into law of a helmet choice law in my home State of Michigan.

Last month, Governor Rick Snyder signed into law Senate Bill 291, which modernizes Michigan's outdated mandatory helmet law and allows adult choice for motorcycle riders like myself. The new law allows riders to exercise their personal liberty in choosing whether to wear a helmet or not, while at the same time including smart safeguards to ensure riders are equipped with the proper skills and protections to safely travel on Michigan roads.

Michigan now joins the 30 other States with helmet choice laws, and this law will undoubtedly encourage cross-country riders to visit our beautiful State and support our strong tourism industry.

While riders are certainly free to choose whether they will ride with a helmet or not, driver awareness cannot be optional. Too many riders are injured or killed each year due to reckless driving and the only way to ensure the safety of motorcycle riders and car drivers is increased awareness on the roadways. Along with increased motorcycle rider education, it is my hope that the debate over this commonsense law will encourage all drivers to pay closer attention behind the wheel.

Again, I am grateful to Governor Snyder and the Michigan legislature on advancing personal liberty in Michigan through the passage of Senate Bill 291, and I look forward to taking my Harley out soon.

USDA—HAPPY 150TH BIRTHDAY

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MCGOVERN. Mr. Speaker, as a member of the Agriculture Committee, I am pleased to recognize the 150th birthday of the U.S. Department of Agriculture (USDA). The good work of USDA and the important programs administered by USDA reach all of us every day, often more than most of us realize. In coordination with our farmers and ranchers, USDA ensures that we have a safe and abundant food supply. USDA protects the quality of our meat and poultry; feeds children and low income Americans through the nutrition programs; and supports rural Americans with an array of basic programs, including broadband, housing and economic development.

As Co-Chair of the House Hunger Caucus, along with my good friend Representative JO ANN EMERSON, I am committed to ending hunger in the United States and around the world. I want to praise USDA's robust domestic programs to help feed the most vulnerable among us and improve nutrition. These safety net programs, including SNAP, the Child Nutrition Programs, and WIC are vitally important to helping those in need put food on the table during economic hard times and helping make sure no one especially seniors and children—goes to bed hungry in America. The Child Nutrition Programs including the National School Lunch Program are among the most important and successful anti-hunger and nutrition programs in the country. Thanks to diligent oversight by USDA, and significant reforms in the program, SNAP is one of the most effective and efficient federal programs. It is a testament to USDA's longstanding commitment to the highest standards and oversight of its programs.

Globally, the impact of USDA is just as great. I have long promoted an integrated government-wide approach to addressing global hunger and food insecurity. Beginning with the Bush Administration and expanding under the leadership of President Obama, Secretary of State Clinton, Secretary of Agriculture Vilsack and USAID Administrator Raj Shah, I am proud to say that global food security programs are stronger than ever. In particular, I am proud to support USDA's signature role in global agricultural development, emergency food aid, and international school feeding programs.

Agriculture is not just a nostalgic reflection of the past, it is a critical part of contemporary American life and the U.S. economy. I would like to take this opportunity to salute the thousands of Massachusetts small farmers who contribute so much not only to the economy, but to the nutrition and health of the people of Massachusetts, New England and the nation. It has been such a privilege for me to visit their farms, dairies and gardens and witness first-hand the great work they are doing.

I am pleased to extend my heartiest birthday wishes to USDA on this landmark anniversary, and I wish them the very best success in supporting agricultural development here at home and around the world in the next 150 years.

AMYOTROPHIC LATERAL SCLEROSIS (ALS) ADVOCATES

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. PINGREE of Maine. Mr. Speaker, today I am proud to recognize the hundreds of brave advocates who are visiting Capitol Hill from Maine and across the country to raise awareness about Amyotrophic Lateral Sclerosis (ALS), commonly referred to as Lou Gehrig's Disease.

They are here today to share their stories, to educate others about the challenges they face, and to make sure that we continue to invest in the critical research and data collection that is essential to finally making a breakthrough in the fight against ALS.

Some are here to advocate on behalf of themselves, and some are here to represent their loved ones, friends, and neighbors—far too many of whom have already been lost to ALS. They are all here to give voice to the many thousands of Americans who suffer from this disease but can't be here in person to speak for themselves.

Because of their efforts, no Member of Congress will be able to say they haven't been touched by this terrible disease. And because of their efforts, I truly believe that one day in the not so distant future we will finally have a cure.

I also want to honor one special individual in particular who had planned to be here today, before he lost his battle with ALS on April 27, 2012 at just 34 years old.

Joshua Kennedy led a life of exemplary service. He served his country bravely as a Sergeant in the U.S. Army Reserves, including eighteen months in Iraq as a petroleum supply specialist. He served his family as a devoted husband to his wife Ernesta and a proud father to his sons Tyler, Charles, and Andrew. He served his community in Maine as a correctional officer at Androscoggin County Jail in Auburn. Then after his diagnosis in March 2010, he began to serve his country in a way he never imagined—as a passionate advocate for ALS awareness.

I had the distinct pleasure of meeting Josh in my Portland office not long after his diagnosis. I was struck by his compelling story, his warm smile, his love for his family, and his bravery in the face of unbeatable odds. He and Ernesta later traveled to Washington DC, where he brought his message to Congress and inspired action the same way he inspired the community who rallied around him and his family back home. Even as his voice eluded him and his body began to fail him, it was clear that his spirit remained strong.

I had looked forward to seeing him again this year, and his presence is dearly missed today, as it will be for years to come. There are not enough words to appropriately honor his legacy or to comfort his family on their tremendous loss. But I know his advocacy was not in vain. It is because of people like Josh that we are making progress, bit by bit, and I look forward to the day when we can celebrate his memory with a cure for ALS.

REMEMBERING ORLANDO ZAPATA TAMAYO

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to commemorate Orlando Zapata Tamayo who would have turned 45 years old today, had his life not been cut short by the murderous Castro dictatorship.

Orlando Zapata Tamayo was a member of the pro-democracy organizations Movimiento Alternativa Republicana and the Consejo Nacional de Resistencia Covica. He was arrested several times, including on March 20th, 2003 during Cuba's notorious ''Black Spring.'' During his many years in prison, he suffered beatings, humiliation, and long periods of solitary confinement. Zapata Tamayo began a hunger strike on December 3rd, 2009 to protest inhumane prison conditions and arbitrary extensions of his sentences. His hunger strike lasted more than 80 days. During that time, he was deprived of water, suffered abhorrent prison conditions, and ultimately died at the hands of the Castro regime on February 23rd, 2010.

Sadly, the two years since his death have been years of increased repression and more murders by the Castro regime. The number of political arrests doubled between 2010 and 2011, and the first three months of 2012 have proven even more brutal and repressive than the same period last year. While we continue to mourn the loss of Zapata Tamayo, his spirit and mission have nonetheless strengthened Cuba's courageous pro-democracy movement. Shortly after Zapata Tamayo's death, other pro-democracy activists continued his cause such as Jorge Luis Garcia Perez (''Antunez''), who founded the ''Orlando Zapata Tamayo National Front for Civic Resistance and Civil Disobedience.'' In so many ways, he still lives. Among the pro-democracy activists that honor him and continue his mission, Mr. Zapata Tamayo is an enduring symbol of perseverance in the face of brutal repression.

Mr. Speaker, I am honored to pay tribute to Orlando Zapta Tamayo. Although his life was brutally cut short, he will forever be a blessing to Cuba's courageous pro-democracy movement and to the activists that will not allow his sacrifice to be in vain.

RECOGNIZING THE 200TH ANNIVERSARY OF HAMILTON COLLEGE

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HANNA. Mr. Speaker, I rise today to honor Hamilton College on the occasion of its bicentennial.

Hamilton is one of this Nation's finest liberal arts colleges. It is known for its rigorous academic program to prepare students for lives of meaning and purpose. The College is renowned for teaching students to express their ideas with clarity and precision, to think creatively and analytically, and to act ethically and with conviction.

Hamilton College was originally founded in 1793 as the Hamilton-Oneida Academy by the Reverend Samuel Kirkland, missionary to the Oneida Indians. Rev. Kirkland's vision was to educate the children of the Oneidas alongside the children of the white settlers streaming into Central New York following the American Revolution. He presented his plan of education in 1793 to President George Washington who ''expressed approbation'' and to Secretary of the Treasury Alexander Hamilton who lent his name to the institution and consented to become a trustee. Oneida Chief Skenandoa and Baron von Steuben, inspector general of the Continental Army and ''drillmaster'' of Washington's troops during the War for Independence, were present when the cornerstone for the new Academy was laid on July 1, 1794.

The Hamilton-Oneida Academy lasted 19 years before it was rechartered by the Regents of the University of the State of New York as Hamilton College on May 26, 1812. The institution is believed to be the 31st oldest college in the United States.

Over the years, Hamilton has never wavered from its mission to teach the liberal arts and sciences. In 1968, all-male Hamilton College established the all-female Kirkland College, which lasted 10 years until the two colleges combined in 1978.

Today, Hamilton enrolls 1,812 students from 49 States and 37 countries. Its student-to-faculty ratio of 9-to-1 ensures significant individual attention for its students, many of whom compete successfully for Fulbright Awards, Goldwater Scholarships and other prestigious national fellowships and scholarships funded by this body.

Included among its graduates are public servants at every level, including most notably former Vice President of the United States James ''Schoolcraft'' Sherman; former Secretary of State, Secretary of War, U.S. Senator and recipient of the 1912 Nobel Peace Prize Elihu Root; current Secretary of Agriculture Tom Vilsack; and former U.S. Ambassadors Arnold Raphel, William Luers, Sol Linowitz, Michael Klosson and Edward Walker. The College also counts among its alumni prominent business leaders, scientists, artists, educators, physicians, ministers, lawyers, entrepreneurs, entertainers, writers, and journalists.

Mr. Speaker, I ask that you and my distinguished colleagues join me in recognizing and congratulating the students, faculty, staff, alumni and trustees of Hamilton College on the occasion of their institution's two hundredth anniversary on May 26, 2012.

150TH ANNIVERSARY OF THE DEPARTMENT OF AGRICULTURE

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. EMERSON. Mr. Speaker, I rise to recognize the 150th anniversary of the Department of Agriculture. It was 150 years ago to this day that President Abraham Lincoln established the USDA.

As Americans, we have been blessed with the most successful agricultural economy on earth. U.S. consumers spend, on average, less than 10 percent of their disposable income on food—the lowest of any developed nation in the world. In Europe, consumers spend double that percentage and, in developing countries, consumers often spend more than half of their income on food. As Americans, we can be proud of our producers and the role our agriculture department has played in making advancements in the agricultural sector. Successes in agriculture lift all aspects of our economy.

American agriculture's success has been fueled largely by the hard work of our farmers and ranchers. They withstand incredible challenges on a daily basis to provide our nation with a safe, abundant and affordable food supply. More and more, our producers will be depended upon to feed not only Americans here at home, but a growing world population. I am confident our producers, our research institutions and the private sector will be able to harness innovation to meet the daunting challenge of feeding a world population that is expected to grow from around 7 billion to over 9 billion by the year 2050.

Agriculture will continue to represent the foundation of the U.S. economy. I am proud of what agriculture has been able to accomplish over the last 150 years with the support of USDA. It is with great respect for the farmers and ranchers in Southern Missouri I represent, and those in industry and our research institutions, that I recognize agriculture's great success story over the last 150 years.

40TH ANNIVERSARY OF CONGRESSIONAL PASSAGE OF THE EQUAL RIGHTS AMENDMENT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. MALONEY. Mr. Speaker, since I was elected to federal office, I have been a champion for women's equality and have introduced the Equal Rights Amendment, ERA, for the last 15 years. I will continue to advocate for this important legislation until women are included in the Constitution.

Despite determined efforts by many dedicated activists, the ERA has never become part of our Constitution. On the 40th anniversary of the Congress passing the Equal Rights Amendment, I was joined by a number of speakers who spoke about the importance of equality for women. I submit their comments below to demonstrate the wide support for this Constitutional amendment. It is my great hope that we will soon realize a time when my bill does not need to be reintroduced and speeches and events to raise awareness of the ERA are not needed; simply put, a time when the ERA has been adopted and true equality has finally been achieved.

SENATOR BIRCH BAYH

REMARKS ON THE 40TH ANNIVERSARY OF CONGRESSIONAL PASSAGE OF THE EQUAL RIGHTS AMENDMENTM BIRCH BAYH

To Bobbie Francis and Members of the NCWO-ERA Task Force:

I'm sorry I can't be there to share interesting conversations with all of you. I particularly appreciate the invitation from Bobbie Francis to join her and all of the friends of the NCWO-ERA Task Force in discussing an issue that has been close to my heart for more than 40 years.

Recent events have seen an assault on those who provide health care services to women and we have even seen questions raised anew about issues like contraception. It may have been 40 years since we passed the ERA in Congress but the reasons why many of us tried to write women's rights into the Constitution are still with us today.

As the Chief Senate Sponsor and floor leader of the Equal Rights Amendment, I remember well the intensity of the battle we fought in the early 1970's. America's history has been a steady expansion of individual rights, beginning with the expansion of the franchise in our early years. From the rights of former slaves after the Civil War to the expansion of the vote for women and then for 18 year olds, we have codified in our Constitution an ongoing commitment to individual rights. It seemed fitting then, and seems fitting now, that our Constitution speak loudly and clearly that the law allow no discrimination on the basis of gender.

While the principles involved in this battle remain, the country has evolved quite a bit since 1972. In 1972 there were 2 women in the US Senate and 13 in the House of Representatives. Now there are 17 women Senators and 75 Congresswomen. There were no female Governors in 1972 and had been only 3 in all our history before that, there are 6 now. We have had a female Speaker of the House and have scores of CEOs, business owners and leaders in all walks of life who are female. The number of women elected to state legislatures across the country is larger than ever before. The number of women in the military cannot be compared to the numbers 40 years ago. And in a recent issue of Newsweek, long-time Supreme Court reporter Nina Totenberg spoke about taking the job at NPR in the 70s because the pay was too low for men to want the job.

There has indeed been progress, but the principles remain the same.

To open the sports pages in the morning is to see female athletes in a number of sports. To watch the television news in the evening has us watching many female anchor persons, weather ladies, and sports announcers. Even the major sports telecasts regularly involve on-air female broadcasters. But is there equal pay for equal work today? Are there still obstacles on the professional paths to boardrooms for women? Is sexual harassment still a prominent issue in offices around America and in our military?

It is still fitting in the 21st century for our nation to include in its basic law the principle that discrimination based on sex has no place in American life. It is fitting for our daughters and granddaughters to be reminded that their parents and grandparents took a stand to protect their futures and to ensure that they have an equal place in modern America.

In closing, let me stress that the ERA is still the right thing to do, not only in principle but in every day practice.

Thank you for your continued, dedicated efforts.

JANET KOPENHAVER, FEW

JANET KOPENHAVER, WASHINGTON REPRESENTATIVE, FEDERALLY EMPLOYED WOMEN (FEW), REMARKS AT 3/22 PRESS CONFERENCE

I want to thank Rep. Carolyn Maloney and all the co-sponsors on the ERA bill for their continuing support of women's issues. I am so happy to be here representing Federally Employed Women. The enactment of an Equal Rights Amendment is our number one legislative priority and our members have been busy sending letters to their Representatives urging them to co-sponsor this critical bill.

On my way in today on the metro, I was carrying one of those green ERA signs, a woman came up to me and said ''Wow—that sign is old.'' No kidding! Too old in my opinion. Hopefully we can soon put all these signs in the Sewall Belmont House as historical artifacts no longer needed for lobbying!

But really, in a nutshell, no one in this country would say that women are not equal to men. No one! So let's end the hypocrisy and pass the ERA this year. The time has come and the time is now!

SARAH BEAR

REMARKS BY SARAH BEAR, EQUAL RIGHTS AMENDMENT PRESS CONFERENCE, MARCH 22, 2012

I cannot begin to tell you how many people I've encountered that believe the Equal Rights Amendment has been passed. They are shocked when I break the unfortunate news to them that it has not, in fact, been passed. Shouldn't this, in and of itself, be proof that the ERA should be ratified?

It is such a simple statement: ''Equality of rights under the law shall not be denied or abridge by the United States or by any state on account of sex.'' Is it so difficult to ratify this amendment and permanently add it to the Constitution? What makes men, women, or transgendered individuals so different that we don't deserve equal protection under the Constitution? We're all people. We all feel, cry, smile, laugh. We're just as much human as the person next to us, whether or not we share similar reproductive organs.

As a distant relative of the inspirational suffragist and author of the ERA, Alice Paul, it is in my blood to fight for this basic right. I promise to her, the Alice Paul Institute, and all the amazing women and men who have fought and continue to fight for equal rights, that I will not relent or give up. Alice said, ''I never doubted that equal rights was the right direction. Most reforms, most problems are complication. But to me, there is nothing complicated about ordinary equality.'' How true this statement is.

TERRY O'NEILL, NOW

REMARKS BY TERRY O'NEILL, EQUAL RIGHTS AMENDMENT PRESS CONFERENCE, MARCH 22, 2012

Thank you to Congresswoman Maloney for having the courage and the tenacity to reintroduce the ERA every year until we get it done. We will not give up. We will get the ERA one way or another. I have told people over and over again, if we have to get the ERA swinging from the chandeliers, that's the route we'll take to get it. I'm so grateful for all the leaders we have here. Thank you for your leadership. Women are only 17 percent of the United States Congress. That is

not okay. Women are only three out of nine Supreme Court justices and given what the Supreme Court has started doing to women these days, that is really not okay. This year—2012, needs to be the year of the women. If we had had women in state legislatures in those key legislatures in 1982 when we almost ratified the ERA back then, in Illinois, in Florida and in North Carolina. If we had had women and if we had had people of color, men and women of color, we know that we would have ratified the ERA. We have got to change the complexion of our elected leadership. It starts this year, women will be voting this year, we've had it, we've had enough. Enough with the war on women, we're going to elect more women to support the ERA.

Thank you so much.

—Terry O'Neill, National Organization for Women, President.

UNITED STATES DEPARTMENT OF AGRICULTURE

HON. BOB GIBBS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. GIBBS. Mr. Speaker, today marks the 150th anniversary of President Abraham Lincoln signing into law an act of Congress establishing the United States Department of Agriculture. Since May 15, 1862, the USDA's work on agriculture, economic development, science, natural resource conservation and many other important issues has impacted the lives of generations of Americans.

As the first Member of Congress who has also served as President of a state farm bureau and a farmer of 30 years, I know firsthand the valuable programs the USDA provides to rural America. Whether you need help with growing, grazing, or international trade, the USDA works to ensure that Ohio's number one industry remains a viable part of American society. The USDA has taken historic steps to improve the lives of rural Americans and build thriving economies in rural communities, a fact that does not go unnoticed in our state with over 26,207,000 acres of farmland.

I am proud to submit to the CONGRESSIONAL RECORD this column by American Farm Bureau President Bob Stallman, which highlights the story of the USDA and the important role science and technology played in the American farming industry.

[From the AgAgenda, May 2012.]

USDA: CELEBRATING 150 YEARS OF INNOVATION

(By Bob Stallman)

President Abraham Lincoln is known for many achievements during his lifetime, but a little known triumph of his—that affects farmers and ranchers greatly—was the establishment of the United States Department of Agriculture 150 years ago.

On May 15, 1862, President Lincoln signed into law a bill establishing a new Department of Agriculture, which was specifically directed to acquire information through ''practical and scientific experiments'' and to collect and propagate ''new and valuable seeds and plants'' and distribute these to the nation's agriculturists. It is clear, Lincoln was a man beyond his time.

A MAN WITH A VISION

Lincoln understood the importance of agriculture to America, and, as importantly, he realized science and technology played a major role in the farming industry. Without a doubt, I believe Lincoln today would embrace the many technological advancements farmers use on their farms, including biotechnology.

Lincoln once wrote: ''Every blade of grass is a study, and to produce two, where there was but one, is both a profit and a pleasure. And not grass alone, but soils, seeds and seasons—hedges, ditches and fences, draining, droughts and irrigation—plowing, hoeing and harrowing—reaping, mowing and threshing—saving crops, pests of crops, diseases of crops and what will prevent or cure them . . . the thousand things of which these are specimens—each a world of study within itself.''

The federal government was, from the beginning of its involvement in agriculture, dedicated to scientific progress in farming. This commitment continues today and is shared by farmers and ranchers across the country, regardless of the methods of food and fiber production they use—organic, conventional or biotechnology. They all need science.

FULL SPEED AHEAD

The importance of science and innovation—biotechnology in particular—to agriculture will be significant as we face several challenges in the years ahead. The world's population just passed the 7 billion mark. According to the World Food Program, the best estimate is that 1 billion people (one in seven) are hungry and food insecure. By 2050 the world's population will rise to 9 billion people. This means we must double world food production by 2050 in order to meet this challenge.

Further, we must accomplish this hefty goal while realizing that our Earth is fragile. To take care of our environment, we must embrace agriculture research, science, innovation and biotechnology.

When it comes to medical care, communication and transportation we accept the importance of innovation. We need to do the same when it comes to the production of food.

Earlier this year, the United Nations issued a special report recognizing that ''new 'green' biotechnologies can . . . improve resistance to pests, restore soil fertility and contribute to the diversification of the rural economy.'' Sound familiar? Seems a lot like what Lincoln described as a goal 150 years ago.

Scientists have developed new seeds that can improve yields while resisting disease and requiring less water. That is critical as 70 percent of all fresh water is used by agriculture. American consumers and consumers all over the world can feel safe with this technology and confident it will improve our environment.

While meeting these quantitative challenges and meeting our environmental goals, we will strive to focus even greater attention on the qualitative side, to also meet the needs of consumers who express a preference for foods grown ''their way.'' Science is the answer for all these missions, and today's USDA is helping to blaze that trail.

So, Happy Birthday USDA and best wishes as we continue down the road for another 150 years. America's farmers, ranchers and research scientists can lead the way to a new 21st century Green Revolution if we follow the vision of Abraham Lincoln. As Honest Abe said, ''Leave nothing for tomorrow which can be done today.''

BOONE COUNTY DEPUTY SHERIFF JESSE RICE BROWNING

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RAHALL. Mr. Speaker, during this season of renewal, it is fitting that we recognize those who, through their service to the public good, paid the ultimate sacrifice. Today, every 53 hours a law enforcement officer falls in the line of duty in this country.

These men and women got up in the mornings, dressed for work, kissed their family goodbye, and went out the door just as we do each morning, but with one tremendous difference. As law enforcement officers, they knew the challenges of a most typical day for them, would amount to unimaginable odds for any of us to face on our best day.

What they viewed as just doing their job, the rest of us know goes to the heart of human courage and commitment. They died so the rest of us could live. Their sacrifice allowed us to grow, prosper and, for their families, as scripture tells us, ''to go forth and multiply.''

In this, our Nation's Capital, each year for the past several years on May 15th, a few blocks west of our Capitol Building, our country pauses to reflect on the noble and selfless acts of these officers who represented the law of our great republic. Here, at the National Law Enforcement Officers Memorial during National Police Week in a solemn and moving memorial candlelit vigil ceremony, Americans gather around our Nation's living tribute to fallen officers throughout the land.

Though it is a monument hewn of solid blue gray stone marble to withstand the ages—it is, Mr. Speaker, as alive as you or I. For on its face are forever carved the names of fathers, mothers, sons and daughters, brothers and sisters, aunts and uncles, grand paws and grand maws, cousins galore and friends to countless numbers of us. As long as we live, Mr. Speaker, they, nor their memories, will ever die.

This year, two names have been added to the face of the monument's more than 19,000 names of law enforcement officers who have been killed in the line of duty. These two sons of the State of West Virginia, two loyal public servants from the heart of the coalfields of Appalachia, and two officers of the law from Boone County, West Virginia, who were simply doing their jobs when the face and forces of evil struck to rob them and their families of any future.

All West Virginians owe them a deep debt of gratitude and we are indebted, as well, to the Sheriff of Boone County, The Honorable Rodney A. Miller, whose invaluable assistance helped speed their acknowledgement and inclusion into this fraternity of honor and remembrance.

Mr. Speaker, I am grateful to the Coal Valley News, the National Law Enforcement Officers Memorial, and the families for sharing the memories of the fallen with me which I humbly pass on for this Nation's greater edification.

Killed in the line of duty were Deputy Sheriff Jesse Rice Browning and Constable Cecil Alvin Ferrell.

Constable Ferrell was shot as he attempted to serve an arrest warrant. When Constable Ferrell allowed the suspect to get dressed, the suspect grabbed a shotgun and fired. Constable Ferrell sustained a gunshot wound to the abdomen and died at the scene on October 17, 1937. He was 36 years old.

On April 9, 1917, Deputy Sheriff Jesse Browning was shot by an inmate who had attacked him and gained control of his gun before fatally wounding him. Jesse Browning was taken to Charleston, Kanawha Valley Hospital, via train where he clung onto life for several days until he passed from the Earth on April 15, 1917. Deputy Sherriff Browning was 39 years old. He had served Boone County for 15 years.

His body lies in a grave on a remote hillside in Barrett, W.Va. At the time of his death, he left behind a wife, Orpha Pauley Browning, and seven children: Glenn Browning, Marie White, Gladys Jarrell, Dennis Browning, Clyde Browning, Dassie (Scootie) Williams and Georgia Workman. He was predeceased by a son, Alvin Browning. At the time of his death, his youngest child was only three months old.

All of his children remained life-long residents of West Virginia. His descendants include 36 grandchildren and many great grandchildren. Several of these have been behind the effort to have their grandfather recognized for his service and sacrifice to Boone County, West Virginia.

Chaplain Grant Wolf offered these thoughts of comfort and hope, ''It was only a moment, but in that moment of madness our lives and the world changed. Hearts were broken and names previously unknown are now spoken with reverence. The moment passes, but in that moment we mourn for the life that was taken and grieve for the survivors, remembering the sacrifice made to protect and serve. It was only a moment but he is gone, a sacrifice made to give us a future. We pause in our sorrow reflecting what might have been—but then we press on for, by the grace of God, his memory still stands.''

I am deeply honored to represent the good people of southern West Virginia in the Congress. Life does go on for these two loving families, yet preserving the lives of their fallen relatives preserves not only cherished family memories, it fosters a legacy critical to the very foundation our country's future.

For if, Mr. Speaker, we are to remain a nation ruled by law and not by men, it is incumbent upon each of us to search our souls and find the strength and solace these brave officers achieved to protect and to serve us. May God bless such men and women as these and may such dedication reign forever in the home of the brave and land of the free.

SENATE—*Wednesday, May 16, 2012*

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, sustainer of us all, give today to our Senators reverence to realize Your presence, humility to know their own needs, trust to ask You for help, and obedience to accept Your guidance. Remind us all that all great things have their price.

May we remember that there is no purity without vigilance, no friendship without loyalty, no joy without service, and no crown without a cross. Help us to be willing to pay the price that we may enter into our reward.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

Mr. REID. Madam President, I now move to proceed to Calendar No. 365, S. 2343.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to calendar No. 365, S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

Mr. REID. Madam President, following my remarks and those, if any, of the Republican leader, the Senate will begin debate on several motions to proceed to Republican budget resolutions. Consent was asked last night, I am quite sure, that the first hour be equally divided between the two leaders, with the majority controlling the first half and Republicans the final half. That is already done?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. REID. There will be up to 6 hours of debate on the motions to proceed to the budget resolutions. Senators should expect five rollcall votes around 4 p.m. if all time is used, and it probably will be.

MEASURE PLACED ON CALENDAR

Mr. REID. Madam President, S. 3187 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3187) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

Mr. REID. Madam President, I would object to any further proceedings with respect to this legislation at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill shall be placed on the calendar.

OBSTRUCTIONISM

Mr. REID. Madam President, it is almost universally acknowledged that Republican obstructionism has reached new heights in the Senate. There are separate articles written about it. There are even now books written about it. Democrats would have to break a filibuster, I guess, to declare the sky blue or the Earth round, and passing the most commonsense and consensus legislation could take weeks or months. So with a mile-long list to do, we can't afford to waste any time. Yet today Republicans will force the Senate to waste a day on a series of political show votes. We will spend hours debating and voting on a handful of nonbinding budget resolutions even though we already have a legally binding budget. If one of the Republicans' budgets passed—which it won't—by law, it is nonbinding. We have a binding budget resolution.

The Senate could spend the day passing tax cuts for small businesses that grow and hire people or even legislation to keep the Food and Drug Administration running. We could be considering the Paycheck Fairness Act, ensuring American women receive equal pay for equal work. We could be debating cybersecurity legislation, and the Pentagon says the No. 1 issue facing this country today is cyber-insecurity. We could be working on a farm bill. Senators STABENOW and ROBERTS have done such an outstanding job saving the country $23 billion and reducing the debt by that much. We should be on that bill. We could be protecting 7 million students from rate hikes on their Federal loans. We could even move a series of appropriations bills to implement the budget we have already enacted. Instead, we will debate and vote on a series of stunt budgets.

Republicans aren't interested in getting anything done this year. They have said so from the very beginning. Their leader, my friend from Kentucky, has said the No. 1 issue is to defeat President Obama. So they don't mind wasting a day of the Senate's time on useless political show votes.

Republicans can say over and over that they are only forcing votes on four Republican budgets today because Democrats failed to pass their own budget. That couldn't be further from the truth. In August Congress passed and President Obama signed a budget that reduces the deficit by more than $2 trillion. It is called the Budget Control Act. Twenty-eight Republican Senators, including my friend the minority leader, voted for that last legally binding budget. But since August those Republicans have developed a case of amnesia. Why else would they walk around Washington claiming we don't have a budget? And unlike the hollow Republican budget resolutions the Senate will waste the day debating, the Budget Control Act actually has the force of law. If Republicans were serious about reducing the deficit, they wouldn't be working so hard to undo that August law, which cuts more than $2 trillion from the deficit.

Democrats agree that the across-the-board cuts to domestic spending and defense programs—agreed to in the Budget Control Act—aren't the ideal way to solve our Nation's fiscal problems. But the cuts were designed to be tough so lawmakers were forced to reach a balanced deal. Unfortunately, Republicans refuse to be reasonable. They refuse to raise even a penny of new revenue or ask millionaires to contribute their fair share to help reduce

our deficit. And Democrats won't agree to a one-sided solution that lets the superwealthy off the hook while forcing the middle class to bear all the hardship. The American people agree with this.

These four stunt budgets all take that one-sided approach, which protects wealthy special interests at the expense of ordinary Americans, and they clearly illuminate the Republicans' priorities—to shower the wealthy with tax breaks paid for by the middle class. All four of the Republican plans cut investments that help middle-class families get back on their feet in order to increase tax breaks for businesses that ship jobs overseas. All four plans would double the student loan rate. It would put colleges out of reach for many students in order to protect tax loopholes for special interests. All four plans end Medicare as we know it, gutting seniors' health benefits to lavish more tax breaks on millionaires and billionaires.

Yesterday the Senate showed it is possible to advance policies that improve our economy and put Americans back to work as long as Democrats and Republicans work together. On an overwhelmingly bipartisan vote yesterday, we passed the Export-Import Bank reauthorization that will support 300,000 jobs during the next year, and these jobs will help American companies sell their products overseas. But every moment we waste refighting old battles or revisiting Republicans' failed economic policies is time that could be better spent creating jobs. The time for show votes is over. Now it is time for the Senate to get back to work putting Americans back to work.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE BUDGET

Mr. MCCONNELL. Madam President, before I was Republican leader, I was probably best known as a lonely warrior against campaign finance reform on the grounds that it violates the first amendment right to free speech. Before that, I was probably best known—at least in some quarters—for an ad that I ran in my first Senate campaign that featured a pack of bloodhounds running around looking for my opponent, who had missed so many votes giving paid speeches around the country that we thought we should call him out on it. Well, I can't help but think back on that ad when it comes to Senate Democrats and the Federal budget. Where in the world is it? Where is the budget?

We have a nearly $16 trillion debt. We are borrowing more than 40 cents of every dollar we spend. Entitlements are going broke. Millions are out of work. And Senate Democrats can't even put a plan on a piece of paper so we can have a vote. What are they doing over there? What are they doing?

Isn't anybody over there embarrassed by the fact that they haven't offered a budget in 3 years? It has been 3 years since the Democrat-led Senate felt it needed to put a budget together so the American people can see what their priorities are and what they plan to do to fix this mess, 3 years in which they have completely abdicated their responsibility as the majority party to show the American people what they stand for, to put their vision in black and white for all the world to see. The fact is they don't have it. They don't have a budget.

As far as I can tell, their only plan is to take shots at our plans and hope nobody notices that they don't have one of their own. They are so unserious, they won't even vote for a budget that was written by a President of their own party. It doesn't get more irresponsible than that.

I think Treasury Secretary Geithner summed it up pretty well when he was asked a few months ago what the administration planned to do to address entitlements—the single biggest driver of the national debt. Here is what the Secretary of the Treasury had to say:

> We're not coming before you today to say we have a definite solution to that long-term problem. What we do know is, we don't like yours.

You have to give the guy points for candor—no plan of his own, but he doesn't like ours. What breathtaking disregard for the problems we face.

So if you are looking for a simple three-word description of the Democratic approach to the problems we face, it is this: Duck and cover. Duck and cover. They don't have a budget of their own. They are going to vote against their own President's budget later today, in all likelihood, and they are going to vote against every budget Republicans put up.

Now, the majority leader has tried to get around all this by suggesting that the Budget Control Act we negotiated last fall should count as a budget since it sets the top-line amount we are going to spend. But he knows as well as I do that is not a budget. A budget is a list of priorities. It reflects your values as a party. It shows the tough choices you are willing to make. It is not just dollar figures, it is a vision. It is the responsibility of any majority party to put one together, to stand and be counted. But since Democrats refuse to do their duty by the Nation, Republicans will attempt to do it for them.

Later today we will vote on five different budget proposals: the President's, Congressman PAUL RYAN's, Senator PAT TOOMEY's, Senator PAUL's, and Senator MIKE LEE's. We will give Democrats a choice and see if they have the courage to get behind any of these proposals—or none of them—and we will learn a lot in the process.

By the end of the day we will know whether there is a budget that Washington Democrats support, and the American people will know without a doubt who is voting for solutions in this town and who isn't. They will know who has a plan to fix the mess we are in and who doesn't. They will know who would rather spend their time criticizing others than doing the hard work of setting priorities and making choices.

Senate Democrats do not want to explain how they will fix the fiscal mess we are in. They do not want to say how they will preserve and strengthen entitlements. What they want to do is complain about others. They are putting their desire for campaign material ahead of their responsibility to govern.

The tragedy is every year they do so, the problems we face only get worse. The debt gets bigger, entitlements get closer to insolvency, and the American people have to go another year wondering when things will ever change.

Some people up here think it is time to do something now and we will know who those people are by their votes.

Madam President, I now ask the Chair execute the order with respect to the five motions to proceed to the budget resolutions provided for under the order.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

S. CON. RES. 41, H. CON. RES. 112, S. CON. RES. 37, S. CON. RES. 42, S. CON. RES. 44 EN BLOC—MOTIONS TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the en bloc consideration of the following concurrent resolutions, which the clerk will report.

The assistant legislative clerk read as follows:

> Motions to proceed to Calendar No. 357, S. Con Res. 41; Calendar No. 354, H. Con. Res. 112; Calendar No. 356, S. Con. Res. 37; Calendar No. 384, S. Con. Res. 42; Calendar No. 395, S. Con. Res. 44.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 6 hours of debate equally divided between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from North Dakota.

Mr. CONRAD. Madam President, this is a consequential discussion today. It is a question of the future economic policy of the United States. That is what we are talking about here today. I just heard the Republican leader say there is no budget. I don't know how to say this, but sometimes I wonder if colleagues pay attention to what they are voting on here. Last year in August we did not pass a budget resolution; instead, we passed a budget law.

Anybody who has had 10th grade civics knows a law is stronger than any resolution. A resolution is purely a congressional document. It never goes to the President for his signature. A law has to pass both bodies and be signed by the President. Last year, instead of a budget resolution, we did a budget law called the Budget Control Act.

The Budget Control Act set the budget for the next 2 years, for this year and next. More than that, it set 10 years of spending caps, saving $900 billion. In addition, the Budget Control Act gave a special committee the authority to reform the tax system and the entitlement system of the country, and it said: If you come to an agreement, special committee, your action cannot be filibustered. You have to go right to the floor for a vote. And if you do not agree, there will be an additional $1.2 trillion of spending cuts put in place.

The special committee did not agree, so that additional $1.2 trillion of spending cuts is now the law, in addition to the $900 billion of spending cuts. That is a total spending cut package of more than $2 trillion. That is the biggest spending cut package in the history of the United States. For our colleagues to say there are no spending limits in place—really? What is the Budget Control Act, then? It is a law passed overwhelmingly in the Senate. It passed in the House. It was signed by the President of the United States.

Why are they engaged in this diversion? I think I know why. Because the last time our colleagues on the other side were in control, when they had it all, the House, the Senate, the White House—from 2001 to 2006 they had both Houses of Congress, until 2008 they had the White House, so of course nothing could be changed in terms of the policies they put in place until we had a new President. And what happened when they had total control and their policies were in place? Republican policies led the United States to the brink of financial collapse. That is what happened. Do you know what they want to do now? They want to go back to those failed policies and do it all over again.

We cannot let them do that. That would be a disaster for this country. It would be a disaster for the world's economy. I do not know what could be more clear than when their policies were in place they brought this Nation to the brink of financial collapse. I remember those days. I remember being called to a special meeting in this building with the leaders of the House and the Senate and the head of the Treasury Department under President Bush and the Chairman of the Federal Reserve, who told us if they did not take certain actions the next day there would be a financial collapse in the United States within days. I was in the room when the rescue for the major financial institutions in this country was designed and we were told, late on a Saturday night, if we did not reach agreement by the next day the Asian markets would open Sunday night and they would collapse and our markets would open the next Monday and they would collapse.

Barack Obama was not the President; George W. Bush was the President. The Republican economic policies had been put in place in 2001, in 2002, in 2003, and those policies were still in place when we came close to collapse. We do not forget.

Let's go back to what happened with the private sector jobs picture. At the end of the Bush administration we were losing 800,000 jobs a month. Now we are gaining 130,000 in the last month. In the months before that, immediately preceding, we were gaining about 200,000 jobs a month. We have had a gain, now that the economy has started to turn around under this President, of 4 million jobs created in the private sector.

There it is. The red line is the results of the last time the Republicans controlled the policy here—job losses every month. Finally, under this President things have begun to turn around. Instead of losing jobs we are gaining jobs, and the same is true on economic growth. On economic growth the record is very clear. In the last quarter of the Bush administration the economy was shrinking at a rate of almost 9 percent. You can see it there, that long red bar—the economy in the last quarter of the Bush administration shrinking at a rate of almost 9 percent. But that, too, has turned around under this new President and we are now averaging economic growth of about 3 percent—a dramatic improvement.

But our Republican friends are not satisfied. They want to take us back. They want to take us back to those failed policies that had the economy shrinking at a rate of 9 percent, had us losing 800,000 jobs a month. We are not going to support that. We are going to oppose that. One thing the Republican leader got right is we are going to be voting against going back to those failed policies that put this economy in the ditch, that put us on the brink of financial collapse. He is absolutely right. We are going to oppose that.

Our policies have begun to turn things in the right direction. Here are the positive signs for the U.S. economy: 26 consecutive months of private sector job growth; 11 consecutive quarters of real GDP growth; unemployment rate down; manufacturing has expanded for 33 consecutive months; consumer confidence is showing signs of improvement—in fact, the last consumer confidence reading is at a 4-year high; U.S. auto manufacturers that were on the brink of bankruptcy under the Bush administration policies, the Republican policies, are now returning to profitability; and State revenues are showing signs of improvement.

One way we can reality-test is how is our economy doing compared to our major competitors. How are we doing compared to the Europeans? How are we doing compared to Japan? How are we doing compared to the United Kingdom? On every one of those tests the United States comes out on top. Our economy is performing better than the European zone—all the European countries combined. We are doing better than Japan. We are doing better than the United Kingdom. This chart shows the story. Our economic growth is the best, compared to our major competitors.

If there is any doubt that Republican policies had us on the brink of financial collapse, we can look to the study that was done by Alan Blinder, the former Deputy Chairman of the Federal Reserve, and Mark Zandi, who advised the McCain campaign on economic policy. The two of them did an analysis of the Federal actions taken to deal with the fiscal crisis and the financial crisis. Here is what they conclude:

> We find that its effects on real GDP, jobs and inflation are huge, and probably averted what could have been called Great Depression 2.0.

When our friends attack the President and say he did not lead—really? He averted a depression. He prevented a financial collapse, because that is exactly where we were headed when the Republicans were in control.

Zandi and Blinder went on to write:

> When all is said and done, the financial and fiscal policies will have cost taxpayers a substantial sum, but not nearly as much as most had feared and not nearly as much as if policymakers had not acted at all. If the comprehensive policy responses saved the economy from another depression, as we estimate, they were well worth their cost.

That is exactly right. But what do our colleagues on the other side want to do? They want to take us to extreme austerity. They want to slam on the brakes, even while this economy is in a fragile recovery. We do not have to wonder what would happen if we adopted the policies they are presenting here on the floor of the Senate today. We do not have to imagine it; we can just look across to Europe because they are pursuing the policies that our colleagues on the other side advocate here today. What is happening? We have kind of an experiment going on because what our Republican friends are pushing for is being done in Europe. What are they experiencing? Here is a column from the former German Chancellor Gerhard Schroeder, ''Austerity Is Strangling Europe.''

> [T]he direction of European economic and financial policy must change, away from pure austerity toward growth. Greece, Ireland, Portugal, Italy and Spain have made substantial progress in stabilizing their finances. But the economic and political situation in these countries shows that austerity alone is not the way to resolve the crisis.

Do we have a problem with debt? Absolutely. Do we need to deal with it? Absolutely. I was part of the Bowles-Simpson commission. I was part of the group of six. I have spent hundreds of hours negotiating with colleagues on both sides to get a result. But the answer is not extreme austerity right now. Almost every economic analyst says if you do that you will slam this country right back into recession. Again, we do not have to look very far to find out if that is true, because Great Britain has tried that approach. What have they experienced? Here is an article from the Wall Street Journal on April 26: ''U.S. Slips Back Into Recession.''

That is exactly the formula that is being presented by our colleagues on the other side of the aisle today. Let's slam on the brakes. We are going to put this thing right back in recession. Hey, they had their chance. They ran the economic policy of this country for 8 years under the Bush administration, and sure enough they had this country on the brink of financial collapse. Now they want to return to those same failed policies. What a mistake that would be.

We have heard the Republican leader say there is no budget; we have no budget. As I indicated in the beginning of my remarks, we do have a budget law that was passed last year. It is called the Budget Control Act. Let me read from the Budget Control Act because maybe my colleagues missed it when they were voting on it. Here is what it says in two places:

The allocations, aggregates, and levels

Referring to spending levels—

set in subsection (b)(1) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012.

Is that confusing? It says ''in the same manner as for a concurrent resolution on the budget for fiscal year 2012.''

The identical language is repeated for 2013:

The allocations, aggregates, and levels set in subsection (b)(2) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2013.

That is about as clear as it can be. I might add, the Budget Control Act, as I indicated earlier, is stronger than any resolution because a resolution is purely a congressional document. It never goes to the President for his signature. So the Budget Control Act that set the budget for 2012 and 2013 has the force of law, unlike a budget resolution that is not signed by the President.

The Budget Control Act also sets spending limits not just for 2 years but for 10 years. It caps spending for 10 years, saving $900 billion. It also provided the full enforcement mechanisms, including a deeming resolution that allowed budget points of order to be enforced for the appropriations bills that come in 2012 and 2013.

The Budget Control Act did something else. It created a supercommittee, a reconciliation-like procedure to address entitlement reform and tax reform backed up by a $1.2 trillion so-called sequester. ''Sequester'' is just a fancy word for more spending cuts.

The Budget Control Act that is the law said if the special committee didn't reform the tax system, didn't reform the entitlement system, that there would be another $1.2 trillion of spending cuts imposed on top of the $900 billion. We all know the special committee didn't reach an agreement, so that additional $1.2 trillion of spending cuts is in place. That is a total of $2 trillion in spending cuts. That is the biggest spending cut package in the history of the United States.

For our friends on the other side to say there are no spending limits in place is just wrong. It is just wrong. We do have a problem. We have a big problem. This chart talks about the spending and revenue of the country over the last 60 years and tells us why we have a problem. The red line shows the spending in the United States over that period. The green line shows the revenues. We can see on the chart there is a big gap between the spending and the revenue, and that is why we have deficits.

Our friends on the other side like to refer to one part of the equation. They just like to talk about spending. But the reality is deficits are created by the gap between the revenue and the spending. We can see on this chart we are at or near a 60-year high on spending. We have come off the 60-year high a little bit, and we are at or near a 60-year low on revenue. We have to work both sides of the equation. Again, we are at or near a 60-year high on the spending, and we are at or near a 60-year low on revenue.

So what is to be done about it? The public says we ought to have a balanced plan: 62 percent say the best way to reduce the Federal budget deficit is a combination of additional revenue and spending cuts. Eight percent say we ought to just increase taxes. Seventeen percent say just cut programs.

I was part of the so-called Bowles-Simpson Commission. There were 18 of us; 11 of the 18 supported the conclusions that called for that kind of approach—additional revenue but also additional spending cuts. That is what the American people say we ought to do, but that is not what our friends on the other side are proposing. They propose additional tax cuts, to dig the hole deeper before we start filling it in.

Then they say: In addition to that, we will have Draconian spending cuts because if we are going to have more tax cuts that primarily go to the wealthiest among us, and we are trying to reduce the deficit, that means we have to have even more spending cuts.

Let me just say that the budgets our Republican friends are going to be offering today have something in common. Every one of them ends Medicare as we know it. Every Republican budget offered today ends Medicare as we know it. One of the Republican budgets being offered today cuts Social Security by 39 percent. That is their answer. If we are going to have more tax cuts for the wealthiest among us—and many of them are not paying their fair share of taxes—and if we are going to give them additional tax cuts, trillions of dollars in some cases in these budgets they are presenting today, then how are we going to make it up? Their answer is end Medicare as we know it, and that is in every one of their budgets.

One of them has gone so far as to say: Let's cut Social Security benefits 39 percent. We will be voting on that later today, and we will see who stands behind that proposal.

Every Republican budget cuts taxes for millionaires by at least $150,000 a year. Are you listening? Every Republican budget being offered today cuts taxes for millionaires by at least $150,000 a year on average.

Every Republican budget being offered today protects offshore tax havens.

What are offshore tax havens? This is a picture of a building down in the Cayman Islands. It is an Ugland House. It is a little five-story building down in the Cayman Islands. That building claims to be the home of 18,857 companies, and they all say they are doing business out of that little building down in the Cayman Islands—18,857 companies.

They are not doing business out of that building. They are doing monkey business out of that building, and the monkey business they are doing is avoiding the taxes they owe in the United States.

Every Republican budget protects those offshore tax havens. The first House Republican budget plan we will be voting on today is totally unbalanced. There is no revenue. In fact, it is a lot more tax cuts, $1 trillion of additional tax cuts for the wealthiest in our country. They do cut some things other than taxes; they cut health care by almost $3 trillion. They shift Medicare to a voucher system which will end Medicare as we know it. They block-grant for Medicaid, going right after the most vulnerable in our society: children, the disabled, and those who have the least. They cut the safety net for seniors, children, the disabled, which will increase the number of uninsured by more than 30 million. They have large cuts to education, energy, and infrastructure. Cutting education doesn't make a whole lot of sense to me. Talk about eating your seed corn, that is it.

After our House Republican colleagues put out their budget, the

Catholic bishops said this in the Washington Post: Bishops say Ryan budget fails moral test.

The House Republican budget authored by Mr. RYAN fails the moral test. It certainly does.

Let's go to the next slide. This plan cuts discretionary spending $1 trillion beyond what the Budget Control Act did. If you look at priorities, it kind of leaps out at you. Health care is cut by almost $3 trillion. It goes from $12.7 trillion to $9.9 trillion.

Then we go to the question of education, where the United States is already lagging. In fact, the United States ranks 25th out of 34 OECD countries in math. We are 25th in math. In science we are 17th out of 34. So we are 25th out of 34 in math, and we are 17th out of 34 in science. The budget from the House Republicans says to cut education by 25 percent; cut it from $77 billion to $58 billion. That is a 25-percent cut in education under the House Republican plan.

We have all seen gasoline prices rising. We are thankful they have been easing back in recent days. But, nonetheless, on May 14 gasoline averaged $3.75 a gallon. What is the Republican answer to rising gasoline prices? Well, let's cut those energy programs that are designed to reduce our dependence on foreign energy. Let's cut them 60 percent. That is what the House Republican plan does. It cuts programs to reduce our dependence on foreign energy from $4.7 billion a year to $2 billion. That is a 60-percent cut in programs to reduce our dependence on foreign energy.

If anybody has driven on the highways of America, we all know we have work to do there. If we look at spending on infrastructure in our country versus our major competitors, we can see China is spending 9 percent of its GDP on infrastructure: roads, bridges, airports, and rail. Europe spends 5 percent, and the United States spends 2.4 percent on infrastructure. We ought to do better than that.

So what is the Republican answer? On transportation funding, they cut it 34 percent. They cut it 34 percent. I think we understand the direction our Republican colleagues want to take this country, and it is full speed in reverse. They want to go back to the failed policies that put this country on the brink of financial collapse the last time they were in charge.

We will hear our colleagues on the Republican side say we can't raise any revenue. We can't raise any revenue, even though revenue is at or near a 60-year low right now. If we look historically at what it has taken to balance the budget, the last five times we balanced the budget, revenue was at 19.5 percent to 20.6 percent of GDP. Under the Republican plan, it never gets above 18.7 percent. So I don't think they are very serious about balancing the budget.

Former Senate Budget Committee Chairman Judd Gregg said this about the need for more revenue:

> [W]e also know revenues are going to have to go up, if you're going to maintain a stable economy and a productive economy, because of the simple fact that you're going to have this huge generation that has to be paid for.

That is the baby boom generation.

Former Senate Budget Committee Chairman Domenici also said we need more revenue. He said:

> A complete deficit reduction plan—one that can gain support from Republicans and Democrats—will need to combine comprehensive spending cuts with structural entitlement reform and new revenues . . . [A]dditional revenues will be needed if we are serious about controlling our debt.

One of the issues that has become more and more clear in recent months is that income disparity is widening in America. This shows, since 1979, what has happened to the top 1 percent in terms of their income and what has happened to the middle quintile and the lowest quintile. Everybody else has been pretty much stagnant since 1979. The top 1 percent has gone up like a rocket. I have nothing to be critical about in terms of people doing well. We want everyone to succeed, not just part of the population.

The hard reality is that since 1995, the effective tax rate for the wealthiest 400 taxpayers in this country has been cut from about 30 percent to 18 percent. That is not fair. The Republican plan is to give them more tax cuts. In fact, the House Republican plan on revenue provides an additional $1 trillion in tax cuts for the wealthiest among us by giving millionaires an average tax cut of more than $150,000 a year. It does not contribute one dime of revenue to deficit reduction.

I want to end where I began. The last time our colleagues on the other side were in charge, when they controlled everything here from 2001 to 2006 and the White House until 2008, their Republican policies led the United States to the brink of financial collapse. The proposals they are making here today are to take us right back to those failed policies. We shouldn't let them do that. That would be a mistake for our country and it would be a mistake for the world.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, the fundamental question we as a Nation have to ask is: What are we going to do now? What are we going to do for the future? What is our plan for the future? The problem we have in this Senate is that the Democratic majority steadfastly and adamantly refuses to lay out their vision for the future while investing a considerable amount of time and effort in attacking anybody who does. They even voted down their own President's budget, as bad as it is—the most irresponsible budget ever submitted here, in my opinion.

This is an odd situation we are in, and I will say that our country has never been in more danger financially. Erskine Bowles and Alan Simpson—Senator CONRAD served on their committee—came before the Budget Committee, of which I am the ranking member, and told us in a signed statement—that this Nation has never faced a more predictable financial crisis. In other words, the course we are on today is unsustainable. They told us that. They told us it could happen within as little as 2 years, and that was over a year ago that they gave that testimony.

We are in the danger zone financially. I know a lot of people would like to say it is not so, but it is so. Look at this chart. This chart shows the total debt of the eurozone, including the U.K., and the United States. Our debt exceeds that of the eurozone. We have a larger debt than they do. My good friend Senator CONRAD, who is such a fine person, noted that President Bush presided over a period in which our debt increased, and it did increase. The largest debt President Bush ever had was $480 billion in 1 year, which was too large. President Obama has never had a budget that was less than a $1,200 billion deficit, and next year it will be over $1,000 billion again, according to expert testimony. We are on an unsustainable path. So I would note that our $15.5 trillion debt for the United States is greater than the eurozone and the eurozone has a larger population than we do.

Let's look at this chart, which drives that number home again, in case anybody is worried about it. I am. It shows the average debt per person in the countries we have been reading about that are in financial trouble, and it hits them sometimes surprisingly, and we never know quite how it is going to hit. But look at this: The debt in Spain, which we know is in a rocky financial position, is $18,000 per person; Portugal, $19,000; France, $33,000; Greece, $38,000—Greece's debt per person is $38,000, whereas the United States is $44,000. Yes, we have a little larger economy, but this is the danger zone.

A few people were saying we could have a financial problem in 2007 as a result of the bubble in housing. They warned us that might happen. A lot of people said: Oh, no, not this time; it is different; we have it under control. Yet we had a financial crisis that we haven't recovered from yet. So I would say we do need to take action.

We do not have a budget. If we have a budget, why did President Obama comply with the United States Code and submit a budget this year? If we have a budget, why did the House pass a budget? If we have a budget, why did four different Democratic Congressmen and groups of Congressmen submit budgets in the House? If we have a

budget, why did Senator CONRAD seek to have a budget markup in the committee? He basically said: Well, we may not bring it up on the floor, but the law says we should have a budget and I am going to bring one up in committee. The day before the committee met, the Democrats met in conference and told him not to do it.

So we were expecting to have an actual markup of a budget presented by the Democratic leadership and we didn't get it. Why? Senator REID said it would be foolish to have a budget—foolish. What did he mean by that? Why would the Democratic leader, attacking Republicans this morning, say it is foolish for us to produce a budget? Well, he said that because he meant it would be foolish politically. It would be not smart politically because the Democratic leadership in the Senate would have to lay out a vision for the future and the vision they wanted to sell and could agree on was one the American people wouldn't like. It wouldn't be smart. They would reject it. We would add the numbers up and see how much they actually want to increase taxes, how much they are going to increase the debt, how much spending is going to increase. That is not leadership. It is an utter failure of leadership.

In contrast, the Republican House produced a budget that changes the debt course of America. It puts us on a sound financial path. One can agree with it or disagree with it. We will have other budgets offered today from the Republican side that will have substantial support, that will change the debt course we are on, balance the budget in a certain number of years, and put us on a sound financial path. I expect every one of those budgets to be opposed by every Member on the other side of the aisle. Again, it appears they will unanimously vote down President Obama's budget and not offer one of their own, directly contrary to the law.

I know the majority leader this morning said: Well, filibuster is our problem. But we can't filibuster a budget. The Congressional Budget Act is designed to ensure that a budget will be passed. The Congressional Budget Act does not allow a filibuster. Only 51 votes are needed to pass a budget, so why is it being mentioned? Because they prefer to hide under the table and not stand up and be counted and not address the greatest trouble this Nation has, which is our debt.

I see some of my colleagues here today, and I ask unanimous consent to participate in a colloquy with my colleagues for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I see Senator BLUNT here, who was part of the leadership in the House before he came to the Senate. I know he has a deep understanding of these issues and the place we are in as a Nation today. I also see Senator THUNE from South Dakota, who is an active member of the Budget Committee and part of the leadership here in the Senate.

I am pleased to yield to Senator BLUNT and ask him how he feels this morning as we move forward today to bring up a series of budgets with no plan from the majority party in the Senate.

Mr. BLUNT. Madam President, I am embarrassed that we are not serious about this issue. Senator THUNE and I served in the House together while the Senator from Alabama was leading in these budget fights in the Senate, and we had a budget every year. We didn't always every single year have a budget the House and the Senate could agree on, but the House always had a budget and the Senate always had a budget. We always complied with the 1974 Budget Act that says we have to have a budget. It says we have to have a budget by April 15.

Frankly, we can't do our work without a budget. We can't get spending under control without a budget. We can't appropriate the way we should without a budget because the budget sets forth how much money we are willing to spend on defense and how much money we are willing to spend on military construction and how much money we are willing to spend on energy. If we don't have that, we don't have a starting place.

I have all the respect in the world for our friend from North Dakota, Senator CONRAD, but to be the chairman of the Budget Committee and to have to come to the floor and talk about what is wrong with the other budgets that have been produced when his committee hasn't produced one has to be frustrating for him, no matter how effective he seemed when he was talking about what was wrong with the people who had a plan. It is easy to find out what is wrong with somebody's plan, particularly when one doesn't have any obligation, apparently, on their own part to come up with a plan.

We remember when the White House was asked a few weeks ago, when Senator REID said the Senate will not have a budget and what their position on that was, they said: We don't have a position on that.

The President submitted a budget. Why did the President submit a budget if he doesn't want the Congress to act on a budget? The House voted on his budget this year. It was 414 to 0. Not a single Democrat or Republican in the House voted for the President's budget. Last year we voted on the President's budget, as I assume we will again today. Not a single Democrat or Republican voted for the President's budget last year, and the position of the White House is they don't care. It is an amazing situation to find ourselves in.

Whoever is in charge of the Senate in the future needs to have a commitment to the American people that we are going to have a budget, we are going to have an appropriations process, and we are going to get this spending under control. We have maxed out the credit card; everybody gets that. The Senator from Alabama showed this morning with his chart the figures representing our debt relative to the countries we sort of laugh at, how irresponsible they are—numbers that I think we ought to look at pretty carefully. When our debt per person is greater than the Greek debt per person—I haven't seen the front page of a paper in a while that didn't have something about chaos in Greece on it because they have let their government get bigger than their economy can support. They have let their debt get bigger than the gross domestic product of their country by almost two times, but now we have exceeded our debt by—our debt exceeds our potential to produce goods and services in a year for the first time ever. In fact, in the 3 years we haven't had a budget, the debt of the country has increased almost $5 trillion, as we have spent over $10 trillion in those 3 years without a budget. It is unacceptable. Everybody here knows it is unacceptable. And every American family, frankly, who thinks about it knows it is unacceptable.

The Senator's fight, along with what I am sure has to be Chairman CONRAD's frustration to not have a budget, could not be a more important topic for us to be talking about today or for the American people to be asking the question: Why not? Why are you refusing to do your job? I know nobody in this Chamber knows as much about the budget, in my opinion, as the Senator does. Your frustration of where this does not allow us to go to do the right things is as great as anybody's, maybe greater than anybody's. But I think all of us know we should be doing the right thing here, which is to obey the law, create a budget, and have a budget that gets us to the place we know we need to get to, where our economy, once again, is right-sized to our government or, more importantly, our government is right-sized to our economy.

Mr. SESSIONS. Briefly, before I go to Senator THUNE and get him engaged in this discussion, based on the Senator's experience in the budgetary process, I'm sure he is aware that about 60 percent of Federal spending is mandatory entitlement spending. Does the Senator think we can develop a long-term plan for the future that fails to address that large portion that is growing faster than the other part of the budget?

Mr. BLUNT. No, we cannot. Last year, for the first time ever, all of the money that came in was less than the money that went out automatically to these programs, where, if you meet the

definition for the program, you get the money. It is at 60 percent now. It has not been that many years ago that it was at 50 percent. It was not that many years before that it was at 40 percent.

So we have to deal with these issues because they lead us to an inevitable place. Do we want to be Europe today a few years from now? Surely not. Surely the answer is no. We cannot avoid that unless we have a plan.

It is easy to talk about how bad the other plan is. But what we all ought to be doing is coming up with a plan that gets us to where we all know we need to be.

Mr. SESSIONS. I thank the Senator.

I thank Senator THUNE for his leadership and active participation in this debate. I ask the Senator, what is on his mind this morning, as we are heading for votes on four different budgets?

Mr. THUNE. I say to my colleague from Alabama, who is the ranking member on the Budget Committee, I got on the Budget Committee in this session of Congress and have been on it now for 2 years. We have not written a budget either year. So it sort of begs the question about whether the committee has any relevance around here anymore.

But to the point about spending and debt—we get down here and we talk about it. I think it has been interesting. The former Chairman of the Joint Chiefs of Staff, ADM Mike Mullen—who up until several months ago held that position—would come in front of Congress, in front of congressional committees, and say the greatest threat to America's national security is our national debt. There are a lot of external threats the United States faces. The world continues to be a dangerous place, with al-Qaida and the Iranian nuclear capability and China and North Korea. You can go right down the list. But for the top ranking military official in this country to come before Congress and say the greatest threat to America's national security is our national debt speaks volumes about what our priority ought to be. To think that we here in the Senate now for over 1,100 days have not passed a budget is pretty stunning in light of that reality; and also to say that somehow, because the Budget Control Act last summer passed, we did not need a budget misses the point.

The reason we had the Budget Control Act is because we did not pass a budget. The Budget Control Act is what you get when you do not pass a budget. You end up at the 11th hour having to put something together to deal with the issue of the debt limit, which is what we were dealing with at that time. It did put some caps on spending, but it does not do anything to deal with the long-term structural challenges facing this country, which is what a budget is designed to do.

The President submitted a budget this year, which would suggest he thought we ought to be working on a budget. The chairman of the Budget Committee, as my colleagues have mentioned, even called a Budget Committee markup, where we went there and said: Bring amendments. We went, we brought amendments, and we gave opening statements. We gaveled it out and said we are not going to do it.

So here we are again on the floor of the Senate without a budget, having to vote on other budgets presented by some of our colleagues, the House of Representatives, which passed a budget this year earlier, and the President's budget. To be fair, the President at least submitted a budget. It was a terrible budget if you are looking at the issues of spending and debt. In fact, I think the reason it got voted down 414 to nothing in the House of Representatives is because it added $11 trillion to the debt. It takes our total debt at the end of the 10-year period to $26 trillion and spends $47 trillion over the next 10 years and raises taxes by $2 trillion in a very fragile economy. It was a bad attempt, but at least it was an attempt. It was an attempt that yielded zero votes in the House of Representative, and it will be interesting to see if on the floor of the Senate today there will be any Democrats who will vote for their President's budget proposal.

But the point the Senator from Alabama and the Senator from Missouri make is a good one, and that is simply this: We have a responsibility under the law to spell out what we would do to get this country on a more sustainable fiscal path. That is something that is in the budget laws that the Senator from Alabama pointed out. Yet here we go on, year after year after year now—3 years in a row, over 1,100 days—without the Senate doing its job and passing a budget. That is significant for a lot of reasons, not the least of which is this is the fourth year in a row where we are going to have a trillion dollar deficit. Under this administration, you have the highest deficit, the second highest deficit, the third highest deficit, and the fourth highest deficit in history—4 consecutive years now of trillion dollar deficits.

But we are concerned about the economy. We need the economy to get growing again, to expand, to create jobs. That helps address all these things. What is interesting about it—and I know both my colleagues on the floor are well aware of this—there is a lot of research that has been done with regard to developed countries that start carrying these high debt loads. All the analysis suggests when you get a debt-to-GDP ratio of more than 90 percent, it costs you about a point to a point and a half of economic growth every single year. Well, in our country, a percentage point of economic growth means a million jobs. So our debt to GDP—which is now over 100 percent—means it is draining our economy of economic growth and, therefore, lots of jobs.

The Congressional Budget Office said about the President's budget, if his budget were to be enacted, it could cost us up to 2.2 percent of economic growth over the course of the next 10 years, which would amount to 2.2 million jobs. So we know the President's effort was not serious. He did at least put something out there. But we need a serious discussion in the Senate about a budget that will put us on a pathway not only to get spending and debt under control but to allow the economy to grow and expand and get Americans back to work. That is what is at stake here. That is why we believe we ought to have a budget. That is why we are going to have an exercise today where at least we get a chance to vote on some budgets as advanced by some of our colleagues in the House of Representatives as well as here in the Senate and the President's budget.

The fact is, this is the third year in a row where we have not followed the law and gone through the process of getting a budget here on the floor of the Senate. For our colleagues on the other side to suggest it is not necessary simply because the Budget Control Act was passed last summer not only is inconsistent with the law, but it begs the point about why did the President submit his budget, why did they call a Budget Committee markup in the first place? Clearly, somebody around here thinks we ought to be doing our job. But we are not doing it.

So I would hope, as we debate this issue today, at least we will put in front of the American people the arguments we think need to be made with regard to getting spending and debt under control, addressing the long-term, the mandatory side of the budget my colleague from Missouri, Senator BLUNT, mentioned. That is where we know the money is. That is what nobody wants to deal with. We keep squeezing a little bit more out of the discretionary side of the budget. We have to take that on if we are going to save Social Security and Medicare and reform these entitlement programs. That is what a budget process would do. It does not take 60 votes under the law. It takes 51.

To come down here and say Republicans will filibuster again is completely out of whack with what we know to be the facts around here and the law; that is, that it takes 51 votes to pass a budget and a reconciliation bill that could possibly follow.

I appreciate the leadership of my colleague from Alabama as the ranking member on the Budget Committee. I look forward today, at least, for the chance for us to talk about a budget and what we ought to be doing for the future of this country since we do not

have a budget on the floor of the Senate.

Mr. SESSIONS. I could not agree with the Senator more. I would note, the reason we are here today is because a budget was not produced. The Parliamentarian of the Senate ruled that a budget has not been produced and, therefore, under the rules of the Budget Act, budgets that have been filed can be brought to the floor. That is how we were able to force the votes today.

Senator THUNE, briefly—and I will also ask Senator BLUNT, who is in our leadership—isn't it a fact that what happened with the Budget Control Act is that we had spent so much money, we had reached the spending limit of America—the debt ceiling—and we had to have a last-minute effort to reach an agreement; the Republicans insisted that we had to reduce spending, and we got a reduction in spending from $47 trillion over the next 10 years to $45 trillion? You would have thought that was going to bankrupt America—that we would spend $45 trillion instead of $47 trillion.

That is not a budget. It was a limit on spending, and it was done because Republicans said: We are not going to raise the debt limit until you at least cut some spending. That is all that could be accomplished. We avoided a crisis, but it was a pretty tense time.

Senator BLUNT.

Mr. BLUNT. I would like to stay on this. Saying the Budget Control Act is a budget—as Senator THUNE mentioned, if that was the budget, why did the President submit one? Nobody believes that is a budget. The Parliamentarian said it was not a budget. But what it is—it would be as if your family sitting down to decide what money you are going to have to spend this year said: OK, we have X number of dollars. Let's go out and spend it. That is no budget, particularly when you had to borrow 40 percent of the X number of dollars you said you had. We are borrowing 40 percent of the money we are going to spend. The only number we have that we have agreed to is the maximum amount we will spend, knowing we do not have anywhere near that number, and we have not allocated that in any way.

That is no budget. Everybody knows that. Everybody also knows you cannot get there unless you have a way to get there. Your family says: OK, we have done the budgeting for the year. We decided if we borrow almost as much money as we make, and we spend that somewhere, that is our budget. We have not decided where we are going to spend it, we have not decided how we are going to spend it, and we have not even decided a reasonable way we are going to get it, but we said: Here is the number we are going to spend. Now, family, let's all go out and start spending and we will meet here later this year and see how it worked out. It makes no sense at all, and everybody knows that.

Interestingly, we do not hear much about this. It is surprising to me that every day there is not a story about why for the first time ever for 3 years straight now the Senate has decided it does not have to do the work the law requires it to do, as we dig this hole deeper and deeper and deeper. The longer we wait, the more difficult the solution is going to be. Every single day that passes, it is harder to solve this problem than it would have been the day before. Now we have gone 3 years without a budget and apparently we are going to go through the rest of this process without a budget. By the time we get to the end of this year, we will be approaching that fourth year without a budget. It is not as though this would be a good idea, the law says we have to have one. And we should have one.

Mr. SESSIONS. Senator BLUNT has been in the leadership in the House. He is in the leadership of the Senate. Be frank with us. What is it that would cause the majority party not to want to lead, not to want to lay out a plan for the future, and attack anybody who does lay out a plan? I know it is hard. We all know this is a tough thing. But doesn't the Senator think a party that aspires to lead the Senate should, instead of hiding under the table, stand up and say what they believe we should do over the next decade financially?

Mr. BLUNT. I think the law even requires it. I think the leader on the other side, the majority leader, has been pretty clear about it. It is bad politics to have a budget, bad politics to tell the American people officially what we are for, bad politics for our Members to have to go on record saying what they are for.

The President submitted a budget. There are 54 Members of the President's party here in the Senate. Fifty-one of them could pass this budget. It would be the Senate-passed budget. Then you would go to the House and say: OK, let's look at the House budget and the Senate budget and see if we can agree on a budget.

But they actually have been pretty transparent. You have to give them some credit for not trying to be different than they really are. They said: It would be politically foolish for us to pass a budget because then people would know what every one of the 51 of our Members is for, and they would have to say what they are for.

My guess is that nobody in the majority will say they are for anything today—not for the President's budget, not for any budget we will submit. So you go home and say: I am not for any of that. You can't accuse me of being for a bad plan because I am for no plan.

That is where we are.

Mr. SESSIONS. Well, we need revenue—they use that word but will not explicitly say whom they want to tax except a very few rich. The Buffett tax would produce about $4 billion a year when we have a $1,200 billion deficit.

I would note that Senator MANCHIN, a former Governor of West Virginia, said in today's Politico that he would have been impeached if he failed to produce a budget as West Virginia's Governor. He said: Sure I have a problem with failing to offer a budget. As a former Governor, my responsibility was to put a balanced budget forward.

Well, I see my colleague is here. I think our time is up. There might be a couple of minutes for Senator THUNE.

Mr. THUNE. If the Senator will yield for a minute, I assume in Alabama and Missouri and I know in South Dakota our States pass budgets. It can be done. You can balance your budget. It would be nice if we had a requirement in the Constitution that would demand that the way many of our States do. Certainly, there doesn't seem to be the political will here to do it absent that. But it can be done, and hard decisions have to be made. South Dakota went through it last year, made some hard choices, our Governor, our legislature. Those are the types of hard decisions that are going to have to made here, but it takes a certain amount of political will and a willingness to make hard decisions. As the Senator from Alabama and the Senator from Missouri have both pointed out, there doesn't seem to be the willingness here to make those hard votes.

As has already been pointed out, the leader on the other side has said: What point is there in doing a budget? And the President of the United States and his folks, when they were asked whether the Senate ought to do a budget, said: Well, we don't have an opinion about that, which I think is really ironic coming from the leader of the free world about whether this country ought to have a budget to work with.

But that being said, as our time winds down here, to argue, as our colleagues have, that we don't need one misses the point. The Parliamentarian has ruled that the Budget Control Act was, in fact, not a budget. We need to do a budget here in the Senate. More importantly, the American people expect it and the taxpayers deserve it. That is why we ought to be having a debate on what we are going to vote for today, not what we are going to vote against.

It will be interesting to see if any of our colleagues on the other side vote for any of the budget proposals we put forward today, including the President of the United States; his budget will be voted on along with several other Republican budgets. I have a feeling we will be for some things. I have a feeling, as you said earlier, that they are not going to be for anything.

Mr. SESSIONS. Madam President, is the time up on this side?

The ACTING PRESIDENT pro tempore. The time has expired.

Mr. SESSIONS. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Madam President, I ask unanimous consent that the use of calculators be permitted on the Senate floor during consideration of the motions to proceed to budget resolutions.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Madam President, I wish to go back to the point my colleagues have made. It is fascinating to me. You did not hear them talk for one moment about the substance of their proposals—not a moment. Did you notice that? I wonder why that would be? I think I know. It is because their proposals would take us right back to the failed policies that brought this country to the brink of economic collapse. That is what happened the last time they were in charge. They controlled both bodies from 2001 until 2006, the White House until 2008. So none of those policies they put in place when they controlled both Chambers could be changed. And where were we at the end of 2008? Where were we? We were losing 800,000 jobs a month and the economy was shrinking at a rate of 9 percent. And the proposals they have, the substantive proposals they are making here today, take us right back to those same failed policies.

It is no wonder you did not hear them saying one word about the budget proposals on which we are going to be voting because they are the same failed policies that put this country in the ditch. Instead, what you hear them say is that we on our side have no budget. Fascinating.

Well, let me just put up again what we passed last year in law called the Budget Control Act.

Let me again read from that law. It says:

> The allocations, aggregates, and levels—
>
> Spending levels—
>
> in subsection . . . shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012.

In the next clause, it makes the exact same statement for 2013, that the Budget Control Act that was passed last year will serve in the same manner as a budget resolution.

Earlier this year, pursuant to that law, I gave the appropriators, which I am required to do under the law, what they could spend, and here it is. I have this chart being blown up.

Agriculture, Nutrition and Forestry, $13,397 million; Armed Services, $146,698 million; Banking, Housing, and Urban Affairs, $22,167 million; Commerce, Science, and Transportation, $15,016 million; Energy and Natural Resources, $5,276 million. It sounds kind of like a budget does it not? Doesn't that sound kind of like a budget? Well, guess what, it is a budget. It is in the Budget Control Act that we passed last year instead of a budget resolution.

Again, anybody who has taken high school civics knows a budget law is stronger than any budget resolution. Why would that be the case? Because a budget resolution is purely a congressional document. It never goes to the President for his signature. A budget law, by definition, has to be signed by the President. So last year, instead of a budget resolution, we passed a budget law called the Budget Control Act. Pursuant to that law, I gave the appropriators—earlier this year, before the deadline—their allocations, and I was just reading from them. Finance, $1,337 billion; Foreign Relations, $28,640 million; Homeland Security, $102,276 million; the Judiciary Committee, $18,545 million; Rules and Administration, $41 million. It sounds a lot like a budget doesn't it? Because that is exactly what it provided. It provided the spending limit this year and for next year. That is in the Budget Control Act we passed in the Senate last year on a strong bipartisan vote, passed the House of Representatives, and signed into law by the President of the United States.

So when we hear over and over that there is no budget, no spending limits for this year, it is just not so. There are spending limits for this year. There are spending limits for next year. They are included in the Budget Control Act, which is a law. It was passed. It was signed by the President. That Budget Control Act limited spending for the next 10 years—put spending caps in place. Budget resolutions rarely have spending caps for more than 1 year. The Budget Control Act had 10 years of caps, saving $900 billion. That is the law.

I see the Senator from Michigan is on the floor—a very valued member of the Budget Committee. Welcome to this debate. We have been hearing a lot from the other side—interestingly enough, I want to say to the Senator, almost nothing about the substance of their proposals. I assume that is because they want to go back to the same failed policies that put this country in the ditch we are still digging out of. All they want to talk about is not having a budget resolution—not one word that instead of a budget resolution, we passed a budget law, as the Senator well knows, the Budget Control Act.

How much time will the Senator need?

Ms. STABENOW. I will use 7 minutes or so.

Mr. CONRAD. I will allocate the Senator 10 minutes.

Ms. STABENOW. I thank the Senator.

Madam President, first let me thank the chairman of the Budget Committee, who I have to say is going to be sorely missed. In fact, I am not sure we are going to let him go. I think we are going to lock the doors to his office and not let him leave. He has been such an incredible valued Member of the Senate and a leader for our country on these issues.

It is absolutely true that what we are really debating is whether we go back to policies that put us in the huge deficit ditch in which we find ourselves or whether we continue to go forward as a country. We need to keep going forward and going forward even more quickly certainly. But in my State, we are seeing us begin to move forward, with manufacturing coming back and innovation opportunities, and we need to continue to push for that.

But let me stress as well what the chairman has said. We passed the Budget Control Act by 74 votes in the Senate—74 votes, a bipartisan vote—on August 2, 2011. It put in place the spending caps the chairman talked about. It laid out something that, frankly, in my time since being here starting in 2001, has been done differently and, frankly, has a stronger basis for it because instead of just having something passed by the House and the Senate, it was actually signed by the President. It is law. It has the force of law, and it is in a situation where it has even more impact than it would normally.

So, yes, we did not do the normal process. What we did was one better than the normal process, which is the Budget Control Act. It did pass. It did put in place the spending caps and set up, as you know, a deficit reduction commission and a requirement on cuts that will take place in January.

It is also true that what we do not have is a long-term plan. As the chairman has talked about over and over again, we have to come together on a long-term deficit reduction plan. So we agree on that. There are many people who have talked about that, worked on various proposals. The President has lead negotiations. Members in this body have. And certainly the chairman of the committee has continued to lead those efforts. And we need to get that done. But in terms of what we have on a budget resolution that puts in place limits or caps, that has been done.

Now, when we look at what is in front of us and the votes we are going to be having today, it is very simple in terms of values. The question is, Are you on the side of the middle class or on the side of millionaires in this country?

You know, folks in my State, the middle class, feel as though the system has been pretty much rigged against them. All they want is a fair shot. We have families in Michigan struggling to make ends meet, and they are struggling to send their kids to college. Over and over again, they look at what is going on here and scratch their heads. And why in the world would we continue to focus on things that help a

privileged few, those who have had the most benefits in the last decade? Why do we continue to see policies like these budgets that, in fact, focus on more tax cuts for millionaires and billionaires and ask middle-class families to sacrifice more and more? They shake their heads and say: What is going on here? You guys just do not get it, what is happening to the majority of families.

And what we are seeing once again is that rather than focusing on jobs and bringing the economy back on track, bringing jobs back to the United States, strengthening our ability to make things and grow things in this country, which has to happen if we are going to have a middle class and have an economy, what we see our colleagues on the other side of the aisle do is wanting to double student loan rates and eliminate Medicare as we know it in order to give another round of tax cuts to millionaires and billionaires. That makes absolutely no sense.

Instead of spending our time passing jobs bills that we need to pass, by the way, including the farm bill, which affects 16 million people in this country when we talk about rural communities and agriculture and food processing and all of our efforts on food policy across the country, instead of doing that, they want to spend their time focusing on something that will give more tax breaks to millionaires and ask middle-class families one more time—just one more time—to sacrifice.

Folks in my State are saying we have had enough of this. What we ought to be doing is our to-do list—stopping outsourcing and rewarding companies that bring jobs home; helping responsible homeowners refinance and take advantage of today's lower interest rates; cutting taxes for small businesses that are creating jobs and investing in their companies; continuing critical investments in clean energy manufacturing for the future; passing a farm bill for 16 million Americans whose jobs rely on agriculture and our rural economy; and we should focus on helping our veterans coming home from the war find good-paying jobs, thanking them for their service.

We have a lot to do. Instead, we are in the same old failed debate that got us in the hole, that got us to the situation where there was a crisis on Wall Street, that got us to the point where we lost millions and millions of jobs in the past. Are we going to go backward or forward? That is the question.

Right now, what are the differences when we look at the four different Republican plans? They are very similar. Here are three basic things that are the same. They all end Medicare as an insurance plan and increase costs by thousands of dollars for seniors in our country, which puts them back in a plan that is before 1964, where seniors would have to try to find private insurance. Of course, as we get older, we all spend more health care dollars; we need more health care, so costs will be higher. It is tougher for older people to find affordable insurance. That is why we created Medicare in 1965. They want to go back prior to that time.

Second, they allow student loan rates to double. All the plans would double the cost of that. I don't know about anybody else, but in Michigan, where we are transforming the economy and going to advanced manufacturing and new technology, we have folks in their forties and fifties going back to school, and we have young people going to college. They are not asking for more expense. The average student debt in Michigan is about $25,000. They are not asking to add to that anymore. All four of these proposals would do that—double the student loan interest rate.

By the way, these are loans where people are taking out the money, and they are responsible and they are paying it back. But they are asking for help to make sure they can afford to be able to have those loans, so they can dream big dreams and go to college and be successful. I thought that is what our country was all about. When I was growing up in the little town of Clare—my dad was sick when I was in high school—if I hadn't had help with tuition and fees and scholarship and loans, I would not have been able to go to college. The great thing about our country is that a red-headed, freckled-face girl in Clare, who folks didn't know—folks somewhere decided that maybe I ought to have a chance to go to college. Because of that, I have had tremendous opportunities in my life. We have a lot of young men and women working hard every day who deserve the same opportunity. People who lost a job and are going back to get training deserve the same opportunity.

All four of these plans end Medicare as an insurance plan, increase by thousands of dollars costs to seniors, double student loan rates, and all of it is to make sure that we give more tax breaks to millionaires and billionaires. I know at least one or more of these plans adds $150,000, I believe, in average tax cuts. That is more than the average person in Michigan makes in a year—or the average person in America. We are saying to seniors, families, and students that we want you to pay more so we can give another tax cut to the folks who have already gotten the majority of the benefits in the last 10 years economically.

Let me stress one more time before ending, I think this goes to the values represented in these budgets. Do we want to say that retirees and older people in our country have the opportunity to live long lives? Social Security and Medicare are great American success stories. They literally brought a generation out of poverty to live in dignity, like my mom, who is almost 86, to a place where she is healthy and can play with her grandkids because she had the opportunity to be in a system called Medicare, and will be able to live longer. Those are good things, good values, not bad values.

All four of these budgets—the Paul budget would end Medicare in 2014; the Lee budget would end it in 2017; the Ryan budget in 2023; and the Toomey budget in 2023. I cannot imagine that Americans want to go back to that system where seniors cannot count on the ability to have their doctor and get their medicine and have the dignity of a long and healthy life.

Madam President, I urge our colleagues to vote no on every one of these resolutions which go backwards, and support our efforts to keep America going forward and focus on those things that will make our economic recovery even faster.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, we need to lay out a plan for the future of this country. That is what this is all about. My colleague just said vote no on all of them and keep going, don't go back. What I hear being said—and there is no ambiguity about it—is let's keep on the path we are on. This is good enough. Here is the letter: Let's be happy. We are in Washington, and we are having fun, I caught a fish and we had a party, send more money.

Isn't that what it is all about, isn't this what we are hearing from the other side? Send more money. We will take care of things for you. We don't have to cut anything. We are not on an unsustainable path. Actually, we cut spending over the next 10 years from $47 billion to $45 billion. Aren't we great. That is a huge increase over the current level of spending; it increases spending every year under the Budget Control Act—not nearly enough to change the debt course of the country. But that is OK.

By the way, do you know what President Obama's budget does? It wipes out the sequester. Before the ink is even dry on the Budget Control Act, the agreement at the eleventh hour to reduce spending over the next decade by $2 trillion, President Obama submits a budget in February proposing to wipe out the sequester—all $1.1 trillion of it. What kind of commitment do we have to control spending? Send more money; that is the solution. Tax, spend, tax, spend. I wish it weren't so. I wish I could say differently.

Well, let me ask this question: Do my colleagues not feel a responsibility to tell the American people what their financial plan for the future of America is? Do they have no responsibility? Do they feel no sense of obligation, no duty? All they want to do is attack anybody else's plan who is trying to save this Republic from financial disaster—attack them because they might

want to reduce spending somewhere, and somebody might not like it because they didn't get quite as much from the government as they got before. Are there no programs that we are prepared to reduce or eliminate that are wasteful and not worthwhile? Is there nothing in this government? Maybe we stop GSA from having hot tubs in Las Vegas; maybe we ought to at least do that. How about the TSA, which has warehouses with millions of dollars of equipment in them that is not even being used? What about the $500 million Solyndra loan and other bogus loans to political cronies? And evidence is coming out that there is more of that. Can't we cut that? Or will they say that is anti-energy?

What they need to do is get off the backs of the energy producers and allow more energy to be produced. It doesn't take taxpayer money to produce more energy and have decent regulations. Do you know what they do? They send checks to Uncle Sam. They pay royalties on offshore and Federal lands. They pay taxes on the money they make. The people who work at the oil companies pay taxes. That is the way you get money, not by just taxing somebody.

I think the American people fundamentally understand that a tax on the rich is a tax on the private sector, and when you overtax the private sector, you get less of it. It is the private sector that creates the wealth that pays the taxes that allows us to distribute money here and go back to our districts and act as though we are some hero for returning people their money that we took from them, and we want to be some specially credited person because we brought back some bacon to our district. The American people understand this. They are not happy about this.

The Budget Control Act is not close to what we need to do to put our country on a sound path. It is not close. I have to say that the President's budget undoes half of that. When I said the Budget Control Act took spending down from $47 trillion to $45 trillion, President Obama's budget that was submitted a few weeks ago would add $1.6 trillion back, so that would make it go from $45 trillion to $46 trillion in spending over 10 years.

This is the way they propose to operate this government. That is what their plan is. Why won't they lay it out? Because they know the American people will look at it and say: Good grief, that is not what we want for this country. You guys have to get your house in order. We expect you to cut some spending. We know there is waste, fraud, and abuse in the capital. You better get busy.

All we hear from my Democratic colleagues is: Send more money. What is particularly troubling is the suggestion that it is OK, we don't have to make any changes. But we do. We do have to make changes.

Let me show you this chart. The changes will be difficult, but not so bad as to have the country be damaged in any significant way. This is where our spending level is today, $3.6 trillion. This is the next decade under the Budget Control Act, where we cut spending. In that late-night confrontation before the government was to shut down because we reached the spending limit and could not borrow anymore money, an agreement was reached to take $2 trillion out of spending over 10 years. That is what this chart is—after that cut had been put in place. President Obama wants to wipe out half of it. So it would add $8 trillion in new spending. If you cut that to $6 trillion or $5 trillion, we would balance the budget. You would still show an increase; it would just maybe be a $4 trillion or a $5 trillion increase in spending instead of $8 trillion. We could make a big difference there.

The path we are on is unsustainable. The path we are on leaves us in the danger zone. The path we are on has led us to have more debt than Europe and more per capita than any country in Europe, and it is unsustainable. I am worried about this.

I am particularly worried that we don't have a sense in this body that we have to make changes. We are going to have to look at the entitlement programs. I have heard Senator CONRAD say this repeatedly. He served on the debt commission, and they said we have to do that.

Does the President propose any entitlement changes in his budget? No. Are the Democratic Members of the Senate proposing entitlement changes? No. Who is? Congressman RYAN has proposed entitlement changes. He is prepared to defend them as being the kind of changes that will preserve, protect, and sustain Medicare, Medicaid, and Social Security.

We cannot allow entitlement spending to continue to increase at rates four and five times the inflation rate. That is an unsustainable spending course. When 60 percent of our budget is increasing at three or four times the inflation rate, we are in big trouble, and we can't tax our way out of that. That is just a fact. Upper income people are going to have to contribute more to Medicare. They just are. We don't have the money. We can't just make it up and act like that is not reality. It is reality.

So I think the budgets we will see from this side will be attacked viciously as wanting to kill these programs. They are not designed to kill these programs. They are designed to put us on a financial path where we can be healthy and prosperous and sustain the benefits we have promised. But a big chunk of Medicare is paid for out of the General Treasury of the United States, and people with big incomes ought to contribute to some of that, and they can do that. We can do that as a nation.

So, Madam President, I think it is rather odd that we have come to the floor and called up—without debate, without opportunity to amend—a series of budgets. Why? Because no budget has been produced in the Budget Committee, and under the rules of the Senate members can bring up a budget. We don't get to have amendments, but we can bring up one. Under the Budget Act, the Budget Committee should have hearings, have a markup, offer amendments, and bring the budget to the floor with a guaranteed 50 hours of debate, unlimited amendments, and then final passage within a certain time. That is the way it works. It guarantees priority to a budget because the people who wrote the Budget Act in 1974 knew how important a budget was. They gave it priority. It can't be filibustered. It can pass with 50 votes, with the Vice President—51 votes otherwise can pass the budget—because we need a budget, and we should be seeking to do that.

To me, it is pretty frustrating to see our current situation. So I guess I will conclude by asking: Does the majority party not feel an obligation to tell the American people where they would like to lead the country; and do they not, in a time of financial crisis, want to lay out a plan they can rally behind and ask the American people to rally behind to save our country?

It is an absolute fact this country has never, ever, ever, been in a financial condition as severe as this one. We have never, ever faced the long-term systemic debt threat we face today. We have never been on a path so unsustainable. Never. Nothing close to it. This is a threat to the future of America, and the party that aspires to lead the Senate should lay out its plan. The President should be engaged. He should be insisting we pass a budget that has some meaning and would change the debt course of the country. Yet what do we have? Nothing but attacks on Members of Congress who lay out plans that would actually do that.

They do not want to bring up a budget. Why? They say it is foolish. It would be foolish for us. Yes, it would be foolish to reveal ourselves. The American people might add up how many taxes we want to increase. They might add everything up and say: Your plan doesn't change the debt course. They may add things up and say: You spend too much. So we don't want to do that. That would be foolish.

I have never seen a situation where, in a time of crisis, this Nation has had a failure of leadership as great as we are seeing today. Now maybe I don't get this. Maybe something is wrong with me. But I think everyone who

cares about the Republic should be prepared to stand and vote on proposals to put us on the right path.

We are not on the right path today. We have a threat out there that could put us in a financial crisis overnight. It could happen very quickly. When that occurs, it will be too late to fix it.

We saw the warnings that led to the 2007 financial crisis. That was a deeply damaging event—that crisis. We haven't gotten over it yet, and we could have another one. Wouldn't that be terrible? These numbers don't assume we have a recession. They have no real recession projected in the numbers we will see. We need to avoid a debt crisis, another financial crisis, as Erskine Bowles and Alan Simpson, on the debt commission, told us to avoid. We need to do that, and we are going to have some leadership on both sides of the aisle, I believe.

So, Madam President, I will reserve the remainder of my time, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. CONRAD. Madam President, Senator MENENDEZ is here to be recognized for 10 minutes, and we can do that at this point.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, last year the Budget Control Act became the law of the land, and it set discretionary spending limits for security and nonsecurity spending for not just 1 year but for 2 years. It puts us on a path to reducing the deficit by more than $2 trillion over the next 10 years.

We now hear claims from our friends on the other side of the aisle that we don't have a budget. I guess if one says say it often enough people may believe it. But it seems our Republican colleagues have selective amnesia about the Budget Control Act.

We have a budget. It is called the Budget Control Act, and it has the force of law, which is more than we can say for any of the proposals before us today. So today's debate makes me wonder if we are on a dance floor instead of the Senate floor because we have already taken one step forward and now it is two steps back.

These Republican proposals call for extreme cuts on the backs of seniors, students, and the most vulnerable in our society without asking any contributions from millionaires and corporations. That is not fair, it is not balanced, and it doesn't reflect the priorities of New Jersey's middle-class families.

I strongly believe we must get our Nation's fiscal house in order, and I have always supported a fair and balanced approach to reducing our deficits. But I cannot, in good conscience, support proposals in which working families, seniors, and students must endure billions in cuts while oil companies—making $1 trillion in profits over the next decade—and billionaires are not asked to pay their fair share.

Supporters of the House Republican budget, introduced by Congressman RYAN, justify their radical changes to Medicare and other programs by saying: We simply can't afford it. But in the very same Republican budget in which we can't afford that, we see an average tax cut of over $¼ million to millionaires, and that is on top of the six-figure tax break they are already currently receiving from the Bush tax cuts. At the same time Republicans propose to add thousands of dollars of increased costs on the backs of middle-class seniors, they somehow find the money for another tax cut for millionaires that is worth more than four times the entire average household income of an American family.

People who have worked hard to build personal wealth should be applauded for their success. At the same time, many of them are willing to contribute to help the Nation in this tough economic time, if we ask. We know from experience that asking a fair share from the wealthiest and most successful, as we did during the Clinton era of prosperity, will not break our economy. It just comes down to a matter of fairness.

What we are seeing today is our friends on the other side of the aisle taking yet another run at shifting our Nation's financial burdens onto middle-class families, seniors and students, all while defending special breaks for their special interests. How is that fair? How is that balanced? It is not. And we can't let it stand.

Let's talk about the facts. Republicans are not only seeking to repeal the affordable care act, but they are also dismantling Medicare, Medicaid, and other vital programs. Under the Ryan budget, New Jersey's health care system would be devastated. The Republican plan would cut $39 billion in health benefits from New Jerseyans over the next decade, leaving families unable to find care and doctors unable to provide it. Their plan will throw upwards of 465,000 low-income families and seniors off Medicaid, kick more than 70,000 young adults off their parents' health insurance, and leave more than 3 million New Jerseyans—including 877,000 children—worrying about whether they will hit their lifetime benefit limit and lose coverage as a result.

For seniors, the Republican plan ends Medicare as we know it, leaving retirees to worry about whether the system they paid into their entire working lives will really be there for them when they need it. Their plan would force seniors out of the Medicare they know and instead provide an inadequate voucher they claim will cover the premiums for private insurance. That claim, however, is false, leaving seniors with an increase in out-of-pocket expenses of over $6,000 a year.

It also means immediately higher costs for the more than 126,000 seniors in New Jersey who have saved a combined $95 million on prescription drugs because every one of these Republican budgets will reopen the gap in prescription drug coverage we call the doughnut hole. The Republican budget also means 1 million seniors in New Jersey who have already accessed no-cost preventive health services, such as cancer screenings, would now be forced to pay for those screenings out of pocket. It also means 270,000 seniors and disabled individuals in my home State who rely on Medicaid for services such as long-term care will be kicked out of the system.

The most shocking about all of this is the radical Ryan budget seems to be the least extreme of the Republican budgets. For example, Senator PAUL's proposal calls for Medicare to end abruptly on January 1, 2014, while simultaneously decreasing Social Security benefits and raising the eligibility age to 70. Senator TOOMEY's plan would force seniors off Medicare and only provide a modest voucher to purchase private coverage. It would slash Medicaid by nearly $1 trillion—$180 billion more than even the Ryan budget calls for—and shift a massive and untenable burden on the States while leaving millions of families without coverage.

How is that fair and balanced? It is not, and we should reject these proposals.

Here is another fact about the Ryan House budget. Instead of making college more affordable, more accessible, and more achievable, the Ryan budget will do the exact opposite. It will create additional obstacles for students that could—according to a study by the Education Trust—ultimately take Pell grants away from 1 million students. For those who aren't kicked out of the system entirely, it will freeze the maximum Pell Grant award, despite tuition costs rising far above the rate of inflation. To add insult to injury, the Ryan budget would allow the interest rate on subsidized Stafford loans to double—a debate that is all too familiar to this body.

My Republican colleagues claim to support lower rates, but then they filibustered them, and now they are proposing a budget that would allow the interest rates to double. So for more than 60 percent of students who receive Pell grants while also taking out loans, the Ryan budget is a double whammy. Not only will they lose some or all of their Pell grants, they will be forced to pay double the interest on their loans, which will only increase with a reduction in Pell grants.

Today receiving some form of higher education is almost a prerequisite for a 21st-century career. In fact, young adults with only a high school diploma

are almost three times as likely to be unemployed and earn just over half as much as those with a bachelor's degree.

But even as the demand for college graduates in the workforce increases, so have the costs of tuition, making higher education all the more critical, as well as for the Nation to be the global leader competitively. Yet it is more out of reach for millions of students if we follow these plans. How is that fair? How is that balanced? It is not, and it just shows the misguided priorities that are behind these proposals.

Middle-class families can't afford it. Seniors can't afford it. Students can't afford it. That is why we can't afford to let it happen.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Madam President, just to respond to my friend, the ranking member of the committee—and I have a lot of respect for the ranking member. The truth is on the larger issue we are not all that far apart. The larger issue is, as a nation, we are on an unsustainable course. This is as clear as it can be, and we have to deal with it. We have a difference with respect to what we have right now. I believe we do have a budget in place for this year and next year. The place where I would agree with the gentleman is we don't have the longer term plan.

The problem is, Are we really going to get all sides to get off their fixed positions right before a national election? That is a matter of judgment. I don't believe that it is going to happen.

I was part of the Simpson-Bowles Commission. In fact, Senator Gregg and I were the ones who got the Commission appointed, and he and I were 2 of the 11—five Democrats, five Republicans, one Independent—who voted in favor of the long-term plan that Bowles-Simpson put before the American people that would have reduced the debt from what it would otherwise be by more than $4 trillion. Depending on what baseline you use, even more than that. That is the minimum we need to do.

I actually tried to convince the Commission to do $5.6 trillion. That was my proposal to the Commission, a $5.6 trillion package of deficit reduction and debt reduction. Why did I pick that? We could balance the budget in 10 years if we did.

But I do want to go back to this question about whether we have a budget right now, for this year. I say, with respect, I believe it is very clear we do. The Budget Control Act—not a budget resolution but a law—said very clearly the allocations, aggregates, and levels of spending shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012. That identical language follows for 2013.

So pursuant to the Budget Control Act, in April I provided to the appropriators and the authorizers these budget allocations for appropriations: For security discretionary budget authority for 2013, $546 billion; for nonsecurity discretionary budget authority, $501 billion. That is a total, on budget, of $1,040,000,000,954; mandatory spending, $815 billion, $671 billion, for a total of $1,862,671,000,000.

Then to the authorizing committees, I went through some of these numbers previously. The Agriculture, Nutrition, and Forestry, $13,397 million; on entitlements for that same committee, $124,580 million; on Armed Services, $146,698 million; on Banking, Housing, and Urban Affairs, $22,167 million.

Again, I could go through every committee, but there it is. The appropriations spending limits have been provided to the appropriators. The authorizing committees have been given their designations. So for this year and next, it is clear we have spending limits put in place. What we don't have is the longer term plan. That is where I would agree with the gentleman. The question is, Is there any prospect of the two sides coming together, getting off their fixed positions right now? I doubt that very much.

Madam President, Senator PAUL is here and he has this time.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. PAUL. Madam President, we are currently borrowing $50,000 a second. We borrow $4 billion a day, and we are borrowing over $1 trillion every year.

The situation has gotten out of control, and I think the situation of our deficit and our country threatens our country. In fact, I think it is the No. 1 threat to our national security, and our security as a nation is this overwhelming burden of debt.

Many economists have said this burden of debt is actually causing us to lose 1 million jobs a year. It crowds out private investment because we have to take care of financing this enormous debt.

Amidst all of this, we have rules in place. There is a Budget Act that we have had in place since the 1970s that requires that this body put forward a budget. The problem is we have no budget and have had no budget for 3 years.

Now, one would say: How can this be when we have a law that says the majority party has to have a budget, and yet we have no budget? They are in defiance of the law. Then if you were to come to us and say you want money spent on X item, we can't even do anything about it because there are no appropriations bills. If we don't have a budget, we don't have appropriations bills, and we can't alter up or down the appropriations bills because we don't have a budget to go by.

In fact, every bit of spending we do here is in defiance of our own rules because we are supposed to compare the spending bills to the budget, and we have no budget.

Many of us have been promoting something new—this would be a balanced budget amendment to the Constitution—because we don't seem to be doing a very good job balancing the budget. When you have less money coming in, you spend less money. Every American family has to do this. Why can't Washington simply spend what comes in? It shouldn't be that complicated. But they aren't obeying their own rules, so I think we need stronger rules. That would be an amendment to the Constitution that says we must balance the budget.

We had a vote on it. Forty-seven of us on our side of the aisle voted for it, and no one on the other side voted for it. Our balanced budget amendment to the Constitution would require that the budget balance within 5 years. In that vein, our office has put together a budget that does balance in 5 years, and it actually, over a 10-year period, would reduce the deficit by $2 trillion. Ours is the only budget that will balance in 5 years and begin paying down the debt over 10 years.

Right now, Congress has an approval rating of 11 percent. Maybe that has something to do with the fact that we aren't doing our job. We aren't passing a budget, much less a balanced budget amendment. If people vote for our budget, we would balance in 5 years and begin paying down the debt. I think the stock market would be ecstatic to hear this.

How do you do this? In order to balance the budget, we have to tackle entitlement reform. Currently, Social Security is $6.2 trillion short of money. The taxes people pay into Social Security are less than what we pay out. Social Security is essentially insolvent.

You ask: Well, how come my check keeps coming?

Your check will always keep coming. As the bankruptcy grows deeper and deeper, your checks will come—they won't buy anything. You are already seeing this at the pump. Gasoline prices have doubled. Is it because gas is more precious? No. It is because the value of the dollar is shrinking. The value of the dollar is shrinking because we print all this new money to pay for this massive debt. It is unsustainable, and one way or another it is going to come to a head.

Will it come to a head through the destruction of our currency paying for this debt? I don't know, but we certainly need a budget. Ours will be a budget that balances in 5 years. People say: Why don't you compromise with the other side?

We will, but they have to have a budget. If ours balances in 5 years and the other side will promote one that balances in 10, compromise would be 7½. But if the other side doesn't have a budget or if the other side has a budget—the President put forward a budget,

and we will vote on that too. His never balances. So we have infinity for their side, and we have 5 years on our side. How do we get halfway from infinity to 5 years?

If we are going to compromise, they have to come to the table. We have to engage in a debate. Entitlements are 65 percent of the budget. They call it mandatory spending, and nobody wants to do anything about it. Social Security, Medicare, Medicaid is 65 percent of the budget. If we don't tackle entitlement reform, we can't fix it. We have a proposal on the table.

Social Security reform, we fix Social Security. The way we fix it is we gradually let the age of eligibility rise to 70 over about 20 years, and we means-test the benefits—not on the current people but on the next wave. My generation will have to wait longer. Why? Is it because we want to change things? No. It is because we are living longer. We all have a longer life expectancy, and then we had smaller families. This isn't anybody's fault. It is not the Democrats' fault and it is not the Republicans' fault. We just had a bunch of large families born after World War II. They are all retiring, and each subsequent generation had less children. It is a demographic fact. Combine that with the fact that we are living longer, and we have to make changes.

But we have a proposal on the table. We will fix Social Security. How do we compromise if the other side will not come up with a proposal?

Social Security is $6 trillion in the hole. Medicare is $35 to $40 trillion in the hole. We have a solution. We will give every senior citizen in the country the same health care plan I have. The same health care plan that every Senator and Congressman has, we are willing to give it to them. Do you know whose idea this was? Senator JOHN KERRY from Massachusetts, a Democrat. We have taken his idea and put it forward, but we can't get anybody on that side to talk to us. They have given up. It is an election year. They are not going to do anything this year. They didn't do anything last year.

So we haven't done anything to fix entitlements. We have done nothing to fix Social Security, nothing to fix Medicare. How do you compromise with a side that has no proposition, that won't put anything forward? But we have a 5-year plan that balances in 5 years, and we fix Social Security. We save Social Security in perpetuity—which, I laughingly say, is a long time.

We also fix Medicare. We save Medicare. Medicare is facing a $35 to $40 trillion deficit, and we are willing to save it. But the other side has to come to the table, and nobody is showing up to debate these issues. No one is proposing any budget on the other side. No one is proposing any entitlement reform.

In our budget we save Social Security, we save Medicare, and we go one step further. We have tax reform that would help the country and would make it fair.

Some on the other side say, well, let's get rid of all those loopholes for special interests. We do it. We do a flat tax: 17 percent for all businesses, 17 percent for all personal. You get to deduct your kids and your house, and that is it. No other deductions. No other special interest exemptions. No other special credits for any special business or special enterprise. A flat 17 percent for everybody. We would see a boom in this country like we have never seen if we would do it.

What would compromise be? Maybe the other side wants 25 percent, and I want 17 percent, and we go in the middle and we do 22 percent. That would be compromise. But how do we compromise with the other side when there is no budget? There is no entitlement reform proposed from the other side. There is no tax reform proposed from the other side. How do we compromise if there is no other side?

If the other side has decided not to show up this year—if this year is going to be a waste of time and everybody is going to just run for office, maybe we shouldn't be paid this year. Maybe you shouldn't pay your Congressman, maybe you shouldn't pay your Senator this year if we are not going to have proposals from both sides.

This means we should be talking about entitlement reform, talking about tax reform, talking about budgets, and there would be give-and-take.

The only way to get give-and-take in our country is people need to show up for the debate. We need to do our job. Why is there not a committee in Washington, not any committee—why is there not any committee meeting every day on how to fix Social Security? Nobody is talking about it. Why is there no committee discussing Medicare reform meeting every day, Republicans and Democrats, talking, figuring out a way out of this? There is no such committee.

Why is there not a committee on tax reform, discussing how we could make our Tax Code simpler and make it easier for people to figure out and make the rates lower so we could spur the economy? Every time we have lowered tax rates, unemployment is cut in half. When we had an upper rate of 90 percent and Kennedy lowered it to 70 percent, unemployment was cut in half. When Reagan lowered the top rate from 70 percent to 50 percent, unemployment was cut in half. When Reagan lowered it again from 50 to 28, unemployment was cut in half.

But we as a country have to decide that we do not want to punish rich people, that we do not want to go out and punish corporations. We work for these people. We want them to do better. The oil and gas industry employs 9.2 million people and pays $86 million a day in taxes. We want them to do better. Let's not punish them with more taxes and regulations. Let's make their taxes lower and their regulatory burden lower so they can drill for more oil in our country and employ more people in our country. These are the decisions we have to make as we go forward.

We have a budget that can balance in 5 years. It is what our country needs. I think people would react, and the marketplace in particular would react in a tremendous fashion if we would move forward and vote for a budget.

The Republicans will have four or five budgets presented. Some of them balance in 5, some of them balance in 8, some of them balance in 28. But we are at least trying. We are showing up and we are presenting budgets that would balance at some finite period of time. I tell people if it is never going to balance, it should not even be presented. If it is not going to balance in your lifetime—if you say it is going to balance in somebody else's lifetime when somebody else is going to be here in Congress—you have abdicated your responsibility. We can do better than this. The American people expect us to do better than this. The American people expect us to show up and do our job.

We will today vote on these budgets. What I ask of the American people is: Look and see how your Representatives vote. Look and see how your Senators vote. Look and see whether your Senators believe in balancing the budget or if they think it doesn't matter; we will just print up more money.

But realize if their answer is to print up more money, if their answer is deficits do not matter, if that is their answer, I want you to get mad and I want you to get angry and I want you to get even. Every time you go to the gas pump and pay $4 for gas I want you to know why gas prices are rising. Not because gas is more precious but because your dollar is less valuable, and that is because of the massive debt we run and the irresponsibility up here that nobody is willing to tackle it.

There are some on our side willing to make the tough decisions. Is it easy to stand here and say to the people in Kentucky and the people in America that the only way to save Social Security is letting the age of eligibility rise? Do you think that is popular? Do you think I am saying that to pander and try to get votes? I am saying that is because it is the only thing that is going to save Social Security, the only thing that will save our country, is we have to make difficult decisions. I think that is what needs to happen.

People need to say: Are you willing to make the tough decisions? Are you willing to stand up and say this is how we would fix Social Security; this is how we would save the system; this is how we would correct this deficit that is dragging us all down?

One side is willing to do that. I am willing to do that and I hope my fellow

Senators will today consider voting to balance the budget.

I yield my time.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Madam President, we are waiting for a number of Senators who have sought time. They will be coming to the floor and we will hear from them momentarily.

Let me say Senator PAUL is sincere. One place I agree with him is that the country has to face up to our deficit and debt situation. As I indicated earlier, I was part of the Simpson-Bowles commission. We agreed to, and voted on, significant reforms, spending cuts, but we also used some additional revenue to have a balanced plan.

I believe that has to be the test for any of the proposals that are made here. As I see the proposals coming from our Republican colleague, they flunk that test because they are not balanced. There is nothing on the revenue side. In fact, in all of their plans, there are deep additional tax cuts aimed at the wealthiest among us. None of the Republican plans have less than a $150,000 tax cut, on average, for people with earnings of over $1 million a year.

Senator PAUL's plan is truly radical. He didn't mention a lot of the elements, but his plan includes massive tax cuts for the wealthiest among us. He scraps the entire tax system and goes to a 17-percent flat tax. That is a massive tax cut for those of us who have higher income—massive tax cut. I can tell you it would be a massive tax cut for my family.

He also cuts discretionary spending, education, and energy, by huge amounts. I will go into that in a bit. He cuts health care by almost $4 trillion.

He replaces the current progressive system with a 17-percent flat tax. He eliminates the estate tax—eliminates it. He eliminates taxes on capital gains and dividends—eliminates them. My goodness, think about what that would mean. People such as Warren Buffett would pay almost nothing in taxes. The richest people among us would pay almost nothing in taxes, because he eliminates taxes on capital gains and dividends.

But he is not so generous when it comes to lower income people. He raises taxes on lower income people by ending the earned-income tax credit and the child tax credit. He eliminates it.

Perhaps most stunning, his answer to saving Social Security is to cut the benefits 39 percent. The plan does not include a dime of revenue for Social Security. That is what Senator PAUL has before this body. Really? Is that what we should do? Massive tax cuts for the wealthiest among us and make up for it by cutting Social Security benefits 39 percent. That is the Paul plan. He increases the retirement age three times faster than the Fiscal Commission plan and he shifts to something he calls ''progressive indexing'' for those earning above $33,000, which cuts their benefits even deeper over time.

I respect his desire to do something about deficits and debt, but the answer is not massive tax cuts. Eliminate the estate tax? Eliminate capital gains taxation? No taxes—wow. Warren Buffett should send him a thank-you letter. And cut Social Security 39 percent?

I can go into the other details. He cuts energy dramatically. He cuts education. What is his education cut? I think we have it there. We will go into the specifics of the massive cuts so we can have more tax cuts for the wealthiest among us, trillions of dollars, and then cut Social Security 39 percent. That is breathtaking. We will see how many colleagues are going to stand up and support that in a vote later today.

Senator DURBIN is here. I thank him very much for his involvement. He has not only served on the Simpson-Bowles commission but also served on the group of six and has spent literally hundreds of hours trying to find a way on a bipartisan basis working together to come up with a plan that is balanced and fair, to get us back on the track and save trillions of dollars on the debt. I applaud him for it. He has shown enormous courage and also extraordinary energy trying to get our country back on track.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, I thank Senator CONRAD. Let me say the retirement of Senator CONRAD from North Dakota is a great loss to the Senate and to the Nation. We have only six or seven months left to do something significant. It will be easier to do it when KENT CONRAD is working with us. I hope we can achieve it.

I also want to say for those who have come to the floor over and over to say it is time for a budget resolution, it bears repeating that we passed the Budget Control Act, which is a law. A resolution is just that, a resolution passed by the House and Senate, recommending our spending levels. A budget law passed by Congress, signed by the President, has the force of law and it in fact is going to determine our spending levels for the next year. The people who come to the floor and say isn't it about time we had a budget resolution so we knew what we were going to spend next year—we do. We passed it on a bipartisan basis. In fact, the Republican Senate leader voted for it, so it was not as though it wasn't a bipartisan effort, it was all the way, and the President signed it and it guides our spending.

Let me speak for a moment about those ''thrilling days of yesteryear,'' as they used to say on the old radio serial, going back to 2001, if you can stick with me for a minute. That was the last time the United States of America had a balanced budget. Who was President at the time? It was President Clinton, who left that budget for President Bush. That represented, I think, two or three successive years of balanced budgets.

I said to my staff: Take a look at the last time our budget was in balance, take a look at today, and compare spending and revenue between those two periods of time. I think the Senator from North Dakota told me once something like 19.6 percent of GDP in that year of balance was being spent, 19.6 percent was being raised in revenue, and there was the balance.

Now we have drifted to the point where I think spending is around 24 percent, is that close? And the actual revenue is down to 14 percent. The 10-percent delta equals the deficit.

But in specifics, what has happened in that period of time? Thanks to Senator INOUYE, chairman of the Appropriations Committee, here is a chart which tells the story. The blue line, of course, this bar, represents the spending and revenue in fiscal year 2001, the last time we had a balanced budget, and the red bar represents fiscal year 2012. I asked them to compare it and here is what we found. The security in there represents, of course, military spending, primarily military spending. In the period of time we were last in balance until today we have seen roughly a 60-percent increase in military spending—understandable, two wars, all the buildup that has been part of it—OK? A 60-percent increase.

Now let's take a look at nondefense spending. That would be everything from medical research, building highways or helping to build highways, education, basic health care. What has happened in real dollars since we were last in balance in that nonsecurity discretionary spending? Flat. Zero increase. But if you listen to the debate over the last 2 years here, you would think it was all the increase—all the increase we have seen in our deficit is attributable to these nonsecurity programs. Those are the ones we have been cutting away at. I think they represent 12 percent of the budget. We keep cutting away all these nondefense programs but they have not added to our deficit since we last were in balance.

Now look at mandatory programs. Mandatory programs, obviously Medicare and programs such as that, have seen an increase of about 30 percent because yesterday 10,000 Americans reached the age of 65, today 10,00 more, and tomorrow 10,000 more, and for the next 18 years 10,000 a day. Boomers have arrived. After paying into Social Security and Medicare for a lifetime they walk up to the window and say now it is my turn. It is understandable.

The demographics are growing for those who are covered by these mandatory programs, and the costs have been growing right along with them—a 30-percent increase.

Take a look at revenues, compared with when we were last in balance. Revenues have gone down 13 percent. Senator CONRAD and I were on the Bowles-Simpson commission and 18 of us sat there for a year-plus and listened to all this testimony about everything. Here is where we came down. He and I both voted for it. We believe the premise of the Simpson-Bowles commission is the right premise—everything must be on the table. Everything.

What do you mean by everything? Spending cuts must be on the table, both on the defense side and the nondefense side. In addition, we have to put the entitlement programs on the table. My friends, we cannot ignore this conversation. We are 11 or 12 years away from Medicare going bankrupt. We have to have a serious conversation about this, and we have to look seriously at the question of revenue.

We cannot ignore the fact that we have seen a decline in the revenue coming into the Federal Government since we last had a budget imbalance. We have to put all that on the table. I added another part that fits right into the revenue conversation, the Tax Code. This is not Holy Writ. The Tax Code is a compilation of laws passed over a long period of time that takes about $1.2 trillion out of the Treasury every year for deductions and credits and exclusions and special treatment.

They asked us at one of these meetings about the Tax Code: What do you think is the most expensive provision in the Tax Code that takes the most money out of the Treasury? I said, mortgage interest for sure. Wrong. The most expensive is the employers' exclusion of health insurance premiums. So imagine when we get into the debate about tax reform and the first item up is the biggest item up, employers' exclusion of health insurance premiums. Imagine that conversation. If we say your employer can no longer take the full deduction, what does it mean to you as an employee in terms of your out-of-pocket expense, in terms of your health insurance coverage? So I am not going to suggest tax reform is an easy exercise. It is hard, but it has to be part of the conversation.

Here is where we come down: We are having an exercise today, which is not worthless, it is important. It is an exercise in discussing the budget. What Senator CONRAD has spelled out are different visions of things. What we find coming from the other side of the aisle is primarily talk about more tax cuts—particularly for the higher income people—in the belief that that is how you spark an economy and get it to go. I disagree with that premise. I think the way to move this forward is for working families and middle-income families to have more spending power. I don't believe we can give more money to the richest people in America and expect the economy to take off.

Also we find that many of the entitlement programs, which have now become critical safety net programs, are victims of the budget resolutions that come to the floor. I cannot imagine what life would be like for 40 million Americans on Social Security with a 39-percent cut—as Senator PAUL suggested—in Social Security benefits. Too many of these people are living on their Social Security checks and barely getting by. A 39-percent cut is cruel and unrealistic. I don't think it is going anywhere. And the notion from others that we can keep cutting taxes from the highest income categories, let me say, we will never balance the budget doing it. Never. If we don't balance the budget, we could jeopardize our economic recovery.

We have a cliff we are going to face on December 31. It is a big deal. I cannot remember a time when I have been in the House or Senate when so many things are going to happen in one day. But on December 31, all of the Bush tax cuts expire on the highest income levels as well as the lower and middle-income levels. For example, I think the 10-percent tax rate goes away, and the child tax credit is cut in half. All of these things mean more taxes for every American paying into income tax.

Secondly, we are going to see the end of the payroll tax cut—the 2-percent cut we have had for 2 years that the President put in place.

I could go through the litany. The bottom line is this: We need to start that honest conversation about the deficit now, and we need to put something on the table ready to be discussed. The group of eight—there are four Democrats and four Republicans—has been meeting for a long time. We are trying to put together a bill, something that could actually become law. I don't think it is the last word, but it may be the first word in the debate. If we cannot get anything done before the election, let's hope that the day after the election we can put this on the table and say: Here is our starting point. Let's solve the problem on a bipartisan basis, put everything on the table, and do it in a thoughtful, balanced way.

I think that is what the American people are looking for. They really are. They are beyond the charades of: Oh, this won't touch me, let's hit somebody else. I think everybody realizes we are in the soup together. If we come out of this together, think about where we will be as other Nations around the world are struggling to survive economically. I could go through the list in Europe, but we know it well. We don't want to put ourselves even close to that position.

The debt ceiling expires December 31, or soon thereafter. If we do not renew the debt ceiling, America will have defaulted on its debt for the first time in history. That is totally irresponsible. It is an invitation for the downgrading of our credit rating and the upgrading of the interest rates we pay and the upgrading of the deficit we owe. I hope the statements made by the House Speaker in the last couple of days don't reflect the position of his party when it comes to the debt ceiling. That would be a totally irresponsible act in terms of our economy.

I will join Senator CONRAD today in voting against the budget resolution that has come to the floor. But I will say this: I am glad we are having this conversation. We need to have more of them, and we need to have a bipartisan effort with both parties to make sure we deal with the current spending in a responsible way. And equally important, we need to find a way to get past the December 31 cliff in a way that will build the economy and not take away from it.

I yield the floor.

Mr. CONRAD. I thank the Senator for his leadership and the extraordinary effort he has made to get us back on track. I thank him for supporting Simpson-Bowles and the group of six that is now the group of eight. Senator DURBIN has spent hundreds of hours in good-faith negotiations to bring both sides together so we actually get a result and not the political charade that so often goes on around here, but serious solutions to serious problems.

Senator WYDEN is a very valuable member of the Budget Committee and is here on the floor. No Senator has proposed more serious solutions to America's problems than Senator WYDEN, and he has done it without the benefit of having a committee staff that he controls. He does it based on his own hard work and the work of his office staff. He has proposed major tax reform, major health care reform, and he has done it in a bipartisan way. In many ways, I think he has set an example for everybody in this Chamber.

How much time does the Senator need?

Mr. WYDEN. Approximately 12 minutes.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Oregon.

Mr. WYDEN. Mr. President, without turning this into a bouquet-tossing contest, I want Senator CONRAD to know how much I appreciate his leadership. I also want to make sure people understand the record. If the Congress had passed the bipartisan proposal the Senator put together on the budget with Senator Judd Gregg, the Conrad-Gregg proposal—a Democrat joined with a Republican—in 2010 we could have forced an actual effort to put together a comprehensive tax reform and

spending agreement. As we know—and I don't need to go over the history—some of the sponsors of the proposal were not even willing to go along. But I think it is important that the country understand we have to do this in a bipartisan way. If Senator CONRAD and Senator Judd Gregg had prevailed in 2010, we could have forced actual spending reductions and tax reform in a bipartisan effort. I sure wish we had proceeded with it. And as one who supported it, I still think that would have been preferable.

For 7 years before being elected to the Congress, I had the honor of serving senior citizens. I ran the Senior Citizens Legal Aid Office, I served as the public advocate on our State's nursing home board, and I taught gerontology at several of our universities.

What I enjoyed most was the personal contact I had with senior citizens as a voluntary board member of our senior nutrition program. It is known as Loaves and Fishes, and through it I could bring meals to seniors at their homes on a number of occasions as part of the Meals on Wheels Program. Meals on Wheels is one part of government that truly understands the connection between the heart and the head. It touches the heart because I saw when we bring a nutritious meal to seniors, we can spend time visiting with them at home. Often they will tell us that we are the only visitor they will have during that day. It causes us to use our head and a sharp pencil. We can see without Meals on Wheels, as sure as the night follows the day, some of those seniors are not going to be able to stay in the community. They will end up needing institutional services, and those services are more costly. And, of course, seniors will often be less happy with those kinds of institutional programs.

I bring up Meals on Wheels today because several of the proposals that are offered by colleagues on the other side of the aisle are not going to be bipartisan because they substantially cut the part of the budget that funds Meals on Wheels. Through our research we specifically found that in several instances it will be between 17 and 59 percent in just the upcoming year.

Putting Meals on Wheels at risk like that defies common sense. I have already indicated from a compassion standpoint alone it warrants support. But even if Meals on Wheels doesn't grab your heart the way it does for me, it certainly ought to get the attention of your head because it is the kind of program that lets seniors have more of what they want, which is to be at home at less price to the taxpayers. It defies common sense to not be bipartisan in terms of approaching something like Meals on Wheels.

I think what is common sense is what Chairman CONRAD and other colleagues have touched on, and that is tackling the big issues in a bipartisan way. Certainly when it comes to Medicare, that is what is needed. I would only say, having worked in this area, we ought to start with the fact that we are looking at—I am not the first to describe this—a demographic tsunami. For the next 20 years we are going to have 10,000 seniors turning 65 every single day—10,000 seniors turning 65 every single day.

Fortunately, we have made a commitment in this country to those senior citizens, and it is called the Medicare guarantee. That is the commitment we have made to older people. It is a commitment to good quality, affordable health care. And if absolutely nothing is done, it is a commitment at risk. If nothing is done, the Medicare guarantee is in peril. My own sense is that if nothing is done, Medicare—as Senator CONRAD pointed out, it is already facing cuts with sequestration—will face a steady diet of benefit cuts and cost shifting until we do not recognize the Medicare guarantee as it stands today. That is unacceptable to me. It ought to be unacceptable to every Member of the Senate.

As Chairman CONRAD has noted, Medicare reform is going to have to be bipartisan. The reason I believe that is that if it is not, much like we saw with health care reform, if it is done on a partisan vote, as soon as the ink is dry on the signature of the passed bill, the other side will move to undo it or repeal it or radically alter it. I say the Medicare guarantee is too important for that, and that is why I, with other colleagues on both sides of the aisle and the help of the chairman, have been working to get bipartisan Medicare reform ready and teed up for enactment at the first possible opportunity. It is outlined on my Web site, Bipartisan Options for Reform. I am interested in working with every colleague here in the Senate to pursue it.

Here is what it is going to take: First and foremost, it will protect the most vulnerable seniors, what are called the dual eligibles, which are seniors who are eligible for both Medicare and Medicaid. The protections for those dual eligibles must be ironclad.

Unfortunately, a number of the offerings we are going to see from colleagues on the other side do not ensure ironclad protections for these vulnerable seniors—the dual eligibles—and by block-granting Medicaid, they put at risk the most vulnerable seniors, the seniors who need nursing home care that is paid for by Medicaid, and since Medicaid is a Federal-State program, by block-granting it, we put at risk the most vulnerable seniors. That is certainly not in line with what people will see on my Web site that outlines bipartisan approaches on which Democrats and Republicans can come together for Medicare reform.

The second part of Medicare reform is to ensure that we protect traditional Medicare. Traditional Medicare mandates that the government pay doctors and other providers for services, as well as providing private sector choices that have to offer coverage that is at least as good as traditional Medicare. By doing that, we force traditional Medicare and the private choices to hold each other accountable. It is going to be pretty hard to protect traditional Medicare and its purchasing power with some of what we are going to see later this afternoon that actually proposes to end traditional Medicare within the space of 2 years.

Third, Medicare reform—and we went into this in a very good hearing that was held in Chairman CONRAD's Budget Committee—is going to require comprehensive consumer protection. I have been involved in this since the days when I would go visit senior citizens and they would bring out a shoe box full of health insurance policies that weren't worth the paper on which they were written. It was a Medigap scandal that we finally fixed in 1990. I have seen how these rip-off artists try to exploit our seniors. So at Chairman CONRAD's hearing we talked about comprehensive consumer protections and specifically ensuring that any Medicare reform would have to have a strong risk-adjustment program so that if, for example, any network of health care providers or an insurer took mostly healthy people, their contribution from the government would be far less than the contribution that would be afforded for a program that took a greater number of older people with health challenges.

So I bring this up only by way of saying I am committed to bipartisan Medicare reform. I think Medicare is really sacred ground. It can only be preserved and protected by ensuring that we take the steps I have just outlined—three or four of them this afternoon—which ensure that we put seniors and their well-being before ideology and politics. This afternoon we are going to hear several alternatives offered by colleagues from the other side of the aisle that, in my view, don't do that, don't meet that test. In effect, we are going to be dealing with ideology rather than the kinds of principles I have outlined here today that I think can win support from colleagues on both sides of the aisle and that people can see on my own Web site have attracted the support of influential Republican voices.

So we have a test to meet. It is a test that builds on a bipartisan approach to a program that is sacred—I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. —and that is built around a Medicare guarantee that must be protected and preserved. A number of the proposals we will get from the other side this afternoon don't meet that test.

I want colleagues to know that I am committed to working with them to produce what America wants in this Congress; that is, bipartisan Medicare reform that ensures that this very special program prospers in the days ahead. We are up to it. We are up to it if we build on the bipartisan example Senator CONRAD started years ago with Senator Gregg.

With that, I yield the floor.

Mr. CONRAD. I thank the Senator. I thank him for the extraordinary work he has done on the Budget Committee. I thank him for the extraordinary work he has done as an individual Senator to propose bipartisan tax reform, bipartisan Medicare reform, and the kinds of thoughtful solutions we so desperately need.

I see Senator LAUTENBERG is here. We are glad to have the Senator. How much time would the Senator like?

Mr. LAUTENBERG. Mr. President, I ask for recognition from the Presiding Officer to move ahead with my statement.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I wish to inform the Senator from New Jersey that Senator ALEXANDER is scheduled to be here at 12:30 or thereabouts, so if the Senator could consume about that amount of time, we can make this all work.

Mr. LAUTENBERG. We will give the Senator a good greeting.

Mr. CONRAD. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, one thing we know is that a budget isn't just a collection of numbers, it is an expression of principles and priorities and direction.

While I have the floor, I will take a moment to say to our friend and colleague from North Dakota that he has been one of the strongest chiefs of the Budget Committee. I sat on the Budget Committee for a long time. I think it is fair to say, Republican or Democrat, the Senator from North Dakota deserves the thanks and respect from everybody here for the detail and for the arduous task he took on to make sure our budgets were clear. No matter how often the challenges came, Senator CONRAD would stand and give the background and give the details that got him to a point of view, and we are grateful, and we will certainly miss his presence here.

The budgets the Republicans have put forward today confirm their true priorities.

I had a good business career before coming to the Senate, and I remember that during the Second World War we raised taxes on high incomes and on excess profits because the country needed the revenues. We needed to make investments.

Again, the budgets the Republicans have put forward today confirm their true priorities. What are they? They really are pushing, working hard to make sure people who make millions can get tax breaks. It is a little hard to understand, with the shortages we have and needing to invest in more programs, that they are worried about those who make more than $1 million a year. I have had a good business career, and I want to make sure our country is strong, and I want to make sure my contribution is included among those who should be paying.

What Republicans do not seem to care about in their budgeting is seniors, children, and middle-class Americans. At a time when our economy is fighting against strong headwinds and too many Americans are out of work, the Republicans are offering the same old prescriptions: tax cuts for the rich and austerity for everyone else.

Now, I have seen this country of ours through adversity many times, and I have seen it come out stronger on the other side. But our recoveries have never been spurred by starving the middle class while giving tax breaks to the wealthy. Prosperity has never trickled down from the wealthy few. Prosperity has always grown up from a broad middle class. We can't build a building starting with a chimney, and we can't build a society's strength by starting from the top. It has to have a foundation at the bottom that is strong and has the ability to support the needs of our total society.

But a strong middle class depends on a first-rate educational system—and forgive the personal annotation here for a moment more. When I got out of the Army—I was a high school graduate. I enlisted when I was 18, and I was lucky. I was able to get an education paid for by the government. I was one of 8 million soldiers—service people—who got our education paid for virtually because of the fact that we had served in the military. As a result, half of those who were in uniform—8 million out of 16 million—got a college education.

I can tell my colleagues that it enabled me, working with two colleagues, to start a company that the three of us founded, a company that took years and years to build. Slowly and energetically it began to develop. Today that company produces the labor statistics every month for the worldwide knowledge of what is happening with working people, what their wages are, what employment is like. The name of the company is ADP. We have 50,000 employees now. We were three poor boys with nothing going for us except the willingness to work hard, and that is the value. What did we get? It was determined that was the greatest generation. Why? Because an education was given to so many who could learn but didn't have the ability to get to college.

What we need is a society with affordable and accessible health care and a tax system where everyone pays their fair share.

The Republican budgets include vicious cuts to the middle class. Just look at what they do to education. They slash funding for education by $19 billion. They want to do that now when we desperately need the skills and the knowledge that education brings and the opportunity for invention and creation. They want to take away $19 billion. That is not going to help us get out of the hole we are in.

The Ryan budget coming from the House of Representatives would cut education, as I pointed out, by $19 billion. They don't want us to see the specific programs they cut, but let's look at the devastating consequences if their cuts were distributed evenly.

I don't know whether Head Start is a familiar operation in our country, but it is one of the most valuable. I believe there are about a million children who participate in the program. Look at the face of this child, looking through a narrow prism. There are 200,000 of these children who will be told: Stay home. There is no room for you. We can't afford to pay for you.

I recently went to a Head Start school in New Jersey and I met the children. I am such a professional grandfather that all little kids look beautiful to me. I met the children. What they were learning was that learning is fun. Words mean something. Pictures mean something. They were prepared, when they got to kindergarten or first grade, to say that learning is good.

I met a child there. The children lined up to greet me. This is a school that is bilingual.

I said: What is your name?

The little boy standing in front of me said: My name is Julio.

So I put my hand out to shake his hand, and he pushed it aside and instead he wrapped his arms around my legs and gave me a hug. All the little kids who followed thought he was the leader, so they all gave me hugs. It was one of the best days I have had, to see what happens when we treat these little kids to an opportunity to learn. Imagine slashing funding for a program that will help children learn how to learn.

These cuts are shortsighted. They are cruel. Ten million college students could see their Pell grants cut by more than $1,000 in 2014—very painful.

With less support and rising costs for higher education, young people would be forced to take on more debt in order to attend college because we see college tuition is going up rapidly across the country.

The Republican budgets address student debt too. They would let the interest rate on the new student loans double, increase by twice. It is an outrage. Why are Republicans putting obstacles in front of young people seeking

an education? I never would have been able to attend, as I said, Columbia University without that government help for me and the services that ADP provides. It enabled me to cofound one of America's most successful companies. The investment this country made when we came home from World War II helped to create the momentum and direction of this country with decades of prosperity.

But instead of offering a helping hand to this generation of students, the Republican proposals close the door in their faces. Government investments in science, technology, and medical research are cut by more than $100 billion over the next 10 years. Medical research funding alone could take a hit of nearly $6 billion by 2014.

What does that do? It delays research on new treatments for diseases such as cancer, childhood asthma, and juvenile diabetes. Imagine telling a parent of a sick child that we could not help find the money to help him get back with his friends out in the play yard or the schoolroom or going to school on a regular basis. Is that where America wants to be? Right now we are finding across the country that there is a greater likelihood that autism will enter into a family's difficulties with a child being born with autism. How can we say no when we see, in my State alone, that 1 in 29 male babies has autism? That is a plague. That is a terrible statistic.

Then we want to talk about cutting back on health research? In their budgets, instead of helping seniors retire with dignity, Republicans have proposed to end Medicare as we know it, giving seniors a voucher instead of guaranteed care. If that voucher cannot cover the cost of needed medical services, Republicans say: Hey, too bad; you are on your own. We have heard comments from them saying: Well, so what if you are poor. It does not matter.

I look at this chart that says: ''Ends Medicare As We Know It To Provide Tax Cuts For The Wealthy.'' They want to say that to people who need the care, who are fortunate enough now under present conditions to be able to have long-term care with a disease that is terminal.

The Republican plan would also cut Medicaid. Medicaid is a program for those less able to provide for themselves because of low income or no income. The Republican plans also want to cut that by more than $800 billion over 10 years. Medicaid provides vital resources such as pregnancy services for expectant mothers and nursing home care for seniors.

We created Medicare and Medicaid because it was decided in this country as a society that we have to be there for seniors and the poor when they get sick. But now the Republicans are proposing to break that promise. They seem to do it without shame.

Republicans are not even exempting the hungry from their cuts. They would eliminate food stamps for up to 10 million Americans over the next decade.

In their obsession with austerity, they cut through far more than the fat in the budget. They cut into the bone.

Many on the other side—and I do not say all; a lot of people on the other side are good people concerned about their constituents, concerned about what happens—but many on that side say balancing the budget is the mission, the only mission. And in order to do it, they want to make sure that includes a high priority for tax breaks for the millionaires.

We could reduce our deficit if we required the wealthiest among us to pay at least the same tax rate as middle-class Americans on all of their income. But, instead, a Republican budget would give millionaires an average tax cut of almost $400,000 a year. Their plan shreds the safety net for seniors and the poor while padding the mattress for the rich.

I ask my colleagues, please get your priorities straight. America needs your help across the board. Your families, your neighbors, your State, all need your help. Millionaires do not need more tax cuts, and they certainly should not get them at the expense of seniors, children, and the middle class.

With that, I yield the floor.

Mr. CONRAD. Mr. President, I thank the Senator.

Senator ALEXANDER is next. I wonder if we could enter into a quick time agreement to get the next Senators slotted. That might help us manage the floor, I would say to my colleague, Senator SESSIONS.

Mr. SESSIONS. Right. I believe Senator TOOMEY is here and would be prepared to go next after Senator ALEXANDER.

Mr. CONRAD. We have Senator REED slotted in between.

I wonder if we could propose—I say to Senator ALEXANDER, how much time would you like?

Mr. ALEXANDER. Well, Mr. President, what I wish to request is—Senator COONS and I were hoping to introduce a piece of legislation on another matter and talk about it. I think, given the focus on the budget here, I am going to suggest to Senator COONS, who will be coming here at 12:45, that we just mention our bill. If he could have time to do that, and then we would stay focused on the budget, and we will talk about the other matter tomorrow.

So what I wish to do, if I may suggest, is ask that I have 5 minutes to speak on the budget and maybe 5 minutes to speak on the other matter, for Senator COONS to be recognized for 5 minutes, and that would take all of the time I would ask for.

Mr. CONRAD. The problem is, we are oversubscribed by that. It is difficult to—we have not been yielding for things that are not budget related, I would say to the Senator. So I wonder if it would be agreeable if the Senator would take 5 minutes on the budget, we come back to Senator REED, if he could take 5 minutes on the budget, and then we go to Senator TOOMEY for 15 minutes on the budget because he has a substantive budget alternative that deserves additional time.

Mr. ALEXANDER. Mr. President, I think that is a reasonable request. I wonder if I might ask on behalf of Senator COONS that if he should come to the floor during that period, he be recognized for 1 minute to simply stand up and say he was planning to do this, but we will defer the introduction of our bill until tomorrow out of respect for the budget discussion.

Mr. CONRAD. I appreciate that very much.

Mr. President, I ask unanimous consent that Senator ALEXANDER be recognized for 5 minutes on the budget, Senator REED of Rhode Island for 5 minutes on the budget, then Senator TOOMEY for 15 minutes on the budget, and if Senator COONS comes after that point he be recognized for a minute on a separate matter, and then we come back to Senator WHITEHOUSE for 8 minutes. If we could lock those in I think that would help all Members.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, am I now recognized for 5 minutes?

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. ALEXANDER. Thank you, Mr. President. Please let me know when 30 seconds is remaining.

The PRESIDING OFFICER. The Chair will do so.

FOREIGN STUDENT LEGISLATION

Mr. ALEXANDER. Mr. President, Senator COONS will come to the floor in a few minutes. He and I have been working together on legislation that many Senators on both sides of the aisle support.

Very simply, it pins a green card on the lapel of any foreign student who is involved in science, engineering, technology graduate programs who gets a degree and who wants to stay in the United States and work. What we would like for them to do, instead of going home to create the next Google in India or China or some other country, is to stay here and create it here.

The legislation has broad support. It is a recommendation of the American Competes Act which I worked on and many others did in 2005 and 2007. We will come to the floor and talk about that tomorrow. But I wanted to salute Senator COONS for his leadership on this issue and recognize it.

Now I will turn to the budget with my remaining time.

Former Federal Reserve Chairman Alan Greenspan recently said the worst mistake President Obama made was not embracing his own fiscal commission's recommendations to reduce our debt by $4 trillion over the next 10 years.

Today, our national debt is more than $15.6 trillion, which is nearly $1.9 trillion higher than it was when the fiscal commission released its recommendations and $6.4 trillion higher than when President Obama was sworn in. In January 2013, the first thing the next President will have to do is to ask the Congress to increase the debt ceiling. The fundamental problem is that Washington does not know how to balance its checkbook.

The President has proposed a budget that raises taxes by $1.9 trillion over the next 10 years and still spends more than it takes in every year, instead of endorsing the fiscal commission's recommendations—or any other plan to address our Nation's fiscal crisis. According to the Congressional Budget Office, under the President's budget, interest on our debt will triple over the next 10 years, and by 2022 we will be spending more in interest than we spend on national defense.

This is an irresponsible proposal, and instead of playing politics we should be working together on a plan to address the debt, which is the most urgent problem facing our country and, according to former Chairman of the Joint Chiefs of Staff Admiral Mike Mullen, the biggest threat to our national security.

The Simpson-Bowles fiscal commission plan, the Domenici-Rivlin plan, and the Gang of Six proposal all offer bipartisan blueprints for how to address it. Each of these proposals would reform the Tax Code and restructure entitlement spending—the main source of our dangerous Federal debt—so that seniors can count on Medicare and Social Security and taxpayers can afford them.

Mandatory entitlement spending, which is 58 percent of the Federal budget, is growing at nearly 3 times inflation and bankrupting our country. Discretionary spending, which funds our national defense, our highways, our national parks, and National Laboratories, is only 36 percent of the Federal budget and is growing at the rate of inflation. Focusing our budget cutting on discretionary spending is just a way for Congress—to use the President's words—to kick the can down the road. The real work is reducing the growth of mandatory spending.

Although the Senate is not debating its own budget resolution, going 1,113 days without passing a budget, we are debating several proposals. I do not agree with every one of these, but I do support the House-passed budget because it is a serious proposal to cut out-of-control spending and help solve our fiscal crisis.

I will also support the proposal offered by Senator TOOMEY. Even though it cuts nondefense discretionary spending to 2006 levels, which I believe is too low, it reforms mandatory entitlement spending, it closes tax loopholes, it lowers tax rates, and it would save Medicare for future generations.

Senator TOOMEY and I have also discussed the possibility of allowing States to have the option of choosing per capita caps on their average Medicaid expenditures per beneficiary as an alternative to traditional block grants, and I am encouraged by these discussions.

Last August, I supported the Budget Control Act because it was an opportunity to take an important step in the right direction.

The PRESIDING OFFICER. The Senator has 30 seconds remaining.

Mr. ALEXANDER. Thank you, Mr. President.

The House-passed budget and the budget proposed by Senator TOOMEY are opportunities to take the next step after the Budget Control Act. I look forward to working with them to adopt a responsible budget that grows the economy and reduces our debt.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

STUDENT LOAN INTEREST

Mr. REED. In 46 days, the interest rate on subsidized student loans will be doubled. Zeroing in on these budgets that are before us, all of them seem to support the essence of the Ryan budget, which is to allow this to happen. In fact, the Ryan budget in the House not only allowed a doubling of student interest rates, it also recommended eliminating the in-school interest subsidies for student loans, putting middle-class families at a particularly severe disadvantage.

We have 46 days to stop this increase on the interest charges to middle-income students. We have to act. We have seen denial, delay, and disruption. We have not seen the cooperation we need to help students and families throughout this country.

The budget before us not only allows this interest rate to double, but it will also, through its tax policies, favor the wealthiest and not those who are struggling in the middle simply to get ahead or simply to stay where they are. One of the other interesting aspects of the proposal is that as we look at this student rate interest doubling, my colleagues on the other side have said: We will fix it. We are for fixing it. But, again, ask yourself: If they are for it, why are they voting for several budgets today that would, in fact, support the doubling? It seems to be an incongruity I cannot understand.

In addition to that, they said: Well, if we are going to go ahead and stop this doubling of the rate, let's do it by paying for it with the prevention fund, which is a program in health care that I think, over time, is not only going to help families all across this country, but it is going to begin to do what we have all said we have to do, bend that cost curve for health care.

Instead of a debate about how to pay for this in a responsible way—and we are certainly open to proposals if they have them, other than this prevention fund, which I think is a nonstarter—they have suggested that our proposal, which is to close an egregious loophole in the Tax Code, is somehow a tax increase or somehow does not do the job. But Politifact, which is an objective body that looks at these various charges, has evaluated one claim that, in fact, our offset is a tax increase. Here is what they say:

> Actually, the bill changed tax rules only for S-corporations, and only on professionals like lawyers and accountants who could be taking advantage of the tax code to avoid paying payroll taxes. The Democrats took the additional step of saying the rule change would only apply to individuals who reported more than $200,000 in income.
>
> The bill's intent was to close a loophole on people who are avoiding payroll taxes, taxes that they are supposed to pay anyway.

The Republican criticism ''gives the impression that all kinds of mom-and-pop operations might be subject to new, additional taxes, when actually the bill is aimed squarely at high-income professionals who are taking advantage of a loophole.

The claim was rated by this organization as false. We are closing a loophole that benefits the wealthy and some of the most powerful interests in this country in order to allow middle-income families to send their children to school. I cannot think of anything more sensible or anything more fair.

I will just return to the final point about these budgets. As I read them, they, by and large, echo the Ryan budget, which allows for a doubling of the interest rate on students and does other things that will harm middle-income and middle-class people all to benefit the wealthiest through additional tax cuts. That is not good fiscal policy, not good educational policy. It is not good policy for the growth of this country, to invest in education, and it is not fair. I would hope that we would reject them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I rise to join my colleague, Senator ALEXANDER, in briefly making reference to a bill which we introduced today and which we will speak about in more detail on the Senate floor tomorrow.

At the moment, the Senate is engaged in an important and purposeful debate on the budget. I support Chairman CONRAD and his leadership of our Budget Committee. We will cast a series of other important and difficult votes on budget matters later today.

But I take 1 minute to say that at a time when there is not enough bipartisanship, I am grateful to Senator ALEXANDER for his leadership and for working with me on an issue that will, I hope, move forward—the debate on how we make the promise and the opportunity of America open to more real job creators.

The record shows that a significant number of the most innovative and fastest growing companies in America were founded by immigrants. Immigrants have long contributed significantly to our culture, to our strength, and to our competitiveness. I think this particular bill, which opens a new class of visa for students from outside the United States who would pursue master's or doctoral programs in STEM, is an important step forward.

There are many other issues in immigration we need to resolve. There are many other elements we need to reform. But I am grateful for the chance to work with Senator ALEXANDER on this bill and will address it further tomorrow.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to speak on the budget resolution I have introduced and on which we will have a vote later today, at least on a motion to proceed. I want to start with underscoring the magnitude of the challenge we face. We have a full-blown crisis that awaits. It could arrive at any moment virtually if we do not change the course we are on.

The deficit we have in 2012, $1.3 trillion, is the fourth consecutive year with a deficit of over $1 trillion. We are now routinely running deficits that are 7, 8, 9 percent of GDP. Of course, every year we run a deficit, the excessive spending over the tax revenue has to be funded by more borrowing. So we have the mounting debt that is now at stunning levels. For much of the post-war era, after the big repayment of debt after World War II, the national debt fluctuated somewhere around 40 percent of our total economic output.

Today our actual debt held by the public is 73 percent of our total economic output, and that is just the publicly held debt. That does not include the liabilities within the government, which, if you add that, is up to 100 percent of our total economic output. This has never ended well for a country that last chose to run up massive deficits and massive debt. I would argue that we are seeing exactly how this typically plays out. We are seeing it across the Atlantic in Europe where countries are a little further down this road than we are today, having run big structural deficits for longer than we have, and having accumulated more debt as a percentage of GDP than we have thus far.

We see what has happened, especially in countries such as Greece where it is particularly acute, and other countries, especially on the periphery of Europe, that arguably are not terribly far behind. This is completely unsustainable, and I think what we are witnessing today on the Senate floor is that there is one party in this Chamber that is addressing the problem. There is one party that is proposing very specific solutions.

It is perfectly reasonable to have objections and disagreements with any number of elements in my budget resolution or Senator PAUL's or Senator LEE's or the Ryan budget. But what I do not understand is how the majority party, the party that is actually in control of this Chamber, can think that it is OK not to have an alternative, not to offer a vision, not to offer a solution to the biggest problem we face as a nation and one that is imminent; one that if left unaddressed certainly will result in a crisis. It is just a question of when.

So I think this is an unacceptable abdication of responsibility. But that is where we are. I would argue that what got us into this problem is too much spending. Look at the numbers. They speak volumes. Since 2000, Federal spending has more than doubled. We took spending, which was as recently as 2007 only a little over 19 percent of our total economic output, and grew that to 24 percent of our economic output. That is a tremendous surge, not just in the absolute dollars in spending but in the relative size of spending relative to our economy.

President Obama's budget is not a serious attempt to deal with this. It was put on the floor of the House of Representatives and got precisely zero votes. It failed 414 to 0, meaning not a single Democrat wanted to vote for the President's proposal. I can understand why. The President's proposal is to increase spending, increase taxes, and increase debt.

The President's proposal claims to level off debt as a percentage of GDP for a brief time but then starts to grow again. The reason the President absolutely refuses to offer a budget resolution that solves this problem is because he refuses to deal with the real underlying driver of this, which we all know are the big entitlement programs.

The current structure of these programs is unsustainable. If anyone doubts it, look at what CBO has shown us and has told us. By 2021, 9 years from now, if we take three categories of Federal spending: the Social Security Program, interest on our debt, and health care entitlements, those three things combined will consume almost 90 percent of all of the revenue we can realistically hope to collect, if the last several decades are any indication of what we are going to collect.

How could it possibly be that we would continue down this path where those three categories are going to consume virtually the entire budget? I would also observe it is a simple matter of arithmetic that no significant Federal Government program can grow faster than the economy for very long because everything has to be paid for by the economy. In fact, it has to be paid for by some fraction of the economy. If we have a big program that is consistently growing much faster than the economy, well, it will consume everything. Then these programs will collapse, and then what are we going to do?

Rather than waiting for that day to come, some of us are proposing specific solutions for this problem. Medicare is growing much faster than the economy. Medicaid is growing, arguably, at least two times as fast as the economy. Other mandatory health care programs, if President Obama gets his way, will grow even faster.

This is all completely unsustainable, and we are going to fix this problem. The question is whether we fix it while we have this window of time, when we are still able to borrow the massive sums that we are borrowing, or will we wait until we have a full blown crisis, the bond market shuts us down, and then we have sudden Draconian and very disruptive and painful decisions to make.

I would rather do this while we have this moment, change the course we are on, and establish a sustainable fiscal path. So I have submitted a budget for the second consecutive year that puts us on a path to balance. My budget balances within the 10-year historical window of the budget resolutions. It actually balances in the eighth year and runs a very modest budget surplus in the ninth year.

I do that in part by reducing the total level of spending relative to GDP as compared to the alternative budgets, specifically the President's alternative or CBO's. I cannot compare it to the Senate's Democratic alternative budget because that does not exist. We have no idea what the Senate Democratic proposal is, but I have one.

So I will elaborate on that a little bit. My proposal is that we get spending down to about 18.3 percent of GDP. That is about the same level revenue has been historically, which thereby brings our budget into balance. Some of my colleagues have suggested there are Draconian spending cuts that will get us there. Well, let me be very specific about what spending cuts are necessary to achieve this.

In 2013, spending in my budget is 2.9 percent below what it is in 2012, which means the Federal Government will spend—under my budget, it would spend 97.1 percent of everything it spent the previous year. People can decide whether that constitutes Draconian cuts.

Now, here is the amazing thing. After that, on average, over the 10-year window, my budget calls for Federal spending to increase—in fact, to increase at about a rate of 3 percent per year nominally. See, this is my point. This is a solvable problem. All we need to do is cut out some of the excess, restructure certain programs, and allow the government spending to grow. It just cannot grow quite as rapidly as it is currently projected to do.

If we get that under control, we can put ourselves on a sustainable path.

Another part of this is to have policies that maximize economic growth. I mean that is an important goal in and of itself, but it is also a path to restoring balance because stronger growth generates more revenue for the Treasury.

Well, my budget would do that without raising taxes. What I would do is have progrowth tax reform. That is comparable in spirit and in the right direction. It goes to all of the bipartisan commissions that have looked at this, whether it is Simpson-Bowles or Rivlin-Domenici or any of the others. I know there is broad bipartisan consensus on the principle that we would have stronger economic growth if we simplified the code, broaden the base on which we apply taxes, and then apply those taxes but at lower marginal rates. That is what my budget calls for. It should not be all that controversial to move in this direction of tax simplification, lowering marginal rates, and offsetting the lost revenue by reducing the value of deductions and loopholes and writeoffs. That is what my budget asks for.

There are a couple of areas that I think are important where there is bipartisan support for elements within my budget. One is, the President of the United States suggested in his budget that very wealthy senior citizens contribute a little bit more for the Medicare benefits that they obtain. Some means testing already occurs within Medicare. But I happen to agree with the President that it is reasonable, especially under these circumstances, to ask the wealthiest members of our society to pay a little more for the benefits they are getting from the government.

So my budget adopts the President's proposal of expanding means testing, expanding the contribution we would ask from the wealthiest Americans for their Medicare benefits.

I also include in my budget long-term reform for Medicare that makes it more viable. This has been much maligned despite the fact that one of our Democratic colleagues, Senator WYDEN, supports this approach as well.

I wish to emphasize that this is a different plan than what it was last year. Last year there was a criticism that any premium support model that establishes the amount of money given to seniors to purchase health care at a fixed dollar amount was a flawed approach because what if health care costs rose more rapidly than that amount could afford to pay for? That is a valid concern.

There is a different dynamic, a different mechanism in the House-passed budget, and in my budget, and I think it is part of the reason a Democratic Senator has embraced this, and Alice Rivlin, a former senior member of the Clinton administration, supports this. You set the premium based on the second lowest bid for the health care services we want to provide, thereby ensuring that a senior citizen would have enough money to purchase that plan. Not only that but we go further and include the traditional fee-for-service Medicare system to which seniors are currently accustomed—we include that as one of the plans that could bid. So it is absolutely the case that any senior citizen who wanted to stay with the traditional fee-for-service Medicare Program could do so under the reform plan.

I happen to believe that in an innovative marketplace, there will be more attractive options. I happen to know that under this system, a lot of seniors—my parents included—have to wait forever to see a doctor, and part of the problem is the dysfunctional system we have now. It is already costing us access and quality in health care.

I think this reform will make Medicare a better program for the people who need it. Yes, we will ask the wealthy to pay a little more for it. That is reasonable. Those seniors who want to stay in traditional Medicare can do that too. In the process, you can put this on a sustainable path. It has some bipartisan support. Mr. President, we don't really know the extent of that because our Democratic colleagues refuse to put a budget or mark up a budget in committee, present one on the floor.

I will close with this request, which is to vote for the motion to proceed. Let's get on to my budget and have a debate about this, and let's see where people are. I don't know how we are ever going to reach the compromise we need to reach to put us on a sustainable path if one party is consistently putting out a whole range of ideas and the other party refuses. How do you negotiate with somebody who doesn't have a position? How do you have that discussion?

I don't know how many of my Democratic colleagues agree with the President of the United States and my own thought that we ought to ask wealthy seniors to pay a little more for Medicare benefits. If we get on the bill, we could have a debate and have amendments. I think this is too big and too important an issue not to address. The way to address it is to vote yes on the motion to proceed to get on a budget resolution, and then let's have that discussion and let the American people see it. Let's take their ideas and all of the ideas we have and see if we can make some progress.

There is an unambiguous fact that I want to underscore. There is one party showing up at this debate—the three Republican Senators who are proposing budget resolutions, comprehensive documents that address the entitlement reform we need, the discretionary spending limit we need, and the tax reform that will help grow this economy and generate the revenue we need. We have done that. As I say, it is perfectly fair and legitimate to criticize any aspect of any of that, but I think there is an obligation especially of the majority to offer its view, its alternative.

I urge my colleagues to vote in favor of this motion to proceed and allow us to get on with addressing the single most pressing problem facing our country, which is restoring a fiscally viable path that allows us to have strong economic growth.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I think we allocated 8 minutes to Senator WHITEHOUSE.

The PRESIDING OFFICER. The Senator is correct.

Mr. CONRAD. That was part of a unanimous consent agreement so that we could manage the time on the floor better. We have, I say to the Senator, 60 minutes left on our side. I think they have 100 minutes left on their side. We have seven Senators left.

Mr. WHITEHOUSE. Eight minutes just about works, from the math.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I thank the chairman, Senator CONRAD, for his leadership on this important issue.

I would note for the record that with the conclusion of Senator TOOMEY's remarks, following Senator REED, I think for the first time in the history of the Senate we had back-to-back presentations by two separate Senators who were graduates of LaSalle Academy in Providence, RI—noteworthy, perhaps, in Rhode Island.

I did note in his remarks his references to the magnitude of this challenge, to the full-blown crisis he perceives, to the completely unsustainable nature of our outward debt, that this is too big and too important not to address, and that this is the single most pressing problem our country faces—all of which might lead one to conclude that this would be the most important thing they would pursue. Yet we know it is less important to them to address our debt problem than it is to protect oil and gas subsidies for Big Oil at a time when their profits are unprecedented; it is less important than protecting tax loopholes that allow high-income individuals to incorporate

themselves and avoid paying FICA taxes; it is less important to them than protecting special tax rates that allow people making $100 million a year to pay a lower tax rate than a family making $100,000 a year. So it seems that when you actually look at practice—what their priorities are—this isn't quite the priority they claim it is.

I agree there are other priorities we face as a country. This July, unless we move quickly, student loan interest rates will double, which will hurt our economy, our growth, and it will hit families across this country. We brought forward a plan to keep those rates down, but our colleagues filibustered it. Our Nation's highway program will expire next month, jeopardizing millions of jobs. We voted overwhelmingly on a bipartisan basis to reauthorize the highway bill and move forward on it, only to have our bipartisan highway bill stalled by House Republicans. Republicans may talk about jobs, but they are busily stalling the most important jobs bill we have. That stalling and delay will cost jobs because of the summer building season in so many of our States.

One thing that has not been urgent has been to pass a budget. Why is that? Well, it is because we already have one. This whole exercise today rests on a false premise. The false premise is that we have no budget. Last summer Congress passed and the President signed into law the bipartisan Budget Control Act, which sets binding discretionary spending levels for a decade and establishes budget levels for the current fiscal year and next, which our appropriations committees are now working under—Republicans and Democrats together. But you would not know this when listening to Senate Republicans. Instead of focusing on real issues, where real jobs are at stake, they are wasting a day of floor time on extremist tea party budgets. They also plan to force a vote on what they describe as the ''Obama budget.''

I plan to vote against all of the motions to proceed for the simple reason that we already have a budget in place that we voted on and agreed to for next year. Today's votes are nothing more than a Republican attempt to promote a radical and unwelcome agenda of slashing middle-class programs while protecting and enlarging tax giveaways for the ultrarich.

Let's make no mistake about what this would do to middle-class families. The House Republican budget would start by cutting taxes for big corporations and the ultrarich, adding $4.6 trillion to our national debt. To pay for these extra tax cuts, the Republicans would decimate programs on which regular American families at some point in their lives come to rely. They start by ending Medicare as we know it. Beginning for workers who retire in 2023, the House Republican budget would make it a voucher system, which, according to the nonpartisan CBO, will add an estimated $6,000 in annual out-of-pocket costs for each retiree by 2050. In Rhode Island, the average annual Social Security benefit is about $13,600. It is hard to imagine how future seniors living on a fixed Social Security income will be able to maintain health care coverage with that kind of extra cost dropped on them individually. At the same time that they would slash Medicare, the House Republican budget gives those making over $1 million per year an average tax cut of over $150,000.

If you are getting older or you are a working family and you are going to need Medicare one day, you will get an end to Medicare as we know it. If you are making over $1 million, you get an average tax cut of over $150,000. Those are not real priorities for the people I represent in Rhode Island.

It doesn't stop there. They repeal the affordable care act, which would reopen the doughnut hole. The affordable care act has helped nearly 15,000 Rhode Islanders save an average of $554 each last year just by closing the doughnut hole partway, and soon it will be all the way. That made a difference to people such as Olive in Woonsocket, whose husband fell into the doughnut hole last July. Thanks to the new law, they saved $2,400. Under the House Republican budget, they would be stuck paying that $2,400 as an out-of-pocket cost to the big drug companies.

The radical House budget would slash funding for Pell grants, and it would increase interest on student loans. We have all heard people say here that they don't want to encourage the increase in student loan rates we are facing. But while they say that, they, of course, are filibustering our effort to do that. In their budget, they build in the increase in the interest rate. So they speak from two notions.

The House budget requires only $1 trillion in additional and unspecified cuts, and that will be Draconian. Senator PAUL's budget, which we may take up today, would also slash middle-class programs, including Social Security. He includes an eventual 39 percent cut to Social Security benefits and would end Medicare for all seniors in 2014. If you want to put an end to Medicare in 2014, the Paul budget looks like a really great opportunity for you. But that is not what I think anybody really wants in this country. I think almost every American wants to see Medicare strengthened and supported.

We should move on from this unnecessary budget messaging exercise and resume our work to keep student loan rates down and support good-paying highway jobs—bills that are being delayed that we need action on now. When we turn to a real debate about deficit reduction, I hope my colleagues will unshackle themselves from the tea party and put forward a budget that doesn't put Big Oil subsidies ahead in priority of taking care of our real budget problems. They have to get over putting the priorities first of protecting Big Oil subsidies.

With that, I yield the floor.

Mr. CONRAD. I thank the Senator from Rhode Island. I thank him for his contributions on the Budget Committee. I don't think there has been any stronger voice for fundamental health care reform along the lines of dealing with the system we currently have that, by most accounts, is costing us hundreds of billions of dollars and not adding to the quality of health care. Nobody has been a stronger voice on the Budget Committee or off of it on that subject. I appreciate the Senator's leadership.

We have Senator WICKER next. Does the Senator have an estimate as to how much time he may consume?

Mr. WICKER. Mr. President, I have been told I have 10 minutes allocated, and I shall use probably less than that allocation.

Mr. CONRAD. Very well. Senator WICKER.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. I thank the Chair for recognizing me and I appreciate the time.

I want to agree with my friend from Rhode Island to this extent: He said this debate is based on a false premise. And I agree with him in this respect. This is not a reality debate about a budget resolution. These are show votes. These are messaging votes we have today.

One can argue all he or she wants that we have a budget in place that we voted on last year, but there is no getting around 2 U.S.C. 631, which is the budget law of the United States of America, passed back in 1974. That budget law requires Congress each year to pass a budget resolution. As a matter of fact, it says on or before April 15 of each year, Congress completes action on a concurrent resolution on the budget.

The last time this Senate did that was in 2009. We missed the April 15 deadline in 2010, the leadership of this body missed that deadline in 2011, and they missed it again this year. It has been that long since this body, under the leadership of my friends across the aisle, have complied with the explicit terms of the Federal statute and brought a budget to full consideration on the floor.

What we will have today is debate on five concepts. I am happy to vote for some of them, and will certainly vote against others, but make no mistake about it, this is not the process called for by the Federal statute and it doesn't comply with the law and doesn't serve the purposes of advancing public policy in the United States of

America. We are long overdue for a real budget debate that puts something in place.

As I mentioned a moment ago, we have passed the 3-year mark now—1,100 days—since Senate Democrats fulfilled one of their basic obligations, as I mentioned, laid out in Federal statute. A recent column in the Washington Times pointed out that the iPad had not yet even been introduced when the last budget was passed on the floor of this Senate. But since that time, in 3 years, Federal spending has topped a staggering $10 trillion.

Every day our country's debt grows closer to $16 trillion. This is money my generation will not be able to pay. We have our pages here on the floor. Even their generation will not be able to pay off this $16 trillion in debt. It will be left to their children and grandchildren. Annual deficits continue to soar, adding to that debt—over $1 trillion each year during President Obama's time in office—even though the President promised in 2009 he would cut the deficit in half during his first term, a promise that certainly has not been fulfilled. Instead, his latest budget relies more on spending, new taxes, and accounting gimmicks, and it leaves insolvent entitlement programs without meaningful reform.

I noticed the previous speaker stated he would not be voting for President Obama's budget proposal. I think it is because it is such a false and weak proposal. I expect the Obama budget today would get the same response it got on the floor of the Senate during these messaging votes last year when it failed to get a single vote. As I understand it, it failed to get a single vote in the House of Representatives. Not one Republican or Democrat in the House of Representatives earlier this year was willing to step forward and embrace the Obama budget proposal, and it got a big fat zero when it was put to a messaging vote in the House of Representatives. So we are watching a disastrous trajectory and we need to change it now.

Families, businesses, and organizations in my home State of Mississippi, and in every State across the country, know the importance of having a sensible budget and living within that budget; likewise, taxpayers deserve to see a blueprint of where their money is going and how much will be spent. Washington must be held accountable.

We heard talk on the other side of the aisle about priorities that our Democratic friends wish to see enacted. The Democratic majority in the Budget Committee needs to bring those priorities forward. They need to wrap them up in a budget resolution and bring them to the floor. That is the one thing we are not seeing today—a proposal by the Democratic majority.

It only takes 51 votes to pass a budget. There is no two-thirds rule on a budget resolution. There is no filibuster on a budget resolution. My Democratic colleagues, many of whom are dear friends of mine, have 53 Members in this caucus. They have the votes. We know a budget is required every year. Yet with a 53-vote majority, and with only 51 votes required, they do not bring a budget to the floor for us to consider so we can know what their budget priorities are.

There are plenty of excuses from across the aisle for not complying with the clear mandate, but there is no excuse. It is inexcusable that the majority party in this Chamber refuses to fulfill this statutory responsibility when the warning signs of fiscal calamity are at our doorstep.

You know, it is no wonder our popularity rating as a Congress is down around 10 or 11 percent when this Federal statute explicitly requires us to do this by April of each year and we do not do it. It is no wonder we are held in such low regard by the public. Inaction ultimately bequeaths a burden of debt to our children and grandchildren.

We certainly cannot blame the inaction on an absence of ideas. As has been stated by my friend from Rhode Island, we have five proposals before us today. President Obama's will probably get zero votes. The House Republican blueprint will be considered, and budgets from Senators LEE, PAUL, and TOOMEY. Yet the Senate Democrats, regrettably, stay on the sidelines. They have the votes, but we do not have their proposal on the floor—one they are willing to put forward and tell the American people they own.

My friend the budget chairman has suggested the upcoming election stands in the way. In April he said:

> This is the wrong time to vote in committee. This is the wrong time to vote on the floor. I don't think we will be prepared to vote before the election.

I want to make it clear, I have the highest affection and regard for the chairman of the Budget Committee, but I do believe what he is saying, in other words, is that we have a job to do, we have a law to comply with, but we are not going to bring it up at this time because of political concerns. I think political concerns are keeping our friends on the other side from saying where they stand on the budget issues. I think political concerns are keeping them from making the hard choices.

I can imagine the American taxpayer would like to know when will be the right time for the Senate to begin complying with Federal law and the right time for a budget that takes fiscal responsibility seriously. They know kicking the can down the road will not make the debt problem go away.

I noticed recently our Commander in Chief told a Russian leader that after the election he would have more flexibility on a national security issue—the issue of national military defense. He said, I need to have some time, because after the election I will have more flexibility. Please pass that along to Vladimir. I suppose my friends on the other side of the aisle believe they will have more flexibility on spending issues and budget issues and taxation issues after the election.

The truth is Republicans and Democrats have differences on a number of issues, but that should not deter a concentrated effort to lower the deficit and curb runaway spending. I hope this week we can focus on constructive dialogue. I would have hoped we would have an honest process and do what is right and necessary to put this country's fiscal house back in order.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I thank the Chair.

Mr. CONRAD. If I may, if the Senator could do his presentation in about 8 minutes, we have six speakers left and we have 50 minutes.

Mr. CARPER. I will be happy to do so.

Mr. CONRAD. I thank the Senator.

Mr. CARPER. Mr. President, in listening to the presentation of my friend from Mississippi, I am reminded of the words of Harry Truman when he said something to the effect: The only thing new in the world is the history we forgot or never learned.

I want to go back in history. I want to go back about 15 years. We had gone from 1968 to 1997 and never balanced a budget. All those years—almost 30 years. Then President Clinton said to Erskine Bowles, his Chief of Staff, figure out a way to maybe negotiate a balanced budget deal with Republicans in the House and in the Senate and see what kind of deal you can get. So Erskine went out and negotiated and came up with a deal. It was the deficit reduction deal that lead to not one but three balanced budgets by the end of that decade. Interestingly enough, half of the debt reduction was on the spending side and half the debt reduction was on the revenue side.

Now fast forward to 2001, a new President, a change in administration, and as far as the eye could see not just balanced budgets but plenty of black ink—surpluses as far as the eye could see. Eight years later, we had another change in administration, and a new President was handed over a $1 trillion deficit, the worst recession since the Great Depression, and we are still trying to dig our way out of that. When we tried to pass legislation here to create a deficit commission a couple of years ago and failed—we were short of votes, and our Republican friends who had cosponsored that measure, as I recall, ended up not voting for it—this President used his own executive powers to say we are going to have a deficit commission and he asked Erskine Bowles

to head it up, along with Alan Simpson, a former Senator and deficit hawk from Wyoming.

There were 18 good people, including some from this Chamber, who went to work on a real deficit reduction plan—Democrats and Republicans—and 11 out of the 18 ended up voting for this kind of plan. It was not a 50 50 deal on deficit reduction, but $3 on the spending side for every $1 on the revenue side, with $4 trillion to $5 trillion in deficit reduction over a 10-year period of time.

As my friend mentioned, we are seeing a lot of different ideas. We have a bunch here on the floor. The administration submitted their budget as well, and, frankly, none of them come close to being as good as Bowles-Simpson. Alice Rivlin has done good work. Pete Domenici, our former colleague here in the Senate from New Mexico, has done a good one. But in the end, they all come back to pretty much the same place. Bowles-Simpson says we are going to raise $1 in revenue for every $3 on the spending side.

The grand compromise was Democrats agreeing to entitlement programs reform—not to get rid of them but make sure they are going to be around for our children and grandchildren. And on the revenue side, we actually raise revenues by reducing the rates on the individual side and the corporate side, and we eliminated by half the so-called ''tax expenditures'' in the Tax Code—tax credits, tax reductions, tax loopholes, tax breaks. We got rid of about half of them.

So the Bowles-Simpson deficit commission plan enjoys the support of almost half the Senate—almost half the Senate. Pretty much an equal number of Democrats and Republicans. We have a budget in place right now. We have a budget in place for 2012. We have a budget that is going to be effective for 2013. Right now, we are seeing a deficit reduction of $600 billion in defense spending implemented over a 10-year period of time. Right now, we are seeing a deficit reduction of $600 billion in domestic discretionary spending implemented over a 10-year period of time. And if we don't come up with an agreement, such as Bowles-Simpson, we will see $600 billion more of deficit reduction on the defense side, another $600 billion on the nondefense side, and some entitlement program changes as well.

A much better plan than doing that—even though that adds up to about $2 trillion worth of deficit reduction for this year and the coming fiscal year—is the kind of comprehensive balanced plan we have been given by the deficit commission. My hope is, at the end of the day, when we have the opportunity to debate here—later this year, when the elections are behind us—people will actually turn around and say, let's try to figure out the right thing to do, and then do it. This is the right thing to do. In the meantime, let's not waste the next 6, 7, or 8 months.

I would suggest to my colleagues to join the bipartisan efforts of people such as TOM COBURN and myself and others, Senator CONRAD and Senator GRASSLEY and others, and to join us in going to work on a to-do list provided to us by GAO, the Government Accountability Office. That to-do list is just full of ways to avoid wasting money, and it includes ways to save money by reducing improper payments. We are down from $119 billion last year to $115 billion this year, finally heading in the right direction, reducing fraud in Medicare and Medicaid.

Some very good stuff is being done there to help reduce the fraud losses. We have all this surplus property, a lot of which we don't need. The idea is to get rid of that, and we are beginning to do that. We have too many bad information technology projects and too many information processing centers. We are getting rid of a bunch of those we don't need. There is actually some good work that is beginning to be done. We can do more, and we ought to do more.

Lastly, I would suggest we ought to consider making the President's rescission powers real. Senator MCCAIN and I and about 40, almost 45, Democrats and Republicans have proposed that we make the President's rescission powers real. The President could sign an appropriations bill under current law, send us proposals to rescind or reduce spending within that appropriations bill that he has just signed into law, and we don't even have to vote on the rescission. We don't even have to take it up or look at it. For the most part, we don't. What JOHN MCCAIN and I and almost half the Senate, Democratic and Republican, have said is, when a President signs an appropriations bill into law and sends it to us, he can send us a rescission message as well that we have to vote on, we actually have to vote on it. And it doesn't affect taxes. It is not a deal that affects entitlement programs but on appropriations, and we would try this for 4 years.

With a simple majority, we literally vote on the President's proposal. If it doesn't get a simple majority in the Senate—51 votes—or a simple majority in the House—218 votes—then it goes away. But at least we have to take responsibility to be held accountable to vote on it. The President would perhaps have some extra responsibility and the opportunity to make meaningful reductions.

Mr. President, how am I doing on time?

The PRESIDING OFFICER. The Senator has 30 seconds.

Mr. CARPER. I want to close and say to my friend, Senator CONRAD, I know the Senator, as much as I, favors Bowles-Simpson, and I want to thank the Senator for the work he is doing in bringing attention to it again and saying this is still the best plan in the room. I think it is still the best plan out there.

So the idea is when we get to the day or the week after the election, we will be ready to move and to take it up and, hopefully, to embrace and endorse large parts of it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the Senator, and I thank him for his leadership on these issues. Nobody has been more serious about getting deficits and debt under control than the Senator from Delaware, Mr. CARPER.

Mr. President, how much time would Senator GRASSLEY like to use?

Mr. GRASSLEY. Ten minutes or a little less.

Mr. CONRAD. Perhaps we can ask for a unanimous consent request to lock in these next Senators so people know who is waiting.

Mr. GRASSLEY. I am not prepared to speak for our side.

Mr. CONRAD. We can do it. We have been doing this and I think it works out well.

So I ask unanimous consent that Senator GRASSLEY be recognized for 10 minutes, followed by Senator CARDIN for 8, followed by Senator CRAPO for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, adopting a budget for the country is one of the most basic responsibilities and fundamental functions of the Congress.

The Budget Act of 1974 requires Congress to adopt a budget by April 15 each year. It is a requirement that this Senate majority has ignored time and again. In fact, the Senate hasn't adopted a budget since April 29, 2009.

More than 3 years have passed since the Senate last adopted a budget. During that time, more than $4 trillion has been added to our Nation's debt. In President Obama's Presidency, we have added $5 trillion to the national debt.

So we are in the midst of the fourth consecutive year of $1 trillion deficits. All the while, the Senate Democratic majority has failed to propose a budget blueprint that would lay out their priorities for deficit reduction, economic growth, and a path to balance. It is no wonder, then, our Nation is driving toward a fiscal cliff of deficits and debt. There is no one in the Democratic leadership willing to take hold of the wheel of this vehicle.

In February, President Obama released his budget. The President's 2013 budget would expand the scope of government by spending more money, increasing taxes on job creators, and continue on the path of enormous deficit and record debt.

While President Obama claims his budget will create an America built to last, the only thing his budget builds, it seems to me, is higher deficits and debt—a bigger and more intrusive government and economic decline for future generations.

During the past 60 years spending has averaged about 21 percent of GDP. Over the 10-year window of President Obama's budget, spending never gets below 22 percent. In dollar terms, spending goes up from the present $3.8 trillion to $5.8 trillion in the year 2022. So it is very clear President Obama is built to spend.

President Obama's budget is also harmful to our fragile economy because it would impose a $1.9 trillion tax increase. Maybe the President's purpose in imposing this huge tax increase is an effort to reduce the Nation's debt. Unfortunately, that is not what he has planned in his budget. He wants to spend every dollar.

His budget runs deficits totaling $6.4 trillion over the next 10 years. Debt held by the public increases from 74.2 percent of our economy today to 76.33 percent in 2022. Of course, we need to remember that the historical average since World War II has been about 43 percent of the economy.

If people believe President Obama is putting us on a path to fiscal sustainability, I would suggest that they look at the annual deficits over the next 10 years. They never drop below $575 billion, and they actually go up at the end of his budget, rising to $704 billion in 2022. President Obama's budget puts America on the course of deficits and debt as far as the eye can see into the future.

The President also took a pass on proposing any real changes to our entitlement programs, which are a real driver of future deficits and debt. Again, he is absent from the discussion. He has no solution. He has chosen not to lead. But where is the leadership from the Senate majority? Where is their budget? Why have they not proposed a budget in more than 3 years?

The budget chairman has said repeatedly that we already have a budget in place for this year and even for next year. The chairman and majority leader believe the Budget Control Act was a budget resolution. The Budget Control Act is not a budget. President Obama clearly agreed when he proposed his budget. House Republicans and Democrats alike agreed when they voted on seven budget resolutions offered by both Republicans and Democrats. The Democratic leadership in the Senate stands alone in their belief that the Budget Control Act was a budget resolution. Is it because they have no ideas on how to balance the budget, contain out-of-control spending, grow the economy, or create jobs?

If the Democratic majority can't muster the will to present their own budget, why don't they offer President Obama's budget?

I am sure we will hear the argument that the resolution our side is offering is not a fair depiction of President Obama's budget. That is the rhetoric we will likely hear so that they can vote against it. The fact is they are going to vote against it for one reason, just like a year ago; that is, because it is President Obama's budget. They don't want to be on record voting for any budget. That will be the most remarkable outcome of today's exercise.

We are going to vote on five different budget proposals. Three are being offered by Senate Republicans, one is Budget Chairman RYAN's budget, and the final resolution is President Obama's budget. Not only have Senate Democrats failed to even propose a budget, they will likely vote in lockstep against each of the five budget proposals.

We are likely to see Senate Democrats come to the floor one by one and cast roughly 265 votes against the consideration of any budget. Is that leadership? Is that conviction? They are in the majority. When it comes to proposing and supporting a budget, they are the party of no and the party of obstruction. Democrats are the party filibustering consideration of budget blueprints. My friend, the budget chairman, was quoted recently as saying:

> This is the wrong time to vote in committee. This is the wrong time to vote on the floor. I don't think we will be prepared to vote before the election.

How many more trillions do we need to add to the national debt before it is time to vote on a budget resolution? If now is not the time to lead, propose bold solutions and take action, when is?

The American people are going to pay a heavy price for the unwillingness and inability of the Senate majority to lead and to offer solutions. Once again, the Senate majority and its leadership and President Obama are content to be absent from the discussion. Three years without this sort of debate is proof of that. There are no solutions; there is no leadership. There is only failure and punting until after the next election.

We have a moral obligation to offer serious solutions for today—most importantly for future generations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, the budget document is a very important document.

It speaks to the priorities of our Nation, and it gives instructions to our committees to report out legislation consistent with that of the budget resolution. It gives instructions to the Appropriations Committee to pass appropriations bills and to other committees as it may affect revenues or mandatory spending.

We have that budget document for the fiscal year that begins October 1 of this year. That was included in the Budget Control Act which passed this body by 74 votes. It has the force and effect of law.

So our appropriations committees know the numbers for the appropriations bills for the year that begins October 1, and the other committees know what the requirements will be. The question is whether we should have a longer term commitment on dealing with our budget problems.

We do need a bipartisan, credible program that involves not only the Democrats and Republicans in the Senate, but also the Democrats and Republicans in the House, and the President of the United States. We need to avoid sequestration, and we need the predictability for our economy and for those who act upon our actions to know what the rules will be. We need to have a responsible plan to deal with the long-term deficit that is balanced and fair, that involves more revenue and spending cuts, that allows our recovery to continue, and is bipartisan.

I compliment Senator CONRAD for his leadership in giving us an opportunity to move in that direction. I think Senator CONRAD showed tremendous leadership on behalf of the Democratic members of the Budget Committee to forgo bringing forward a partisan budget and instead said: Let's take a look at a long-term budget that can get bipartisan support, that has been tested, that has been out there, and that is called Bowles-Simpson.

We are talking about the broad outline. A budget document gives broad instructions to the committee. It is the so-called macro numbers. I think the chairman has provided us the leadership on that issue. But do not get confused, we have a budget for the fiscal year that begins October 1. We have it earlier than we have ever had it, and it has the force and effect of law.

Each of the four Republican plans that we will be voting on moves us in the wrong direction to accomplishing those goals. They use almost all of the spending cuts that are included in these budgets for additional tax cuts. It benefits primarily those who do not need an additional tax cut. The House Republican budget would provide $1 trillion in tax cuts for the wealthiest among us, giving millionaires an average tax cut of $150,000. At the same time, that budget would ask our college students to pay more by allowing interest rates on their loans to increase, and they would ask our seniors to pay more by paying more for their Medicare benefits.

They have it backward. Those who have sacrificed the most during these economic times under Republican budgets would be asked to pay more. Those who have benefited the most during that period of time would get

additional tax cuts. That is not what we should be doing. It would hurt our economic recovery.

It is irresponsible to make the types of cuts that are in the Republican budget that deal with American innovation. Take a look what it would do for basic research in this country, which I hope we all agree is necessary for America to continue to lead the world in innovation. In my own State of Maryland I look at the jobs we created in the biotech field, through cybersecurity. Basic research is critically important to advance those job opportunities and economic opportunities for America. It would reduce our commitments to building our infrastructure—our transit systems, our roads, our energy grids. If we are going to be competitive, we need to rebuild America to meet the global challenges.

It would reduce our commitments in education. An educated workforce is America's future. Investing in our children is what we should be doing. The quality of K 12 would suffer, even pre-K—what they do with Head Start—and I already mentioned the cost of student loans in postsecondary education would go up. For our seniors, they would be thrown into a voucher program in Medicare at the mercy of private insurance companies and asked to pay more when they are already overburdened by the costs of their health care.

Under the Toomey budget, they would block-grant Medicaid, throwing that burden onto our States. Our children and families would suffer.

Under the Paul budget, Social Security benefits would be reduced on average by 39 percent. Social Security is a vital lifeline for the people of this country. Turning it into a program that becomes a political football is not what we need for this country. For our students, the cost of a college education would be increased.

We need to put forward a credible plan to reduce the deficit. We need to do this—and we have done it before. When Bill Clinton was President of the United States and I was serving in the House of Representatives, we passed a plan that balanced our Federal budget and actually created a surplus. How did we do it? We did it through a balanced approach. We did it through cutting spending and raising the revenues so we paid our bills. What were the results? Our economy took off, creating millions of jobs. That is what we need to do again.

How do we get this done? Let's get working together. Let's have Democrats and Republicans work together in order to come up with a balanced approach that has spending cuts and those who can afford to pay more should be paying more because it is not fair to future generations for us to spend money today and ask our children and grandchildren to pay for it tomorrow.

Let us protect the programs that are important for economic growth, for the dignity of our seniors, and for the welfare of our children. It starts with rejecting the extreme partisan budgets that our Republican colleagues are offering on the floor. I urge my colleagues to reject those budget resolutions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAPO. Mr. President, I appreciate the efforts by our Republican leader, MITCH MCCONNELL, and by the ranking member of our Senate Budget Committee, JEFF SESSIONS, to give the Senate a chance today to do its job. It has been more than 3 years since the Senate has passed a budget, almost 1,100 days, $4 trillion in increased debt since we last had a budget. Yet it seems as if the current majority are the only ones who do not think passing a budget is part of our job.

I have to stop here for a moment and commend the chairman of the Senate Budget Committee, Senator CONRAD. I know he has fought mightily to get a budget to this floor. But the politics he faces have not allowed him to do so. As of today, for 1,100 days we have not been able to see a budget proposal reach the Senate floor from our committee.

I have worked with Senator CONRAD long and hard and will continue to do so, trying to get a broad, bipartisan solution brought forward. But today we need to take action on the Senate floor. Everyone else has a budget. The President has offered a budget. The House Republicans have offered a budget. The House Democrats have offered a budget. The Senate Republicans have introduced several budgets, which we will vote on here today.

Every American family and every American business has to develop a budget. Previous Congresses, including those that enacted the Congressional Budget Act last year, clearly saw the importance of Congress enacting a budget every year. In fact, it was that congressional budget act that we were able to get in place last year that put into effect the mechanism we are employing today which says if the majority party leadership fails to bring a budget forward by the statutory deadline, then any Senator has the right to call for consideration of any budget on the Senate Calendar.

Let's look at the budgets we will be voting on today. First we have the President's budget. At a time when our national debt is more than $15.6 trillion, well more than 100 percent of our gross domestic product, the President's budget seemingly makes no acknowledgment of the dramatic and predictable fiscal crisis we face. Instead of embracing the comprehensive work of his own fiscal commission, the Bowles-Simpson commission on which I served, or any of the other key bipartisan proposals that are available such as the Ryan-Wyden proposal or the Domenici-Rivlin plan or even coming up with a true reform plan of his own, the President's budget regrettably remains within the old discredited framework of trying to tax and spend our way into prosperity.

The President's budget would raise taxes by $2 trillion. This is in addition to the $1.2 trillion of tax increases in the health care law which are just beginning to take effect and will continue to roll out over the next few years. Perhaps even more remarkable, the President's budget actually increases spending by $1.2 trillion more than current law. So another $1.2 trillion in new spending, another $2 to $3 trillion in new taxes, no structural entitlement reform, and no discretionary spending reform.

Even though it is widely acknowledged that the current paths of our entitlement programs are unsustainable and even though they are on track to soon become insolvent, the President's budget has no comprehensive reforms to our entitlement programs—none. The modest amount of health care savings he does propose would not even be enough to offset the extension of the doc fix or the other increases in the health care spending he proposes.

This is a dangerous approach, and it should be noted that this budget failed by a vote of 0 to 414 in the House. Yet we have no other pending proposal from the other side to consider.

Today the Senate will also have an opportunity to reject the President's approach to the Federal budget, and I expect it will do so, just as it did last time. Because the Democratic majority here in the Senate has failed to produce their own budget, we will also have the opportunity to vote on some important budget proposals offered by the House Budget Committee chairman and by our own colleagues here in the Senate, Senators TOOMEY, PAUL, and LEE. Each of these proposals would include true comprehensive reforms to our entitlement programs to prevent the impending insolvency and to protect the programs for current and future generations, and would put us on a sustained pathway to balancing our Federal budget.

These budgets also call for comprehensive tax reform which takes us out of the old paradigm of Congress debating whether to raise or cut taxes and, instead, these proposals would each in their own way dramatically streamline the Tax Code, reduce the tax rates, and unleash significant economic growth in our economy. A byproduct of this robust economic growth would be an increase in revenues to help us deal with our pending debt crisis.

I again commend the chairman, Senator CONRAD, for his effort to bring forward a comprehensive plan, a solution—one that originated with Bowles-Simpson on which he and I sat and one which has then been worked on by the so-called Gang of Six for a significant amount of time now to improve and bring forward, and one which the chairman is prepared to move when the opportunity is available. I have encouraged him to do it now. I believe we ought to have it on the floor today for this debate. But whenever the time becomes available, it is a proposal such as this that we need to be dealing with. We need to develop the bipartisan support that is necessary to pass it.

What is it? First of all, as we worked on the Bowles-Simpson commission, we made some basic decisions. We concluded that spending was the major problem—that is where the major part of the solution should be—but that revenue was also critical to the solution and that growing our economy was an important part of anything Congress should do. We first discussed putting together a strong approach to entitlement reform, structural entitlement reform. We put strong spending caps in place and we made clear that our spending patterns in the Federal budget would be brought under control. In addition, recognizing the importance and need for strong growth, we concluded that our Tax Code must be reformed and not on the traditional battleground of whether to raise taxes on one group or lowering taxes on another but in a complete paradigm shift to focus on the reforming of both our corporate and individual tax codes.

If you went about trying to create a Tax Code that was more unfair, more complex, more expensive to comply with, and more anticompetitive to our own American business interests, you would be hard pressed to do it different or worse than we have done with our own Tax Code. We concluded that we ought to reform that code to develop a strong, dynamic tax code for America to go forward with. That is why we proposed broadening the base, reducing the rates, and reforming the way we tax in America by simplifying our Tax Code and making America a strong, powerful, and robust economy as it historically has been.

Then we put together what is critical for any plan to succeed, and that is an enforcement mechanism. Congress has a perfect record of violating its own budgets. Congress has a record of ignoring the budgets, simply getting 60 votes to waive the Budget Act whenever Congress wants to spend in excess of a budget. Literally in every budget for the last two decades or more, Congress has done so; Republican or Democratic, the Congresses have done so. What we put together in our negotiations was an enforcement plan that would keep Congress within the walls of the budget we adopt. It would have a series of points of order to protect against the declaration of emergencies unjustifiably and would then force even emergency spending, that usually is conducted outside the budget, to be done in the face of a sequestration backed up by 67-vote points of order on the floor of the Senate. This kind of strong enforcement is also critical to what we must do to protect our Nation.

We need a comprehensive plan, we need to have entitlement reform, we have to have discretionary spending reform, and we need to have budget enforcement that is solid. We need to strengthen our revenue stream and enforce our Tax Code by lowering taxes. That gives American businesses the opportunity to compete aggressively across the globe.

If we do so, we will see a strong revenue component to our reform measures, and we will see strong growth coming out of the fact that we put together effective spending controls. But we have to get there. We have to do it.

I appreciate the opportunity to work with Senator CONRAD as we try to put this kind of broad, comprehensive reform package together and build bipartisan support for it. But I am very discouraged still that we cannot get a budget proposal onto the floor of the Senate that we can work on.

I also appreciate the leadership of Senator MCCONNELL and Senator SESSIONS, who have given the Senate the opportunity today to debate this issue and have votes, at least, on meaningful proposals that move us down the path I have discussed, and put us onto a pathway for economic prosperity and growth for all.

America is at a terrible crisis point. Our national debt is now exceeding over 100 percent of our GDP and threatens our economy. We must take action. We cannot let another year go by without adopting a budget on the floor of the Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from North Dakota.

Mr. CONRAD. I would say to Senator BOXER the situation we find ourselves in is we only have 34 minutes left on our side. I will yield 7 minutes to Senator BOXER.

Senator MURRAY is here now.

Mrs. BOXER. I will wait.

Mr. CONRAD. We have a situation in which our time is rapidly fleeting. They have much more time left on their side than we do on ours.

Could the Senator do her presentation in 7 minutes?

Mrs. MURRAY. I will attempt to do my best.

Mr. CONRAD. Mr. President, I ask unanimous consent that Senator MURRAY be allowed to speak for 7 minutes followed by Senator BOXER for 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I wish to thank Senator CONRAD for his leadership on this issue. At the end of last week, the Republicans in the House of Representatives passed legislation that continues their mad dash away from the bipartisan Budget Control Act and reflects the upside-down priorities that are guiding their party and stands absolutely no chance of passage in the Senate.

I think it would be very helpful at this point to remind my colleagues of the recent history that has brought us to this point.

In August of last year Democrats and Republicans came together, and we agreed to the Budget Control Act to cut spending and put in place a process for additional deficit reduction. The purpose of that bipartisan agreement was to move toward serious deficit reduction and to give some consistency to the Federal budget so the American people would not be threatened with a government shutdown every few months. That bipartisan deal sets the levels for next year's discretionary spending, which allows Congress to do its jobs and work to allocate Federal resources toward investments in jobs, infrastructure, innovation, maintaining our commitment to our servicemembers and their families, and protecting and supporting the middle-class families and so much more.

That was the agreement we came to. Speaker BOEHNER shook on it, Minority Leader MCCONNELL shook on it, Majority Leader REID signed it, joined many of my colleagues in voting for it, and then President Obama signed it into law. It became the law of the land. I would add it is binding and replaces and carries more weight than a budget resolution. It makes the budget resolutions we are debating today nothing more than political theater.

Senate Democrats fully intend to honor our word and stick to the bipartisan budget levels for next year, and Senate Republicans in our Appropriations Committee, including the minority leader, recently voted to stick to those levels as well. I was disappointed that less than 9 months after we shook hands on that deal House Republicans turned right around and broke it. They put appeasing their extreme base ahead of the word they gave to us and the American people. They demonstrated clearly that a deal with them isn't worth the paper it is printed on.

Despite House Republicans reneging on the deal, the Budget Control Act is the law. It is signed, and we have so many challenges ahead of us as a nation we cannot afford to relitigate bipartisan deals every time members of the extreme end of the Republican Party make some noise in a meeting.

House Republicans are not only trying to relitigate that Budget Control Act, they want to pretend it never happened.

As part of that deal, in addition to the $1 trillion in discretionary spending cuts, a joint select committee on deficit reduction was formed to reduce the deficit by at least an additional $1.2 trillion. In fact, if they couldn't come to an agreement, the bipartisan Budget Control Act put in place automatic spending cuts, or sequestration, which spread evenly across defense and non-defense spending.

We all knew at the time the sequestration was not the ideal way to reduce spending, but we wanted to have that in place so that painful cuts were prominent and would help both sides to come to a bipartisan compromise.

I was called on by the majority leader to cochair that committee with Republican Representative JEB HENSARLING, and I am proud of that committee's hard work. I was extremely disappointed in the end that committee was not able to come up with a bipartisan deal.

I want to be clear—because this is very relevant today—we weren't able to get a deal because Republicans refused to even consider tax increases on the wealthiest Americans. The talks fell apart around that issue and that issue alone.

I came to the table with many of my colleagues with proposals for serious compromises on spending and a willingness to move forward with smart changes to strengthen entitlements. We knew many of these compromises would be painful, but we were willing to put them forward to get to a bipartisan deal and a balanced deal. But as much as we offered, we couldn't get our Republican colleagues to give an inch when it came to taxes on the wealthiest Americans and the biggest corporations even though the rich are paying the lowest tax rates today in generations. They were fundamentally opposed to any plan that would call on the wealthy to pay a penny more in taxes.

In poll after poll Americans overwhelmingly say they want to see a balanced approach to tackling the deficit and debt that puts everything on the table, including revenue. Every single bipartisan group that has come together to tackle this—from Simpson-Bowles, Domenici-Rivlin, Gang of 6—has included a balanced approach that reduces spending and raises revenues. That is the only real and fair way to tackle this challenge, and it simply doesn't make any sense to solve this problem with cuts alone.

So as we watch House Republicans rolling back the automatic cut they don't like and acting as though the bipartisan Budget Control Act never happened, I say to them today what I said to the Republicans in the joint select committee: We will not allow the debt and deficit to be reduced on the backs of our middle-class and most vulnerable Americans without calling on the wealthiest to contribute as well. It is not fair, it is not what the American people want, and it is not going to happen. We are facing these automatic cuts because Republicans continue to protect the rich above all else. Unless that changes before the end of the year, our country is going to have to face the consequences of intransigence.

Republicans in the House of Representatives are not only acting as though the BCA never happened, they are highlighting the moral and intellectual bankruptcy of a party that allows itself only to think in terms of cutting, shrinking, eliminating, and never in terms of investing and growing and fairness. The legislation they passed would roll back sequestration for next year by simply taking funding from programs middle-class families and the most vulnerable Americans count on and shifting it to defense. They want all of the deficit reduction from the Budget Control Act without any bipartisan compromise or shared sacrifice.

Since they refuse to consider raising taxes on the wealthy, the only way they can increase spending on defense is by absolutely devastating critical government investments in our families and in our future.

According to a report from the Center on Budget and Policy Priorities, the House legislation would not only roll back sequestration on the defense side, it would increase overall defense spending by over $8 billion.

And while they may say they are rolling back the automatic cuts on non-defense spending too, this report shows House Republicans are slashing these programs almost three-quarters of the way to what would be cut under sequestration.

Since they need to find a way to pay to undo the automatic cuts they don't like, their bill cuts even deeper into programs millions of families across America count on.

According to that same CBPP report, the Republican legislation would cut food assistance to the most vulnerable families, Medicaid, the Children's Health Insurance Program, and block grants for States to run programs to help families and workers get back on their feet.

So House Republicans are actually increasing defense spending, protecting the wealthiest Americans and biggest corporations, and throwing the entire burden on the backs of middle class families and the most vulnerable Americans.

That's not just bad policy, it is simply wrong.

If Democrats were willing to accept a wildly imbalanced deficit reduction plan to avoid the automatic cuts, we would have done that in the Joint Select Committee. But we didn't then, and we won't now.

Any bipartisan deficit reduction plan, whether the goal is to reduce the deficit in a better way than the sequesters or to put our country on sound fiscal footing over the long term, has to be balanced. It has to be fair. And it has to work for middle class families across America. That means responsibly cutting spending. It means making sure entitlement programs that seniors and the most vulnerable families depend on are strengthened and secured for the next generation. It means examining where we can save money on the defense side. And it means raising revenue from the wealthiest Americans and biggest corporations who are paying close to the lowest levels in generations.

Because budgets aren't just numbers on a page. They aren't just about charts and formulas and trajectories. Those are important but budgets are also about real people, with real lives. They are about investments in our families, our communities, and our economy. They are about the kind of country we want to be now and in the future. And above all, budgets are about the choices and priorities of a nation.

Democrats are willing to make compromises. We are willing to have those tough conversations and come to the difficult agreements we know are necessary. We are willing to put everything on the table.

And I truly hope Republicans decide they are ready to do the same and end their commitment to protecting the rich from paying a penny more in taxes. Because while so many families continue to struggle, I think it's more than fair to ask the richest Americans to pay their fair share.

While we scour programs that so many middle class families rely on for fat to trim, I think it makes sense to scour the tax code in just the same way and eliminate the egregious loopholes that the wealthiest Americans and biggest corporations take advantage of.

And while oil and gas companies are making record profits, I think it just makes sense to end the handouts they get every year from U.S. taxpayers.

So Democrats stand ready to work with Republicans on this. But what House Republicans did last week has moved us in the wrong direction, and makes it even harder to get to the bipartisan deficit reduction deal they say they want.

So I urge them to end this partisanship.

Stop allowing a small and extreme minority of members to dictate policy for an entire chamber of Congress. Stop protecting the wealthiest Americans from sharing in the sacrifices so many Americans are making every day, and to truly work with us to get this done for the American people.

As soon as that happens, Democrats stand ready to get to a balanced and bipartisan deal.

The choices we make as a body in the coming months will affect every single American. As we have said from the start, we will put everything on the table, but that word is ''everything.'' We cannot come to a solution in America unless everybody contributes and there is shared sacrifice. That is the principle we have been fighting for, it is the one we will continue to fight for, and that is what the American people want. I am proud to stand with my party to continue to fight for that.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I rise to say that it is stunning to see the Republican Party running away from a bill they supported and a deal they cut. The deficit reduction deal was led by Senator CONRAD. The Budget Control Act is the law of the land. Instead they are offering up a series of budgets that I believe will destroy this country.

Why do I say that? Because they destroy the middle class and they give to the millionaires and the billionaires. That is a recipe for a third world nation, the haves and the have-nots. I hope the American people wake up and pay attention because a budget is a statement of who we are as a people.

I was proud to serve on the Budget Committee. I wish I was still on there, but I had other options for my State. I decided to leave the Budget Committee and go on the Commerce Committee. That is one tough committee, and we are going to miss Senator CONRAD. His leadership is exemplary, and he has explained why the replacement budgets the Republicans have offered are unworkable. Some of them don't even make any sense.

This is serious business because one of them did pass the House. Not only did it pass the House, but then they passed another law, and we call it reconciliation, which is dangerous in what they did. They stood with all of their heart, with all of their soul, with all of their power and their fervor to fight for the 1 percent. They are fighting for the millionaires, the multimillionaires, the billionaires, and the trillionaires; that is who they are fighting for. They are giving them back an average of $150,000 a year. Over the 10-year period that average millionaire can write a big kiss to the Republicans if this ever becomes law because they would get back $1.5 million over the 10-year period.

How do they pay for this largess? How do they pay for this warm, fuzzy hug to the people who have everything? They cut the heart out of the middle class. I will give some examples. They would allow student loan rates to double so students would have to pay not a 3-percentage point interest rate on their student loans but over 6 percent.

They will cut the heart and soul out of America's infrastructure. Did you ever look at the construction industry lately? Well, there are 1.4 million unemployed construction workers. We need to make sure they are building the roads, highways, and the 70,000 bridges that are deficient. Half of our roads don't meet the standards. We need to rebuild America, as the President said—not Afghanistan, not Pakistan. Thank you very much. Iraq? The blood of our people is on the ground over there. It is time to spend that money here as our President has said.

They continue all that war spending, they add to that war spending, and they expect everybody else to stand back and quietly accept a doubling of their student loan rate and a cut in the transportation program.

They end Medicare, period. They are going to turn it into a voucher system, and our elderly are going to have to negotiate to try and find a way to pay for health insurance, and it will cost them thousands of dollars more.

One of these budgets actually cuts Social Security by 39 percent. Imagine a Social Security recipient living on $18,000 getting a cut of almost 40 percent.

So this is what they are doing, I say to my colleagues. They eliminate the Department of Education. They eliminate the ability for many people to pay for their energy assistance in the winters. They walk away from alternative energy, which is going to free us from foreign oil and make us safer. That is what they do, and they do it all in the name of tax breaks for the people in America who—I am very proud of them. They made it. In my State, a lot of those folks who have made it have written to me and said: Senator, we want everybody to have the chance we had.

The only passion of Republicans is for those who have. They practice Robin Hood in reverse. In one of the budgets, they even—I think it is the Ryan budget—tax the poorest people. They tax the poorest people. They raise taxes on the poorest people, and they cut taxes on the richest people. Robin Hood in reverse. Isn't that sweet? Isn't that kind? Not. So they bring America to its knees. They walk away from the Budget Control Act. Do we know why they don't like it? Because it forces spending cuts across the board. I don't like that, but we are serious about deficit reduction.

In my closing remarks I will say this: In the last 40 years, one party balanced the budget. In the last 40 years, one party created a surplus. That happens to be the Democratic Party and a Democratic President named Bill Clinton. How did we do it? We met each other halfway. We said that when we are faced with a crisis, we have to put everything on the table and everybody makes a little bit of a sacrifice. It is no big deal. We ask the people who have the most to do a little more, and we find ways to cut spending. That is what we did in the Clinton years. Do we know what happened? We created I think 23 million new jobs. We created 23 million new jobs. We balanced the budget, we created a surplus, and now we have to listen to the demagogues over there lecture us about how to balance the budget. Wrong. We know how to do it. They don't know how to do it. All they know how to do is stand up and attack our President when our President inherited this terrible deficit from George W. Bush, who took a surplus—Bush did—and turned it into deficits as far as the eye can see. And we were losing—I ask unanimous consent for 30 additional seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. We were losing how many jobs a month? We were losing 800,000 jobs a month when our President took over. The country was falling apart.

He saved the auto industry—it is back on top—when others said: Let them go bankrupt. He started the job creation. It is not good enough, but I will tell my colleagues one thing: If we are going to make it better, we better start working together.

Let's live by the Budget Control Act that is the law of the land, and let's use that time to find a long-term solution, as we did in the Clinton years.

Thank you very much. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I wish to make a reference to the Budget Control Act. One of my colleagues said we are running away from the Budget Control Act. I would suggest that is not accurate. In truth, the Budget Control Act was a cap on spending, and the Republicans have proposed that we spend less than that, as any economist would tell us we need to do because it wasn't sufficient.

The difficulty arises, however, when we consider what President Obama proposed with regard to the Budget Control Act. It is amazing. In August President Obama signed the Budget Control Act as an agreement to raise the debt ceiling by $2.1 trillion in exchange for reducing spending by $2.1 trillion. He signed that, it went into effect, and it is the current law today. But when he proposed his budget in January of this year that we will vote on later today—and I expect it will not get a single vote, and it should not—President Obama's budget wiped out half of those savings. So $1 trillion of those savings were wiped out, and he replaced it with almost—he added more spending in addition—Mr. President, I am having a little trouble thinking here.

The PRESIDING OFFICER. The Senate will be in order. The Senate will suspend for a moment.

The Senator from Alabama.

Mr. SESSIONS. So I think the dramatic event that has gone unappreciated is that the President's budget eviscerates the Budget Control Act and puts us back on full speed tax and spend.

I see my colleague Senator ENZI is here, a senior member of the Budget Committee who has been involved in so many important issues. He is an accountant, a small businessman, and he understands the real world and the value of a dollar. I yield to Senator ENZI.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the ranking member of the committee for all of his work on this issue and the suggestions he has as to the importance of what we are doing today.

I rise today to discuss our Nation's budget situation and the budget proposals we will vote on later today. While I am pleased that my colleagues have put forth a number of good ideas, this debate is long overdue.

The Congressional Budget Act sets a statutory deadline of April 1 for the Senate Budget Committee to report a budget resolution and a deadline of April 15 for completion of a congressional budget. Despite these statutory deadlines, it has been more than 3 years since the Senate passed a budget, and the majority party once again refuses to debate this important topic through the normal budget process. We did not mark up a budget in the Senate Budget Committee, and we have not been given the opportunity to offer amendments to any of the budgets that are before us on the Senate floor. That is disappointing.

With a national debt approaching $16 trillion, and it is hard for me to even say $16 trillion—I saw a kid with a t-shirt that said, ''Please don't tell him what comes after $1 trillion.'' With $16 trillion in debt, we cannot afford to continue operating without a budget that is a blueprint to put the country on a sustainable path in both the short term as well as the long term, and we better be looking at that long term as well.

We cannot continue to simply spend money we don't have without a plan to get our spending under control. We are so bad on spending that we are taking 10 years' worth of revenue to pay for 2 years' worth of projects, and those are projects that will continue after that. I don't know what we do after the 2 years. How far out can we borrow money that may not even come in because it might not even be budgeted? A budget is supposed to do just that—it is supposed to put spending under control. But instead, for the third year in a row, it looks as if the Senate majority will refuse to pass a plan to help fix the fiscal crisis we face.

In the 3 years since the Senate majority passed a budget, our country has spent approximately $10.4 trillion. We have accumulated around $4.5 trillion in gross debt, which translates to an additional $15,000 for every man, woman, and child—$15,000 for every man, woman, and child—which brings it up to about $49,000 total for every man, woman, and child. Since we last adopted a budget, we have spent more than $626 billion on net interest payments to service the debt alone. These are unsustainable levels of spending. Yet the majority continues to ignore the problem and refuses to take these numbers seriously and consider, much less pass, a budget.

The majority argues that we have a budget in place because of the passage of the Budget Control Act, which also governed our spending in fiscal year 2011. But if that truly governed what we are doing, why did the President even submit a budget to us? If that was the budget, he shouldn't have gone to all the effort to put his own budget together. But he felt he needed to put a budget together.

In fiscal year 2011, the government brought in slightly more than $2.3 trillion in revenue. At the same time we collected $2.3 trillion, we spent $3.6 trillion. In other words, we overspent by $1.3 trillion. That is more than 50 percent of the revenue we were expecting. We are on pace for another $1 trillion deficit this year. The Budget Control Act may include some spending limits, but with record trillion-dollar deficits, the Budget Control Act cannot replace an actual budget that puts in place long-term spending cuts and helps get our country back on the path to balance. Again, if that Budget Control Act really took care of everything, the President would not have needed to submit a budget. He did.

I applaud the President for appointing a deficit commission. We tried to pass that as a bill. It came close, but it didn't make it. He saw there was a need, and he appointed a commission. The commission was cochaired by Erskine Bowles and Senator Alan Simpson. They painted a pretty bleak picture for our country. More than a year and a half has gone by since they painted that bleak picture, and it has gotten worse, not better. I really expected at the State of the Union that year that the President would have painted the same bleak picture he had been handed by the deficit commission. It was scary. It is now scarier. But he didn't. Instead, he gave us another stimulus budget. I think if he had painted the bleak picture in the State of the Union that was handed to him by the deficit commission, if he had painted that same picture and not placed a solution out there but painted the picture so America would understand where we are with the debt and the deficit—if he had done that, he could have come out with a budget that was parallel to what Simpson-Bowles had, and I think we would have had a solution over a year ago.

We have a nearly $16 trillion debt that keeps growing. It is unaffordable, and we need to make a change. What will happen if we don't act and if we don't cut spending? We won't be able to afford the military we need. People will have drastically reduced Social Security checks. Roads won't be fixed. All of our money will go toward paying interest on the debt.

People shouldn't doubt that this is real. There were riots in the streets in Greece when their government was forced to deal with the realities of debt. In the United States, we owe $49,000 for every man, woman, and child. In Greece, they only owe $39,000 and had to make drastic cuts, and they had riots in the streets. Now they have stepped back with the recent elections and are trying to turn away from the reality of their debt. Does that sound familiar?

I have news for my colleagues. Our debt per person, as I mentioned, is more than Greece's debt per person. It is more than Italy's debt per person. In fact, the United States owes more than all of the Euro countries and the United Kingdom put together.

My Republican colleagues and I have put forth a series of budgets that would help to improve the fiscal situation. I drafted legislation that would reduce spending by 1 percent per year until we reach balance. By reducing spending by 1 percent, we can achieve balance by fiscal year 2017. That is a 1-percent reduction per year to 2017, and most of the people I have talked to—and I have talked to a lot of people in Wyoming and some other places around the country—have said 1 percent is not bad. One percent is definitely not bad if we compare it to the possibility of a 19-percent cut when we step off the cliff.

The House of Representatives passed a budget last year that cut spending by $5.8 trillion. This year the House passed a second budget that would reduce the deficit by $4.4 trillion, in comparison to the President's budget over the next decade, which does nothing to improve the short- or long-term economic outlook of the country. In fact, President Obama's budget would make things worse.

Senator TOOMEY has put together a detailed budget plan that would balance the budget within 8 years. It would enact corporate tax reform, and it would adopt important changes to the entitlement programs that are the drivers of the Nation's unsustainable debt.

Senator PAUL has put forth a budget that would balance within 5 years. Of course, it eliminates four departments and reduces spending by $8 trillion over

the next 10 years. It seems radical, but we are facing a cliff, and he is willing to put a budget out there.

Senator LEE has also introduced a budget that balances our budget by fiscal year 2017 by cutting spending by $7.1 trillion over the next 10 years, and it, too, reforms Medicare and Social Security.

Why do we have to reform Medicare? Well, in the health care reform bill we took $½ trillion out of Medicare. It was already going broke but, don't worry, we put in a special panel that will tell where cuts can come from each and every year, and if we don't suggest different cuts, those go into effect without a vote of the U.S. Senate. The only places they can cut are doctors, hospitals, nursing homes, home health care, and other providers. If you do not have a doctor, I do not think you have much medical care.

There are going to have to be reforms in Medicare. We have already forced that. For Social Security, there are not as many people working now as will soon be on Social Security, and that creates problems. I do not agree with everything that is included in these budgets I have mentioned, but I want to commend my Republican colleagues for making tough choices and putting forth solutions.

While they have been doing that, President Obama and the Senate majority have ignored the problem and refused to acknowledge the need to cut spending. They have demonized Republicans and suggested it is our intention to harm seniors, poor people, and children. One advertisement showed a picture of House Budget Chairman RYAN pushing an elderly woman off a cliff. That kind of rhetoric does not help anything, that rhetoric is over the top, while their solutions have been nonexistent.

Last year, President Obama's budget was such an empty proposal that it failed by a vote of 0 to 97 in the Senate. In the House this year, his latest budget failed by a vote of 0 to 414. I suspect it may face the same fate when it is considered later today—the same one they voted on. Not a single Member of either party was willing to support the President's budget proposal. How is that for leadership?

In some of the countries that have a parliamentary form of government, they have heard about these votes and are terribly shocked because in their country it would call for a special election and a new Prime Minister.

We will be voting on five budgets later today—four from Republican Members and President Obama's budget. Absent from the discussion is a budget produced by the Senate majority that is shirking their responsibility to govern.

We are in too serious a situation to continue ignoring the budget problems we face. At a time when the national debt breaks down to more than $49,000 for every person in Wyoming and across this country, we cannot afford to continue business as usual. We cannot continue punting the tough decisions simply because the tough decisions might impact our reelection campaigns. The decisions that are painful today will be even more painful in the future.

We talk about pay-fors here when people want to do a new program or continue an old program with additional expenses, but we better start including the debt. Our debt is greater than the value of everything we produce in this country in a year. That is the gross national product. The debt is greater than the gross national product. There are a lot of stories about what happens when your debt gets greater than the gross national product, and none of them is good.

I have heard from a lot of people in Wyoming about the national debt and the lack of a budget for more than 3 years. While they have differing viewpoints on the best solution, they have one common message: Do something. Do something, and do it as soon as possible. I am concerned that, after votes, we will end up in the same place we started—without a budget and without a fiscal plan to get our Nation's debt and deficit in check. I do not know about you, but it is keeping me up nights.

Some of my colleagues have offered plans to make that happen. Those who control the Senate appear content to sit on the sidelines and criticize. While that happens, we continue to add trillions of dollars to our national debt. I would encourage my colleagues on the other side of the aisle to think about what that means to future generations and join us in finding a plan to fix our fiscal woes.

I know that is what they are thinking about because I have been in meetings off of the Hill where they have talked about this same thing. But we have to solve it; we cannot just talk about it. We cannot give it lip service when we are off of the floor and excuse it when we are on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, before Senator ENZI leaves the floor, he made reference to the fact that in the European parliamentary system, when a Prime Minister proposes a budget that fails, that would be cause for collapse of the government and a new election.

He also correctly recalled how the deficit commission that was appointed by President Obama came back with a number of recommendations that would have gone far farther than the President's budget in dealing with our debt course.

But I would ask the Senator about that moment he mentioned, after the debt commission reported, when the President came before the joint session of Congress to give the State of the Union. Was the Senator surprised and disappointed that the President virtually ignored the debt commission and did not take the opportunity to explain to the whole audience of the American people that we are on an unsustainable course that could lead to financial catastrophe?

Mr. ENZI. Mr. President, I was both surprised and disappointed. I thought he had a unique opportunity, and it had been handed to him on a platter that he designed. He appointed these people, and they put a lot of hours into it, including the Senator from North Dakota, who is here on the floor, and came up with a plan. It was not a pleasant plan by anybody's imagination. It was an important plan by everybody's—well, evidently not everybody or we would have adopted it by now. But it had some critical things in there that should be taken care of, that should be considered in a budget, and should have leadership coming from the White House. That is where leadership on budgets happens.

I remember being in the Wyoming legislature. We have a requirement that you have to balance the budget each and every year, and we do that. If you find out there is going to be a deficit before the legislature meets—and they only meet for 20 days in the budget year—if you know about it before that time, then the legislature has to make those cuts. One of the things I noted was when we made the cuts, the people in the administration picked out something that was painful and made that cut so the constituents out there would say: Oh, that really hurt. Those stupid legislators picked the wrong things. Well, it was not the legislators who picked the wrong things. It was the people in charge of each of those trying to make sure the legislature felt pain.

If that deficit is noted outside of the time of the few days that the legislature meets, then the Governor has to make the cuts. Virtually everybody in the administration worked for the Governor. So when he made the cuts, they took the priorities and they chopped off the lowest priorities, so it was not noticeable around the State, and it works out well. That is leadership. That is tough leadership because the Governor does not like to have to be the one who is held up for all the scrutiny of what is spent.

That is what the President has to do. That is the President's job, to get this budget back in balance. There are some examples around the world where, when they put the budget on a path to balancing, the economy comes up.

Mr. SESSIONS. Yes.

Mr. ENZI. That gives people a little bit of confidence of what can happen. Right now, there is not a lot of confidence around this country, so the

economy is dropping. But a good budget, that follows a plan, that gets us in fiscal stability, would make a huge difference for this country and stimulate business.

Mr. SESSIONS. I could not agree more. I do believe the debt course we are on, which is unsustainable—every expert and the witnesses who come before the Budget Committee on which Senator ENZI and I serve have told us it is unsustainable, and if we get off of it and tighten our belts and do things such as Governor Bentley in Alabama is doing, Governor Christie has had to do, Governor Brown is now facing in California—they let that State go so far out of control, it is going to be difficult to bring it back—but they have to make tough choices. If we do that, I believe we will get some positive impact on the economy from the confidence that restores.

I say to Senator CONRAD, I see Senator LIEBERMAN is here. I would be willing to yield if you are ready to use some time now.

Mr. CONRAD. Could I say to my colleague, we have 17 minutes left on this side. We have four Senators left to speak. The Senator has, I think, probably 54, 53 minutes left—something like that.

So I say to Senator LIEBERMAN, if you could take about 4 minutes, if that would work for you.

Mr. LIEBERMAN. I was hoping for 4 ¼ minutes. OK. I will do my best.

Mr. CONRAD. Sold.

Mr. SESSIONS. Mr. President, I will yield 4 minutes to the Senator from our side.

Mr. LIEBERMAN. I thank the Senator.

Mr. SESSIONS. He will have a flat 8 minutes.

Mr. LIEBERMAN. That is very generous of my friend.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Senator from North Dakota and the Senator from Alabama.

I have been listening to some of the statements that are being made. They are quite sincere. They are quite interesting. But I am afraid, in the end, they are not going to signify very much except good intentions.

We have ourselves in a position here where we all know the country has a terrible problem. We are spending a lot more than we are bringing in. The simplest way to explain it is, the last time I looked—I think I am still close on this—revenues of the Federal Government are about 15 or 16 percent of gross domestic product and the spending of the Federal Government is about 25 percent of gross domestic product. There you have a yawning, enormous deficit, which adds up now to a long-term debt of over $15 trillion.

We cannot go on like this and be a great country. We cannot go on like this and have any hope of economic recovery. I happen to agree—I should say in gratitude for the extra time Senator SESSIONS has given me—I happen to agree with the last thing he said. I think—and I am not alone; I think some people on both sides feel this—the best thing we can do for our economy and economic growth is to adopt a bipartisan long-term program that will reduce and hopefully eliminate our debt. Why? Because it will restore confidence in the American economy.

We all know that jobs do not come from government. They should not come from government or in government. Jobs that people want, need, come from the private sector. The last time I looked, the private sector—American business—was sitting on somewhere between $2 trillion and $3 trillion of liquid assets that they are not spending. Why aren't they spending it? They have very little confidence in the future—not just confidence about how the economy is going to be, but what we are going to do, what the government is going to do.

I think if we adopted a long-term bipartisan debt reduction program that gave them some sense of security about what taxes and spending policies were going to do for some years ahead, they would start to invest that $2 trillion to $3 trillion again, and that would create hundreds of thousands of jobs that people desperately need, who are trying so hard to get back to work.

Look, basically we know what we have to do to make this happen. To state it bluntly, it has to be a combination of tax reform and entitlement reform. We have to raise revenues so they get back up to 18, 19, 20 percent and we have to bring spending down—most of the spending increases are coming from entitlements—to about 18 or 19 percent of GDP so we can be in balance. It is not very mysterious how we are going to do this. But the political will is not there now to make those tough decisions.

Today is a classic moment. We have these budget resolutions that are before us as a matter of privilege. They are privileged matters. I have wanted to vote to proceed to some of them just to get on the subject matter, hoping that maybe the door would be opened for direction to various committees to come back with long-term solutions, as I have talked about.

We all know the Bowles-Simpson model is the one we are going to eventually get to. The question is, how close do we get to the fiscal cliff—or has our country gone over the cliff, falling down—and, finally, we rush in here and in a panic rescue it with something like Simpson-Bowles?

The closest Senate proposal that would do what we need to do is the one my friend from North Dakota has tabled in the Budget Committee. I wish we could vote on it. I do not know how many votes we would get, but I wish we could at least start the process.

I know everybody says we are going to come back after the election and there is going to be a burst of courage, I guess because the election is over, and we are going to do the Simpson-Bowles tax reform and entitlement reform. What I am sort of hearing in the wind around here is, do not count on it. I hope so. Senator CONRAD and I, it is going to be our last couple of months on this particular stage. There is nothing I know he would like more to be part of, and I can tell you nothing I would like more to be part of, than doing a bipartisan, long-term debt reduction program.

But I am fearful that it is asking an awful lot of the system in a short period of time, and the tendency will be to protect us from falling off the cliff by extending everything that is going to expire at the end of the year: stopping the sequestering, stopping the end of the Bush tax cuts. I hope I am wrong. I know there are some bipartisan groups that I have been part of that are working to get ready for that point.

That is important work, because it cannot spring out of nowhere. But our country's future is at stake, the future of the greatest economy in the history of the world, because of our irresponsibility is the only thing I can say, and we have been part of it. I take blame for part of it. We are not doing what the country needs us to do.

I am going to vote against the motions to proceed, because each of them, the proposals before us do not achieve anything near what we need to do in terms of a balance—entitlement reform, tax reform.

I do want to say one other thing which I hope we can get to soon. To say the obvious, but sometimes it is important to say it, the existing budget process has broken down. It does not work. It is not related to the reality of the economic or political times we are in. So the budget process does not work. Let me cite a couple of statistics. Not since early in 2009 has the Congress managed to actually pass a real annual budget resolution. I know the Budget Control Act does some of the things a budget resolution would do, but not all of them, and it does not do what the Budget Reform Act of 1974 called on us to do.

Listen to this. Only four times in the last 35 years—four times in 35 years—have the appropriations bills been completed prior to the beginning of a new fiscal year. What business or what other government entity could operate like that?

The last time Congress successfully passed all of the appropriations bills prior to the beginning of a new fiscal year was 1996. We know it because we have been here. Over and over again, Congress slides from one temporary

short-term appropriations bill to the next, months into the fiscal year, until we finally throw it into one big hodgepodge, which is not responsible government, and a lot gets hidden in it.

I want to raise the question—I know my friends on the Budget Committee have thought about it. I sense my time is up. I wonder whether we need a commission to take a look in a short period of time, 6 months, at the budget process we are following now and make recommendations for a new process that will work. Maybe it is a lack of political will and an inability to take on these tough issues now, but maybe it is the process, and maybe that is something sooner than later we can work together on.

I thank Senators CONRAD and SESSIONS for allowing me to speak as long as I was able to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I would share something that was in last week's Wall Street Journal, because it deals with an issue that is important and not to be dismissed, and that is should we begin to make reductions in spending today. I think Mr. Barro provides some real valuable insight to that.

With regard to Senator LIEBERMAN, I do think that the budget process can work. It should be able to work. But it will not work if we do not try to make it work. Under certain circumstances, it is hard to get a bipartisan budget if you do not have everybody together. So maybe it is worth examining whether we can make improvements there.

But Mr. Barro deals with this question. He writes:

The weak economic recovery in the U.S. and the even weaker performance in much of Europe have renewed calls for ending budget austerity and returning to larger fiscal deficits. Curiously, this plea for more fiscal expansion fails to offer any proof that Organization for Economic Cooperation and Development countries that chose more budget stimulus have performed better than those that opted for more austerity.

He continues. These are the developed countries in the world, OECD countries.

He goes on:

Two interesting European cases are Germany and Sweden, each of which moved toward rough budget balance between 2009 and 2011—

That is after the financial crisis—

while sustaining comparatively strong growth—the average growth rate per year for real GDP for 2010 and 2011 was 3.6% growth for Germany and 4.9% for Sweden. If austerity is so terrible, how come these two countries have done so well?

The OECD countries most clearly in or near renewed recession—Greece, Portugal, Italy, Spain and perhaps Ireland and the Netherlands—are among those with relatively large fiscal deficits.

The deficits for these six countries for 2010 and 2011 were 7.9 percent of GDP. Germany and Sweden did not raise taxes but cut spending. He goes on to say:

Every time heightened fiscal deficits fail to produce desirable outcomes, the policy advice is to choose still larger deficits—

Borrow, tax, and spend. He goes on to say:

If, as I believe to be true, fiscal deficits have only a short-run expansionary impact on growth and then become negative, the results from following this policy are persistently low economic growth and an exploding ratio of debt to GDP.

Japan, he goes on to note, ''once a comparatively low public-debt nation, apparently bought into the Keynesian message many years ago.'' That is the ''spend'' message. ''The consequences for today is a ratio of government debt to GDP around 210 percent, the largest in the world.''

I ask unanimous consent to have that article printed in the RECORD because I think it helps give us some guidance that at some point bringing spending under control and tightening our deficit clearly would achieve more financial benefit than continuing to borrow and spend or create new taxes that depress the economy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 9, 2012]

STIMULUS SPENDING KEEPS FAILING—IF AUSTERITY IS SO TERRIBLE, HOW COME GERMANY AND SWEDEN HAVE DONE SO WELL?

(By Robert J. Barro)

The weak economic recovery in the U.S. and the even weaker performance in much of Europe have renewed calls for ending budget austerity and returning to larger fiscal deficits. Curiously, this plea for more fiscal expansion fails to offer any proof that Organization for Economic Cooperation and Development (OECD) countries that chose more budget stimulus have performed better than those that opted for more austerity. Similarly, in the American context, no evidence is offered that past U.S. budget deficits (averaging 9% of GDP between 2009 and 2011) helped to promote the economic recovery.

Two interesting European cases are Germany and Sweden, each of which moved toward rough budget balance between 2009 and 2011 while sustaining comparatively strong growth—the average growth rate per year of real GDP for 2010 and 2011 was 3.6% for Germany and 4.9% for Sweden. If austerity is so terrible, how come these two countries have done so well?

The OECD countries most clearly in or near renewed recession—Greece, Portugal, Italy, Spain and perhaps Ireland and the Netherlands—are among those with relatively large fiscal deficits. The median of fiscal deficits for these six countries for 2010 and 2011 was 7.9% of GDP. Of course, part of this pattern reflects a positive effect of weak economic growth on deficits, rather than the reverse. But there is nothing in the overall OECD data since 2009 that supports the Keynesian view that fiscal expansion has promoted economic growth.

For the U.S., my view is that the large fiscal deficits had a moderately positive effect on GDP growth in 2009, but this effect faded quickly and most likely became negative for 2011 and 2012. Yet many Keynesian economists look at the weak U.S. recovery and conclude that the problem was that the government lacked sufficient commitment to fiscal expansion; it should have been even larger and pursued over an extended period.

This new point is dangerously unstable. Every time heightened fiscal deficits fail to produce desirable outcomes, the policy advice is to choose still larger deficits. If, as I believe to be true, fiscal deficits have only a short-run expansionary impact on growth and then become negative, the results from following this policy advice are persistently low economic growth and an exploding ratio of public debt to GDP.

The last conclusion is not just academic, because it fits with the behavior of Japan over the past two decades. Once a comparatively low public-debt nation, Japan apparently bought the Keynesian message many years ago. The consequence for today is a ratio of government debt to GDP around 210%—the largest in the world.

This vast fiscal expansion didn't avoid two decades of sluggish GDP growth, which averaged less than 1% per year from 1991 to 2011. No doubt, a committed Keynesian would say that Japanese growth would have been even lower without the extraordinary fiscal stimulus—but a little evidence would be nice.

Despite the lack of evidence, it is remarkable how much allegiance the Keynesian approach receives from policy makers and economists. I think it's because the Keynesian model addresses important macroeconomic policy issues and is pedagogically beautiful, no doubt reflecting the genius of Keynes. The basic model—government steps in to spend when others won't—can be presented readily to one's mother, who is then likely to buy the conclusions.

Keynes worshipers' faith in this model has actually been strengthened by the Great Recession and the associated financial crisis. Yet the empirical support for all this is astonishingly thin. The Keynesian model asks one to turn economic common sense on its head in many ways. For instance, more saving is bad because of the resultant drop in consumer demand, and higher productivity is bad because the increased supply of goods tends to lower the price level, thereby raising the real value of debt. Meanwhile, transfer payments that subsidize unemployment are supposed to lower unemployment, and more government spending is good even if it goes to wasteful projects.

Looking forward, there is a lot to say on economic grounds for strengthening fiscal austerity in OECD countries. From a political perspective, however, the movement toward austerity may be difficult to sustain in some countries, notably in France and Greece where leftists and other anti-austerity groups just won elections.

Consequently, there is likely to be increasing diversity across countries in fiscal policies, and this divergence will likely make it increasingly hard to sustain the euro as a common currency. On the plus side, the differing policies will provide better data to analyze the economic consequences of austerity.

Mr. SESSIONS. Mr. President, I would share a few thoughts in general about where we are. Our colleagues on the Democratic side have said they want more taxes. They have not told us what taxes, how much, and where they would be. But they have told us that. Senator CONRAD has said that.

He has also been open and bold about the need to cut spending. So he wants

more tax increases than I would like and he wants substantial spending cuts, but that is his view. He stated it publicly. But I will have to say, that is not the position of the Democratic majority in the Senate because they have refused to put it on paper.

Senator CONRAD was going to have a Budget Committee mark up. We were going to mark up a budget. He was going to lay out a plan. I guess it would be somewhat ''Simpson-Bowlesish.'' But it was not offered because the leadership and I suppose the members of the Democratic Conference agreed that they do not want to be on record. They would rather do like last year. And what happened last year? They voted against the Toomey budget; they voted against the Ryan budget; they voted against the Rand Paul budget; and voted against the President's budget.

They wiped their hands. They did not vote for anything to cause any pain to anybody. And presumably they thought that was better than actually being engaged in leading and telling the American people what they planned to do to change the debt course we are on. That is the deal.

Well, I would say a couple of things. If I were talking to a group of American citizens today, I would say this: Do not send one more dime to Washington, DC until they show you a budget, how they are going to spend it. I mean, why should they? We get in trouble; we overspend; we place the Nation at risk. And all we want to say is: Send more money. You cannot cut, we are going to throw people into the streets, and push older people off the cliff in a wheelchair.

No, I do not think so. I think the American people need to hold this Congress, this government, to account. They need to say, we are not sending you any more money until you get your house in order. And we are not paying for hot tubs in Las Vegas. We are not throwing away $500 million on a Solyndra loan project that never had a chance to succeed and was benefiting cronies of the White House. We are not going to pay for the TSA to have warehouses filled with millions of dollars in equipment not being used.

You do not have your act together. We want you to get your act together. We want to see some management. We want to see some leadership. Who is the top manager in America? It is not the chairman of the Budget Committee, or the ranking member of the Budget Committee, it is the Chief Executive. The President heads the executive branch. Every Cabinet member, subcabinet member, sub-sub-sub cabinet member works for the President.

We had a situation where it has become clear that for over a year, people illegally in the country earning money are filing income tax returns and gaining as much as $4 billion a year in child tax credit money, a direct payment from the United States for children who do not even live in the country.

The Inspector General for the U.S. Treasury Department said this should have been ended, and the IRS is not ending it. Congress ought to pass a law about it. The House has done so. This Senate has not acted. Those are the kinds of things that are happening. I would think the President of the United States, as soon as he learned that, would say: Stop it today. If you care about the money of the American people, if you care about the fact that we are now spending about $3.6 trillion dollars a year, taking in $2.3 trillion a year, so a deficit of $1.3 trillion.

Oh, they say that President Bush increased the deficit. And he did. But the highest deficit he ever had was about $450-some-odd billion. The last 3 years under President Obama, the deficits have averaged over $1.3 trillion a year. Next year, beginning September 30, the next fiscal year, it is projected to be over $1 trillion again.

This is an unsustainable course. We are looking here for some reality and leadership. I think it is a stunning, amazing development when we have the President of the United States at a time of financial systemic crisis and danger who has the opportunity to lead, who does not lead, who has an opportunity to tell the American people why we need to change the course we are on, the fact that it is going to take some belt tightening and some pain and some sacrifice—not so much, but some.

We are going to have to do it. And if we do it, the country will be on a good path. We can save this country. We can avoid a debt crisis that could happen to us, because indeed our debt per person in America is higher than that of Greece, higher than that of any other country in Europe. We are in a dangerous area. We need to get off of it. I am amazed the President has not led.

I think it is a development of the most stunning nature that he would, as the law requires, submit the budget he submitted. It is irresponsible. It did not get a single vote in the Senate last year. It went down 97 to 0. It was voted down 414 to 0 in the House this year. I suspect in an hour or so it will go down again on the floor of the Senate by unanimous vote. That speaks a lot. That says a lot, indicates the sad state of affairs which we are in.

It is deeply disappointing.

I see Senator LEE from Utah here, who is a new Member of the Senate. If Senator CONRAD doesn't have an objection, I will yield to him and note that Senator LEE campaigned throughout his State. He talked to thousands of people. He was elected in this last cycle. He felt the mood of the people of his State and America, their concern about the debt course we are on. He has worked extremely hard and has laid out a proposal that he would like to explain and ask us to support.

I thank the Senator for his leadership and his commitment and his hard work since he has been in the Senate.

Mr. CONRAD. Might I inquire of Senator LEE, how much time would the Senator require?

Mr. LEE. Ten or twelve minutes.

Mr. CONRAD. Can we have an agreement for 15 minutes? Is that reasonable?

Mr. LEE. Yes.

Mr. CONRAD. And if the Senator completes his statement before then, he can yield back—either way.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the true greatness of our Nation lies in the power and promise of the American dream. Unfortunately, for many individuals and families, this dream has become a national nightmare. Without the clear priorities and accountability of a budget, we continue to careen toward the economic cliff, with our massive debt and trillion-dollar deficits threatening the prosperity of Americans from every walk of life. To put it simply, we must change course.

Restoring the American dream will require more than clever bumper sticker slogans. While optimism is an important part of the American dream, hope simply is not a strategy for the kind of course correction our country desperately needs.

Doing nothing is no longer an option, although this President and this Congress have attempted, by not having a budget, to convince the American people that doing nothing is somehow the only option. Ignoring our broken entitlement programs, maintaining our complex Tax Code, and pretending we don't have a spending problem ensures that our economy will never truly recover and that the American dream will not be restored.

The good news for Americans is that many of us do have solutions to confront and correct the country's most pressing challenges. In today's debate and discussion, the Nation has seen that changing course and balancing our budget doesn't have to take 30 years, nor does it have to require the kinds of drastic cuts that could devastate America's most vulnerable citizens.

As we conclude this debate, I remind my colleagues of the old adage that ''you can make excuses or you can make progress, but you cannot make both.'' Given the gravity of our current situation, we should also recognize that our present path is unsustainable. A course correction is coming; the question we will be held accountable for answering is whether that correction comes by choice or as a consequence of making excuses and doing nothing.

The Saving the American Dream Plan, which I have proposed, puts us on

a sustainable and affordable path toward economic growth. It reforms our Tax Code to make paying taxes a simple, transparent, and equitable process that regular people can perform on their own. It empowers families to save by making savings tax free, which in turn lowers their tax burden in a way that helps them and our economy. It establishes a single tax rate. It eliminates the payroll tax, helping all Americans—especially those at the lowest income level—and it abolishes the death tax permanently. Under this plan, Americans will no longer be forced to navigate the complex web of countless loopholes—for people who don't need them—contained within a tax code that is longer than the works of Shakespeare.

In addition to placing an enormous burden and imposing immense uncertainty on our people, such a tax system hides the true size and cost of government. This plan is simple, and it provides certainty for individuals and for businesses.

Opponents of reform will play petty politics and prey on false fears about the government's ability to help the helpless. They claim that any course correction in entitlement or social service spending will damage the social safety net. The truth is that doing nothing will absolutely and completely destroy the safety net. If we do not change course, the collapse of safety net services for our most vulnerable Americans is certain, and it is certain to hurt most those who have the least.

This plan saves Social Security by transitioning to a real insurance plan that provides income security for seniors and prevents sudden poverty as a result of unforeseen events. The affluent elderly, such as Warren Buffett, will see a decrease in benefits. This plan will allow people like Mr. Buffett to help in a way that is actually good for our economy and job creators.

The Saving the American Dream Plan also ends the government takeover of health care and puts dollars and decisions back into the hands of families and individuals and their doctors. Just like school choice allows parents to make sure their kids don't get stuck in a failing school system, this plan ensures families don't get stuck in a failing health care system.

Finally, this plan acknowledges that we have a spending problem and works to reduce the size of government, eliminate waste, lower the future burden on taxpayers, encourage productive economic activity, and enhance individual liberty and choice. It reins in spending by a total of $9.6 trillion over 10 years when compared to President Obama's budget and by $7.1 trillion as against the CBO baseline.

Supporters of the status quo will have every excuse as to why this budget or that budget won't work, but now is the time to stop making excuses and start making progress. Today we will vote on five budget proposals, but this is only the beginning of the discussion. I can say confidently that Republicans have done a tremendous amount of work to craft proposals to begin to change our course and move our country in the right direction, in a sustainable direction.

The President's budget reflects the status quo: Do nothing, keep our complex Tax Code and broken entitlement programs, and ignore spending. As for Senate Democrats, for 3 straight years they have refused to participate in this discussion except to criticize ideas they don't like. Leadership is what leadership does. For the past 1,113 days, our country has suffered from a lack of leadership.

I ask my colleagues, if you cannot vote for these budget plans today, will you at least do the right thing for the country and put aside election-year politics, show true leadership, and work with us to explore and implement real solutions? We cannot stand by the status quo. We cannot decide by default to do nothing. The American people expect more, and they deserve better.

We need every American to join us in finding the solutions that will enable us as a nation to change course. The Saving the American Dream Plan is about empowering individuals to define their own dream and ensuring they have every opportunity to make that dream reality.

This is the greatest civilization the world has ever known—not because government made it great but because Americans continually reject the status quo, choose to change course when needed, and demand economic freedom, while ensuring individual liberty and the right to pursue happiness.

This budget preserves the clear priorities and accountability we must have to jump-start the economy, create real jobs, strengthen the safety net, and restore the American dream.

I thank the Chair.

Mr. FRANKEN. Mr. President, I would like to echo what so many of my colleagues have already explained: that voting on a budget today would serve no purpose. We keep hearing from our friends on the other side of the aisle: ''We haven't passed a budget in a thousand days.'' While this is technically true, this is a technicality without a difference, and ignores one essential detail: we passed something else which, for all intents and purposes, accomplishes exactly the same thing as a budget the Budget Control Act of 2011.

First let's look at what a budget resolution actually is. According to the Congressional Research Service, a budget resolution:

> sets forth aggregate levels of spending, revenue, and public debt. It is not intended to establish details of spending or revenue policy and does not provide levels of spending for specific agencies or programs. Instead, its purpose is to create enforceable parameters within which Congress can consider legislation dealing with spending and revenue.

A budget resolution is a document intended to guide Congress, and never goes to the President for his signature. The Budget Control Act actually went much further than a budget resolution—it actually set spending caps for the next 10 years and put them into law—a law signed by the President. The spending caps alone produce $900 billion of cuts. In addition, the Budget Control Act created the Super Committee and, because the committee failed to produce a deficit reduction plan, the Act calls for automatic cuts—through a so-called ''sequestration''—of an additional $1.2 trillion.

So Congress has passed over $2 trillion in spending cuts—the biggest package of spending cuts in American history. Yet some of my colleagues are now calling on Congress to also pass a budget resolution, despite the fact that the Budget Control Act has the force of law, and has spending caps, whereas a budget resolution has none of that and in fact, the Budget Control Act states clearly that it ''shall apply in the same manner as for a concurrent resolution on the budget.

In addition, the Budget Control Act is something that we all agreed to. This legislation passed the Senate and the Republican-controlled House with wide margins. And this was not a deal that we passed years ago that we have somehow forgotten about—we passed the Budget Control Act less than 10 months ago. These budget resolutions diverge greatly from the deal that we all agreed on. We passed that legislation to avoid a debt default, to give us some certainty. But here we are 10 months later, rehashing much of the same debate.

Going through the motions of considering a budget resolution would not be a productive use of our time. Procedural rules require that we spend up to 50 hours on a budget resolution. And on top of that, they force us into a ''vote-a-rama'' on all amendments that are offered. So that means that we would lose a week or 2 on an exercise that is moot because we already have budget caps. That is time we would not have to focus on things that will provide needed help to my Minnesota constituents: creating jobs, helping small businesses, keeping interest rates low on student loans, and passing a long-term highway bill.

But instead, the minority is insisting that we spend precious time debating whether or not we should pass a budget resolution. And so here we are with five pending budget resolutions, and it is hard to tell which among them is the most detrimental to our country, because they are all very dangerous.

Senator PAUL's proposal eliminates the U.S. Departments of Education,

Energy, Commerce, and Housing and Urban Development and turns important safety net programs like child nutrition and Medicaid into block grants, resulting in their funding being slashed.

Most of the proposals fundamentally change Medicare from a program that guarantees health care to seniors to one that gives seniors some money—but not enough money—to buy health insurance in the private market. This breaks the promise we have made to Americans—that if they work hard and pay into the system, their health care will be covered when they retire.

Yet these massive cuts to programs which benefit millions of Americans seem designed to bankroll new tax cuts that benefit only the wealthiest few. The Urban Institute and Brookings Institution's joint Tax Policy Center estimates that Senator TOOMEY's proposal gives people making more than a million dollars a year an average tax cut of $92,000. And that plan looks reasonable compared to Senator PAUL's, which not only cuts the top tax rates in half for wealthy Americans but increases taxes on working families.

And all the while, these plans would sacrifice programs that assist children, seniors, and the poor in favor of those tax giveaways to the wealthy. That is how these plans can be summarized. If there were a reason to vote on these proposals, which I do not think there is, then they would all deserve our full-throated opposition.

But, as we have pointed out repeatedly, passing a budget resolution is simply not needed after we have already passed spending caps in the Budget Control Act. That would be about as productive as asking for someone to draft up blueprints after they already had built your house.

Mr. LEVIN. Mr. President, our Nation faces enormous and worrisome fiscal challenges. There is no question we must reduce our budget deficit in the medium-term and prepare for a longer-term future in which an aging population stresses Medicare and Social Security funds. And we face, at the beginning of January, the prospect of automatic, unprioritized, and unwise budget cuts that would do tremendous harm to just about every program in the government, from domestic programs to our military, and would in the process threaten our economic recovery.

The way to address those enormous challenges is by coming together to address the sources of our budget deficit. The solutions must include prudent, prioritized spending cuts. They will undoubtedly include reforms to entitlement programs to ensure their long-term viability. And, as just about any objective observer has repeatedly pointed out, the solutions must include restoration of revenues lost to the Treasury through unjustified tax cuts for the wealthiest and unjustified tax loopholes.

Democrats have repeatedly demonstrated a willingness to address these areas—even in painful ways that have a real impact on programs about which we feel strongly. President Obama has repeatedly reached out to Republicans in trying to craft a bipartisan agreement that deals with spending, entitlements and revenues. Senator CONRAD and many others on this side of the aisle have said they will work with our Republican colleagues to deal comprehensively with the deficit.

Rather than seeking compromise, Republicans seem determined to draw uncompromising lines in the sand. Today we will vote on extreme budget proposals that would sacrifice vital programs like education, transportation and research in order to protect tax breaks for millionaires and billionaires.

The Republican proposals before us today demonstrate that our efforts to deal constructively with the deficit have so far fallen on deaf ears. Rather than offer prudent, thoughtful spending cuts, these proposals would gut programs that Americans have repeatedly told us to preserve. Rather than recognize the obvious fiscal reality that revenue must be part of the equation, these proposals demonstrate a continued, ideologically motivated refusal to even consider what must obviously be part of any serious attempt to address the deficit. Rather than reform entitlement programs so we can maintain our commitment to seniors, these proposals would upend that commitment.

Perhaps the clearest statement of all of Republican intentions is the budget passed in the House, one of the proposals we will vote on today. This budget eliminates the decades-long guarantee of health care for our seniors, replacing Medicare with a voucher program that would cause skyrocketing out-of-pocket costs for seniors.

There is more. The Ryan budget proposes to cut billions and billions from domestic programs, but gives us no specifics as to how those cuts would be accomplished. It proposes almost no specific spending cuts, though it promises massive savings. We can see just how devastating these cuts would be if we assume, in the absence of specific proposals, that they would be distributed evenly across the budget. If that were the case, we would lose more than $100 billion in funding over the next decade for science, including the search for new cures and other new technologies. We would have space for 2 million fewer Head Start students to get a jump on their education. More than 9 million college students would lose $1,000 in Pell grant funding to afford college.

This budget would slash spending to educate our children and to train our workers. It would cut funding to support new sources of energy and to protect our national parks and historic sites, and for environmental protection and other natural resource programs. It would slash funding to pave our roads and bridges and meet other transportation needs.

And the Ryan plan does not address what budget experts of all ideological stripes tell us we must address: the need for additional revenues. Rather than restore revenue, this budget is premised on the notion that high-income earners haven't gotten enough in tax cuts—and so it slashes the top tax bracket.

If you are not willing to address revenues, you are not serious about addressing the deficit. The Ryan budget and the other Republican proposals before us fail that test. I hope we can dispense with these proposals and get to the challenging work of dealing with the deficit.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, Senator HARKIN is here, and Senator HARKIN needs about 4 minutes; is that right?

Mr. HARKIN. Yes.

Mr. CONRAD. How much time do we have?

The PRESIDING OFFICER. Thirteen minutes 20 seconds.

Mr. CONRAD. On the other side?

The PRESIDING OFFICER. Twenty-four minutes 46 seconds.

Mr. CONRAD. This might be a useful time to get another consent. If we can have Senator HARKIN for 4 minutes, how much time does Senator JOHNSON need?

Mr. JOHNSON of Wisconsin. Not more than 10 minutes.

Mr. CONRAD. OK. I ask unanimous consent that Senator HARKIN speak for 4 minutes and Senator JOHNSON for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I wish to address these budget proposals in one context. First of all, we have to dismiss the so-called Sessions budget that is supposedly the Obama budget—it is not. That is not even serious. Beyond that, we have four Republican budgets. Here is the one thing people have to keep in mind, especially now: Each one of those budgets will double the interest rate on student loans beginning on July 1 of this year—every single one of them.

We were here in the last couple of weeks trying to bring up a bill to prevent those interest rates from going up, to keep it at 3.4 percent rather than going to 6.8 percent. The Republicans filibustered that. We could not even bring it up for discussion, debate, and amending. But the Republicans kept saying, oh, they want to keep the interest rate at 3.4 percent. Well, quite frankly, I don't see how they can say

that and then vote for each one of these budgets because each one that will be voted on in about an hour and a half, if it passes, will double the interest rate on student loans on July 1. At the same time, they continue to filibuster our bill to even bring it on the floor. My friends on the other side of the aisle are telling students across the country they don't want to see the interest rate double, but their budget has it.

Our former colleague and now the Vice President of the United States JOE BIDEN, when he was a Senator, said something I think very savvy one time: Don't tell me what you value; show me your budget, and I will tell you what you value.

Mr. President, my friends on the other side may say in public that they want to prevent the student loan rate hike, but their actual budget tells a very different story. Likewise, their ongoing filibuster of our Stop the Student Loan Interest Rate Hike Act tells a different story. Again, they have blocked us from proceeding to the bill. If we had proceeded, we could have had a serious discussion about how we pay for it. They could have offered amendments that we could have voted on. Instead, they chose to obstruct the entire process, and yet repeatedly on this floor Republicans, one after the other, came up and said they want to stop the increase in interest rates from going from 3.4 percent to 6.8 percent. Don't tell me what you value; show me your budget. I will give them credit for this: They have shown us their budget, and in it is a doubling of the interest rate on student loans beginning July 1.

I want to be clear that anybody who votes for any one of these budgets is voting to double the student loan interest rate on July 1 regardless of what may be said, regardless of crocodile tears that may be shed on interest rates and what is happening. The budgets we are voting on today tell the true story: Republicans are willing—not only willing, but they are going to, if they vote for these budgets, double the interest rates on student loans beginning on July 1. There is just no getting around that, and that is a shame.

We have to stop that interest rate hike on July 1. That is why it is important to vote down these proposed budgets this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. JOHNSON of Wisconsin. I ask unanimous consent to speak for no more than 10 minutes.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

Mr. JOHNSON of Wisconsin. Mr. President, before I start talking a bit about the budget of my friend Senator LEE, I want to respond to the comments of the Senator from Iowa in terms of interest rates.

Instead of talking about student rates, let me talk a little about America's average borrowing cost. Certainly, what I have done is delved into the budget and taken a look at the history, and from 1970 to 1999—over that 30-year period—the average borrowing cost in the United States was 5.3 percent. By the way, that was when America was a far more creditworthy nation, when our debt-to-GDP ratio ranged from about 40 percent to 67 percent. Now our debt-to-GDP ratio is over 100 percent.

Over the last 3 years our average borrowing cost has been kept artificially low, at 1.5 percent. So my concern is by not seriously addressing the problem, by not actually passing a real budget that starts reining in the growth in government, we are going to go from that 1.5 percent and revert back to that average mean borrowing cost of 5.3 percent. If we do, that 3.8-percent differential would add $600 billion to $700 billion per year to America's interest expense, and that would crowd out 60 to 70 percent of all discretionary spending. That is the interest rate that I am concerned about.

That is the day of reckoning I am concerned about, when global investors look at the United States and say: You know what. We are not going to loan you any more money. Or what is more likely to occur, they will say: We will loan you money but at a far higher rate.

Having made that statement, I would like to talk a little about the budget of my friend, Senator LEE, and the things I like about it. One of the things I like to do is take a look at history. I know a lot of us say we don't have a tax problem, and we don't. It is not that we tax the American public too little, it is that we spend too much. And this is some pretty graphic proof.

This reflects our 10-year spending levels. From 1992 to 2000, the Federal Government spent a total of $16 trillion over that 10-year period. Over the last 10 years, from 2002 to 2011, the Federal Government spent $28 trillion.

Now, the debate moving forward is—according to the just released Obama budget—the President would like to spend $47 trillion over the next 10 years. The House budget would spend $40 trillion. I guess what I like about Senator LEE's budget is that he would come in and spend about $37 trillion and put us on a more aggressive path toward fiscal sanity. While we hear about Draconian cuts all the time, one doesn't have to be a math major to realize that moving to $37 trillion, $40 trillion, or $47 trillion is not a cut from $28 trillion. All we are trying to do is reduce the rate of growth.

The other thing I like about Senator LEE's budget can be illustrated in terms of this chart, which shows the total Federal debt. I started this chart in 1987, the tail end of Ronald Reagan's administration, when our total Federal debt was $2.3 trillion. I want to point out that it took us 200 years to incur $2.3 trillion. Of course, last year, in the debt ceiling agreement, this Congress gave the President the authority to increase our debt ceiling by $2.1 trillion. We will go through that in less than 2 years. That is a problem.

Of course, if we take a look at President Obama's budget, we can see how quickly our national debt has increased. But according to President Obama's budget, in the year 2022 our total Federal debt would be $25.9 trillion, up $10 trillion from what it is today. Senator LEE's budget would result in a total debt of about $19.1 trillion. Even more importantly, he stabilizes and then reduces a very important metric, our overall debt-to-GDP ratio. That is what investors take a look at in terms of our creditworthiness.

The other thing I like about Senator LEE's budget is by 2022 it will reduce Federal spending to 17.8 percent of the size of our economy. If you are like me and you think the root cause of our economic problem is the size, the scope, and all the rules and regulations, all of government's intrusion into our lives and the resulting cost of government, this is the key metric: How large is the Federal Government in relationship to the size of our economy?

Currently, the Federal Government takes 24 cents of every dollar that is generated by our economy. If we add in State and local governments, total government in the United States consumes 39.2 percent. Put another way, 39 cents of every dollar filters through some level of government.

I don't know about anyone else, but I don't find government particularly effective or efficient. To put that in perspective, for example, the cost of government for Norway last year—one of the European-style socialist nations—was 40 percent. For Greece, it was 47 percent. Anybody hear of Greece recently? That economic model is collapsing.

This is why Senator LEE's proposal is important. If we take a look at spending and revenue generation over the last 50 years, we can see spending from 1959 through 2008 averaged 20.2 percent. Over the last 3 years we have increased that to 24 percent. Revenue generation has been 18.1 percent over that same time period.

By the way, as much as our friends on the other side of the aisle want to punish success and increase the top marginal tax rates, the problem with that is it simply doesn't work. During my lifeline, the top marginal tax rates have been 90 percent, 70 percent to 50 percent to 28 percent, 35 percent, 39.6 percent, and now back to 35 percent. In all that time period the average tax receipts—the maximum amount the Federal Government could extract from

our economy—has averaged very tightly around that mean of 18.1 percent.

If we ever have any chance of living within our means, we better get Federal spending down to about that level. That is what Senator LEE's budget does.

So, again, I thank my friend Senator LEE, as well as Senator TOOMEY, and Senator PAUL for putting forward serious proposals. I thank all Republicans in Congress who are actually voting for something because, Mr. President, Republicans are proving we are willing to be held accountable to the American people by putting a plan on the table and showing the American people what we would do to try to get our fiscal house in order.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will not take more than a few minutes, as I have explained to the senior Senator from North Dakota. I appreciate his courtesy, and I ask unanimous consent that my statement be made as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LEAHY are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, before he leaves, I want to say that the Senator from Vermont has done an incredible job on the Violence Against Women Act. He has put together a bipartisan coalition, and I would like to second his words that the House pass our bill. It is a careful compromise, and it is a delicately crafted compromise.

The PRESIDING OFFICER. Will the Senator suspend? How much time does the Senator from North Dakota yield to the Senator from New York?

Mr. CONRAD. How much time do I have remaining?

The PRESIDING OFFICER. There is 4 minutes remaining.

Mr. CONRAD. I give the Senator 3 minutes.

Mr. SCHUMER. I thank my colleague for the time.

Again, I want to compliment the Senator from Vermont and agree with him and hope we can move the bill forward.

But, Mr. President, I am here to talk about the budget. All afternoon I have heard my colleagues on the other side of the aisle repeat over and over that we haven't passed a budget. As my friend from North Dakota knows, that is clearly not the case.

Last August, President Obama signed a budget for this year that reduces the deficit by $2 trillion. It is called the Budget Control Act. It was passed 74 to 26, bipartisan, with many Republicans voting for it on August 2, 2011.

Despite what we hear on the floor today, after the Budget Control Act passed, several Senate Republicans, including Senators GRASSLEY, ALEXANDER, and COLLINS, admitted it constitutes a budget. So watching this debate on the Senate floor is a sort of through-the-looking-glass experience. We are watching our colleagues call for something they acknowledge already happened and they supported. This is nothing more than petty politics. We should be focused on jobs and the economy. Instead we are forced to spend hours debating something that already happened. It doesn't make sense.

But let's put that aside for a moment and look at the extreme plans we are voting on today. The only real differences between the four Republican budgets—the only real difference between the four Republican budgets—is how quickly they race to end Medicare as we know it. The Republican budgets all cut taxes on the wealthiest Americans and leave the middle class to foot the bill. They all allow student loan rates to double. They all provide tax breaks for millionaires and billionaires. And they all put the middle class last instead of first.

When I first examined the Ryan budget passed by the House GOP this year, I thought it was the height of irresponsibility. But now that we have seen three other Republican budgets, we know they make the Ryan budget almost seem reasonable by comparison, and that is no small feat.

I have nothing against the wealthy. I am glad they make money. That is the America way. God bless them. Many are living the American dream. But in order to keep that dream alive and get our country on firmer fiscal footing, I think we need a little shared sacrifice. The bottom line is any budget that jeopardizes the middle class while filling the pockets of the wealthy with greater tax breaks is ultimately untenable and will never pass the Senate. While we are certainly open to compromise, Democrats will not tolerate an assault on the middle class. It isn't fair and it isn't right.

We hope the coming debate will yield a sound serious agreement. But if it doesn't, Democrats are happy to take this contrast of priorities into November because we know we have the high ground.

I thank the Chair, and I yield my remaining time back to my friend and colleague from North Dakota.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, the Budget Control Act is not a budget, it is just a containment of spending. A clever attempt was made to make it look like a budget, but it is not a budget. If it was a budget, why did the President submit a budget this year? Why did the House pass a budget? Why were four budgets produced in the House by Democratic House Members?

In today's Politico, an article quotes Senator LIEBERMAN, who just spoke and who caucuses with the Democrats.

I don't think [Democrats] will offer their own budget and I'm disappointed in that.

Senator MANCHIN of West Virginia, a Democrat, said he would have been ''impeached'' if he had failed to produce a budget as West Virginia's Governor, though he conceded there are differences with the State budget process.

Sure I have a problem with [failing to offer a budget]. As a former governor, my responsibility was to put a budget forward and balance it, so anyone who comes from the executive mindset has a problem with that. I don't care if you're Democrat or Republican.

''A problem with that'' means a problem with not having a budget.

Senator MARK PRYOR, a Democrat from Arkansas:

The budget process is just not working around here. We've had three years with President Obama where we're not able to get a budget resolution passed.

That 3 years includes this one.

So we don't have a budget, we have a spending cap. And our Democratic colleagues—bless their hearts—have been whining that the House proposed a budget that came below the Senate's Budget Control Act caps in some areas, so they say that was breaking the budget.

I would just advise them that when they vote on the President's budget—and I assume they will all vote against it; they did last year—the President's budget wipes out half the savings in the Budget Control Act.

The President signed the Budget Control Act last August to raise the debt ceiling. We agreed to cut spending $2.1 trillion—not nearly enough, but we cut that and it was a decent step forward in the right direction, and the President proposes a budget this year that takes half of it out. Give me a break. There is no sense of wanting to have a budget, to adhere to one, and to contain spending. What do they want? More taxes.

The President said, ''The Buffett rule will help stabilize the debt.'' That is what the President said; that is, tax increases on the rich would help stabilize the debt. Well, the Buffett tax would raise about $4 billion a year. This year the deficit will be $1,200 billion, not $4 billion. That is not going to fix it. It will be $1,200 billion, and the Buffett rule would raise about $4 billion a year. What kind of responsible leadership is that, for the President of the United States to be traveling this country at a time when we have never faced a more significant financial threat to America—we never, ever have been on a debt course as dangerous as the one we are on today. It is systemic. It is deep. We have to make serious changes, and he goes around saying the Buffett rule is going to stabilize the debt? He also said his budget last year would lead us to

balance when the lowest single deficit year in 10 would be a deficit of $748 billion.

So I don't know what kind of leadership we are getting. It is not good leadership. It is worse than no leadership because when a budget is prepared with great effort by Congressman PAUL RYAN in the House, and his budget will actually change the debt course of America and minimize the pain we all have to suffer and create some growth and prosperity, the President invites him over to a conference, sits him down there, and then attacks it, and he has been attacking the budget ever since. Why is this? Why will not our colleagues support any budget?

I fully expect my Democratic colleagues to vote against all of these budgets and not vote for one. Think about that. They will vote against four, not vote for one. Well, because you don't have the fingerprints on anything that results in cutting spending, nobody that benefits from spending is going to be mad with you. Everybody who wants more money and doesn't want to have a dime reduced in the take they get from the taxpayers' trough and the debt we borrow—they don't have any reduction in that, and then they can't be mad at me. But that is not a responsible course.

This is not a little matter. This is what Admiral Mullen, the former Chairman of the Joint Chiefs of Staff, said just 2 years ago:

The biggest threat we have to our national security is our debt.

In an important statement by 10 former Chairs of the Council of Economic Advisers, who served in Republican and Democratic administrations, they wrote in March of 2011:

At some point, bond markets are likely to turn on the United States, leading to a crisis that could dwarf 2008.

Bond markets will turn. That is what they have done on Greece.

The Simpson-Bowles Commission's Erskine Bowles and Alan Simpson, in testimony to our committee, said:

This nation has never faced a more predictable financial crisis.

The same thing as the Council of Economic Advisors said: You are on a debt path that is unsustainable.

Chairman Bernanke, Chairman of the Federal Reserve—always cautious about what he says—talking about the Congressional Budget Office's projections of surging debt year after year, says:

The CBO projections, by design, ignore the adverse effects that such high debt and deficits would likely have on our economy. But if government debt and deficits were actually to grow at the pace envisioned by this scenario, the economic and financial effects would be severe.

And I recall at one point he said in his testimony: You see these debts being projected out there year after year, surging at this high level? You are never going to get there.

What he meant was that we would have a financial crisis before that happened.

I would say to my colleagues, this is a time of challenge for the Senate and the Congress of the United States. Will we rise to the challenge and actually do something? We can talk about it. We can have secret meetings and secret meetings and secret meetings. That is not fixing it. We can have these last-minute decisions, like last summer when the government was about to virtually shut down because the debt limit had been reached, and reach some secret agreement that is brought up on the floor for a vote and is not very well written. Or we can do what the law requires. In the United States Code, the Congressional Budget Act of 1974. It requires that we pass a budget. We can't guarantee exactly how it will all come out, but we ought to attempt to comply with the law, at least. We haven't attempted to do that.

I am worried about our future. I am worried about where we are heading. And I do think the American people have a right to be upset with us. They are not happy with us. They should not be happy with us. When their Congress has allowed this country to reach a state where we are taking in $2.3 trillion and spending $3.6 trillion, when 35, 40 percent of what we spend is borrowed money, the American people have a right to be unhappy about that. They absolutely do. We are not protecting their interests, their children's interests, their future, or the economy.

And it is stunning to me that the leader of the free world, the President of the United States, the Chief Executive, isn't pounding away at the Congress to bring spending under control and to reduce the debt we have. Instead, he seems to never want to talk about it. He only talks about investments—more investments.

In fact, that budget he produced this year, what did it do to the spending levels we agreed to last August? Before the budget control agreement of last August, the U.S. Government was on path to spend $47 trillion over 10 years. What it effectively did was it reduced that spending to $45 trillion—still substantially more each year than we are spending now. There is growth every year under that proposal—too much growth, too much debt. But it was a step. So this year when he proposed his budget, he proposed spending another $1.4 or $1.5 trillion, new, on top of that. After he signed the agreement that we would cap spending at $45 trillion, this would take spending up to $46.6 trillion again, almost $47 trillion, where we were before the agreement was reached. Now, that is not responsible leadership. And he had a big tax increase. Tax and spend—that is what that budget is. And the American people shouldn't be happy with us.

It was noted also that Senator HARKIN said, well, this isn't the President's budget, that Senator SESSIONS offered some joke, or something to that matter. But it is the President's budget. It has the numbers in it that the President had. They directly reflect the President's request. If any Senator wants to come forward and show any number we put in there that is different from the President's numbers when he laid out his budget, then I would like to see it. Maybe we could correct it. But I don't think there is an error. I think we scrupulously followed the President's budget proposal request, and when people vote on it, they can know they are voting exactly on what he proposed. I don't think anybody will dispute the numbers we have in the budget.

Also, I note that some of our Democratic colleagues are not happy about having no budget produced by the Democratic side. They feel bad about it, and I understand that. But I would have thought we would have had some Members come down and complain about it, to say that they didn't think the Democratic leadership, the Democratic conference should have blocked Senator CONRAD and the Budget Committee from having a budget, that they should be handling this differently. But we haven't had that, so I guess everybody is basically happy on the Democratic side not to have to cast any tough votes.

Mr. President, how much time is remaining on this side?

The PRESIDING OFFICER. The Senator has 4 minutes.

Mr. SESSIONS. Mr. President, as we come to a conclusion of this debate, Senator HARKIN said something that was pretty insightful. He said: Show me your budget, and I will show you what you value.

Refuse to show me your budget, I will say, and I can say you are refusing to show what is important to you.

One of the things that has been brought up is the war costs. The war on terror in Iraq and Afghanistan has been expensive, no doubt about it. Last year the total for both wars over 10 years reached $1.3 trillion—10 years—both wars. That was the deficit last year alone, $1.3 trillion. This year the war costs are declining. The year we are in, we are spending $118 billion on the war. Our deficit will be $1,200 billion. So eliminating all war costs would be less than 10 percent of the amount of our deficit.

I say that so we understand what has happened. Over 50 percent of our spending is in mandatory entitlement programs—Medicare, Medicaid, Social Security, food stamps, retirement benefits. Those are huge and they are increasing at two, three times the rate of inflation. That is what puts us on an unsustainable course.

The President's budget goes against everything the experts said, against the debt commission he appointed, and

refuses to confront these surging entitlement costs. That is a disappointment because we have nothing from the other side on how they would deal with them.

But the Members on this side have offered budgets, and Congressman RYAN offered a budget. They do begin to deal with this painful but difficult situation concerning the entitlement programs. I note the Budget Control Act they have been calling a budget had nothing to do with over 50 percent of the budget. It did not deal with those expenditures, it did not deal with the entitlements. That is another reason it is not a budget. It is a cap on discretionary spending. That is all that was. It was a step in the right direction but not a budget plan that would help us have a prosperous future.

This is an important day. I think it will cause the American people and all of us in Congress to confront the reality of a danger we face from debt. No matter how we vote this day, this next hour—even if we vote in what I think is the wrong way—hopefully this whole process would have caused all of us to confront the reality of the danger to the American Republic, the growing debt.

I would say from my experience it will be tough to deal with it, but I absolutely believe we can. It is not outside of the possibility and ability of this country to reverse our course. The kind of cuts we will need to have will not be such that will damage in any significant way the strength and health of America.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SESSIONS. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I would ask Senator SESSIONS, if I might, for 2 additional minutes because of the time Senator LEAHY consumed?

Mr. SESSIONS. I appreciate that and will agree to those 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. I thank the Senator for his courtesy.

Mr. President, the place we agree is we have a long-term problem for this country that we must address. I attempted to lay before the Budget Committee, and did lay before the Budget Committee, the Bowles-Simpson plan. It is the one plan that has had bipartisan support. I hope before the year is over that we can go back to it because I think it holds the greatest potential.

A key difference Senator SESSIONS and I have is whether we have a budget for this year and next. I believe it is clear we do. The Budget Control Act that passed last year says that the allocations and spending levels set ''shall apply in the Senate in the same manner as for a concurrent resolution on the budget.'' That is for both 2012 and 2013.

I believe our Republican friends want to focus on that because they do not want to focus on the specifics of their budget plans. Recall, the last time they were in charge, when they controlled everything—the House and the Senate and the White House—the Republican policies led us to the brink of financial collapse. The proposals they are advancing today are a return to those failed policies. Remember what happened when they were in charge. We were losing 800,000 jobs a month and the economy was shrinking at a rate of almost 9 percent a year. That is why they do not want to focus on the substance of their plans.

Let's focus on the substance for a moment. Every Republican budget ends Medicare as we know it. One Republican budget cuts Social Security benefits by 39 percent. Every Republican budget cuts taxes for millionaires by at least $150,000 a year. And every Republican budget protects offshore tax havens.

I have shown on the floor many times a picture of this little building in the Cayman Islands that claims to be the home of 18,857 companies. It is not their home. They are not doing business out of this little five-story business in the Cayman Islands. They are doing monkey business. The monkey business they are doing is avoiding the taxes they owe. Every Republican budget protects this scam. That should not be allowed to continue.

I hope my colleagues reject these proposals. I hope we will vote no, and then get onto the serious business of a bipartisan plan to get America back on track, the Simpson-Bowles plan that I presented to the Budget Committee.

I yield the floor. I believe all time has expired?

The PRESIDING OFFICER. The Senator is correct.

The question is on the motion to proceed to S. Con. Res. 41.

Mr. SESSIONS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. SESSIONS. Mr. President, we have 1 minute on each side?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, the President's budget is now before us. Last year it failed in this body 97 to 0. It failed in the House, the budget that he offered this year, 414 to 0. I expect it will receive no votes today. That is a stunning development for the President of the United States in his fourth year in office, to produce a budget for the future of our country at a time of fiscal danger, great financial and economic danger to our country, to not receive a single vote.

Maybe somebody will vote for it. Let me tell you why we should not. It does not change the debt course. It violates the budget agreement the President signed and Congress passed last year, by increasing spending over that level by $1.5 trillion. It throws off another $1.8 trillion in tax increases, essentially using tax increases to offset new spending programs, not to pay down the debt. It is the most irresponsible budget submitted. I urge my colleagues to vote no.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this is the budget. This is what Senator SESSIONS has presented as being the President's budget. Do you see a difference? This is what Senator SESSIONS describes as the President's budget. This is the President's budget. I think it is readily apparent, there is a big difference between the President's budget, which I hold in my hands, and what Senator SESSIONS has presented as being the President's budget. This is not the President's budget, so of course we are not going to support it. It is not what the President proposed.

I yield back our time.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Ms. KLOBUCHAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 0, nays 99, as follows:

[Rollcall Vote No. 97 Leg.]

NAYS—99

Akaka	Franken	Mikulski
Alexander	Gillibrand	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hatch	Paul
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inhofe	Reid
Boxer	Inouye	Risch
Brown (MA)	Isakson	Roberts
Brown (OH)	Johanns	Rockefeller
Burr	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Sanders
Cardin	Kerry	Schumer
Carper	Klobuchar	Sessions
Casey	Kohl	Shaheen
Chambliss	Kyl	Shelby
Coats	Landrieu	Snowe
Coburn	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Lee	Thune
Conrad	Levin	Toomey
Coons	Lieberman	Udall (CO)
Corker	Lugar	Udall (NM)
Cornyn	Manchin	Vitter
Crapo	McCain	Warner
DeMint	McCaskill	Webb
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden

NOT VOTING—1

Kirk

The motion was rejected.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on the motion to proceed to H. Con. Res. 112.

The Senator from Alabama.

Mr. SESSIONS. Madam President, at a time when our Nation has never, ever faced a deeper, more dangerous systemic debt threat than we face today, the Republican House, under the leadership of Congressman PAUL RYAN, has produced a budget that would change the debt course of America, create economic growth, put us on a path to financial stability, and do the things that a responsible budget should do. The President's budget utterly failed in that regard and has gotten no support. This budget will do the job.

People can disagree with this or that portion of it. I think this budget is a historic step in the right direction for this great Republic, and I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, this budget plan, the House Republican plan, ends Medicare as we know it. All the while, it provides $1 trillion of additional tax cuts to the wealthiest among us. It gives millionaires, on average, an additional tax cut of $150,000 a year. In addition, it cuts health care by $3 trillion and increases the number of uninsured in our country by 30 million people.

I urge my colleagues to reject this budget proposal.

Mr. HARKIN. Would the Senator yield for a question?

Mr. CONRAD. Yes.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Does this budget permit the interest rates on student loans to double on July 1?

Mr. CONRAD. It does.

Mr. HARKIN. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. SESSIONS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 58, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—41

Alexander	Barrasso	Boozman
Ayotte	Blunt	Burr
Chambliss	Hoeven	Murkowski
Coats	Hutchison	Portman
Coburn	Inhofe	Risch
Cochran	Isakson	Roberts
Corker	Johanns	Rubio
Cornyn	Johnson (WI)	Sessions
Crapo	Kyl	Shelby
DeMint	Lee	Thune
Enzi	Lugar	Toomey
Graham	McCain	Vitter
Grassley	McConnell	Wicker
Hatch	Moran	

NAYS—58

Akaka	Hagan	Nelson (FL)
Baucus	Harkin	Paul
Begich	Heller	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson (SD)	Reid
Blumenthal	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (MA)	Kohl	Schumer
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Snowe
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Collins	Manchin	Udall (NM)
Conrad	McCaskill	Warner
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murray	
Gillibrand	Nelson (NE)	

NOT VOTING—1

Kirk

The motion was rejected.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on the motion to proceed to S. Con. Res. 37.

The Senator from Pennsylvania is recognized.

Mr. TOOMEY. Madam President, the vote we are about to cast is on a motion to proceed to the budget I have introduced, one of the important features of which is within the customary 10-year budget window this budget would balance. It does not happen overnight. It takes 8 years to get there. But it does, in fact, balance, and it does it by essentially containing the rate of growth in spending. Only in the first year is there a spending cut, and that is less than 3 percent. Every year thereafter spending grows in this budget, but it grows a little more slowly than the alternative. It grows at a sustainable pace so that with normal economic growth we will reach a balance within 8 years and a modest surplus thereafter.

It does call for some of these structural entitlement reforms we need. Specifically, it would call for adopting the bipartisan Medicare reform plan that I would remind everyone permits senior citizens to continue to choose the traditional fee-for-service Medicare they have now—if that is their choice—but it does make other options we think would be more cost effective available as well.

It also adopts the President's recommendation by asking the wealthiest Americans to pay a little more for the Medicare benefits they enjoy. It asks for tax reform that we all know we need to generate economic growth, and it puts our budget on a sustainable path.

I urge Members to vote in favor of this motion.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, this is another unbalanced plan. There is very little in the way of revenue to reduce deficits and debt but deep spending cuts in priorities such as education and energy. In fact, this proposal cuts discretionary spending $1 trillion below the Budget Control Act, which cut $900 billion. In addition, this cuts $3 trillion in health care by ending Medicare as we know it and by block-granting Medicaid, holding hostage those who are the most vulnerable among us, children and the disabled.

I urge my colleagues to resist this proposal.

Mr. HARKIN. Madam President, will my colleague yield for a question?

Mr. CONRAD. I am happy to yield.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Does the Toomey budget we are about to vote on increase student loan interest rates on July 1 from 3.4 percent to 6.8 percent?

Mr. CONRAD. It does permit that.

Mr. HARKIN. Well, I hope every Senator who votes on this knows, if they are voting for this budget, they are voting to double student loan interest rates on July 1.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. CONRAD. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 57, as follows:

[Rollcall Vote No. 99 Leg.]

YEAS—42

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Blunt	Hatch	Paul
Boozman	Hoeven	Portman
Burr	Hutchison	Risch
Chambliss	Inhofe	Roberts
Coats	Isakson	Rubio
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Corker	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	Lugar	Vitter
DeMint	McCain	Wicker

NAYS—57

Akaka	Brown (OH)	Durbin
Baucus	Cantwell	Feinstein
Begich	Cardin	Franken
Bennet	Carper	Gillibrand
Bingaman	Casey	Hagan
Blumenthal	Collins	Harkin
Boxer	Conrad	Heller
Brown (MA)	Coons	Inouye

Johnson (SD)	Menendez	Schumer
Kerry	Merkley	Shaheen
Klobuchar	Mikulski	Snowe
Kohl	Murray	Stabenow
Landrieu	Nelson (NE)	Tester
Lautenberg	Nelson (FL)	Udall (CO)
Leahy	Pryor	Udall (NM)
Levin	Reed	Warner
Lieberman	Reid	Webb
Manchin	Rockefeller	Whitehouse
McCaskill	Sanders	Wyden

NOT VOTING—1

Kirk

The motion was rejected.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on the motion to proceed to S. Con. Res. 42 introduced by the Senator from Kentucky, Mr. PAUL.

The Senator from Kentucky.

Mr. PAUL. Madam President, like the previous three Republican budgets, this budget is silent on student interest rates. Anyone who asserts otherwise for good political theatre should know that it is untrue. This budget has nothing to do with student interest rates. I think we should have a debate on a little higher plane.

We are borrowing $50,000 a second. We are borrowing $4 billion a day, over $1 trillion a year. While America burns through a century of wealth, the President fiddles. The President's friends fuss and they produce no budget.

This budget balances in 5 years. It saves Social Security. It saves Medicare. It reforms and simplifies the Tax Code. I urge my colleagues to act now and vote for a budget that balances. Do something to save America from this looming debt crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, this plan has massive tax cuts for the wealthiest among us. This plan cuts discretionary spending $2 trillion below the Budget Control Act that cut $900 billion. This plan ends Medicare in 2 years. This plan repeals health care reform. Thirty million more people would be uninsured.

Perhaps most stunningly, this plan cuts Social Security benefits 39 percent. One can say it balances, but it balances at an extraordinary cost. And the cost is borne by those least able to bear the cost. I urge my colleagues to reject this plan.

Mr. HARKIN. Would the Senator yield for a question?

Mr. CONRAD. I would be happy to.

Mr. HARKIN. Madam President, I ask the same question of the distinguished chairman: Would this budget have the interest rates double on student loans on July 1 from 3.4 percent to 6.8 percent?

Mr. CONRAD. Well, it is hard to see how it would not. Let me say, in education, it cuts education 59 percent.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. CONRAD. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 16, nays 83, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—16

Barrasso	Johnson (WI)	Sessions
Coburn	Lee	Shelby
Crapo	McConnell	Thune
DeMint	Moran	Vitter
Enzi	Paul	
Hatch	Risch	

NAYS—83

Akaka	Franken	Merkley
Alexander	Gillibrand	Mikulski
Ayotte	Graham	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inhofe	Reid
Boxer	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Shaheen
Carper	Kohl	Snowe
Casey	Kyl	Stabenow
Chambliss	Landrieu	Tester
Coats	Lautenberg	Toomey
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Warner
Coons	Lugar	Webb
Corker	Manchin	Whitehouse
Cornyn	McCain	Wicker
Durbin	McCaskill	Wyden
Feinstein	Menendez	

NOT VOTING—1

Kirk

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, if I can have everyone's attention, we have one more vote this evening. The Republican leader and I have worked out something tentatively—I think we will be able to put it in writing in just a few minutes—where we will have two votes tomorrow at noon on the two Fed nominees.

I think most people know I moved last night to the FDA bill. I hope we won't have to file cloture on that and that we can just move to it and start the amendment process. That is what the people want, that is what we want, and that is what we are willing to do, so I hope we can do that. It is a wide-ranging bill, extremely important for the country, with relevant amendments. There are a lot of them to do, so I hope we can have an agreement to that effect.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided before the vote on the motion to proceed to S. Con. Res. 44 introduced by the Senator from Utah, Mr. LEE.

The Senator from Utah.

Mr. LEE. Mr. President, I remind my colleagues of the old adage that you can make excuses or you can make progress but you cannot make both.

Mr. CONRAD. Mr. President, the Senator deserves to be heard.

Mr. LEE. I remind my colleagues of the old adage that you can make excuses or you can make progress but you cannot make both—at least not simultaneously.

Our current course is unsustainable. Maintaining the status quo will inevitably impair our ability to fund everything from defense to entitlements. So sticking to this course isn't the solution. It can't be the solution. And if followed as a solution, it will have an impact that will prove devastating to America's most vulnerable populations. It is for exactly that reason I have proposed this budget—a budget that balances within 5 years, a budget that simplifies the Tax Code, a budget that puts health care decisions back into the hands of individual families, individuals themselves, and their doctors, where those decisions properly belong.

We don't have much time. We have to get this done. I urge my colleagues to support this budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this budget proposal has the most serious mistakes I have seen in 26 years of dealing with budgets in this Chamber. This budget starts with an $8 trillion mistake on the size of the deficit.

I have put up the calculation. This budget has Federal revenues of $27.5 trillion, budget outlays of $37.2 trillion, for a difference of $9.750 trillion. But it claims deficits of $1.750 trillion. That is an $8 trillion mistake.

No. 2, it has a $5.7 trillion mistake with respect to budget authority. If we add up the individual budget function totals, they are $5.7 trillion less than the aggregate budget authority totals in what is being offered by the Senator.

No. 3, this requires some committees to cut more spending than they have available to them in their resources. For example, the HELP Committee is instructed to save $2.7 trillion, and they only have $510 billion available to them to cut.

This budget is shot full of basic fundamental mistakes. It should not even be considered as a budget on the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to the motion.

Mr. LEE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 17, nays 82, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—17

Barrasso	Grassley	Paul
Coats	Hatch	Risch
Coburn	Inhofe	Sessions
Crapo	Johnson (WI)	Thune
DeMint	Lee	Vitter
Enzi	Moran	

NAYS—82

Akaka	Gillibrand	Murkowski
Alexander	Graham	Murray
Ayotte	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Heller	Portman
Bennet	Hoeven	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inouye	Reid
Blunt	Isakson	Roberts
Boozman	Johanns	Rockefeller
Boxer	Johnson (SD)	Rubio
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Burr	Kohl	Shaheen
Cantwell	Kyl	Shelby
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Chambliss	Levin	Toomey
Cochran	Lieberman	Udall (CO)
Collins	Lugar	Udall (NM)
Conrad	Manchin	Warner
Coons	McCain	Webb
Corker	McCaskill	Whitehouse
Cornyn	McConnell	Wicker
Durbin	Menendez	Wyden
Feinstein	Merkley	
Franken	Mikulski	

NOT VOTING—1

Kirk

The motion was rejected.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Iowa.

(The remarks of Senators GRASSLEY and LANDRIEU pertaining to the submission of S. Res. 462 are printed in today's RECORD under ''Submitted Resolutions.'')

Ms. LANDRIEU. I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL RESPONSIBILITY

Mr. MORAN. Mr. President, today we considered five separate budget proposals for the Federal Government. At first glance, that would appear to be the fiscally responsible thing to do. The families and small business owners I talk to back home in Kansas do that every year. They operate with a budget, and we know the Federal Government needs to do so as well. However, this Chamber has not passed a budget in 1,113 days. That is more than 3 years.

In my first speech on the Senate floor as a new Member of the Senate a little more than a year ago, I indicated to my Senate colleagues that my greatest concern for our country is our Nation's out-of-control spending. I am here today because I still have that concern. We spend too much money, and we no longer can delay the difficult decisions necessary to correct that problem.

Our national debt stands at more than $15 trillion. This enormous amount of debt is slowing our economic recovery and threatening the prosperity of our future generations, who will have to pay for our fiscal irresponsibility.

Writing and passing a budget is one of the most basic responsibilities of Congress. It is required by law. The budget sets forth priorities and guidelines for the fiscal year and begins the process of determining how much money should be spent and which programs should be cut back, eliminated, or even further supported. Without a budget, the annual appropriations process—and I am a member of the Senate Appropriations Committee, and I want the appropriations process to work, but in many ways that appropriations process continues to be on hold. This is not the way to run our country. To put our country back on its path to fiscal responsibility, we must set the budget. We set budget limits, and then we have to stick to them.

Any serious conversation about the budget and Federal spending must include a candid assessment of our Nation's entitlement programs. Those programs include Social Security and Medicare. Mandatory spending makes up 56 percent of the Federal budget—if we had one. This percentage will only increase in years ahead as more Americans retire and fewer workers are there to replace them. Without addressing our long-term commitments, our attempts to significantly change our country's fiscal outlook will be limited.

As I said, I am a member of the Senate Appropriations Committee, where our appropriations process deals with about 30 percent of spending on an annual basis. We have done a reasonable job—I hate to be overly complimentary to Congress—at holding the line on discretionary spending, that 30 percent we deal with every year. It has been pretty flatlined over the last several years, but you cannot solve our country's fiscal problems by only dealing with the 30 percent that we include in the appropriations process. We have to deal with the remaining portions of our budget.

The challenge of not only the appropriations process to determine how much money we spend every year but the broader issues of so-called entitlement spending cannot be ignored any longer. Of the five budgets we considered earlier today, four of them—all but President Obama's budget—contained serious proposals to these entitlements. I can critique every one of the four budgets that move in the right direction of balancing the budget. There are things I would do differently, but I commend my colleagues for offering serious solutions to serious problems.

It has bothered me greatly that when Members of the House or Members of the Senate offer a serious budget, they are immediately attacked from a political point of view as if we can continue to ignore the problems we face and simply make sound bites out of proposals that Members of the Senate and the House care very seriously about.

We have to work together to put forward commonsense solutions that will preserve these programs for future generations. This is not about ending those entitlement programs. In fact, the reports that recently came from nonpartisan sources tell us that both Medicare and Social Security will face significant shortfalls in the near future. Therefore, this is about taking care of those programs to see that they are available for those who need them in the future. I want to be able to tell every young person—when they ask, will I be able to get Social Security when I retire, I want that answer to be yes. If we don't deal with the issues, the answer cannot honestly be yes.

In Congress, we have a solemn obligation to be good stewards of taxpayer dollars. Our spending debate is oftentimes seen as something that is philosophical or academic or more likely just a partisan argument, but the truth is that out-of-control borrowing and spending has a very real consequence on the daily lives of every American and certainly on the economy in which we live and operate. It is about whether Americans can find a job, make payments on their homes and automobiles, and whether their children will have a bright future and the opportunity to pursue what we all call the American dream.

When we continue to fail to balance the budget, when we don't put ourselves on the path toward a balanced budget, it means increasing inflation, with higher interest rates and an uncertain economy, which results in fewer business investments and fewer jobs.

The greatest opportunity we have to improve the lives of Americans is to erect an environment where employers feel comfortable in investing in the future and create jobs so people can go

back to work. When they go back to work, they can put food on their family's table, they can save for their children's education, they can save for their own retirement, and most importantly, every person in America will once again be able to pursue the American dream.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

SURFACE TRANSPORTATION ACT

Mr. WHITEHOUSE. Mr. President, I would like to address a slightly different topic, which is the continuing conference on the highway bill. We passed a very good highway bill in the Senate. We passed it on time for the March 31 deadline when the highway trust fund was going to expire. We passed it in bipartisan fashion, with 75 Senators supporting it. We passed it after it came unanimously out of the Environment and Public Works Committee with the support of the chairman, Senator BOXER, and the ranking member, Senator INHOFE. We passed it after a very open and transparent floor process in which around 40 amendments were agreed to either by vote or agreement, and it has the support of everybody from the U.S. Chamber of Commerce to labor, from the pavers to the environmentalists. So it is a good piece of legislation. It was done right.

The problem is that it is running up against a time deadline. As my director of transportation tells me, if we delay this too long, he has to start dropping projects off of this summer's highway work period because the time is slipping away as we dawdle here in Congress on this bill.

It is not just the Rhode Island Department of Transportation saying this. Standard & Poor's Global Credit Portal has a report, ''Increasingly Unpredictable Federal Funding Could Stall U.S. Transportation Infrastructure Projects.''

It says within the report:

As the construction season begins in the northern half of the country, this continuing uncertainty in funding could force states to delay projects rather than risk funding changes or political gridlock come July.

So we need to get this done, and I have heard at this point that the House Republican conferees intend to hold the conference on this bill through late June, and if we do that, that will cost jobs in America, that will cost jobs in Rhode Island, that will cost jobs around the country because our transportation directors are going to have to take work scheduled for the summer and postpone it, and that is a very unfortunate turn of events. It has nothing to do with the merits.

Unfortunately, the House was not able to pass a highway bill of any kind, which is unfortunate because it is not the most complicated task. It is something we have been doing for decades around here. They couldn't get that done, and so what they have done now is gone to conference on the Senate bill without a bill of their own, and this appears to be causing delay. So I am here to urge that we all encourage the House Members of the highway conference committee to expedite their work as much as they can. Apparently there is a 2-week period that the House is taking off, and if it is delayed by 2 weeks so that Members can go home, I don't think that is a profitable use of our time.

There is a great deal of loose talk around here about jobs. We have even had bills that didn't relate to jobs called jobs bills because of gimmickry in the title. But this is a real jobs bill. This is 2.9 million jobs for the country, and it is 9,000 jobs for Rhode Island, as calculated in years of work—job years. We are just wasting that if we don't get this done on time.

So if people really want to do something about jobs, they can get the highway bill moved along rapidly so that the work can be done in this summer work session.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFGHANISTAN

Mr. CASEY. Mr. President, I rise tonight to speak about the war in Afghanistan. I have spoken on the Senate floor many times over the last number of years about the war. I have done so because I believe the American people and our servicemembers in the field deserve a policy worthy of their efforts and their sacrifice and a thorough examination of the issues at hand. I have done so also because when it comes to matters of war, the Senate has an important responsibility to ask tough questions of any administration.

I believe we are entering a critical phase in our engagement in Afghanistan which will have implications for our eventual drawdown of troops in the year 2014.

Earlier this month the President spoke to us from Kabul on the new Strategic Partnership Agreement known by the acronym SPA. Of course, this is an agreement with Afghanistan. He described a transition plan which focuses on protecting and promoting shared Democratic values, advancing long-term security, reinforcing regional security and cooperation, social and economic development, and strengthening Afghan institutions and governance.

I agree with the general approach laid out in the Strategic Partnership Agreement, but I have several outstanding questions and concerns regarding U.S. engagement in Afghanistan. I wish to describe some of these concerns and lay out specific steps the administration should take with respect to the war to ensure that U.S. security interests and the tangible security, political, and economic gains in Afghanistan are, in fact, protected.

I have participated in more than 20 hearings on Afghanistan and Pakistan with the Senate Committee on Foreign Relations. I have personally chaired four hearings on aspects of our engagements in the region. I have visited Afghanistan and Pakistan three times, most recently in August 2011, with the Presiding Officer, Senator BENNET, along with Senator BLUMENTHAL and Senator WHITEHOUSE. When we were there, we met with, as I have done on other visits, U.S. military and civilian leaders, as well as senior government officials in both countries.

Through this engagement, I have sought to examine U.S. goals and progress in this war within three broad areas: first, the formation of representative political institutions; second, the overall security environment; and third, the development of key sectors in Afghan society, including education, health, the economy, and the well-being of women and girls. In examining these factors, it is clear to me that a responsible drawdown of U.S. and international forces in Afghanistan must be concurrent with not only progress on security and an increase in well-trained Afghan national security forces but with a strong commitment to a transparent political process in Afghanistan.

We should work to ensure that there will not be a crumbling of institutions similar to that seen prior to Afghanistan's civil war in the 1990s. In fact, without representative political institutions, I am concerned that the training of the Afghan national security forces could, in fact, be counterproductive and that we would end up developing a force that answers to a dysfunctional political system.

Politics and governing institutions matter a great deal, and there are tangible steps the United States can take to support Afghanistan's political development in the short term. Let me be clear. We should be under no illusions that Afghanistan's political system will, nor necessarily should, reflect our Western model developed over centuries. But there are universal principles that should apply in Afghanistan, including the inclusion of all key political groups and transparency in elections and governance. In fact, the adoption of these universal principles is perhaps the only antidote to continued decades of conflict.

First, the 2014 transition to Afghan leadership will require the active participation of the constellation of ethnic groups in Afghanistan. They will

need to have some confidence in the political process or Afghanistan could very easily again descend into civil conflict, similar to that seen in the aftermath of the Soviet withdrawal in the 1990s. The opposition represented in what was formerly known as the Northern Alliance will likely be among the most skeptical. The United States can play an important role in bringing the interested parties together for dialog to identify areas of concern and a path forward looking toward 2014 and beyond.

Second, Presidential elections are scheduled to take place in 2014. According to the Constitution, President Hamid Karzai is limited to two terms and should step down. President Karzai has seen his country through a very difficult and historic time. Afghanistan's elections—the foundational act in a democratic system—have historically not met international standards and have established the basis for an unresponsive government, unresponsive government officials, and, unfortunately, widespread corruption. A peaceful transition of power in Afghanistan is not only good for the country and good for its democratic institution, it is vital to our own transition out of Afghanistan.

Third, Afghanistan's Independent Electoral Commission needs to become a truly independent body. Currently, the President selects the commissioners, creating the suspicion that the body is biased. In accordance with international standards, the commissioners should be selected by a body that reflects the broad consensus of the Afghan people, not just the President. A statutory check on executive authority is needed to ensure the impartiality of the body in the years to come and enhance public confidence in the electoral system overall.

Fourth, President Karzai has issued a Presidential decree which allows him to nominate the 5 national and 133 provincial commissioners of the Electoral Complaints Commission. This body also needs to be independent from the executive branch to remove any perception of bias. During the last election, there was a lack of transparency in the handling of these electoral complaints. Afghan authorities need to take steps now to ensure that the national and provincial commissioners are fair and transparent in their work. As it stands now, the political opposition does not trust the Electoral Complaints Commission to equitably deal with inevitable disputes that emerge from the process.

Throughout this process, the United States should emphasize the importance of international standards in the conduct of elections and stand ready to support a process that is based on those universally accepted principles. We know at the Bonn conference in 2011 Afghanistan pledged—pledged—to strengthen and improve its electoral process. We must hold them to that commitment. The United States should condition its aid in support of the administration of the 2014 election based on these reforms. Let's send a very clear message: We will not be a party to funding the administration of an election similar to those conducted in the years 2009 and 2010. The administration must begin to act now. Electoral reforms take time to adopt and implement. The clock is ticking.

While political challenges abound in Afghanistan, the Parliament has emerged as an important check on the executive and over the past several years has begun to exercise more of a voice in governance. We have seen several examples in recent years where the Parliament has weighed in on important issues. Moreover, 27 percent of the Afghan Parliamentarians are women—a stunning statistic compared to where we were 10 years ago. The Parliament's upward trajectory is a promising pillar of the democratization process, but more can be done. The United States can play an important role in exposing Afghan Parliamentarians to legislative experiences from other and different developing democracies and the opportunity to meet their counterparts in other Parliaments.

During our trip to Afghanistan last August, I and Senators WHITEHOUSE, BENNET, and BLUMENTHAL had the fortunate opportunity to travel to five of the ISAF regional commands. We saw firsthand the progress made by our airmen, soldiers, marines, and sailors on the ground. Due to their efforts, the enemy has lost territory and influence. According to the Pentagon, the number of attacks by militants dropped in 2011 for the first time in 5 years.

There has been undeniable progress in pushing back the Taliban, but these military gains are delicate and will be short-lived without an Afghan force that can assume more responsibility for security. I discussed these issues with LTG William Caldwell, the former commander of the NATO effort to train the Afghan forces. Lieutenant General Caldwell has been ably replaced by LTG Daniel Bolger. We have seen significant progress in the training and deployment of the Afghan Special Forces Units which, according to the Pentagon, have made ''impressive strides towards becoming an independent and effective force.'' We have also seen growing independence of the Afghan regular units. As of the end of March, 13 ANA kandaks have been designated as able to operate independently with advisers. In September of 2011, there was only one kandak with that designation. We have gone from 1 unit to 13 in a rather short period of time, so we know there is progress.

But despite this progress, however, challenges in training the Afghan National Security Forces, in fact, remain.

First, the Afghan security forces still do not have an elite Pashtun officer corps and only 6.6 percent of the enlisted recruits are southern Pashtuns. This is a significant shortfall that must be addressed if the security forces are going to develop the cohesion necessary to ably represent the ethnic makeup of the country and address ongoing security challenges in the south.

Second, NATO currently requires 2,774 trainers to conduct its training mission but faces a shortfall of 440 positions. While this capability has improved, the training shortfall remains stubbornly high and has an adverse impact on NATO's ability to adequately train the Afghans in a timely manner. Our NATO partners can and should do more to help address this deficit.

Finally, I have concerns about the long-term pricetag associated with the Afghan National Security Forces. While investing in these forces will be a fraction—a small fraction—of the $100 billion to $120 billion a year currently spent in Afghanistan by our government, we must work to ensure that the force is right-sized to the security challenges in the country and that there are strict accountability measures in place to ensure that the Afghan National Security Forces abide by all U.S. standards in terms of human rights and the Geneva Conventions.

While we have made progress on the battlefield, the Taliban and terrorist groups like the Haqqani network remain capable of spectacular attacks across the country and, as we know, in Kabul, the capital. Thirty-four percent of the attacks by militants took place in Regional Command East, an area where the Haqqani network is most active. I believe that the Afghan National Security Forces will be capable by 2014 of providing security in much of the country, but we need to maintain a capability to attack and disrupt terrorist groups in the country that seek to project force outside of Afghanistan's borders and do harm to U.S. interests.

Central to the political effort is the ongoing effort to reconcile with the Taliban. I have a high degree of skepticism that this can work, at least in the short term. The Taliban has shown little interest in compromise, and recent events show that this group is willing to target civilians and to conduct devastating terror attacks against the Afghan people. Ultimately, there does need to be a political end to this conflict, as there is in all wars. But how we get there is important, and the administration must set clear guidelines. In the meantime, I support maintaining pressure on the Taliban until it accepts the Afghan Constitution and agrees to peacefully participate in the political process.

During our visit to Afghanistan last August, we also had the honor to meet with several of Pennsylvania's servicemembers. Since 2001, Pennsylvania has

lost 80—80—servicemembers, and 589 have been wounded. These courageous individuals gave what President Lincoln called the ''last full measure of devotion'' to their country. We owe them a debt of gratitude, and we owe a debt of gratitude, as well, to their families and to veterans returning from the field. I, like a lot of our colleagues, have visited with our wounded warriors and their families at Bethesda, Walter Reed, and other places, and we keep them in our thoughts and prayers every day. The courage and commitment of these young Americans is hard to describe in a speech and it is hard to illustrate, but it does demonstrate the best of who we are as a country, and we see that every day.

We know in the area of development as well, there are enormous challenges across a lot of sectors in Afghanistan that will likely extend for years. Prior to the civil war, Afghanistan was one of the poorest countries in the world. After decades of war, Afghanistan's minimal infrastructure was destroyed. The challenges today to significant progress are indeed substantial. Government corruption obstructs any serious effort at rule of law and any basic respect for contracts, which is a fundamental element of business growth. The precarious security environment also serves to deter any international investment. Poppy growth, fueled by the heroin trade, remains rampant. Women continue to be subjected to unspeakable violence and discrimination across the country.

Amid these daunting challenges, the United States should prioritize a few key areas for developmental progress, so as to mitigate the challenges leading to 2014.

The foundational basis for development in any society is the educational system. We know that in 2002 only 900,000 students were enrolled in school. Just 9 years later, 2011, more than 8 million children were enrolled in school, 35 percent of whom were girls. This will have a long-term, long-lasting effect on Afghan society, and the United States should be proud of this element of our engagement and should seek to protect those gains. I and other Senators, when we saw this, were pleased to see that the partnership agreement prioritized the access to, and the enhanced quality of, education.

We have also seen significant strides in the field of health care. In 2002, only 9 percent of Afghans had access to basic health services. Today that number has grown to 64 percent of the population. More children live to see their fifth birthday than ever before in Afghanistan. Health care too was emphasized in the agreement that the President talked about recently, and it focused on basic health services and specialized care for women and children.

These are real achievements, but they are very fragile.

Also fragile are the overall gains made for women and girls in Afghanistan. I was privileged, as I know Senator BENNET, Senator WHITEHOUSE, and Senator BLUMENTHAL were privileged, to meet with a group of Afghan women leaders during our August 2011 trip. We were all tremendously inspired by their determination to continue to fight for women's rights in the face of blatant oppression and violence.

In 2010, I cochaired a Senate Foreign Relations Committee hearing on the plight of women in Afghanistan. We must preserve the progress that women and girls have achieved in the past 10 years. Empowered women have an immensely positive impact on their communities, investing resources in education, health care, and other basic needs. They also dissuade young men from turning to militancy. In 2011, Secretary Clinton told a group of Afghan women—and I am quoting—''We will not abandon you, we will stand with you always.'' We as a nation have an obligation to stand by that commitment to the women and girls of Afghanistan. It is not only the right thing to do, it is in our national security interest to do this as well.

I agreed, like many did, with the findings of a 2011 report by the Senate Foreign Relations Committee, which made three main recommendations with respect to U.S. assistance to Afghanistan. First, it called for a multiyear civil assistance strategy for the country. Second, the report called for a ''Reevaluation of the performance of stabilization programs in conflict zones.'' Third, it called for a focus on sustainability. The report argued that all U.S. assistance projects should meet three basic criteria: They should be ''necessary, achievable, and sustainable.'' This simple concept is critically important. A great deal of funding and resources has been expended in Afghanistan, much of it on important and necessary programs. But with the withdrawal of international troops and a commensurate decrease of funds going into the country, there is a distinct possibility that Afghanistan could experience an economic depression which could have dramatic security implications. There is time now to address this problem by conducting a careful review of all U.S. assistance to the country. Those programs that are not sustainable should be phased out. While this may have painful short-term consequences, it will be better for the long-term viability of the Afghan economy.

The United States and the international community should consistently reemphasize that while there will be a transition in 2014, this does not mean the wholesale withdrawal and disengagement from Afghanistan. The Strategic Partnership Agreement has helped send this message. The United States will still have significant security concerns in the country and should maintain a strong counterterrorism capability. Work will still remain in providing support and assistance to the Afghan National Security Forces. The international community can also continue to play a key role in helping Afghan society to develop.

All of this falls squarely within our national security interests, and all parties in Afghanistan and in the region should hear this message.

Finally, I will end with a few comments about Pakistan. I continue to believe that Pakistan is too important to U.S. interests for us to sever ties or significantly diminish the relationship. We know we have had trouble in our relationship, but we know a couple of other things as well. Pakistan has lots of nuclear weapons. It is a hotbed of Islamic extremism. It also provides the best logistics routes for our supplies headed into and out of Afghanistan, and Pakistan will play an essential role in ensuring the transition to a peaceful Afghanistan.

Despite the seemingly insurmountable challenges and at times divergent strategic interests, we must continue to find a way forward and work together where our interests do overlap. Pakistan has made significant sacrifices in countering extremism within its borders, mostly against forces that represent a direct threat to the state itself. It has yet to go after the Haqqani network in a serious way. It continues to provide a haven for the Quetta Shura Taliban, which is the headquarters of those seeking to destabilize the Afghan State.

Pakistan has not taken adequate measures to confront the proliferation and trade in illicit bombmaking materials which have killed thousands of its own citizens and hundreds and hundreds of our U.S. troops across the border in Afghanistan. Taking all of this into account, there is a significant element of Pakistani society that we cannot consider allies. This is why I strongly support the conditionality built into U.S. assistance to Pakistan, which requires that the Pakistani authorities make significant progress in countering terrorism and attacking IED networks. If they do not take steps to address these issues, this assistance will be significantly cut, and it should be.

For more than 2 years I have worked to address this critical problem of improvised explosive devices, which are responsible for the majority of deaths and injuries among our servicemembers in Afghanistan. The primary explosive ingredient in IEDs used in southern Afghanistan is calcium ammonium nitrate, CAN. It is also used as a fertilizer and is produced in factories in Pakistan. I have been adamant that the Pakistani Government must significantly increase its commitment to regulating the bomb components and

preventing them from being smuggled across the border into Afghanistan.

In June 2010, I introduced S. Res. 570, which called for an increased effort by Pakistan to effectively monitor and regulate the manufacture, sale, transport, and use of ammonium nitrate fertilizer in order to prevent its entrance into Afghanistan. The resolution passed the Senate unanimously on June 28, 2010.

During our recent visit to Pakistan, I discussed this issue with several senior government officials, as did Senator BENNET, Senator WHITEHOUSE, and Senator BLUMENTHAL. The Pakistani leaders expressed an interest in countering the proliferation of bomb components and presented to us an action plan for interdicting these materials. However, the proof of their commitment has yet to be seen through the implementation of this plan.

In December of 2011, I introduced an amendment to the National Defense Authorization Act that would require the Secretary of Defense to certify that Pakistan is demonstrating a continuing commitment to and making significant efforts toward the implementation of a strategy to counter IEDs. This provision, unfortunately, was removed during the conference committee. The final version of the bill requires the Secretary of Defense to produce a report on Pakistan's efforts to counter IEDs.

I continue to believe combating the threat posed by IEDs is one area where our interests do in fact overlap with Pakistan. At this time of frayed relations, IEDs continue to kill Pakistanis, Afghans, and, of course, Americans on the battlefield. By working together against this common threat, we can begin to rebuild confidence in the relationship and make progress toward more vexing strategic issues that affect our countries.

In September of 2010, I gave a speech on Afghanistan and Pakistan at the Army War College in Carlisle, PA. Former Secretary of War Elihu Root believed that the Army War College was established in 1903, ''not to promote war, but to preserve peace by intelligent and adequate preparation to repel aggression.''

That is what Secretary Root said all those years ago. As we look forward to 2014 and a long-term relationship with the people of Afghanistan, all of our support for representative political institutions, improving the security environment, and Afghan social and economic development are intelligent and adequate preparation to repel aggression.

The next year and a half will be very consequential. If the United States works to strengthen representative institutions, bolsters the Afghan security forces, and maintains sustainable development assistance, all will pay dividends for our peace and security for years to come.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to, call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT of 2012

Mr. LEAHY. Mr. President, last month, the Senate came together and passed the Leahy-Crapo Violence Against Women Reauthorization Act of 2012. Our legislation takes some much needed steps to help the most vulnerable victims of domestic and sexual violence, and it was passed with significant bipartisan support. The Leahy-Crapo Violence Against Women Act was an example of what we accomplish when we put politics aside and work to find real solutions to real problems facing real Americans.

Few laws have had a greater impact on the lives of women in this country than the Violence Against Women Act (VAWA). By shining a light on the insidious crimes of domestic and sexual violence, this law(s initial passage nearly 20 years ago sent a powerful message that violence against women would no longer be tolerated. The days of dismissing these crimes with a joke or a shrug were over. The resources, training and law enforcement tools provided by VAWA transformed the criminal justice and community-based response to abuse. It gave support and protection to the victims who for generations had been blamed, humiliated and ignored.

With each reauthorization of this landmark law, Congress has repeatedly shown its bipartisan commitment to ending domestic and sexual violence by building on the protections in the initial legislation and expanding the reach of VAWA to meet the remaining unmet needs of victims.

The bill that I introduced with Senator CRAPO, and which passed the Senate with an overwhelming bipartisan majority just last month, is based on the successful tradition of preserving and enhancing protections. It is based on months of work with survivors, advocates, and law enforcement officers from all across the country and from across the political spectrum. We purposely avoided proposals that were extreme or divisive and selected only those proposals that law enforcement and survivors and the professionals who work with crime victims every day told us were essential. That is why the provisions in the Senate bill have such widespread support. More than 1,000 Federal, state, and local organizations have endorsed it, including service providers, law enforcement, religious organizations and many, many more.

The inclusive, open process of drafting this legislation is also why the Senate bill always had strong bipartisan support. It was a bipartisan effort from the beginning with eight Republican Senators cosponsoring the bill and seven more joining Democratic and Independent Senators in voting to pass the bill. We were able to move able to move to the bill without a filibuster, to consider amendments, which were rejected, and to pass the bill with almost 70 votes. We adopted a bill of which the Senate can be proud, because it serves the interests of the American people while improving support and protection for victims of domestic violence and sexual assault.

I am alarmed the other body—the House—has chosen a different path. Instead of building on the broad bipartisan support for the Senate-passed Violence Against Women Reauthorization Act, Republican members of the House Judiciary Committee last week took up a bill, H.R. 4970, that they crafted in back rooms without the input of those who dedicate their lives to helping victims. This afternoon the House Republican leadership brought that same bill to the floor, with only minor modifications that do little to respond to the urgent concerns of victims, and is forcing an up or down vote while blocking any attempts to modify the legislation in response to the concerns raised by victims and service providers around the country. Their legislation not only fails to include the critical improvements in the Senate bill that would increase protections for Native-American women, gay and lesbian victims, battered immigrant women, and victims on college campuses or victims in subsidized housing, it actually rolls back existing protections leaving many victims more vulnerable to sexual and domestic abuse. Among the most troubling provisions are those that drastically undercut important, longstanding protections that are vital to the safety and protection of battered immigrant victims.

As a result of this misguided effort, the House bill is strongly opposed by many of the leading organizations that know these issues best, including the National Network to End Domestic Violence, the National Coalition Against Domestic Violence, the National Alliance to End Sexual Violence, the American Bar Association, the YWCA, the Leadership Conference on Civil and Human Rights and many, many more.

The thousands of local advocates and service providers around the country that make up the National Network to End Domestic Violence warned in a letter to the House Judiciary Committee that H.R. 4970 would weaken, rather than enhance, protections for victims of domestic violence. Sue Else, the President of that organization, lamented:

This is an unprecedented departure from this effective laws original intent. Thousands of victim advocates across the country recommended substantial improvements for the latest reauthorization, and the U.S. Senate accepted those recommendations in a bipartisan way. It is alarming that the House Judiciary Committee has not done the same.

The American Bar Association has stated:

Unlike the recently passed Senate bill (S. 1925), which reflects discussions with more than 2,000 advocates and experts across the country, H.R. 4970 represents a retreat from the fight against domestic and sexual violence. It fails to add critical improvements to address the needs of underserved populations, like victims who are members of faith communities and those who are denied services because of their sexual orientation or gender identity, and strips critical protections from existing law.

The YWCA, the largest provider of services for battered women in the country, calls the House bill a ''dangerous bill that puts the lives of millions of women across the nation at risk.'' These organizations represent those on the front lines against domestic and sexual violence. They are motivated by their desire to see all victims get the help they need.

Likewise, a number of faith-based organizations, such as the U.S. Conference of Catholic Bishops, the National Association of Evangelicals, and nearly 20 other religious institutions have joined a letter stating that they are ''deeply troubled'' by the ''many provisions [in the House bill] that actually would roll back protections in current law for battered non-citizens, making them more vulnerable and, in some cases, endangering their lives.''

House Republicans are headed down the wrong path. In fact, when the Senate rejected their alternative to our bipartisan bill last month by a strong bipartisan vote of only 37 in favor and 62 opposed, I had hoped that would end the partisanship and the gamesmanship and we would be able to move forward together to reauthorize the Violence Against Women Act. I was encouraged to see the lead sponsor of the Republican alternative, the distinguished senior Senator from Texas, do just that and join with us to support the bipartisan Senate bill upon final passage. I commended Senator HUTCHISON for doing so. Likewise, we were buoyed by the support on final passage by the Senior Senator from Arizona, the Senators from Tennessee, Senator COATES of Indiana, Senator HOEVEN of North Dakota, Senator PORTMAN of Ohio and Senator VITTER of Louisiana.

Despite all this, House Republicans seem determined to destroy this bipartisan effort. As evidenced by the vote they are forcing today, they are intent on proceeding with their bill to roll back victim protections and insistent that it be done without the opportunity to consider the better, Senate-passed bill or, for that matter, any other amendments to their ill-conceived effort to undercut the Violence Against Women Act.

The House Republican bill not only fails to protect more victims, but actually weakens existing protections. I fear that it puts more lives at risk.

In its Statement of Administration Policy, the Obama administration correctly opposes the House bill, H.R. 4970, as a measure that ''would undermine the core principles of the Violence Against Women Act.'' It notes the House Republican bill ''retreats'' from the progress represented by the protections included in the bipartisan Senate-passed bill and ''weakens'' critical protections for victims. The House provisions ''senselessly remove existing legal protections, undermine VAWA's core purpose of protecting victims of sexual assault and domestic violence, frustrate important law enforcement objectives, and jeopardize victims by placing them directly in harm's way.'' It concludes with a threatened veto recommendation since the House measure ''rolls back existing law and removes long-standing protections for victims of domestic violence and sexual assault.'' Never before, in either Republican or Democratic administrations, Republican- or Democrat-controlled Houses or Senates, has the Violence Against Women Act been used to increase the dangers to women and so consciously disregard the unmet needs of our most vulnerable victims. Never before.

Last week the White House Advisor on Violence Against Women noted that the House Republican bill ''adds burdensome, counter-productive requirements that compromise the ability of service providers to reach victims, fails to adequately protect Tribal victims, lacks important protection and services for LGBT victims, weakens resources for victims living in subsidized housing, and eliminates important improvements to address dating violence and sexual assault on college campuses.'' She is right.

The closed process by which the House Republican leadership insisted its ill-conceived bill be rubberstamped breaks House Republican promises to allow amendments and proceed by an open amendment process. The House Republican bill's roll back of protections breaks the promise of the Violence Against Women Act to protect victims of domestic violence and sexual assault. Never before has the Violence Against Women Act been used to increase the dangers to women and so consciously disregarded the unmet needs of our most vulnerable victims.

A recent New York Times editorial entitled ''Backwards on Domestic Violence'' had it right: ''House members on both sides of the aisle who are serious about combating domestic violence must work to defeat this atrocious bill.'' That sentiment was reinforced by a recent Los Angeles Times editorial which stated: ''Republicans in the House should drop their attempts to undermine the Violence Against Women Act and instead move swiftly to reauthorize and strengthen the existing program, as the Senate has already done.''

Today The Washington Post reports on another study by Human Rights Watch documenting sexual violence and harassment of female farmworkers. Congress should not be turning its backs to these battered and abused women. We should be moving forward promptly to adopt the provisions of the Senate-passed bill to protect the most vulnerable among us, women who are doubly victimized by abusers and by the fear that they have no recourse.

I thank Senators MURRAY, MENENDEZ and SHAHEEN for their strong statements in support of the Senate-passed Violence Against Women Reauthorization Act yesterday. I am disheartened by the decision of the House Republican leadership to try to push through their destructive bill over the clear objections of those very victims it is supposed to serve. I urge the supporters of the bipartisan Senate bill to continue our efforts to see that this carefully crafted legislation that meets the needs of so many people is finally passed into law.

I ask unanimous consent to have printed in the RECORD the Statement of Administrative Policy, the editorials from the New York Times and the Los Angeles Times, and the letters to which I have referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF ADMINISTRATION POLICY

H.R. 4970—VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012

(Rep. Adams, R–FL, and 40 cosponsors, May 15, 2012)

The Administration strongly opposes H.R. 4970, a bill that would undermine the core principles of the Violence Against Women Act (VAWA). VAWA is a landmark piece of legislation that first passed the Congress in 1994 and has twice been reauthorized with overwhelming bipartisan support, each time with important improvements to strengthen VAWA. The Act transformed the Nation's response to violence against women and brought critically needed resources to States and local communities to address these crimes.

H.R. 4970 retreats from this forward progress by failing to include several critical provisions that are part of the Senate-passed VAWA reauthorization bill. For instance,

H.R. 4970 fails to provide for concurrent special domestic violence criminal jurisdiction by tribal authorities over non-Indians, and omits clarification of tribal courts' full civil jurisdiction regarding certain protection orders over non-Indians. Given that three out of five Native American women experience domestic violence in their lifetime, these omissions in H.R. 4970 are unacceptable. The bill also fails to include language that would prohibit discrimination against LGBT victims in VAWA grant programs. No sexual assault or domestic violence victim should be beaten, hurt, or killed because they could not access needed support, assistance, and protection. In addition, H.R. 4970 does not include important improvements to the Clery Act found in the Senate-passed bill that would address the high rates of dating violence and sexual assault experienced by young people in college and other higher education institutions. The bill also weakens critical new provisions in the Senate-passed bill that would improve safety for victims living in subsidized housing.

H.R. 4970 also takes direct aim at immigrant victims of domestic violence and sexual assault by removing critical protections currently in law. H.R. 4970 allows abusers to be notified when a victim files a VAWA self-petition for relief, and it eliminates the path to citizenship for U visa holders—victims of serious crimes such as torture, rape, and domestic violence—who are cooperating with law enforcement in the investigation or prosecution of these crimes. These proposals senselessly remove existing legal protections, undermine VAWA's core purpose of protecting victims of sexual assault and domestic violence, frustrate important law enforcement objectives, and jeopardize victims by placing them directly in harm's way.

The Administration urges the House to find common ground with the bipartisan Senate-passed bill and consider and pass legislation that will protect all victims. H.R. 4970 rolls back existing law and removes long-standing protections for victims of domestic violence and sexual assault—crimes that predominately affect women. If the President is presented with H.R. 4970, his senior advisors would recommend that he veto the bill.

NATIONAL NETWORK TO END DOMESTIC VIOLENCE,
Washington, DC, May 7, 2012.

Hon. LAMAR SMITH,
House Judiciary Committee, House of Representatives, Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER CONYERS: The National Network to End Domestic Violence, which represents all of our nation's state and territorial domestic violence and dual domestic violence-sexual assault coalitions, their 2,000 member programs and the millions of victims they serve every year, opposes HR 4970, a bill introduced by Representatives Sandy Adams (R–FL) and Eric Cantor (R–VA) to reauthorize the Violence Against Women Act (VAWA).

VAWA was initially passed in 1994 and subsequently reauthorized in 2000 and 2005 to meet the needs of victims. HR 4970 fails to meet, and in fact, weakens, rather than enhances, protections for victims of domestic violence. The network of survivors and advocates who work on a daily basis with courts, law enforcement, prosecutors, shelters, academic and medical institutions need VAWA's tools—its laws and programs—to help keep victims safe. All of us are alarmed that HR 4970 takes the wrong direction and will be dangerous for victims.

We are particularly concerned with provisions that erode critical safety measures for immigrant victims seeking safety and justice, fail to fix a jurisdictional issue for victims on tribal lands who are beaten by non-tribal perpetrators with near impunity, and turn a blind eye to lesbian, gay and other marginalized communities. If enacted, this bill would jeopardize victims' lives and embolden perpetrators of violence. HR 4970 also wrongly grows bureaucracy through the costly and excessive auditing of small non-profits. Resources would be better spent training and supporting those important organizations that provide these lifesaving services and advocacy. And finally, the emergency housing transfer section in this bill, which is intended to help victims flee violent, dangerous perpetrators without becoming homeless, is weakened by allowing the adoption of transfer policies to be ''voluntary'' by owners, managers and public housing agencies.

The U.S. House of Representatives has the opportunity to develop and pass a bipartisan VAWA that meets the needs of victims. HR 4970 is not such a bill. We look forward to working with the House Judiciary Committee and all Members of Congress to develop a bill that is reflective of the needs of all victims. Please contact Paulette Sullivan Moore, NNEDV's Vice President of Policy, at psmoore@nnedv.org with any questions.

Sincerely,

SUE ELSE,
President.

MAY 7, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER CONYERS: On behalf of the undersigned faith leaders and faith-based organizations concerned about victims of domestic violence, human trafficking, sexual assault, and other forms of violence, we write to express our concerns about Title VIII of H.R. 4970, legislation to reauthorize the Violence Against Women Act (VAWA), which we understand the House Committee on the Judiciary plans to mark up tomorrow.

Faith communities are on the front lines, identifying victims, providing refuge, referring victims and their families for services, and offering hope and healing. In times of crisis, victims often turn to faith communities and leaders for support and moral guidance because they see places of worship as a sanctuary from the horrors they have experienced. Through our ministry with victims, we have learned that abusers often exploit a victim's immigration status, leaving individuals extremely vulnerable and afraid to report the abuse to law enforcement, assist in the prosecution of crimes, and seek services.

Congress created VAWA in 1994, and it has voted twice since then to reauthorize the law, each time with broad bipartisan support. However, we are deeply troubled by Title VIII of H.R. 4970, as introduced. Title VIII contains many provisions that actually would roll back protections in current law for battered non-citizens, making them more vulnerable and, in some cases, endangering their lives. We urge you to strike these provisions from the bill before the measure is brought before the full House of Representatives for a vote.

VAWA is an effective tool in combatting the devastating crimes of domestic violence and providing lifesaving programs and services. We urge Congress to preserve and improve protections for vulnerable immigrant victims.

Sincerely,

Noel Castellanos, CEO, Christian Community Development Association; Rev. John L. McCullough, Executive Director and CEO, Church World Service; Wendy Tarr, Director, Clergy and Laity United for Economic Justice; Alex Baumgarten, Director of Government Relations, The Episcopal Church; Luis Cortes, President, Esperanza; Alexia Salvatierra, Director of Justice Ministries, Southwest California Synod Evangelical Lutheran Church in America; Patrick Carolan, Executive Director, Franciscan Action Network; Gideon Aronoff, President and CEO, Hebrew Immigrant Aid Society; Orlando Crespo, National Director, La Fe Multi-Ethnic Ministries, Intervarsity Christian Fellowship/USA; Janet Mock, CSJ, Executive Director, Leadership Conference of Women Religious.

Linda Hartke, President and CEO, Lutheran Immigration and Refugee Service; Rachelle Lyndaker Schlabach, Director, Mennonite Central Committee, U.S. Washington Office; Salam Al-Marayati, President, Muslim Public Affairs Council; Leith Anderson, President, National Association of Evangelicals; Rev. Samuel Rodriguez, President, National Hispanic Christian Leadership Conference; Rev. Gabriel Salguero, President, National Latino Evangelical Coalition; Jim Wallis, President and CEO, Sojourners; Johnny Young, Executive Director, Migration and Refugee Services, U.S. Conference of Catholic Bishops; Lynne Hybels, Willow Creek Community Church; Deborah Fikes, Executive Advisor, World Evangelical Alliance; Stephan Bauman, President and CEO, World Relief.

AMERICAN BAR ASSOCIATION,
Washington, DC, May 7, 2012.

COMMITTEE ON THE JUDICIARY,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the American Bar Association, with nearly 400,000 members, I write to express our opposition to H.R. 4970, the Violence Against Women Act reauthorization bill introduced by Rep. Sandy Adams (R–FL), which is scheduled to be considered by the House Judiciary Committee on May 8, 2012. We urge members of the committee to oppose the bill.

VAWA has been the single most effective federal effort to respond to the epidemic of domestic violence, dating violence, sexual assault and stalking in this country. The act has ensured that legal and social services are available to survivors, and that law enforcement, prosecutors, judges, attorneys and advocates are well-trained and equipped with cutting-edge resources to effectively address these crimes in their own communities.

Reauthorization of VAWA is critical, providing Congress with the opportunity to amend the act in order to combat domestic and sexual violence more effectively. For example, in 2000, Congress created the Legal Assistance to Victims grant program. It also created the U visa for immigrants who are victims of serious crimes and who have cooperated with authorities in the prosecution of the perpetrator, and it authorized funding for increased protection of older individuals

and individuals with disabilities. And in 2005, it became unlawful to deny an individual housing assistance simply because the individual is a victim of domestic violence, dating violence, sexual assault or stalking. Congress also created a new grant program to improve court responses to these crimes.

H.R. 4970 does not continue this tradition of improvement. Unlike the recently passed Senate bill (S. 1925), which reflects discussions with more than 2,000 advocates and experts across the country, H.R. 4970 represents a retreat from the fight against domestic and sexual violence. It fails to add critical improvements to address the needs of underserved populations, like victims who are members of faith communities and those who are denied services because of their sexual orientation or gender identity, and strips critical protections from existing law.

The provisions of H.R. 4970 that significantly undermine protections available to vulnerable immigrant victims of violence are of particular concern. Before enactment of VAWA, abusive U.S. Citizens and Legal Permanent Residents (LPRs) were able to use the immigration laws as a mechanism to further abuse and control their immigrant spouses and children. Perpetrators of domestic violence routinely would thwart, or threaten to thwart, the visa petitioning process. In creating a special application process for battered spouses and children of U.S. Citizens and LPRs, lawmakers recognized that many victims of domestic abuse were unwittingly victimized by the immigration system as well.

The current VAWA green card application process involves a ''self-petition,'' so that the abuser is not involved at all in the process and prohibits the government from releasing information about the existence of a VAWA immigration case to the abuser or others. H.R. 4970 removes those critical protections. A forced choice between deportation or safety from an abusive spouse or trafficker is the precise evil that the original self-petitioning provisions of the VAWA were intended to eliminate. H.R. 4970 creates obstacles for immigrant victims seeking to report crimes and increases the danger to victims by eliminating important confidentiality provisions.

Because it fails to improve upon our nation's response to domestic violence and sexual assault by ensuring that all populations are protected and in fact rolls back critical protections in existing law, the ABA urges you to oppose H.R. 4970. VAWA is a critical tool in the arsenal to address domestic and sexual violence, and it must be improved during this reauthorization process to address the needs of all victims and hold more offenders accountable.

Sincerely,

THOMAS M. SUSMAN,
Director, Governmental Affairs Office.

MAY 7, 2012.

DEAR REPRESENTATIVE: As the largest provider of battered women's services in the United States, with over 1300 locations in 47 states, the YWCA is deeply invested in the safety and health of all women. The YWCA serves over half a million women each year through its anti-violence programs, providing much needed access for victims of violence to 24-hour crisis hotlines, emergency shelter, counseling services, legal assistance, child care, economic empowerment programs and transitional housing. The YWCA strongly opposes any legislation that puts victims' lives at risk, and as such, opposes H.R. 4970 to reauthorize the Violence Against Women Act (VAWA) introduced by Rep. Sandy Adams (R–FL).

For nearly 18 years, VAWA has provided a national, streamlined response to address domestic violence, sexual assault, dating violence and stalking. H.R. 4970 cuts back on critical provisions outlined in S. 1925, passed last month, that protect some of the most vulnerable women in our communities, and as a result, is a dangerous bill that puts the lives of millions of women across the nation at risk.

Under H.R. 4970, immigrant women will be required to conduct interviews for U-visa petitions in person, which does not take into consideration the unfortunate reality of many victims of violence where their movement is strictly limited or closely monitored by their abusers. In addition, H.R. 4970 would eliminate key confidentially measures by allowing USCIS officers to notify and interview the abusers. Not only will this keep immigrant victims from reporting abuse, but it will put their lives at risk if they do proceed to apply for a U-visa. Studies indicate that the two most heightened periods of danger for victims of abuse are when they are pregnant and when they decide to leave an abusive situation—disregarding the importance of confidentiality and informing the abuser of the victims' intent to leave will undoubtedly lead to greater danger for the very people that this bill purports to assist.

H.R. 4970 disregards the epidemic rates of violence in Indian Country by allowing batterers to avoid prosecution on Tribal lands. By doing so, the bill fails to hold perpetrators of violence accountable for their actions and sends a clear message to Native victims of violence to remain silent and endure abuse. Without explicitly addressing the issue of accountability, Native victims will continue to remain fearful of reporting crimes of abuse. H.R. 4970 also strips all support for LGBT victims of abuse, claiming that they are not the 'right' victims. The YWCA supports all women and victims of abuse regardless of sexual orientation, immigration status, or race, and does not stand for isolating entire subsets of the community that face unique barriers to accessing services. By excluding the LGBT community in the bill, H.R. 4970 it prevents providers from serving ALL women, and no one should be denied help based on their sexual orientation.

H.R. 4970 fails to provide inclusive provisions that address the unique needs of underserved communities, which would in turn endanger the lives of millions of women across the nation. The YWCA supports legislation that is trauma informed, victim centered, and evidence based, and is opposed to any provisions that force victims to negotiate their safety when seeking assistance from abusive situations.

In short, we urge you to oppose H.R. 4970.

Please contact Desiree Hoffman, Director of Advocacy and Policy at dhoffman@ywca.org or Qudsia Jafree, Field and Policy Coordinator at qjafree@ywca.org should you have questions.

Sincerely,

DESIREE HOFFMAN,
YWCA USA, Director of Advocacy and Policy.

[From the New York Times]

BACKWARD ON DOMESTIC VIOLENCE

In an all-too-rare show of bipartisanship, 15 Senate Republicans joined with the Democratic majority last month to reauthorize the Violence Against Women Act, the landmark 1994 law that is key to efforts against domestic violence, sexual assault and stalking.

Unfortunately, the lopsided 68-to-31 Senate vote halted G.O.P. opponents only temporarily. The House Judiciary Committee last week approved its version of the reauthorization bill, which not only omits improvements the Senate bill made to the law but also removes existing protections for immigrant women, putting them at greater risk of domestic and sexual abuse.

The Senate's measure ensures that victims are not denied services because they are gay or transgender. It also strives to ensure that domestic violence crimes committed by non-Indian men in tribal communities are prosecuted. The Senate bill also would modestly expand the availability of special U-visas for undocumented immigrants who are victims of domestic violence. That move was supported by law enforcement to encourage victims to come forward and testify against their abusers.

The regressive House alternative removes these and other improvements, including new protections for students on college campuses. The House measure would eliminate a confidentiality requirement in current law that protects the identity of immigrant women who file domestic violence complaints against a spouse who is a citizen or legal resident and allows the women to apply for legal status on their own.

House Republicans claim there is a big fraud problem in this area, but there is no hard evidence of that. And their plan to end the centralized handling of these issues by a Vermont-based office would undermine the government's ability to detect untruthful stories.

House members on both sides of the aisle who are serious about combating domestic violence must work to defeat this atrocious bill. If that fails, the Senate will need to insist on fixing it during the reconciliation process.

[From latimes.com, May 15, 2012]

PARTISANSHIP AND THE VIOLENCE AGAINST WOMEN ACT

The House needs to reauthorize the law, without limits, as it has in the past, so Republicans can demonstrate that helping battered women is more important than political games.

The political climate in Congress is so noxious these days that even a law that originally passed with overwhelming bipartisan support because it provided much-needed help to abused women is now a partisan issue. That's shameful. Republicans in the House should drop their attempts to undermine the Violence Against Women Act and instead move swiftly to reauthorize and strengthen the existing program, as the Senate has already done.

First enacted in 1994, the law has been renewed twice without a fight. Last week, however, some of the same GOP lawmakers who once endorsed the law retreated, voting in committee to strip out provisions designed to protect immigrants. Under VAWA as it has long existed, if an immigrant married to a U.S. citizen or a green-card holder—and therefore eligible to stay in the country permanently—can show evidence of abuse, he or she may file independently without having to rely on the abusive spouse. VAWA's gender-neutral protections apply to legal and illegal immigrants and allow the victim to file confidentially.

Confidentiality is crucial. As the Republican-led House Judiciary Committee noted in its 2005 report to reauthorize VAWA and expand protections, without such guarantees, an abuser could try to derail a spouse's

green-card application or push to have him or her deported. A battered woman whose application depends on her abusive husband certainly might think twice about filing if she knew her abuser would be notified that she was seeking help without him.

Eliminating the confidentiality provision is one of several changes House Republicans would like to make to weaken the law. They argue that the changes are necessary to combat fraud, in which immigrants falsely claim to have been abused in order to obtain visas. But where are the data and studies that fraud is a problem? Immigrant victims who petition for visas under VAWA are already required to supply ample evidence of abuse, such as police reports or medical records. And applications undergo intense scrutiny. In fiscal 2011, immigration officials denied nearly a third of those petitions.

The House reauthorization bill also seeks to undercut a provision that allows undocumented immigrants who assist in prosecutions of serious crime for U visas, and ultimately obtain green cards. The proposed changes would allow victims to obtain temporary visas only. Surely, even those lawmakers who embrace anti-immigrant legislation can appreciate that U visas help protect American citizens too, by encouraging witnesses to step forward without fear of deportation. That's why the program enjoys the backing of many law enforcement groups.

The House will vote on Wednesday. It should reauthorize VAWA without limits, as it has in the past, and demonstrate that helping battered women, those who are immigrants, isn't a partisan issue.

THE FARM BILL

Mr. BENNET. Mr. President, I rise to highlight for my colleagues how Congress now has a critical opportunity to support the competitiveness and prosperity of American agriculture. We need to move the farm bill forward. It is fitting that this week marks the 150th anniversary of the founding of the U.S. Department of Agriculture, the Federal Department solely dedicated to meeting the needs of America's farmers, ranchers, and rural communities.

Agriculture is at the heart of Colorado's history and cultural fabric. It also continues to be one of our most significant economic drivers. At a time when many sectors are struggling to find growth, Colorado farmers and ranchers are more productive than ever, finding innovative ways to harness growing consumer demand for agricultural products both at home and in overseas markets.

As evidence of this success, agriculture is the one sector of the U.S. economy that boasts a trade surplus. During the first 2 months of 2012, Colorado exports of agricultural products grew by 25 percent over the same period in 2011, led by an 80-percent increase in dairy exports. This good news comes on the heels of several consecutive years of double-digit increases in Colorado agriculture exports.

The USDA is part of this success story. Colorado farmers and ranchers work closely with local USDA employees to support the productivity of their operations and to maintain the health of their land and water resources. It is a vital partnership. And with expiration looming on many programs important to Colorado agriculture, I can think of no better way to commemorate the USDA's 150th anniversary than by reauthorizing the farm bill.

Over the last several months, the Senate and House committees on agriculture have come together to craft a bipartisan farm bill that not only provides America's farmers, ranchers, and rural communities with the tools they need to keep growing but also makes a significant contribution toward important national deficit reduction goals. The farm bill passed by the Senate Agriculture Committee makes very significant progress in simplification, accountability, and taxpayer savings.

Using feedback I received from over 20 listening sessions statewide, I worked to secure Colorado's top farm bill priorities. In particular, I am encouraged by the farm bill's revamped conservation title. It maintains vital authorities for land and water protection while also consolidating over 20 existing conservation programs to provide producers and landowners with much needed flexibility.

I also strongly support efforts by the Senate Agriculture Committee to strengthen the Federal crop insurance program. Time and time again, Colorado farmers have told me that affordable crop insurance is the single most important risk management tool the USDA can provide to producers for addressing today's economic and ecological challenges.

According to Colorado State University, agriculture contributes $40 billion toward the State economy annually. Of course, the benefits of a strong farm economy extend far beyond the farm. It means stronger energy, transportation, and retail sectors. It also allows us to provide food assistance to the most vulnerable populations at home and in countries suffering from famine due to drought and conflict.

In short, reauthorizing the farm bill is one the most important things this Congress can do to provide farmers and ranchers with the certainty they need to plan for the future. It will help to keep rural America growing and thriving, and it will help to invigorate an economy just now getting back on its feet. Acting on this legislation during USDA's 150th year would make the accomplishment even better.

ADDITIONAL STATEMENTS

TRIBUTE TO FATHER RICHARD J. KELLEY

• Ms. AYOTTE. Mr. President, today I wish to recognize and honor my friend, Father Richard J. Kelley, a Catholic priest who has devoted decades of service in parishes across New Hampshire. It is my privilege to congratulate him as he celebrates his 40th anniversary of ordination to priesthood.

Father Kelley was born in Boston, MA, on May 10, 1943. He was raised in Needham and West Roxbury and graduated from Catholic Memorial High School in 1961. His seminary studies took place at the Holy Apostles Seminary in Cromwell, CT, and Catholic University in Washington, DC.

In addition to his commitment to the Catholic Church, Father Kelley has always reached out to help those in need. Before his ordination to priesthood, he spent time performing inner-city social work in Kansas City, MO. Shortly thereafter, Father Kelley was ordained to priesthood on May 20, 1972, at the St. Joseph Cathedral in Manchester, NH.

Since offering his first Mass at St. Joseph Church in his hometown of Needham, Father Kelley has spent many years serving parish churches in cities and towns across New Hampshire. As an associate pastor, he led Seacoast parishioners at Our Lady of the Miraculous Medal Parish in Hampton and St. Michael Parish in Exeter. He also served at St. Joseph Cathedral in Manchester.

On October 7, 1985, Father Kelley was appointed to his first pastorate at St. Catherine Parish in Charlestown, followed by over a decade of service at St. Patrick Parish in Jaffrey. So many New Hampshire parishes have been blessed to have Father Kelley's guidance, and his message of faith and devotion has touched many lives.

Since 2000, Father Kelley has served as the Pastor of St. Christopher Parish in my hometown of Nashua. In addition to his role as leader of the parish, Father Kelley is also a familiar face to the students at St. Christopher's Catholic School, where his patience, kindness, and humility serve as an inspiring example.

The impact of Father Kelley's 40 years of service can perhaps best be witnessed every Christmas. He receives hundreds of holiday cards from parishioners and friends he has met throughout his lifetime. He hangs up each one to decorate the walls and doors of his office, completely covering each surface and eventually spilling into the hallways. This seasonal collage reflects the many valued friendships he has cultivated throughout his career.

Father Kelley's impact continues to reach far beyond the parish walls. In addition to his responsibilities at St. Christopher's, he has assisted other community members through his service as the Nashua Police Department chaplain, as a former board member of Harbor Homes, and through his continued support of Catholic Memorial High School.

I am honored to recognize Father Richard Kelley as his many friends

help him mark his 40th anniversary of ordination to priesthood. His loyalty and dedication to the Catholic Church and to his parishioners is unwavering—St. Christopher's is blessed and fortunate to have his guidance. I am grateful for Father Kelley's leadership and his many years of service to the Catholic Church in communities across New Hampshire.●

REMEMBERING JUDGE ROBERT E. COYLE

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Judge Robert E. Coyle, a talented jurist, a respected member of the community, and a kind and gentle man. Judge Coyle passed away on May 7 in Fresno at age 82.

A Fresno native, Robert Coyle received his B.A. from Fresno State College in 1953 and his J.D. from the University of California, Hastings College of the Law in 1956. After law school, he began his legal career as a deputy district attorney in Fresno County before working as an associate at Hansen, McCormick, Barstow and Sheppard from 1958 to 1961 and as partner at McCormick, Barstow, Sheppard, Coyle and Wayte from 1961 to 1982.

Judge Coyle was nominated to the Eastern District bench by President Reagan, confirmed by the Senate on March 31, 1982, and served as chief judge of the district from 1990 to 1996, when he took senior status and continued to take cases until 2006.

Judge Coyle played an instrumental role in the construction of new Federal courthouses in Sacramento and Fresno. For 13 years, he led the effort to build the Fresno courthouse, often seen shuttling from his chambers to the construction site with his hard hat in hand. His passion for this project once prompted him to ride in a suspended platform to some 300 feet above the ground to get a glimpse of the view that is now enjoyed by the building's occupants and visitors. After taking in the views of his beloved hometown and the breathtaking Sierra and beautiful Coastal Range, Judge Coyle compared his experience to ''riding on a cloud.''

I am proud to have introduced legislation that led to the naming of the Federal courthouse in downtown Fresno as the Robert E. Coyle United States Courthouse. The nine-story building stands as a reminder to the community and people of California of the dedicated work of Judge Robert E. Coyle.

Judge Coyle was always admired for his sharp intellect, collegiality, and gentlemanly ways. A giving person, he lent his time and talents to a number of community causes, including service on the board of trustees of the United Way Advocate. In his leisure time, he enjoyed spending time at the family cabin above Bass Lake.

I extend my deepest sympathies to his wife of 59 years, Faye; his son and daughter-in-law, Robert and Kim; and his daughter and son-in-law, Barbara and Michael Vellone; and his grandchildren, Hunter, Sydney, Morgan, and Matthew.

Judge Coyle will be greatly missed.●

TRIBUTE TO DR. THEODORA KALIKOW

● Ms. COLLINS. Mr. President, on April 23, 2012, Dr. Theodora J. Kalikow gave her last lecture as president of the University of Maine Farmington and received a standing ovation from an overflow audience at the campus's largest auditorium. In that same spirit, I rise today to express my gratitude to a great leader and good friend for 18 years of outstanding service to the people of Maine.

There are many ways to describe what Theo as she is known to colleagues, students, and friends has meant to our State. One is to note that in 1998, her fourth year as president, the University of Maine Farmington was named to U.S. News and World Report's best college list for the first time. This year, UMF celebrated 15 consecutive years of receiving that hard-earned and well-deserved recognition.

Another way is to consider the deep affection alumni and people throughout Maine have for this remarkable institution. As just one example, in 2007 UMF opened its new Education Center that integrates technology with teaching and learning. This major expansion was made possible only through the generosity of countless individuals, businesses, and organizations. Over the years, this kind of overwhelming support has enabled this small school of just 2,000 students to keep pace with the top colleges and universities in the country.

Responding to the needs of an ever-changing society is one of the richest traditions a college can have. The traditions Dr. Kalikow has upheld began a century and a half ago when the people of rural Franklin County joined together to establish Maine's first public institution of higher education. When the first class of 31 students matriculated at the new Farmington Normal School in 1864, they did so in a setting that was described by a University of Maine historian as ''rough, crude, and plenty humble.''

Under Dr. Kalikow's leadership, UMF has upheld another noble tradition that of contributing to the entire region by adding to its cultural life, teaching in local classrooms, coaching youth athletics, and helping youngsters learn everything from swimming to foreign languages. From the Health and Fitness Center to the Mantor Library, the doors of UMF are open to the community.

In her last lecture, Dr. Kalikow drew a strong connection between the America we know today as a place of unsurpassed equality, freedom, and opportunity and the ''rough, crude, and plenty humble'' foundation of public higher education laid in Farmington, ME, and other frontier communities across the Nation so many generations ago. These ordinary citizens knew that education was a necessary condition of creating a successful society, she said, and we today are the beneficiaries of their investment.

Mr. President, Dr. Theo Kalikow has increased that investment through an ongoing commitment to teaching and learning. On behalf of the people of Maine, I thank Dr. Kalikow for her contributions to our State and wish her all the best in the years to come.●

CONGRATULATING ANGELA FOREMASTER

● Mr. HELLER. Mr. President, today I wish to congratulate a student from my home State for being recognized as one of Nevada's top youth volunteers of 2012. Angela Foremaster, a senior at Legacy High School in Las Vegas, was honored with the Prudential Spirit of Community Award for her advocacy on behalf of foster children and homeless teens in the Greater Las Vegas area. I am proud to recognize Ms. Foremaster for this accomplishment as she serves as a role model for students across the nation striving to make a difference in the lives of America's youth.

Having five adopted siblings, Ms. Foremaster understands the importance of supporting organizations that find adoptive families for children who wait in foster care. She has dedicated more than 1,000 hours to foster organizations around Nevada to assist their efforts to provide a supportive community for children. One winter, as she helped a group prepare for the holiday season, Ms. Foremaster noticed that they weren't providing children with stockings for Christmas. This experience encouraged her to hang flyers, asking for donations and small gifts to help her fill stockings for adoptive children and displaced teens. Ms. Foremaster was thrilled to receive generous donations that enabled her to fill 250 stockings to help bring the holiday spirit to kids in needs.

I am so appreciative that Ms. Foremaster is raising awareness of the needs of our country's struggling youth. In this tough economic period, America's children deserve our attention more than ever. Since coming to Congress, I have supported legislation that assists individuals who have fallen on hard times, recognizing the importance of temporary safety nets. It is of paramount importance in this distressed economy that we keep the needs of our most vulnerable at the forefront while focusing on solutions to

our nation's long-term economic problems.

I ask my colleagues to join me today in congratulating a young Nevadan for her incredible determination to assist our nation's youth. The citizens of Las Vegas are fortunate to have such a generous volunteer who selflessly gives back to her community and exemplifies the very best America's youth has to offer.●

COLONEL BRIAN DUBIE

● Mr. LEAHY. Mr. President, I would like to take a moment to pay tribute to Col. Brian Dubie, a fifth-generation Vermonter who is retiring on June 2 after a long and distinguished career in the Vermont Air National Guard and Air Force Reserve. Brian served as Vermont's 78th Lieutenant Governor and has devoted his life to serving his State and his country.

Upon graduating high school in Essex Junction, Brian enrolled in the U.S. Air Force Academy. Even though the flight he took to Colorado was his first time on an airplane, Brian already knew that he loved aviation. Growing up, his father an officer in the Vermont Guard would bring the family to watch the planes take off and land from Burlington. Those excursions made vivid and lasting impressions on young Brian.

When he returned home to attend the University of Vermont, Brian joined the Vermont Air National Guard and flew F–4s and then F–16s, eventually rising to the rank of lieutenant colonel. In 1998, he joined the U.S. Air Force Reserve where he now holds the rank of colonel and serves as an emergency preparedness liaison officer.

Brian's service has touched thousands of Americans outside of Vermont. Following the September 11 attacks, Brian procured and coordinated the distribution of badly needed cell phones and radios for emergency responders at Ground Zero. For his actions he was awarded a Meritorious Service Medal. When Hurricane Katrina hit the gulf coast in 2005, Brian mobilized and ensured that civilian responders had the support they needed. For his achievements at the Hurricane Operations Center, he earned another Meritorious Service Medal and the Air Force Commendation Medal.

Admirable as they are, Brian's achievements are not surprising considering his roots in a family who values service and duty to country. His mother Janice worked as an operating room nurse at what was then the Medical Center Hospital of Vermont. His father Clem was a colonel in the Vermont Guard where he served full-time as a personnel officer. His brother Michael is the adjutant general of Vermont.

Brian is also a tireless promoter of the Vermont business community. He was the motivational force behind the Vermont Aerospace and Aviation Association. He also served as the unofficial Vermont ''ambassador'' to Quebec a position he took on with such fervor that some Quebec officials called him Mr. Ambassador.

I am proud of all that Brian has accomplished for Vermont and our country. While he may be retiring from the Air Force, I know that his service to both State and Nation is far from over. I wish him, his wife Penny, and his family all the best.●

RECOGNIZING UPRIGHT FRAMEWORKS

● Ms. SNOWE. Mr. President, in February, the New York Times ran a heartbreaking story about Robert and Wilma Hartford, two elderly Peru, ME residents unable to pay for basic heating during the State's bitter cold winter, and a heating oil dealer's personal struggle to assist them. As a result, the outpouring of support for this couple was astonishing, as neighbors, generous New York Times readers across the country, and local small businesses sought to help. One such business, Upright Frameworks in Wilton, ME, was happy to lend a hand. This small firm's assistance to the Hartfords during their time of need illustrates the generosity of Mainers, consistently rising to the occasion to help a neighbor, while demonstrating enormous potential for curbing our exorbitant energy costs. Today I wish to recognize Upright Frameworks for their compassion and tireless efforts to improve energy efficient building techniques.

Owner and founder Josh Wojcik began Upright Frameworks in 2008, after moving back home to Maine following a 9-year term in environmental policy in New York. As a trained environmentalist and graduate from the Structural Insulated Panel, SIP, School in West Virginia, Josh is dedicated to ensuring that buildings take full advantage of energy efficiency. Josh developed the idea for Upright Frameworks while assisting his father, Tom Wojcik, a long-time Mainer Builder, on construction projects throughout the State. As individuals continually inquired about energy efficiency and going ''green,'' Josh saw an opportunity to utilize his skills in Maine.

Despite the challenging construction market, today Upright Frameworks employs 12 individuals. As a new innovative construction solution, this small firm specializes in installing structural insulated panels which have been on the forefront of energy efficiency. For existing structures, the company performs energy audits and weatherization retrofits to ensure that buildings have the most cost-effective energy systems in places.

When Josh learned of the Hartfords' struggle, he was determined to help. With an existing home such as the Hartfords, the first step was to evaluate the project and determine the most cost-effective method to reduce energy costs. For Josh, reducing the heat loss in the attic was paramount to addressing energy efficiency. In collaboration with several other local Maine businesses and donations from across the country, Josh was able to effectively make a difference by reducing air leakage in the Hartfords' home by an astonishing 63 percent. This drastic reduction will allow the couple to substantially reduce their home heating costs for years to come.

While energy costs are still a major issue facing my State, I applaud Upright Frameworks' ability to achieve real results with their creative use of energy efficiency to alleviate the burdens of home-heating costs. This company's selfless commitment to helping fellow Mainers in need truly warms my heart. I am proud to extend my praise to Josh Wojcik and everyone at Upright Frameworks for their dedication and offer my best wishes for their continued success in building a new energy future and improving the daily lives of Mainers.●

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER WITH RESPECT TO BLOCKING THE PROPERTY OF PERSONS THREATENING THE PEACE, SECURITY, OR STABILITY OF YEMEN—PM 48

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the ''order'') declaring a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of certain members of the Government of Yemen and others to threaten Yemen's peace, security, and stability.

The order does not target the entire country of Yemen or its government, but rather targets those who threaten the peace, security, or stability of Yemen, including by obstructing the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power that meets the legitimate demands and aspirations of the Yemeni people for change, or by obstructing the political process in

Yemen. The order provides criteria for the blocking of property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to: have engaged in acts that directly or indirectly threaten the peace, security, or stability of Yemen, such as acts that obstruct the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power in Yemen, or that obstruct the political process in Yemen; be a political or military leader of an entity that has engaged in the acts described above; have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the acts described above or any person whose property and interests in property are blocked pursuant to the order; or be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

The designation criteria will be applied in accordance with applicable Federal law including, where appropriate, the First Amendment to the United States Constitution.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA,
THE WHITE HOUSE, *May 16, 2012*.

MESSAGES FROM THE HOUSE

At 9:33 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4045. An act to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

At 2:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 205. An act to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.

H.R. 365. An act to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

H.R. 1864. An act to limit the authority of States to tax certain income of employees for employment duties performed in other States.

H.R. 3534. An act to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other purposes.

H.R. 3874. An act to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.

H.R. 4240. An act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

The message also announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 note), as amended, and the order of the House of January 5, 2011, the Speaker appoints the following member on the part of the House of Representatives to the Commission on International Religious Freedom for a term ending May 14, 2014: Mr. Elliot Abrams of Virginia.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 205. An act to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes; to the Committee on Indian Affairs.

H.R. 1864. An act to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on Finance.

H.R. 3534. An act to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3874. An act to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; to the Committee on Energy and Natural Resources.

H.R. 4240. An act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes; to the Committee on Foreign Relations.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Energy and Natural resources, and referred as indicated:

H.R. 2947. An act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota; to the Committee on Agriculture, Nutrition, and Forestry.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3187. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 2415. A bill to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the ''Trooper Joshua D. Miller Post Office Building''.

H.R. 3220. A bill to designate the facility of the United States Postal Service located at 170 Evergreen Square SW. in Pine City, Minnesota, as the ''Master Sergeant Daniel L. Fedder Post Office''.

H.R. 3413. A bill to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the ''Private Isaac T. Cortes Post Office''.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND:

S. 3188. A bill to increase the authorized number of Weapons of Mass Destruction Civil Support Teams; to the Committee on Armed Services.

By Mr. PORTMAN:

S. 3189. A bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I; to the Committee on the Judiciary.

By Mr. PORTMAN:

S. 3190. A bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself and Mr. ALEXANDER):

S. 3191. A bill to improve provisions of title 23, United States Code relating to the use of HOV facilities; to the Committee on Environment and Public Works.

By Mr. ALEXANDER (for himself, Mr. COONS, Mr. LUGAR, and Mr. ISAKSON):

S. 3192. A bill to amend the Immigration and Nationality Act by establishing an F-4 nonimmigrant visa for aliens pursuing an advanced degree in mathematics, engineering, technology, or the physical sciences in the United States, to authorize such aliens to become permanent residents if they obtain employment in the United States related to their field of study, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. AKAKA, and Mrs. BOXER):

S. 3193. A bill to make technical corrections to the legal description of certain land to be held in trust for the Barona Band of Mission Indians, and for other purposes; to the Committee on Indian Affairs.

By Mrs. HAGAN:

S. 3194. A bill to require the establishment of a small business common application and web portal for purposes of Federal small business assistance programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. INHOFE:

S. 3195. A bill to suspend temporarily the duty on certain fishing reels; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself and Mr. GRASSLEY):

S. Res. 462. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges faced by children in the foster care system, acknowledging the dedication of foster care parents, advocates, and workers, and encouraging Congress to implement policy to improve the lives of children in the foster care system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself, Mr. BINGAMAN, Ms. MURKOWSKI, and Mr. PORTMAN):

S. Res. 463. A resolution designating May 19, 2012, as ''National Kids to Parks Day''; considered and agreed to.

By Mr. JOHNSON of South Dakota (for himself and Mr. THUNE):

S. Res. 464. A resolution commemorating the 70th anniversary of Ellsworth Air Force Base; considered and agreed to.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. Res. 465. A resolution recognizing that the Governor of the State of Colorado has proclaimed 2012 as the ''Year of Water''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 577

At the request of Mr. VITTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 577, a bill to amend the Internal Revenue Code of 1986 to clarify eligibility for the child tax credit.

S. 960

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 960, a bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1335

At the request of Mr. INHOFE, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1929

At the request of Mr. BLUMENTHAL, the names of the Senator from Nevada (Mr. REID), the Senator from Oregon (Mr. MERKLEY), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Florida (Mr. NELSON), the Senator from Oregon (Mr. WYDEN), the Senator from Hawaii (Mr. INOUYE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1929, a bill to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

S. 2134

At the request of Mr. BLUMENTHAL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2134, a bill to amend title 10, United States Code, to provide for certain requirements relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal antidiscrimination and antiretaliation claims, and for other purposes.

S. 2234

At the request of Mr. BLUMENTHAL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2234, a bill to prevent human trafficking in government contracting.

S. 2241

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2241, a bill to ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 Educational Assistance, and for other purposes.

S. 2245

At the request of Mr. BARRASSO, the names of the Senator from South Carolina (Mr. DEMINT) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 2245, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 2250

At the request of Ms. STABENOW, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Hawaii (Mr. INOUYE), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2250, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 2296

At the request of Mrs. HAGAN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2296, a bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes.

S. 2371

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2371, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 2554

At the request of Mr. LEAHY, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 2554, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017.

S. 3180

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 3180, a bill to require the Department of Defense to develop a plan to track and respond to incidents of hazing in the Armed Forces.

S. RES. 399

At the request of Mr. MENENDEZ, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 399, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

S. RES. 402

At the request of Mr. COONS, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Res. 402, a resolution condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

S. RES. 429

At the request of Mr. WICKER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 429, a resolution supporting the goals and ideals of World Malaria Day.

S. RES. 434

At the request of Mr. WARNER, the names of the Senator from Montana (Mr. TESTER) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. Res. 434, a resolution supporting the goal of preventing and effectively treating Alzheimer's disease by the year 2025, as articulated in the draft National Plan to Address Alzheimer's Disease from the Department of Health and Human Services.

S. RES. 446

At the request of Mr. RUBIO, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. Res. 446, a resolution expressing the sense of the Senate that the United Nations and other intergovernmental organizations should not be allowed to exercise control over the Internet.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. AKAKA, and Mrs. BOXER):

S. 3193. A bill to make technical corrections to the legal description of certain land to be held in trust for the Barona Band of Mission Indians, and for other purposes; to the Committee on Indian Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce legislation that will correct an error in the Native American Technical Corrections Act of 2004.

The intent of section 121 of the 2004 law was to put a parcel on the northern edge of the Barona reservation, in San Diego County, into trust for the tribe. Unfortunately the bill identified a parcel on the southern edge of the reservation and put that in trust.

The mistake is compounded by the fact that the land north of the reservation is owned by a non-Indian property owner. The landowner now cannot sell or modify his property without permission from the tribe and the Department of the Interior.

The Barona Band of Mission Indians Land Transfer Clarification Act corrects this mistake.

The bill removes the private property on the northern side of the reservation from trust status; and the bill places the correct parcel in trust for the Barona tribe on the southern edge of the reservation.

The Barona Land Transfer Clarification Act closely follows an agreement brokered by Congressman DUNCAN HUNTER and his staff. Congressman HUNTER, and former Congressman Duncan Hunter, Sr. before him, brought the Band, the County of San Diego and the neighboring homeowners to the negotiating table.

The agreement they reached, embodied in this legislation, is a product of compromise. The end product is something that everyone agrees is better than the status quo. That is how compromise works.

The Tribe supports the legislation. The Homeowners and the County have reviewed and approved the language.

For the County and Homeowners, the findings section is the most important part of the bill.

This section addresses the ongoing water dispute between the tribe and its neighbors.

The fourth finding is particularly important if—the tribe uses the land to bring additional water into the area, the effort is only authorized if it also addresses the water needs of the neighboring off-reservation property.

Homeowners in the area have noticed diminished groundwater supplies in recent years, and they have looked to the tribe to help resolve the issue. In this arid part of the State, this is a significant concession on the part of the Tribe, and it is the cornerstone of the entire agreement.

I am hopeful that we can quickly pass this legislation and undo this unfortunate mistake. By enacting the Barona Land Transfer Clarification Act, all parties will gain some certainty that their issue will be resolved.

Finally, I am proud that my colleague from California Senator BOXER, and Senate Indian Affairs Committee Chairman DANIEL AKAKA have joined me as original cosponsors.

Once this legislation is sent over to the House, I know that Congressman HUNTER and the San Diego Delegation stand ready to join our fight to resolve this issue.

This strong, bi-partisan, bi-cameral support gives me confidence that this simple, straightforward piece of legislation is one that the Senate can pass very quickly.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Barona Band of Mission Indians Land Transfer Clarification Act of 2012''.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the legal description of land previously taken into trust by the United States for the benefit of the Barona Band of Mission Indians may be interpreted to refer to private, nontribal land;

(2) there is a continued, unresolved disagreement between the Barona Band of Mission Indians and certain off-reservation property owners relating to the causes of diminishing native groundwater;

(3) Congress expresses no opinion, nor should an opinion of Congress be inferred, relating to the disagreement described in paragraph (2); and

(4) it is the intent of Congress that, if the land described in section 121(b) of the Native American Technical Corrections Act of 2004 (118 Stat. 544) (as amended by section 3) is used to bring water to the Barona Indian Reservation, the effort is authorized only if the effort also addresses water availability for neighboring off-reservation land located along Old Barona Road that is occupied as of the date of enactment of this Act by providing guaranteed access to that water supply at a mutually agreeable site on the southwest boundary of the Barona Indian Reservation.

(b) PURPOSES.—The purposes of this Act are—

(1) to clarify the legal description of the land placed into trust for the Barona Band of Mission Indians in 2004; and

(2) to remove all doubt relating to the specific parcels of land that Congress has placed into trust for the Barona Band of Mission Indians.

SEC. 3. LAND TRANSFER.

Section 121 of the Native American Technical Corrections Act of 2004 (Public Law 108–204; 118 Stat. 544) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is land comprising approximately 86.87 acres in San Diego County, California, and described more particularly as follows: T. 14 S., R. 1 E. San Bernardino Meridian; Section 21, SW¼ SW¼, excepting the north 475 ft.; W½ SE¼ SW¼, excepting the north 475 ft.; E½ SE¼ SW¼, excepting the north 350 ft.; Together with that portion W½ SE¼, lying southwesterly of the following line: Beginning at the intersection of the southerly line of said SE¼ Section 21 with the westerly boundary of Rancho Canada De San Vicente Y Mesa Del Padre Barona as shown on United States Government Resurvey approved January 21, 1939; thence northwesterly along said boundary to an intersection with the westerly line of said SE¼; containing 68.75 acres more or less; Section 28, NW¼ NW¼, excepting the east 750 ft.; containing 17.02 acres more or less.''; and

(2) by adding at the end the following:

''(d) CLARIFICATIONS.—

''(1) EFFECT ON SECTION.—The provisions of subsection (c) shall apply to the land described in subsection (b), as in effect on the day after the date of enactment of the Barona Band of Mission Indians Land Transfer Clarification Act of 2012.

''(2) EFFECT ON PRIVATE LAND.—The parcel of private, non-Indian land referenced in subsection (a) and described in subsection (b), as in effect on the day before the date of enactment of the Barona Band of Mission Indians Land Transfer Clarification Act of 2012, but excluded from the revised description of the land in subsection (b) was not intended to be—

''(A) held in trust by the United States for the benefit of the Band; or

''(B) considered to be a part of the reservation of the Band.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 462—RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES FACED BY CHILDREN IN THE FOSTER CARE SYSTEM, ACKNOWLEDGING THE DEDICATION OF FOSTER CARE PARENTS, ADVOCATES, AND WORKERS, AND ENCOURAGING CONGRESS TO IMPLEMENT POLICY TO IMPROVE THE LIVES OF CHILDREN IN THE FOSTER CARE SYSTEM

Ms. LANDRIEU (for herself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 462

Whereas National Foster Care Month was established more than 20 years ago to bring foster care issues to the forefront, highlight the importance of permanency for every child, and recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States;

Whereas all children deserve a safe, loving, and permanent home;

Whereas the primary goal of the foster care system is to ensure the safety and well-being of children while working to provide a safe, loving, and permanent home for each child;

Whereas there are approximately 408,000 children living in foster care;

Whereas there were approximately 254,000 youth that entered the foster care system in 2010, while over 107,000 youth were eligible and awaiting adoption at the end of 2010;

Whereas children in foster care experience an average of 3 different placements, which often leads to disruption of routines and the need to change schools and move away from siblings, extended families, and familiar surroundings;

Whereas youth in foster care are much more likely to face educational instability with 65 percent of former foster children experiencing at least 7 school changes while in care;

Whereas children of color are more likely to stay in the foster care system for longer periods of time and are less likely to be reunited with their biological families;

Whereas foster parents are the front-line caregivers for children who cannot safely remain with their biological parents and provide physical care, emotional support, education advocacy, and are the largest single source of families providing permanent homes for children leaving foster care to adoption;

Whereas children in foster care who are placed with relatives, compared to children placed with nonrelatives, have more stability, including fewer changes in placements, have more positive perceptions of their placements, are more likely to be placed with their siblings, and demonstrate fewer behavioral problems;

Whereas an increased emphasis on prevention and reunification services is necessary to reduce the number of children that are forced to remain in the foster care system;

Whereas more than 27,900 youth ''age out'' of foster care without a legal permanent connection to an adult or family;

Whereas children who age out of foster care may lack the security or support of a biological or adoptive family and frequently struggle to secure affordable housing, obtain health insurance, pursue higher education, and acquire adequate employment;

Whereas foster care is intended to be a temporary placement, but children remain in the foster care system for an average of 2 years;

Whereas volunteers, guardians, mentors, and workers in the child-protective-services community play a vital role in improving the safety of the most valuable youth and work hard to increase permanency through reunification, adoption, and guardianship;

Whereas due to heavy caseloads and limited resources, the average tenure for a worker in child protection services is just 3 years;

Whereas on average, 8.5 percent of the positions in child protective services remain vacant;

Whereas States, localities, and communities should be encouraged to invest resources in preventative and reunification services and postpermanency programs to ensure that more children in foster care are provided with safe, loving, and permanent placements;

Whereas Federal legislation over the past 3 decades, including the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96–272), the Adoption and Safe Families Act of 1997 (Public Law 105–89), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110–351), and the Child and Family Services Improvement and Innovation Act (Public Law 112–34) provided new investments and services to improve the outcomes of children in the foster care system;

Whereas May is an appropriate month to designate as National Foster Care Month to provide an opportunity to acknowledge the child-welfare workforce, foster parents, advocacy community, and mentors for their dedication, accomplishments, and positive impact they have on the lives of children; and

Whereas much remains to be done to ensure that all children have a safe, loving, nurturing, and permanent family, regardless of age or special needs: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes National Foster Care Month as an opportunity to raise awareness about the challenges faced by children in the foster care system, acknowledging the dedication of foster care parents, advocates, and workers, and encouraging Congress to implement policy to improve the lives of children in the foster care system;

(2) encourages Congress to implement policy to improve the lives of children in the foster care system;

(3) supports the designation of May as National Foster Care Month;

(4) acknowledges the special needs of children in the foster care system;

(5) recognizes foster youth throughout the United States for their ongoing tenacity, courage, and resilience while facing life challenges,

(6) acknowledges the exceptional alumni of the foster care system who serve as advocates and role models for youth who remain in care;

(7) honors the commitment and dedication of the individuals who work tirelessly to provide assistance and services to children in the foster care system; and

(8) reaffirms the need to continue working to improve the outcomes of all children in the foster care system through parts B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other programs designed to—

(A) support vulnerable families;

(B) invest in prevention and reunification services;

(C) promote adoption and guardianship in cases where reunification is not in the best interests of the child;

(D) adequately serve those children brought into the foster care system; and

(E) facilitate the successful transition into adulthood for children that ''age out'' of the foster care system.

Mr. GRASSLEY. Mr. President, as cofounders and cochairs of the Senate Caucus on Foster Youth, Senator LANDRIEU and I offer a resolution to recognize May as National Foster Care Month.

The resolution is an opportunity to raise awareness about the challenges faced by children in the foster care system. It is also a time to acknowledge the dedication of foster care parents, advocates, and workers who are changing the lives of children every day.

National Foster Care Month was established more than 20 years ago to bring foster care issues to the forefront. Today we continue to see almost a half million children who are unable to remain at home because of abuse or neglect or because of other family issues.

During this separation, foster youth face loneliness, instability, and grief. Unfortunately, children in foster care experience an average of three different placements which often lead to disruption of routines. Some are required to change schools and move away from siblings, extended families, and familiar surroundings. They face educational instability and, as a result, score lower on all academic measures than peers.

Foster youth have to overcome misperceptions and stigmas and deal with emotional pain and trauma that comes from such separation. It becomes a reality for many children every day. In 2010, about 254,000 children entered into care. While many are reunified with their families or adopted into new ones, more than 107,000 children were awaiting adoption at the end of 2010.

The Senate Caucus on Foster Youth is providing a voice for these foster young people. Senator LANDRIEU and I founded this caucus in 2009 to raise awareness of issues challenging foster youth, including educational stability, substance abuse, sexual exploitation, and the overprescription of psychotropic drugs.

We hear from youth about policies that affect their quality of life. Among other activities, the caucus sponsors a speakers series to bring the best ideas from the field to us policymakers in Washington, DC.

Today I invite my colleagues to join us on this caucus, to get involved and to make a difference. Senator LANDRIEU and I created the foster care caucus in the Senate to focus on all youth in the system, but we have particular focus on older children who may lack the security or support of a biological or adoptive family. These kids tend to age out of the foster care system, then struggle in creating a stable life that many of us often take for granted. More than 27,900 youth age out of foster care without a legal, permanent connection to an adult or family. We must focus on how to reduce this number from year to year. We have made great strides over the years, and we have done so in a bipartisan manner.

In 2006, the Senate Finance Committee held the first hearings on child welfare in more than a decade. The hearings led to passage of the Child and Family Services Improvement Act, which improved programs designed to help troubled families, provided grants for States and community organizations to combat methamphetamine addiction and other substance abuse, and increased case worker visits for children in foster care. It also supported grants to strengthen and improve collaboration between courts and child welfare agencies.

In 2008 I introduced the bill that became the Fostering Connection to Success and Increasing Adoption Act. This bipartisan bill made it easier for children to stay in their own communities and be adopted by their own relatives, including grandparents, aunts, and uncles. It provided incentives for States to move children from foster care to permanent adoptive homes, and it made all children with special needs eligible for Federal adoption assistance.

The law also broke new ground by establishing opportunities to help kids who age out of the foster care system at age 18 by giving States the option to extend their care in helping them pursue educational and vocational training.

Last year, to try to prevent children from having to enter the foster care system in the first place, I worked to reauthorize grants that support families who struggle with substance abuse and improve the safety, permanency, and well-being of children who are not in their homes or are likely to be removed from their homes because of substance abuse by parents.

Children in the foster care system yearn for permanency, and these grants help keep families together when possible so the children are not subject to the many difficulties they face in the foster care system.

But Congress, as you know, must be vigilant. We must always keep our eyes on the prize; that is, a safe, loving and permanent home for every child. We must always stress prevention as well as reunification and the reunification services because these two key components are necessary to reduce the number of children who are forced to remain in foster care.

Finally, let me take a moment to pay tribute to many volunteers, guardians, mentors, and workers in the child protective service community. Every person in this field plays a vital role in improving the safety of our most vulnerable youth, and our country is better off for that. They are dedicated and important to thousands of children and can be very positive influences for families across the country.

This month of May is the time to pay tribute to the community. It is time to remember these young people. More important, it is time to encourage others to get involved and, hence, make a difference. It is my hope that this awareness will extend beyond me, and people will recognize the need to step up and to fight for these vulnerable youth on a daily basis. I encourage Members to cosponsor our resolution, and I especially appreciate the cooperation and working relationship I have had with Senator LANDRIEU on this subject of adoption, foster care, and, in particular, for aging-out young people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I appreciate the eloquent statement our colleague from Iowa has put into the RECORD and his passionate advocacy on behalf of this special group of children in America. From his position as senior member on the Finance Committee, both serving as chair and as ranking member, his support has been essential to their well-being. In a committee that has a lot of important issues, from tax reform to international trade, the Senator from Iowa, Mr. GRASSLEY, never fails to keep the needs of foster care children and their families and the support community on the front of that agenda. I could not have a better partner, and I am very grateful for his partnership on this issue and his friendship.

I also want to recognize some of our colleagues from the House: Representative KAREN BASS, Representative TOM MARINO, Representative MICHELE BACHMAN, and Representative JIM MCDERMOTT, who worked very closely with Senator GRASSLEY and myself. As you can see, this is across party lines, across geographic lines, and across different political philosophies.

We want to say one thing very loud and clear to the country: Foster children are not criminals. They are not delinquents. They are children who are in desperate need of love and care and support. Our foster care system in many ways works beautifully and in some ways needs, of course, to be fixed, repaired, and strengthened. But overall the foster care system should, at all times, be temporary. It is a temporary place for children to go to be protected and healed and nurtured until they can be returned to their birth family or to their extended family with sibling groups intact or until they can be processed to a kinship adoption, which Senator GRASSLEY has been a tremendous advocate for, or to a domestic adoption.

I cannot add anything to the very excellent and comprehensive statement the Senator made. I would like to add just a few points. Because of the work many of us have done—and we do not hear good news around here that often, so I want to share that in the last 20 years, because of the work that our group has done, and others in the Congress, we have doubled the amount of children being adopted out of the foster care system. That is a tremendous victory because of the legislation that has been passed, the focus across party lines.

In 1990 we only adopted 14,000 children out of foster care. In the last year of record, 2010, we adopted 53,000. It is a tripling of adoptions out of foster care.

I do not have the numbers in front of me for reunifications, but Senator GRASSLEY and I know that number has increased as well. We are making progress in the bills we are proposing and passing, the appropriations that we are investing. It has not been a lot

more money over the last few years. It has just been a real strategic focus which I would like to believe our caucus and the adoption caucus as well, the foster care caucus, has helped to produce.

We have had more adoptions out of foster care. We have had more reunifications out of foster care. We have shortened the time that children are in foster care. But we have, and in this month of May still have, many challenges. That is why Senator GRASSLEY and I urge our colleagues to join us in this resolution, S. Res. 462. Be a cosponsor. Step up and say by your cosponsorship that you care about this issue, that you want to help us continue to make progress.

I want to remember our former colleague, John Chafee, who, when he was in the Senate, was an extraordinary advocate for foster care children. We named the John Chafee Foster Care Independence Program in his honor. As Senator GRASSLEY said, we are making progress with helping our children who age out when we failed to reunite them with their birth family, we failed to find them an adoptive home. They are aging out, but we are trying to give them more help and support. That is still a challenge.

Some of our Members are working on foster children and school choice. If children are brought into the foster care system and they are separated from their families, it is quite traumatic. Of course it is for their own good. Sometimes their families are being abusive. Sometimes their families are being grossly negligent. Unfortunately, in this day and age sometimes their families are deported and they are in the home alone. We want to make sure the children get to stay at least in the school of their choice. It is one thing to be pulled from your family; it is another thing to have to lose your family 1 day and your school the next day and all of your teachers, all of your friends.

There is legislation pending that would give foster children the opportunity to stay in the school they are in when they enter care, if that is their choice. That would be a great reform.

We also want to continue to promote kinship adoption, reaching out to the extended family, trying to keep children placed in their extended families who are willing and responsible to raise them—but not placing children with kin if the kin or the relatives are not responsible and not willing; that is not a solution.

Finally, we want to promote quality foster families. This is a problem that is easily solvable. It seems like it is a lot, this number, 450-some-odd thousand children. But it represents only one-half of 1 percent of all children in America. This is not a big number. It sounds like it when we say 450,000, but the percentage, one-half of 1 percent—we calculated it 1 day on just the back of a napkin. If one family for every four churches in America would say yes to taking in a foster child or to adopt a child out of foster care, there would be no more orphans in our country.

Again, if one family out of every four churches stepped up for the children available for adoption, we would have no more orphans in America. Then we could focus on recruiting quality foster families who can help these children to find their way—to find their way back to their biological families with their sibling groups intact or find their way to a new family who will love them and nurture them and protect them and support them forever.

That is what families do. We do not support our children until they are 18 and let them go on their merry way. We are with them until the last breath. That is what parents do. We are with our children forever. Every child in this world deserves a forever family.

Senator GRASSLEY and I have come together. We work to strengthen our foster care system. We know it is broken in places. We know it can be fixed. We work on fixing it every day.

I thank our colleagues who have joined us in just recognizing Foster Care Month. As Senator GRASSLEY said in his conclusion, and I will say in mine, we want to thank everyone who helps on this every month of the year, not just May. We want to thank the teachers who reach out especially to the foster children they know are in their classrooms. We want to thank the judges who process their cases quickly.

I particularly want to thank the CASA workers. I am a big believer in CASA, Court Appointed Special Advocates. I think it is a great organization for all the volunteers who worked to help make our foster care system in America better.

Again, this is S. Res. 462.

I would like to thank our counterparts in the House.

It has been a real joy and pleasure to work with Senator GRASSLEY these many years on helping to promote the very best practices in the country on reforming our foster care system in America and trying to help who we can around the world.

SENATE RESOLUTION 463—DESIGNATING MAY 19, 2012, AS ''NATIONAL KIDS TO PARKS DAY''

Mr. UDALL of Colorado (for himself, Mr. BINGAMAN, Ms. MURKOWSKI, and Mr. PORTMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 463

Whereas the second annual National Kids to Parks Day will be celebrated on May 19, 2012;

Whereas the goal of National Kids to Parks Day is to empower young people and encourage families to get outdoors and visit the parks of the United States;

Whereas, on National Kids to Parks Day, individuals from rural and urban areas of the United States can be reintroduced to the splendid National Parks and State and neighborhood parks that are located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States should encourage young people to lead a more active lifestyle, as too many young people in the United States are overweight or obese;

Whereas National Kids to Parks Day is an opportunity for families to take a break from their busy lives and come together for a day of wholesome fun; and

Whereas National Kids to Parks Day aims to broaden the appreciation of young people for nature and the outdoors: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 19, 2012, as ''National Kids to Parks Day'';

(2) recognizes the importance of outdoor recreation and the preservation of open spaces to the health of the young people of the United States; and

(3) calls on the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 464—COMMEMORATING THE 70TH ANNIVERSARY OF ELLSWORTH AIR FORCE BASE

Mr. JOHNSON of South Dakota (for himself and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 464

Whereas on January 2, 1942, the War Department established Rapid City Army Air Base in South Dakota as a training location for B–17 Flying Fortress crews;

Whereas thousands of pilots, navigators, radio operators, and gunners were trained at Rapid City Army Air Base and went on to support the allied efforts in World War II;

Whereas on June 13, 1953, President Dwight D. Eisenhower visited the base and dedicated it in memory of Brigadier General Richard E. Ellsworth;

Whereas during the Cold War, Ellsworth Air Force Base maintained 2 legs of the strategic triad, strategic bombardment, and intercontinental ballistic missiles, earning the title ''The Showplace of Strategic Air Command'';

Whereas 2012 marks the 25th year of the B–1B Lancer mission at Ellsworth Air Force Base;

Whereas in 1999, B–1Bs from Ellsworth Air Force Base flew over 100 combat missions in support of NATO forces in Operation Allied Force in Kosovo;

Whereas Ellsworth Air Force Base has played a crucial role in support of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, deploying over 10,000 personnel and flying over 6,000 combat sorties in those operations;

Whereas the first ever B–1B global strike mission launched from the United States came from Ellsworth Air Force Base on March 30, 2011, striking targets in Libya before refueling, rearming, and hitting additional targets in Libya on the return;

Whereas, for 70 years, Ellsworth Air Force Base has served as an integral part of the defense strategy of the United States and served as the proud home to thousands of bomber pilots, navigators, radio operators, gunners, missile launch control facility personnel, and aircraft and missile maintenance personnel;

Whereas, the personnel from Ellsworth Air Force Base have a history of compiling some of the highest marks in competitive readiness and maintenance exercises and competitions;

Whereas, for the past 65 years, Ellsworth Air Force Base has—

(1) been home to the 28th Bomb Wing and some of the most impressive aircraft in the United States, including the B–17 Flying Fortress, the B–29 Superfortress, the RB–36 Peacemaker, the B–52 Stratofortress, the KC–135 Stratotanker, KC–97 Stratofreighter and the B–1B Lancer; and

(2) for parts of 4 decades, served as an important cog in the missile defense system of the United States, featuring the Titan and Minuteman missile systems;

Whereas Ellsworth Air Force Base continues to evolve and is preparing to welcome the MQ–9 Reaper mission later in 2012; and

Whereas, Ellsworth Air Force Base and the communities of Rapid City and Box Elder, South Dakota have and will continue to enjoy a long standing, mutually beneficial relationship: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of Ellsworth Air Force Base to the security of the United States;

(2) commemorates 70 years of excellence and service by Ellsworth Air Force Base to the United States; and

(3) encourages the people of the United States to recognize and honor the dedicated and exemplary service of the airmen and their families, past and present, stationed at Ellsworth Air Force Base.

SENATE RESOLUTION 465—RECOGNIZING THAT THE GOVERNOR OF THE STATE OF COLORADO HAS PROCLAIMED 2012 AS THE ''YEAR OF WATER''

Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted the following resolution; which was considered and agreed to:

S. RES. 465

Whereas water is a precious and limited natural resource;

Whereas a clean and sustainable water supply is essential to the high quality of life enjoyed by Coloradans;

Whereas a clean and sustainable water supply is essential to the success of all aspects of the economy of the State of Colorado, including the agricultural, municipal, industrial, and recreational economies;

Whereas as a headwaters State, the health of the water in the State of Colorado has a direct impact on neighboring States;

Whereas the population of the State of Colorado is predicted to double by 2050;

Whereas educating the public about limited water resources will be critical in meeting the increasing demands placed on water in the future;

Whereas 2012 marks the—

(1) 100th anniversary of the construction of the Rio Grande Reservoir;

(2) 90th anniversary of the Colorado River Compact of 1922;

(3) 75th anniversary of the creation of the Colorado Water Conservation Board;

(4) 75th anniversary of the creation of the Colorado River Water Conservation District;

(5) 75th anniversary of the creation of the Northern Colorado Water Conservancy District and the Colorado-Big Thompson Project;

(6) 50th anniversary of the Fryingpan-Arkansas Project, administered by the Southeastern Colorado Water Conservancy District;

(7) 10th anniversary of the Colorado Foundation for Water Education; and

(8) 10th anniversary of the Lower Arkansas Valley Water Conservancy District; and

Whereas the Governor of the State of Colorado has proclaimed 2012 as the ''Year of Water'' in the State of Colorado: Now, therefore, be it

Resolved, That the Senate recognizes that the Governor of the State of Colorado has proclaimed 2012 as the ''Year of Water'' in the State of Colorado.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 16, 2012, at 2:30 p.m. in room SR–253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Oversight of the Federal Communications Commission.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 16, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Identifying Opportunities for Health Care Delivery System Reform: Lessons from the Front Line'' on May 16, 2012, at 10 a.m. in room SD–430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 16, 2012, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 16, 2012, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Office of the Federal Bureau of Investigation.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CHILDREN'S HEALTH AND ENVIRONMENTAL RESPONSIBILITY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Children's Health and Environmental Responsibility of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 16, 2012, at 10 a.m. in room SD–406 of the Dirksen Senate Office Building to conduct a hearing entitled, ''Growing Long-Term Value: Corporate Environmental Responsibility and Innovation.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. CONRAD. Mr. President, I ask unanimous consent that Chantel Boyens, a detailee to the Budget Committee, be given floor privileges for the pendency of the debate on the budget resolutions and S. 2516, the Food and Drug Administration Safety and Innovation Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Laura Sands and Katrine Lazar of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. CASEY. Mr. President, I ask unanimous consent that at 10:30 a.m. on Thursday, May 17, 2012, the Senate proceed to executive session to consider Calendar Nos. 646 and 647; that there be 90 minutes for debate equally divided in the usual form to run concurrently on both nominations en bloc; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the nominations be subject to a 60-vote threshold; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session; further, that the cloture votes with respect to these nominations be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS SUBMITTED TODAY

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 463, S. Res. 464, and S. Res. 465.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate will proceed to consider the resolutions en bloc.

S. RES. 463

Mr. UDALL of Colorado. Mr. President, I rise today in support of a pretty common sense goal—getting more kids outside and engaged in the great outdoors.

In America today, I am sad to say that one in three children are overweight or obese. Kids between the ages of 8 and 18 spend an average of 7 and a half hours a day using some sort of entertainment media such as TVs, computers, video games, cell phones and movies. I believe this is a major reason why only ⅓ of all children get the recommended level of physical activity every day, contributing to high obesity rates.

The grave effects of childhood obesity on our children's quality of life are troubling, and the impacts on our economy distressing. But the effect on our national security is equally alarming. With current obesity rates, I have serious concerns that our military will have difficulty finding soldiers physically qualified to serve in the near future.

A healthier Nation is a stronger Nation, and encouraging greater physical activity in America's youth by getting more kids outdoors will help stop this disturbing trend.

That is why I am proud to submit a bipartisan resolution today which recognizes May 19, 2012, as the second annual National Kids to Parks Day. I led this effort last year, and was extremely pleased to see the many thousands of families that made it out to a national, State, or local park to enjoy the great outdoors.

So far, over 70,000 people across the country have signed the pledge to get outside on National Kids to Parks Day.

Enjoying the outdoors has been a lifelong passion for me. Growing up in the American southwest, my parents would take our family on frequent trips to the nearby parks and helped inspire me to become a mountain guide with Outward Bound. At Outward Bound I developed a strong love not just for being outdoors, but for sharing the outdoors with others.

In Congress, I have similarly tried to ensure that open spaces in both urban and rural areas are preserved so that families in Colorado and across America have ample opportunity to get out and take advantage of our greatest natural resources, our parks, and open spaces.

Preserving open spaces is critical to our ability to enjoy the outdoors, which is essential not just to public health but to our economy as well. In Colorado, a big part of our economy is dependent on having open spaces—from skiing to whitewater rafting, hiking, and mountain biking—protecting land for outdoor recreation keeps us and our economy healthy.

In this same spirit, on Saturday families all across the Nation will get outside to celebrate National Kids to Parks Day and America's commitment to getting kids outdoors.

Getting kids outdoors won't completely solve our childhood obesity problem, but it may help them get excited about being active and healthy outdoors. It may help inspire the next generation of American stewards to enjoy and protect our Nation's special places.

I would like to thank Senator BINGAMAN, Senator MURKOWSKI and Senator PORTMAN for joining me in submitting this resolution.

I would like to close by asking my colleagues to support my National Kids to Parks Day resolution.

S. RES. 464

Mr. JOHNSON of South Dakota. Mr. President, today I wish to mark the 70th anniversary of Ellsworth Air Force Base. For the past seven decades, my home State of South Dakota has had the distinct honor of being home to Ellsworth Air Force Base. This weekend, I will gather in Rapid City with Air Force Chief of Staff General Norton Schwartz, 28th Bomb Wing Commander Colonel Mark Weatherington, Governor Dennis Daugaard, Senator JOHN THUNE, Congresswoman KRISTI NOEM, past and present Airmen, and proud South Dakotans to celebrate this anniversary.

A lot has changed since the Rapid City Army Air Base opened in 1942. At the time, the base served as a training location for B–17 Flying Fortress crews and thousands of pilots, navigators, radio operators, and gunners trained there during World War II. Over the years, the base has adapted and grown to support new missions but a reminder of its early days remains in the PRIDE hangar. This historic building was completed in 1949 to house the RB 36 Peacemakers and later was home to the 44th Strategic Missile Wing and the 77th Bomb Squadron.

The 28th Bomb Wing at Ellsworth Air Force Base has been home to such impressive aircraft as the B–17 Flying Fortress, B–29 Superfortress, the RB–36 Peacemaker, the B–52 Stratofortress, and, for the past 25 years, the B–1B Lancer. All these planes have graced the skies of western South Dakota, offering South Dakotans a visual and audial reminder of the power of the United States Air Force. Ellsworth has played an important role in every major conflict since World War II, including flying over 6,000 combat sorties in support of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom. On March 20, 2011, history was made as the first ever B–1B combat sorties launched directly from the United States to strike targets overseas were launched at Ellsworth and hit targets in Libya. Ellsworth continues to evolve and as we reflect on the past, we also look to a bright future for the base, including the arrival later this year of the MQ–9 Reaper mission.

Ellsworth Air Force Base is the largest employer in western South Dakota and has had a significant economic impact on our State. The impact of the base on our State goes beyond the economic, however; the base and its personnel are a part of the fabric of our state. Rapid City, Box Elder, and communities throughout the Black Hills have enjoyed a friendly and mutually beneficial relationship with the base. This is something that, unfortunately, cannot be said at every military installation. This symbiotic relationship has displayed itself in numerous ways, such as in 1972 when base personnel assisted in the recovery and relief efforts when historic flooding struck Rapid City. When snowstorms crippled the region in 1949 and 1950, Ellsworth personnel airlifted food and hay bales to stranded ranchers and livestock. Today, personnel from Ellsworth contribute to many charitable efforts in the community, such as helping with the United Way's annual Day of Caring and the Children's Miracle Network.

As I reflect on this anniversary, I'm reminded of all of the dedicated Airmen, past and present, that have served at Ellsworth Air Force Base. The Air Force is only as strong as its members, and Ellsworth has seen many talented, patriotic individuals over the past 70 years. Many former Wing Commanders have gone on to serve in top positions in the Air Force, including as commanders of U.S. Transportation Command, Air Education and Training Command, and Air Force Global Strike Command.

Mr. President, for the past 70 years Ellsworth Air Force Base has made significant contributions to the State of South Dakota and the security of the United States. I commend Ellsworth Air Force Base on this occasion and know that the base, and the brave men and women who serve there, will continue to make invaluable contributions for decades to come.

S. RES. 465

Mr. UDALL of Colorado. Mr. President, today I am submitting a resolution concerning water in the State of Colorado. This resolution recognizes the importance of water to the State of Colorado and the contributions of

many of the organizations that have innovated and cooperated over the past century to develop, protect and conserve this scarce resource. I want to thank my colleague from Colorado Senator BENNET for cosponsoring the resolution.

In the arid West, water is our most precious natural resource. It is woven into our history as a source of life, a source of recreation and even economic growth. But as a limited resource, it is also a source of conflict. As the old saying in the West goes, whiskey is for drinking and water is for fighting.

However, I rise today to highlight not our disagreements but our cooperation. Generations of Coloradans have joined together and worked hard to solve Colorado's water challenges, because a resource as valuable as water must ultimately unite us.

The year 2012 is a particularly significant year for water in Colorado, as it marks numerous anniversaries that have had an enormous impact on how water is managed in my state.

It is the 100th anniversary of the construction of the Rio Grande Reservoir, 90th anniversary of the Colorado River Compact of 1922, 75th anniversary of the creation of the Colorado Water Conservation Board, 75th anniversary of the creation of the Colorado River Water Conservation District, 75th anniversary of the creation of the Northern Colorado Water Conservancy District and the Colorado-Big Thompson Project, 50th anniversary of the Fryingpan-Arkansas Project, 10th anniversary of the Colorado Foundation for Water Education and 10th anniversary of the Lower Arkansas Valley Water Conservancy District.

In fact, Colorado Governor John Hickenlooper has designated 2012 as the Year of Water in Colorado.

I am proud of efforts underway in the state to raise awareness about the importance of water. For example, a statewide celebration named Colorado Water 2012 will help to engage and educate Coloradans about past achievements and highlight the challenges we face in the future management of water. Colorado Water 2012 will continue throughout the year, and I look forward to participating in the education and engagement of our citizens.

I hope that this resolution can in some small way add to the appreciation of water issues in the United States Senate and to efforts underway in Colorado.

Mr. CASEY. Mr. President, I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements related to the resolutions be printed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 463

(Designating May 19, 2012, as ''National Kids to Parks Day'')

Whereas the second annual National Kids to Parks Day will be celebrated on May 19, 2012;

Whereas the goal of National Kids to Parks Day is to empower young people and encourage families to get outdoors and visit the parks of the United States;

Whereas, on National Kids to Parks Day, individuals from rural and urban areas of the United States can be reintroduced to the splendid National Parks and State and neighborhood parks that are located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States should encourage young people to lead a more active lifestyle, as too many young people in the United States are overweight or obese;

Whereas National Kids to Parks Day is an opportunity for families to take a break from their busy lives and come together for a day of wholesome fun; and

Whereas National Kids to Parks Day aims to broaden the appreciation of young people for nature and the outdoors: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 19, 2012, as ''National Kids to Parks Day'';

(2) recognizes the importance of outdoor recreation and the preservation of open spaces to the health of the young people of the United States; and

(3) calls on the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

S. RES. 464

(Commemorating the 70th anniversary of Ellsworth Air Force Base)

Whereas on January 2, 1942, the War Department established Rapid City Army Air Base in South Dakota as a training location for B–17 Flying Fortress crews;

Whereas thousands of pilots, navigators, radio operators, and gunners were trained at Rapid City Army Air Base and went on to support the allied efforts in World War II;

Whereas on June 13, 1953, President Dwight D. Eisenhower visited the base and dedicated it in memory of Brigadier General Richard E. Ellsworth;

Whereas during the Cold War, Ellsworth Air Force Base maintained 2 legs of the strategic triad, strategic bombardment, and intercontinental ballistic missiles, earning the title ''The Showplace of Strategic Air Command'';

Whereas 2012 marks the 25th year of the B–1B Lancer mission at Ellsworth Air Force Base;

Whereas in 1999, B–1Bs from Ellsworth Air Force Base flew over 100 combat missions in support of NATO forces in Operation Allied Force in Kosovo;

Whereas Ellsworth Air Force Base has played a crucial role in support of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, deploying over 10,000 personnel and flying over 6,000 combat sorties in those operations;

Whereas the first ever B–1B global strike mission launched from the United States came from Ellsworth Air Force Base on March 30, 2011, striking targets in Libya before refueling, rearming, and hitting additional targets in Libya on the return;

Whereas, for 70 years, Ellsworth Air Force Base has served as an integral part of the defense strategy of the United States and served as the proud home to thousands of bomber pilots, navigators, radio operators, gunners, missile launch control facility personnel, and aircraft and missile maintenance personnel;

Whereas, the personnel from Ellsworth Air Force Base have a history of compiling some of the highest marks in competitive readiness and maintenance exercises and competitions;

Whereas, for the past 65 years, Ellsworth Air Force Base has—

(1) been home to the 28th Bomb Wing and some of the most impressive aircraft in the United States, including the B–17 Flying Fortress, the B–29 Superfortress, the RB–36 Peacemaker, the B–52 Stratofortress, the KC–135 Stratotanker, KC–97 Stratofreighter and the B–1B Lancer; and

(2) for parts of 4 decades, served as an important cog in the missile defense system of the United States, featuring the Titan and Minuteman missile systems;

Whereas Ellsworth Air Force Base continues to evolve and is preparing to welcome the MQ–9 Reaper mission later in 2012; and

Whereas, Ellsworth Air Force Base and the communities of Rapid City and Box Elder, South Dakota have and will continue to enjoy a long standing, mutually beneficial relationship: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of Ellsworth Air Force Base to the security of the United States;

(2) commemorates 70 years of excellence and service by Ellsworth Air Force Base to the United States; and

(3) encourages the people of the United States to recognize and honor the dedicated and exemplary service of the airmen and their families, past and present, stationed at Ellsworth Air Force Base.

S. RES. 465

(Recognizing that the Governor of the State of Colorado has proclaimed 2012 as the ''Year of Water'')

Whereas water is a precious and limited natural resource;

Whereas a clean and sustainable water supply is essential to the high quality of life enjoyed by Coloradans;

Whereas a clean and sustainable water supply is essential to the success of all aspects of the economy of the State of Colorado, including the agricultural, municipal, industrial, and recreational economies;

Whereas as a headwaters State, the health of the water in the State of Colorado has a direct impact on neighboring States;

Whereas the population of the State of Colorado is predicted to double by 2050;

Whereas educating the public about limited water resources will be critical in meeting the increasing demands placed on water in the future;

Whereas 2012 marks the—

(1) 100th anniversary of the construction of the Rio Grande Reservoir;

(2) 90th anniversary of the Colorado River Compact of 1922;

(3) 75th anniversary of the creation of the Colorado Water Conservation Board;

(4) 75th anniversary of the creation of the Colorado River Water Conservation District;

(5) 75th anniversary of the creation of the Northern Colorado Water Conservancy District and the Colorado-Big Thompson Project;

(6) 50th anniversary of the Fryingpan-Arkansas Project, administered by the Southeastern Colorado Water Conservancy District;

(7) 10th anniversary of the Colorado Foundation for Water Education; and

(8) 10th anniversary of the Lower Arkansas Valley Water Conservancy District; and

Whereas the Governor of the State of Colorado has proclaimed 2012 as the ''Year of Water'' in the State of Colorado: Now, therefore, be it

Resolved, That the Senate recognizes that the Governor of the State of Colorado has proclaimed 2012 as the ''Year of Water'' in the State of Colorado.

DISCHARGE AND REFERRAL—H.R. 2947

Mr. CASEY. Mr. President, I ask unanimous consent that H.R. 2947 be discharged from the Committee on Energy and Natural Resources and be referred to the Committee on Agriculture, Nutrition, and Forestry.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, MAY 17, 2012

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, May 17; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and that the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. CASEY. Mr. President, it is the majority leader's intention to begin consideration of the motion to proceed to Calendar No. 400, S. 3187, the FDA user fee bill, and equally divide the time until 10:30 a.m., with the Republicans controlling the first half and the majority controlling the second half.

At 10:30 a.m., the Senate will proceed to executive session to consider the Stein and Powell nominations, both nominees to the Federal Reserve Board of Governors. At noon, there will be two votes on confirmation of the nominations.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. CASEY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:56 p.m., adjourned until Thursday, May 17, 2012, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, May 16, 2012*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BARTON of Texas).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 16, 2012.

I hereby appoint the Honorable JOE BARTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

VIOLENCE AGAINST WOMEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. The Violence Against Women Act has been one of the great legislative successes of the last two decades. Since it was first signed into law by President Clinton, there is no question that it has helped millions of women by funding a variety of community violence protection programs and a variety of victim assistance services from coast to coast while providing a legal framework for protection. Republicans and Democrats alike have supported the legislation in all subsequent reauthorizations because of the recognition for the vital nature of the services that are provided and the impact that it has not just on women, but on the children in these families. That's why it was reauthorized in 2000 and then again in 2005 under a Republican administration with President Bush.

In this Congress, that tradition of bipartisan support continues in the Senate, which has approved a stronger version of the legislation developed in the Senate Judiciary Committee, cosponsored by both Chair LEAHY and Ranking Member CRAPO. Sadly, it's facing a decidedly different fate in the House.

Once again, the Republican majority is advancing legislation by one of their new Members that is designed not to bring people together to solve problems, but to create unnecessary divisions. Their bill would actually roll back, for the first time, these established rights rather than increase them. The House legislation would fail to provide protections for lesbian, gay, bisexual, and transsexual individuals. It would fail Native American victims who are assaulted on tribal lands by nontribal predators. The bill would discourage immigrants from reporting sexual assaults and other crimes by placing unnecessary restrictions on new visa programs and not increase the emergency visas for individuals who immigrate to the United States on a marriage or fiancee visa and are subject to an abusive relationship.

Not only does the House bill miss these opportunities, but it would remove the current confidentiality protections for victims who still had immigrant status. It would inexplicably reduce violence reporting requirements on colleges and universities. These are all tools widely used and supported by law enforcement officials to help keep communities safe by prosecuting criminals and protecting victims.

The House bill would decentralize the Violence Against Women immigration adjudication process, bypassing examiners who are trained in domestic violence and sexual assault, instead, mandating additional interviews on battered immigrants. These are people who usually have very limited options to protect themselves. We should not complicate the lives of some of the most vulnerable people in the United States. These victims of violence—usually women in the most difficult of circumstances—will be burdened, hindered, and discouraged from seeking and getting the help they need.

The House bill would represent the triumph of ideological partisan politics over solid legislation with an opportunity for solid bipartisan support. It should be firmly rejected.

Instead, the House should use this opportunity to build on a record of proven success, bipartisan cooperation, and a commitment to strengthening the protection of society's most vulnerable by using the Senate bill as a template. These victims and potential victims deserve no less. They, their families, and the communities they live in deserve no less.

Domestic violence is an assault on the entire community and should not be tolerated. We should not retreat on the Violence Against Women Act, but strengthen it by using the Senate bill as a point of departure and reject the House version.

NATIONAL FOSTER CARE MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MARINO) for 5 minutes.

Mr. MARINO. Mr. Speaker, as a foster parent, a father of two adopted children, and a cochairman of the bipartisan Congressional Foster Youth Caucus, I rise today to recognize May as National Foster Care Month.

There are currently over 107,000 foster youth eligible and waiting for adoption and more than 400,000 youth in the foster care system. In an effort to raise awareness about the needs and the experience of these youth, I am honored to join my colleagues in a bipartisan manner to acknowledge the importance of this special month.

Through increased understanding and dedicated caregivers, we can and must continue to make important advances in providing more stable and caring environments for all foster youth. We must focus on learning from State and local child welfare providers, advocates, and foster children to better know how we can help. The needs of these youth are urgent and real. And while there are many alarming facts and figures that reflect the challenges these children face, the resiliency of foster youth remains strong; and we must all continue to do our part. Together, we can make National Foster Care Month a success.

FOSTER CARE MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. BASS) for 5 minutes.

Ms. BASS of California. Mr. Speaker, I rise today to recognize May as National Foster Care Month. The goal of this month is to raise awareness about the experiences and needs of more than 400,000 youth in the foster care system.

Throughout the month, members of the Congressional Caucus on Foster Youth will share stories of foster youth in their districts. Today I would like to share a story from my constituent

Kevin, a young man from Hollywood, California.

□ 1010

His story is unique, yet his resiliency is characteristic of hundreds of thousands of foster youth across our Nation.

Kevin was born into a family addicted to crack cocaine. He was removed from his parents at the age of 2, after a near-death drowning experience. After years in a group home, he was placed with a legal guardian. But this placement was difficult. Kevin was placed back with his biological mother, until she was incarcerated for the third time, leaving Kevin with no place to go.

In the face of all these challenges, Kevin has persevered. He recently transferred from community college with a full-ride scholarship and a 3.8 GPA. He plans to become a professor in the social sciences.

About his time in and out of foster care, Kevin says:

I am extremely grateful for the opportunities I have had because they allow me to identify and connect with a broad range of people.

Today, in honor of Kevin's courage and tenacity, I join my fellow cochairs of the Congressional Caucus on Foster Youth and with Representative TOM MARINO, as well as over 90 of our colleagues in the House and the Senate, in introducing a bipartisan, bicameral resolution in recognition of National Foster Care Month. I invite my colleagues to cosponsor the bipartisan resolution as well as join the Congressional Caucus on Foster Youth.

THANKING OUR VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. This Memorial Day we will take time to remember those who have given their lives to keep our Nation safe and free. So many brave men and women have given the ultimate sacrifice to ensure that we can enjoy the very freedoms and liberties that we all enjoy today. I want to thank all of those who are currently serving, those who have served, and their families for putting our Nation first. America is a stronger and better Nation because of your sacrifice and service.

Recently, veterans from Illinois came to Washington, D.C., and it was truly an honor and pleasure to meet the Illinois Honor Flight at the World War II Memorial, not only to hear their stories, but to have an opportunity to talk with these true heroes and learn more about their friends, those who made it back and those who didn't. The heroic efforts of the men and women of World War II—and I would argue from all of our conflicts—helped keep our Nation safe and away from harm's way. I cannot thank them enough for all they have done for our country.

Last month, I had the privilege of presenting two veterans from Illinois's 10th Congressional District with their medals that had not been presented. These men served their country with distinction and deserve the medals that they have earned.

George Ott, from Arlington Heights, served as an Air Force staff sergeant in the 6th Aircraft Repair Unit during World War II. He served from 1944 to 1946, serving in the Marshall Islands, the Philippines, and Japan. I was able to present him with the World War II Victory Medal, the Asiatic Pacific Campaign Medal, and the Army Good Conduct Medal.

Thomas Vana, of Des Plaines, was another veteran I was able to serve and present medals. He served as a sergeant in the 2nd Infantry Division during the Korean War. He served as an Active Duty medic from 1970 to 1974. I was able to present him with the Army Good Conduct Medal and the Korea Defense Service Medal.

Beyond working directly with veterans, Mr. Speaker, to ensure they receive the recognition that they have earned, my office is also working with veterans to document their stories. The Veterans History Project is an ongoing effort by the Library of Congress to collect stories and photos to learn more about those who have served in battle and conflict not only at home, but overseas. My office is open to anyone who would like to document their story and share their experiences with the American public. It's important that we preserve these records, Mr. Speaker, so that future generations know the sacrifices that our men and women in the military have made. I would encourage anyone from the 10th District in Illinois who has served to call the Northbrook office at (847) 272–0404 and share your story so that we can preserve it for years and years to come.

I want to thank all those who have served, those that are serving currently, and those that have given their lives to protect our country. This Memorial Day I believe that we must honor those who have fallen and never forget the sacrifices that they have made to make sure that our country remains safe and free.

THE MODERN TAX SYSTEM: FAIR TO THE AVERAGE AMERICAN?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. CRITZ) for 5 minutes.

Mr. CRITZ. Mr. Speaker, in April, the Johnstown-Somerset Central Labor Council announced the winners of its annual scholarship essay contest. This year's first-place winner, Lisa Vatavuk, wrote an essay entitled: ''The Modern Tax System: Fair to the Average American?''

I would like to read Lisa's essay, as it has particular meaning to our current tax and budget debate:

Dating back to ancient Egypt in the year 3000 BCE, taxes have been a familiar part of society for almost as long as civilizations have existed. So how do taxes affect the current citizens of the United States? Today's tax system affects all three classes in different ways. Unfortunately, in the United States, taxation hits the average middle class family the hardest out of all three demographics.

The United States follows a progressive taxing system. This means that, ideally, families in the lowest income brackets pay the lowest percentage of taxes, while families in the highest income brackets pay the highest percentage. However, this system of taxation is flawed. Because the Bush administration cut taxes for the wealthy, families in the top income brackets pay much lower tax rates than the progressive system calls for. Also, because taxes include sales taxes, property taxes, and other kinds of taxes in addition to income taxes, families in the highest income tax brackets almost always pay lower percentages of their income in their total taxes than low and working class families. In addition, because State and local taxes are typically regressive rather than progressive, low and middle class families are given a higher percentage of taxes than wealthy families. In 2007, out of all the income brackets, families in the middle-income bracket paid the highest percent of their income in their total taxes in Washington, DC, Maine, Minnesota, New York, South Carolina, and Vermont. In the vast majority of the remaining States, the lowest-income families paid the highest tax percentage, and the highest-income families paid the lowest. There were no States in 2007 in which the wealthy families paid taxes at a higher rate than the middle and low classes.

The current tax system affects families in high-income brackets much differently than it affects those in the low- and middle-income brackets. First, wealthy families receive many tax deductions. The government, on average, pays for about 35 percent of high-income families' taxes. A second way in which the wealthy are not affected by the tax system as much as lower class families is that they generally do not have to pay as much income tax. The average millionaire does not earn their money from working; they earn money from their investments. Taxes on long-term investments are lower than taxes on income because the government wants to encourage consumers to spend money. However, this means that wealthy families that earn money from investments pay lower taxes than middle- and low-income working families.

Finally, the families in the top income brackets are almost never hurt by the current tax system because some politicians do all they can to protect the wealthy. Some politicians believe that as long as the wealthy families have money to spare, they will make investments that will benefit the economy and the lower classes. While this theory may or may not be true, the higher classes continue to have lower tax rates than the middle and low classes. The United States' current tax system clearly benefits wealthy families.

Wealthy families are not the only ones that benefit from this system of taxation in the United States. Poor families are often

given benefits as well. While families in high-income tax brackets receive many breaks on their taxes, they are not the only people that receive these breaks. Families that are considered to be in poverty by the United States Government are many times given breaks on their taxes as well. For example, the Earned Income Tax Credit, or EITC, is given to many low-income families in this country. This tax credit gives families money back to help relieve the burden of taxes. In some cases, the EITC gives families back more money than they originally paid in government taxes. In some cases, poor families also receive benefits from the current tax system because in some cases the members of the family do not work. In families in which no one works, there are no income taxes or payroll taxes. These families instead receive assistance from welfare. There is no tax on money received from welfare, so families receiving this aid that do not earn additional income from a job do not pay any income taxes. Consequently, the tax system in the United States can be beneficial to low-income families.

In the current tax system, there are certain advantages to being in either high-income families or low-income families, but what happens to those families that fall in the middle? The majority of Americans are hardworking citizens that earn a moderate salary. These citizens are the ones that have to pay for the benefits that others receive. For example, when the wealthy receive tax deductions, the government receives less money as revenue, and the people that fall in the middle are the ones that suffer.

The less money the government has, the less it can provide funding to programs that benefit middle-income families, such as education funding, libraries, and government aid for skyrocketing college costs. A second way in which the middle class is hurt by tax deductions is when poor families receive tax credits. As previously mentioned, sometimes when families receive the EITC, they receive more money from the government than they originally paid.

This money comes from money taken straight from taxpayers. Middle-income families are many times forced to pay the highest tax rates out of any of the income brackets, and they receive no special treatment from the United States government.

In conclusion, in the United States today, most of the burdens of taxation are put onto the average middle-income working families. The system of taxation is extremely unfair for working families; they work their entire lives to have a large part of their income taken away from them by the government when people in both high- and low-income brackets receive special treatment from the government. The average American family falls in the middle-income category, and in the current tax system, this family, the heart and soul of America, is the one that ultimately suffers.

□ 1020

HONORING LAW ENFORCEMENT OFFICERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. REICHERT) for 5 minutes.

Mr. REICHERT. Mr. Speaker, I rise today to recognize the nearly 1 million law enforcement officers who work day and night to protect all of us. All of us sleep more soundly at night knowing that the brave men and women of law enforcement are in our communities patrolling, protecting, and watching over our homes and businesses. They do so bravely and selflessly, and they do not ask for recognition. They put their lives on the line knowing the risks, and they take those risks on with unwavering courage.

I worked for 33 years as a law enforcement officer before I came to Congress. I didn't do that because I wanted to be the sheriff of King County in Seattle. I didn't do it because I wanted to be a Member of Congress. I did it because I wanted to serve my community by protecting it and making a difference. I found that I wasn't alone. Each of my law enforcement colleagues carried in them the heart of a servant.

So this week, National Police Week, is bittersweet for all of us in law enforcement because we remember the tragedy of our fellow officers' loss. Already this year, 40 officers have been killed in the line of duty.

Tuesday was Peace Officer Memorial Day, a day to remember the brave brothers and sisters killed in the line of duty. We've lost them; they're gone, but they're not forgotten.

Why do law enforcement officers come together today during this week in Washington, D.C., and on this memorial event? To share the fellowship and remember, because we made a promise. Everyone in this room has made a promise and everyone across this country has made a promise, Mr. Speaker, to never forget—to never forget the pain, the suffering, the feeling of great loss, the brokenness of families, the sadness that will touch that family for the rest of their lives. We made a promise to never forget not only those sad times, the feelings of brokenness and loneliness, but those good times, the funny stories we hear.

I have two friends killed in the line of duty, one in June of 1982. He was my good friend and partner, Sam Hicks. He was shot and killed. But I remember a night when he and I, together, went to catch a robber. We surrounded the house, just the two of us. It was pitch dark outside, and all of a sudden I heard Sam scream, Run, DAVE, run.

So when Sam said ''run,'' I ran. And I ran. Then I heard a barking dog. I looked and saw that Sam was being chased by a large dog. Sam and I jumped in our police car and I peeled out, headed out of the driveway because the lights were coming on inside the house where the robber was, and I began to smell something a little bit funny. Well, what happened is that Sam decided he was going to mace the dog, but instead he maced himself.

That's one of the stories I remember about my good friend Sam. He also taught me how to tie a tie. I only know one knot. It's the knot that I'm wearing today.

My good friend, Mike Raburn, who went to the academy with me, saved my life one night. I was directing traffic in Federal Way just south of Seattle, and I didn't know it, but someone behind me had run up behind me with a knife with the knife raised in the air. Mike had just driven up, and the guy was running toward me to stick the knife in my back. Mike tackled him and saved my life.

I remember those good times. I remember those bad times. We can never forget the sacrifice of our law enforcement men and women. We are all safe today. You can be in this Hall today, Mr. Speaker. We can all be here today, we can walk on the streets safe knowing that our brothers and sisters in law enforcement are there to protect us.

Now, you can help them. This week we passed the Blue Alert bill. All you need to do is watch for those, like those AMBER Alert, the Blue Alert signals on your freeway signs. If an officer has been shot or killed, you'll see information on those signs. Call in.

We can work together to keep the communities safe, because if they hurt a cop, if they kill a cop, they'll hurt somebody, somebody in the community. So help us by participating in Blue Alert.

And also, I ask of you today, Mr. Speaker, and everyone listening across the great Nation of this United States of America to never forget.

God bless you. Thank you.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Guam (Ms. BORDALLO) for 5 minutes.

Ms. BORDALLO. Mr. Speaker, I rise today in honor of Asian Pacific American Heritage Month and to recognize the many contributions that Asian and Pacific Americans make to our great Nation.

I commend Congresswoman JUDY CHU, who is the chair of the Congressional Asian Pacific American Caucus, and also Congressman MIKE HONDA, the caucus' chair emeritus, for their leadership and for their efforts on behalf of our communities.

Our caucus represents a very large and a diverse community. The cultures that are represented in our caucus highlight many, many unique traditions, languages, and histories. Despite our diverse backgrounds, Asian Pacific Americans are committed to improving our country every single day.

Today, more than 18.5 million Asians and Pacific Islanders call America their home—18.5 million. We have become the fastest growing minority community in the United States, having increased by more than 40 percent in the last 10 years.

Asian Pacific Americans contribute to every aspect of our lives, from business to education, health care to public

relations, sports and recreation to the arts, government, and the Armed Services. Our businesses employ more than 2.8 million workers, who generate more than $512 billion in annual revenues to our economy. Two Cabinet Secretaries, Energy Secretary Steven Chu and Veterans Affairs Secretary Eric Shinseki, are of APA descent, and APAs currently represent 13 congressional districts and serve in 15 State legislatures. Further, in the last 3 years, the number of judges serving in the Federal judiciary has more than doubled, its highest level in our country's entire history.

From the very beginning, the Asian Pacific American community has sought better opportunities or to escape persecution in their homeland. These can be seen with each particular group: in the experiences of the first Chinese laborers who came to build the transcontinental railroads, the first Japanese workers who worked on plantations in Hawaii, and the first Vietnamese refugees who arrived because of war, and countless APA groups with similar stories. Asian Pacific American history is the larger American story of valuing freedom, continuously working to make our Nation great and giving our children a better future than the ones we have.

I represent the people of Guam. I represent the U.S. Territory of Guam. The people are an important part of our Asian Pacific American community and are extremely loyal and proud of their citizenship. Case in point, this year will mark the 68th anniversary of the liberation of Guam from a brutal enemy occupation during World War II and the return of freedom to the island as part of the American family. Guam has one of the highest per capita casualties in the more than a decade that our country has been at war, yet our people continue to enter military service as a calling to serve their country. And our island is being called upon to sustain one of the most complex and important force posture realignments in the history of the United States. Today, per capita, we also are number one when it comes to people who serve in the National Guard. Guam is number one per capita.

□ 1030

This May, we once again celebrate Asian Pacific American Heritage Month. Despite the many successes that the APA community has experienced, there is still so very much to be done. APA Heritage Month is a celebration of our diversity, a recognition of the sacrifices and the contributions that Asian Pacific Americans make to our Nation, and an opportunity to educate all Americans of the unique role that our community plays in our country.

I thank you, Mr. Speaker, or as we say in Guam, Si Yu'os Ma'ase—thank you, and God be with you.

PAYING TRIBUTE TO BISHOP BARNETT K. THOROUGHGOOD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. RIGELL) for 5 minutes.

Mr. RIGELL. Mr. Speaker, I rise today to recognize, to honor, and to pay tribute to the life of Bishop Barnett K. Thoroughgood, founder of New Jerusalem Church of God in Christ in Virginia Beach, who passed away too early from this Earth in February. He was a man of God, an inspiring leader, a tremendous, positive influence in our community, and a truly outstanding American.

Mr. Speaker, I ask the House to please help me welcome his family here today, his wife of 39 years, Ernestine; son, Jonathan; daughter, Mekia; handsome grandson, Caleb—who was just in my office—and many other distinguished guests who have come with the family today.

I think the measure of a man or a woman is the legacy they leave to their children, and the legacy left by Bishop Thoroughgood is exemplary. The good bishop dedicated his life to serving God, his fellow man, and his community. He was a titan in the field of human rights. He was loved by fellow clergy and the community in which he served. He was a truly gifted speaker, and he used that gift to be a blessing to others. This is what was written about the bishop in the Virginia Pilot:

> Bishop Thoroughgood liked to say he started preaching at the age of five, when he spent many days sharing Jesus with the prison work crews that came to clean ditches in his Seatack neighborhood. At 20 years old, he started the New Jerusalem Church of God in Christ. Across his career, he received many educational honors leading to his doctorate of ministry. He served as the district superintendent to the Virginia Beach district and second administrative assistant to Bishop Samuel L. Greene, Jr.

He was amazingly active in the community and received so many awards that if I read them out today, I think it would fill the CONGRESSIONAL RECORD.

He also served as a member of the Virginia Beach Clergy Association and Ministerial Alliance. He was the founder and president of the Hampton Roads Ecumenical Council of Bishops. He led mission trips to Haiti and outreach to the poor.

His sermons were literally broadcast around the world. So many were touched by his words, which I think explains why at the wake the night before his funeral 2,500 people were there, and 4,000 folks showed up to the funeral. I was honored to share just a few words with the family.

I just ask that God would bless the family and watch over them, give them peace, and that the message that the bishop had lived his life conveying would be continued. That truly is the way, I believe, we honor the bishop's life is by continuing his work, his compassion for others, his commitment to making sure that all Americans cross the finish line, always centered on family, always centered on God, and always mindful of his obligations as an American.

Bishop Thoroughgood leaves to cherish his memories, again, his lovely wife, Ernestine Thoroughgood; his sons, Bertram, Emmanuel, and Jonathan; daughter, Mekia; four brothers—large family, wonderful family that we had here this morning—five grandchildren, and many children they've adopted and helped through the social services foster care program; the New Jerusalem Church family; and the members of the Church of God in Christ worldwide.

Mr. Speaker, I close as I began, just knowing that it's a high honor to pay tribute to his life. I think it embodies the very best of what it means to be an American, to be part of our Hampton Roads community, and to be a Virginian.

So with that, I ask God's continued grace on the family.

ASIAN PACIFIC HERITAGE MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. Mr. Speaker, this month is Asian Pacific American Heritage Month. It is a time for us to take pride in our country's diversity and to celebrate the ways in which Asian Pacific Americans have contributed to the vibrancy of our Nation.

Today, Asian Pacific Americans are the fastest growing racial group in the country and now account for nearly 6 percent of the total population. Asian Pacific Americans are an incredibly diverse group comprised of over 45 distinct ethnicities and speaking over 100 different language dialects. We are represented in every arena of American life, from college presidents to public servants and CEOs, and even to an NBA basketball star, Jeremy Lin.

This year marks a number of historic milestones for the Asian Pacific American community, including the 20th year since the formal establishment of APA Heritage Month; the 100th anniversary of the planting of the first cherry blossoms in our Nation's Capital; and the 150th year since the passage of the Pacific Railroad Act, which led to the construction of the transcontinental railroad.

This year also marks the anniversary of several painful events in our history: 130 years since the passage of the Chinese Exclusion Act of 1882, a discriminatory piece of legislation which prevented people of Chinese ancestry from becoming naturalized citizens and from ever having the right to vote; 70 years since the signing of Executive Order 9066, which led to the internment of 120,000 Japanese Americans during

World War II; and 30 years since the unpunished murder of Vincent Chin in Detroit by two unemployed autoworkers who blamed him and all Asian Americans for the loss of their jobs.

Although our history has indicated great progress since the days of discrimination, it is important to continue to remember our history in order to protect the civil rights of all Americans and to prevent these atrocities from ever happening again.

As chair of the Congressional Asian Pacific American Caucus, or CAPAC, I have the privilege of advocating for the APA community's needs and priorities on a broad range of issues, including civil rights, health care, economic justice, and immigration reform. This year, our caucus welcomed 12 new Congress Members, bringing our total to a record high of 42 members. This means that CAPAC will be able to serve as an even stronger voice for the Asian Pacific community at all levels.

As the Asian Pacific community continues to grow across the Nation—not just in traditional strongholds like California, Hawaii, or New York, but also in States like Texas, Georgia, and Nevada—my colleagues and I will continue to ensure that the needs of the APA community are included as we push for policies that re-ignite the American Dream for all.

So as we celebrate Asian Pacific Heritage Month this May, I hope you will join me and remember the many contributions that Asian Pacific Americans have made to our great country.

HIGH-PERFORMANCE BUILDING WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. MANZULLO) for 5 minutes.

Mr. MANZULLO. Mr. Speaker, I rise today to speak on energy-efficient buildings—we're talking about schools, factories, department stores, shopping centers, any type of a large building or even a small building—and the money they can save and the manufacturing jobs that energy-efficient initiatives can create.

This week, architects, code officials, designers, and others involved in making buildings more energy efficient celebrate High-Performance Building Week. This annual event features briefings, meetings, and other educational outlets designed to showcase and promote the good work being done to provide better buildings and mitigate the impact on the environment.

Building owners and operators continue to find creative ways to minimize the effect that rising energy costs have on their operations and productivity. These owners and operators are beginning to find that better designs of new buildings and smart retrofits of existing buildings free up capital and allow managers to commit more resources to the core operations rather than to utility bills.

The State of Montana decided to make its buildings more energy efficient. They brought in engineers to do the study, and they found that over 7,500 pipes needed to have mechanical insulation. These are pipes that needed to be wrapped.

□ 1040

And so they undertook that project. And what's interesting is that the payback was less than 4 years. But each year the State of Montana saves 5 to 8 percent in energy costs on those buildings. That's a massive savings of energy in this country.

One of the easiest, most cost-effective ways to improve building performance is to ensure the mechanical insulation systems are properly installed. While most of us think that insulation is only for walls and attics, mechanical insulation is a vital component for commercial and industrial and educational applications.

Working with my colleagues, I introduced H.R. 2866, the Mechanical Insulation Incentive Act of 2011, last year to help commercial and industrial facility owners make their facilities more energy efficient and put people back to work.

Improved insulation for piping and mechanical components in commercial and industrial settings will help save businesses more than $4.8 billion a year, according to the National Insulation Association. These improvements will also save resources to the tune of 82 million barrels of oil or 19 million tons of coal each year. And it's probably more than that.

I ask my colleagues to consider supporting H.R. 2866. It's a commonsense bill that will save money, improve facility operations, put people back to work, and help our buildings perform to a higher standard.

Mr. Speaker, I want to close by saluting the hard work that our Nation's architects, engineers, and building professionals do to improve the condition of our homes, schools, and businesses.

I also want to ask my colleagues to participate in some of the events being held this week in honor of High-Performance Building Week.

SUPPORT EXTENSION OF THE COLLEGE COST REDUCTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, in 45 days, the interest rate on the Stafford Student Loan program is going to double from 3.4 percent to 6.8 percent.

As millions of American families know, the Stafford Student Loan program is the workhorse for middle class students trying to pay for college. It is a program which has an affordable interest rate. It provides protections for students so that interest doesn't accumulate while you're actually in school. It provides a grace period after you graduate. And it also has a cap in terms of how much of your income has to be devoted to Stafford loan repayments.

In 2007, as a freshman Member of Congress, I was proud to have been a cosponsor of the College Cost Reduction Act, which cut that rate from 6.8 to 3.4 percent. It was a 5-year bill, like many measures that Congress passes; and that expiration, that sunset, will occur on July 1, 45 days from today, when that rate will double back to 6.8 percent.

Last week the Senate made an attempt to try and take up legislation to protect that lower rate. Sadly, the Republican minority used the filibuster rule to block not even just the bill, but even a debate on the bill. I repeat: they didn't even use the filibuster rule as a block of all Republicans to vote against the measure. They actually used the filibuster to even allow consideration of debate.

And, again, the leader in the Senate made it very clear if they had alternatives to the Senate bill which would protect the lower rate, they were more than free to offer their own amendments.

So here we are today, with students trying to plan for next fall's college, with kids getting their acceptance letters for next year, and yet they have no ability to budget or plan in terms of what the interest rate for this workhorse program to pay for college allows.

Now, how did we get to this place?

As I indicated, in 2007 we cut the rate. Back in January, President Obama stood at that very podium and challenged Congress to not allow the rate to double. For three solid months, nothing happened in this Chamber. There was not a single hearing at the Education and Workforce Committee. There was not a bill for markup. The only action was legislation that I proposed. H.R. 3826, which has over 150 cosponsors in this Chamber, on a bipartisan basis, which would lock in that rate permanently, has never been taken up for consideration.

Two-and-a-half weeks ago, Speaker BOEHNER who, by the way, voted against the College Cost Reduction Act in 2007, rushed to the floor a bill for a 1-year Band-Aid, and used as a pay-for depleting resources and funds from a program that would help folks with heart, cardiac, cervical cancer screening, diabetes screening, early childhood disease screening. They took money out of that fund to help desperate Americans to try and put a 1-year fix on the student loan issue.

President Obama made it very clear that bill is a dead letter. A veto threat

was issued even before we voted in this Chamber. So here we are 45 days away waiting for action.

H.R. 3826, a measure which permanently locks in the lower rate, is at least a first step in terms of dealing with the crisis in this country of student loan debt, which now exceeds credit card debt and car loan debt. We have an issue here which threatens the future viability of this country to succeed and compete in the world global economy where we need a cutting-edge workforce if we're ever going to succeed in the future.

Forty-six days from today we are going to be celebrating the 150th anniversary of President Abraham Lincoln signing into law a measure called the Moral Act. The Moral Act set up a national policy establishing land grant colleges in all 50 States in this country. Back then its mission was to establish programs for mechanical engineering and agricultural sciences.

What an amazing act of vision and leadership. In the darkest days of the Civil War, 1862, President Lincoln still had the long view and understood that if, as a Nation, we are going to succeed, we need a national policy for higher education. And in his wake, the Stafford loan program was created, sponsored by a Republican, Robert Stafford of Vermont. The Pell Grant program was established by Claiborne Pell, Democrat of Rhode Island, all to provide the building blocks so that young people have that opportunity and the ability to pursue their dreams and to pursue their skill set, the true key of success in this Nation.

We are a Nation that is blessed with great natural resources. We have the greatest military in the world. We have great financial institutions. But the real success of this country is our broad-based middle class where education provides the foundation for families and students to succeed.

That clock is ticking. I started this running at 110 days, and we're now down to 45 days. It is time for the Senate Republicans to drop the filibuster, allow consideration of the bill to help middle class families as they deal with next year's tuition costs, and pass H.R. 3826 in the House of Representatives.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at noon.

PRAYER

Reverend Tom Ellsworth, Sherwood Oaks Christian Church, Bloomington, Indiana, offered the following prayer:

Almighty God, mere words are inadequate to express our deep gratitude for the privilege of living in such a great land. You have graciously guided this Nation in the past. I pray that You will continue to bless it in the days ahead.

For all who have served in the past, and for all who currently serve within these hallowed walls, we give You our thanks. Bless them and their families.

I pray, Lord, that You will encourage them on the days when they are criticized more than cheered. Give them strength under stress, peace under pressure, and wisdom under the weight of the burdens they carry.

Fill them with Your insight and divine perspective. Give them good judgment in the decisions they make. Guide their thoughts and intentions to reflect Your timeless values. And in the Nation's business of this day, grant them success.

In Christ I pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. MCINTYRE) come forward and lead the House in the Pledge of Allegiance.

Mr. MCINTYRE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND TOM ELLSWORTH

The SPEAKER pro tempore. Without objection, the gentleman from Indiana (Mr. YOUNG) is recognized for 1 minute.

There was no objection.

Mr. YOUNG of Indiana. I want to thank my friend, Tom Ellsworth, and his wife, Elsie, for traveling all the way from Bloomington, Indiana, to deliver this morning's open prayer.

Tom has devoted his life to ministry. He is senior minister to me, my wife, Jenny, our four children, and so many other Hoosiers at Sherwood Oaks Christian Church in Bloomington.

2012 marks the 50th year since Sherwood Oaks was founded. To mark the celebration, Tom has thrown down the gauntlet. Our church will pray, give, and serve like never before. Tom is challenging more of us to become the hands and feet of God, serving our neighbors, our country, and beyond.

Tom understands that our Nation, in fact any nation worthy of the name, was built by selfless servants, people like the 55 members of our church who recently activated their faith to help out tornado victims in southern Indiana. America needs more such servants and more people like Tom to inspire us to service.

Thank you for making a difference, Tom.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

THE STUDY OF THE STUDY OF THE STUDIES

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the military spends a lot of money studying, presumably, the effectiveness of military programs. In fact, there are numerous military studies of military programs. So many, the Department of Defense has commissioned a study of those numerous studies to see how much those studies cost.

Stay with me, Mr. Speaker. Now, the Government Accountability Office has done their own study of the military study that is studying the cost of numerous military studies that are studying the cost and effectiveness of military programs.

The GAO has concluded its study that the military study of the studies is incomplete, inconclusive, and inconsistent. So we really don't know how effective or costly those military studies are. Meanwhile, the cost of the GAO study has not been studied yet.

Mr. Speaker, I hope this short study of the government's studies programs let's us all know how effective and efficient government bureaucracy actually operates.

And that's just the way it is.

CELEBRATING THE 150TH BIRTHDAY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

(Mr. MCINTYRE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McINTYRE. Mr. Speaker, I rise today to say happy birthday to the United States Department of Agriculture, which celebrated its 150th birthday on May 15.

In my home State of North Carolina, we have contributed to our Nation's agricultural success, and the Seventh Congressional district is the most productive agricultural district in the State, with over $2.5 billion worth of agricultural products sold each year.

Because our farms and our farmers and our agribusinesses are so critical to our State's economy, it is vital that the USDA partner with us, as it does with States throughout our country, helping farmers manage risk; providing a safety net for producers who experience disasters from weather, pests, or price collapse; giving rural communities the tools they need to be able to make infrastructure improvements; investing in cutting-edge agricultural research at our country's premiere research institutions and land grant universities. These all allow for breakthroughs in crop science and animal agriculture.

Indeed, we say happy birthday to our USDA. We know that the State of North Carolina, and all of our States that benefit from its services, allow our farmers and our rural communities in rural America to enjoy the strong positive relationship to share our future together. Let's keep our farmers and our rural communities strong.

NDAA PROTECTS TRICARE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, today the House will debate the National Defense Authorization Act for fiscal year 2013. The House Armed Services Committee approved this bipartisan bill last week by a vote of 56–5.

Earlier this year, the administration announced an increase in the TRICARE enrollment fees by up to 345 percent. As chairman of the Subcommittee on Military Personnel, I am pleased the committee refused to authorize a provision to forward the administration's unfair proposal, which would destroy jobs.

Our brave men and women in uniform and their families have devoted their lives to defend our country. Their service to our Nation should be considered a prepayment of health care benefits and retirement.

I urge my colleagues to support this bill and give our military families the fairness they deserve so they can work for peace through strength.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Welcome to Washington, Realtors and CPAs.

HONORING THE SERVICE OF DETECTIVE WALTER C. MEY, JR.

(Mr. CICCILINE asked and was given permission to address the House for 1 minute.)

Mr. CICCILINE. Mr. Speaker, I rise today to honor and recognize Detective Walter C. Mey, Jr., who works for the Middletown Police Department in the First Congressional District of Rhode Island.

Detective Mey recently received an honorable mention from the National Association of Police Organizations, which praised his work as part of their Top Cops award of 2012. Detective Mey was recognized for his efforts in apprehending a murder suspect last year.

The Top Cops award recognizes law enforcement officers who have been nominated by their peers for going above and beyond the call of duty. An 18-year veteran of the Middletown Police Department, Detective Mey has been awarded a Meritorious Service Medal from the Department. I congratulate Detective Mey today on his impressive achievements, and thank him for his continuing service on behalf of our community.

This week, as our Nation observes National Police Week, we are mindful that Detective Mey and every retired and every active duty Rhode Island police officer deserves our tremendous gratitude for their commitment to ensuring our safety.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all members of the gallery that they are guests of the House and that any manifestation of approval or disapproval of the proceedings is in violation of House rules.

□ 1210

RALPH CHESHIER

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. I rise today to honor Mr. Ralph Cheshier, a veteran teacher in the Valley View School District of Jonesboro, Arkansas.

For 37 years, Mr. Cheshier has taught his students the principles of agriculture. Mr. Cheshier is also a longtime member of the Partners in an Active Learning Setting, or PALS program. PALS is a mentoring program that matches high school students in the Vocational Agriculture Leadership Class with kindergarten students to develop personal skills and explore interests in plants and animals. The Valley View PALS chapter is one of only 10 in Arkansas.

Mr. Cheshier has a unique style of teaching through storytelling. He loves spending time with his students in the school greenhouse and shop, teaching them valuable skills and making his students become self-sufficient members of society. Mr. Cheshier will be remembered for his contributions to the academic and life development of his students. Many of the lessons he taught will go well beyond the classroom and will stick with those students forever.

Mr. Speaker, I am honored to represent people like Mr. Cheshier, who make Arkansas a great place to live.

Happy retirement.

USPS REFORM

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, last week we learned that the Williams Street mail processing facility in my Buffalo community will remain open despite proposals by the Postal Service to close it.

While this is welcome news, I remain deeply disappointed by the ''decide first and justify later'' approach that the Postal Service has used throughout this process. From failing to notify residents of proposed closures to poor record-keeping at public meetings, the amount of community involvement in this process has been unacceptable, and now postal workers are faced with uncertainty as the status of their place of employment remains unclear.

Mr. Speaker, we must take advantage of this temporary moratorium on closures in order to take a serious look at the facility closure process and to make much-needed reforms.

OUR NATIONAL DEBT

(Ms. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HAYWORTH. Mr. Speaker, I had the privilege of receiving a letter from a constituent, a 14-year-old young man of Star Boy Scouts who is seeking to become a an Eagle Scout, and he is concerned about the Federal debt and deficit.

Christopher Woloshyn wrote to me:

I think that the Federal deficit is too high and overwhelming for Americans, and will affect people like me even more in the future . . . I believe our government must stop spending more money than it takes in. Can you please help our government reduce our national deficit so myself and fellow young Americans will not be burdened by our national debt?

Christopher, I could not agree more with you, and you have the wisdom of someone who can look at this issue with fresh eyes.

We here in the House of Representatives, under the leadership of Speaker BOEHNER, are dedicated to making sure that we do not add to that debt, which is what we are concentrating on this year. That is why I am so proud to support the Speaker in the Boehner principle: that we will not raise the debt

ceiling without at least dollar-for-dollar compensatory cuts.

Christopher, you deserve a better future. We are determined to provide that to you, and I urge our fellow Members of the House to follow the same.

VAWA—WOMEN'S HEALTH WEDNESDAY

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Since 1994, the Violence Against Women Act has strengthened communities and provided critical, lifesaving support to victims of violence.

VAWA reauthorization must continue the fight to protect all victims and their families from the fear of violence, including those victims who are immigrants, Native Americans, members of the LGBT community, and college students. Unfortunately, for the first time in VAWA's history, we will not have a bipartisan reauthorization bill. Even worse, H.R. 4970 is a step backward and is opposed by hundreds of anti-violence groups.

While there are many problems with the bill, I am most distressed by the provisions regarding battered immigrant women. H.R. 4970 destroys years of work of protecting immigrant women. It creates more obstacles for these victims to report crimes, and it limits U visa protections and adds restrictive certification requirements that will only discourage cooperation with law enforcement agencies, which themselves oppose these provisions.

Victim safety is a core principle of VAWA. We must remain firm in our commitment to ensure that all victims of sexual assault, domestic violence, and trafficking have meaningful access to protection under the law.

HOUSE GOP PLAN FOR AMERICA'S JOB CREATORS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Fostering job growth for the American people continues to be the number one job for House Republicans. With unemployment above 8 percent for the past 39 months, the Obama economy continues to produce the Nation's worst jobless record since the Great Depression.

By following the House Republican Plan for America's Job Creators, the House has passed more than 30 bipartisan jobs bills on behalf of the American people. Each of these bills is aimed at unleashing the power of our private sector to freely and confidently build, invest, innovate, and expand again—and put millions of Americans back to work. Unfortunately, the vast majority of these bipartisan House-passed jobs bills are being blocked or ignored in the Democrat-controlled Senate.

The American people are tired of waiting. It is time for Democrats in the Senate and White House to put politics aside and to support the House Republican Plan for America's Job Creators.

REAUTHORIZATION OF THE VIOLENCE AGAINST WOMEN ACT

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Today, I rise in opposition to H.R. 4970, the partisan reauthorization of the Violence Against Women Act.

Since 1994, the Violence Against Women Act has been a critical tool for protecting women and children who are victims of domestic abuse, and Congress has twice made necessary bipartisan improvements in the law.

As a cochairman of the Congressional Victims' Rights Caucus, I know that we have learned a great deal from law enforcement and victim advocate groups since we last reauthorized the Violence Against Women Act in 2005. Unfortunately, this bill rolls back comprehensive protections for all vulnerable populations rather than reflect on the lessons we've learned.

We should be listening to the victims' rights advocate groups and our local law enforcement agencies, which know and deal daily with the impacts on people's lives who are the victims of crime. Therefore, we ought to pass the bipartisan Senate reauthorization bill and end this partisan charade.

EXPRESSING OPPOSITION TO H.R. 4970—VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HINOJOSA. Mr. Speaker, I rise today to express my strong opposition to H.R. 4970, the Violence Against Women Reauthorization Act, which shifts the power into the hands of the abuser and moves away from long-standing bipartisanship on this issue.

In my view, a vote for H.R. 4970 is clearly an attack on the Violence Against Women Act, and I am deeply concerned that the manager's amendment to H.R. 4970 weakens current law and rolls back protections in the VAWA self-petition process, empowering abusers and harming battered immigrant spouses.

The manager's amendment rolls back U visa protections, denying protection to immigrant victims of serious crime and stripping police and prosecutors of a critical law enforcement tool. The manager's amendment fails to include provisions from the bipartisan Senate-passed bill to protect Native American women and includes language that may lead to further abuse. The manager's amendment fails, again, to include provisions of the bipartisan Senate-passed bill to protect LGBT victims from discrimination, and it weakens non-discrimination employment protections.

I urge my colleagues on both sides of the aisle to vote against H.R. 4970 and to work together in a bipartisan manner in order to improve and reauthorize the Violence Against Women Act.

STUDENT DEBT

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. In 45 days, the interest rates on some Stafford student loans are going to double. Even though we have a consensus in Congress that low interest rates should be extended, we can't get the job done. Families can't wait. They're sitting around, trying to figure out how they'll put their kids through college.

Take Beth from Westfield, Vermont. She told her children when they were young that college was part of their futures and important if they were going to make it into the middle class. Now she fears she may have steered them wrong. Her family currently holds $150,000 in debt. In a tough job market, Beth's kids are struggling to get a foothold in life with loan repayment costs exceeding $500 a month. Beth would like to help, but she is not really in a strong position to do so. She went back to college later in life, hoping to advance her career, and now she is way down, as are her kids, with this enormous burden.

Mr. Speaker, Congress has 45 days. Congress needs to act. We can't afford to price the middle class out of a college education.

□ 1220

VIOLENCE AGAINST WOMEN ACT

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, the Violence Against Women Act has saved lives, reducing domestic violence by half. Our colleagues in the Senate have embraced this fact and passed a bipartisan reauthorization bill that makes sense. Unfortunately, I can't say the same thing about H.R. 4970.

My Republican friends have good intentions. I believe they want to protect victims of domestic violence just as much as I do, but to be effective, however, our legislation has to address the problems as they exist. H.R. 4970 does not. The bill makes reporting abuse more difficult, forces shelters and

counselors to spend more of their precious resources on unnecessary paperwork, and fails to extend protection to the LGBT Americans. One of the most striking deficiencies is its failure to protect immigrant victims of abuse.

Because of their status, immigrants are often scared to report crimes of violence. This fear results in more damage to their communities as the violence escalates. But law enforcement has the powerful tool to combat these crimes—the U visa program, which protects immigrants if they report abuse.

VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, during my first term in Congress, I proudly voted for the Violence Against Women Act. It saddens me that 20 years later, in my last term, my Republican colleagues are determined to water down and undermine this landmark legislation. Of all things that shouldn't be partisan, this is it—the need to help those who suffer injuries at the hands of someone who supposedly loves them.

As we've seen many times, the majority seems to like playing politics with women's health and safety. And because they rarely miss an opportunity to exclude LGBT Americans from important rights and benefits, they're saying that if you're a woman who is in a relationship with another woman, then you don't deserve the same protection against domestic abuse or sexual assault.

We need to be doing more, not less on this issue. I have a bill that would extend family-leave benefits to victims of domestic violence. It's H.R. 3151. Why don't we take up that bill instead of this divisive measure that rolls back historic progress?

Vote ''no'' on H.R. 4970.

VOTE ''NO'' ON H.R. 4970, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Mr. Speaker, I rise today in strong opposition to H.R. 4970, this misguided GOP reauthorization of the Violence Against Women Act.

Unfortunately, this bill does not do enough to protect the well-being of all women. I say again that it does not do enough to protect the well-being of all women.

This reauthorization jeopardizes the safety of our Native American women and also the safety of many undocumented women. Neither the manager's amendment nor the underlying bill addresses the problems that face Indian country. Instead of empowering tribal police and courts to stop domestic violence, this legislation unfairly places the burden on Native victims. Many of the victims of domestic violence that live on the reservations are unable to hire legal counsel and can't travel hundreds of miles to Federal courts to petition for protection orders.

We must protect sovereignty. We must respect sovereignty. Tribal courts are the best authorities to issue domestic violence orders of protection on reservations.

Let's stop this partisan bill. Let's work together on a new approach that values the safety of Native Americans and undocumented individuals in a bipartisan fashion.

WE STILL HAVE WORK TO DO

(Ms. BONAMICI asked and was given permission to address the House for 1 minute.)

Ms. BONAMICI. Mr. Speaker, it's truly unfortunate that we're here today talking about the possibility of voting against the Violence Against Women Act. This bill was originally passed and has been consistently reauthorized with strong bipartisan support, but it now faces unnecessary hurdles.

There has been a drop in annual rates of domestic violence since the passage of the Violence Against Women Act, but we still have work to do. Alarmingly, one in four women and one in seven men have been victims of domestic violence in their lifetime, but the current bill is not the way to move forward.

Unlike the companion bill that passed in the Senate with strong bipartisan support, this House bill will take us backwards. It eliminates protections for immigrants dependent on and exploited by their spouses, keeping them trapped in violent relationships. It could let perpetrators of sexual violence against Native American women off the hook, and it utterly fails to recognize that anyone can be a victim of domestic abuse, including those in same-sex relationships.

Every time we reauthorize an act of Congress, we have an opportunity to improve. Improvement, not further harming victims, should be our focus with the reauthorization.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

(Ms. BORDALLO asked and was given permission to address the House for 1 minute.)

Ms. BORDALLO. Mr. Speaker, I rise today in opposition to H.R. 4970, the so-called Violence Against Women Reauthorization Act. I believe that all Americans are entitled to feel safe, and we must strengthen current laws to continue to protect women and children across our country. This bill, however, does not achieve that goal. Immigrants, native tribes, lesbian, gay, bisexual, and transgender groups are some of our most vulnerable communities, and the bill rolls back years of progress improving Federal efforts against domestic violence, sexual assault, and stalking.

The bill eliminates important confidentiality protections for self-petitions and would put immigrant women at greater risk for repeat abuses by undermining the intent of U visas. This bill discourages crime victims from cooperating with law enforcement and eliminates any attempt at a stable life by terminating their eligibility for permanent residence.

Women in this country, regardless of their background, should never have to feel trapped or helpless.

A SHAMEFUL BILL

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I never could have anticipated speaking in opposition to the Violence Against Women Act, and it's unfortunate that we've come to this point, but here we are. This comes after more than a year of bipartisan efforts to put together a comprehensive, effective, and much-needed VAWA draft. But Republicans in the Senate and then in the House decided to ignore the recommendations of the FBI, the Department of Justice, and advocacy groups on the ground and push a version of VAWA that endangers immigrant women and children, ignores the needs of our native communities, and perpetuates discrimination against LGBT victims. That is why hundreds of victim services organizations oppose this bill, and I stand with them today.

At the Women in Distress shelter in my district, there has been a 39 percent increase in requests for services over the last year. Women need us now more than ever, and this is not the time to allow for discrimination or helping only some victims of domestic violence. This is the time to take a stand.

As lawmakers, we speak for the voiceless, and today I speak united with my colleagues in opposition to this shameful bill.

I STAND WITH VICTIMS OF DOMESTIC VIOLENCE

(Ms. WATERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATERS. Mr. Speaker, today I stand with my Democratic colleagues and victims of domestic violence across our Nation in strong opposition to H.R. 4970, the House Republican alternative

to the Violence Against Women Reauthorization bill. This bill severely undermines vital protections available to victims of violence and places those victims in danger of continued abuse.

Since its enactment in 1994, the Violence Against Women Act, known as VAWA, has a long history of uniting lawmakers with the common purpose of protecting survivors of domestic violence.

Each year across the Nation, thousands of women, children, and men who fall victim to domestic violence, human trafficking, sexual assault, dating violence, and stalking no longer have to live in fear because of important victim protections under this law.

This Republican alternative bill threatens to dismantle this progress by deliberately placing domestic violence victims from LGBT, immigrant, tribal, and other marginalized communities in harm's way.

□ 1230

REPUBLICAN BILL ENDANGERS WOMEN

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. I rise today to oppose H.R. 4970. Under current law, a woman who is married to a U.S. citizen or a legal permanent resident and is a victim of spousal abuse can file a self-petition for legal permanent residency in order to leave that abusive relationship.

This provision has helped women like Maria, whose husband physically abused her and threatened to kill her two children. Without his knowledge, she started a VAWA self-petition process, meeting with an attorney at the laundromat on her usual laundry day and hiding her paperwork.

What this bill does is exposes women like Maria. It strips confidentiality protections and allows government officials to contact the spouse. Why would we do that? For these women, tipping off abusive spouses is nothing short of putting them in harm's way. It's a shame.

It's a shame that this so-called Violence Against Women bill could actually cause violence to women. Mr. Speaker, this bill is outright dangerous, and I urge my colleagues to say ''no.''

PROVIDING FOR CONSIDERATION OF H.R. 4970, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012, AND PROVIDING FOR CONSIDERATION OF H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 656 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 656

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

POINT OF ORDER

Ms. MOORE. Mr. Speaker, I raise a point of order against H. Res. 656 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Wisconsin makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Wisconsin and a Member opposed each will control 10 minutes of debate on the question of consideration.

Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are some unfunded mandates in the underlying bill, H.R. 4970; rather, I am here today because this is the only opportunity to voice opposition to this bill, given the strict, closed terms of our debate today.

It is baffling to me, Mr. Speaker, that we would be so shut out of today's debate and that House Republicans would so completely abandon any pretense of bipartisanship on a bill like the Violence Against Women Act. This bill has always been a bipartisan effort, and I would argue that on an issue like this, it is incredibly important to have a well-rounded discussion.

We obviously disagree about the key elements that are critical to include in a Violence Against Women Act reauthorization. Well, why not allow us to have a healthy debate? More importantly, Mr. Speaker, why not allow us our chance to try to improve the legislation before us?

Our allies in the domestic violence and sexual assault advocacy community have literally spent years compiling input and data from service providers, law enforcement, and victims themselves about what we must do to update VAWA in a reauthorization. And I am here to be a voice of protest because their input is invaluable; yet, for the very first time, their input has been cast aside.

Last night I offered a substitute, along with Representative CONYERS and Representative LOFGREN, that would have allowed us to consider the Senate-passed version of the Violence Against Women Act, a version which I proudly introduced in March here in this House of Representatives. This legislation was passed in the Senate with sound bipartisan support and includes the improvements that have been endorsed by a broad array of individuals and organizations, including law enforcement agencies.

But, unfortunately, today we will not be allowed to vote on the Senate bill. We will have to vote on the Adams bill, which is now officially opposed by over 325 organizations. Yes, Mr. Speaker, you heard it right—325 organizations.

I would like to share my time with my colleagues who are here with me today and would like for their voices to be heard. So, Mr. Speaker, with your permission, I am going to yield to a number of Members for unanimous consent, the first of whom is Ms. YVETTE CLARKE from Brooklyn, New York.

Ms. CLARKE of New York. I thank the gentlelady.

Mr. Speaker, I ask unanimous consent to submit my remarks in opposition to a Republican bill that weakens protections for violence against women and in support of the bipartisan Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. CLARKE of New York. Mr. Speaker, I rise today in vehement opposition to H.R. 4970, the Violence Against Women Reauthorization Act of 2012 (VAWA). This egregious bill is another example of this Republican-led Congress waging political warfare on women.

H.R. 4970 would roll back years of progress and bipartisan commitment on the part of Congress to protect vulnerable immigrant victims of domestic violence, stalking, sex crimes, other serious crimes, and trafficking. Choosing one type of victim over the other.

Mr. Speaker, this will greatly impact areas with heavy concentrations of immigrants, which includes my district and other residents of New York City. Historically, NYC has been the beacon of immigration. Many in Congress, including Republicans, can trace their ancestry back to the immigrant population of NYC.

These new punitive measures within H.R. 4970 that hinder abused immigrants' ability to seek justice against their abusers, are a grave set of circumstances that will have future implications on the safety and security of our country.

It will jeopardize community relations with law enforcement, force those on a pathway to permanent residency or citizenship into the shadows, and threaten the moral fabric that binds civil society.

As the majority continues to pride itself as being the defenders of small government, fiscal responsibility, and moral authority, I am appalled at how almost every action taken in this 112th Congress has been to the contrary of their platform.

Mr. Speaker, I feel like I'm in that movie Groundhog Day, every day it is the same attacks over and over again. Are we running out of options? Are we so scared of tackling the real issues in this country like job creation, that we will continue to debate the same egregious legislative measures that curtail the rights and freedoms of women and cut off access to it for immigrants?

Mr. Speaker, it makes no sense that a nation of immigrants, built on the backs of immigrants, would not provide protection to immigrants.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would advise Members to confine their unanimous-consent requests to a simple, declarative statement of the Member's attitude toward the measure. Further embellishments will result in a deduction of time from the yielding Member.

PARLIAMENTARY INQUIRY

Ms. MOORE. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. MOORE. The declarative statement that you referred to, am I not correct, Mr. Speaker, that that could also include a sentence, a complete sentence?

The SPEAKER pro tempore. The Chair will only deduct time for embellishments.

Ms. MOORE. I thank the Chair.

Ms. HAHN. Mr. Speaker, I ask unanimous consent to submit my remarks in opposition to a Republican bill that weakens protections for violence against women and in support of the bipartisan Senate bill that actually protects victims.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. HAHN. Mr. Speaker, today the House will consider a bill entitled the ''Violence Against Women Act.'' This bill, however, does very little to stop violence or protect women.

Instead of continuing the tradition of coming together in a bi-partisan manner to pass this important reauthorization and achieve something we all should be able to agree on, my colleagues on the other side of the aisle have turned the Violence Against Women Act into a partisan messaging platform.

VAWA should protect every victim from their abuser, regardless of their immigration status. Instead, this bill endangers immigrants by punishing victims who cooperate with law enforcement.

VAWA should protect every victim, regardless of their sexual orientation or the gender of their abuser. Instead, this bill endangers LGBTQ victims by including ''gender-neutral'' language that ignores the reality that people are being underserved because of their sexual orientation.

VAWA should protect every victim, regardless of their Tribal affiliation. Instead, this bill endangers Native victims who are abused by non-Native Americans and leaves tribal courts without proper authority to protect victims and create safe communities.

Because the so-called ''Violence Against Women Act'' does none of these things, I stand in firm opposition to this bill.

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent to submit my remarks in opposition to a Republican bill that weakens protections for violence against women and in support of the bipartisan Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DAVIS of California. Madam Speaker, I am disappointed by the direction the House Majority has taken with this version of the reauthorization of the Violence Against Women Act (VAWA).

VAWA is a landmark piece of legislation that has dramatically reduced violence against women and provided states and local communities with additional resources to address crimes against women.

As such, VAWA reauthorization has in past Congresses gained overwhelming bipartisan support. No matter what side of the aisle we're on, members of Congress have long understood the need to strengthen protections for victims of abuse. Just last month, the Senate passed its own version of VAWA, which garnered a bipartisan vote of 68–31.

And yet here we are today debating a partisan bill that weakens critical protections and fails to protect underserved communities like LGBT victims and Native American women.

A diverse coalition of 164 immigration, faith, labor, civil rights, human rights, and community groups have come together in strong opposition to H.R. 4970, even with the manager's amendments. Their message is clear: H.R. 4970 will set us back years in fighting domestic violence.

At a time when we need to modernize the VAWA to build upon our efforts, this bill would instead roll back existing protections.

This bill would make it much harder for battered immigrant women to leave their abusive relationship by adding unnecessary layers of bureaucracy.

Strong immigrant victim protections have helped countless women, including Maria, who's husband physically abused her and threatened to kill her two children. Without his knowledge, she started a VAWA self-petition process, meeting with an attorney at the Laundromat on her usual laundry day and hiding her paperwork. Repealing immigrant protections and adding red-tape and onerous requirements will endanger the safety of battered immigrants like Maria.

H.R. 4970 would also weaken the U visa program, which has encouraged immigrant victims of crime to report and help prosecute serious criminal activity.

Current law allows U visa recipients to apply to become permanent residents. This bill removes the opportunity of most victims to apply to become permanent residents, thereby discouraging victims from cooperating with local law enforcement as it could lead to deportation.

Strong protections in this area have helped countless immigrant women escape the cycle of domestic abuse and rebuild their lives.

Now, we should have a conversation about how to update VAWA so that MORE women can be served.

We've learned in the past years that lesbian, gay, bisexual and transgender victims experience domestic violence at the same rate as the general population. Yet, they do not receive the same protections and services they need because of discrimination and lack of training by law enforcement and service providers.

The Senate bill includes important provisions that ensure that services to LGBT victims are explicitly included in VAWA grant problems, as well as bans discrimination against victims based on their sexual orientation.

We have to ask the question as to why these key measures were not included in this regressive bill brought by the House majority.

As a mother and a grandmother, I can not stand by as we roll back decades of progress in protecting women from emotional, physical and sexual abuse.

It is time that we stop playing politics, reject this partisan proposal, and move forward with a bipartisan bill that ensures that all victims of violence are protected.

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to submit my remarks in opposition to a Republican bill that weakens protections for violence against women and in support of the bipartisan Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. BONAMICI. Mr. Speaker, I ask unanimous consent to submit my remarks in opposition to a bill that

weakens protections for violence against women and in support of the bipartisan Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Ms. BONAMICI. Mr. Speaker, when the Violence Against Women Act was first passed, it was to prevent and raise awareness of domestic violence, and to create programs that help victims exit dangerous situations. Unfortunately, the bill we are debating today runs counter to these goals. It eliminates critical protections to help immigrant women and it fails to extend the protections of VAWA to other populations that need them desperately. I support the Senate's bipartisan VAWA reauthorization bill, which builds on past progress by providing battered Native American women with recourse against their abusers and ensures that anyone who experiences domestic abuse has access to VAWA resources, including those in same-sex relationships. I urge my colleagues to oppose H.R. 4970 and ensure that the reauthorization of VAWA helps all victims of domestic abuse.

Ms. WATERS. Mr. Speaker, I ask unanimous consent to submit my remarks in opposition to the Republican bill that weakens protections for violence against women and in support of the bipartisan Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATERS. Today, I stand with my Democratic colleagues and victims of domestic violence across our Nation in strong opposition to the H.R. 4970, the House Republican alternative to Violence Against Women Reauthorization bill. This bill severely undermines vital protections available to victims of violence and places these victims in danger of continued abuse.

Since its enactment in 1994, the Violence Against Women Act (VAWA) has a long history of uniting lawmakers with the common purpose of protecting survivors of domestic violence. Each year across this Nation, thousands of women, children, and men who fall victim to domestic violence, human trafficking, sexual assault, dating violence and stalking no longer have to live in fear because of important victim protections under this law. This Republican alternative bill threatens to dismantle this progress by deliberately placing domestic violence victims from LGBT, immigrant, tribal and other marginalized communities in harm's way.

While my Republican colleagues may think many of these discarded provisions are unnecessary, there is ample proof that they are sadly mistaken. Just last year, cases of LGBT domestic violence had increased by 38 percent. Of those who sought help, 44 percent of LGBT victims were turned away from traditional shelters. As for Tribal victims, Native American women face the highest rate of domestic violence in the U.S.—three and a half times higher than the national average. Proposed changes to current VAWA protections for immigrant survivors create an even larger obstacle for immigrant victims seeking to report crimes and increase the danger to immigrant victims by eliminating important confidentiality protections. These changes threaten to undermine current anti-fraud protections in place while rolling back decades of Congress's progress and commitments towards the protection of vulnerable immigrant victims.

Let's be clear, VAWA should not be used as a vehicle to pass immigration policy measures that are not germane to its purpose. VAWA has always been focused on protecting victims of domestic violence, sexual assault, stalking and trafficking and this should not change. In just one day, over 5,363 victims and their children receive services at domestic violence programs in California. On that same day, however, over 924 requests for services go unmet, largely due to lack of resources. This alone is proof that we need to expand the VAWA's programs and services and not eliminate them.

□ 1240

Ms. EDWARDS. Mr. Speaker, I join the United States Conference of Mayors and the Coalition Against Religious Discrimination in opposition to the bill, and I ask unanimous consent to submit their letters for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

THE UNITED STATES
CONFERENCE OF MAYORS,
Washington, DC, May 15, 2012.

Hon. JOHN BOEHNER,
Office of the Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Office of the Democratic Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: On behalf of the nation's mayors, we strongly urge the House of Representatives to support the protections for victims of domestic violence included in S. 1925, the bipartisan Senate bill to reauthorize the Violence Against Women Act (VAWA).

Since 1994, this landmark law has provided a comprehensive, coordinated, and community-based approach toward reducing domestic violence, sexual assault, stalking, and other forms of violence. VAWA's programs and services have provided lifesaving assistance to hundreds of thousands of victims and significantly strengthened the ability of the criminal justice system to hold violent perpetrators accountable. Over the past two decades, these efforts have helped dramatically reduce the incidence and impact of violence against women, including an over 50 percent decline in the annual rate of domestic violence.

Despite considerable progress in addressing the epidemic of violence against women, we recognize that much more needs to be done and that this reauthorization presents an opportunity for the Congress to strengthen our national commitment to tackling the challenges that remain. Like the 2000 and 2005 reauthorizations, we believe that the bipartisan Senate reauthorization does just that by expanding services and assistance to those communities who experience the highest rates of violence or who have the greatest difficulty accessing services.

We believe that it is essential that VAWA's vital services be provided to all victims regardless of group status and for that reason we strongly support the establishment of a uniform nondiscrimination provision for VAWA grant programs included in S. 1925. By replacing and clarifying the current patchwork of protections, the nondiscrimination provision will help ensure that victims are not denied services on the basis of race, color, religion, national origin, sex, gender identity, sexual orientation, or disability. This measure is needed in part to address the significant obstacles that lesbian, gay, and transgendered communities have faced in accessing services in recent years. Despite the fact that they experience domestic violence at the same rate as the general population, 45 percent of lesbian, gay, and transgendered victims are reportedly turned away when they seek help from domestic violence shelters. This type of discrimination is simply unacceptable.

Since its first passage, VAWA has sought to protect immigrant victims whose non-citizen status can make them especially vulnerable to crimes of domestic and sexual violence. We are greatly concerned by a provision included in the VAWA reauthorization proposed by the House of Representatives, H.R. 4970, which would roll back confidentiality protections that enable undocumented women to safely come forward and report violent crimes. Rather than reducing the outlets for these victims, VAWA reauthorization should provide additional ways for law enforcement to work with these victims to investigate and prosecute serious crimes. The Senate version includes a provision that would allow the Department of Homeland Security to draw from a pool of previously authorized but never used U visas so that law enforcement officers have the tools to work with victims and bring violent offenders to justice.

The House bill, unlike the Senate version, also does not address the continuing challenge of violence in tribal communities. A recent study by the Center for Disease Control found that 46 percent of Native American women have experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime. As with immigrant victims, VAWA has aimed to address the terribly high rates of violence against women in tribal communities. Although some progress has been made, we believe the continuing high rates of violence on tribal lands require far greater attention. This reauthorization provides an opportunity to strengthen federal law enforcement tools and to expand the capacity of tribal governments to investigate and prosecute these crimes.

As mayors, we have seen the tremendous impact of the Violence Against Women Act in our communities. The lifesaving programs supported in the legislation should be quickly reauthorized to ensure the continuation and access of vital services for victims. We believe that these Senate provisions will help us better address continuing problems and remaining unmet needs, and strongly urge the House take up and pass the bipartisan Senate bill, S. 1925.

Sincerely,

Antonio R. Villaragosa, Mayor of Los Angeles, CA President; Annise D. Parker, Mayor of Houston, TX Chair, Criminal & Social Justice Committee; Mark Stodola, Mayor of Little Rock, AR; Wayne Powell, Mayor of Manhattan Beach, CA; Jerry Sanders, Mayor of San Diego, CA; Helene Schneider, Mayor of Santa Barbara, CA; Bill Finch, Mayor of Bridgeport, CT; James Baker, Mayor of Wilmington, DE.

Michael A. Nutter, Mayor of Philadelphia, PA, Vice President; Thomas M. Menino,

Mayor of Boston, MA, Past President; Patrick Hays, Mayor of North Little Rock, AR; Mary Ann Lutz, Mayor of Monrovia, CA; Ed Lee, Mayor of San Francisco, CA; Christopher Cabaldon, Mayor of West Sacramento, CA; Pedro Segarra, Mayor of Hartford, CT; Susan Whelchel, Mayor of Boca Raton, FL.

Michael R. Bloomberg, Mayor of New York, NY; Tom Cochran, CEO and Executive Director; Greg Stanton, Mayor of Phoenix, AZ; Kevin Johnson, Mayor of Sacramento, CA; Jan Marx, Mayor of San Luis Obispo, CA; Michael Hancock, Mayor of Denver, CO; Vincent C. Gray, Mayor of Washington, DC; Marilyn Gerber, Mayor of Coconut Creek, FL.

Patricia Gerard, Mayor of Largo, FL, Michael Ryan, Mayor of Sunrise, FL, Judy Abruscato, Mayor of Wheeling, IL, Harvey Johnson, Jr., Mayor of Jackson, MS; William Bell, Mayor of Durham, NC; Ken Miyagishima, Mayor of Las Cruces, NM; William Moehle, Mayor of Brighton, NY.

Michael Coleman, Mayor of Columbus, OH; Vaughn Spencer, Mayor of Reading, PA; Angel Taveras, Mayor of Providence, RI; Raul Salinas, Mayor of Laredo, TX; Michael McGinn, Mayor Seattle, WA; Dan Devine, Mayor of West Allis, WI; Lori Mosely, Mayor of Miramar, FL.

Shawn Connors, Pecatonica, IL; Stephanie Rawlings-Blake, Mayor of Baltimore, MD; John Engen, Mayor of Missoula, MT; Antonia Ricigliano, Mayor of Edison, NJ; Gerald Jennings, Mayor of Albany, NY; Paul Dyster, Mayor of Niagara Falls, NY; Sam Adams, Mayor of Portland, OR.

Thomas Leighton, Mayor of Wilkes-Barre, PA; Stephen Wukela, Mayor of Florence, SC; Deloris Prince, Mayor of Port Arthur, TX; Tom Barrett, Mayor of Milwaukee, WI; André Pierre, Mayor of North Miami, FL; Robert Sanonjian, Mayor of Waukegan, IL; William Wild, Mayor of Westland, MI; Anthony Foxx, Mayor of Charlotte, NC.

Susan Cohen, Mayor of Manalapan, NJ; Matthew Ryan, Mayor of Binghamton, NY; Stephanie Miner, Mayor of Syracuse, NY; Ed Pawlowski, Mayor of Allentown, PA; Victor Ortiz, Mayor of Gurabo, PR; AC Wharton, Mayor of Memphis, TN; John Marchione, Mayor of Redmond, WA; John Dickert, Mayor of Racine, WI.

THE COALITION AGAINST RELIGIOUS DISCRIMINATION,

Washington, DC, May 16, 2012.

Re Vote No on the Adams Amendment (#1). Reject Federally Funded Employment Discrimination.

DEAR REPRESENTATIVE: The undersigned religious, education, civil rights, labor, and women's organizations write to voice our opposition to the language of the Adams Amendment (Amendment #1) to H.R. 4970, the Violence Against Women Reauthorization Act of 2012. We oppose the Adams Amendment insofar as it would alter the nondiscrimination clause in the base bill to remove protections that bar federally funded religious discrimination. We urge you to Vote NO on the Adams Amendment, as government funds should not be used to underwrite employment discrimination within government-funded projects and activities.

We appreciate the important role religiously affiliated institutions historically have played in addressing many of our nation's most pressing social needs, as a complement to government-funded programs. Indeed, many of us are directly involved in this work. We also recognize that the separation of church and state is the linchpin of religious freedom. In our view, effective government collaboration with faith-based groups does not require the sanctioning of federally funded religious discrimination.

In accordance with Title VII of the Civil Rights Act of 1964, religious organizations may prefer co-religionists in hiring when using their own private funds. The Adams Amendment, however, would permit religious organizations to take VAWA funds and use those funds to discriminate against a qualified individual based on nothing more than his or her religious beliefs. VAWA should protect against taxpayer dollars being used to underwrite jobs where religion is a factor in hiring decisions.

Adopting the language in the Adams Amendment would be inconsistent with the longstanding principle that federal dollars must not be used to discriminate. Accordingly, we urge you to vote No.

Sincerely,

African American Ministers in Action, American-Arab Anti-Discrimination Committee (ADC), American Association of University Women (AAUW), American Civil Liberties Union (ACLU), American Humanist Association, American Jewish Committee, Americans United for Separation of Church and State, Anti-Defamation League, Baptist Joint Committee for Religious Liberty.

Catholics for Choice, Center for Inquiry, Council for Secular Humanism, Disciples Justice Action Network, Equal Partners in Faith, Family Equality Council, Feminist Majority, Gay & Lesbian Advocates & Defenders, Hindu American Foundation, Human Rights Campaign.

Institute for Science and Human Values, Interfaith Alliance, Japanese American Citizens League, Jewish Council for Public Affairs, Jewish Women International, Lambda Legal, Lawyers' Committee for Civil Rights Under Law, Legal Momentum NAACP.

National Center for Lesbian Rights, National Coalition Against Domestic Violence, National Council of Jewish Women, National Education Association, National Gay and Lesbian Task Force Action Fund, National Partnership for Women & Families, National Organization for Women, Parents, Families and Friends of Lesbians and Gays (PFLAG) National People For the American Way.

Secular Coalition for America, Sexuality Information and Education Council of the U.S. (SIECUS), The Sikh Coalition, Transgender Law Center, Union for Reform Judaism, Unitarian Universalist Association of Congregations, United Church of Christ, Justice and Witness Ministries, United Methodist Church, General Board of Church and Society, Women of Reform Judaism.

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent to submit my remarks in opposition to a Republican bill that weakens protections for violence against women and in support of the bipartisan Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

Ms. RICHARDSON. Mr. Speaker, I ask unanimous consent to submit my remarks in opposition to a Republican bill that weakens protections for violence against women and in support of the bipartisan Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. RICHARDSON. Mr. Speaker, I rise today in opposition to H. Res. 656, Rule Providing Consideration of H.R. 4970, Violence Against Women Reauthorization Act. Reporting a closed rule for the Violence Against Women Reauthorization Act is another example of shutting Democrats out of the legislation process by ruling out any opportunity for Democrats to offer much needed Amendments.

The House version of the Violence Against Women Reauthorization Act unfortunately omits improvements contained in the Senate version of the bill. What is worse is that the House version in its current form removes existing protections for immigrant women, and puts them at greater risk of domestic and sexual abuse, and it does not provide adequate and equal protection for tribal women and the LGBT community.

For nearly two decades now, Democrats have firmly supported the Violence Against Women Act and the critical assistance it has provided for women, men, and children, and have worked with Republicans to ensure its reauthorization twice in the past. Unfortunately, since Republicans have taken over the House, bipartisanship and compromise have fallen out of fashion. Republicans have continually played partisan politics and refused to compromise in an effort to move this country forward, and here we are again with another clear example of that.

Reporting a closed rule for consideration of Violence Against Women Reauthorization Act is a full-fledged promotion of the Republican attack against women and approval of legislation that is intended to silence the cries of millions of women around our country.

Violence Against Women Act has never been and should never be a partisan issue. It is astonishing how the Republican majority has lost sight of our purpose as lawmakers. We have been trusted with the responsibility of protecting society and ensuring justice to victims. Democrats and Republicans have always worked together to reauthorize Violence Against Women Act since its original passage in 1994. But that is not the case today.

This rule completely shuts out Democrats and does not allow for the possibility of a bipartisan consensus. I cannot support a rule making in order a bill that strips immigrant women, tribal women and the LGBT community of vital protections as this bill does.

Mr. Speaker, I ask my colleagues to stand with me in opposition to this rule.

Ms. MOORE. Mr. Speaker, I want to thank the ladies who are submitting their statements for the RECORD.

The Members who join me today are just a few of the many people who would like to be here to offer their suggestions for improving the bill and to highlight the stories of women, men, and children in their district and communities who have experienced atrocious violence. There are lessons to be learned from their stories, and it is unwise and unkind of us to turn a blind eye.

I'm thinking of Rosalind in Milwaukee, who was killed by her girlfriend, Malika, and her family had concerns about her over-possessiveness. But, of course, this is an LGBT relationship, and an order for protection

may have been ignored without these provisions.

I think of another person in my district, Diane's story, 26 years old, married to a non-Indian, beaten. Over a hundred incidences—slapped, kicked, punched, and living in terror. She called for help several times but no one ever came to her rescue. She was living on a tribal land.

The Violence Against Women Act has been a lifeline for victims of domestic violence and sexual assault. It has allowed us to hold perpetrators accountable and to pave pathways out of violence for victims—all women. And since VAWA passed in 1994, domestic violence has dropped by more than half. We must not turn back, Mr. Speaker. We must not weaken or repeal some of VAWA's lifesaving protections.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 5 minutes remaining.

Ms. MOORE. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I rise to claim time in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 10 minutes.

Ms. FOXX. The question before the House is: Should the House now consider H. Res. 656? Section 4 of the Unfunded Mandates Reform Act, or UMRA, excludes from the application of that act any legislative provision that establishes or enforces statutory rights prohibiting discrimination.

The Congressional Budget Office has stated that while they have not reviewed a provision in section 3 of H.R. 4970 for intergovernmental or private-sector mandates, since that provision prohibits discrimination on the basis of race, color, religion, national origin, sex, or disability, other provisions of H.R. 4970 would impose no intergovernmental mandates as defined in UMRA.

CBO goes on to say the bill would impose private-sector mandates as defined in UMRA on brokers of international marriage and certain supervisors over persons under official control of the United States. However, CBO estimates that the cost of those mandates would fall well below the annual threshold established in UMRA: $146 million in 2012, adjusted annually for inflation.

Mr. Speaker, the motion of the gentlewoman is dilatory. In order to allow the House to continue its scheduled business for the day, I urge Members to vote ''yes'' on the question of consideration of the resolution, and I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I do appreciate the woman walking us through the protocols for the unfunded mandates. And I would submit to her that the National Network to End Domestic Violence, who does a point-in-time counting of domestic violence services nationwide, would indicate that it costs not only personal anguish, but there are costs in society, actual fiscal costs, to not protecting women who are suffering in violent situations.

Right in my own State of Wisconsin, 714,000 women have been assaulted, raped, or stalked by an intimate partner. This number actually exceeds the population of the entire city of Milwaukee. Imagine the cost to employers when people don't show up at work. Imagine the cost in emergency rooms when people show up battered and bruised and broken and have no health insurance.

Approximately half a million of these women were fearful or concerned for their safety. Two hundred and eighty thousand Wisconsin women, 12.7 percent of our population, have been stalked in their lifetime. Imagine the cost of additional police work when these women call the police and nothing has been done in terms of making arrests and asking for accountability.

A study of childhood exposure to violence in Milwaukee has found that 16 percent of Wisconsin adults report having experienced recurring violence between adults in their childhood. Imagine the loss of productivity at schools. There's often a lot of talk about kids being inattentive in school and not being able to pass and succeed in school. Next to hunger, imagine the cost of witnessing and experiencing violence in the home as a cost to society.

I would now like to yield to the gentlelady for a question.

There were several amendments that were introduced in the Rules Committee last evening, and I was wondering if you were aware of any amendments that were adopted after we left the Rules Committee last evening. I know there had been a hearing. I was wondering if any of the amendments that Democrats had introduced were adopted.

Ms. FOXX. I thank the gentlewoman for yielding.

None of the amendments were made in order except the manager's amendment, which brings the bill closer to the Senate version of the bill.

Ms. MOORE. The manager's amendment, thankfully, was adopted, because the manager's amendment did have one little piece in there that helps out immigrant women. But there are 325 groups and organizations, everything from national women organizations to evangelical women and the bishops, that oppose even the manager's amendment because they say that not only are there just simply rollbacks to the Violence Against Women Act, but it actually puts immigrant women in danger, as the balance is tipped from current law in favor of these batterers, sexual assaulters, abusers, and killers.

I would like to yield to the gentlelady for one more question.

Will this body ever have an opportunity to vote on the bipartisan bill from the Senate that passed 68–31? Will this body ever have the opportunity? Will that bill ever be before us?

□ 1250

Ms. FOXX. Mr. Speaker, I cannot assume what this body will do in the future. I am one member of the Rules Committee and the Education Committee. I do not have control over that, and I don't believe anybody can predict the future.

Ms. MOORE. Representative FOXX, just a follow-up, you are a member, a very senior member, of the Rules Committee, and so I was wondering if the rule is structured in a way that will ever allow to have before us, after we vote on this version, the Adams version of the VAWA bill? Will there be a pathway toward voting on the Senate bill as you understand it?

Ms. FOXX. Mr. Speaker, I believe the gentlewoman's question is a question for the rule and is not relevant to the point of order which she has raised.

Ms. MOORE. I thank the Speaker and I thank the gentlelady.

The SPEAKER pro tempore. The time of the gentlewoman from Wisconsin has expired.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Thank you, Mr. Speaker.

Mr. Speaker, it really pains me to see my colleagues across the aisle make the kind of accusations that they make about Republicans being unconcerned about the issue of violence against women. How could they possibly accuse us of not being concerned about that issue? All Republicans are concerned about violence against anyone. Violence, we are very concerned about that. I personally won't even watch any kind of movie that has any kind of violence in it because I can't stand to see violence perpetrated on another human being. So Republican men and women both abhor violence against women.

But what we have done in the legislation that we are proposing is we are asking for increased accountability and to see that more services are directly offered to women who have violence perpetrated against them. In fact, I would say that we are more concerned about violence for women because we want to see those women served better and we want to see the money spent better.

Mr. Speaker, helping victims of abuse and domestic violence is not a Republican or Democrat issue. I have been pleased to work with Congresswoman LORETTA SANCHEZ on H.R. 196, Simplifying the Ambiguous Law Keeping Everyone Reliably Safe, or STALKERS, Act which she has championed for the last two Congresses. The Democrats wouldn't bring this bill up when they were in control of the House.

The STALKERS Act updates the Federal stalking statute to include electronic surveillance and other means of cyber-stalking to ensure that potential stalking victims are protected as technology changes. In addition, the STALKERS Act increases criminal penalties by 5 years for offenders who have violated a protective order or whose victims are under the age of 18 or elderly.

Congresswoman SANCHEZ and I worked together regardless of which party was in charge of the House, and I'm pleased that legislation with the original cosponsor, who's a Democrat, has been included in the VAWA reauthorization bill that the House will vote on today. The VAWA reauthorization bill also adds stalking as an allowable grant purpose to continue the work of protecting these victims.

As we all know, law enforcement and prosecutors must have the resources they need to pursue violent criminals, and I hope my colleagues on both sides of the aisle will join me in voting for H.R. 4970 after voting for this rule providing for its consideration, or the rule we will consider in just a few minutes.

I'm not going to impugn the character of my colleagues on the other side of the aisle. We all want to stop violence against women. That's why Republicans have brought forth this bill. Again, the STALKERS Act could have been brought forward under Democrat control of the House. It was not, and I'm very disappointed. But I'm proud of Republicans, that we're doing it and we're strengthening the Violence Against Women Act, not weakening the act.

With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 239, nays 183, not voting 9, as follows:

[Roll No. 253]

YEAS—239

Adams	Bishop (UT)	Capito
Aderholt	Black	Carter
Akin	Blackburn	Chabot
Alexander	Bonner	Chaffetz
Amash	Bono Mack	Coble
Amodei	Boustany	Coffman (CO)
Austria	Brady (TX)	Cole
Bachmann	Brooks	Conaway
Bachus	Broun (GA)	Cravaack
Barletta	Buchanan	Crawford
Bartlett	Bucshon	Crenshaw
Barton (TX)	Buerkle	Culberson
Bass (NH)	Burgess	Davis (KY)
Benishek	Calvert	Denham
Berg	Camp	Dent
Biggert	Campbell	DesJarlais
Bilbray	Canseco	Diaz-Balart
Bilirakis	Cantor	Dold
Dreier	Kinzinger (IL)	Rivera
Duffy	Kline	Roby
Duncan (SC)	Lamborn	Roe (TN)
Duncan (TN)	Lance	Rogers (AL)
Ellmers	Landry	Rogers (KY)
Emerson	Lankford	Rogers (MI)
Farenthold	Latham	Rohrabacher
Fincher	LaTourette	Rokita
Fitzpatrick	Latta	Rooney
Flake	Lewis (CA)	Ros-Lehtinen
Fleischmann	LoBiondo	Roskam
Fleming	Long	Ross (FL)
Flores	Lucas	Royce
Forbes	Luetkemeyer	Runyan
Fortenberry	Lummis	Ryan (WI)
Foxx	Lungren, Daniel E.	Scalise
Franks (AZ)	Mack	Schilling
Frelinghuysen	Manzullo	Schmidt
Gallegly	Marchant	Schock
Gardner	Marino	Schweikert
Garrett	McCarthy (CA)	Scott (SC)
Gerlach	McCaul	Scott, Austin
Gibbs	McClintock	Scott, David
Gibson	McCotter	Sensenbrenner
Gingrey (GA)	McHenry	Sessions
Gohmert	McKeon	Shimkus
Goodlatte	McKinley	Shuler
Gosar	McMorris Rodgers	Shuster
Gowdy	Meehan	Simpson
Granger	Mica	Smith (NE)
Graves (GA)	Miller (FL)	Smith (NJ)
Graves (MO)	Miller (MI)	Smith (TX)
Griffin (AR)	Miller, Gary	Southerland
Griffith (VA)	Mulvaney	Stearns
Grimm	Murphy (PA)	Stivers
Guinta	Myrick	Stutzman
Guthrie	Neugebauer	Sullivan
Hall	Noem	Terry
Hanna	Nugent	Thompson (PA)
Harper	Nunes	Thornberry
Harris	Nunnelee	Tiberi
Hartzler	Olson	Tipton
Hastings (WA)	Palazzo	Turner (NY)
Hayworth	Paul	Turner (OH)
Heck	Paulsen	Upton
Hensarling	Pearce	Walberg
Herger	Pence	Walden
Herrera Beutler	Peterson	Walsh (IL)
Huelskamp	Petri	Webster
Huizenga (MI)	Platts	West
Hultgren	Poe (TX)	Westmoreland
Hunter	Pompeo	Whitfield
Hurt	Posey	Wilson (SC)
Issa	Price (GA)	Wittman
Jenkins	Quayle	Wolf
Johnson (IL)	Reed	Womack
Johnson (OH)	Rehberg	Woodall
Johnson, Sam	Reichert	Yoder
Jones	Renacci	Young (AK)
Jordan	Ribble	Young (FL)
Kelly	Rigell	Young (IN)
King (NY)		
Kingston		

NAYS—183

Ackerman	Clay	Fattah
Altmire	Cleaver	Frank (MA)
Baca	Clyburn	Fudge
Baldwin	Cohen	Garamendi
Barrow	Connolly (VA)	Gonzalez
Bass (CA)	Conyers	Green, Al
Becerra	Cooper	Green, Gene
Berkley	Costa	Grijalva
Berman	Costello	Gutierrez
Bishop (GA)	Courtney	Hahn
Bishop (NY)	Critz	Hanabusa
Blumenauer	Crowley	Hastings (FL)
Bonamici	Cuellar	Heinrich
Boren	Cummings	Higgins
Boswell	Davis (CA)	Himes
Brady (PA)	Davis (IL)	Hinchey
Braley (IA)	DeFazio	Hinojosa
Brown (FL)	DeGette	Hirono
Butterfield	DeLauro	Hochul
Capps	Deutch	Holden
Capuano	Dicks	Holt
Cardoza	Dingell	Honda
Carnahan	Doggett	Hoyer
Carney	Donnelly (IN)	Israel
Carson (IN)	Doyle	Jackson (IL)
Castor (FL)	Edwards	Jackson Lee (TX)
Chu	Ellison	Johnson (GA)
Cicilline	Engel	Johnson, E. B.
Clarke (MI)	Eshoo	Kaptur
Clarke (NY)	Farr	Keating
Kildee	Moran	Schakowsky
Kind	Murphy (CT)	Schiff
Kissell	Nadler	Schrader
Kucinich	Napolitano	Schwartz
Langevin	Neal	Scott (VA)
Larsen (WA)	Olver	Serrano
Larson (CT)	Owens	Sewell
Lee (CA)	Pallone	Sherman
Levin	Pascrell	Sires
Lewis (GA)	Pastor (AZ)	Smith (WA)
Lipinski	Pelosi	Speier
Loebsack	Perlmutter	Stark
Lofgren, Zoe	Peters	Sutton
Lowey	Pingree (ME)	Thompson (CA)
Luján	Polis	Thompson (MS)
Lynch	Price (NC)	Tierney
Maloney	Quigley	Tonko
Markey	Rahall	Towns
Matheson	Rangel	Tsongas
Matsui	Reyes	Van Hollen
McCarthy (NY)	Richardson	Velázquez
McCollum	Richmond	Visclosky
McDermott	Ross (AR)	Walz (MN)
McGovern	Rothman (NJ)	Wasserman Schultz
McIntyre	Roybal-Allard	Waters
McNerney	Ruppersberger	Watt
Meeks	Rush	Waxman
Michaud	Ryan (OH)	Welch
Miller (NC)	Sánchez, Linda T.	Wilson (FL)
Miller, George	Sanchez, Loretta	Woolsey
Moore	Sarbanes	Yarmuth

NOT VOTING—9

Andrews	Chandler	Labrador
Burton (IN)	Filner	Pitts
Cassidy	King (IA)	Slaughter

□ 1318

Messrs. COHEN, CLEAVER, Ms. FUDGE, and Mr. RICHMOND changed their vote from ''yea'' to ''nay.''

Messrs. MCCAUL, WEBSTER, and YOUNG of Alaska changed their vote from ''nay'' to ''yea.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 253, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

□ 1320

The SPEAKER pro tempore (Mrs. HARTZLER). The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Madam Speaker, House Resolution 656 provides for a closed rule providing for the consideration of H.R. 4970, the Violence Against Women Reauthorization Act, and general debate for H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

As an original cosponsor of the underlying bill, I am proud to stand with my Republican colleagues in support of the reauthorization of the Violence Against Women Act, otherwise known as VAWA.

The House Judiciary Committee-passed version of VAWA before us today is a commonsense proposal to ensure that limited taxpayer dollars are used responsibly and efficiently while also improving access to services for victims. With this bill, we have also worked to add accountability requirements to conduct the necessary oversight of VAWA grant recipients and programs. Our goal is to ensure that more money is spent on direct services and less on administrative bureaucracy.

I commend Representative ADAMS on authoring this legislation, and I urge my colleagues to vote ''yes'' on the rule and the underlying bill.

With that, I reserve the balance of my time.

Mr. POLIS. I thank the gentlelady for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the rule and the underlying bills: H.R. 4970, the Cantor-Adams bill, and H.R. 4310, the National Defense Authorization Act.

Before we discuss the unprecedented rule for the Cantor-Adams bill, which has really turned what has traditionally been a bipartisan issue into a political football—to the detriment of women across our country—I would like to say a few words about the National Defense Authorization Act, which is also included in this rule.

I am really dismayed that the Defense authorization bill that House Republicans have brought before us undermines the bipartisan agreement which was reached just last summer. The bill funds defense spending at $8 billion over the levels set in the Budget Control Act and $3 billion over the President's budget request—again, more deficit spending in this Republican bill before us under this rule.

As our deficit spirals out of control, we need to tighten our belt and balance our budget. Instead, this bill doubles down on 10 years of ballooning defense budgets, which have played a major role in our deficit. This bill continues to kick the can down the road toward balancing our budget and leaves an only bigger hole that the Republican tax-and-spend policies continue to dig, putting our Nation deeper and deeper into debt.

Additionally, this bill ties the hands of our military and law enforcement by requiring in statute to keep military detainees in Guantanamo, handcuffing any President, Democrat or Republican, and preventing him from coming up with a plan for what to do with these individuals. This bill panders to our fears by insisting that the detainees remain in Guantanamo interminably. It tries to tell generals how to do their jobs and sets a timetable for troop levels in Afghanistan rather than does our normal civilian process.

Finally, I am disappointed by the political posturing included in the bill. The NDAA used to focus solely on setting defense policy and protecting our Nation. Unfortunately, the Republicans have decided to use this bill to also push political wedge issues. There is language in this bill prohibiting the use of military facilities to conduct same-sex marriages even in States that allow same-sex marriages. It even prevents gay and lesbian chaplains from marrying members of the military to other members of the military.

Further, I am deeply disturbed that, in a bill that governs our national security, language was included that would increase our dependence on foreign oil and that would undermine our long-term energy security interest. This bill's exemption of the Department of Defense from complying with section 526 of the 2007 energy bill hurts water and recreational interests in my State and harms research and development and investment in renewable energy.

Now, sadly, as disappointing as it is to see political posturing in the Defense authorization bill under this rule, it is truly horrifying to see the political posturing in the provisions of the Violence Against Women Act, which under this House version would likely lead to more violence against women. The Violence Against Women Act has a long bipartisan history. Both sides have traditionally sought to protect all victims of domestic violence, not just some. Sadly, this bill before us undoes much of the work that previous Congresses have done and accomplished on this issue for no reason when we have a bipartisan Senate version of the bill that protects all women from the abuse of partners.

Why would we exclude certain women in this country? If a woman is in a lesbian relationship, should she not be protected if she is a victim of domestic abuse? If a woman doesn't have the documentation to be in this country and is here illegally, should she not be protected under this law?

VAWA protects women who are actually convicted of other crimes. If a woman stole a car and served time, was convicted of that crime, she is still protected from domestic abuse under VAWA. Yet nonviolent offenders of our civil code, like undocumented immigrants, would no longer be protected because they would effectively face deportation after 4 years for testifying against the perpetrators of their abuse, making it much less likely that they would bring the perpetrators to justice and end the vicious cycle of domestic abuse in their families.

The majority in the House has offered no explanation for their refusal to allow us to take up the Senate bipartisan bill. My colleague VIRGINIA FOXX was noncommittal in her response about whether we would be taking up the Senate bipartisan bill. If she doesn't know the answer—and I certainly take her on her word—I would hope that somebody on the other side would come to the floor and say, Can we take up this Senate bipartisan bill? And if not, why not? And if so, when?

It passed the Senate with 68 votes, Republicans and Democrats. This is the time to stand up and see if our colleagues on both sides of the aisle are serious about responding to the insidious domestic violence crimes that occur every day throughout this country. Frankly, that could start by the defeat of this bill, allowing for an open process in considering this bill on the floor of the House.

I reserve the balance of my time.

Ms. FOXX. I would now like to yield 2 minutes to the distinguished gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentlelady for yielding.

The Violence Against Women Act is an important tool for preventing domestic violence and sexual assault and for supporting the victims of these crimes. There is broad bipartisan agreement that this essential legislation must be renewed.

While the House bill protects the victims of domestic violence and improves services and education to prevent and address these crimes on college campuses, our legislation also goes beyond the Senate bill by ensuring that taxpayer resources help victims—not Washington bureaucrats—by limiting administrative expenses, requiring annual audits and combating fraud.

While the House legislation takes enormous strides in protecting the victims of these truly horrific crimes, the legislation also takes great care to ensure the funds allocated by this bill are treated with the responsibility and care the victims and taxpayers deserve:

H.R. 4970 requires VAWA audits be performed by the Department of Justice and that the Attorney General improves the coordination between the grant-making offices to reduce duplication and overlap in funding. H.R. 4970 prohibits the award of grant funds to nonprofit organizations that hold money in offshore accounts in order to avoid paying their Federal taxes, and it limits the use of funds for salaries and administrative expenses to 5 percent of funds authorized under the act.

□ 1330

The Violence Against Women Act has bipartisan support in both the House and Senate, and any attempt to exploit this important law as a partisan political issue is contemptible.

I encourage my colleagues in the House to vote in support of this legislation today to protect the victims of

violent crime and support the responsible stewardship of taxpayer dollars.

Mr. POLIS. Madam Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Madam Speaker, for nearly two decades, Congress has repeatedly reauthorized the Violence Against Women Act on a near unanimous and bipartisan basis.

Since the act became law, incidents of domestic violence have dropped by more than 60 percent and the reporting rate of domestic violence has risen by 51 percent.

The 2012 reauthorization is a chance for Congress to reaffirm its commitment to the protection of women across this Nation. That is why it's particularly disheartening to see such a vital piece of legislation fall victim to putting politics ahead of people.

What are the facts? Tonight, an American woman will join the one in four women who have been the victims of severe physical domestic violence. To her, this reauthorization is more than just a bill; it's security. The bill is security for the one in six women who have been raped in their lifetime. It's security for the mothers, daughters, and sisters across this Nation, and its security for the selfless individuals who tirelessly work to bring aid.

Now is not the time to take a step back, to abandon these victims. This Congress must expand its efforts and ensure that all victims are assisted, no matter what their race, religion, or sexual orientation. Too many in this body have chosen to fight against these protections. They want to fight efforts to extend LGBT individuals equal protection, even though they're less likely to receive protective orders, more likely to be turned away, and because of this are less likely to report their attack to the police. They deserve equal protection, and there's a bipartisan bill that does just that, but it's falling victim to election-year politics.

In America, we have to combat the abuse of women in our own society—no matter their country of origin—if we're going to continue to have the moral authority to advocate for the rights of people abroad. There is also a bipartisan bill that would continue to protect immigrant survivors by granting them special visas and by preventing retribution from their attackers, yet there are some in this body who would also deny these women protection.

These days, bipartisan compromise is hard to come by, no matter how hard some of us try. We are rarely handed an opportunity where there is such universal agreement. VAWA has a proud history of bipartisan support. Let's continue that tradition, put politics aside, and pass a bipartisan VAWA reauthorization bill that protects all victims.

Ms. FOXX. Madam Speaker, I yield 2 minutes to my colleague from North Carolina, Congresswoman ELLMERS.

Mrs. ELLMERS. Thank you to my colleague from North Carolina.

Madam Speaker, I rise in support of the rule and the underlying bill and call for the passage of H.R. 4970, the Violence Against Women Reauthorization Act of 2012. Since its enactment in 1994, VAWA has helped many women escape abuse and enabled them to seek help through its victim services program.

We're here today debating something that is a good policy and common sense and should be supported in the same bipartisan manner that we have seen throughout the two decades since its inception. Violence against women does not occur along party lines, and neither should reauthorization of these programs. We must work together in a bipartisan manner to protect women from domestic violence, rape, and stalking. Partisan posturing should not be placed above the urgent needs of these victims.

The House's reauthorization makes several key improvements to the Senate bill and nearly doubles the resources for eliminating the backlog of unprocessed rape evidence kits, while cracking down on the fraud identified in the immigration program. This bill also brings great accountability to the grant administration by ensuring that funding is spent on the victims, not Washington bureaucrats. The House's reauthorization of VAWA is and always will be about the victims of domestic violence, sexual assault, and stalking.

I am proud to support this bill and will continue to fight and protect women and victims of abuse through commonsense legislation.

Mr. POLIS. Madam Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank the gentleman for yielding.

Madam Speaker, I rise in opposition to the rule and urge a ''no'' vote on the flawed Violence Against Women Act that my Republican colleagues will bring to the floor.

They had an opportunity to bring the bipartisan Senate bill to the floor, but chose not to do so. That's a shame, because the Violence Against Women Act has been a bipartisan and noncontroversial effort for almost 20 years now. The update passed the Senate on a bipartisan basis just last month.

Why does everything have to be a partisan fight here on the floor of the House? Over the past year, my Republican colleagues here in the House have blocked an important jobs package; they have stalled the adoption of the national transportation and infrastructure bill; they've dragged their feet on help for students and the impending increase to the student loan rate; and now they have turned what has been a bipartisan effort to protect the victims of domestic violence into a senseless political fight. Republicans would not even allow debate on amendments so that we could improve their flawed bill. And this is serious, because in my home State of Florida, there were over 113,000 crimes of domestic violence reported in 2010. If the Republican bill were to pass, more domestic violence crimes would go unreported, more abusers would be free, and more victims would be harmed.

This bill works in opposition to the very purpose of the legislation to protect all victims of domestic violence. Not just some victims, but all victims. Advocates across the country who are on the front lines in aiding women and victims every day have announced their opposition.

Please defeat this rule so we can call up the bipartisan and improved version from the Senate.

Ms. FOXX. Madam Speaker, I yield 1 minute to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Madam Speaker, I thank the gentlewoman from North Carolina for her leadership on the rule.

I also want to thank Congresswoman SANDY ADAMS from Florida for her leadership on the issue. I think it is so instructive to all of us as women of the House that we have had a female law enforcement officer who has been a leader in domestic violence policy in addressing this issue to help walk us through what works, what doesn't, and where we need to tweak this.

Many Members of this House, and many women are like me. They've worked on establishing domestic violence and child advocacy centers. And to hear from Congresswoman ADAMS the specifics—to bring more accountability to bear and to make certain that funding gets to the victims has been her priority, and a job well-done on that.

Some of the stats indeed tell us why we need to do this. In Tennessee, where I'm from, 52.1 percent of all crimes against persons are domestic violence.

Madam Speaker, I urge support for the rule.

Mr. POLIS. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague.

Madam Speaker, I rise in opposition to the rule and to the underlying bill that will actually roll back protections for women across this Nation.

The Violence Against Women Act is a vital piece of legislation to be sure. It established a comprehensive response to prevent relationship violence, sexual assault, and stalking; to support survivors; and to hold perpetrators accountable. It is also a symbol that relationship violence and sexual assault is real and that it is unacceptable.

For the past 20 years, this law has been a shining symbol that Congress can put aside its petty differences and we can come together to do what is right for violence victims and survivors.

□ 1340

Now the bill before us tarnishes that symbol.

H.R. 4970 marks a backsliding in violence protections, leaving more women out in the cold without legal resources or social supports, just when they need it most.

And the issues are not just for immigrants or the LGBT community—although the way the bill before us ignores their pain is shameful—but also for women on college campuses, those in need of safe housing, tribal women. And that is why hundreds of groups across the country—service providers, law enforcement, health care workers—have come out against this bill.

Now we could address the problems in this bill if we were allowed an opportunity to vote on the Moore-Conyers amendment, which I cosponsored. The Moore-Conyers amendment mirrors the recently passed bipartisan Senate bill. But the House leadership unilaterally decided to block it from even coming to a vote. The majority has, once again, put rigid ideology over commonsense compromise, and this time at the expense of violence survivors and their families.

Reauthorization is critical for the Violence Against Women Act, but it needs to be done right. I urge the majority to drop the partisan politics, join a bipartisan coalition, and support these survivors.

Ms. FOXX. Madam Speaker, I now would like to yield 5 minutes to Mr. NUGENT from Florida, my distinguished colleague on the Rules Committee.

Mr. NUGENT. I thank my fellow Rules Committee member, Dr. FOXX, for allowing me to speak on this issue not only for women but for all Americans. I also want to thank my Florida colleague SANDY ADAMS for her leadership shown on this issue.

I spent my entire career as a law enforcement officer, 36 years, and the last 10 years as a sheriff. When you are a cop, you usually don't get to see people in the best light. Getting called to somebody's house or somebody coming to your office isn't typically something that is a highlight of their day. It's because they are in need of help.

Throughout my entire career, I saw some of the worst that man has to offer, and no small part of that was domestic violence. During my four decades as a cop and sheriff, I saw the results of domestic violence: battered partners, both men and women; children either physically or emotionally hurt in the crossfire between their fighting parents; victims who were suffering, scared, intimidated, and didn't know where to go for justice.

If you will look at the State of Florida and what it did with regards to domestic violence, it's clear that it was not just about a husband and wife. It's about those folks that live within a home. It's about their relationship within that home as it affects their children, as it affects each other. It doesn't specifically say that it has to be a man or a woman. It doesn't identify that. It talks about a relationship—not a casual relationship, but a relationship where they're intimate with each other, they spend time with each other, they're sexually active with each other. It doesn't say that it has to be a man and a woman. It says, these individuals have certain rights under domestic violence law and also the ability to get an injunction for protection.

I have seen abusers on both sides. I have seen those who were married, those who were boyfriend and girlfriend, and those who were boyfriend and boyfriend or girlfriend and girlfriend commit atrocious crimes on each other. It had nothing to do with marriage. It had everything to do with the relationships that they had within their homes.

So as we move forward, those on the other side of the aisle want to add something to this piece of legislation that's already covered. It already covers those relationships. If you start defining a particular relationship, what if you leave one out? In here, it is very broad and allows us, in law enforcement, to be very protective of those that need protection. Whether it's stalking, intimidation, voyeurism, it doesn't matter. And oftentimes, women are the victims of domestic violence, but a man can just as easily be a victim of domestic violence, and I have seen that, too.

The Violence Against Women Act protects and prevents all types of intimate partner crime regardless of the gender of either the criminal or the victim. This legislation funds the programs that not only help men and women who have been hurt, but it also helps law enforcement prevent these crimes from ever happening.

I have heard a number of my colleagues talk about what isn't in the bill. They say, for example, it doesn't include ''sexual orientation'' as one of the protected classes. The Violence Against Women Act is and always has been gender-neutral. That's the beauty of this piece of legislation. It's gender-neutral.

Under the ''real'' VAWA, as some people call it, domestic violence is interpreted as intimate partner violence. It legally includes felony or misdemeanor crimes committed by spouses or ex-spouses, boyfriends or girlfriends, and ex-boyfriends or ex-girlfriends.

Now I'm not going to say this House legislation is perfect, but it makes significant improvements to streamline our Nation's domestic violence programs. In fact, the exact same funding authorization levels in the Senate bill is included in this bill, $680 million in funding per year for the next 5 years. Moreover, the manager's amendment brings the House even more in line with the Senate's authorization.

Madam Speaker, as you probably know, this week is National Police Week, and we certainly know about domestic violence. The men and women that worked for me, as a sheriff, knew about it. SANDY ADAMS, a former cop, introduced this legislation. And we've seen firsthand what domestic violence does to our families.

By passing this legislation, we get a step closer to making sure these victims receive the services they need. That's why I am encouraging my colleagues to support the rule, support this legislation, and let it get to conference with the Senate so we can bring these services to the men and women who need it the most.

Mr. POLIS. Madam Speaker, I would like to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. When one out of four women will experience domestic violence in their lifetimes, it is unconscionable that the majority would try to roll back the protections in the Violence Against Women Act.

Since the act first passed in 1994, it has changed the landscape for American women. Domestic violence has dropped by over 50 percent. And in a historical bipartisan fashion, the Senate passed a bill that modernizes the act for our times. It consolidates programs, takes additional steps to reach victims of domestic violence.

Madam Speaker, 200 national organizations, 500 State and local organizations, including the National District Attorneys Association, the National Sheriffs' Association—my colleague who just spoke is a former sheriff, but his association is supporting the Senate bill and not this House bill—and the Federal Law Enforcement Officers Association all support the Senate bill. And our colleague from Wisconsin, Congresswoman MOORE, has put forward legislation that mirrors that bipartisan approach. But instead of moving that bipartisan bill forward, the majority has put forward an alternative bill that, in fact, risks the lives and the health of women.

The Department of Justice estimates that one out of every three Native American women will be raped and two out of five will be victims of domestic violence. The majority's bill removes the provisions that are essential to ensuring that Indian women have access to the act. The Senate bill and Congresswoman MOORE's bill strengthen protections in the act for immigrant women; yet the majority's bill would endanger the safety of immigrants.

In 2010, nearly half of lesbian and gay survivors were turned away from domestic violence shelters or denied services because of their sexual orientation. The majority's bill would continue to deny those individuals the

community protections afforded by the act.

We are talking about women's lives. This is no place for partisan games. The rule before us would roll back the central protections that have made a difference for so many women in this Nation.

I urge the majority to bring Congresswoman MOORE's bill to the floor. I urge my colleagues to vote ''no'' on this rule.

Ms. FOXX. Madam Speaker, I now would like to yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Madam Speaker, I rise today in support of H.R. 4970, the Violence Against Women Reauthorization Act.

□ 1350

Domestic violence is an all-too-common reality, occurring most everywhere here in the United States, and one that deeply impacts all involved. In Ohio alone, there were reportedly 70,717 calls in 2010 for domestic violence incidents. While not all of these resulted in criminal charges, it is vitally important that law enforcement have the knowledge and resources necessary to appropriately respond and investigate domestic violence calls. It is also crucial that all victims of domestic violence have access to the help they need to get out of a harmful situation and overcome not only physical abuse but the emotional scars that deeply impact the lives of victims.

I am confident that H.R. 4970 would play an integral role in alleviating domestic violence in our communities by providing more than $680 million for funding per year to help prevent domestic violence and protect victims of abuse. This legislation would also increase resources for sexual assault investigations, prosecutions, and victim services, in addition to strengthening penalties for abusers. Importantly, this legislation also seeks to promote awareness for the prevention of violence by funding State prevention education programs and enhancements for campus programs.

As a son, a husband, a brother to two sisters, a father of two grown women, and a grandfather of four little girls, I understand the importance of preventing domestic violence against women and also ensuring that all women have the necessary resources and protection should they ever be in need.

The number of occurrences of domestic violence, physical violence, and stalking within the United States is staggering and simply unacceptable. It is my hope that this reauthorization of the Violence Against Women Act will have an immediate impact on reducing domestic violence and improving services for its victims.

Mr. POLIS. It is my honor to yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I urge a ''no'' vote. This bill is but one more assault on what has become, sadly but surely, known as the war against women.

A government has no greater responsibility than to keep its citizens safe, but in its current form, this bill says there are some we will not help. We will not protect Native Americans, LGBT people, and immigrant people.

My colleagues on the other side of the aisle would not extend the protections of this bill to tribal residents. Why? Do they not suffer when they are assaulted? This bill, in its current form, would not protect people from discrimination in the LGBT community. Why? Do they not bleed when they are struck? And this bill, in its current form, eliminates the path to citizenship for some visa holders who have been victims of sex trafficking, torture, and rape. Why? Do they not bruise and bleed when they are beaten and battered?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 20 seconds.

Mrs. MALONEY. Thank you.

There is an indifference to the suffering of some—just some—in this bill that is as chilling and callous as anything I have ever seen in this Chamber in modern times.

I urge a strong ''no'' vote on the rule and the underlying bill.

Ms. FOXX. I yield 2 minutes to the gentlewoman from New York (Ms. BUERKLE).

Ms. BUERKLE. I rise this afternoon in support of the rule and the underlying bill in H.R. 4970. I am so pleased to stand here with my colleagues in support of this rule.

This is a particularly meaningful bill for me because, in 1994, when I graduated from law school, I became aware of a program that the Women's Bar Association had. That was 1994, and that's when the original VAWA was enacted. The program was that we could do pro bono work and work in our domestic violence shelter. For all of these many years, I have been involved in domestic violence. So it's particularly meaningful to me that the time when I first got involved in this—and it was thanks to a very courageous law school professor I had—that we now are reauthorizing VAWA that was originally from 1994.

Madam Speaker, I just become so distressed when I hear the allegations that there is a war on women. When we sat down and we began discussing VAWA, we sat down with the understanding that Americans deserve equal protection under the law. We are not going to single out. We are not going to distinguish one victim from another. Any person who is a victim of domestic violence is a victim of domestic violence. Beyond that, it should be of no concern.

However, I will say this—and my colleague SANDY ADAMS has done such a magnificent job with this—when we began to have concerns after we dropped this bill last week, we went back to the table. We heard from Members who have large Native American populations in their districts and Members who are Native Americans with regard to the issue. We heard with regard to the illegal alien issue. We went back to the table and came forth with a manager's amendment to begin to address those issues. That's the right thing to do. That's what domestic violence victims should expect from this House—sit down, figure this out, and make sure we go forward with what is in the best interest of the victims. And that's what the House of Representatives did.

I strongly support this rule and the underlying bill.

Mr. POLIS. It is my honor to yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Speaker, I thank the gentleman.

Let me give one example of how important this legislation is and how this bill before us would eliminate important provisions to protect women from abuse.

Several years ago, a teenage girl from Trenton came to my office for help. She'd been abused by her parents and abandoned by them. When she came to my office, she was living in a shelter participating in a transitional living program that required part-time employment. She had come to the United States legally, but she needed help. Because of VAWA, I was able to show her how she could secure her permanent resident status and work authorization. After I helped her get work authorization and permanent resident status, she got her life back on track. VAWA made that possible.

This bill would remove essential provisions of VAWA that allow victims of abuse to petition for permanent residency by themselves; and by removing those provisions, this bill would leave this girl and countless other victims of domestic abuse with no help, no support, and potentially at the mercy of their abusers.

Vote ''no'' on this rule. Vote ''no'' on the bill.

Ms. FOXX. I yield 2 minutes to the distinguished gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentlelady for yielding.

Madam Speaker, I rise in support of the rule and in strong support of the underlying bill, the Violence Against Women Act.

Madam Speaker, for several years, I had the great honor to serve on the board of my local domestic violence safe house. And I call it a safe house. We didn't call it a shelter. We called it a safe house. So I have personally seen women and children who so desperately needed that safe haven to escape from

a cycle of violence. Throughout my service here in Congress, I consistently fought to make certain that support is there for all of the safe houses across my district.

Those women and all those victims of domestic violence, who far too often suffer in silence, need to know that they are not alone and that there are people who care. Today, this House is doing what we need to do, by taking a stand in defense of those who face the danger of domestic violence, by passing this reauthorization.

I certainly applaud the author of the bill, SANDY ADAMS from Florida. She's kept politics away from crafting this bill. Instead, she's really focused squarely on protecting the victims of domestic violence.

The bill that we are debating here today produces funding at the same level as what was passed by the Senate, but I think it allocates that funding in a way that better supports the victims of domestic violence. For instance, this bill doesn't make any special carveouts for any particular victim group, because it protects everybody equally. It also includes outstanding revisions developed by listening to those involved in protecting victims from across the Nation.

It strengthens penalties for sexual assault and abuse. It improves Federal stalking laws. It helps young women in college by working to prevent violence on our campuses through improved education programs. And it dramatically improves emergency and transitional housing services.

As well, the Senate bill mirrors current law, which only mandates 40 percent of the funding in the DNA Analysis Backlog Elimination Act of 2000 to address a backlog of rape testing kits which are required, quite frankly, to successfully prosecute rape cases. Our bill mandates that 75 percent of the funding be used for that purpose so that we can eliminate the backlog that exists and put rapists where they belong, and that's in prison.

So, Madam Speaker, I urge all my colleagues to join me today in standing up for women in need and all victims of violence by supporting this outstanding legislation.

□ 1400

Mr. POLIS. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Madam Speaker, we need to work together to reauthorize the Violence Against Women Act; but, unfortunately, H.R. 4970 is seriously flawed and should not pass.

Among its many flaws, it harms immigrant women and fails to protect the LGBT community. It also creates new mandatory minimum sentences. Mandatory minimums have been studied extensively, and they've been found to be ineffective in addressing crime, while at the same time they distort the rational sentencing systems, they discriminate against minorities, and they often violate common sense.

Mandatory minimums can be particularly harmful in domestic relations cases, domestic violence cases where the victim and the abuser have a prior relationship, and where the victim of abuse may be less likely to report the abuse knowing that, if convicted, the abuser is certain to go to prison for 5 or 10 years without parole. That's why many organizations dedicated to ending domestic violence and working hard for the reauthorization of VAWA are opposed to the mandatory minimum provisions in the rule.

On top of these problems in the reported bill, the Rules Committee adopted a manager's amendment that, among other problems, deletes protections against discrimination in hiring by religious organizations using VAWA funds.

Since the 1960s, we have had, as a Federal policy, a prohibition against discrimination based on religion when using Federal funds. The 1964 Civil Rights Act had an exemption for churches and other religious organizations using their own funds to be able to consider religion in hiring. However, the manager's amendment specifically allows those groups to discriminate based on religion with Federal funds. We should not pass a bill that allows a person applying for a job paid for with Federal funds to be discriminated against based on religion.

Madam Speaker, we must work hard to reauthorize VAWA; but, unfortunately, H.R. 4970 in its current form is not the version of VAWA we should pass, and the rule does not allow amendments to improve the bill. So I urge defeat of this rule.

Ms. FOXX. Madam Speaker, I now would like to yield 2 minutes to our distinguished colleague, the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Madam Speaker, I rise also to support the rule and to support the Violence Against Women Act. This bill will support programs and organizations that help assist the victims of domestic abuse, stalking, and sexual assault. And it does so in a way that includes much-needed accountability measures so we can be sure that more of the funds go to the victims who need it rather than to Washington bureaucrats.

When I was practicing law, I represented some victims of domestic violence, including men, women, and children, when I was doing guardian ad litem work. And I, further, had a law office bookkeeper who was murdered by her husband while she was working for us. It was traumatic for the entire office.

On Indian reservations in my State and in communities where there is a hidden element of domestic abuse that you see every Friday morning in the courtroom when they have stacked settings for these types of cases, you see things you wouldn't even believe are going on in your own communities. That's why it's so important we have a bill that is efficient and gets the money to those victims, not to bureaucrats in Washington. That's why I support this rule. That's why I support the Violence Against Women Reauthorization Act.

Mr. POLIS. Madam Speaker, I yield 1¼ minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Madam Speaker, I rise today in opposition to the rule and the underlying bill that rolls back protections for domestic violence victims and survivors, and I include three letters representing hundreds of organizations—law enforcement organizations, advocacy organizations around the country—in opposition to the rule.

Before coming to Congress, I founded and was the first executive director of the National Network to End Domestic Violence. I've trained thousands of police officers and judges, held victims' hands in courts. I've done intake in shelters and held their children in emergency rooms and answered calls on hotlines.

This bill, the underlying bill and the rule, do great damage to the work that we've done across the aisle as advocates and leaders of good will to protect the interests of battered women of domestic violence, victims and survivors.

Since the passage in 1994, the Violence Against Women Act has been a bipartisan piece of legislation. It has revolutionized the way violent crimes against women are prosecuted and prevented. Never would I have imagined that, when working on this 18 years ago, that we'd be in this Congress rolling back the protections that have been expanded to protect women, victims, survivors across this country and their children. It really is a sad day in this Congress. We should be ashamed of what we're doing.

We should make sure that we expand protections for women, for immigrant women, for lesbian and gay men and women, and to make sure that we pass a rule that truly is bipartisan in this Congress that reflects the values and the needs and the spirit of the 1994 law.

MAY 15, 2012.

Re: Update—Manager's amendments to VAWA (H.R. 4970) do not fix critical problems. H.R. 4970 eliminates protections for battered immigrants; harms victims.

HOUSE OF REPRESENTATIVES.

DEAR MEMBER OF CONGRESS: As a diverse coalition of immigration, faith, labor, civil rights, human rights and community organizations serving and advocating on behalf of immigrant victims of domestic violence, human trafficking, sexual assault, dating violence, and stalking, we urge you to oppose

H.R. 4970, the Violence Against Women Reauthorization Act of 2012 (VAWA) (Adams, R–FL) when it comes to the House floor.

The amendments offered by Representative Adams (''manager's package'') that will be considered by the Rules Committee today are inadequate and do not correct the major problems with H.R. 4970. With the manager's package. H.R. 4970 will still roll back existing protections for battered immigrants that were created with bi-partisan congressional support.

Enacted in 1994 and reauthorized twice in 2000 and 2005, VAWA has a long history of uniting lawmakers with the common purpose of protecting survivors of domestic violence, sexual assault, and stalking. When VAWA was conceived, Congress recognized that the noncitizen status of battered immigrants can make them particularly vulnerable. Abusers often exploit their victims' undocumented status, leaving the victim afraid to report the abuse to law enforcement and making them fearful of assisting with the prosecution of these crimes.

As modified, H.R. 4970 effectively eradicates protections created by VAWA that have been available for almost twenty years to immigrant victims of violence. The bill establishes an extremely onerous adjudication process for victims to receive protection that is not required in other areas of the law. Finally, it wastes government resources when allegations of fraud have not been substantiated.

H.R. 4970 eliminates protections for crime victims offered by the U visa.

Deters immigrant victims from reporting crimes by denying nearly all U visa recipients the protections offered by lawful permanent resident status. By offering only temporary relief, H.R. 4970 will eliminate an important incentive for victims to report crimes and silence victims who fear deportation. A victim could be deported and be forced to leave her children behind with an abuser if he has legal status but she does not.

Endangers crime victims by making it extremely difficult for them to obtain U visa protection. H.R. 4970 needlessly requires that an investigation or prosecution is being actively pursued. Current law already requires that law enforcement certify that the victim has been or is likely to be helpful to an investigation or prosecution.

H.R. 4970 requires that the victim help identify the perpetrator. Many sexual assault victims never get a good look at the perpetrator.

H.R. 4970 denies battered immigrants the protections of ''self-petitioning.''

Gives perpetrators tools to interfere with a victim's immigration case.

Forces every VAWA self-petitioner to participate in two face-to-face interviews with DHS officials, subjecting them to unnecessary additional screening that can be dangerous for victims who may have to account for their every movement to the abuser.

Requires untrained local field office staff conduct in-person interviews with victims of domestic violence and sexual assault. Long delays to secure initial interviews at local offices will put victims trying to leave abusive relationship at greater risk.

Endangers the safety of battered immigrants by suspending adjudication of their case if there is an open criminal investigation or prosecution of the perpetrator.

H.R. 4970 requires DHS officials to conduct expensive and time consuming reviews of the victims' cases that are not required in other areas of law. These wasteful reviews are motivated by unsubstantiated claims of fraud and abuse within VAWA programs.

H.R. 4970 endangers victims, and undoes years of bipartisan progress made in previous VAWA bills by taking us to a time before 1994 when abusers were allowed to use immigration status as a tool for further abuse. When H.R. 4970 is brought to the floor of the House of Representatives, we urge you to vote NO. This bill goes against the core of VAWA by eliminating protections for victims and placing victims in danger.

If you have any questions or concerns, please contact Mony Ruiz-Velasco, National Immigrant Justice Center, or Grace Huang, Washington State Coalition Against Domestic Violence.

Sincerely,

America's Voice Education Fund; American Civil Liberties Union; American Immigration Lawyers Association; American Jewish Committee; Americans for Immigrant Justice; Asian American Justice Center, Member of Asian American Center for Advancing Justice; Asian Pacific Islander Institute on Domestic Violence; ASISTA; Benjamin N. Cardozo Human Rights and Genocide Law Clinic; Break the Cycle; California Partnership to End Domestic Violence; Casa de Esperanza: National Latin@ Network for Healthy Families and Communities; Centro Legal de la Raza; Church World Service, Immigration and Refugee Program; Disciples Home Missions of the Christian Church (Disciples of Christ); Hebrew Immigrant Aid Society; Human Rights Defense Center; Hutto Visitation Program.

Immigrant Rights Clinic at Rutgers School of Law; Immigration Equality; Immigration Law Center of Minnesota; Institute on Domestic Violence in the African-American Community; International Institute of Buffalo; International Organization for Adolescents; Jesuit Social Research Institute/Loyola University New Orleans; Jewish Council for Public Affairs; Jewish Labor Committee; Jewish Women International; Kids in Need of Defense; Legal Aid Justice Center; Legal Services of New Jersey; Lutheran Immigration and Refugee Service; Massachusetts Immigrant and Refugee Advocacy Coalition.

National Center for Victims of Crime; National Coalition Against Domestic Violence; National Coalition of Anti-Violence Programs (NCAVP); National Council of Jewish Women; National Immigrant Justice Center; National Immigration Forum; National Immigration Law Center; National Immigration Project of the National Lawyers Guild; National Organization for Women; National Organization of Sisters of Color Ending Sexual Assault; National Network to End Domestic Violence; National Resource Center on Domestic Violence; Northwest Immigrant Rights Project; Physicians for Human Rights; Political Asylum/Immigration Representation Project; Rabbis for Human Rights-North America; Rocky Mountain Immigrant Advocacy Network; South Asian Americans Leading Together (SAALT).

Texans United for Families; Tahirih Justice Center; The Leadership Conference on Civil and Human Rights; The Reformed Church of Highland Park, NJ; The Young Center for Immigrant Children's Rights at the University of Chicago; Vermont Immigration and Asylum Advocates; VIDA Legal Assistance, Inc.; Virginia Sexual and Domestic Violence Action Alliance; Washington State Coalition Against Domestic Violence; Women of Color Network; Women's Refugee Commission; Who Is My Neighbor? Inc.

MAY 14, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.
Hon. ERIC CANTOR,
Majority Leader, House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.
Hon. STENY HOYER,
Minority Whip, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER, MINORITY LEADER PELOSI, MAJORITY LEADER CANTOR, AND MINORITY WHIP HOYER: We, the undersigned organizations, represent millions of victims of domestic violence, dating violence, sexual assault, and stalking, and the professionals who serve them, throughout the United States and territories. We would like to express our strong opposition to H.R. 4970, the bill introduced by Rep. Sandy Adams (R–FL) to reauthorize the Violence Against Women Act (VAWA).

As you know, Congress has recognized the severity of violence against women and our need for a national strategy since the enactment of the Violence Against Women Act in 1994. Over the last 18 years, this landmark federal law's comprehensive approach to violence against women has had dramatic results. VAWA funds are used to:

Train over 500,000 law enforcement personnel every year,

Support sexual assault services in every state; when victims receive advocate-assisted services following assaults, rape survivors are 59 percent more likely to have police reports taken than survivors without advocates whose reports are only taken 41 percent of the time, and

Support programs that reduce domestic violence homicides; as an example, between 1993 and 2007, the rate of intimate partner homicides of females decreased by 35 percent and the rate of intimate partner homicides of males decreased 46 percent.

We all support a strong, bipartisan VAWA reauthorization bill similar to what the Senate passed last month, which would continue the life-saving protections and services needed by victims and their families. Again, H.R. 4970, which recently passed out of the House Judiciary Committee by a near party-line vote, would be a rollback of years of progress and likely increase the number of women and children who could be hurt. While we respect Congresswoman Adams' personal commitment to the issue of violence against women and girls, we must oppose her harmful bill. H.R. 4970 is genuinely dangerous for immigrant women and their families. It includes damaging provisions that create obstacles for immigrant victims to report crimes, increases danger for immigrant victims by eliminating important confidentiality protections, and undermines effective anti-fraud protections that exist in current law.

While embracing many elements of the bipartisan reauthorization that recently passed the Senate, the bill excludes key improvements that were included in the Senate reauthorization. It expressly rejects protections for men and women who are lesbian, gay, bisexual, or transgender and eliminates strong protections and justice for women and children who are beaten or abused on Tribal lands by perpetrators who are not members of a particular tribe. And it removes a key requirement that would more easily allow victims to move from one subsidized housing program to another in order to avoid an

abuser and drops an important provision that would tackle the violence that occurs on our nation's college campuses.

We respectfully request that you reconsider advancing this legislation and instead focus on developing a bipartisan bill modeled after H.R. 4271, the companion bill to the Senate-passed version of VAWA.

Thank you for your past efforts to prevent and respond to violence against women and children. We look forward to working with you to craft a bill that works to protect all victims and directs resources to this urgent task in the most effective way possible.

Sincerely,

9to5, National Association of Working Women; A New Hope Center, Inc.; Advocates for Youth; African Services Committee; Akiak Native Community; Alianza—National Latino Alliance for the Elimination of Domestic Violence; AAUW; American Federation of Teachers; American Red Cross Rape Crisis Services; Americans for Immigrant Justice; Amnesty International USA; Asian and Pacific Islander Institute on Domestic Violence; ASISTA Immigration Assistance; Association of Jewish Family & Children's Agencies; Association of Reproductive Health Professionals (ARHP); Battered Women's Legal Advocacy Project; Black Women's Health Imperative; Break the Cycle; Business and Professional Women's Foundation.

Casa de Esperanza: National Latin@ Network for Healthy Families and Communities; Center for Legal and Social Justice; Charging Buffalo Society; Children's Civil Rights Union; Coalition of Labor Union Women; Coalition on Human Needs; Compass Rape Crisis & Counseling Center; Covenant House International; Cumbee Center to Assist Abused Persons; Domestic Violence Alternatives/Sexual Assault Center; Domestic Violence Legal Empowerment and Appeals Project; End Violence Against Women International; Enlace Comunitario; Farmworker Justice; Feminist Majority Foundation; Forensic Healthcare Consulting; Friends Committee on National Legislation; Futures Without Violence, formerly Family Violence Prevention Fund; Global Workers Justice Alliance.

Hadassah, The Women's Zionist Organization of America, Inc.; Hebrew Immigrant Aid Society (HIAS); Holistic Living Project; Human Rights Campaign; Immigrant Ability; INCourage, Advocacy Beyond Purpose; Indian Law Resource Center; Indigenous Women's Justice Institute; International Institute of Buffalo; Jewish Council for Public Affairs; Jewish Federations of North America; Jewish Labor Committee; Jewish Women International; Joint Action Committee for Political Affairs (JACPAC); Justice & Mercy Legal Aid Clinic.

L.U.N.A; La Casa de las Madres; La Esperanza; La Mariposa Enterprises; Latin American Association; Latinas Unidas Por Un Nuevo Amanecer; Legal Momentum; Manavi; Media Equity Collaborative; Mennonite Central Committee U.S. Washington Office; Mental Health America of Licking County; MESA; Mosaic Family Services; National Alliance to End Sexual Violence; National Asian Pacific American Women's Forum (NAPAWF); National Association of Human Rights Workers; National Association of VOCA Assistance Administrators; National Center for Transgender Equality; National Center for Victims of Crime; National Center on Domestic and Sexual Violence.

National Clearinghouse on Abuse in Later Life; National Coalition Against Domestic Violence; National Coalition of 100 Black Women, Inc.; National Coalition of Anti-Violence Programs; National Congress of American Indians; National Council of Jewish Women; National Council of Women's Organizations; National Domestic Violence Hotline; National Education Association; National Employment Law Project; National Health Care for the Homeless Council; National Immigration Project of the National Lawyers Guild; National Latina Institute for Reproductive Health; National Law Center on Homelessness & Poverty; National Legal Aid & Defender Association; National Low Income Housing Coalition; National Network to End Domestic Violence; National Organization for Men Against Sexism (NOMAS); National Organization for Women.

National Organization of Sisters of Color Ending Sexual Assault; National Resource Center on Domestic Violence; National Women's Conference Committee; National Women's Health Network; National Women's Law Center; Native Women's Coalition; NETWORK, A National Catholic Social Justice Lobby; Paso Del Norte Civil Rights Project; Planned Parenthood Federation of America; Rape Victim Advocates; Reconstructionist Rabbinical Association; Redwood Justice Fund; Refugio del Rio Grande, Inc.; Religious Coalition for Reproductive Choice; Rural Women's Health Project; Sargent Shriver National Center on Poverty Law; Share Time Wisely Consulting Services; Sisters of Mercy Institute Justice Team; Stop Abuse Campaign.

Tahirih Justice Center; The Domestic Violence Action Center; The Leadership Conference on Civil and Human Rights; The Legal Project; The NAACP; Time To Tell; Tiyospaye Winyan Maka; Turning Anger into Change; UNANIMA International; UnidosNow; Union for Reform Judaism; Unitarian Universalist Association of Congregations; United Church of Christ; United Church of Christ, Justice and Witness Ministries; United Methodist Church, General Board of Church & Society; United South and Eastern Tribes; Uniting Three Fires Against Violence; UNO Immigration Ministry; Urban Justice Center.

Vera House, Inc.; Victim Rights Law Center; Victims Services of Behavioral Connections; VOICE MALE Magazine; Volunteer Legal Services Hawaii; Wider Opportunities for Women; Women Against Abuse; Women for Genuine Security; Women in Federal Law Enforcement, Inc.; Women of Color Network; Women of Reform Judaism; Women's Law Project; YWCA USA.

ORGANIZATIONS AND INDIVIDUALS OPPOSED TO H.R. 4970 OR TO KEY PROVISIONS IN THE BILL

Advocates for Basic Legal Equality, Inc.; Advocates for Human Rights; African Services Committee; Alachua County Victim Services and Rape Crisis Center; Alaska Federation of Natives; American Bar Association; American Civil Liberties Union; American Federation of Labor; American Immigration Lawyers Association; Americans for Immigrant Justice; America's Voice Education Fund; Anindita Dasgupta, MA. Doctoral Candidate at the University of California, San Diego; Anita Raj, Ph.D. Professor of Medicine and Global Public Health at the University of California, San Diego; Artemis Justice Center; ASHA for Women; Asian American Legal Defense and Education Fund; Asian & Pacific Islander Institute on Domestic Violence.

Boston University Civil Litigation Program; Break the Cycle; Campaign for Community Change; Canal Alliance; Captain Maria Alvarenga Watkins, (Retired) Metropolitan Police Department, Washington, D.C.; Casa de Esperanza: National Latin@ Network for Healthy Families and Communities Casa Esperanza; Central American Resource Center; Chief Brian Kyes, Chelsea Police Department, Massachusetts; Chief Pete Helein, Appleton Wisconsin Police Department; Christian Community Development Association; Church World Service; Clergy and Laity United for Economic Justice; Colorado Coalition Against Sexual Assault; Community Action and Human Services Department; Community Immigration Law Center; Connecticut Legal Services Inc.; Cris M. Sullivan, Ph.D., Professor, Ecological/Community Psychology, Associate Chair, Psychology Department.

Detective Sergeant Robert Mahoney, Peabody Police Department, Massachusetts; Detective Shelli Sonnenberg, Boise Police Department, Idaho; Detective Stacey Ivie, Alexandria Police Department, Virginia; Domestic Violence in the African American Community; DREAM Activist Virginia; Education Not Deportation Project of the United We Dream Network; El Rescate Legal Services, Inc.; Empire Justice Center; Enlace Comunitario; Esperanza; Evangelical Lutheran Church in America; Evan Stark, Ph.D., MA, MSW, Professor and Director of Public Health, School of Public Affairs and Administration, Rutgers University-Newark & Chair, Department of Urban Health Administration, UMDNJ—School of Public Health; FaithAction International House; Families for Freedom; Families Against Mandatory Minimums; Feminist Majority; Florida Coastal Immigrant Rights Clinic; Franciscan Action Network; Fuerza Latina; Futures Without Violence.

Georgia Latino Alliance for Human Rights; Giselle Hass, PsyD, Adjunct Professor of Law at Georgetown University Law Center, Center for Applied Legal Studies; Hebrew Immigrant Aid Society; Helene Berman, RN, Ph.D., President of the Nursing Network on Violence Against Women International; Human Rights Campaign; Human Rights Initiative of North Texas; Human Rights Watch; Immigrant Defense Project; Immigrant Law Center of Minnesota; Immigration Equality; inMotion, Inc.; InterCultural Advocacy Institute; Inter Tribal Council of Arizona; International Institute of the Bay Area; Intimate Partner Violence Assistance Clinic University of Florida, Levin College of Law.

Jacquelyn Campbell, Ph.D., RN, FAAN, Anna D. Wolf Chair, The Johns Hopkins; University School of Nursing and National Director, Robert Wood Johnson Foundation Nurse Faculty Scholars; Jay G. Silverman, Ph.D. Professor of Medicine and Global Health; Division of Global Public Health Senior Fellow, Center on Global Justice University of California at San Diego, School of Medicine Adjunct Associate; Professor of Society, Human Development and Health Harvard School of Public Health; Jewish Women International; Just Neighbors; Justice For Our Neighbors-Southeastern Michigan; Kentucky Coalition for Immigrant and Refugee Rights; La Fe Multi-Ethnic Ministries, Intervarsity Christian Fellowship/USA; La Jolla Band of Luiseno Indians; Latin American Coalition; LatinoJustice PRLDEF; Leadership Conference of Women Religious; Legal Aid Society of the Orange County Bar Association, Inc.; Legal Momentum; Leslye E. Orloff, J.D. Director, National Immigrant Women's Advocacy Project, American University Washington College of Law; Lieutenant Carole Germano, Danvers Police Department, Massachusetts; Lutheran immigration and Refugee Service.

Massachusetts Immigrant and Refugee Advocacy Coalition; Mary Ann Dutton, Ph.D., Professor, Department of Psychiatry, Georgetown University; Medical Center Mennonite Central Committee U.S.; Minnesota Coalition for Battered Women; Mountain Crisis Services; Muslim Public Affairs Council; Nassau County Coalition Against Domestic Violence; NAACP Legal Defense and Educational Fund, Inc.; National Alliance to End Sexual Violence; National Asian Pacific American Women's Forum; National Association of Criminal Defense Lawyers; National Association of Evangelicals; National Association of Federal Defenders; National Center for Transgender Equality; National Coalition Against Domestic Violence; National Coalition of Anti-Violence Programs; National Coalition on Black Civic Participation; National Congress of American Indians; National Congress of American Indians Task Force on Violence Against Women; National Council of Jewish Women; National Council of Juvenile and Family Court Judges.

National Council of La Raza; National Council of Negro Women, Inc.; National Employment Law Project; National Hispanic Christian Leadership Conference; National Immigrant Justice Center; National Immigration Forum; National Immigration Law Center; National Immigration Project of the National Lawyers Guild; National Latina Institute for Reproductive Health; National Latino Evangelical Coalition; National Legal Aid & Defender Association; National Network to End Domestic Violence; National Organization for Women Foundation; National Organization of Sisters of Color Ending Sexual Assault; National Resource Center on Domestic Violence and the Women of Color Network; National Task Force to End Sexual and Domestic Violence Against Women; Nawal Ammar, Ph.D., Professor and Dean of the Faculty of Social Science and Humanities at the University of Ontario Institute of Technology; NETWORK, A National Catholic Social Justice Lobby; New Sanctuary Coalition of NYC; NewBridges Immigrant Resource Center; Northwest Immigrant Rights Project.

Officer Michael LaRiviere, Salem Police Department, Massachusetts; Paso del Norte Civil Rights Project; Pennsylvania Immigration Resource Center; Political Asylum Immigration Representation Project; Public Justice Center; Rachael Rodriguez, Ph.D., Associate Professor in the School of Nursing at Edgewood College; Rainbow Services, Ltd.; Refiigio del Rio Grande; Rhonda Giger, Prosecutor—City of Bothell, WA; Rocky Mountain Immigrant Advocacy Network; Ross Silverman LLP; Rural Women's Health Project; Sargent Shriver National Center on Poverty Law; Sergeant Inspector Antonio Flores, San Francisco Police Department, California; Service Employees International Union; Sisters of Mercy of the Americas; Sisters of St. Francis of Philadelphia; Sojourners; South Asian Americans Leading Together; Stephanie J. Nawyn, Ph.D., Department of Sociology, Michigan State University; Supervising Deputy Sheriff Marcus Bruning, St. Louis County Sheriff's Office, Missouri.

Tahirih Justice Center; Tapestri, Inc; The Bridge to Hope; The Episcopal Church; The Immigrant Legal Resource Center; The Kansas/Missouri Dream Alliance; The Leadership Conference for Civil and Human Rights; The Sentencing Project; The Violence Intervention Program; The William Kellibrew Foundation; TN Coalition to End Domestic and Sexual Violence; UC Davis Immigration Law Clinic; Unitarian Universalist Association of Congregations; United Methodist Church; United Migrant Opportunity Services; UnitedWomen.org; U.S. Conference of Catholic Bishops.

VIDA Legal Assistance, Inc.; Virginia Organizing; Virginia Sexual & Domestic Violence Action Alliance; Voces Unidas for Justice; Voices of Men; Washington Immigration Defense Group; Washington State Coalition Against; Willow Creek Community Church; Women of Color Network; Women's Refugee Commission; Worker Justice Center of New York; World Evangelical Alliance; World Relief; YWCA USA.

Ms. FOXX. Madam Speaker, I now yield 1 minute to our distinguished colleague from Illinois, Congresswoman BIGGERT.

Mrs. BIGGERT. Madam Speaker, I thank the gentlelady for yielding.

Madam Speaker, I am disappointed in this closed rule for VAWA. I am concerned that the bill, even with the changes made in the manager's amendment, doesn't reflect everything that we've learned over the past 5 years in terms of what works best for victims or prosecutors.

Over the past several months, I sat down with advocates in my district to go section by section through the Senate reauthorization and discussed what works and what doesn't work. They strongly support provisions that would clarify equal treatment for LGBT individuals, bolster enforcement on Native American reservations, and ensure that victims aren't deported simply for reporting domestic abuse. I see no reason to exclude these provisions from a House bill. Our victim service providers on the front lines really just want to know who they can help and that they can help everyone who comes through the front door.

Last night, I offered an amendment that would have modernized the bill's definitions to reflect the input of victim service providers, including special protections for immigrant victims, and clarified that LGBT individuals can be served by VAWA.

I previously worked on the authorization of VAWA, which incorporated good ideas. That authorization was never a partisan issue, and it shouldn't be now.

Madam Speaker, I am disappointed in this closed rule for H.R. 4970, the Violence Against Women Act of 2012 (VAWA).

I am concerned that the bill, even with changes made in the manager's amendment, doesn't reflect everything we've learned over the last 5 years in terms of what works best for victims or prosecutors.

Over the past several months, I've sat down with advocates in my district to go section-by-section through the Senate reauthorization and discuss what works and what doesn't. They strongly support provisions that would clarify equal treatment for LGBT individuals, bolster enforcement on Native American reservations, and ensure that victims aren't deported simply for reporting domestic abuse. I see no reason to exclude those provisions from a House bill.

Last night, I offered an amendment that would have modernized the bill's definitions to reflect the input of victim service providers, including specific protections for immigrant victims, and clarified that LGBT individuals can be served by VAWA programs in all States. This amendment was rejected.

Let me be clear—no one is suggesting any special class of treatment. This reauthorization should simply clarify the law to reflect what everyone knows about modern society—that anyone can be a victim of domestic violence. It can happen in a same-sex household, on a college campus, or a Native American reservation, and our victim service providers on the front lines just want to know that they can help anyone who comes through the door.

Madam Speaker, we don't need a perfect bill. We need a bill that can provide a solid foundation on which to begin conference negotiations with the Senate. H.R. 4970 fails on this count.

I worked on the previous reauthorizations of VAWA, in 2000 and 2005, which incorporated good ideas from both sides of the aisle. That reauthorization was never a partisan issue then, and it shouldn't be now.

Mr. POLIS. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. For so many, this Violence Against Women Act vote is literally a matter of life and death.

One immigrant was abused by her husband, who was a special agent for the Homeland Security Department. He threatened her that she would be deported and separated from her daughter. She sought help anyway at the excellent San Antonio Family Violence Prevention Services, through which she was provided a special visa allowing her to remain here safely.

Another woman in Austin found death. So fearful of being deported, she was eventually killed in broad daylight in front of her two little children.

We have a 2-year backlog for this visa. It is a visa that could help many. It is a visa that was approved almost unanimously in a previous Congress.

Instead of focusing on a victim's visa status, we should be focused on the fight against domestic violence.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. DOGGETT. Instead of focusing on discriminating against some in our community, we should be focused on ensuring that all victims of violence everywhere receive the care and services they need. Let's move forward in that struggle, not take another giant Republican step backward.

Ms. FOXX. I would like to now yield 1 minute to the distinguished gentlewoman from Missouri, Congresswoman HARTZLER.

Mrs. HARTZLER. Madam Speaker, H.R. 4970 reauthorizes the Violence Against Women Act for another 5 years, providing important funding for fighting domestic violence and abuse.

When Congress reauthorizes any bill, we must make sure that the bill directs resources towards those it is intended to help and makes the best possible use of taxpayer money. That's what we've done in H.R. 4970 by strengthening accountability and transparency in grant administration to ensure that these dollars go to help the victims, not entrenched government bureaucrats.

I've been a long supporter of the domestic violence shelter in my own hometown. Hope Haven plays an essential role in aiding victims and providing tools for recovery. I've seen the vital work that they do and know that dozens of other organizations like it will benefit from the bill's passage.

This is a bipartisan bill. It's a reauthorization of long-standing provisions that aid women, and I'm hopeful that my colleagues will join me in supporting its worthwhile efforts.

□ 1410

Mr. POLIS. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Madam Speaker, as a point of parliamentary inquiry, I want to make sure that the time is not begun until the gentlelady begins.

The SPEAKER pro tempore. The gentleman is correct.

Mr. POLIS. Thank you.

I yield to the gentlelady from Texas.

The SPEAKER pro tempore. The gentlewoman from Texas is recognized for 1 minute.

Ms. JACKSON LEE of Texas. I thank the gentleman from Colorado, and I sadly rise in opposition to the rule.

I really cry out to ask the question: Who should refuse to help a victim of domestic violence? Who has the right to deny a victim—Native American, immigrant, LGBT community; who has that right?

It is obvious that this legislation is not bipartisan, and it is obvious that there is still a divide. It is obvious that the groups who obviously work with these victims—many whom I have the opportunity of seeing through the eyes of the Houston Area Women's Center—realize that no provider wants to pick and choose.

It is clear that the underlying bill does not work. The Senate bill is what answers the question of these victims who now have been harmed, because what you're saying to an immigrant who is here on a visa, you are saying to them that they have no relief.

I believe this bill will not work.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield an additional 10 seconds to the gentlelady.

Ms. JACKSON LEE of Texas. It really is a question as to whether or not the new included funding for rape kits will actually be able to go to providers and solve the problems of rape kits in places around the Nation.

We need to do this in a bipartisan way. Who will say ''no'' to a victim because they are Native American, they are immigrant, or they are LGBT. Who will say ''no''?

Ms. FOXX. Madam Speaker, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Speaker, this bill takes steps backwards from offering full protections for women and children who suffer unspeakable abuse.

I'm not questioning the intentions, Madam Speaker, of those on the other side; that's not my purpose here. But who are we excluding today? You're either a unifier on the floor or you are a divider. Instead of passing the bipartisan Senate bill that provides protections for women who are victims of abuse, the majority has decided instead to turn women's safety and security into a political fight. It shouldn't be.

According to the 2010 National Intimate Partner and Sexual Violence Survey, an average of 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner.

The Violence Against Women Act makes great strides. It shouldn't matter if a woman is an immigrant or a member of the LGBT community. I'm against this rule. I'm against the bill. I hope we can come together on a final resolution of this.

Ms. FOXX. Madam Speaker, I continue to reserve.

Mr. POLIS. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. This bill also authorizes a total of $642 billion for defense programs, including $88.5 billion to continue the Afghanistan war, on top of the more than $1.3 trillion we've spent thus far.

It contains dangerous language that would pave the path for a war with Iran. H.R. 4310 says the U.S. should take all necessary measures, including military action, to prevent Iran from having nuclear technology—this, despite the fact that Secretary of Defense Panetta and the Joint Chiefs of Staff have spoken out against a strike in Iran. What's Congress spoiling for another war for?

Now, we've spent trillions of dollars for war to wage violence thousands of miles away, and we've become anesthetized to the violence of war against millions of innocent women, children, and men abroad. It's no wonder that we're grappling with how best to deal with domestic violence.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. KUCINICH. Imagine if we took a fraction of the trillions of dollars we've spent for war and used it to deal directly with the root causes of domestic violence—spousal abuse, child abuse, violence in the schools, gang violence, gun violence, racial violence, violence against immigrants, violence against gays. If we did that and looked at the root causes, we wouldn't even be arguing about spending money for war. We need to look at the issue of violence in America and do it in a consistent, comprehensive way.

Ms. FOXX. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, as the gentleman from Ohio says, the second bill that's made in order under this rule is H.R. 4310, the National Defense Authorization Act, otherwise known as the NDAA.

As we debate this very important bill, let's keep in mind the men and women of the Armed Forces and their families, and in particular those who have given the ultimate sacrifice in defense of American freedom, which includes this deliberative process of freely debating our laws and ideas about the role of government. We could not be here today without the sacrifices of those who've served in the military and helped protect us as a free people.

As James Madison wrote in the Federalist Papers:

> The operations of the Federal Government will be most extensive and important in terms of war and danger.

Our Founding Fathers had a clear view that the primary and central job of the Federal Government was ''to provide for the common defense,'' which is a constitutional mandate. It is not an issue that should divide us or devolve into partisan rancor but unite us as a country that supports our military and provides them with the resources necessary to complete their critically important mission.

Madam Speaker, in a few days, we will be in our districts participating in Memorial Day events. I approach Memorial Day with mixed emotions, as a part of me celebrates the joy and pride of living in this great country where we're all free to participate in a robust public policy debate. I am proud that I live in a meritocracy, where anyone can choose which path to follow and succeed. But Memorial Day also elicits somber thoughts of those who have given their lives in defense of the greatest country in the history of humankind.

While many of our fellow Americans will be celebrating with cookouts and family, I ask that we all pause and think about those families who will have an empty place at their dinner table, those families who still mourn the loss of a loved one and, rather than cooking out, will be visiting our fallen heroes in hallowed grounds across these United States. That's the true purpose of Memorial Day—to pause, remember, and honor those who have given the ultimate sacrifice to preserve all that is great in our country.

So as we return home to our districts, I ask all of my colleagues to keep in mind the spouses, children, and families of the fallen. As President Lincoln stated in his second inaugural address:

With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds, to care for him who shall have borne the battle, and for his widow and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations.

With that, Madam Speaker, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I'd like to inquire as to how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Colorado has 7 minutes remaining, and the gentlewoman from North Carolina has 6½ minutes remaining.

Mr. POLIS. Madam Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker and Members of the House, as I rise today to speak against this flawed Violence Against Women Act that the House is presenting, let me point out this picture. This picture is a picture of Marissa Alexander, a 31-year-old mother of three with a master's degree and no prior convictions, who received a 20-year sentence for firing a warning shot in the air to warn off an attack by her husband. At the time that it occurred, there was a restraining act. Let me point out that this shot did not injure anyone, yet she will be in jail until 2032.

The imbalance in the system is obvious. Just minutes before she fired the shot Marissa's husband told her, ''If I can't have you, no one is going to.'' Sadly, millions of abused women have heard these exact words and not lived to tell about it.

□ 1420

Battered women like Marissa need support and counseling.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield an additional 30 seconds to the gentlewoman from Florida.

Ms. BROWN of Florida. Battered women like Marissa need support and counseling so that they don't find themselves in these situations. Jailing them for 30 years is unacceptable.

This is the beginning, not the end. Along with the NAACP and other groups, we will fight to make sure we turn over this horrible ruling and stand up to the legal system that persecutes women who defend themselves. Those women need help, not prison.

Ms. FOXX. Madam Speaker, I yield 2 minutes to the gentlewoman from Alabama, Congresswoman ROBY.

Mrs. ROBY. Thank you so much to the gentlelady from North Carolina.

Madam Speaker, I rise today in favor of the reauthorization of the Violence Against Women Act and just want to say, even after VAWA's enactment roughly 8 years ago, one in four women still experience domestic violence during their lifetime. Moreover, more than 2 million adults and 15 million children are exposed to such violence annually.

According to the Alabama Coalition against Domestic Violence and the Alabama National Census Summary, in Alabama there are 834 victims served in one day, 187 hotline calls answered in one day, and 76 unmet requests for services. These numbers are astounding, and something must change.

Organizations have reported that they have been unable to provide services for a variety of reasons: the top three being, there's not enough staff, there's not enough specialized services, and there's not enough available beds or hotel vouchers to provide safe havens for victims and their children.

As an original cosponsor of the Violence Against Women Act, today I stand here supporting the Republican reauthorization. This bill brings greater accountability to the grant administration by ensuring that funding will support and assist victims of domestic violence, dating violence, sexual assault and stalking, and will not be kept in the pockets of Washington bureaucrats.

Individuals, whether women, men or children, should be able to feel safe in their homes; and when they are not, should be able to have access to services that allow them to be removed from their abuser.

Congress must put Washington politics aside and take action. I fully support this legislation, and I encourage my colleagues to join me.

Mr. POLIS. I would inquire if the gentlewoman has any remaining speakers.

Ms. FOXX. Madam Speaker, we do have other speakers.

Mr. POLIS. I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I now would like to yield 2 minutes to the gentlewoman from the State of Washington, a member of our leadership, Congresswoman MCMORRIS RODGERS.

Mrs. MCMORRIS RODGERS. I want to thank the gentlewoman for her leadership on this important issue.

I rise today on behalf of my mother, my daughter, and every woman in America in strong support of H.R. 4970, the Violence Against Women Reauthorization of 2012.

Each year there are over 200,000 victims of sexual assaults; and while these numbers are devastating, since the enactment of the first Violence Against Women Act almost 20 years ago, the annual number of incidents has dramatically fallen, while the reporting rate has risen by 50 percent.

The programs in the legislation are critical to continue the fight for equality and women's rights. The bill we will vote on today makes commonsense reforms to ensure that more money actually benefits victims and is dedicated to eliminating the astounding backlog in rape kit tests.

Additionally, today we have the chance to support vital funding for rape prevention educational programs, youth victim services, and improvements to emergency and transitional housing services for victims.

Since its enactment, the Violence Against Women Act has enjoyed broad bipartisan support. This is not a Republican or Democrat, conservative or liberal issue. Together we are uniformly standing against violence against anyone, particularly women; and I urge all of my colleagues to support their mothers, wives, daughters, neighbors and friends by supporting H.R. 4970, the Violence Against Women Reauthorization Act of 2012, a victim-centered bill that will extend vital programs that protect against and prevent both physical and mental violence.

Mr. POLIS. I'd like to inquire if the gentlewoman has any remaining speakers.

Ms. FOXX. Yes, Madam Speaker, we have one more.

Mr. POLIS. I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I'd like to yield now 1 minute to the distinguished gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Madam Speaker, I thank the gentlelady from North Carolina for yielding to me, and I rise to support the Violence Against Women Act. I did so when it was reauthorized in 2005, I believe it was, and we're here today in this debate on the rule, not so much the bill.

I come to the floor to raise a point that constantly in the debate in the Judiciary Committee there was an effort to divert the subject matter over to other things, sexual orientation, gender identity, immigration, a lot of focus on immigration. And one of the things that's happened to the bill since it left the committee was to change the language, through this manager's amendment, that's essentially deemed passed by the Rules Committee that changes the value of evidence of abuse of, say, a female immigrant who can get a U visa if she has determined as having been victimized, especially sexually victimized. That was a clear and convincing evidence standard.

This rule that's written in by the Rules Committee changes it to the preponderance of the evidence. I support the decision of the Judiciary Committee. It also changes the investigative component of this from USCIS, which are trained investigators. They'll only see the evidence that's offered to them by Federal prosecutors. So I am going to oppose the rule and support the bill.

Mr. POLIS. I thank the gentleman from Iowa. Though we disagree on the bill, we can both agree that this is a terrible rule. And I encourage my colleagues to follow the leadership of the gentleman from Iowa in opposing this rule.

I'd like to inquire of the gentlelady if she has any remaining speakers.

Ms. FOXX. Madam Speaker, we are prepared to close.

Mr. POLIS. I yield myself such time as I may consume.

Madam Speaker, if we defeat the previous question, I will offer an amendment to this closed rule to make in order the bipartisan Violence Against Women bill that passed the United States Senate with 68 votes as an amendment offered by Representative CONYERS, Representative MOORE, and Representative LOFGREN. If the House passes that, it will proceed to President Obama's desk.

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous materials, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. I strongly urge my colleagues to vote ''no'' and defeat the previous question and allow the Senate bill that has passed with a bipartisan majority, that actually expands protections for all women, to be considered by this body.

Here, Madam Speaker, is the face of somebody affected by the Violence Against Women Act from Colorado. Her name is Sara. Sara came to our country illegally. She was brought illegally, unbeknownst to her, by her American husband. Once in the United States, she was abused. She was isolated. She was effectively kept a prisoner in her own house by her husband.

The first time she was violently beaten by her husband was when she went on a walk because her husband claimed that she had disobeyed him. She was trapped in a relationship where she was abused, sexually as well as verbally, for 14 years.

She finally escaped with her son to safe transitional housing called Alternatives to Violence in Loveland, Colorado. Once there, she learned English and obtained temporary legal status through a U visa provided under the Violence Against Women Act.

Today, I'm proud to say, Madam Speaker, she's a United States citizen and works as an advocate for other immigrant victims of domestic abuse.

Stories like Sara are inspiring and reinforce the reason that so many of us feel passionately to join across party lines to ensure that no domestic victim is left unserved.

This Cantor-Adams bill offers us a false choice between weakening and undermining protections in the Violence Against Women Act or maintaining the status quo. The American people understand that a vote for the Cantor-Adams bill is a vote to roll back protections for all domestic and sexual violence victims and puts the safety of our most vulnerable domestic violence victims at risk.

Immigrants, Native Americans, lesbian, gay, and bisexual victims all have historically faced many barriers to reporting sexual violence. But instead of removing those barriers, this bill, under this closed rule, creates new ones.

□ 1430

Lesbian and gay survivors face particular obstacles in accessing the criminal justice system. Lesbian and gay survivors are often reluctant to report abuse, and when they do finally seek assistance, they frequently don't receive the support they need across lifesaving services and resources. Studies tell us that gay and lesbian couples experience domestic violence at roughly the same rates as the general population. It is no surprise that less than one in five gay and lesbian victims of intimate partner violence receives help through a service provider.

This bill fails to provide the same vital protections for gay and lesbian families that have been overwhelmingly approved in the Senate bill. During the Judiciary markup, I offered an amendment to restore these protections, but unfortunately, it was voted down. This closed process prevents the ability of Members of the House to even consider or vote on adding these protections back in. Had the House Republicans allowed amendments on the floor today, I would have offered two amendments that I offered—along with my colleagues Representative JACKSON LEE, Representative LOFGREN, Representatives DEUTCH and CHU, all who were leaders in the Judiciary markup—which would have eliminated these atrocious provisions from the bill.

Some of the most egregious anti-immigrant provisions would destroy incentives to cooperate with law enforcement. People like Sara, who bravely came forward to report domestic violence, would face deportation after 4 years. Why would somebody come forward and report something if it would ultimately lead to her own deportation?

All women deserve to be protected from domestic violence—even women who have committed crimes, even women who have had civil violations, like violating our immigration laws, even women who are lesbians. All women deserve to be protected by the Violence Against Women Act, and that is what this bill is about. The Senate bill, which passed on a bipartisan basis and included a report from well over a dozen Republican Senators, included these provisions.

Abuse is abuse, whether it occurs against immigrants, whether it occurs against gay and lesbian Americans, or whether it occurs against Native Americans. Yet, under this bill before us, a Native American woman who is living on a reservation and who is raped and abused by a nontribal member lacks protection and remains at risk of serious sexual and physical violence by her abuser. Under this underlying bill, gay and lesbian survivors and victims will struggle to get protective orders or will be turned away from service providers just because of their sexual orientation or gender identities.

Just as alarming, this bill removes protections that currently exist for some of our Nation's most vulnerable populations: battered immigrant spouses, restricting the ability of U visa holders to apply for permanent resident status and forcing them to face deportation.

I strongly urge my colleagues to vote ''no'' on the bills and to defeat the previous question, and I urge a ''no'' vote on the rule.

I yield back the balance of my time.

Ms. FOXX. I yield myself the balance of my time.

I agree with my colleague from Colorado. Abuse is abuse, no matter against which person it is, and nothing in this Violence Against Women reauthorization bill prohibits grant recipients from serving all victims of domestic violence, and I am glad to hear my colleague say that.

Madam Speaker, House Republicans want to help women, particularly those who have been victims of violence and abuse, while also being good stewards of limited taxpayer resources. The 2012 Violence Against Women Reauthorization Act accomplishes these goals. In addition, the FY13 National Defense Authorization Act ensures that the men and women in our military have the resources they need while protecting taxpayer investments.

Therefore, Madam Speaker, I urge my colleagues to vote in favor of improved congressional oversight and against special interests by voting in favor of this rule and the underlying bills.

Ms. CASTOR of Florida. Madam Speaker, I rise in opposition to the rule and urge a ''no'' vote on the flawed bill my Republican colleagues will bring to the floor. They had an opportunity to bring the bipartisan Senate Violence Against Women Act, but chose not to.

The Violence Against Women Act has been bipartisan and noncontroversial for almost 20 years now. The update passed the Senate on a bipartisan basis just last month.

Why does everything have to be a partisan fight? Over the past year, my Republican colleagues in the House have blocked an important jobs package, stalled the national transportation and infrastructure bill, dragged their feet on help for students and the impending increase in the student loan rate, and now they have turned what has been a bipartisan

effort to protect the victims of domestic violence into a senseless political fight.

Republicans would not even allow debate on any amendments so we could address its flaws.

In fact, their legislation not only rolls back longstanding, bipartisan provisions, but it leaves out protections for our LGBT community, Native American women and immigrants.

Unlike the bipartisan Senate version, the House Republican bill does not include a provision prohibiting any Violence Against Women Act funds from discriminating against anyone based on their sexual orientation.

The House Republican bill also does not include language explicitly including the LGBT community in the ''STOP Grant program'' that provides funds to domestic violence service providers.

Studies have shown that the LGBT victims face discrimination when accessing domestic violence services.

We should be working towards stronger domestic violence protections for the LGBT community—not trying to exclude them from domestic violence protections, as the Republican bill would do.

One in four women will experience domestic violence in her lifetime. Many of these domestic assaults go unreported by the victims for fear of retaliation by their abuser.

Immigrant victims are oftentimes the most vulnerable to this cycle because their abusers use their immigration status as a tool to manipulate and control them.

That is why in the 1994 Violence Against Women Act Congress included the ''self-petition'' provision to ensure that immigrant victims of domestic violence could leave their abuser without fear of losing legal status.

The Republican bill would delay and deny that protection for many immigrant victims.

In my home state of Florida there were 113,378 crimes of domestic violence reported in 2010.

If the Republican bill were to pass, more domestic violence crimes would go unreported, more abusers would be free, and more victims would be harmed.

More children, families, and women would be at risk of continued abuse by their abuser.

This bill works in opposition to the very purpose of the legislation—to protect victims of domestic violence.

Not just some victims—all victims.

So advocates across the country who are on the front lines in aiding women and victims everyday have announced their opposition. Please defeat the rule, so that we can call up the bipartisan, improved version from the Senate.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 656 OFFERED BY MR. POLIS OF COLORADO

Strike the first section and insert the following:

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of S. 1925 as passed by the Senate if offered by Representative Conyers of Michigan, Representative Moore of Wisconsin, or Representative Lofgren of California. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.''

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and suspending the rules and passing H.R. 4119.

The vote was taken by electronic device, and there were—yeas 235, nays 187, not voting 9, as follows:

[Roll No. 254]

YEAS—235

Adams	Black	Carter
Aderholt	Blackburn	Chabot
Alexander	Bonner	Chaffetz
Amash	Bono Mack	Coble
Amodei	Boustany	Coffman (CO)
Austria	Brady (TX)	Cole
Bachmann	Brooks	Conaway
Bachus	Broun (GA)	Cravaack
Barletta	Buchanan	Crawford
Bartlett	Bucshon	Crenshaw
Barton (TX)	Buerkle	Culberson
Bass (NH)	Burgess	Davis (KY)
Benishek	Calvert	Denham
Berg	Camp	Dent
Biggert	Campbell	DesJarlais
Bilbray	Canseco	Diaz-Balart
Bilirakis	Cantor	Dold
Bishop (UT)	Capito	Dreier

Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—187

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Herger
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—9

Akin
Burton (IN)
Cassidy
Filner
Labrador
Luetkemeyer
Perlmutter
Slaughter
Young (FL)

□ 1459

Ms. WILSON of Florida, Messrs. TONKO, MURPHY of Connecticut, McINTYRE, Mrs. NAPOLITANO, and Mr. RICHMOND changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 254, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

(By unanimous consent, Mr. REICHERT was allowed to speak out of order.)

COMMEMORATING NATIONAL PEACE OFFICERS MEMORIAL DAY AND POLICE WEEK

Mr. REICHERT. Madam Speaker, yesterday was National Law Enforcement Memorial Day. This entire week is National Law Enforcement Week.

Last year, we lost 163 police officers killed in the line of duty. So far this year, there have been 40 killed in the line of duty protecting each one of the communities that we represent in this great body, people like Tony Radulescu, a trooper in Washington State, a person who left his home that day with a hug and a kiss from his family expecting him back home again that evening for dinner, men and women in uniform leaving every day to go to work to protect our communities, expecting to return home. Some never do.

It is right; it is proper; it is our duty, Madam Speaker, to, today, pause in this great body and pay tribute to those men and women who have sacrificed their lives for us so that we can all live safely.

I ask for a moment of silence.

MOMENT OF SILENCE

The SPEAKER pro tempore. Members will rise, and the House will observe a moment of silence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 186, answered ''present'' 1, not voting 9, as follows:

[Roll No. 255]

YEAS—235

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita

Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—186

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (IA)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

ANSWERED ''PRESENT''—1

Young (AK)

NOT VOTING—9

Altmire
Burton (IN)
Cassidy
Filner
Gerlach
Labrador
Perlmutter
Slaughter
Yarmuth

□ 1510

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 255, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

BORDER TUNNEL PREVENTION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4119) to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 4, not voting 11, as follows:

[Roll No. 256]

YEAS—416

Ackerman
Adams
Aderholt
Akin
Alexander
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—4

Amash
Broun (GA)
Paul
Scott (VA)

NOT VOTING—11

Altmire	Filner	Slaughter
Boren	Gerlach	Turner (OH)
Burton (IN)	Labrador	Yarmuth
Cassidy	Perlmutter	

□ 1518

Ms. BASS of California and Ms. ZOE LOFGREN of California changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 256, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I was unavoidably detained earlier today on personal business and therefore unable to be on the House Floor for rollcall votes 253, 254, 255, and 256. Had I been present I would have voted: ''yea'' on rollcall vote 253; ''yea'' on rollcall vote 254; ''yea'' on rollcall vote 255; and ''yea'' on rollcall vote 256.

PERSONAL EXPLANATION

Mr. YARMUTH. Madam Speaker, I was unable to cast the record votes for rollcalls 250, 251, 252, 255 and 256. Had I been present I would have voted as follows for these measures: H.R. 365, on Motion to Suspend the Rules and Pass, as Amended, No. 250, ''yes''; H.R. 3874, on Motion to Suspend the Rules and Pass, as Amended, No. 251, ''yes''; H.R. 205, on Motion to Suspend the Rules and Pass, as Amended, No. 252, ''yes''; H.R. 656, on Agreeing to the Resolution, No. 255, ''no''; and H.R. 4119, on Motion to Suspend the Rules and Pass, as Amended, No. 256, ''yes.''

□ 1520

PERMISSION TO FILE PRIVILEGED REPORTS

Mr. ADERHOLT. Madam Speaker, I ask unanimous consent that the Committee on Appropriations have until 6 p.m. on May 25, 2012 to file four privileged reports on the following:

a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and other purposes;

a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes;

a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes;

and a bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Mr. RAHALL. Madam Speaker, pursuant to rule XXII, clause 7(c), I hereby announce my attention to offer a motion to instruct on H.R. 4348.

The form of the motion is as follows:

Mr. Rahall moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to agree to sections 1528, 20017 (to the extent that such section amends section 5323 of title 49, United States Code, to provide subsection (k) relating to Buy America), 33007, 33008, and 35210 of the Senate amendment.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. CON. RES. 107

Mr. JONES (during consideration of H. Res. 656). Mr. Speaker, I ask unanimous consent to remove Mr. GRIJALVA as a cosponsor from H. Con. Res. 107.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4103

Mr. JONES. Madam Speaker, I ask unanimous consent that Congressman DAN BENISHEK be removed as a cosponsor of H.R. 4103.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

AMENDMENT TO THE MESQUITE LANDS ACT OF 1986

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2745) to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012

Mrs. ADAMS. Madam Speaker, pursuant to House Resolution 656, I call up the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 656, the amendment in the nature of a substitute, recommended by the Committee on the Judiciary, printed in the bill, modified by the amendment printed in House Report 112–481 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 4970

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Violence Against Women Reauthorization Act of 2012''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. VAWA definitions and grant conditions.
Sec. 4. Accountability provisions.
Sec. 5. Effective date.
TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN
Sec. 101. STOP grants.
Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Court-appointed special advocate program.
Sec. 106. Outreach and services to underserved populations grant.
Sec. 107. Culturally specific services grant.
Sec. 108. Reduction in rape kit backlog.
TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 201. Sexual assault services program.
Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Grant for training and services to end violence against women in later life.
TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE
Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. National Center for Campus Public Safety.
TITLE IV—VIOLENCE REDUCTION PRACTICES
Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 501. Consolidation of grants to strengthen the health care system's response to domestic violence, dating violence, sexual assault, and stalking.
TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.
TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE
Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.
TITLE VIII—IMMIGRATION PROVISIONS
Sec. 801. Fraud prevention initiatives.
Sec. 802. Clarification of the requirements applicable to U visas.
Sec. 803. Protections for a fiancée or fiancé of a citizen.
Sec. 804. Regulation of international marriage brokers.
Sec. 805. GAO report.
Sec. 806. Temporary Nature of U Visa Status.
Sec. 807. Annual report on immigration applications made by victims of abuse.
Sec. 808. Protection for children of VAWA self-petitioners.
Sec. 809. Public charge.
Sec. 810. Age-Out Protection for U Visa Applicants.
Sec. 811. Hardship waivers.
Sec. 812. Disclosure of Information for National Security Purpose.
Sec. 813. GAO report on requirements to cooperate with law enforcement officials.
Sec. 814. Consideration of other evidence.
TITLE IX—SAFETY FOR INDIAN WOMEN
Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Analysis and research on violence against Indian women.
Sec. 905. Assistant United States attorney domestic violence tribal liaisons.
TITLE X—CRIMINAL PROVISIONS
Sec. 1001. Criminal provisions relating to sexual abuse.
Sec. 1002. Sexual abuse in custodial settings.
Sec. 1003. Criminal provision relating to stalking, including cyberstalking.
Sec. 1004. Amendments to the Federal assault statute.
Sec. 1005. Mandatory minimum sentence.

SEC. 3. VAWA DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) in paragraph (2), by inserting ''to an unemancipated minor'' after ''serious harm'';

(2) in paragraph (3), by striking ''an organization'' and inserting ''a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community'';

(3) in paragraph (6) by inserting ''or intimate partner'' after ''former spouse'' and after ''as a spouse'';

(4) by amending paragraph (16) to read as follows:

''(16) LEGAL ASSISTANCE.—The term 'legal assistance'—

''(A) includes assistance to adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in—

''(i) family, tribal, territorial, immigration, employment, administrative agency, housing matters, campus administrative or protection or stay away order proceedings, and other similar matters; and

''(ii) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim's safety and privacy; and

''(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

except that intake or referral, without other action, does not constitute legal assistance.''.

(5) by amending paragraph (18) to read as follows:

''(18) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.'';

(6) in paragraph (19), by striking ''services'' and inserting ''assistance'';

(7) in paragraph (21)—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

(B) in subparagraph (B)(ii), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(C) any federally recognized Indian tribe.'';

(8) in paragraph (22)—

(A) by striking ''52'' and inserting ''57''; and

(B) by striking ''150,000'' and inserting ''250,000'';

(9) by amending paragraph (23) to read as follows:

''(23) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.'';

(10) by amending paragraph (33) to read as follows:

''(33) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers to accessing and using victim services, and includes populations underserved because of geographic location or religion, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or the Secretary of Health and Human Services, as appropriate.'';

(11) by amending paragraph (37) to read as follows:

''(37) YOUTH.—The term 'youth' means a person who is 11 to 24 years of age.'';

(12) by adding at the end the following new paragraphs:

''(38) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

''(39) CHILD.—The term 'child' means a person who is under 11 years of age.

''(40) CULTURALLY SPECIFIC.—The term 'culturally specific' (except when used as part of the term 'culturally specific services') means primarily composed of racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g))).

''(41) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services and resources that are culturally relevant and linguistically specific to culturally specific communities.

''(42) HOMELESS, HOMELESS INDIVIDUAL, HOMELESS PERSON.—The terms 'homeless', 'homeless individual', and 'homeless person'—

''(A) mean an individual who lacks a fixed, regular, and adequate nighttime residence; and

''(B) includes—

''(i) an individual who—

''(I) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

''(II) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;

''(III) is living in an emergency or transitional shelter;

''(IV) is abandoned in a hospital; or

''(V) is awaiting foster care placement;

''(ii) an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or

''(iii) migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph.

''(43) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(44) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim services that—

''(A) address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking; and

''(B) are designed primarily for, and are targeted to, a specific underserved population.

''(45) RAPE CRISIS CENTER.—The term 'rape crisis center' means—

''(A) a nonprofit, nongovernmental, or tribal organization that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims; or

''(B) a governmental entity that—

''(i) is located in a State other than a Territory;

''(ii) provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims;

''(iii) is not a law enforcement agency or other entity that is part of the criminal justice system; and

''(iv) offers a level of confidentiality to victims that is comparable to a nonprofit entity that provides similar victim services.

''(46) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

''(47) TRIBAL COALITION.—The term 'tribal coalition' means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

''(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

''(B) is comprised of board and general members that are representative of—

''(i) the member service providers described in subparagraph (A); and

''(ii) the tribal communities in which the services are being provided.

''(48) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

''(49) VICTIM SERVICES.—The term 'victim services'—

''(A) means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services; and

''(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(50) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State sexual assault coalition or tribal coalition, that—

''(A) assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations; and

''(B) has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.''; and

(13) by striking paragraphs (17), (29), and (36), and then reordering the remaining paragraphs of such subsection (including the paragraphs added by paragraph (12) of this subsection) in alphabetical order based on the headings of such paragraphs, and renumbering such paragraphs as so reordered.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by amending clauses (i) and (ii) to read as follows:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that—

''(I) consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor; and

''(II) if a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, such minor or person with a guardian may release information without additional consent.'';

(B) by amending subparagraph (D), to read as follows:

''(D) INFORMATION SHARING.—

''(i) IN GENERAL.—Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

''(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

''(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

''(ii) LIMITATIONS.—Grantees and subgrantees may not—

''(I) require an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee; or

''(II) share any personally identifying information in order to comply with Federal reporting, evaluation, or data collection requirements, whether for this program or any other Federal grant program.'';

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this paragraph prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined by law, when specifically mandated by the State or tribe involved.''; and

(E) by adding at the end the following new subparagraph:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees shall certify their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with and provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies, and develop and promote State, local, or tribal legislation or model codes, designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made publically available on the website of the disbursing agency.''; and

(4) by inserting after paragraph (11) the following:

''(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in any State shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be denied the assistance of, or excluded from receiving services from, a grantee under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) REASONABLE ACCOMMODATION.—Nothing in this paragraph shall prevent consideration of an individual's gender for purposes of a program or activity described in subparagraph (A) if the grantee involved determines that gender segregation or gender-specific programming is necessary to the essential operation of such program or activity. In such a case, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

''(C) APPLICATION.—The provisions of paragraphs (2) through (4) of section 809(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)) shall apply to violations of subparagraph (A).

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities of grantees under other Federal or State civil rights law, whether statutory or common.''.

(c) CONFORMING AMENDMENT.—Section 41403(6) of the Violence Against Women Act of 1994 (140–43e 2(6)) is amended to read as follows:

''(6) the terms 'homeless', 'homeless individual', and 'homeless person' have the meanings given such terms in section 40002(a);''.

SEC. 4. ACCOUNTABILITY PROVISIONS.

(a) REQUIREMENT FOR DOJ GRANT APPLICANTS TO INCLUDE CERTAIN INFORMATION ABOUT FEDERAL GRANTS IN DOJ GRANT APPLICATIONS.—Each applicant for a grant from the Department of Justice shall submit, as part of the application for the grant, the following information:

(1) A list of each Federal grant the applicant applied for during the one-year period preceding the date of submission of the application.

(2) A list of each Federal grant the applicant received during the five-year period preceding the date of submission of the application.

(b) ENHANCING GRANT EFFICIENCY AND COORDINATION.—

(1) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall, to the greatest extent practicable, take actions to further the coordination of the administration of grants within the Department of Justice to increase the efficiency of such administration.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Attorney General under paragraph (1) and the progress of such actions in achieving coordination described in such paragraph.

(c) REQUIRING OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT FUNCTIONS TO APPLY TO VAWA GRANTS.—

(1) IN GENERAL.—Section 109(b) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following new paragraph:

''(3) Any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.''.

(2) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to grant periods beginning on or after the date of the enactment of this Act.

(d) VAWA GRANT ACCOUNTABILITY.—Section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) is further amended by adding at the end the following:

''(c) ACCOUNTABILITY.—All grants awarded under this title shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and in each fiscal year thereafter, the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Services, as applicable, shall conduct an audit of not fewer than 10 percent of all grantees under this title to prevent waste, fraud, and abuse of funds by such grantees.

''(2) MANDATORY EXCLUSION.—A grantee described in paragraph (1) that is found by the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Services, as applicable, to have an unresolved audit finding (as defined in paragraph (5)) shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in such paragraph.

''(3) REIMBURSEMENT.—If an entity is awarded grant funds under this title during any period in which the entity is prohibited from receiving funds under paragraph (2), the head of the Federal agency administering a grant program under this title shall—

''(A) deposit into the General Fund of the Treasury an amount equal to the grant funds that were improperly awarded to the grantee; and

''(B) seek to recoup the costs of the repayment to the Fund from the entity that was erroneously awarded such grant funds.

''(4) UNRESOLVED AUDIT FINDING DEFINED.—In this subsection, the term 'unresolved audit finding' means, with respect to a grantee described in paragraph (1), an audit report finding, statement, or recommendation by the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Service, as applicable, that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date of an initial notification of the finding, statement, or recommendation.

''(5) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program under this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(6) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 5.0 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Office on Violence Against Women.

''(7) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice or Department of Health and Human Services under this title may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this title, to host or support any expenditure for conferences, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended to host or support any expenditure for such a conference.

''(B) WRITTEN APPROVAL.—Written authorization under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

''(C) REPORT.—The Deputy Attorney General and Deputy Secretary of Health and Human Services shall submit an annual report to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on the Judiciary and the Committee on Energy and Commerce of the House of Representatives on all conference expenditures approved and denied during the fiscal year for which the report is submitted.

''(8) PROHIBITION ON LOBBYING ACTIVITY.—

''(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be utilized by any grantee or subgrantee to lobby any representative of the Federal Government (including the Department of Justice) or a State, local, or tribal government regarding the award of grant funding.

''(B) PENALTY.—If the Attorney General or the Secretary of Health and Human Services, as applicable determines that any grantee or subgrantee receiving funds under this title has violated subparagraph (A), the Attorney General or the Secretary of Health and Human Services, as applicable, shall—

''(i) require the grantee or subgrantee to repay such funds in full; and

''(ii) prohibit the grantee or subgrantee from receiving any funds under this title for not less than 5 years.

''(9) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of the Violence Against Women Reauthorization Act of 2012, the Assistant Attorney General for the Office of Justice Programs, the Director of the Office on Violence Against Women, and the Deputy Secretary for Health and Human Services shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a certification for such year that—

''(A) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs;

''(B) all mandatory exclusions required under paragraph (2) have been issued;

''(C) all reimbursements required under paragraph (3) have been made; and

''(D) includes a list of any grantees and subgrantees excluded during the previous year under paragraph (2).''.

(e) TRAINING AND RESOURCES FOR VAWA GRANTEES.—Section 40002 of the Violence Against Women Act 0f 1994 (42 U.S.C. 13925) is further amended—

(1) in the heading, by striking ''***AND GRANT PROVISIONS"*** and inserting ''***, GRANT PROVISIONS, AND TRAINING AND RESOURCES FOR VAWA GRANTEES***''; and

(2) by adding at the end the following new subsection:

''(d) TRAINING AND RESOURCES FOR VAWA GRANTEES.—

''(1) IN GENERAL.—The Attorney General and Secretary of Health and Human Services, as applicable, shall—

''(A) develop standards, protocols, and sample tools and forms to provide guidance to grantees and subgrantees under any program or activity described in paragraph (2) regarding financial recordkeeping and accounting practices required of such grantees and subgrantees as recipients of funds from the disbursing agency;

''(B) provide training to such grantees and subgrantees regarding such standards, protocols, and sample tools and forms; and

''(C) publish on the public Internet website of the Office of Violence Against Women information to assist such grantees and subgrantees with compliance with such standards, protocols, and sample tools and forms.

''(2) VAWA PROGRAMS AND ACTIVITIES.—For purposes of paragraph (1), a program or activity described in this paragraph is any program or activity funded in whole or in part with funds made available under this title, the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.''.

SEC. 5. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the first day of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

(a) STOP GRANTS.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 2001(b) (42 U.S.C. 3796gg(b)), as amended by paragraph (2)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''equipment'' and inserting ''resources''; and

(ii) by inserting ''for the protection and safety of victims,'' before ''and specifically,'';

(B) in paragraph (1), by striking ''sexual assault'' and all that follows through ''dating violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(C) in paragraph (2), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(D) in paragraph (3), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims'';

(E) in paragraph (4)—

(i) by inserting '', classifying,'' after ''identifying''; and

(ii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(F) in paragraph (5)—

(i) by inserting ''and legal assistance'' after ''victim services'';

(ii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(iii) by striking ''including crimes'' and all that follows and inserting ''including crimes of domestic violence, dating violence, sexual assault, and stalking;'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as so redesignated by subparagraph (G), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(I) in paragraph (7), as so redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking'';

(J) in paragraph (9), as so redesignated by subparagraph (G)—

(i) by striking ''domestic violence or sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, or stalking''; and

(ii) by striking ''such violence or assault'' and inserting ''such violence, assault, or stalking'';

(K) in paragraph (12), as so redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized'' and inserting ''the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases''; and

(ii) in subparagraph (D), by striking ''and'' at the end;

(L) in paragraph (13), as so redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''to provide'' and inserting ''providing'';

(II) by striking ''nonprofit nongovernmental''; and

(III) by striking the comma after ''local governments'';

(ii) by inserting ''and'' after the semicolon in subparagraph (B); and

(iii) by striking the period at the end of subparagraph (C) and inserting a semicolon;

(M) by inserting after paragraph (13), as so redesignated by subparagraph (G), the following:

''(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

''(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

''(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

''(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

''(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims; and

''(19) with not more than 5 percent of the total amount allocated to a State for this part, developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking.''; and

(N) in the flush text at the end, by striking ''paragraph (14)'' and inserting ''paragraph (13)'';

(2) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking ''nonprofit nongovernmental victim services programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), by striking ''(not including populations of Indian tribes)'';

(C) in subsection (c)—

(i) by amending paragraph (2) to read as follows:

''(2) grantees and subgrantees shall develop a plan for implementation and may consult and coordinate with—

''(A) the State sexual assault coalition;

''(B) the State domestic violence coalition;

''(C) the law enforcement entities within the State;

''(D) prosecution offices;

''(E) State and local courts;

''(F) tribal governments or tribal coalitions in those States with State or federally recognized Indian tribes;

''(G) representatives from underserved populations;

''(H) victim service providers;

''(I) population specific organizations; and

''(J) other entities that the State or the Attorney General identifies as necessary for the planning process;'';

(ii) by redesignating paragraph (3) and (4) as paragraphs (4) and (5), respectively;

(iii) by inserting after paragraph (2) the following:

''(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b); and''; and

(iv) in paragraph (4), as so redesignated by clause (ii)—

(I) in subparagraph (A), by striking ''and not less than 25 percent shall be allocated for prosecutors'';

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E);

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;

''(C) for each fiscal year beginning on or after the date that is 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2012, not less than 20 percent shall be allocated for programs or projects that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship;''; and

(IV) in subparagraph (E), as so redesignated by subclause (II), by striking ''; and'' and inserting a period;

(D) by amending subsection (d) to read as follows:

''(d) APPLICATION REQUIREMENTS.—An application for a grant under this part shall include—

''(1) the certifications of qualification required under subsection (c);

''(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

''(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases described in section 2011;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault described in section 2013;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards disbursed after the date of enactment of the Violence Against Women Reauthorization Act of 2012 to ensure that the States meet statutory, regulatory, and other programs requirements.'';

(F) in subsection (f), by striking the period at the end and inserting '', except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.''; and

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) develop an implementation plan in consultation with representatives of the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part; and

''(2) submit to the Attorney General as part of the application submitted in accordance with subsection (d)—

''(A) the implementation plan developed under paragraph (1);

''(B) documentation from each member of the planning committee with respect to the member's participation in the planning process;

''(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

''(i) the need for the grant funds;

''(ii) the intended use of the grant funds;

''(iii) the expected result of the grant funds; and

''(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

''(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

''(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the requirements pursuant to regulations issued under subsection (e)(2);

''(G) goals and objectives for reducing domestic and dating violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.

''(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

''(1) funds from a subgrant awarded under this part are returned to the State; or

''(2) the State does not receive sufficient eligible applications to award the full funding within the allocations under subsection (c)(4).'';

(3) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or'' after the semicolon;

(ii) in paragraph (2), by striking ''; or'' and inserting a period; and

(iii) by striking paragraph (3);

(C) in subsection (c), by striking '', except that such funds'' and all that follows and inserting a period; and

(D) by amending subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

''(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of the Violence Against Women Reauthorization Act of 2012 to come into compliance with this subsection.''; and

(4) in section 2011(a)(1) (42 U.S.C. 3796gg 5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears; and

(B) by striking ''domestic violence, stalking, or sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, or stalking''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(18) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)), is amended by striking ''$225,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$222,000,000 for each of fiscal years 2013 through 2017''.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''States,'' and all that follows through ''units of local government'' and inserting ''grantees'';

(ii) in paragraph (1), by inserting ''and enforcement of protection orders across State and tribal lines'' before the period;

(iii) in paragraph (2), by striking ''and training in police departments to improve tracking of cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking systems'';

(v) in paragraph (5), by inserting ''and other victim services'' after ''legal advocacy service programs'';

(vi) in paragraph (6), by striking ''judges'' and inserting ''Federal, State, tribal, territorial, and local judges, and court-based and court-related personnel'';

(vii) in paragraph (8), by striking ''and sexual assault'' and inserting '', dating violence, sexual assault, and stalking'';

(viii) in paragraph (10), by striking ''non-profit, non-governmental victim services organizations,'' and inserting ''victim service providers, population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

''(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

''(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

''(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims of sexual assault.

''(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

''(A) Testing.

''(B) Counseling.

''(C) Prophylaxis.

''(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

''(B) identifying and managing high-risk offenders; and

''(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting ''except for a court,'' before ''demonstrate'';

(iii) in paragraph (4)—

(I) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(II) by inserting ''dating violence,'' after ''domestic violence,''; and

(III) by striking ''and'' at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after the date of enactment of this section,'';

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margin accordingly;

(III) in clause (ii), as redesignated by subclause (II) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(IV) by striking the period at the end and inserting ''; and'';

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively, and adjusting the margin accordingly;

(vi) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the second comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(vii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001(d) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)).

''(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''nonprofit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011'' and inserting ''$73,000,000 for each of fiscal years 2013 through 2017''; and

(2) by striking the second period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victim services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''subsection (c) has completed'' and all that follows and inserting the following: ''this section—''

''(A) has demonstrated expertise in providing legal assistance or advocacy to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f)—

(A) in paragraph (1), by striking ''this section'' and all that follows through the period at the end and inserting ''this section $57,000,000 for each of fiscal years 2013 through 2017.''; and

(B) in paragraph (2), by adding at the end the following new subparagraph:

''(D) Of the amount made available under this subsection in each fiscal year, not more than 10 percent may be used for purposes described in subsection (c)(3).''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 3016), and inserting the following:

''SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

''(4) provide adequate resources in juvenile court matters to respond to domestic violence, dating violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the physical health and mental health of victims are available;

''(5) enable courts or court-based or court-related programs to develop or enhance—

''(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

''(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(C) offender management, monitoring, and accountability programs;

''(D) safe and confidential information-storage and information-sharing databases within and between court systems;

''(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

''(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

''(6) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

''(7) improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system regarding domestic violence, dating violence, sexual assault, stalking, or child abuse.

''(c) CONSIDERATIONS.—

''(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

''(A) the number of families to be served by the proposed programs and services;

''(B) the extent to which the proposed programs and services serve underserved populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

''(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

''(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

''(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

''(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange, demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section);

''(4) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

''(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

''(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training, developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of the fiscal years 2013 through 2017. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 2015 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 1, 2010'' and inserting ''January 1, 2015'';

(2) in section 217 (42 U.S.C. 13013)—

(A) in subsection (c)(2)(A), by striking ''Code of Ethics'' and inserting ''Standards for Programs''; and

(B) by adding at the end the following new subsection:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2013 through 2017''.

SEC. 106. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs identified in this paragraph are the programs carried out under the following provisions:

''(A) Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (STOP grants).

''(B) Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to encourage arrest policies).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

''(c) PLANNING GRANTS.—The Attorney General may use up to 20 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

''(1) identifying, building, and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach, and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for—

''(A) implementing prevention, outreach, and intervention strategies to address the barriers to accessing services;

''(B) promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations; and

''(C) evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and victim services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

''(2) strengthening the capacity of underserved populations to provide population specific services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

''(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

''(f) REPORTS.—Each eligible entity receiving a grant under this section shall annually submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds during the preceding fiscal year.

''(g) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.

''(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of the fiscal years 2013 through 2017.''.

SEC. 107. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

*(1) in the section heading, by striking ''**and linguistically**'';*

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by amending paragraph (2) of subsection (a) to read as follows:

''(2) PROGRAMS COVERED.—The programs identified in this paragraph are the programs carried out under the following provisions:

''(A) Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) (Grants to encourage arrest policies).

''(B) Section 1201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal assistance for victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance).

''(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced training and services to end violence against women later in life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, training, and enhanced services to end violence against and abuse of women with disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

SEC. 108. REDUCTION IN RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)), is amended—

(1) in subparagraph (B), by striking ''2014'' and inserting ''2012''; and

(2) by adding at the end the following new subparagraph:

''(C) For each of the fiscal years 2013 and 2014, not less than 75 percent of the grant amounts shall be awarded for purposes under subsection (a)(2).''.

SEC. 109. ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT TRAINING PROGRAMS.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941(c)) is amended by striking ''to carry out this section'' and all that follows through the period at the end and inserting ''to carry out this section $5,000,000 for each of fiscal years 2013 through 2017.''.

SEC. 110. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking ''$2,300,000'' and all that follows through the period at the end and inserting ''$2,300,000 for each of fiscal years 2013 through 2017.''.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking ''other programs'' and all that follows through the period at the end and inserting ''other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''nonprofit, nongovernmental organizations for programs and activities'' and inserting ''nongovernmental or tribal programs and activities''; and

(B) in subparagraph (C)(v), by striking ''linguistically and''; and

(3) in paragraph (4)—

(A) in the first sentence—

(i) by inserting ''and territory'' after ''each State'';

(ii) by striking ''1.50 percent'' and inserting ''0.75 percent''; and

(iii) by striking '', except that'' and all that follows through ''of the total appropriations''; and

(B) in the last sentence, by striking ''the preceding formula'' and inserting ''this paragraph''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2013 through 2017''.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high-risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2)—

(i) by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim services and population specific services''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) to develop, expand, or strengthen programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.''; and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2013 through 2017''.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)'' after ''risk reduction'';

(B) in paragraph (4), by striking ''victim service organizations'' and inserting ''victim service providers''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2013 through 2017''.

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

''SEC. 40802. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

''(a) DEFINITIONS.—In this section:

''(1) The term 'eligible entity' means an entity that—

''(A) is—

''(i) a State;

''(ii) a unit of local government;

''(iii) a tribal government or tribal organization;

''(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

''(v) a victim service provider; or

''(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

''(B) is partnered with—

''(i) a law enforcement agency;

''(ii) an office of a prosecutor;

''(iii) a victim service provider; or

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life.

''(2) The term 'elder abuse' means domestic violence, dating violence, sexual assault, or stalking committed against individuals in later life.

''(3) The term 'individual in later life' means an individual who is 60 years of age or older.

''(b) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2). In awarding such grants, the Attorney General shall consult with the Secretary of Health and Human Services to ensure that the activities funded under this section are not duplicative with the activities funded under the elder abuse prevention programs of the Department of Health and Human Services.

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

''(ii) provide or enhance services for victims of elder abuse;

''(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

''(3) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing culturally specific or population specific services.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2013 through 2017.''.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', territorial, or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs'';

(2) in subsection (c)(1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2013 through 2017''; and

(3) in subsection (c), by adding at the end the following new paragraph:

''(3) FUNDING FORMULA.—Amounts provided under this section shall be allotted to each State, territory, and the District of Columbia based on population. If the amounts appropriated under paragraph (1) exceed $48,000,000 in any fiscal year, a minimum allocation of $150,000 shall be awarded to each State and territory and the District of Columbia. Any remaining funds shall be allotted to each State and territory and the District of Columbia based on population.''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

(a) IN GENERAL.—Subtitle L of the Violence Against Women Act of 1994 (42 U.S.C. 14043c et seq.) is amended by striking sections 41201 through 41204 and inserting the following:

''SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (CHOOSE CHILDREN AND YOUTH).

''(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and to prevent future violence.

''(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address sex trafficking, population specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma on youth. Funds may be used to—

''(A) assess and analyze available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies,

prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, as well as homeless youth, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable secondary or elementary schools that serve students in any of grades five through twelve and institutions of higher education to—

''(A) provide training to school personnel, including health care providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) develop and implement age-appropriate prevention and intervention policies in accordance with State law in secondary or elementary schools that serve students in any of grades five through twelve, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

''(C) provide support services for student victims of domestic violence, dating violence, sexual assault, or stalking, such as a resource person who is either on-site or on-call;

''(D) provide evidence-based educational programs for students regarding domestic violence, dating violence, sexual assault, and stalking; or

''(E) develop strategies to increase identification, support, referrals, and prevention programs for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

''(A) a victim service provider, tribal nonprofit organization, population specific organization, or community-based organization with a demonstrated history of effective work addressing the needs of youth, including runaway or homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; or

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965), charter school (as defined in section 5210 of such Act), a school that is operated or supported by the Bureau of Indian Education, or a legally operating private school, a school administered by the Department of Defense under section 2164 of title 10, United States Code, or section 1402 of the Defense Dependents' Education Act of 1978, a group of such schools, a local educational agency (as defined in section 9101(26) of the Elementary and Secondary Education Act of 1965), or an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965).

''(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant youth population. Such entities may include—

''(i) a State, tribe, unit of local government, or territory;

''(ii) a population specific or community-based organization;

''(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers with priority on victim safety and autonomy;

''(3) ensure that all individuals providing intervention or prevention programs to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, and stalking; and

''(4) ensure that parents are informed of the programs funded under this program that are being offered at their child's school.

''(e) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.

''(f) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of the fiscal years 2013 through 2017.

''(h) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).''.

(b) VAWA GRANT REQUIREMENTS.—Section 40002(b) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)), as amended by section 3(b)(4), is further amended by adding at the end the following:

''(14) REQUIREMENT FOR EVIDENCE-BASED PROGRAMS.—Any educational programming, training, or public awareness communications regarding domestic violence, dating violence, sexual assault, or stalking that are funded under this title must be evidence-based.''.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''and'' after ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by striking ''assault and stalking,'' and inserting ''assault, and stalking, including the use of technology to commit these crimes,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services provided by such program are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To provide evidence-based educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through the first occurrence of ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2013 through 2017'';

(4) in subsection (d)—

(A) by striking paragraph (3); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.''; and

(5) in subsection (e), by striking ''$12,000,000'' and all that follows through the period and inserting ''$12,000,000 for each of the fiscal years 2013 through 2017.''.

SEC. 304. NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.

(a) ESTABLISHMENT.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following new part:

''PART LL—NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY

''SEC. 3021. NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.

''(a) AUTHORITY TO ESTABLISH AND OPERATE CENTER.—

''(1) IN GENERAL.—The Director of the Office of Community Oriented Policing Services is authorized to establish and operate a National Center for Campus Public Safety (referred to in this section as the 'Center').

''(2) GRANT AUTHORITY.—The Director of the Office of Community Oriented Policing Services is authorized to award grants to institutions of higher education and other nonprofit organizations to assist in carrying out the functions of the Center required under subsection (b).

''(b) FUNCTIONS OF THE CENTER.—The center shall—

''(1) provide quality education and training for campus public safety agencies of institutions of higher education and the agencies' collaborative partners, including campus mental health agencies;

''(2) foster quality research to strengthen the safety and security of institutions of higher education;

''(3) serve as a clearinghouse for the identification and dissemination of information, policies, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures;

''(4) develop protocols, in conjunction with the Attorney General, the Secretary of Homeland Security, the Secretary of Education, State, local, and tribal governments and law enforcement agencies, private and nonprofit organizations and associations, and other stakeholders, to prevent, protect against, respond to, and recover from, natural and man-made emergencies or dangerous situations involving an immediate threat to the health or safety of the campus community;

''(5) promote the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence;

''(6) coordinate campus safety information (including ways to increase off-campus housing safety) and resources available from the Department of Justice, the Department of Homeland Security, the Department of Education, State, local, and tribal governments and law enforcement agencies, and private and nonprofit organizations and associations;

''(7) increase cooperation, collaboration, and consistency in prevention, response, and problem-solving methods among law enforcement, mental health, and other agencies and jurisdictions serving institutions of higher education;

''(8) develop standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and other public safety organizations and mental health agencies; and

''(9) report annually to Congress and the Attorney General on activities performed by the Center during the previous 12 months.

''(c) COORDINATION WITH AVAILABLE RESOURCES.—In establishing the Center, the Director of the Office of Community Oriented Policing Services shall—

''(1) consult with the Secretary of Homeland Security, the Secretary of Education, and the Attorney General of each State; and

''(2) coordinate the establishment and operation of the Center with campus public safety resources that may be available within the Department of Homeland Security and the Department of Education.

''(d) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—In this section, the term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).''.

(b) JUSTICE PROGRAM CONSOLIDATIONS.—Effective 30 days after the date of enactment of this section, the Office of Dispute Resolution of the Department of Justice and the jurisdiction and employees of such office shall be—

(1) transferred to the Office of Legal Policy of the Department of Justice; and

(2) funded through the general administration appropriation of the Office of Legal Policy.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$1,000,000 for each of the fiscal years 2013 through 2017''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

''(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) evidence-based age education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, health care providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

''(1) a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

''(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

''(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

''(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

''(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other nonprofit, nongovernmental organization.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Health care entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that are consistent with the best practices developed under section 402 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4) and—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2013 through 2017.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

''SEC. 399P. GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality; and

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

''(iv) the provision of training and followup technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities (which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas) for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools, including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome-based evaluations.

''(4) APPLICATION.—

''(A) SUBSECTION (a) (1) AND (2) GRANTEES.—An entity desiring a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(B) SUBSECTION (a)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population-specific organizations with demonstrated expertise in addressing domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (a)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic violence, dating violence, or sexual assault on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating, and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2013 through 2017.

''(h) DEFINITIONS.—Except as otherwise provided in this section, the definitions in section 40002 of the Violence Against Women Act of 1994 apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (relating to research on effective interventions to address violence; 42 U.S.C. 13973; as added by section 505 of Public Law 109–162 (119 Stat. 3028)).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

''CHAPTER 1—GRANT PROGRAMS'';

(2) in section 41402 (42 U.S.C. 14043e–091), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter'';

(3) in section 41403 (42 U.S.C. 14043e–092), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

''CHAPTER 2—HOUSING RIGHTS

''SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

''(B) any individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) each of the programs under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) for insurance of mortgages that bear interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–091);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing program or housing on the basis that the applicant or tenant is

or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If a public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

''(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

''(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

''(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof, and include such notice in documents required by law to be provided to tenants assisted under a covered housing program.

''(2) PROVISION.—The applicable public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1) to an applicant for or tenant of housing assisted under a covered housing program—

''(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

''(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program; and

''(C) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY RELOCATION AND TRANSFERS.—Each appropriate agency shall develop a model emergency relocation and transfer plan for voluntary use by public housing agencies and owners or managers of housing assisted under a covered housing program that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to relocate or transfer to another available and safe dwelling unit assisted under a covered housing program and retain their status as tenants under the covered housing program if—

''(A) the tenant expressly requests to move;

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) the sexual assault, domestic violence, dating violence, or stalking occurred on the premises during the 90-day period preceding the request to move; and

''(C) the tenant has provided documentation as described in subparagraph (A), (B), (C) or (D) of subsection (c)(3) if requested by a public housing agency or owner or manager;

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant;

''(3) describes how the appropriate agency will coordinate relocations or transfers between dwelling units assisted under a covered housing program;

''(4) takes into consideration the existing rules and regulations of the covered housing program;

''(5) is tailored to the specific type of the covered housing program based on the volume and availability of dwelling units under the control or management of the public housing agency, owner, or manager; and

''(6) provides guidance for use in situations in which it is not feasible for an individual public housing agency, owner, or manager to effectuate a transfer.

''(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers for assistance under section 8(o)(16) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(16)), assistance under such section.

''(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking '', and that an incident'' and all that follows through ''victim of such violence''; and

(ii) in paragraph (6), by striking ''; except that'' and all that follows through ''stalking.''; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant'' and all that follows through ''assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking '', and that an incident'' and all that follows through ''victim of such violence''; and

(II) in clause (iii), by striking '', except that:'' and all that follows through ''stalking.'';

(C) in subsection (f)—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking ''and that an incident'' and all that follows through ''victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act or the amendments made by this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act or the amendments made by this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975; as added by section 611 of Public Law 108–21 (117 Stat. 693)) is amended—

(1) in the chapter heading, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**''; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**'';

(B) in subsection (a)(1), by striking ''fleeing'';

(C) by striking subsection (f); and

(D) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2013 through 2017''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

''(i) has been submitted by an eligible applicant;

''(ii) does not propose any significant activities that may compromise victim safety;

''(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

''(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.''.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2013 through 2017''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2013 through 2017''.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2013 through 2017''.

TITLE VIII—IMMIGRATION PROVISIONS

SEC. 801. FRAUD PREVENTION INITIATIVES.

(a) CREDIBLE EVIDENCE CONSIDERED.—Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b) is amended by striking subparagraph (D) and inserting the following:

''(D) CREDIBLE EVIDENCE CONSIDERED.—In acting on applications under this paragraph, the Attorney General shall consider any credible evidence relevant to the application, including credible evidence submitted by a national of the United States or an alien lawfully admitted for permanent residence accused of the conduct described in subparagraph (A)(i) so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.''.

(b) APPLICATION OF SPECIAL RULE FOR BATTERED SPOUSE, PARENT, OR CHILD.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)) is amended—

(1) in subparagraph (A)(iii), by inserting after subclause (II) the following:

''(III)(aa) Upon filing, each petition under this clause shall be assigned to an investigative officer for adjudication and final determination of eligibility.

''(bb) During the adjudication of each petition under this paragraph, an investigative officer from a local office of United States Citizenship and Immigration Services shall conduct an in-person interview of the alien who filed the petition. The investigative officer may also gather

other evidence so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The investigative officer who conducted the in-person interview shall provide to the investigative officer who is responsible for the adjudication and final determination of eligibility a summary of the interview and any other evidence gathered and a determination of the credibility of the interviewee and other evidence gathered.

''(cc) All interviews under this clause shall be conducted under oath and subject to applicable penalties for perjury.

''(dd) The investigative officer who is responsible for the adjudication and final determination of eligibility shall determine whether the petitioner had filed previous applications or petitions for immigration benefits that had been denied and whether the petitioner had been the beneficiary of a previous petition filed pursuant to this section that had been denied. If either was the case, the investigative officer shall consider the denials and the reasons for the denials as part of the adjudication of the petition.

''(ee) The investigative officer who is responsible for the adjudication and final determination of eligibility shall as part of the adjudication of the petition consult with the investigative officer at the local office of United States Citizenship and Immigration Services who had conducted the in-person interview of the alien who filed the petition.

''(ff) Upon the conclusion of the adjudication process under this subparagraph, the investigative officer who is responsible for the adjudication and final determination of eligibility shall issue a final written determination to approve or deny the petition. The investigative officer shall not approve the petition unless the officer finds, in writing and with particularity, that all requirements under this paragraph, including proof that the alien is a victim of the conduct described in clause (iii)(I)(bb), have been proven by a preponderance of the evidence.

''(IV) During the adjudication of a petition under this clause—

''(aa) the petition shall not be granted unless the petition is supported by a preponderance of the evidence; and

''(bb) all credible evidence submitted by an accused national of the United States or alien lawfully admitted for permanent residence shall be considered so long as this evidence was not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

''(V)(aa) During the adjudication of a petition under this paragraph, the investigative officer who is responsible for the adjudication and final determination of eligibility shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the abusive conduct alleged by the petitioning alien.

''(bb) If an investigation or prosecution was commenced, the investigative officer shall—

''(AA) obtain as much information as possible about the investigation or prosecution; and

''(BB) consider that information as part of the adjudication of the petition.

''(cc) If an investigation or prosecution is pending, the adjudication of the petition shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor's office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the petition.

''(VI) If a petition filed under this paragraph is denied, any obligations under an underlying affidavit of support previously filed by the accused national of the United States or alien lawfully admitted for permanent residence shall be terminated.'';

(2) in subparagraph (A)(iv), by adding at the end the following: ''The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (iii).'';

(3) in subparagraph (A)(vii), by adding at the end the following continuation text:

''The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (iii).'';

(4) in subparagraph (B)(ii), by inserting after subclause (II) the following:

''(III)(aa) Upon filing, each petition under this clause shall be assigned to an investigative officer for adjudication and final determination of eligibility.

''(bb) During the adjudication of each petition under this paragraph, an investigative officer from a local office of United States Citizenship and Immigration Services shall conduct an in-person interview of the alien who filed the petition. The investigative officer may also gather other evidence so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The investigative officer who conducted the in-person interview shall provide to the investigative officer who is responsible for the adjudication and final determination of eligibility a summary of the interview and any other evidence gathered and a determination of the credibility of the interviewee and other evidence gathered.

''(cc) All interviews under this clause shall be conducted under oath and subject to applicable penalties for perjury.

''(dd) The investigative officer who is responsible for the adjudication and final determination of eligibility shall determine whether the petitioner had filed previous applicaions or petitions for immigration benefits that had been denied and whether the petitioner had been the beneficiary of a previous petition filed pursuant to this section that had been denied. If either was the case, the investigative officer shall consider the denials and the reasons for the denials as part of the adjudication of the petition.

''(ee) The investigative officer who is responsible for the adjudication and final determination of eligibility shall as part of the adjudication of the petition consult with the investigative officer at the local office of United States Citizenship and Immigration Services who had conducted the in-person interview of the alien who filed the petition.

''(ff) Upon the conclusion of the adjudication process under this subparagraph, the investigative officer who is responsible for the adjudication and final determination of eligibility shall issue a final written determination to approve or deny the petition. The investigative officer shall not approve the petition unless the officer finds, in writing and with particularity, that all requirements under this paragraph, including proof that the alien is a victim of the conduct described in clause (ii)(I)(bb), have been proven by a preponderance of the evidence.

''(IV) During the adjudication of a petition under this clause—

''(aa) the petition shall not be granted unless the petition is supported by a preponderance of the evidence; and

''(bb) all credible evidence submitted by an accused national of the United States or alien lawfully admitted for permanent residence shall be considered so long as this evidence was not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

''(V)(aa) During the adjudication of a petition under this clause, the investigative officer who is responsible for the adjudication and final determination of eligiblity shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the abusive conduct alleged by the petitioning alien.

''(bb) If an investigation or prosecution was commenced, the investigative officer shall—

''(AA) obtain as much information as possible about the investigation or prosecution; and

''(BB) consider that information as part of the adjudication of the petition.

''(cc) If an investigation or prosecution is pending, the adjudication of the petition shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor's office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the petition.

''(VI) If a petition filed under this clause is denied, any obligations under an underlying affidavit of support previously filed by the accused national of the United States or alien lawfully admitted for permanent residence shall be terminated.''; and

(5) in subparagraph (B)(iii), by adding at the end the following: ''The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (ii).''.

SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended as follows:

(1) By striking ''The petition'' and inserting the following:

''(A) IN GENERAL.—The petition''.

(2) By adding at the end the following:

''(B) CERTIFICATION REQUIREMENTS.—Each certification submitted under subparagraph (A) shall confirm under oath that—

''(i) the criminal activity is actively under investigation or a prosecution has been commenced; and

''(ii) the petitioner has provided to law enforcement information that will assist in identifying the perpetrator of the criminal activity or the perpetrator's identity is known.

''(C) REQUIREMENT FOR CERTIFICATION.—No application for a visa under section 101(a)(15)(U) may be granted unless accompanied by the certification as described in this paragraph.''.

SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).''; and

(B) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the name of the component of the Department of Justice responsible for prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this title.

(b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

(1) By amending paragraph (1) to read as follows:

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.''.

(2) In paragraph (2)(B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.''.

SEC. 805. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51)).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 806. TEMPORARY NATURE OF U VISA STATUS.

(a) IN GENERAL.—Section 245(m) of the Immigration and Nationality Act (8 U.S.C. 1255(m)) is amended by striking ''the alien is not described'' and inserting ''the individual who was convicted of the criminal activity referred to in section 101(a)(15)(U)(i)(I) that was the basis for the alien being admitted into the United States (or otherwise provided nonimmigrant status) under section 101(a)(15)(U) was himself or herself an alien and has been physically removed to the foreign state of which the alien with nonimmigrant status under section 101(a)(15)(U) is a national, and if the alien with nonimmigrant status under section 101(a)(15)(U) is not described''.

(b) DURATION OF NONIMMIGRANT STATUS.—Section 214(p)(6) of such Act (8 U.S.C. 1184(p)(6)) is amended by striking ''if the alien is eligible for relief under section 245(m) and is unable to obtain such relief because regulations have been issued to implement such section and shall be extended''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to applications for adjustment of status submitted on or after the date of the enactment of this Act, and to previously filed applications that are pending on the date of enactment of this Act.

SEC. 807. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2012, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

(6) The actions being taken to combat fraud and to ensure program integrity.

(7) Each type of criminal activity by reason of which an alien received nonimmigrant status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C 1101(a)(15)(U)) during the preceding fiscal year and the number of occurrences of that criminal activity that resulted in such aliens receiving such status.

SEC. 808. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

''(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or''.

SEC. 809. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

''(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

''(i) is a VAWA self-petitioner;

''(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

''(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).''.

SEC. 810. AGE-OUT PROTECTION FOR U VISA APPLICANTS.

Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

''(7) AGE DETERMINATIONS.—

''(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

''(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.''.

SEC. 811. HARDSHIP WAIVERS.

Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking ''(1), or'' and inserting ''(1); or'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and ''or''; and

(4) by inserting after subparagraph (C) the following:

''(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).''.

SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSE.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may''; and

(B) by inserting ''Secretary's or the'' before ''Attorney General's discretion'';

(2) in paragraph (2)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may'';

(B) by inserting ''Secretary or the'' before ''Attorney General for''; and

(C) by inserting ''in a manner that protects the confidentiality of such information'' after ''law enforcement purpose'';

(3) in paragraph (5), by striking ''Attorney General is'' and inserting ''Secretary of Homeland Security and the Attorney General are''; and

(4) by adding at the end a new paragraph as follows:

''(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.''.

(b) GUIDELINES.—Subsection (d) (as added by section 817(4) of the Violence Against Women

and Department of Justice Reauthorization Act of 2005) of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting ''and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))'' after ''domestic violence''.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking ''241(a)(2)'' in the matter following subparagraph (F) and inserting ''237(a)(2)''.

SEC. 813. GAO REPORT ON REQUIREMENTS TO COOPERATE WITH LAW ENFORCEMENT OFFICIALS.

(a) REQUIREMENT FOR REPORT.—Not later than three years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the effectiveness of the requirements set out in Section 802 of this Act in ensuring that potential U visa recipients aid in the investigation, apprehension, and prosecution of criminals;

(2) determine the effect of the requirements set out in Section 802 of this Act, on the number of U visas issued annually; and

(3) determine the effect of the requirements set out in Section 802 of this Act, on the number of individuals seeking U visas.

SEC. 814. CONSIDERATION OF OTHER EVIDENCE.

Section 237(a)(2)(E)(i) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(E)(i)) is amended by adding at the end the following: ''If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider any other evidence that the Attorney General determines to be reliable in making this determination, including sentencing reports and police reports.''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting ''sex trafficking,'' after ''sexual assault,'';

(2) in paragraph (4), by inserting ''sex trafficking,'' after ''sexual assault,'';

(3) in paragraph (5), by striking ''and stalking'' and all that follows and inserting ''sexual assault, sex trafficking, and stalking;'';

(4) in paragraph (7)—

(A) by inserting ''sex trafficking,'' after ''sexual assault,'' each place it appears; and

(B) by striking ''and'' at the end;

(5) in paragraph (8)—

(A) by inserting ''sex trafficking,'' after ''stalking,''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

''(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

''(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.''.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.''; and

(2) in paragraph (2)(B), by striking ''individuals or''.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2012'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2012, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2012''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2013 and 2014''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2013 through 2017''.

SEC. 905. ASSISTANT UNITED STATES ATTORNEY DOMESTIC VIOLENCE TRIBAL LIAISONS.

(a) APPOINTMENT.—The Attorney General is authorized and encouraged to appoint the Assistant United States Attorney Tribal Liaison appointed in each judicial district that includes Indian country to also serve as a domestic violence tribal liaison.

(b) DUTIES.—The duties of a domestic violence tribal liaison appointed under this section shall include the following:

(1) Encouraging and assisting in arrests and Federal prosecution for crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

(2) Conducting training sessions for tribal law enforcement officers and other individuals and entities responsible for responding to crimes in Indian country to ensure that such officers, individuals, and entities understand their arrest authority over non-Indian offenders.

(3) Developing multidisciplinary teams to combat domestic and sexual violence offenses against Indians by non-Indians.

(4) Consulting and coordinating with tribal justice officials and victims' advocates to address any backlog in the prosecution of crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

(5) Developing working relationships and maintaining communication with tribal leaders, tribal community and victims' advocates, and tribal justice officials to gather information from, and share appropriate information with, tribal justice officials.

(c) INDIAN COUNTRY.—In this section, the term ''Indian country'' has the meaning given such term in section 1151 of title 18.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

TITLE X—CRIMINAL PROVISIONS

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

''(b) OF A WARD.—

''(1) OFFENSES.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

''(A) in official detention or supervised by, or otherwise under the control of, the United States—

''(i) during arrest;

''(ii) during pretrial release;

''(iii) while in official detention or custody; or

''(iv) while on probation, supervised release, or parole;

''(B) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

''(C) at the time of the sexual act—

''(i) in the special maritime and territorial jurisdiction of the United States;

''(ii) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

''(iii) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

''(2) PENALTIES.—Whoever violates paragraph (1)(A) shall—

''(A) be fined under this title, imprisoned for not more than 15 years, or both; and

''(B) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.''.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''§ 250. Penalties for sexual abuse

''(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

''(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''250. Penalties for sexual abuse.''.

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2012, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with, or pursuant to an intergovernmental service agreement with, the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2012, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1003. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) IN GENERAL.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking.

''(a) Whoever uses the mail, any interactive computer service, or any facility of interstate or foreign commerce to engage in a course of conduct or travels in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, or intimidate another person, or place another person under surveillance with the intent to kill, injure, harass, or intimidate such person and in the course of, or as a result of, such travel or course of conduct—

''(1) places that person in reasonable fear of the death of, or serious bodily injury to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner; or

''(2) causes or attempts to cause serious bodily injury or serious emotional distress to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner;

shall be punished as provided in subsection (b).

''(b) The punishment for an offense under this section is the same as that for an offense under section 2261, except that if—

''(1) the offense involves conduct in violation of a protection order; or

''(2) the victim of the offense is under the age of 18 years or over the age of 65 years, the offender has reached the age of 18 years at the time the offense was committed, and the offender knew or should have known that the victim was under the age of 18 years or over the age of 65 years;

the maximum term of imprisonment that may be imposed is increased by 5 years over the term of imprisonment otherwise provided for that offense in section 2261.''.

(b) CLERICAL AMENDMENT.—The item relating to section 2261A in the table of sections at the beginning of chapter 110A of title 18, United States Code, is amended to read as follows:

''2261A. Stalking.''.

SEC. 1004. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3), by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (5), by striking ''1 year'' and inserting ''5 years'';

(F) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(G) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the

nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

SEC. 1005. MANDATORY MINIMUM SENTENCE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 10 years or imprisoned for life''; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 5 years or imprisoned for life''.

SEC. 1006. FEDERAL PROTECTION ORDERS.

(a) FEDERAL PROTECTION ORDERS.—Chapter 110A of title 18, United States Code, is amended by inserting after section 2262 the following:

''§ 2262A. Federal domestic violence protection orders involving Indians and Indian country

''(a) PETITION FOR PROTECTION ORDER.—

''(1) IN GENERAL.—A victim of an act of domestic violence, or an Indian tribe as parens patriae on behalf of the victim of an act of domestic violence, may petition a district court of the United States to issue a protection order against the person (whether an Indian or a non-Indian) who is alleged to have committed the act of domestic violence if—

''(A) the victim is an Indian or a minor who resides with or is in the care and custody of an Indian;

''(B) the victim resides or is employed at a place located in the Indian country of the Indian tribe that files the petition; and

''(C) the person against whom the order is sought is alleged to have committed an act of domestic violence in the Indian country.

''(2) CONTENTS OF PETITION.—A petition filed under this section shall contain—

''(A) the facts that meet the requirements under paragraph (1);

''(B) the name of each victim on whose behalf the protection order is sought;

''(C) the name and, if known, the residential address of the person against whom the order is sought;

''(D) a detailed description of the alleged act of domestic violence, including the date or approximate date and the location of the act of domestic violence; and

''(E) the relief sought.

''(3) ISSUANCE OF PROTECTION ORDER.—The court may issue a protection order in accordance with this section and subsections (b) and (c) of section 2265 and Rule 65(d)(1) of the Federal Rules of Civil Procedure if the court finds that such order is reasonably necessary to provide protection against violence, threats, or harassment against, contact or communication with, or physical proximity to—

''(A) a spouse or intimate partner who resides or is employed at a location in the Indian country of the Indian tribe involved in the proceeding; or

''(B) a minor who resides with or is in the care or custody of a spouse or intimate partner who resides or is employed at a location in the Indian country.

''(4) SCOPE OF PROTECTION ORDERS.—Any protection order under this section may—

''(A) prohibit the person against whom the order is sought from—

''(i) threatening to commit or committing an act of domestic violence against or otherwise harassing the spouse or intimate partner or minor who resides with or is in the care or custody of the spouse or intimate partner;

''(ii) communicating, directly or indirectly, with the spouse or intimate partner or minor who resides with or is in the care or custody of the spouse or intimate partner; and

''(iii) knowingly coming within a specified distance from the spouse or intimate partner or minor who resides with or is in the care or custody of the spouse or intimate partner;

''(B) direct the person against whom the order is sought to stay away from the residence, school, or place of employment of the spouse or intimate partner, or any other specified place frequented by the spouse or intimate partner, regardless of whether the residence, school, place of employment, or other specified place is located in Indian country; and

''(C) exclude or bar the person against whom the order is sought from the Indian country of the Indian tribe involved in the proceeding or any portion or area of that Indian country.

''(5) EMERGENCY EX PARTE ORDERS.—If a petition requests an emergency ex-parte protection order and from the facts alleged in the petition there appears to be a danger of a further, imminent act of domestic violence against a victim, the court may grant an emergency ex-parte protection order against the person against whom the order is sought in accordance with the requirements of section 2265(b)(2).

''(6) DURATION OF PROTECTION ORDER.—A protection order under this section may be permanent or of such other shorter duration as the court determines necessary to protect a victim from a further act of domestic violence by the person against whom the order is sought.

''(b) VIOLATION OF PROTECTION ORDER.—A person who intentionally violates a protection order under this section shall be punished as provided in section 2262(b).''.

(b) VIOLATION OF FEDERAL PROTECTION ORDER.—Section 2262(b) of title 18, United States Code, is amended in the matter preceding paragraph (1), by striking ''this section'' and inserting ''this section or a protection order issued under section 2262A''.

(c) DEFINITIONS.—Section 2266 of title 18, United States Code, is amended by inserting after paragraph (10) the following:

''(11) ACT OF DOMESTIC VIOLENCE.—The term 'act of domestic violence' means an act or attempted act of violence or stalking, or a threatened act of violence, by a person against a spouse or intimate partner, or a minor residing with or in the care or custody of the spouse or intimate partner.

''(12) INDIAN.—The term 'Indian' means a person who is a member of any Indian tribe, regardless of whether that Indian tribe is the plaintiff Indian tribe under section 2262A.

''(13) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

''(14) MINOR.—The term 'minor' means a person under the age of 18 years.''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2262 the following:

''2262A. Federal domestic violence protection orders involving Indians and Indian country.''.

The SPEAKER pro tempore. The gentlewoman from Florida (Mrs. ADAMS) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Mrs. ADAMS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4970, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Mrs. ADAMS. I yield myself such time as I may consume.

Madam Speaker, I'm proud to stand in support of this important and lifesaving bill.

According to national statistics, an average three women are killed by a current or former intimate partner a day, every day, and 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner. For me, these statistics are way too real.

Some of you may already know that at the age of 17 I dropped out of high school and joined the Air Force. I soon married by 18 and had a young daughter. For me, it was a blessing, but I soon found out that the man I married had a penchant for drinking and was very violent when he drank. I gave him the chance to be the father I thought he could be, and it didn't happen. So I took my daughter, our clothing, and we left.

Like many women who leave an abusive relationship, there were times that the only thing that kept me going was knowing that I was responsible for my daughter, and she depended on me to make a better life for both of us where we both felt safe.

Years later, I experienced another side of domestic violence while working as a deputy sheriff for the Orange County Sheriff's Office. I encountered many victims who had been abused, whether it was from domestic violence, rape, or stalking. These victims were always victims. That's what victims are, all inclusive. Back then, issues like domestic violence and sexual assault weren't really discussed; they were hidden behind closed doors, leaving many of the victims to either underreport or not report at all. They didn't turn for help because they felt helpless. So when the Violence Against Women Act was enacted in 1994, it brought attention to an issue that was underreported, or maybe not even reported at all.

Eighteen years ago, VAWA established within the Department of Justice and the Department of Health and Human Services a number of life-saving grant programs for State, local, and Indian tribal governments. Since then, the act has encouraged collaboration among law enforcement officers, judicial personnel, and public and private sector providers to provide help for the victims of domestic and sexual

violence. It also addressed the needs of victims of domestic and sexual violence who are elderly, disabled, children, youth, and individuals of ethnic and racial communities, including Native Americans.

Congress has twice reauthorized the VAWA grant programs with strong bipartisan support, once in 2000 and again in 2006. Keeping with the bipartisan nature of the act, the House bill, H.R. 4970, reauthorizes the grant programs in VAWA for a third time at the same funding levels as our colleagues in the Senate agreed to last month.

In addition to making several key improvements to the Senate bill, including nearly doubling resources for eliminating the backlog of unprocessed rape evidence kits, the House bill brings greater accountability to VAWA grant administration by ensuring that funding is spent on the victims of domestic violence, dating violence, sexual assault, and stalking, and not on Washington bureaucrats.

To achieve these goals, H.R. 4970 requires that the inspectors general of DOJ and HHS conduct an annual audit of at least 10 percent of all VAWA grant recipients and limits the use of funds for OVW salaries and administrative expenses to 5 percent of the annual authorization. H.R. 4970 also requires the Attorney General, in consultation with the Secretary of Health and Human Services, to improve the coordination of grants within the Department in order to eliminate duplication and overlap.

Make no mistake about it: this is a victim-centered bill which includes all victims—an all-inclusive, victim-centered bill. Turning this reauthorization into a political issue is not only wrong, but it is dangerous. It is dangerous. We cannot allow domestic violence in this country to become a campaign issue. It must be a reflection of our best efforts as Americans united against breaking a cycle of violence and helping victims become survivors.

I hope my colleagues on both sides of the aisle will join me today in supporting this life-saving legislation.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

I rise in strong opposition to H.R. 4970, the Violence Against Women Reauthorization Act, because it is a title that does not represent what it ought to underneath.

We've had these kinds of incidents before. In the past, we've always been able to set aside partisan differences and work together to protect the most vulnerable women of our society, abused and battered women. Today, unfortunately, this bill sets aside 20 years of bipartisan progress in our efforts to protect these women.

The bill, as amended by the manager's amendment, rolls back existing protections for battered immigrant women. It fails to include provisions from the bipartisan Senate-passed bill—which all the women in the Senate voted for—which protect native women's lives by authorizing limited tribal criminal domestic violence. It eliminates the language from the bipartisan Senate-passed bill that would help lesbian, gay, bisexual, and transgender victims of domestic violence receive Violence Against Women Act services without facing additional discrimination.

□ 1530

Now, I'm going to reserve my time here, but I want to just point this out: there are more than 300 organizations—women's organizations, law enforcement organizations, church organizations—that have registered their opposition to H.R. 4970 for the reason that I've suggested. The National Organization for Women, the Leadership Conference on Civil and Human Rights, the National Task Force to End Sexual and Domestic Violence Against Women, the American Civil Liberties Union, more than 20 faith-based leaders of organizations, the National Congress of American Indians, and it goes on and on, police chiefs, captains, detectives, lieutenants and prosecutors.

I urge my colleagues to stand up for all victims of domestic violence and oppose this dangerous proposal that is on the floor today.

Madam Speaker, I reserve the balance of my time.

Mrs. ADAMS. I yield 2 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Judiciary Committee.

Mr. SMITH of Texas. Madam Speaker, first of all, let me thank the gentlewoman from Florida, who is a member of the Judiciary Committee herself, for yielding me time.

Madam Speaker, I am pleased to cosponsor H.R. 4970, and I want to again thank my colleague from Florida, SANDY ADAMS, for her work on this legislation.

H.R. 4970, the Violence Against Women Reauthorization Act of 2012, provides funding for VAWA grant programs for 5 years at the same levels as the Senate-passed bill. There are only a few minor differences between this House bill and the Senate bill.

H.R. 4970 doesn't include language to provide special protected status to certain categories of people because they are already covered under VAWA. H.R. 4970 doesn't include language to allow Indian tribes to prosecute non-Indians because that is unconstitutional. H.R. 4970 does include provisions that prevent fraud and abuse in the immigration process.

This bill authorizes hundreds of millions of dollars for valuable services to victims of domestic violence, dating violence, sexual assault, and stalking. Those who have supported VAWA in the past should be eager to support this legislation today.

Violence against women doesn't occur along party lines, and neither should reauthorization of these programs. Instead of working with Republicans in a bipartisan effort to protect women from domestic violence, rape, and stalking, some Democrats have chosen to place partisan posturing above the urgent needs of victims of violence.

If Members choose to oppose this bill for political reasons, that's their decision; but there is no good reason to oppose this bill for substantive reasons. A vote against this bill, in my judgment, is a vote against common sense and a vote against helping abused women.

Mr. CONYERS. Madam Speaker, I yield myself 15 seconds to remind my colleagues on the other side that the 200 or 300 organizations and people that oppose this bill supported the previous legislation. Now, come on.

At this point, I yield 2 minutes to the gentlewoman from California, ZOE LOFGREN, a senior member of the committee.

Ms. ZOE LOFGREN of California. Before today, every VAWA bill we've considered over the last 20 years had three things in common: they've all been bipartisan, they've all been written in consultation with the advocates and service providers on the front lines against domestic violence, and they've all increased protections for victims of domestic violence.

This bill, even as amended, shares none of those attributes. It actually reduces protections that exist in current law for victims of domestic violence, rape, and sexual assault. It was developed without any support or consultation from the minority or from the domestic violence advocates. And it is not bipartisan.

Now, the bill's opposed by every leading domestic violence organization. It's opposed by the National Association of Evangelicals and the Willow Creek Church, the U.S. Catholic Bishops Conference, all the leading women's groups. It's opposed by law enforcement officials with years of experience fighting domestic violence. It's opposed by tribal authorities, immigration advocates, LGBT groups. The list goes on and on.

So the question really is this: If everyone from the National Organization for Women and Planned Parenthood to the National Association of Evangelicals and the Catholic Church have extreme concerns about this bill, who thinks this is a step in the right direction?

And as far as I can tell, the only groups who openly support the bill and the amendments are groups like SAVE and A Voice for Men, who align themselves, not with battered women, but with the men who abuse them.

I will insert into the RECORD an article from Leith Anderson, the president

of the National Association of Evangelicals, and Lynne Hybels, the co-founder of the Willlow Creek Community Church. This is what they say:

Nicole came to the U.S. from Indonesia on a temporary fiancée visa, expecting to enjoy life as a spouse. Instead was trafficked.

They oppose the bill.

[From CNN, May 16, 2012]

PROTECT IMMIGRANT WOMEN FROM VIOLENCE

(By Leith Anderson and Lynne Hybels)

Nicole came to the United States from Indonesia on a temporary fiancée visa, fully expecting that she would enjoy life in a new country with the U.S. citizen she intended to marry. Instead, she found herself trapped as a victim of sex trafficking.

Nicole (not her real name), like thousands of other women, was forced to engage in commercial sex acts against her will. We heard about her when she received support from the Salvation Army STOP-IT Program in Illinois, which serves victims who have been harmed by the sex trade. (The Salvation Army is a denominational member of the National Association of Evangelicals.) Eventually, Nicole escaped from her trafficker and assisted law enforcement in the prosecution of the crime committed against her.

Though Nicole's fiancée visa had lapsed, leaving her susceptible to deportation, our nation's anti-trafficking law provided a legal option for her to be granted permanent legal status by helping law enforcement to prosecute her trafficker. With the help of a nonprofit legal service provider and the Salvation Army, Nicole was able to petition on her own for legal status—and obtain it—through a special ''U'' visa for immigrant victims of crime, allowing her to get back on her feet and begin rebuilding her life.

This week the House of Representatives is considering a proposal to reauthorize the Violence Against Women Act, first enacted in 1994, but in a new version that would significantly undermine the same U visa program that provided Nicole with safety and permanency in the United States.

The U.S. government estimates that as many as 17,500 foreign-born victims are illegally trafficked in from abroad each year, and academic estimates suggest that at least 100,000 victims of human trafficking live in the United States today.

By force, fraud or coercion, traffickers keep victims enslaved in prostitution or forced labor.

If the House proposal is enacted, thousands like Nicole could remain enslaved, too afraid to speak out because some of their most effective safeguards will have disappeared. The proposal introduced by Rep. Sandy Adams, R-Florida, would dramatically roll back important protections for battered immigrant women and their children. It could face a vote Wednesday afternoon.

Several provisions would leave immigrant victims of human trafficking and domestic abuse no legal way to break the cycle of violence in which they are trapped.

Specifically, this version would remove the incentive of permanent safe haven in the United States for women who help bring abusers to justice. By changing the U visa from permanent to temporary, the bill could validate an abuser's threat that a call to police could result in deportation. Many women would keep quiet rather than risk immigration consequences.

The bill would also allow abusive partners in domestic violence cases to provide input as to whether their victim should qualify for immigration relief, stripping confidentiality provisions that currently protect victims. Abusive spouses, who are in a position to petition to adjust the status of their immigrant wives through marriage, can choose not to do so as a tool of abuse and fear. Abusers frequently deny guilt and falsely accuse victims of fraud or abuse.

We don't want a bill that endangers some of the women and children it purports to help. Overall, this bill's proposed changes to current law would discourage immigrant victims from escaping abuse and reporting crimes, and make all of us less safe.

Women—and, often, their children—come to our churches for sanctuary and hope. We believe Adams' proposal would put more lives in danger. It would perpetuate abusers' use of immigration status as part of the cycle of exploitation.

As evangelical Christians, we are committed to Jesus' great commandment to love God and to love our neighbor, with a particular concern for those who are most vulnerable. Through local churches and ministries, we extend that love when we provide counseling and support for victims of human trafficking and domestic violence. In doing so, we point to the ultimate healing and restoration that we believe is found only in Jesus.

We also love our neighbor by speaking up when laws are proposed that could cause harm, intentionally or not. Loving our neighbor not only means reaching out to those in need, but also means addressing systemic problems that harm those in need.

That's why we're asking Speaker John Boehner and the House leadership to make sure that the Violence Against Women Act continues to protect vulnerable immigrant women who are victims of human trafficking or domestic violence. They need our protection.

Mrs. ADAMS. I yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO). She is a cosponsor of the legislation.

Mrs. CAPITO. Madam Speaker, I would like to thank the sponsor of the bill, my colleague from Florida, for her work and her courage in bringing this forward.

I rise in support of H.R. 4970. Quickly, I'd like to tell a story about a situation in my hometown where a young boy was in the car with his mother. She was being beaten by her boyfriend, or her friend. She pulls the car over. He steps out of the car to try to flag somebody down to help his mother. He's 11 years old. He's hit and killed in the middle of a domestic violence situation. Tremendously tragic.

We know that sexual and domestic violence can happen to anyone at any age, race, income group, religion, or gender. Worldwide, one in four women is abused. In 2001, in my own home State, 13,000 domestic violence offenses were reported to law enforcement; and half of these offenses were between family members and household members, like that young man on the interstate that night. To be safe in your community, women first need to be safe in their own homes.

We have made great progress, I think, with the Violence Against Women Act that was enacted in 1994; but this current reauthorization builds on the successes of the last decade and will prevent more women and families from suffering. These women are our mothers, our daughters, our sisters, our friends, and our colleagues.

VAWA is working to break the cycle of violence in this country. And by speaking and lending a hand to our neighbors, our friends, our family members, we can break the cycle and take a vocal stand against abuse.

We've heard how this bill has been bipartisan in the past. It can be bipartisan right now. It can be bipartisan today. We can work out the difference. We can do the right thing. That's what we're here for, for that little boy on that interstate that night.

Mr. CONYERS. Madam Speaker, Mr. NADLER has agreed to permit DALE KILDEE, the gentleman from Michigan, because of an emergency, to be recognized out of order for 1 minute.

Mr. KILDEE. I thank the gentleman for his courtesy.

Madam Speaker, I rise in strong opposition to this bill which is grossly inadequate in renewing vital protections for domestic violence victims. For the first time, we have a VAWA authorization that actually makes women less safe by taking away protections from previously covered groups like Native Americans living on reservations.

My Republican colleague will argue that this bill protects Native women by giving them access to Federal courts, but in many cases the nearest Federal court is over 300 miles away. Do we really expect a woman who has just been abused to get in a car and drive 300 miles for protection? And even then there is no guarantee that a Federal prosecutor will do anything.

Every community in the Nation, except for constitutionally recognized tribal governments, has the authority to protect its residents. The only logical solution is to return local control to tribal governments to stop domestic violence before it escalates.

Instead of voting on partisan H.R. 4970, we should be considering the Senate bill, S. 1925, which included protection for Indian women.

□ 1540

Mrs. ADAMS. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. BONO MACK), who is a cosponsor of this important pro-victim legislation.

Mrs. BONO MACK. Madam Speaker, I rise in support of reauthorizing the Violence Against Women Act, which is just as I did in 2000 and once again in 2005. It was a critically important bill back then, and it is a critically important bill now. That's why I am urging my colleagues today to stand up for all women in America.

I thank my colleague, SANDY ADAMS, for her very hard work and dedication

and also for sharing her personal experiences and turning them into a reason to champion this bill.

Yet, Madam Speaker, despite a lot of hard work by advocacy groups, law enforcement, churches, schools, and so many others around our Nation, violence against women continues to be an alarming problem—murder, sexual violence, domestic violence. More than 1 million women in the U.S. will be victimized this year alone, and it's estimated that one in four women in the U.S. will experience domestic violence at some point in her lifetime. That's one out of every four women.

As a society, we can't seem to find a way to stop this terrible sickness, but this legislation gives victims and their families a safe place to turn for help, such as to community violence prevention programs; protections for victims who are evicted from their homes because of events related to domestic violence or stalking; funding for victim assistance services like grief crisis centers and hotlines; and programs to meet the needs of women of different races or ethnicities.

A vote for this legislation is a vote to protect women—not some women, but all women.

Madam Speaker, I am very proud to represent a facility sheltered from the storm in my congressional district, and I thank them for their hard work and for their dedication in helping victims of domestic violence.

Mr. CONYERS. Madam Speaker, I would like to yield to the gentlewoman from California, LUCILLE ROYBAL-ALLARD, for a unanimous consent request.

Ms. ROYBAL-ALLARD. I rise in strong opposition to this bill.

Madam Speaker, I rise today in strong opposition to H.R. 4970, the Violence Against Women Act (VAWA). While I agree with my colleagues that we must reauthorize VAWA, I cannot support this version of the bill given the numerous ways it fails to protect women and families.

Despite the significant progress we have made as a nation addressing violence against women, nearly one-third of women in the U.S. still report being physically or sexually abused by a husband or boyfriend in their lifetime. Domestic violence, dating violence, sexual assault, and stalking lead to severe social, health, and economic consequences for our communities, with the estimated cost of violence exceeding 70 billion dollars each year.

Historically, each time VAWA has come up for reauthorization, Congress has added beneficial provisions to the bill and passed it with strong bipartisan support. In 2005, we included language referencing culturally and linguistically specific services to help eliminate barriers for many racial and ethnic minorities. My colleagues and I also successfully included a new health title in the last VAWA reauthorization that strengthened our health care system's capacity to prevent violence and develop effective interventions to abuse.

The version of VAWA before us today threatens to roll back those gains and limit protections for victims, ultimately endangering their safety in life-threatening ways. H.R. 4970 omits provisions in the Senate-passed bill that ensure equal treatment and access to services for LGBT survivors. It denies justice for tribal women abused by non-Indians, negating the reality that Native American women suffer domestic violence at epidemic proportions, but remain largely unprotected under current law. It also jeopardizes the personal security of victims who rely on public housing by forcing some to choose between swiftly moving away from an abuser and losing their housing subsidy.

Equally egregious, H.R. 4970 eradicates protections that have benefited immigrant women for nearly 20 years. The legislation creates barriers for immigrant crime victims seeking U-visas and silences those who fear deportation. H.R. 4970 overturns the current ability of immigrant victims of domestic violence to confidentially self-petition for permanent residency, thereby returning power to abusive U.S. citizen and legal permanent resident spouses who wield their status as a tool of dominance and control. Since VAWA's inception in 1994, nearly 75,000 self-petitions have been approved for immigrant victims who would have otherwise remained dependent on an abusive spouse to adjust their status. We cannot reverse course on this important self-petition provision and turn our backs on immigrant women and families.

I am also disappointed that, yet again, provisions to alleviate the economic factors that keep victims in abusive relationships have not been included. For the last 16 years, I have introduced legislation, the Security and Financial Empowerment Act (SAFE Act), to address this issue. The SAFE Act extends eligibility for unemployment benefits to victims forced to leave their jobs due to circumstances stemming from domestic violence, allows victims to take unpaid leave to make court appearances and seek necessary assistance, and it prohibits employers or insurance providers from basing hiring or coverage on an individual's history of abuse. These provisions ensure that domestic violence survivors have the financial security they need to escape an abusive situation. Failing to address these economic concerns is just another way this legislation fails to adequately protect survivors of domestic violence.

It's unfortunate that Republicans are playing politics with women's lives and pushing a bill that deviates so sharply from the kind of VAWA reauthorization that victims of domestic violence, dating violence, sexual assault, and stalking truly need. Hundreds of organizations across the country have opposed HR. 4970 on the grounds that it harms our families and communities. Unconscionably, the GOP appears more concerned about advancing a political agenda than listening to the American people. This is grossly insensitive to the lived experiences of those who tragically find themselves in abusive situations and count on our support.

Victim safety is at the core of VAWA and always has been. I cannot in good conscience vote to pass this version of VAWA, as it erases 18 years of bipartisan efforts to respond to the needs of victims of domestic violence. I urge my colleagues to join me in voting this bill down so that we may consider an alternative VAWA reauthorization proposal that improves protections for all survivors, including immigrant women and other vulnerable populations.

Mr. CONYERS. Madam Speaker, I now yield 2 minutes to a senior member of the committee, the gentleman from New York, JERROLD NADLER.

Mr. NADLER. Madam Speaker, this is a partisan Republican bill that not only rejects the bipartisan reforms to VAWA that were passed in the Senate but that would roll back protections for immigrant women that exist in current law.

For example, with respect to immigration, the House Republican bill, even as amended by the manager's amendment, favors abusers by eliminating the requirement that abuser-provided evidence be investigated and corroborated before it can be used to deny victims protection. It also delays protection to battered victims by staying adjudications during pending investigations or prosecutions.

The bill also fails to fully address the astronomically high rates of domestic violence against Native American women. A major cause is jurisdictional. Tribal governments cannot take action against non-Native Americans who commit acts of domestic violence even on tribal land. The Senate bill, which passed with bipartisan support, would fix this problem. The House Republican bill ignores this issue.

Finally, H.R. 4970 fails to make VAWA fully inclusive. The bipartisan Senate bill would add sexual orientation and gender identity to the eligibility for grant programs under VAWA so that groups could focus on victims amongst this underserved population. The Senate bill would also include sexual orientation and gender identity as classes in the new VAWA antidiscrimination language. The House Republican bill fails to include these provisions.

The bottom line is that House Republicans have taken the issue of protecting women from violence, which used to be bipartisan, and have made it partisan—just like everything else. Maybe women across America should not be surprised, as this majority has been waging a war on them since the beginning of this Congress. But, my friends, we do not have to let this stand.

I ask my colleagues to join me in voting against this bill. Let us reject this partisan VAWA reauthorization and work, as the Senate did, on passing a bipartisan measure—or better yet, simply pass the very good, bipartisan Senate bill. We don't need a retrogressive House bill that goes back on existing protections. The Senate did a fine job on a bipartisan basis. We should pass its bill.

Mrs. ADAMS. I am pleased to yield 2 minutes to the gentlewoman from Missouri (Mrs. EMERSON), who is also a cosponsor of this important pro-woman legislation.

Mrs. EMERSON. Madam Speaker, in every State and every congressional district—I dare say in every community in our Nation—there is domestic violence. It's a tragedy, and it's often a silent tragedy in a home or in a situation where victims feel trapped. They need to know that the resources to help them are there, and the people who commit these crimes need to understand that the penalties for their abuses are severe. We all need to send the message that this law is important and that this Congress has zero tolerance for violence against women.

I've been to many shelters for victims of domestic violence in Missouri. They can't publish their addresses publicly. Still today, there is a network of women who can get you to a safe place, but you might not know who they are in your community until they save your life.

Domestic violence, rape, sexual abuse, and sexual assault are rarely discussed because they are such painful and shameful subjects, but they afflict women of all ages and from all walks of life. We can bring some small relief to all of the victims of these atrocities by speaking with one voice today and not trying to make this a political issue.

These crimes are not acceptable—ever. The criminals who commit them deserve every bit of the stringent punishments contained in this legislation, making any one of them think twice before raising a hand in anger. Giving one woman the courage to escape grave danger in her own home or sending one young person out into the world with an understanding of the seriousness of these crimes all make today in the House and this bill worthwhile. I urge the bipartisan passage of this bill.

Mr. CONYERS. Madam Speaker, I am pleased now to yield 1 minute to the gentlelady from California, JUDY CHU, a member of the committee.

Ms. CHU. As a former rape counselor, I've gone to emergency rooms and have seen the damage that sexual assault and domestic violence have caused. That is why I was so relieved when the Violence Against Women Act passed. And for the last 20 years, Members of Congress from both sides of the aisle have come together for legislation to protect women from violence. But not anymore.

Though the Senate passed a bipartisan bill to reauthorize VAWA, with the support of 15 Republicans, including every female Republican Senator, this Republican House bill differs greatly. It declares war on women. The manager's amendment tries to make some changes, but don't be fooled. They are just small tweaks designed to pull the wool over women's eyes. They are trying to sneak in a bill that still fails to protect all women, that leaves LGBT victims out, and that prevents Native American women from seeing their abusers prosecuted.

Let me be clear. This bill still rolls back existing law. For instance, with this bill, there is new, expedited deportation for any abused immigrant woman coming forth who has had even the slightest of errors in her report. If she goes to an emergency room and is in pain but has an error in her report, then she would be deported.

Let's make sure that this bill does not pass. I urge its defeat.

Mrs. ADAMS. I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), who is a cosponsor of the legislation and the distinguished chairman of the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security.

Mr. SENSENBRENNER. Madam Speaker, I can't believe what I am hearing on the other side of the aisle.

I was the author of the last reauthorization of VAWA. It passed this House 415–4. Many of the Members who are complaining about the inadequacy of the present law weren't around to try to strengthen it, and they didn't attempt to propose amendments. Instead, they seemed to have fallen for the contagion that started on the other side of the Capitol by expanding the scope of the law in a very controversial manner and by making an issue of whether a non-Indian can be prosecuted in a tribal court, which brings up huge constitutional issues because the Bill of Rights does not apply in tribal courts.

I don't think it is the authors of this bill, and particularly the gentlewoman from Florida (Mrs. ADAMS), who have anything to do with making this a partisan bill. It is the people on the other side of the aisle on both sides of the Capitol who have decided to use this as a political issue.

□ 1550

And there was one Member of the other body that said the Republican Party has declared war on women. That's not the case. This bill increases authorizations. It makes it more effective, and it limits administrative expenses so that the money is spent on victims. It really is a victims' rights bill.

If those who are up here complaining about this legislation and strongly opposing it cause its defeat, the first casualty of the war on women is going to be the most important bill that has protected women for the last 18 years, the Violence Against Women Act.

Madam Speaker, if the people on the other side are successful, the blood of the defeat of this bill will be on your hands, not on ours.

Mr. CONYERS. Madam Speaker, I yield myself 30 seconds to remind my dear friend from Wisconsin, when he was chairman of the committee, in the 2005 Judiciary Committee report, he said:

> These protections are designed to ensure that abusers and criminals cannot use the immigration system against their victims, as abusers are known for interfering or undermining their victim's immigration cases and encouraging immigration officers to pursue removal actions against their victims.

Madam Speaker, I yield 1 minute to the distinguished Member from Illinois, MIKE QUIGLEY.

Mr. QUIGLEY. I agree, it's not political, but the Senate had it right.

Every year we reauthorize this, we expand who we're protecting. The scenery is moving behind us, as well. We need to make sure we take those people into consideration. Strive as you might to avoid trying to protect LGBT victims, the Senate had it right, and we should do that here.

According to a recent survey of service providers who work with LGBT victims, 85 percent work with victims who have been denied services because of his or her sexual orientation or gender identity. Gender-neutral language is not sufficient. Gay men are not turned away from shelters because they're men; they're turned away because of discrimination based on their sexual orientation.

Discrimination is real. Violence is violence. Personal stories matter, but they should matter to everyone. Every one of these people are citizens of our country that deserve equal protection. Discrimination is real, and we can't pretend it doesn't exist or hope that we don't have to have—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I yield an additional 15 seconds to the gentleman.

Mr. QUIGLEY. I know there are folks who don't want to, in any way, have a pro-gay vote on it, but this is protecting human beings. It's the right thing to do. It should have been in this part of the bill. I suggest everyone vote ''no.''

Mrs. ADAMS. Madam Speaker, I yield 10 seconds to myself just to point out that the survey that we've heard about was received back, and the complaint was the lack of data that it received. I will remind my colleagues on the other side that this bill and the current law protects all victims.

I yield 3 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT), who is a cosponsor of the legislation.

Mrs. SCHMIDT. Madam Speaker, I rise today in strong support of H.R. 4970, the Violence Against Women Reauthorization Act of 2012. And I would like to commend my good friend, Mrs. ADAMS from Florida, for spearheading this reauthorization. Mrs. ADAMS is a former law enforcement officer and knows the effects of domestic violence all too well and the chronic problems that we are faced with in this country.

We've all heard the statistics. The following are directly from the National Coalition Against Domestic Violence:

One in four women will experience domestic violence in her lifetime;

The health-related costs of intimate partner violence equals at least $5.8 billion annually;

One in six women and one in 33 men have experienced an attempted or completed rape. Men aren't immune from this either;

Thirty to 60 percent of perpetrators of intimate partner violence also abuse the children in the household;

Domestic violence is one of the most chronically underreported crimes, for good reason.

These are difficult statistics, Madam Speaker, and they are certainly not easy to think about, but that's the reality we face in America. H.R. 4970 goes a long way to help the victims, their families, and law enforcement in working to lower those statistics by providing authorization for 5 years, enough time for agencies and departments to make plans and programs, as well as carry them through. Penalties for sexual assault and abuse are made stronger, improvements are made in emergency housing for victims, and great strides are made to end the backlog of testing rape kits.

I've been blessed to never have experienced this personally, but as a child, I witnessed it. My mother had a friend who ended up so violently attacked, so physically harmed, that she stayed at our house until she could finally get well enough, and my mother finally talked her into getting out of that environment. But that was the fourth or the fifth time that that lady, Rita, ended up staying in our house.

When I was a young adult having children, a friend of mine, again, had the same issue happen to her. What I realized was we didn't have anything in Clermont County to help them, but we had a homeless shelter that was very marginal. So I worked with the county prosecutor. You know I'm a runner. For 15 years, we put on a 5K to put money in the pot to keep that homeless shelter open so that women had a place to go.

Madam Speaker, we can't continue to go back on the backs of good volunteers in America. We, as a government, have to help these women, too. If we had those programs in place, Rita wouldn't have ended up in our house. She would have ended up in a place that could have psychologically and physically helped her. If we had had these programs in place, my friend Karen wouldn't have had to have been on the street, as well.

I urge my colleagues to face this reality head-on, and let's vote for this bill. It's time we do it for our women.

Mr. CONYERS. Madam Speaker, I yield myself 15 seconds.

More than 300 organizations oppose this bill, including the American Red Cross and the National Council Against Domestic Violence.

I ask the floor manager: Who supports it?

I yield 1 minute to a distinguished member of the committee, HANK JOHNSON of Georgia, himself a former magistrate.

Mr. JOHNSON of Georgia. Madam Speaker, I rise in opposition to H.R. 4970, the so-called VAWA bill, also known as the Violence Against Women Reauthorization Act. It should be renamed WAWA, or ''War Against Women Act.'' This bill rolls back existing protections and is simply shocking in its callousness towards women and victims of abuse

Native American women, they are women, too. Three out of five are victims of domestic and sexual violence. They are murder victims at the rate of 10 times the national average, but yet H.R. 4970 denies protections to help those women. It also rolls back U visa protections for certain immigrant women who depend on their spouses for their immigration status. These women are particularly vulnerable to abuse. LGBT victims are excluded also.

Instead of this flawed bill, we should be considering the bipartisan Senate bill. And domestic violence does not recognize political parties. I urge House Republicans to come back to the table with a bill that we can all be proud to call the Violence Against Women Reauthorization Act of 2012.

Mrs. ADAMS. Madam Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE).

□ 1600

Mr. COLE. I thank the gentlelady for yielding.

Madam Speaker, I rise today in support of H.R. 4970. The bill, as reported out of the Judiciary Committee, lacked provisions protecting tribal women. But Chairman SMITH and his staff, along with Leader CANTOR and Congresswoman ADAMS, worked with me to ensure that the protections for tribal women were added and included in this bill.

This bill does not change any existing authority that tribal courts possess but adds an additional tool in Federal court to combat violence against tribal women. The bill includes a mechanism for tribes to petition a Federal court on the victim's behalf, which is important to victims of limited means living in remote locations.

I support the tribal provisions of the Senate-passed VAWA and the provisions found in the SAVE Native Women Act, H.R. 4154, of which I'm a cosponsor. I believe that those provisions are, indeed, constitutional. But the protections found in this bill will have a positive effect in Indian country. These provisions aren't perfect, but they improve current law considerably. I support the progress made in this bill. I urge my colleagues to support H.R. 4970. We cannot improve a bill and strengthen tribal sovereignty if we can't get a bill to conference.

Mr. CONYERS. Madam Speaker, I am pleased now to yield 2 minutes to the gentlelady from Texas, SHEILA JACKSON LEE, a senior member of the House Judiciary Committee.

Ms. JACKSON LEE of Texas. Why do we find ourselves here today having this kind of debate that calls upon the higher angels of all Members, recognizing that as I stand on the floor today, some woman is losing her life. She may be a Native American woman. That individual may be from the LGBT community or the immigrant community.

Why are we here today divided when all we needed to do was to work in a bipartisan manner? The Senate bill, which tracked the process and the strategy and the approach that we've used in all of the reauthorizations of VAWA; we have always expanded it to reach the needs of new victims. What do you say to a Native American woman when you limit the ability for that woman to be protected? In fact, in particular, you make it that much harder, for what you do is that it authorizes tribal governments to seek protection orders on behalf of victims with or without their protection or permission, violating the core principles that such victims must have autonomy. Why that language?

With respect to the LGBT community, my friends on the other side will say, They're already protected. But we realize that the clarity of the law gives the protection that is necessary when someone is desperate, because as the Federal Government passes laws, it permeates to counties and cities and hamlets that need to have the interpretation to ensure that the law is equally applied. So this is why we call for the passage of the Senate bill and a bipartisan bill.

And my friends on the other side of the aisle—seven Republicans wrote Chairman SMITH and said, We want the bipartisan bill. That's what we're asking for, not anything extraordinary.

When you talk about providing for rape kits and someone says on the other side, We've increased it to 75 percent to address the backlog—well, in actuality, they have not because they've taken money from some other programs. So, Madam Speaker, all I can say is, Why are we here? Let us stand united to help women. Let us not default on our allowance that we've been given to serve the American people, and the women are desperate. Someone is dying as I speak.

Vote for the Senate bill. Let us do this in a bipartisan way.

Mrs. ADAMS. Madam Speaker, I yield 3 minutes to the gentlewoman

from North Carolina (Mrs. MYRICK) who is also a cosponsor of this very good legislation.

Mrs. MYRICK. I would like to thank the Judiciary Committee for bringing this bill forward and a special thanks to SANDY ADAMS for the incredible work she's done on this bill. It took tremendous courage on her part to produce a good bill in the face of tremendous relentless partisan attacks. SANDY has seen the challenges women face daily as a former law enforcement officer.

As a woman, I'm proud of this bill. It reauthorizes the Violence Against Women Act programs for 5 years and provides more than $600 million per year to help prevent domestic violence and protect those victims of abuse. For almost two decades, VAWA provisions have helped women across the country, and Congress needs to continue these important initiatives.

Most of us know of domestic violence situations that take place in our districts all the time, unfortunately. Again, unfortunately, this problem is increasing all across the country. The need for help is huge. So it's very important that we provide the resources to the women who are being abused, and they can have a place to go and someone to help them get through what has to be an absolutely horrible experience in their life. Thank goodness I have never experienced it.

Our bill offers significant improvements. There is greater accountability and transparency with the funding of these programs. We have strengthened the penalties against abusers, which is so important, and we've improved the services and protections for younger victims. Lastly, we've streamlined and updated the immigration provisions in the bill to address considerable fraud while still offering protections under the Violence Against Women Act, the statutes that are there to protect immigrant victims.

So I'm very proud to offer my support for the bill, and I'm very proud to be a cosponsor. I would urge all of my colleagues on both sides of the aisle to support this reauthorization.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1½ minutes to LINDA SÁNCHEZ, a distinguished member of the House Judiciary Committee.

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I rise today to oppose this Republican bill that dangerously leaves victims of domestic violence worse off than they are under current law. To say that this legislation builds on current law is patently false.

Our Senate colleagues passed a strong version of the Violence Against Women Act with broad bipartisan support. Every Republican woman in the Senate voted in favor of it. Instead of crafting a bill of similar strength, my Republican friends in this body have insisted on taking back crucial protections for abused victims throughout our country. This Republican bill makes it more difficult for immigrant victims to work with law enforcement to report and help prosecute serious and violent criminals.

This Republican bill pretends the LGBT community doesn't exist and would allow victim service organizations to discriminate against LGBT victims when they seek help.

This Republican bill would further endanger the lives of Native American women who suffer abuse in epidemic proportions in this country. This Republican bill doesn't expand protections for women; it puts more women at risk by weakening current protections.

America's women deserve better. I encourage all of my colleagues to reject this Republican bill and support the Democratic alternative.

Mrs. ADAMS. I reserve the balance of my time.

Mr. CONYERS. I am pleased now to yield 1 minute to the distinguished gentlelady from Minnesota, BETTY MCCOLLUM.

Ms. MCCOLLUM. I oppose this bill. For the first time, the Violence Against Women Act is now a divisive piece of legislation. We could be voting on a bipartisan bill already passed by the Senate, but instead, the Tea Party majority of the Republicans has chosen to bring a bipartisan discriminatory bill to the floor today, and it eliminates protections for victims of violent crime.

All women who experience violence have the right to be protected. They need to know that their attackers will be tried in a court of law. And the purpose of VAWA has always been to ensure that all victims of violence are protected and that all their basic human rights are upheld no matter what one's sexual orientation, ethnicity, or legal status in this country is.

This country failed to protect all women, and that's why this legislation failed to get the support from the advocates and from women all across this country.

I oppose this measure, and I encourage my colleagues to vote ''no.''

□ 1610

Mrs. ADAMS. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Michigan has 13¼ minutes remaining, and the gentlewoman from Florida has 9½ minutes remaining.

Mr. CONYERS. Thank you.

Madam Speaker, I yield 1 minute to the gentleman from Washington, RICK LARSEN.

Mr. LARSEN of Washington. Madam Speaker, in 2006, I, along with Senator CANTWELL, made sure that the International Marriage Broker Regulation Act, or IMBRA, was enacted as part of the last reauthorization of VAWA. It put regulations in place to protect foreign women brought here through the mail-order bride industry to keep them from falling prey to serial abusers.

Pushing this legislation forward 6 years ago was important to me because a young woman named Anastasia King, a so-called mail-order bride, was found dead. She had been strangled to death by her husband and buried in a shallow grave in 2000 in a wooded area in my district. Her husband had a domestic violence protection order issued against him from a previous wife. Indle King killed Anastasia because he wanted to get a new bride and didn't want to pay for a divorce.

The VAWA bill being considered in the House today does not go far enough to strengthen those same protections that we established in 2006. It leaves out important amendments to IMBRA that passed in the bipartisan Senate bill, like putting penalties in place to keep a man like Indle King from simply lying about his violent history so as to lure another woman here to be abused and then discarded.

We must use this reauthorization process to strengthen protections against abusers, not strengthen abusers' upper hand. We must use this reauthorization process to reaffirm that VAWA's protections are for all victims, including tribal women and LGBT individuals.

Mrs. ADAMS. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself 30 seconds.

This is the third time I have asked my friends on the other side to please tell me why all of the women's organizations, law enforcement organizations—some 200-plus—are against this bill, and all of them were supporting the previous bill.

I yield to the distinguished manager of the bill, a dear friend of mine, for a response.

Mrs. ADAMS. Thank you, Mr. CONYERS.

I will tell you, shame on them. Shame on them. This bill reauthorizes VAWA for 5 years at the same levels as the Senate. It protects victims.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I yield myself an additional 30 seconds.

Since we're shaming on every organization that protects women, would you tell me who supports the Republican version of the bill? Name somebody.

Mrs. ADAMS. If the gentleman would yield, I can say that I do, and I know that we have a list of them.

I will tell you, Mr. CONYERS, that I have sat quietly and tried to behave here, but I am offended when I hear that this does not protect victims. I am

offended when I hear that we are politicizing something that was politicized on the other side in the other Chamber and by the other side of the aisle.

So I have very much concern about that because, as someone who has been in the situation, who has been on the scenes of these crimes, we are trying to reauthorize something that is very important to victims across our Nation—victims, not politics. And that's where I stand on this issue.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. CONYERS. I yield myself an additional 30 seconds.

I have asked why hundreds of organizations are supporting it, and you say: Shame on them. I ask who's supporting the Republican measure and you say: I am. Well, I'm glad to know that. And I think that just about tells everybody where the logic and the support for this bill is. There is none. It's a Republican—not a prank, but a serious blow to women. And that's what the organizations know, and that's why, Madam Floor Manager, they're opposed to this bill.

Mrs. ADAMS. I continue to reserve the balance of my time.

Mr. CONYERS. I yield 2 minutes to ZOE LOFGREN, a member of the committee.

Ms. ZOE LOFGREN of California. I think sometimes it's helpful to get into the nitty-gritty of legislation. This bill changes the law that exists today and reduces protection for immigrant women in key ways. Let me just talk about one of the ways.

If you are an immigrant temporarily here, or even without your documents, and you are a victim of domestic violence and the police want to keep you here because you're a witness or they need your help in a prosecution, the police can obtain what is called a U visa so you get to stay here. That's in the current law. It was bipartisan. It was done in the year 2000.

This bill changes that in important ways. Under current law, if you are a U visa holder, you have the possibility of applying for a permanent visa. Why is that important? Because otherwise, if you come forward to cooperate with the police, you could be voluntarily deporting yourself and be separated from your children, and that is a deterrent to people coming forward to work with the police. That's why it was crafted the way it was. Even under the manager's amendment, there is a diminution of that possibility, and it would lead to absurd results.

I'll give you an example.

Under the manager's amendment, you can only apply for the residence if your abuser had been deported to the country where you are from. So a U visa is for 4 years. If your abuser is serving a 5-year sentence, you have to be deported, and then your abuser will come after you the next year. It's a stupid provision, unfortunately. I can't believe that that's the intended result. I know Mrs. ADAMS is sincere, but that's what is in the bill. And that's why people object to the bill—that, among many other provisions that will endanger women and take us back from where we were.

I think that when you take a look at not just the groups that support the Senate bill instead of this, but the groups that support this bill, who embrace abusers, you know where you need to stand—and that's not with this bill, despite the sincerity of the author.

Mrs. ADAMS. I yield myself such time as I may consume.

Let me first clarify. The bill requires that U visa holders actually assist law enforcement. Current law does not. Let's make that very clear. The other thing is we do want them to cooperate because we do want those perpetrators off the streets. We want to make sure they're off the streets so that no other victim is victimized.

In the earlier version of the bill, I was very concerned about: What about the next victim? If we do this and we don't address this, what about the next victim? Which victim doesn't make it out of that house? And I've heard my colleagues on the other side talk about how we're trying to do something because of immigration. No. We're trying to do something to protect the victims and the next victims if we don't get the circle of violence stopped. It always repeats itself.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to our leader, NANCY PELOSI.

Ms. PELOSI. I thank the gentleman for yielding. I thank him for his leadership on this important issue, not only as this legislation comes to the floor, but for the past couple of decades on the subject. I commend the maker of our motion to accept the Senate bill, Congresswoman GWEN MOORE, for her sincere leadership on this issue as well.

Madam Speaker, 18 years ago, Members of Congress came together—some of us gathered in this Chamber right now—came together to make history with the original passage of the Violence Against Women Act. We helped ensure that no victim of domestic violence has to suffer in silence.

I want to especially salute our Vice President, JOE BIDEN, who was chairman of the Judiciary Committee in the Senate at the time, who worked with our chairman and many Members on both sides of the aisle to pass that legislation, again, making history.

□ 1620

The original Violence Against Women Act took domestic violence out of the shadows and shone bright sunshine on it.

In the years since, domestic violence has decreased by more than 50 percent—more than 50 percent. What a remarkable outcome. Twice in the intervening years we have come together in a bipartisan way to reauthorize and strengthen the law. This year our colleagues in the Senate acted similarly, passing a strong bill with a strong bipartisan vote of 68–1, including the support of every single woman in the Senate, Democratic and Republican alike. In doing so, they not only built on the history of the past, but they made progress for the safety of American women.

In sharp contrast, sadly, while it was a strong bipartisan bill in the Senate, and our substitute that we requested from the Rules Committee was to be able to put forth the Senate bill, so that would be the Senate Democrats and Republicans and House Democrats all in agreement, unfortunately in sharp contrast, House Republicans have brought to the floor today a bill that is controversial in that it will weaken the protections we have given to those who suffer domestic violence, sexual assault, or stalking.

This legislation on the floor fails vulnerable people—members of the LGBT community, Native American women, and immigrant victims. All people deserve to be protected from domestic violence. There should be no exceptions to this law. We can't say women of America, we're passing a bill to protect you—not so fast in your applause if you happen to be a member of the LGBT community, an immigrant or otherwise, or a Native American woman.

Because the Republican bill is a step backward from the current law of the land, more than 300 organizations have spoken out in opposition, from the American Bar Association to the YWCA.

Local law enforcement officials have said that this Republican House bill ''will impede criminal investigations, undermine prosecutions, and interfere with victim safety.'' I repeat the quotation. The local law enforcement officials have said this bill ''will impede criminal investigations, undermine prosecutions and interfere with victim safety.''

Religious organizations such as the Lutheran Immigration and Refugee Service and the National Association of Evangelicals have also expressed strong opposition to certain provisions of this legislation.

The many advocates and experts who work day in and day out on this issue, on the issue of domestic violence, have also opposed the House Republican version of the Violence Against Women Act. Republicans have chosen not to listen to the professionals in the field and are failing to give the many organizations serving battered women the tools that they need.

The Obama administration has said in their Statement of Administration Policy that the legislation ''rolls back

existing law and removes long-standing protections for victims of domestic violence and sexual assault—crimes that predominantly affect women.'' That is why the President's senior advisers have said that they would recommend that the President veto this bill.

Today, this House of Representatives has heard powerful statements from women Members of Congress about the need to pass a strong Violence Against Women bill. I hope that the safety of women will be high on the list of our colleagues as they determine their vote.

For nearly 20 years, the Violence Against Women Act has strengthened communities and provided critical lifesaving support to victims of violence. Because of this law, more victims get the help they need and domestic violence rates have decreased. Not only has VAWA saved lives; it has saved money. All Americans are entitled to feel safe, including in their own homes—every one of us. Yet too many women continue to live in fear. That is why we must strengthen, never weaken, the Violence Against Women Act.

And I want to commend the members of the Judiciary Committee, my colleagues on the House side, the Democratic side, who have brought such tremendous intellectual resource to this legislation, listening to those who minister to the needs of women who have been victims of domestic violence and to those who are trying to protect it.

I know that everyone in this body, Democratic and Republican alike, have the same goal, which is the safety of women. We not only want us to have the same goal, we want us to have the same goal for all women in America. And that's why we must strengthen, never weaken, the Violence Against Women Act.

Because this bill on the floor rolls back current law and fails to protect all victims of violence, I urge my colleagues to oppose it.

OFFICE OF THE DEMOCRATIC LEADER

MAY 16, 2012.

UPDATED: MORE THAN 300 ORGANIZATIONS OPPOSE HOUSE GOP VAWA BILL

Today, the House will consider H.R. 4970, the House GOP Violence Against Women Act (VAWA) Reauthorization bill. The bill is being considered under a closed rule.

More than 300 organizations oppose the House GOP bill, including such groups as the U.S. Conference of Mayors, National Coalition Against Domestic Violence, National Network to End Domestic Violence, National Coalition of Anti-Violence Programs, Break the Cycle, Legal Momentum, Leadership Conference on Civil and Human Rights, National Organization for Women, Feminist Majority, YWCA USA, AAUW, Business and Professional Women's Foundation, National Women's Law Center, Planned Parenthood Federation of America, American Bar Association, NAACP, National Council of La Raza, Human Rights Campaign, United Church of Christ, United Methodist Church, Jewish Council for Public Affairs, and National Congress of American Indians.

The National Association of Evangelicals and the Lutheran Immigration and Refugee Service are opposed to the immigrant provisions in the bill.

The Administration has also issued a veto threat on the bill.

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MAY 16, 2012.

A VOTE FOR H.R. 4970 IS A VOTE AGAINST VAWA

DEAR COLLEAGUE: Please see below for the more than 320 groups and individuals who have written in opposition to key provisions of H.R. 4970:

1. Advocates for Basic Legal Equality, Inc.
2. Advocates for Human Rights
3. African Services Committee
4. Alachua County Victim Services and Rape Crisis Center
5. Alaska Federation of Natives
6. Alianza Latina en Contra la Agresión Sexual
7. Alliance for Immigrants Rights & Reform—Michigan
8. American Bar Association
9. American Civil Liberties Union
10. American Federation of Labor
11. American Gateways
12. American Immigration Lawyers Association
13. American Immigration Lawyers Association (AILA), Washington Chapter
14. American Jewish Committee
15. American Public Health Association
16. Americans for Immigrant Justice, Inc.
17. America's Voice Education Fund
18. Anindita Dasgupta, MA, Doctoral Candidate at the University of California, San Diego
19. Anita Raj, PhD, Professor of Medicine and Global Public Health at the University of California, San Diego
20. Artemis Justice Center
21. ASHA for Women
22. Asian American Legal Defense and Education Fund
23. Asian Pacific American Legal Center, a Member of the Asian American Center
24. Advancing Justice
25. Asian & Pacific Islander Institute on Domestic Violence
26. Asian Pacific Islander Legal Outreach
27. ASISTA
28. Ayuda
29. Bangladeshi American Democratic Caucus of Michigan
30. Bangladeshi American Democratic Caucus
31. Boesche Legal Clinic, University of Tulsa College of Law
32. Boston University Civil Litigation Program
33. Break the Cycle
34. California Coalition Against Sexual Assault
35. California Partnership to End Domestic Violence
36. Caminar Latino
37. Campaign for Community Change
38. Canal Alliance
39. Capital Area Immigrants' Rights Coalition
40. Captain Maria Alvarenga Watkins, (Retired) Metropolitan Police
41. Department, Washington, D.C.
42. Casa Cornelia Law Center
43. Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
44. CASA de Maryland, Inc.
45. Casa de Proyecto Libertad
46. Casa Esperanza
47. Center for Family Policy & Practice
48. Center for Gender & Refugee Studies
49. Center for Pan Asian Community Services, Inc.
50. Center for Victim and Human Rights
51. CenterLink: The Community of LGBT Centers
52. Central American Resource Center
53. Chief Brian Kyes, Chelsea Police Department, Massachusetts
54. Chief Pete Helein, Appleton Wisconsin Police Department
55. Christian Community Development Association
56. Church World Service
57. Clergy and Laity United for Economic Justice
58. Coalition Against Religious Discrimination
59. Coalition for Humane Immigrant Rights of Los Angeles
60. Coalition to Abolish Slavery & Trafficking
61. Colorado Coalition Against Sexual Assault
62. Community Action and Human Services Department
63. Community Action Network
64. Community Immigration Law Center
65. Connecticut Legal Services Inc.
66. Community Legal Services in East Palo Alto
67. Community Refugee and Immigration Services
68. Community Solutions
69. Connecticut Legal Services, Inc.
70. Cris M. Sullivan, Ph.D., Professor, Ecological/Community Psychology, Associate Chair, Psychology Department
71. Detective Sergeant Robert Mahoney, Peabody Police Department, Massachusetts
72. Detective Shelli Sonnenberg, Boise Police Department, Idaho
73. Detective Stacey Ivie, Alexandria Police Department, Virginia
74. Domestic Violence in the African American Community
75. Domestic Violence Legal Empowerment and Appeals Project
76. DREAM Activist Virginia
77. Education Not Deportation Project of the United We Dream Network
78. El Rescate Legal Services, Inc.
79. Empire Justice Center
80. Enlace Comunitario
81. Equal Justice Center
82. Esperanza
83. Esperanza Peace and Justice Center
84. Evangelical Lutheran Church in America
85. Evan Stark, Ph.D., MA, MSW, Professor and Director of Public Health, School of Public Affairs and Administration, Rutgers University—Newark & Chair, Department of Urban Health Administration, UMDNJ—School of Public Health
86. FaithAction International House
87. Families and the Law Clinic, Columbus School of Law, Catholic University of America
88. Families Against Mandatory Minimums
89. Families for Freedom
90. Family Counseling Services of Greater Miami, Inc.
91. Farmworker Justice
92. Feminist Majority
93. First Focus
94. Florida Coastal Immigrant Rights
95. Florida Coastal Immigrant Rights Clinic
96. Franciscan Action Network
97. Freedom Network (USA)
98. Fuerza Latina
99. Futures Without Violence
100. Gay, Lesbian & Straight Education Network
101. Georgia Asylum and Immigration Network (GAIN)

102. Georgia Latino Alliance for Human Rights
103. Gibbs Houston Pauw
104. Giselle Hass, PsyD, Adjunct Professor of Law at Georgetown University Law Center, Center for Applied Legal Studies
105. Gulfcoast Legal Services
106. Haven Women's Center of Stanislaus
107. HAVEN, Oakland County Michigan
108. Hawai'i Coalition for Immigration Reform
109. Hawaii State Coalition Against Domestic Violence
110. Hebrew Immigrant Aid Society
111. Hebrew Immigrant Aid Society—Pennsylvania
112. Helene Berman, RN, Ph.D., President of the Nursing Network on Violence Against Women International
113. Holy Cross Ministries of Utah
114. Human Rights Campaign
115. Human Rights Initiative of North Texas
116. Human Rights Watch
117. Immigrant Defense Project
118. Immigrant Law Center of Minnesota
119. Immigrant Legal Center of Boulder County
120. Immigrant Rights Clinic, Rutgers School of Law—Newark
121. Immigration Equality
122. inMotion, Inc.
123. InterCultural Advocacy Institute
124. Inter Tribal Council of Arizona
125. International Institute of the Bay Area
126. Intimate Partner Violence Assistance Clinic University of Florida
127. Iowa Annual Conference of the United Methodist Church
128. Levin College of Law
129. Jacquelyn Campbell, Ph.D., RN, FAAN, Anna D. Wolf Chair, The
130. Johns Hopkins University School of Nursing and National Director, Robert Wood Johnson Foundation Nurse Faculty Scholars
131. Jane Doe Inc.
132. Jay G. Silverman, Ph.D. Professor of Medicine and Global Health Division of Global Public Health Senior Fellow, Center on Global Justice University of California at San Diego, School of Medicine Adjunct Associate Professor of Society, Human Development and Health Harvard School of Public Health
133. Jewish Women International
134. Just Neighbors
135. Justice For Our Neighbors
136. Justice For Our Neighbors—Southeastern Michigan
137. Kentucky Coalition for Immigrant and Refugee Rights
138. Kentucky Domestic Violence Association
139. Korean American Resource & Cultural Center
140. Korean Resource Center
141. La Fe Multi-Ethnic Ministries, Intervarsity Christian Fellowship/USA
142. La Jolla Band of Luiseno Indians
143. Latin American Association
144. Latin American Coalition
145. Latina/o Bar Association of Washington
146. LatinoJustice PRLDEF
147. Leadership Conference of Women Religious
148. Legal Aid Service of Collier County
149. Legal Aid Society of Minneapolis
150. Legal Aid Society of Rochester, New York
151. Legal Aid Society of the Orange County Bar Association, Inc.
152. Legal Aid Society—Employment Law Center
153. Legal Momentum
154. Legal Services for Children
155. Leslye E. Orloff, J.D. Director, National Immigrant Women's Advocacy Project, American University Washington College of Law
156. Lieutenant Carole Germano, Danvers Police Department, Massachusetts
157. Lutheran Immigration and Refugee Service
158. Lutheran Social Services of New England
159. Mary Ann Dutton, Ph.D., Professor, Department of Psychiatry, Georgetown University Medical Center
160. Maryland Network Against Domestic Violence
161. Massachusetts Immigrant and Refugee Advocacy Coalition
162. Maui International Language School
163. Mennonite Central Committee U.S.
164. Michigan Coalition for Immigrant and Refugee Rights
165. Michigan Indo-American Democratic Caucus
166. Michigan Muslim Democratic Caucus
167. Midwest Association of Farmworker Organizations
168. Midwest Association of Farmworker Organizations
169. Mil Mujeres
170. Minnesota Coalition for Battered Women
171. Mountain Crisis Services
172. Mujeres Latinas En Accion
173. Muslim Public Affairs Council
174. My Sister's Place (New York)
175. My Sister's Place, Inc. (D.C.)
176. Nassau County Coalition Against Domestic Violence
177. NAACP Legal Defense and Educational Fund, Inc.
178. National Advocacy Center of the Sisters of the Good Shepherd
179. National African Immigrant and Refugee Women's Network
180. National Alliance to End Sexual Violence
181. National Asian Pacific American Women's Forum
182. National Association of Criminal Defense Lawyers
183. National Association of Evangelicals
184. National Association of Federal Defenders
185. National Center for Transgender Equality
186. National Center for Victims of Crime
187. National Coalition for LGBT Health
188. National Coalition Against Domestic Violence
189. National Coalition of Anti-Violence Programs
190. National Coalition on Black Civic Participation
191. National Congress of American Indians
192. National Congress of American Indians Task Force on Violence Against Women
193. National Council of Jewish Women
194. National Council of Juvenile and Family Court Judges
195. National Council of La Raza
196. National Council of Negro Women, Inc.
197. National Domestic Violence Hotline
198. National Employment Law Project
199. National Hispanic Christian Leadership Conference
200. National Hispanic Council on Aging
201. National Immigrant Justice Center
202. National Immigration Forum
203. National Immigration Law Center
204. National Immigration Project of the National Lawyers Guild
205. National Korean American Service & Education Consortium
206. National Latina Institute for Reproductive Health
207. National Latino Evangelical Coalition
208. National Legal Aid & Defender Association
209. National Network to End Domestic Violence
210. National Organization for Women Foundation
211. National Organization of Sisters of Color Ending Sexual Assault
212. National Resource Center on Domestic Violence
213. National Resource Center on Domestic Violence and the Women of Color Network
214. National Task Force to End Sexual and Domestic Violence Against Women
215. Nawal Ammar, PhD, Professor and Dean of the Faculty of Social Science and Humanities at the University of Ontario Institute of Technology
216. Neighbors in Support of Immigrants
217. NETWORK, A National Catholic Social Justice Lobby
218. Network for Victim Recovery of DC
219. Nevada Hispanic Services Inc.
220. New Bridges Immigrant Resource Center
221. New Mexico Asian Family Center
222. New Sanctuary Coalition of NYC
223. New York Anti-Trafficking Network
224. New York State Coalition Against Sexual Assault
225. North Carolina Coalition Against Domestic Violence
226. North Carolina Coalition Against Sexual Assault
227. North Carolina Stop Human Trafficking
228. Northwest Immigrant Rights Project
229. Officer Michael LaRiviere, Salem Police Department, Massachusetts
230. Ohio Alliance to End Sexual Violence
231. Paso del Norte Civil Rights Project
232. Pennsylvania Immigration Resource Center
233. Physicians for Human Rights
234. Progressive Leadership Alliance of Nevada
235. Political Asylum Immigration Representation Project
236. Public Justice Center
237. Rachael Rodriguez, Ph.D., Associate Professor in the School of Nursing at Edgewood College
238. RAICES
239. Rainbow Services, Ltd.
240. Refuge House, Inc.
241. Refugio del Rio Grande, Inc.
242. Rhonda Giger, Prosecutor—City of Bothell, WA
243. Rocky Mountain Immigrant Advocacy Network
244. Ross Silverman LLP
245. Rural Women's Health Project
246. Sargent Shriver National Center on Poverty Law
247. SEPA Mujer Inc., Servicios para el Avance de la Mujer
248. Sergeant Inspector Antonio Flores, San Francisco Police Department, California
249. Service Employees International Union
250. Services, Immigrant Rights and Education Network
251. Sex Workers Project at the Urban Justice Center
252. Sexual Assault Response Services of Southern Maine
253. Sexual Violence Center
254. Sexuality Information and Education Council of the U.S.
255. Sierra County Victim Assistance Unit
256. Sisters of Mercy Institute Justice Team

257. Sisters of Mercy of the Americas
258. Sisters of Mercy South Central Community
259. Sisters of St. Francis of Philadelphia
260. Social Justice Action Network
261. Sojourners
262. South Asian Americans Leading Together
263. Southern Poverty Law Center
264. Stephanie J. Nawyn, Ph.D., Department of Sociology, Michigan State University
265. Student Action with Farmworkers
266. Supervising Deputy Sheriff Marcus Bruning, St. Louis County
267. Sheriff's Office, Missouri
268. Tahirih Justice Center
269. Tapestri, Inc
270. The Advocates for Human Rights
271. The Bridge to Hope
272. The Episcopal Church
273. The Immigrant Legal Resource Center
274. The Kansas/Missouri Dream Alliance
275. The Leadership Conference for Civil and Human Rights
276. The Legal Aid Society
277. The Legal Aid Society of San Mateo County
278. The P.E.A.C.E*. Initiative
279. The Sentencing Project
280. The United Church of Christ, Justice and Witness Ministries
281. The Violence Intervention Program
282. The William Kellibrew Foundation
283. TN Coalition to End Domestic and Sexual Violence
284. Transgender Law Center
285. UC Davis Immigration Law Clinic
286. UFW Foundation
287. Unidas, The National Latina LGBT Human Rights Organization
288. Unitarian Universalist Association of Congregations
289. United Methodist Church
290. United Migrant Opportunity Services
291. United Migrant Opportunity Services/UMOS Inc.
292. United Women.org
293. University of Miami, School of Nursing & Health Studies
294. U.S. Conference of Catholic Bishops
295. VIDA Legal Assistance, Inc.
296. Vermont Immigration and Asylum Advocates
297. Vermont Network Against Domestic and Sexual Violence
298. Violence Intervention Program
299. Virginia Coalition of Latino Organizations
300. Virginia Organizing
301. Virginia Sexual & Domestic Violence Action Alliance
302. Voces de la Frontera
303. Voces Unidas for Justice
304. Voices of Immigrants in Action/Rural Women's Health Project
305. Voices of Men
306. Volunteer Attorneys for Rural Nevadans
307. Walnut Avenue Women's Center
308. Washington Defender Association's Immigration Project
309. Washington Immigration Defense Group
310. Washington State Coalition Against Domestic Violence
311. WeCount!
312. Who Is My Neighbor? Inc.
313. Willow Creek Community Church
314. Wisconsin Coalition Against Domestic Violence
315. Wisconsin Coalition Against Sexual Assault
316. Women Against Abuse
317. Women of Color Network
318. Women's Crisis Support—Defensa de Mujeres
319. Women's Law Project
320. Women's Refugee Commission
321. Worker Justice Center of New York
322. Workers Rights Clinic
323. World Evangelical Alliance
324. World Relief
325. Wyoming Coalition Against Domestic Violence and Sexual Assault
326. YWCA USA

For further information on the overwhelming opposition to H.R. 4970, please visit the Minority Judiciary Committee web site: http://democrats.judiciary.house.gov/issue/materials-opposing-republican-violence-against-women-act-hr-4970

Or contact House Judiciary Democratic Staff, Ron LeGrand and Jenny Perrino.

We strongly encourage all colleagues to vote ''no'' on H.R. 4970 today.

Mrs. ADAMS. I yield 3 minutes to the gentlewoman from South Dakota (Mrs. NOEM), who is also a cosponsor of the legislation.

Mrs. NOEM. Madam Speaker, for nearly 20 years the Violence Against Women Act has supported programs that assist victims of domestic abuse, stalking, and sexual assault. I'm proud to support the legislation that's on the House floor today because it reauthorizes those programs, strengthens them by targeting more funding to programs that need it, and processing that needs it, and also gives some new provisions which I helped work on with the Judiciary Committee to better serve our Native Americans.

This piece of legislation which provides services to all victims without discrimination has always enjoyed broad bipartisan support. Unfortunately, because some in Congress saw an opportunity to use abuse victims as a prop in a political game, today we're having a different discussion, and I feel it's shameful. House Republicans are not going to allow the Violence Against Women Act to get sidelined because of politics. It's simply too important.

One area of particular concern to people back home in South Dakota is provisions for Native Americans and Native American women. Native American women suffer from higher levels of abuse than non-Indian women, but all too often they don't get to see their perpetrators brought to justice. It's simply unacceptable.

This Violence Against Women Act improves upon many of the programs that are designed specifically to aid Native American women, and it also includes new provisions to improve Congress's response to potential problems they may run into. Furthermore, to better ensure that Native American women have improved recourse against abusive individuals, I worked with the chairman of the Judiciary Committee and the staff to include language in this bill to empower Native American women to either petition individually the Federal courts or through their tribal courts for a Federal restraining order. Ensuring that these women have the ability to obtain a protection order is a vital step towards stopping the cycle of abuse that many of them suffer through. It impacts disproportionately those in Indian Country over other areas of the Nation.

Those who have suffered from violence and abuse have gone through enough. Let's not cause more harm by putting politics before victims, and let's support and reauthorize the improved Violence Against Women Act today.

Mr. CONYERS. Madam Speaker, I yield myself 30 seconds.

Ladies and gentlemen of the House, in fact, the new tribal protection orders added by the manager's amendment would reverse the Violence Against Women Act's victim-centered approach and would require Native women to sometimes travel hours to obtain protection orders from a Federal district court.

Madam Speaker, I am now pleased to yield 4 minutes to the distinguished whip of the House of Representatives, STENY HOYER of Maryland.

Mr. HOYER. I thank the distinguished ranking member from Michigan who has been such an extraordinary fighter for the rights of all people in our country, and I rise in opposition to this bill.

□ 1630

I would say, as an aside, the last speaker talked about Native Americans. The National Congress of American Indians of course says this matter does nothing to address the crux of the issue—the lack of local authority to handle misdemeanor-level domestic and dating violence when the perpetrator is non-Indian. It goes on to oppose this legislation.

I rise in sadness, Madam Speaker. I was the cosponsor of the original Violence Against Women Act in 1994. We passed a bipartisan bill that has helped law enforcement significantly reduce domestic violence, sexual assault, and stalking.

While great progress has been made, unfortunately one in three American women still experience violence by a partner, stalking, or sexual assault. That's why this bill is a perfect example of why we need to work together in a bipartisan fashion to reauthorize and strengthen the Violence Against Women Act. I will tell my friends the Senate did this. Why is it that we have to choose disunity and confrontation over consensus? I don't know why that is, particularly on an issue of this great importance to the American people.

The Senate came together, 68 of them—two-thirds of the United States Senate, Republicans and Democrats, overwhelmingly supported this. Every woman in the United States Senate

supported the Senate bill—everyone, Republican women and Democratic women, who know firsthand the crisis that confronts our communities.

However, this version was reported by the Judiciary Committee with no bipartisan support—and indeed bipartisan opposition. Why do we have to do that? We could have come together. We should have come together. The Senate came together. There is no reason we can't, other than to make our points on a partisan basis.

This bill is weaker than existing law, it is regressive, and it sends the wrong message about our values. The Senate's version extends new protections to Native Americans and to all who are targeted, regardless of sexual orientation. Isn't that our value, to protect every individual? ''We hold these truths to be self-evident, that all individuals are endowed by their Creator.'' Shouldn't we protect all individuals, not exclude some?

Not only does the House version fail to include those protections, it also makes it harder for law enforcement to encourage immigrant victims to come forward to seek help and justice. I met with over 30 members of the law enforcement community on Monday. We sat around and we talked about, generally, gang violence, but we talked about VAWA. We talked about the ability of people to come forward and make complaints, feel comfortable in doing that, and enhance the ability to get domestic defenders out of the cycle of violence against domestic partners or others. They all agreed that we ought to make it easier, not harder. We make it harder in this bill. This is not the right way to go.

This version is opposed by hundreds of groups. I've got a list here. I'm not going to read it. Leader PELOSI submitted it for the RECORD. Hundreds of groups are opposed to this legislation, including the American Bar Association, and are urging a ''no'' vote.

I'm going to vote ''no'' on this, and I hope all my colleagues do as well so that we can adopt a bill that has overwhelming bipartisan support and the support of these groups. Why do we confront these groups and say: Nope, you're wrong, we know better; we know better; you've worked on this for years and decades, but we're going to go our own way?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I am pleased to yield an additional 1 minute to the gentleman.

Mr. HOYER. I thank the gentleman.

This version is opposed, as I said, by hundreds of groups representing victims, advocates, faith-based organizations, as well as law enforcement.

Now, almost every one of us, every one of us—or most, I imagine—has had some personal experience with this. In our own families, ourselves, as lawyers, as doctors, as neighbors, as friends, as fellow church members, we all know the cost of this violence. Let us come together and act together.

This should not be a vehicle for partisan confrontation. Instead, we should adopt the Senate's bipartisan version and ensure that law enforcement agencies have the tools they need to prevent domestic violence and provide victims with the assistance they need.

Let us vote ''no'' on this legislation, and then let us move forward in a bipartisan, constructive, overwhelmingly supported fashion like our colleagues in the United States Senate did in a bipartisan way.

Mrs. ADAMS. Madam Speaker, I yield myself such time as I may consume.

I would just say that I agree that all victims need to be covered, and that is what this piece of legislation does. We do not segment out. We do not pit victim against victim. It is all victims.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield now 1 minute to the distinguished gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman for yielding.

Madam Speaker, 2 out of every 10 women in America will be a victim of rape in her lifetime. More than that will experience severe physical violence by an intimate partner. Madam Speaker, which one of those women is not worthy of protection or support as a result of this legislation?

H.R. 4970 is opposed by tribal governments because Native American women will have less protection under this bill. H.R. 4970 is opposed by groups that support immigrants because immigrant women will find themselves victims of these crimes without the support that they need. And the community of LGBT Americans will find themselves without the support they would get under the Senate version of this legislation.

Once again, the House majority demonstrates the dysfunction in Washington, D.C. Instead of applauding the overwhelming vote in the Senate with a bipartisan vote that passed just recently by 68 votes in the Senate for a Violence Against Women Act to be reauthorized and putting that bipartisan bill on this floor, our Republican colleagues in the House went the other way.

Madam Speaker, it is time for us to put the Senate bill on the floor, get this work done, follow the lead of the American public that says: Get to work, make it happen, and protect women who are the victims of violence in this country.

Mrs. ADAMS. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Michigan has 1¼ minutes remaining. The gentlewoman from Florida has 5¾ minutes remaining.

Mr. CONYERS. I yield 30 seconds to the gentleman from New Mexico (Mr. LUJÁN).

Mr. LUJÁN. Madam Speaker, it's with great disappointment that I rise today in opposition to this bill, not because the issue of violence against women is not real, but because this House bill does not do enough to address domestic violence and protect women.

Sadly, instead of taking action on a bipartisan bill that has passed the Senate that meets the need to protect America's women, the Republican majority has chosen confrontation over compromise with a bill that is seriously limited, particularly in the protections it offers to Native American women.

It was my great hope that the House Republicans would rise to do the right thing. Don't hide behind excuses—do the right thing. Let's close the loophole that allows abusers to get away with violence, especially against Native American women. It's not right that abusers game these loopholes to beat their victims. Reject this bill and take up the Senate version.

Mrs. ADAMS. I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Michigan has three-quarters of a minute remaining.

Mr. CONYERS. Madam Speaker and Members of the House, this bill has been revealed to be reauthorizing certain grant programs, but it really doesn't. It undermines the safety of the most vulnerable victims of violence. It rolls back important protections for immigrant victims, putting them in a worse position than under current law, and excludes other vulnerable populations, such as tribal women, LGBTQ. In short, any alleged improvements made by this bill cannot conceal the overwhelming harm that it will cause.

When I asked who supports this bill, the floor manager could name only one person. She said, I do. And when I asked her why do all of the women's organizations and law enforcement organizations oppose the bill, she made some other comment about why that was so.

□ 1640

Ladies and gentlemen, we must turn back this unacceptable piece of legislation.

I yield back the balance of my time.

Mrs. ADAMS. I yield the balance of my time to the gentleman from South Carolina (Mr. GOWDY), my dear friend, a former Federal prosecutor and an original cosponsor of this bill.

Mr. GOWDY. Nell Lindsey was a nurse at a local hospital. Her shift had ended, and it was time to go home. She couldn't take her own car because her husband had disabled the car so it

wouldn't work. This is the same husband who had broken her jaw on a family vacation, the same husband who had knocked out her teeth in an Applebee's parking lot while her children watched, the same husband who had called their oldest son a sexual-orientation epithet, and put beer in the baby bottle of their youngest child.

So Nell Lindsey got a ride home from the hospital from work with a friend of hers. And as they were headed home, they saw an ominous sight, Madam Speaker. They saw the car of her estranged husband. Now, he had been ordered to stay away from her, Madam Speaker, but he didn't care. And there was a conditional bond to stay away from her, but he didn't care. And there was a court order, an order of protection to stay away from her, but he didn't care.

And when Nell Lindsey and her friend saw that ominous sight of Marion Lindsey in a car, they did a very smart thing, Madam Speaker. They headed straight for the Inman Police Department. And they're jumping over railroad tracks, and they're running stop signs, and they're running red lights. And Nell gets out her cell phone and she calls 911. And she says, Please help, please help.

So they pull into the back parking lot of the Inman Police Department, and she still has the cell phone to her ear, and through the audiotape that we played at trial, Madam Speaker, you could hear Nell Lindsey saying, Please help, please help. And then you heard four gunshots. And when they took her body out of the back seat of that car, she still had the cell phone in her hand.

The system failed Nell Lindsey, Madam Speaker. She did everything we tell battered and abused women to do. The courts couldn't save her, the prosecutors couldn't save her. Her husband's on death row, but that doesn't save her. But even in her death, Madam Speaker, she did something good because she spawned changes in South Carolina in the way that we treat violence against women.

And with the help of Violence Against Women grants, like the ones that are at jeopardy today, with the help of those grants, and a woman named Lynn Hawkins, who I must concede, Madam Speaker, does not share my political ideology in any way, shape, or form, but she put the political sloganeering and the bumper stickers behind and she said, let's change the system in South Carolina, and we did it. It wasn't in time to save Nell Lindsey, but it was in time to save a graveyard full of other women in our State.

So I'm going to ask simply this, Madam Speaker: Can we stop the election-year gimmicks? Can we stop these manufactured wars that pit one group of Americans against another group of Americans?

I spent 16 years prosecuting men who raped, stabbed, strangled, shot, and killed women. I have a mother, a wife, a daughter, three sisters, and the images of countless women indelibly imprinted on my mind because they were killed by men who claimed to care about them.

This is not about politics to me. If you want to make women safer, then change the way we draw juries, change the discovery rules, improve the rape shield statute. But stop focusing on November's election for just one afternoon and wonder with me what good we can accomplish if we will stop the political games, and if we could pick up some humanity and embrace the fact that, even in a political environment as dysfunctional as this one, we can find common ground when it comes to fighting for those who have no voice, who have nobody to stand up for them.

Madam Speaker, the political games have to stop, at least for a day. They have to stop. If this bill fails, it will be because those on the other side were so bent on making a point that they stopped caring about making a difference.

Madam Speaker, the Senate bill is fundamentally and constitutionally flawed. Further, to say, Madam Chair, it continues to pit one group of Americans against another group of Americans solely for political reasons. Lady Justice doesn't do that, and politicians shouldn't do it either. I urge support for this bill.

Ms. HIRONO. Madam Speaker, I rise in opposition to H.R. 4970, the House Majority's version of the Violence Against Women Reauthorization Act of 2012, which eliminates important protections for women that have been supported on a bipartisan basis for many years.

The tragedy of domestic violence is a reality for many families in our country and around the world. Unfortunately, it likely touches someone we know. Domestic violence affects people at all income levels, ethnicities, and ages.

Since its enactment in 1994, the Violence Against Women Act (VAWA) has been improved with each renewal in 2000 and 2005.

It has been done on a bipartisan basis. The Senate's 2012 VAWA reauthorization bill passed by a 68–31 margin.

The same cannot be said for this bill, which barely passed the House Judiciary Committee by a 17–15 vote along mostly partisan lines. Rather than addressing serious gaps in protection and services, H.R. 4970 rolls back critical safeguards that have long been part of this law and repeals current law requiring abuser-submitted evidence to be corroborated before it can be used against a victim. These safeguards were included as part of previous reauthorizations and are included in S. 1925, the Senate's 2012 bipartisan reauthorization bill. With these provisions stripped, H.R. 4970 leaves countless women, including LGBT, immigrant, and American Indian victims at risk.

The bill puts abused immigrant women at increased risk by imposing new, burdensome procedural hurdles that would delay or deny protections and put victims in a more vulnerable position than they would be under current law. Law enforcement groups, including the Fraternal Order of Police, the National Sheriffs' Association, the National District Attorneys Association, and National Association of Attorneys General support provisions in current law and in the Senate bill that protect immigrant women and help police and prosecutors pursue cases against dangerous perpetrators.

The House Majority's VAWA reauthorization would abolish significant enhancements contained in the bipartisan Senate bill. For LGBT victims of domestic violence, H.R. 4970 fails to prohibit discrimination and ensure equal access to services. This bill would do away with provisions designed to provide justice to American Indian women by eliminating provisions empowering tribes with jurisdiction to prosecute non-Indian perpetrators on their lands.

Our Nation's most vulnerable victims of violence stand to lose from this reauthorization should it become law. I am dismayed to see that some could actually support legislation that provides protections for abusers rather than the abused. I urge my colleagues to reject H.R. 4970.

Mr. REYES. Madam Speaker, I rise today in strong opposition to H.R. 4970, the Violence Against Women Reauthorization Act. This controversial bill would weaken long-standing protections and fails to protect the most vulnerable victims of violence.

Last month, the Senate passed a bipartisan bill to reauthorize the Violence Against Women Act. Instead of supporting the bipartisan Senate bill, House Republicans introduced a dangerous partisan bill that rolls back many vital protections for battered women and shifts the power into the hands of abusers. This bill fails to protect battered immigrant spouses legally here, diminishes protections for the LGBT community, and neglects challenges facing Native American victims. It is a slap in the face to victims and those who have worked tirelessly to protect them.

One out of every four women in the United States is physically assaulted by an intimate partner and more than 740,000 children and youth are treated in hospital emergency departments as a result of violence each year—more than 84 every hour. In Texas, last year the number of family violence fatalities increased 28 percent from 2010. In El Paso, Texas according to the El Paso Police Department, police responded to 200 reports of sexual assault and 4,500 domestic violence cases just last year.

These numbers indicate the severity of a widespread problem that can have devastating social and health-related consequences and this bill will only weaken the confidentiality provisions for victims seeking protection from further violence. This bill reverses the ''U'' visa program that encourages immigrant victims of crime to report and help prosecute serious criminal activity and now will create obstacles for those seeking to report crimes. Now immigrant victims will be far less likely to share potentially valuable information with police that could help solve crimes and prosecute offenders.

Republicans in the House should drop their misguided attempt to undermine the Violence

Against Women Act that puts the safety and security of women at risk and instead should reauthorize and strengthen the existing program, as the Senate has already done. House Republicans should be ashamed of politicizing such an important issue and for attempting to roll back longstanding bipartisan protections for victims of domestic violence and sexual violence.

As the National Organization for Women has stated, this bill ''disregards the biases and disrespect that certain victims face when seeking help from the criminal justice system and access to lifesaving services, effectively giving second-class treatment to Native American, immigrant women, and LGBT victims. The bill smacks of willful ignorance of the problem and hostility to people deemed not to be 'true' victims.'' I fully support this statement because the fact of the matter is, violence is violence, regardless of who the victim is.

As a husband, father, and grandfather to four wonderful women, this issue is very important to me. If there is any issue where we should all agree, it is to help stop domestic and sexual violence, and to protect all victims. This should not be a political issue, but a matter of protecting those whom are most vulnerable. I strongly urge my colleagues to oppose this partisan measure.

Mr. LARSON of Connecticut. Madam Speaker, today I rise in opposition to H.R. 4970, and I encourage the majority to instead take up the bipartisan version of the Violence Against Women Act reauthorization that passed the Senate. I would like to thank my colleague, GWEN MOORE for her steadfast and unyielding work on this issue, and I was proud to join her as a cosponsor of the version of the VAWA reauthorization that she introduced in the House.

Since 1994, the Violence Against Women Act has been reauthorized without controversy, almost entirely devoid of any partisan rancor or division. It is an essential piece of legislation that seeks to protect the victims of abuse and offer them much-needed support. Since its original passage, and during each of the previous reauthorizations, Congress has continued to improve the VAWA by increasing protections for women every time it has come to the floor.

This year, both the bipartisan Senate bill and Congresswoman MOORE's bill offer reforms that make certain that when we pass a law that protects all women, we mean all women—with no exceptions. The reauthorization should include the new language proposed in those bills which would guarantee that the law will not discriminate against any woman based on her race, color, religion, national origin or sexual orientation.

Madam Speaker, it is my hope that my Republican colleagues will end this partisan gamesmanship on an issue that has always been, and should always be a bipartisan one. I join my colleagues, as well as hundreds of organizations and groups, and women across the country in opposing this bill.

I urge my colleagues on the other side of the aisle to work with us to pass the bipartisan Senate bill which ensures equal protection to all women in the United States of America.

Mr. DICKS. Madam Speaker, I believe every Member of the House supports the reauthorization of the Violence Against Women Act. However, I oppose the bill we are considering today because it contains serious gaps in its protections for Native American victims of domestic violence and it does not include language to ban discrimination against lesbian, gay, bisexual and transgendered victims in grant programs under the bill.

The bill fails to grant the tribal police and courts, generally the closest legal authorities for an alleged incident of domestic violence occurring on a reservation, the authority to address an incident occurring on tribal lands. Instead, tribal residents in my district would be forced to rely on Federal courts, located several hours away in Tacoma and Seattle, for help and protection. This puts a terrible and potentially dangerous burden on Indian victims in need of a protection order, many of whom do not have the means to travel this distance. Furthermore, the requirement forcing a victim to disclose her residential address called for in Section 1006 of the bill may well put her in further jeopardy.

I am also deeply concerned about the bill's refusal to prohibit discrimination against LGBT individuals in all VAWA programs. No victim of violence of any kind should be denied assistance simply because his or her sexual orientation. It is wrong that the bill further perpetuates this inequity, and I fear the reasons are purely political.

The answer to this problem is simple. A bipartisan compromise reauthorizing the Violence Against Women Act passed the other body with 68 votes in favor, including 15 Republicans. It resolved these issues in a way that was acceptable to both sides, and I encourage the leadership in the House to allow this bill to come to the floor for a vote immediately.

I urge my colleagues to reject this flawed bill and to push for the consideration of a truly bipartisan reauthorization bill before the week is out.

Mr. MORAN. Madam Speaker, I rise in reluctant but strong opposition to H.R. 4970, a needlessly partisan reauthorization of the Violence Against Women Act (VAWA) that unwisely undermines important protections for victims of domestic violence and sexual assault.

Initially enacted in 1994, VAWA acknowledges the harmful and persistent impact that domestic violence, sexual assault, and dating violence has on our society. Nearly one in four women are the victims of rape or abuse by a partner during adulthood, with young women between the ages of 16 and 24 experiencing the highest rate of partner violence. One in four girls and one in six boys are sexually abused before the age of 18, half of whom are victims of incest. Nationwide, approximately three women are killed each day by a current or former intimate partner.

In addition to the physical and emotional trauma experienced by victims, domestic violence and sexual assaults impose a tremendous economic cost on our nation. Rape is the most costly crime to its victims, totaling $127 billion a year in medical costs, lost earnings, and diminished quality of life. The cost of intimate partner violence exceeds $5.8 billion, including $4.1 billion in direct health care expenses. Over 25 percent of domestic violence victims report that they lost a job, at least in part, because of this violence. In total, domestic violence is estimated to cost employers in the U.S. up to $13 billion every year.

To address this staggering problem, VAWA established streamlined programs to provide law enforcement, judges and prosecutors, and social service providers with the resources they need to hold offenders accountable and support the needs of victims. It allowed for coordinated, community-based services for victims and strengthened housing protections. VAWA also created important prevention programs for young people and improved the response to violence against Native American women and those in underserved communities. The tangible results of VAWA are impressive and should make all Americans proud.

Since 1994, reporting of domestic violence has increased by as much as 51 percent, while the number of individuals killed by an intimate partner has decreased 34 percent for women and 57 percent for men. States have enacted important protections for victims of stalking and strengthened rape laws in response to VAWA. Many more victims of domestic violence, dating violence, and sexual assault are able to access critical services. An entire generation of justice system professionals now understands that our society cannot tolerate these crimes. In just the first six years after enactment, VAWA saved an estimated $12.6 billion in net averted costs.

Yet, the bill before us today betrays the bipartisan history of VAWA. It fails to contain important reforms included in a Senate-passed version of the bill that ensure LGBT, Native American, and immigrant women receive the protections they deserve. The bill lacks protections for LGBT survivors despite the fact that studies have clearly shown that these individuals are underserved explicitly because of their sexual orientation or gender identity. It fails to provide American Indian women effective recourse to bring justice against non-Indian abusers, even though these women face rates of victimization more than double that of non-Indian women. And the bill, for the first time ever, weakens protections in current law for migrant victims of violence. The bill would leave immigrant victims without meaningful access to protection, create processing delays that will keep women in life-threatening situations for longer periods of time, and undermine law enforcement efforts to investigate and prosecute violent crimes with the assistance of immigrant victims.

Compounding the serious flaws in the legislation, Republicans forced the bill to the floor under a closed rule, allowing no opportunity for Democratic Members to offer amendments to improve the bill. Instead of following a truly democratic process to debate these important policy provisions, the majority finds it more important to shield their side from uncomfortable votes. This procedure is inappropriate for legislation as important as VAWA and is clearly inconsistent with the majority's pledge for a more open Congress.

VAWA always has been, and should have remained, a bipartisan bill. I am deeply troubled that my Republican colleagues decided to roll back protections for victims of abuse and

failed to include the responsible reforms contained in the Senate bill that passed by a bipartisan vote of 68–31. We must pass a strong VAWA reauthorization, but this bill falls well short of that critical necessity.

I ask my colleagues to oppose this bill, and I encourage the Republican leadership to allow a vote on the bipartisan Senate bill.

Mr. DAVIS of Illinois. Madam Speaker, I cannot support the H.R. 4970, the Republican bill that rolls back critical protections for domestic violence victims. Until now, reauthorization of the Violence against Women Act has involved a strong, bipartisan effort. In sharp contrast to this bipartisan history, the Republican Leadership aggressively is pushing a bill that weakens current law, shifts power into the hands of abusers, delays or denies protection to battered spouses and victims of heinous crimes such as rape and sexual assault, prevents law enforcement from gaining the cooperation of many immigrant victims of serious crimes, and leaves more dangerous criminals on the streets to strike again. This is unacceptable and undermines the intent of the bill to protect all victims of domestic and sexual violence.

In April 2012, the Senate passed by a vote of 68 to 31 a bipartisan bill that advanced the Federal government's commitment to protecting all victims—a bill that strengthens current law. In sharp contrast to the bipartisan Senate bill, the Republican bill fails to include key protections for Native American, immigrant, and LGBT victims of domestic violence. Even with the Manager's Amendment, the Republican bill undermines key protects for many domestic violence victims, making them less safe and tarnishing our American value of protecting the vulnerable. It is no wonder that over 100 organizations oppose the House Republican bill.

So, I stand with the diverse group of organizations—including the NAACP, the National Women's Law Center, the Human Rights Campaign, and the U.S. Conference of Mayors to strongly oppose the House Republican bill and to support the bipartisan Senate bill. As policymakers, we should be protecting our citizens, not decreasing their safety.

Ms. VELAZQUEZ. Madam Speaker, I rise in opposition to this legislation, which is an affront to women, their rights and their safety.

It is worth noting that the Violence Against Women Act was originally passed under a Republican Congress. Its provisions that protect immigrant women passed in 2000 and 2005—again during Republican majorities.

Yet, today, we are voting on legislation that would gut these protections, delivering women seeking help into the hands of their abusers—endangering their safety and their lives.

Immigrant women are disproportionately impacted by domestic violence. One study from New York City found that 51 percent of domestic partner homicide victims were foreign-born. Other research has suggested that, among undocumented Latina women, the rate of battering is as high as 34%.

For immigrant women, there can be language barriers preventing them from seeking help. In many cases, abusers may try to use the threat of deportation to prevent their victims from leaving.

The Violence Against Women Act is designed to help those who are most vulnerable and who need assistance. Instead, the provisions being offered by the Majority, today, would make it harder for those who have been battered to escape abuse and find safety. This legislation weakens confidentiality protections that prevent abusers from knowing their victims are seeking help. Needless, duplicative interviews with DHS would make it harder for those who are abused to secure assistance through the immigration system. The legislation would also make it more difficult for those cooperating with law enforcement to avoid deportation. Collectively, these provisions effectively cut women off from help, making it harder for them to avail themselves of the legal process.

Make no mistake: despite what our Republican colleagues say, these provisions will not reduce immigration fraud. That argument is a red herring. Indeed, there is not one shred of evidence suggesting female immigrants are misusing the Violence Against Women Act.

How can we turn our back on women who need assistance? What kind of a message does it send to pass this legislation? Are we saying to those who suffer abuse they do not ''count'' because they are undocumented?

I say to my colleagues—let us send another message. Reject this legislation. Pass a real Violence Against Women Act that does not divide us by playing politics, but extends help to women who need it.

Mr. DINGELL. Madam Speaker, it is with great disappointment that I rise in strong opposition to H.R. 4970, the Violence Alainst Women Reauthorization Act (VAWA) of 2012. I was proud to support the original Violence Against Women Act when Congress passed it with bipartisan support in 1994 because it created landmark programs to help victims of domestic violence, provided grants for law enforcement agencies, and established new categories of crimes such as stalking. VAWA is one of the true bipartisan success stories in Congress and it has achieved a real, significant and lasting impact on our nation. Since VAWA first passed, the annual incidence of domestic violence has decreased by 53 percent. However, there is still much work to be done, as approximately one in five women have been raped in their lifetime, and 45 percent of the women killed in the United States die after being attacked by an intimate partner.

Given the fact that violence against women continues to be a serious problem in this country, it is disappointing to see the Republican majority pursue such a partisan and reckless path forward with this legislation. Instead of following the Senate's lead, which passed an effective and bipartisan bill to reauthorize VAWA, the GOP has decided to play politics with this important issue and has significantly weakened protections for battered women and instituted discriminatory policies. Specifically, H.R. 4970 does not include key provisions of the Senate bill which ensure that LGBT victims are not discriminated against in VAWA programs. We can all agree that no victim of domestic abuse should be denied care because of their sexual orientation. As a lifetime supporter of civil rights I cannot in good conscience support legislation which would permit this to happen.

Further, three out of five Native American women are victims of domestic violence in their lifetime, which is a pressing national problem. The Senate bill addresses this concern by including provisions which would give Native American tribal governments jurisdiction to investigate and prosecute incidents of violence, in addition to providing grants to assist tribes in prosecuting such crimes. Yet H.R. 4970 does not adequately address these concerns by not including any of these provisions in the legislation. Such crass indifference makes this legislation impossible to support.

The path forward to reauthorize VAWA is clear. The Senate sent a clear message by passing a strong, bipartisan bill, and the House should do the same. Let us stop fighting these needless partisan battles and instead come together to reauthorize a program which has worked so well over the years. I urge my colleagues to join me in voting against H.R. 4970 and support the Senate bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, the Violence Against Women Act, VAWA, has historically provided a vast network of support for victims of dating violence, sexual assault, and stalking since its initial passage in 1994. Declining instances of domestic violence and increased awareness surrounding these forms of abuse are a testament to the success of VAWA's programs, and to the importance of its preservation. Unless VAWA is reauthorized, these programs will no longer be available to protect the countless victims of domestic violence and abuse throughout the United States.

Today, as Congress seeks to reauthorize this landmark piece of legislation for the third time, VAWA is at serious risk of being stripped of its most important provisions. The Senate version of VAWA was adopted on April 26 with bipartisan support, and not only preserves important protections for women but also expands those protections to LGBT individuals and Native American women. Conversely, H.R. 4970 represents a partisan bill that rolls back existing protections and excludes entire groups of victims.

As long as H.R. 4970 excludes critical improvements and disregards the recommendations of key stakeholders, I cannot support this bill. In the previous reauthorization, VAWA was drafted in a bipartisan fashion and included meaningful provisions for protecting battered and abused individuals, and as such I supported its passage. Unfortunately, H.R. 4970 completely fails to achieve the original objectives behind VAWA, and actually does more to harm women than it does to help them overcome their aggressors.

To show my support for VAWA, I have joined my colleagues as a cosponsor of H.R. 4271, an alternative to H.R. 4970 that contains language more consistent with the original intent of the bill. H.R. 4271 is simply a better bill that goes further to recognize the same prevalence of abuse among Native American women and LGBT individuals, and ensures that all victims are protected regardless of sexual orientation or national origin.

Madam Speaker, this attack on women needs to stop immediately. I can find no justification for why this Congress should exclude certain groups of women from the protections afforded by VAWA. The bill that is being considered before the House today does a disservice to victims of domestic abuse in the

U.S., and falls drastically short of the original intent of the law.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in opposition to H.R. 4970, the Violence Against Women Reauthorization Act of 2012. The Violence Against Women Act, VAWA, has been instrumental in protecting women from domestic violence, sexual assault, dating violence, and stalking. Domestic violence often has devastating consequences for women, their families, and society as a whole.

VAWA provides essential grants including educational programs for the prevention of domestic violence in schools, battered women's shelters, a national domestic violence hotline, grants to improve law enforcement and prosecution of violent crimes against women, among others. It also provides much needed services for the protection of children from maltreatment, sexual assault, and domestic violence.

A manager's amendment was offered to address some immigrant protection issues with H.R. 4970, but did very little to change the original bill. H.R. 4970 would change the requirements for abused immigrant spouses of U.S. citizens and permanent residents by imposing a higher standard of proof than required for asylum applications, and by allowing government adjudicators to break confidentiality and interview an accused abuser. The revised bill would only prohibit basing decisions exclusively on the information provided by the abusive spouse. The bill would also decrease protections for immigrant victims by undermining the U visa program, which allows an immigrant victim of a serious crime to stay in the U.S. to assist law enforcement in investigating and prosecuting the crime. The manager's amendment only provides a small portion of victims the opportunity to adjust their legal status after their U visa expires. Battered immigrant spouses would be less likely to report abuse if they could still be deported and their abusive spouses would be made aware they are trying to seek help.

H.R. 4970 ignores improving the safety of co-ed students on college campuses. Provisions to strengthen requirements for universities to report on how they address sexual violence on campus, were removed from the bill. If college campuses are not protected from sexual harassment, assault, or violence; students will not be able to learn and could potentially miss out on true educational opportunities.

The bill would not restore Native American tribal courts' jurisdiction over crimes of domestic violence or dating violence committed on reservations and tribal lands in cases where the victim is a tribal member but the defendant is not. Those cases currently fall outside the jurisdiction of both tribal and state courts and are rarely prosecuted on the federal level.

I believe it is important to provide preventative domestic violence programs as well as help those who have been affected by domestic violence with programs that can help them recover and protect them in the future. Many of the domestic violence programs that we have today would not be able to continue without the reauthorization of VAWA. H.R. 4970 mitigates VAWA's 18-year history and abandons many victims of domestic and sexual violence.

As a supporter of VAWA from the beginning, I urge all my colleagues to oppose H.R. 4970 and to vote on a bill that would allow these much needed programs and services to continue so that we may work to stop domestic violence.

Mr. RUPPERSBERGER. Madam Speaker, this week, the House of Representatives is expected to take up a bill reauthorizing the Violence Against Women Act (VAWA), a traditionally noncontroversial bill that improves the investigation and prosecution of violent crimes against women. The bill works: We've seen a 60 percent decrease in domestic violence since the bill first passed in 1994.

The Senate recently passed its version of this bill in an overwhelming, bipartisan vote. Unfortunately, the partisan House version rolls back some of its most critical components, limiting protections for certain classes of women. In fact, women's advocacy groups like the Maryland Network Against Domestic Violence say this bill would discourage victims of these heinous crimes from going to the police for help and actually increase abusers' power.

I can't support this bill for a number of reasons, but chief among them are its failure to include provisions to help reduce violence against young women on college campuses. This issue, in particular, resonates as we mark the second anniversary of the tragic death of Yeardley Love, a Baltimore native and student athlete at the University of Virginia who was beaten by her abusive ex-boyfriend.

Yeardley's mother, Sharon Love, recently visited Washington to encourage lawmakers to swiftly pass the VAWA reauthorization approved by the Senate. That bill requires colleges to provide clear protocols and disciplinary policies for reports of domestic violence, dating violence, sexual assault or stalking. It also requires colleges to help victims report the incident to law enforcement and seek a protective order if they choose to do so, as well as provide victims with options to change academic, living and transportation arrangements. Finally, it provides prevention programs for students who could be abusers, victims and bystanders.

It is shameful that the architects of the House bill have opted to remove these critical components. I am urging House leadership to bring the Senate version to a vote so we can provide real protection to women of all ages and races.

Mr. FALEOMAVAEGA. Madam Speaker, It is with great pleasure to rise today in support of the Violence Against Women Act. In doing so, I am reminded of an old Samoan belief that the female siblings are the ''tama sa'' or sacred child in the family. They are to be treated with respect, care and love—offenders of this ancient taboo often faced extreme consequences. Madam Speaker, I am in full support of reauthorizing the Violence Against Women Act (VAWA).

While I fully support reauthorization of an Act of Congress that since 1994 has been an essential tool to protect victims of domestic and sexual violence, I do however have some major concerns with H.R. 4970, legislation before us today. Unlike the Senate reauthorization bill, S. 1925, introduced by Senators PATRICK LEAHY and MIKE CRAPO and was passed by the Senate last month with strong bipartisan support, H.R. 4970 introduced by my colleague Ms. SANDY ADAMS, will effectively bring more harm than protect victims of domestic violence.

Madam Speaker, unlike S. 1925, H.R. 4970 offers no protection for Indian spouses abused on tribal land. Under a 1978 Supreme Court decision, non-Indians cannot be prosecuted by tribal courts for crimes committed on tribal land. Last July, the Justice Department recommended that Congress give tribes local authority to prosecute non-Indians in misdemeanor domestic and dating violence cases.

Madam Speaker, the Senate reauthorization bill, S. 1925, will do just that. It will recognize certain tribes' concurrent jurisdiction to investigate, prosecute, convict, and sentence persons who assault Indian spouses, intimate partners, or dating partners, or who violate protection orders, in Indian country. It recognizes that tribal nations may be best able to address in their own communities—neither the United States nor any State would lose any criminal jurisdiction as a result.

Madam Speaker, H.R. 4970 on the other hand, completely ignores this ongoing injustice against Indian spouses, wives or partners, on tribal lands.

I am also disappointed that certain provisions in H.R. 4970 would strip away some of the existing protection for immigrant victims of abusive relationships. As it stands now, VAWA allows battered immigrants to petition for their own immigrant status, independent of their abusive spouses and thus freeing them from their spouse's abuse and control. If enacted however, H.R. 4970 will allow immigration officers to interview an alleged offender and consider the information obtained in making a determination about the adjudication of a battered immigrant's petition for status. This allows abusers to manipulate the immigration process to cause further harm on the victim. Moreover, it will reveal confidential information necessary to protect the victim and her children from the unwanted advances of an abusive spouse or partner.

Madam Speaker, in the ancient Samoan culture, it is a great shame to the male sibling if any harm or injury happens to the ''sacred child''. It is within this cultural context, and also with a deep sense of fairness and justice that I urge my colleagues to pass the Senate reauthorization bill. The house bill H.R. 4970, while it was written with good intention, does not do justice for the women of this country.

Mr. GRIJALVA. Madam Speaker, the House Republican version of this bill rolls back existing protections for immigrants who are victims of domestic violence and strips provisions in the Senate version that protect Native Americans and LGBT abuse victims.

Republicans have decided to use this nonpartisan issue to push their war on women further than many of us thought possible. This new bill says that if a Native American or immigrant—documented or not—is the victim of abuse, the government should turn a blind eye. This is a cold, heartless vision of what law enforcement means to the American people, and it's hard to find words strong enough to reject it.

The House bill eliminates an existing confidentiality clause known as the self-petitioning

process that allows abused women to apply confidentially, if appropriate, for protected immigration status. If the clause is removed from current law, women legally in the country because of a pending marriage who suffer abuse would not be able to keep their applications for permanent status private from their abusers. Boyfriends or husbands would be able to revoke the citizenship application, making the abused woman revert to undocumented status and limiting her legal options.

Men shouldn't be able to abuse women and control their access to law enforcement at the same time. This is a scary scenario that we shouldn't even have to contemplate.

Currently, Federal and State law enforcement officers have exclusive authority to prosecute misdemeanor domestic violence crimes committed by non-Indians on Tribal lands, many of which are known to go unprosecuted for logistical and other reasons. The Senate VAWA reauthorization bill lets Tribal law enforcement exercise jurisdiction over such cases, while the House version maintains the status quo. The unfortunate situation of abused Native women has been ignored for far too long. The law should protect all women from abuse, wherever they live. Republicans found an awful lot of nerve to deny equal protection to millions of Native American women for no reason I can tell.

The Senate version includes a provision that helps colleges and universities increase violence-prevention education and reduce dating abuse and sexual assault. The House version does not include that language. The Senate version prevents any entity that receives Federal anti-abuse grants from turning away LGBT victims when they have suffered from domestic violence or abuse. The House version is silent on the issue.

According to a National Network to End Domestic Violence report, ''Domestic violence impacts one in four American women over their lifetimes, and 15.5 million children are exposed to domestic violence each year. Victims rely on services to escape violence and rebuild their lives. When victims of domestic violence, sexual assault, dating violence or stalking take the difficult step to reach out for help, many are in life-threatening situations and must be able to find immediate refuge.''

Mr. PENCE. Madam Speaker, I rise today in support of H.R. 4970, the Violence Against Women Reauthorization Act of 2012, offered by Representative ADAMS of Florida. I wish to extend my deep appreciation to Representative ADAMS for her leadership in introducing this legislation and my heart goes out to her and all of the women across the country who have been victims of domestic violence.

Each year, there are more than 200,000 victims of sexual assault nationwide. Sixty-two domestic violence deaths occurred in my home State of Indiana within a recent twelve-month period. As a husband to a wonderful wife and a father of two precious daughters, I strongly support efforts to end sexual violence and domestic abuse.

The Violence Against Women Act (VAWA) was originally passed by Congress in 1994 to address rising violent crime rates against women, and in subsequent years we have witnessed a dramatic reduction in the incidence of domestic violence in this country. In 2006, I supported legislation to reauthorize VAWA, which added improvements to enhance sentencing for repeat sex offenders and require pretrial detention of child pornographers.

While we have made progress in our fight against domestic and sexual violence, there is still work to be done, and that is why this reauthorization legislation is so important. Today's legislation continues our fight to prevent victims of these tragic crimes. It includes enhanced tools for law enforcement to arrest abusers and those who violate protection orders. It increases penalties for sexual assault and abuse. It funds programs to aid domestic violence victims seeking refuge from their abusers, and it promotes awareness in an effort to prevent these crimes from occurring in the first place.

I urge my colleagues to support this reauthorization of VAWA and to support our continued efforts to combat sexual violence and domestic abuse.

Mr. CONNOLLY of Virginia. Madam Speaker, House Republicans say they want to prevent violence against women, yet because of their ideological agenda, the bill on the floor this week actually eliminates current protections for battered women, placing them in danger.

Domestic violence does not respect any boundary; it does not discriminate on the basis of ethnicity, religion, sexual orientation or political affiliation.

Turning Points, the only domestic violence intervention program in Prince William County, served 6,000 clients last year. In Fairfax County, there were more than 8,000 cases of domestic violence reported, and we have seen a 40 percent increase in homelessness due to domestic violence.

Yet House Republicans would make it harder for women to come forward to report abuse. In a letter to the Judiciary Committee, law enforcement officials from across the Nation said the Republican bill, quote, ''will turn back the clock on over 17 years' of progress made by law enforcement in reducing violence against women and children in our communities.''

Madam Speaker, protecting women and children from abusive situations should not be a partisan issue. We should take up the Senate's bipartisan bill and not further abuse these poor victims.

Mr. STARK. Madam Speaker, reauthorizing the Violence Against Women Act (VAWA) should present Congress with an opportunity to set aside our many differences and work together so that women and families across the country can lead safer, healthier, and happier lives. VAWA has transformed our Nation's response to violence against women and brought critically needed resources to states and local communities so they can prosecute these crimes. Reauthorizing VAWA is essential. For these reasons, I am both saddened and angered that the Republican House majority has squandered this opportunity.

All women, no matter what their background or lifestyle, deserve to live free of violence and danger. Our Senate colleagues recognize this. They passed a thoughtful reauthorization bill that helps women in need.

The Senate bill prohibits discrimination against gay or transgender individuals in VAWA programs. It ensures that immigrant women can file domestic violence complaints without fear for their safety. It extends vital protections to Native American women by permitting non-Indian men who commit violent crimes against them on tribal land to be prosecuted through the tribal system. It also includes important improvements to better address the high rates of dating violence and sexual assault experienced by people in college and other educational settings.

In contrast, the House Republican VAWA bill leaves out all of these protections. It delivers the reprehensible message that women in the United States are not worthy of protection if they are gay, Indian, or non-citizens and it flat out fails to make other needed updates to the law.

Congress should not be in the business of choosing who is and is not deserving of safety. Every woman should have access to protective services if and when she needs it. The regressive policy in H.R. 4970 falls far short of this goal. I stand with President Obama and women's advocates across our country in opposing this bill and I urge all my colleagues to vote against it.

Mr. VAN HOLLEN. Madam Speaker, since 1994 Congress has expanded and reauthorized the landmark Violence Against Women Act numerous times in a bipartisan manner. It is unfortunate that the Republican leadership in the House has deviated from tradition with this bill.

This bill not only strips important provisions that were passed in the Senate by a bipartisan vote of 68–31, but also weakens preventive provisions that have been included in previous bills reauthorizing the Violence Against Women Act, which were supported by Democrats and Republicans over the past 18 years. The Senate's comprehensive reauthorization bill improves protections for Native American women, immigrants, and ensures all victims are assisted regardless of religion or sexual orientation. I support the Senate's bipartisan approach to the Violence Against Women Act Reauthorization bill. I cosponsored a version of the bill in the House of Representatives. I also voted to bring the Senate bill up for a vote in the House, but the Republican leadership blocked all amendments and the opportunity to vote on the Senate version.

House Republicans have brought to the floor today a controversial bill that will weaken long-standing protections and roll back key provisions. This is the first time the Violence Against Women Act has become political and it is shame. More than 300 groups have opposed aspects of this bill. Those groups include the National Network to End Domestic Violence, National Coalition Against Domestic Violence National Coalition of Anti-Violence Programs, Break the Cycle, U.S. Conference of Mayors, Leadership Conference on Civil and Human Rights, National Organization for Women, YWCA USA, AAUW, Business and Professional Women's Foundation, National Women's Law Center, Planned Parenthood Federation of America, American Bar Association, Human Rights Campaign, NAACP, National Congress of American Indians, National Council of La Raza, Jewish Council for Public Affairs, United Church of Christ, and the

United Methodist Church. I believe that Congress should stand up for all victims of domestic violence and support a comprehensive reauthorization bill.

I hope the House rejects this bill today and immediately passes the Senate's Violence Against Women Act reauthorization bill. I will monitor the progress of this bill in conference with the Senate. I am hopeful that future changes and improvements will give me a chance to vote on an acceptable alternative.

Mr. KUCINICH. Madam Speaker, I rise in strong opposition to H.R. 4970 because it represents a missed opportunity to renew the Violence Against Women Act, VAWA. VAWA exists because women have a human right to live in dignity without fear of criminal activity being perpetrated against them, and local and national law enforcement agencies must have specific tools to protect that right.

The bill before this House will undermine the progress our nation has made toward protecting and supporting victims of sexual assault and domestic violence. It runs counter to the intent of VAWA by cutting vital existing protections for battered immigrant women, and excludes important protections for Lesbian, Gay, Bisexual, Transgender and Questioning, LGBTQ, victims, as well as Native American women. This bill fails to protect some of the most vulnerable victims and leaves them without access to essential services.

Three in five Native American women have experienced domestic violence in their lifetime. Up to 33 percent of the LGBTQ community are victims of domestic violence. These are not merely statistics; these are people we represent and they need our support.

I urge my colleagues to vote against this bill.

Ms. MCCOLLUM. Madam Speaker, I rise today to speak in opposition to this bill. The Violence Against Women Act has never been a divisive piece of legislation until this Tea Party Majority came into power. Instead of bringing the bipartisan bill already passed by the Senate to this floor for a vote, House Republicans are attempting to pass a partisan and discriminatory bill that eliminates protections for violent crime victims.

The Republican bill on the floor this week eliminates long-standing critical protections for immigrant women who are the victims of crime and abuse. This bill rejects the new protections adopted by the Senate for gay and transgender individuals. The LGBT community experiences domestic violence at roughly the same rates as other populations, but these survivors often face discrimination when seeking the services they need to escape abuse. The bipartisan Senate bill included provisions to ensure LGBT victims can find refuge and access needed services.

This bill also eliminates the new provisions for Native American victims. One in three native women is raped in her lifetime, three in five suffer domestic assault, and a majority of the perpetrators are non-Indian. Considering these horrific statistics, I am dismayed that the bill the Republican majority brought before us today does not include adequate protections for Native women. The provision included at the last minute—section 1006—actually takes a step backward by placing the burden on the woman seeking protection, who would have to travel to a federal court and hire legal counsel. It forces tribal women to rely on federal law enforcement, who already decline to prosecute more than half of the violent crimes in Indian Country, and an even higher percentage of sexual assault cases.

According to the National Congress of American Indians, in one alarming case, a woman was assaulted by her non-Native boyfriend and had her nose broken. When she filed a police report, she heard that the injury was just broken cartilage, and that the case would not be prosecuted because U.S. attorneys will not take a domestic violence case unless the disfigurement is permanent. This is the status quo that the bill before us will maintain. It is unacceptable, especially with a better bipartisan alternative available.

The Violence Against Women Act reauthorization bill passed by the Senate, S. 1925, had provisions that provided for tribes to prosecute a non-Indian for domestic violence in a constitutional manner. Defendants would still have access to free counsel, to due process, and to a jury of their peers including non-Indians. These common-sense provisions were developed during years of consultation with tribes and were recommended by the U.S. Department of Justice after studying the crisis. Tribal communities need this authority at the local level to protect their mothers, sisters and daughters from abuse.

If the House passed the bipartisan Senate bill, it would send a clear message that this country does not tolerate violence against women, regardless of their ethnicity or sexual orientation. Moreover, it would show Congress' commitment to reducing domestic violence, protecting women from sexual assault and securing justice for victims.

Over a decade ago, VAWA passed the House and Senate by votes of 371–1 and 95–0, respectively, and then this overwhelming support was repeated in 2005. Yet here we are today, with my colleagues across the aisle turning this into a divisive and partisan issue.

It is wrong, it is unfair to victims of domestic violence, and it is the latest example of this Tea Party Republican Majority's failure to find common ground even on issues that have been historically non-controversial. We must do better for all women who experience violence, which is why I urge my colleagues to vote against this bill. I remain hopeful that the House will have the opportunity to consider the Senate-passed bipartisan language instead.

The purpose of VAWA has always been to ensure that all victims of violence are protected and that their basic human rights are upheld, no matter one's sexual orientation, ethnicity, or legal status in this country, and this bill shirks that responsibility.

Ms. RICHARDSON. Madam Speaker, I rise in strong and unyielding opposition to H.R. 4970, ''Violence Against Women Reauthorization Act of 2012.'' I urge my colleagues to reject this legislation and appeal to the Republican leadership to bring to the floor the Senate version of this bill which passed with a substantial bipartisan majority. Every Democratic Senator and 15 Senate Republicans, including all of the Senate GOP women, voted for the bill.

H.R. 4970 reauthorizes the Violence Against Women Act (VAWA) for five years. It provides federal resources authorized by VAWA directly to organizations and programs that help prevent violent crime and protect victims of domestic violence and sexual assault. It consolidates grant programs and requires more audits and direct grant applicants to disclose their sources of federal funding. It also includes new benchmarks for visa applicants who are the victims of violent crime.

Madam Speaker, VAWA has never been a partisan issue until this Congress. Twice over the last 20 years, Democrats and Republicans have worked together to reauthorize VAWA and make necessary improvements. But just like on the Highway Bill, House Republicans are abandoning the bipartisan consensus that has always existed on VAWA reauthorizations. The bill rolls back important protections for immigrant victims that put them in a more vulnerable position than under current law by eliminating longstanding confidentiality of VAWA petitions for protection by allowing immigration officials to contact a battered woman's abusive spouse, tipping off the abuser to the victim's efforts to leave.

H.R. 4970 also makes it more difficult for undocumented witnesses to work with law enforcement officials, and eliminates a pathway to permanent residency for victims of major crimes who cooperate with police on serious criminal cases. The bill also completely excludes vulnerable populations such as tribal women, and LGBT individuals.

The House Republican bill removes the key provisions from the bipartisan passed Senate bill improving protections for Native American women and ensuring all victims are assisted regardless of religion or sexual orientation.

The House Republican bill is opposed by hundreds of groups within the domestic violence community, as well as law enforcement, civil rights and faith-based groups.

Drafting a VAWA bill without any input from Democrats and without any Democratic support in the Judiciary Committee goes against how these reauthorizations have been crafted for over two decades. And it has produced a bill that weakens, rather than strengthens, protections for women against domestic abuse.

I oppose H.R. 4970 and urge my colleagues to do likewise.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 656, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. MOORE. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. MOORE. Yes, ma'am, I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Moore moves to recommit the bill H.R. 4970 to the Committee on the Judiciary with instructions to report the same to the House forthwith with the following amendment:

Page 30, after line 3, insert the following:

SEC. 6. PROTECTING CONFIDENTIALITY AND PRIVACY OF VICTIMS OF VIOLENCE.

Nothing in this Act shall be construed to eliminate, reduce, or otherwise limit any protection in effect on the day before the date of enactment of this Act that provides confidentiality to victims of domestic violence to protect such victims from future violence. This protection includes preventing notification of a victim's efforts to seek assistance from law enforcement from being exposed or transmitted to the victim's suspected batterer.

PARLIAMENTARY INQUIRY

Ms. MOORE. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. MOORE. Madam Speaker, if the final amendment that I'm offering here today were to be adopted, is it not the case that the bill will be amended and that the House will then proceed to final passage right away?

The SPEAKER pro tempore. As the Chair stated on February 27, 2002, and May 10, 2012, if a motion to recommit with forthwith instructions is adopted, the amendment is reported by the chair of the committee and is immediately before the House.

The gentlewoman from Wisconsin is recognized for 5 minutes.

Ms. MOORE. Madam Speaker, this motion to recommit simply clarifies that the preservation of confidentiality to protect the victims' identity to avoid retaliation and even loss of life shall not be weakened as compared to current law.

□ 1650

We have debated the need to expand this bill beyond what the author has put in. We have lost that debate because the Rules Committee has put forth a closed rule, and we do not have the opportunity to present the Senate version of the bill, which passed overwhelmingly in the Senate 68 31. So we have lost that battle for the Violence Against Women Act to include all women.

In this motion, we are simply trying to reestablish one little sliver—one little piece—in this bill that we are hoping the majority will recognize will greatly enhance the safety of all women. This motion simply protects the victim's identity to avoid retaliation and even the loss of life, and it makes sure it is not weakened as compared to current law. Now, we are going to be told that the manager's amendment does that, but it does not.

Under current law, abused women are able to seek help and come forward to authorities under the condition of confidentiality; but H.R. 4970, as amended, does a couple of things. For example, it delays the protection of battered victims by staying adjudications before pending investigations or prosecutions are completed. It creates a negative inference against the victim if law enforcement does not open a formal investigation or if prosecutors fail to prosecute the perpetrator. I can tell you that, notwithstanding the due process rights of abusers, current law provides a very delicate balance between the due process rights of abusers and the confidentiality of those accusers.

The fact that the bill was amended in this way restimulates me to remember an incident in my own life when the balance of rights was tipped in favor of the abuser. I am reminded of a time when I got into an automobile, with a man whom I thought to be a personal friend, to go get some fried chicken. He pulled in behind some vacant buildings, and he raped me and choked me almost to death. When I went to the hospital, I was encouraged by an advocate—this was in the 1970s, long before there was a Violence Against Women Act, long before there was a Rape Shield Act—to take him to court.

Indeed, I was on trial because, like this bill—and just like what I experienced—I had to prove as a victim that I was not being fraudulent in my accusations. Oh, they brought up how I was an unwed mother with a baby. Maybe I seduced him. They talked about how I was dressed, and they carried me through all kinds of bureaucratic hoops. Ultimately, he was found to be not guilty; although, I had done everything that I was told to do in terms of prosecuting this. I cannot stress the solemn nature of this issue.

It doesn't surprise me that she had the cell phone in her hand but that she lost her life because she couldn't escape this man. It doesn't surprise me that she was shot four times behind the police station. The most dangerous time for a woman is when she is trying to escape her perpetrator, when she is trying to do something about it, when she is trying to turn her life around, hers and her children's.

When the perpetrator is given the tools that this bill gives him to have an abuser's rights prevail over the rights of the victim's, she will have the cell phone in her hand, but she will lose her life anyway because she cannot escape this man. The manager's amendment does not fix this. We have heard from 325 groups and organizations that oppose this bill and say that the manager's amendment does not fix it, so I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mrs. ADAMS. I oppose the motion.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 5 minutes.

Mrs. ADAMS. Madam Speaker, Democrats in Congress and others have been accusing Republicans for months for waging a war on women. We've been called antivictim, elitist, homophobic, and racist. These ridiculous attacks stop now—right here, right now. It's a shame, really. We've always had a bipartisan vote on this issue. It has always been a bipartisan issue, but this year, it has turned into an election year politic.

The Violence Against Women Act was bipartisan legislation when it was enacted in 1994 and when it was reauthorized by a Republican-controlled House in 2000 and in 2006. Instead of coming together to reauthorize grant programs to help victims of domestic violence, dating violence, sexual assault, and stalking, my colleagues on the other side of the aisle have created a phony war on women to score political points. These attacks are unfortunate and divisive. Domestic violence knows no political or socioeconomic boundaries. Neither should legislation to fund these important programs.

Critics of this bill outright dismiss the dozens of good, broadly bipartisan things that this bill does in its nearly 200 pages of text, and they have chosen to focus their attention on a handful of things it doesn't do. So let's be real about what the bill does:

It reauthorizes the VAWA grant programs for 5 years at the same levels as the Senate-passed bill. That's over $680 million a year in Federal funds to support these programs, and this is on top of the increase in funding for these programs that were adopted just last week by this House in the CJS appropriations bill.

It sets aside specific funding for sexual assault investigations, prosecutions, and victim services as well as reauthorizes State rape prevention education programs, programs to promote educational awareness to prevent violence and to improve services for young victims. The bill also improves emergency and transitional housing services for victims.

This bill provides greater protections to Indian women by designating domestic violence tribal liaisons within the U.S. Attorney's Offices, and it creates a new provision to allow victims of domestic violence or Indian tribes on behalf of victims to seek protection orders from U.S. district courts against Indian or non-Indian abusers.

When I made the decision to pack what few belongings I could carry and leave with my daughter to escape an abusive relationship, all I cared about was protecting my daughter and providing her a safe and healthy life. In my years of service in law enforcement, not once did a domestic assault or rape victim question where the help was coming from or which political party or organizations endorsed the law that made that funding possible.

The reason for that is this: This bill isn't about Washington politics. It's about people's lives.

If you vote against this bill today, you will vote to deny help to millions of victims. Opponents are willing to sacrifice helping millions of American

women escape their abusers in the name of political gamesmanship, so I urge my colleagues to vote ''no'' on the motion to recommit and ''yes'' on the final passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. MOORE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4970, if ordered, and suspension of the rules with regard to H.R. 2621, if ordered.

The vote was taken by electronic device, and there were—yeas 187, nays 236, not voting 8, as follows:

[Roll No. 257]

YEAS—187

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Burton (IN)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—236

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Cassidy
Filner
Hinojosa
Johnson (GA)
Labrador
Landry
Sánchez, Linda T.
Slaughter

□ 1720

Messrs. RUNYAN and FINCHER, Mrs. HARTZLER, Messrs. GRAVES of Missouri, MARCHANT, BROOKS and MEEHAN changed their vote from ''aye'' to ''no.''

Mr. BERMAN, Ms. PINGREE, Mrs. DAVIS of California, Mr. RANGEL, Ms. SPEIER and Ms. BROWN of Florida changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Madam Speaker, on rollcall No. 257, had I been present, I would have voted ''aye.''

Mr. FILNER. Madam Speaker, on rollcall 257, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 205, not voting 4, as follows:

[Roll No. 258]

AYES—222

Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Benishek
Berkley
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCotter
McHenry
McIntyre

McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—205

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berg
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Garrett
Gonzalez
Gosar
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rivera
Rohrabacher
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Yarmuth

NOT VOTING—4

Cassidy
Filner
Labrador
Slaughter

□ 1729

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 258, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

CHIMNEY ROCK NATIONAL MONUMENT ESTABLISHMENT ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2621) to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BLOCKING PROPERTY OF PERSONS THREATENING THE PEACE, SECURITY, OR STABILITY OF YEMEN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–109)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the ''order'') declaring a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of certain members of the Government of Yemen and others to threaten Yemen's peace, security, and stability.

The order does not target the entire country of Yemen or its government, but rather targets those who threaten the peace, security, or stability of Yemen, including by obstructing the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power that meets the legitimate demands and aspirations of the Yemeni people for change, or by obstructing the political process in Yemen. The order provides criteria for the blocking of property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to: have engaged in acts that directly or indirectly threaten the peace, security, or stability of Yemen, such as acts that obstruct the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power in Yemen, or that obstruct the political process in Yemen; be a political or military leader of an entity that has engaged in the acts described above; have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the acts described above or any person whose property and interests in property are blocked pursuant to the order; or be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

The designation criteria will be applied in accordance with applicable Federal law including, where appropriate, the First Amendment to the United States Constitution.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, *May 16, 2012.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT

Mrs. BIGGERT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5740) to extend the National Flood Insurance Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5740

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Flood Insurance Program Extension Act''.

SEC. 2. EXTENSION OF PROGRAM.

(a) IN GENERAL.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking ''the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012'' and inserting ''June 30, 2012''.

(b) FINANCING.—Section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking ''the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012'' and inserting ''June 30, 2012''.

SEC. 3. USE OF PRIVATE INSURANCE TO SATISFY MANDATORY PURCHASE REQUIREMENT.

Section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''lending institutions not to make'' and inserting ''lending institutions—

''(A) not to make'';

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking ''less.'' and inserting ''less; and''; and

(C) by adding at the end the following new subparagraph:

''(B) to accept private flood insurance as satisfaction of the flood insurance coverage requirement under subparagraph (A) if the coverage provided by such private flood insurance meets the requirements for coverage under such subparagraph.'';

(2) in paragraph (2), by inserting after ''provided in paragraph (1).'' the following new sentence: ''Each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.'';

(3) in paragraph (3), in the matter following subparagraph (B), by adding at the end the following new sentence: ''The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.''; and

(4) by adding at the end the following new paragraph:

''(5) PRIVATE FLOOD INSURANCE DEFINED.—In this subsection, the term 'private flood insurance' means a contract for flood insurance coverage allowed for sale under the laws of any State.''.

SEC. 4. PRIVATIZATION INITIATIVES.

(a) FEMA AND GAO REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess a broad range of options, methods, and strategies for privatizing the national flood insurance program and shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with recommendations for the best manner to accomplish such privatization.

(b) PRIVATE RISK-MANAGEMENT INITIATIVES.—

(1) AUTHORITY.—The Administrator of the Federal Emergency Management Agency may carry out such private risk-management initiatives under the national flood insurance program as the Administrator considers appropriate to determine the capacity of private insurers, reinsurers, and financial markets to assist communities, on a voluntary basis only, in managing the full range of financial risks associated with flooding.

(2) ASSESSMENT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Administrator shall assess the capacity of the private reinsurance, capital, and financial markets by seeking proposals to assume a portion of the program's insurance risk and submit to the Congress a report describing the response to such request for proposals and the results of such assessment.

(3) PROTOCOL FOR RELEASE OF DATA.—The Administrator shall develop a protocol to provide for the release of data sufficient to conduct the assessment required under paragraph (2).

(c) REINSURANCE.—The National Flood Insurance Act of 1968 is amended—

(1) in section 1331(a)(2) (42 U.S.C. 4051(a)(2)), by inserting '', including as reinsurance of insurance coverage provided by the flood insurance program'' before '', on such terms'';

(2) in section 1332(c)(2) (42 U.S.C. 4052(c)(2)), by inserting ''or reinsurance'' after ''flood insurance coverage'';

(3) in section 1335(a) (42 U.S.C. 4055(a))—

(A) by inserting ''(1)'' after ''(a)''; and

(B) by adding at the end the following new paragraph:

''(2) The Director is authorized to secure reinsurance coverage of coverage provided by the flood insurance program from private market insurance, reinsurance, and capital market sources at rates and on terms determined by the Director to be reasonable and appropriate in an amount sufficient to maintain the ability of the program to pay claims and that minimizes the likelihood that the program will utilize the borrowing authority provided under section 1309.'';

(4) in section 1346(a) (12 U.S.C. 4082(a))—

(A) in the matter preceding paragraph (1), by inserting '', or for purposes of securing reinsurance of insurance coverage provided by the program,'' before ''of any or all of'';

(B) in paragraph (1)—

(i) by striking ''estimating'' and inserting ''Estimating''; and

(ii) by striking the semicolon at the end and inserting a period;

(C) in paragraph (2)—

(i) by striking ''receiving'' and inserting ''Receiving''; and

(ii) by striking the semicolon at the end and inserting a period;

(D) in paragraph (3)—

(i) by striking ''making'' and inserting ''Making''; and

(ii) by striking ''; and'' and inserting a period;

(E) in paragraph (4)—

(i) by striking ''otherwise'' and inserting ''Otherwise''; and

(ii) by redesignating such paragraph as paragraph (5); and

(F) by inserting after paragraph (3) the following new paragraph:

''(4) Placing reinsurance coverage on insurance provided by such program.''; and

(5) in section 1370(a)(3) (42 U.S.C. 4121(a)(3)), by inserting before the semicolon at the end the following: '', is subject to the reporting requirements of the Securities Exchange Act of 1934, pursuant to section 13(a) or 15(d) of such Act (15 U.S.C. 78m(a), 78o(d)), or is authorized by the Director to assume reinsurance on risks insured by the flood insurance program''.

(d) ASSESSMENT OF CLAIMS-PAYING ABILITY.—

(1) ASSESSMENT.—Not later than September 30 of each year, the Administrator of the Federal Emergency Management Agency shall conduct an assessment of the claims-paying ability of the national flood insurance program, including the program's utilization of private sector reinsurance and reinsurance equivalents, with and without reliance on borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016). In conducting the assessment, the Administrator shall take into consideration regional concentrations of coverage written by the program, peak flood zones, and relevant mitigation measures.

(2) REPORT.—The Administrator shall submit a report to the Congress of the results of each such assessment, and make such report available to the public, not later than 30 days after completion of the assessment.

SEC. 5. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDIES.—The Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess options, methods, and strategies for offering voluntary community-based flood insurance policy options and incorporating such options into the national flood insurance program. Such studies shall take into consideration and analyze how the policy options would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches.

(b) REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the results and conclusions of the study such agency conducted under subsection (a), and each such report shall include recommendations for the best manner to incorporate voluntary community-based flood insurance options into the national flood insurance program and for a strategy to implement such options that would encourage communities to undertake flood mitigation activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from

Illinois (Mrs. BIGGERT) and the gentleman from Georgia (Mr. DAVID SCOTT) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous materials on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

□ 1740

Mrs. BIGGERT. Madam Speaker, I yield myself such time as I may consume.

I rise today to ask my colleagues for their support of H.R. 5740, the National Flood Insurance Program Extension Act.

The program is set to expire on May 31, and this critical legislation will spare property owners and the housing market from another lapse in the NFIP. It extends the National Flood Insurance Program's authorization for 30 days, until June 30. In addition, it would initiate several noncontroversial reforms to develop private sector options in the flood insurance market.

Like many of my colleagues—especially my good friend and cosponsor of both this bill and our long-term reauthorization, the gentlelady from California, MAXINE WATERS—I am frustrated that the House must consider yet another short-term extension. It has been 10 months since the House sent H.R. 1309, a comprehensive, bipartisan reform and a 5-year reauthorization measure, to the Senate.

Our Committee on Financial Services approved H.R. 1309 by a unanimous vote of 54–0 in the committee, and it passed on the House floor by a vote of 406–22. As part of that process, we secured the input and support of groups representing the views of everyone from taxpayers to businesses to wildlife defenders. And yet, after five additional short-term extensions, the Senate has still not considered any legislation to reform the NFIP. Instead, all we hear are excuses and rumors—that the administration doesn't want Congress to look productive, that floor time in the Senate is too precious, or that Senate leaders simply don't want to deal with possibly difficult amendments.

The time for excuses has run out. This program is more than $17 billion in debt to the taxpayers. We owe it to the homeowners, to the housing market, and to taxpayers to begin the process of fixing this program, even if we must do it 30 days at a time.

Today, we are sending to the Senate H.R. 5740. Should the Senate pass this short-term extension bill, it will have around 6 weeks from today to take up a flood reform measure and send it to the House. In the meantime, this 30-day extension will initiate key elements of our bipartisan House-passed reforms. It opens the door to private sector participation by asking FEMA and the GAO to study the cost and feasibility of private reinsurance, as well as the private market's capacity to provide new options for homeowners. It also says that private insurance coverage can take the place of government coverage to meet the requirements of lenders in flood-prone areas. The sooner we begin making these changes, the sooner taxpayers can stop bearing the full expense and risk of an outdated flood program.

Over the next 6 weeks, the Senate will have more than enough time to pass long-term reform. Again, last July, the House passed H.R. 1309 by an overwhelmingly bipartisan vote, 406–22. The House then sent this text to the Senate two additional times. In December, the House passed flood reform as part of H.R. 3630, the Middle Class Tax Relief and Job Creation Act, and last week the House passed the same flood measure as part of H.R. 5652, the Reconciliation Act.

But this isn't like other partisan battles. It should not be that difficult. Even the White House is with us. In September 2011, President Obama released a statement in support of our reforms as part of his ''Plan for Economic Growth and Debt Reduction'' because the House bill would spare taxpayers from billions in losses.

Senate Banking Committee Chairman JOHNSON has secured committee approval of his own version, S. 1940, along with strong bipartisan support. And in February, 41 Senators—Republicans and Democrats—sent a letter to Senate leadership asking that Senate leaders REID and MCCONNELL schedule flood insurance reform for floor consideration.

There is simply no reason that in the next few days we cannot sit down and reconcile any differences that remain between the House and Senate visions for flood reform, and today's legislation will give the Senate time to make that a possibility. It will also begin the process of fixing the NFIP and protecting taxpayers from unnecessary risk.

I urge my colleagues to support this bill because this program is too important to let lapse and too in debt to continue without reform.

With that, I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Madam Speaker, I yield myself such time as I may consume.

The National Flood Insurance Program plays a very, very key role in our Nation's efforts to prevent and recover from flood disasters. Floods are now the number one natural disaster in the United States in terms of lives lost and property damaged.

Now, here is exactly what the National Flood Insurance Program does:

First, it identifies areas of flood risk; secondly, it encourages communities to implement measures to mitigate against the risk of flood loss; thirdly, it provides financial assistance to help individuals recover more rapidly from flooding disasters, and it lessens the financial impact of flood disasters on individuals, on businesses, and all levels of government.

In recent years, a series of short-term reauthorizations and temporary suspensions of the NFIP have eroded confidence in the program among our stakeholders—including State government, tribal governments, local communities, individual policyholders, mortgage lenders, and the private insurance industry. In addition to disrupting the program's day-to-day operations, short-term reauthorizations and temporary suspensions—like what we're doing here in 30 days—creates significant uncertainty regarding the Federal Government's long-term commitment to underwriting and indemnifying flood losses. So in the absence of such a commitment, our stakeholders are less likely to make the necessary investments that are needed to successfully sustain, strengthen, and grow the program, thereby undermining the program's effectiveness and efficiency over time.

As my colleague, Mrs. BIGGERT, mentioned earlier, Congress last passed a bill to extend the National Flood Insurance Program authorization on December 23, 2011—5 months ago—as a part of the full-year omnibus appropriations bill for fiscal year 2012. Even prior to this action, we in the House took decisive action to extend the flood insurance program the way it should be by approving a 5-year flood insurance reform reauthorization bill last July that passed this House on a strongly bipartisan Republican and Democratic vote of 406–22.

Unfortunately, the National Flood Insurance Program is set now to expire May 31, just over 2 weeks from today, and guess what? June 1 also happens to mark the official start of the hurricane season in this country. This lets you know how we have got to put pressure on the Senate to act responsibly. Here we are attempting to pass a 30-day extension just 2 weeks before the devastating hurricane season starts. Urgency is necessary here. This is why reauthorizing of the National Flood Insurance Program before it expires is essential to our Nation's efforts to prevent and recover from flood disasters.

So I'm pleased that the bill that we have before us does extend the program for 30 days, but it is not a perfect bill, as I said. I believe that many in this Chamber—just about everybody in the House of Representatives—would prefer

to see the Senate take up and pass our bill for the 5-year extension, H.R. 1309. Short of that, I believe that many on our side would prefer to take up a flood extension bill that will provide a clean extension.

In addition, there is the possibility—count it, with 2 weeks to go, who knows—the Senate simply may not agree to an extension that only runs 30 days and includes authorization provisions. We just learned last evening that the junior Senator from Oklahoma, Senator TOM COBURN, objected to the majority leader's request to take up and approve a clean, short-term extension bill that would extend the program until December 31, 2012. So here we are, 2 weeks before the hurricane season starts, and the flood program runs out, and still no action from the Senate.

□ 1750

I think it is also important to note that while this body repeatedly has voiced concern with spending, particularly with spending that is not offset with cuts, the Congressional Budget Office has indicated this bill will cost $2 million over 5 years, an amount that is not offset in this bill.

Despite some of these shortcomings, I believe it is of utmost importance that we avoid any lapse in the program. Any lapse, regardless of the duration, would cause significant dislocation in our very fragile housing market for borrowers unable to complete mortgage closings, for insurance agents that sell national flood insurance policies as a part of their business, and for insurance companies that may be forced to reevaluate their voluntary participation, our National Flood Insurance Program's own Write Your Own program. All are very vital.

Finally, we have a broad coalition of stakeholders who support the bill, who support the 5-year extension, including industry insurance trade groups, floodplain managers, the Realtors who are holding their annual conference in Washington, D.C., this week, many other groups. In addition, FEMA's Administrator, Mr. Craig Fugate, recently sent a letter to Congress urging approval of the extension. So here we are, we've got to pass this 30-day extension.

In conclusion, I just want to add that, thanks to Mrs. BIGGERT and to Ms. WATERS, we were able to do something that was vitally needed. As many of you know, my State of Georgia was devastated with floods; and one of the things that did come out of this is, during the hardship times, very difficult for individuals to pay for the flood insurance in a lump sum. As we have made part of our extension effort, they can now pay in quarterly installments, and that's a great thing.

With that, I reserve the balance of my time.

Mrs. BIGGERT. Madam Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BACHUS), the chairman of the Financial Services Committee.

Mr. BACHUS. I thank the gentlelady.

We're here on the floor discussing this bill for one reason and for one reason only, and that's that the Senate has not done their job.

Ten months ago, Madam Speaker, this House passed a bipartisan, long-term reauthorization of the National Flood Insurance Program. Our bill passed unanimously out of committee and then passed the House, overwhelmingly, with over 400 votes, Democrats and Republicans joining together.

Our bill not only included a 5-year reauthorization of the program, a long-term reauthorization, which is what's needed, but included many needed reforms that reduce the burden on taxpayers, increase private market participation, and help bring certainty to the housing market.

We did our job, Madam Speaker, but the Senate's failed to do their job. Seventeen temporary extensions. Perhaps none of us should be surprised. After all, it's been 3 years since the Senate even bothered to pass a budget. Not to mention, at a time when millions of Americans are out of work, the Senate has failed to vote on 27 job-creating bills we passed out of the House, overwhelmingly.

Now Majority Leader HARRY REID has failed to find time to schedule floor time, even though the Senate, under the leadership of Chairman JOHNSON and Ranking Member SHELBY, unanimously passed a bill almost identical to the bill we passed 10 months ago.

But because of a dysfunctional Senate that's not working, we're once again faced with the risk of having the flood insurance shut down, as the gentleman from Georgia said, right before hurricane season starts. I can't think of a worse time. A shutdown of flood insurance, even a temporary one, would do tremendous damage to our struggling economy and our Nation's fragile housing market.

Specifically, what does it mean? I'd like to introduce a letter from the National Association of Realtors. It is already delaying close to 1,300 house closings every day. If it expires, it will stop all development dead in its tracks in 21,000 communities across America.

Let me close by saying I want to commend our colleague, Mrs. BIGGERT. Congresswoman BIGGERT has done an exceptional job on this important issue. I'd like to commend Congresswoman and Ranking Member MAXINE WATERS. They've worked, over the last year, for a long-term reauthorization. We've come together and done our job.

I would like to commend the Senate, but, unfortunately, the Senate is not working. It's time for the Senate to pass a 5-year bill, and it's time for them to pass it immediately. That's why, although we have passed a 5-year reauthorization, we're here. But we're only passing a 1-month extension because the best they can do is another extension—number 17—which would put it into December, when we all know that's a lame duck Congress and we're going to be confronted with tremendous other issues at that time.

To the Senate I say: Let's get going.

NATIONAL ASSOCIATION OF REALTORS,®
Washington, DC, May 16, 2012.

Hon. SPENCER BACHUS,
Chairman, House Committee on Financial Services, House of Representatives, Rayburn Building, Washington, DC.

DEAR CHAIRMAN BACHUS: The 1 million members of the National Association of REALTORS® supports a temporary extension of National Flood Insurance Program (NFIP) authority to enable the Senate to finish work on its long-term reauthorization and reform measure (S. 1940). The House is scheduled to vote on H.R. 5740 to extend authority by 30 days to June 30, 2012. We urge a yes vote.

NFIP authority is set to expire on May 31, 2012. Consequently, property buyers in more than 21,000 communities across the United States will no longer be able to obtain the flood insurance required by law for the purchase of a home or building. Each day that program authority lapses, more than 1,300 home sales will be delayed or cancelled. Allowing another lapse only exacerbates the many serious economic challenges facing a nation that relies on a vibrant real estate market for its economy.

Homebuyers, small business owners and local communities urge the House to vote yes on H.R. 5740 to keep the NFIP from lapsing. Your vote to extend authority will avoid further market disruption while Congress works toward long-term reauthorization and reform.

Sincerely,

MAURICE ''MOE'' VEISSI,
2012 President, National Association of REALTORS®.

Mr. DAVID SCOTT of Georgia. I yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. I'd like to thank Representative SCOTT for his leadership on this issue. I'd like to thank Chairman BACHUS for his support for all of the work that has gone into flood insurance reform.

I rise today in support of H.R. 5740, the National Flood Insurance Program Extension Act of 2012. But more than anybody, I'd like to thank Representative BIGGERT for her hard work on this bill and flood insurance reform, and I'm pleased to cosponsor this legislation.

While this bill, by no means, is a substitute for the comprehensive set of reforms included in H.R. 1309, the Flood Insurance Reform Act, a bipartisan bill which passed the House last year, I believe that we must act to pass this bill so that the flood insurance program does not lapse.

The flood insurance program provides valuable protection for approximately 5.5 million homeowners. Unfortunately, the lack of a long-term authorization has placed the program at risk. The

program lapsed three times in 2010. These lapses meant FEMA was not able to write new policies, renew expiring policies, or increase coverage limits. Given the current crisis in the housing market, this instability in the flood insurance program is hampering that market's recovery and must be addressed.

The current authorization for the flood insurance program expires on May 31. The next day, hurricane season begins. It is irresponsible to have our Nation's homeowners vulnerable to flooding at any time, but to allow such a lapse during hurricane season is especially troubling.

Even though this bill only extends the program for 30 days, I hope that this brief window will give our counterparts in the Senate enough time to pass their flood insurance reform bill so that this program has all of the resources it needs to fully serve homeowners and the communities in which they live.

I strongly urge an ''aye'' vote on this bill in the hope that the next flood insurance bill we vote on is a comprehensive reauthorization bill.

Mrs. BIGGERT. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I certainly appreciate the gentlelady yielding time to me, especially because I am opposed to this bill. I would just have one question for my colleagues, and I would ask this: What in the world is the Federal Government doing in the national flood insurance business?

And I would give the sponsors certainly of this legislation credit for the fact that they're trying to reform what I think is an unnecessary Federal Government boondoggle. But rather than reforming this, I think we need to eliminate this program.

Let me just give you an example, Mr. Speaker.

So many of us were very strongly opposed to ObamaCare, the government takeover of health care, because we didn't believe the Federal Government should be running the health care for our entire Nation. But apparently we have no problem with the Federal Government running a National Flood Insurance Program.

This program was created in 1968. We started writing policies in 1972, and today this program is almost $18 billion in debt. And FEMA says that this debt will never be paid for, never, never be paid off. So not only is the Federal Government improperly running a flood insurance program, it's operating a very bad flood insurance program.

This program is not actuarially sound. It charges some of the highest risk areas subsidized rates and charges other areas of no risk astronomical rates to pay for those subsidies.

□ 1800

You can use my home State of Michigan as a great example where our residents have been forced into this program and have been charged thousands of dollars every year even though we have almost no risk of flooding. In Michigan, we actually look down at the water, not up at the water. We've paid multiple times more in premiums than we've ever received back in benefits. In short, Mr. Speaker, the people of the great State of Michigan are getting fleeced by this program.

Obviously, we are a compassionate Nation. When we have a case of a natural disaster, or what have you, we need to make sure that we step up and give relief to our fellow Americans, but what we are doing here today is simply not fair. What we should have is a national catastrophic fund so that everybody pays, not just some who are being forced to subsidize others. That is not fair.

So, Mr. Speaker, I would hope that my colleagues would join me in rejecting the reauthorization of the National Flood Insurance Program so that we can get to work on a way to allow the private marketplace to move in and to replace it.

Mr. DAVID SCOTT of Georgia. I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Thank you, Congressman SCOTT.

Mr. Speaker, I rise today in strong support of the National Flood Insurance Program, and I urge support on both sides of the aisle for the 30-day extension today, H.R. 5740.

I would like to thank my friend, Congresswoman MAXINE WATERS from California, and my esteemed colleague, Congresswoman JUDY BIGGERT of Illinois, for their work on this bill and on H.R. 1309, which I proudly cosponsored. Ideally, we should be increasing certainty for homeowners by reauthorizing the program for 5 years, as effected by H.R. 1309, which passed the House last July with over 400 votes. Now it waits for Senate action. I respectfully urge our counterparts in the Senate to pass a longer-term authorization.

Since 2008, the National Flood Insurance Program has operated on several short-term extensions, which only increase uncertainty in the housing market. As hurricane season approaches, Congress needs to act with all diligence to provide stability for the housing market and to give peace of mind to homeowners.

Mrs. BIGGERT. At this time, I yield 2 minutes to the gentleman from Illinois (Mr. DOLD), a member of the committee.

Mr. DOLD. I certainly want to thank my good friend from Illinois for her leadership and for her giving me some time, and I want to thank the ranking member, Ms. WATERS, for her leadership as well.

Mr. Speaker, today I rise in strong support of H.R. 5740. The history of American flood disasters has clearly shown us two things:

First, an effective and proactive National Flood Insurance Program with paid-in premiums is a much better deal for taxpayers than after-the-fact Federal disaster assistance, which was the inevitable Federal response to flood disasters before this program's inception;

Second, any lapse in the program's authorization irreparably damages our mortgage and real estate markets, and avoiding that irreparable damage is particularly important right now when those markets are already so seriously challenged.

Although reauthorization is essential, we also recognize that the program needs meaningful reforms. We must gradually diminish taxpayer exposure to flood losses while improving the program's solvency and self-sufficiency; and we must work with the private sector to expand its role in protecting against flood disasters.

Under Chairwoman BIGGERT's leadership, a long-term reauthorization bill with these necessary reforms, H.R. 1309, passed out of the Financial Services Committee unanimously, 54–0, and then the same bill received nearly unanimous bipartisan support right down here where over 400 Members voted in its favor. With that kind of overwhelming bipartisan support, I must say that it's a little frustrating that we're here once again discussing a short-term reauthorization, largely because the other body hasn't considered the long-term bill, even though the long-term bill passed out of the Senate Banking Committee by voice vote.

One thing that seems clear is that the strategy of short-term authorizations, the corresponding temporary program lapses and uncertainty do not work to minimize taxpayer risk or to expand the private sector's role, but we must deal with the existing realities. To properly reform and strengthen this program, we need to reauthorize this program on a long-term basis, and we need to do so promptly; but the Senate hasn't acted, and we can't tolerate any lapse in the program.

So I strongly urge my colleagues to support H.R. 5740, which will avoid a destructive program lapse while we continue to work towards a long-term authorization.

Mr. DAVID SCOTT of Georgia. I yield myself such time as I may consume to respond very briefly.

There is a great urgency here. There is a very serious cry coming from the American people. That cry is saying, Help us, and the kind of help we need is to prepare for the storm before the hurricane is raging.

We live in storm alley. Now, I can tell you from firsthand experience that I represent a district in the State of

Georgia where in 2010, I believe it was, we had the worst flood in over 500 years. I represent the Chattahoochee River, which overflowed. I represent one county in which we had 10 people who lost their lives, and seven of those people were from one county in my district, in Douglas County. Cobb County had losses. We got on, I guess we call it, Air Force Two with Vice President BIDEN, and we flew down with FEMA and Homeland Security, and we toured that place. I'm sure you all saw on CNN and Fox and MSNBC—and on all the news stations—where Six Flags Over Georgia, the amusement park, was totally under water.

So I can speak for my community and my area as those of us in the House have spoken—over 400 strong. Why in the world the United States Senate is sitting on the reauthorization is a mystery amidst the cry coming from the American people. Now our season is on us. Hurricane season starts in 2 weeks.

Let me just tell you that I've heard from one of the individuals on the other side, and I wanted to respond to some of those concerns as to why this bill is so important.

Our reauthorization bill would require annual notifications to homeowners who are living in flood zones about the risks in their communities. Many people move into these areas, and they don't even know they're in flood zones. What we've got in this bill is that they will be notified every year. They need that information so they can make the adjustments. I mentioned the affordable insurance coverage. I need not mention the flood maps, themselves, many of which all throughout this country are outdated, that leave many of your constituents and my constituents—I hope the Senate is hearing because they're their constituents as well—at risk for flood damage without even their knowledge.

Let's hope that this message gets across to the Senate that we need action. The American people are crying for help, and we need to give it to them immediately. We've got 2 weeks to do it, and we dare not let this hurricane season come upon us with the National Flood Insurance Program's having expired.

I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin (Mr. DUFFY), a member of the Financial Services Committee.

Mr. DUFFY. I first want to recognize the gentlelady from Illinois (Mrs. BIGGERT) and the gentlelady from California (Ms. WATERS) for their great and hard work on the reauthorization of the National Flood Insurance Program.

While I rise today in support of this short-term extension, I have to be frank and honest and tell you that I am disappointed that we haven't found both Chambers coming together to reauthorize this program for 5 years. What this does is to create uncertainty in the market. For the individual who may have a home in a floodplain or for a community that has many of its pieces of property in a floodplain, without having a long-term bill, it creates uncertainty for them.

□ 1810

It creates uncertainty in the housing market, which has obviously gone through some very strenuous times since the 2008 financial crisis. This legislation, a long-term fix, would help breed certainty in that market as well.

As we look back at last summer, we passed this legislation with both sides of the aisle coming together. It doesn't happen very often. It was one of those great moments in the House where it was a vote of 406–22. Both Republicans and Democrats joined hands in passing this legislation. Now we're just waiting for the Senate to act. It's a bill that's going to save $4.2 billion over the course of 10 years. It includes reforms that are going to save taxpayers money by eliminating unnecessary rate subsidies and encouraging the development of a private flood insurance market.

I support the short-term extension, but I also encourage the Senate to act.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I reserve the balance of my time. I would inquire if the lady from Illinois has any more speakers.

Mrs. BIGGERT. I think we have just one more speaker.

At this time, I yield 1½ minutes to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Mr. Speaker, once again we find that good legislation that was passed by the House has been taken hostage by the Senate.

As we approach yet another deadline on the reauthorization of the National Flood Insurance Program, the Senate is refusing to take up our long-term solution.

Ten months ago, we passed a 5-year bill that would bring much needed certainty and stability to the people depending on this program. The short-term package before us today fails to provide a long-term solution to a very real long-term problem.

NFIP provides flood insurance to more than 20,000 communities across this Nation, including more than 50,000 families in my district. Many of my constituents in Mississippi are still dealing with the effects of Hurricane Katrina. They have experienced record flooding in recent years, and we are fast approaching another hurricane season. We have no other choice. We must act now. It is out of necessity that I support this short-term extension, but we must remain focused on a longer-term solution for the sake of those in the Gulf Coast States and high-risk flood areas. They depend on the National Flood Insurance Program.

Between now and the next time this extension expires, I urge my colleagues in the Senate to revisit and embrace H.R. 1309, our 5-year solution.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I will close with my remarks.

I'm hoping that perhaps Members of the Senate may be watching C–SPAN and watching us in the House. If not, I just simply urge their constituents to give them a call and ask them to move. It would be great to move on H.R. 1309. Because even if you do this temporary one, it's 30 days and we're right back here in another 4 weeks at the time that hurricanes are raging. We are really playing with fire here, and we're not doing the American people justice, and we're not doing right here.

As the gentleman from Louisiana just mentioned, vivid in our minds has got to be Katrina. We can talk about Andrew in Florida or you can talk about Hazel up in New York. Our whole country is coastline, and flooding is the worst natural disaster in our country in terms of loss of life, in terms of property. Folks need this financial assistance from this flood insurance program.

I urge my colleagues in the Senate to move and do the right thing. I urge the American people to contact their Senators and let them know we do not need to be standing naked in the face of fierce hurricanes without help and without support simply because the United States Senate failed to act in the best interest of the American people.

With that, I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ROSS of Florida). Members are reminded to direct their remarks to the Chair and not to a perceived viewing audience.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Georgia (Mr. SCOTT) for managing this bill and for all of his mention of how important this is. I also would again like to thank the gentlelady from California (Ms. WATERS) for being a cosponsor.

Mr. Speaker, I wish we did not have to be here on the floor once again with a short-term extension of the NFIP, but this program is too important to homeowners, to the housing market, and to the communities in the flood-prone areas for Congress to let it expire at the end of the month. It is also too in debt to continue without reform. And despite our best efforts in the House, the Senate has been unwilling or unable to pass a long-term NFIP reauthorization and reform bill.

As has been mentioned over and over, the House passed our 5-year NFIP reauthorization reform bill, H.R. 1309, last July with an overwhelming bipartisan majority of more than 400 votes. It also

won unanimous support in the Financial Services Committee. But the Senate has not yet approved any version of flood reform. So here we are once again on the verge of a lapse in NFIP.

Mr. Speaker, the time has come to stop playing games with this important program and start enacting long-term reforms now. With today's bill, we begin that process. First, it extends the program for an additional month to spare property owners and the housing market from another lapse. In addition, it would initiate several non-controversial reforms to develop private sector options in the flood insurance market. This is all part of the 5-year bill that we have.

Reforming the NFIP is simply too important to ignore. Our extension will give the Senate time to act, and it will begin the process of fixing NFIP to protect taxpayers from unnecessary risk.

With that, I urge my colleagues to support H.R. 5740, and I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I rise to express my disappointment that this House is once again considering a short-term extension to the National Flood Insurance Program.

It has been nearly ten years since the program was last reauthorized, and the need for reauthorization has only grown more pressing. While a lapse in the program would be detrimental to countless homeowners, the program cannot continue to be sustained through a patchwork of short-term extensions.

Last July, the House of Representatives passed a long-term extension of the program with broad bipartisan support. Shortly after, the Senate Banking Committee reported its own reauthorization which is now simply gathering dust in the Senate. With the start of hurricane season only weeks away, now is not the time for the Senate's typical complacency.

Floods affect every State in the Union, and all Americans deserve the comfort of knowing they will be able to continue to benefit from the security that the National Flood Insurance Program has provided homeowners and lending institutions since 1968.

This program must be modernized and reformed to meet the realities of American homeowners and taxpayers. I urge my Senate colleagues to swiftly bring their reauthorization bill to the floor so that we can finally move a long-term reauthorization forward.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 5740.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PERSONAL EXPLANATION

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I unintentionally voted ''aye'' on rollcall No. 253 when I intended to vote ''no'' on the motion to consider H. Res. 656, providing for consideration of the bill, H.R. 4970, to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill, H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I reiterate my strong support for the protection of women from acts of violence and my opposition to the reauthorization as currently written and brought forth.

NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Mr. BARROW. Mr. Speaker, under rule XXII, clause 7 (c), I hereby announce my intention to offer a motion to instruct on H.R. 4348, the conference report to extend Federal highway programs.

The form of the motion is as follows:

Mr. Barrow moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to insist on title II of the House bill, regarding approval of the Keystone XL Pipeline.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4310.

The SPEAKER pro tempore (Mr. MCHENRY). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 656 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4310.

The Chair appoints the gentleman from Florida (Mr. ROSS) to preside over the Committee of the Whole.

□ 1820

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, with Mr. ROSS of Florida in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, which overwhelmingly passed the Committee on Armed Services. In keeping with the committee's tradition of bipartisanship, Ranking Member SMITH and I worked collaboratively to produce this bill and solicited input from each of our members.

The legislation advances our national security objectives, provides support and logistical resources for our warfighters, and helps the United States confront the national security challenges of the 21st century. The bill authorizes $554 billion for national defense in the base budget, consistent with the allocation provided by the House Budget Committee. It also authorizes $88.5 billion for overseas contingency operations.

The legislation continues my priorities set forth when I was elected chairman. It contains no earmarks. It carefully analyzes the Defense Department for inefficiencies and savings. It helps ensure the Pentagon's new national defense strategy is not a hollow one. And despite historic cuts to our wartime military, it plugs critical capability and strategic shortfalls opened in the President's budget submission.

The National Defense Authorization Act for Fiscal Year 2013 achieves these goals by working to:

Number one, ensure our troops deployed in Afghanistan and globally, including the National Guard who are the Nation's first line of defense at home, have the equipment, resources, authorities, training, and time they need to successfully complete their missions and return home safely;

Number two, care for our warfighters, veterans, and their families with the support they've earned through their service;

Three, provide critical strategic capabilities in an era of austerity;

Fourth, mandate fiscal responsibility, transparency, and accountability within the Department of Defense; and

Finally, improve the relationship between the Defense Department and the supporting industrial base by eliminating red tape and incentivizing competition.

Mr. Chairman, in 2012 we affirmed that the President is authorized to detain certain al Qaeda terrorists pursuant to the 2001 Authorization for Use of Military Force, or AUMF. Ten years after the horrific attacks of 9/11, it was

time for Congress to once again ensure that our men and women in uniform have the authority they need to continue to fight and win the war on terror.

Foreign terrorist groups, such as al Qaeda in the Arabian Peninsula, still pose a grave threat to all U.S. citizens. As a result of last year's bill, we've heard from a number of concerned citizens wondering what this affirmation meant in relation to the rights of U.S. citizens. As a result, in this year's bill, we've incorporated Representatives SCOTT RIGELL and JEFF LANDRY's Right to Habeas Corpus Act, which affirms the availability of the ''great writ'' habeas corpus to any person detained in the United States pursuant to the AUMF. As we all know, the writ of habeas corpus is the ultimate protection against any unlawful detention by the Executive.

I am especially proud of the bipartisan work done on defense industry reform. We have several provisions in our bill that adopt bipartisan recommendations to improve the relationship between the Pentagon and the defense industry. In a time of declining defense budgets, we can no longer afford to conduct business as usual. This bill encourages small businesses to compete for Pentagon contracts and closely scrutinizes every penny that the taxpayers send to the Armed Forces.

Finally, in light of the Pentagon's new national security strategy, it's Congress' constitutional obligation to ensure this new force posture is not a hollow one. To that end, we provide modest increases in combat capabilities, with a particular emphasis on our Navy fleet and critical intelligence, surveillance, and reconnaissance platforms.

I thank the chairman and ranking member of the Rules Committee for working with us to bring this measure to the floor. I urge all of my colleagues to support passage of this bill. In partnership with you, we look forward to passing the 51st consecutive National Defense Authorization Act.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 3 minutes.

I want to thank Chairman MCKEON, the committee members, and the staff who, once again, did an outstanding bipartisan job in putting together this bill.

One of the paramount duties of our Congress is to provide for the common defense and, most importantly, make sure that our men and women who serve us in uniform have all the support they need to fulfill the missions that we ask them to do. I believe this bill meets that standard.

I thank the chairman for his willingness to work in a bipartisan fashion with me and my staff. I believe we have upheld the tradition of this committee and have shown that Congress can, in fact, work together to get things done, and I always appreciate that opportunity.

Most importantly, this bill prioritizes supporting the warfighter. We still have around 70,000 U.S. troops deployed in Afghanistan fighting the war. We need to make sure they have the equipment and support they need to do that. I believe this bill meets that mission.

This bill also recognizes the threats we face and adequately funds the need to meet those threats, most importantly, the threat from terrorist and nonstate actors like al Qaeda and their affiliates. We have strong support for the Special Operations Command as well as for intelligence surveillance and reconnaissance to make sure that we can continue to defeat the terrorist networks that would threaten us. Those are the top priorities.

We also make sure that our troops get the 1.7 percent pay raise they need and get the support for both the individual troops and for their families that are necessary to continue to serve us. We must always remember that we have an all-volunteer military. We are dependent upon the willingness of people to volunteer. We must make sure that we honor that service. We have done that, and we have done it quite well, to the point where we have the finest military the world has ever seen, and the support from this Congress is critical to maintaining that.

While there is much in this bill that I think is excellent and that I support, I will note just one caution as we go forward: Our bill is $8 billion over the Budget Control Act. It is over what the Senate is going to mark up. At some point, we are going to have to rationalize that and figure out how to make our national security strategy and our defense budget work in an era where our budgets are coming down.

We have a sizable deficit, and I believe it's critical that we put together a strategic plan and plan for the future. It's not enough to go year by year. We don't want to wake up 2 or 3 years from now and find out that we've funded more programs than we can afford to complete. We need a strategic vision, and we're going to have to work to get to that number and get to that cooperation with the Senate.

I also want to emphasize the importance of an amendment that I plan to offer that would change how we handle indefinite detention in military custody. I do not believe the executive branch should have that power to indefinitely detain or place in military custody people captured or arrested here in the U.S. I believe the United States Constitution and our due process system provides plenty of protections. We have arrested and convicted over 400 terrorists using that system. We have not used the indefinite detention in military custody power given to the President, and we have been able to protect ourselves. It's important that we protect the Constitution and that amendment is ruled in order, so I would hope that the full House would pass it.

I am very pleased with the bill. Again, I thank the chairman for his outstanding work in making sure that this bill supports the men and women in uniform who so bravely serve us. I believe it meets that objective. And I appreciate working with Mr. MCKEON, all of his staff, and all of the members of the committee.

With that, I reserve the balance of my time.

□ 1830

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume.

I just wanted to respond to my good friend, the ranking member, Mr. SMITH from Washington. He's correct, we are $8 billion over the amount that was in the Deficit Reduction Act. In the budget the President submitted to us, it was $4 billion over. And we went about $3.7 billion above that. But in the overall budget that we will pass out of the House—and we did pass out of the House, under Budget Chairman RYAN—we increased the spending for defense due to the priorities that we feel are most important and the constitutional requirement that we have to provide for the common defense. But we will cut in other areas of the budget so that we comply fully with the Deficit Reduction Act.

At this time, Mr. Chairman, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee of Tactical Air and Land Forces, the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT. I rise in support of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I have the privilege of serving as the chairman of the Tactical Air and Land Forces Subcommittee. Our jurisdiction includes approximately $65 billion of Department of Defense research, development, and procurement programs within the Army, Navy, Marine Corps, and the Air Force.

I want to first thank the subcommittee's ranking member, SILVESTRE REYES from Texas, and an incredible staff for their support in the hearing process and in completing the markup of this bill. Under the leadership of Chairman MCKEON and Ranking Member SMITH, the committee effort is truly bipartisan.

The committee's focus is to support the men and women of the Armed Forces and their families, providing the equipment they need and the support they so deserve. Our first priority is providing the equipment to support our military personnel serving in Afghanistan and other areas where they may be under threat of hostile actions.

Over $2 billion in the President's budget request is recommended to be

authorized to address urgent operational needs for the warfighter, to include counter-improvised explosive device requirements. An additional $500 million is provided for the National Guard and Reserve Equipment Account.

The committee bill sustains the Nation's heavy armored production base by maintaining minimum sustained production of upgrade modifications for Abrams tanks, Bradley fighting vehicles, and Hercules recovery vehicles. The Army's budget request would result in a production break of 3 to 4 years for the upgrade of these heavy-armored vehicles, which would negatively impact many small businesses.

The committee believes maintaining a minimum sustained production is a better alternative for taxpayer dollars than closing production lines and then paying to reopen the production lines years later. Minimum sustained production would also retain the valuable workforce and supplier base that would otherwise be lost and provide upgraded vehicles to the Army Heavy Brigade Combat teams.

The committee bill would also retain the Air Force's Global Hawk Block 30 unmanned intelligence, surveillance, and reconnaissance aircraft to support the deployed warfighter rather than placing these aircraft in storage, as the Air Force plan would do.

In addition the committee bill would fund over 150 helicopters of varying types for the Army and approximately 70 fighter aircraft of varying types for the Navy, Marine Corps, and Air Force.

Mr. Chairman, I want to thank Chairman MCKEON and Ranking Member SMITH for their support in providing an excellent bill to support the men and women of our armed forces.

I strongly urge my colleagues on both sides of the aisle to support this bill.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank our ranking member and my colleagues for their indulgence in letting me go a little out of turn here.

By most counts, the United States Department of Defense is the second largest organization in the world, behind only the rest of the United States Federal Government, if you took out the Department of Defense. It is the only organization of that size that doesn't have audited financial statements. So in an organization that spends over $500 billion a year, we cannot say to the taxpayers of our country with certainty exactly what is spent where, by whom, and for what.

My friend, Congressman MIKE CONAWAY from Texas, has made correction of this problem a special mission of his since he joined this institution. And I would like to thank him because he chaired a panel that Chairman MCKEON and Ranking Member SMITH saw fit to appoint in this Congress to look at how to fix that problem. The solution to the problem, I think, is well on the way to being achieved. Secretary Panetta and Mr. Hale, who's the comptroller of the Pentagon, worked diligently on this and made it a very high priority. And the panel on which I was privileged to serve had voluminous hearings to find out the progress that we were making.

Suffice it to say that we are impatient—and we should be. But I do believe that the cooperative relationship between the panel created by the chairman and the ranking member and the Department of Defense is leading us to the day when we will have a clear-eyed assessment of exactly what is being spent on what, by whom, and when.

There will be an amendment, in all probability, offered later in this debate which would codify the deadline for reaching some of the milestones along that path. I will respectfully oppose that amendment because I think codification of this requirement will actually retard our progress rather than enhance it.

So I look forward to debate about all aspects of this bill. I'm proud to have supported the bill in the full committee markup.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the vice chairman of the Armed Service Committee and chairman of the Subcommittee on Emerging Threats and Capabilities, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I commend Chairman MCKEON for his leadership in developing this bill throughout the course of the year and appreciate the working relationship that he and the ranking member have, as evidenced by the fact that this bill was reported out of committee by a vote of 56–5. And I certainly agree with the comments of Mr. ANDREWS. One of the bipartisan goals of this committee is to make sure the taxpayers get every dollar of value possible for the money we spend for defense, and that is a goal that I think we are making good progress toward.

Mr. Chairman, I want to rise to express special appreciation to the members of the staff of the Emerging Threats and Capabilities Subcommittee, especially Mr. LANGEVIN, our ranking member.

To summarize that portion of the bill, I think one could do it in three parts. One is to support the people and missions of the U.S. Special Operations Command while also providing objective oversight of what they do. Special Operations Forces are at the forefront of protecting this country, but that also puts them at the forefront of a lot of legal and policy issues, and that makes communication between the Congress and the Special Operations Forces and their lawyers and other overseers especially important.

Secondly, our portion of the bill tries to sow and nurture the seeds of future capability, such as our science and technology programs. It's always tempting to cut research and development in tight budget times, but if you do that, then you are handicapping yourself from having the capability you need in the future.

And, thirdly, this mark tries to take several steps forward on oversight and policy in the critical new domain of warfare of cyber. Obviously, we have talked a lot about that in recent weeks on the floor of this House.

Finally, Mr. Chairman, I just make the point that we have lots of problems around the world, but this bill comes to the floor in a time of war. So as we come with these various amendments that cut this, that, and the other thing, we all need to keep in mind that there are still people out there trying to kill as many Americans as they possibly can, as recent news reports reflect. We ought to be cautious about that.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from Texas (Mr. REYES), the ranking member of the Tactical Air and Land Subcommittee.

Mr. REYES. I want to thank our chairman from California and the ranking member for, again, leading the way in a bipartisan effort.

Although probably not a perfect bill, under the circumstances, with troops still deployed in war zones, I think a bipartisan agreement to this very important and critical legislation was reached. I especially want to thank my chairman, Chairman BARTLETT, for working and continuing the tradition of working on a bipartisan basis. I am pleased that our portion of H.R. 4310 supports, I believe, all the high-priority acquisition programs in the President's budget.

Some examples are: it fully funds the Army's Ground Combat Vehicle program at about $640 million. It provides $5.8 billion for Army helicopters, UAVs and other aviation platforms and upgrades. It also provides $1.6 billion for 21 V–22 Ospreys, which are a critical component of supporting our troops and their operations in Afghanistan today.

□ 1840

It further provides $2.2 billion for upgrading the Army's tactical communications network. It increases funding for the Abrams tanks by $181 million. It also increases funding for Bradley fighting vehicles by $140 million. And more than anything, it protects our industrial base at this pivotal and critical time to ensure that we don't lose the expertise and the quality workforce that we have in this country and all their capabilities.

But I guess the most important legislative provision in H.R. 4310 is legislation requiring the Air Force to continue to operate the Global Hawk Block 30 unmanned aerial system, which just reached operational capability in August of 2011. This is important because testimony before our

committee underscores what we have known all along and in the 4 years I was chairman of the Intelligence Committee, that we have to continue to emphasize ISR capability. This legislation, H.R. 4310, holds the Air Force to its plan from last year to continue to operate both the Global Hawk and U–2 systems through 2014. So I ask all Members to support this critical piece of legislation.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from Virginia (Mr. FORBES), the chairman of the Subcommittee on Readiness.

Mr. FORBES. Mr. Chairman, I thank the chairman for yielding and for his leadership for the national defense of our country.

I rise in support of the fiscal year 2013 National Defense Authorization Act. As you've heard, Mr. Chairman, this bill reflects a bipartisan effort to address the many issues impacting the readiness of our military.

This year's bill prohibits funding from being used to plan for another round of BRAC, which I believe would be founded on a flawed premise that assumes the administration's proposal for a reduced force structure is correct. I categorically refuse to accept a diminished Department of Defense and believe that additional force structure is necessary to support our combatant commanders.

We have also done our best to craft a bipartisan way forward on depot maintenance reform, returning the Nation to a long-standing balance between the public and private sectors. Although I will admit this bill is not all things to all people, we look forward to continuing to improve these portions of the bill in conference.

This bill also takes several steps to ensure our Navy readiness, including the restoration of funding to retain three Ticonderoga class guided missile cruisers that the Navy proposed to retire well before the end of their expected service life.

Finally, in this year's bill, we address the administration's efforts to reduce military and civilian workforce, while increasing its contractor full-time equivalents. By building upon last year's effort to direct the DOD to create a policy for total force management, we direct GAO, in this year's bill, to provide their assessment of what measures DOD is taking to appropriately balance its current and future workforce structure against its requirements.

In conclusion, Mr. Chairman, I want to thank the members of the Armed Services Committee, especially my Readiness Subcommittee ranking member, Ms. BORDALLO, for their help in providing the unyielding support for the men and women who so heavily rely on our efforts, and our staff who work tirelessly to produce this product.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentlelady from California (Ms. LORETTA SANCHEZ), the ranking member on the Strategic Forces Subcommittee.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank our ranking member for the time, and I also want to thank Mr. TURNER, our chairman on the Strategic Forces Subcommittee, for his leadership, and all of the members who work on the Strategic Forces Subcommittee for all of their work and contributions to this year's mark.

I think that there are a lot of issue areas that we can agree upon, especially in the Strategic Forces Committee, to make our Nation stronger and to really look after our nuclear arsenal.

I think there are particular provisions that I really like in this bill, for example, the cost effective and accountability on some of these things. And supporting nuclear nonproliferation, for example, is a very important issue, and I think this bill does a good job on that. Maintaining a safe and secure and reliable nuclear arsenal, I think that is also important. Fully authorizing the environmental cleanup that we have to do related to these activities, that is also included in this bill. Increasing the regional missile defense systems that we have that protect our troops when they are, for example, in Europe, when they're deployed, and also our allies for the short- and medium-range missile attacks that might happen, protecting long-term and cost-effective investments in our military space assets, these are all areas that we have agreed upon.

However, I am extremely concerned about some of the other issue areas where we do not agree. For example, provisions that impede nuclear weapons reductions, I think that is incredibly important to allow the administration to move forward, not only with New START Treaty, but also to look at other ways in which we can bring down our arsenal if we don't need it.

The governance and management reforms that will undermine independent oversight related to health and safety, including nuclear safety.

The CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlelady an additional 1 minute.

Ms. LORETTA SANCHEZ of California. I thank my ranking member.

These are very important to our people who work in this arena. What is their safety going to be when they're working with nuclear weapons in the complexes that we have? I think that the standards and the way, the management way that the Republicans like to do are going to probably cause some inconsistent standards in protecting our workers—and risk people's lives, quite frankly.

Increasing funding for nuclear weapons by more than $400 million over the President's budget request when our own Pentagon didn't want that, or increasing funding for the ground-based midcourse defense program by over $350 million while there are still test failures going out, when we have had 9 of 17 tests fail on us, then I don't think we should be continuing to invest in the same system. We should look and try to take care and find out what went wrong.

I look forward to trying to work these things out in the conference.

Mr. MCKEON. Mr. Chairman, I yield 2½ minutes to my friend and colleague, the chairman of the Subcommittee on Strategic Forces, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. I thank Chairman MCKEON.

Mr. Chairman, much of this bill is totally bipartisan. Two important provisions relate to missile defense and our nuclear weapons infrastructure modernization. Let me talk briefly about those two.

The first, in this bill we restore the funding for our national missile defense system, the budget for which the President has repeatedly slashed. This bill also sets up a third missile defense site for the east coast, adding another layer to homeland defense.

The bill fully funds the nuclear modernization program that President Obama promised when he sought ratification of the New START Treaty. National security demands Members make a choice—fully fund modernization or don't implement New START.

Also a focus of this bill is reform of the National Nuclear Security Administration. If we didn't strike the right balance after several bipartisan sessions and hearings Ms. SÁNCHEZ and I convened, we have a long process ahead of us to work to get it right.

As the National Academies, Strategic Posture Commission, and others have found, NNSA is, quite simply, broken and cannot afford to be left unfixed. I am absolutely committed to working with the minority and the administration to ensure a more efficient NNSA that has the nuclear deterrent and safety as unchallenged priorities. I look forward to an administration proposal on the subject.

I thank the gentlelady from California (Ms. LORETTA SANCHEZ), our ranking member, for her support, leadership, and contributions to our process thus far this year. I want to thank Chairman MCKEON for his leadership.

Nuclear weapons and missile defense are two very important issues for the safety and security of our Nation. Our subcommittee has taken a strong commitment to these, and we look forward to this bill moving forward to the Senate as we try to strengthen both our missile defense capability and our nuclear deterrent.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentlelady from California (Mrs. DAVIS) ranking member on the Personnel Subcommittee.

Mrs. DAVIS of California. I thank Chairman MCKEON and Ranking Member SMITH for their leadership, and Chairman WILSON for making our subcommittee work a bipartisan effort. I also want to thank the staff for producing this important piece of legislation.

I am pleased the bill includes provisions that are important to our men and women in uniform, such as a 1.7 percent pay raise, improvements and additional efforts to combat sexual assault, transition assistance for members leaving the service, and Impact Aid funding for our military children.

However, I am concerned because the majority on this committee adopted several amendments that distract from the wonderful work that we have done. Two provisions deal with gays in the military. The first would prohibit same-sex marriage ceremonies from being performed on military installations.

□ 1850

Mr. Chairman, we already had this debate, and the American people support gays and lesbians openly serving in our military. Denying a servicemember the ability to use a military facility to hold a ceremony that others have access to is wrong and it's discriminatory. But most importantly, that ceremony would not be in violation of DOMA because DOMA only states that a marriage is between a man and a woman. It literally does not say anything else.

The second provision that was passed in committee is even more troubling to me. This provision would seek to protect the religious beliefs of chaplains and servicemembers. The issue of protecting the religious beliefs of chaplains was already addressed last year, and the law on this is very clear:

A military chaplain who, as a matter of conscience or moral principle, does not wish to perform a marriage may not be required to do so.

So this really comes down to protecting discriminatory acts against gays and lesbians in uniform, which is contrary to the military core values of good order and discipline. I hope we can resolve this issue in a way that does not allow discrimination against a group of servicemembers based solely on their sexual orientation.

The CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlelady an additional 30 seconds.

Mrs. DAVIS of California. The other issue I want to raise—and several of my colleagues have raised this already—is the fact that this bill is $8 billion over the Budget Control Act. While we made a number of decisions to restore cuts from the President's budget, we will need to resolve this difference at some point, and this means that programs will need to be cut. My hope is that the pay and benefits of our brave men and women will not be the bill-payer when we must reduce spending in this bill.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Oversight and Investigations, the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. I'd like to thank Chairman MCKEON and Ranking Member SMITH for their leadership in moving H.R. 4310, the Fiscal Year 2013 National Defense Authorization Act, as it overwhelmingly passed the House Armed Services Committee.

The provisions of this bill aptly demonstrate our collective commitment to our Nation's heroes—the men and women of our armed services who sacrifice so much each and every day for all of us. I've seen their efforts firsthand, having the opportunity to travel five times to Afghanistan, and I recently had the opportunity to visit wounded warriors in Bethesda and Balboa. Each visit reinforces how much this Nation owes the members of our all-volunteer force. Against this backdrop, I have worked to ensure that decisions made in Congress fulfill the appropriate oversight role in taking care of our troops and veterans and securing our Nation's defense.

The bill before us today lives up to those solemn commitments. In particular, this bill blocks the proposed increase in TRICARE fees proposed by the administration. The administration's proposal places an unconscionable burden on our oldest and most vulnerable veterans by increasing their fees by 345 percent over a 10-year period. The bill recognizes our budgetary limits, but also keeps faith with America's veterans and servicemembers.

This bill ensures that as we consider transition in Afghanistan, we adequately understand associated risks. Based on the Oversight and Investigations Subcommittee findings, this bill calls for periodic assessments of the factors resulting in such trends and the effectiveness of transfer agreements we've negotiated with foreign countries. This bill, through an amendment, also requires an assessment focused on similar trends for the Parwan Detention Facility in Afghanistan.

Finally, this bill helps to preserve our Nation's maritime dominance by authorizing new construction of up to 10 destroyers and up to 10 submarines, as well as preventing early retirement of three cruisers. These assets will provide for our common defense, ensure we have the necessary resources for our strategic pivot to the Asia-Pacific, and help to maintain a healthy shipbuilding industrial base.

Mr. SMITH of Washington. Mr. Chairman, can you give us an update on the time left on each side.

The CHAIR. The gentleman from Washington has 17 minutes, and the gentleman from California has 14½ minutes.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), who is the ranking member on the Emerging Threats Subcommittee.

Mr. LANGEVIN. I thank the gentleman for yielding, and I would like to thank Chairman MCKEON, Ranking Member SMITH, Chairman THORNBERRY, and the members of the committee, as well as the staff, for their efforts in crafting this year's bipartisan National Defense Authorization Act, which affirms our commitment to the dedicated men and women of our military, the infrastructure that enables their efforts, and the research and development required to maintain our technological edge.

I am particularly pleased that H.R. 4310 includes provisions I advocated to prevent the proposed cut in the production of the peerless Virginia-class submarines. These electric boats—which are critical to our national security and built in my district through Quonset/Davisville by the hardworking men and women that work there—are being built ahead of schedule and under budget. This bill preserves the two-boat-per-year model that has enabled such great efficiencies.

I would also like to note the inclusion of my amendment to accelerate the deployment of the most promising directed-energy initiatives. Just recently, the Center for Strategic and Budgetary Assessments issued a report that clearly showed that many directed energy technologies have matured to the point that ''cultural factors and the lack of resources, not technological maturity'' are the most significant barriers to operational deployment. These technologies have the potential to fundamentally shift how our military operates in the complex environments of the future and enables DOD's objectives of a ''smaller, lighter, more agile, flexible joint force that can conduct a full range of military activities.''

Additionally, this legislation prioritizes and supports the Department's cybersecurity and IT efforts. Cyber has long been a chief focus of mine; and while I'm encouraged that this legislation continues to address this critical issue, much remains to be done. FBI Director Mueller has said that cybersecurity could soon be more of a threat than terrorism, yet our Federal Government still lacks a single point of accountability for cybersecurity, and our critical infrastructure lacks many basic protections.

I am hopeful that the Rules Committee will allow floor consideration of

two amendments I offered that would enable a comprehensive approach to cybersecurity across the government and secure the infrastructure on which our military and our Nation depend.

On balance, this is a good bill. I thank the chairman and the ranking member for their hard work, as well as the staff.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, a member of the Armed Services Committee, the gentleman from Illinois (Mr. SCHILLING).

Mr. SCHILLING. I'd like to thank Chairman BUCK MCKEON for his hard work and dedication to getting this put together, and all of the staff members.

I rise today in support of the National Defense Authorization Act for Fiscal Year 2013. This bill shows our support for our troops and allows them to continue their mission in defending our country. We are facing difficult fiscal choices, but we must not penalize our brave men and women who are in harm's way.

I am particularly supportive of how this bill supports small businesses that contract with the Department of Defense, our organic base that ensures our soldiers are equipped and ensures that those who would do harm to our Nation are not allowed within its borders. I am also pleased that it will provide insight on how TRICARE can be better suited to the needs of the children of our warfighters, and that it will provide more flexibility for the DOD to bring our soldiers who are missing in action home from previous conflicts.

I am privileged to represent the Rock Island Arsenal in the Illinois 17th District. These hardworking men and women support our warfighters with the tools they need to accomplish their goals and missions. I look forward to continuing my work on the House Armed Services Committee with my colleagues to ensure that our organic base is ready and able to respond when our warfighters need them.

I urge all of my colleagues to join me in support of this important bill and pass it for the 51st year in a row.

Mr. SMITH of Washington. Mr. Chairman, at this point, I yield 2 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Chairman, I rise this evening to highlight the Defense Business Panel's work over the past 6 months and discuss our proposals for a series of procurement, contracting, and export control reforms that seek to help small and medium-sized businesses access the nearly $400 billion-a-year defense market.

Burdensome regulations and arcane auditing requirements are driving many companies to quit the defense market and are deterring new suppliers from entering the market. I am pleased that many of the bipartisan recommendations from the Defense Business Panel's report, ''Challenges to Doing Business with the Department of Defense,'' have made it into this year's National Defense Authorization Act and have received overwhelming support by the HASC committee members.

To ensure the Pentagon uses small businesses more, the FY13 NDAA requires the Department of Defense to award 25 percent of the total value of all prime contracts each year to small businesses. The panel heard from many companies around the Nation about how to modernize our export control regime. Tomorrow we may be debating an amendment that would grant the administration authority to remove commercial satellites and components from the Munitions List to the Commerce Control List. I would strongly urge my colleagues to support this amendment.

□ 1900

The panel focused on the steps that can be taken to commercialize innovative products that originate from small businesses. This year's NDAA will restore 1 percent funding for expenses for the commercialization and readiness program and will require program offices to import SBIR Phase 2 programs into programs of record, when appropriate.

We accomplished much to help small businesses over the panel's 6 months of work, but we've only scratched the surface. More can be done to help small businesses contract with the DOD, and I look forward to working with my colleagues to implement these changes.

Finally, I want to thank the gentleman from Pennsylvania (Mr. SHUSTER), who is the chairman of this panel, for his leadership, and the chairman of the full committee and ranking member, Mr. MCKEON and Mr. SMITH, for appointing the panel.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. WEST), my friend and colleague, a member of the Armed Services Committee, and a man who has led troops in battle.

Mr. WEST. Thank you, Chairman MCKEON, and thank you, Ranking Member SMITH.

I stand today to offer my support for H.R. 4310, Fiscal Year 2013 National Defense Authorization Act.

To echo the comments of my colleague from Washington (Mr. LARSEN), I am very happy to see that the recommendations from the Defense Business Panel will be included in this legislation because we have to streamline our processing and our contracting opportunities as well for our small businesses.

I'm also very happy to know that the End Strength Reduction Act was included in this legislation to make sure that we have the proper procedures in tearing down the reduction of our forces, and making sure we periodically go back and reassess our national security objectives to make sure that our end strength of our military meets those objectives.

I'm also very pleased to know that we continue to protect the well-earned TRICARE health care benefits for our veterans and for military retirees, staying away from the tripling of those health care rates. We will continue to index that toward the COLA.

We will continue to provide for the proper support of our military families and their children and the programs on our installations.

But most importantly, I am very happy to know that we will continue to resource our soldiers, our sailors, our airmen, and our Marines, because as we are standing here today debating this piece of legislation, someone is out there being the watchman on the wall. Someone is out there about to go on a patrol, and they are trusting and depending upon us to do the right thing through the amendment process of this legislation to ensure that they are given the resources so they can provide victory and once again provide for the common defense of this great Nation.

We must make sure that our military cannot be seen as a bill payer for fiscal irresponsibility. And the most important thing is, when you look at our track record for predicting the next conflict, it is not a good track record.

We must make sure that we do not destroy our military and decimate its capabilities and capacities while we're trying to rectify the fiscal situation here. Let's stay focused on our primary responsibility of providing for the common defense.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. MCINTYRE), the ranking member on the Seapower Subcommittee.

Mr. MCINTYRE. Mr. Chairman, as the ranking member of the Seapower and Projection Forces Subcommittee, I want to thank Chairman AKIN for his hard work in helping our subcommittee put together our portion of the FY 13 National Defense Authorization Act. Throughout the process, there was a strong bipartisan effort to deliver what is truly needed by our men and women in uniform.

There are a number of provisions with which I'm particularly pleased: The multiyear procurement authority for up to 10 Virginia Class attack submarines. This provision also gives incremental funding authority and restores advance procurement in FY 13 that will allow the Navy to procure a second Virginia class submarine in FY 13.

Also, the multiyear procurement authority for up to 10 DDG–51 Arleigh Burke Class Destroyers and the extension of the Ford-Class Aircraft Carrier incremental funding from 5 years to 6 years.

The bill also contains several Littoral Combat Ship provisions. However, I want to be clear that these provisions do not indicate that the subcommittee no longer supports the LCS program. These provisions simply ask the Navy to update the subcommittee on the program's status, and ask the GAO to analyze the program and ensure that any issues that previously have occurred will have been addressed and corrected. This will provide the Navy the opportunity to address any and all concerns that may still exist.

I want to thank our committee for its hard work, Chairman MCKEON and Ranking Member SMITH for their excellent work and leadership. I also want to thank the HASC staff, Tom MacKenzie, Heath Bope, Phil MacNaughton and Emily Waterlander, and the personal staff, Justin Johnson, Blair Milligan and Kaitlin Helms, for their efforts and expertise throughout this authorization process.

This is a bill we could and ought to support, and stand up for our men and women in uniform. I urge my colleagues to vote ''yes.''

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), my friend and colleague and the chairman of the Subcommittee on Military Personnel.

Mr. WILSON of South Carolina. Mr. Chairman, thank you for your leadership on behalf of the military families, servicemembers, and veterans of our country.

The Military Personnel titles of the Fiscal Year 2013 National Defense Authorization Act are a product of an open, bipartisan process. These personnel titles provide our warfighters, veterans, and military families the care and support they deserve, additionally ensuring that proposed drawdown plans do not cut to the heart of the Army and Marine Corps.

Specifically, this year's proposal will first authorize a troop pay increase of 1.7 percent, and extend bonuses and special pay; additionally, limit the end strength reduction for the active Army and Marine Corps; also provide significant new regulations for combating sexual assault within the military, and extend access to family housing and commissary and exchange benefits for troops who are involuntarily separated.

Additionally, we will extend some TRICARE benefits to members of the Selected Reserve who are involuntarily separated. And finally, make clear that the nonmilitary contributions to health care benefits through a career of service represent prepayment of health care premiums in retirement.

In conclusion, I want to thank Ranking Member Congresswoman SUSAN DAVIS and her staff for her contributions in this process. We are joined, of course, by dedicated members of the subcommittee. Their recommendations are clearly reflected in this mark.

Finally, I want to appreciate the service and dedication of the subcommittee majority staff, John Chapla, Debra Wada, Jeanette James, Mike Higgins, Craig Greene and Jim Weiss, along with my military legislative assistant, Chad Sydnor, and Military Fellow, Marine Master Gunnery Sergeant Michelle King.

I urge my colleagues to support H.R. 4310.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentlewoman from Guam (Ms. BORDALLO), the ranking member of the Readiness Subcommittee.

Ms. BORDALLO. Mr. Speaker, I rise in support of the defense authorization bill for FY13. The underlying legislation continues to make sure that our men and women in uniform are provided with the resources to be well trained and equipped.

Although the war in Iraq is over and we begin a drawdown of the surge forces in Afghanistan, we continue to face challenges with our readiness. The bill supports the Department's reset efforts, which are important to addressing readiness challenges in our global commands, particularly in the U.S. Pacific Command.

The bill provides authorization for more than $11 billion in funding for military construction projects, including family housing. And our bill does not authorize an unwarranted round of base closures and realignments.

The bill also continues this committee's support for the realignment of military forces in the Pacific, including the military buildup on Guam. As we refocus on the Asia-Pacific region, our bill makes efforts to remove restrictions that are impeding the DOD's ability to move forward with the realignment. The revised agreement between the United States and Japan is a step in the right direction, and our bill helps move that effort forward.

I'm greatly concerned by amendments that were adopted at Full Committee markup that roll back efforts by DOD to invest in biofuels. This investment is needed for our long-term security needs, both operationally and at military installations across the world. The cost of traditional fields has skyrocketed, and those increased costs are eating away at readiness requirements. We need to make the investment in alternative fuels now, in order to free the Department from the shackle of foreign fossil fuels in the future.

I strongly support the bill's prohibition on the retirement of the Global Hawk aircraft. The Global Hawk is a critical ISR asset, and the Air Force rationale for wanting to retire this aircraft and continue flying on aging aircraft for the foreseeable future was lacking. As we refocus to the Asia-Pacific region, commanders in the AOR need more ISR assets, not less. I'm glad we keep the Global Hawk Block 30 aircraft flying.

The CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlewoman an additional 30 seconds.

□ 1910

Ms. BORDALLO. Again, Mr. Chairman, along these lines, I believe the bill takes important steps to protect the Air National Guard from unwarranted cuts in mission realignments. I appreciate that the bill does not increase most TRICARE fees and copays and that it prohibits the department from implementing new fees.

I want to thank Chairman FORBES for his strong partnership on the Readiness Subcommittee and also to thank members of the staff.

Again, I support the bill, and I urge my colleagues to support the measure as well.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. I would like to thank Chairman MCKEON for working so diligently with me to protect the civil liberties that we enjoy so much in our country.

Mr. Chairman, as we debate the protection of these civil liberties in this bill, we need to ask ourselves: What are we trying to provide? We must protect every citizen's basic due process rights. What are those basic due process rights?

Specifically, it would be the right to notice, the opportunity to be heard, the right to a neutral forum, the right to counsel when before the court, and the right to an appeal. Some of my colleagues are proposing the creation of additional rights. Doing so does not further protect us under the Constitution nor does it further the protections of our constituents.

They say we must allow foreign terrorists captured domestically to be tried in criminal court, enveloping them with all of the protections granted to civil criminals. It gives them access to our national security intelligence that ordinary Americans currently are denied. We incentivize them to come to America. The base text of the bill makes it clear and precise that anyone detained is afforded access to the basic rights of due process that I mentioned earlier. Therefore, those basic rights are now enshrined.

I urge Members to support the underlying bill, accompanied by the Gohmert-Landry-Rigell amendment, and to oppose any other attempts to create additional rights for foreign terrorists.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 1 minute.

There are no additional rights contained in this amendment. We have the rights that are in the Constitution that are the due process. The gentleman's comment that additional rights are

being granted by this is patently false. The Constitution is clear. It provides all persons in the United States the same rights. All we are doing is going back to the Constitution and repealing the authority of the President to circumvent those rights and reduce them. That's a very critical point that we will talk further about tomorrow.

I am now pleased to yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentleman.

Yesterday, we debated H. Res. 568, which draws a red line for military action at Iran's achieving a nuclear weapons ''capability,'' a nebulous and undefined term that could include a civilian nuclear program. As a result, the language in that bill makes a negotiated solution impossible.

Now, this bill, H.R. 4310, the National Defense Authorization Act, in section 1221 makes military action against Iran a U.S. policy. Right in the bill, it talks about deployments and military action. To create a plan, under article B of section 1222, it says that the Secretary of Defense shall prepare a plan for the Fifth Fleet to conduct military deployments. In section A of article II, it says that there should be prepositioning, sufficient supplies of aircraft, munitions—bombs, fuel, and other materials—for both air- and sea-based missions against Iran. So that sets the stage for war. Then section B calls for an execution of the war, bolstering United States' capabilities to launch a sustained sea and air campaign against a range of Iranian nuclear and military targets.

They're not threatening us. We're threatening them with this. Then we call for a showdown in the Strait of Hormuz in section C.

Now look. We've been through this before. I led this Congress in October of 2002 to challenge the Bush administration's march towards war against Iraq, and it proved that it was wrong to do that. There were no weapons of mass destruction. This is Iraq all over again, and we should at least have a separate debate on whether or not we should be recommending an attack on Iran without including it in this bill.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from Texas (Mr. CARTER).

Mr. CARTER. Thank you, Mr. Chairman.

I rise in support of section 552 of H.R. 4310. In fact, I rise in favor of the entire National Defense Authorization Act but specifically of this provision which justly awards the victims of Fort Hood and the Arkansas recruiting station shootings with the Purple Heart.

Mr. Chairman, I have the distinct honor of representing Fort Hood, Texas. We call it the ''Great Place.'' The day after the attack at Fort Hood, I was there. At that point in time, I began working on legislation to award combat status to the victims so that they could all receive the appropriate benefits that they deserve.

The shootings at Fort Hood and in Little Rock left 14 dead and 44 wounded. These soldiers were at a deployment processing center in Fort Hood and at a recruiting station in Arkansas when they were fired upon. Many of them at Fort Hood were getting ready to go to war or were returning from war for the reassignment to other assignments. In my opinion, the shooters extended the battlefield from Iraq and Afghanistan to Fort Hood and Little Rock in order to claim their targets before they reached their destinations in Iraq or Afghanistan.

While I am pleased to see the victims receive the Purple Heart, we should continue to work towards awarding the victims combat status and the appropriate recognition that they may deserve, including recognizing the civilians who were killed. But make no mistake, at Fort Hood, they targeted soldiers.

Mr. Chairman, in conclusion, I ask my colleagues to support this language but to continue to work towards awarding combat status for the victims as well. This is a bipartisan issue. I am very grateful to Chairman KING for getting on board with this issue and for driving the force, as are all of our soldiers, and I am very grateful for the bipartisan consideration this concept had on both sides of the aisle. I support the National Defense Authorization Act. It is good for our country.

Mr. SMITH of Washington. I now yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. To the ranking member and the chair of the committee, thank you for a long slog of hard work and for the production of a bill that has much good in it.

Certainly, we have to provide for our military. We need a strong, agile, smart, and deadly national defense program. That's certainly in this bill. We also need to provide for our soldiers—for the men and women—and those who serve this country, and that's in this bill. The issue of those who have served and who have come home remains an issue that we'll probably take up in other legislation.

Provisions in the bill also provide for the intelligence, surveillance, and reconnaissance necessary for us to be smart, and the bill provides for us to be agile in air mobility. Those are good things. However, there are many parts of this bill that I find objectionable, which has led to my ''no'' vote on this legislation. Let me quickly list those:

Certainly, we've already talked about, here on the floor, the issue of due process. It needs to be addressed, and I want to congratulate the ranking member of the committee for his work in developing a very good proposal that deals with the due process issue, which provides that every person in this country has full access to the civil liberties in the Constitution;

The Afghanistan war is not taken care of in this bill. In fact, there are provisions in this bill that, in all likelihood, would increase the number of soldiers in Afghanistan by some 20,000 and leave them there in perpetuity. We cannot do this. We've got to bring this war to an end very, very quickly, and the bill does not go in that direction. In fact, it goes in the opposite direction. We just heard a discussion about Iran, and I will simply second that portion of the bill as being out of place and incorrect;

There are also things in this bill that are a vast waste of money: missile defense on the east coast, a missile system that doesn't work to protect us from a nonexistent threat. Why would you spend $100 million this year and up to $5 million to $7 million in the succeeding 2 years? We ought not do that.

Some things are also to be found at home. The Lawrence Livermore Labs need to be protected.

The CHAIR. The time of the gentleman has expired.

Mr. GARAMENDI. Thank you, Mr. Chairman.

□ 1920

Mr. MCKEON. Mr. Chairman, may I inquire as to the time that is remaining.

The CHAIR. The gentleman from California has 5½ minutes remaining, and the gentleman from Washington has 4½ minutes remaining.

Mr. MCKEON. Does the gentleman have further speakers?

Mr. SMITH of Washington. We do not have further speakers at this point, and I believe we're prepared to close.

Mr. Chair, I yield myself the balance of my time.

First of all, I want to again thank the chairman and thank the folks who worked on this bill. As you see from the debate, there are a lot of controversial issues that wound up in this bill, issues of enormous importance, from our policy towards countries like Afghanistan and Iran, to civil liberties and on. It takes a great deal of work on behalf of the staff and a great deal of commitment to a bipartisan spirit to work through that, have fair debates, have the votes, carry on, and always remember that underlying it all is making sure that we fund the defense of this country, and we fund the troops who are tasked with protecting it. I think our committee and our staff do an outstanding job of dealing with those challenges.

I want to talk again about the indefinite-detention issue. The gentleman who spoke a couple of minutes ago raised some concerns, and I think it gives us a pretty good preview of what

some of the opposition to that amendment is going to be tomorrow. I just want to counter those arguments.

The first notion that ''additional rights'' are being granted as a result of this is quite simply absurd. What this says is: the due process that's in the Constitution is what you get if you are arrested. What we have done in this body is empowered the President to get rid of those rights in certain cases and indefinitely detain people without charge in many instances and without trial. What we're saying is that it is an enormous amount of power to grant the Executive, and it is not necessary. President Bush did not use that authority for the last 5 years he was in the administration, President Obama has not used it, and yet we have protected this country. To give away that basic due-process right, if you are arrested—that you have the basic rights in the Constitution—is no small thing, and it is not necessary.

Lastly, I want to talk about this argument that somehow this will incentivize terrorists to come to the U.S. I've heard a lot of arguments. That has got to be the dumbest one I've ever heard. First of all, it is sad to say there are many terrorists affiliated with al Qaeda who are trying very hard to come here and inflict harm on us right now. That's why we have all kinds of efforts in this bill and in Homeland Security to stop them. They are not going to become any less incentivized to do that whether this bill passes or not. Sadly, we must deal with that.

Second of all, they are certainly not going to want to come here and operate as opposed to operating in someplace outside of the U.S. where we don't have as much reach. That argument has nothing to do with this amendment. This is a very straightforward argument I think we should have. Is this a power that the President needs to have to keep us safe? It is not. It is undeniably an enormous amount of power to go outside of the Constitution, to go outside of due process, and empower the executive branch to indefinitely detain somebody without the due process that we've developed over the course of 230 years. That is an enormous step for this Congress to take.

We have to ask ourselves the question: Is it necessary? It clearly is not. We have arrested, prosecuted, and stopped countless terrorist attacks over the course of the last 8 years. Over 400 terrorists were arrested, convicted, and imprisoned in this country, such as Abjulmutallab, who was the underwear bomber in Detroit in December of 2008. He was stopped, arrested, interrogated, prosecuted, convicted, and sentenced to life in prison.

We have a justice system and a law enforcement system in this country that is more than adequate to meet the threat. We do not have to undermine the Constitution to do that. That will be the core of the argument. I look forward to those who are opposed to it arguing why that doesn't keep us safe. I think it will be a great debate, and I'll urge people to vote for it. But I hope we'll have that public debate on the floor tomorrow. It is an incredibly important issue no matter which side of it you're on. It is an important issue that is worthy of this full House having a full and robust debate, and I look forward to doing that tomorrow.

Again, I recognize all of the important things that are in this bill. I'm confident when we come to the amendment process, we will have a bill worthy of support of this House, and I will then urge Members to support it so we can fund the defense of this country and fund the brave men and women who serve our country in the Armed Forces, and make sure they have all the support they need to do what we ask them to do in defending this country.

With that, I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, there has been a lot of work done on this bill, and I want to thank my ranking member—my partner in this effort—and all of the staff who have put in countless hours to get us to this point for the work that they have done.

As you can see from the opening debate, we have many things that we agree on and some things that we disagree on. I feel good about that because I once heard that if two people agree on everything, one of them is an idiot. I think that there will be things that we have honest disagreements on, and we'll have much to talk about tomorrow. And I'm sure we'll have many hours to do that.

Mr. Chairman, for the second year, there have been misconceptions raised by the ACLU and others relating to last year's provision dealing with the 2001 Authorization for Use of Military Force. In 2012, we affirmed that the President is authorized to detain certain belligerents who are part of or substantially supporting al Qaeda, the Taliban, or associated forces. This interpretation was not a new creation. It has been used by both the Bush and Obama administrations and has been upheld by our Federal courts.

The Wall Street Journal editorial board has described the NDAA's affirmation as a ''modest law.'' Former Attorneys General Meese and Mukasey have noted that:

> Given the continuing threat posed by groups like al Qaeda in the Arabian Peninsula, the affirmation was a critical step in reinforcing the military's legal authorities to combat terror.

Importantly, at no point did last year's bill detract from the rights of U.S. citizens. No one could possibly be in favor of the unlawful detention of innocent American citizens. And nothing could be further from the aim of the NDAA, which was to reinforce the protection of American citizens from terrorist attacks. While we felt confident that the NDAA in no way impacted this issue, we took the feedback we received seriously and analyzed the issue. In particular, I worked very closely with my colleague, Chairman SMITH of the Judiciary Committee, as well as numerous outside experts and former U.S. Government officials.

In acknowledgement of the concerns that have been raised, we felt that it was important in this year's bill to explicitly reaffirm that anybody detained in the United States, pursuant to the AUMF, can challenge the lawfulness of their detention in U.S. Federal court. The great writ of habeas corpus is a citizen's most fundamental protection against any unlawful depravation of liberty.

Some want to go further and have this bill prohibit military detention and interrogation of foreign terrorists in the United States. And for all the blood and treasure we have spent taking the fight to the enemy to prevent terrorists from coming to the United States, I find this astonishing. Why would we weaken our ability to fight foreign terrorists here at home? Why would we take lawful options off the table for our national security officials? We must not forget that it is, in fact, foreign terrorist organizations like the al Qaeda of the Arabian Peninsula who would like nothing more than to deprive us our life and liberty. We must have all lawful options available to us in order to effectively dismantle and defeat them.

My understanding is that the Rules Committee is meeting as we speak. There have been, I think, about 240 amendments submitted to be debated on the bill. Last year, I think they approved 150. I don't know how many or what amendments will be approved. We'll find that out as we go through the evening and tomorrow. But I know that we will have a good and healthy debate; and at the end of the day, the important thing that we must remember is that this committee's responsibility is to look out for the common defense of this Nation. We do so by supporting our troops, those who were on the battlefield and those who are stationed in various places around the world. We must see that they have everything they need to carry out their missions and to return home safely to their loved ones and that their loved ones that are left behind are given the things that they need, the support that they need to continue to support their loved ones who are out fighting for our freedoms.

With that, Mr. Chairman, I look forward to the debate tomorrow. I encourage all the Members of our conference

and our colleagues in the Congress to support this very important bill to help them carry out that important mission.

Mr. Chairman, I yield back the balance of my time.

COMMITTEE ON THE BUDGET,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

Hon. HOWARD ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN MCKEON: I write to confirm our mutual understanding regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. This legislation contains subject matter within the jurisdiction of the Committee on the Budget. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The Budget Committee takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 4310 on the House Floor. Thank you for your attention to these matters.

Sincerely,

PAUL RYAN,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on the Budget has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Budget is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

COMMITTEE ON HOMELAND SECURITY,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

Hon. HOWARD ''BUCK'' MCKEON,
Chairman. Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in matters being considered in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

Our committee recognizes the importance of H.R. 4310 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over certain sections of the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Homeland Security, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House. I also ask that you support my request to name members of this committee to any conference committee that is named to consider such provisions.

Thank you for your consideration in this matter.

Sincerely,

PETER T. KING,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

Hon. PETER KING,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Homeland Security is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

Mr. BACHUS. Mr. Chair, the Fiscal Year 2013 National Defense Authorization Act contains badly needed reforms that are vital to our national security and our defense industrial base.

America's small business industrial base has supported our military for generations, and their participation enhances competition, helps control costs, and spurs American innovation. H.R. 4310 recognizes that our defense maintenance needs are best met when we have capabilities both internally in the Department of Defense and in a private sector where work is competitively awarded.

Sections 1631 and 1632 will help maintain a strong small business presence in our defense industrial base which is essential to reducing maintenance and procurement costs as well as maintaining a strong national defense.

It is my strong belief this important legislation will help ensure that the highest level of support services are provided to the men and women who protect our freedom.

Mr. MCKEON. Mr. Chair, I submit the following letters:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 11, 2012.

Hon. HOWARD P. ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON: I write concerning H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as amended. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This, of course, is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation which fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 4310 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

JOHN L. MICA,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

Hon. JOHN MICA,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Rayburn Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 11, 2012.

Hon. HOWARD ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Financial Services in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. The bill contains provisions that fall within the jurisdiction of the Committee on Financial Services under rule X of the Rules of the House of Representatives.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive the Committee on Financial Services' right to a sequential referral. I make this commitment with the mutual understanding that this will not prejudice the Committee on Financial Services with respect to its prerogatives on this or similar legislation. Further, it is our mutual understanding that the Committee on Financial Services be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any issues relating to the provisions that fall in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support of any such request.

Further, I appreciate your agreement to include this letter and a copy of your response acknowledging our jurisdictional interest on this matter in your committee report and in the Congressional Record during floor consideration of H.R. 4310.

Thank you for your attention to these matters.

Sincerely,

SPENCER BACHUS,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services, House of Representatives, Rayburn Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Financial Services has valid jurisdictional claims to a certain provision in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, May 11, 2012.

HON. HOWARD P. ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

Our Committee recognizes the importance of H.R. 4310 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This is, of course, conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Science, Space, and Technology.

Further, I request your support for the appointment of Science, Space, and Technology Committee conferees during any House-Senate conference convened on this and any similar legislation. I also ask that a copy of this letter and your response acknowledging our jurisdictional interest be placed in the legislative report on H.R. 4310 and the Congressional Record during consideration of this measure on the House floor.

I look forward to working with you on this important legislation.

Sincerely,

RALPH M. HALL,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

HON. RALPH HALL,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Rayburn Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, May 11, 2012

Hon. HOWARD ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the bill H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Veterans' Affairs.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Veterans' Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 4310 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

JEFF MILLER,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

Hon. JEFF MILLER
Chairman, Committee on Veterans' Affairs, House of Representatives, Cannon Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 11, 2012.

HON. HOWARD ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the jurisdictional interest of the Committee on Natural Resources in matters being considered in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

Our committee recognizes the importance of H.R. 4310 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. Of particular note, in Section 28XX—Transfer of Administrative Jurisdiction, Fort Lee Military Reservation and Petersburg National Battlefield, Virginia, the Committee agrees only to a 1.7 acre land exchange. This waiver, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Natural Resources and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Natural Resources also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

DOC HASTINGS
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2012.

HON. DOC HASTINGS,
Chairman, Committee on Natural Resources, House of Representatives, Longworth Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Natural Resources is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

Mr. MULVANEY. Mr. Chair, I rise today to bring to your attention a non-partisan, good governance issue—accountability and transparency. Specifically, accountability and transparency for the War Budget, which for accounting purposes is treated separately from the Department of Defense (DoD) Base Budget.

The Government Accountability Office, GAO, the Congressional Budget Office, CBO, and the Congressional Research Service, CRS, have all testified before Congress about the limited transparency in DoD war cost estimating and reporting) Despite this challenge, members from both political parties have worked in a bipartisan manner to support our 43rd and 44th Commanders in Chief to ensure that our troops have the war-related resources they need to win the Global War on Terror. As we move forward, it is my hope that we will preserve this spirit of bipartisanship while also working to overcome the challenge of providing good faith estimates about what our war effort actually costs.

Last year's Budget and Control Act, BCA (P.L. 112–25) appropriately recognized the distinction made by previous Congresses between the Base Budget and the War Budget. It places specific limits, or caps, on the Base Budget; the War Budget, however, has no limit. This creates a potential loophole for the President and/or Congress to evade the BCA limits by moving money for regular activities from the Base Budget to the War Budget's unlimited resources.

This is the first full cycle of Budget requests, authorizations, and appropriations under the BCA. Despite the varied views on the law, the President and the Congress have a duty to abide by its letter and spirit unless an alternative law is agreed upon. This bill is not about finding an alternative replacement for the BCA; it's about making sure the men and women in harm's way have the appropriate legal authority and resources to effectively fight on our behalf. It should also be about providing for our troops in an accountable and transparent manner.

The FY2013 Budget Request calls for shifting $6.1 billion in basic compensation for military personnel from the Base Budget to the War Budget. The troops associated with these costs are currently not deployed in overseas combat operations. Rather, they are part of the troop reductions set to begin next year. This means the FY2013 War Request and this bill's War Budget are overstated by $6.1 billion with basic compensation costs that have traditionally been funded through the Base Budget. As the GAO has stated, ''Costs that are incurred regardless of whether there is a [war] operation, such as the base pay of active duty military personnel, are not considered [war-related] (emphasis added).'' This new use of the War Budget for base pay was highlighted earlier this year at a House Budget Committee oversight hearing entitled The Department of Defense and Fiscal Year 2013 Budget. It is a clear circumvention of the BCA limits.

As we move forward in the Budget process, we should aim to ensure our troops receive full, base salaries and benefits from their usual source—the Base Budget. After all, the primary reason we employ troops is to protect our nation, and we need to continue to use the Base Budget to compensate our troops. This bill undermines public reporting of accurate War costs by accepting the President's request to shift $6.1 billion in base salaries from the Base Budget to the War Budget. However, neither the President's request nor this bill actually funds the DoD. So, in the days ahead I urge us to work towards preserving the integrity of the law by restoring accountability and transparency between the Base Budget and the War Budget.

If we fail to bring to light any potential exploitation of BCA loopholes in the law's early years of enforcement, then we simply make tomorrow's challenges greater while willfully turning a blind eye to the oversight record provided by the GAO, CRS, CBO and other credible sources.

H.R. 4310 was reported out of the Armed Service Committee and passed the House on a bipartisan vote of 56–5 and 299–120, respectively. I applaud the Armed Services Committee for including report language that states, ''[Section 403] would require that the [FY2014–2017] Department of Defense budget request include amounts for the end strength of the regular component of the Army and the Marine Corps in the base budget and not through emergency, supplemental, or overseas contingency operation funds.'' I hope the bipartisan majority supporting the bill will have the opportunity this year to accelerate its call to fully compensate our troops in an accountable and transparent manner.

Mr. STARK. Mr. Chair, I rise today in opposition to H.R. 4310, the National Defense Authorization, NDAA Act. Our country has always spent too much taxpayer money on an outdated, ineffective military apparatus; this year's reauthorization is no different. The pattern of lopsided investment causes us to sacrifice critically needed investments in job growth, health care, education, and economic recovery. Simply put, our level of defense spending does not reflect my values or those of the majority of Americans. Therefore, I will once again vote against the NDAA.

Defense already comprises almost 60 percent of the federal government's discretionary spending. Our nation dedicates entirely too much of its capital to military efforts at great monetary and human costs. We have spent trillions of dollars on wars in Afghanistan and Iraq and lost thousands of lives. The American people have had enough. Almost 70 percent of Americans want a complete and early withdrawal of troops from Afghanistan, according to a recent Rasmussen survey.

What's more, two-thirds of Republicans and nine out of ten Democrats support making immediate and drastic cuts to defense spending, according to a recent survey by the nonprofit groups, Center for Public Integrity, the Program for Public Consultation, and the Stimson Center. The average suggested defense cut by those polled came to more than $80 billion. That amount is almost twice what is due to be cut from defense in the sequester, the bipartisan deal reached at the end of last year to reduce our deficit.

Rather than listen to the American people, House Republicans have chosen to do the opposite—further increasing defense spending in this legislation. They've added an additional $8 billion above the budget limits that were approved earlier this Congress as part of the Budget Control Act. This is why I joined with Representative BARBARA LEE (D–CA) to offer an amendment to cut that $8 billion from the defense authorization. Doing so would simply ensure that defense spending falls in line with the limits set by Republicans in their own Budget Control Act. Unfortunately, the amendment was not approved.

The bottom line is that it's beyond time for us to cut defense spending, withdraw our troops, and redirect our focus to the troubles we're facing here at home. I urge my colleagues to join me in voting against this bill.

Ms. RICHARDSON. Mr. Chair, I rise in support of H.R. 4310, the ''National Defense Authorization Act for Fiscal Year 2013,'' which provides $642 billion in budget authority for the Department of Defense and the national security programs of the Department of Energy.

Although the bill is not perfect and contains several provisions that I do not support, on balance I support the legislation because it (1) provides our troops the resources they need to protect and defend our country and themselves; (2) supports military families; (3) makes important investments to keep our homeland safe; and (4) incorporates three critical amendments I offered to strengthen the nation's strategic ports (of which the Port of Long Beach is perhaps the most critical), provide expanded protections for women service members, and enhances the effectiveness of the Northern Command (''NORTHCOM'') in protecting the homeland in event of war.

I thank Chairman MCKEON and Ranking Member SMITH for their hard work in shepherding this bill to the floor on this bill and for their commitment to the men and women of the Armed Forces.

Let me briefly highlight some of the key provisions that I support.

I support the provisions in the bill providing all service members a pay raise of 1.7 percent, the level included in the President's request, and extends certain special pay and bonuses for active-duty and reserve personnel. The bill limits any annual increase in cost-sharing rates under the TRICARE pharmacy program to the percentage increase in retiree pay, beginning October 1, 2013. I am also pleased that the bill extends access to family housing for six months for service members mustering out due to personnel reductions.

Mr. Chair, combating domestic violence and deterring sexual offenses in both the civilian and military sectors is a national priority. That is why I am pleased that this bill includes provisions requiring secretaries of the military departments to establish special victim teams for investigation, prosecution and victim support in connection with child abuse, serious domestic violence or sexual offenses under the Uniform Code of Military Justice. The bill further requires that at least one team in each military department be in place within one year of enactment and that each secretary report within 270 days of enactment with a plan and timeline for the establishment of the remainder of the special victim teams that the secretary has determined are needed.

Mr. Chair, this bill provides the resources needed to protect our troops in harm's way. It provides:

$2.8 billion for measures to counter IED activities in Afghanistan;

$3.2 billion for Mine Resistant Ambush Protected (MRAP) vehicles in Afghanistan;

An increase of $321 million in unrequested funds for modernization of M–1 Abrams tanks and Bradley Fighting Vehicles, vehicles that help protect the lives of our troops; and

$7.6 billion for operations and maintenance of the Special Operations Command, an amount that includes $2.5 billion in the Overseas Contingency Operations account.

Another reason for supporting this bill is that it provides expanded opportunities for small businesses to participate in Defense Department contracts. For example, the bill includes several provisions designed to eliminate barriers that have prevented many small and medium-sized businesses from competing for Pentagon contracts. It also establishes new DOD goals for procurement contracts awarded to small businesses. There are also provisions to amend the Small Business Act to establish a government-wide goal for participation by small businesses at not less than 25 percent of all prime contracts for each fiscal year, and 40 percent of all subcontract awards for each fiscal year.

Mr. Chair, as I noted earlier in my remarks, an additional reason why I support this legislation is because it includes three amendments that I offered to improve the bill. I want to thank Rules Committee Chairman DREIER, Ranking Member SLAUGHTER, Armed Services Committee Chairman MCKEON and Ranking Member SMITH for working with me to include these amendments.

My first amendment, Richardson Amendment No. 82, requires the Department of Defense to post on all its websites information on sexual assault prevention and response resources.

In light of technology, many people, particularly service personnel receive the majority of their information via the Internet.

Further, online access to the needed information is particularly important because persons needing sexual assault resource information may be reluctant to seek information in a public setting without fear of losing privacy, or worse retaliation.

My second amendment, Richardson Amendment No. 112, improves the bill by increasing the effectiveness of the Northern Command (''NORTHCOM'') in fulfilling its critical mission of protecting the U.S. homeland in event of war and to provide support to local, state, and federal authorities in times of national emergency. This amendment was included in last year's National Defense Authorization Act and I am pleased that it is included again this year also.

The purpose for NORTHCOM's existence is to bring the capabilities and the resources of the U.S. military to the assistance of the American people during a catastrophic disaster. NORTHCOM leaders will be much more effective in saving lives, protecting assets, and enhancing resilience after a disaster has occurred if they are trained in the techniques of effective engagement with civilian leadership. My amendment ensures that such training will be available.

I want to thank my good friend and colleague, Congressman DON YOUNG of Alaska for working with me across the aisle and partnering with me on the amendment, Young/Richardson Amendment 141. This amendment calls for the expedited completion of the study of the Nation's strategic ports called for in the National Defense Authorization Act for Fiscal Year 2012 Conference Report 112–329.

As the representative of a district served by the largest port complex in the nation, I have long been a strong champion on protecting our nation's ports.

My colleagues have heard me say often that ''in times of war, the role of the ports is to protect the forts.''

This amendment also directs the Department of Defense to provide a copy of the report to the GAO for additional review of the extent to which the facilities and infrastructure serving strategic seaports meet the Department of Defense's requirements.

The completion of this report is vital in the assessment of the structural integrity and deficiencies of the port facilities.

It further examines infrastructure improvements that are needed directly or indirectly to meet national security and readiness requirements.

In addition to assessing the impact on operational readiness, this report will identify potential funding sources to undertake needed improvements.

CONCLUSION

Finally, let me note my strong support for the bipartisan Smith/Amash Amendment, which was accepted and included in the bill. This amendment amends detention provisions enacted last year in order to ensure that any individual detained on U.S. soil has the rights and liberties enshrined in the Constitution. The amendment would ensure that no person detained, captured, or arrested in the U.S. pursuant to the Authorization for the Use of Military Force could be indefinitely detained, held in military custody, or forced to face a military tribunal. As the Constitution states, it makes clear that any person apprehended in the United States would be guaranteed due process provided by a civilian court established under Article III of the Constitution. This commonsense, bipartisan amendment is supported by 27 Retired Generals and Admirals and more than 25 leading organizations, including the Bill of Rights Defense Committee, United Church of Christ, United Methodist Church, Union for Reform Judaism, Physicians for Human Rights, and National Religious Campaign Against Torture.

Finally, let me note my opposition to sections 536 and 537 of the bill relating to service members who are gay and lesbian. These provisions are unnecessary and unhelpful for the reasons discussed in the Statement of Administration Policy issued by the Obama Administration. I agree with the Administration's position and oppose the inclusion of these provisions. It is my hope that they will be removed before this bill reaches the President's desk.

In conclusion, I believe the good things in this bill outweigh the bad and for that reason urge my colleagues to support and join me in voting for the bill on final passage.

Mr. HOLT. Mr. Chair, I am in opposition to this bill.

Let me begin by praising our ranking member, the gentleman from Washington, Representative ADAM SMITH. Ranking Member SMITH brought forward a number of excellent proposals that would have significantly improved this bill, especially his effort to eliminate the indefinite detention provisions that were included in last year's bill. He also supported efforts to rein in excess Pentagon spending by supporting Representative BARBARA LEE's amendment to trim $8 billion from the bill. Had the amendment passed, it would have restored the funding level in the bill to what Democrats and Republicans had agreed to in this year's Federal budget bill.

Unfortunately, the majority chose to vote down both of those amendments and thus continue a misguided, counterproductive detainee policy and still more reckless spending. Moreover, the majority is attempting to interfere with the President's ability to negotiate arms control agreements with Russia, a potentially unconstitutional action. Additionally, this bill continues to fund Cold War legacy weapon systems like the F–35 and V–22 which we neither need nor can afford. Indeed, it's worth remembering that if we proceed with the procurement of the F–35, that program will cost taxpayers in excess of $400 billion—$50 billion more than the entire defense budget was a decade ago. We need to think anew about how best to defend our country, not continue to buy weapons to deter a Soviet Union that ceased to exist over 20 years ago.

Finally, this bill continues the deadly folly that is the war in Afghanistan, now the longest war in our country's history. There is no good reason for us still to be involved in combat operations in Afghanistan. We invaded Afghanistan to get Osama bin Laden and his key lieutenants—the men who were responsible for the 9/11 attacks on our Nation. Last year, President Obama authorized the operation that eliminated bin Laden. The chief planner of the 9/11 attacks, Khalid Sheik Mohammed, has been in our custody for years. The Al Qaeda we went to war with in 2001 effectively no longer exists, and thus the reason we sent our troops to Afghanistan no longer exists, which is why they should come home now but won't, thanks to this misguided bill. It is for all these reasons that I will vote against this bill.

Mr. MCKEON. Mr. Chair, I submit the following exchange of letters:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 10, 2012.

Hon. HOWARD ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, Washington, DC

DEAR CHAIRMAN MCKEON. I write to confirm our mutual understanding regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. This legislation contains subject matter within the jurisdiction of the Committee on Oversight and Government Reform. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The Committee on Oversight and Government Reform takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 4310 on the House Floor. Thank you for your attention to these matters.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 11, 2012.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3210, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Oversight and Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Government Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, May 10, 2012.

Hon. HOWARD P. ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 4310 on those matters within the committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 4310, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice my committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on H.R. 4310 and in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 11, 2012.

Hon. JOHN KLINE,
Chairman, Committee on Education and the Workforce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Education and the Workforce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Education and the Workforce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 11, 2012.

Hon. HOWARD ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. This legislation contains subject matter that falls within the Rule X jurisdiction of the House Foreign Affairs Committee. However, due to our cooperation in working out text prior to your markup, and in order to expedite Floor consideration of this important legislation, the Foreign Affairs Committee will not seek a sequential referral or object to Floor consideration of the bill text approved at your Committee markup.

The House Committee on Foreign Affairs takes this action only with the understanding that our jurisdictional interests in this bill, any subsequent amendments, and similar legislation are in no way diminished or altered.

The Foreign Affairs Committee also reserves the right to seek appointment to any House-Senate conference on this legislation, and requests your support if such a request is made. Finally, I would appreciate your including this letter in your Committee report on the bill, and in the Congressional Record during consideration of H.R. 4310 on the House Floor. Thank you for your attention to these matters.

Sincerely,

ILEANA ROS-LEHTINEN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 11, 2012.

Hon. ILEANA ROS-LEHTINEN,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MS. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
May 11, 2012.

Hon. HOWARD ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. CHAIRMAN: In recognition of the importance of expediting the passage of H.R. 4310, the ''Fiscal Year 2013 National Defense Authorization Bill,'' the Permanent Select Committee on Intelligence hereby waives further consideration of the bill. The Committee has jurisdictional interests in H.R. 4310, including intelligence and intelligence-related authorizations and provisions contained in the bill.

The Committee takes this action only with the understanding that this procedural route should not be construed to prejudice the House Permanent Select Committee on Intelligence's jurisdictional interest over this bill or any similar bill and will not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future, including in connection with any subsequent consideration of the bill by the House. In addition, the Permanent Select Committee on Intelligence will seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the Congressional Record during the House debate on H.R. 4310. I appreciate the constructive work between our committees on this matter and thank you for your consideration.

Sincerely,

MIKE ROGERS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 11, 2012.

Hon. MIKE ROGERS,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Permanent Select Committee on Intelligence is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 11, 2012.

Hon. HOWARD ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN MCKEON: I write concerning H.R. 4310, the ''National Defense Authorization Act for Fiscal Year 2013.'' I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 4310 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce is not waiving any of its jurisdiction on this or similar legislation. In addition, the Committee reserves the right to seek conferees on H.R. 4310 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 4310 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 11, 2012.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Energy and Commerce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, May 11, 2012.

Hon. HOWARD P. ''BUCK'' MCKEON,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN MCKEON: I am writing to you concerning the bill H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. There are certain provisions in the legislation which fall within Rule X (q) of the Committee on Small Business.

In the interest of permitting the Committee on Armed Services to proceed expeditiously to floor consideration of this important bill, I am willing to waive the right of the Committee on Small Business to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X (q) jurisdiction, including future bills that the Committee on Armed Services will consider. I request that you urge the Speaker to name members of this Committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 4310 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this issue and others between our respective committees.

Sincerely,

SAM GRAVES,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 11, 2012.

Hon. SAM GRAVES,
Chairman, Committee on Small Business, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on Small Business has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Small Business is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 11, 2012.

Hon. BUCK MCKEON,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN MCKEON: On May 10, 2012, the Committee on Armed Services ordered H.R. 4310, the National Defense Authorization Act for Fiscal Year 2012, as amended, to be reported to the House. As a result of your having consulted with the Judiciary Committee concerning provisions of the bill that fall within our Rule X jurisdiction, and having made amendments to the bill in consideration thereof, I am able to agree to discharging our committee from further consideration of the bill so that it may proceed expeditiously to the House Floor.

The Judiciary Committee takes this action with our mutual understanding that, by foregoing consideration of H.R. 4310, as amended, at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 4310, and would ask that a copy of our exchange of letters on this matter be included in your committee's report on H.R. 4310 and/or in the Congressional Record during floor consideration thereof.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, May 11, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

Mr. PETERS. Mr. Chair, I rise today in opposition to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. As a former Lieutenant Commander in the U.S. Navy Reserve, and as the son of a World War II veteran, I firmly believe that Congress has a responsibility to ensure that the United States has the best trained and best equipped military in the world. However, I have a number of concerns about this legislation that cause me to be unable to support it.

Last year during consideration of the Department of Defense Appropriations Act of 2012, I expressed my disappointment in the pace of troop withdrawals from Afghanistan initiated by President Obama. I supported an amendment to that bill that would have accelerated the withdrawal by reducing funding for combat operations while allowing for a reserve force of 25,000 troops to protect American personnel, carry out anti-terrorism operations, and assist with the training of Afghanistan's security forces.

While a similar amendment was submitted to the National Defense Authorization Act we are considering today, the Republican majority unfortunately refused to make it in order and instead only allowed a vote on an amendment offered by my colleague Representative LEE. Her amendment would require the immediate withdrawal of U.S. troops from Afghanistan. While I support the intent of the amendment, I am concerned that it does not provide our President and military leaders with the ability to keep a small reserve force in Afghanistan to help build up the capacity of the Afghan military or carry out limited operations against terrorists plotting against the United States. I prefer the approach advocated by my colleague Rep. MCGOVERN, which is why I am a cosponsor of legislation he has authored entitled the Afghanistan Exit and Accountability Act. This bill would require the President to submit a plan to Congress for an accelerated transition of our military out of Afghanistan, and to report regularly on the implementation of that plan.

During consideration of last year's National Defense Authorization Act, the Senate included provisions that could be construed as allowing for the indefinite detention of those apprehended on United States soil. The Ranking Member of the Armed Services Committee ADAM SMITH and my colleague from Michigan Representative JUSTIN AMASH offered an amendment that would have clarified that any person captured in the United States must be extended the right to be charged and tried in a U.S. Court consistent with the Constitution. Unfortunately this amendment was defeated, and the bill now creates a dangerous, and I believe unconstitutional, precedent.

Finally, the bill funds the Department of Defense at a level $8 billion above the one set for defense spending in the Budget Control Act passed last year. If signed into law, this would necessitate dangerous cuts to non-defense spending if we are going to meet the deficit reduction targets agreed to by President Obama and the Republican Leadership in the House. The Republican Budget would offset these increases in defense spending by imposing harmful and draconian cuts on programs that help provide food assistance to needy children, health care to our seniors, and assistance to unemployed parents trying to get back to work.

Everyone in this body supports keeping our Nation and our troops safe. Unfortunately, for the reasons outlined above, I cannot support this legislation. I remain hopeful that the Senate will produce a bipartisan bill that responsibly ends the war in Afghanistan as soon as safely possible, respects the Constitution, and

ensures that our deficit reduction goals are met through balanced cuts that do not disproportionately impact the most vulnerable Americans.

□ 1930

The Acting CHAIR (Mr. THOMPSON of Pennsylvania). All time for general debate has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ROSS of Florida) having assumed the chair, Mr. THOMPSON of Pennsylvania, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, had come to no resolution thereon.

AN ALL-OF-THE-ABOVE ENERGY STRATEGY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, President Obama has often claimed that we have 2 percent of the world's proven oil reserves, which is nothing but an excuse for inaction when developing American-made energy. As The Washington Post's fact-checkers noted, the President's claim is ''true, but false.'' False because ''proven oil reserves'' is only one category of oil, a fraction of the overall oil in the ground. ''Proven reserves'' refers to amounts of oil where seismic studies have identified available resources.

Due to the long Presidential and congressional bans on Outer Continental Shelf development, the inventory of resources has not been tracked in over 30 years. The U.S. Geological Survey and the Bureau of Ocean Energy Management estimate the U.S. has a 16 percent share of the world's undiscovered, technically recoverable, conventional oil resources. The Middle East also has a 16 percent share.

Rather than saying what we can't do, the President should be doing more to facilitate the safe discovery and development of U.S. resources.

Mr. Speaker, the President says he supports ''an all-of-the-above strategy for the 21st century that develops every source of American-made energy.'' The question now is whether he is willing to prove it.

DOMESTIC OIL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from California (Ms. SPEIER) is recognized for 60 minutes as the designee of the minority leader.

Ms. SPEIER. Mr. Speaker, thank you very much. I will be joined during this hour by my good friend and colleague from California, Congressman JOHN GARAMENDI.

I would like to just begin this discussion on oil prices by recalling that in 2008, the constant refrain that was heard in this Chamber over and over again was ''Drill, baby, drill'' by my colleagues on the Republican side. And the good news is that's precisely what we've done. In fact, in USA Today, Citigroup analysts are quoted as saying in a recent report, energy independence ''is no pipe dream. The U.S. is already the world's fastest-growing oil and natural gas producer. Counting the output from Canada and Mexico, North America is 'the new Middle East.' ''

So it's interesting to note that as much as we've been wringing our hands, there is oil being produced here in the United States. In fact, a lot of oil is being produced in the United States. And we're going to go over a few charts now to show how, in fact, things are looking a little bit better.

This first chart really shows what happened with oil production. When George Bush was still the President of the United States, the price of gas hit $4.10 a gallon. It was very high. And then gas prices hit rock bottom when President Obama took office because of the global financial crisis that hit. When President Obama took office, there were fewer than 400 oil rigs operating in the United States, falling below 200 rigs by mid 2009. Then, despite safety reviews after the BP spill, oil rigs operating in the United States quadrupled over the next 3 years. There are now more than 1,300—I repeat that, 1,300—oil rigs operating in the United States, more than all operational oil drilling in the rest of the world combined.

So in the last 3 years of the Bush administration, we were producing 1.78 billion barrels of oil; but in the first 3 years of the Obama, we have already produced 2 billion barrels of oil. The U.S. oil production has continued to increase under President Obama and is now at an 8-year high.

Jim Burkhard, who is Cambridge Energy Research Associates managing director, said in Senate testimony in February of this year, ''A 'great revival' in U.S. oil production is taking shape.''

So for all the hand-wringing from my colleagues on the other side of the aisle, talking about what isn't being done, the truth is a lot is being done, and we now have more oil rigs operating in the United States—some 1,300—than all the other places in the world combined.

BP projects that the U.S. will get 94 percent of its energy domestically by the year 2030. That's going to be a huge benefit for all of us. Economists at Citigroup argue that North America can be energy independent by 2020. That's only 8 years away. We could be energy independent by 2020. Citigroup says, if that happens, we will create 3.6 million new jobs, and we will see the unemployment rate cut by 2 percent.

An interesting example is that of North Dakota. Do you know what the unemployment rate is in North Dakota today? It's 3 percent. In California, it's 11 percent. In North Dakota, it's 3 percent. And North Dakota can now boast having the lowest unemployment rate in the country, and it is now the fourth-largest oil producer in the country as well.

So we create new jobs. We reignite manufacturing and chemical businesses. And guess what. American families see a lot of savings, too. In fact, the price of natural gas has dropped substantially. And if we keep going the way we're going, it will drop some 80 percent, giving the American family a $926 a year savings.

Georgia Power is another great example. Their fuel costs dropped 19 percent. And guess what. All of their utility customers saw a decrease in their electrical costs, in their utility bills, by some 6 percent. So there is some good news in all of that.

The second chart looks at U.S. oil production versus gas volatility. World market factors are really driving up oil prices. And if you look at this particular chart, you see that the oil production stays pretty much the same. It goes up a little bit in 2010, as you can see; but, for the most part, it stays pretty consistent. But what does change and changes dramatically up and down, as if you are reading an EKG, is the price of gas in this country. So gas prices are going up and down irrespective of the production of oil.

The Associated Press conducted an investigation over the past 36 years of U.S. oil production and gas prices and found that there is no statistical correlation between how much oil comes out of U.S. wells and the price at the pump. More U.S. drilling has not changed how deeply the gas pump drills into your wallet, and we know that.

□ 1940

The price of oil is determined on a global market. More oil production in the United States does not mean consistently lower prices at the pump. However, if we become less dependent on foreign oil, we will see some dramatic shifts take place in the country.

So why does more drilling have so little effect on gas prices? The answer is because oil is a global commodity. The United States owns less than 2 percent of the global reserves and pays the same world market price that everyone else does.

So, with that, let me introduce my good friend, Congressman JOHN

GARAMENDI, from the great area of Sacramento and the Valley.

Mr. GARAMENDI. Thank you very much, Congresswoman SPEIER, and thank you for bringing this very, very important issue to the attention of the American public this evening as we spend this hour talking about gas prices in the United States.

I was really struck by the charts that you put up. Wow. But they tell us that the story is we don't pump oil in America. Not so. We do. We really do. And they tell us that we're going in the wrong direction. But if you take a look at those charts, we're actually producing more and more energy. Today, in the Resources Committee, on which I have the honor of sitting, we had a debate about this. And our Republican colleagues were saying that we're not producing as much. And so we show them the energy institute's statistics, and they say they're wrong. That's an independent agency and they collect the statistics, and in fact they're right. And your charts clearly pointed out that we are in fact making it in America.

This is my favorite chart. This is what I'm often on the floor talking about: Manufacturing in America and making it in America. It's not often that we take this subject of making our energy in America, building an American energy machine, one that will supply the energy that our Nation needs to meet a growing economy and the needs of our society.

So very, very much what we're talking about here is making it in America. There are so many different pieces to this. I'm going to just bring up two of those, and then we'll carry on our dialogue here.

First of all, conservation. I think you're going to talk about this a little later—about automobile conservation, the gasoline in automobiles, which is very, very important, but there's so much other conservation that we must be doing in housing, in commercial buildings, in this building. This building is over 150 years old. We've got serious lack of energy conservation here within the Nation's Capitol.

But if we carry on a major effort on conservation, we will reduce our expenses and simultaneously make the available energy—the energy that is currently available—much more widely available and at a lower cost because of the market forces. So conservation is absolutely critical not only in oil and gas but in all of the other energy that we consume in this Nation.

Now the second thing, and then I'll circle back around quickly, is what I call substitution. We can substitute energy forms for oil, and in doing so, increase our domestic availability for oil—and that's diesel and gasoline. And in the substitution we also reduce our importation of oil. So substitution is really important.

So what is substitution? Well, substitution is going electric. We can go to electric cars, go to hybrids, which are a combination of electric and gasoline. There are many different ways on the transportation sector. But oil is also used in the production of electricity. Natural gas is the big thing today, and it is a wonderful substitution for coal. And we'll come back to that.

Finally, biofuels. The point I want to do here leads me to this little chart that I've used before, and it talks about where your tax money is going. Where is your tax money going? Well, I'll tell you that about $5 billion of your tax money every year goes to the oil industry. It goes to the oil industry to provide a subsidy that's now been in place for more than a century. And in doing so, it worked. That subsidy worked. It created one of the wealthiest—not one of—the wealthiest industry in the entire world. That's the oil industry. And, again, I know you're going to pick this up and carry it a little bit further.

But just here, our subsidies, our tax dollars handed over $5 billion a year to the Big Five, who earn billions and billions of dollars of profit every quarter. Why do we continue to do that when we really starve the substitutions?

You look at here, this is the biofuel area. This is the green technologies—wind, solar energy, biofuels. This is ethanol down here. You just compare this. The subsidies from $70 billion a year going to coal and oil, that's well beyond the Big Five. And over here on this side we're talking about some $12 billion. And down here, some $16 billion a year.

So what's happened is that your tax money continues to subsidize oil and coal and just a little teeny, tiny bit on the substitutions, where the opportunity for real energy independence will exist. So we should keep this in mind as we look at how we use your tax dollars.

Now there's a huge fight going on here in the Congress, appropriately so, about changing this substitution; that we ought to stop subsidizing the oil industry, put some of that money over here into the substitutes, that is the green technologies, and into paying off our deficit or taking care of our seniors and our sick. There's much, much more to be done on that.

I would love to see your charts and we'll get into this in some, hopefully, elegant way.

Ms. SPEIER. The next chart that we're going to put up is one that you'll find particularly interesting. This is the Big Five oil companies and how much money they made just in 2011. As can you see, $137 billion last year—a 75 percent increase in the profits over the year before. And as you can see each of them: ExxonMobil, 31 percent increase; Shell, a 54 percent increase; BP, 114 percent increase; Chevron, 42 percent increase; ConocoPhillips, 9 percent increase.

These companies are doing extraordinarily well and yet we're still giving them $5 billion in subsidies.

I guess the question I have for you, Congressman, is one of the things that we're told by the industry often enough is that if you take away our subsidies, the cost of gas at the pump is going to go up. And what is the answer to that question?

Mr. GARAMENDI. Well, you have another chart there that showed the oil that is pumped and the price of gasoline. Congresswoman SPEIER, you used this before. And you asked me: If we take away the subsidies, will it increase the cost of gasoline? The answer is, categorically: No.

First of all, it is an international market that sets the price of gasoline. I should add one little caveat to that. International market and speculation. And I'm going to come to the speculation in a little bit.

Anyway, the international market sets the price of gasoline that these Big Five companies buy and the value of the oil that they extract. So the barrel of oil is set internationally. Now if it's set internationally and you take out the speculation, it remains fairly constant. Here's the production. And it has gone up, but it's been rather steady over this period of time.

The subsidy is to encourage the production of oil. Well, they've had the subsidy and so the production has been rocking along here. The price of oil is set internationally. What explains this enormous variation in the price of fuel at the pump? Well, it's not production. That's from here. Is it the subsidies? The subsidies are a very, very small part. You're looking at a $137 billion total profit. The subsidy is $5 billion. So it's inconceivable that the subsidy has much to do with the bottom line, other than adding $5 billion, which would be, I guess, if you took the subsidy out, it would be $132 billion. Oh, my, let's whine about that. I don't think so.

So the subsidy doesn't have much to do, if anything, with the price of gasoline. The price of gasoline, however, is set by those companies. And that leads directly to that bottom line there—this $137 billion. They choose to set that price.

Now what are we going to do about it? Well, take the subsidies back and begin to move away from dependence on oil, whether that's imported oil or oil that is pumped out of the ground here in the United States, and move to these alternatives.

□ 1950

Move to the alternatives, electricity and natural gas and the biofuels. All of those will further reduce the demand for oil which will bring down the cost of a barrel of oil within this country

and around the world and, in so doing, allow us to have a lower gasoline price; and to do that, capture the subsidies. It's not going to increase the cost of a gallon of gasoline at all.

Ms. SPEIER. So we know that we're pumping more oil out of the ground in this country right now than ever before in our history, more than is being pumped anywhere else in the world—1,300 oil rigs. We know that we are still giving the industry a huge subsidy, and we know that they're making lots of money. Right? So what is going on? Is there, in fact, speculation? Is that driving the price of gas up?

Now, Bart Chilton, who is a Commodity Futures Trading Commission commissioner, recently said that consumers are now paying what amounts to a Wall Street premium every time they fill up their car with gas. In fact, he said every time you fill up your Honda Civic, you're paying a $7.50 Wall Street tax, in effect. You're paying that because of the speculation that's going on in the market. If your car is a Ford Explorer, you're actually paying an extra $10.41. So over the course of a year, it turns into real money. You're now talking about $700 more a year that we're paying because Wall Street speculation is driving this price.

Now, we've asked the Justice Department on three different occasions, the President of the United States has asked the Justice Department on three different occasions to look into, to investigate the speculators. And we're waiting. We're waiting for that particular review to take place because what we do know is that if we can get oil down to $70 a barrel, we're going to bring gas down to $3 a gallon, which will be a huge benefit to the consumers in this country.

Mr. GARAMENDI. The speculation issue, this morning we had a fellow from the Connecticut Petroleum Retailers Association come in and talk to us about speculation. You and I didn't have enough time to put this together, we talked about this beforehand, because we were both taken by the information he provided. It is really not new information, but it is very interestingly put on the issue of speculation. Forgive me, general public and forgive me, Ms. SPEIER, but I just decided to put this together on the back of this Make It in America chart because America was taken to the cleaners in 2008.

This is what happened to the price of a barrel of oil in 2008. Now keep in mind in 2008 the wars were going on, but there was no real change in the wars. In March of 2008, a barrel of oil cost $70 a barrel in the United States, and I guess worldwide also. So March of 2008, it was $70 a barrel. Nothing happened, no big change. The Straits of Hormuz were not shut down; Venezuela and Nigeria and other countries continued to pump oil, as they had before.

But between March of 2008 and July of 2008, what's that, 4 months, 5 months, the price went from $70 a barrel to $147 and gasoline was very close to $5 a gallon. So oil went from $70 to $147—doubled, doubled in price—in just a period of time from March, April, May, June until July of 2008. And then the speculators broke and the price plummeted between July to November to $32 a barrel.

Now this has nothing to do with the production of oil around the world. It has nothing to do with major international crises of any kind. Obviously, we had a problem in the United States with our economy; but the consumption of gasoline remained about the same, but the price of a barrel of oil doubled and then in the same year, July to November, plummeted to $32 a barrel.

If there is ever, ever a situation that says somebody is speculating in this market, it's this extraordinary change that occurred over a period of time from March to July to November. And there's no supply and demand, no international crisis that could even begin to explain this extraordinary shift in prices. It is, I think, beyond a doubt that all of this, this was the great gasoline crisis of 2008, was caused by speculation. Now, we need to do something about that.

Here is an issue before the House of Representatives, and every day somewhere in the buildings here in Washington there are a group of Republicans that are doing their level best to eliminate the one law that we have been able to put in place to control speculation. This is the Dodd-Frank legislation. The Dodd-Frank legislation has very powerful tools to control speculation. And you can draw your own conclusions why our Republican friends would try to torpedo, to end, to eviscerate the Dodd-Frank legislation so that the speculators can continue this kind of activity.

Now, keep in mind that this is not ending. If we go to 2010, 2011, the current period, my guess is that we would see something similar to this kind of speculation. So the Dodd-Frank legislation is the only tool we have available today to deal with speculations such as occurred in 2008 and is in all likelihood continuing today.

Ms. SPEIER. An interesting point along the same lines, maybe 4 or 5 years ago, the percentage of speculation in the oil market was 30 percent. The speculators were involved in about 30 percent. About 70 percent were end-users that were in the market. But interestingly enough today, those numbers have just flipped so that the end-users of gas, of gasoline, that are betting on the future are 30 percent, and it's the speculators that are 70 percent.

The other thing that the experts said this morning, I don't know if you were there at the time, they were talking about Katrina. When Katrina hit, it blew out all of those oil rigs in the gulf. It shut down oil production for a period of time. And you know what happened to the price of oil? It went from $50 a barrel to $60 a barrel for about 4 months, not from $70 a barrel to $147 a barrel. So over 4 months, it went up ever so slightly, but significantly nonetheless; and then it came down.

So this, this is ripe for an investigation, I believe, because it would suggest that there is a lot of speculation going on in the market today.

Mr. GARAMENDI. I was there for that, and I was struck by the very same statistic. As you look at what happened then, $10 here, a doubling in price. Consider for a moment what it would mean to somebody that had purchased back here in March a million barrels of oil at $70 a barrel, and they come up to July, that million barrels of oil has doubled in value. So this is why speculation occurs. It occurs because somebody by playing the market, by speculating, is able to make a vast sum of money.

There's the other side of that coin—somebody lost a vast sum of money coming down here. But the American public, however, was the single biggest loser in all of this because as that went up, the price at the pump also went up, and Americans paid more and more for the price of gasoline. It was about $5 a gallon when it came up here. And it didn't go down from $147 to $32; that proportion didn't happen. It did drop from near $5 down to $3.50, in that area.

So the American public was stuck with an exceedingly high price which continues to this day, which leads to those extraordinary profits which you were showing just a few minutes ago. Now, I'm not saying the oil industry was involved in the speculation; but I will say this, the oil industry benefited from the speculation that left a very high price for oil into the future. This didn't last very long. This went back up to $70, and today it's over $100 a barrel.

So we need to consider all of these things about what's going on in the oil market. The bottom line of this is we need to change. And this is, I think, where you want to go. You want to talk about conservation. You're the leader here, take us where you want and I'll follow.

Ms. SPEIER. So let's talk about what the solution is to protect Americans from volatile gas prices and to kick our dependence on foreign oil. That becomes the secret.

□ 2000

I mean, by every focus, if we kick our dependence on foreign oil, we are going to be so much better off.

So let's look at this next chart. In 2005, America's dependence on foreign oil peaked at about 60 percent. Then it

dropped down in 2010 to 49 percent. Then last year, it dropped down even more to 45 percent. 2010 marked the first time U.S. dependence on foreign oil fell below 50 percent in 13 years, and our dependence on foreign oil is now at the lowest level in 16 years. At this rate, the Energy Information Administration predicts that the U.S. will slash its dependence on foreign oil to as low as 36 percent in the year 2035.

The U.S. transportation sector consumed nearly 5 billion barrels of petroleum in 2009, accounting for over 70 percent of the consumption in the United States. The lion's share of that—45 percent of total consumption—was in passenger vehicles and light-duty trucks.

So, what do we do about that gas guzzling that's going on? Well, the thing we do about that is to look at how we can change how many miles to the gallon we get. To the President's credit, his administration has put in place these new corporate average fuel economy standards—known to all of us as CAFE standards—that will nearly double the efficiency of the U.S. fleet of automobiles, achieving a fleet-wide average of 54.5 miles per gallon by the year 2025.

So what does that do once we get there at 2025? Well, it means that we, as consumers, will save $1.7 trillion at the pump over the life of the program. A family that purchases a new vehicle in 2025 will save $8,200 in fuel costs when compared with a similar vehicle in 2010. So over the life of the program, the standard will save 12 billion barrels of oil and eliminate 6 billion metric tons of carbon dioxide pollution.

So the solutions are really there for us. The solutions are that we move to these CAFE standards, that we address the issues around speculation, and that we keep the robust drilling that is going on in this country right now so that we can continue to reduce our dependence on foreign oil.

Mr. GARAMENDI. Well, I took a look at that before we began this hour, and I go, Oh, my, do I have to wait until 2025 to buy that vehicle? No, not really. There are pure electric vehicles that are available today that get not 54 miles per gallon but like infinite, by using electricity only. You can buy those. Unfortunately for me, in my district where a Saturday run around the district is 600 miles, it doesn't make much sense yet, but it's coming.

The battery technology is improving for automobiles. You can store that energy or take down that energy at night. This is part of the electric grid and the changes that are occurring in the electric grid all across this Nation. Given the low price of natural gas today—just over $2 per 1,000 Btus—we're seeing the electric utility industry shifting from coal to natural gas. As they do that shift, we get an enormous reduction in the carbon emissions—which is good for the environment and good for the climate change issue—and, simultaneously, we're able to then see a path to an electric vehicle, or at least a hybrid plug-in, hybrid electric vehicle. All very, very good. Biofuels will be part of that also.

So it's very, very powerful that we continue to increase. And let's keep in mind that there had been no increase until the Obama administration came in. I think it was over 20 years that the standards had been in place, and then President Obama came in and said, Listen, we need to move to conservation. And the result is the incredible savings.

I don't want to wait until 2025. Let's do something about it today.

Ms. SPEIER. Well, we can certainly try to encourage it.

I don't know if you have any more thoughts.

Mr. GARAMENDI. I have a couple more things that I'll pick up along the way. Let me just share one of them, since we're on the gasoline issue.

You and I go back to our district every weekend. A month ago, 2 months ago, the rage was the price of gasoline. I was doing town halls. I knew you were also, and so I was doing some research about where the gasoline is and what it's being used for and what the cost was.

I came across a statistic from the Energy Information Institute that was absolutely surprising to me. The talk on the radio and on television and the talk radio and talk television was that we have this enormous shortage of gasoline, that the threat of a war in Iran was responsible for driving it up, and somehow problems in Nigeria or Venezuela—or wherever—were somehow shorting the market and that gasoline was in short supply. But the information, the statistics were exactly the opposite. There was a glut of gasoline in the United States, so much so—get this—so much so that the oil industry—Chevron, Exxon, BP, all of the rest—were exporting 28 million gallons of gasoline a day. At the same time they were exporting, they were driving the price up towards $5 a gallon.

And we go, wait a minute. What's this all about? You're telling me we have a shortage? If we have a shortage, why are you exporting 28 million gallons of gasoline a day? And from the information I've been able to obtain, it appears as though that export continues to this day—an export of 28 million gallons of gasoline a day out of the United States at the same time that the industry is saying, Oh, woe is us. We have a short supply. Well, if it's short supply, it's because they are creating it to the deficit and to the harm of the American traveling public who has to buy that gasoline.

Now, one other thing—and check me on this; I was trying to recall all of the information this morning—that in the last quarter of 2011 and the first quarter of this year, the United States, for the first time in—help me here, 40 years?

Ms. SPEIER. Sixty years.

Mr. GARAMENDI. —60 years was a net exporter of oil, a net exporter. We had achieved energy independence. We were exporting more than we were importing for the last quarter of last year and the first quarter of this year. I don't know if that's going to continue, but it flies right in the face of what the oil industry was telling us as the fake, false crisis of the spring occurred. My guess is it was speculation. My guess is it was greed on the part of the oil industry.

My solution is to end the subsidies, bring that money back and use it on the green technologies and conservation. My solution is to enforce the Dodd-Frank laws and to make certain speculators are not robbing the American people day in and day out. Those are two things we can do. And as you said earlier, we will continue to produce energy in the United States, and we'll make it in America.

I thank you so very much. I do have another meeting. I'm going to have to run, but this is good. It's good to get the information out there. Thank you for bringing us together tonight.

Ms. SPEIER. Well, thank you, Congressman, for your great presentation and your passion around making it in America, which should be underscored, because one of the great things that happens in my district is a lot of innovation.

Tesla, which is an electric car company that is making it in America, building it right there in Fremont, has a showroom right outside my district. And a gentleman came in to test-drive the sports—the Roadster, which has a hefty price associated with it, but very fast.

Mr. GARAMENDI. Is this the one that goes a gazillion miles an hour in 5 seconds?

Ms. SPEIER. Yes. It goes very fast, and it's all electric.

So he took it for a little spin, came back and said, I want to buy it. The salesperson says, Well, you're the first person who has ever come in here and literally bought it after just a test-drive. The purchaser said, Well, my neighbor on one side and my neighbor on the other side have already bought one.

Now, the funny thing about that story is not the keeping up with the Joneses so much, but the fact that in terms of the grid, having three electric cars on the same block charging overnight is going to create a little indigestion. So that's one of the good problems that we're going to get as more people are driving electric cars.

Mr. GARAMENDI. I was going to head out the door, but your Tesla story caught me as I was about to leave.

The grid, we need to have a smart grid. This is one of the things that is in contention here. This is about energy research. Now, we need to understand, how can we make that grid smart enough and robust enough that we will be able to charge, on any given block, one, two, three, four, five, or six more homes at night?

□ 2010

To do that, we need to have research and understanding, not only on how we produce the energy in an environmentally sound way that reduces the carbon emissions, but we also need to know how to distribute that power and when it's going to be needed. That's called the smart grid.

Now, to do that requires research. It requires us to invest in research to understand how the grid works, how it can be improved, how we can create the efficiency in the grid, how that power can be distributed to where it is needed when it is needed. That takes money. The Federal Government has, over the last several years, provided that research money in the budget that we're debating here now. Well, we're not debating it. It actually passed.

The blueprint for the current budget from this House reduces the energy research in the United States. So it may be some time, if our Republican colleagues have their way about the energy research, before those three people will be able to plug that thing in at the same time at night.

Ms. SPEIER. Well, let's hope we do it sooner than later so that they can be driving their Tesla Roadsters.

Mr. GARAMENDI. Thank you so very much.

Ms. SPEIER. Thank you. And I think at this point we have covered all of the issues we wanted to cover during this Special Order tonight. And I just want to leave my colleagues with this message. Again, this was quoted in USA Today. Citigroup analysts declared in a recent report, energy independence in the United States is not a pipe dream. The U.S. is already the world's fastest growing oil and natural gas producer. Counting the output of Canada and Mexico, North America is the new Middle East.

We've got many exciting things happening in the oil and gas industry.

Mr. Speaker, I yield back the balance of my time.

HONORING THE LIFE OF CHARLES COLSON

The SPEAKER pro tempore (Mr. RUNYAN). Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. HULTGREN) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. HULTGREN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HULTGREN. Mr. Speaker, it is with mixed feelings that I come to this body tonight and will have many of my colleagues joining me over the next hour to remember someone who has had a huge impact, not only on this city and on this Nation, but on our world, a gentleman who had a very personal impact on my life, who passed away on April 21, 2012, Charles W. Colson.

Chuck Colson, as many of us knew him, was a very intelligent man, a very well-spoken man, a passionate man who served people, who looked for ways to honor them, recognizing the value of every single person. His life dramatically changed through a circumstance that he went through by going to prison. And I'm going to pull out some information here.

We were honored to have a service today, a memorial service at the National Cathedral that was a memorial and remembrance of Charles Colson's life. Charles Colson was born on October 16, 1931, in Boston, Massachusetts. He graduated from Brown University. He served in the Marine Corps, went to law school at Brown, and then went on to practice law.

At a very young age, in 1969, while he was under 40, he was selected by President Nixon to be Special Counsel to the President, and served directly under the President from 1969 until 1973. During that time, he was known as a very tough guy. He was known as Richard Nixon's hatchet man, and was very intelligent, understood policy, understood politics, understood how to get things done, very driven, very focused, very tough. So he used his Marine Corps background, his tough upbringing in Boston, and his sharp intellect to be a huge impact for President Nixon.

Well, he was also, in that time, involved peripherally with Watergate, and through that, he felt that he was called to be honest with his involvement in there and pled guilty and entered a plea of obstruction of justice and was sentenced to serve time in prison. And it was really as he was preparing for that time in prison that he started to examine his own life and to see what he had done, why he had done it, and what life was all about.

It was really through a writer that he had read, a book that had been given to him, a book by a great author and great thinker, C.S. Lewis, ''Mere Christianity.'' And through that book, and through the testimony of one of Chuck's good friends, that Chuck Colson came to see his own failings, his own sin, his need for a Savior and his need for a change. And it was really in the friend's driveway, as they were talking, that he heard his friend's testimony of what Jesus Christ had meant to his friend, and the floodgates just opened up.

All of a sudden Chuck Colson understood what the fact of his need for a Savior, the fact that he needed to turn his life around, that he was going to have to pay a heavy price for his involvement in Watergate, that he was going to have to leave his friends and family, his young children, his wife, to go to prison for a long period of time. He wasn't even sure how long it was going to be. But it was that night, in that driveway that he gave his life to Christ. And from that time on, before he entered prison in the early seventies, through his death here in 2012, Chuck Colson was an incredibly faithful servant of his Lord and Savior, Jesus Christ.

But more than that, he also was a servant to the least among us. He never forgot that service, that time in prison, while he was there, and seeing the conditions that prisoners suffer under, the fact that we are all of incredible value, not because of what we've done, not because of what we know, not because of how much money we can earn, but because of how we have been created and the sacrifice that has been given for each and every one of us. He saw that, and he never forgot that.

So through this time we're going to talk about much of his life since that time of going to prison and coming out of prison. As he came out of prison he had opportunities where he could have gone immediately back into the private sector after being one of the chief people in the White House. He certainly had many connections, could have had a seven-figure income coming out of prison, but he decided not to do that.

Instead, he decided to start a ministry to fellow inmates. And it was from that start that literally, hundreds and hundreds of thousands of inmates, millions of inmates around the world, have been impacted by the ministry of Chuck Colson and Prison Fellowship Ministries, and many, many other ministries that have come out of that.

Angel Tree is another one that I'll talk about a little later on, of serving the victims of crime that we don't talk about very often, and that's children of inmates, unintended victims. Angel Tree is a service, a ministry that provides gifts to kids whose parents are in prison, a wonderful ministry that's provided gifts to millions of young children around the world.

I am so honored tonight to be able to recognize, to honor, to talk briefly and to share this time with some good friends of mine and to be able to talk about someone who had a huge impact

on my life, Chuck Colson. I am going to hand it over to my friend STEVE PEARCE in a few minutes here.

But very personally, let me talk about the impact and my connection. I had known about Chuck Colson for the last 25 years or so, 30 years, through many of his books. He's written well over 25 books. He's been a speaker around the world. He had a weekly radio show called BreakPoint that would talk about issues that were going on in the world and, really, a Christian world view to addressing issues that we were facing here.

But throughout all of his books, all of his speaking, all of his literature, every time that he was talking, it was a connection that he cared for people. He loved people.

One of my favorite stories that I hear over and over and over again about Chuck Colson is, as he would travel around the world and travel into the worst of the worst prisons, that he would go in there and meet with prisoners. Oftentimes the warden wouldn't even go into some of these areas and meet with prisoners. The wardens of these prisons would be afraid. And yet Chuck Colson would go in, unarmed, without guards right with him, but would go up and meet with the prisoners, talk with them, touch them, hug them, and just interact with them and let them know that he was going to continue to be thinking about them, praying for them, caring for them, loving them, and that he would be back. That made a huge impact on my life.

Reading many of his books, he often talked about what is our role in government, and how should we view the challenges sometimes that we see? As Christians, how should we be involved in government?

□ 2020

He talked very clearly about that—of the respect of government but also of the importance of everybody from all faiths to be involved in government—and to recognize that this is our responsibility as citizens to be engaged and involved in the political process. So I had learned much about Chuck Colson through his readings, through hearing him speak.

I had a wonderful opportunity a couple of years ago when I had heard about a program that he did, that he had started up about 10 years ago, called the Centurions Program. What this is is a program that Chuck Colson and Prison Fellowship Ministries puts on. It's a yearlong program of study—of seminars, of training—of really talking about how to be involved in our country, to be involved in our government, to make an impact in our communities. It involved dozens of books that we read in a year: going through what impacts our culture, looking at movies, looking at music, looking at government, looking at education—every single sector.

Then we would come from all over the country out to Washington, D.C., three times during that year, to spend a long weekend together. Chuck Colson personally led those seminars, along with wonderful speakers from around the country who had come to train men and women from all over the Nation to be more effective in their communities, to be more effective in their families, to be passionate about using their gifts to impact others for good.

I was privileged to be selected to be a part of this Centurions Program in 2009, and I went through that yearlong process. Little did I know at that time, honestly, that I would have the opportunity to serve in Congress. This was before I even considered the idea of running for Congress, but it was really through that program and through much that I had learned that I was brought to start thinking about this, to pray about it, to talk to my wife, to talk to my family, to talk to my kids of how important this is and what a pivotal time in our Nation this is right now. So it was much through the impact that Chuck Colson had on my life and that the ministry had on my life that I decided to run for Congress.

I was so excited to have Chuck Colson here in the Cannon Caucus Room just several months ago to be able to meet with Members of Congress and to make the connection again. I had spent so much time with him in that year but hadn't had a chance to really connect with him since I had been elected to Congress. He came up to me and gave me a big hug and said, I am so proud of you. He wrote me a little note just saying, again, of how excited he was and how he wanted me to continue to be faithful in all that we had been studying together and learning together. He continued to challenge me, and we talked about how we were, hopefully, going to work together for many years to come.

Unfortunately, there was his untimely death. It was a very sudden death. He was speaking before a group of people and had a dizzy attack. Within a short period of time, he had a blood clot in his brain, which had an impact there. Over weeks, they tried to do everything that they could to save him and weren't able to. Unfortunately, we won't be able to continue to work with him, but his legacy lives on in me and in so many others, in literally millions of others around the world whom he touched. So that is why it is such a privilege for us to be able to honor him tonight as to the direct impact that he had on us.

Really, before I had the chance to get to know him more personally, part of the impact that he had was on the studies that I was doing when I was involved in our State legislature back in Illinois. My wife and I had had our fourth child, and we were trying to think of a good name for our new son. We decided together that we would name him Koleson. We call him Kole, but his name is Koleson, named after Chuck Colson. So it is such a privilege and a reminder all the time as I'm now with my 8-year-old little boy, Koleson, of the legacy that he has, of the big shoes that he has to fill and, really, of the power that his name means to me of a man who had a huge impact on my life.

So, again, we will take this time over these next minutes to honor a man we could spend days talking about. I am so privileged to have my colleagues here tonight, and I am going to turn it over to my good friend from New Mexico, STEVAN PEARCE.

Mr. PEARCE. I thank the gentleman for bringing this issue before the House.

It is rare that a person can impact your life in a very strong way. It is almost never that a person can impact your life in a very strong way on different ends of the spectrum.

In 1970, I graduated from college. I had drawn a very low draft number earlier in my college career. I had joined the Air Force ROTC in order to avoid going to Vietnam in the middle of my college career; but, as an ROTC graduate, I then had an obligation to go to pilot training. I attended pilot training and then went overseas. I was assigned to the C–130s. We were stationed at Clark Air Base in the Philippines, but most of our missions were in Vietnam. For the next year and a half, that's where I was.

On one particular mission there in that time of 1971 and 1972, I was a copilot who was flying into Cambodia. Now, at that time, we were supposedly not going into Cambodia, and we were supposedly not going into Laos, but we were in and out on several trips that day. That evening, when I got back to the BOQ, to the quarters there at Korat Air Force Base, which I think is where we were stationed at that time for 2 weeks, I was interested to see that President Nixon was on TV. The camera zoomed in very close to him, and he described that American soldiers were not in or around Cambodia, that that mission was not one that we as soldiers were fulfilling.

Now, having just been in and out around Cambodia the entire day, that struck me as unusual that a President would say things that were completely untrue, that I knew to be untrue. In my heart, I began to believe that he could have said, I don't think the American people have a right to know. He could have said, It's secret, and that's classified information. But he came out with the camera looking him square in the face, and he said that we were not there. Now, maybe he did not know. I'll give him that.

Yet, when I got back to the U.S. and had found out about Watergate—that was beginning to unravel—the idea of

who to vote for in those 1972 elections was ever present on my mind. His opponent, there was no chance I would vote for him. His opponent was Eugene McCarthy. I would not vote for him, but I ended up filling my ballot out that neither man was qualified or deserved this office. I did not vote for a President that year simply because of my personal experience. Then in watching this whole problem with Watergate, Chuck Colson, Haldeman, those guys who were inside—the Plumbers—it began to give me a sense that this was a very bad point in my life and that Mr. Colson was a part of that group that was willing to mislead a Nation, that was willing to say things that weren't true. At the end of the day, President Nixon, as you know, stepped down. He gave up his office because of misdeeds that a small group of them pulled together.

Now, it was with that background that I knew Chuck Colson for most of my life. Then in 2003, when I arrived here at the Capitol when being first elected to the U.S. House of Representatives, I started going to just a very small lecture series, and it was hosted by a gentleman named Chuck Colson. It didn't take long to make the association; but he was bringing in some of the best Christian worldview thinkers in the entire country, and I was able to experience Mr. Colson in a far different way than that remote acquaintance I had made in the early seventies.

In this way, he was one of the most compelling thinkers in the country. It was he who said that he lived in the dark until he saw the light. It was he who committed himself to a different view of the world, one that said that we must have redemption, that we must have a savior, that there is no hope for us as human beings if we are not to deal with those problems that each one of us faces in our lives. As he began to develop his insights and began to be one of the premier organizers of the Christian worldview, bringing in literally people from around him, he established his pillars for glorifying God through the works that we do.

Those pillars are: One, prepare well; two, keep an eye on the horizon rather than up close to you; three, engage and enlist others; four, run assessments; five, seek the abiding fruit, not just that that is temporary; and, finally, have guidelines that you have applied.

It is in those principles of glorifying God that Mr. Colson really developed a presence that affected the world and affected my life significantly. He began to compel those of us attending this lecture series in this House of Representatives, in one of the rooms beneath us, to enlist those around us, to be a light that shines out to others, to let our lives be different, to let our lives be the equivalent of salt and light, which are rubbed, so to speak, into the fabric of the American mindset so that those around us will know that they have embraced a lie.

□ 2030

It was Mr. Colson who told me the most dramatic thing. His perception was—and I believe it is still—''The greatest problem facing America,'' he said, ''is truth.'' We don't know the truth in this country anymore. It's not revered. As we don't know the truth, then we see the fragments of society beginning to come loose around us.

I hear my own daughter and grandchildren say: Which side is right? They're all saying different things. When we as a Nation walk away from the concept of truth, when we as elected officials fail to honor our obligations to speak the truth as we know it, when our courts declare that there is no truth, then the Nation truly does suffer.

He made that extraordinarily clear and lived it in his life. It's at that point that I began to be compelled that I should be more honest and transparent in my own faith. Not that I would go out and be interrupting people and thrusting myself into their consciousness, but that they would look and see there's something different. They would say: Maybe we can trust that viewpoint.

So it is with sincere appreciation to my friend who is honoring Chuck Colson with this time tonight—because I believe that the Nation has lost one of the premier thinkers, one of the premier people who would guide us along a path, who would give us a wake-up call saying that we must find that salvation, we must find that way back when things have gone wrong. He was speaking from his experience of having gone so desperately wrong at a young age, being upheld and lifted into the very White House in this country, and having stumbled so badly.

He could speak with experience saying we all have to come back. There are things that every single one of us slip into that eventually we're going to want to change course. It's through his example, through his words, through his values, through his ideas that I know there are many here in this Congress who have lived a different life because of those ideas.

He came to New Mexico a couple of years ago. They had a large conference on the weekend. Again, I remember the same clarity, the same professionalism, the same looking toward the horizon there at that conference in New Mexico as we heard in this building here. He was a constant. He was refreshing to speak so openly about his problems. He was never able to let them loose, never get them away from him, never get that stain off of him. But he embraced that, yes. That's who he was and now he was different, that he had lived in the dark until he had seen the light.

Each one of us, if we were to make those same understandings and give those same acknowledgements, I believe, would live better and more transparent lives with truth being a greater part of that life. And I think the Nation would be better off for us living, as it is for him having lived.

We mourn his passing, but we also glorify God that he was placed into our midst that he might truly shine the light of truth into the darkness that he found around him.

My friend, I will stay around to hear what else we have. Thank you very much.

Mr. HULTGREN. I want to thank my colleague from New Mexico. I thank you so much.

Now I want to yield to my good friend from North Carolina, MIKE MCINTYRE.

Mr. MCINTYRE. Thank you so much.

Mr. Speaker, I share with these dear friends today marking the passing into glory of Mr. Charles Chuck Colson. We new Chuck as a dear friend and Christian brother, author, radio commentator, and also one who challenged us all to think more about our world view.

With his passing, our Nation has lost an uncommon leader, a true example of the transformative power of Jesus Christ, and a reminder of the beauty of second chances in life. While some will forever remember Mr. Colson for his role in the Watergate scandal, I will remember and honor him for the grace and perseverance with which he advocated for the least of these in our society: those that were marginalized, those who were seen as helpless.

With his work through Prison Fellowship, the world's largest organization for outreach to prisoners and former prisoners and prisoners' families, and through his inspirational books and commentaries, Chuck Colson touched thousands of lives and advocated tirelessly for programs that would not only address the physical needs of those in our Nation's prisons, but also their spiritual needs, as well.

In addition, Mr. Colson's daily radio show ''BreakPoint,'' during which he would share a commentary on the life of Christ and also on the Christian world view on the issues of the day, was such a challenge and an inspiration to me that as a young lawyer in southeastern North Carolina, in my hometown of Lumberton, I actually put copies of his ''BreakPoint'' commentaries out on the coffee table so that those clients and prospective clients who came to our law office would take time to hear from this lawyer, Chuck Colson, whose life had been so transformed by the experiences he had gone through.

When I think about his insights, it's because they were so challenging and so clear in their wisdom that they were so touching. His books challenge you to think deeply about your own calling

in life: What was God calling you to do, and how could you take even the worst of experiences? I remember him describing looking out on the south lawn of the White House thinking he was just one door down from the President and the neatly manicured lawn. I remember Chuck two or three times in different testimonies describing that experience and thinking, You know, I've made it.

But then Chuck Colson went from the White House to the very depths of understanding what it meant to be in prison. But instead of letting that ruin his life after the Watergate scandal, he came out of that with his life being changed. His great book, ''Born Again,'' was a bestseller back in the 1970s when I was in college. And I still remember when my own father, who passed into glory last year, read that book. Along with other experiences that happened to my own father, that book, ''Born Again,'' told a story that my dad could identify with and that helped to change his life.

Having heard Chuck Colson speak at Montreat, where my own dad made his own Christian commitment, and hearing Chuck Colson speak at other events with the late Dr. D. James Kennedy down at Coral Ridge Ministries down in Florida, and being with Chuck so many times here on Capitol Hill, being part of the lecture series that my good friend mentioned just a moment ago—that I still remember he organized here on Capitol Hill and would invite Members of Congress to come and to think more deeply and challenge us to go beyond the politics of the issue.

Then in his monthly newsletter called ''Jubilee,'' he would have an editorial at the back that I regularly read and made sure that often I ripped that out and put it in a file because his thoughts were so provocative and challenging in terms of our own world view.

I also had the opportunity to get to know Chuck Colson and count him as a brother in Christ and as a friend, participating not only in the lecture classes here on Capitol Hill, but when he rewrote the book that he had written in 1982, ''Kingdoms in Conflict,'' which greatly touched my life as I thought about the possibility of one day maybe coming to this place. He rewrote that book on ''God and Politics,'' and challenged us to think about where we are in our faith as we deal with the tough times in the political world, so much so that my wife, Dee, asked me if for our 25th wedding anniversary that instead of a gift or going on a trip, could we be in the Centurion Program that Chuck Colson had where he had 100 citizens from around this Nation participate and spend an entire year studying the Christian world view on issues ranging from health care to business, from medicine to education, from law and government to issues within religion itself, and challenging us to study the biblical perspective and the Christian world view, and to think how we deal with those issues as Christians in the everyday world.

□ 2040

So with those 100 citizens from across the country, my wife and I spent a year studying under Chuck Colson's guidance and went to three different seminars that he hosted not too far from here in Washington. What an inspiration this man was because he didn't just teach and he didn't just talk, but he walked the walk and he changed lives by God's power in the process.

I know some of you here with us today—so often, we shared the night before the National Prayer Breakfast. Before we came and led the spiritual heritage tours here at the Capitol that so many hundreds of people have now done over the years, that we made it a regular habit to go to Chuck Colson's annual Prison Fellowship dinner that he had on the Wednesday night before the Thursday National Prayer Breakfast in February. And we looked forward as much to that as being central to the celebration of what the National Prayer Breakfast was all about because we knew the night before, Chuck Colson was having his annual dinner, usually honoring some great religious leader or reformer in society before we had our spiritual heritage tour back here at the Capitol.

He often also talked about his experience as a United States Marine at Camp LeJeune, just on the edge of my congressional district. And he also talked about the practical ways that faith can change your life. That's the great legacy I know Chuck Colson would be pleased with today. We're talking about a man not only who was a great author and speaker but a man whose life changed lives and made a difference.

Thank you very much.

Mr. HULTGREN. I want to thank my good friend and fellow Centurion. Thank you so much, MIKE. I appreciate you being here.

I yield to my other good friend, ROBERT ADERHOLT from Alabama.

Mr. ADERHOLT. Mr. Speaker, I rise this evening, along with my colleagues, to honor the life and legacy of Charles Colson, better known as Chuck Colson.

Many people remember Chuck Colson as the hatchet man for President Richard M. Nixon and also the first member of the administration under Richard Nixon to go to prison.

But Chuck Colson is probably known better as a central figure in the Christian community since his conversion to be a follower of Jesus Christ. Some at the time of his conversion may have said it was a jailhouse conversion. However, if you knew and you looked at the life of Chuck Colson and saw the life that he led following his release from Maxwell Federal Prison Camp in Alabama, you would come to a far different conclusion.

Chuck Colson emerged from prison with a new mission, and that mission was to mobilize the Christian Church to minister to prisoners. This would perhaps be his greatest contribution to the church and to the world.

Chuck Colson was someone who rose to high places in the eyes of the world during his time here in Washington and in his political career. But it actually wasn't until Chuck Colson hit rock bottom that really his life was turned around. It wasn't until he realized that he was living in darkness, that he was in need of a savior, and that he was powerless to earn God's favor that his life actually turned around.

If he were here with us tonight, I think Chuck would unashamedly say that placing his trust in Christ, recognizing that Christ had paid the penalty for his sins was the best decision that he ever made in his life. And I can say these things about Chuck Colson because I had the opportunity to get to know Chuck Colson personally over the last several years, and I am honored to call him a friend.

Chuck Colson made many friends over his life and, of course, he will be missed greatly by so many around the world. And of course to Patty and his children, he will be sorely missed.

But, Mr. Speaker, I feel sure that Chuck has heard the words, Well done, my good and faithful servant.

So I thank you again, Mr. HULTGREN, for the time you have yielded to me to honor Chuck Colson.

Mr. HULTGREN. Thank you, Mr. ADERHOLT.

Now it's my privilege to recognize a good friend from Iowa, Congressman STEVE KING.

Mr. KING of Iowa. I thank the gentleman.

Mr. Speaker, I rise to also offer my most appreciative words for the life and the gift to all of us that was the life of Chuck Colson.

A lot of us got to know Chuck Colson as he came before our conference on occasion, the Republican Study Committee on occasion and professed his conversion. And when one listened to Chuck Colson talk about how his conversion took place, how he hit rock bottom, as the gentleman from Alabama just said, how he accepted Jesus Christ as his personal savior, and accepted a new direction in life that had lasted for 40 years, a man that was at the pinnacle of power in the world found himself in prison for about 8 months in Alabama.

And out of that prison, he came back and hit bottom and was launched not at the pinnacle of this world power, but he was at the center of the voice of the real power in the universe. And his inner voice, the spirit within Chuck Colson, spoke to all of us.

Upon learning of his death, I sent out a tweet in those days, and it read like this:

Chuck Colson, from Watergate to evangelical Christian to Prison Fellowship to heaven in 80 years. Rest in peace, Chuck. How now shall we live?

How now shall we live, Chuck Colson, who lived by the model that he had. It was a blessing to all of us that he went through the difficulty that he did. If he hadn't been formed and shaped in that way, I don't know that we would have seen the Chuck Colson that we knew that we're saying good-bye to here tonight whose life we honor so much.

His activities in Prison Fellowship set a standard that had not been seen in this country or in the world. And the recidivism rate of prisoners that didn't take part in the Prison Fellowship was extremely high. I haven't committed that number to my memory; but it seems to me that those who went through the Prison Fellowship, those who accepted Jesus as their savior—and I have met with them in the prisons in Iowa that were part of the Prison Fellowship effort—the recidivism rate—by memory, not by research—was only 8 percent.

It was a tremendous thing to mentor so many prisoners in and out of prison and the families of prisoners. He went to the place where he had known despair and gave hope in the very heart of the place where Chuck Colson had known despair. And I think that the testing of Chuck Colson turned him into a man that was a gift to this country and a gift to the entire world.

I remember a prayer that I offered for years and years throughout the farm crisis, the years of the eighties, the difficulties in the nineties. And it was:

Lord, please be finished testing me and start to use me.

I don't know if Chuck Colson ever offered that prayer, but I think he would agree with me that there was a time that he was tested; there was a time that he went through that test in the pinnacle of power and through that test in prison, and there's no question that the Lord used Chuck Colson, tested him for 40 years, used him for 40 years. Chuck Colson was a gift to America and a gift to the world.

I saw a little quote in an article written about him that I thought was useful and informative: The light just emanated from Chuck Colson. You knew that he understood. He wrote eloquently about the depth of his faith and the meaning in our lives in this life and in the next and the power of redemption. And this quote was written about him. I will note the author because it's useful.

The author is Michael Gerson, who wrote an article about him on April 22. He said, Chuck spent the last 40 years of his life dazzled by his own implausible redemption. He knew it was a gift. It was implausible that a person as humble as Chuck Colson could be the recipient of this gift of grace, yet that gift shined from him like a lamp on a lamp stand, not under a bushel basket. It was a light that shined across this whole country, and it shone into this United States Congress over and over again. He was a core for the values of our faith. He was a core for the values of our morality. He brought our thoughts together on the meaning of our service, our service here in this Congress and our service to the world.

And I think he gave hope to many in despair, many of those that served their time in prison or had been given hope and inspiration, grace and salvation because of their exposure to Chuck Colson, the inspiration that he was. His life dazzles by his own redemption. We are dazzled by the life of Chuck Colson.

□ 2050

Mr. HULTGREN. I want to thank my colleague from Iowa.

It's now my privilege to yield to my good friend from Texas, LOUIE GOHMERT.

Mr. GOHMERT. I appreciate my friend yielding.

Mr. Speaker, it's such an honor to pay tribute to such a great man as Chuck Colson. I first read about Chuck Colson, of course, after the Watergate event occurred and all of the events surrounding it. And then I was in law school when I read his book, ''Born Again.'' It sounded like this was a brilliant man who really and truly had had a conversion experience. Life had been materially changed. Then, again, there are those who as a judge I saw that would get in trouble and grab a Bible and say, I'm changed, so go easy on me. Things like that. But this really appeared quite genuine with Chuck Colson. And I knew, as the Bible teaches, we'll be known by our fruits. What incredible fruits this man produced. Amazing.

So over the years I stayed in touch. He didn't know me personally during those years, but I listened to cassettes of his sermons, his lectures. That tells you how far back it goes—they were cassettes. Then I listened to CDs of him speaking and his lectures and sermons, and I would read his books. Thank God he was so prolific that he was moved to write such extraordinary books.

In fact, I came to realize with this kind of brilliance—and others have pointed this out, but it struck me back in the eighties—this is a modern-day Apostle Paul. He has that kind of intellect, that kind of ability. And yet he's able to discuss anything with anybody on any level. But his life is a living, breathing, walking testimonial.

I love the quote that Steven Curtis Chapman used in Chuck Colson's own voice in ''Heaven and the Real World,'' where you hear Chuck's voice say these things. Chuck said:

I meet millions who tell me that they feel demoralized by the decay around us. Where is the hope? The hope that each of us has is not in who governs us or what laws are passed or what great things we do as a Nation. Our hope is in the power of God working through the hearts of people. And that's where our hope is in this country. That's where our hope is in life.

As he pointed out on more than one occasion, our hope—the Kingdom of God—will not arrive on Air Force One. And any hope of that happening is just misplaced.

Well, I have a brother about 8 years younger, now a Baptist pastor near Richmond, and Bill had acquired Chuck Colson's new novel called ''Gideon's Torch.'' And as a man who had worked in the White House, to have him write a novel which, as you read it breathlessly, you realize these things could easily happen, every one of them, just as he spells out. It was an incredible book.

When I met Chuck Colson, I asked him, Are you going to write any other novels? That was just a fantastic novel. And he said, My publisher tells me people are not buying my fiction. They want my nonfiction. And I want God to use me however he can use me. If it's more productive, more helpful to people to write nonfiction, I'll write nonfiction.

He also said writing ''Gideon's Torch,'' a novel, was far more difficult than writing the nonfiction, which he does. I'm not sure that it's still in print, but I would hope that after his passing there would be a resurgence of requests and people would get that book and greatly grow and benefit from it.

I just wanted to share a couple of things from his book ''God and Government.'' He came to the Hill to provide this to many of us. As my friends here know, one of the benefits of being in Congress—and there are plenty of things that aren't benefits—but one of the benefits is getting to become friends with people you have as heroes. And Chuck Colson was one of my heroes. He was someone I truly looked up to and I benefited from. And even before he knew me, he was a mentor.

At page 69 he says:

Whether or not God's existence can be proved, the evidence can be rationally probed and weighed. (Author C.S.) Lewis does so compellingly, and he cites moral law as a key piece of evidence. Clearly it is not man who has perpetuated the precepts and values that have survived through centuries and across cultures. Indeed, he has done his best to destroy them. The nature of the law restrains man, and thus its very survival presupposes a stronger force behind it—God.

Or consider the most readily observable physical evidence, the nature of the universe. One cannot look at the stars, planets, and galaxies, millions of light years away, all fixed in perfect harmony, without asking who orders them.

For centuries it was accepted that God was behind the universe because otherwise ''the origin and purpose of life would be inexplicable.'' This traditional supposition was unchallenged until the 18th century's Age of

Reason, when Enlightenment thinkers announced with relief that the origins of the universe were now scientifically explainable.

But in the past few decades, science has completely reversed itself on the question of the origin of the universe. After maintaining for centuries the physical universe is eternal and therefore needs no creator, science today has uncovered dramatic new evidence that the universe did have an ultimate origin, that it began at a finite time in the past—just as the Bible teaches.

Chuck Colson will be missed. But thank God and thank Chuck Colson that he has left us so much in the way of wisdom that we can draw from in the days ahead. We will be remembering his family and all of those who loved and miss Chuck in our prayers.

With that, I appreciate being yielded to on behalf of Chuck Colson.

Mr. HULTGREN. Thank you, Congressman GOHMERT. I appreciate it.

I do thank my friends that have been here. There's many others that wanted to be here tonight and weren't able to. One of those was our colleague Congressman MIKE PENCE from Indiana, who was unable to be here but wrote a letter. Many others also over the last couple of weeks have paid tribute to the life of Chuck Colson. I would like to recognize just a couple of them.

One was Reverend Billy Graham, evangelist. He said:

For more than 35 years, Chuck Colson, a former prisoner himself, has had a tremendous ministry, reaching into prisons and jails with the saving gospel of Jesus Christ. When I get to heaven and see Chuck again, I believe I will also see many, many people there whose lives have been transformed because of the message he shared with them. He will be greatly missed by many, including me. I count it a privilege to have called him friend.

Again, that was Reverend Billy Graham.

I do think it is amazing to look at some of the history of the impact and really the decisions that Chuck Colson made that we talked about. Before he went to prison, his conversion, many were skeptical about that, thinking it was a ploy to get a lighter sentence. Clearly, it wasn't, when you look at the fruits of what happened afterwards.

And I just want to go through a quick history of Prison Fellowship, something that, again, has had an impact on millions of people around the world.

In 1976, a Watergate crook found Prison Fellowship. In 1974, the Watergate scandal sent White House Special Counsel Chuck Colson to Federal prison. A new Christian, he faced challenges and adversities that tested his faith and self-respect. Paroled in 1975, Chuck could easily have opted to close that book on that dark time and move on with his life as inconspicuously as possible. But Chuck knew that God wanted him to hold on to his ties to prison and continue to identify with his fellow prisoners, despite the skepticism and scorn of Chuck's critics.

□ 2100

So in 1976, with little more than a vision and the support of a few friends, Chuck began Prison Fellowship to proclaim to inmates the love and power of Jesus Christ.

In 1977, the next year after the founding, Prison Fellowship goes behind bars. At first, through the support of the director of the Federal Bureau of Prisons, Prison Fellowship began transporting dozens of Christian prisoners out of prison for intensive training through Washington Discipleship Seminars held in the nation's capital. Those prisoners then were returned to prison to evangelize and teach their colleagues. But in 1977, Prison Fellowship ran into a hurdle when a warden from Wisconsin refused to furlough one of his prisoners to attend the Washington Discipleship Seminars. Instead, he challenged: If your program is so good, why don't you bring it inside the prison?

Chuck and his team were up for the task, and 3 weeks later, 93 inmates attended Prison Fellowship's first ever in-prison seminar in Oxford, Wisconsin. That seminar paved the way for hundreds of thousands of prisoners across the country to receive biblically based teaching through in-prison seminars and Bible studies over the past 33 years. That first in-prison event also reinforced the importance of training local volunteers to go inside prisons and build relationships with inmates. Today, Prison Fellowship ministry relies on a volunteer network of well over 20,000 volunteers.

In 1979, Britain catches the vision. Prison Fellowship International takes off.

In 1982, ex-bank robber reaches out to prisoners' kids and starts Angel Tree. The same year that Chuck started Prison Fellowship, a former bank robber named Mary Kay Beard was released from prison in Alabama. And, as in Chuck's life, God graciously transformed the shame of prison into a golden opportunity for ministry. In anticipation of Christmas 1982, Mary Kay organized Angel Tree, a ministry to provide gifts to prisoners' children on behalf of the incarcerated parents. Beginning with 556 children that first year, Angel Tree has since exploded into a geyser of ministry opportunities reaching more than 400,000 American children of prisoners every single year, and their families, with the transforming message of Jesus Christ. Over 6 million children have received gifts from Angel Tree from their parents donated by someone else in the name of their parent. Again, the lost victim oftentimes of crime.

In 1983, Justice Fellowship hits the stage. As Prison Fellowship was expanding its ministry inside prisons, its leadership saw firsthand all of the signs of a justice system in chaos: overcrowded and violent prisons, neglected crime victims, communities shattered by crime. In 1983, Justice Fellowship was formed to promote biblical standards of justice in our Nation's justice system.

Justice Fellowship volunteers successfully implemented reforms across the country: victim-offender reconciliation programs; alternatives to incarceration for nonviolent offenders; victims' rights legislation, and more. In 1995, former California legislator and ex-prisoner Pat Nolan took the helm of Justice Fellowship and has since spearheaded efforts to pass the Religious Land Use and Institutionalized Persons Act of 2000, the Prison Rape Elimination Act of 2003, and the Second Chance Act of 2007.

In 1992, Operation Starting Line sweeps North Carolina. In 1991, North Carolina's Secretary of Correction Aaron Johnson was pondering the condition of his prisons and saw only one solution—spiritual transformation. In an unprecedented move, he invited Prison Fellowship into every prison in North Carolina to lead a contemporary version of an old-time revival meeting. So in the fall of 1992, using teams of professional athletes, musicians, comedians, and powerhouse speakers, Prison Fellowship's inaugural Starting Line evangelistic campaign swept through all of North Carolina's 90-plus prisons, sharing the life-changing message of Jesus Christ. Since North Carolina, similar evangelistic events have spread to prisons all across the country. And in 1999, Prison Fellowship joined other Christian organizations to launch Operation Starting Line, now an affiliation of 37 ministries committed to prison evangelism.

In 1997, a new kind of prison ministry is born, Interchange Freedom Initiative, a values-based reentry program founded upon the teachings of Christ. With the full endorsement of then-Governor George W. Bush, Prison Fellowship and the State of Texas partnered to launch the very first IFI program in a prison unit near Houston. Interchange Freedom Initiative immerses its inmates-all volunteer participants in spiritual, educational, vocational, and life skills training from an unmistakably Christian perspective. Today, IFI is active in both men's and women's prisons in five states: Arkansas, Kansas, Minnesota, Missouri, and Texas, and many other States are seeing the value of this, of really turning around recidivism. That we've got to provide all of this for our inmates for them to really have true life change.

After God parted the Jordan River, allowing the Israelites to cross on dry land into their new home, He commanded them to erect a memorial of stones. These would stand as a reminder of the miracles God had done for them, Joshua explained. Today we seldom use stones as reminders of God's provision. Instead, we preserve

God's works in written accounts and photographs. But the reason remains the same: to remember ''the hand of the Lord is powerful''—that was from Joshua 4:24—''and by His hand, He leads us.''

Since this time, Prison Fellowship has continued to minister around the world, but Chuck Colson also had other activities I've already talked about, and Congressman MCINTYRE talked about the Centurion program, the impact it had on our lives, a hundred citizens each year going through the Centurion program.

He also started the Colson Center for Christian Worldview, which again had a huge impact and has been directly involved in BreakPoint, which is a weekly radio program that is on.

He also was awarded 15 honorary doctorate degrees. And in 1993, Chuck Colson was awarded the Templeton Prize for progress in religion. This is a very prestigious award. It's given to a person who has made an exceptional contribution to affirming life's spiritual dimension. With the Templeton Prize is a $1 million cash award. Chuck Colson could have taken that and spent it on his family. Instead, he donated it to prison ministry to impact prisoners' lives. He also continued to donate throughout his entire life all of the royalties that he received from his books along with royalties from speaking.

In 2008, President George W. Bush honored Chuck Colson with the President's Citizen's Medal.

So again, tonight we have taken just a few minutes to honor a man who had a huge impact on our lives. Many of us in Congress have been impacted by him through his writings and teachings and through our friendship with him. He has also had a huge impact on prisoners around the world and the plight of prisoners, and recognizing that all human life is valuable and needs to be respected and honored and treated with that respect that it deserves.

From the service today, there were a couple of different things. There were a couple of different readings that were done at the service, and I would like to close with this.

First, one of the readings was from Philippians, chapter 3. This was a very important passage for Chuck Colson:

Yet whatever gains I had, these I have come to regard as loss because of Christ. More than that, I regard everything as loss because of the surpassing value of knowing Christ Jesus my Lord. For his sake I have suffered the loss of all things, and I regard them as rubbish in order that I may gain Christ and be found in him. Not having a righteousness of my own that comes from the law, but one that comes through faith in Christ, the righteousness from God based on faith. I want to know Christ and the power of his resurrection and the sharing of his sufferings by becoming like him in his death, if somehow I may attain the resurrection from the dead. Not that I have already obtained this or have already reached this goal, but I press on to make it my own, because Christ Jesus has made me his own.

My friend STEVE KING had talked about this radical transformation in his life, and this first pointed to that radical transformation where he could have had everything in this world, was right there next to the seat of power in the Presidency and saw how fleeting that was. He could have had money and resources when he got out of prison and a career in law or so many other things, but instead decided to give back to prisoners and to others as well.

Many would ask: Why would he do that? Well, there was another passage that was read today. This was read by one of his grandchildren. This is from Matthew 25:

Jesus said, Then the king will say to those on his right hand, ''Come, you that are blessed by my Father, inherit the kingdom prepared for you from the foundation of the world; for I was hungry and you gave me food, I was thirsty and you gave me something to drink, I was a stranger and you welcomed me, I was in prison and you visited me.'' Then the righteous will answer him, ''Lord, when was it that we saw you hungry and gave you food or thirsty and gave you something to drink? And when was it that we saw you a stranger and welcomed you, or naked and gave you clothing? And when was it when we saw you sick or in prison and visited you?'' And the king will answer to them, ''Truly I tell you, just as you did it for one of the least of those who are members of my family, you did it for me.''

Then he will say to those on his left hand: ''You are the accursed. Depart from me into the eternal fire prepared for the devils and his angels, for I was hungry and you gave me no food. I was thirsty and you gave me nothing to drink. I was a stranger, and you did not welcome me; naked, and you did not give me clothing; sick and in prison, and you did not visit me.''

Then they will also answer:

''Lord, when was it that we saw you hungry or thirsty or a stranger or naked or sick or in prison and didn't take care of you?''

Then he will answer them:

''Truly I tell you, just as you did not do it to one of the least of these, you did not do it to me.''

□ 2110

Chuck Colson saw what his God had done for him, the incredible power of his redemption and transformation that happened in his life, and wanted to share that with those of greatest need. He saw that as the weakest, the poorest, those in prison.

He was also dramatically impacted by his grandson Max. Max is diagnosed with autism. Again, Chuck saw the incredible value of every single life. Chuck was a hard driver, a type A personality to the maximum, but he learned from his grandson Max patience and understanding and love.

So I am so grateful again for the relationship that I've been able to build with Chuck Colson and with his family. We will miss him so dearly.

I want to end this time again by reading from one of Chuck Colson's books. I think this is so powerful. This, again, was part of the ceremony today, the memorial service over at the National Cathedral. This was from Chuck Colson's book, it's him talking in his book, ''Loving God'':

Easter, 1980. As I sat on the platform waiting my turn at the pulpit, my mind began to drift back in time to scholarships, to honors earned, cases argued and won, great decisions made from lofty government offices. My life had been the great American Dream fulfilled. But all at once I realized that it was not my success God had used to enable me to help those in this prison or in hundreds of others like it. My life of success was not what made this morning so glorious. All my achievements meant nothing in God's economy. No, the real legacy of my life was my biggest failure, that I was an ex-convict. My greatest humiliation, being sent to prison, was the beginning of God's greatest use of my life. He chose the one thing in which I could not glory for his glory.

Confronted with this staggering truth, I discovered in those few months in the prison chapel that my world was turned upside down. I understood with a jolt that I had been looking at my life backwards. But now I could see, only when I lost everything I thought made Chuck Colson a great guy, had I found the true self God intended me to be and the true purpose in my life.

It is not what we do that matters, but what a sovereign God chooses to do through us. God doesn't want our success; he wants us. He doesn't demand our achievements; he demands our obedience. The kingdom of God is a kingdom of paradox, where, through the ugly defeat of the cross, the Holy God is utterly glorified. Victory comes through defeat, healing through brokenness, finding self through losing self.

Chuck Colson truly was one of my heroes, someone I will miss dearly, someone who impacted my family. I will think of him all the time when I look at my own son, Koleson, named after Chuck Colson. But I just want to thank my friends for joining me tonight to honor this great man, honor this great life, and be challenged together to follow the example that he left for us.

Thank you, Chuck. We'll never forget you.

I yield back the balance of my time.

Mr. PENCE. Mr Speaker, I rise today with a heavy heart to pay tribute to a man we remembered just a few short hours ago at the National Cathedral here in Washington, DC.

The Good Book says, "Render therefore to all their due . . . honor to whom honor." Charles W. Colson is certainly worthy of honor and esteem.

The earthly life of this consequential American has come to an end and I mark this occasion with a sense of profound personal loss.

Chuck Colson rose to the heights of political power and fell to the depths of disgrace. But in his fall, he found redemption in the gospel of Jesus Christ. Given a second chance, Chuck Colson devoted his life to carrying the Christian message of second chances to those in prison, and he saw countless lives changed by his compassion and example.

His voice of moral clarity was an inspiration to millions of Americans and made him an invaluable counselor to leaders in government and business. I will always count it a privilege

to have been able to call him my dear friend and mentor. His dedication to moral integrity, serving his fellow man and his steadfast faith have always and will always be an inspiration to me and my family.

Karen and I offer our deepest condolences to Patty, the whole Colson family and to all who mourn the loss of Chuck Colson.

CHINA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from California (Mr. ROHRABACHER) for 30 minutes.

Mr. ROHRABACHER. Mr. Speaker, first let me suggest that I join with my colleagues in honoring the memory of Chuck Colson, a man who also meant a lot to me as an individual. Those of us who come from California and remember Richard Nixon coming out there over the years and remember the great work that Chuck Colson did for our prison community in California, we're very grateful for that. He taught us really the true meaning of Christian compassion. I personally was a beneficiary of that knowledge and that spirit that he helped us understand and develop within our own hearts. So I would like to join my colleagues in that.

But today I rise to call attention to the hundreds of millions of public dollars we have spent and continue to spend in the form of foreign aid to the People's Republic of China—better known as Communist China to those of us who have spent years trying to fight that oppressive regime.

Our national debt is over $15.7 trillion and is growing. We are spending $1.5 trillion more every year than we are taking in. Forty-three cents out of every dollar we spend is borrowed money, and Communist China is the single largest foreign holder of United States debt.

The interest we pay on this ever-growing debt is increasingly squeezing out spending on other worthwhile programs. Why, then, are we borrowing money from the Chinese Communist Government—to be repaid, of course, with interest—and then using that borrowed money to finance programs in which we are giving money to these various programs that go to China, the country from whom we are borrowing?

Remember, the government of this aid recipient considers the United States its enemy. They are happy to loan us the money and they are happy that we are stupid enough to give it back to them in terms of aid and, yes, other types of programs, including giving it back to them in investments.

We are strengthening the government that considers us an enemy. As we look into this situation, we know that they see the U.S. as their enemy, just as Japan saw us as their enemy before World War II—the Japanese militarists—just as Nazi Germany saw the American people as their enemy, and just as the communist governments that threatened the world for over four decades after World War II, just as they saw the United States as their enemy.

Yes, we are the enemy of tyrants and vicious regimes that are expansionary and threaten the peace and the freedom of the world. We can be proud of that. The Chinese know that. The Communist Chinese know that. That's why they don't like us. That's why they consider us their enemy.

China is the world's largest human rights abuser. China's Government smashes those who advocate freedom of the press, freedom of religion. Those who, of course, suggest that the Chinese Government should be accountable to its people are arrested and thrown into jail, or murdered.

It arrests Chinese practitioners of Falun Gong, for example. Falun Gong is a Chinese religious movement which stresses yoga and meditation. Beijing has these devout and passive people, practitioners in a simple religion that is meditation and yoga. These people are arrested and they're thrown into prison where they are murdered. And then the Chinese Government, after murdering these people for their religious convictions, sells their organs and body parts. It doesn't get much more ghoulish than this.

On the international scene, China is responsible for promoting and facilitating the proliferation of nuclear technology between North Korea, Pakistan, Iran, and others. China is responsible for empowering the Burmese junta that imprisoned Aung San Suu Kyi for years. It has allied itself with rogue regimes all over the world, like Sudan and Venezuela and other regimes that are tyrants in their own country and threaten the security of their neighbors and of the United States.

China's aggressive foreign policy and hostile naval actions are threatening the sovereignty of American allies like Japan and the Philippines. It is Communist China that has stolen and is currently stealing most of our prized military and commercial secrets. China has stolen the designs for every one of our nuclear warheads.

Chinese cyberspies have stolen all of our trade secrets. All of the money we put in to invest in research and development they steal and utilize. No wonder they're as far ahead in their rocket program as they are when they took the technology from us; they stole it from us. They have infected our critical electronic technology infrastructure with malicious viruses and then they, of course, break into our classified systems.

It is China which has embarked on the most significant arms buildup since the Cold War. And I ask: Who do they think is their enemy? Who do they think is their enemy? The United States of America. While we not only become susceptible to them, not only do we put ourselves in an inferior position by borrowing money from them, but we also end up giving that money back to them in aid programs.

□ 2120

And that is what I would like to talk about tonight, the fact that how can we possibly borrow money from the world's worst human rights abuser, a country that looks at us as their enemy. Then we become vulnerable to that country. But at the same time while we are becoming vulnerable, we then increase our investment in the private sector of that country. But also we have spent hundreds of millions of dollars in aid programs to the communist Chinese regime.

Well, with that in mind, I asked the Congressional Research Service to assemble a list of programs that the Congress funds that go directly to supporting development and the economy of China. It is a partial list because there are so many programs that, after weeks of work, they could not even find them all. This list that I am about to read is of projects that are funded and have been funded over the last 3 years, at the same time, while the Obama administration was spending $1.5 trillion more annually than we're taking in.

So while we're spending more than we're taking in by $1.5 trillion, we are spending on programs that are going to China, and it's China who's lending us the money in order to spend that extra $1.5 trillion. This is an insane policy.

And this spending on China is ongoing. I'm just giving you the facts from the last 3 years, and it is ongoing.

To make sure we all understand exactly where we are spending or sending our taxpayer money, I am going to read a list of programs that we have funded in China, and ask, as we are going through this list, after every time I go through the money, couldn't we have spent this money better in the United States? Or wouldn't it have been better not to borrow it in the first place and add this to $1.5 trillion every year for the last 3 years that we've been putting our people into debt?

So every one of these things that I read, ask yourself that question: Is this in the best interest of the United States? Is it in the best interest of our children who we're putting more in debt by borrowing and giving it to China and having to pay the interest? They're going to have to pay off the loan and the interest to China in the future.

So here's a partial list, and I'm going to round off the figures to an understandable number. And many of these deal with ''environment.''

Why are we trying to make the environment in China better so that the people of China can basically out compete us in our business dealings? That should be part of the cost of production in China. But, no, we are picking up that cost. Not only that, our people are investing in China and building their factories.

Why did the EPA give, for example, $141,000 to the Institute of Environment and Sustainable Development in Agriculture to reduce greenhouse gases in China? In China.

Why did the EPA give $125,000 to the Eastern Research Group that reduces greenhouse gases in China?

Why did the National Science Foundation give $63,000 to Siena College for Neutrino Physics at Daya Bay in China?

And let me add, some of these will be repeats because we did this, this is over a 3-year period, because we have several programs over the years where we're giving money to the same group in China; and that spending continues, let me add.

Why did the EPA give $150,000 to China for Coal Information Institute for reducing greenhouse gases?

Why did the EPA give $100,000 to Guizhou International Corporation Center for Environmental Protection for reducing greenhouse gases? That's in China, of course.

Why did the EPA give almost $300,000 to the Ministry of Environment Protection in China for reducing health risks? Don't we have health risks in the United States? Don't we have some needs of our own? Why are we giving this money to China?

Why did the EPA give $150,000 to Tsinghua—I'm sorry I can't pronounce this right—University Department of Building Sciences for Environmental Governance in China?

Why did USAID give the Asia Foundation almost $2 million, it was $1.7 million, to build environmental governance in China?

Why did USAID give $500,000 to the American Bar Association to build environmental governance in China? Don't we have some things in the United States where we could use a $500,000 grant for some of our local communities? Couldn't they use some help? Instead we sent it to China. But first, of course, we borrowed it from China. So to give it to them, we'll have to repay China and the interest in order to give it to them.

Why did USAID give $300,000 to the University of Massachusetts to improve the quality of judicial education in China? We're giving them $300,000 in order to improve judicial education in China?

Why did USAID give $200,000 to the University of the Pacific to advance the rule of law in China?

Why did USAID give $55,000 to Nexant, an NGO, to be an administrator of China program evaluations?

Why did USAID give $2 million to Winrock International Institute for Agriculture for sustainable livelihoods in China? I guess we don't need any help in our farm belt. I guess our farmers don't need my help in California where they're going broke because the water has been cut off to them in order to protect some delta smelt. Our guys are going crazy and going broke, our farmers are, but we're going to find $2 million borrowed from China in order to give back to China in order to aid the Institute of Agriculture so that they can have sustainable livelihoods in China.

Why did USAID give $2 million to the Rockefeller Philanthropy Advisors, an NGO, for sustainable livelihoods in China? Think there are any Americans that need sustainable livelihoods?

Why did USAID give $2 million to the Institute of Sustainable Communities to reduce greenhouse gases in China? Oh, yes. We need to make sure we pay all of China's environmental expenses; otherwise, they won't accept global government like our government expects us to accept.

Why did USAID give $749,000, almost $750,000, to the ICF International to reduce greenhouse gases in China?

Why did USAID give $500,000 to the Asia Foundation for humanitarian assistance to China?

Why did the USDA give $10,000 to Texas Agriculture Experiment for biological control of forest insects in China? Do our forests not need this?

Why are we borrowing money when we can't afford to do these things in our own country?

Why did the USDA give almost $100,000 to Rutgers State University for climate change adaptation in China?

Now isn't that great? We're paying for them to adapt to climate change. Then, of course, they'll join the global government which these same people are trying to force on us. But then we are under a mountain of debt, our children, in order to pay for their adaptation to climate change. Not, of course, to say that anybody in the United States, our farmers or any other industry, doesn't need to adapt to the different changes that go on in the climate, even if they are natural changes in our climate.

Why did the Department of Energy give $2.5 million to the University of Michigan for the U.S.-China Clean Energy Research Center? Shouldn't we be developing our own clean energy in the United States? Instead, we borrow money from China in order to spend it in China, and then we have to pay debt, interest on that debt, and pay back the debt. Our children will, of course, be doing that.

Why did the Department of Energy give $2.5 million to West Virginia University for a U.S.-China Clean Energy Research Center? Again, a research center, perhaps the same research center, but the next year. So that makes it $5 million that we've given to that research center in China.

Why did the Department of Energy give $1.2 million to West Virginia University for Long-Term Environmental and Economic Impacts of Coal Liquefaction in China? That's $1.2 million to, yes, spend through West Virginia University. Don't we have coal liquefaction environmental studies going on in the United States that could use that money for research to make sure that our coal burns more cleanly and effectively here, rather than giving that money and information to China's benefit and borrowing it from them in order to give it to them?

□ 2130

Why did the Department of Energy give $5.3 million to Brookhaven National Laboratory in the Daya Bay nuclear project in China? That's over $5 million. By the way, that's $5 million to this nuclear facility.

Let me just note that, in my district, we have a problem with a nuclear power plant that's going through some very serious problems right now, San Onofre. We maybe could have used that $5 million to help us correct the problems at the San Onofre plant. But no. We borrowed the money from China to give it back to them to solve their problems while our children will be forced to pay that debt off. We get no benefit out of it except a load of debt on our children.

Why did the Department of Energy give almost $400,000 to the State University of Albany to study climate change in China? Oh, yes.

Why did the Department of Energy give $300,000 to the Pacific Northwest National Laboratory for the modeling of regional climate change in China? Again, it's using climate change as a vehicle to give them money that we are borrowing from them in the first place, which we will then have to repay.

Why did the Department of Energy give $256,000 to the Rensselaer Polytechnic Institute for research at the Daya Bay nuclear project in China? Again, another $250,000 to this Daya Bay nuclear project. It could have been the next year because this is over a 3-year period. These are some of these. By the way, it's not anywhere near all of them over the 3-year period, but all of these are taken from a list over that 3-year period. Yes, we could have used some of that money to make sure that we didn't have a problem in our own districts.

Why did the Department of Energy give $210,000 to Rutgers State University for Site Science for the Atmospheric Radiation Measurement Mobile Facility in China? Why are we doing that? Why are we providing them that

type of a foundation, a scientific foundation, so that they can prosper and so that they won't have to spend their resources paying for that type of scientific infrastructure?

Why did the Department of Energy give $135,000 to the University of Maryland for the climactic effects of aerosols in China? There you go—aerosols. It's an issue from way back then, which some of us think was not entirely reported, but now we are still giving almost $150,000 to check out aerosols in China for their benefit.

Why did the Department of Energy give over $500,000 to the University of Houston for a proposal to measure neutrino mixing at the Daya Bay nuclear experiment in China? Again, over a half a million dollars while we're having trouble with our own nuclear program.

We should be developing our own new generation of nuclear power which will be safe—and we can do it—but we don't have the money to do it. Why? We're giving millions of dollars to China and to others, money that should go to developing our own new technology here. Of course, we are borrowing the money from China in order to give it to them, which leaves our children in debt, and they'll have to pay it all off with interest.

Why did the Department of Energy give $70,000 to Colorado State University for the climactic effects of aerosols in China?

Why did the Department of Energy give $19,000 to Pennsylvania State University for factors influencing energy use and carbon emissions in China? Isn't that nice that we gave the University of Pennsylvania money to study this for China so they will have the information in China and will be able to use it for their benefit rather than studying things in the United States to help us so we can do better here.

Why did the EPA give over $500,000—$550,000 to be exact—to the Virginia Polytechnic Institute to reduce greenhouse gases in China?

Why did the EPA give almost a half a million dollars to the Research Triangle Institute to reduce greenhouse gases in China? This is basically making equipment more efficient. Why aren't we making our equipment more efficient? The Chinese should buy it from us rather than our having to relocate our manufacturing plants in China. Yes, let them buy it from us—how about that?—and give our own people jobs rather than borrowing money so that they could have the technology. We are going in debt so that they can have the technology, and our children will have to pay the debt back with interest, and they will sell us the equipment. The Chinese will sell it to us in a generation.

Why did the EPA give $300,000 to the Energy and Environmental Development Research Center to reduce greenhouse gases in China?

Why did the EPA give almost $250,000 to the Research Triangle Institute again—probably a second year of their grant—to reduce greenhouse gases in China?

Why did the EPA give almost $200,000 to the China University of Petroleum in Beijing to reduce greenhouse gases in China? Can't any of our people use this research money to help our country and our technology become cleaner and more efficient? No. We're giving it to China, and then they will sell that technology back to us after they manufacture it years ahead of us because we subsidize their R&D.

Why did the EPA give almost $200,000 to the China Urban Construction Design & Research Institute to reduce greenhouse gases in China? Again, here we are spending money to help them design houses in China. Wonderful. None of our designers need any help.

Why did the EPA give almost $300,000 to the Eastern Research Group to reduce greenhouse gases in China?

Why did the EPA give over $100,000 to Guangzhou City, China, to reduce greenhouse gases?

Why did the EPA give $110,000 to the Guizhou International Cooperation Center for Environmental Protection to reduce greenhouse gases in China? Do we have no need for this money in the United States? Does our equipment not need to be more efficient? Should we not be investigating putting money into the development of cleaner energy sources here? With all this money we're giving away, we could be developing clean energy sources, if nothing else, for the new generation of nuclear power plants, which is starving for research money. No, we're giving it to China.

Why did the EPA give almost $100,000 to the China University of Petroleum in Beijing to reduce greenhouse gases in China?

Why did the EPA give $200,000 to California State University at Fullerton to reduce greenhouse gases in China?

Why did the EPA give $85,000 to ICF International to build climate change management capacity in China?

Why did the EPA give $135,000 to Information Institute to reduce greenhouse gases in China?

Why did the EPA give over $50,000 to Advanced Resources International to reduce greenhouse gases in China?

Why did the EPA give $31,000 to the Energy and Environmental Development Research Center for biogas development?

Each and every one of these items I am talking about is an item on which we spent money out of the Federal budget. We took it out of the taxpayers' pockets—or actually, we borrowed it from China—and then left them with the debt in their pockets, the IOU in their pockets, and we gave it to China rather than taking that money, those resources, and spending it in the United States to develop the technology here.

Like I say, I've been struggling for years to get the new generation of nuclear power developed here. It has been starved—it has not been given what it needs—and we're giving away these hundreds of millions of dollars to the Chinese, which we, of course, are borrowing. In the end, we will pay them for the technology because they will be sending the manufactured items here.

Why did the EPA give $30,000 to the China Association of Rural Energy Industry to reduce greenhouse gases in China?

Why did the EPA give almost $800,000 to the China State Environmental Protection Administration to reduce transboundary air pollution? Well, that's great. We have to pay for everybody's air pollution in the world. We are borrowing money from China, but we have to pay for their reduction of transboundary air pollution.

Why did the EPA give almost $200,000 to the Chinese Ministry of Environmental Protection to build environmental management capacity?

Why did the EPA give $120,000 to the Tianjin Environmental Protection Bureau for water pollution management? Now, there is something we don't need any money for around our country—water pollution. I live in a coastal district. We could use that money for water pollution. We've got sewer pipes and water purification systems that need to be upgraded. But no. We're borrowing money from China to give it to China rather than having that money spent in the United States.

Why did the National Science Foundation give $62,000 to Sienna College for neutrino physics at, again, the Daya Bay nuclear project in China? Well, we're not spending the money here to develop our own clean nuclear energy.

□ 2140

Why did USAID give Management Systems International almost $500,000 to improve environmental governance in China?

Why did USAID give Vermont Law School—get this—$1,725,000 for improved environmental governance in China?

Why did USAID give the Institute for Sustainable Communities half a million dollars to save energy and reduce greenhouse gases in China? Can't we put this use in these structures in the United States?

Why did USAID give the University of the Pacific a half a million dollars for environmental governance in China?

Why did USAID give the American Bar Association $500,000 for environmental governance in China?

Why did USAID give the University of Massachusetts $420,000 for environmental governance in China?

Why did USAID give the Organization for Economic Cooperation and Development $150,000 for development assistance in China?

Why did USAID give Management Systems International $50,000 for development assistance?

Why did USAID give the Rockefeller Philanthropy Advisors $2 million for sustainable livelihoods in China? Don't we have people in the United States who need money like that? Don't we have people, indeed, here who need a sustainable livelihood? Why are we giving it to China and borrowing it from them in order to give it to them and leaving our kids in debt?

Why did USAID give Rockefeller Philanthropy Advisors $400,000 for sustainable livelihoods in China?

Why did the USDA give the University of Science and Technology of China $150,000 for research? Don't our universities need money for research for things that we can use here in the United States to make our life better?

Why did the USDA give the SB Group Consultants $25,000 for education in China?

Why did the USDA give Management and Engineering Technologies International $40,000 to improve forest health in China? We don't need any help with our forests here, do we?

Why did the USDA give Yangzhou University $36,000 to improve biological controls in China?

Why did the USDA give Management and Engineering Technologies International $8,000 for administrative purposes in China?

Why did the USDA give Utah State University almost $400,000 for biomass research in China? I happen to know American companies and people who are investing in biomass research. Why are we giving almost $400,000 to help the Chinese in biomass research, which will compete with our own companies that are trying to develop this very important and unique energy source? Which by the way for the environmentalists who are watching, who think that I may be making light of climate change, I support biomass and other clean-energy programs that make sense. This one makes sense. Our companies are investing in it, and yet we're borrowing money from China in order to give it to them to do biomass research to compete with our own people and put them out of business.

Why did the USDA give Tetra Tech EM $325,000 for administrative purposes for environmental programs in China?

Why did USAID give the Institute of Sustainable Communities—get this—another $500,000 to save energy and reduce greenhouse gases in China? Don't we have the need in our communities to do things in a sustainable way in the United States? No. They don't have that money now. It's in China. We borrowed it from China to give to them. Now we're going to have to pay the bill back after we've given it to them.

Why did USAID give the University of the Pacific $500,000 for environmental governance in China? Again a half a million dollars.

Why did USAID give the American Bar Association $500,000 for environmental governance?

Why did USAID give the University of Massachusetts $420,000 for Environmental Governance in China?

Why did USAID give the Organization for Economic Cooperation and Development $150,000 for Development Assistance in China?

Why did USAID give Management Systems International $47,484 for Development Assistance in China?

Why did USAID give Rockefeller Philanthropy Advisors $2.4 million for Sustainable Livelihoods in China?

Why did USAID give The Asia Foundation $1,025,000 to improve Disaster Management in China?

Why did USDA give the University of Science and Technology of China $150,000 for Research?

Why did USDA give Guangzhou Dxcel Advertising $18,500 for Administrative Purposes in China?

Why did USDA give Management and Engineering Technologies International $40,994 to improve forest health in China?

Why did USDA give Management and Engineering Technologies International $7,973 for administrative purposes in China?

Why did USDA give Southern University $300,000 for improved Education in China?

Why did USDA give Colorado State University $300,000 for improved Education in China?

I will end my remarks tonight by suggesting that what we are doing is insane. America will never survive with such a mindset with these mind-boggling giveaway programs where we're giving away money, we're giving this type of support to a country and a government that is totalitarian, that kills Christians and other religious people, who hates the United States and is our biggest potential enemy. That is not the Chinese people. That's the Chinese Government.

The Chinese dictatorship has cover today, and the reason why these policies go on is they have cover from some of our most powerful corporations. We have permitted overly subsidized American corporations to set up manufacturing facilities in China, and now they need to stand in the good graces of the Chinese Government. When I come up and say things like this, corporations in the United States try to provide cover for the Chinese dictatorship. We should not be providing aid to the Chinese. We should not be encouraging our corporations to go there and become vulnerable to the Chinese in order to make a quick profit.

I would suggest over the last 10 years, since most-favored trading status has been given to China, we have put America in a very vulnerable spot. We at the very least should reassess our relationship with China, but at the very least cut off any aid programs that go to this communist regime, this totalitarian regime that looks at us as their enemy.

Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 45 minutes p.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NUGENT) at 2 o'clock and 28 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112–485) on the resolution (H. Res. 661) providing for further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 14, 2012, she presented to the President of the United States, for his approval, the following bill.

H.R. 2668. To designate the station of the United States Border located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station''.

ADJOURNMENT

Mr. BISHOP of Utah. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 29 minutes a.m.), under its previous order, the House adjourned until today, Thursday, May 17, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6021. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Pomegranates From Chile Under a Systems Approach [Docket No.: APHIS-2010-0024] (RIN: 0579-AD38) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6022. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Fresh Pitaya Fruit From Central America Into the Continental United States [Docket No.: APHIS-2010-0113] (RIN: 0579-AD40) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6023. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Clementines From Spain; Amendment to Inspection Provisions [Docket No.: APHIS-2010-0036] (RIN: 0579-AD27) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6024. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John E. Sterling, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6025. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Ann E. Rondeau, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6026. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Additions to Quarantined Areas in Massachusetts [Docket No.: APHIS-2010-0128] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6027. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevations Determinations [Docket ID: FEMA-2012-0003] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6028. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule — Further Definition of ''Swap Dealer'', ''Security-Based Swap Dealer'', ''Major Swap Participant'', ''Major Security-Based Swap Participant'' and ''Eligible Contract Participant'' [Release No.: 34-66868; File No. S7-39-10] (RIN: 3235-AK65) received April 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6029. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Fiscal Year 2011 Annual Report; to the Committee on Energy and Commerce.

6030. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicaid Program; Community First Choice Option [CMS-2337-F] (RIN: 0398-AQ35) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6031. A letter from the Secretary, Department of Health and Human Services, transmitting a proposal for the reauthorization for the Medical Device User Fee Act (MDUFA); to the Committee on Energy and Commerce.

6032. A letter from the Associate Bureau Chief for Cybersecurity and Communications Reliability, Federal Communications Commission, transmitting the Commission's final rule — The Proposed Extension of Part 4 of the Connected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers [PS Docket No. 11-82] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6033. A letter from the Pricing Policy Division, Wireline Competition, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Connect America Fund; A National Broadband Plan for Out Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform — Mobility Fund [WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, WT Docket No. 10-208] April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6034. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report for the period January 16, 2011 to January 15, 2012 on the activities of the Multinational Force and Observers (MFO) and U.S. participation in that organization; to the Committee on Foreign Affairs.

6035. A letter from the Presiding Governor, Broadcasting Board of Governors, transmitting the Broadcasting Board of Governors' 2011 Annual Report, pursuant to Section 305(a)(9) of the U.S. International Broadcasting Act of 1994, Pub. L. 103-236, pursuant to 22 U.S.C. 6204; to the Committee on Oversight and Government Reform.

6036. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's annual report for Fiscal Year 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6037. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Community Development Quota Program [Docket No.: 070718367-2061-02] (RIN: 0648-AV33) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6038. A letter from the Special Assistant, Alaska Rural Justice and Law Enforcement Commission, transmitting the January 2012 Report to Congress and the Alaska State Legislature; to the Committee on the Judiciary.

6039. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Revised Jurisdictional Threshold for Section 8 of the Clayton Act received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6040. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials; Packages Intended for Transport by Aircraft [Docket No.: PHMSA-07-29364 (HM-231A)] (RIN: 2137-AE32) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6041. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's ''Major'' final rule — National Registry of Certified Medical Examiners [Docket No.: FMCSA-2009-0363] (RIN: 2126-AA97) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6042. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's biennial report on evaluation, research and technical assistance activities supported by ''The Promoting Safe and Stable Families Program''; to the Committee on Ways and Means.

6043. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and Claims for refund, credit, or abatement; determination of correct tax liability (Rev. Proc. 201 2-21) April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6044. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Extension of Certain Wage Index Reclassifications and Special Exemptions for the Hospital Inpatient Prospective Payment Systems (PPS) for Acute Care Hospitals and the Hospital Outpatient PPS [CMS-1442-N] received May 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

6045. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare and Medicaid Program; Regulatory Provisions to Promote Program Efficiency, Transparency, and Burden Reduction [CMS-9070-F] (RIN: 0938-AQ96) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

6046. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Memorandum of justification for the President's waiver of the restrictions on the provision of funds to the Palestinian Authority; jointly to the Committees on Foreign Affairs and Appropriations.

6047. A letter from the Acting Under Secretary, Department of Defense, transmitting the annual report on the National Security Education Program (NSEP) for 2011, pursuant to 50 U.S.C. 1906; jointly to the Committees on Intelligence (Permanent Select) and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUCAS: Committee on Agriculture. H.R. 1840. A bill to improve consideration by the Commodity Futures Trading Commission of the costs and benefits of its regulations and orders (Rept. 112–482). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 373. A bill to

amend the Unfunded Mandates Reform Act of 1995 to ensure that actions taken by regulatory agencies are subject to that Act, and for other purposes; with an amendment (Rept. 112–483, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 3433. A bill to amend title 31, United States Code, to provide transparency and require certain standards in the award of Federal grants, and for other purposes; with amendments (Rept. 112–484). Referred to the Committee of the Whole House on the state of the Union.

[Filed on May 17 (legislative day of May 16), 2012]

Mr. BISHOP of Utah: Committee on Rules. House Resolution 661. Resolution providing for further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112–485). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Rules, the Budget, and the Judiciary discharged from further consideration. H.R. 373 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SCHAKOWSKY (for herself, Mr. ELLISON, Mr. FARR, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. JACKSON of Illinois, Mr. LANGEVIN, Ms. NORTON, and Ms. RICHARDSON):

H.R. 5781. A bill to require all newly constructed, federally assisted, single-family houses and town houses to meet minimum standards of visitability for persons with disabilities; to the Committee on Financial Services.

By Ms. WATERS:

H.R. 5782. A bill to suspend temporarily the duty on certain plastic device book style covers; to the Committee on Ways and Means.

By Ms. WATERS:

H.R. 5783. A bill to suspend temporarily the duty on certain textile device book style covers; to the Committee on Ways and Means.

By Ms. WATERS:

H.R. 5784. A bill to suspend temporarily the duty on certain textile device covers and stands; to the Committee on Ways and Means.

By Ms. WATERS:

H.R. 5785. A bill to suspend temporarily the duty on certain plastic device covers and stands; to the Committee on Ways and Means.

By Mr. DOLD:

H.R. 5786. A bill to suspend temporarily the duty on -Phenyl-7-(4,4,5,6-tetramentyl-1,3,2-dioxaborolan-2-yl)-quinoline (OSIP-690520, quinolone boronate); to the Committee on Ways and Means.

By Mr. JONES:

H.R. 5787. A bill to provide for congressional oversight of United States agreements with the Government of Afghanistan; to the Committee on Foreign Affairs.

By Mr. REICHERT (for himself, Mr. LARSEN of Washington, Ms. HERRERA BEUTLER, Mr. HASTINGS of Washington, Mrs. MCMORRIS RODGERS, Mr. DICKS, Mr. MCDERMOTT, and Mr. SMITH of Washington):

H.R. 5788. A bill to designate the facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, as the ''National Park Ranger Margaret Anderson Post Office''; to the Committee on Oversight and Government Reform.

By Mr. POLIS (for himself, Ms. DELAURO, Ms. SCHAKOWSKY, Mr. FILNER, and Mr. CARNAHAN):

H.R. 5789. A bill to authorize the Secretary of Agriculture to implement a certain interim final or final rule regarding nutrition programs under the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966; to the Committee on Education and the Workforce.

By Mr. BACA:

H.R. 5790. A bill to provide for the transfer of the United States Postal Service surplus with respect to certain retirement benefits, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FLAKE:

H.R. 5791. A bill to provide for reasonable and necessary access to Wilderness Areas for the restoration of water sources, supplies, or infrastructure during a state of emergency declared by the Governor of a State; to the Committee on Natural Resources.

By Ms. LORETTA SANCHEZ of California:

H.R. 5792. A bill to require a report on implementation of a termination of the ground combat exclusion policy for female members of the Armed Forces; to the Committee on Armed Services.

By Ms. BASS of California (for herself, Mr. ANDREWS, Mrs. BACHMANN, Mr. BARTLETT, Ms. BERKLEY, Mr. BISHOP of New York, Mrs. BLACK, Mrs. BLACKBURN, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. CARDOZA, Mr. CARNAHAN, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. COOPER, Mr. CONYERS, Mr. COSTA, Mr. COSTELLO, Mr. COURTNEY, Mr. CRITZ, Mr. CROWLEY, Mr. DAVIS of Illinois, Ms. DEGETTE, Ms. DELAURO, Mr. DOGGETT, Mr. FATTAH, Mr. GRIJALVA, Mr. GRIMM, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mrs. HARTZLER, Mr. HASTINGS of Florida, Ms. HIRONO, Mr. HOLDEN, Mr. HOYER, Mr. HUELSKAMP, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LATHAM, Ms. LEE of California, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MARINO, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mr. MORAN, Mrs. MYRICK, Mr. NUNNELEE, Mr. OLVER, Mr. PALLONE, Mr. PERLMUTTER, Mr. PETERS, Mr. PETERSON, Mr. PLATTS, Mr. POLIS, Mr. RANGEL, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. SCHILLING, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL, Mr. STARK, Mr. THOMPSON of California, Ms. TSONGAS, Mr. WALZ of Minnesota, Ms. WILSON of Florida, Ms. WOOLSEY, and Mr. YARMUTH):

H. Res. 659. A resolution recognizing the goals and ideals of National Foster Care Month; to the Committee on Ways and Means.

By Mr. PALLONE:

H. Res. 660. A resolution expressing support for designation of December 12, 2012, as Foster Children's Day; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

206. The SPEAKER presented a memorial of the Senate of the State of Idaho, relative to Senate Joint Memorial No. 104 requesting that the President and the Congress reverse and reject the HHS regulation so that those who sponsor, purchase and issue health insurance plans should not be forced to violate their deeply held moral and religious convictions; to the Committee on Energy and Commerce.

207. Also, a memorial of the Senate of the State of Idaho, relative to Senate Joint Resolution No. 103 urging the Congress to endorse and enact a Community Forest Trust pilot for Idaho; jointly to the Committees on Agriculture and Natural Resources.

208. Also, a memorial of the Senate of the State of Idaho, relative to Senate Joint Memorial No. 105 urging the Congress to reexamine, reform and reauthorize the Endangered Species Act; jointly to the Committees on Natural Resources and the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. SCHAKOWSKY:

H.R. 5781.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Ms. WATERS:

H.R. 5782.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. WATERS:

H.R. 5783.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. WATERS:

H.R. 5784.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. WATERS:

H.R. 5785.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. DOLD:

H.R. 5786.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, which states that, ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .''

By Mr. JONES:

H.R. 5787.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 11, and Article II, Section 2, Clause 2 of the United States Constitution.

By Mr. REICHERT:

H.R. 5788.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7

''The Congress shall have Power to establish Post Offices and postroads''

By Mr. POLIS:

H.R. 5789.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BACA:

H.R. 5790.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 of the United States Constitution.

By Mr. FLAKE:

H.R. 5791.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. LORETTA SANCHEZ of California:

H.R. 5792.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14, to make Rules for the Government and Regulation of the land and naval Forces.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 451: Mr. JOHNSON of Ohio and Mr. PRICE of Georgia.

H.R. 595: Mr. MICHAUD.

H.R. 639: Ms. BUERKLE.

H.R. 733: Mr. LARSEN of Washington and Mr. WOMACK.

H.R. 780: Ms. MATSUI.

H.R. 835: Mr. LARSEN of Washington.

H.R. 860: Mr. HECK.

H.R. 904: Mrs. BACHMANN.

H.R. 973: Mr. UPTON.

H.R. 1044: Ms. ESHOO.

H.R. 1051: Mr. HALL.

H.R. 1066: Mr. NADLER.

H.R. 1085: Mr. SCHIFF.

H.R. 1283: Mr. GRIJALVA.

H.R. 1327: Mr. RENACCI, Mr. STUTZMAN, Mr. DOLD, Mr. HUNTER, Mrs. ELLMERS, Mrs. NOEM, Mr. SCHILLING, Mr. BARLETTA, Mr. MARINO, Mr. SULLIVAN, Mr. WHITFIELD, Mr. TERRY, Mr. ADERHOLT, Mr. REED, Mr. CULBERSON, Mr. COBLE, Mr. GIBSON, Mr. BROOKS, Mr. HERGER, Mr. FINCHER, Mr. FLEISCHMANN, and Mr. YOUNG of Alaska.

H.R. 1340: Mr. HUELSKAMP.

H.R. 1370: Mr. BUCHANAN and Mr. CAMPBELL.

H.R. 1394: Ms. HIRONO, Mr. MARINO, Ms. TSONGAS, Mr. MCGOVERN, Mr. DOYLE, Mr. THOMPSON of California, Ms. BALDWIN, Mrs. CAPPS, Mr. VAN HOLLEN, Mr. MCDERMOTT, Mr. LUJÁN, Ms. DEGETTE, and Mr. NADLER.

H.R. 1404: Mr. RANGEL.

H.R. 1410: Mr. BARTON of Texas.

H.R. 1418: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1426: Mr. JONES and Mrs. MCCARTHY of New York.

H.R. 1478: Mr. PAULSEN.

H.R. 1498: Mr. ROTHMAN of New Jersey, Mr. HIGGINS, Mr. LOBIONDO, Mr. KING of New York, and Mr. TONKO.

H.R. 1546: Mr. JONES, Mr. PRICE of North Carolina, and Mr. TERRY.

H.R. 1581: Mr. ROHRABACHER, Mr. ROONEY, and Mrs. BIGGERT.

H.R. 1639: Mr. CLAY and Mr. QUAYLE.

H.R. 1653: Mr. HECK.

H.R. 1666: Ms. DEGETTE.

H.R. 1675: Ms. SEWELL, Mr. CLEAVER, Mr. SMITH of New Jersey, Mr. PASTOR of Arizona, Mr. BISHOP of New York, Mr. AMODEI, and Mr. PETERSON.

H.R. 1697: Mr. THORNBERRY.

H.R. 1733: Mr. COHEN.

H.R. 1756: Ms. DELAURO.

H.R. 1792: Ms. PINGREE of Maine.

H.R. 1802: Mr. MURPHY of Pennsylvania, Mr. BOSWELL, and Mr. PLATTS.

H.R. 1842: Ms. KAPTUR.

H.R. 1860: Mr. SCHOCK and Ms. WILSON of Florida.

H.R. 1955: Ms. ROS-LEHTINEN.

H.R. 1956: Mr. RENACCI.

H.R. 1957: Mr. JOHNSON of Georgia and Mr. HECK.

H.R. 1964: Mr. HURT.

H.R. 2030: Mr. ALTMIRE, Mr. RANGEL, Mr. NADLER, and Ms. DELAURO.

H.R. 2051: Mr. FRELINGHUYSEN.

H.R. 2065: Mr. JOHNSON of Georgia and Mr. CLARKE of Michigan.

H.R. 2077: Mr. MCCLINTOCK.

H.R. 2104: Mr. ENGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. DOYLE, Mr. CARNAHAN, Mr. COURTNEY, and Mr. ROKITA.

H.R. 2123: Mr. CONNOLLY of Virginia.

H.R. 2139: Mr. ADERHOLT.

H.R. 2238: Ms. DELAURO.

H.R. 2299: Mr. KINGSTON.

H.R. 2310: Mr. SCHIFF.

H.R. 2359: Ms. PINGREE of Maine.

H.R. 2492: Mr. WILSON of South Carolina and Mr. LEVIN.

H.R. 2514: Mr. SCOTT of South Carolina.

H.R. 2569: Mr. ROKITA.

H.R. 2637: Mr. HONDA.

H.R. 2672: Mr. BROUN of Georgia, Mr. LATTA, and Mr. PAUL.

H.R. 2721: Mr. CUELLAR and Mr. WELCH.

H.R. 2746: Ms. MCCOLLUM and Ms. NORTON.

H.R. 2780: Ms. BERKLEY.

H.R. 2787: Ms. MCCOLLUM.

H.R. 2866: Mr. DINGELL.

H.R. 2874: Mr. RIBBLE.

H.R. 2888: Mr. RANGEL.

H.R. 2902: Mr. HONDA.

H.R. 2978: Mr. AMODEI.

H.R. 2985: Mr. ISSA.

H.R. 3087: Mr. SCHOCK.

H.R. 3125: Mr. THOMPSON of California, Ms. LEE of California, and Ms. MATSUI.

H.R. 3173: Mr. HIGGINS and Ms. LORETTA SANCHEZ of California.

H.R. 3187: Mr. HALL, Ms. MCCOLLUM, Mr. SMITH of Washington, Mr. BARTON of Texas, Mr. KING of Iowa, Ms. BONAMICI, Mr. CONNOLLY of Virginia, Ms. GRANGER, and Mr. HIGGINS.

H.R. 3200: Mr. DENT.

H.R. 3238: Mr. SCOTT of Virginia.

H.R. 3288: Mr. POLIS.

H.R. 3308: Mr. SCOTT of South Carolina.

H.R. 3337: Mr. MCGOVERN.

H.R. 3444: Mr. BROOKS.

H.R. 3497: Ms. BROWN of Florida, Mr. JONES, Mr. WALDEN, Ms. NORTON, Mr. NEAL, Mr. CLAY, Mr. KING of New York, and Mr. CRITZ.

H.R. 3506: Mr. ANDREWS, Ms. DEGETTE, and Ms. PINGREE of Maine.

H.R. 3541: Mr. GOSAR.

H.R. 3591: Mr. TONKO, Mr. BRADY of Pennsylvania, Mrs. MCCARTHY of New York, and Mr. HOLDEN.

H.R. 3596: Mr. SCOTT of Virginia, Mr. RANGEL, and Mr. NEAL.

H.R. 3627: Ms. MATSUI and Mr. MORAN.

H.R. 3643: Mr. MARCHANT and Mr. DENT.

H.R. 3661: Mr. BACA, Mr. FILNER, Ms. ESHOO, Mr. JACKSON of Illinois, Mr. LUJÁN, Mr. HIGGINS, and Mr. BOSWELL.

H.R. 3668: Mrs. LUMMIS, Mr. GERLACH, Mr. YODER, Mr. STIVERS, Mr. CULBERSON, Mr. SMITH of New Jersey, Mr. KING of New York, Mr. MCCAUL, Mr. DANIEL E. LUNGREN of California, Mr. GOWDY, Mr. ROSKAM, Mr. TIPTON, Mr. WHITFIELD, Mr. MARINO, Mr. JOHNSON of Ohio, Mr. KELLY, Mr. BARLETTA, Mr. ISSA, Mr. YOUNG of Florida, Mr. KINZINGER of Illinois, Mr. GRIMM, Mr. GUTHRIE, and Mr. BURGESS.

H.R. 3679: Mr. YARMUTH.

H.R. 3785: Mr. MCCLINTOCK.

H.R. 3790: Mr. ACKERMAN.

H.R. 3803: Mr. WHITFIELD, Mr. WEST, Mr. RIGELL, Mr. HENSARLING, Mr. THOMPSON of Pennsylvania, Mr. WITTMAN, Mr. BROOKS, and Mr. HURT.

H.R. 3839: Mr. CONNOLLY of Virginia and Mr. HEINRICH.

H.R. 3849: Mr. ADERHOLT and Ms. SEWELL.

H.R. 3985: Mr. CICILLINE.

H.R. 4051: Mrs. MCCARTHY of New York and Mr. NUGENT.

H.R. 4052: Mr. HIGGINS, Mr. GENE GREEN of Texas, Mr. CASSIDY, Mr. CULBERSON, Ms. CHU, and Mr. JACKSON of Illinois.

H.R. 4066: Mr. ROSS of Florida.

H.R. 4070: Mr. SOUTHERLAND.

H.R. 4077: Mr. COSTA.

H.R. 4095: Mr. CONNOLLY of Virginia.

H.R. 4124: Mr. DONNELLY of Indiana.

H.R. 4134: Mr. COSTA, Mr. CHANDLER, Mr. CARTER, and Mr. TERRY.

H.R. 4155: Mr. MICHAUD.

H.R. 4160: Mr. ROE of Tennessee.

H.R. 4192: Mr. HONDA.

H.R. 4202: Ms. SCHAKOWSKY, Mr. ROTHMAN of New Jersey, Mr. SCHIFF, Mr. ROSS of Arkansas, and Mr. SHERMAN.

H.R. 4210: Mr. BUTTERFIELD and Ms. WILSON of Florida.
H.R. 4227: Mr. MURPHY of Connecticut, Ms. SCHAKOWSKY, and Mr. BISHOP of New York.
H.R. 4229: Mr. CLARKE of Michigan, Mr. CANSECO, Mr. PLATTS, Mr. WALDEN, and Mr. FINCHER.
H.R. 4235: Mr. BILIRAKIS.
H.R. 4256: Mr. MCCLINTOCK.
H.R. 4269: Mr. LATTA.
H.R. 4271: Mr. HEINRICH and Mr. LEVIN.
H.R. 4295: Mrs. MYRICK.
H.R. 4323: Mr. GRIMM.
H.R. 4327: Mr. BENISHEK.
H.R. 4342: Mr. JACKSON of Illinois.
H.R. 4362: Ms. LINDA T. SÁNCHEZ of California, Mr. DEUTCH, Mr. RIVERA, and Mr. GALLEGLY.
H.R. 4367: Mr. QUIGLEY and Mr. LANKFORD.
H.R. 4377: Mr. GRIFFIN of Arkansas and Mr. POE of Texas.
H.R. 4402: Mr. BISHOP of Utah.
H.R. 4471: Mr. TERRY, Mr. LANCE, Mr. STEARNS, Mr. HARPER, Mr. MCKINLEY, Mr. KINZINGER of Illinois, and Mr. SULLIVAN.
H.R. 4480: Mr. HARPER.
H.R. 4643: Mr. LONG and Mr. NEAL.
H.R. 4816: Mr. KEATING and Ms. MATSUI.
H.R. 4818: Mr. SOUTHERLAND.
H.R. 4933: Ms. BALDWIN.
H.R. 5303: Mr. WALSH of Illinois.
H.R. 5331: Mr. HONDA, Mr. RANGEL, Mr. STARK, and Ms. ROYBAL-ALLARD.
H.R. 5542: Mr. CICILLINE.
H.R. 5615: Ms. DELAURO.
H.R. 5646: Mr. BURTON of Indiana, Mr. POMPEO, Mr. CANSECO, Mr. SMITH of New Jersey, Mr. LATTA, Mr. ROE of Tennessee, Mr. WALBERG, Mr. GINGREY of Georgia, Mr. LIPINSKI, Mr. MARCHANT, and Mr. JONES.
H.R. 5684: Mr. RANGEL and Mr. MCGOVERN.
H.R. 5707: Ms. CASTOR of Florida, Mr. FRANK of Massachusetts, and Mr. POLIS.
H.R. 5710: Mrs. ELLMERS, Mr. HUIZENGA of Michigan, and Mr. SCOTT of South Carolina.
H.R. 5713: Mr. JONES.
H.R. 5719: Mr. MEEKS.
H.R. 5738: Mr. DINGELL.
H.R. 5740: Ms. WATERS.
H.R. 5741: Ms. BERKLEY and Mr. VAN HOLLEN.
H.R. 5748: Mr. MORAN.
H.R. 5750: Mr. DEUTCH.
H.J. Res. 13: Mr. LIPINSKI.
H.J. Res. 45: Mr. MCINTYRE.
H.J. Res. 47: Mr. HOYER.
H.J. Res. 81: Mr. BRALEY of Iowa.
H.J. Res. 108: Mr. DIAZ-BALART.
H. Con. Res. 101: Mr. GRAVES of Missouri.
H. Con. Res. 122: Mr. BARTON of Texas and Mr. MARCHANT.
H. Res. 25: Mr. DONNELLY of Indiana and Mr. MATHESON.
H. Res. 134: Mr. KEATING and Mr. ROHRABACHER.
H. Res. 282: Mr. FRANKS of Arizona.
H. Res. 298: Mr. COOPER.
H. Res. 568: Mr. DAVIS of Illinois.
H. Res. 604: Mr. BARTON of Texas.
H. Res. 609: Mr. ELLISON.
H. Res. 618: Mr. NADLER and Mr. PETERSON.
H. Res. 644: Mr. STIVERS.
H. Res. 647: Mr. WAXMAN, Mr. BERMAN, Mr. DEUTCH, Mr. CARNAHAN, Mr. NADLER, Mr. ENGEL, Mr. ACKERMAN, Mr. HASTINGS of Florida, Mr. FRANK of Massachusetts, and Ms. BERKLEY.
H. Res. 650: Mr. BLUMENAUER and Mr. TIERNEY.
H. Res. 654: Ms. CHU, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, and Mr. JACKSON of Illinois.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative MCKEON to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4103: Mr. BENISHEK.
H. Con. Res. 107: Mr. GRIJALVA.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

44. The SPEAKER presented a petition of the City of Lauderdale Lakes, Florida, relative to Resolution No. 2012-38 expressing condolences to the family of Trayvon Martin; to the Committee on the Judiciary.

45. Also, a petition of the Town of New Shoreham, Rhode Island, relative to Resolution condemning in no uncertain terms Section 1021 of the 2012 NDAA; jointly to the Committees on Armed Services and Foreign Affairs.

EXTENSIONS OF REMARKS

CONGRATULATORY REMARKS TO PRESIDENT MA YING-JEOU

HON. TIM SCOTT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. SCOTT of South Carolina. Mr. Speaker, I rise to congratulate President Ma Ying-jeou of the Republic of China (Taiwan) on his inauguration on May 20th, 2012.

The Republic of China (Taiwan) is the first nation in the ethnic Chinese world where democracy has taken root. Today Taiwan celebrates freedom and democracy. We hope China will one day transform itself into a democratic and free country based on the example set by Taiwan.

For the past four years, under the leadership of President Ma, the relationship between Taiwan and China has improved dramatically, with increased economic and cultural exchanges as well as reduced military tension across the Taiwan Strait.

Taiwan and the United States have always had a strong partnership, built on cooperation, trust and shared values. In 1979 the U.S. Congress enacted the Taiwan Relations Act (TRA), the cornerstone of our bilateral relationship. While the U.S. and Taiwan do not have formal ties, relations between the two sides have continued to strengthen. For instance, the support of the U.S. Congress for Taiwan has never faltered. We trust that the relations will grow in areas including trade, science and technology, educational exchange, military sales based on the Taiwan Relations Act.

On the occasion of Mr. Ma's second inaugural, we celebrate with him and his people by affirming our appreciation for their successes and by expressing our continued commitment to Taiwan's security and well being.

CONGRATULATING TAIWAN PRESIDENT MA YING-JEOU ON HIS SECOND PRESIDENTIAL INAUGURATION

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. FARENTHOLD. Mr. Speaker, I rise today to congratulate President Ma Ying-jeou on his second presidential inauguration. The United States of America is proud of its relationship with Taiwan, originally created by the Taiwan Relations Act, which gives the United States an important legal commitment to their country's vibrant democracy.

Taiwan has made remarkable progress in so many ways. It is now one of the world's 20 freest economies. Their strong commitment to structural reform and openness to global commerce have enabled it to become a global leader in economic freedom.

Democracy is hard to come by as witnessed by the turmoil in the Middle East. To maintain a democracy in these troubled times is no mere accomplishment. Taiwan, led by President Ma Ying-jeou, has achieved a democracy unrivaled. His efforts to bring peace to the region have been both courageous and meaningful.

I urge my colleagues to join me in congratulating President Ma Ying-jeou and I wish him well in his future endeavors.

RECOGNIZING THE RETIREMENT OF ROBERT N. CAMPBELL III, VICE CHAIRMAN OF DELOITTE & TOUCHE USA LLP

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. McCAUL. Mr. Speaker, today I rise to recognize the retirement of Robert N. Campbell III, Vice Chairman of Deloitte & Touche USA LLP and National Sector Leader of Deloitte's U.S. State Government practice. Bob will soon retire after 39 years with Deloitte.

During his tenure with Deloitte, Bob has worked closely with government leaders to address and resolve their critical policy, financing, and operational issues. He has advised leaders of major federal agencies, over 40 states and several major local governments on a variety of issues spanning human services, higher education, K–12 education, student loan finance, employment, economic development, public health care, Medicaid, mental health, developmental disabilities, revenue and taxation, and central finance and administration.

Mr. Campbell is a frequent writer and speaker on public policy and management issues. He recently co-authored the book States of Transition addressing the big issues currently facing our nation's governors. In recent years he has been quoted in Washington Technology, Federal Times, Government Technology, Consulting Magazine, Computer World, The Hill, USA Today, and other leading publications. He has also addressed a number of conferences and associations including the National Association of Auditors, Comptrollers and Treasurers, the Council of State Governments, and Governing Magazine's Government Performance Conference.

During his tenure at Deloitte, Bob has held a variety of senior leadership roles and was awarded the firm's annual Curtis Award for Partnership Values.

Bob received a Bachelor's degree with honors majoring in business and history from Austin College in 1971 and a Master's Degree from the Lyndon B. Johnson School of Public Affairs, University of Texas in 1973. He has served on various community boards and committees and is presently a member of the Advisory Board of the LBJ School of Public Affairs and on the Chancellors Council Executive Committee of the University of Texas System.

Mr. Speaker, in closing, Bob Campbell has demonstrated passion and excellence in helping governments address and resolve critical policy, financing, and operational issues. His insights have helped governments across the country achieve better results for the citizens they serve.

On behalf of the people of the 10th Congressional District, I would like to thank Bob for his years of service and wish him continued success in the years to come.

IN HONOR OF FRANCISCO ''FRANK'' ALVAREZ

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. CARDOZA. Mr. Speaker, I rise today to honor the life of my dear friend, Mr. Francisco ''Frank'' Alvarez. He passed suddenly this week and his passing is a devastating loss to our entire community. Frank served as the Deputy District Attorney for the Stanislaus County District Attorney's office.

Frank was born July 13, 1954, in East Los Angeles. Mr. Alvarez served four years in the Air Force as a teletype repairman before starting his law career. He began working at the District Attorney's office in 1990. He prosecuted a number of misdemeanor and felony crimes from domestic violence to consumer fraud. Frank secured the first conviction against a gang member who violated the south Modesto gang injunction as a prosecutor for the gang unit; however, he spent the better part of his career—10 years—in the juvenile division.

''While he always made sure the young people were accountable for their actions, he was also very much focused on rehabilitation,'' said Ruben Villalobos, a defense attorney and a friend of Mr. Alvarez's. ''There are a lot of young people who moved beyond their criminal behavior because of Frank.''

In addition to his work at the District Attorney's office, Frank Alvarez served the community both as an advocate and also as the Commander of the American GI Forum. As a veteran, Frank knew how important service to our nation is. His life was an example to others. He was selfless and never hesitated to help a young person realize their goals and strive for success. Frank was known throughout our community for his outstanding community service.

He has also served on a number of boards and committees, including the Girl Scouts, the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Juvenile Justice Advisory Committee, the Stanislaus County Board of Supervisors Mental Health Board and the Turlock Unified School District Criminal Justice Committee. Since 1992, he participated in the Stanislaus County Mock Trial competition and has helped organize the Fourth of July parade, Veterans Day parade and Cinco de Mayo parade.

He recently was appointed as a member on the California Mexican-American War Memorial and was the commander of the American GI Forum. The organization raises money for scholarships for veterans and future military, but Mr. Alvarez and another member had the idea of starting a scholarship for teachers to help augment the money they pay out of pocket for classroom costs.

''He was a district attorney, but he was real down to earth,'' said Fred Garcia, an American GI Forum vice commander. ''He never was assuming. He could deal with people from all walks of life, from homeless people to dignitaries.''

Mr. Alvarez is survived by his wife, Sandra; daughter, Tanya; brothers Carlos, Alex and Luis; and sister, Sylvia, as well as nine nieces and nephews.

Please join me in honoring the life of Frank Alvarez and his dedication to our nation and community. He will be missed by all of us as we look to comfort his family during this difficult time.

CONGRATULATING PRESIDENT MA AND THE PEOPLE OF TAIWAN

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. LAMBORN. Mr. Speaker, on May 20, 2012 the Honorable Ma Ying-jeou will be sworn in for a second term as President of the Republic of Taiwan. President Ma has already served four years as president and his tireless dedication to public service has been rewarded by the people of Taiwan with a well-deserved reelection this January.

During President Ma's first term, Taiwan has been accepted as an Observer in the World Health Organization, reduced tensions with the People's Republic of China, and crafted 16 trade agreements. I rise to congratulate President Ma on his election and the people of Taiwan for their decades of dedication to democracy and freedom.

As demonstrated over the decades, the United States of America and Taiwan enjoy a close and strong relationship based on shared democratic values and free market economies. Today, Taiwan remains a major trading partner and friend.

Our strong economic and cultural ties go back nearly a hundred years. I know this strong bond will continue for another 100 years, and, under President Ma's leadership, thrive in the immediate future.

As a member of the Congressional Caucus on Taiwan, I offer my sincere congratulations to President Ma and the people of Taiwan and look forward to our continued cooperation.

HONORING RIMA PATEL

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great Nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Rima Patel is a junior at Dawson High School in Brazoria County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

The government is a colossal term which is defined in a variety of ways by different people in different places. Government means a multitude of things depending on country, region, and geography. Many people are shut out in the darkness by their government and have to struggle to learn even the basic truths of life because their government is so secretive. Living in a democratic country, I believe that since the idea of democracy was conceived in the western hemisphere, the ultimate goals of the government should be: to serve as a guardian, to be a force that leads people, and to always highlight the people before itself. I also believe that government's responsibility comes directly from the people because they are the ones who vote and put trust into the people who will be leading them. However it seems in this day and age that people often times do not make decisions based on issues that they believe in but more so on the public image the candidates display. Slowly it seems as if the democratic ideals of our nation are shattering, the public who should be the true force behind the government, is fading away into the distant background. I believe it is the government's job to not let their power grow unchecked and restore the people with the power that belongs to them. We've often heard the term that those who serve in the government are public servants meaning they are there to uphold the people and assist them with their needs. Therefore the government needs to aid people in obtaining a secure life and perhaps giving people a path to go down. The people in the government are the leaders that people look up to so that means they need to be uncorrupt, trustworthy, and above all dedicated to the people. It is this that people look for in the government someone who fosters development and expands the nation in the most positive way. The government should not barge into people's life and try to control people who have different ideas but should instead spark enthusiasm for the people to be ideal citizens. Its seems that in a decade where TVs and computers are so prominent, that the government has simply forgotten to keep the public educated at every step. It is not the job of the government to protect people from the truth but instead it is their job to help guide the people through the truth. The government should not conform the masses of people but instead take into account the different beliefs, and create a unity. It is my vision, hope, and belief that one day the government shall be the upmost example of unity and truly uphold the people. It will truly be the strength behind the people and see the people reflected within it. The government in essence should be ''for the people, by the people,'' forever and always.

PERSONAL EXPLANATION

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, on roll-call No. 252, due to other representational obligations in Hannibal, Missouri, I had to miss this vote.

Had I been present, I would have voted ''yea.''

ARMENIAN REMEMBRANCE DAY

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to mark the 97th Commemoration of the Armenian Genocide. Today, I remember the one-and-a-half million Armenians that endured unspeakable suffering and loss at the hand of the Ottoman Empire during the first World War.

Only with a thorough examination of history and open acknowledgement of the past will the plight of the Armenians be fully understood. As my colleagues know, last month was Genocide Awareness month. In addition to the genocide of Armenians, the 20th century bore witness to the loss of 6 million Jews and 400,000 other persons deemed ''non-desirable'' by the Nazis, and the modern-day horrors in Cambodia and Rwanda. All too often, we have not learned from past genocides.

As the Universal Declaration of Human Rights states ''No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment'' and that ''Everyone has the right to life, liberty and security of person.'' Though nothing changes the fact that mass killings and unspeakable acts of brutality occurred, today I wish to learn from the past to better bring about hope for a brighter, more peaceful future and reconciliation of the people of Armenia and Turkey.

HONORING ASIAN-PACIFIC AMERICAN HERITAGE MONTH

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to honor the Asian-Pacific American community on the 20th anniversary of Asian-Pacific American Heritage Month.

The achievements and successes of Asian-Pacific Americans demonstrate, above all, that the greatness of our Nation lies in its diversity. And no other community in the U.S. represents the diversity of our great Nation more than the Asian-Pacific American community.

An inherently diverse population, Asian-Pacific Americans comprise over 45 distinct ethnicities and over 100 language dialects. Now numbering 18.5 million people, the Asian-Pacific American community grew 46 percent in the past decade—more than any other major racial group.

The Pacific Islander population, while significantly smaller in comparison to the overall APA population, has also grown at a rapid rate over the past decade. According to the 2010 Census, the Native Hawaiian and Pacific Islander, NHPI, population grew to over 1.2 million, an increase of 40 percent over the past decade.

The NHPI population in the U.S. traces their roots to several island cultures in the Pacific. They include Native Hawaiians, Samoans, Tahitians, Tongans, and Tokelauans; Chamorros, Marshallese, Palauans, Chuukese, Mariana Islanders, Saipanese, Carolinians, Kosraeans, Pohnpeians, Yapese, and the people of Kiribati; as well Fijians, Solomon Islanders, Papua New Guineans, and the people of Vanuatu—all who have made their home in this great Nation.

Pacific Islander heritage runs deep in NHPI communities across the Nation and the ancient cultural values of service to the family and the village carry on in NHPI's service to our Nation. In any arena of society in which Pacific Islanders have attained success, one common thread we see is their unending devotion to giving back to the community.

Just last Friday, I had the honor of speaking at the funeral of a beloved son of Samoa and NFL Great, Junior Seau, who not only shined on the football field but who also devoted much of his time off the field to helping underprivileged youth through the Junior Seau Foundation.

I was fortunate enough to have been able to meet Junior and one memorable occasion was right here in the Nation's capital. In 2005, I had the privilege of attending an award ceremony at the White House to witness President George W. Bush present to Junior the distinguished President's Volunteer Service Award for his work in helping youth through the Junior Seau Foundation. I remember Junior's genuinely humble spirit evident of his continuous connection to his roots and humble beginnings.

And many others follow in these steps. Even stars such as Dwayne ''The Rock'' Johnson, who by the way was recently awarded ''Action Star of the Year'' at the prestigious CinemaCon Awards Ceremony, are heavily invested in enriching the lives of those less fortunate.

Pacific Islanders also have paid the ultimate sacrifice in defending the freedoms of our Nation. As a Vietnam veteran, I would be remiss if I do not say something to honor and respect the hundreds of thousands of Asian-Pacific Americans who serve and have served in our armed forces.

In closing, as we celebrate Asian-Pacific Heritage Month this May, let us also honor our Asian-Pacific Americans who display the virtue of servanthood in every arena of society, and especially those who have dedicated their lives to serving our Nation in the U.S. Armed Forces, including those from my district of American Samoa. Let us pay tribute to their sacrifice as we celebrate our heritage and freedoms.

EXPLANATION

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. BOUSTANY. Mr. Speaker, due to mechanical problems on my flight en route to Washington, DC from Lafayette, Louisiana, I was unable to return in time for votes on the day of May 15, 2012. Had I been present to vote, my voting record would reflect the following: H.R. 365—''yea;'' H.R. 3874—''yea;'' H.R. 205—''yea.''

IN REMEMBRANCE OF CAPTAIN THOMAS GRAMITH, USAF

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to pay tribute to Captain Thomas Gramith of the 336th Fighter Squadron, Seymour Air Force Base, United States Air Force.

Captain Gramith died in an F–15E crash while providing air support to ground troops during Operation Enduring Freedom near Ghazni Province in Afghanistan.

Captain Gramith is survived by his wife Angie, their daughters Stella and Eva, and his father and step-mother Frederick and Cynthia and his mother and step-father Patricia and Robert.

Captain Gramith was an honorable and dedicated airman who died serving his country. His commitment to his country will stand as an inspiration to all Americans. To his family and friends, I offer my humble thoughts and prayers. May God bless them in this time of remembrance.

CONGRATULATING THE OUR LADY OF LOURDES ACADEMY CONSTITUTION TEAM

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate the Our Lady of Lourdes Academy Constitution Team for yet another remarkable performance in the annual We the People Competition. Having won the right to represent the State of Florida by winning the State Championship in January, Lourdes came to Washington, DC and placed an impressive 7th place nationally.

For 25 years, the We the People Competition has helped further civic education and awareness by testing students' depth of knowledge and ability to apply constitutional principles to both historical and current issues. The competition, conducted on the campus of George Mason University and in hearing rooms of the U.S. House of Representatives, takes the form of simulated congressional hearings. Students testify as constitutional experts before panels of judges acting as congressional committees who then score the groups.

The hard work and research put in by the team is a testament to their commitment to civic education, as well as to the guidance and instruction of their teacher, Rosalie Heffernan. I know I join all of South Florida in expressing our pride and admiration for the Our Lady of Lourdes Academy Constitution Team and their remarkable accomplishment. Congratulations to: Paula Abarca, Emily Bezold, Michelle Bueno, Gabriela Corzo, Oliva Diaz de Villega, Amelia Garcia, Patricia Garcia-Linares, Gabriela Hildalgo, Anne-Marie Hunter, Alexandra Lazcano, Maria Mendoza, Fabiola Navarro, Caitlin Opperman, Rachel Perez, Kelsey Quigley, Brigette Quintana, Cristina Sanchez, Veronica Sanchez, Kiara Taquechel, Tiffany Valenti and Clarisse Vamos!

IN REMEMBRANCE OF CAPTAIN MARK McDOWELL, USAF

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to pay tribute to Captain Mark McDowell of Colorado Springs and the United States Air Force.

Captain McDowell died in an F–15E crash while providing air support to ground troops during Operation Enduring Freedom near Ghazni Province in Afghanistan.

Captain McDowell is survived by his wife and parents. Captain McDowell was an honorable and dedicated airman who died serving his country. We will never forget his example and his dedication. To his family and friends, I offer my sincere thoughts and prayers. May God bless them throughout the days ahead.

JESSICA ALLEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jessica Allen for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jessica Allen is a 12th grader at Arvada Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jessica Allen is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels

strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jessica Allen for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN CELEBRATION OF ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Ms. MATSUI. Mr. Speaker, I rise today to commemorate May as Asian Pacific American Heritage Month.

Against the background of this year's theme, ''Striving for Excellence in Leadership, Diversity and Inclusion,'' this month provides us an excellent opportunity to reflect upon, and honor, the many contributions Asian American and Pacific Islanders (AAPIs) have made to our Nation. From fighting in our armed services, to building the transcontinental railroad, to helping America lead the world in scientific discoveries, AAPIs have played an integral role in our country's greatest achievements.

As America's fastest growing population, more and more AAPIs are performing integral roles in forward-thinking companies and in American innovation. And, we are continually seeing a greater number of AAPIs elected to serve in public office and appointed to the Federal judiciary. AAPIs are making great progress; however, there are still obstacles that must be overcome for AAPIs and other minority populations.

We must continue to work together to ensure that our country does not repeat injustices of the past. We must continue to fight back on issues like racial profiling, housing discrimination, and disparities in health care. We must continue to ensure that AAPI voices and ideas are heard.

Our country has always been the land of opportunity. Our strength has been derived from the diverse cultures, traditions, and perspectives of the people that make up our society. As we look to our country's future, we must ensure that all of the cultures and peoples that call America home are represented and promoted.

Mr. Speaker, I look forward to continuing to work with my colleagues in Congress, in particular, the Congressional Asian Pacific American Caucus, to provide greater opportunity and equality so that AAPIs, and our Nation as a whole, can continue down a path of prosperity and success.

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. FRANKS of Arizona. Mr. Speaker, had I been present, I would have voted ''yes'' on rollcall vote No. 250. Had I been present, I would have voted ''yes'' on rollcall vote No. 251. Had I been present, I would have voted ''yes'' on rollcall vote No. 252.

JHA-MIER RYAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jha-Mier Ryan for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jha-Mier Ryan is an 11th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jha-Mier Ryan is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jha-Mier Ryan for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

A TRIBUTE TO UNITEDHEALTHCARE COMMUNITY PLAN OF PENNSYLVANIA

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to recognize the UnitedHealthcare Community Plan of Pennsylvania, which serves over 280,000 Pennsylvania residents through Medicaid, Medicare and the Children's Health Insurance Program (CHIP).

The UnitedHealthcare Community Plan of Pennsylvania has been under operation for more than 20 years, serving the healthcare needs of low-income Philadelphians. On May 4, 2012, UnitedHealthcare Community Plan opened a new multicultural community office in South Philadelphia to make its services more accessible to its members and to the larger community. UHC has staffed the new office with employees from a variety of ethnic groups to show the diversity of the surrounding-community.

At the UnitedHealthcare Multicultural Office in Philadelphia, residents of the community will be able to apply for low or no-cost health insurance, renew their health coverage, gain more understanding of their health benefits, and attend special events such as health and wellness workshops, citizenship and English as a Second Language (ESL) classes, and free health screenings.

It is with great honor that I recognize the UnitedHealthcare Community Plan of Pennsylvania and the new UnitedHealthcare Multicultural Office in Philadelphia as valuable resources of the state of Pennsylvania. I am proud to have such a wonderful organization in my state and community, and I look forward to watching it continue to succeed and grow.

JWAN SAWAQUED

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jwan Sawaqed for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jwan Sawaqed is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jwan Sawaqed is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jwan Sawaqed for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

RECOGNIZING NATIONAL MPS AWARENESS DAY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. MARCHANT. Mr. Speaker, I would like to recognize the National MPS Society for their 37 years of supporting families while searching for cures for this genetic disease. Mucopolysaccharidosis or MPS is a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates. The damage caused by MPS on a cellular level adversely affects the body and damages the heart, respiratory system, bones, internal organs, and central nervous system. MPS often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span. Symptoms of MPS are usually not apparent at birth and without treatment; the life expectancy of an individual affected begins to decrease at a very early

stage in their life. Research towards combating MPS has resulted in the development of limited treatments for some of the MPS diseases.

I ask my colleagues and their staff to join me in recognizing May 15, 2012 as National MPS Awareness Day. This is an important time during which the MPS disease community will help increase the awareness of this devastating disease, as well as supporting research to improve treatments, find cures and receive early diagnosis. The MPS families are encouraged to reflect and support each other and to reach out to those families who have lost loved ones to MPS. By wearing their purple ribbons and sharing these ribbons within their community, they are increasing public awareness about this disease. This date is also the start of the National MPS Run/Walk season along with other local community activities to raise awareness along with money for research and for family assistance programs. I commend the National MPS Society and their many volunteers for an unwavering commitment to bring about awareness of this disease and to continue to advocate for federal legislation to streamline the regulatory processes and to speed effective treatments and cures for their loved ones. More must be done to find cures and effective treatments, but let us reflect on the importance of this day. I ask that all of my colleagues join me in commemorating National MPS Awareness Day.

JOSEPH TRUJILLO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Joseph Trujillo for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Joseph Trujillo is an 8th grader at Moore Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Joseph Trujillo is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Joseph Trujillo for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING DIANE GLASSER, CEO OF THE JEWISH FEDERATION OF PALM BEACH COUNTY

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Diane Glasser, the National and State Party Committeewoman and Vice Mayor of the City of Tamarac. As she concludes her term as Vice Mayor, we reflect on her years of dedicated community and public service which set a brilliant example for our future generations. It is truly an honor to represent her in the United States Congress.

Ms. Glasser has been integral in the significant growth and progress that the City of Tamarac has made over the past 20 years. She is a truly active and inspirational leader. She is involved in many civic and national organizations, such as the AARP, Hadassah, JAFCO, and University Hospital. Within the City of Tamarac alone, she has been a Charter Board Member, City Commissioner, and Vice Mayor. Ms. Glasser epitomizes public service, and it is unfortunate that I can only mention just a few in a long list of her tremendous accomplishments. I can affirm beyond a doubt that she has been an important leader in the Democratic Party in South Florida, and I do not want her achievements to go unrecognized.

It is a privilege to represent an individual who has done so much for Broward County and the City of Tamarac. I applaud her efforts, and even though her term has come to a close, I look forward to her continued good work for years to come.

Congratulations to Diane Glasser, together with her children and her grandchildren, as they celebrate this well deserved honor.

JONNALYNN SELL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jonnalynn Sell for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jonnalynn Sell is an 8th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jonnalynn Sell is exemplary of the type of achievement that can be obtained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jonnalynn Sell for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING MAH-RULCH MUHAMMAD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great Nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Mah-rulch Muhammad is a senior at Clements High School in Fort Bend County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

The importance of participating in the political system is directly related to one of our key goals as a country: to ensure and preserve democracy. While the interpretation of democracy varies in everyone's individual perceptions, the main idea is the same: government by the people.

In other words, in a democratic society, the public has an active voice in influencing public policy and decisions. Only through effective participation, however, is it possible for this to happen. The final decisions end up affecting the public, so it is important that they speak up and make sure their voices are heard. Only when the people are involved in the political process can their needs be addressed by today's leaders, and consequently be put into public policy.

The policies that are eventually enacted and integrated into our society primarily affect the public. Therefore, the public ought to have a say in the process, as true democratic principles outline. This right does not come into place, however, if proper action and self input is not inserted. There are many options available for the public to be involved in the political process, such as voting, donating to campaigns, or joining interest groups. When people fail to use the options of political participation before them, they are slowly taking power out of their own hands, inviting the ability for the nation's liberties to be taken away.

Every individual is unique and lives under different circumstances. Income, race, gender, and opinions vary greatly from person to person. Due to this factor, it would be impossible for a certain select number of people from one majority to vote during elections for policies that they support, and have these votes reflect the nation's inclination. The idea that policies favor a select few does not seem fair, and leans towards the idea that we are fading away from the idea of democracy. The numbers of those who lack participation in the political process add up and create a hole in how much today's government reflects the will of the people.

Being involved in the government is an inherent part of democracy in that it places the individual into the political process. If the public separates itself, and does not allow its concerns to be addressed, then the problems that the everyday citizen faces won't be fixed. If one's concerns are ignored, then it creates a feeling of apathy within the nation towards the government for not addressing their needs. All of this would be the result of a simple communicational gap. The public's involvement in the political process is the key to closing the gap between themselves and the government. Once that gap is connected, we are one step closer to democracy. It is important that everybody is involved in the political process, given that

every individual's opinion matters and makes up the viewpoint of the nation as a whole.

PERSONAL EXPLANATION

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, on rollcall No. 251, due to other representational obligations in Hannibal, Missouri, I had to miss this vote.

Had I been present, I would have voted "yea."

RECOGNIZING IBEW LOCAL 25

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize and honor the immense success that the members of the Local 25 chapter of the International Brotherhood of Electrical Workers have achieved. The 2,600 members of Local 25 have, for 80 years, dedicated themselves to the service of their community and achieving excellence within the electrician profession.

IBEW Local 25's service to Long Island began in 1932, when some of the finest crafts people in the world wanted to better facilitate their remarkable skills. IBEW is deeply committed to the ongoing training of its members. Seasoned associates of Local 25 eagerly pass down their accumulated knowledge to the younger generations of electricians in a fair, equal opportunity setting.

Local 25 is of vital importance to the Long Island community, and I am proud of their heritage and remarkable skill sets. The mission of this coalition of tradesmen is to produce the finest skilled electricians in the world who will produce the highest quality electrical installations. I believe the great members of Local 25 have achieved that goal.

Mr. Speaker, I honor the fine members of IBEW Local 25 for their invaluable and continuing contributions to our community. It is my great hope that they will continue to serve as an inspiration for others through their work and ongoing devotion to the great State of New York.

IN HONOR OF THE ONE HUNDRED YEAR ANNIVERSARY OF MARINE CORPS AVIATION

HON. JOHN KLINE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. KLINE. Mr. Speaker, I rise today to recognize May 2012 as the one hundred year anniversary of United States Marine Corps Aviation. The Marine Corps stands as a symbol of America's strength and honor, and its history serves as a reminder of the commitment and sacrifice so many Americans have made in defense of this nation.

What began in 1912 when Marine Corps 1st Lt Alfred A. Cunningham reported for flight training has extended through the ongoing operations around the world. A program that started with less than 40 men now consists of hundreds of skilled pilots, expert engineers, and experienced ground crews. In support of their brothers and sisters on the ground, they have flown over the hedgerows of Europe, the jungles of East Asia, the deserts of the Middle East, and every ocean in between. From transportation of the President, to air-to-ground fire support, to medical evacuation on the battlefield, the capabilities of Marine Corps Aviation are second to none.

In honor of Marine Aviators past and present, I have introduced H.R. 1621, legislation that pays tribute to Marine Corps Aviation with a commemorative coin. These coins will serve as a tribute to the capabilities pioneered by our earliest Marine aviators, and refined over the years to make the Marine Corps a force capable of protecting our nation "in any clime and place." As a helicopter pilot and 25-year Marine veteran, I am proud to have borne the title—Marine Aviator—and stand here today to honor one hundred years of Marine Corps Aviation. Semper Fidelis.

JESSICA GREENBURY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jessica Greenbury for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jessica Greenbury is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jessica Greenbury is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jessica Greenbury for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

PERSONAL EXPLANATION

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. FINCHER. Mr. Speaker, on rollcall Nos. 250, 251, 252, I was unavoidably detained. Had I been present, I would have voted "yes" on all three.

A HISTORY OF THE EXPANSION OF PRESIDENTIAL POWER

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. JONES. Mr. Speaker, I submit the following letter to the editor of the NY Times that was published on 24 April 2012. The letter was written by noted constitutional lawyer, Mr. Bruce Fein, Esq. It talks about the unchecked power the office of the President of United States has acquired since WW II.

[From the New York Times, April 27, 2012]

A HISTORY OF THE EXPANSION OF PRESIDENTIAL POWER

(By Bruce Fein)

The unilateral actions of President Obama in the domestic arena to circumvent Congress are more than matched by the president's unilateralism in foreign affairs. Among other things, President Obama has unilaterally commenced war, authorized the assassination of American citizens abroad and denied the writ of habeas corpus to detainees not accused of a crime.

Executive branch power at the expense of Congress and the Constitution's checks and balances has mushroomed since World War II. Examples include President Truman's undeclared war against North Korea; President Eisenhower's executive agreements to defend Spain; President Johnson's Gulf of Tonkin Resolution regarding Vietnam; President Nixon's secret bombing of Cambodia and assertions of executive privilege; President Clinton's undeclared war against Bosnia; and President Bush's countless presidential signing statements, Terrorist Surveillance Program, waterboarding and Iraq war.

The Constitution gave Congress the power to declare war because the president is inclined to aggrandize executive power when faced with conflict or danger. As James Madison wrote to Thomas Jefferson: "The constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has accordingly with studied care vested the question of war in the Legislature."

The steady escalation of unchecked presidential power has transformed the Republic whose glory was liberty into an empire whose glory is perpetual war and domination.

KAYLA NAKATA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayla Nakata for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayla Nakata is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayla Nakata is exemplary of the type of achievement that can be attained with hard work and

perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayla Nakata for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

NATIONAL DEFENSE TRANSPORTATION DAY AND NATIONAL TRANSPORTATION WEEK

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize National Defense Transportation Day and National Transportation Week. America has always been a leader in transportation development from the submarine to the steam engine that connected two great oceans and the first flight at Kitty Hawk to the mighty interstates that connect our cities. Transportation is our nation's lifeblood and has been a driving force of our economy. On May 18 is National Defense Transportation Day and May 13–19 is National Transportation Week.

A nation's ability to transport first responders, servicemembers, and materials to the front lines of any crisis is the key to saving lives and protecting our freedoms. Our transportation networks have enabled us to react with speed and efficiency during a crisis.

Our roads, rails, runways, and shipyards have formed the foundation for a thriving global marketplace. Letting these vital infrastructures diminish in quality hampers our ability to maintain a thriving global marketplace. Recommitting to investing and building modern day infrastructure, as we did in the 1950s, we can once again galvanize our economy and soar to new heights like that of the eagle.

Transportation has a high priority for me as a member of Committee on Transportation and Infrastructure and ranking member of Subcommittee on Emergency Preparedness, Response, and Communications. Crumbling bridges put our safety at risk, and antiquated infrastructure limits our capacity to respond to threats, emergencies, and hazards at home and abroad. These situations diminish our security, our prosperity, and our resilience, and we must do more to address them.

The need for strong and sustainable transportation networks has never been greater. The state of our roads and railways creates a competitive disadvantage that discourages investment and slows the pace of progress. Our nation invests only 2.4 percent of our GDP where as Europe and China invests 5 percent and 9 percent respectively into creating competitive infrastructure. We are greatly lagging behind and investing would save 1.8 million jobs and create up to 1 million more jobs.

Through the American Recovery and Reinvestment Act and the Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant program, all 50 States have launched new highway and infrastructure projects, and many have funded passenger rail development that will modernize our cities and help put more construction workers back on the job. But this is not enough; I remain committed to upgrading our infrastructure, ensuring the safety and security of our transportation systems, bringing diverse, sustainable transit opportunities to communities across our country, and investing in innovative solutions to address the transportation challenges of today and tomorrow.

On National Defense Transportation Day and during National Transportation Week, we celebrate that rich legacy and recommit to building robust infrastructure that will accelerate our economy in the years ahead. An economy built to last depends on a world-class infrastructure system. I call upon all Members to recognize the importance of our Nation's transportation infrastructure and to acknowledge the contributions of those who build, operate, and maintain these critical infrastructures.

PERSONAL EXPLANATION

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. DOLD. Mr. Speaker, due to district business, I was unavoidably back in my Congressional District on May 15, 2012. Had I been present, I would have voted ''yea'' on H.R. 365, the National Blue Alert Act of 2011, ''yea'' on H.R. 3874, the Black Hills Cemetery Act, and ''yea'' on H.R. 205, the HEARTH Act of 2011.

KASSIE ORONA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kassie Orona for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kassie Orona is a 12th grader at Standley Lake High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kassie Orona is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kassie Orona for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING THE 40TH ANNIVERSARY OF USDA APHIS

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. LUCAS. Mr. Speaker, I rise today to recognize the 40th anniversary of the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. While many Americans may not have heard of APHIS, the Agency's mission is so far-reaching that most are touched by its regulatory activities or policies every day. We in the Agriculture Committee understand that when we learned last month of the cow with bovine spongiform encephalopathy (BSE) that it was APHIS' swift response and scientific approach that reassured our trading partners that U.S. beef is safe and kept trade moving. We understand that it is APHIS whose work every day keeps our country free from many invasive insects and diseases like the destructive Mediterranean fruit fly. Every day, we hear and see the positive strides this Agency is making in support of U.S. agriculture.

Since APHIS was formed in 1972, it has evolved into a multi-faceted Agency with responsibilities that include protecting and promoting U.S. agricultural health from foreign animal and plant pests and diseases, regulating genetically engineered organisms, administering the Animal Welfare Act, and carrying out wildlife damage management activities. To carry out its mission, APHIS employees work to create and sustain opportunities for America's farmers, ranchers and producers and to safeguard the nation's agriculture, fishing and forestry industries. For that, I applaud them and join in celebrating this Agency's history.

During the early 1970s, APHIS was put to the test when it spearheaded an enormous effort to control an outbreak of exotic Newcastle disease in Southern California that threatened the Nation's entire poultry and egg supply. APHIS mobilized thousands of workers in a response that included an investigation of over 77 million birds, administration of 113 million doses of vaccines, and maintenance of a quarantine zone spanning 45,000 square miles. Success was achieved in 1974 and marked the first time any country had eradicated such a widespread outbreak of the deadly disease, and it provided a blueprint for future animal disease control efforts. Using lessons it learned from the earlier outbreak, APHIS again lead a taskforce of Federal, State, and private veterinarians in 2002 to effectively stamp out an exotic Newcastle disease outbreak in California and other Western States. This time, however, APHIS and its partners eradicated this devastating disease in one-third the time and at one-half the cost of prior outbreaks, protecting the health of the country's poultry resources, worth more than $23 billion.

Through the National Boll Weevil Eradication Program launched in the late 1970s, APHIS and its partners eradicated boll weevil from 16 of 17 cotton-producing States, with the last, Texas nearing completion of its eradication efforts. This three-decade effort has

succeeded through the participation and cooperation of industry, State and Federal agriculture agencies, and APHIS in sharing costs and developing and improving eradication strategies to meet every challenge. APHIS continues its myriad of programs dedicated to keeping harmful and invasive plant pests and diseases out of this country and eradicating them quickly should they arrive. Recently, APHIS and its State and industry partners have nearly eliminated European grapevine moth infestations, keeping domestic commerce and foreign markets open for grapes, stone fruit, berries, and other commodities that would otherwise have been threatened by the pest.

APHIS assumed a new mandate for wildlife damage management in 1985, after Congress transferred the Animal Damage Control program from the Department of the Interior to USDA. Through this program, APHIS provides Federal leadership and expertise to resolve wildlife conflicts to allow people and wildlife to coexist. APHIS has provided critical support to U.S. agricultural producers over the years finding practical, humane, effective, and environmentally safe solutions when wildlife attack livestock or damage crops. But the program's impact extends beyond agriculture to urban areas, where they work to reduce wildlife hazards at the Nation's airports and military airbases, eradicate invasive species such as the Giant Gambian rat, and combat wildlife rabies.

APHIS' role in the Federal biotechnology era began in 1986 with the ''Coordinated Framework for Regulation of Biotechnology,'' which outlined a comprehensive U.S. Government regulatory policy for ensuring the safety of biotechnology research and products. In November 1987, using new policies for regulating the introduction of genetically engineered organisms that might pose risks to plants, APHIS for the first time approved a field test, for a tobacco resistant to the herbicide bromoxynil. Since then, the Agency has overseen nearly 30,000 field trials at over 86,000 different locations and approved over 80 products for nonregulated status—many of which have subsequently been further developed and released as varieties used in agriculture benefitting farmers and consumers while decreasing overall pesticide use and soil erosion.

APHIS' role in protecting and promoting the health of U.S. agriculture is also critical in the international trade arena. As part of the move to support growth in international trade while fulfilling APHIS' mission to protect American agriculture, APHIS inspectors began preclearing imports destined for the United States before they left their country of origin in the 1980s. APHIS also began employing other approaches to ensure that imported commodities were free of pests and diseases—X-ray detection devices began screening baggage for illegal material, and APHIS' ''Beagle Brigade,'' established in 1984, sniffed out prohibited foods in passenger luggage. Throughout the years, APHIS' ability to quickly respond to outbreaks of foreign plant pests and diseases, helps assure our trading partners that U.S. products are safe and that the United States is a model for protecting the health and abundance of agriculture.

Today, APHIS continues to enhance its animal welfare efforts, overseeing the care and treatment of animals regulated under the Animal Welfare Act at licensed and registered facilities throughout the United States and its territories. APHIS' risk based inspection system enables the Agency to focus its resources on the most problematic facilities and pursue enforcement against violators.

Lastly, I applaud APHIS for continuously seeking to work together with its partners and stakeholders to achieve success in its programs. APHIS is an Agency that recognizes that it must actively work with States, Tribal Nations, industry and other stakeholder groups to help manage the many issues that affect U.S. agriculture. This coordinated effort has enabled the Agency to be successful in protecting our valuable agricultural and natural resources. We have seen the results of this approach, for example, as the Agency has implemented the Plant Pest and Disease Management and Disaster Prevention provisions of the 2008 Farm Bill. This joint effort by APHIS, states, industry, academia, and other stakeholders has yielded great benefits—helping eradicate devastating plant diseases such as Plum Pox in Pennsylvania, increasing surveys to find foreign pests before they can become established in the United States, educating the public on reducing the spread of these pests, and enhancing research so we have better tools to protect our country from threats to our agricultural and natural resources.

As you can see, through the decades, APHIS has continued to modernize in demonstrating its vitality and significance to farmers, exporters and importers, and consumers. APHIS' leadership in protecting and promoting the health of U.S. agriculture has served the United States well. For that, I want to congratulate APHIS and its hard working employees for a highly successful 40 years, and applaud their continued commitment to the American people and U.S. agriculture.

HONORING MILFORD HIGH SCHOOL'S WE THE PEOPLE STATE CHAMPIONSHIP TEAM

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. BASS of New Hampshire. Mr. Speaker, I rise today to honor the members of Milford High School's We the People state championship team.

We the People is a national competition that tests students' knowledge of the Constitution and the Bill of Rights. Teams from all over the country compete for various prizes and awards. With the help of their teacher, Dave Alcox, and after many months of dedication and hard work, the Milford High School team placed first in New Hampshire's We the People State Championship. In doing so, they earned a spot to compete in the National Championship here in Washington, DC earlier this month, where they placed 30th overall and first in the Unit 3 division out of more than 50 teams. I want to congratulate the following students for their accomplishments and inspiring commitment to their team:

Kelsey Bailey; Jack Betelak; Cara Brewer; Jess Byrne; Laura Elser; Mathias Christensen; Josh Clemens; Paige Craven; Emily Curry; Bekah Curtis; Molly Desmond; Adam Drescher; Robby Finan; Ryan Fitzgerald; Melissa Gray; Sarah Halstead; Ryan Hull; Kyle Joyce; Hannah Ladeau; Ally LaForge; Katie Lannin; Julia Lengvarska; Tom Lundstedt; Comfort Dum Maude; Zach O'Neill; Jon Penniman; Jason Porter; Nick Simo; James Smith; Natasija Vucicevic; and Brittney White.

Mr. Speaker, the people of New Hampshire join me in congratulating these students on a job well done, and I wish them all the best in what I know will be a very successful future.

JOSE AVILA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jose Avila for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jose Avila is an 11th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jose Avila is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jose Avila for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

TAIWAN PRESIDENT MA YING-JEOU'S SECOND INAUGURATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. SIMPSON. Mr. Speaker, this coming Sunday, May 20, Taiwan will inaugurate President Ma Ying-jeou for a second term after his overwhelming election victory earlier this year. Congratulations to President Ma and to all the people of Taiwan. They embody the vision of a representative democracy that founding father Sun Yat-sen imagined.

The value of the United States-Taiwan partnership cannot be overstated. Taiwan is the ninth largest trading partner of the United States and the sixth largest agricultural market for products grown and produced here in the United States. Additionally, Taiwan has long been an important contributor towards economic and political security across Asia, benefitting the entire region.

Taiwan and the United States uphold a peaceful partnership through both trade agreements and meaningful personal relationships. I was lucky enough to take a trip to Taiwan when I was a state legislator, and it is a beautiful country with a vibrant culture. I hope someday to return.

The strength of Taiwan comes from its people. The people continue to benefit from self-governance and free-elections, and the open society and democracy of Taiwan allows for innovation and growth that puts it on a competitive footing with the most powerful and largest countries in the world.

Congratulations to the people of Taiwan and President Ma Ying-jeou on his second inauguration.

IN RECOGNITION OF DR. WEBSTER TRAMMELL

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PALLONE. Mr. Speaker, I rise today to recognize the efforts of Dr. Webster Trammell. Dr. Trammell has served in numerous positions in the education field and currently holds the position of Vice President of Development, Community and Government Relations at Brookdale Community College. His efforts to serve and educate students will be recognized during the Long Branch Concordance celebration. His actions are truly worthy of this body's recognition.

Dr. Webster Trammell has demonstrated through his work and actions his willingness and dedication to serve others. Dr. Trammell has been actively involved in educational administration since 1969. He served as Assistant Director and Director of Student Activities and Director of Housing before being named Assistant Dean of Students. In 1974, Dr. Trammell accepted the position of Director of the Educational Opportunity Fund, EOF, at Monmouth College, where he succeeded in restructuring the program to become an exemplary model for other colleges to emulate. Four years later, he accepted the position of EOF Director at Brookdale Community College successfully raised the quality of service and level of expectation produced by the department. Dr. Trammell was appointed Research and Development Officer for Brookdale Community College in 1984, serving as a member of the President's staff. He was subsequently appointed to the position of Vice President for Development, Community and Governmental Relations, the position which he holds today. In his current capacity, Dr. Trammell is responsible for the institution's governmental relations, resource development, the Brookdale Foundation and Alumni Association as well as external affairs. Dr. Trammell is a proud Alumnus of Monmouth College where he earned a Bachelor of Arts degree in Art with a minor in Education and a Master of Science in Student Personnel Services. He received his doctorate in Psychology (Psy.D.) from Rutgers University.

Dr. Trammell is a member of several professional and community organizations. He serves as a member of the Legislative Affairs and Governance Committees of the New Jersey Hospital Association and was elected in 2010 to the Regional Policy Board of the American Hospital Association. Dr. Trammell is also the Immediate Past Chairman of the Monmouth Family Health Center Corporation Board of Directors and the Immediate Chairman of the Board of Trustees to Monmouth Medical Center. His impressive involvement in community activities resulted in the presentation of the 1993 Private Industry Council Partnership Award for Education, the 2004 Red Bank Men's Club Excellence in Education Award and the 2008 SCAN John Wanat Leadership Award, among others notable accolades. Most impressively, he currently holds an 8th degree black belt and has trained in the martial arts for 43 years. Dr. Trammell currently resides in Middletown, New Jersey with his wife, Kathleen. He is the proud father of three children, Ian, Heather and Emily and grandfather to Llewelyn and Evan.

Mr. Speaker, once again, please join me in congratulating Dr. Webster Trammell for receiving the honor bestowed by the Long Branch Concordance. His outstanding service to students and community continue to touch the lives of many throughout Monmouth County, New Jersey.

CONGRATULATING TAIWAN'S PRESIDENT MA YING-JEOU ON HIS RE-ELECTION

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. BURTON of Indiana. Mr. Speaker, I rise to join my colleagues in congratulating President Ma Ying-jeou for winning this year's presidential election in Taiwan, the Republic of China, ROC. He will be officially inaugurated as the fifth freely elected president of the Republic of China on May 20, reminding the world once again that Taiwan is a nation to be admired for her unwavering commitment to democracy and freedom.

It has been my joy to watch the success of the Taiwanese people in overcoming great obstacles and I know that President Ma will continue his record of achievement in this, his second term. We admire Taiwan's flourishing market economy and vibrant democracy. Their successes are directly attributable to the wisdom and industry of the people of Taiwan. Today nearly everyone in Taiwan is middle class and enjoys good nutrition, good health, excellent schools, low crime rates and safe neighborhoods. Politically, people are free to voice their opinions. Press freedom and human rights are guaranteed by the ROC's Constitution.

It is my hope that many countries in Asia will follow the example of this great island as a model of democracy and freedom. My colleagues and I greatly admire the accomplishments that have taken place since the end of martial law and the establishment of democracy in the 1980's. I wish the Taiwanese the best in the challenges ahead, particularly in handling cross-strait relations. I hope all of my colleagues here in the House of Representatives will be continually supportive as the Taiwanese pursue a peaceful solution to the China issue. I believe that peace and stability within the Taiwan Strait are in the best interest of the global community.

I have always cherished Taiwan's close friendship with the United States and I admire Taiwan's recent economic and democratic achievements. We look forward to working with the government and people of Taiwan in further strengthening and clarifying the commercial, cultural and other relations between the United States and Taiwan, particularly Taiwan's defense needs and Taiwan's meaningful participation in international organizations.

Again, congratulations, President Ma.

HONORING PRESIDENT MA YING-JEOU OF TAIWAN

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. HULTGREN. Mr. Speaker, Taiwan's President Ma Ying-jeou celebrates his second inauguration on May 20. With determination and courage, he has done what most pundits thought was impossible.

Through his initiatives with China he has achieved lessening tensions between the two governments while maintaining the integrity of Taiwan's people and their free and democratic society.

These strategic steps, assumed by many to fail, have in fact produced excellent results. Taiwan, long a major world trader, has opened up trade channels with mainland China which have been accompanied by tourists from the mainland. All this has been achieved while maintaining Taiwan's security.

Peace in the Taiwan Strait, which President Ma has worked toward, is of great importance to us as a Nation; for peace, among other humanitarian advantages, lessens the need for the United States to deploy more of our military resources to the region.

I congratulate President Ma and wish him well in his second term.

JOE TINER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Joe Tiner for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Joe Tiner is a 12th grader at Arvada Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Joe Tiner is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Joe Tiner for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING NATIONAL POLICE WEEK

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. MARCHANT. Mr. Speaker, I rise today to share with you remarks I made earlier this week at home in North Texas in recognition of National Police Week. I was honored to be present with many constituents of the 24th District of Texas alongside the Addison, Carrollton, Coppell and Farmers Branch, Texas police departments remembering those brave men and women who gave the ultimate sacrifice in protecting our communities and neighborhoods. It was my honor to speak to this group and it is my privilege to express again my gratitude to the men and women who serve as peace officers and protect us each day.

ADDRESS GIVEN AT MEMORIAL CEREMONY, MAY 15, 2012, LIBERTY PLAZA, FARMERS BRANCH, TEXAS

Friends, it is with both pride and sadness that I am here before you today to recognize National Police Week. We come together today to recognize and honor those men and women nationwide who gave the ultimate sacrifice as officers of the peace. We must give thanks to them and the entire law enforcement family for their selfless actions in keeping our communities safe.

National Police Week is a time for all of us to come together to understand the important role these officers play in protecting the rights and freedoms of our community. It is a time for citizens to reflect and understand the duties, responsibilities, and sacrifices of our law enforcement officers. These men and women provide a vital public service, risking their lives on a daily basis to protect our own.

Today, May 15th, 2012, marks the 20 year anniversary of the first National Peace Officers' Memorial Day Service. That first service was held in Washington, D.C., on Capitol Hill to commemorate the peace officers who had fallen nationally. In 1989, the first annual candlelight vigil was held at Judiciary Square in Washington, D.C. to honor the men and women who sacrificed their lives.

In 1991, President George H. Bush dedicated a National Memorial for these fallen men and women, honoring them for eternity. This Memorial honors federal, state and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our nation and its people.

On the walls of this memorial are the names of more than 19,000 officers who have given their lives in the line of duty throughout U.S. history. Today we celebrate the lives of all these brave public servants.

Each spring since that first fateful day in 1982, we have gathered nationwide to celebrate and venerate these men and women for their bravery. I ask that you join me today in commemorating and remembering law enforcement officers past and present. These are diligent and loyal men and women. They are devoted to their responsibilities and are dedicated in their service to their communities. Their reputation for preserving the rights and security of all citizens should be honored along with their sacrifice today.

Many officers have come from a home where their mother, father, brother or sister served their community in the same capacity. Family members often serve as an inspiration for their siblings, children and peers to serve as an officer. These inspired few that have the desire to protect and safeguard our communities are truly remarkable. It is that inspiration to protect and dedicate oneself to a community that brings us here today.

These men and women who serve with one another are a family. This is a family that I am very proud to support. They have a deep partnership with their community and each other. When a fellow officer falls in the line of duty, they do not lose a colleague, but a brother or sister. These brothers and sisters may have different badges or different oaths, but their valor in the line of duty is what binds them together. This partnership and this family are being remembered nationwide today.

Every day, officers put themselves in harm's way to protect the citizens and families they serve. These men and women are the continuous barrier between lawlessness and peace.

As a former city councilman, mayor, state representative and now Member of Congress, I have had the privilege of working with our community law enforcement for quite some time. I have the honor of calling countless police officers my friends. I will continue to be proud of their deeds and accomplishments in protecting North Texas, my family and my friends in all of you.

The honor these officers receive must be derived not only from their personal deeds, but the countless acts of violence and crime they have prevented. Today and every day we should remember that with courage, these fallen officers that we call to mind have made the ultimate sacrifice in service to their community.

It is with a heavy heart that we celebrate the lives of these men and women today. Let us not forgot the service and duty they have done for us. And let us pay respect to the survivors of our fallen heroes, and we humbly thank their friends and loved ones for their sacrifice.

HONORING THE BLUE STAR MOTHERS OF AMERICA

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. MEEHAN. Mr. Speaker, today I rise to honor the Blue Star Mothers of America. The Blue Star Mothers of America was founded in 1942 in order to bring together the mothers of children serving in the United States Armed Forces. In 1960, the nonprofit organization was chartered by the Congress of the United States. The Blue Star Mothers continue to provide support for active duty service personnel, promote patriotism, assist veteran's organizations and homeland volunteer efforts. Not only is the organization for mothers, but family members and friends may become associate members, and fathers of military personnel may join the Father's Association. During World War I, the Blue Star Service Flag was designed by Captain Robert L. Queissar and went on to become an unofficial symbol of a child in service. Today this same flag is an official banner authorized by the Department of Defense for display by families and associations who have members serving in the Armed Forces during a period of war. I ask that the U.S. House of Representatives honor the month of May as Blue Star Mothers Month, keeping in mind that sons and daughters continue to fight for our freedoms and protect this great Nation both domestically and abroad.

RECOGNIZING USTAD RAHAT FATEH ALI KHAN

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. GRIMM. Mr. Speaker, I rise today to recognize Mr. Ustad Rahat Fateh Ali Khan who is considered to be the ''Heart and Soul of Sufi Music.''

Rahat Fateh Ali Khan was born on January 1, 1974 in Faisalabad, Pakistan to a prominent family of Classical musicians. He carries on the 700 year-old tradition of Qawwali, a form of Muslim Sufi devotional music.

Rahat Fateh Ali Khan began his formal training in music at the age of seven and had his first performance by the age of nine. By 1997 he was considered the leader of Muslim Sufi music. As a result of his talent and devotion he has built a bridge between the East and the West—in March of 1998 he performed with Eddie Vedder in Los Angeles and has appeared many times in New York City to much critical acclaim. He has also worked on many movie soundtracks such as Dead Man Walking with Sean Penn, The Four Feathers with American composer James Horner and lastly with Mel Gibson in Apocalypto. He is also a renowned Bollywood playback singer. However, more important than his artistic acclaim, Rahat Fateh Ali Khan has been his been recognized numerous times over due to his selfless participation in benefit concerts all over the world.

Mr. Speaker, please join me, my constituents and music lovers from around the world as I recognize Mr. Ustad Rahat Fateh Ali Khan, as he is the heart and soul of the world music community with billions of fans all over the globe.

SECOND INAUGURATION OF TAIWAN PRESIDENT MA YING-JEOU

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. BARTON of Texas. Mr. Speaker, Taiwan President Ma Ying-jeou will be inaugurated for the second and final time on Sunday, May 20th. In addition to its continued democratic development, Taiwan has undergone numerous unprecedented economic, travel and tourism changes—between itself and mainland China—since President Ma first took office four years ago.

In July 2008, just over two months after taking office, President Ma launched the first regularized direct flights across the Taiwan Strait since the end of the Chinese Civil War in 1949. Such flights now number 558 per week,

having greatly eased the burdens of Taiwanese living and working in mainland China. It's also made life much easier for American tourists and businesspeople crossing the Strait instead of having to change planes in Hong Kong, or another third party port, as they once did.

And in 2010, Taiwan enacted its Economic and Cooperation Framework Agreement (ECFA) with mainland China that zeroed out tariffs on a number of Taiwan exports to the mainland. Further ECFA liberalizations will follow. ECFA's allowed Taiwan companies to tap mainland consumer markets while allowing them to stay in Taiwan and trade from their own home base. ECFA's further offered Taiwanese greater consumer choice at more affordable prices, while additionally uncovering opportunities for U.S. companies that have operations on both sides of the Taiwan Strait. It's thus no wonder the American Chamber of Commerce in Taipei has, after years of calling for such changes, wholeheartedly applauded President Ma's economic openings. Slowly but surely, Taiwan's steadily reinserting itself into the global economic supply chain, strongly making its case for a resumption of Trade and Investment Framework Agreement talks with the United States.

The influx of mainland Chinese tourists to Taiwan, allowed since 2008, has boosted the island's economy while also exposing mainlanders to Taiwan's free society and vibrant democracy. This fact was most notable during Taiwan's January 14th presidential and legislative elections won by President Ma and his Kuomintang (KMT) Chinese party. Visiting mainlanders were mesmerized by Taiwan's televised debates and dueling public events, and their some of their cohorts back home even took to blogging about it. Last year, 1.8 million mainland Chinese tourists visited Taiwan. That's 30% of all 6.08 million tourists who visited Taiwan in 2011.

On this, his second inauguration, I ask my colleagues to not only congratulate President Ma on his inauguration, but also on his openings to mainland China that have not just benefited Taiwan companies and consumers, but also U.S. economic interests and enterprises in the region.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. COHEN. Mr. Speaker, my car battery died and I was detained from voting on Tuesday, May 15, 2012. If present, I would have voted ''yea'' on the following rollcall votes: rollcall No. 250; rollcall No. 251; and rollcall No. 252.

JEANNINE LESANTE MAZURKIWECZ

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor Jeannine Lesante Mazurkiwecz, who will be recognized with the 2012 Greater Hazleton Chamber of Commerce Athena Award. Each year, the Athena Award is presented to a Greater Hazleton businesswoman for outstanding professional achievement. Jeannine's selfless dedication to her career and community makes her an ideal recipient of this award.

Jeannine graduated from King's College with a Bachelor of Arts degree in Mass Communications. Upon completion of an unpaid internship at WBRE, a regional television station, she declined a full-time job to invest her time and talents in her local, family-owned television news station, Greater Hazleton's First Local News 13/Sam-Son Productions. Since News 13's founding in 1994, Jeannine has worked in a variety of positions. Recently, Jeannine was promoted into administration. Through her various responsibilities, Jeannine has led her team at News 13 to the top of news and information coverage.

Jeannine is also active within the community, from teaching classes at King's College to assisting all types of organizations such as the American Red Cross and the Hazleton Blind Association. Additionally, she is the co-founder of the Making a Difference Foundation and currently holds the position of Assistant Director of Corporate Relations with Professionals Organized & Working to Enrich the Region (POWER) of Hazleton. Furthermore, Jeannine finds time to mentor students at the McCann School of Business and Technology and has been a volunteer to local brownie troops.

Mr. Speaker, Jeannine is truly a pillar of her community in the Greater Hazleton Area. I commend Jeannine for her many years of committed service to the community and our country.

HONORING MAY AS OLDER AMERICANS MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Ms. RICHARDSON. Mr. Speaker, today I rise to honor May as Older Americans Month. Since 1963 our Nation has come together to celebrate the seniors in our communities. This month the theme is ''Never Too Old to Play'', which emphasizes how important it is for older Americans to stay active and engaged in their communities.

Communities are encouraged to organize social events like trivia night, painting a mural or a team photo scavenger hunt to encourage seniors to get involved. Just this past week I hosted a senior luncheon in my district.

This annual event is not only an opportunity to listen to my constituents concerns over a great meal, but it is a time for seniors to get together and enjoy themselves. We had performances from local entertainment groups, speeches and karaoke. It was a wonderful time for all involved.

I have also introduced H.R. 3794, the Expanding Opportunities for Older Americans Act of 2011. This bill would amend the Older Americans Act of 1965 to include government funding to hire seniors who still wish to be working and active. Although seniors have already given so much, I truly believe they have much more to offer.

Older Americans Month is also a great time to bridge the generation gap. Children to young adults can learn so much from the older generation, but they rarely interact in everyday life. There is so much valuable knowledge the young people from this country can receive from the older generation, and this is an opportunity for people of all ages to get out there and interact together.

This month also gives me a chance to address an issue of key importance; caring for seniors with chronic illness and preventing unnecessary hospitalizations. In-home care can make a huge difference in recovery from illness and inpatient hospital treatments. Being around family and in the comfort of one's own home makes these traumatic experiences that much less painful.

Mr. Speaker, the majority of the skilled home healthcare providers in my district deliver high-quality, clinically effective and highly efficient care. In-home care is so important for the seniors who would otherwise be forced into hospitals without it.

As an elected official I want to make sure that Medicare funds in my district are going to those who qualify and deserve it, so we can continue to provide the best care for our seniors. With such a tough economic outlook throughout the nation it is of vital importance that we are not handing money over to criminals who are trying to play the system.

Mr. Speaker, after decades of paying taxes and working hard so that they will have security in retirement, the seniors of America deserve our full support. I hope every community takes this month to plan at least one event supporting the older generation, and bringing people of all ages together.

This month I honor the seniors of the 37th district of California, as well as all seniors across the country. Thank you for all you do, and do not forget, ''It is never too old to play''.

RECOGNIZING THE RIVERHEAD BLUE WAVES

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise to congratulate the Riverhead Blue Waves Girls Basketball Team on their history-making 2011–2012 season.

The Blue Waves of Riverhead, New York went all the way to the state Class AA Final Four tournament in Troy, New York, a first in the team's history and a truly remarkable achievement. Along the way they won the

2012 Long Island Championship in a 56–50 victory over the Baldwin Bruins amidst waves of cheering fans known as the "Blue Krew." They also won the Suffolk County Class AA championship, and the Suffolk County Section XI championship, finishing the season with a 23–2 record.

Their coach, Dave Spinelli, was named Suffolk County Coach of the Year, and senior guard Jaylyn Brown was named a first-team All-Long Island player. The team was named a New York State Scholar Athlete team for the seventh consecutive year with a team grade-point average this year of 93.1.

Hailed as hometown heroes, the athletes were honored with a parade down East Main Street sponsored by the Riverhead Central School District and the Town of Riverhead on April 29th, and the entire day was designated a day of celebration. Riverhead School Board vice president Greg Meyer said the team acted as a catalyst for the entire community. "The girls played their hearts out for their team and for this community, and the residents of Riverhead and the rest of the school district came together to support the team in a major way."

Mr. Speaker, I am proud to have such a talented and dedicated group of young athletes in my congressional district. They demonstrated commitment, teamwork, leadership and serve as role models for their community, proving that with hard work and a good defense, dreams do come true.

HONORING MADISON WEAVER

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Madison Weaver is a senior at Clements High School in Fort Bend County, Texas. His essay topic is: In your opinion, what role should government play in our lives?

Government is defined as the political direction and control exercised over the actions of the members, citizens, or inhabitants of communities, societies, and states. In other words, the government is the ultimate source of authority in our country. However, I believe that this power should be used with restraint. I also believe that government should focus on protecting the people, instead of controlling the people.

Helping secure jobs and keeping companies in business is something the U.S. government has been promoting heavily in the past few years. With the passing of the 'bail-out' bill, numerous corporations, that would have otherwise failed, were saved by the government's decision to give them enough money in order to stay afloat. Consequently, millions of people were able to keep their jobs. But what does that say about our government? Is it humanitarian that our government reacts in order to save those companies and jobs? No, in fact this shows that our government is pushing forth its own agenda of what will be produced in America.

The fine line between government protecting and controlling is the difference in outcome. Protecting, will ultimately promote a healthier economy; while controlling, will produce quicker results, yet negative, long-term effects. For instance, by giving money to banks that made numerous bad loans, was essentially saying that it was 'ok' to make bad business decisions. Also, by giving money to the auto industry, was essentially saying that it was 'ok' to make products that people didn't want. Yes, the government was able to save many businesses, and countless jobs; but do we want failed businesses to operate in America? The answer is, ''no''!

Instead of looking at every business failure as a sign of weakness of the government, we need to see to the failures and embrace them too. Without the fear of failure, there is no drive for success. Therefore, we need to have failures, recessions, and yes, even job losses in order to drive people to succeed and make our country better. I believe that the government has done us more harm than good in attempting to control the recession. By stepping back and letting the business cycle run its course, only then can government truly guide our country to a more productive America.

PERSONAL EXPLANATION

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, on roll call No. 250, due to other representational obligations in Hannibal, Missouri, I had to miss this vote.

Had I been present, I would have voted "yea."

H.R. 5746, A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO MODIFY CERTAIN RULES APPLICABLE TO REAL ESTATE INVESTMENT TRUSTS; TO THE COMMITTEE ON WAYS AND MEANS

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. TIBERI. Mr. Speaker, along with my colleague from Massachusetts, Representative NEAL, and Representatives SAM JOHNSON, CHARLES RANGEL, DEVIN NUNES, PETE STARK, DAVE REICHERT, JOHN LEWIS, PETER ROSKAM, EARL BLUMENAUER, JIM GERLACH, RON KIND, AARON SCHOCK, JOSEPH CROWLEY, LYNN JENKINS and ERIK PAULSEN, I rise today to introduce the Update and Streamline REIT Act (U.S. REIT Act). Congress created real estate investment trusts (REITs) in 1960, with the goal of providing Americans from all walks of life a transparent and liquid way to access the income and diversification benefits of investments in commercial real estate.

Periodically over the past fifty years, Congress has enhanced and improved the REIT rules as the real estate industry and marketplace has evolved, typically with non-controversial legislation that attracts significant bipartisan support. In that vein, the last REIT update was introduced in 2007.

A number of publicly traded REITs are headquartered in my home state of Ohio, and listed REITs as a whole have invested over $8 billion dollars to date in Ohio malls, office buildings, health care, hotel, self-storage and other properties. This investment by REITs creates jobs, improves local economies; and helps to support and beautify our communities.

The U.S. REIT Act has been developed over a lengthy period. It has considerable bipartisan support and is largely revenue neutral. If enacted, it would increase flexibility and remove certain redundant and unnecessary restrictions on REIT activities, in order to enable REITs to continue to achieve the goals on behalf of their shareholders set for them by Congress over fifty years ago.

H.R. 5746, A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO MODIFY CERTAIN RULES APPLICABLE TO REAL ESTATE INVESTMENT TRUSTS; TO THE COMMITTEE ON WAYS AND MEANS

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. NEAL. Mr. Speaker, I rise today to highlight a bill that I'm introducing with my good friend and colleague from Ohio, Representative TIBERI, the Update and Streamline REIT Act (or U.S. REIT Act). I think it's important to note that the precursor to today's REITs began as Massachusetts business trusts over a hundred years ago. In 1960, an Act of Congress democratized investment in real estate, an asset class that had traditionally only been available to institutional investors and the wealthy, by authorizing the creation of REITs, widely-held entities that own and operate large-scale, income-producing real estate.

Since the Congressional authorization of REITs in 1960, Congress periodically has updated the REIT rules in a bipartisan manner to enable the industry to adapt to a changing marketplace and to evolve consistent with its original mandate. The U.S. REIT Act would continue that tradition.

Among other things, consistent with a provision in the Obama Administration's FY 2012 and FY 2013 Budgets, and Congressional repeal of a similar rule for publicly offered mutual funds in 2010, the U.S. REIT Act would repeal the preferential dividend rule for "publicly offered" REITs. Publicly traded REITs as a whole have invested over $18 billion to date in a variety of Massachusetts properties, including malls, office buildings, health care,

hotel, self-storage and other properties. As a former mayor, I recognize that these companies and their tenants are the bedrock of local economies, improving communities, advertising locally, and generating property and sales taxes that support local schools districts and first responders.

I am proud to have been a co-sponsor of legislation over the years that have refined the REIT rules to ensure that REITs can continue to provide the benefits envisioned by Congress to investors from all walks of life, and I am proud to co-sponsor this legislation.

I urge my colleagues to join me in supporting the U.S. REIT Act.

HONORING THE LIFE AND LEGACY OF CHARLES W. COLSON

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. PENCE. Mr. Speaker, I rise today with a heavy heart to pay tribute to a man we remembered just a few short hours ago at the National Cathedral here in Washington, DC.

The Good Book says, ''Render therefore to all their due . . . honor to whom honor.'' Charles W. Colson is certainly worthy of honor and esteem.

The earthly life of this consequential American has come to an end and I mark this occasion with a sense of profound personal loss.

Chuck Colson rose to the heights of political power and fell to the depths of disgrace. But in his fall, he found redemption in the gospel of Jesus Christ. Given a second chance, Chuck Colson devoted his life to carrying the Christian message of second chances to those in prison, and he saw countless lives changed by his compassion and example.

His voice of moral clarity was an inspiration to millions of Americans and made him an invaluable counselor to leaders in government and business. I will always count it a privilege to have been able to call him my dear friend and mentor. His dedication to moral integrity, serving his fellow man and his steadfast faith have always and will always be an inspiration to me and my family.

Karen and I offer our deepest condolences to Patty, the whole Colson family and to all who mourn the loss of Chuck Colson.

25TH ANNIVERSARY OF THE COURT APPOINTED SPECIAL ADVOCATES OF MORRIS AND SUSSEX COUNTIES

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Court Appointed Special Advocates for Children of Morris and Sussex Counties as they celebrate their 25th anniversary.

Court Appointed Special Advocates, CASA, was created in 1977 to address the issue of abused and neglected children within the court system. The founder, David Soukup, a Seattle Superior Court Judge, raised concerns over making decisions on behalf of abused and neglected children without enough information. To gain more knowledge he called for volunteers to investigate the cases, make recommendations and speak on behalf of the child about what would be in his or her best interest.

It quickly became clear that CASA volunteers provided the abused or neglected children a constant adult presence that supported them by advocating for their needs within the court system. According to the CASA mission statement, CASA's intent is to ''speak up for the best interests of children who have been removed from their homes due to abuse and neglect. We recruit, train, and supervise community volunteers who provide a voice in court to assure each child a safe, permanent, and nurturing home.''

CASA of Morris County began in 1987 by the National Council of Jewish Women and later merged with the Sussex County chapter in 1996. In the last fiscal year the CASA of Morris and Sussex Counties served 354 children helping 108 reach permanency, which includes reunification with birth parents, adoption, kinship legal adoption, or independent living. Out of the 15 CASA chapters in New Jersey, the Morris and Sussex Counties chapter serves the largest percentage of children in out-of-home placement.

For 25 years, the CASA of Morris and Sussex Counties has kept children from falling through the cracks of the court system and helped them gain a stable family structure. In the past year, CASA lists among their accomplishments helping four siblings reunite with their parents in a safe environment with two of the siblings attending summer camp on scholarships, a four-year-old child who spent the first three years of her life in five different foster homes was able to be adopted into a loving family, and an abandoned 16-year-old was able to find a part-time job, educational assistance, and a path to independent living.

CASA of Morris and Sussex Counties is proud that their 25 years of work has always focused on the tenet of ''every child can thrive in the safe embrace of a loving family.'' CASA has been able to provide the opportunity for abused and neglected children of Northern New Jersey to overcome their circumstance and mature into successful and caring adults.

Mr. Speaker, I ask you and my colleagues to join me in recognizing Court Appointed Special Advocates of Morris and Sussex Counties on their 25th anniversary.

HONORING THE ORIGINAL FLORIDA HALL OF FAME HIGHWAYMEN

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize and honor the Original Florida Hall of Fame Highwaymen. They are a group of 26 named and listed landscape artists who have been called ''The Last Great American Art Moment of the 20th century.'' These self-taught and self-mentoring African American Artists were able to define themselves against the many racial and cultural barriers of the time in which they painted, and created a body of work of over two hundred thousand paintings.

The Original Florida Hall of Fame Highwaymen, from Fort Pierce, Florida, began painting in the early 1950s and created large numbers of relatively inexpensive landscape paintings, which were done using construction materials rather than art supplies. As no galleries would accept their works, they sold them in towns and cities and along roadsides throughout Florida, often still wet, out of the trunks of their cars.

Following the death of one of their members in 1970, the remaining members created fewer works and productivity waned. However, after being re-discovered in the 1990s, they have become celebrated for their idyllic landscapes of natural settings in Florida.

In 2004, the 26 Original Florida Hall of Fame Highwaymen were inducted into the Florida Artist Hall of Fame. In addition to becoming part of Florida's culture and history, they have also received international recognition.

Eight of the original members are now deceased, but the remaining members, most now into their 70s and 80s, continue to paint, to this day. Despite racial barriers and obstacles, their success and longevity are remarkable.

Please join me in honoring the Original Florida Hall of Fame Highwaymen, for their dedication to their craft and their contributions to art in the State of Florida and around the world.

THE SECOND INAUGURATION OF PRESIDENT MA YING-JEOU

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I am truly honored to recognize the second inauguration of President Ma Ying-jeou, which will take place on May 20, 2012. I join with the people of Taiwan in celebrating this historic occasion.

Since the Taiwan Relations Act of 1979, the United States and Taiwan have focused on creating a harmonious bilateral relationship. While our two countries have continued to share strong relations, we have been able to further strengthen our ties under President Ma's leadership.

I am pleased to note several positive developments that taken place over the course of President Ma's first term, including being recognized by the World Health Organization as an observer to the World Health Assembly. This important recognition has given Taiwan an avenue in which to address the health issues affecting its country.

Furthermore, the United States has increased trade relations with Taiwan, and U.S. agricultural and food products now account for

over 30 percent of Taiwan's agricultural imports. These gains could not have been achieved independently, and such positive outcomes would not be possible without the collaboration and cooperation of President Ma's government.

Mr. Speaker, again I want to congratulate President Ma on his second term in office. I look forward to continuing my work with the President and his government to ensure a peaceful and prosperous Taiwan.

IN COMMEMORATION OF ASIAN/PACIFIC AMERICAN HERITAGE MONTH

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Ms. HIRONO. Mr. Speaker, I rise in commemoration of Asian/Pacific American Heritage Month.

This month recognizes that our country's strength comes from the diverse talents, cultures, and ideas of its people. In Hawaii, it is this very diversity that helps drive our State forward and is the basis of our rich local culture.

We honor the indigenous people of Hawaii and the Pacific islands and the Asian immigrants who have come to America seeking opportunity and freedom. Key anniversaries in the history of Asian Americans and Pacific Islanders occur in May, including the arrival to the U.S. of the first Japanese immigrants in 1843.

As an immigrant myself, I know firsthand the challenges—and the opportunities—that so many faced when they came to America.

My mother, brothers, and I arrived with little more than the clothes on our back and my mother's determination to build a better life for her children.

Asian Americans and Pacific Islanders have found success in all walks of life. In government alone, we recognize Senator INOUYE, president pro tempore, who chairs the U.S. Senate Committee on Appropriations; Patsy Takemoto Mink, the first woman of color in Congress, whose Title IX legislation ensured education equity for women and girls; and Prince Jonah Kūhiō Kalaniane'ole, whose leadership led to the creation of the Department of Hawaiian Home Lands with the passage of the Hawaiian Homes Commission Act, 1920.

These distinguished leaders aren't just a source of pride for the AAPI community, they also inspire a Nation. I am proud to celebrate the accomplishments of all Asian and Pacific Islander Americans and look forward to seeing the trailblazers of the future.

PERSONAL EXPLANATION

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. MCINTYRE. Mr. Speaker, I was unable to vote on May 15, 2012. Had I been present, I would have voted "yes" on roll call Nos. 250, 251, and 252.

SUPPORTING NOAA'S CLIMATE COMPETITIVE RESEARCH, SUSTAINED OBSERVATIONS AND REGIONAL INFORMATION PROGRAM

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. POLIS. Mr. Speaker, I rise today in support of NOAA's Climate Competitive Research, Sustained Observations and Regional Information program, which was unfortunately cut by $26 million from the President's Fiscal Year 2013 budget request in the Commerce, Justice, Science FY13 Appropriations bill.

While I appreciate the funding included in this bill for NOAA's satellite programs, NASA, NIST, and NSF, and thank my colleagues who supported these programs, I urge them to work with me to restore the $26 million cut in this important climate research program.

In March, I joined 28 of my House colleagues in writing to the House Appropriations Subcommittee on Commerce, Science and Justice in support of the full budget request for this program.

NOAA's competitive climate program contributes to local, regional, national, and global weather and water outlooks. These are relied upon by key decision makers in cities and States throughout the country in areas such as agriculture and power generation. The State of Colorado is not only the home to world-class research institutions whose researchers are supported by this funding, but it is also a user of this information for vital natural resource governance decisions.

The southwest has experienced persistent drought conditions over the last three decades. Temperatures in Colorado have increased two degrees during the same time, a trend that will likely persist. Colorado has also experienced earlier snow melting, which desiccates our reservoirs, contributing to increased demand for water for personal and agricultural use, and increased flooding risk.

The agricultural community, water resource managers, and power suppliers across Colorado rely on the monitoring, observation, and analysis supported by this funding line to inform decisions that directly affect the health of the economy.

The importance of this need was recognized in a Memorandum of Understanding between the Western Governors Association and NOAA to provide climate information to western states to help them mitigate disaster situations stemming from flood, drought, and fires.

This Climate Competitive Research, Sustained Observations and Regional Information program also supports critical ocean observing systems, as data has shown that the highly dynamic relationship between oceans and the atmosphere affects weather and climate shifts over land. It also supports satellite calibration and validation which inform the most accurate satellite observations.

Importantly, many American businesses rely on this funding to create and manufacture environmental observing equipment.

I recognize that we must make difficult choices in our current fiscal environment. Supporting this program will continue our investments in research, observations, and modeling to help States and businesses manage environmental risk and reduce future expenses from natural disasters.

I urge my colleagues to consider restoring funding to NOAA's Climate Competitive Research, Sustained Observations and Regional Information program before this spending bill is enacted into law.

RECOGNIZING THE REPUBLIC OF CHINA (TAIWAN) AND ITS PRESIDENT, MA YING-JEOU

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. ROSKAM. Mr. Speaker, I rise today to recognize the Republic of China (Taiwan) and its President, Ma Ying-jeou, on the impending inauguration of his second term on May 20, 2012. I had the distinct pleasure of meeting President Ma in October of 2011, and I wish him and the Taiwanese people well during his second term of office.

The friendship enjoyed by the United States and Taiwan rests upon a strong foundation of democracy, trade, and security. Through the elections held on January 14, 2012 and the inauguration on May 20, Taiwan is reaffirming that commitment to democracy and that is something that should be held up as an example for others in the region and the world at large.

President Ma's first term was marked by many successes, including securing observer status with the World Health Assembly and increasing trade and reducing tensions in the East Asia region. I look forward to working with my colleagues in the House of Representatives to ensure that the U.S.-Taiwan relationship grows and strengthens and that Taiwan remains a safe, strong, and stable ally in the region.

Please join me in congratulating President Ma and in wishing him a successful second term as he guides the Republic of China (Taiwan) for the next four years.

STATEMENT ON H.R. 4970

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. KEATING. Mr. Speaker, although I support the Services, Training, Officers, Prosecutors (STOP) grant program, I regretfully had to vote no on final passage of the Violence Against Women Act Reauthorization (VAWA). Even with the changes in the manager's amendment, the bill that came to the floor today remains a partisan, extremist bill that provides far fewer protections for domestic violence victims than the strong, bipartisan Senate-passed bill.

This bill would put victims of domestic violence in greater danger by rolling back key

protections in current law and by excluding entire populations of women, particularly in the LGBT and Native American communities, from these valuable victim protections. Even though VAWA is a critical grant program, I could not support the House GOP version, as such I voted "nay."

PERSONAL EXPLANATION

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 16, 2012

Mr. YARMUTH. Mr. Speaker, I was unable to cast the recorded vote for roll call No. 235. Had I been present, I would have voted "no" on this measure.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 17, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 21

2:30 p.m.
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine national security, focusing on foreign language capabilities in the Federal government.
SD–342

MAY 22

9:30 a.m.
Armed Services
Sea Power Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine implementing derivatives reform, focusing on reducing systemic risk and improving market oversight.
SD–538

Energy and Natural Resources
To hold hearings to examine the report produced by the American Energy Innovation Council titled ''Catalyzing American Ingenuity: The Role of Government in Energy Innovation'' and related issues.
SD–366

11 a.m.
Armed Services
Readiness and Management Support Subcommittee
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SD–G50

2 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

2:30 p.m.
Appropriations
State, Foreign Operations, and Related Programs Subcommittee
Business meeting to markup proposed budget estimates for fiscal year 2013 for Department of State, Foreign Operations, and Related Programs.
SD–138

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

3:30 p.m.
Armed Services
Airland Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

5 p.m.
Armed Services
Personnel Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

MAY 23

9:30 a.m.
Armed Services
Strategic Forces Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2013.
SR–232A

10 a.m.
Judiciary
Administrative Oversight and the Courts Subcommittee
To hold hearings to examine protecting our children, focusing on the importance of training child protection professionals.
SD–226

Appropriations
Department of Defense Subcommittee
To hold hearings to examine the fiscal year 2013 Guard and Reserve budget overview.
SD–192

Finance
To hold hearings to examine progress in health care delivery, focusing on innovations from the field.
SD–215

Foreign Relations
To hold hearings to examine The Law of the Sea Convention (Treaty Doc. 103–39), focusing on the United States National Security and Strategic Imperatives for Ratification.
SD–419

Veterans' Affairs
To hold hearings to examine seamless transition, focusing on a review of the Integrated Disability Evaluation System.
SD–562

10:30 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the Secret Service, focusing on trust and confidence.
SD–G50

2 p.m.
Banking, Housing, and Urban Affairs
Security and International Trade and Finance Subcommittee
To hold hearings to examine reviewing the United States-China strategic and economic dialogue.
SD–538

2:30 p.m.
Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2013.
SR–222

Judiciary
To hold hearings to examine certain nominations.
SD–226

MAY 24

9 a.m.
Intelligence
Closed business meeting to consider pending calendar business.
SH–219

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2013.
SR–222

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine programs and services for native veterans.
SD–628

MAY 25

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2013.
SR–222

JUNE 7

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine Universal Service Fund Reform, focusing on ensuring a sustainable and connected future for native communities.
SD–628

JUNE 28

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine creating positive learning environments for all students.
Room to be announced

SENATE—*Thursday, May 17, 2012*

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Savior, like a shepherd lead us, much we need Your tender care. Lead our Senators today away from cautious complacency and from impulses which can bring regrets. Lead them toward the freedom that trusts Your providence and believes that in everything You work for the good of those who love You.

Lord, give us all, by Your grace, pure hearts that love only the highest and clean minds that seek only the truth. Let nothing deflect us from Your path so we will always follow You and never lose our way.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 17, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THE FOOD AND DRUG ADMINISTRATION SAFETY AND INNOVATION ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 400.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 400, S. 3187, a bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

Mr. REID. Mr. President, we are now on the motion to proceed to FDA user-fees legislation.

I ask unanimous consent that following my remarks and those of the Republican leader, the time until 10:30 a.m. be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, at 10:30 a.m. today the Senate will proceed to executive session to consider the Stein and Powell nominations, both nominees to the Board of Governors at the Federal Reserve system. At noon, there will be two votes on the confirmation of their nominations. At this stage, there likely will be no more votes after that, but we will keep everyone advised as to what is going to happen.

Mr. President, when someone we love gets sick, the only thing on your mind is how to help them get well, how to get them the care they need.

But before every miracle drug or innovative new device comes to market, there is a rigorous approval process to make sure that device or that medicine is going to be safe. To get lifesaving drugs and devices to the patients who need them as quickly and efficiently as possible, Congress must give the Food and Drug Administration the tools it needs to review and approve these products. Today the Senate will begin consideration of legislation which gives FDA the resources to ensure medical devices, drugs, and treatments are safe and effective.

I applaud the work of my colleagues Senator HARKIN and Senator ENZI to bring this legislation to the floor. These two fine Senators have different political philosophies on things generally, but they work well on this committee and I am very proud of each of them. I consider them both friends. And bringing this bill to the floor in the manner they did is indicative of the work that needs to be done around here more often. So I hope to see the strong bipartisan effort these two Senators began continue as the Senate considers this important legislation.

The Food and Drug Administration Safety and Innovation Act authorizes the FDA to charge manufacturers of new medical devices user fees. These fees are used to ensure their products are reviewed quickly and thoroughly before they are approved. But this legislation does more than maintain the status quo; it also enacts crucial reforms that will prevent drug shortages and bring the lifesaving medicines to market more quickly, it will save high-tech jobs in the medical field, make new treatments available to patients quickly, and preserve America's role as a global leader in biomedical innovation.

The legislation will expedite the processes of approving new drugs and medical devices—including many designed for children—while ensuring these products are safe for consumers. It will help spur the innovations that bring the next groundbreaking cancer or Parkinson's drug to market.

The bill will hold foreign manufacturers who sell drugs in the United States to the same high standards met by American companies. This is extremely important because of all the misleading attempts by these manufacturers to sell them on the Internet.

It will help prevent drug shortages by opening the lines of communication between manufacturers and the FDA. The Senator from Minnesota, Senator KLOBUCHAR, and the junior Senator from Pennsylvania, Senator CASEY, have been leaders in this drug shortage issue, and I applaud them. They are doing this to safeguard Americans' health. Every day hospitals across the country experience shortages of lifesaving FDA-approved drugs and treatments.

As most Senators know, my wife has been ill with cancer and she had 20 weeks of chemotherapy. Every week, we were worried that the drugs wouldn't be there on that Monday morning at noon when she got those treatments. Fortunately for us, they were. But that isn't the way it is with everyone around the country. People who need these lifesaving medications

have found those medicines not available, and we have to do everything we can to stop that.

These shortages threaten public health and prevent patients from getting the care they need. The shortage of one drug used to treat a rare form of childhood leukemia—a drug that is an effective cure in 90 percent of those cases—has literally put young lives at risk by not having those drugs. And when I say a 90-percent cure rate, it is amazing. One of my high school buddies had a son who was playing Little League baseball. Running around the bases, he couldn't do it. This was a macho family with all these tough boys in the family, and they were concerned that he was not being as aggressive as he should be. He had leukemia, and this boy died. There was nothing they could do for him. He died. Now 90 percent of these cases are cured.

I have spoken on the floor before—others have—there is one form of leukemia that has been almost stopped in its tracks by the scientists discovering a bush called periwinkle, and they use the products from that little weed to cure cancer.

We need to do everything we can to make sure these lifesaving drugs are available. No mother or father should have to watch a child suffer as he waits for a lifesaving medicine. But as the number of drug shortages increases each year, more parents wait and worry; more husbands and wives and daughters and sons wait and worry.

In 2005, the FDA reported shortages of 55 medications. Last year, the number jumped to 231, including the leukemia drug I mentioned and some chemotherapy medicines. These shortages are caused by a variety of factors: problems with factories, limited manufacturing capacity, or lack of raw materials.

Another thing we have learned is the manufacturers of these products want to be able to sell everything. They don't want to waste valuable money on storing medicines. One of the big businesses that used to be in America is warehouses storing things. In Reno, NV, we were a big warehouse storage area because we had no tax on storage. But anymore, there is not as much being stored because manufacturers determined that is a waste of money. That is one of the things that happened with these pharmaceuticals.

Some, though, are caused by a lack of financial incentive—or profit motive is what it is. There is nothing wrong with that, but companies simply don't manufacture enough because they don't make enough money.

Public awareness and pressure have prompted drugmakers to voluntarily notify the FDA of any impending shortages, preventing almost 200 more shortages last year than I just talked about. But Congress can, and must, do more to improve communication with drugmakers, the FDA, and hospitals providing this crucial care.

Passing this legislation without delay will be a leap forward in that process. That is why last night I said—and I say today—I hope we don't have to file cloture on a motion to proceed to this lifesaving legislation. Let's get on this legislation. If we have to vote on cloture on this Monday, then we can't get on this until Wednesday and start legislating. How foolish.

We will have amendments. I have had a number of Republican Senators come to me and say, We want to be able to offer amendments, relevant amendments. Good. Let's do it. If someone has a problem with this bill, don't stop us from going to it; offer an amendment. If it is a worthy cause, we will vote with him or her and get rid of what is in that legislation. But don't hold up the legislation.

I would hope my Republican colleagues talk to one of the Senators who is holding us up and say, Don't do that; it is making us, the Republicans, look bad. And it does.

I hope we can get on this legislation and work to make the health care delivery system in America more effective and efficient.

Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10:30 will be equally divided between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

The Senator from Kansas is recognized.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as if in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SECOND AMENDMENT SOVEREIGNTY ACT

Mr. MORAN. Mr. President, our Nation's Founding Fathers amended the U.S. Constitution more than two centuries ago to guarantee a bill of rights for its citizens. Since then, our democracy has stood strong and Americans have enjoyed liberties and freedoms unparalleled in the world, including the fundamental right to keep and bear arms guaranteed by the second amendment to the U.S. Constitution.

Today our freedoms and our country's sovereignty are in danger of being undermined by the United Nations. To ensure our liberties remain for generations, today and for the future, I am offering legislation to protect the rights of American gun owners from the effects of any U.N. arms treaty.

In October of 2009, at the U.N. General Assembly, the Obama administration voted for the United States to participate in negotiating an arms trade treaty—a reversal of the previous administration's position. This treaty is supposedly intended to establish ''common international standards for the import, export and transfer of conventional arms,'' including tanks, helicopters, and missiles. However, by threatening to include civilian firearms within its scope, the arms trade treaty would restrict the lawful private ownership of firearms in our country. Whether that is true depends upon what the treaty actually says.

Less than 2 months from now, the U.N. Conference on Arms Trade Treaty will take place in New York, and that presumably will determine the language that is ultimately included as the treaty will be finalized for its adoption.

Given where the process stands today, I am concerned that this treaty will infringe upon the second amendment rights of American gun owners. I am also concerned it will be used by other countries that do not share our freedoms to wrongly place the burden of controlling international crime and terrorism on law-abiding American citizens.

Currently, proposals being considered by the preparatory committee at the U.N. would adversely affect U.S. citizens. I have several concerns with these proposals. First, there have been regular calls for bans or restrictions on the civilian ownership of guns Americans use to hunt, target shoot and defend themselves.

Second, by requiring firearms to be accounted for throughout their lifespan, the Arms Trade Treaty could lead to nationwide gun registration. This despite evidence that the costly bureaucratic system has been a complete failure in solving any crimes or stopping criminals from getting access to guns everywhere it's been tried.

Third, other proposals could require the marking and tracking of all ammunition, including ammunition for civilian sale and use.

To make sure that our country's sovereignty and the rights of American gun owners are protected as the administration negotiates this treaty, I have sponsored S. 2205, the Second Amendment Sovereignty Act. This legislation is simple.

First, it says that the administration cannot use the ''voice, vote and influence of the United States'' to negotiate a treaty that in any way restricts the second amendment rights of American citizens. This is a commonsense requirement that even the Obama administration maintains.

In an August letter I received from the U.S. State Department, they wrote:

> The Administration will not agree to a treaty that will infringe on the constitutional rights of American citizens . . . We will not agree to treaty provisions that would alter or diminish existing rights of American citizens to manufacture, assemble, possess, transfer, or purchase firearms, ammunition, and related items.

This bill will hold them to that pledge.

Second, S. 2205 specifically prohibits the administration from seeking to negotiate a treaty that regulates the domestic manufacture, possession, or purchase of firearms and ammunition. In other words, this bill seeks to maintain the sovereignty of our laws within our borders. U.N. member states regularly argue that no treaty controlling the transfer of arms internationally can be effective without controls on transfers inside a country's own borders. This is unacceptable.

Again, the administration claims to agree, saying it ''will oppose any effort to address internal transfers.'' Congress should hold them to this pledge. At stake is our country's autonomy and the rights of American citizens protected under the Constitution.

More specifically, this legislation seeks to ensure that U.S. citizens will not be subjected to restrictions on the use or possession of civilian firearms and ammunition. It prohibits the administration from negotiating a treaty that would result in domestic regulations on civilian firearms like hunting rifles that are often mischaracterized as ''military weapons,'' ''small arms,'' or ''light arms.'' Civilian firearms must be excluded from the Arms Trade Treaty.

Preparatory committee meetings have made it clear that many U.N. member states aim to craft an extremely broad treaty that includes civilian firearms within its scope. For example, Mexico and several countries in Central and South America have called for the treaty to cover ''all types of conventional weapons (regardless of their purpose), including small arms and light weapons, ammunition, components, parts, technology and related materials.''

If those provisions were included in a treaty, that treaty would be incredibly difficult to enforce, and would pose dangers to all U.S. businesses and individuals involved in any aspect of the firearms industry, from manufacturers to dealers to consumers.

I urge my colleagues in the Senate to adopt this commonsense legislation. On July 22 of last year, 57 U.S. Senators joined me in reminding the Obama administration that our firearm freedoms are not negotiable.

We notified President Obama and Secretary of State Clinton of our intent to oppose ratification of a treaty that in any way restricts Americans' second amendment rights. Our opposition is strong enough to block the treaty from passage, as treaties submitted to the U.S. Senate require two-thirds approval to be ratified.

As the treaty process continues, the Second Amendment Sovereignty Act seeks to further reinforce to the administration that our country's sovereignty and firearm freedoms must not be infringed upon by an international organization made up of many countries with little respect for gun rights. America leads the world in export standards to ensure arms are transferred for legitimate purposes and my bill will make certain that law-abiding Americans are not wrongfully punished.

In the days ahead, I will continue to work with my colleagues to ensure an Arms Trade Treaty—if negotiations result in one—that undermines the Constitutional rights of American gun owners is dead on arrival in the Senate.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

A SECOND OPINION

Mr. BARRASSO. Mr. President, I come to the floor today, as I have week after week since the President's health care law was signed, to talk as a doctor, someone who has taken care of patients all around Wyoming, someone who has run the Wyoming health fairs, giving low-cost medical screenings to thousands of citizens around our State, and someone who knows we need health care reform in a way that gives patients the care they need from the doctor they want at a cost they can afford. There were so many promises made with this health care law that I come week after week because there are so many broken promises.

Today I want to remind the body that the former Speaker of the House, NANCY PELOSI, once predicted that the health care reform ''will create 4 million jobs; 400,000 jobs almost immediately.'' It is now 2 years later, and we know that actually the exact opposite is happening. We continue with high unemployment. We continue with people out of work, unemployed, underemployed, and the promise both from the President of new jobs and of NANCY PELOSI of 4 million jobs is another broken promise. Instead of creating jobs, this new law is destroying jobs all across the country. You say, how is it they can actually be destroying jobs? That is exactly what we are seeing as a result of the health care law.

Recently, columnist George Will wrote about how the President's law will impact Cook Medical. It is the world's largest family-owned medical devices company. He explained in his column that the Democratic Congress ''included in the legislation''—and all the people on that side of the aisle voted for this—''included in the legislation a 2.3 percent tax on gross revenue''—that is not profits, that is gross revenue—''which generally amounts to about a 15 percent tax on most manufacturing profits—from U.S. sales in medical devices beginning in 2013.'' So it is something that is happening very soon. ''This will be piled,'' as he said, ''on top of the 35 percent federal corporate tax, and state and local taxes.''

Mr. Will went on to say that this 2.3 percent tax will be a $20 billion blow to an industry that employs more than 40,000 people, and $20 billion is almost double the industry's annual investment in research and development.

We want them to do research. We want development. We want new and innovative treatments that will actually help people. Instead, this administration—the Democrats in Congress in the House and the Senate and the President of the United States—put on a 2.3-percent tax, a $20 billion blow to those who do the research and the development. This tax is going to lead to ''fewer jobs but also fewer pain-reducing and life-extending inventions—stents, implantable defibrillators—which all have reduced health care costs.''

That is a quote from the article.

Cook Medical is not the only medical device company that is bracing for the President's new penalty on jobs and innovation. In fact, let's take a look at some of those.

Boston Scientific is planning for more than a $100 million charge against earnings in 2013. They recently built a $35 million research and development facility. This is called Boston Scientific—Boston. Where did they build their research center? Ireland. And they are building a $150 million factory called Boston Scientific in China. That is as a result of what we see with this health care law and the impact of what this administration is doing to jobs in America.

Stryker Corporation, based in Michigan, blames the tax for 1,000 layoffs.

Zimmer, based in Indiana, is laying off 450 and taking a $50 million charge against earnings related to this tax.

These are companies that, as an orthopedic surgeon, I say have made new advances in technologies, in artificial joints over the years I have practiced in Wyoming. These are companies that have longstanding reputations. Yet they are laying off people because of the new Medicare law—American workers.

Medtronic expects an annual charge against earnings of $175 million.

Other companies—Covidien, now based in Ireland, has cited the tax in explanation of 200 layoffs and a decision to move production to Costa Rica and to Mexico.

Once again, the column by Mr. Will makes it clear that the President's health care law is destroying jobs and is having a devastating impact on our economy.

In March, Senator COBURN and I released our third health care law oversight report. We entitled the report

''Warning: Side Effects, A Check-Up on the Federal Health Law.'' One chapter in our report is dedicated to the health care law's job-killing Medicare device tax. It is a tax the analyses predict will negatively impact job creation and also—incredibly important for people around this country—will stifle medical innovation.

As an orthopedic surgeon, I can tell you that I have seen firsthand how cutting-edge technology saves lives and also supports jobs across the country. Scientists have invented medical devices, such as pacemakers, defibrillators, and artificial joints, that have improved the quality of life for so many Americans. But now, today, because of this health care law, the future of the medical device industry in America is under attack. In September of 2011, the Manhattan Institute issued a report showing the devastating impact the President's device tax will have on industry. The Manhattan Institute's report shows the medical device tax will eliminate at least 43,000 American jobs. This number represents more than 1 out of every 10 jobs in the device manufacturing sector. It is not a record the Democrats should be proud of, but it is clearly a record caused by the other side of the aisle, the Democrats, and specifically the President who signed this bill into law.

Not only will this tax kill 43,000 jobs, workers are going to lose about $3.5 billion in wages. This is money these workers could have spent in their local communities to help the economy of those communities and, therefore, the Nation's economy.

So what does all this mean to U.S. device manufacturers? Well, these companies are more likely to close their plants in the United States. They will close the plants here and do what others have done: replace them with plants overseas. Foreign manufacturers will improve their competitiveness compared to American firms. This will severely threaten U.S. leadership in the device industry and in the world. Do we want to see plants closing at high-tech medical device research facilities in States such as Massachusetts, Pennsylvania, Minnesota, New Jersey, New York, and Wisconsin?

Finally, the President's medical device tax is going to increase costs to American consumers. These are the American consumers who said what they wanted with the health care law is care they need, the doctor they want, at a price they can afford. Yet this health care law is going to increase costs to American consumers. The Congressional Budget Office has warned that the health care law's tax imposed on medical device manufacturers and drug manufacturers and health insurance providers would be passed through to the consumers in the form of higher insurance premiums. Wasn't it the President who promised that under his health care law insurance premiums would lower by $2,500 a year? Is that a promise the President and Democrats in Congress have forgotten? The American people have not forgotten, which is why the health care law is even more unpopular today than the day it was signed into law.

The administration's own Medicare Chief Actuary, Richard Foster, came to the same conclusion. He estimated these taxes could be passed through to health care consumers in the form of higher drug prices, higher device prices, and higher insurance premiums.

If the administration wants to get serious—and I wonder if this administration wants to get serious—about reducing regulatory burdens and creating good jobs, then the President should start today by repealing his onerous medical device tax. Not only will this device tax suppress job creation and limit economic growth, it will also slow, and perhaps even stop, research and development into new lifesaving medical devices.

We must take action to repeal this anticompetitive, job-destroying device tax before it begins to take effect in 2013. If the White House wants to work with Republicans on progrowth policies, policies that support innovation, policies that get the Nation's economy moving again, then President Obama would support repealing this device tax.

Senator ORRIN HATCH has introduced legislation, S. 17, that would do just that. I am proud to be a cosponsor of that bill, and I believe the Senate should take up the Hatch bill and pass it.

As we are now 2 years after the passing and signing into law of the President's health care law, I will continue to come to the Senate floor because this is a health care law that is bad for patients, it is bad for providers, the nurses and the doctors who take care of those patients, and it is terrible for the American taxpayers. We need to repeal and replace this broken health care law.

Thank you, Mr. President.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The minority leader is recognized.

TIME TO ACT

Mr. MCCONNELL. Mr. President, yesterday in the Senate we got a vivid look at why the challenges we face in this country are so difficult to address. With a looming fiscal crisis some have called the most predictable in history, with a national debt at a level none of us ever even imagined, with millions unemployed and millions more underemployed, with the biggest tax hike in history looming at the end of the year, and with entitlement programs such as Medicare and Social Security drawing ever closer to insolvency, here is what Senate Democrats did yesterday: They ducked. They were presented with five different options for dealing with these problems and they voted against every single one of them.

No one was particularly surprised to see Democrats reject the Republican proposals. We hoped some of them would support them, but we weren't altogether surprised they didn't. But every American should be surprised that Democrats didn't offer a single plan of their own, and they didn't even support the plan offered by the President of their own party. But, sadly, that is what passes for leadership in the Democratic-led Senate these days: Oppose everybody else—including a President of your own party—and hope nobody notices you are not doing anything yourself. Most people would say it is the responsibility of the party in power to propose solutions, and they would be right.

The problems we face are simply too serious and too urgent to avoid any longer, and yet Democrats continue to duck any responsibility for addressing them. We certainly saw that yesterday. I would imagine there are some Democrats this morning who are having second thoughts about their party's performance yesterday. And if I am right about that, I would invite them to stand and work with us. Put aside what is politically safe and do what is right. The problems we face are too great to put off for another day. It is time for all of us to come together and to act.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk called the roll.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL RESERVE NOMINATIONS

Mr. VITTER. Mr. President, I come to the Senate floor to debate and oppose the two Federal Reserve nominees President Obama has sent to the Senate. First, let me say I think it is very important, very good, very healthy that we are having this debate and we are having these votes. That is how the Senate should operate, particularly on very important Presidential nominations, and these certainly fit into that category.

The Federal Reserve is an extremely important body for all sorts of reasons,

but I will mention three in particular. First of all, it sets monetary policy, and that is a very important economic tool and set of economic policies. Right now this Federal Reserve, under Chairman Bernanke, has an unprecedented policy of zero-interest rates—easy money for an extended period of time—which is historically unprecedented.

Secondly, the Federal Reserve is the primary regulator of our Nation's biggest banks, including Bank of America, Citigroup, Wells Fargo, and another that has been in the news quite a bit in the last few weeks, JPMorgan Chase. Obviously, all of these entities were involved in the recent economic crisis, so, again, the Federal Reserve is extremely important as those megabanks' primary regulator. We should be talking about that.

Finally, the Federal Reserve has other important authority and responsibilities, including in situations where they have taken action to bail out these megabanks. They have that authority. They also have authority to issue regulations under Dodd-Frank. All of these points are reasons why these two nominations are extremely important. That is why I demanded this debate and these votes.

Fundamentally, I demanded this debate and these votes for two reasons. First of all, I oppose these nominations. I am voting no. There was a UC promulgated, and that UC, had it been accepted, would have meant a ''yes'' vote for me. I couldn't vote that way for the reasons I will explain.

Secondly, more broadly, I think it is important we have this debate and we have these votes, and this used to be the norm in the Senate. Between 1994 and 2000, all but two nominations to the Federal Reserve Board were voted on by the Senate. Yet since 2001 that has flipped, for some reason. Since 2001, only two nominees have received votes and 10 nominees were confirmed to the Board of Governors without a recorded vote. I think that is unfortunate. I think this is the proper way for the Senate to do its business, particularly when such important issues are at stake.

Now let's talk about those issues.

First of all, monetary policy. The Federal Reserve's primary responsibility—one of its two huge mandates—is to set healthy, proper monetary policy for the United States. Personally, I think that should be its only mandate—there are efforts here in the Congress to move the law to that position—but it certainly is a major role of the Federal Reserve and is extremely important.

Once more, this Federal Reserve, under Chairman Bernanke, in this economy has set monetary policy in an unprecedented way, and that is not editorializing. That is a factual assessment, a factual description. Because this Federal Reserve has set essentially a zero-interest rate policy, an extremely easy money policy for an extended period of time, a very long period of time, without any end in sight, and that has never before happened.

There are many experts, economists, and commentators who think this is very dangerous policy, and I share their concerns. I do not pretend to be an expert, as they are. I do not pretend, quite frankly, to have the economic training and background of Chairman Bernanke and others. But many of those who do have grave concerns with this unprecedented easy money policy. Let me mention a few.

Dr. Allan Meltzer, a professor at Carnegie Mellon University, sees signs of this building up future inflation and a weakening dollar and believes the Fed did great harm in these categories with its Quantitative Easing 2, so-called QE2. Dr. Meltzer has read Fed minutes for years and has written the definitive ''History of the Federal Reserve'' and says the central problem is there is a lack of discussion of alternatives and consequences of their policies.

Federal Reserve Bank of Kansas City President Thomas Hoenig said the Fed's plan to push down long-term interest rates may produce very adverse accidental outcomes and policymakers risk creating real ''imbalances'' in the economy. He said:

> I have real concerns about trying to fine-tune and micro-manage the economy when monetary policy is a blunt tool.

Richard Fisher of Dallas said he believes the Federal Reserve's monetary policy has yet to show evidence of working. He is the Federal Reserve Bank of Dallas president. He says in particular, the Fed's plan to buy $400 billion of long-term bonds while selling the same amount of short-term debt is benefiting financiers and not aiding job creation.

Philadelphia Fed President Charles Plosser, in a speech on economic outlook to the Business Leaders Forum at the Villanova School of Business, expressed extreme skepticism with that so-called Operation Twist, trading long-term debt for short-term debt, and he did not think it would encourage business investment or consumer spending. He said:

> I dissented from these decisions because I believe that they will do little to improve the near-term prospects for economic growth or employment and they do pose risks.

So there are very legitimate, strong concerns which I share on the current monetary policy of this Federal Reserve, and it is very clear from the statements of these two nominees that these two nominees will support that policy, will support that direction for the foreseeable future, will not provide dissent, will not provide alternative viewpoints.

In addition, let me mention three other things about the Fed. As I mentioned, the Fed in general is the primary regulator of the megabanks, and, still, I believe we do not have adequate focus and adequate regulation in that category. I would only point to the recent disastrous announcement of JPMorgan Chase.

Also, the Fed, with five affirmative votes, passes regulations under Dodd-Frank under its authority. That process is ongoing right now.

Why are these two nominations significant in impacting the development of those Dodd-Frank regulations one way or the other? Well, it is pretty simple. Those Dodd-Frank regulations coming out of the Fed need five affirmative votes. Right now, there are five members of the Board of Governors, so they need to reach complete unanimity with regard to those regulations. When the possible negative impact of those regulations is such a threat, I think that required unanimity is actually very healthy and a real protection.

These two new members of the Fed change the map, change the requirement from needing five out of five to needing five out of seven. I think that will significantly push these regulations to the left, if you will, and require and therefore produce less consensus, which those with economic viewpoints such as mine wish to see continued.

In the same vein, the Fed is certainly significant in not only regulating the megabanks but, in instances like 2 years ago, bailing out the megabanks. They have that authority and they have that role. Just as with Dodd-Frank regulations, that requires five affirmative votes of the Fed Board. Again, right now, before these two confirmations, that would need five out of five. It would require unanimity. I think that is healthy, actually, with regard to such an extreme measure as huge taxpayer-funded bailouts, as we have seen in the last 3 years.

If these two new nominees to the Board are confirmed, that math, again, would change in exactly the same way: The requirement would move from five out of five to five out of seven. It would shift the outcome to the left, if you will. It would make it much more likely that the Fed would act sooner to bail out megabanks with taxpayer funds.

I have all of these concerns about these nominations. These two nominees are fine, decent men. They are smart. They are qualified in the professional sense. However, they clearly also support the current direction of Chairman Bernanke and the Fed. For that reason, I cannot support the nominations, and I have real concerns.

But, in closing, let me say that at least I think it is positive we are having this debate and we are voting. As I cited, that used to be the norm in the Senate, including with regard to Federal Reserve Board of Governors nominations. These are very important

nominations because of monetary policy, because of their regulatory authority, because of bailouts, and Dodd-Frank, and all the rest. It is more important—now more than ever—because of the unprecedented nature of Chairman Bernanke's and the Fed's monetary policy and because of the history of the last 3 years.

We need this debate. We need these votes. I do not think spending about 2 hours on it on the floor of the Senate is too much to ask, so I am glad I asked for that. I am glad I demanded that. With that opportunity, I will be voting no.

Mr. President, I yield back my time. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold his request?

Mr. VITTER. I will.

EXECUTIVE SESSION

NOMINATION OF JEREMY C. STEIN TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

NOMINATION OF JEROME H. POWELL TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System and Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 90 minutes of debate in the usual form.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORKER. Mr. President, I wanted to speak for a moment today about the vote we are going to have this afternoon on the Federal Reserve Board members who have been nominated. I have met both of these individuals, and I plan to vote for them today at noon. But I want tell you why I am going to do that. I am very concerned about the overly accommodative efforts that are taking place right now at the Federal Reserve. I think these low interest rates over long periods of time will create inflation in our country. I believe the Fed has been proactive in recent times in ways that make me nervous. As soon as QE2 was announced, I immediately called the Chairman of the Federal Reserve, and we had a meeting in our office to talk about the concerns he had and the concerns we in our office have.

I would love to see the Federal Reserve have a single mandate like the European Central Bank has and the Bank of England has, where their sole purpose is really price stability. I would also love to see Congress act responsibly and deal with many fiscal and other kinds of issues that are holding down our economy. I think sometimes the Federal Reserve feels as though it is the only entity that is actually acting to try to stimulate our economy. I understand the position they are in, having a dual mandate, which I think is inappropriate and hopefully over time will change.

These two nominees, candidly, do not represent the kind of a more hawkish position I would like to see the Federal Reserve take where they are concerned about price stability over the long haul. At the same time, both of these gentlemen are qualified. I don't think there is any question that someone would say that these two individuals are qualified. We do have Fed Presidents from around the country who typically, as far as monetary policy on the Federal Reserve Board, do act in more hawkish ways and probably more represent the way that I would view things as they ought to be in some of the accommodations the Federal Reserve has continued to make.

I hope we do not get into a situation where we end up having—you can actually call it QE4. Some people might call it QE3. I hope that does not happen and that we will continue to press the Federal Reserve towards that end in any way we can.

I also know that there is going to be an election in November and that whoever the next President is—obviously, as you would expect, I hope there is a change in occupancy at the White House this November, someone who will actually try to solve the problems our Nation has. But whoever the next President is, they will have the opportunity to appoint the next Chairman of the Federal Reserve very soon and also the next Vice Chairman of the Federal Reserve.

So I guess what I would say in closing is that I am going to support these nominees because they are qualified. I do hope they will press the Chairman of the Federal Reserve to be more concerned about price stability, especially into the future. But I do not want to vote no today because I think it sets a precedent of saying that, look, these guys are qualified—I do not think there is any question about that. And I want the next President—who I hope, again, is someone different than we have today—to have the opportunity with my colleagues on the other side of the aisle—if a change is to occur and if the President has the opportunity to appoint a new Federal Reserve Chairman and a new Vice Chairman and he deems them qualified and this body deems them qualified, I hope we are going to have the opportunity to fill those positions.

So, again, I plan to vote for these nominees in an effort to continue to cause this place to focus in the way I think it should. They are not ideal, from my perspective, but they are qualified.

I might remind friends on my side of the aisle that we did have someone who was nominated several months ago who was not in the mainstream. This person was not in the mainstream of thinking, and this person did not become a member of the Federal Reserve Board. So we have ended up having two nominees who are more middle of the road. They are not as hawkish as I would like to see them be. They are not as focused—they possibly will not be as focused on price stability as I would like to see them be. But they are qualified. They are not out of the mainstream. And I do plan to support them.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, at noon the Senate will be voting on two of President Obama's nominees to the Federal Reserve Board. These are important positions. They have long terms. They come at a time when our economy is in trouble and doing its best to recover. In these votes, the Senate will be acting in the way it should, and let me say why I am saying that.

On Tuesday of this week, someone most of us know—Marty Paone, who was the Democratic secretary in the Senate for 13 years, until 2008—wrote an article in the Hill, a Capitol Hill newspaper. The headline is ''Senate rule changes come with risk,'' but all I want to refer to today is a description of the Senate that is on our Senate Web site. Marty describes our own Web site in the article and says:

> . . . [t]he legislative process on the Senate Floor [as] a balance between the rights guaranteed to Senators under the standing rules and the need for Senators to forgo some of these rights in order to expedite business.

Mr. President, I ask unanimous consent to have printed in the RECORD the

article I just referred to following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, what is reflected on the Senate Web site is the action the Senate is about to take at noon today.

There has been at least one vacancy—and sometimes two—on the Federal Reserve Board since 2006. That is 6 years ago. That is one whole Senate term. The Federal Reserve Board has seven Governors nominated by the President and confirmed by the Senate. So during that whole 6 year-period, it has had one or two of those seven positions vacant. And this has been during a time—since 2008—of the greatest economic crisis we have had since the Great Depression.

The President tried once to nominate someone to that position who wasn't accepted by the Senate. So in January the President took the unusual step of nominating a well-qualified Republican, Jay Powell, as well as a well-qualified Democrat.

There is a good deal of unease in the Republican caucus—as I am sure was reflected in some of the comments on the floor—about the response the Federal Reserve Board has taken to the economic crisis since 2008. Senators on this side of the aisle who have those concerns have a perfect right to filibuster, to object, and perhaps to kill these two nominations. But the Republican Senators have realized that if we were to do that to President Obama's nominees today, then if there were a President Romney after the first of the year, the Democrats very likely would say: We will object to President Romney's nominees, and there would still be vacancies on the Federal Reserve Board at a time of economic crisis.

Just as the President took a step toward making government work by nominating a well-qualified Republican to one of these two Federal Reserve Governor positions, I want to acknowledge the fact that Republican Senators who feel strongly about this issue have taken a step forward and forgone—in the words of our Senate Web site—some of their rights so that we can move straight to a vote today, up or down, at 60-votes, on each of the two nominees.

The article to which I referred said that sometimes in the Senate, even though we all have many rights, we have to forgo some of those rights in order to make the place work. That has been happening more lately. Republican Senators in the minority have been occasionally forgoing some of our rights to slow down a bill coming to the floor or to insist on an amendment that is not relevant. The majority leader has on some occasions forgone his right to block our amendments. We would like for him to do that more often, but it has been happening more lately.

I think of the scheduling difficulty Senator REID and Senator MCCONNELL had on district judges a few weeks ago. Instead of letting that issue blow up the Senate, they met privately and agreed they would proceed at a schedule the two of them determined. As a result, we have been considering and confirming district judges at a regular rate.

Their agreement permitted us to move to a jobs bill, which benefitted startup companies, to move ahead. The House Republicans had already passed the bill, then we passed it, and the President of the United States then signed it into law.

The Senate moved forward on the FAA authorization bill after many efforts and failed attempts to do so.

We have a 2-year highway bill which the Senate has passed and which is now in conference. I would like for it to be a 7-year bill, but we have made progress and passed a 2-year bill.

The Senate had a big debate on the Postal Service. I would have liked to have seen a stronger bill come out of the Senate, and I hope the House will send us back a stronger bill. But we had 39 relevant amendments to that bill considered, we worked on it, and we are moving toward dealing with the big debt the Postal Service has.

This week we considered an extension of the Ex-Im Bank and took up a bill passed by the Republican House. We offered and voted on five relevant amendments to the Ex-Im Bank bill and disposed of the bill that same day.

The majority leader says we have the FDA bill coming up—very important because it affects medicines that Americans everywhere depend on. Senator ENZI and Senator HARKIN have worked that bill through the HELP Committee. It has broad support on both sides of the aisle. The majority leader may allow it to come up only with relevant amendments, and we may be able to consider it and pass it.

Earlier this year several of us came to the floor and complimented Senator REID, the majority leader, and Senator MCCONNELL, the Republican leader, for saying that they want to do their best to pass all the appropriations bills this year. That is the basic work of the Senate—paying our bills and doing our oversight. Only twice since the year 2000 has the Senate passed every single appropriations bill.

I don't want to make too much of this progress, but it is a little progress, and it is an example of the Senate working the way the Senate is supposed to work.

Now, let's be honest about the fact that this is a more partisan country than it was even 10 years ago, and that partisanship is reflected in the Senate. By any definition there is a narrower range of views on the Republican side of the aisle and a narrower range of views on the Democratic side of the aisle. But we still have our job to do. Our job is not just to stand and express our views. If our job was to only stand and express our views, each one of us would always be right and we wouldn't get anything done. The second part of the job is to take our views, put them together, and see if we can get a result.

Some people say: Well, you are interested in bipartisanship.

I am not so interested in bipartisanship. That interests me very little, to tell you the truth. I am interested in results. I learned in the Maryville city schools how to count, and I can count to 60. I know that if it takes 60 votes to get anything done in this Senate, it is going to have to take some on that side and some on this side to get to 60. And I know the American people are expecting results—results on the debt, results on tax reform, results on fixing No Child Left Behind, results on finding a place to put used nuclear fuel. I want to be a part of getting those results. We have too many problems to solve for us to think we have finished our job simply by announcing our positions, stating our principles, and sitting down. We need to take those principles and put them together and see whether they can mesh and get a result.

It is not easy to get elected to the Senate. It is very hard to get here. Most candidates campaign for a long time, and their campaigns are intense for 2 years. They usually have terrific opposition, and people say things about them that they don't like. We end up with some very talented men and women among the hundred in the Senate.

It kind of reminds me of country music. A lot of the artists in Nashville I know play in every bar they can find and every State fair they can find for 20 years, and finally they might get invited to join the Grand Ole Opry. Well, being in the Senate for a lot of the last year was like being invited to join the Grand Ole Opry and not being allowed to sing. The majority leader would bring up a bill and block the amendments because he would say the Republicans were keeping him from bringing up bills. Our side would say: Well, we are not going to let you bring it up unless you let us have amendments. So we would be sitting around, twiddling our thumbs, and wasting time when there was a lot to do. That is why I am so glad to see some things changing here in the Senate over the last few weeks.

We all have our wishes about what will happen in the November election. I hope that after November we will see President Romney and that we will see more desks on this side of the aisle, a Republican majority. My friends on the other side expect and hope the President will be reelected, and they would like to enlarge their majority on the

other side of the aisle. We don't know whether there will be a Republican or a Democratic President. We don't know whether there will be 51 or 52 Republican Senators or 51 or 52 Democratic Senators. We do know pretty well that there probably won't be many more than 51 or 52 or 53 Democratic Senators or 51 or 52 or 53 Republican Senators, and we all can count, and we all know that is not 60.

We also know we are going to get to the end of the year and we are going to have taxes to reform, debt to reduce, highways to deal with, nuclear waste to do something about, the payroll tax credit expiration, and the biggest tax increase in history facing us. We know the country's lack of confidence in the future will be greatly relieved if it has more confidence in the ability of Washington, DC, to govern this country.

We see what is happening in Europe. We can look at ourselves, and we know we have trillions of dollars sitting on the side lines of the United States. Part of the reason that money is sitting there is to wait to see whether the Senators can do our jobs. Well, doing our jobs may require forgoing some of our rights. That is what it says on our Web site—that we have the rights, that we can insist on them. And sometimes we will. But to get things done in the Senate, sometimes we will forgo some of our minority rights and the majority leader, we hope, will forgo some of his rights. Then we will be able to move to a bill, amend it, vote on it, and get some results. That is what the American people would like for us to do.

We are moving today to vote on a Democratic and a Republican nomination by the President. We are doing it without any obstruction by Republicans in the minority, who are very well aware and hope there will be a President Romney after January who will have a number of Federal Reserve appointments to make. And President Romney will hope his nominees are entitled to the same respect President Obama's nominees are.

If these two nominees are confirmed today, the Federal Reserve Board will have a full complement of seven for the first time since 2006. The Federal Reserve will have a full Board at a time of great economic crisis for our country and as we come up on the end of the year when we will have a fiscal cliff—according to the Chairman of the Federal Reserve Board—that will cause Congressional action to take care of.

So I am here today only to say that I admire the nominees. I know one of them well, Jay Powell, who was Under Secretary of the Treasury for the first President Bush, an administration in which I served. He has a fine reputation. He should be a fine member. I want to acknowledge the fact that the President chose to break the stalemate by nominating Mr. Powell, a Republican, as well as a Democrat. I want to acknowledge the fact that several of my Republican colleagues, who have deep concerns about the actions of the Federal Reserve Board during this economic crisis over the last few years, have forgone some of their rights and allowed us to have an up-or-down vote at noon.

That, taken with the other actions of the last few months, should give a little bit of confidence to the American people that we in the Senate are perfectly able to assert our principles, to stand on our principles, not to give up on our principles. But then, after we have made our speeches, to sit down and come to a result that may not be perfect, it may not be ideal to each of our principles, but will be good for our country.

EXHIBIT 1

[From the Hill, May 15, 2012]

SENATE RULE CHANGES COME WITH RISK

(By Martin P. Paone)

It's an election year, and the Senate can't agree on how to keep the student loan interest rate from doubling on July 1 from 3.4 percent to 6.8. While both sides agree that it should be done, how to pay for it is the stumbling block. A party-line cloture vote failure has once again brought calls for changing the Senate's rules by majority vote at the beginning of the next Congress, bypassing the two-thirds cloture requirement if there's opposition.

The Senate's membership has changed considerably in the last decade, but the Senate rules, with the exception of some changes that were enacted in the Ethics in Government Act, have not undergone any major changes since the Senate went on TV in 1986. While the House has its Rules Committee, which allows the majority to exert its will and control the flow of legislation, the Senate has a tradition of protecting the rights of the minority and of unfettered debate. Its own website describes ''[t]he legislative process on the Senate floor [as] a balance between the rights guaranteed to Senators under the standing rules and the need for senators to forgo some of these rights in order to expedite business.''

The Senate has for centuries functioned by this compact of selectively forgoing one's rights, but now that compact, to some, seems to have broken down—hence the call to enact rules changes at the beginning of the next Congress by majority vote. These calls have come from Democrats, but they are quick to admit that it should apply regardless of who is in the majority at the time.

Such changes can certainly quicken the process and allow for the majority to pass legislation and confirm presidential nominees with little hindrance. While the initial rules reforms will probably be limited to restricting debate on a motion to proceed and other less dramatic changes, eventually such majority rules changes at the beginning of a Congress will result in a majority-controlled body similar to the House. Once the Pandora's Box of granting the majority the unfettered ability to change the rules every two years has been opened, having seen how the current situation has escalated, tit for tat over the last 30 years, it is difficult to believe that strict majority rule would not be the ultimate result. Thereafter, a member of the minority in the Senate will be just as impotent as his or her House counterparts.

Filibusters and the forcing of a cloture vote have been repeatedly used to stop legislation and nominations and to waste time. This is why the number of successful cloture votes, many on noncontroversial nominations and on motions to proceed to bills, has gone up dramatically in recent years. By requiring the cloture vote and then voting for it, the minority has been able to waste considerable time and thus reduce the amount of time available to act on other items of the president's agenda.

The call for changing the Senate's rules by majority vote at the beginning of a Congress is not new; it was attempted without success in 1953 and 1957 and in 1959. When faced with such an effort, then-Majority Leader Lyndon Johnson negotiated a cloture change back down to two-thirds of those present and voting, but as part of the compromise he had to add Paragraph 2 to Senate Rule V, which states ''The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.''

So is it time to ignore the existing rules and change them at the beginning of the next Congress by a majority vote? Perhaps it is time—so many other changes have occurred in our lives in the recent past, why shouldn't the Senate change the way it does business? However, should that occur, one must be prepared to live with the eventual outcome of a Senate where the majority rules and the rights of the minority have been severely curtailed.

While I can sympathize with those demanding such changes, it's the manner of their implementation that keeps reminding me of the exchange between Sir Thomas Moore and his son-in-law, William Roper, in the movie ''A Man For All Seasons'':

Roper: ''So, now you give the devil the benefit of law!''

Moore: ''Yes! What would you do? Cut a great road through the law to get after the devil?''

Roper: ''Yes, I'd cut down every law in England to do that!''

Moore: ''Oh? And when the last law was down, and the devil turned 'round on you, where would you hide, Roper, the laws all being flat? . . . Yes, I'd give the devil benefit of law, for my own safety's sake!''

Mr. ALEXANDER. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise today with gratitude to thank and honor my good friends and esteemed colleagues Senator ALEXANDER and Senator JOHANNS. The willingness to vote on two of the President's nominees to serve as members of the Board of Governors of the Federal Reserve that they have expressed today is exactly the sort of bipartisan approach that has historically made the Senate work. I would like to honor their efforts to get us back to that proud tradition and thank them for their efforts to bring these two distinguished men to a vote.

Serving on the Banking Committee together, I know Senator JOHANNS to always do his due diligence when reviewing any proposed legislation or in this case nominees. I am grateful for it. I am also grateful my good friend Senator ALEXANDER is the ranking member of the Rules Committee. His hard work and insight were invaluable as we worked together to streamline presidential appointments and to pass a bill in the Senate to reduce the number of positions requiring Senate confirmation last year. He has always worked for the betterment of this body. Today is another example.

Yet despite our work last year, we face a backlog of nominations which gridlocks other important legislative business. That is not how the process should work.

The Senate was designed to be a thoughtful and deliberative body. But the American public is harmed when we are not able to get qualified people confirmed to positions in a timely manner. Nominees of impeccable qualifications and indisputable support have been frozen out of the confirmation process. Thankfully that will not be the case today.

At a time when our economy is struggling to maintain forward momentum, and the Federal Reserve is faced with difficult decisions about how to help the recovery now without creating problems in the future, it is absolutely critical that we not leave the Fed undermanned. For months now, the Fed has been operating with only 5 of its 7 board members, while nominees languish in the Senate confirmation process. There is no real question that both of our nominees are qualified and bipartisan.

Jeremy Stein is a well-known Harvard economist, with strong expertise in monetary policy and financial regulation. In between two stints at Harvard, Stein was on the finance faculty at M.I.T.'s Sloan School of Management for 10 years. Stein's research has covered such topics as: the behavior of stock prices; corporate investment and financing decisions; risk management; capital allocation inside firms; banking; financial regulation; and monetary policy.

He is currently a coeditor of the Quarterly Journal of Economics, and was previously a coeditor of the Journal of Economic Perspectives. He is a fellow of the American Academy of Arts and Sciences, a research associate at the National Bureau of Economic Research, and a member of the Federal Reserve Bank of New York's Financial Advisory Roundtable. From February to July of 2009, he served in the Obama administration, as a senior advisor to the Treasury Secretary and on the staff of the National Economic Council.

Jerome Powell is a visiting scholar at the Bipartisan Policy Center here in Washington, where he focuses on Federal and State fiscal issues. He is also a former lawyer, with experience in investment banking and private equity who will bring valuable and broad private sector expertise to the Board. From 1997 through 2005, Powell was a partner at The Carlyle Group, where he founded and led the Industrial Group within the U.S. Buyout Fund. So he has broad experience working with manufacturing companies and other industries at the heart of the U.S. economy.

Powell has served on the boards of several charitable and educational institutions. He is currently a member of the board of directors of D.C. Prep, a charter school operator in Washington, DC; the Bendheim Center for Finance at Princeton University; and The Nature Conservancy of Washington, DC and Maryland.

There is no requirement that the President nominate governors from the other party, but Mr. Powell is also a Republican who served as Undersecretary of the Treasury for Finance under President George H.W. Bush, with responsibility for policy on financial institutions, the treasury debt market, and related areas. So this is not a partisan issue or ideological battle. We have one nominee who served in the Obama administration, one nominee who served in the Bush administration.

It is very good that we have come to an agreement. We hope it can set the tone for agreements well into the future, this year and in 2013 as well.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the nomination of Jeremy C. Stein, of Massachusetts, to be a member of the Board of Governors of the Federal Reserve System?

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The Clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Oregon (Mr. MERKLEY), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. WHITEHOUSE) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 24, as follows:

[Rollcall Vote No. 102 Ex.]

YEAS—70

Akaka	Enzi	Mikulski
Alexander	Feinstein	Murkowski
Barrasso	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Grassley	Nelson (FL)
Bennet	Hagan	Pryor
Bingaman	Harkin	Reed
Blumenthal	Hoeven	Reid
Boxer	Hutchison	Rockefeller
Brown (MA)	Johanns	Sanders
Brown (OH)	Johnson (SD)	Schumer
Burr	Kerry	Shaheen
Cantwell	Klobuchar	Shelby
Cardin	Kohl	Snowe
Carper	Kyl	Stabenow
Casey	Landrieu	Tester
Coats	Lautenberg	Udall (CO)
Cochran	Leahy	Udall (NM)
Collins	Levin	Warner
Conrad	Lieberman	Webb
Coons	Lugar	Wicker
Corker	Manchin	Wyden
Crapo	McConnell	
Durbin	Menendez	

NAYS—24

Ayotte	Heller	Portman
Blunt	Inhofe	Risch
Boozman	Isakson	Roberts
Chambliss	Johnson (WI)	Rubio
Coburn	Lee	Sessions
Cornyn	McCain	Thune
Graham	Moran	Toomey
Hatch	Paul	Vitter

NOT VOTING—6

DeMint	Kirk	Merkley
Inouye	McCaskill	Whitehouse

The PRESIDING OFFICER. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the nomination is confirmed.

Under the previous order, the question is, Will the Senate advise and consent to the nomination of Jerome H. Powell, of Maryland, to be a member of the Board of Governors of the Federal Reserve System?

Mr. BURR. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 74, nays 21, as follows:

[Rollcall Vote No. 103 Ex.]

YEAS—74

Akaka	Blunt	Carper
Alexander	Boozman	Casey
Barrasso	Boxer	Coats
Baucus	Brown (MA)	Cochran
Begich	Brown (OH)	Collins
Bennet	Burr	Conrad
Bingaman	Cantwell	Coons
Blumenthal	Cardin	Corker

Crapo	Landrieu	Reed
Durbin	Lautenberg	Reid
Enzi	Leahy	Rockefeller
Feinstein	Levin	Schumer
Franken	Lieberman	Shaheen
Gillibrand	Lugar	Shelby
Grassley	Manchin	Snowe
Hagan	McCain	Stabenow
Harkin	McConnell	Tester
Hoeven	Menendez	Udall (CO)
Hutchison	Merkley	Udall (NM)
Johanns	Murkowski	Warner
Johnson (SD)	Murray	Webb
Kerry	Nelson (NE)	Whitehouse
Klobuchar	Nelson (FL)	Wicker
Kohl	Portman	Wyden
Kyl	Pryor	

NAYS—21

Ayotte	Inhofe	Roberts
Chambliss	Isakson	Rubio
Coburn	Johnson (WI)	Sanders
Cornyn	Lee	Sessions
Graham	Moran	Thune
Hatch	Paul	Toomey
Heller	Risch	Vitter

NOT VOTING—5

DeMint	Kirk	Mikulski
Inouye	McCaskill	

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the nomination is confirmed.

The majority leader.

NOMINATION OF PAUL J. WATFORD TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

Mr. REID. Madam President, I now move to proceed to consider Calendar No. 552, the nomination of Paul J. Watford, of California, to be U.S. Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Paul J. Watford, of California, to be United States Circuit Judge for the Ninth Circuit.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the nomination of Paul J. Watford, of California, to be United States Circuit Judge for the 9th Circuit.

Harry Reid, Patrick J. Leahy, Jeff Bingaman, Christopher A. Coons, Carl Levin, Ron Wyden, Ben Nelson, Joseph I. Lieberman, Jeanne Shaheen, Richard Blumenthal, John F. Kerry, Kirsten E. Gillibrand, Barbara Boxer, Dianne Feinstein, Sheldon Whitehouse, Jeff Merkley, John D. Rockefeller IV.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FOOD AND DRUG ADMINISTRATION SAFETY AND INNOVATION ACT—MOTION TO PROCEED—Continued

Mr. REID. Madam President, what is the pending business?

The PRESIDING OFFICER. The motion to proceed to S. 3187.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to calendar No. 400, S. 3187, the Food and Drug Administration Safety and Innovation Act.

Harry Reid, Jeff Bingaman, Joseph I. Lieberman, Amy Klobuchar, Patty Murray, Mark Begich, Richard Blumenthal, Ben Nelson, Patrick J. Leahy, Kent Conrad, Tim Johnson, Sherrod Brown, Benjamin L. Cardin, Sheldon Whitehouse, John F. Kerry, Daniel K. Akaka, Tom Harkin.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I have spoken before about the importance of the FDA bill. It is something we have to get done. Literally, people's lives depend upon it. It addresses so many things with the FDA to make it a better organization. We have to get this done. As I said before, if my Republican colleagues don't like the bill, offer an amendment—offer an amendment. Take that out. Put something in if you don't like it. But I hope we don't have to go through voting on cloture on this Monday night. We should be legislating on this on Monday. So I am stunned that once again, on a motion to proceed, when there has been an agreement that we would proceed to this with relevant amendments—everybody says that is what they want to do. It is not germane amendments, which is very narrow, it is relevant amendments. It gives people a lot of opportunity to change this legislation in many different ways. So I hope we do not have to have that cloture vote Monday night.

UNANIMOUS CONSENT REQUEST—H.R. 1905

Mr. REID. Madam President, I now ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of H.R. 1905, the Iran Threat Reduction Act, and that the Senate proceed to its consideration; that the Reid-Johnson(SD)-Shelby substitute amendment, which is at the desk and is the text of Calendar No. 320, the Iran Sanctions, Accountability and Human Rights Act, as reported by the Banking Committee, be considered; that a Reid-Johnson(SD)-Shelby amendment, which is at the desk, be agreed to; that the substitute amendment, as amended, be agreed to; that the bill, as amended, be read a third time and passed; that the motions to reconsider be laid upon the table; that there be no intervening action or debate; and that any statements related to this matter be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Madam President, reserving the right to object, I would just note that this is a matter—and I appreciate the majority leader's desire to bring this to conclusion. It has been worked on now for quite some time. Unfortunately, the language that has just been presented to our side has not been widely shared. I have not actually read it yet. It was apparently brought over at 10:38 this morning. When I came to the floor, it was described to me. As described, it would be weaker than President Obama's policy.

Given the fact that this is a matter on which Democrats and Republicans and the administration and the Senate have been in pretty close accord in dealing with the country of Iran and its nuclear ambitions, I would hope we could ensure that the language is agreed to by all. There seems to be an important piece missing, and we certainly need the time to talk to folks to see why that is so, whether it can be put back in or, if it cannot, then to be able to discuss it because we certainly do not want something that is weaker than the administration's current policy.

So I would hope we could have some time over the weekend and perhaps on Monday, when enough of the Members can be apprised of what has actually been proposed here, and see if our colleagues on the other side would be willing to make the accommodation that we may need to have made here.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, reserving the right to object, I appreciate the leader's desire to get this done. I would like to get it done too. In fact, the original Iran sanctions language was drafted in my office when I was in the other body.

This is an issue I have been involved in for a long time. This morning I have had a chance to look at it only within the last half hour. I suppose I could have been here at 10:38, but even 10:38,

for an issue such as this—and my view also is that it is not as strong as the Presidents's policy. It is not as strong as any other resolution on this topic we have ever passed. And the question that would logically be asked is, Why not? I would like to think that is an oversight in drafting, that we can work this out over the weekend and make this reflective of our national policy and the President's policy. But I would be very concerned about moving to this language today and would hope that we could work with the leader to have language that we could bring up as early as Monday and pass and send the message to the world that the Senate supports the stated policy of our government on this critical issue. Nobody wants Iran to be able to move forward and attain nuclear capacity, and I would be very concerned about moving forward on this language as it currently appears to me to be stated.

Mr. REID. Mr. President, is there an objection by either Senator KYL or Senator BLUNT?

Mr. KYL. Mr. President, for the reasons noted, I would hope we could work with our colleagues to fix the problem. Until we do, I would have to object.

The PRESIDING OFFICER (Mr. MANCHIN). Objection is heard.

Mr. REID. This is such an interesting conversation here on the floor this afternoon. I did not have the papers. Now, I do not blame my friend from Arizona for not having the documents. I do not blame my friend from Missouri for only having a half hour to look at this. This was given to the Republican leader yesterday, midday. The language they are objecting to was in the base bill, so unless they did not read the base bill, they have a problem here. Now, they said they want to get it done—strange way of showing they want to get it done.

This has been a classic example of rope-a-dope. I try to be a patient man. I have been very patient with my staff working with Senator KIRK's staff, the minority leader's staff. I have tried to be as patient as I can be.

Mr. MCCONNELL. Would my friend yield?

Mr. REID. No, not right now. This is absolutely untoward, what is happening here. We have tried to get this done every day. Oh, it is just we have to do a little bit more. We have this agreement that was agreed to by all of the parties, but, of course, now there is no agreement.

I am deeply disappointed that my Republican colleagues are preventing the Senate from passing additional critical sanctions against Iran. If they want to embarrass the President, this is a strange way to do it. Two months ago I came to the Senate floor and said we needed to pass these sanctions immediately. The fastest way forward was to pass the bipartisan bill sponsored by Senators JOHNSON and SHELBY, which passed out of the Banking Committee unanimously. But Republicans then said no, as they are saying today. Republicans said they wanted to include ideas from Senator KIRK, Senator PAUL, and wished to move forward with S. Res. 380 on containment.

We heard their objections. We have tried mightily to address them, with the goal of getting this bill passed and protecting our own national security and that of our ally Israel. This deal includes a bipartisan managers' package sponsored by Senators SHELBY and JOHNSON, with items of importance to Senators MENENDEZ, KIRK, PAUL, and JOHNSON.

The American Israel Public Affairs Committee has expressed strong support for this package to Senator MCCONNELL and to me. In a letter today, AIPAC urged us to move forward with this package as quickly as possible. I ask unanimous consent that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE AMERICAN ISRAEL
PUBLIC AFFAIRS COMMITTEE,
Washington, DC, May 17, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SENATORS REID AND MCCONNELL: We understand that you are bringing the Iran Sanctions, Accountability, and Human Rights Act of 2012 (S. 2101) to the floor for consideration. On behalf of the American Israel Public Affairs Committee, we would like to express our support for this critically important bipartisan legislation. We also want to take this opportunity to thank you for your ongoing strong efforts to thwart Iran's nuclear program, and for your overall leadership on behalf of a vibrant U.S.-Israel relationship.

In our view, this legislation has been further strengthened in important ways by a managers' amendment that reflects the views of a number of senators. We appreciate your leadership, together with that of Senators Johnson, Shelby, Menendez and Kirk in enabling this legislation to move forward to the floor and ultimately to conference with the House.

We understand that Senators Menendez and Kirk have additional valuable ideas to improve the bill being considered by the Senate but have graciously agreed to defer their amendments at this time to enable the bill to move forward as rapidly as possible. We applaud their efforts and, like them, want to see the strongest possible legislation enacted. We believe that their amendments fall within the scope of the conference committee, and urge you to ensure that they will be given appropriate consideration during the course of the conference deliberations.

We are deeply appreciative of the role played by the Senate under your leadership to do everything possible to stop Iran from using its nuclear program to further destabilize the Middle East. By its legislation and oversight, Congress has kept this issue in the forefront and forced Iran's leaders to face the choice between compliance with its international obligations and international opprobrium.

We look forward to working in support of your efforts.

Sincerely,

HOWARD KOHR,
Executive Director.
MARVIN FEUER,
Director, Policy & Government Affairs.
BRAD GORDON,
Director, Policy & Government Affairs.

Mr. REID. Mr. President, Democrats are ready to move forward and vote on an amended S. Res. 380, the bipartisan Graham-Casey-Lieberman legislation. This amendment would put the Senate on record, along with President Obama, ruling out a policy of containment on Iran. Yet Republicans have objected again. We cannot afford to delay these sanctions and slow them down any longer. On May 23 there is a round of international negotiations taking place with the Iranians on subjects related to this resolution we have.

Democrats are ready to move forward. We are ready to pass both the Iran sanctions bill and the containment resolution now—not later, now. We cannot afford any more delays. Sanctions are a key tool in our work to stop Iran from obtaining a nuclear weapon, threatening Israel, and jeopardizing the national security of the United States.

I am to the end of my patience. I usually never raise my voice with a Senator. I apologize to my friend from Arizona. I did a few minutes ago. The conversation was between him and me. But I am really upset about this. I feel that I have been jerked around—that is a pretty good understanding of the language people have—because we can never quite get there. The Republicans have kept us from moving forward on this for 2 months. We should have done what SHELBY and JOHNSON told us to do. So I hope something will happen on this in the near future, but I have to be honest with you, I do not have much faith that it will.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Do I have the floor now?

The PRESIDING OFFICER. You do.

Mr. MCCONNELL. I would say to my good friend the majority leader, this is an outrage I do not understand. My staff tells me we did not receive the draft amendment until late last night, and this morning we were told it was final. We got the draft late last night, and this morning we were told it was final.

Now, look, we have debates around here about a lot of things, but one of the things we have typically not been unable to reach an agreement on is the Iran issue. I do not know what the problem is here. A little communication ought to be able to bring us together behind something we can speak to unanimously, with a goal that I

think we all have in this body—virtually everyone—which is to do everything we can to prevent Iran from becoming a nuclear-armed country.

So there is no reason in the world why we cannot resolve whatever minor differences we have and move forward. We certainly do not want to take a step backward. And there are Members on my side of the aisle who are concerned that the way the measure is currently crafted could actually be a step in the wrong direction. It could have been a drafting error. But what is wrong with sitting down on a bipartisan basis, looking at the language, and making sure we get it right and achieve the goals that I think virtually everybody in the room would like to achieve? There is nothing to get angry about. A proper response would be to work out our differences and to go forward.

Timeliness is an issue. We need to do this quickly. We can all agree to that on both sides of the aisle. I say to my friend, I don't think there is anything to be outraged about. Why don't we work out the differences and pass the resolution?

Mr. REID. Mr. President, when my friend indicates, why is there any problem, and that they agree—it is just like the issue of student loans when they say they agree, except they will not let us legislate on that bill. They think this is a great thing to do, but we cannot do it. They say they need more communication. How about 2 months? How much more do they need?

I will not get into getting anyone in trouble, but the Republicans were given this in mid-afternoon. Maybe they were busy, but that doesn't matter. The point is we have tried to get something done, and we cannot get it done.

I think it is too bad for this institution. I am not outraged; I am upset because I feel I have been used as a tool to try to adversely affect the President in some way. I will continue to keep an open mind, but I have to say that I am terribly disappointed. It looks as though we are going to arrive at May 23—and the Iranians have people around who are watching this. They are laughing at us. We cannot even come up with a simple resolution. It has no force of law—I should not say that; it does have some. But they are laughing at us.

Here is the U.S. Senate quibbling over a sentence that has been in this resolution since it was drafted.

Mr. MCCONNELL. Mr. President, most people in America work 5 days a week. It is 1 o'clock on a Thursday. What is the problem? We have broad bipartisan agreement about the approach we ought to take with regard to the Iran sanctions issue. The leaders on my side are all standing on the floor of the Senate and are anxious to be involved in working out the language.

I say to my friend, he said it is a sentence in the resolution. A sentence can sometimes change the entire meaning. How this is crafted is not irrelevant. Rather than us standing out here on the Senate floor pointing fingers, it is only 1 p.m. on a Thursday afternoon; let's sit down and work out the differences and pass something we can agree on and try to make a difference.

Mr. REID. No matter how many times you say it, the language we are told they are complaining about was in the initial bill.

Mr. President, I appreciate my friend saying most people work 5 days a week. I work more than 5 days a week, and I have been working the last 2 months trying to get this done. Every time we tried to do it in the last few weeks—and Senator KIRK is ill, and I gave him every benefit of the doubt. Let's try to do what Senator KIRK thinks is a good idea. If we can agree, we will do it.

Mr. President, we have been trying to get this done for a long time. It is not just today at 1 o'clock; I wanted to move forward on this a long time ago. They say: Let's just give it another day or so and we will take care of this. But that is not how it has worked.

I yield to the Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I thank the leader for yielding. I want to applaud him for asking to bring the legislation that passed unanimously out of the Banking Committee to the floor because there is no one in this Chamber who has been stronger on pursuing sanctions on Iran and trying to defer Iran from achieving nuclear weapons. I support and am on Senator LIEBERMAN's resolution.

But time is of the essence. We must send to the Iranians a clear message that they cannot just forestall negotiations and have negotiations thinking that they are buying time. We must show them that notwithstanding their intentions to buy time, there are consequences.

The consequences of those sanctions on the Central Bank of Iran that are already moving forward and that the administration is fully seeking to enforce, and the continued perfecting sanctions that the Banking Committee sent out unanimously is incredibly important to send the Iranians a message.

I look at what the legislation will do in part. It, in essence, closes loopholes that the Iranians have figured out. It creates sanctions on the national Iranian oil company and the national Iranian tanker company, making them agents of the Iranian Revolutionary Guard and imposes sanctions on financial institutions that would facilitate transactions.

This is important. The Iranians are using this as a way to get around it. It has sanctions on satellite companies that impose human rights sanctions on those companies that provide satellite services to the Iranian regime but fail to prevent jamming by Iran of transmissions by others of the same satellite service company. It has sanctions on financial messaging services, and even though Swift, the largest of them, already pulled the plug on the Iranians, we don't want any other messaging service to fill that void. We want to make sure that noose is as tight as possible.

Mr. REID. Mr. President, if my friend will yield, I want to make sure the record is clear. When I talked about it having no force of law, we were talking about the containment resolution.

I ask this question to my friend from New Jersey: What does he think the Iranians are doing watching this performance today? How does he think they are feeling about what we are doing today—that we cannot pass this resolution?

Mr. MENENDEZ. Originally, when we sent a 100-to-0 vote out of here, they said: We are in trouble. But now they are saying to themselves: Well, buying time seems to succeed.

We cannot allow the Iranians to believe, as they head into these negotiations next week, that there is anything but a foot on the head of the snake and that we will continue to do that and drive every possible sanction and close every possible loophole, which is largely what the legislation the leader was seeking to pass accomplishes. That is why it passed unanimously out of the Banking Committee.

Even as we talk about the resolution, there is no reason to stop the very essence of what would send a message to the Iranians—that it will hurt them in their economy and undermine their ability to continue in Iran as a government, and that it is going to be the very strongest set of sanctions we can levy from one government to another. It will have a multilateral effect, which is when sanctions take place the best.

I am beside myself. Are there amendments that I might want to offer? Of course. But I find it far more important to move now and get passage and send this strong set of sanctions so that the Iranians will get the message rather than to linger and ultimately have those negotiations take place and not send a message.

I appreciate the majority leader's efforts. I applaud them. I am certainly for Senator LIEBERMAN's resolution. I don't believe in containment as a policy, but moving the set of sanctions to ensure that the Iranians don't do anything but come to the table and say they are ready to follow a course of disarmament in terms of their nuclear production is incredibly important.

Sometimes things can wait. This is not one of those times in which waiting produces the desired result. On the contrary, it produces a negative result because they believe we will not continue

to pursue tightening the noose and closing every loophole and being of one mind. I hope we can achieve that before we leave.

Mr. REID. Before my friend leaves, I direct a question to him. Is it true that he is a member of the Banking Committee?

Mr. MENENDEZ. Yes.

Mr. REID. It is true that this resolution came from the Banking Committee?

Mr. MENENDEZ. Yes, the legislation came from the Banking Committee.

Mr. REID. The matter about which we talk, the Iranian sanctions legislation, came from the Banking Committee. It was reported unanimously from the committee, right?

Mr. MENENDEZ. That is correct.

Mr. REID. During the last 2 months, the Senator from New Jersey and his staff have been heavily involved in what is going on during the negotiations that have taken place; is that fair?

Mr. MENENDEZ. It is.

Mr. REID. Jessica Lewis, who is seated by me, my foreign policy adviser—is it true that she worked for the Senator from New Jersey?

Mr. MENENDEZ. She did until the majority leader took her from me.

Mr. REID. And it is true that we have worked over this period of time—our staffs, working with Republicans—very hard to try to get something done. I say to my friend, is it true that each time we were there, were not there the next few minutes, the next day—it has taken forever, 2 months, right?

Mr. MENENDEZ. We have thought at various times that we would be on the Senate floor and have it passed, and there has always been an additional desire or objection. I just think what we have before us, especially in timing, doesn't mean we cannot continue to perfect it as we move to the future, as we are doing in this legislation.

But this legislation, now passed unanimously out of committee, is supported by the major advocates of those who share our vision that we cannot have a nuclear-powered Iran and an Iran with nuclear weapons, and believe that it is important to move now so we can achieve that goal and send a message to the Iranians.

So I think time, in this case, is of the essence. That is why I came to the floor to support the leader's efforts.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, this is a classic moment—unfortunately, too typical—where we all agree on the goal, but we want to pass another tier of sanctions against the Iranians to deter them from developing nuclear weapons. Our goal has been to get this done before the P5+1—five permanent members of the Security Council of the U.N., plus Germany—meet again with Iran in Baghdad this time, which is next Tuesday.

I understand the frustration of the majority leader. First, nobody has been more consistent and steadfast and sincere in their effort than the majority leader to have this body make very clear to everybody in the world—particularly the Iranians—that we will not accept them becoming a nuclear power, and we are prepared to use economic sanctions and, if necessary, certainly now the credible threat of force.

I also know the majority leader has been pushed and pulled back and forth over the last several weeks to get to a point where we can get this done before May 23. So I understand his frustration at this moment.

I hear my Republican colleagues, and I have looked at the language they are concerned about. They are concerned that in listing the economic sanctions as one way that can be used to stop Iran from developing nuclear weapons and not listing the credible threat, the option of military force, as President Obama and others have said, that somehow we are sending a message of weakness.

Frankly, my original hope was that the more important thing to do is to get this done and passed in the Senate by next Tuesday when all parties come to Baghdad. But the difference is not only small, it is nonexistent. We all agree we ought to try the sanctions, that we ought to make them tough, that they ought not be watered down before the Iranians agree to stop their nuclear weapons program. And we all agree we have to have the credible threat of force being used against the Iranian nuclear program if there is any real hope of the sanctions working.

I know the majority leader has to leave the Senate floor. Ideally, I wish we could agree on that sentence and get it done and passed today by consent, if we can. If we can't, I hope we can do it by Monday so we do send a message of unity, which we have, but the words, the procedures, the mood is standing in the way of us sending a unified message from the Senate to the rest of the world, and particularly to the Islamic Republic of Iran in Tehran, that we mean business. Right now we are not speaking with one voice.

I appeal to my colleagues. Let us step back, take a breath. Can we do it this afternoon? Maybe. I hope so. If we can't, let us get it done over the weekend and adopt it by Monday.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I wish to echo what my friend from Connecticut, Senator LIEBERMAN, has said. I wish to get this done so we can vote and send the appropriate signal. It is not so much we act before Tuesday, even though that is important, but that we let the Iranians and the world know what we mean when we speak.

I hope they are watching in Tehran. I don't know if they get C–SPAN. They will probably find it odd that LINDSEY GRAHAM is now being easy on Iran. Trust me, I am not. Senator MENENDEZ has been a champion, along with Senator KIRK, of creating legislation we could all buy into 100 to 0. We can't agree we should take Sunday off 100 to 0. But what they achieved was remarkable.

I understand Senator REID has been pulled and torn. I appreciate it. I enjoy working with him. He thinks maybe somebody is doing him wrong. We are not. He should ask himself this question: Why would Senator GRAHAM be on the floor concerned about what we say if he genuinely did not believe we are making a mistake? I don't want to embarrass the President. I would say to the President: Keep it up with Iran. I hope sanctions work. And if you need to use military force to protect this Nation, if sanctions fail, I will be your strongest advocate.

But a couple of things have been said that need to be corrected. The managers' amendment is not what was in the base bill or we wouldn't need a managers' amendment. Section 102 in the base bill is approximately three paragraphs. Section 102 here is approximately 10 pages. The bottom line for me is that this section was added in the managers' amendment that didn't exist in the base bill:

> Nothing in this act or this amendment or the amendments made by this act shall be construed as a declaration of war or an authorization of the use of force against Iran or Syria.

That wasn't in the base bill. Where the hell did that come from? This is not a declaration of war. But when this sentence is in there, and the new amendment doesn't say one thing about the use of force to control the Iranian behavior—the President's own words are ''all options on the table.'' And the reason I am exercised is we are now producing a product that backs away from where the President has been regarding all options on the table. We end the new managers' package with the statement ''nothing here authorizes the use of force against Iran or Syria.''

It is all about sanctions in the bill, and the only time we mention force is to say we won't do it or we won't authorize it. All I am asking is what Senator LIEBERMAN mentioned. These sanctions are great. I hope they will change Iranian behavior. They haven't yet, and I don't think they ever will, but I am willing to go down this road. All I am asking is when we include in the legislation ideas or concepts that will change Iranian behavior that we include ''all options are on the table'' in the bill. Because this would be the first piece of legislation where that is ominously omitted.

To end, the whole concept of what we are trying to do with the declarative statement ''this is not a declaration of

war or the use of force against Iran or Syria'' would make the Iranians believe, quite frankly, we are all about sanctions and that is it. I am all for sanctions, but if you are listening, Tehran, I want more on the table to make you change your behavior.

This summer is going to be tough for the world. The Iranians talk and enrich. There is nothing credible I have seen to make me believe they are not pursuing a nuclear weapons capability. I hope the talks next Tuesday will change their behavior.

I appreciate what Senator MENENDEZ has done, along with his colleagues on the Banking Committee, to give this President more tools, to make them even tougher than they are today. But the worst thing we could do before next Tuesday is to leave any doubt to anybody who is watching this debate that there is nothing more on the table than just sanctions; that on the table—and we hope to God we never have to use it to stop the Iranian nuclear program—is the use of force, if that is required.

That is all I want to say. I hope we never get there.

I agree with this last statement—I am not asking for a declaration of war against Tehran or Syria—but I will not vote for a document at this critical time in our Nation's history, with the existential threat we are facing from a rogue regime that denies the right of Israel to exist, that has killed over 2,000 Americans in Iraq, that has been a proxy for evil throughout the planet, whose own President doesn't believe the Holocaust existed. And to my friends at APACS, whom I agree with most of the time, if they think this is the right answer, I couldn't disagree with you more.

Add one simple line, that in addition to all the fine work of the Banking Committee, and my dear friend Senator MENENDEZ, that we in the Senate recognize what the President has been saying for months—that military force is also an option.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. First of all, we have two things on the floor that are being discussed right now, and I know this is confusing probably to the people in Tehran, but the fact is I agree that Senator MENENDEZ and Senator KIRK have done a great job. I am on the Banking Committee, and we voted this out unanimously. I do hope, with this managers' package being added, that we can work out the details here.

My sense, by the way, is that we will do that. My sense is we will do that by the end of the day. So on the sanctions bill, I hope it goes forward.

Now I wish to move to something called a resolution. As we saw a minute ago, Senator REID talked about something not having the force of law. We are not talking about the sanctions bill. It has the force of law and, hopefully, will become law soon. What doesn't have the force of law is S. Res. 380, and I ask unanimous consent to engage in a colloquy, if I may, Mr. President, with the Senator from Connecticut and the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. Sometimes what happens around here, Mr. President—and it happened in Libya, when we passed a resolution at 9 o'clock one night by unanimous consent and somebody over at the State Department decided that was an authorization for force. That was not the intent of that resolution. Again, we are talking now about the resolution, not about the sanctions bill.

I wish to engage in a colloquy with the cosponsors of S. Res. 380, because there is a clause 6 in here that says:

> . . . strongly supports United States policy to prevent the government of the Islamic Republic of Iran from acquiring nuclear weapons capability.

There are some wise people over at the State Department who could use that statement as a declaration of war, and I think they acknowledge that. But I don't think the authors of this resolution want that to be the case. So I wish to clarify that in the resolution—not in the sanctions bill—none of the language included in S. Res. 380 may be interpreted as congressional support for military operations in Iran.

I hope that should the administration decide kinetic activities are the only avenue available—we all hope that doesn't happen, but believe it can—that if kinetic activities are the only option available to achieve our policy objectives, they will come to Congress for authorization. This is not intended as an authorization of war.

I think these two cosponsors of the resolution agree, and if the President does want to go to war with Iran, it is his responsibility to come to Congress. Is that the agreement, I ask my colleagues?

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I am pleased to respond to my friend from Tennessee. I am actually very glad he raises the question, because I know at least one other Member of the Senate has similar concerns.

The interpretation of my friend from Tennessee of our intention in this resolution is exactly right, which is that there is nothing in this resolution that is intended to be an authorization for the use of military force in Iran by the President or government, military, of the United States of America.

This resolution's main focus is to essentially back up with a congressional statement the position President Obama has articulated; that no matter what happens, containment of a nuclear Iran is not an acceptable policy from the point of view of the security of the United States; that our policy is to prevent the government of the Islamic Republic of Iran from acquiring a nuclear weapons capability. That is exactly why clause 6 was put in there, to say we do not accept containment; that our policy is prevention of the Islamic Republic of Iran from acquiring a nuclear weapons capability.

But I want to be clear there is nothing in that language that Senator GRAHAM or I or Senator CASEY see as the authorization of the use of military force. If at any point circumstances in Iran require, in the judgment of the Commander in Chief, military action, then I expect—particularly if it lasts a period of time that would bring it within the purview of the war powers understandings—the President would come to Congress seeking explicit authorization for the use of military force.

This resolution supports the negotiations going on now between the P5+1 and Iran. It expresses our hope that it succeed so that the option of military force is not necessary. It is very significant in that it essentially says—and I will paraphrase it—we ought not to dial down the economic sanctions against Iran just because they have come to the table and maybe accepted one part of what we want them to do. They have got to show they have made a commitment for a verifiable end of their nuclear weapons program before we lift the economic sanctions. That is the real goal. And if they do not, they will face our policy of prevention, not containment. But this is not the authorization of the use of military force.

I thank my friend from Tennessee for raising the question and giving us the opportunity to respond, and I hope it reassures anyone else in the Senate who may have had that same concern.

With that, I yield for my friend from South Carolina.

Mr. GRAHAM. Senator CORKER asked a very good question, and I will answer it directly, as Senator LIEBERMAN did. The resolution is not designed to authorize the use of force where anybody in the State Department administration could say, we have the green light to go into Iran from Congress. That is not what we are intending to do. We are intending to echo a policy statement made by President Obama that the policy of the United States will be—if you are listening in Tehran—not to contain Iran if they obtain a nuclear capability.

I want to lodge an objection to my own resolution by my colleague RAND PAUL, who could not be here, so I am going to object on his behalf. He wants to strike two provisions of the resolution, although I don't think we can get there from here.

But in response to Senator CORKER, if he wanted to add a line into this resolution that it is not an authorization

to use force, I will gladly do that so that nobody can mistake that. But here is what Senator PAUL suggested to me. What if they get a nuclear weapon. You know, we don't want to contain them. That is our policy. But what if we wake up one day and they explode a bomb out in the desert and they have already got it? What would we do then? Does that mean we would go after their nuclear program or would we try to contain them? It means, from my point of view, we should go after their program. So we have a difference.

If the Iranians think they can sneak through and get a nuclear weapon, and then we are going to contain them, it doesn't work that way. They need to know their regime survival is at stake if they go down this road. If by some accident of our intelligence being wrong—if that could be even conceivable, which I think it could be given this closed environment—they need to know we are not going to allow a nuclear-capable Iran, period.

But to this resolution not being an authorization to use force, I would say to Senator MENENDEZ that this last statement—which wasn't in the base bill—I don't object to that. This is not a declaration of war. I don't know why someone added Syria. We are not talking about Syria, but there are some people out there who want to limit the ability of the United States sometimes to defend itself. I want to put a sentence in your sanctions bill that all options are on the table, as they have been for months, if not years.

Mr. CORKER. To sort of end this colloquy—and I know Senator MCCAIN and Senator MENENDEZ wish to speak—I fully support every comment that has been made by the Senators from Connecticut and South Carolina. I am not associating myself with the comments of the Senator from Kentucky, which the Senator from South Carolina alluded to.

I would love for the Senator from South Carolina to insert that language into it, regarding the fact this is not an authorization for the use of force. But I want to say that is not because I don't support exactly the sentiments being laid out here. I do. I just want us to continue. I want the Senate to be a part of any action that might take place. Hopefully it won't. But if we end up with kinetic activity, I want us involved in that so as a Nation we go forward—if that occurs—in a unified way. What I don't want is for us to end up where we have in the past, having partisan disputes.

With that, I yield the floor.

Mr. MCCAIN. Would the Senator yield for a question?

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Isn't it true that the President of the United States said that it was ''unacceptable'' for the Iranians to have a nuclear weapon?

I have a series of questions.

Mr. GRAHAM. Yes.

Mr. MCCAIN. So doesn't that mean the United States of America would reserve all options in case of an unacceptable situation where the Iranians continued—and we have seen no deviation from that path—toward the acquisition of a nuclear weapon?

Mr. GRAHAM. The Senator is correct.

Here is what President Obama said: All options are on the table when it comes to the Iranian nuclear program. Israel, I have your back. Containment is not an option.

I agree with the President. I think he has made the right statements, and I am just trying to reinforce them.

Mr. MCCAIN. So isn't it true that we are having this debate about whether this amendment or this legislation could be construed as an authorization or opening the door for military action; that the administration's policy is already very clear that it is unacceptable for Iran to have a nuclear weapon? And I am sure that, over time, the three of us could talk for a long time about the implications for the entire region of Iran, not just the threat to Israel but the entire region of an Iranian government which is, quote, going to wipe Israel off the map, which then, of course, would force other nations in the region to develop nuclear weapons.

Isn't it true that it has been a matter of national policy—both Republican and Democratic—that it is unacceptable? And that does not mean we automatically would use military force, but it does mean we would have to react to the development on the part of the Iranians of a nuclear weapon.

So this resolution we are considering is no different in any way—in fact, it is less specific than what the President of the United States has said and what I believe most every Member of the U.S. Senate is on record one way or the other saying: that the development of a nuclear weapon by Iran would be an unacceptable situation.

Mr. GRAHAM. Well, let me try to answer that.

Senator MENENDEZ and a group of us—Senators LIEBERMAN and CASEY and HOEVEN and myself—did the resolution in question today to echo the President's statement that we are not going to have containment as a policy.

There are some people—even Republicans, I might add, some very prominent Republicans—who believe you could contain a nuclear-armed Iran if you told them: If you ever use a nuclear weapon, we would wipe you off the face of the Earth.

President Clinton gave a very good answer to that situation. He said that the biggest fear he has is not that the Iranians would put a nuclear weapon on the top of a missile and hit Jerusalem and Tel-Aviv. That is a concern. His biggest fear is that they would share the technology with a terrorist organization. So that is why you can't ever let them get this capability.

So the resolution is basically echoing the statement of the President that containment is not an option. And it has 78 cosponsors.

Senator PAUL has the right to object, and he did. I don't think we can get there from here. I think he has a different view of what we are trying to do—honestly held, a good man, just an honest difference of opinion.

Back to the sanctions bill. Senator MENENDEZ did a great job, as he always does on things like this. The reason I found out about this and got so concerned is that section 603 is something that wasn't in the base bill. Again, it says: Nothing in this act or the amendments made by this act shall be construed as a declaration of war or an authorization for use of force against Iran or Syria.

One, nothing in here has anything to do with Syria, and I am OK with saying that. I don't want this to be a declaration of war or an authorization to use force; I want it to be a good sanctions bill. But if you don't have the other means available to stop the Iranian programs—as the President has indicated, all options on the table—that has to be said because we would be leaving a gap in our policy.

So to Senator MENENDEZ and Senator REID, all I am asking is that we insert a provision that basically echoes what the policy of this country is—all options are on the table, not just sanctions. And we will get a lot of votes for this.

Mr. MCCAIN. I know our friend Senator MENENDEZ is going to speak, but this is not any change in American policy toward Iran, both Republican and Democratic, and that is that there is an existential threat to the State of Israel and other countries in the region, other Arab countries in the region, that would be posed if the Iranians continued on their development of nuclear weapons.

So this resolution is an important statement on the part of the Senate and Congress, but to somehow say this is a major change in policy of any kind obviously flies in the face of the record of this President and previous Presidents as regards this issue.

I also would like to thank the Senator from New Jersey for his continued contributions to these national security issues.

Mr. GRAHAM. I would just close and yield the floor to Senator MENENDEZ. The Senator is right about the resolution. We are not coming up with a new idea; we are just reinforcing an idea put on the table by our own President—we are not going to contain a nuclear-capable Iran as a policy. It is not a declaration of war. It is not authorization of force. It is restating the policy at a time when it may matter.

Mr. MCCAIN. And if there were a need for military action, it is the view of all of us that we would come back to the Congress of the United States before any such action were contemplated.

Mr. GRAHAM. Well, here is my view about that. I think the President would be wise to include the Congress.

I am a conservative who thinks the War Powers Act is unconstitutional. I find it odd that our party for all of these years has railed against the War Powers Act until President Obama is in office, and all of a sudden we are great champions of the War Powers Act.

But what I would say is that it would be wise for the President to consult with the Congress and for us to be united. And if you do believe in the War Powers Act, he has to, within a period of time, come back to get our approval to continue. I think whatever the President needs to do to defend us against a nuclear-capable Iran is best made by the Commander in Chief consulting with the Congress. But you can't have 535 commanders in chief.

Back to the sanctions bill. The problem I have is that it is silent on a concept on which we all agree, and I don't want to create a document before the negotiations Tuesday that doesn't include something beyond sanctions to change the Iranian behavior that we all want to avoid. And this says: It is the sense of the Congress that the goal of compelling Iran to abandon efforts to acquire nuclear weapons capability and other threatening activities can be effectively achieved through—it goes through 10 pages talking about sanctions, and not once does it mention the possibility of military force, and that is what I want to add, that concept.

With that, I will yield the floor. I hope we can work this out.

To the Senator from New Jersey, I think he is a great guy, and I am sorry we are having this problem. But it is very important to me that we get this part of it right.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I appreciate the comments of both my colleague from South Carolina and my colleague from Arizona. They are leaders in this regard in terms of the national defense. And if I ever had a case, I would want Senator GRAHAM to argue it for me because he is a fine lawyer. I have seen that on the floor and I have seen it in his role as a reservist in part of, as I understand, the Judge Advocate General program. So he does a fantastic job.

Let me make some observations that I think are critically important.

No. 1 is that I share Senator GRAHAM's and Senator LIEBERMAN's concern and the desire to have the Senate on record as saying we do not and cannot accept an Iran that has nuclear power and nuclear weapons. That is why I signed on to their resolution. And I think their resolution moving exactly in tandem, parallel with the sanctions legislation that I played a significant role with the chairman of the Banking Committee, Chairman JOHNSON, and others to bring to the floor is incredibly important.

But let me make some observations.

First of all, in the committee itself, when it passed unanimously, all of our colleagues on both sides of the aisle had the opportunity to offer an amendment and/or language that would have done exactly what the Senator wants, and no one on either side of the aisle sought to do it because the focus was on the jurisdiction of the committee, which is economic sanctions—economic sanctions that have proven in their first iteration to begin to have real consequences to the Iranians: devaluing the rial by over 50 percent; creating challenges in their economy; closing the financial institutions they can deal with in the world; looking at their oil, having major discounts on their oil and finding it increasingly difficult to sell. And we have the opportunity to perfect that, to make it even stronger, even more viable before they head into negotiations and think they can buy time.

Now, it was silent when it came out of the Banking Committee. And, yes, in the managers' amendment there is that provision because, in fact, in order to deal with one of the objections of our colleague on the other side of the aisle, Senator PAUL, provisions saying that this was not a direct military authorization were included so that we could ultimately find the opportunity to pass it on the floor with unanimous consent—the same unanimity the Banking Committee had, the same unanimity we had when we passed the sanctions on the Central Bank of Iran. That unanimity sends an incredibly strong and powerful message to the Iranians.

So it was in the process of accommodating that Senator REID talked about over the last 2 months to try to get us to a point that we could pass legislation, that in the process of accommodating that, that language comes forward.

The concern is ultimately taken care of by Senator LIEBERMAN and Senator GRAHAM's resolution; that, in fact, the President has said, as the Commander in Chief of the country, that a nuclear-armed Iran is not an option; that containment of a nuclear-powered Iran is not an option.

This President has put all of the military assets that are necessary that did not exist before in the Persian Gulf to both respond to any incident or to initiate any action he thinks may be necessary. Therefore, those actions more than any words have made it very clear to the Iranians that is a real possibility if the national interests and security of the United States are ultimately challenged.

So I really think that insisting on the sanctions part of the legislation, that has the full force and effect of law and real consequences to the Iranians in their economy—which is the most significant way that we undermine their march toward nuclear weapons—is important to move, while you move independently the legislation that Senator LIEBERMAN and Senator GRAHAM have talked about, which is making the intentions or amplifying the intentions of the President crystal clear. But you should not hold hostage the sanctions legislation in order to accomplish a goal that should be taken care of by the Lieberman-Graham resolution, and you shouldn't hold it hostage when, in fact, you have a powerful tool to exercise before the next round of negotiations.

The Iranians must know that we are one of purpose, and that oneness comes by passing the sanctions unanimously through this Chamber and achieving, ultimately, their effects.

So that is the only point of disagreement with us. Don't hold the sanctions legislation hostage. None of our colleagues sought to include that language. And the language that is included is in response to a colleague from the other side of the aisle in order to be able to move the legislation. So you can't have your cake and eat it too. But we do need to have our ability to move the sanction before the Senate adjourns this week, and I think that will meet our collective interests as a nation.

There is only one piece of turf we should be fighting for; that is, the collective turf that is our country. That is what we can do by passing the sanctions legislation.

I hope Senator REID will have the opportunity to clear the way and to move it by unanimous consent and in doing so send a very powerful message on behalf of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask consent the Senator from Delaware, Senator COONS, and I could have a colloquy for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT IMMIGRATION

Mr. ALEXANDER. The Senator from Delaware is not yet on the floor but I know he is coming. Because I know other Senators wish to speak at 2 o'clock, I am going to go ahead with my remarks. When he comes I will let him go ahead with his.

Each year, approximately 50,000 foreign students receive advanced degrees from universities in this country in the areas of science, technology, engineering, and mathematics. We call those in shorthand STEM degrees—science, technology, engineering, and mathematics.

Of those 50,000 students, at least 17,000 go home to other parts of the world. These are some of the brightest men and women in the world. They are attracted to the best universities in the world. I always say our universities, our great research universities especially, are our secret weapons for job growth. Since World War II, many estimates by the National Academy of Sciences suggest that more than half of our new jobs have come from increases in technology. It is very hard to think of any important new innovation in biology or in the sciences that has not had some sort of government-sponsored research over that time. So our research universities are job factories and our advanced degree holders are the ones who come up with the great ideas.

As a former president of the University of Tennessee, which is a fine research university, I know that increasingly in the science, technology, engineering, and math programs in those universities many of the students are from other countries. These students line up in India and compete, hoping they will get a chance to come to the United States. They have done the same in China. They do this everywhere in the world. About 17,000 of those 50,000 who come for advanced degrees go home each year.

Yesterday, Senator COONS and I introduced legislation that would help those 17,000 students, and we hope more who may come, to come to the United States, get their advanced degrees in science, technology, engineering, and math, and then stay here and create jobs in our country instead of going home and creating them in other countries.

I will have to admit there is a value to students who go home. It is probably our best foreign diplomacy, to have someone come from another country, live here, learn our values, go home and explain those at home. But we want the next Google to be created here, not in China. We want the brightest people in the world. If we are going to attract them here and provide education for them, we want to give them every opportunity to come here. And today we make them go home because of our immigration policy.

The legislation Senator COONS and I introduced yesterday now has the support already of at least two other Senators, Senator LUGAR and Senator ISAKSON, who have asked to cosponsor. It would, No. 1, create a new student visa for citizens of other nations who want to come here and pursue a master's or doctoral degree in science, technology, engineering, and math. No. 2, once they get that degree, the new visa created in this bill would allow them to remain here for 12 months, to look for a job. And, No. 3, once they are employed, the bill establishes a procedure to allow students to change their immigration status and to receive a green card. Finally, these new green cards would not count toward any existing green card limit.

This idea is not new. It has as much support outside of the Senate Chamber as any idea I know about—from companies such as Microsoft, which tells us they have 2,600 jobs available that require computer science degrees that start at $104,000 a year. They would like to have these students work here and create jobs for us. We know from our own experience the importance of these green-card holders.

The Oak Ridge National Laboratory in Oak Ridge, TN, is probably the greatest engineering laboratory in the world. Who runs it? Dr. Jeffrey Wadsworth ran it. He had a green card from the United Kingdom. Dr. Thom Mason, who is there now, had a green card from Canada. Thomas Zacharia, the current Deputy Director at ORNL and the father of supercomputing, has a green card from India.

We want them here, not in India, not in the United Kingdom, not in Canada.

I greatly appreciate the leadership of Senator COONS of Delaware on this issue. He has worked hard on it. He has been a leader on it.

I only have one more thing to say about it before I step aside and let him talk about his ideas. In 2005, we began to work on something called the America COMPETES Act in this body. In 2007 we passed it. It was sponsored by the Democratic leader and the Republican leader. It had 35 Democratic sponsors and 35 Republican sponsors. It passed the House. It was reauthorized last year. We asked the best minds in our Nation to tell us what would be the 20 things we could do as a Congress to make sure we are competitive in the future so that we can keep this high standard of living we have come to enjoy. It is a very high standard of living. We have about 5 percent of all the people in the world. We have about 25 percent of all the wealth in the world that we produce each year. How can we keep doing that?

They gave us these 20 ideas and we passed many of them. It is one of the great successes of our Congress over the last several years, working together. One piece of unfinished business from the America COMPETES Act of 2005 and 2007 was to pin a green card on the foreign student who gets a graduate degree in science, math, technology, or engineering.

The legislation Senator COONS and I offered yesterday would do that. I greatly value his leadership and his approach. I hope we can work with our colleagues on both sides of the aisle to take this idea, turn it into a law, and give our country more of an opportunity to create new jobs as we move forward.

I already asked permission for the next 15 minutes that Senator COONS and I would be in a colloquy. I wish to defer to him for his comments at this time.

Mr. COONS. I thank very much Senator ALEXANDER. I cannot think of a better person to partner with, to seek advice and guidance and leadership from, on the issue of STEM immigration and education reform than Senator ALEXANDER, a national leader on education policy. Like me, Senator ALEXANDER is the son of a former classroom teacher, but also served as the U.S. Secretary of Education and president of a prominent university, the University of Tennessee. He knows firsthand of the challenges, of the opportunity lost when tens of thousands of foreign nationals, who come here and seek the opportunity to get STEM master's and doctoral degrees in some of our best universities, are then forced to return home to their nation of origin rather than being able to stay here, if they choose, to create jobs, grow businesses, and contribute to our country and our economy.

As someone who, before running for public office, worked with a highly motivated materials-based science company that employed over 1,000 researchers, I too have a sense of what great contributions immigrants have always made to this country, but particularly in these areas of innovation and how they can contribute to our competitiveness.

Senator ALEXANDER's closing comments about the America Competes Act is where we start this conversation. I came to this Senate knowing that my predecessor from Delaware, Senator Kaufman, had been a strong supporter of the America Competes Act, one of the few engineers to serve in the modern Senate. I was happy to take up the cause and press for its reauthorization in the waning days of the 111th Congress.

I met with Senator ALEXANDER last year and we talked about this as one of the most promising unfinished pieces of business in that critical report, ''Rising Above The Gathering Storm,'' and in that vital piece of legislation, the America Competes Act. As Senator ALEXANDER had referenced, the America Competes Act was passed with strong bipartisan support. That was the sort of thing that was focused on moving America forward by identifying strong ideas that had support across the whole country and a lot of different sectors and from both parties. It is my hope this is the beginning of building a strong bipartisan coalition on moving forward on immigration reform.

Let me talk for a minute, if I could, about our history and tradition of immigrants contributing to our country, being a strong part of job creation and growth here, and in particular immigrants who come to this country to be educated in STEM disciplines—science, technology, engineering, and math.

If you think about it, for most of the last century we had some of the strongest universities in the world. For much of the last 50 years, anyone who came here from a foreign land to get a doctorate in a STEM discipline, if they chose to go home, was going home to a country that wasn't a competitive environment. The United States—because of our advances in workforce and infrastructure and our legal system, our entrepreneurial culture, our capital markets—was the world leader in innovation and competitiveness. This is no longer the case. We still have the strongest universities in the world, 35 out of the top 50, but today those 17,000 STEM doctoral and master's graduates that Senator ALEXANDER referred to, when we force them to go home to their country of origin rather than allowing them to compete for those jobs here and contribute to the American economy, are finding open arms in nations such as India and China, which are vigorous competitors. They are providing the capital markets, the infrastructure and the workforce, the resources to take advantage of those opportunities. We need an immigration system that responds to the modern economy and the opportunities of a highly competitive modern world. Rather than hemorrhaging these highly skilled folks and having them return home, we should give them an opportunity to participate in being job creators here.

The numbers bear this out. If you take a look at the Fortune 500 companies today, more than 40 percent of them were founded by immigrants or their children. Folks who had come to this country recently from other parts of the world have established companies that employ more than 10 million people worldwide and have combined revenues of more than $4 trillion, a figure greater than the GDP of every country in the world except the United States, China, and Japan. Immigrant-founded startup companies created 450,000 jobs in the United States in the last decade, and collectively they have generated more than $50 billion in sales in a single year.

Let me give one example that has meant a lot to me. I became friends with the founder of Bloom Energy, KR Sridhar. In his native India he got his undergraduate degree, but he came to the United States to get his doctorate in mechanical engineering and then went on to be a researcher at NASA's Ames Center and made a critical invention in solid oxide fuel cells. He runs Bloom Energy, which has already created 1,000 jobs. Last week the Governor of Delaware and my senior Senator, TOM CARPER, joined others at the site of a former shuttered Chrysler plant for the groundbreaking of a facility that Bloom Energy will make possible.

Why would we want a capable, bright contributor to our economy like KR to be forced to go home to his country of India, rather than welcoming him here and giving him a chance to participate, to contribute, and potentially become not just an American business leader but an American citizen? We need to make it easier for the next generation of inventors and innovators to create jobs here.

This bill, as Senator ALEXANDER has laid out, is relatively simple. It creates a new class of visas for foreign students to pursue STEM master's and doctoral degree programs, and allows us to continue a conversation about how do we recognize the longstanding central contribution to our economy, our culture, and our country of immigrants.

I believe there are other areas of immigration reform that have to be on the table, that we have to move forward on. I am eager to move forward on family-focused reform and on other areas as well, where I am a cosponsor of other immigration bills, but my hope is this legislation will get the attention it deserves, will get the broad support from Members of both sides of the aisle it deserves, and that it will form part of a compromise that will address the needs of all the stakeholders in immigration reform in a responsible and balanced manner.

This legislation is not the end of the road, but it is a critical step forward in making sure we continue a bipartisan, thoughtful, and constructive dialog on how do we deal with an immigration system that is broken and that doesn't make America as competitive as it could be.

If I could, I want to close by thanking Senator ALEXANDER for his leadership, for allowing me to work with him and to produce a bill that is streamlined, that is simple, that is accessible, and that I think can contribute to making America a land that continues to welcome and celebrate the real job creators, inventors, and innovators from all parts of the world.

Mr. ALEXANDER. Mr. President, Senator COONS is one of the most eloquent speakers we have in the Senate. He did a beautiful job in explaining the bill. I hope it attracts support from both Republicans and Democrats. He mentioned the fact there are other immigration issues—and there are. There are a number of ones I wish to work on and get something done. I was here when we tried to get a comprehensive immigration plan a few years ago. It had strong bipartisan support, but one of the lessons we learned in that effort was that we do not do comprehensive well here in the Senate. Sometimes it is better to go step by step. That has been true for a long time.

We remember Henry Clay as the Great Compromiser, but Henry Clay's greatest compromise was not passed by Henry Clay. He failed. It nearly ruined his health and he went to Massachusetts to recover from it. A Senator named Stephen A. Douglas, from Illinois, the home of our assistant Democratic leader, came to the floor and introduced the Clay compromise section by section and each section passed with a different coalition, with Senator Sam Houston being the only Senator who voted for each one of them. So my hope is that with the broad support we have for this very simple idea—pin a green card on the lapel of a gifted graduate of an advanced program in science, technology, engineering, and math, and allow them to stay here and create jobs here instead of forcing them to go home—I hope we have such strong support for this idea that we can go ahead and pass it, and then we can follow that up with the other necessary steps we need to take on immigration, and hopefully we can do that with a coalition that represents Democrats and Republicans as well. This is a great idea.

Somebody might say: Well, why don't they just do it the way we do it now? Right now, it is H 1B visas. As everyone who is an employer knows, they are complicated, burdensome, and there are not enough of them. This is simple. It is a new visa. They get it if they are admitted, and they get to stay 12 months while they look for a job. If they get a job, they get a green card, and there is no cap on the number, and that is the idea.

I thank Senator COONS for his leadership. I look forward to turning this good idea, this piece of unfinished business in the bipartisan America COMPETES Act, into law.

Mr. COONS. In closing, I will just say that the economics of this legislation are simple, but, as Senator ALEXANDER and I recognize, any step toward immigration reform is complicated. Making it easier for foreign-born, American-educated innovators to stay in the United States is just one aspect of many of the urgently needed steps to reform our outdated immigration system.

I see that Senator DURBIN has come to the floor. I am proud to cosponsor the Dream Act. I also support the Uniting American Families Act. There are other pieces of legislation that are essential to allow us to recognize and to strengthen the role immigrants play in the fabric of our country. I think this opportunity today to move forward on a bipartisan bill that focuses on this one area without caps, with a new class of immigration visa, is an important contribution to moving this discussion forward for all of us.

I thank Senator ALEXANDER.

Mr. ALEXANDER. Thank you, Mr. President.

I yield the floor.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

POSTAL REFORM

Mr. DURBIN. Mr. President, today the Postmaster General announced that the Postal Service would begin the process of consolidating about 140 processing facilities around the country. Despite the harsh realities of this announcement from the Postmaster General, there are a few bright spots in Illinois.

The processing facilities in Springfield and Fox Valley, which the Postmaster General had originally slated for closure, will remain open. Additionally, I am glad that the Postmaster General has heeded our calls to keep Illinois jobs in Illinois and other jobs in the States where the processing facilities currently exist. The Postmaster General's original plan would have potentially sent over 500 Illinois postal jobs to surrounding States, along with the mail they have processed so efficiently for so many years.

Beyond the postal employees, the Postal Service supports tens of thousands of private sector jobs in Illinois, which is the center of the mailing and printing industry.

Certainly, today's announcements are difficult for my constituents who live in Quincy and Rockford, Carbondale and Centralia, Bloomington and Effingham. I have consistently insisted—and the Postmaster General assured me—that we are going to avoid layoffs and that all of the employees in these facilities will have the opportunity to pursue another role in the Postal Service or to accept, if they wish, early retirement incentives. I am told none of these facilities will close before the end of the year.

As I said, today's news is disappointing and difficult for many in my State, including postal customers, postal employees, and small businesses. Still, I think it is important to note how far we have come from the Postmaster General's original plan to where we are today. Originally he sought closure of 250 processing facilities nationwide—today's announcement, 140—and called for the closure of 3,700 mostly rural post offices.

In Illinois, the Postal Service originally targeted 9 plants for closure which employ over 1,800 people. After countless hours of meetings and hard work and a great deal of floor debate, we have moved off the potentially destructive path.

Let me say this too, Mr. President. You know this subject better than any other Member in the Senate. We met in my office with the Postmaster General—I believe in November or early December—sat down with him and said that his proposal to reduce the number of post offices and processing facilities could be the death knell of postal service as we know it today.

You will remember that we challenged them. We said: Mr. Postmaster General, do not make any of these changes until May 15. Give Congress an opportunity to come up with a way to save money for the Postal Service, to preserve the Postal Service, and to do it by way of legislation, which is why we were elected.

He reluctantly said he didn't want to do it. Reluctantly he gave us a letter and said: I won't do anything until May 15. I will give the House and the Senate a chance to do their work.

If you will remember, Mr. President, I called Senator LIEBERMAN, chairman of the administration committee—the government operations committee, and said to him: With this jurisdiction, we have to roll up our sleeves and get to work.

He said: We are ready. Senator COLLINS and I and Senator CARPER and others will work together to pass a Senate bill that achieves Postal Service reform in a fairer way.

And he did.

The same day, I called Chairman DARRELL ISSA, the California Republican chairman of the House committee with the responsibility for the Postal Service. I said to Chairman ISSA: We now have until May 15 to do our job, to pass a bill in the House and the Senate and get it to the President, and now the clock is running.

Mr. President, you will remember that we had a break over the holiday, and when we came back we were anxious. We didn't want to waste any time. Let the record show that at the end of the day, the Senate, on a bipartisan basis, passed the postal reform bill. Thirteen Republicans joined 49 on the Democratic side and passed a bipartisan bill.

Well, what happened in the House? The answer is nothing happened in the House. The House of Representatives failed to do their job. They failed to pass Postal Service reform. To my knowledge, they didn't bring a bill to the floor. And then May 15 came. The Postmaster General kept his word and waited, and then he made this announcement.

If the Senate bill that we passed had become the law of the land, today's announcement would have never taken place. We set up a process for post offices and processing facilities to be evaluated in terms of their efficiency and costs that I think was sensible, reasonable, and would have saved money. We didn't get to that point because the House failed to act. That is the harsh reality of why we face what we do today.

Only the Speaker of the House and his majority can explain why they didn't accept the challenge to legislate. My question to them is, If you are not here to legislate, why are you here? An issue of such national importance as the future of the Postal Service should have been done, as it was in the Senate, on a bipartisan basis in the House of Representatives. We did it here. We worked together. I cannot even remember how many amendments we considered, but we labored through every single one of them and got it done.

Now I look around my State and see six or seven major processing facilities closed, and it breaks my heart because what we did in the Senate would have avoided some of those. It would have at least put a process in place that was a lot fairer.

Well, my last word to the Members of the House is that it is not too late. It is not too late to accept the responsibility and to pass the Senate bill if you can't pass one of your own. Call our bipartisan Senate postal reform bill to the floor. At least give it a vote in the House of Representatives.

If they can pass it, let's send it to the President, and perhaps before the end of the year we can actually save some of these postal facilities.

I don't want to create false hope because I couldn't believe that May 15 would come and go and the House wouldn't act, but that is what happened. So let's hope that changes for the better.

I am going to continue to work with the Presiding Officer as well as the President of the United States and all of the committee members. The Postal Service is something special.

I will close by saying this. When they ask Americans what they think of people who work in the Federal Government, they don't always have the highest opinion—including Members of Congress. But when you ask them about what branch of the Federal Government they have particularly positive feelings about, it is the Postal Service. You know why, and I do too. It is that letter carrier who is looking in the window and waving at your mom to make sure she is OK each day, and she looks expectantly for the delivery of the mail even if it is just some circular. That is that visitor each day who keeps her in touch with the world and our Nation in touch with itself. That is the Postal Service.

I just went into the Springfield post office, my local branch, recently, and they couldn't have been kinder or more courteous, helping all the people who were there. Our postal employees are some of the best Federal employees in America, and I am proud of what they have done. I am sorry they are going through this change. It is not something we wanted to see happen.

We are going to do this in a way that is good for the future of the Postal Service. I hope the House will join us in this bipartisan effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

STUDENT LOAN INTEREST RATES

Mr. REED. Mr. President, I am joined by my colleague, Senator BROWN of Ohio. We are extraordinarily apprehensive that in 45 days the interest rate on

subsidized student loans will double in the United States. Young people and middle-aged people who are struggling to educate themselves and reeducate themselves will be faced with a tremendous increase in the cost of college and postsecondary education. The interest rate will go from 3.4 percent to 6.8 percent. This is particularly ironic when the Federal Reserve routinely lends to large banking institutions huge sums of money at less than 1 percent. So this is a huge impact on middle-income Americans who are struggling with so many challenges: housing costs, employment problems—the whole plethora of issues they face.

It is estimated that more than 7 million students, including 43,000 in Rhode Island, will suffer because of this doubling that will take place. A lot of our colleagues have said: Of course we don't want to see this happen. I thought it was terribly ironic yesterday that they, with very few exceptions, voted consistently for budgets that would, in fact, double the student interest rate. In fact, one of the budgets they voted for previously, the Ryan budget from the House, would also eliminate the in-school interest subsidies for certain loans. So there is this incongruity between, oh, we are all for keeping interest rate low for students, but, of course, in our budget we double it.

There is another problem, and it has been reported in so many different national and local newspapers. There is a huge problem with student debt. We have reached the $1 trillion mark in student debt. This could be the next big, huge bubble we face financially. It certainly impairs the ability of young men and women when they graduate to go and take the job they want, to buy the house they want, because they are struggling with huge debts, and we are adding to that by doubling the interest rate.

This is a policy issue, but it is also an intensely personal issue. I received letters from many constituents about the potential impact, and I know Senator BROWN from Ohio has as well. I wonder if the Senator has some comments at this point.

Mr. BROWN of Ohio. I appreciate the work of the Senator from Rhode Island and Senator HARKIN. Of course, Senator REED has been working on this issue for months and months. I am still amazed that the Senate refuses time and again and the House refuses to do the right thing.

This started back in 2007. It was bipartisan with President Bush, with the Democratic House and the Democratic Senate. The Presiding Officer was involved, Senator REED and others, and we passed it. We did a 5-year freeze of interest rates. Now the bipartisanship seems to have gone, and repeatedly this body has either failed to step up or actually voted no or voted wrong in some cases to move forward on this.

As Senator REED has said, I, too, have tens of thousands of people—380,000 Ohioans—who are now in the Stafford subsidized loan program. It will mean about $1,000—as it will in Rhode Island—per student, per year if we fail to act by July 1.

I have been at four campuses just in the last month or so. I have been at a community college in Cleveland, the University of Cincinnati at the other end of the State, Wright State University in Dayton, and Ohio State University in Columbus. I saw students—one was from the Young Republicans on one of the campuses and others are Democrats—trying to find a way to pay their bills. They are working-class kids, middle-class kids, poor kids—kids who want to find a way to get ahead.

We hear the same stories over and over, but let me just share one. On my Web site people sign up and come to the Web site and tell their stories. I will just share one of them. I know Senator REED has been hearing from people in Providence and Warwick and all over his State also.

This comes from Dorothy in Mount Sterling, OH. She wants to be a special ed teacher. Dorothy says:

I never thought that student loans would have such a huge impact on my life. I am studying to be a special ed teacher. I really want to make a difference so that our youngest generations have an equal opportunity to succeed in life.

I rely on student loans to pay for my education and assist me in times of need in this harsh economic climate.

Higher interest rates mean that I will never be able to afford a home, a reliable vehicle. I will never be able to provide for my family, and I will always feel in debt for trying to make myself a better person and trying to be a better citizen for our country and the State of Ohio.

If given the chance for a better job opportunity outside my area of expertise, I would surely take it into great consideration. I know that in the years to come, I will desperately be looking to relieve myself from the cost of my college education.

I feel like I have been punished for wanting an education and wanting to better myself so that I can better the lives of others. I just wanted to make a difference and I am fighting against those who do not even realize what it means to truly struggle.

Please don't stop fighting for me.

We can hear the desperation. We can hear the focus she has on community service and public service, but we can also hear the view that she is being undercut by decisions we are making—or not making.

She also said something else that was pretty interesting. When we saddle these young people with loans, the average 4-year graduate in Ohio has about $27,000 in debt. When we pile more on Dorothy or somebody in Rhode Island or Vermont, it means they are less likely to buy a house, less likely to start a business, less likely to start a family. It is morally wrong to stand in their way or make it harder.

Think what it does to the economy too. I want people such as Dorothy to get an education without huge debt, to buy a home, to begin to provide and prosper and lift the whole community; people who are productive workers and who care about the community. We have no business taking that away from Dorothy and people like her and adding to her debt. That is why we have to do this first.

Mr. REED. Mr. President, if I could reclaim my time, the Senator has been a tremendous leader on this issue because he leads from the front. He is in Ohio. He is talking to students and families. He understands the personal ramifications that are involved.

Let there be no mistake. This is a program that benefits middle and lower middle-income Americans. Nearly 60 percent of the dependent students who qualify for subsidized loans come from families with incomes of less than $60,000. This is not a perk for the superwealthy. Nearly 70 percent of independent students—that is the term of art for those adults or older people who may have some previous training but they have to go back to the community college to get a certificate and are trying to transition from a job that was shipped overseas to one they think they can get here.

Nearly 70 percent of independent students borrowing these loans have incomes of less than $30,000 a year. So we are talking about people who cannot afford a doubling of the interest rate.

But there is another issue too. It is not just, as Senator BROWN pointed out, to fulfill legitimate and, in fact, admirable personal ambitions of establishing oneself in a community by buying a home or raising a family; this is about our future, our productivity as a nation, our ability to compete in an incredibly difficult international, global economy.

We have looked at the statistics at universities such as Georgetown University. Their Center for Education and the Workforce said over 60 percent of the jobs by 2018—a few years from now—will require some postsecondary education—60 percent. But in 2010, only 38 percent, roughly, of working adults held a 2-year or 4-year degree. So we have this gap, a 20-percentage point gap, between the skills we need through postsecondary education and the skills we have. We hear not just from analytical papers that are done by think tanks; we hear it every time we go back to either Ohio or Rhode Island because employers come up to us and say: I have jobs to fill, but I can't find people with the skills, the training that I need to give them a job.

Mr. BROWN of Ohio. Will the Senator yield?

Mr. REED. I am happy to yield.

Mr. BROWN of Ohio. Senator JACK REED from Rhode Island is one of the few graduates from West Point in this body and served his country in so many ways and still does. But I think about

JACK REED when I think about what happened with the GI Bill after World War II. We want to help individual people with keeping these interest rates from doubling, but we know when we help lots of individual people we help society as a whole.

After World War II, literally millions of young men and women returned from fighting for our country, came back to the United States, and the government was farsighted enough in 1944 under President Roosevelt, who signed the GI Bill, to prepare for this huge wash of young men and women coming back from the war. We as a nation were smart enough back 65, 70 years ago to help millions of those young men and women one at a time with their education.

But here is what else it did: Those millions of students who benefited from the GI Bill gave so much to society. Perhaps our best times economically as a nation in the 1940s, 1950s, 1960s, and 1970s came out of the GI Bill because when government helps in partnership to give opportunity to thousands or hundreds of thousands or millions of people, it also helps the country as a whole, and that is part of our philosophy in public service in many ways.

So what these Stafford loans, these subsidized loans do, as do Pell grants—and we are seeing efforts to cut Pell grants by the House of Representatives too, which is just the stupidest thing ever in my mind because I don't understand the way some of them think—but when we provide opportunities for Stafford loans, subsidized loans, or Pell grants, it is helping people such as Dorothy and people in Rhode Island and Vermont. It is helping people in Mansfield and Toledo and Cleveland and Garfield Heights. I think it is one of those things that is hard to understand why we would not do this.

I wanted to ask Senator REED a question, if I could. He explained on the Senate floor one day how Republicans have said they are for this now, that they don't want to double the interest rate—although I am not sure of that from some of their activities. The Senator from Rhode Island has talked about the way we want to pay for this versus the way they want to pay for this.

I know the Senator talked about closing tax loopholes, and they talked about sort of playing college students against women needing mammograms by cutting health care—if the Senator could explain that to my colleagues.

Mr. REED. I would be happy to, reclaiming my time. First, let me echo what Senator BROWN said, how this is about being competitive. When he talked about the Pell grants, I have to reference my colleague and predecessor, Claiborne Pell, because he seized on the lesson of the GI Bill and said: Let's extend it broadly to college students. So Pell grants, Stafford loans, all of those vehicles were created. Frankly, I think that is not only the reason we have led the world and the Nation in creativity, but it is the reason America, as well as—and probably better than any other place in the world, was able to proliferate computers and technology, et cetera, because we have a literate, well-educated citizenry who first could invent these devices and then could use them properly. We are in danger, if we don't continue to support education, of losing our innovative edge and losing our capacity as a people to adopt innovation and technology and to continue to lead. For all of these reasons, our economic future is linked to continuing to support higher education.

There is another point I wish to make before I talk about the way we have proposed to pay for this; that is, there have been some on the other side who say the problem is that tuition is going out of sight, and we are contributing to those tuition hikes. Well, under the subsidized loan program, the maximum borrowing is $23,000. So this is not the driving force. Colleges have to recognize they have to rein in costs, but this is not the driving force. This is the way so many families are able to make it through college and make it into the economy and move up the economic ladder.

But what our colleagues have said is they are all for preventing this doubling. Of course, yesterday they voted consistently, with very few exceptions, to double the interest on Stafford loans. So what they say and what they do sometimes are different.

But then they said the real dispute is how to pay for it. They want to pay for it by going after the money in the prevention fund, which is part of health care reform. But this prevention fund is absolutely critical. As Senator BROWN indicated, people need diagnostic tests. They need to be able to go to a medical facility and get advice, assistance, and tests so they can avoid problems. That is not only sensible for the individual; that is the only way we are going to get a handle on the proliferation of costs in the health care sector.

One of the ironies of our current health care system, pending the, we hope, implementation of the affordable care act, is that we have millions and millions of Americans who have no real access to health care, no access to preventive care, no access to simple things such as cheap pharmaceuticals to control cholesterol until they get to be 65 years old. Then they go into the doctor's office, and they have Medicare. But their problems are so much more expensive.

I was speaking to ophthalmologists in my office, and they said: You are absolutely right. We see people come in for the first time with health care under Medicare who have serious problems such as diabetes and glaucoma. If we had seen them 10 years ago—if a physician had treated them—through a prescription or another very inexpensive therapy, they could have avoided these tremendous costs. That is what they are going after.

By the way, that is, to me, another middle-class program because, frankly, if one is well off and well situated financially, one will get all the preventive care one needs. It is those people who are struggling in the middle class and moving into the middle class who need this prevention fund.

So what we have proposed—is not to attack another benefit, or a smart, wise, cost-effective approach to health care that would benefit middle-income Americans—instead we are going after a tax dodge, plain and simple. This is a tax dodge that has been called out by the Government Accountability Office as something that has been used to avoid over $23 billion in taxes on wages in 2003 and 2004—a huge gulf.

In 2005, Treasury Inspector General for Tax Administration called this loophole a ''multibillion employment tax shelter.''

Let me tell my colleagues how it works. An individual who is a professional—a lawyer, an accountant, a consultant, a lobbyist—and the skills of that individual represent what he or she does as a lawyer, an accountant, et cetera. They are personal skills. But instead of being paid by an employer directly, they substitute a subchapter S corporation so they are now an employee of the corporation. They take a minimum salary, if you will, from the corporation, but then at the end of the year, the corporation gives the individual the surplus as a dividend, which is taxed much cheaper, so the person can avoid payroll taxes. It is legal, but it is a tax dodge. It is a loophole.

This loophole is so egregious that conservative columnist Bob Novak called it out, Sean Hannity of Fox News called it out, and the Wall Street Journal called it out saying it is a simple way to avoid paying payroll taxes, Medicare taxes, as well as other employment taxes.

Closing this loophole is sound policy. We should do this anyway. But when we do it in conjunction with this student lending, we actually are able to help struggling families and close an egregious loophole.

What some of our opponents have suggested is that this is just another tax increase. We have been very careful. We restrict these to professional endeavors. We also restrict the impact to those making over $200,000 a year. So this is not targeted at the mom-and-pop stores. This is not targeted at the local laundry or the local dry goods store or the local hardware store that is organized as a subchapter S. In fact, Politifact, one of the agencies that

does independent analyses of various claims, clearly rejected this characterization as a tax increase on the mom-and-pop stores and on the small business companies and the job generators as false. So we have not only a sensible, but a compelling way to pay for this.

So everyone agrees we can't let this happen on July 1. We have an egregious loophole that should be closed anyway to pay for it, and I suggest we move on. Just, procedurally, let's bring this to a vote. If they want to put up the prevention fund for a vote, if they want to put up any other means to pay for it, fine.

Let's have our vote, and let's avoid the doubling of student loan interest rates on July 1.

I know the Senator from Ohio has some comments.

Mr. BROWN of Ohio. I thank the Senator.

I appreciate that explanation because this is a tax loophole that almost anybody who is fair-minded about this sees as a giveaway to some. They call it the Newt Gingrich-John Edwards tax loophole, to be bipartisan, where each of them benefited by tens of thousands of dollars. Again, they did not cheat; they did not break the law. They just took advantage of a tax loophole I would think everybody here would want to close because most people play it straight.

Their income is their income. They pay the Medicare tax on it. This is a case where they do not. We, I thought, believed in some fairness in taxation. But back to the individual people who will benefit from this. That is why Senator REED is involved. That is why the Presiding Officer and Senator SANDERS, I know, care about this issue.

Let me share, in closing, one last letter. This came from Courtney in Galloway, OH:

I, like many other students, always had a college savings account. I remember putting birthday and holiday money in it every year, and I always assumed that it would pay my way through college.

Before I even made it to high school, though, my grandmother fell gravely ill and my family had no other choice but to use my college savings to pay for her hospital bills, and eventually, the funeral.

Since then, paying for college has been my own responsibility.

All the loans are in my name, and it is a burden that is constantly hanging over my head. I am less than a year from graduating—likely with honors—from The Ohio State University with a degree in Social Work, but instead of being excited and looking toward my future, I am constantly worried about my loan debt and the possibility of rising interest rates.

If I could interrupt the letter for a second, think about that. She is about to graduate. She wants to serve the country. She wants to serve her community. She clearly grew up with the right values—putting money aside, not spending it on things she wanted to do—when she was mowing lawns or babysitting or whatever she did in her teens, putting money aside and then spending it on her grandmother's medical expenses, and now she is worried.

Upon graduation—a wonderful moment in her life—she is anxious about what this all means. In the life of a social worker, she is not going to make a lot of money, obviously. That is what she wants to do. Yet she is going to be facing these bills for years to come.

She said:

I know that, as a future Social Worker, I will be not making as much money as people in other professions, but helping others is where my heart lies.

Unfortunately, I may be limited in the positions I can take if my interest rates increase.

Maybe even unable to work within the populations I am truly interested in helping—veterans, the homeless, and senior citizens if the pay would render me unable to pay off my student loans.

I am very passionate about my education, and hold no grudges . . . for what needed to be done, but the threat of rising student loan interest rates has affected me in a very serious way, and I feel as though it is something that I have no control over, which is a very heartbreaking feeling.

She may not be able to pursue the public service she wants to do as a social worker because her loan debt is so heavy. How dare people in this body make a decision by inaction or make a decision by doing nothing to heap more burden, put more debt on Courtney's shoulders. How dare they and how shameful it is that we simply cannot get bipartisan agreement—which we had 5 years ago with President Bush—to move forward on this and close a tax loophole to pay for it.

Do not put Courtney up against somebody who needs an immunization or a breast cancer screening or a prostate cancer screening. Close the tax loopholes, move forward on this, take the anxiety off of Courtney and others as much as we can and do the right thing.

I yield.

Mr. REED. Reclaiming my time, again, let me thank the Senator from Ohio for his leadership, for his passion, for his commitment. We are hearing from the other side that this is just about how to pay for this necessary legislation to prevent the doubling of the interest rate. We have offered a compelling way to pay for it in terms of closing this egregious loophole. They have, as Senator BROWN indicated, once again, put on the chopping block, if you will, preventive services for families across this country and potentially the most sensible way to begin to reduce our health care costs over time.

They have—when they have wanted to—completely ignored paying for things such as tax cuts. We have seen that. Just recently the House passed the so-called Small Business Tax Cut Act with no offsets. So to literally hold these students hostage to their unwillingness to bring the bill to the floor, to debate it vigorously—to vote on their proposal to pay for it and to vote on our proposal to pay for it—is, I think, unfortunate, if not unconscionable.

We have 45 days left.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

PDMRA PROGRAM

Ms. KLOBUCHAR. Mr. President, I rise today to urge my colleagues to join me in passing a critical bill that keeps the faith with the men and women of our Reserve Forces.

Representative KLINE, a Republican Congressman from Minnesota, has led this effort in the House. I am leading it in the Senate. It affects troops from all over the country, a promise that was made to them that must be kept.

My home State of Minnesota has no large Active-Duty bases, but we have a long and proud tradition of military service in our National Guard and our Reserves.

Throughout every military engagement since the Civil War—including the two wars we have fought over the past decade—Minnesota's National Guard members and reservists have served with courage and honor to defend our Nation overseas.

In fact, it was a ragtag group of workers and farmers who signed up for the precursor of the National Guard during the Civil War, who went to the Battle of Gettysburg and had the highest percentage of casualties of any unit in the Civil War. There is a big monument for them honoring the fact that they had that high rate of casualties. In fact, they held the line for troops to come in in the Civil War.

The wars in Iraq and Afghanistan have highlighted the importance of our brave citizen soldiers across the country and the unprecedented sacrifice they have been called upon to make. The National Guard and Reserves were not built to serve as an active-duty force for prolonged periods. Yet at times as many as 40 percent of the American forces fighting in these wars have been Guard and Reserve troops. I say to the Presiding Officer, I know you know that, being from Vermont, where you have many National Guard troops who have served our country.

Just last month, about 3,000 members of Minnesota's National Guard First Brigade Combat Team—our Red Bulls—returned home from a year of service in Kuwait assisting the drawdown in Iraq. Some of these men and women were not serving for their first, second, or third time. I met these soldiers. Some of them were serving for their fourth time, for their fifth time, some even for their sixth time.

The repeated mobilizations and overseas deployments of Guard and Reserve units have profoundly affected families and communities in Minnesota and across the Nation. That is part of the reason we pushed so hard to bring

those troops home from Iraq. That is also why, in 2007, in recognition of the extraordinary sacrifices our servicemembers and their families have made, the Department of Defense created the Post Deployment/Mobilization Respite Absence—or PDMRA, as it is called—Program.

The PDMRA Program awards extra leave days to servicemembers who deploy beyond the standard rotation cycle. The motivation is simple: Troops who serve multiple deployments above and beyond the call of duty—who are basically being deployed as Active Duty even though they are not; folks who have raised their hands and stepped forward time and time again to volunteer and support our country—deserve leave time at home with their families as some compensation.

When they signed up to serve, there was not a waiting line. When they come home to the United States of America and they need a job or they need health care or they need an education or they want some time with their families, they should have that.

Well, one can imagine the concern the Red Bulls felt and I felt too when we learned all of a sudden the leave benefits our troops were promised under the program were being reduced as they were serving overseas. They were promised one thing when they left, and the program changed when they were gone.

Here is what happened. Until last fall, members of the Reserve Component who served more than 1 year out of 6 could be awarded up to 4 extra PDMRA leave days for each extra month of service. Then on September 30, 2011, the Defense Department changed the policy, reducing the 4 days down to 1 or 2, depending on the location of service.

But here is the problem: Instead of grandfathering in the troops who had been promised the 4 days of leave under the old policy, the Defense Department implemented the change immediately, applying it to all troops on the ground.

I can understand having a new policy, I really can. But do not do it to the troops who have already been promised one thing. That meant in the middle of their deployment, 49,000 reservists deployed around the world, who had been promised up to 4 days of leave for their service each month and who had earned that leave, were told, with little warning, that the days they were promised under the PDMRA Program were going to be cut, starting October 1, 2011.

Well, as you can imagine, this was a real setback for our troops, and for many reasons. First of all, it means they would get less time at home with their families, whom they have not seen—their kids, their spouses, their parents.

Second, it means our troops and their families are forced to cope with unexpected financial challenges as their leave benefits are cut without warning.

Finally, the change has meant that our reservists—who, unlike the Active Component, do not necessarily have a job to come back to when they separate from duty—are faced with an increased and unexpected urgency to find employment.

Well, our economy is on the mend, it is stable, but we are still seeing, as the Presiding Officer knows, record numbers of unemployment among our veterans of the past two wars. Now is not the time to cut the leave benefits of people who have been promised the leave and push them out to find their own way.

When the men and women of our armed services signed up, they did it for the right reasons. They are patriotic. They put their lives on the line for our country. The least we can do is keep the promises we made.

That is why my colleague in the House of Representatives, Congressman JOHN KLINE—himself a decorated veteran—and I introduced legislation that makes a simple fix to this program.

Our bill does not reverse the new policy change that the Department heads made after careful review of the program. Our bill simply grandfathers troops deployed under the old policy so they receive the leave benefits they were promised.

I want to take a few moments to share just a few key points about this bill.

First, it has bipartisan support in both the Senate and the House of Representatives. In fact, it passed in the House on Tuesday night with the support of all Representatives.

Second, the cost of this bill is fully offset. No new spending is created in this bill.

Finally, this bill is now supported by Secretary Panetta himself. It is supported by the Department of Defense, after they realized what the effect of this policy would have if troops were not grandfathered in.

This is a country that believes in patriotism, and patriotism means wrapping our arms around those who have served and sacrificed for our country. I think all of my colleagues here today agree that nobody needs and deserves our support more than the men and women who have offered their lives in defense of our Nation.

For 10 years, the men and women of our National Guard and Reserves have done their duty. Now I believe it is for us in Congress to do our own duty to make sure our troops receive the benefits they are due.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mr. HARKIN. Madam President, I have high hopes that in the days immediately ahead the Senate will proceed to the consideration of the Food and Drug Administration Safety and Innovation Act of 2012.

I am pleased to report to my colleagues that the Health, Education, Labor, and Pensions Committee has produced an excellent bill, the product of nearly a full year of bipartisan collaboration and good-faith negotiation. The bill reauthorizes critically important FDA user-fee agreements and systematically modernizes FDA's medical product authority to help boost American innovation and ensure that patients have access to the therapies they need.

In this era of often extreme partisanship and legislative gridlock, this bill is truly a refreshing exception. That is why I am hopeful and confident that there will be no objection on the Senate floor to moving to this bill next week.

Frankly, all of us on the Health, Education, Labor, and Pensions Committee are proud not only of the bill but of the remarkable bipartisan process that produced it. I am especially grateful to the committee's ranking member, Senator MIKE ENZI, for his own insistence on a bipartisan process, and for his leadership in moving this very complex legislation forward.

This afternoon I will review the bipartisan process—at every step marked by openness and transparency—that produced this legislation.

More than 1 year ago, beginning in early 2011 for some issues, my office and the office of Ranking Member ENZI convened six bipartisan HELP Committee working groups. Each working group was tasked with developing consensus policy proposals on key issues, such as drug shortages and the integrity of the drug supply chain.

These bipartisan working groups met weekly and, in many cases, biweekly, over the whole course of 2011, discussing and developing draft consensus proposals.

While this consensus process was ongoing, my staff would often meet many times a week with staffers representing both Democratic and Republican members of the HELP Committee.

As I said, every single working group was bipartisan, and staff from my office worked closely with Senator ENZI's office to solicit priorities from other members of the committee. In many cases, we invited all HELP offices to join the groups.

We even invited staff of noncommittee Members who have been leaders in a particular policy area to join the groups. For example, our bipartisan drug shortage working group had staff members from 18 Senate offices, including the staffers for two Senators

who are not even members of the committee.

While developing the consensus drafts, each of these bipartisan working groups met with key stakeholders throughout the year to solicit their input. For example, the drug supply chain integrity working group met with more than 40 stakeholders over a period of 9 months.

In addition to the working group meetings, beginning in late 2011, my staff met twice a week for almost 18 weeks with all Democratic HELP offices to brief them on the reauthorization process and update them on the progress of all of the policy proposals.

To further engage committee members, the administration, stakeholders, and the public, we held a total of five full committee hearings on the user-fee reauthorization over the last year. After our first public hearing in July of 2011, we held three hearings on distinct policy issues surrounding user fees, as well as a hearing on the actual user-fee agreements.

As a result of the excellent work of these bipartisan working groups, in March of this year my staff and Ranking Member ENZI's staff released five bipartisan consensus drafts and solicited further stakeholder input. Bipartisan staff conducted stakeholder briefings on the release of each draft, and the drafts were available on the HELP Web site for more than 3 weeks prior to markup.

In response to the five discussion drafts released to the public, our staffs received more than 160 comments and held more than 30 stakeholder meetings on a bipartisan basis over 3½ weeks.

Bipartisan staff worked to incorporate stakeholder feedback into the drafts, and then the committee publicly released a managers' package on Wednesday, April 18, 1 week before markup.

On April 25 of this year, the committee met to consider the bill. Committee members voted nearly unanimously, by voice vote, to send the bill to the full Senate.

As I said, this entire process has been a model of bipartisanship, openness, and transparency. Believe me, it was tough to achieve consensus on many of the complex and controversial provisions in the bill. At every step, it required difficult and sometimes painful compromise. Even as the committee chair, I did not get some of my highest priority proposals, since I could not get consensus among members and stakeholders.

Compromise and sometimes sacrifice were essential. I was acutely aware, as were other members of the committee, that it is imperative that we pass the user-fee agreements in this bill. We were determined not to allow partisanship to slow this package down or to jeopardize our goal of consensus.

As I said, the end result is an excellent bill. In addition to authorizing the critically important FDA user-fee agreements, this legislation makes it possible for the FDA to keep pace with the ever-changing biomedical landscape.

Here are some of the major provisions of the FDA Safety and Innovation Act, which will be on the floor next week:

It authorizes key user-fee agreements to ensure timely approval of medical products. It streamlines the device approval process, while enhancing patient protections. It modernizes FDA's goal of drug supply chain authority. We spur innovation and incentives for drug development for life-threatening conditions. The bill reauthorizes and improves incentives for pediatric trials. It helps prevent and mitigate drug shortages. It increases FDA's accountability and transparency.

With this bipartisan bill, I think we have a bill, I hope, we can all support and that we can move forward on expeditiously. Neither Democrats nor Republicans got everything they wanted. On every issue, we sought consensus. Where we could not achieve consensus, we didn't allow our differences to deflect us from the critically important goal of producing a bill that everybody could support. As a result, this is a truly bipartisan bill, and it is broadly supported by the patient groups and industry.

This is the chart showing over 100 different associations and groups, patient groups, consumer groups, pharmaceutical groups, and research organizations all over America that have come out in support of this legislation. So everyone from the pharmaceutical industry, your drugstores, research institutions, and consumer organizations have all now supported this bill to reauthorize our user-fee agreements.

I am also very pleased that today the Obama administration issued an official statement of administration policy asserting that ''the administration strongly supports passage of S. 3187.''

Lastly, I will mention that the CBO scored the bill as fully paid for and estimates that the legislation would reduce the deficit by $363 million over the next 10 years. Again, not only are we enhancing patients' rights and protections, we are ensuring better integrity for the drug supply chain. As we know, more than 80 percent of the products that go into our drugs manufactured in this country come from abroad. There have been many stories written, and many television investigative stories included, on problems in that drug supply chain. Well, this bill enhances our ability to ensure the integrity of that drug supply chain from where they get the raw materials to where they put it together in this country.

This bill, as I said, not only does good for our patients, we enhance FDA's authority to streamline and make sure that we bring drugs to market in more rapid order. We save $363 million over 10 years doing it.

I look forward to bringing the FDA Safety and Innovation Act to the floor in a few days. The House has had a similar bipartisan process, and they are also scheduled to take up their version of the bill next week. If the Senate acts quickly, I am confident we can go to conference and get a final bill on the President's desk this summer.

To that end, I am hopeful and confident we can move without objection to consideration of the bill. It is important that we do so. This is absolutely must-pass legislation. It is critically important to the FDA, to the industry, and to our patients to get this done.

I urge all of my colleagues to join in the bipartisan spirit of cooperation we have engineered and witnessed in the HELP Committee over the last year. Let us come together, Democrats and Republicans alike, and get this legislation on the floor and pass it because of its critical importance to the American people.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GLOBAL WARMING

Mr. INHOFE. Madam President, I ask that I be recognized for up to 15 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, today I want to expose a far-left environmental agenda that is being imposed upon the Department of Defense by President Obama and a lot of his allies, and it comes at the same time that the Obama administration is focusing on dramatically reduced cuts in the military.

As ranking member of the Senate Committee on Environment and Public Works, and as a senior member of the Armed Services Committee, stopping the radical global warming agenda, as well as President Obama's devastating cuts to our military, have been my top priorities, and that is all I have been talking about for the last couple of months. I have had a growing concern about how President Obama's global warming agenda is harming our military, but the remarks recently made by Secretary Panetta have led me to come and make a few statements.

First, let me say this about Secretary Panetta: I served with him for 5 years in the House, and a number of years ago he and I became very close friends. In fact, I rejoiced when he was

nominated and we confirmed him as Secretary of Defense. So I was extremely disappointed to see that he was wasting his valuable time perpetrating the President's global warming fantasies and his war on affordable energy, which occurred, no less, at a gathering of radical environmentalists. That is where the statement was made. Secretary Panetta said:

In the 21st century, reality is that there are environmental threats that constitute threats to our national security.

He also vowed that the Pentagon would take a leading role in shifting the way the United States uses its energy. Every talking point Secretary Panetta used in his speech, from rising sea levels to severe droughts to the so-called plight of the polar bear, all of these—I will not go into them one at a time—these all came out of Al Gore's science fiction movie, and they have all been totally rebuked.

In reality, it is President Obama's war on affordable energy that is having a dramatic impact on our national security, a war that is further depleting an already stretched military budget and putting our troops at risk.

Secretary Panetta made another revealing statement in justifying the President's green agenda. This was about two editions ago in the Hill magazine:

As oil prices continue to skyrocket, the department 'now [faces] a shortfall exceeding $3 billion of higher-than-expected fuel costs this year,' according to Panetta. In order to dig its way out of that financial hole, DOD has no choice but to look to alternative fuel technologies. Pentagon officials plan to invest more than $1 billion into developing those technologies in fiscal year 2013.

I might add, that is $1 billion that would otherwise be spent on defending America. That is right, energy prices have skyrocketed, we understand that—precisely because of the politics of this administration. Remember, they have openly admitted this.

Secretary of Energy Steven Chu said:

[S]omehow we have to figure out how to boost the price of gasoline to the levels in Europe.

We all know why he made that statement. That was way back in 2008.

It was Obama's statement that said under his cap and trade—which is what they have been talking about—''electricity prices would necessarily skyrocket.''

Now, because domestic energy prices have skyrocketed under his administration, just as they wanted them to do, Secretary Panetta wants the military to go green. Instead of spending scarce resources greening the military, the commonsense solution is simple—to begin developing our own vast supply of energy resources.

Secretary Panetta's comments came just 2 weeks before the Senate Armed Services Committee is to begin the markup of this coming year's Defense authorization bill. So I will be taking this opportunity to work with my colleagues on the committee to put the spotlight on President Obama's forcing his costly green agenda on the Department of Defense while he is taking down the budget for the defense. I look forward to introducing a number of amendments that will put a stop to this nonsense and help ensure that Secretary Panetta has the tools he needs. I can assure you—because I know him well—this is a script this came off of.

As part of that effort, I am also releasing a document put together by the Congressional Research Service that puts a pricetag on how much the Federal Government provides global warming policies, and I will be discussing this.

With President Obama running for reelection and pretending to be for an ''all of the above'' energy approach, Secretary Panetta's comments are surprising. But they are still also illuminating. Secretary Panetta's commitment of $1 billion for alternative fuels makes clear that despite the President's recent change in rhetoric for his reelection campaign, he remains fully determined to implement his all-out attack on traditional American energy development, and the military is one place where he can force that experiment. We are talking about a green experiment using our military.

To show just how egregious this whole thing is, let me spend just a second documenting how badly President Obama wants to take down the military for the benefit of his green agenda. Over the past 4 years, DOD has been forced to drastically cut its personnel, the number of brigade combat teams, tactical fighters, and airlift capabilities. It is eliminating or postponing programs such as the C–27, the Global Hawk Block 30, the C–130 avionics modernization package, which we desperately need, and the advancement of the F–35. These are programs we have had on the drawing board, and it is very important we carry these through to fruition.

Even more concerning, these cuts could go even deeper. Because the subcommittee failed to report legislation last fall—and we all remember this—that would have reduced the deficit by at least $1.2 trillion over the next 10 years, the Pentagon's budget could be cut by an additional $495 billion between 2013 and 2021. That is very interesting because during that period of time we are talking about two things—not just degrading the military, but over the next 10 years taking $½ trillion out. If sequestration should come in that would be another $½ trillion, and everyone realizes that would be devastating to the military.

Secretary Panetta has rightly warned us that such drastic cuts would be a threat to national security. He said:

Unfortunately, while large cuts are being imposed, the threats to national security would not be reduced. As a result, we would have to formulate a new security strategy that accepted substantial risk of not meeting our defense needs. A sequestration budget is not one I could recommend.

That is a quote by Secretary Panetta.

General Dempsey, Chairman of the Joint Chiefs of Staff, weighed in also and said:

The impact of the sequestration is not only in its magnitude. It's in what it does . . . we lose control. And as we lose control, we will become out of balance, and we will not have the military this nation needs.

When they talk about accepting risk, we are talking about lives. That is what that means; risk equals lives. What are you willing to do for this green agenda?

The remarks by the top DOD officials make Panetta's recent global warming speech at odds with solving our military's budget problems. Even as Secretary Panetta expresses concern about the impact of these cuts on national security, he is openly supporting President Obama's forcing DOD to expend large amounts of scarce resources on expensive alternative fuels. This doesn't make any sense, and that is why I believe Secretary Panetta's global warming remarks were written by someone in the White House to appease the radical left and not Secretary Panetta. I am absolutely convinced of that. After seeing how severe these cuts to DOD would be, how could anyone justify this so-called greening of the military?

Consider, for example, the Navy's plan to sail its Green Fleet, a strike group powered by alternative fuels, by 2016. The success of this Green Fleet is predicated upon biofuel—much of it algae based—becoming practical and affordable. So they are assuming that is going to happen, which I don't think it is going to happen.

In 2009 the Department of the Navy paid $424 a gallon for 20,000 gallons of biodiesel made from algae, which would set a record for all-time cost of fuel. That is per gallon—and that is when it was on the market for $4 a gallon—and it is $424 a gallon.

In December 2011 the Navy purchased 450,000 gallons of biofuel for $12 million, which works out to be about $26 a gallon. This purchase is part of a larger deal in which the Navy has pledged taxpayer funds of $170 million as their share of a $510 million effort to construct or retrofit biofuel refineries in order to create a commercially viable market. This biofuel will be mixed with conventional fuels by a 50 50 ratio to yield a blend that will cost roughly $15 a gallon—roughly four times what we should have to be spending.

Keep in mind this is at the same time we are rejecting systems that were in our plans, and have been for a long period. And as if the services are not already stressed by serious budget cuts,

the Secretary of the Navy also directed the Navy and Marine Corps to produce or consume one gigawatt of new renewable energy to power naval installations across the country.

Everyone agrees energy efficiency in the military is a worthy goal. In fact, I have been a strong supporter of the DOD's alternative energy solutions that are affordable and make sense, including the initiatives on nonalgae biofuels and natural gas. In fact, in my State of Oklahoma we are working, through the major universities and the Noble Foundation and others to take that leadership role. But forcing our military to take money away from core programs in order to invest in unproven technologies as part of a failed cap-and-trade agenda is not only wrong, it is reckless.

I am not alone in saying this. My good friend, Senator MCCAIN agrees with me on this point. Just last month Senator MCCAIN criticized earmarks for alternative energy research in the Defense appropriations bill which cost the taxpayers $120 million. Senator MCCAIN said:

> We're talking about cutting the Army by 100,000 people, the Marines by 80,000 people, and yet we now have our armed services in the business of advanced alternative energy research? The role of the armed forces in the United States is not to engage in energy research. The job of energy research should be in the Energy Department, not taking it out of Defense Department funds.

That is where it belongs, and I agree with Senator MCCAIN's statement.

The CRS report is significant. Largely due to my concern about green spending in the military, I recently asked the CRS to figure out how much money—how much of taxpayers' dollars—is actually being used to advance the green agenda. The amount came out that since 2008, $68.4 billion has been used to advance a green agenda.

Just to name a few options, if we didn't do that, we could add $12.1 billion to maintain DOD procurement at fiscal levels of 2012 and allow our military to continue to modernize its fleet of ships, its aircraft, and its ground vehicles. We could avoid a delay in the Ohio-Class Ballistic Missile Submarine Replacement Program, and it goes on and on, which I will have as a part of the RECORD.

Instead of funding these priorities, the Department of Defense has been forced to spend valuable resources on research relating to climate change and renewable energy.

In the stimulus package, each branch of the Armed Services and the Pentagon itself was given $75 million, for a total of $300 million, to research, develop, test, and evaluate projects that advance energy-efficiency programs. In total, since 2008, DOD has spent at least $4 billion on climate change and energy-efficient activities. The same $4 billion could have been used to purchase 30 brandnew F–35 Joint Strike Fighters, 28 new F–22 Raptors, or completely pay for the C–130 Aviation Modernization Program that we have been working on for a long period of time.

Now, just for a minute I will turn to the argument that President Obama and the far left have been using to justify this mission to go green. They always say we need a transition away from fossil fuels. One thing we do know—and it is a fact, and I don't think there is anyone out there who is disagreeing or arguing with this—we have more recoverable reserves in oil, gas, and coal than any other country in the world. When you stop and think what we have been talking about on this war that this administration has had on fossil fuels, it has been that on domestic energy.

One thing, if people understand, there is not a person in this body or anyone else I have found in America who did not learn back in elementary school days about supply and demand. We have all this vast supply but the government will not let us develop our own supply. It is ludicrous. We are the only country in the world where that is a problem.

In addition to the fact that we cannot use our resources, develop our own resources, we keep hearing over and over what people are saying: If we were to even open our public lands to development, to drilling and to producing, it would take 10 years before that would reach the pump.

I know my time is real short here so I am having to shortcut this, but I am talking to one of the top guys producing today, Harold Hamm. He is from Oklahoma. He actually is up in North Dakota right now and he is doing incredible things, developing shale and developing gas and oil to run this country.

I asked him a question. I said: I am going to use your name in quoting. How long would it take, if you were set up in New Mexico and all of sudden they would lift the ban, in order for that to reach the pump? Do you know what his answer was? He said: Seventy days. It would take 2 months to get the first barrel of oil up and then 10 days to go through the refining process and reach the pumps.

It is supply and demand. We have that. We should not be using our military to advance the green agenda by this President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

ORDER OF PROCEDURE

Mr. WHITEHOUSE. May I interrupt for 1 moment?

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I wanted to confirm the order of proceeding would be Senator FRANKEN is going to speak and then I will speak for a few moments after Senator FRANKEN. I know the Presiding Officer is to be excused very shortly.

Mr. FRANKEN. The Senator wishes to speak now?

Mr. WHITEHOUSE. I ask consent I follow Senator FRANKEN. We will see to it the Presiding Officer is relieved timely, at 4 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT LOAN INTEREST RATES

Mr. FRANKEN. Madam President, last week my colleagues on the other side of the aisle blocked a vote that would have eased the burden of debt for millions of college students in Minnesota and across the country. My Republican friends disagreed with us about the best way to pay for this legislation, so a minority of Senators kept us from helping millions of families and taking a step toward keeping our Nation's workforce globally competitive. But this debate is not just about helping students pay for college. I want to talk a little bit about the two competing proposals to pay for this critical legislation. I wish to talk about our national priorities and our national values.

On one side, the Democratic proposal would close a loophole that allows some of the wealthiest Americans to avoid paying taxes they should owe to the Federal Government. This fix, our fix, would only apply to Americans making over $250,000 a year and would not create any new taxes on businesses or individuals. It would close a loophole that allows high-income people to get out of paying taxes everyone else in America is already expected to pay. This is what it is.

You see, some people making a lot of money talk to their accountants and tax lawyers who have figured out that the law was written in such a way that you could use an S corporation to get around paying some of your payroll taxes. Payroll taxes are your Social Security taxes and your Medicare taxes.

S corporations are basically a passthrough. Whatever profits your company makes, you at the end of the year pass it through to you and claim it as income—and you pay regular income taxes on it. It is income. But although the law was never intended to allow this, this is the loophole: You can pay yourself an artificially low amount of money sometime earlier in the year and call that a salary, say, $40,000. Thus you will pay enough to qualify for Social Security later when you retire. You will only pay FICA on this amount. But then at the end of the year you take the rest of the business's profits as income. Remember, this is considered income—but you do not pay FICA taxes on the amount. That is the loophole. You still pay income tax on it because it is income but, because of an accident in the way the law is written—this was not intended—you avoid paying FICA taxes on the part you did not initially call salary.

All of the money you pocketed, both the so-called salary and the profit at the end of the year, again, is income. It is income. It is not capital gains so you should be paying, like everybody else, Medicare taxes on all of it and Social Security taxes on income up to $110,000, like everyone else. There is simply no excuse, no reason for not paying taxes, paying your FICA taxes on the $110,000 Social Security, and all the rest for Medicare, except for an anomaly that was accidentally written into the Code.

This is exactly the type of loophole we should be closing. It is not something that Congress created intentionally, for a reason—to help people buy homes or to encourage investment in research and development. There is no reason this loophole exists. There is no purpose to it. There is no reason to keep it there.

The Democratic legislation would close that loophole for those individuals making more than $250,000 in a year and we would use that savings to prevent the doubling of interest that students pay on Stafford subsidized loans.

By contrast, the Republican proposal which passed the House a few weeks ago, would eliminate the Prevention and Public Health Fund, which is our national investment in preventive health care. This proposal would undermine the health of our Nation by cutting funding for cancer screenings, child immunizations, and diabetes prevention, among others. It would be fiscally irresponsible to boot, since according to a study for the Trust for America's Health, every dollar invested in proven community-based disease prevention programs yields a return of $5.60.

My home State of Minnesota leads the country when it comes to providing high-quality low-cost health care. When I was elected to represent the people of Minnesota, I put together a series of roundtables with experts around Minnesota to learn more about our health care system. I heard the same thing from leading national experts at the Mayo Clinic, the University of Minnesota, from providers, from doctors and people in public health and rural health, insurance—everyone said the same thing: An ounce of prevention is worth a pound of cure.

There is no question that if we catch cancer early the patient will be much more likely to make a full recovery. If every child has access to immunizations, we will prevent outbreaks of infectious diseases and our kids will grow up stronger and healthier. And if we can prevent someone from getting diabetes they will be healthier than if we wait until they have it and then treat them for the rest of their lives.

Not only will people be healthier if we prevent disease but we will save a lot of money too. That is why the health care law included the Prevention and Public Health Fund. The fund already is investing in community-based programs such as the diabetes prevention program, a program that DICK LUGAR and I fought to include in the health care law. This program was pilot-tested by the Centers for Disease Control and Prevention in Saint Paul, MN, and in Indianapolis. It involves structured nutrition classes for 16 weeks and 16 weeks of exercise at community-based organizations such as the YMCA, with people who have prediabetes.

Guess what. The program, the diabetes prevention program, has been shown to reduce the likelihood that someone with prediabetes will be diagnosed with full-blown type 2 diabetes by nearly 60 percent. Those are pretty good odds.

The program doesn't just make people healthier, it also saves everyone money. The diabetes prevention program, the program I just described, costs about $300 per participant, as compared to treating type 2 diabetes which costs more than $6,500 every single year.

That is why United Health, the largest private insurer in the country—that happens to also be headquartered in Minnesota—is already providing the program to its beneficiaries. In fact, the CEO of United Health told me that for every dollar they invest in the diabetes prevention program they save $4 in health care later on. The money in the Prevention and Public Health Program in the affordable care act is there to scale up this program around the country so everybody in the country, every person who has prediabetes, can have availability to it. It can be available to them.

This homegrown program is exactly what the Prevention and Public Health Fund was designed to support. It is not the only one like it. In Minnesota the fund has gone to support tobacco cessation programs. It has helped prevent infectious diseases. It has expanded our desperately needed primary care workforce. I think we can all agree these are worthwhile investments.

Unfortunately, many of my friends on the other side of the aisle are trying to end this important work, calling the Prevention and Public Health Fund a waste of money or worse. Last week, one of my colleagues on the floor inaccurately claimed that ''a health clinic was using the fund to spay and neuter pets.''

Let me take this opportunity to set the record straight. That is not true. The Department of Health my friend accused of using prevention funds to pay to spay pets has not and will not spend prevention fund money for this purpose. I ask that in these debates we confine ourselves to facts.

This all comes down to priorities. My friends on the other side of the aisle would rather cut the Prevention and Public Health fund than close a tax loophole for wealthy Americans which serves absolutely no purpose. In fact, they would rather keep us from voting on a bill to ease the burden of debt for students across the country than close this loophole. I hear them sometimes talking about closing loopholes so we can bring the marginal rate down. If you cannot close this loophole which has no purpose, I don't see any loophole we can possibly agree to close.

I ask my friends on both sides of the aisle one favor: Talk to your constituents. Talk to the people who have been saved from the affliction of diabetes or who have quit smoking or who have immunized their children because of the Prevention and Public Health Fund. Talk to your State and local departments of health which are working to prevent outbreaks of the next dangerous strain of flu thanks to the infectious disease prevention fund. Stand with me in support of the Prevention and Public Health Fund.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, let me thank my colleague from Minnesota for his courtesy in allowing this time for me when I would otherwise be presiding.

I wanted to respond to the remarks that preceded Senator FRANKEN's remarks, remarks by Senator INHOFE of Oklahoma, suggesting that the military's investment in green technologies was an unwelcome imposition on them, and against their wishes, by outside political forces and on the basis of outside political considerations.

I just held a hearing in the Environment and Public Works Committee on the subject of our Defense Department's investment and interest in alternative technologies. We had witnesses from all of the services, and the testimony was pretty clear and diametrically opposed to the point of view just expressed by the Senator from Oklahoma.

I can certainly appreciate the enthusiasm of my friend from Oklahoma for fossil fuels since fossil fuels are a big home State industry in Oklahoma. But the testimony at the hearing was that the military was pursuing alternative fuels for reasons of its own, for reasons that related to protecting the troops, to be more efficient and to protect the strategic posture of the United States around the world.

Perhaps the most striking testimony they gave was that over 3,000 American soldiers gave their lives between 2003 and 2007 protecting our fuel convoys in Iraq. When we get in theater and we have a heavily fossil-fuel-based military presence, the price we pay for that

is paid in the blood of soldiers who die protecting the fuel convoys—3,000 young men and women between 2003 and 2007. So to the extent we can do things like the Cooley company in Rhode Island and invest in tents that have their own solar capture built right into the fabric so that the cooling within the tent in the blazing heat of the Middle East can be done without having to truck that fuel in and without having to cost those soldiers their lives—that is not something that is being imposed on the military; that is something they very much want to accomplish as part of their core mission.

In Newport, RI, the Naval War College has a facility, and they are building wind turbines there. They are building wind turbines there because they have calculated that over time they will save money by putting up those wind turbines compared to buying electricity. It is not an imposition from outside. It is not some green agenda coming from Washington or anyplace else. It is the Newport Naval Station saying we save money for our budget by doing this. And when we save that money, we can put it into these other uses such as fighter aircraft, tanks, bullets, bandages, and boots.

The third piece of testimony had to do with the strategic posture of the country internationally, which is something the military is concerned with in a very deep and profound way. They made a couple of points.

The first was that the less dependent the United States is on the international oil market, the fewer vital interests we have to risk shedding our blood and spending our treasure to protect. So it is in our national strategic interest to get off of our fossil fuel dependency and into a broader portfolio of energy sources.

The second is the emerging dangers of climate change, in which we are immersed all around us if we look at the obvious evidence in front of our faces, which creates profound risks for social and civil unrest and violence in other parts of the world as things change, as estuaries flood and are no longer productive agriculturally, as relatively dry areas turn to desert and can no longer sustain life, as the great glaciers in the high mountains dissipate and change the flow patterns of rivers on which economic life for individuals depends.

All of those things create conflict and strife, and the American military is aware that where there is conflict and strife abroad, very often they are called in, and they feel the responsibility to try to avoid that.

I take time every week to speak a little bit about climate change for a number of reasons. As I said, there are a lot of folks in Washington who would like to ignore this issue and it is presently being ignored, which is unfortunate and, in fact, shameful. The messages about climate change we are getting are coming through loudly and clearly and we ignore them at our peril.

Every week for the past 15 months, as the Presiding Officer knows, I have distributed in our weekly caucus an update on some of latest climate science bulletins, the news that is fresh that week. This week the stories are that the National Oceanographic and Atmospheric Administration in the weather statistics for the month of April 2012 reported warmer-than-average temperatures engulfing much of the contiguous United States during April with the nationally averaged temperature at 55 degrees Fahrenheit, 3.6 degrees Fahrenheit above average and the third warmest on record.

Warmer-than-average temperatures were present for a large portion of the Nation for April. Six States in the central United States and three States in the Northeast had April temperatures ranking among their 10 warmest in history.

Above-average temperatures were also present for the Southeast, upper Midwest, and much of the West. No State in the contiguous United States had April temperatures that were below average.

April 2012 came on the heels of the warmest March on record for the lower 48. January to April 2012 was the warmest such period on record for the contiguous United States with an average temperature of 45.5 degrees Fahrenheit, 5.4 degrees above the long-term average. Twenty-six states, all east of the Rockies, were record warm for the 4-month period, and an additional 17 States had temperatures for the period among their 10 warmest.

These rising temperatures can lead to a number of concerns. For instance, snowpack, and thus drinking water, could be drastically reduced in California and surrounding western States. The Scripps Institution of Oceanography presented a study to California's Energy Commission last month explaining that the warming of 1.5 to 3 degrees Fahrenheit between now and midcentury will reduce today's snowpack by one-third. By 2100, at those temperatures snowpacks would be reduced by two-thirds. That makes a big difference to the agricultural communities that depend on that water downstream of those snowpacks.

Meanwhile, Science Daily reported yesterday that ozone and greenhouse gas pollution such as black carbon are expanding the tropics at a rate of .7 degrees per decade. Said the lead scientist, climatologist Robert J. Allen, assistant professor at the University of California, Riverside:

> If the tropics are moving poleward, then the subtropics will become even drier . . . impacting regional agriculture, economy, and society.

People are noticing the changes around them. Outside of the Halls of Congress—where we have blinders on to this obvious issue—regular people see the changes, and they are concerned about them. The United States Geological Survey recently polled more than 10,000 visitors to the Nation's wildlife refuges, hunters, fishermen, and families alike, and found that 71 percent of those polled said they were ''personally concerned'' about climate change's effects on fish, wildlife, and habitats. Seventy-four percent said that working to limit climate change's effects on fish, wildlife, and habitats would benefit future generations.

These special interests who deny that carbon pollution causes global temperatures to increase—and who have such a profound and maligning effect in this Chamber—deny that melting icecaps will raise our seas to dangerous levels, denying that all of these visible changes are taking place.

The myth that these special interests propagate in the face of so much evidence is that the jury is still out on climate change caused by carbon pollution so we don't have to worry about it or even take precautions. This is false. It is plain wrong.

Virtually all of our most prestigious scientific and academic institutions have stated that climate change is happening and that human activities are the driving cause of this change. They say it in powerful language, particularly for scientists who are specific about what they say and guarded in the way they say it.

The letter said:

> Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver. These conclusions are based on multiple, independent lines of evidence—

And here is the final crescendo—

> and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

That is an awfully nice way to say it, but in a nutshell they are saying anybody who disagrees is making it up.

These are serious organizations: the American Association for the Advancement of Science, the American Chemical Society, American Geophysical Union, American Meteorological Society, American Society of Agronomy, and on and on.

It is not just them. It is also the military services—as I mentioned at the beginning of my remarks—it is also the intelligence organizations of the country, it is also most of our electric utilities, many of our biggest capitalists and investors, and of course it is our insurance industry that has to pay for the damage that ensues. A recent article said: The worldwide insurance is huge, three times bigger than the oil industry.

Right now these companies are running scared. Some are threatening to

cancel coverage for homeowners within 2 miles of the coast where hurricanes are on the increase, and in drying areas of the West where wildfires have wreaked havoc. Marsh and McClennan, one of the largest insurance brokers, called climate change ''one of the most significant emerging risks facing the world today,'' while insurance giant AIG has established an office of environment and climate change to assess the risks to insure us in the years ahead. The industry's own scientists are predicting that things could get a lot worse in the years ahead.

I am indebted to the Presiding Officer, the junior Senator from Minnesota, for the following observation, which is that 97 percent of the climate scientists who are most actively publishing accept that the verdict is in on carbon pollution causing climate and oceanic changes. The example he and I have discussed—and I can't help, since he is presiding right now, referring to it again—we are being asked in this body to ignore facts that 97 percent of scientists tell us are real. Now, translate that into our personal lives. What if a child of ours was sick and we went to a doctor and said: Is there something I need to do about it? Is there a treatment that is necessary? What is the deal here? And we got an opinion, and then we said: I am going to be a cautious, prudent parent because a treatment might be expensive. I want to make sure I am going down the right path, so I am going to get a second opinion, and the parent gets a second opinion. Then the parent got a third opinion. You are a really prudent parent, and you got a third opinion. Let's say you kept going. You got a fourth opinion, a fifth, a 15th, a 45th, a 75th, a 95th—you got 100 opinions. People would think that was a little odd, but never mind. And then let's say that 87 percent of those professional opinions came back saying: Yes, your child is ill and needs this treatment. Would you then responsibly say: The jury is still out on the question of why my child is sick. Let's not take any action now. These 97 percent of the doctors might be alarmists. We don't really want to go there, and, after all, it will cost money to buy the medicine.

Would any responsible parent do that? No. It is a ludicrous proposition, and that is just how ludicrous the proposition is that climate change is not real.

The underlying facts are ancient ones. The guy who discovered that climate change is caused by the release of carbon dioxide into the atmosphere, John Tyndall, discovered this in 1863, at the time of the Civil War, 150 years ago. This is not a novelty. This is old established science, and it has become clear since then that there is a change that is happening.

We pump out 7 to 8 gigatons a year. A gigaton is a billion—not a million, a billion—metric tons. We pump out 7 to 8 billion metric tons a year of carbon dioxide, and that adds to the carbon load in the atmosphere. This isn't something that is a theory, it is something that is a measurement now.

For 8,000 centuries mankind has existed in an atmospheric bandwidth of 170 to 300 parts per million of carbon dioxide—170 to 300—for 8,000 centuries, 800,000 years. We have been an agricultural species for about 10,000 years, to give my colleagues an idea. For 800,000 years we were picking things off of bushes. Our entire history as a species falls essentially in that 800,000 years. All of our development as a species has happened in the last probably 20,000 years. So it has been a long run in that safe bandwidth of 170 to 300 parts per million. We have shot out of it. We are at 390 parts per million and climbing. The record in history as to what happens on this planet when we spike out of that range is an ominous one. It is a bad trajectory. It takes us back to massive ocean die-offs that are in the geologic record. So this is something we need to be very careful about and we need to take action.

The suggestion that it is not happening is false. The suggestion that we can wait it out is imprudent, reckless, and ill-advised. And the notion that our professional career military who have lost 3,000 men and women defending fuel convoys in Iraq are engaged in trying to get off fossil fuels because of some outside political agenda that they don't share is a preposterous allegation to make about the men and women who run our military, who make these decisions for our military, and who are seeking to defend the soldiers out in the field against these consequences.

With that, I yield the floor, once again thanking the distinguished Presiding Officer for allowing me this time, and I would have otherwise been sitting there and presiding. So with appreciation to Senator FRANKEN, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

REPRESENTATION FAIRNESS RESTORATION ACT

Mr. ISAKSON. Mr. President, I apologize for keeping the Presiding Officer and the rest of the staff here a little later than they might want, but I have an important message that will be brief.

I introduced legislation not too long ago called the Representation Fairness Restoration Act, S. 1843. It was a reaction to the NLRB's decision in the specialty health care case, where a group of nurses within specialty health care asked for permission to unionize and organize within that unit. The NLRB granted that, and that became the first microunion that has ever existed in the United States of America.

Today it is my understanding that the NLRB has approved the following: the second floor designer shoes department and the fifth floor contemporary shoes department at Bergdorf Goodman in New York—the two combined have 45 employees out of 370. They have granted them the right to organize.

This is a gigantic leap that differs from 75 years of settled labor law. Microunions within any retail establishment, medical establishment, or any other type of business prevents cross-training, causes discord, and is a way to upset an organization that otherwise is not upset.

Labor law in this country has been settled for a long time. Last year 70 percent of all the union calls in the United States of America passed on their vote. There is not a problem with unions being able to organize. But there is a huge problem if we continue to tear down the firewalls that have had the playing field level.

Just recently the courts have twice thrown out rulings of the National Labor Relations Board—one on ambush elections where they tried to reduce the average period of time from 58 days to 10, which is totally unrealistic, and, even more importantly, on the posting rule where the employers were asked to post proorganization posters within the break rooms in their companies. Both times the courts threw them out and said the NLRB has reached too far.

It is my hope the same thing would happen here again. But in the meantime, I want to encourage the Senate to allow us to bring S. 1843 to the floor and have this debate. In the free enterprise system, in the tedious economy we have today in this country, the last thing we need is to begin changing labor law and pitting organized labor against management in an adversarial type of way.

This example at Bergdorf Goodman today is an example of the National Labor Relations Board doing in regulation what we ought to be doing in legislation on the floor of the Senate. My biggest concern is that now it seems as if the administration's leadership in every Department has determined if we can circumvent the legislative body and through regulation do what we cannot do on the floor, we will forget about the House, we will forget about the Senate, and it will be the executive and judicial branches that run the United States of America. That is not good for our country, and that is wrong.

So I am going to call on the Senate and ask our leadership to let us bring this bill to the floor, to let us debate it

and see if we want to change 75 settled years of labor law and unbalance the playing field between management and labor. I do not think we do.

I am sorry to rush to the floor after just hearing this information, but I think it is so important we nip it in the bud; that we let the playing field remain balanced, and we not turn over the operation of settled labor law to an NLRB that, quite frankly, seems to have run amok as far as I am concerned.

Mr. President, I appreciate the opportunity to speak and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, today I wish to honor the Pikeville Medical Center for its continued commitment to providing superior medical care to the people of Kentucky. Pikeville Medical Center has been named National Hospital of the Year, making it the only repeat winner of this prestigious award. The 261-room hospital has over 2,000 employees, including more than 270 physicians and residents, and its superior facilities, equipment, and staff have drawn in qualified medical professionals from around the country.

In January 2011, Pikeville Medical Center became affiliated with Cleveland Clinic's Heart Surgery Program, which has been ranked number one among heart programs in the United States for 16 years. This recent affiliation has allowed PMC to provide cutting-edge technology and treatments to its patients.

Prior to receiving this award, Pikeville Medical Center was named 12th in the Nation of Top 100 Best Places to Work by Modern Healthcare Magazine and first on the Best Places to Work in Kentucky list by the Kentucky Chamber of Commerce. Individual units of the Medical Center have also received recognition. The Heart Institute is one of the first 10 hospitals in the United States and the first in Kentucky to reach the highest distinction awarded by the Society of Chest Pain Centers, and the Stroke Center is one of 10 Kentucky recipients of the American Heart Association/American Stroke Association's Get with the Guidelines—Stroke Gold Plus Quality Achievement Award. Along with this, the Leonard Lawson Cancer Center was awarded the ''Outstanding Achievement Award'' 2 years in a row.

While the Pikeville Medical Center has much to be proud of, it continues to strive for excellence. The hospital recently completed a $10-million emergency department expansion and renovation, and is currently undergoing a $100-million construction project to provide new offices and outpatient surgery units. This is all part of the organization's mission to ''provide quality regional health care in a Christian environment.''

Mr. President, I would like to ask at this time for my colleagues in the Senate to join me in recognizing the Pikeville Medical Center. There was recently an article published in eastern Kentucky's local periodical magazine, the Sentinel-Echo: Silver Edition, highlighting the center's many successes. I ask unanimous consent to have printed in the RECORD said article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Sentinel-Echo: Silver Edition, Nov. 2011]

PIKEVILLE MEDICAL CENTER

Pikeville Medical Center, now affiliated with Cleveland Clinic Heart Surgery, is the nation's only repeat winner of the National Hospital of the Year. President and Chief Executive Officer Walter E. May has always encouraged PMC employees to dream big and big things will happen. After winning the award, he aid, ''It doesn't get much bigger than this. This is like winning the Super Bowl, the NCAA Final Four or the World Series for a hospital.''

As a true leader and innovator in the health care industry, Pikeville Medical Center continues to raise the bar of excellence. Currently employing more than 2,000 people, PMC has hired over 550 employees just during the past year. PMC is a 261-bed facility, and a $100 million construction project is under way, producing 1,500 temporary jobs and 100 permanent jobs. The new medical office building will house nine floors of office and clinical space for outpatient surgery, exam rooms and primary and specialty care physicians, and the enclosed parking garage will have space for more than 1,000 cars.

The combination of first class facilities, the best equipment available and a highly motivated support staff has enabled Pikeville Medical Center to recruit some of the nation's most qualified physicians. More than 270 credentialed professionals—physicians and residents—are authorized to practice medicine at Pikeville Medical Center, and the number continues to grow. Over the past year we have recruited over 30 physicians and added six new services. Among the newer service lines are: gynecological oncology, otolaryngology, rheumatology, pediatric endocrinology, hand surgery and nephrology.

THE HEART INSTITUTE

According to the American Heart Association, heart disease is the #1 killer of Americans, making heart health a top priority for Pikeville Medical Center. In January 2011, Walter E. May addressed a standing room only crowd during a special called press conference and announced Pikeville Medical Center is now affiliated with Cleveland Clinic's Heart Surgery Program.

The Cleveland Clinic heart program has been ranked #1 in the nation for the last 16 years by U.S. News and World Report. The affiliation has enhanced PMC's opportunities to provide new treatments and therapies to patients and has accelerated Pikeville Medical and Cleveland Clinic's mutual accomplishments in leading cardiac surgery care. Currently, PMC staff is attending training at Cleveland Clinic and enhancing their abilities to deal with complex medical situations, while utilizing new technologies and innovations. The two facilities are also sharing surgical outcome data and research.

In addition to the affiliation with Cleveland Clinic's heart surgery program, PMC continues to make great strides in heart care:

One of the first 10 hospitals in the nation and the first hospital in Kentucky to be designated a Level III Accredited Chest Pain Center, the highest distinction given by the Society of Chest Pain Centers.

The cath lab has celebrated the 10th anniversary of the first cath procedure performed at PMC.

Median ''door-to-balloon'' time averages around 65 minutes (well below the standard of 90 minutes set by the American Heart Association and the Joint Commission).

The heart team is comprised of Cardiologists, Interventional Cardiologists, Cardiothoracic and Vascular Surgeons and an Electrophysiologist. PMC's Heart Institute operates offices throughout the region in Pike, Mingo and Johnson Counties.

STROKE CENTER

Pikeville Medical Center has received the American Heart Association/American Stroke Association's Get With The Guidelines-Stroke (GWTG-Stroke) Gold Plus Quality Achievement Award. Only 10 hospitals in KY have earned this accreditation, and no other KY hospital east of Lexington has earned this prestigious distinction.

The award recognizes PMC's commitment and success in implementing excellent care for stroke patients, according to evidence-based guidelines. To receive the award, PMC achieved 85 percent or higher adherence to all GWTG-Stroke Quality Achievement indicators for two or more consecutive 12-month intervals and achieved 75 percent or higher compliance with six of 10 GWTG-Stroke Quality Measures, which are reporting initiatives to measure quality of care.

''With a stroke, time lost is brain lost, and the Get With the Guidelines-Stroke Gold Plus Quality Achievement Award demonstrates PMC's commitment to being one of the top hospitals in the country for providing aggressive, proven stroke care,'' said Dr. Naveed Ahmed, Medical Director of Pikeville Medical Center's Stroke Unit. ''We will continue to provide care shown in scientific literature to quickly and efficiently treat stroke patients with evidence-based protocols.''

LEONARD LAWSON CANCER CENTER

Once again, Pikeville Medical Center's Leonard Lawson Cancer Center received the ''Outstanding Achievement Award'' from the Commission on Cancer of the American College of Surgeons. PMC is one of only three hospitals in the state of Kentucky to ever achieve this award, and is the only hospital in Kentucky to be honored twice and consecutively.

PMC has been recognized by the Commission on Cancer of the American College of Surgeons for offering: The full scope of multi-disciplinary services required to screen, diagnose, treat, rehabilitate and support patients with cancer and their families; A high quality, comprehensive team approach by cancer care professionals; Complete range of state-of-the art services and equipment; Access to information about new treatment options and ongoing cancer trials; Access to prevention and early detection programs, cancer education and supportive services.

The cancer center has also instituted program enhancements and improvements including opening a new Paintsville Oncology Clinic, offering genetics counseling and opening a gynecological oncology service.

''The Cancer Center at Pikeville Medical Center is not just a group of employees, they are a team. They continually strive to provide excellent quality care. One of their goals is to provide a special kind of friendship along the way. A friendship that starts with a disease as serious and devastating as cancer and evolves, during their time at PMC, into a special relationship we refer to as the PMC family,'' said Roxanne Hale. Director of the Cancer Center.

EMERGENCY DEPARTMENT

In preparation for achieving Level II Trauma Center certification, Pikeville Medical Center has completed a $10 million emergency department expansion and renovation. This new facility encompasses nearly 23,000 square feet, includes two trauma bays, three triage bays, provides physiological monitoring and a 32″ flat screen tv in every room and has CT scanning and digital x-ray onsite.

Over the past year, PMC's ED patient satisfaction scores have reached nearly 100%, and while the new facility is impressive, it's PMC's employees who make this recognition possible.

THE JOURNEY OF EXCELLENCE CONTINUES

Pikeville Medical Center's employees are guided by the mission statement ''to provide quality regional health care in a Christian environment.'' ''This is more than just a slogan,'' said Chief Operating Officer Juanita Deskins, ''it is a prescription for the work lives of our employees.'' It is primarily because of this work ethic that PMC regularly receives recognition and awards, such as: 12th in the nation of the top 100 Best Places to Work by Modern Healthcare Magazine (the second year in a row PMC made the top 100 list); the number one hospital in the state on the Best Places to Work in Kentucky list, compiled by the KY Chamber of Commerce; three employed physicians listed among the nation's Best Doctors; for the third consecutive year PMC' has been selected as a Hospital of Choice; Patient Satisfaction Award from the Pike County School District Superintendent; the prestigious Excellence Award from the Kentucky Center for Performance Excellence, following the strict criteria set forth by the nationally-acclaimed Malcolm Baldrige Award; the Insight Award fur outstanding service in Inpatient Oncology and Inpatient Rehabilitation; the gold seal of approval from the Joint Commission for Primary Stroke Centers.

While those accolades are impressive, Pikeville Medical Center will not rest on its laurels. There is always room for improvement and our institutional vision has not yet been fully realized—our journey is not over.

Pikeville Medical Center will continue to improve and grow, and will always pursue excellence. Technology will evolve and we will continue to recruit the country's best doctors and add specialty services to assure the best health care possible for our patients. In the words of Walter E. May, ''We aren't trying to provide health care that's 'as good as' anyplace else . . . we're working to provide health care that's better than these patients could get anywhere else. At Pikeville Medical Center, we're proud to say . . . we're still the one!''

VIOLENCE AGAINST WOMEN ACT

TRANSPORTATION COSTS

Mrs. SHAHEEN. Mr. President, I ask permission to engage in a colloquy with the Senator from Vermont, Mr. LEAHY. I would like to address a problem that affects many women who are victims of domestic violence. We have addressed a variety of important concerns with the Senate's recent passage of the Violence Against Women Act, and I hope the House will promptly pass that important, bipartisan bill. A major barrier for women seeking services in New Hampshire and across the country is lack of transportation. As chairman of the Judiciary Committee and author of the Violence Against Women Reauthorization Act, you may have encountered this issue also.

Mr. LEAHY. I thank the Senator from New Hampshire for bringing attention to this important issue and for all her hard work addressing issues of domestic and sexual violence. As a Senator and a prosecutor, I have found that transportation is a particular problem for victims of domestic and sexual violence who live in rural areas.

Mrs. SHAHEEN. You know well the issues facing rural communities in Vermont, as I do in New Hampshire. Domestic violence occurs as frequently in rural areas as it does in cities, and many women in rural settings do not have access to a car or public transportation.

Mr. LEAHY. This presents a real safety risk for women.

Mrs. SHAHEEN. It does. When you are a woman in a violent situation, not having access to transportation is more than an inconvenience, it can be life threatening. One woman in Atkinson, NH, called the local crisis center for transportation because her husband would not let her have access to the car keys and controlled the family's finances entirely. She was simply trapped.

Mr. LEAHY. Would you agree that the availability of transportation is critical to making sure all women have access to the services provided by crisis centers, shelters, and other service providers?

Mrs. SHAHEEN. Yes, that is exactly right. The Violence Against Women Act provides support for important services like medical treatment, counseling, shelter, and legal assistance to seek protective orders. Clearly women need to be able to get to these centers in order to take advantage of these important resources.

Mr. LEAHY. Have you found that transportation is something that crisis centers are currently able to provide?

Mrs. SHAHEEN. Many crisis centers that receive grants from VAWA do use their general funds to assist women with transportation costs who could not otherwise afford them. I believe that is a use of funds consistent with the intent of Congress to expand services to all women and families who are victims of domestic violence. Do you agree?

Mr. LEAHY. I agree that helping women access these services is absolutely consistent with the intent of the Violence Against Women Act.

Mrs. SHAHEEN. And I thank the Senator for including language in the reauthorization of VAWA recently passed by the Senate that further clarifies that transportation services are an acceptable use of VAWA funds. The bill adds language in the new victim services definition in section 3 to include ''other related supportive services'' and in section 102(a) adds ''other victim services'' to the victim services purpose area in the grants to encourage arrest policies and enforcement of protection orders. Both of these changes would provide even more ability than under current law for VAWA grants to cover crucial transportation services.

Mr. LEAHY. I agree that this language is intended to cover a variety of crucial victim services including transportation services.

Mrs. SHAHEEN. I also appreciate the bill's new language emphasizing the importance of providing services to women in rural or geographically isolated areas. Identifying this particularly vulnerable population will be helpful for those centers which focus services on women and families in these isolated areas. I believe this provision makes clear the intent of Congress to supplement the costs of reaching these women and bringing them to safety.

Mr. LEAHY. I agree that is one of the intents of section 202, which focuses on enforcement of domestic violence, stalking and child abuse laws for victims and families in rural areas. Transportation is a necessary component of enforcing these laws and protecting vulnerable women. I am concerned, as I know you are, about what women do when they are in a dangerous situation and do not have transportation to get away.

Mrs. SHAHEEN. That is a real problem. Many women initially rely on the police or an ambulance to remove them from unsafe situations, but their problems continue once they reach a shelter or crisis center. They have no way to get to court for hearings related to protective orders, child custody and divorce. One of the directors of the crisis center in Berlin in the North Country

of New Hampshire spends at least 25 percent of her time taking women to and from court. Due to recent State budget cuts, the closest courthouse is 45 minutes away. That is a significant investment of time and money.

Mr. LEAHY. It certainly is. And the Violence Against Women Act aims to provide financial support for communities that need it most so they can continue to keep women safe.

Mrs. SHAHEEN. I thank the Senator from Vermont for engaging in this colloquy to address the importance of providing transportation services to women and families in need. I thank him, too, for his leadership on the reauthorization of the Violence Against Women Act. It has helped so many women over the years, and I know it will continue to save the lives of women in New Hampshire and across the county.

FACEBOOK'S TAX DEDUCTION

Mr. LEVIN. Mr. President, tomorrow will be a day in tax history—when Facebook goes public, it will get a $16 billion tax deduction, which is the largest tax deduction ever taken by any corporation exploiting the stock option tax loophole.

Facebook's recent filings in anticipation of its upcoming stock offering provide new facts about its plans to use stock option tax deductions, not only to help it avoid future taxes for years and years to come, but to get a refund of taxes it has already paid.

Facebook's recent registration statement shows that, due to hundreds of millions of stock options handed out to its founders and top executives, it plans to claim stock option tax deductions worth a whopping $16 billion. That is more than twice as much as estimates a few months ago, and many, many times larger than the stock option expenses shown on Facebook's ledgers.

Facebook is a booming, successful company. Its securities filing boasts of double-digit increases in Facebook's average revenue per user, citing a 32-percent increase in 2010 and another 25-percent increase in 2011, with ''growth across all regions.'' Despite trumpeting those revenue increases to investors, Facebook is planning at the same time to tell Uncle Sam it has no taxable income, offsetting its revenues with stock option tax deductions.

Facebook's $16 billion stock option tax deduction is so huge, it will enable Facebook to claim a $500 million refund of taxes paid over the prior 2 years and wipe out this year's tax bill. The company says it will also use its deduction to create a ''net operating loss'' that can be used to eliminate its profits and its taxes for up to 20 years into the future.

As with so much of our Tax Code, it is not the law breaking that shocks the conscience, it is the stuff that is allowed. For years, my Permanent Subcommittee on Investigations has identified this stock option tax loophole and tried to explain its cost, its unfairness, and why the loophole should be closed. Facebook's $16 billion tax deduction brings the issue into sharp focus.

This profitable corporation will stop paying any Federal corporate income taxes, simply because it gave hundreds of millions of stock options to its executives. It will go from a corporate citizen that paid its taxes, to one that not only pays no taxes to Uncle Sam on its profits, but gets a tax refund.

Some Facebook defenders claim the company's nonpayment of taxes is offset by the taxes paid by its executives. But first of all, Facebook demands and receives government services that its executives don't—from patent protection to cybersecurity to trade enforcement. Second, the fact that executives pay taxes doesn't mean corporations shouldn't pay taxes. Facebook should be paying its fair share, and it is only through a tax loophole that it won't be. Adding insult to injury is that one of its founders recently renounced his U.S. citizenship just to avoid paying his taxes.

Facebook is an American success story. Its ability to use a stock option loophole to zero out its U.S. tax bill, despite ample profits, makes no sense. It also isn't fair to the rest of American taxpayers who will have to pay more because Facebook pays nothing.

In these tough economic times, Congress needs to make choices about where to spend taxpayer dollars. The stock option tax deduction, as demonstrated by Facebook, fuels excessive executive pay, shifts the tax burden from corporations to other taxpayers, and enables profitable corporations to get out of paying a dime toward the country that helped make their success possible.

What could our Nation do with the billions of dollars it will lose when Facebook uses the stock option loophole? Well, we could reduce the Federal deficit. Or we could pay for programs to help kids go to college or programs that protect our seniors and veterans, put cops on the beat or teachers in classrooms.

The stock option loophole should have been closed long before Facebook's stock option bonanza. But surely the case of Facebook illustrates to the Senate, to the Congress, and to the American people why we should close this loophole. If Congress were to enact the Levin-Sherrod Brown bill, S. 1375, it would close an unjustified corporate tax loophole that boosts executive pay at the expense of everybody else.

150TH ANNIVERSARY OF USDA

Mr. BAUCUS. Mr. President, I rise today to celebrate the 150th anniversary of the Department of Agriculture.

I believe Thomas Jefferson said it best in a letter to George Washington in 1787. Jefferson wrote: ''Agriculture is our wisest pursuit, because it will in the end contribute most to real wealth, good morals, and happiness.''

In 1862, the 37th Congress and President Lincoln established the U.S. Department of Agriculture, and 150 years later, agriculture is still a pillar of the American economy.

From wheat fields in Montana, to dairy farms in Wisconsin, to grocery stores in New York City, 1 in 12 jobs is linked to agriculture and forestry. In Montana it is one in five for agriculture alone.

Agriculture is one of the few U.S. business sectors to boast a trade surplus of $34 billion last year.

Because of our Federal farm policies, Americans have access to the safest and most affordable food in the world. Americans spend less than 7 percent of their disposable income to feed their families, compared with almost 25 percent in 1930 or as high as 28 percent in Russia today.

The farm bill, which is set to expire this September, provides a responsible risk management system that ensures American farmers and ranchers can keep putting food on our tables even in times of drought, flooding, and other disaster. It provides conservation tools to protect the land we love and depend on for generations to come. It focuses resources to help beginning farmers and ranchers get their foot in the door, promotes U.S. products overseas, invests in research, and helps struggling families put food on the table.

Last month, the Senate Agriculture Committee passed the Agriculture Reform, Food and Jobs Act of 2012 with a bipartisan vote of 16 to 5.

I want to underscore the word ''reform.'' Times are tough. We cannot afford business as usual anymore.

After spending the last year talking directly with Montana farmers and ranchers about their priorities, I can tell you no one understands this better than they do.

So the Senate Agriculture Committee worked directly with producers to strengthen what works and cut out what doesn't. Together we came up with a responsible plan to cut spending by $23 billion while still providing a strong risk management program for farmers and ranchers. That is right, the Senate Agriculture Committee's farm bill reduces the deficit by $23 billion. It eliminates more than 100 duplicative programs to make government leaner and more effective. It strengthens accountability to make sure we are giving a hand up where it is most needed and not wasting taxpayer dollars where it's not. And, perhaps most importantly, this farm bill supports more

than 16 million American jobs. That is why I led a letter to leadership with 43 of my colleagues this week urging quick action. Moving this farm bill is the right thing to do for our farmers and ranchers, the right thing to do for American taxpayers, and the right thing to do for jobs.

So as we say happy birthday to the U.S. Department of Agriculture, I think the best gift Congress could give is passing the farm bill.

IMPORTANCE OF SENATE BIPARTISANSHIP

Mr. CARPER. Mr. President, over this past weekend, while reading the News Journal, Delaware's only statewide newspaper, I came across a column written by my good friend and our former colleague, Ted Kaufman. He was writing about an issue that is troubling to me and to many of our colleagues—the narrowing scope of bipartisanship in the U.S. Senate today.

As you know, Mr. President, our longtime colleague Senator RICHARD LUGAR faced a difficult primary contest last week in Indiana. While he put up a good fight, he ultimately lost the primary to someone who openly espouses an aversion to bipartisanship. In recent days a number of our colleagues, including Senators DURBIN and KERRY, have stood in this Chamber to lament the parting of Senator LUGAR. Like them, I, too, am disappointed that Senator LUGAR will not be part of the Senate in the future.

Though I haven't always agreed with him on every issue, Senator LUGAR has been and remains a deeply respected colleague and statesman. He understands that national unity and patriotism should always trump partisan bickering, and he believes that working with colleagues on both sides of the aisle is critically important for the welfare of our country.

In his article last weekend, Ted Kaufman wrote, ''If candidates like Mike Castle and RICHARD LUGAR are defeated because they are willing to consider bipartisan solutions, the gridlock can only get worse.'' I couldn't have said it better myself. DICK LUGAR is the type of Senator we need more of, not less of. With his departure, the Senate will lose someone who was willing to put progress ahead of party and willing to favor compromise over conflict.

Senator LUGAR, as mayor of Indianapolis and as Senator from Indiana, you have served your State and your country with distinction. I have no doubt that as this Congress and your time in the Senate come to a close later this year, you will choose to finish strong. I expect that as you do, my colleagues and I will have the opportunity to work with you, in a bipartisan way, on a number of critically important issues for our country. There will be much work to do, together.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of Senator Kaufman's article as a testament to the importance of bipartisan cooperation in the Senate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the News Journal, May 12, 2012]

LUGAR PROVED 'BIPARTISANSHIP' SERVES PRINCIPLES WELL

(By Ted Kaufman)

I have spent the last 40 years of my life working in and teaching about the U.S. Senate. Right after then-Senator Biden and I came to Washington, he told me something I have always kept in mind when dealing with its members. ''There is a reason the citizens of each state picked each individual senator,'' Senator Biden said, ''and it is worth looking for what that is.''

The Senate has always been a partisan place. The arguments are fierce. Strongly held beliefs collide. No matter how much I disagreed with the positions taken by senators on the other side of the aisle, I could respect and even admire nearly all of them.

One of the senators I disagreed with on many issues but came to greatly admire was Richard Lugar. Last week, in the Indiana Republican primary, he lost his bid for a sixth term. He will be sorely missed in the next Senate.

For many years, I watched as he and Senator Biden passed the gavel back and forth on the Foreign Relations Committee, where they traded positions as chair or ranking member. As partisan a conservative Republican as he was on most domestic issues, Senator Lugar deeply believed in the approach to foreign policy articulated in the early 1940s by Michigan's Republican Sen. Arthur Vandenberg: ''To me, bipartisan foreign policy' means a mutual effort, under our indispensable, two-party system, to unite our official voice at the water's edge so that America speaks with one voice to those who would divide and conquer us and the free world.''

Throughout his Senate career, Senator Lugar was a driving force in maintaining this approach to foreign policy. He did not grandstand. In his quiet, intelligent way, he became one of our most knowledgeable experts on an issue that wins few votes but is literally a matter of life-and-death for the planet—nuclear proliferation.

Perhaps his greatest accomplishment was the joint effort with former Democratic Sen. Sam Nunn that established the Cooperative Threat Reduction Program, which provides U.S. funding and expertise to help former Soviet countries safeguard and dismantle their nuclear and chemical arsenals. The program has deactivated thousands of nuclear warheads, chemical weapons, and their delivery systems. It has eliminated all the nuclear weapons in Ukraine, Kazakhstan, and Belarus. Senator Lugar, as much as any single person alive, is responsible for greatly reducing the threat of nuclear proliferation into the terrorist world.

There were many reasons why Senator Lugar lost his bid for re-nomination. But among the criticisms raised against him by his opponent was that he supported the Strategic Arms Reduction Treaty. It is hard to understand how this vote could be characterized as anti-Republican when Lugar was joined in his support of START by the Secretaries of State for the last five Republican Presidents.

I smile when I see Senator Lugar being portrayed in the media as a ''moderate.'' His voting record on domestic issues has been consistently conservative. The American Conservative Union gives him a 77 percent lifetime rating. But that, it seems, is not conservative enough. His victorious opponent, Richard Mourdock, ran a campaign that was openly dismissive of any kind of bipartisanship. Right after Mourdock won the nomination, he explained, ''I have a mindset that says bipartisanship ought to consist of Democrats coming to the Republican point of view.''

Wherever I go, the most common thread in talks I have with many different groups of people is their frustration with the lack of compromise and gridlock in Washington. If candidates like Mike Castle and Richard Lugar are defeated because they are willing to consider bipartisan solutions, the gridlock can only get worse.

I could not agree more with what Senator Lugar said in his typically thoughtful concession speech: ''Bipartisanship is not the opposite of principle. One can be very conservative or very liberal and still have a bipartisan mindset. Such a mindset acknowledges that the other party is also patriotic and may have some good ideas. It acknowledges that national unity is important, and that aggressive partisanship deepens cynicism, sharpens political vendettas, and depletes the national reserve of goodwill that is critical to our survival in hard times.''

INTERNATIONAL FOOD SECURITY

Mr. CARDIN. Mr. President, I rise today to express my enthusiastic support for our efforts to elevate international food security commitments through the G8, which is being held this weekend in Maryland.

I understand that President Obama has invited the Presidents of Benin, Ghana, Ethiopia, and Tanzania to participate in the summit and strategize on ways in which we can all work together to accelerate progress on food security. With over 1 billion poor and hungry people around the world, there is no time to wait.

Just 3 years ago, in L-Aquila, Italy, G8 leaders committed to support developing-country plans for agriculture to the tune of $7 billion a year over 3 years. African governments also committed to allocating 10 percent of their budgets to support agriculture, because they recognize that three-fourths of Africans make a living from agriculture.

This week we expect the G8 leaders to focus on private sector investment, donor coordination, innovation, and partnership. I see this as a natural next step in which we strive to amplify the truly historic commitments that we have made to ending world hunger.

As Secretary Clinton said in 2009, ''We have the resources to give every person in the world the tools they need to feed themselves and their children. So the question is not whether we can end hunger. It's whether we will.''

We must harness the good will of the private sector, do a better job of coordinating among ourselves in the

donor community, and show the American people that we are doing development better. With such a limited foreign assistance budget, getting the most out of every dollar that we spend is vital if we are going to beat global hunger and human suffering.

To that end, I am very pleased that the U.S. will be following up on not only what the members of the G8 committed but what they actually delivered. In order for our new food security initiative to succeed, all pledges must have clear accountability mechanisms.

I believe that our own Feed the Future Program, our global hunger and food security initiative, does just that. Feed the Future focuses on small farmers, particularly women. It helps countries to develop their agriculture sectors to generate opportunities for broad-based economic growth and trade, which in turn support increased incomes and help reduce hunger. It is strengthening strategic coordination to align the efforts of the private sector, civil society, and multilateral institutions. And it is delivering on sustained and accountable commitments through robust monitoring and evaluation systems. I look forward to hearing more about the Feed the Future success stories in the months to come, as USAID officials develop and release their accountability reports.

There are a few other elements of the program that I would just like to underscore as someone who cares very deeply about the status of women. First, Feed the Future developed and launched the Women's Empowerment in Agriculture Index, a research method which measures the quantity and quality of gender integrated programs. This is essential is we are to continue designing better development programs.

Second, Feed the Future has launched a fund to advance innovative approaches to promote gender equality in agriculture and land use and integrate gender effectively into agricultural development and food security programs. And third, Feed the Future has harnessed the capabilities of other U.S. Government partners such as the Department of Agriculture to develop science-based solutions to many of the problems faced by women farmers.

Feed the Future is already working with the private sector in Africa; just recently USAID announced a unique trilateral partnership between PepsiCo, USAID, and the World Food Program. Through this partnership they will provide a nutritionally fortified feeding product while helping to build long-term economic stability for smallholder chickpea farmers in Ethiopia by involving them directly in PepsiCo's product supply chain.

Ending global hunger is a monumental task. But when the leaders of France, Germany, Italy, Japan, the United Kingdom, Canada, Russia, and the United States join together with our African partners and the most powerful private sector and civil society organizations in the world, I believe it is one that we can achieve.

BUDGET RESOLUTION VOTES

Ms. KLOBUCHAR. Today I wish to discuss a series of votes we took yesterday on five different budget resolutions offered by my colleagues.

I ultimately voted against the budget resolutions offered by my colleagues because they were simply not in line with what I believe our priorities for this country should be.

Like my colleagues, I am very concerned about our long-term fiscal situation. That is why last year I helped pass the Budget Control Act of 2011. This legislation caps spending levels for 2012 and will reduce our deficit by at least $2.1 trillion over the next 10 years.

In many ways, the Budget Control Act is even more extensive than a traditional congressional budget resolution. Unlike a budget resolution that is not signed by the President, the Budget Control Act has the force of law. It also set discretionary caps for 10 years, instead of the 1 year normally set in a budget resolution.

Believing we should go further, I also voted for a constitutional balanced budget amendment offered by Senator UDALL of Colorado and cosponsored bipartisan legislation to give the President line-item veto authority to go after wasteful spending.

The key difference between the Budget Control Act and the budget resolutions that were offered yesterday is that the Budget Control Act did not achieve its savings on the backs of the middle class while at the same time giving more tax breaks to the wealthiest Americans.

In 2010, I worked with 14 Senators to block a statutory increase of our national debt limit until the Senate agreed to set up the bipartisan National Commission on Fiscal Responsibility. While I do not agree with every single recommendation included in the final report, I have made clear through my support for the bipartisan efforts in the Senate to advance this framework and I believe it provides a good starting point for the work we must do to reduce our debt.

This framework would put in place a long-term plan to responsibly reduce the deficit by achieving at least $4 trillion in debt reduction through a balance of revenue and spending cuts. This is the balanced approach I hear Minnesotans asking for every day, and it is the approach I will continue to insist we take.

ADDITIONAL STATEMENTS

2012 TOP COPS

● Mr. HELLER. Mr. President, today I wish to recognize five police officers from my home State of Nevada for being honored with the prestigious National Association of Police Officers, NAPO, 2012 TOP COPS award for their acts of heroism during a routine fraud call that turned into a deadly shooting. Las Vegas Metropolitan Police Department officers John Abel, Michael Ramirez, Corey Staheli, Beaumont Hopson, and David Williams' overwhelming courage in the line of duty epitomizes the best of what America's police officers have to offer. I am honored to recognize this group of Nevadans whose efforts to go above and beyond their oath to serve is a testament to the strength of our law enforcement community.

This year marks NAPO's 19th annual TOP COPS Awards ceremony to honor members of the law enforcement community for their heroic actions. I stand with NAPO in their dedication to raising public awareness concerning the contributions made by our law enforcement officers to the welfare of our communities. Officer Ramirez literally stood in the line of fire to protect shoppers at a Las Vegas WalMart while attempting to apprehend a criminal. His colleagues bravely answered the call to duty and fatally shot the assailant after he shot Officer Ramirez several times in the arm and once in the chest. Fortunately, Officer Ramirez's bulletproof vest, along with the bravery displayed by his colleagues, saved his life. I am so honored to acknowledge these exceptional individuals who are being recognized for their commitment to the safety, protection, and well-being of the people and community of Las Vegas.

It is a privilege to recognize our law enforcement officers who put their lives on the line for our protection every day. Their dedication to upholding and enforcing the law is essential to the welfare of our communities and is not taken for granted. The citizens of Nevada are proud to honor John, Michael, Corey, Beaumont, and David as TOP COPS and thank them for serving and protecting the Silver State.●

TRIBUTE TO CARY M. MAGUIRE

● Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the remarks of Representative RALPH HALL be printed in the RECORD on the tenacity of Cary M. Maguire, founder, Chair and President of the Dallas-based Mcguire Oil Company and Maguire Energy Company.

The remarks follow.

Mr. HALL. Mr. Speaker, I rise today in recognition of Cary M. Maguire, a fellow Texan who exemplifies fortitude, American entrepreneurship, and community service.

Over the past twenty years, Cary's strength of character was tested and proven as he fought for justice in a property rights dispute against the Houston, Texas city government. Despite being dealt a bad hand, court after court, Cary never surrendered. He showed courage and faith that justice would prevail, and his perseverance was ultimately rewarded.

Cary is the founder, Chair, and President of the Dallas-based Maguire Oil Company and Maguire Energy Company. In 1991, Cary's company was given a permit by the city of Houston to drill near the banks of Lake Houston. However, when his crew began the project a city officer patrolling the area stopped the team, citing a city ordinance that prohibited drilling within 1,000 feet of the shore. The city revoked Maguire Oil's permit, and a lengthy court battle began.

The case was shuffled around for fourteen years as courts argued over jurisdiction and how to proceed. In 2009, a Harris County court-at-law awarded Maguire $2 million in damages, plus $2.2 million in interest. The City appealed this ruling before agreeing on a settlement, settling a lawsuit that spanned two trials, four appeals and the administrations of four mayors.

While acknowledging that the amount spent in legal fees exceeded the amount of the settlement, Cary stated that he continued the case because he thought it was important to defend the principle that while government has the right to take property for the public good, it does not have the right to do so without compensating the property owner.

Cary proceeded to donate the settlement money to found the Center for Ethics and Public Responsibility that bears his name at Southern Methodist University (SMU) in Dallas, Texas, where he serves as Trustee Emeritus in recognition for his outstanding service to the University as a member of the Board of Trustees from 1976 to 2000.

In addition to his founding grant to create the Maguire Center for Ethics and Public Responsibility, Cary also endowed a university-wide professorship in ethics at SMU. He has provided additional funds for programs and facilities in SMU's Edwin L. Cox School of Business, including the Maguire Energy Institute, the Maguire Chair in oil and gas management, and the Maguire Building housing undergraduate programs in the Cox School.

In 1995 he and his wife, Ann, were among the first recipients of SMU's Mustang Award honoring individuals whose longtime service and philanthropy have had a lasting impact on the University.

His national leadership positions include service on The National Petroleum Council, the Executive Committee of Mid-Continental Oil and Gas Association, and membership of the Madison Council of the Library of Congress, where he funded the Maguire Chair in Ethics and American History.

Mr. Speaker, Cary Maguire's professional and philanthropic contributions will have a lasting value not only in the great State of Texas, but our nation. He embodies many outstanding qualities that define the American spirit. As we adjourn the House of Representatives today, let us do so in appreciation of this American leader, Mr. Cary Maguire.●

TRIBUTE TO CHARLIE EARL

● Mrs. MURRAY. Mr. President, today I wish to recognize Charlie Earl for his exemplary record of public service to the Washington State Board for Community and Technical Colleges and the people of Washington State.

Charlie Earl will retire on July 31, 2012, after more than 40 years of public service in the State's higher education system and a variety of government positions. He most recently served for 6 years as the executive director of the Washington State Board for Community and Technical Colleges and 7 years as president of Everett Community College. As the executive director, Charlie worked to increase public access to higher education while enhancing the quality of Washington State's career and technical education system. All the while, the past several years have seen the most difficult economic environment in Washington State's recent history. As our State budget tightened, spending on our community colleges decreased by 22 percent, but this did not stop Charlie from developing a vision for the State and leading toward it with energy, passion, and commitment.

While Charlie served as executive director, he propelled Washington's community and technical colleges to be among the most innovative in the country. Charlie's leadership supported the development and expansion of the Washington State student achievement performance award, opportunity grants, 4-year applied baccalaureate degrees, an open course library, and the Integrated Basic Education and Skills Training, I-BEST, Program. These changes allowed for many students to return to school to earn their diploma or certificate or learn new skills required of the 21st century workforce. The I-BEST Program challenges the traditional notion that students must complete all basic education before they can begin postsecondary education or training. This model allowed students to move through school, earn degrees, and join the skilled workforce faster and with less cost to the student, State, and Federal Government. I am not alone in seeing this as a revolutionary model in adult education. In 2011, the I-BEST Program was named a ''Bright Idea'' by Harvard's John F. Kennedy School of Government and is being replicated in 20 other States. All of this would not have been possible if not for Charlie's leadership, advocacy, and stewardship of the Washington State Board for Community and Technical Education and its staff.

During Charlie's tenure, enrollment increased at Washington's 34 colleges by 80,000 students. This was clearly no small feat. Washington State has also seen the largest increase in certificates and degrees since the community and technical college system began tracking this statistic. This was achieved not simply because more students are enrolling in career and technical education but because more students are reaching important academic goals and building momentum to finish their academic program. As you can clearly see, Charlie worked tirelessly to promote student access, and ensure all students are making timely progress towards their education and career goals. The achievements of the Washington State Board for Community and Technical Colleges during Charlie's tenure as executive director have been remarkable.

Charlie graduated from the University of Washington with a bachelor's degree in finance and from Washington State University with a master of arts degree in political science. He serves as chair of the National Council of State Directors of Community Colleges, is a past president of the Washington Association of Community and Technical Colleges, and has been a board member of the Washington Council on Aerospace, Workforce Training and Education Coordinating Board, Early Learning Advisory Council, Governor's Job Creation Subcabinet, and National Governors' Association Compete to Complete Advisory Group. Charlie's entrepreneurial spirit and unwavering commitment to student success will be sorely missed. I join with many in Washington State in congratulating Charlie on his achievements, and I look forward to seeing all that he will accomplish in his retirement.●

TRIBUTE TO HEATHER JELEN

● Mr. THUNE. Mr. President, today I recognize Heather Jelen, a legal intern in my Washington, DC, office, for all the hard work she has done for me, my staff, and the State of South Dakota over the past year.

Heather is a graduate of Bethel University in Saint Paul, MN. Currently, she is attending George Washington University Law School in Washington, DC. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Heather for all the fine work she has done and wish her continued success in the years to come.●

CONGRATULATING HUMAN EVENTS

● Mr. TOOMEY. Mr. President, Human Events, the nation's oldest conservative weekly publication, has been a staple of the post-war conservative movement. I want to congratulate Human Events on its many years of providing incisive coverage and on its recent relaunch. According to the publication's mission, Human Events ''looks at events through eyes that favor limited constitutional government, local self-government, private enterprise and individual freedom.

These were the principles that inspired the Founding Fathers.'' These are the values that have made and will continue to keep America great.●

TRIBUTE TO MONSIGNOR JOSEPH C. ANSALDI

● Mr. SCHUMER. Mr. President, today I wish to honor the extraordinary, selfless, and faithful commitment of Monsignor Joseph C. Ansaldi to the Catholic Church. On Saturday, June 2, 2012, Monsignor Ansaldi will celebrate the 50th Anniversary of his ordination to the priesthood.

Monsignor Ansaldi attended both a Catholic grammar school and a Catholic high school where he learned the value of such a wonderful religious education. He realized early on that he wished to devote his life to the Catholic Church and the community in which he grew up. Following his early education, Monsignor Ansaldi attended and graduated from St. Joseph Dunwoodie with bachelor's degrees in philosophy and theology and later received his master's degree in history from Fordham University.

Ordained in 1962, his first assignment was chaplain at Mt. Loretto's Girls' Division. He then spent 6 years at Cardinal Hayes High School, where he taught history, German, and religion prior to his appointment there as dean of students. He then was appointed academic dean to St. Joseph by-the-Sea, and then in 1982, then archbishop of New York, Terrence Cardinal Cooke, appointed Monsignor Ansaldi as principal of St. Joseph by-the-Sea. Finally, in 1990, Pope John Paul II named Josepha C. Ansaldi a monsignor, and in 1991, Cardinal O'Connor appointed Monsignor Ansaldi Vicar of the Staten Island vicariate.

Under Monsignor Ansaldi's tenure, enrollment at St. Joseph by-the-Sea rose by more than 25 percent to over 1,300 students. He also expanded the physical plant of the school to ensure that these students had the resources necessary to prosper. Many of his students became National Merit Scholar finalists and are forever grateful to the extraordinary leadership of their principal.

Monsignor Ansaldi reminds us all about the tremendous role that educators play in the lives of students. Thousands of students have gone to college due to the efforts of Monsignor Ansaldi and many have been inspired to follow in the footsteps of Monsignor Ansaldi.

The extraordinary vibrancy of New York is greatly enriched by its strong religious community. These communities owe much of their prosperity to the tireless efforts of religious leaders. Monsignor Ansaldi, who has served the people of New York for 50 years, is one shining example of the important role religious leaders can play in the lives of thousands of people. They have provided their communities infinite wisdom and counsel during times good and bad. Monsignor Joseph C. Ansaldi is a true leader who has selflessly and faithfully devoted his life to the betterment of the Catholic Church and to all mankind.

Mr. President, it is my honor to acknowledge the achievement and contributions of Monsignor Joseph C. Ansaldi on this 50th anniversary of his ordination to the priesthood in the Catholic Church.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, treaties, and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13047 OF MAY 20, 1997, WITH RESPECT TO BURMA—PM 49

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Burma that was declared on May 20, 1997, is to continue in effect beyond May 20, 2012.

The Burmese government has made progress in a number of areas including releasing hundreds of political prisoners, pursuing cease-fire talks with several armed ethnic groups, and pursuing a substantive dialogue with Burma's leading pro-democracy opposition party. The United States is committed to supporting Burma's reform effort, but the situation in Burma continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Burma has made important strides, but the political opening is nascent, and we continue to have concerns, including remaining political prisoners, ongoing conflict, and serious human rights abuses in ethnic areas. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma and to maintain in force the sanctions that respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2012.*

MESSAGES FROM THE HOUSE

At 11:26 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H. R. 2621. An act to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes.

H. R. 2745. An act to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada.

H. R. 4119. An act to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

ENROLLED BILL SIGNED

At 3:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4967. An act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. UDALL of New Mexico).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2621. An act to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2745. An act to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6123. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Propylene oxide; Tolerance Actions'' (FRL No. 9346–8) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6124. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetone; Exemption from the Requirement of a Tolerance'' (FRL No. 9344–2) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6125. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluxapyroxad; Pesticide Tolerances'' (FRL No. 9346–7) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6126. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Penflufen; Pesticide Tolerances'' (FRL No. 9341–8) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6127. A communication from the Secretary of Defense, transmitting, pursuant to law, a report entitled ''Western Hemisphere Institute for Security Cooperation 2011 Report to Congress''; to the Committee on Armed Services.

EC–6128. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to Department of Defense purchases from foreign entities for fiscal year 2011; to the Committee on Armed Services.

EC–6129. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Department of Defense Report to Congress on the Findings of the Logistics Management Institute Study 'Future Capability of DoD Maintenance Depots' ''; to the Committee on Armed Services.

EC–6130. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–6131. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Enhancement of Electricity Market Surveillance and Analysis through Ongoing Electronic Delivery of Data from Regional Transmission Organizations and Independent System Operators'' (RIN1902–AE43) received in the Office of the President of the Senate on May 15, 2012; to the Committee on Energy and Natural Resources.

EC–6132. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Requirements for Fingerprint-Based Criminal History Records Checks for Individuals Seeking Unescorted Access to Non-power Reactors (Research and Test Reactors)'' (RIN3150–AI25) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6133. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone'' (FRL No. 9671–4) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6134. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality: Widespread Use for Onboard Refueling Vapor Recovery and Stage II Waiver'' (FRL No. 9671–3) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6135. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oklahoma: Incorporation by Reference of Approved State Hazardous Waste Management Program'' (FRL No. 9652–9a) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6136. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Permit to Construct Exemptions'' (FRL No. 9671–7) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6137. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to the Control of Nitrogen Oxides Emissions from Industrial Boilers and Process Heaters at Petroleum Refineries'' (FRL No. 9671–9) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6138. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware, New Jersey, and Pennsylvania; Determinations of Attainment of the 1997 Annual Fine Particulate Standard for the Philadelphia-Wilmington, PA–NJ–DE Nonattainment Area'' (FRL No. 9670–3) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6139. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the 2008 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications Approach, Attainment Deadlines and Revocation of the 1997 Ozone Standards for Transportation Conformity Purposes'' (FRL No. 9667–9) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal of Revocation of TSCA Section 4 Testing Requirements for One High Production Volume Chemical Substance'' (FRL No. 9350–2) received during adjournment of the Senate in the Office of the President of the Senate on May 11, 2012; to the Committee on Environment and Public Works.

EC–6141. A communication from the Acting Deputy Under Secretary for International Affairs, Department of Labor, transmitting, pursuant to law, a report entitled ''Progress in Implementing Chapter 16 (Labor) and Capacity-Building under the Dominican Republic-Central America-United States Free Trade Agreement''; to the Committee on Finance.

EC–6142. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Mortgage Insurance Premiums'' ((RIN1545–BH84) (TD 9588)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Finance.

EC–6143. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modifications to Definition of United States Property'' ((RIN1545–BK11) (TD 9589)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2012; to the Committee on Finance.

EC–6144. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Annual Price Inflation Adjustments for Contribution Limitations Made to a Health Savings Account Pursuant to Section 223 of the Internal Revenue Code'' (Rev. Proc. 2012–26) received in the Office of the President of the Senate on April 14, 2012; to the Committee on Finance.

EC–6145. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs: Reform of Hospital and Critical Access Hospital Conditions of Participation'' (RIN0938–AQ89) received in the Office of the President of the Senate on May 15, 2012; to the Committee on Finance.

EC–6146. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Program: Regulatory Provisions to Promote Program Efficiency, Transparency, and Burden Reduction'' (RIN0938–AQ96) received in the Office of the President of the Senate on May 15, 2012; to the Committee on Finance.

EC–6147. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the 2011 annual report on voting practices in the United Nations; to the Committee on Foreign Relations.

EC–6148. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a Determination and Certification under Section 40A of the Arms Export Control Act relative to countries not cooperating fully with United States antiterrorism efforts; to the Committee on Foreign Relations.

EC–6149. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to amendment to parts 120 and 123 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–6150. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to amendment to part 123 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–6151. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a proposed revision to part 121 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–6152. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on Head Start Monitoring for Fiscal Year 2009''; to the Committee on Health, Education, Labor, and Pensions.

EC–6153. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Sterility Test Requirements for Biological Products'' (Docket No. FDA–2011–N–0080) received in the Office of the President of the Senate on May 10, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6154. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Loss Ratio Requirements under the Patient Protection and Affordable Care Act'' (RIN0938–AR41) received in the Office of the President of the Senate on May 15, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6155. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–59, Small Entity Compliance Guide'' (FAC 2005–59) received in the Office of the President of the Senate on May 14, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6156. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Free Trade Agreement-Colombia'' ((RIN9000–AM24) (FAC 2005–59)) received in the Office of the President of the Senate on May 14, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6157. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Revision of Cost Accounting Standards Threshold'' ((RIN9000–AM25) (FAC 2005–59)) received in the Office of the President of the Senate on May 14, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6158. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations'' ((RIN9000–AM22) (FAC 2005–59)) received in the Office of the President of the Senate on May 14, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–6159. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Second Quarter of Fiscal Year 2012''; to the Committee on Veterans' Affairs.

EC–6160. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; United States-Korea Free Trade Agreement'' ((RIN0750–AH69) (DFARS Case 2012–D025)) received in the Office of the President of the Senate on May 10, 2012; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. AKAKA, from the Committee on Indian Affairs, with an amendment:

S. 676. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes (Rept. No. 112–166).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2554. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

James Xavier Dempsey, of California, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2016.

Elisebeth Collins Cook, of Illinois, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2014.

Rachel L. Brand, of Iowa, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2017.

David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2012.

David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2018.

Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2013.

Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2019.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 3196. A bill to establish the National Women's High-Growth Business Bipartisan Task Force, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 3197. A bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. LANDRIEU (for herself and Ms. SNOWE):

S. 3198. A bill to amend the Small Business Act to improve the entrepreneurial development programs of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SCHUMER (for himself, Mr. BLUMENTHAL, Mr. BLUNT, Mr. COONS, Mr. HELLER, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. LEE, Mr. MANCHIN, Ms. MIKULSKI, Mr. RUBIO, Mrs. SHAHEEN, Mr. BROWN of Massachusetts, Ms. MURKOWSKI, Ms. AYOTTE, and Mr. RISCH):

S. 3199. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States and for other purposes; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. 3200. A bill to require the Small Business Administration to submit a regular National Small Business Index to Congress to assess how policies provide incentives or impediments to small business development; to the Committee on Small Business and Entrepreneurship.

By Mr. REED (for himself and Mr. KYL):

S. 3201. A bill to reform graduate medical education payments, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. BURR, Mr. NELSON of Florida, and Mr. RUBIO):

S. 3202. A bill to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG (for himself and Mr. RUBIO):

S. 3203. A bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. JOHANNS (for himself, Mr. WARNER, Mr. CORKER, and Mr. TESTER):

S. 3204. A bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Mr. CASEY, Mr. BLUMENTHAL, and Mr. HARKIN):

S. 3205. A bill to amend the Internal Revenue Code of 1986 to provide that persons renouncing citizenship for a substantial tax avoidance purpose shall be subject to tax and withholding on capital gains, to provide that such persons shall not be admissible to the United States, and for other purposes; to the Committee on Finance.

By Mr. BOOZMAN (for himself and Mr. BEGICH):

S. 3206. A bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE:

S. Res. 466. A resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko; to the Committee on Foreign Relations.

By Mr. WHITEHOUSE (for himself, Mr. AKAKA, Mr. BLUMENTHAL, Mr. CARDIN, Ms. COLLINS, Mrs. FEINSTEIN, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Ms. SNOWE, and Mrs. BOXER):

S. Res. 467. A resolution designating May 18, 2012, as ''Endangered Species Day''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 438

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 438, a bill to amend the Public Health Service Act to improve women's health by prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 547

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 547, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 595

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was withdrawn as a cosponsor of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 693

At the request of Mr. MCCAIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 693, a bill to establish a term certain for the conservatorships of Fannie Mae and Freddie Mac, to provide conditions for continued operation of such enterprises, and to provide for the wind down of such operations and dissolution of such enterprises.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 1335

At the request of Mr. BROWN of Ohio, his name was added as a cosponsor of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1989

At the request of Ms. CANTWELL, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 1993

At the request of Mr. NELSON of Florida, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1993, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2036

At the request of Mrs. GILLIBRAND, the names of the Senator from Indiana (Mr. COATS), the Senator from Utah (Mr. HATCH), the Senator from Idaho (Mr. RISCH) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2036, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame.

S. 2134

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2134, a bill to amend title 10, United States Code, to provide for certain requirements relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes.

S. 2179

At the request of Mr. WEBB, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2179, a bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes.

S. 2226

At the request of Mr. PAUL, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 2226, a bill to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity carried out outside the United States, including the territories and possessions of the United States.

S. 2234

At the request of Mr. BLUMENTHAL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2234, a bill to prevent human trafficking in government contracting.

S. 2250

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 2250, a bill to prevent homeowners

from being forced to pay taxes on forgiven mortgage loan debt.

S. 2264

At the request of Mr. HOEVEN, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2264, a bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 3083

At the request of Mr. RUBIO, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 3083, a bill to amend the Internal Revenue Code of 1986 to require certain nonresident aliens to provide valid immigration documents to claim the refundable portion of the child tax credit.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. RES. 380

At the request of Mr. GRAHAM, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. Res. 380, supra.

S. RES. 399

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 399, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 3196. A bill to establish the National Women's High-Growth Business Bipartisan Task Force, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today to introduce S. 3196 and S. 3197. This legislation will strengthen the resources and support that we provide to women entrepreneurs, and to strengthen oversight of the SBA's technical assistance programs. The SBA's Entrepreneurial Development programs are a vital source of training and management support for entrepreneurs, and I am pleased to work with Chair LANDRIEU to improve these programs and ensure that the taxpayer dollars that support them are being utilized in the most efficient and effective way possible.

The Women's Small Business Ownership Act of 2012 builds upon our commitment to providing assistance to women entrepreneurs, whose firms have grown at ice the rate of other firms. The SBA's Women's Business Center, WBC, program provides critical assistance to economically or socially disadvantaged entrepreneurs, especially women. The bill I am introducing today with Chair LANDRIEU holds funding for the WBC program at current levels for the next three years, in recognition that now is not the time to grow Federal programs, including proven ones like the SBA's technical assistance efforts.

Our bill also makes necessary improvements to the WBC program, such as establishing a process and criteria that the SBA must follow in administering grants under this program, and expanding eligible entities that can host Women's Business Centers to include local economic development organizations and community colleges. It also improves the transparency of project funds to ensure that WBC hosts are not comingling their grant funds with those for separate purposes and initiatives.

To further strengthen growth in women-owned businesses, we are also introducing the National Women's High-Growth Business Bipartisan Task Force Act of 2012. This legislation would repeal the National Women's Business Council and replace it with a Women's High-Growth Business Bipartisan Task Force charged with developing and promoting initiatives, policies, and programs designed to encourage the formation of startups and high-growth small business concerns owned by women.

Under current law, the Council receives funding to employ an executive director and four additional employees, who may receive a maximum pay rate of GS–15. However, most other advisory committees across the government and SBA operate without staff, and under this bill we will save taxpayers nearly $1 million by transitioning the current Council into a Task Force, similar to the Interagency Veteran's Task Force at the SBA, which was established in 2008.

Additionally, this legislation places an emphasis on high-growth small businesses owned and controlled by women. Recently, the Kauffman Foundation, based in Kansas City, MO, researched the effects of startups as part of the American economy. These reports demonstrate the necessity of new and young start-ups to act as mechanisms for reviving the American economy; particularly those of high-growth entrepreneurs. In this rapidly growing area of high-growth firms, which often incorporate intellectual property endeavors, this bill ensures that women's small business concerns are being addressed, with an emphasis on achieving and maximizing high-growth potential.

Finally, I am pleased to join Chair LANDRIEU in introducing the Strengthening Resources for America's Entrepreneurs Act. This legislation aims to improve oversight and coordination among the SBA's existing entrepreneurial development, ED, programs, including the Women's Business Centers, WBC, the Small Business Development Centers, SBDC, and the Service Corps of Retired Executives, SCORE, by setting performance measures, reducing duplication, and increasing partnerships with local entrepreneurial training providers to make them more effective and responsive to the needs of small businesses.

Importantly, this legislation makes several changes to the SBA's entrepreneurial development programs at no cost to taxpayers. The bill instructs the SBA to develop a plan outlining how to use ED initiatives to create new jobs over the next 2 years, improves cross-program coordination to maximize use of program resources, establishes a consistent data collection process for all of its technical assistance programs, and ensures that someone is available to assist small businesses at all SBA district offices. By requiring the SBA to collect data will provide important insights into the strengths of the ED programs and highlight where there is room for improvement.

Now, more than ever, we in Congress must do everything within our power to help small businesses drive our Nation's economic recovery, and the SBA programs we are reauthorizing today are critical elements of that support. In the coming weeks, I look forward to working with the Chair and my colleagues on both sides of the aisle to

move these bills through the full Senate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3196

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Women's High-Growth Business Bipartisan Task Force Act of 2012''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''Task Force'' means the National Women's High-Growth Business Bipartisan Task Force established under section 3; and

(3) the term ''small business concern owned and controlled by women'' has the meaning given that term in section 3(n) of the Small Business Act (15 U.S.C. 632(n)).

SEC. 3. NATIONAL WOMEN'S HIGH-GROWTH BUSINESS BIPARTISAN TASK FORCE.

(a) ESTABLISHMENT.—There is established the National Women's High-Growth Business Bipartisan Task Force, which shall serve as an independent source of advice, research, and policy recommendations to—

(1) the Administrator;

(2) the Assistant Administrator of the Office of Women's Business Ownership of the Administration;

(3) Congress;

(4) the President; and

(5) other Federal departments and agencies.

(b) MEMBERSHIP.—

(1) NUMBER OF MEMBERS.—The Task Force shall be composed of 15 members, of which—

(A) 8 shall be individuals who own small business concerns owned and controlled by women, including not fewer than 2 individuals who own small business concerns owned and controlled by women in industries in which women are traditionally underrepresented;

(B) 2 shall be individuals having expertise conducting research on women's business, women's entrepreneurship, new business development by women, and high-growth business development; and

(C) 5 shall be individuals who represent women's business organizations, including women's business centers and women's business advocacy groups.

(2) APPOINTMENT OF MEMBERS.—

(A) OWNERS OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Of the members of the Task Force described in paragraph (1)(A)—

(i) 2 shall be appointed by the Chairperson of the Committee on Small Business and Entrepreneurship of the Senate;

(ii) 2 shall be appointed by the Ranking Member of the Committee on Small Business and Entrepreneurship of the Senate;

(iii) 2 shall be appointed by the Chairperson of the Committee on Small Business of the House of Representatives; and

(iv) 2 shall be appointed by the Ranking Member of the Committee on Small Business of the House of Representatives.

(B) OTHER MEMBERS.—The members of the Task Force described in subparagraphs (B) and (C) of paragraph (1) shall be appointed by the Administrator.

(C) INITIAL APPOINTMENTS.—The individuals described in subparagraphs (A) and (B) shall appoint the initial members of the Task Force not later than 90 days after the date of enactment of this Act.

(D) GEOGRAPHIC CONSIDERATIONS.—In making an appointment under this paragraph, the individuals described in subparagraphs (A) and (B) shall give consideration to the geographic areas of the United States in which the members of the Task Force live and work, particularly to ensure that rural areas are represented on the Task Force.

(E) POLITICAL AFFILIATION.—Not more than 8 members of the Task Force may be members of the same political party.

(3) CHAIRPERSON.—

(A) ELECTION OF CHAIRPERSON.—The members of the Task Force shall elect 1 member of the Task Force as Chairperson of the Task Force.

(B) VACANCIES.—Any vacancy in the position of Chairperson of the Task Force shall be filled by the Task Force at the first meeting of the Task Force after the date on which the vacancy occurs.

(4) TERM OF SERVICE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term of service of each member of the Task Force shall be 3 years.

(B) TERMS OF INITIAL APPOINTEES.—Of the members of the Task Force first appointed after the date of enactment of this Act—

(i) 6 shall be appointed for a term of 4 years, including—

(I) 1 member appointed by the individuals described in each of clauses (i), (ii), (iii), and (iv) of paragraph (2)(A); and

(II) 2 members appointed by the Administrator; and

(ii) 5 shall be appointed for a term of 5 years, including—

(I) 1 member appointed by the individuals described in each of clauses (i), (ii), (iii), and (iv) of paragraph (2)(A); and

(II) 1 member appointed by the Administrator.

(5) VACANCIES.—A vacancy on the Task Force shall be filled not later than 30 days after the date on which the vacancy occurs, in the manner in which the original appointment was made, and shall be subject to any conditions that applied to the original appointment. An individual chosen to fill a vacancy shall be appointed for the unexpired term of the member replaced.

(6) PROHIBITION ON FEDERAL EMPLOYMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no member of the Task Force may serve as an officer or employee of the United States.

(B) EXCEPTION.—A member of the Task Force who accepts a position as an officer or employee of the United States after appointment to the Task Force may continue to serve on the Task Force for not more than 30 days after the date of such acceptance.

(7) COMPENSATION AND EXPENSES.—

(A) NO COMPENSATION.—Each member of the Task Force shall serve without compensation.

(B) EXPENSES.—The Administrator shall reimburse the members of the Task Force for travel and subsistence expenses in accordance with section 5703 of title 5, United States Code.

(c) DUTIES.—The Task Force shall—

(1) review and monitor plans and programs developed in the public and private sectors that affect the ability of small business concerns owned and controlled by women to obtain capital and credit and to access markets, and provide advice on improving coordination between such plans and programs;

(2) monitor and promote the plans, programs, and operations of the Federal departments and agencies that contribute to the formation and development of small business concerns owned and controlled by women, and make recommendations to Federal departments and agencies concerning the coordination of such plans, programs, and operations;

(3) develop and promote initiatives, policies, programs, and plans designed to encourage the formation of startups and high-growth small business concerns owned and controlled by women;

(4) advise the Administrator on the development and implementation of an annual comprehensive plan for joint efforts by the public and private sectors to facilitate the formation and development of startups and high-growth small business concerns owned and controlled by women; and

(5) examine the link between women who own small business concerns and intellectual property, including—

(A) the number of patents, trademarks, and copyrights granted to women; and

(B) the challenges faced by high-growth small business concerns owned and controlled by women in obtaining and enforcing intellectual property rights.

(d) POWERS.—

(1) HEARINGS.—The Task Force may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Task Force considers advisable to carry out its duties.

(2) TASK GROUPS.—The Task Force may, from time to time, establish temporary task groups, as necessary to carry out the duties of the Task Force.

(3) INFORMATION FROM FEDERAL AGENCIES.—Upon request of the Chairperson of the Task Force, the head of any Federal department or agency shall furnish such information to the Task Force as the Task Force considers necessary to carry out its duties.

(4) USE OF MAILS.—The Task Force may use the United States mails in the same manner and under the same conditions as Federal departments and agencies.

(5) GIFTS.—The Task Force may accept, use, and dispose of gifts or donations of services or property.

(e) MEETINGS.—

(1) IN GENERAL.—The Task Force shall meet—

(A) not less than 3 times each year;

(B) at the call of the Chairperson; and

(C) upon the request of—

(i) the Administrator;

(ii) the Chairperson and Ranking Member of the Committee on Small Business and Entrepreneurship of the Senate; or

(iii) the Chairperson and Ranking Member of the Committee on Small Business of the House of Representatives.

(2) PARTICIPATION OF FEDERAL AGENCIES.—

(A) PARTICIPATION ENCOURAGED.—The Task Force shall allow and encourage participation in meetings by representatives from Federal agencies.

(B) FUNCTIONS OF REPRESENTATIVES OF FEDERAL AGENCIES.—A representative from a Federal agency—

(i) may be used as a resource; and

(ii) may not vote or otherwise act as a member of the Task Force.

(3) LOCATION.—Each meeting of the full Task Force shall be held at the headquarters of the Administration, unless, not later than 1 month before the meeting, a majority of the members of the Task Force agree to meet at another location.

(4) SUPPORT BY ADMINISTRATOR.—The Administrator shall provide suitable meeting facilities and such administrative support as may be necessary for each full meeting of the Task Force.

(f) REPORTS.—

(1) REPORTS BY TASK FORCE.—

(A) REPORTS REQUIRED.—Not later than 30 days after the end of each fiscal year, the Task Force shall submit to the President and to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, a report containing—

(i) a detailed description of the activities of the Task Force, including a report on how the Task Force has carried out the duties described in subsection (c);

(ii) the findings and recommendations of the Task Force; and

(iii) the recommendations of the Task Force for—

(I) promoting intellectual property rights for high-growth small business concerns owned and controlled by women; and

(II) such legislative and administrative actions as the Task Force considers appropriate to promote the formation and development of small business concerns owned and controlled by women.

(B) FORM OF REPORTS.—The report required under subparagraph (A) shall include—

(i) any concurring or dissenting views of the Administrator; and

(ii) the minutes of each meeting of the Task Force.

(2) REPORTS BY CHIEF COUNSEL FOR ADVOCACY.—

(A) STUDIES.—

(i) IN GENERAL.—Not less frequently than twice each year, the Chief Counsel for Advocacy of the Small Business Administration, in consultation with the Task Force, shall conduct a study of an issue that is important to small business concerns owned and controlled by women.

(ii) TOPICS.—The topic of a study under clause (i) shall—

(I) be an issue that the Task Force determines is critical to furthering the interests of small business concerns owned and controlled by women; and

(II) relate to—

(aa) Federal prime contracts and subcontracts awarded to small business concerns owned and controlled by women;

(bb) access to credit and investment capital by women entrepreneurs;

(cc) acquiring and enforcing intellectual property rights; or

(dd) any other issue relating to small business concerns owned and controlled by women that the Task Force determines is appropriate.

(iii) CONTRACTING.—In conducting a study under this subparagraph, the Chief Counsel may contract with a public or private entity.

(B) REPORT.—The Chief Counsel for Advocacy shall—

(i) submit a report containing the results of each study under subparagraph (A) to the Task Force, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives; and

(ii) make each report submitted under clause (i) available to the public online.

(g) FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.

SEC. 4. REPEAL.

(a) FINAL REPORTS.—Not later than 90 days after of the date of enactment of this Act—

(1) the Interagency Committee on Women's Business Enterprise shall submit to the President and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report containing the information described in paragraphs (1), (2), and (3) of section 404 of the Women's Business Ownership Act of 1988 (15 U.S.C. 7104), as in effect on the day before the date of enactment of this Act; and

(2) the National Women's Business Council shall submit to the President and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report containing the information described in subparagraphs (A), (B), and (C) of section 406(d)(6) of the Women's Business Ownership Act of 1988 (15 U.S.C. 7106), as in effect on the day before the date of enactment of this Act.

(b) REPEAL.—The Women's Business Ownership Act of 1988 (15 U.S.C. 631 note) is amended by striking title IV (15 U.S.C. 7101 et seq.).

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 8(b)(1)(G) (15 U.S.C. 637(b)(1)(G)), by striking ''and to carry out the activities authorized by title IV of the Women's Business Ownership Act of 1988''; and

(2) in section 29(g) (15 U.S.C. 656(g))—

(A) in paragraph (1), by striking ''women's business enterprises (as defined in section 408 of the Women's Business Ownership Act of 1988 (15 U.S.C. 631 note))'' and inserting ''small business concerns owned and controlled by women''; and

(B) in paragraph (2)(B)(ii)—

(i) in subclause (VI), by adding ''and'' at the end;

(ii) in subclause (VII), by striking the semicolon at the end and inserting a period; and

(iii) by striking subclauses (VIII), (IX), and (X).

(d) EFFECTIVE DATE.—The amendments made by subsections (b) and (c) shall take effect 90 days after the date of enactment of this Act.

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 3197. A bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3197

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Women's Small Business Ownership Act of 2012''.

SEC. 2. DEFINITION.

In this Act, the term ''Administrator'' means the Administrator of the Small Business Administration.

SEC. 3. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

(a) IN GENERAL.—Section 29(g) of the Small Business Act (15 U.S.C. 656(g)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B)—

(i) in clause (i), by striking ''in the areas'' and all that follows through the end of subclause (I), and inserting the following: ''to address issues concerning the management, operations, manufacturing, technology, finance, retail and product sales, international trade, Government contracting, and other disciplines required for—

''(I) starting, operating, and increasing the business of a small business concern;''; and

(ii) in clause (ii), by striking ''Women's Business Center program'' each place that term appears and inserting ''women's business center program''; and

(B) in subparagraph (C), by inserting before the period at the end the following: '', the National Women's Business Council, and any association of women's business centers''; and

(2) by adding at the end the following:

''(3) TRAINING.—The Administrator may provide annual programmatic and financial examination training for women's business ownership representatives and district office technical representatives of the Administration to enable representatives to carry out their responsibilities.

''(4) PROGRAM AND TRANSPARENCY IMPROVEMENTS.—The Administrator shall maximize the transparency of the women's business center financial assistance proposal process and the programmatic and financial examination process by—

''(A) providing public notice of any announcement for financial assistance under subsection (b) or a grant under subsection (l) not later than the end of the first quarter of each fiscal year;

''(B) in the announcement described in subparagraph (A), outlining award and program evaluation criteria and describing the weighting of the criteria for financial assistance under subsection (b) and grants under subsection (l);

''(C) minimizing paperwork and reporting requirements for applicants for and recipients of financial assistance under this section;

''(D) standardizing the programmatic and financial examination process; and

''(E) providing to each women's business center, not later than 60 days after the completion of a site visit to the women's business center (whether conducted for an audit, performance review, or other reason), a copy of any site visit reports or evaluation reports prepared by district office technical representatives or officers or employees of the Administration.''.

(b) CHANGE OF TITLE.—

(1) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(A) in subsection (a)—

(i) by striking paragraphs (1) and (4);

(ii) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(iii) by inserting before paragraph (4), as so redesignated, the following:

''(2) the term 'Director' means the Director of the Office of Women's Business Ownership established under subsection (g);'';

(B) by striking ''Assistant Administrator'' each place that term appears and inserting ''Director''; and

(C) in subsection (g)(2), in the paragraph heading, by striking ''ASSISTANT ADMINISTRATOR'' and inserting ''DIRECTOR''.

(2) WOMEN'S BUSINESS OWNERSHIP ACT OF 1988.—Title IV of the Women's Business Ownership Act of 1988 (15 U.S.C. 7101 et seq.) is amended—

(A) in section 403(a)(2)(B), by striking ''Assistant Administrator'' and inserting ''Director'';

(B) in section 405, by striking ''Assistant Administrator'' and inserting ''Director''; and

(C) in section 406(c), by striking ''Assistant Administrator'' and inserting ''Director''.

SEC. 4. WOMEN'S BUSINESS CENTER PROGRAM.

(a) WOMEN'S BUSINESS CENTER FINANCIAL ASSISTANCE.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(1) in subsection (a), as amended by section 3(b) of this Act—

(A) by inserting before paragraph (2) the following:

''(1) the term 'association of women's business centers' means an organization—

''(A) that represents not less than 51 percent of the women's business centers that participate in a program under this section; and

''(B) whose primary purpose is to represent women's business centers;'';

(B) by inserting after paragraph (2) the following:

''(3) the term 'eligible entity' means—

''(A) a private nonprofit organization;

''(B) a State, regional, or local economic development organization;

''(C) a development, credit, or finance corporation chartered by a State;

''(D) a junior or community college, as defined in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)); or

''(E) any combination of entities listed in subparagraphs (A) through (D);'';

(C) in paragraph (4), by striking ''and'' at the end;

(D) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(E) by adding after paragraph (5) the following:

''(6) the term 'women's business center' means a project conducted by an eligible entity under this section.'';

(2) in subsection (b)—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), and adjusting the margins accordingly;

(B) by striking ''The Administration'' and all that follows through ''5-year projects'' and inserting the following:

''(1) IN GENERAL.—The Administration may provide financial assistance to an eligible entity to conduct a project under this section'';

(C) by striking ''The projects shall'' and inserting the following:

''(2) USE OF FUNDS.—The project shall be designed to provide training and counseling that meets the needs of women, especially socially and economically disadvantaged women, and shall''; and

(D) by adding at the end the following:

''(3) AMOUNT OF FINANCIAL ASSISTANCE.—

''(A) IN GENERAL.—The Administrator may award financial assistance under this subsection of not less than $100,000 and not more than $150,000 per year.

''(B) LOWER AMOUNT.—The Administrator may award financial assistance under this subsection to a recipient in an amount that is less than $100,000 if the Administrator determines that the recipient is unable to make a non-Federal contribution of $100,000 or more, as required under subsection (c).

''(C) EQUAL ALLOCATIONS.—If the Administration has insufficient funds to provide financial assistance of not less than $100,000 for each recipient of financial assistance under this subsection in any fiscal year, the Administrator shall provide an equal amount of financial assistance to each recipient in the fiscal year, unless a recipient requests a lower amount than the allocated amount.

''(4) CONSULTATION WITH ASSOCIATIONS OF WOMEN'S BUSINESS CENTERS.—The Administrator shall consult with each association of women's business centers to develop—

''(A) a training program for the staff of women's business centers and the Administration; and

''(B) recommendations to improve the policies and procedures for governing the general operations and administration of the women's business center program, including grant program improvements under subsection (g)(4).'';

(3) in subsection (c)—

(A) in paragraph (1) by striking ''the recipient organization'' and inserting ''an eligible entity'';

(B) in paragraph (3), in the second sentence, by striking ''a recipient organization'' and inserting ''an eligible entity'';

(C) in paragraph (4)—

(i) by striking ''recipient of assistance'' and inserting ''eligible entity'';

(ii) by striking ''such organization'' and inserting ''the eligible entity''; and

(iii) by striking ''recipient'' and inserting ''eligible entity''; and

(D) in paragraph (5)—

(i) in subparagraph (A), by striking ''a recipient organization'' and inserting ''an eligible entity''; and

(ii) by striking ''the recipient organization'' each place it appears and inserting ''the eligible entity''; and

(E) by adding at end the following:

''(6) SEPARATION OF PROJECT AND FUNDS.—An eligible entity shall—

''(A) carry out a project under this section separately from other projects, if any, of the eligible entity; and

''(B) separately maintain and account for any financial assistance under this section.'';

(4) in subsection (e)—

(A) by striking ''applicant organization'' and inserting ''eligible entity'';

(B) by striking ''a recipient organization'' and inserting ''an eligible entity''; and

(C) by striking ''site'';

(5) by striking subsection (f) and inserting the following:

''(f) APPLICATIONS AND CRITERIA FOR INITIAL FINANCIAL ASSISTANCE.—

''(1) APPLICATION.—Each eligible entity desiring financial assistance under subsection (b) shall submit to the Administrator an application that contains—

''(A) a certification that the eligible entity—

''(i) has designated an executive director or program manager, who may be compensated using financial assistance under subsection (b) or other sources, to manage the center on a full-time basis;

''(ii) as a condition of receiving financial assistance under subsection (b), agrees—

''(I) to receive a site visit by the Administrator as part of the final selection process;

''(II) to undergo an annual programmatic and financial examination; and

''(III) to the maximum extent practicable, to remedy any problems identified pursuant to the site visit or examination under subclause (I) or (II); and

''(iii) meets the accounting and reporting requirements established by the Director of the Office of Management and Budget;

''(B) information demonstrating that the eligible entity has the ability and resources to meet the needs of the market to be served by the women's business center for which financial assistance under subsection (b) is sought, including the ability to obtain the non-Federal contribution required under subsection (c);

''(C) information relating to the assistance to be provided by the women's business center for which financial assistance under subsection (b) is sought in the area in which the women's business center is located;

''(D) information demonstrating the experience and effectiveness of the eligible entity in—

''(i) conducting financial, management, and marketing assistance programs, as described in subsection (b)(2), which are designed to teach or upgrade the business skills of women who are business owners or potential business owners;

''(ii) providing training and services to a representative number of women who are socially and economically disadvantaged; and

''(iii) working with resource partners of the Administration and other entities, such as universities; and

''(E) a 5-year plan that describes the ability of the women's business center for which financial assistance is sought—

''(i) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(ii) to provide training and services to a representative number of women who are socially and economically disadvantaged.

''(2) ADDITIONAL INFORMATION.—The Administrator shall make any request for additional information from an organization applying for financial assistance under subsection (b) that was not requested in the original announcement in writing.

''(3) REVIEW AND APPROVAL OF APPLICATIONS FOR INITIAL FINANCIAL ASSISTANCE.—

''(A) IN GENERAL.—The Administrator shall—

''(i) review each application submitted under paragraph (1), based on the information described in such paragraph and the criteria set forth under subparagraph (B) of this paragraph; and

''(ii) to the extent practicable, as part of the final selection process, conduct a site visit to each women's business center for which financial assistance under subsection (b) is sought.

''(B) SELECTION CRITERIA.—

''(i) IN GENERAL.—The Administrator shall evaluate applicants for financial assistance under subsection (b) in accordance with selection criteria that are—

''(I) established before the date on which applicants are required to submit the applications;

''(II) stated in terms of relative importance; and

''(III) publicly available and stated in each solicitation for applications for financial assistance under subsection (b) made by the Administrator.

''(ii) REQUIRED CRITERIA.—The selection criteria for financial assistance under subsection (b) shall include—

''(I) the experience of the applicant in conducting programs or ongoing efforts designed to teach or enhance the business skills of women who are business owners or potential business owners;

''(II) the ability of the applicant to begin a project within a minimum amount of time;

''(III) the ability of the applicant to provide training and services to a representative number of women who are socially and economically disadvantaged; and

''(IV) the location for the women's business center proposed by the applicant, including whether the applicant is located in a State in which there is not a women's business center receiving funding from the Administration.

''(C) PROXIMITY.—If the principal place of business of an applicant for financial assistance under subsection (b) is located less than 50 miles from the principal place of business of a women's business center that received funds under this section on or before the date of the application, the applicant shall not be eligible for the financial assistance, unless the applicant submits a detailed written justification of the need for an additional center in the area in which the applicant is located.

''(D) RECORD RETENTION.—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 7 years.''; and

(6) in subsection (m)—

(A) by striking paragraph (3) and inserting the following:

''(3) APPLICATION AND APPROVAL FOR RENEWAL GRANTS.—

''(A) SOLICITATION OF APPLICATIONS.—The Administrator shall solicit applications and award grants under this subsection for the first fiscal year beginning after the date of enactment of the Women's Small Business Ownership Act of 2012, and every third fiscal year thereafter.

''(B) CONTENTS OF APPLICATION.—Each eligible entity desiring a grant under this subsection shall submit to the Administrator an application that contains—

''(i) a certification that the applicant—

''(I) is an eligible entity;

''(II) has designated a full-time executive director or program manager to manage the women's business center operated by the applicant; and

''(III) as a condition of receiving a grant under this subsection, agrees—

''(aa) to receive a site visit as part of the final selection process;

''(bb) to submit, for the 2 full fiscal years before the date on which the application is submitted, annual programmatic and financial examination reports or certified copies of the compliance supplemental audits under OMB Circular A–133 of the applicant; and

''(cc) to remedy any problem identified pursuant to the site visit or examination under item (aa) or (bb);

''(ii) information demonstrating that the applicant has the ability and resources to meet the needs of the market to be served by the women's business center for which a grant under this subsection is sought, including the ability to obtain the non-Federal contribution required under paragraph (4)(C);

''(iii) information relating to assistance to be provided by the women's business center in the area served by the women's business center for which a grant under this subsection is sought;

''(iv) information demonstrating that the applicant has worked with resource partners of the Administration and other entities;

''(v) a 3-year plan that describes the ability of the women's business center for which a grant under this subsection is sought—

''(I) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(II) to provide training and services to a representative number of women who are socially and economically disadvantaged; and

''(vi) any additional information that the Administrator may reasonably require.

''(C) REVIEW AND APPROVAL OF APPLICATIONS FOR GRANTS.—

''(i) IN GENERAL.—The Administrator shall—

''(I) review each application submitted under subparagraph (B), based on the information described in such subparagraph and the criteria set forth under clause (ii) of this subparagraph; and

''(II) whenever practicable, as part of the final selection process, conduct a site visit to each women's business center for which a grant under this subsection is sought.

''(ii) SELECTION CRITERIA.—

''(I) IN GENERAL.—The Administrator shall evaluate applicants for grants under this subsection in accordance with selection criteria that are—

''(aa) established before the date on which applicants are required to submit the applications;

''(bb) stated in terms of relative importance; and

''(cc) publicly available and stated in each solicitation for applications for grants under this subsection made by the Administrator.

''(II) REQUIRED CRITERIA.—The selection criteria for a grant under this subsection shall include—

''(aa) the total number of entrepreneurs served by the applicant;

''(bb) the total number of new startup companies assisted by the applicant;

''(cc) the percentage of clients of the applicant that are socially or economically disadvantaged; and

''(dd) the percentage of individuals in the community served by the applicant who are socially or economically disadvantaged.

''(iii) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to make a grant under this subsection, the Administrator—

''(I) shall consider the results of the most recent evaluation of the women's business center for which a grant under this subsection is sought, and, to a lesser extent, previous evaluations; and

''(II) may withhold a grant under this subsection, if the Administrator determines that the applicant has failed to provide the information required to be provided under this paragraph, or the information provided by the applicant is inadequate.

''(D) NOTIFICATION.—Not later than 60 days after the date of each deadline to submit applications, the Administrator shall approve or deny any application under this paragraph and notify the applicant for each such application of the approval or denial.

''(E) RECORD RETENTION.—The Administrator shall maintain a copy of each application submitted under this paragraph for not less than 7 years.''; and

(B) by striking paragraph (5) and inserting the following:

''(5) AWARD TO PREVIOUS RECIPIENTS.—There shall be no limitation on the number of times the Administrator may award a grant to an applicant under this subsection.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(A) in subsection (h)(2), by striking ''to award a contract (as a sustainability grant) under subsection (l) or'';

(B) in subsection (j)(1), by striking ''The Administration'' and inserting ''Not later than November 1 of each year, the Administrator'';

(C) in subsection (k)—

(i) by striking paragraphs (1), (2), and (4);

(ii) by redesignating paragraph (3) as paragraph (5); and

(iii) by inserting before paragraph (5), as so redesignated, the following:

''(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, $14,500,000 for each of fiscal years 2013, 2014, and 2015.

''(2) USE OF FUNDS.—Amounts made available under this subsection may only be used for grant awards and may not be used for costs incurred by the Administration in connection with the management and administration of the program under this section.

''(3) CONTINUING GRANT AND COOPERATIVE AGREEMENT AUTHORITY.—

''(A) PROMPT DISBURSEMENT.—Upon receiving funds to carry out this section for a fiscal year, the Administrator shall, to the extent practicable, promptly reimburse funds to any women's business center awarded financial assistance under this section if the center meets the eligibility requirements under this section.

''(B) SUSPENSION OR TERMINATION.—If the Administrator has entered into a grant or cooperative agreement with a women's business center under this section, the Administrator may not suspend or terminate the grant or cooperative agreement, unless the Administrator—

''(i) provides the women's business center with written notification setting forth the reasons for that action; and

''(ii) affords the women's business center an opportunity for a hearing, appeal, or other administrative proceeding under chapter 5 of title 5, United States Code.'';

(D) in subsection (m)—

(i) in paragraph (2), by striking ''subsection (b) or (l)'' and inserting ''this subsection or subsection (b)''; and

(ii) in paragraph (4)(D), by striking ''or subsection (l)''; and

(E) by redesignating subsections (m) and (n), as amended by this Act, as subsections (l) and (m), respectively.

(2) PROSPECTIVE REPEAL.—Section 1401(c)(2) of the Small Business Jobs Act of 2010 (15 U.S.C. 636 note) is amended—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) by redesignating paragraph (6), as added by section 4(a)(3)(E) of the Women's Small Business Ownership Act of 2012, as paragraph (5).''.

(c) EFFECT ON EXISTING GRANTS.—

(1) TERMS AND CONDITIONS.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this Act, except that the nonprofit organization may not apply for a renewal of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this Act.

(2) LENGTH OF RENEWAL GRANT.—The Administrator may award a grant under section 29(l) of the Small Business Act, as so redesignated by subsection (b)(5) of this Act, to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, for the period—

(A) beginning on the day after the last day of the grant agreement under such section 29(m); and

(B) ending at the end of the third fiscal year beginning after the date of enactment of this Act.

SEC. 5. STUDY AND REPORT ON ECONOMIC ISSUES FACING WOMEN'S BUSINESS CENTERS.

(a) STUDY.—The Comptroller General of the United States shall conduct a broad study of the unique economic issues facing women's business centers located in covered areas to identify—

(1) the difficulties such centers face in raising non-Federal funds;

(2) the difficulties such centers face in competing for financial assistance, non-Federal funds, or other types of assistance;

(3) the difficulties such centers face in writing grant proposals; and

(4) other difficulties such centers face because of the economy in the type of covered area in which such centers are located.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study under subsection (a), which shall include recommendations, if any, regarding how to—

(1) address the unique difficulties women's business centers located in covered areas face because of the type of covered area in which such centers are located;

(2) expand the presence of, and increase the services provided by, women's business centers located in covered areas; and

(3) best use technology and other resources to better serve women business owners located in covered areas.

(c) DEFINITION OF COVERED AREA.—In this section, the term ''covered area'' means—

(1) any State that is predominantly rural, as determined by the Administrator;

(2) any State that is predominantly urban, as determined by the Administrator; and

(3) any State or territory that is an island.

SEC. 6. STUDY AND REPORT ON OVERSIGHT OF WOMEN'S BUSINESS CENTERS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the oversight of women's business centers by the Administrator, which shall include—

(1) an analysis of the coordination by the Administrator of the activities of women's business centers with the activities of small business development centers, the Service Corps of Retired Executives, and Veteran Business Outreach Centers;

(2) a comparison of the types of individuals and small business concerns served by women's business centers and the types of individuals and small business concerns served by small business development centers, the Service Corps of Retired Executives, and Veteran Business Outreach Centers; and

(3) an analysis of performance data for women's business centers that evaluates how well women's business centers are carrying out the mission of women's business centers and serving individuals and small business concerns.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study under subsection (a), which shall include recommendations, if any, for eliminating the duplication of services provided by women's business centers, small business development centers, the Service Corps of Retired Executives, and Veteran Business Outreach Centers.

By Mr. REED (for himself and Mr. KYL):

S. 3201. A bill to reform graduate medical education payments, and for other purposes; to the Committee on Finance.

Mr. REED. Mr. President, today I introduce the Graduate Medical Education, GME, Reform Act, along with my colleague Senator KYL. This legislation is a continuation of my longstanding efforts to support our future health care workforce and improve patient care.

While there are a variety of initiatives to support the education and training of physicians, none are more substantial than the GME funding provided by Medicare. This program either directly or indirectly supports every single physician trained in this country. No other Federal or State program can claim this credit.

Unfortunately, the size of the program has led some to propose its funding be cut and redirected toward deficit reduction. The President's Fiscal Commission, the Domenici-Rivlin plan, and even some Members of Congress have made this recommendation. Reducing GME funding by the levels specified in these proposals could be devastating to training programs.

These proposals stem from an assertion by the congressionally authorized Medicare Payment Advisory Commission, MedPAC, that teaching hospitals are overpaid for the education and training they currently provide residents, and that GME funding should be better used to align residency training with key improvements in our health care delivery system. However, the Fiscal Commission and the Rivlin-Domenici plan ignored the latter aspect of MedPAC's recommendation. MedPAC did not recommend removing GME funding from the system. Instead, MedPAC suggested Congress should make teaching hospitals more accountable for the GME funding they currently receive. In MedPAC's proposal, all GME funding would stay in the system to help support and improve medical education and training.

The legislation we are introducing today aligns closely with MedPAC's proposal for greater accountability by teaching hospitals and enhanced effectiveness in the use of GME funding, but with some key changes. One such change would enable hospitals to compete for additional GME funding in order to provide a greater incentive for teaching hospitals to improve their programs.

Teaching hospitals incur higher costs than other hospitals. They invest in the newest technologies and employ the physician supervisors most qualified to train our future doctors. Moreover, as a result of the new health care reform law, many of these hospitals, physician supervisors, and residents will treat an influx of patients beginning in 2014. GME funding is critical to building and sustaining our health care infrastructure and future health care workforce.

It is critical that GME funding remain intact, but that doesn't mean we shouldn't use this opportunity to encourage these programs to do more to better train residents in: primary care delivery, a variety of settings and systems, care coordination, and how to work in inter-professional and multidisciplinary teams. The new oversight provided for in the GME Reform Act would help to break down the silos in medicine and ensure that physicians work together to provide patients with comprehensive health care.

In addition, the legislation would enhance GME payment transparency, which we hope will help prove to the skeptics that this funding serves a critical purpose.

I am particularly pleased that the Association of American Medical Colleges has expressed support for legislation. While the organization would prefer this legislation be included as part of an overall effort to increase the number of residents trained each year, which I also support, I believe we must begin a dialogue about a sensible and thoughtful approach to improving GME accountability and transparency. I hope my colleagues will take careful look at our legislation, and I look forward to working with them on this important issue.

Mr. KYL. Mr. President, the Federal Government now pays for more than half of all health care costs in this country, and that number is likely to grow with the rapidly aging U.S. population. Indeed, Medicare will face a nearly ⅓ enrollment increase in the coming decade. We have promised health care benefits to these seniors; to keep that promise, we must ensure there are enough physicians to treat them. Unfortunately, the medical workforce is shrinking: estimates show that we may experience a shortage of up to 159,000 physicians by 2025.

In light of these sobering statistics, the government has a strong interest in doing more to encourage the training of physicians who can deliver quality care to our Nation's seniors. Even if we continue funding medical education at current levels, we will soon face a severe crisis in access to medical care. Cutting this medical education funding would be counter-intuitive at best; dangerous at worst. In recent years, however, there have been several proposals to do just that.

It is true that there is a lack of transparency and accountability around this funding—mainly because we do not require hospitals to report on how money is spent, and because we have not set workforce goals for hospitals to meet. But that does not necessarily mean that the money is spent poorly, or that it is an area ripe for funding reductions.

Rather than simply slash funding, we should work to remedy this lack of transparency and encourage hospitals to meet certain quality metrics. The Graduate Medical Education Reform

Act offers one promising avenue to do so. Under this bill, if a teaching hospital produces quality residents as measured by certain consensus-based metrics, it can get up to a 3 percent increase in indirect medical education funding. Conversely, a hospital that fails to meet the metrics can be penalized by up to 3 percent.

This is one common-sense approach that maintains overall current funding levels while encouraging quality teaching programs. I urge my colleagues to join Senator REED and me in supporting this measure.

By Mrs. MURRAY (for herself, Mr. BURR, Mr. NELSON, of Florida, and Mr. RUBIO):

S. 3202. A bill to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President, today, as Chairman of the Senate Committee on Veterans' Affairs, I am proud to introduce the Dignified Burial of Veterans Act of 2012 with Senator BURR, Ranking Member of the Committee on Veterans' Affairs, and my Senate colleagues from the state of Florida, Senators NELSON and RUBIO.

When America's heroes make a commitment to serve their country, we make a promise to care for them. One of the many ways in which we care for our veterans is by helping to provide them with a burial that honors their service.

That is why I was concerned when I learned that a veteran at a VA National Cemetery had an inappropriate burial. This veteran, with no known next-of-kin, was buried in a cardboard container that later disintegrated to the point where the veteran's remains were exposed and found during a raise and realign project at the cemetery. The veteran's remains were later placed in a bag and reburied with what was left of the cardboard box. This defies logic.

There is no reason why the remains of a veteran should ever be treated with this lack of dignity.

Yet, under current law, VA is not authorized to purchase a casket or urn for veterans who do not have a next-of-kin to provide one, or the resources to be buried in an appropriate manner.

We must take steps to prevent this from occurring again. That is why this bill would authorize VA to furnish a casket or urn to a deceased veteran when VA is unable to identify the veteran's next-of-kin and determines that sufficient resources are not otherwise available to furnish a casket or urn for burial in a national cemetery. This bill would further require that VA report back to Congress on the industry standard for urns and caskets and whether burials at VA's national cemeteries are meeting that standard.

I think we can all agree that every veteran deserves a dignified burial. Today, I am pleased to stand with my bipartisan colleagues to introduce a bill that would ensure that they receive one.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3202

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Dignified Burial of Veterans Act of 2012''.

SEC. 2. FURNISHING CASKETS AND URNS FOR DECEASED VETERANS WITH NO KNOWN NEXT OF KIN.

(a) IN GENERAL.—Section 2306 of title 38, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

''(f) The Secretary may furnish a casket or urn, of such quality as the Secretary considers appropriate for a dignified burial, for burial in a national cemetery of a deceased veteran in any case in which the Secretary—

''(1) is unable to identify the veteran's next of kin, if any; and

''(2) determines that sufficient resources for the furnishing of a casket or urn for the burial of the veteran in a national cemetery are not otherwise available.''; and

(3) in subsection (h), as redesignated by paragraph (1), by adding at the end the following new paragraph:

''(4) A casket or urn may not be furnished under subsection (f) for burial of a person described in section 2411(b) of this title.''.

(b) EFFECTIVE DATE.—Subsections (f) and (h)(4) of section 2306 of title 38, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to deaths occurring on or after such date.

SEC. 3. REPORT ON COMPLIANCE OF DEPARTMENT OF VETERANS AFFAIRS WITH INDUSTRY STANDARDS FOR CASKETS AND URNS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the compliance of the Department of Veterans Affairs with industry standards for caskets and urns.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of industry standards for caskets and urns.

(2) An assessment of compliance with such standards at National Cemeteries administered by the Department with respect to caskets and urns used for the interment of those eligible for burial at such cemeteries.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 466—CALLING FOR THE RELEASE FROM PRISON OF FORMER PRIME MINISTER OF UKRAINE YULIA TYMOSHENKO

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 466

Whereas Ukraine has experienced encouraging growth and reforms since it declared its independence from the former Soviet Union in 1991 and adopted its first constitution in 1996;

Whereas the 1996 constitution provided basic freedoms like the freedom of speech, assembly, religion, and press, but was ultimately too weak to contain the existing corruption-laced political culture inherited from its communist past;

Whereas, as a result of the electoral fraud by which Mr. Yanukovych was declared the winner, the citizens of the Ukraine organized a series of protests, strikes, and sit-ins, which came to be known as ''The Orange Revolution'';

Whereas the Orange Revolution, in concert with United States and international pressure, forced the Supreme Court of Ukraine to require an unprecedented second run-off election, which resulted in opposition leader Mr. Yushchenko defeating Mr. Yanukovych by a margin of 52 percent to 44 percent;

Whereas, in the 2010 presidential election, incumbent Yushchenko won only 5.5 percent in the first round of voting, which left former Prime Minister Yanukovych and then Prime Minister Yulia Tymoshenko to face one another in the run-off election;

Whereas, Mr. Yanukovych defeated Ms. Tymoshenko by a margin of 49 percent to 44 percent;

Whereas, shortly after the 2010 inauguration of Mr. Yanukovych, the Ukrainian Constitutional Court found most of the 2004 Orange Revolution inspired constitutional reforms unconstitutional;

Whereas, in 2010, President Yanukovych appointed Viktor Pshonka Prosecutor General, equivalent to the United States Attorney General;

Whereas, since Mr. Pshonka's appointment, more than a dozen political leaders associated with the 2004 Orange Revolution have faced criminal charges under the Abuse of Office and Exceeding Official Powers articles of the Ukrainian Criminal Code;

Whereas, in 2011, Prosecutor General Pshonka brought charges under these Abuse of Office articles against former Prime Minister Yulia Tymoshenko over her decision while in office to conclude a natural gas contract between Ukraine and Russia;

Whereas, on October 11, 2011, Tymoshenko was found guilty and sentenced to seven years in prison, fined $189,000,000, and banned from holding public office for three years;

Whereas, recognizing the judicial abuses present in Ukraine, the Parliamentary Assembly Council of Europe (PACE) passed Resolution 1862 on January 26, 2012;

Whereas Resolution 1862 declared that the Abuse of Office and Exceeding Official Powers articles under which Tymoshenko was convicted are ''overly broad in application and effectively allow for ex post facto criminalization of normal political decision making'';

Whereas, since Ms. Tymoshenko's imprisonment, the Prosecutor General's Office has

reopened additional cases against her that were previously closed and thought to be sealed under a ten year statute of limitations;

Whereas, on October 28, 2011, the Ukrainian Deputy Prosecutor General alleged in a television interview that Ms. Tymoshenko was involved in contract killings, tax evasion, bribery, and embezzlement;

Whereas, at the time of the Deputy Prosecutor's public allegations, no formal charges were filed, thereby violating Ms. Tymoshenko's right to ''presumed innocence'' guaranteed by Article 6(2) of the European Convention on Human Rights;

Whereas, since August 5, 2011, Ms. Tymoshenko has languished in a prison cell in Ukraine with limited outside contact and access to needed medical treatment;

Whereas the denial of proper medical assistance has left Ms. Tymoshenko in a failing state of health;

Whereas international calls for Ms. Tymoshenko's release, access to outside visitors, and adequate medical treatment have been ignored even as her health continues to deteriorate;

Whereas, on April 28, 2012, major international news organizations, including the British Broadcast Corporation and Reuters, reported on and produced photos of bruises received by Ms. Tymoshenko during an apparent beating by prison guards on April 20, 2012;

Whereas, in response to her inhumane treatment, Ms. Tymoshenko began a hunger strike on April 20, 2012;

Whereas, amid international outrage, the European Union has delayed indefinitely the signing of a free trade agreement with Ukraine, and the member countries of the Organization for Security and Co-operation in Europe currently are deliberating whether to allow Ukraine to assume the chairmanship of the organization, which has been scheduled for 2013; and

Whereas, under international pressure, Ms. Tymoshenko was moved to a hospital in Kharkiv on May 9, 2012, prompting her to end her hunger strike: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the administration of President Viktor Yanukovych for the politically motivated imprisonment of former Prime Minister Yulia Tymoshenko;

(2) calls on the Yanukovych administration to release Ms. Tymoshenko immediately for medical reasons;

(3) urges the Organization for Security and Cooperation in Europe not to recognize Ukraine's scheduled 2013 chairmanship of the Organization until the release of Ms. Tymoshenko;

(4) urges the Department of State to withdraw the United States Ambassador to the Ukraine and suspend operations at the United States Embassy in Kiev until the release of Ms. Tymoshenko;

(5) calls on the Department of State to institute a visa ban against President Yanukovych, Prosecutor General Viktor Pshonka, and other officials responsible for Ms. Tymoshenko's imprisonment; and

(6) calls on the North Atlantic Treaty Organization to suspend all cooperative agreements with Ukraine and place Ukraine on indefinite probation with regard to its Distinctive Partnership with the Organization until the release of Ms. Tymoshenko.

SENATE RESOLUTION 467—DESIGNATING MAY 18, 2012, AS ''ENDANGERED SPECIES DAY''

Mr. WHITEHOUSE (for himself, Mr. AKAKA, Mr. BLUMENTHAL, Mr. CARDIN, Ms. COLLINS, Mrs. FEINSTEIN, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Ms. SNOWE, and Mrs. BOXER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 467

Whereas nearly 2,000 species worldwide are listed as threatened or endangered, and many more face a heightened risk of extinction;

Whereas the actual and potential benefits that may be derived from many species have not yet been fully discovered and would be permanently lost if not for conservation efforts;

Whereas recovery efforts for species such as the bald eagle, the whooping crane, the gray whale, the American alligator, the peregrine falcon, the Louisiana black bear, and others have resulted in great improvements in the viability of those species;

Whereas saving a species requires a combination of sound research, careful coordination, and intensive management of conservation efforts, along with increased public awareness and education;

Whereas voluntary cooperative conservation programs have proven to be critical to habitat restoration and species recovery; and

Whereas education and increasing public awareness are the first steps in effectively informing the public about endangered species and species restoration efforts: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 18, 2012, as ''Endangered Species Day'';

(2) encourages schools to spend at least 30 minutes on Endangered Species Day teaching and informing students about—

(A) threats to endangered species around the world; and

(B) efforts to restore endangered species, including the essential role of private landowners and private stewardship in the protection and recovery of species;

(3) encourages organizations, businesses, private landowners, and agencies with a shared interest in conserving endangered species to collaborate in developing educational information for use in schools; and

(4) encourages the people of the United States—

(A) to become educated about, and aware of, threats to species, success stories in species recovery, and opportunities to promote species conservation worldwide; and

(B) to observe Endangered Species Day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2107. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table.

SA 2108. Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. MERKLEY, Mr. SANDERS, Mr. LEAHY, and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2109. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2110. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2111. Mr. BINGAMAN (for himself, Mr. VITTER, Mr. FRANKEN, Mrs. SHAHEEN, Mr. KOHL, Mr. UDALL of New Mexico, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, Mr. MERKLEY, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 3187, supra; which was ordered to lie on the table.

SA 2112. Mr. REID (for Mrs. BOXER (for herself and Mrs. FEINSTEIN)) proposed an amendment to the bill H.R. 4849, to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

TEXT OF AMENDMENTS

SA 2107. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 11___. SAFE AND AFFORDABLE DRUGS FROM CANADA.

Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.), as amended by this Act, is further amended by adding at the end the following:

''SEC. 810. IMPORTATION BY INDIVIDUALS OF PRESCRIPTION DRUGS FROM CANADA.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, not later than 180 days after the date of enactment of this section, the Secretary shall promulgate regulations permitting individuals to safely import into the United States a prescription drug (other than a controlled substance, as defined in section 102 of the Controlled Substances Act) that—

''(1) is purchased from an approved Canadian pharmacy;

''(2) is dispensed by a pharmacist licensed to practice pharmacy and dispense prescription drugs in Canada;

''(3) is purchased for personal use by the individual, not for resale, in quantities that do not exceed a 90-day supply;

''(4) is filled using a valid prescription issued by a physician licensed to practice in the United States; and

''(5) has the same active ingredient or ingredients, route of administration, dosage form, and strength as a prescription drug approved by the Secretary under chapter V.

''(b) APPROVED CANADIAN PHARMACY.—

''(1) IN GENERAL.—In this section, an approved Canadian pharmacy is a pharmacy that—

''(A) is located in Canada; and

''(B) that the Secretary certifies—

''(i) is licensed to operate and dispense prescription drugs to individuals in Canada; and

''(ii) meets the criteria under subsection (c).

''(2) PUBLICATION OF APPROVED CANADIAN PHARMACIES.—The Secretary shall publish on the Internet Web site of the Food and Drug Administration a list of approved Canadian pharmacies, including the Internet Web site address of each such approved Canadian pharmacy, from which individuals may purchase prescription drugs in accordance with subsection (a).

''(c) ADDITIONAL CRITERIA.—To be an approved Canadian pharmacy, the Secretary shall certify that the pharmacy—

''(1) has been in existence for a period of at least 5 years preceding the date of enactment of this section and has a purpose other than to participate in the program established under this section;

''(2) operates in accordance with pharmacy standards set forth by the provincial pharmacy rules and regulations enacted in Canada;

''(3) has processes established by the pharmacy, or participates in another established process, to certify that the physical premises and data reporting procedures and licenses are in compliance with all applicable laws and regulations, and has implemented policies designed to monitor ongoing compliance with such laws and regulations;

''(4) conducts or commits to participate in ongoing and comprehensive quality assurance programs and implements such quality assurance measures, including blind testing, to ensure the veracity and reliability of the findings of the quality assurance program;

''(5) agrees that laboratories approved by the Secretary shall be used to conduct product testing to determine the safety and efficacy of sample pharmaceutical products;

''(6) has established, or will establish or participate in, a process for resolving grievances and will be held accountable for violations of established guidelines and rules;

''(7) does not resell products from online pharmacies located outside Canada to customers in the United States; and

''(8) meets any other criteria established by the Secretary.''.

SA 2108. Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. MERKLEY, Mr. SANDERS, Mr. LEAHY, and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 11___. ANALYSES OF APPLICATION FOR APPROVAL OF GENETICALLY-ENGINEERED FISH.

Notwithstanding any other provision of law, approval by the Secretary of Health and Human Services of an application submitted under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) for approval of any genetically modified marine or anadromous organism shall not take effect until the date that the Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, approves such application using standards applied by the Under Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), which shall include a Regulatory Impact Review required by Executive Order 12866 (58 Fed. Reg. 51735) and Initial Regulatory Flexibility Analyses required under chapter 6 of title 5, United States Code (commonly referred to as the ''Regulatory Flexibility Act'').

SA 2109. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 11___. CONDITIONS ON AWARD OF DRUG EXCLUSIVITY.

Subchapter E of chapter V (21 U.S.C. 360bbb et seq.) is amended by inserting after section 569C, as added by this Act, the following:

''SEC. 569D. CONDITIONS ON AWARD OF DRUG EXCLUSIVITY.

''(a) TERMINATION OF EXCLUSIVITY.—Notwithstanding any other provision of this Act, any period of exclusivity described in subsection (b) granted to a person or assigned to a person on or after the date of enactment of this section with respect to a drug shall be terminated if the person to which such exclusivity was granted or any person to which such exclusivity is assigned—

''(1) commits a violation described in subsection (c)(1) with respect to such drug; or

''(2) fails to report such a violation as required by subsection (e).

''(b) EXCLUSIVITIES AFFECTED.—The periods of exclusivity described in this subsection are those periods of exclusivity granted under any of the following sections:

''(1) Clause (ii), (iii), or (iv) of section 505(c)(3)(E).

''(2) Clause (iv) of section 505(j)(5)(B).

''(3) Clause (ii), (iii), or (iv) of section 505(j)(5)(F).

''(4) Section 505A.

''(5) Section 505E.

''(6) Section 527.

''(7) Section 351(k)(7) of the Public Health Service Act.

''(8) Any other provision of this Act that provides for market exclusivity (or extension of market exclusivity) with respect to a drug.

''(c) VIOLATIONS.—

''(1) IN GENERAL.—A violation described in this subsection is a violation of a law described in paragraph (2) that results in—

''(A) a criminal conviction of a person described in subsection (a);

''(B) a civil judgment against a person described in subsection (a); or

''(C) a settlement agreement in which a person described in subsection (a) admits to fault.

''(2) LAWS DESCRIBED.—The laws described in this paragraph are the following:

''(A) The provisions of this Act that prohibit—

''(i) the adulteration or misbranding of a drug;

''(ii) the making of false statements to the Secretary or committing fraud; or

''(iii) the illegal marketing of a drug.

''(B) The provisions of subchapter III of chapter 37 of title 31, United States Code (commonly known as the 'False Claims Act').

''(C) Section 287 of title 18, United States Code.

''(D) The Medicare and Medicaid Patient Protection and Program Act of 1987 (commonly known as the 'Antikickback Statute').

''(E) Section 1927 of the Social Security Act.

''(F) A State law against fraud comparable to a law described in subparagraphs (A) through (E).

''(d) DATE OF EXCLUSIVITY TERMINATION.—The date on which the exclusivity shall be terminated as described in subsection (a) is the date on which, as applicable—

''(1) a final judgment is entered relating to a violation described in subparagraph (A) or (B) of subsection (c)(1); or

''(2)(A) a settlement agreement described in subsection (c)(1)(C) is approved by a court order that is or becomes final and nonappealable; or

''(B) if there is no court order approving a settlement agreement described in subsection (c)(1)(C), a court order dismissing the applicable case, issued after the settlement agreement, is or becomes final and nonappealable.

''(e) REPORTING OF INFORMATION.—A person described in subsection (a) that commits a violation described in subsection (c)(1) shall report such violation to the Secretary no later than 30 days after the date that—

''(1) a final judgment is entered relating to a violation described in subparagraph (A) or (B) of subsection (c)(1); or

''(2)(A) a settlement agreement described in subsection (c)(1)(C) is approved by a court order that is or becomes final and nonappealable; or

''(B) if there is no court order approving a settlement agreement described in subsection (c)(1)(C), a court order dismissing the applicable case, issued after the settlement agreement, is or becomes final and nonappealable.''.

SA 2110. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 11___. TRANSPARENCY IN NEW DRUG APPLICATIONS.

(a) GENERAL REQUIREMENTS.—Subchapter A of chapter V (21 U.S.C. 351 et seq.), as amended by section 802, is further amended by adding at the end the following:

''SEC. 524B. TRANSPARENCY IN DRUG APPLICATIONS TO THE FDA.

''(a) INITIAL DISCLOSURE OF FINANCIAL INFORMATION.—

''(1) IN GENERAL.—A drug application submitted under subsection (b) or (j) of section 505, an application for a biologics license under subsection (a) or (k) of section 351 of the Public Health Service Act, an investigational new drug application under section 505(i), an application for an extension of market exclusivity following the completion of pediatric studies under section 505A(c), an application for a priority review voucher under section 524, a request for a designation as an orphan drug under section 526, and any other application to the Food and Drug Administration with respect to approval of a drug or an extension of the market exclusivity of a drug shall include a disclosure to

the Secretary of such financial information associated with the research and development of the drug as required by the Secretary, as described in paragraph (2). The Secretary shall make such information public.

''(2) REQUIRED INFORMATION.—The financial information provided to the Secretary and made public under paragraph (1) shall include—

''(A) the total amount expended for preclinical research and for each phase of clinical trials of the drug;

''(B) a description of any grant or other economic incentive for research and development of such drug the sponsor receives from private, public, or any other funding source or research institution, including the National Institutes of Health, and the amount obtained from each source; and

''(C) such other information, as the Secretary may require.

''(3) RESEARCH AND DEVELOPMENT DEFINED.—For purposes of this section, 'research and development' of a drug shall include identification of chemical compounds, proof of concepts, testing of concepts, and all phases of clinical trials, including failed tests or trials. Research and development of a particular drug does not include the costs of failed drugs other than the drug that is the subject of the application described in paragraph (1).

''(b) SUBSEQUENT FINANCIAL DISCLOSURES.—A sponsor of a drug approved under subsection (b) or (j) of section 505, or a biological product approved under subsection (a) or (k) of section 351 of the Public Health Service Act, on an annual basis during the period during which the sponsor claims market exclusivity with respect to the drug and for 7 years thereafter, shall report to the Secretary the quarterly domestic and global unit sales and sales revenue of the drug.

''(c) PUBLIC DISCLOSURE OF CLINICAL TRIALS.—

''(1) IN GENERAL.—The Secretary shall require the sponsor of a drug to register each clinical trial of such drug on the Internet web site of the National Institutes of Health, clinicaltrials.gov (or such successor Internet website developed by the Secretary).

''(2) TDP.—In the case of a sponsor that claims test data protection, the sponsor shall register the required information of the related drug with a clinicaltrials.gov identifier supplied by the Secretary.

''(d) DISCLOSURE OF NUMBERS OF INDIVIDUALS PARTICIPATING IN CLINICAL TRIALS.—A manufacturer or sponsor who submits a request under paragraph (1) shall also submit to the Secretary the following information with respect to clinical trials of the drug, which the Secretary shall make public:

''(1) The numbers of individuals participating in each phase of clinical trials, using de-identified data.

''(2) A description of each participant's dosage of the drug, using de-identified data.

''(3) A description of each participant's results, using de-identified data.''.

(b) DISCLOSURE OF SAFETY AND EFFECTIVENESS DATA.—Section 505(l)(1) (21 U.S.C. 355(l)(1)) is amended, in the matter preceding subparagraph (A), by striking '', unless extraordinary circumstances are shown''.

SA 2111. Mr. BINGAMAN (for himself, Mr. VITTER, Mr. FRANKEN, Mrs. SHAHEEN, Mr. KOHL, Mr. UDALL of New Mexico, Mr. JOHNSON of South Dakota, Ms. KLOBUCHAR, Mr. MERKLEY, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; which was ordered to lie on the table; as follows:

In title IX, add at the end the following:

SEC. 9___. ENSURING THAT VALID GENERIC DRUGS MAY ENTER THE MARKET.

(a) 180-DAY EXCLUSIVITY PERIOD AMENDMENTS REGARDING FIRST APPLICANT STATUS.—

(1) AMENDMENTS TO THE FEDERAL FOOD, DRUG, AND COSMETIC ACT.—

(A) IN GENERAL.—Section 505(j)(5)(B) (21 U.S.C. 355(j)(5)(B)) is amended—

(i) in clause (iv)(II)—

(I) by striking item (bb); and

(II) by redesignating items (cc) and (dd) as items (bb) and (cc), respectively; and

(ii) by adding at the end the following:

''(v) FIRST APPLICANT DEFINED.—As used in this subsection, the term 'first applicant' means an applicant—

''(I)(aa) that, on the first day on which a substantially complete application containing a certification described in paragraph (2)(A)(vii)(IV) is submitted for approval of a drug, submits a substantially complete application that contains and lawfully maintains a certification described in paragraph (2)(A)(vii)(IV) for the drug; and

''(bb) that has not entered into a disqualifying agreement described under clause (vii)(II); or

''(II)(aa) for the drug that is not described in subclause (I) and that, with respect to the applicant and drug, each requirement described in clause (vi) is satisfied; and

''(bb) that has not entered into a disqualifying agreement described under clause (vii)(II).

''(vi) REQUIREMENT.—The requirements described in this clause are the following:

''(I) The applicant described in clause (v)(II) submitted and lawfully maintains a certification described in paragraph (2)(A)(vii)(IV) or a statement described in paragraph (2)(A)(viii) for each unexpired patent for which a first applicant described in clause (v)(I) had submitted a certification described in paragraph (2)(A)(vii)(IV) on the first day on which a substantially complete application containing such a certification was submitted.

''(II) With regard to each such unexpired patent for which the applicant described in clause (v)(II) submitted a certification described in paragraph (2)(A)(vii)(IV), no action for patent infringement was brought against such applicant within the 45 day period specified in paragraph (5)(B)(iii); or if an action was brought within such time period, such an action was withdrawn or dismissed by a court (including a district court) without a decision that the patent was valid and infringed; or if an action was brought within such time period and was not withdrawn or so dismissed, such applicant has obtained the decision of a court (including a district court) that the patent is invalid or not infringed (including any substantive determination that there is no cause of action for patent infringement or invalidity, and including a settlement order or consent decree signed and entered by the court stating that the patent is invalid or not infringed).

''(III) If an applicant described in clause (v)(I) has begun commercial marketing of such drug, the applicant described in clause (v)(II) does not begin commercial marketing of such drug until the date that is 30 days after the date on which the applicant described in clause (v)(I) began such commercial marketing.''.

(B) CONFORMING AMENDMENT.—Section 505(j)(5)(D)(i)(IV) (21 U.S.C. 355(j)(5)(D)(i)(IV)) is amended by striking ''The first applicant'' and inserting ''The first applicant, as defined in subparagraph (B)(v)(I),''.

(2) APPLICABILITY.—The amendments made by paragraph (1) shall apply only with respect to an application filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) to which the amendments made by section 1102(a) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108 173) apply.

(b) 180-DAY EXCLUSIVITY PERIOD AMENDMENTS REGARDING AGREEMENTS TO DEFER COMMERCIAL MARKETING.—

(1) AMENDMENTS TO FEDERAL FOOD, DRUG, AND COSMETIC ACT.—

(A) LIMITATIONS ON AGREEMENTS TO DEFER COMMERCIAL MARKETING DATE.—Section 505(j)(5)(B) (21 U.S.C. 355(j)(5)(B)), as amended by subsection (a), is further amended by adding at the end the following:

''(vii) AGREEMENT BY FIRST APPLICANT TO DEFER COMMERCIAL MARKETING; LIMITATION ON ACCELERATION OF DEFERRED COMMERCIAL MARKETING DATE.—

''(I) AGREEMENT TO DEFER APPROVAL OR COMMERCIAL MARKETING DATE.—An agreement described in this subclause is an agreement between a first applicant and the holder of the application for the listed drug or an owner of one or more of the patents as to which any applicant submitted a certification qualifying such applicant for the 180-day exclusivity period whereby that applicant agrees, directly or indirectly, (aa) not to seek an approval of its application that is made effective on the earliest possible date under this subparagraph, subparagraph (F) of this paragraph, section 505A, or section 527, (bb) not to begin the commercial marketing of its drug on the earliest possible date after receiving an approval of its application that is made effective under this subparagraph, subparagraph (F) of this paragraph, section 505A, or section 527, or (cc) to both items (aa) and (bb).

''(II) AGREEMENT THAT DISQUALIFIES APPLICANT FROM FIRST APPLICANT STATUS.—An agreement described in this subclause is an agreement between an applicant and the holder of the application for the listed drug or an owner of one or more of the patents as to which any applicant submitted a certification qualifying such applicant for the 180-day exclusivity period whereby that applicant agrees, directly or indirectly, not to seek an approval of its application or not to begin the commercial marketing of its drug until a date that is after the expiration of the 180-day exclusivity period awarded to another applicant with respect to such drug (without regard to whether such 180-day exclusivity period is awarded before or after the date of the agreement).

''(viii) LIMITATION ON ACCELERATION.—If an agreement described in clause (vii)(I) includes more than 1 possible date when an applicant may seek an approval of its application or begin the commercial marketing of its drug—

''(I) the applicant may seek an approval of its application or begin such commercial marketing on the date that is the earlier of—

''(aa) the latest date set forth in the agreement on which that applicant can receive an approval that is made effective under this subparagraph, subparagraph (F) of this paragraph, section 505A, or section 527, or begin

the commercial marketing of such drug, without regard to any other provision of such agreement pursuant to which the commercial marketing could begin on an earlier date; or

''(bb) 180 days after another first applicant begins commercial marketing of such drug; and

''(II) the latest date set forth in the agreement on which that applicant can receive an approval that is made effective under this subparagraph, subparagraph (F) of this paragraph, section 505A, or section 527, or begin the commercial marketing of such drug, without regard to any other provision of such agreement pursuant to which commercial marketing could begin on an earlier date, shall be the date used to determine whether an applicant is disqualified from first applicant status pursuant to clause (vii)(II).''.

(B) NOTIFICATION OF FDA.—Section 505(j) (21 U.S.C. 355(j)) is amended by adding at the end the following:

''(11)(A) The holder of an abbreviated application under this subsection shall submit to the Secretary a notification that includes—

''(i)(I) the text of any agreement entered into by such holder described under paragraph (5)(B)(vii)(I); or

''(II) if such an agreement has not been reduced to text, a written detailed description of such agreement that is sufficient to disclose all the terms and conditions of the agreement; and

''(ii) the text, or a written detailed description in the event of an agreement that has not been reduced to text, of any other agreements that are contingent upon, provide a contingent condition for, or are otherwise related to an agreement described in clause (i).

''(B) The notification described under subparagraph (A) shall be submitted not later than 10 business days after execution of the agreement described in subparagraph (A)(i). Such notification is in addition to any notification required under section 1112 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

''(C) Any information or documentary material filed with the Secretary pursuant to this paragraph shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public, except as may be relevant to any administrative or judicial action or proceeding. Nothing in this paragraph is intended to prevent disclosure to either body of the Congress or to any duly authorized committee or subcommittee of the Congress.''.

(C) PROHIBITED ACTS.—Section 301(e) (21 U.S.C. 331(e)) is amended by striking ''505 (i) or (k)'' and inserting ''505 (i), (j)(11), or (k)''.

(2) INFRINGEMENT OF PATENT.—Section 271(e) of title 35, United States Code, is amended by adding at the end the following:

''(7) The exclusive remedy under this section for an infringement of a patent for which the Secretary of Health and Human Services has published information pursuant to subsection (b)(1) or (c)(2) of section 505 of the Federal Food, Drug, and Cosmetic Act shall be an action brought under this subsection within the 45-day period described in subsection (j)(5)(B)(iii) or (c)(3)(C) of section 505 of the Federal Food, Drug, and Cosmetic Act.''.

(3) APPLICABILITY.—

(A) LIMITATIONS ON ACCELERATION OF DEFERRED COMMERCIAL MARKETING DATE.—The amendment made by paragraph (1)(A) shall apply only with respect to—

(i) an application filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) to which the amendments made by section 1102(a) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108 173) apply; and

(ii) an agreement described under section 505(j)(5)(B)(vii)(I) of the Federal Food, Drug, and Cosmetic Act (as added by subsection (a)(1)) executed after the date of enactment of this Act.

(B) NOTIFICATION OF FDA.—The amendments made by subparagraphs (B) and (C) of paragraph (1) shall apply only with respect to an agreement described under section 505(j)(5)(B)(vii)(I) of the Federal Food, Drug, and Cosmetic Act (as added by paragraph (1)(A)) executed after the date of enactment of this Act.

(c) TECHNICAL AMENDMENT.—Section 744B(n), as added by section 302 of this Act, is amended by striking ''505(j)(5)(B)(iv)(II)(cc)'' and inserting ''505(j)(5)(B)(iv)(II)(bb)''.

SA 2112. Mr. REID (for Mrs. BOXER (for herself and Mrs. FEINSTEIN)) proposed an amendment to the bill H.R. 4849, to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sequoia and King Canyon National Parks Backcountry Access Act''.

SEC. 2. COMMERCIAL SERVICES AUTHORIZATIONS IN WILDERNESS WITHIN THE SEQUOIA AND KINGS CANYON NATIONAL PARKS.

(a) CONTINUATION OF AUTHORITY.—Until the date on which the Secretary of the Interior (referred to in this Act as the ''Secretary'') completes any analysis and determination required under the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary shall continue to issue authorizations to provide commercial services for commercial stock operations (including commercial use authorizations and concession contracts) within any area designated as wilderness in the Sequoia and Kings Canyon National Parks (referred to in this section as the ''Parks)'' at use levels determined by the Secretary to be appropriate and subject to any terms and conditions that the Secretary determines to be appropriate.

(b) WILDERNESS STEWARDSHIP PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary shall complete a wilderness stewardship plan with respect to the Parks.

(c) TERMINATION OF AUTHORITY.—The authority of the Secretary to issue authorizations under subsection (a) shall terminate on the earlier of—

(1) the date on which the Secretary begins to issue authorizations to provide commercial services for commercial stock operations within any areas designated as wilderness in the Parks, as provided in a record of decision issued in accordance with a wilderness stewardship plan completed under subsection (b); or

(2) the date that is 4 years after the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 17, 2012, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 17, 2012, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Social Security Administration: Is it Meeting its Responsibilities to Save Taxpayer Dollars and Serve the Public?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 17, 2012, at 2:30 p.m.,

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 17, 2012, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Fulfilling the Federal Trust Responsibility: The Foundation of the Government-to-Government Relationship.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 17, 2012, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND THE COAST GUARD

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on May 17, 2012, at 10:30 a.m., in room SR–253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Stemming the Tide: The U.S. Response to Tsunami Generated Marine Debris.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Marc Labonte, a detailee on Senator JOHNSON's Banking Committee staff, be granted floor privileges for the remainder of today's session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TROOPER JOSHUA D. MILLER POST OFFICE BUILDING

MASTER SERGEANT DANIEL L. FEDDER POST OFFICE

PRIVATE ISAAC T. CORTES POST OFFICE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following postal naming bills en bloc: Calendar No. 401, H.R. 2415; Calendar No. 402, H.R. 3220; and Calendar No. 403, H.R. 3413.

The PRESIDING OFFICER. The clerk will report the bills by title en bloc.

The legislative clerk read as follows:

A bill (H.R. 2415) to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the ''Trooper Joshua D. Miller Post Office Building.''

A bill (H.R. 3220) to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the ''Master Sergeant Daniel L. Fedder Post Office.''

A bill (H.R. 3413) to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the ''Private Isaac T. Cortes Post Office.''

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the bills be read a third time and passed en bloc, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bills (H.R. 2415, H.R. 3220, and H.R. 3413) were ordered to a third reading, were read the third time, and passed.

MODIFYING THE DEPARTMENT OF DEFENSE PROGRAM GUIDANCE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4045.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4045) to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, that there be no intervening action or debate, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4045) was ordered to a third reading, was read the third time, and passed.

BORDER TUNNEL PREVENTION ACT

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of H.R. 4119.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4119) to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no interviewing action or debate; that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4119) was ordered to a third reading, was read the third time, and passed.

SEQUOIA AND KINGS CANYON NATIONAL PARKS BACKCOUNTRY ACCESS ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 394, H.R. 4849.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4849) to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that a Boxer-Feinstein substitute amendment, which is as the desk, be agreed to; the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate; that any statements related to the bill be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2112) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sequoia and King Canyon National Parks Backcountry Access Act''.

SEC. 2. COMMERCIAL SERVICES AUTHORIZATIONS IN WILDERNESS WITHIN THE SEQUOIA AND KINGS CANYON NATIONAL PARKS.

(a) CONTINUATION OF AUTHORITY.—Until the date on which the Secretary of the Interior (referred to in this Act as the ''Secretary'') completes any analysis and determination required under the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary shall continue to issue authorizations to provide commercial services for commercial stock operations (including commercial use authorizations and concession contracts) within any area designated as wilderness in the Sequoia and Kings Canyon National Parks (referred to in this section as the ''Parks)'' at use levels determined by the Secretary to be appropriate and subject to any terms and conditions that the Secretary determines to be appropriate.

(b) WILDERNESS STEWARDSHIP PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary shall complete a wilderness stewardship plan with respect to the Parks.

(c) TERMINATION OF AUTHORITY.—The authority of the Secretary to issue authorizations under subsection (a) shall terminate on the earlier of—

(1) the date on which the Secretary begins to issue authorizations to provide commercial services for commercial stock operations within any areas designated as wilderness in the Parks, as provided in a record of decision issued in accordance with a wilderness stewardship plan completed under subsection (b); or

(2) the date that is 4 years after the date of enactment of this Act.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 4849), as amended, was read the third time and passed.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 112–5, TREATY DOCUMENT NO. 112–6, TREATY DOCUMENT NO. 112–7, AND TREATY DOCUMENT NO. 112–8

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on May 17, 2012, by the President of the United States:

Protocol Amending the Convention on Mutual Administrative Assistance in Tax Matters (Treaty Document No. 112–5).

Convention on the Law Applicable to Certain Rights in Respect of Securities Held with an Intermediary (Treaty Document No. 112–6).

Convention on the Rights of Persons with Disabilities (Treaty Document No. 112–7).

Tax Convention with Chile (Treaty Document No. 112–8).

I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to its ratification, the Protocol Amending the Convention on Mutual Administrative Assistance in Tax Matters, done at Paris on May 27, 2010 (the ''proposed Protocol''), which was signed by the United States on May 27, 2010. The existing Convention on Mutual Administrative Assistance in Tax Matters, done at Strasbourg on January 25, 1988, entered into force for the United States on January 4, 1995 (the ''existing Convention''). I also transmit, for the information of the Senate, the report of the Department of State, which includes an Overview of the proposed Protocol.

The proposed Protocol amends the existing Convention in order to bring it into conformity with current international standards on exchange of information, as reflected in the Organization for Economic Co-operation and Development's (OECD) Model Tax Convention on Income and Capital and the current U.S. Model Income Tax Convention. Furthermore, it updates the existing Convention's rules regarding the confidentiality and permitted uses of exchanged tax information, and opens the existing Convention to adherence by countries other than OECD and Council of Europe members. The Protocol entered into force on January 6, 2011, following ratification by five parties to the existing Convention.

I recommend that the Senate give early and favorable consideration to the proposed Protocol and give its advice and consent to its ratification.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2012.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Convention on the Law Applicable to Certain Rights in Respect of Securities Held with an Intermediary (the ''Convention''), done at The Hague on July 5, 2006, and signed by the United States on that same day. The report of the Secretary of State, which includes an Overview of the proposed Convention, is enclosed for the information of the Senate.

The United States supported the development of the Convention, which provides uniform rules for determining the law applicable to certain rights in commercial transactions involving investment securities held through intermediaries (such as brokers, banks, and other financial institutions). The Convention incorporates modern commercial finance methods already market-tested in the United States through the Uniform Commercial Code. It would ensure that countries that become party to this Convention would also apply those methods. The Convention, once in force, would improve the functioning of investment securities markets, reduce uncertainty in cross-border commerce, and reduce national and cross-border systemic risk.

The Department of the Treasury, the U.S. Securities and Exchange Commission, the Commodities Futures Trading Commission, and the New York Federal Reserve Bank support ratification by the United States of this Convention, as do key private sector associations. I recommend, therefore, that the Senate give early and favorable consideration to the Convention and give its advice and consent to its ratification.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2012.*

To the Senate of the United States:

I transmit herewith, for advice and consent of the Senate to its ratification, the Convention on the Rights of Persons with Disabilities, adopted by the United Nations General Assembly on December 13, 2006, and signed by the United States of America on June 30, 2009 (the ''Convention''). I also transmit, for the information of the Senate, the report of the Secretary of State with respect to the Convention.

Anchored in the principles of equality of opportunity, nondiscrimination, respect for dignity and individual autonomy, and inclusion of persons with disabilities, the Convention seeks to promote, protect, and ensure the full and equal enjoyment of all human rights by persons with disabilities. While Americans with disabilities already enjoy these rights at home, U.S. citizens and other individuals with disabilities frequently face barriers when they travel, work, serve, study, and reside in other countries. The rights of Americans with disabilities should not end at our Nation's shores. Ratification of the Disabilities Convention by the United States would position the United States to occupy the global leadership role to which our domestic record already attests. We would thus seek to use the Convention as a tool through which to enhance the rights of Americans with disabilities, including our veterans. Becoming a State Party to the Convention and mobilizing greater international compliance could also level the playing field for American businesses, who already must comply with U.S. disability laws, as well as those whose products and services might find new markets in countries whose disability standards move closer to those of the United States.

Protection of the rights of persons with disabilities has historically been grounded in bipartisan support in the United States, and the principles anchoring the Convention find clear expression in our own domestic law. As described more fully in the accompanying report, the strong guarantees of nondiscrimination and equality of access and opportunity for persons with disabilities in existing U.S. law are consistent with and sufficient to implement the requirements of the Convention as it would be ratified by the United States.

I recommend that the Senate give prompt and favorable consideration to this Convention and give its advice and consent to its ratification, subject to the reservations, understandings, and declaration set forth in the accompanying report.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2012.*

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to their ratification, the Convention between the Government of the United States of America and the Government of the Republic of Chile for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed in Washington on February 4, 2010, with a Protocol signed the same day, as corrected by exchanges of notes effected February 25, 2011, and February 10 and 21, 2012, and a related agreement effected by exchange of notes (the ''related Agreement'') on February 4, 2010. I also transmit for the information of the Senate the report of the Department of State, which includes an Overview of the proposed Convention, the Protocol, and related Agreement.

The proposed Convention, Protocol, and related Agreement (together ''proposed Treaty'') would be the first bilateral income tax treaty between the United States and Chile. The proposed Treaty contains comprehensive provisions designed to address ''treaty shopping,'' which is the inappropriate use of a tax treaty by residents of a third country, and provides for a robust exchange of information between the tax authorities in the two countries to facilitate the administration of each country's tax laws.

I recommend that the Senate give early and favorable consideration to the proposed Treaty and give its advice and consent to the ratification thereof.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2012.*

ORDERS FOR MONDAY MAY 21, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, May 21, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and that the majority leader be recognized; further, that at 4:30 p.m. the Senate proceed to executive session to consider Calendar No. 552, Paul J. Watford, of California, to be U.S. Circuit Judge for the Ninth Circuit, with 1 hour of debate equally divided and controlled in the usual form; that upon the use or yielding back of the time, the Senate proceed to vote on the motion to invoke cloture on the nomination; and that if cloture is not invoked, the Senate resume legislative session and proceed to vote on the motion to invoke cloture on the motion to proceed to S. 3187, the FDA user fees legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, it is my intention to resume the motion to proceed to Calendar No. 400, S. 3187, the FDA user fees legislation, when we convene on Monday. At 5:30 p.m. Monday there will be at least one rollcall vote on the motion to invoke cloture on the Watford nomination.

ADJOURNMENT UNTIL MONDAY, MAY 21, 2012, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 4:47 p.m., adjourned until Monday, May 21, 2012, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

DEREK J. MITCHELL, OF CONNECTICUT, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNION OF BURMA.

THE JUDICIARY

MATTHEW W. BRANN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, VICE THOMAS I. VANASKIE, ELEVATED.

MALACHY EDWARD MANNION, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, VICE A. RICHARD CAPUTO, RETIRED.

DEPARTMENT OF JUSTICE

GARY BLANKINSHIP, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE RUBEN MONZON, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. JOSEPH CARAVALHO, JR.

IN THE NAVY

THE FOLLOWING NAMED UNITED STATES NAVY RESERVE OFFICER FOR APPOINTMENT AS THE CHIEF OF NAVY RESERVE AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5143:

To be vice admiral

REAR ADM. ROBIN R. BRAUN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ROBERT E. BRADSHAW

CONFIRMATIONS

Executive nominations confirmed by the Senate May 17, 2012:

FEDERAL RESERVE SYSTEM

JEREMY C. STEIN, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2004.

JEROME H. POWELL, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2000.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on May 17, 2012 withdrawing from further Senate consideration the following nomination:

AIR FORCE NOMINATION OF KEN R. MCDANIEL, TO BE COLONEL, WHICH WAS SENT TO THE SENATE ON MAY 4, 2011.

HOUSE OF REPRESENTATIVES—*Thursday, May 17, 2012*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SHIMKUS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 17, 2012.

I hereby appoint the Honorable JOHN SHIMKUS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE PEACE OFFICER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, one muggy summer night in July 2011 in Beaumont, Texas, John Wesley Nero got into an argument with his mother and his grandmother. Being the worthless man that he was, he beat them both up and then fled in the darkness of the night. Local police officers confronted the outlaw, but he fled away in his truck and led the officers on a high-speed chase down a dark country road. Meanwhile, down that road, Officer Bryan Hebert intentionally positioned his vehicle ahead of the chase and was attempting to retrieve road spikes out of the trunk to stop Nero and his vehicle. But when Nero saw Hebert's patrol car, he purposely crashed into the vehicle, barreling over Officer Hebert and killing him. Officer Bryan Hebert was 36 years of age and was a 10-year veteran of the Beaumont, Texas, Police Department.

On an early Sunday morning last May, one of Houston's finest, Officer Kevin Will, was investigating a hit-and-run accident in Houston. Suddenly, a different vehicle was speeding by and blazed past the police barriers at the accident where Officer Will was investigating. Immediately, before being struck, Officer Will yelled at a witness to jump out of the way, thus saving that citizen's life just before the officer's life was stolen from him. Officer Will was 38 years of age and had been with the Houston Police Department for only 2 years. He left behind a pregnant wife and two stepchildren.

The driver of that speeding vehicle ignored all the safety lights of police cruisers at that accident scene. He was drunk, charged with intoxication, manslaughter of a police officer, evading arrest, and possession of cocaine. The accused killer also had been in the United States illegally, having been deported once, but came back to commit crime.

Police officers dedicate their lives to protecting the rest of us from the anarchy of the lawless. Some of them, like Officer Hebert and Officer Will, never get to go back home to their families.

This week, during Police Week, we honor those law enforcement officers who have given their lives. We also honor their families. Thousands of peace officers and their families have traveled to Washington, D.C., this week to respect and remember the fallen. No matter if they're from New York City or Beaumont, Texas, they're all here for the same reason: to respect the memory of those amazing souls who have died in the line of duty somewhere across America's plains.

On May 17, 1792, New York City's Deputy Sheriff Isaac Smith became the first recorded peace officer to be killed in the line of duty. Since his death, nearly 21,000 peace officers have been killed somewhere in America. Although crime is on the decline in the United States, crimes against police officers are on the rise. There's been an alarming 75 percent increase in police officer deaths since 2008.

During my 20 years as a judge in Texas, I had the privilege of working alongside some of America's finest—the peace officers. Unfortunately, some of those peace officers that I had known were killed in the line of duty.

Peace officers often become victims of the crimes they seek to prevent. When a peace officer puts on a uniform in the morning, they represent everything that is good and right about our country. They're the last strand of wire in the fence between the law and the lawless. They protect us from those who lurk in the shadows of crime and create havoc in our society. Peace officers willingly fight the forces of anarchy and bring order to the rule of law. They do this, in some cases, with little or no appreciation from the citizens that they protect.

This yearly tribute here in Washington, D.C., provides each of us with an opportunity to honor fallen peace officers like Officer Bryan Hebert of the Beaumont, TX Police Department and Officer Kevin Will of the Houston Police Department and all the others who have given their lives in the name of keeping peace in America.

And that's just the way it is.

NATIONAL DEFENSE AUTHORIZATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Today, the House will debate the Defense Authorization Act for the next fiscal year. While nothing is more important than protecting America while keeping our men and women in uniform safe, the authorization before us today wastes too much of our Nation's precious wealth and represents yet another missed opportunity for badly-needed reform.

H.R. 4310, unfortunately, highlights Congress's inability to make hard choices on defense spending. It opts for an all-of-the-above strategy and puts the funding of an already bloated military budget ahead of any semblance of fiscal responsibilities. If passed, the authorization would represent 57 percent of our total discretionary budget.

It's clear to most people outside Congress that we can no longer separate national security from fiscal responsibility. Congress needs to get that message. Our constituents certainly understand.

Last week, a Stimson Center poll showed that, on average, Americans feel that the defense budget should be reduced by 18 percent next year. Instead, this bill will decrease spending by less than one-half of 1 percent after 13 consecutive years of increase.

While budget hawks and military experts agree we need to cut defense spending, this year's defense authorization provides $8 billion more than the cap for the defense budget set by the Budget Control Act, which both parties supported and enacted into law to solve last summer's manufactured debt ceiling crisis.

Many supporting the bill will raise a false choice between defending America or rebuilding and renewing America, its infrastructure, and our economy. We can and we must do both. Spending too much for the wrong people to do the wrong things will undermine the very security at home we seek to buy through more military spending. Crumbling bridges and roads, failing schools, and a massive national debt all pose a greater national threat to America's power abroad than right-sized defense spending.

We know how to do this. We have had a cascade of plans, ranging from the Cato Institute to the Bowles-Simpson to progressive think-tanks. All would meet our 21st century need for national defense while keeping promises to future generations here at home.

In addition to ending the war in Afghanistan more quickly, there are many ways to decrease defense spending. Increased efficiency in naval deployment can reduce the need for battleships. We don't need a growing supercarrier fleet. The United States' 11 aircraft carriers add up to more than the rest of the world combined, and many of the countries that have aircraft carriers are our allies.

The current level of investment in our nuclear arsenal with capabilities that correspond to no real military challenge makes no sense and wastes hundreds of billions of dollars.

□ 1010

Unfortunately, the Republican leadership either can't or doesn't want to work towards a balanced approach to reduce defense spending. This was illustrated by the response to an amendment I offered in the Budget Committee last week. Instead of making tough choices on defense spending, our Republican colleagues decided to give the Pentagon even more than they asked for and provide them this funding in part by eliminating food stamp benefits for 2 million people, reducing benefits for 44 million more, curtailing Meals on Wheels, and eliminating school lunches for 280,000 children.

The level of spending in today's defense authorization is absurd. But more shocking is what Americans are being forced to give up to continue funding the Pentagon at this level.

Congress needs to show some leadership and ability to make difficult choices. That's why I'm leading, along with Representatives LEE and FRANK, an amendment to cut defense spending for the next fiscal year by the $8 billion that would align the bill with the level already authorized and written into law last fall.

We can and should go further, but at the very least most should be able to agree that Congress ought to play by the rules we created, not sidestepping them at the expense of struggling families, disadvantaged school children, and our seniors. Unless we are able to fix this bill, I strongly urge my colleagues to vote ''no.''

EOD TECHNICIANS KILLED IN ACTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arkansas (Mr. CRAWFORD) for 5 minutes.

Mr. CRAWFORD. Mr. Speaker, I rise today to honor the lives of two brave men who died serving their Nation. Explosive ordnance disposal technicians serve the important role of disarming explosive devices (IEDs) in war zones and here at home. As a former EOD tech myself, I know the dangers these soldiers face, and today I honor their ultimate sacrifice.

Naval Lieutenant Christopher Mosko trained for more than a year to become an EOD technician. He was assigned to EOD Mobile Unit 3 for the past 3 years, and during that time, among other missions, he supported humanitarian operations following the earthquake in Haiti. He was killed in an IED blast in Afghanistan on April 26 of this year, directly supporting Navy and Army special operations forces.

Lieutenant Mosko and his wife, Amanda, called San Diego home. Lieutenant Mosko was described by his command as a personable and outstanding leader who went out of his way to support his men. They also said he was a kind and gentle person who will be greatly missed by the EOD family.

Twenty-five-year-old Marine Sergeant John Huling was killed by gunshot wounds inflicted by a person wearing an Afghan National Army uniform in the Helmand province of Afghanistan. Sergeant Huling enlisted in the Marine Corps in 2006. He deployed to Iraq in 2007 and was on his second combat deployment. As an EOD tech, he was assigned to the 7th Engineer Support Battalion, 1st Marine Logistics Group at Camp Pendleton in California.

Sergeant Huling's mother said: ''He was brave and selfless and gave his life for his country so everybody could enjoy the freedom that we live now.''

Sergeant Huling is survived by his wife of 2 years, Priscilla; a brother, who is also a marine; and a sister.

Mr. Speaker, Navy Lieutenant Christopher Mosko and Marine Sergeant John Huling are American heroes. Each brave man died in action defending the freedoms so many Americans take for granted.

I did not know these two men, but to many, these men were sons, husbands, brothers and friends. Because they served, America and the world are safer and more free. Their families are in my thoughts and prayers, and I ask that all Americans remember the sacrifice they made.

Explosive ordnance disposal technicians are the first line of defense in the war on terror, protecting our servicemembers from IED threats overseas and in homeland missions. The EOD community deserves the respect and full resources of the Department of Defense to continue their lifesaving mission.

God bless the memory of Lieutenant Mosko and Sergeant Huling, and may God continue to bless the United States of America.

LEGISLATION RELATING TO IRAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. KUCINICH) for 5 minutes.

Mr. KUCINICH. This week, Congress is considering two pieces of legislation relating to Iran. The first undermines a diplomatic solution with Iran and lowers the bar for war. The second authorizes a war of choice against Iran and begins military preparations for it.

With respect to H. Res. 568, which eliminates the most viable alternative to war, the House is expected to vote on this. I would urge Members to read the resolution because section 6 rejects any U.S. policy that would rely on efforts to contain a nuclear weapons capable Iran. Section 7 urges the President to reaffirm the unacceptability of an Iran with a nuclear weapons capability, and opposition to any policy that would rely on containment as an option in response to Iranian enrichment.

This language represents a significant shift in U.S. policy, and would guarantee that talks with Iran currently scheduled for May 23 would fail. Current U.S. policy is that Iran cannot acquire nuclear weapons. Instead, H. Res. 568 draws the red line for military action at Iran achieving a nuclear weapons capability—capability—a nebulous and undefined term that would include a civilian nuclear program.

Indeed, it's likely that a negotiated deal to prevent a nuclear-armed Iran and to prevent war would provide for uranium enrichment for peaceful purposes under the framework of the nonproliferation of nuclear weapons treaty, with strict safeguards and inspections. This language in this bill makes such a negotiated settlement impossible. At the same time, the language lowers the threshold for attacking Iran. Countries with nuclear weapons capability could include many other countries like Japan or Brazil. It is an unrealistic threshold.

An associate of former Secretary of State Colin Powell stated:

This resolution reads like the same sheet of music that got us into the Iraq war.

Now, H.R. 4310, the National Defense Authorization Act, authorizes war against Iran and preparing the military for it. I want to point out how this happens. While H. Res. 568 undermines our

diplomatic efforts and lowers the bar for war, H.R. 4310, the NDAA, begins military preparations for war. Members ought to read this. Section 1221 makes military action against Iran a U.S. policy. Section 1222 directs our Armed Forces to prepare for war. Now if you read these sections, you'll see that what I'm saying is true.

Now, under subsection A, it says that Iran may soon attain a nuclear weapons capability, a development that would threaten the United States interests, destabilize the region, encourage nuclear proliferation, and further empower and embolden Iran, and on and on. But the International Atomic Energy Agency, as well as the U.S. and Israeli intelligence, have all agreed that Iran does not currently have a nuclear bomb, is not building a nuclear weapon, and does not have any plans to do so. Both U.S. and Israeli officials also agree that a strike on Iran would only delay their nuclear program and actually encourage them to pursue nuclear weapons.

Sustained diplomatic engagement with Iran is the only way to ensure transparency and to prevent a nuclear-armed Iran. Rejecting or thwarting any inspections-based deal we are currently seeking with Iran, even when analysts are expressing guarded optimism that a near-term deal is achievable, makes preemptive military action against Iran more likely.

Now I just want to cite some provisions right from the bill.

In order to prevent Iran from developing nuclear weapons, which they're not doing, the United States, in cooperation with its allies, must utilize all elements of national power, including diplomacy, robust economic sanctions, and credible—get this—''visible preparations for a military option.''

Under section 1222 where they talk about U.S. military preparedness, it talks of pre-positioning sufficient supplies of aircraft, munitions, fuel, and other materials for both air- and sea-based missions. Under subsection B it talks about maintaining sufficient Naval assets in the region—get this—to launch a sustained sea and air campaign against a range of Iranian nuclear and military targets.

Now come on, we're getting ready for war against Iran. Why? I mean, we ought to have a broad debate about this other than just burying this section of a bill in the National Defense Authorization Act. We have plenty of evidence there is no reason to go to war against Iran. We made the mistake in Iraq. Let's not make another one with Iran and set off World War III.

□ 1020

YUCCA MOUNTAIN

The SPEAKER pro tempore (Ms. BUERKLE). The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Madam Speaker, I've come back to the floor, as I have almost weekly since this Congress, to talk about nuclear waste.

It's kind of unique to follow my friend from Ohio (Mr. KUCINICH) because we are a nuclearized country; we do have nuclear weapons. A lot of our nuclear weapons were developed from World War II. And guess where the waste still is from World War II? Still buried in silos under the ground in Hanford, Washington. That's a legacy of 50 years of nuclear waste that we still have yet to address—not including the nuclear waste for fuel, which is what I'm going to talk about today. I'm going to the State of Michigan and the State of Indiana.

Michigan has five nuclear reactors. They're all on the Great Lakes—either Lake Michigan or Lake Superior, I think—and the waste is right next to these Great Lakes. So we want to do a comparison/contrast, as I do every week based upon a region of the country, and compare where the nuclear waste is in Michigan to where it should be, under Federal law—the 1982 Nuclear Waste Policy Act and the adjoining amendments passed in 1987—that says we need to consolidate our high-level nuclear waste and put it in one single repository that is underneath a mountain in a desert, and that place is Yucca Mountain.

So let's compare the two locations. I'm picking the Cook Nuclear Generating Station in Michigan, comparing it to Yucca Mountain. How much nuclear waste do we have at Yucca Mountain? Zero. How much do we have at Cook? We have 1,433 metric tons of uranium—this is of waste—at just one nuclear facility at Cook.

Where is the waste stored? At Yucca, it would be 1,000 feet underground. Where is the nuclear waste stored at Cook? Well, it's stored above ground in pools and in casks. How is it compared to the groundwater issue? Well, at Yucca Mountain it would be 1,000 feet above the water table. As we know, at Cook it's 19 feet above the groundwater table.

Yucca Mountain is 100 miles from the only body of water you can find in a desert, and that's the Colorado River. That's 100 miles away. How far is the nuclear waste at Cook? Well, you can see from the picture it is next to Lake Michigan. So in a comparison/contrast, it's easy to see that Yucca would be a safer place to put high-level nuclear waste than Cook Generating Station in Michigan.

So what have the U.S. Senators done from the surrounding States on this position of, should they have nuclear waste in their State or should they not? Senator COATS is supportive of Yucca Mountain. Senator LUGAR is supportive of Yucca Mountain—I have quotes here that affirm that. Senator LEVIN has voted for Yucca Mountain and supports that. And our friend, my former classmate here in the Chamber—and she is a good friend of mine—DEBBIE STABENOW, has not supported Yucca Mountain.

So part of why I'm coming down to the floor is just to help paint the picture that there is nuclear waste all over this country—104 different reactors, not including our defense waste—and it's stored all over the place. Wouldn't it be better to have a centralized location to put the nuclear waste in? So I've been doing a tally of U.S. Senators, and we finally got over the 50 Senator mark. Because of the Senate rules, you know you have to break the filibuster. That's 60 votes.

It's interesting now, based upon the information, past information—whether gleaned from votes or public statements—we have 54 U.S. Senators who say we ought to have Yucca Mountain as our single repository. We have 19 that we really have no record of a statement or a vote. And then we have 21 that have, either as a former House Member or a public statement, said, no, we don't think Yucca Mountain is a place for nuclear waste to go.

We still have a couple more States to go, and we're hoping that we get to a 60-vote position to make the claim throughout the country that these Senators should really deal with this issue of high-level nuclear waste, not just the spent fuel, but, as we talked about earlier, the defense waste in this country.

This was a promise made to the ratepayers of States that have nuclear power. The government said we're going to charge you extra for your electricity. We will take your money, and we will build a long-range geological repository for nuclear waste, and that's Yucca Mountain.

VIOLENCE AGAINST WOMEN ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. CICILLINE) for 5 minutes.

Mr. CICILLINE. Madam Speaker, yesterday, this Chamber narrowly passed a bill entitled the Violence Against Women Reauthorization Act. But although the bill we voted on shared its name with landmark legislation that this Chamber passed in 1994 to deter crimes against women, it failed to advance the important protections that should be afforded to all victims of domestic violence and sexual assaults.

Our colleagues in the Senate, Democrats and Republicans, worked together to pass a strong, bipartisan reauthorization of the Violence Against Women Act. Yet, rather than carrying on the important tradition of working in a bipartisan fashion to strengthen

and reauthorize the Violence Against Women Act here in the House, Republicans crafted a partisan bill that failed to include many of the important protections enacted by the Senate. In fact, the Republican legislation would undermine vital protections and services for victims of domestic violence. The House Republican proposal left out improvements that the Senate had passed, including protections for immigrant women, college students, and LGBT Americans.

A bipartisan coalition of 13 women Senators, including Republican Senator LISA MURKOWSKI, signed a letter to Speaker BOEHNER yesterday urging that he call a vote on the strong, bipartisan Senate-passed bill that would strengthen protections for all victims of domestic and sexual violence saying, ''We should not let politics pick and choose which victims of abuse to help and which to ignore''—a bill, by the way, that every single woman in the Senate, Republicans and Democrats, voted for.

Reauthorizing important provisions that help ensure the safety of all victims of domestic and sexual abuse across our country should be routine—even in Washington, D.C. But once again, House Republicans have allowed a far-right ideology to interfere with the commonsense approach to protecting women and families from violence.

Women's lives are too important for another round of congressional brinksmanship. Last year, in my home State of Rhode Island, more than 13,000 hotline calls were answered by the Rhode Island Coalition Against Domestic Violence.

Republicans in this Chamber are wrong to relegate the safety and well-being of these women behind an extreme political ideology. I urge my colleagues to continue their strong support for the bipartisan Senate legislation that would provide effective protections for all victims of sexual or domestic violence. We must keep the pressure on for passage of the Senate bipartisan bill. America's women and our families deserve no less.

NATIONAL DEFENSE AUTHORIZATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. GRIFFITH) for 5 minutes.

Mr. GRIFFITH of Virginia. Madam Speaker, later today, we will debate the National Defense Authorization Act. Just yesterday evening, section 1021 of last year's bill was given an injunction by U.S. District Judge Katherine Forrest when she stated:

In the face of what could be indeterminate military detention, due process requires more.

As we debate this bill, we will have an opportunity to act on several amendments which will make due process a key part of this bill and eliminate the concerns that the judge had when granting that preliminary injunction.

I take the opportunity today to remind us of some history. Dateline: Paris, December 20, 1787. In a letter to James Madison, Thomas Jefferson wrote, in regard to the Constitution of the United States that was being proposed:

I will tell you now what I do not like. First, the omission of a Bill of Rights providing clearly and without aid of sophism, for freedom of religion, freedom of the press, protection against standing armies, restriction of monopolies, the eternal and unremitting force of the habeas corpus laws, and trials by jury in all matters of fact triable by the laws of the land, and not by the laws of nations.

To say, as Mr. Wilson does, that a Bill of Rights was not necessary because all is reserved in the case of the general government, which is not given, while in the particular ones, all is given which is not reserved, might do for the audience to which it was addressed; but it is surely a gratis dictum, the reverse of which might just as well be said; and it is opposed by strong inferences from the body of the instrument, as well as from the omission of the cause of our present Confederation—that would be the Articles of Confederation—which had made the reservation in express terms.

It was hard to conclude, because there has been a want of uniformity among the States as to the cases triable by jury, because some have been so incautious as to dispense with this mode of trial in certain cases; therefore, the more prudent States shall be reduced to the same level of calamity.

It would have been much more just and wise to have concluded the other way, that, as most of the States had preserved with jealousy this sacred palladium of liberty, those who have wandered should be brought back to it, and to have established general right rather than general wrong.

□ 1030

He goes on:

For I consider all the ill as established, which may be established. I have a right to nothing which another has a right to take away.

And he goes on:

Let me add that a Bill of Rights is what the people are entitled to against every government on Earth, general or particular, and what no just government should refuse, or rest on inference.

There are those, in regard to the debate on the NDAA and particularly section 1021 of last year's bill and the similar language this year, that it is inferred that those rights are not given away. Jefferson was not willing to allow us to rest on the rights of inference, nor should we in this Congress also not be willing to rest on the rights of inference.

And when particularly you have language such as this coming out of the court yesterday evening, this court finds the plaintiffs who are, as discussed below, have reasonable fear of future government action sufficient to confer standing.

Ladies and gentlemen, many of you cannot see it, but behind me here in the desk is the word ''liberty stands,'' it is written in. It was not left to inference. It's right here for us to look at every day. And, ladies and gentlemen, as long as I serve in Congress, I will stand up for liberty and make sure that no citizen of the United States has their due process removed.

I will support the Amash amendment, the Smith amendment, and the Goodlatte amendment. Thank you very much. I hope you do the same.

OUR NATION IS AT A HISTORIC CROSSROAD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Madam Speaker, I rise today because our Nation is at a crossroads. We are emerging from a deep recession but face a deficit topping $1 trillion for the 4th straight year.

And while we all agree that we must reduce our deficit, the real question, of course, is: How? How we decide to reduce our deficit will not only define our budget, it will define who we are as a Nation. Will we be a Nation that cuts vital programs like food and Medicaid in order to not only preserve but grow an outsized defense budget? Or will we choose a middle ground that is balanced, bipartisan, big, and leaves nothing off the table, including defense?

Sadly, the National Defense Authorization Act before us offers no middle ground and is not bipartisan. It is not balanced. At a time when we are being asked to cut education, infrastructure, and health care, this defense bill increases spending $4 billion over the President's request.

Let me be clear. We all want to cut spending. In fact, I, myself, introduced a bipartisan budget that mirrored the Simpson-Bowles plan and would have reduced the deficit with two-thirds cuts and one-third revenue. But the key to developing a bipartisan, balanced plan is to put everything on the table, including defense.

Military spending has more than doubled in the last 10 years and now comprises close to 20 percent of our overall budget. We spend almost four times more on defense than China and more than the next 10 largest military spenders combined. We spend $500 million a year on military bands alone.

But it's not just about what we spend; it's also how we spend. Former Secretary of Defense Gates called for billions in cuts, saying, ''what had been a culture of endless money'' at DOD must ''become a culture of savings and restraint.''

Admiral Mike Mullen once called our debt the ''greatest threat to our national security.''

The Sustainable Defense Task Force and the Bipartisan Policy Center have

also outlined close to $1 trillion in defense cuts that can still keep us safe.

But this defense budget doesn't reflect the expertise of our military leaders, defense experts, or the American people.

It ignores our military leaders by including a new east coast missile interceptor the Pentagon doesn't want, and it rolls back efforts by the DOD to be more energy efficient because the commanders on the ground know that lives are lost transporting fuel to troops abroad.

It ignores military experts by funding the deadly V–22 Osprey, which is 186 percent over budget, it is not safe to fly in extreme heat or excessive sand, has killed 36 servicemembers, and can be replaced with cheaper helicopters.

It also ignores experts such as Henry Kissinger, who promote drastically reducing our nuclear stockpile by including a huge funding increase for nuclear upgrades.

Finally, perhaps more importantly, it ignores the American people, who want a smaller military footprint and want our troops home from Afghanistan. According to a recent report released at the Stimson Center, the public supports cutting the defense budget by 18 percent. And according to the latest opinion polls, close to seven in 10 Americans oppose the war in Afghanistan, yet this defense bill includes language aimed at slowing down the withdrawal of U.S. troops.

We aren't fighting the Cold War anymore, yet this budget continues to invest billions in nuclear weapons and thousands of troops stationed in Europe and Asia.

Today our greatest threat is a global network of extremists who find safe haven in ungoverned spaces across the world. There have been at least 45 terrorist attacks plotted against the U.S. since 9/11, and each one of them was foiled, not by our mass ground forces in Afghanistan, but through intelligence, policing, and citizen engagement.

According to terrorism expert Erik Dahl of the Naval Postgraduate School, when it comes to domestic attacks and securing the homeland, what works is really good, old-fashioned policing, law enforcement, tips from the public, and police informants. Our enemy today must be caught with less costly policing, intelligence gathering, and special operations, not multibillion dollar tanks and nukes.

The real ramification of overspending on defense is not simply that we have too many unneeded nukes or planes, but that we don't have enough resources to support vital domestic investments such as health care, education, and infrastructure needed to remain a superpower.

Military power is not simply about spending more than our adversaries. Real military power, argues Kori Schake, a former MCCAIN advisor, is ''premised on the solvency of the American Government and the vibrancy of the U.S. economy.'' In order to maintain that vibrancy, we must get our fiscal house in order and do so by reexamining our defense spending, and making cuts and reforming where necessary.

CELEBRATING NATIONAL NURSES WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MCKINLEY) for 5 minutes.

Mr. MCKINLEY. Madam Speaker, every year, in May, this country celebrates National Nurses Week. Often described as an art and a science, nursing is a profession that embraces dedicated people with varied interests, strengths, and passions because of the many opportunities the profession offers.

As a husband of a critical care nurse, I know all about the lives they touch each and every day. They work in emergency rooms, school-based clinics, hospitals, and homeless shelters, just to name a few. They have many roles, from staff nurses to educators to nurse practitioners and nurse researchers, and serve all of them with a passion for the profession and with a strong commitment to patient security and safety.

National Nurses Week occurs each year in May, surrounding Florence Nightingale's birthday. Our nurses strive for excellence in all they do. They provide patients and their families with skilled, compassionate care, and help them navigate a very complex and oftentimes overwhelming health care system to provide safe passage for the patients and their families.

Regardless of their role or title, nurses educate, counsel, advocate, and lead. These men and women work to make a difference to countless patients, families, and communities who benefit from nurses' dedication and professionalism.

This month is a time to reflect on all the good nurses do. It is a time to acknowledge and celebrate the differences our nurses make.

□ 1040

HORSE PROTECTION PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. SCHRADER) for 5 minutes.

Mr. SCHRADER. Madam Speaker, today I rise to discuss an important and timely issue negatively affecting the welfare of the horses of this great country. It's called ''soring.'' Soring is the act of deliberately causing pain to exaggerate the leg motion of high-gaited horses, such as Tennessee Walking Horses.

This inhumane practice, despite being illegal for almost 40 years, is still used far too often by many owners and trainers to win in the show ring. Today, I hope I can persuade you, my fellow Members of Congress, to take interest in this issue, to oppose this cruel and illegal practice, and to increase the support for the USDA's Horse Protection Program.

Horses are sored in several different ways:

Caustic materials, such as kerosene or mustard oil, are applied to the lower leg. This makes the horse's leg sensitive so that, when certain cruel devices like chains are placed against it, it causes severe pain, causing the horse to lift its leg high in an exaggerated gait. There are other common approaches also, like trimming the hoof excessively, exposing sensitive tissues, inserting devices between the shoe pads and the sole of the horse and, frankly, improper shoeing techniques. No matter the technique, its purpose is to cause the horse pain so that it lifts its leg higher and faster.

While rest and training may allow some horses to eventually recover from that harm, others suffer irreversible hoof damage and are actually crippled for life. The harm caused by soring is not just physical. The mental damage done to the horse can make its rehabilitation difficult, if not impossible.

Soring is so egregious that it has actually been illegal in this country for over 40 years. The Horse Protection Act was passed in 1970. So why, 40 years later, are we still having the same conversation?

The problem lies within the culture of some of those in the walking horse industry, in which unethical trainers and unethical owners not only continue this practice but use tricks to deceive detection. Substantial financial gains come from winning horse shows, and this makes soring appealing to many unscrupulous owners and trainers. Soring is a shortcut that overshadows the balance and collection seen in the beautiful natural movement of horses that perform racking gaits. These gaits can actually be achieved without soring, rather by investing the proper time, training, and conditioning on the horse.

The Horse Protection Program at the USDA serves as regulatory enforcement for the Horse Protection Act. Unfortunately, due to budget constraints, USDA inspectors only attend a small fraction of the shows. In 2011, USDA documented 587 violations of the act while attending only 62 of the 600 to 700 shows held that year. Fiscal year 2012 was the first time in the history of the Horse Protection Program that it actually received more than $500,000 in funding. In February of this year, Barney Davis, a Tennessee trainer, was convicted of soring, fined $4,000, and was sentenced to a year in prison. In March, nationally known trainer Jackie L. McConnell and three of his associates were charged with 52 counts of

violating the Horse Protection Act. These recent charges, including the first two convictions in two decades under the U.S. Horse Protection Act, have brought increased attention to this horrible abuse.

These indictments and prosecutions are long overdue, and I applaud the U.S. Attorneys and USDA civil servants who have courageously worked to end soring. Yet adequate funding of the Horse Protection Program is critical for the enforcement of this act and for the prevention of this abusive practice. It is imperative that USDA's Horse Protection Program be adequately funded, ensuring the end of this cruel practice. Financial backing must be supported, not hampered, by this Congress.

The American Veterinary Medical Association has condemned soring for over 40 years. I join my fellow veterinarians across America in calling for a stop to this heinous abuse of America's horses. We in Congress need to stand up as well and speak out against this egregious form of animal cruelty. It is time for soring to end.

70TH ANNIVERSARY OF ELLSWORTH AIR FORCE BASE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from South Dakota (Mrs. NOEM) for 5 minutes.

Mrs. NOEM. Today, I rise to mark a major milestone for an important installation in the State of South Dakota. This year is the 70th anniversary of Ellsworth Air Force Base. It is a privilege to stand here today on the House floor and honor the thousands of airmen who have been stationed at Ellsworth. I would like to personally thank every single man and woman who has served our Nation and the people of South Dakota at this base.

Ellsworth has played an important role in this country and in our Nation's military since World War II. The attack on Pearl Harbor sent our country into one of the most destructive wars that the world has ever known. Our country needed a large and immediate force to fight a two-front war—one in the Pacific theater and another one in Europe.

Thousands of young men and women rushed into the military, and in response, our Nation built many new bases to accommodate the growing number of soldiers. In 1942, a small Army base was established near Rapid City, outside Box Elder, South Dakota. Its original purpose was to train the crews of the Boeing B–17 Flying Fortress. Later in the war, the base trained and deployed B–29 Superfortress crews, which were instrumental on the Eastern front.

During World War II, the base was so successful that it was changed to permanent status. Yet, sadly, a tragedy struck. While returning from a training mission, an RB–36 Peacemaker aircraft crashed in Newfoundland. Later that year, President Eisenhower came to South Dakota and dedicated the base, renaming it after Brigadier General Richard Ellsworth, who perished in the crash. Ever since then, the base has kept the name Ellsworth Air Force Base.

Ellsworth continued to prove itself as an enduring asset during the Cold War. In fact, during the first major international event of the Cold War, B–29 bombers from Ellsworth were sent to help in the Berlin Airlift, and as the Cold War progressed, so did the capabilities of Ellsworth. The aircraft at Ellsworth were used as an intimidating deterrent to our potential enemies. The base also became a hub of missile activity, transporting and storing Titan and Minuteman missiles. Without a doubt, Ellsworth was a crucial player in keeping peace during a very uneasy time in our Nation's history.

Today, Ellsworth is the home of the 28th Bomb Wing with the B–1 Lancer, which is a shining example of resourcefulness. The aircraft was originally designed for low altitude nuclear payloads, but as the Cold War ended and as the demand for nuclear capability aircraft declined, the Air Force modified the aircraft for long-range conventional bombing runs. It has been described as the workhorse of operations in Afghanistan. Most recently, B–1s from Ellsworth Air Force Base were used in Operation Odyssey Dawn in Libya. The B–1 has truly become the backbone of our long-range bombing force. In fact, earlier this year, the B–1 completed its 10,000th combat mission. It is an impressive milestone for any piece of weaponry.

More recently, the Air Force selected Ellsworth to be the home of the unmanned MQ–9 Reapers. It is one of only two bases on the ground that has the control capabilities of these high-tech aircraft. It is a testament to the ongoing relevance of Ellsworth as a part of our national defense strategy.

Ellsworth has also become an integral part of South Dakota's economy. In 2010, the base estimated that it supports over 1,500 jobs in western South Dakota, and that's not including the thousands of active airmen and -women. It is also home to the Air Force Financial Services Center. It is, without a doubt, an economic engine that keeps South Dakota thriving and vibrant.

When I reflect on what makes Ellsworth Air Force Base so significant, I think beyond the impressive aircraft and the historical and economic significance that the base has to South Dakota. Instead, I think about the individual airmen, and I believe that the true strength of our Armed Forces lies with them. It doesn't come from the equipment that they use or from the aircraft that they fly. It is their courage, their resilience, and the bravery of these fine men and women. As great as the B–17s, the B–29s, the B–1s, and the MQ–9 unmanned Reapers are, nothing can compare to the everyday American servicemember.

That's why I want to make sure, as we commemorate the 70th anniversary of Ellsworth Air Force Base, we don't focus only on the national importance the base has played or on the economic impact it has had in South Dakota. Instead, we focus on the individual airmen and on the sacrifices that they make every single day. It is the airman who leaves his family, who protects our country day in and day out and who responds to the call of duty. Each airman plays one small part in a larger operation. Whether they are pilots, navigators, engineers, munitions personnel, or air traffic controllers, each one plays an important role.

I thank all of the airmen and -women who came to Ellsworth and who did their duty to the best of their ability. They've done so for 70 years and have done an incredible job.

I would also like to commend the families of the airmen, past and present. I have heard from many of the military personnel and their families, and I am always inspired by their selfless commitment to our country. Every family member of our servicemen and -women make sacrifices. God bless them for staying strong and for providing a strong support system for our servicemembers who are stationed at Ellsworth and at bases across the country.

Again, thank you, Madam Speaker, for allowing me to show my deep respect and appreciation for everyone at Ellsworth for its 70 years of outstanding service to our country. May God bless all who serve at Ellsworth.

□ 1050

TERRITORIAL TANF EQUITY ACT OF 2012

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Madam Speaker, today I'm introducing legislation to provide equitable treatment to Puerto Rico and other U.S. territories under the TANF program, which provides cash payments to needy families with children.

Currently the territories are not eligible for supplemental grants, contingency funds, and child care funds under TANF. Moreover, Federal law imposes an annual cap on the overall funding that each of the territories can receive under a variety of public assistance programs, including TANF. My legislation removes this funding cap and makes the territories eligible for

TANF grants that they do not presently receive.

Puerto Rico is treated unfairly under Federal programs designed to help our Nation's most vulnerable residents. This TANF bill complements two previous bills I have introduced, which would include my constituents in SSI and SNAP. To see how Puerto Rico was hurt by its current territorial status, one need only look at the island's shocking treatment under these three key programs.

When you look at the status and well-being of all the American citizens living in the territories, you realize that what they face is geographic discrimination. It makes no sense to penalize the American residents who decide to reside in the five territories belonging to the United States. The only reason that sometimes is raised for such discrimination is that the residents of the territories do not pay Federal income taxes. But it is not right to even raise that argument when close to half of the U.S. households in the U.S. and the U.S. mainland in the 50 States are not paying Federal income taxes because of their income levels. It is also not right when most of the vast majority of the residents in the territories would not pay Federal income taxes anyway.

What we're talking about is fairness. What we're talking about is parity. There should be equal treatment for all American citizens, regardless of where they reside within America. I support statehood for Puerto Rico for several reasons, one of which is this concept of parity. Once a territory becomes a State, it doesn't have to seek parity. It automatically participates in all Federal programs.

That's one reason. But I support statehood for Puerto Rico for a more important reason. I'm talking about the lack of voting rights for the residents of Puerto Rico. I, for one, suffer the consequences. I am the one the American citizens in Puerto Rico elect to represent them in this Congress. When I come to this Chamber, I can speak, I can introduce legislation, I belong to committees. But when the time comes to vote for or against bills that benefit or affect my constituents, I cannot do so. My name doesn't even appear on the electronic board here in this Hall. That is embarrassing. It hurts me, and it hurts my constituents.

If Puerto Rico were a State, we would have at least five Members in the House of Representatives and two Senators advocating for our residents. That's one of the reasons I support statehood. But there's more to it than that.

Last year, President Obama visited Puerto Rico. I felt so proud because I had something to do with it. But you know what? It is embarrassing to say that no President had visited Puerto Rico in an official capacity in 50 years. We had to wait 50 years for a President to show up in Puerto Rico. I am sure that if the American citizens living in Puerto Rico were given the right to vote for their President, Presidents would be visiting Puerto Rico on a regular basis. They would be making commitments, they would be learning about our needs, and they would be doing the right thing with respect to the American citizens living in Puerto Rico.

On November 6, there will be a plebiscite in Puerto Rico and two questions will be posed before the voters. The first question will be whether they want Puerto Rico to continue being a territory of the United States. We have to ask that question because that's how democracy works. The second question will ask them to express their preference with respect to the three available status options we have, apart from the current territorial status: statehood, independence, and free association. I hope they answer those questions, sending a message loud and clear to this Congress that they no longer want to be a territory and they want to be the 51st State of the Union.

WE ARE NOW IN THE SILLY SYSTEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Utah (Mr. BISHOP) for 5 minutes.

Mr. BISHOP of Utah. Madam Speaker, despite advice to the contrary, our Constitution establishes a government with two sovereigns, the Nation and the individual States. They worried about that in Philadelphia. In fact, James Wilson wondered if this system would be like two meteors on a collision course, the collision of which would be catastrophic, or if this system would be like the solar system where the planets stayed in their sphere and course and did not interfere with one another. That latter vision we call federalism. It is stated in the 10th Amendment where each level of government had a specific and distinct responsibility.

When the States were interfering with the Federal Government, it produced historical catastrophic consequences. But also when the Federal Government interferes with the role of States, the consequences range from being catastrophic to just plain silly. We are now in the silly system.

In 2010, this Congress passed the Healthy, Hunger-Free Kids Act. We were wrong to pass it for five reasons: number one, it was a Senate bill. That should have been our first tip-off; number two, it was opposed by the National Governors Association; three, it was opposed by the National School Boards Association; four, it violated the Constitution.

You see, the Federal Government's only advantage is that everyone has to do the same thing in the same way at the same time. The Federal Government can impose that. But schools are given to the States because they require creativity, efficiency, and justice.

Finally, number five: we created a one-size-fits-all Federal program not defined by us. We simply passed this grand idea and then gave power to a Secretary in some building here in Washington to come up with some kind of standards.

Two schools in my district have now been hit by those standards. I care about those schools because from one I graduated a long time ago, and the other I taught for 23 years. They were hit with a $16,000 and $19,000 fine respectively. What was the heinous crime for which these fines were levied against the funds that go to help the kids in these schools? During the lunch hour, their vending machines were plugged in. These vending machines were not in the cafeteria. That violated the standards. They were down in a different part of the school. But since the kids walked out of the cafeteria with their lunches and walked down the hallway towards the gym where the vending machines were and there was not a wall, by our standards, to stop them from doing that, the entire school was designated as a cafeteria and the schools were then penalized.

You see, by the standards that were created, if a kid buys a Coke and then takes it to lunch to drink, that's nutritional. But if he buys his lunch first and then goes down to buy a Coke, that is now, by our standards, unhealthy. Snickers by our standards are healthy food; licorice is not. Ice cream is healthy; Swedish Fish are not. Apparently by our standards, anything that could stick to your mouth is not a healthy food. Starbursts are out; Milky Ways are in.

It was wrong for Congress to pass a law without taking the time to establish standards that were rational by ourselves and giving that power to another body. It was wrong for Congress to invade the role of States. It was wrong to punish kids for these silly reasons. It is wrong to violate federalism. If a community school and their PTA wanted to create these standards themselves, fine.

Federalism means people at the local level should be free to create any decisions they want to do, even if those decisions are dumb. It is wrong for this body to think that every issue has to be decided here in this room, and it is wrong for us to forget that the 10th Amendment has a purpose. It is there for a reason. It should be respected.

□ 1100

IMPROVE THE LIVES OF OUR TROOPS INSTEAD OF ENDANGERING THEM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Madam Speaker, there are few things more important for us to deal with than the health and safety of our men and women in uniform. For everything they do, for all the courage they've shown and the sacrifices that they've made, we must be absolutely vigilant about protecting them from unnecessary risk.

That's why I was troubled to hear news reports about several of our most highly trained and skilled Air Force pilots experiencing loss of oxygen while in the cockpit of the F–22 aircraft. We're talking about blacking out, losing control of the plane, and suffering memory loss. In fact, 18 percent of those who flew the F–22 reported an incident similar to this. In fact, one family blames this mysterious affliction for a crash that killed their loved one.

We have some of our most fearless pilots afraid and even refusing to take the controls of the F–22. Two pilots went so far as to appear on shows like ''60 Minutes'' without permission from their superiors so that they could expose the problem.

In response, Madam Speaker, I prepared an amendment to the National Defense Authorization Act, which the House will debate today. My amendment would cut off funding for the F–22 until the Pentagon inspector general completes an investigation on these malfunctions and finds a solution to protect the safety of our pilots.

Thankfully, my amendment wasn't necessary because, yesterday, Secretary of Defense Panetta took steps to impose flight restrictions on the F–22, demanding that the Air Force take stronger safety measures to protect our troops. Because of the Secretary's response to these life-and-death concerns, I have withdrawn my amendment, but I will stay on top of the situation.

The F–22 isn't exactly a ''bargain basement'' item, Madam Speaker. Throughout the life of the program, it's cost taxpayers $79 billion. And that's for a plane originally designed to fight the next generation of Soviet jet, even though the Soviet Union, itself, didn't have a next generation, and it doesn't even exist any longer. What's more, the F–22 hasn't flown a single mission in Iraq or Afghanistan.

It troubles me, Madam Speaker, that we've spent so much on slick, supposedly state-of-the-art aircraft that are making our Air Force pilots dangerously sick—at a moment when we could use that money on programs our servicemembers badly need. For example, veterans groups are fighting for more resources for mental health treatment, for job placement, for access to education, for VA home loans, and much more. Certainly we should invest in improving the lives of our troops instead of endangering them.

My Republican colleagues are fond of pointing out that we're in a challenging fiscal environment where every government expenditure should receive the strictest scrutiny. I just hope that they'll apply as tough a standard to expensive weapons systems as they do to foreign humanitarian aid and important domestic safety net programs right here at home.

As we debate the defense authorization today, we must choose the defense programs that actually enhance our national security over ones like the F–22 that are creating more problems than solutions.

Madam Speaker, I believe more strongly than ever that we need to end the war in Afghanistan, supporting our troops by bringing them home; but, in the meantime, making sure that the planes they fly and the equipment they use are as safe as possible is certainly our number one responsibility. We owe them nothing less.

STOP MILITARY RAPE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Madam Speaker, today I rise again to speak about the horrific situation in the military, and that is the epidemic of rape and sexual assault that goes on unabated.

This is the 20th time that I am here on the floor to tell the story of yet another victim. Nineteen times before, I've been on this floor to tell about victims in military service. I've told you about the military culture that treats sexual harassment and assault with a silent acceptance and the command structure that punishes the victim and does not take care of dealing with the perpetrator.

Today I'm going to tell you about the culture that exists in our military service academies that train our cadets to become commissioned officers. I have not told you that the same conflicted chain-of-command structure that exists in the military also exists at our prestigious service academies. The military academy at West Point as well as the Naval, Coast Guard, Air Force, and Merchant Marine academies follow the same rule as the military, the Uniform Code of Military Justice.

Today I am going to tell you the story of Karley Marquet, who was a first-year cadet when she was raped just last year. She was a brand-spanking-new West Pointer. Gifted in both academics and athletics, Karley was a star high school student. She had her pick to go to any number of colleges. She chose West Point because she wanted to serve her country. West Point chose Karley because she possessed the skills and character that the Army needs for success.

But only a few months at the academy, Karley was betrayed. She was raped by a West Point upperclassman that she knew and thought she could trust. He came to her room one night when she was alone to talk about girl troubles. He gave her a sports drink that had alcohol in it. Peer pressure by upperclassmen to consume alcohol is pervasive at West Point. Karley drank about one-quarter of the liquid in the bottle, and she became intoxicated. The upperclassman convinced her to go to his room, and he raped her. Later, the upperclassman repeatedly went to Karley's room to prevent her from reporting the rape. She also heard West Point upperclassmen talk about another female cadet who had reported being raped. They called the victim a ''slut'' who ''was asking for it.''

But Karley was not intimidated. She reported the crime to her chain of command. But just like so many of the stories I have told here before, no serious action was taken to assist her. West Point did not move the perpetrator from Karley's company. She had to see him every day. West Point did not alter Karley's duties, which meant that she still had to do chores with the upperclassman who raped her.

As a result of the rape and the hostile environment, Karley began to suffer posttraumatic stress symptoms, becoming depressed and suicidal. Karley resigned from West Point less than a year after becoming a cadet.

It's been over a year since Karley was raped, yet the perpetrator has not been brought to justice. Why was nothing done to help this talented young woman who, only 12 months before, was deemed qualified and deserving of a spot at the prestigious United States Military Academy?

The violent act committed against Karley is reprehensible. The dismissive attitude held by academy officials is shocking and inexcusable. It is time for this narrative to change.

Last December, a Department of Defense report revealed a nearly 60 percent increase in reported sexual assaults at service academies in addition to the fact that West Point was found ''not in compliance'' with the Pentagon's policies to prevent rape and sexual assault.

Civilian colleges and university students can report crimes to local police officers. They can press charges directly against perpetrators, and they can obtain their own legal counsel. Military cadets must comply with the military justice system that has a horrible record of providing justice for victims of rape and sexual assault. Our future military leaders deserve better.

Survivors can email me at stopmilitaryrape@mail.house.gov if they would like to speak out as well.

□ 1110

THIRD ANNIVERSARY OF THE ENDING OF CIVIL WAR IN SRI LANKA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DAVIS) for 5 minutes.

Mr. DAVIS of Illinois. It is my pleasure to rise today to note the third anniversary of the ending of the civil war in Sri Lanka. On May 19, 2009, a new era—an era of peace—began in this country; an era of hope, an era of possibility, and an era of justice with movement towards reconnection and reconciliation. Unfortunately, implementation of this new era of hope seems to be slow in coming, it seems to many Tamils in the country and throughout the diaspora who have lingering fears that governance of the country will remain closed and not as democratically operated as they would like to see and that justice demands.

The President of Sri Lanka started talks with the Tamil National Alliance, the party that has won all elections in the northeast since the end of the war more than a year ago. Unfortunately, these talks seem to have bogged down and are not progressing as was anticipated. Sri Lanka is a highly centralized state. The lack of control over areas that we take for granted, such as the police, the use of land, and the education system, are often cited as being one of the causes of the civil war. It is reported that even areas not affected by the war suffer from neglect by Colombo and distant government officials who make arbitrary decisions, as is frequently noted by the World Bank and others. Tensions continue to exist between the Sinhalese, who control the government, and the Tamils, who consider the north and east as their traditional homeland. It is unfortunate that after hostilities ended on the battlefield, they still seem to exist in many of the same ways that occurred before the war actually broke out.

It is my hope that Sri Lanka will be able to work through its difficulties so that this beautiful country can experience the peace and stability its citizens rightly deserve.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 12 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. Ken Chroniger, Alfred Station Seventh Day Baptist Church, Alfred Station, New York, offered the following prayer:

Heavenly Father, in this moment, we wait on You. We take a deep breath and try stopping the rush and the hurry of life. For an instant, we ask You to lift the weight of government and the burdens of our role in it from our hearts, minds, and souls. We accept what we read, ''Come unto me all you that labor and are heavy laden, and I will give you rest.''

With the pressures of living in the House fishbowl, give grace and mercy to receive favors. Limit the mistakes made simply because we are human. Like those who have preceded within these Chambers, give wisdom to govern. Fill us with faith and hope that what we do here is not running on a treadmill but encouragingly touching the lives of the people at home. Teach us as we serve to care for one another.

In Jesus' name, Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. REED) come forward and lead the House in the Pledge of Allegiance.

Mr. REED led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND DR. KEN CHRONIGER

The SPEAKER. Without objection, the gentleman from New York (Mr. REED) is recognized for 1 minute.

There was no objection.

Mr. REED. Today, I welcome to the House Chamber a great individual from our district, Pastor Ken Chroniger. Pastor Ken is the spiritual leader of 70 in my district in Alfred Station, New York, for the Seventh Day Baptist Church there. It is an honor to have Pastor Ken with us.

I have great respect for Pastor Ken, not only for what he does for his congregation, but for what he does for the community, in particular, the baseball games that we have attended together for the youth as they have participated in their summer leagues in Alfred Station.

With that, Mr. Speaker, I welcome Pastor Ken as we from the Southern Tier and the Finger Lakes, the beautiful area of New York, join him in starting off our deliberations here today.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian E. Pate, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

HELPING OUR VETERANS FIND JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, for the past 39 months, our Nation's unemployment rate has remained above 8 percent due to the administration's failed policies. Sadly, the average unemployment rate for our veterans is even higher.

Congress has developed a pilot program to help veterans find jobs. Veterans should be prepared to simultaneously meet the same standards and perform the same tasks in the military and industry as in the workplace.

In order to address this issue, Congressman JOE WALSH of Illinois has proposed an amendment for today's National Defense Authorization Act, providing for the Department of Defense to reform the pilot program, helping servicemembers apply the skills learned during their military service to the civilian workplace.

I urge my colleagues to vote in favor of this amendment for servicemembers, military families, and veterans.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

20TH ANNIVERSARY OF NAGORNO-KARABAKH INDEPENDENCE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Madam Speaker, I rise today to join the people of Nagorno-Karabakh in recognizing the

20th anniversary of the independence of Nagorno-Karabakh and of the formation of the Republic's army.

Twenty years ago, the people of Nagorno-Karabakh fought and died for their independence from Soviet Azeri repression and discrimination. From the earliest days of its formation, the Republic's freely elected governmental bodies have built an open democratic society through free and transparent elections. Over the next few days, families of Armenian descent throughout my home State of Rhode Island will honor the 20th anniversary of the formation of the Republic's army and the liberation of Shushi.

Today, the Rhode Island General Assembly will be joined by Mr. Robert Avetisyan, the Permanent Representative of the Nagorno-Karabakh Republic to the United States, as they adopt a resolution supporting the Republic's efforts to develop as a free and independent Nation—a fact that many Rhode Islanders take great pride in.

CELEBRATING NORWAY'S CONSTITUTION DAY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Madam Speaker, it was nearly 200 years ago that the people of Norway proclaimed their independence as a free nation, and each year on May 17, Norwegians all over the world celebrate the day that their constitution was signed—with parades, traditional food, and other festivities.

The United States and Norway have a very special bond. Our traditions of human rights and freedom and also of democracy are woven into the very fabric of our shared history, and over the last two centuries, the people of Norway have contributed greatly to the success and prosperity of our global community.

As cochair of the House Friends of Norway Caucus, I would like to send our best wishes to the people of Norway as they celebrate this year's Syttende Mai today, and I would like to reaffirm the friendship between our two nations as we work together on important issues ahead.

MANDATE FUNDING TO BRING OUR TROOPS HOME FROM AFGHANISTAN

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Last October, on the 10th anniversary of the war in Afghanistan, I visited Arlington West—a moving memorial to Americans who have died in that war.

Every Sunday, on the sands of Santa Monica Beach, volunteers have put up a cross for every soldier who has lost his life in that war. As the number of dead has grown, they have only been able to put up one cross for every 10 soldiers. 1,843 U.S. soldiers have lost their lives in Afghanistan. We've had 17,000 casualties.

The defense bill today, in its current form, slows down the effort to withdraw our troops when we should be speeding it up. That's why I have cosponsored legislation with BARBARA LEE that would mandate that any Afghanistan funding be used only to bring our troops home. Without such a change, I cannot vote for this bill. I don't want to go back to Arlington West only to see them adding more crosses.

INTERESTS IN FINANCIAL ASSETS OF IRAN

(Mr. TURNER of New York asked and was given permission to address the House for 1 minute.)

Mr. TURNER of New York. Madam Speaker, there are no greater reminders of how dangerous Iran is to America than the Iranian-backed 1983 Beirut and 1996 Khobar Towers bombings in which 260 Americans lost their lives.

There was no military or economic retaliation towards Iran for their involvement in those bombings. The only type of recourse the families had of those who died was a financial reward given to them by the Federal courts—an award they still have not seen.

This is why I have introduced H.R. 4070, a legal necessity which revokes sovereign immunity from the Iranian central bank and allows a Federal court to attach frozen funds. Thus, the families who have been impacted by those bombings can receive the financial compensation they deserve and were previously awarded.

Today, 15 family members who lost their loved ones are on Capitol Hill, asking for two things: that we do everything we can to prevent Iran from killing more Americans, and that we hold them accountable for their actions.

I would like to say that I stand with them. I will continue to remind Americans about what Iran has done and what they continue to do.

□ 1210

THE NDAA AUTHORIZES WAR AGAINST IRAN

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. The NDAA authorizes war against Iran. It calls for a new policy—military action—which puts U.S. aircraft and munitions into position for air-and sea-based missions and the bolstering of U.S. capabilities to launch a sustained sea and air campaign against a range of Iranian nuclear and military targets. It authorizes war under the pretext that Iran is threatening to launch a nuclear attack, even though Iran does not have nuclear weapons, does not have nuclear-weapons capability, and is not building a bomb.

Beyond the obvious political and military questions here, there is a profound spiritual question: What is happening to the spirit of America that we can embrace war or waging war so casually? What happens to our souls when we authorize an attack on a nuclear facility in another country? What happens to the souls of those who perish when radiation is released from such an attack?

The Golden Rule states: Do unto others as you would have them do unto you. It does not say: Do unto others before they do unto you.

HONORING MEMORY OF FORMER SOUTH DAKOTA CONGRESSMAN AND SENATOR JIM ABDNOR

(Mrs. NOEM asked and was given permission to address the House for 1 minute.)

Mrs. NOEM. Madam Speaker, I rise today to honor the memory of former South Dakota Congressman and U.S. Senator Jim Abdnor, who passed away yesterday at the age of 89.

Jim Abdnor dedicated his life to serving the State of South Dakota and our country in whatever capacity he was serving. As Lieutenant Governor, as Congressman, U.S. Senator, even administrator of the United States Small Business Administration, Jim was a man who constantly put others first.

South Dakotans who knew him remember Jim as an incredibly decent man who worked tirelessly for the State that he loved. In my personal interactions with Jim, I was always impressed by what a man of humility and integrity he was.

A born and raised South Dakotan, he left a legacy of hard work, commitment, and selfless sacrifice that every resident of the Rushmore State can be proud of.

I ask the South Dakotans and all those who knew him personally or of his legacy to keep his family and loved ones in their thoughts and prayers.

PROTECTING OUR VETERANS

(Ms. FUDGE asked and was given permission to address the House for 1 minute.)

Ms. FUDGE. Madam Speaker, today I rise on behalf of the millions of veterans who have returned home from Iraq and Afghanistan.

From joblessness to hopelessness, the readjustment to civilian life has been extremely difficult for many of our brave men and women. It is our responsibility to do all we can to lighten their already heavy load.

Today, my colleagues and I sent a letter to the Education and the Workforce Committee urging Chairman KLINE to address the aggressive and deceptive targeting of servicemembers, veterans, and their families by educational institutions, particularly for-profit career colleges.

I've read reports of schools steering our vets and family members into expensive loans, rather than directing them to less expensive Federal student loans. This is egregious and appalling, and it must be stopped. Join me in calling for hearings and for the movement of legislation.

BIRTHDAY OF FREDERICK COUNTY, MARYLAND

(Mr. BARTLETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT. Madam Speaker, I would like to invite America to join me in celebrating a belated birthday party in Frederick County, Maryland.

Just 100 years ago on the 22nd of last month, William Howard Taft convened 700 business leaders in the United States, and they established the U.S. Chamber of Commerce. Just 1 day later, through the miracle of communication by wire, delegates from Frederick County asked to be chartered as the first county chamber of commerce in the United States.

Please join me in celebrating this very important belated 100th birthday celebration in Frederick County, Maryland.

INVESTING IN EDUCATION

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Madam Speaker, investing in education is an investment in our Nation's future. In these tough times, we should make every effort to increase access to higher education for all Americans.

Unfortunately, if Congress does not act soon, interest rates on student loans will double for over 7 million students. If these rate hikes go into effect, it will be cheaper to buy a home than to buy a college education.

Sadly, the GOP seems to want higher education reserved only for the wealthiest Americans. Instead of working to help more Americans achieve a college education, Republicans are playing games with the health of women and children. Once again, Republicans are showing their priorities are out of touch with hardworking Americans.

We need to act now to keep student loan interest rates low so all Americans have an opportunity to obtain an education.

LIEUTENANT COLONEL ARNETT

(Mr. GARDNER asked and was given permission to address the House for 1 minute.)

Mr. GARDNER. Madam Speaker, I rise today to honor and thank Lieutenant Colonel David Arnett from Greeley, Colorado, for his 29 years of service in the United States Air Force.

Colonel Arnett retired from service as the flight commander of the 137th Space Warning Squadron in Greeley this past month. His extensive accomplishments in the United States Air Force are rivaled only by his service and involvement in the Greeley community.

Colonel Arnett was recognized for his outstanding performance as a combat field commander, and the 137th Space Warning Squadron was recognized as the Nation's top nonflying Air National Guard combat squadron six times, which is unprecedented.

After 16 years of service in Greeley and a dozen major and minor combat inspections by the United States Air Force, Colonel Arnett was additionally recognized as one of the Nation's top space and missile operators and flight commanders. In the Greeley community, Colonel Arnett was the Boy Scouts of America Scout Master of the Year and is a loving husband to his wife, Cindy, and father of their four children.

Today, I would like to formally honor and congratulate Colonel Arnett on his retirement and thank him for his service and commitment to our Nation.

NATIONAL CANCER RESEARCH MONTH

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Madam Speaker, I rise in recognition of May as National Cancer Research Month.

We have made many promising advances in cancer research, including at Roswell Park Cancer Institute in my Buffalo community. Beyond traditional chemotherapy, cancer research has produced new discoveries, including smart drugs and vaccines for both prevention and therapy.

Madam Speaker, the only failure in cancer research is when you quit or you're forced to quit because of lack of funding. Our budget should reflect our Nation's priorities. We all say cancer research is a priority, but Congress then cuts funding to the National Cancer Institute.

I urge my colleagues—in the strongest possible terms—to make a strong investment in cancer-research funding. Let's give our scientists and researchers the support that they need.

GLEN CAMPBELL AND ALZHEIMER'S

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Madam Speaker, Glen Campbell is one of the great singers and guitarists in our United States history. He suffers from Alzheimer's disease. Despite that fact, he continues to tour; and he is giving his farewell tour now.

Last night, some of us were privileged to hear him at the Library of Congress. He is still performing well. He is performing to bring more attention to Alzheimer's, a disease that strikes 5 million Americans and will strike another 10 million as baby boomers get older. It is a serious disease which has no cure, and there is no real knowledge of the origins of it. We must find a cure.

President Obama announced the launch of the National Alzheimer's Plan, which is hopefully going to find a cure and prevent and treat Alzheimer's by 2025. We need to support the appropriations for such in this body, support Francis Collins at the National Institutes of Health, and we need to support the caregivers who treat Alzheimer's victims. It is an urgent problem that we must deal with today.

I thank Glen Campbell for his courage in performing and bringing more attention of the American people and the world to this terrible illness.

REDUCE STUDENT LOAN RATES

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Madam Speaker, on July 1, student loan interest rates are set to double on their loans from 3.4 to 6.8 percent.

After initially resisting making any adjustment in proposing actual further cuts in student financial aid, the Republicans said, No, wait a minute. We'll bring up a bill. We'll take care of that for 1 year. You just have to eliminate funding for public health and preventive health care.

Student loans or preventive health care and public health. They say that is the choice we have to make. We don't have to make that choice. There's a much better choice. If we raised taxes 1 percent on income over $380,000 a year, your taxes would still be lower than in the Clinton era, and we could fund a permanent reduction in financial aid for students.

I know at the country club they're not hearing much about people who can't afford to go to college. But I tell you what, for the people in my district and the people I represent, their kids are loading up with debt. It is going to hobble them after they graduate from college.

We've got to reduce these rates. We've got to reduce them permanently. Why not ask those who have made it fabulously and earn over $380,000 a year to contribute 1 percent to that cause?

□ 1220

OLDER AMERICANS MONTH

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today in honor of Older Americans Month. And I want to address an issue that is incredibly important to seniors, that is, caring for seniors with chronic illness and preventing unnecessary hospitalizations.

Madam Speaker, skilled home care providers in my district deliver high-quality and clinically effective care. Such care enables seniors to stay in their homes, rather than costing us by putting them out of their homes and into nursing homes. Unfortunately, a narrow sliver of operators within the Medicare home health program are tarnishing the good work of these dedicated, compassionate, and skilled professionals.

MedPAC has found that a small number of criminals in just 25 counties are ripping off Medicare beneficiaries and taxpayers. Since we know the source of this abuse, it makes the most sense to isolate it and go after it, rather than indiscriminately cutting payments to thousands of home care providers that do the right thing by seniors and taxpayers.

So let's reform the way we do this. Let's not cut off the people who do good work.

CROSSLAND VOCATIONAL CENTER

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Madam Speaker, I rise to honor the 45th anniversary of the dedication of the Crossland Vocational Center located in Prince George's County, Maryland.

On April 27, 1967, President Lyndon Johnson dedicated the Crossland Vocational Center at Crossland High School in Maryland. President Johnson, as he landed his helicopter on what is now known as Presidential Field, used the dedication to mark the 50th anniversary of the Smith-Hughes Act of 1917, which provided Federal support for vocational schools and helped form separate State boards for vocational education.

President Johnson stated during his dedication, ''Once we considered education a public expense. We know now that it is a public investment.'' I couldn't agree more.

The world we live in has never been more competitive. Other countries are making investments in their infrastructure, space agencies, and tax codes. We must do the same. We must have an education system that prepares our children for success in the 21st century, and we must do this with our community colleges and in conjunction with building and trade unions, beginning at vocational schools like Crossland Vocational Center.

From President Johnson's vision in 1967 to President Obama's commitment today, we have the future in our hands.

THE ''REAL'' VIOLENCE AGAINST WOMEN ACT

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Madam Speaker, the original Violence Against Women Act was championed by then-Senator JOE BIDEN, who understood that all women must be protected from domestic abuse and violence. He understood that many women are afraid to come forward to report abuse. The Violence Against Women Act gave women a better chance to live their lives without that fear.

Again, the Senate has taken the lead. They already reauthorized the Violence Against Women Act and did it in a way that protects all women. It does not discriminate. It promises that America will stand by women; we will protect women, and we will prosecute their abusers.

The Republican bill that barely passed this House yesterday breaks our solemn promise. I call on leadership to allow a fair up-or-down vote on the ''real'' Violence Against Women Act and not some watered-down, weakened version. We owe it to our mothers, our sisters, our daughters, our friends, and to the memory of those we have lost to abuse.

THE ASIA PACIFIC REGION IN THE 21ST CENTURY

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Madam Speaker, we have begun the debate on the NDAA, and we all know that this is the legislation that's going to set forth our policy when it comes to the military for this upcoming fiscal year.

You've heard some of my colleagues and how they feel about portions of the NDAA. All points well taken, but I ask that we look at it from a different perspective.

Let us look at the NDAA in light of what the President said in November of 2011. When he addressed APEC, he said, The 21st century is for the Pacific; and we are pivoting to the Asia Pacific. And what does that mean? He went on to say, How the 21st century does and how it's defined—whether it's one in conflict or one in controversy—is going to be determined by the Asia Pacific region.

So what is it that we need in the Asia Pacific region? We need our allies and trade partners to feel safe and confident. And guess what. They look to our military for that. That is also something that the NDAA critically addresses. How the military is in the 21st century and our peace in the Pacific will be determined by them.

DEFENSE BUDGET

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Madam Speaker, I rise today with great concern over our defense budget. Our crushing national debt looms, yet we continue to ignore the issue.

The National Defense Authorization Act came in at $8 billion over the Budget Control Act because the committee put back high-cost items that the Pentagon had not listed as their highest priority. How is that responsible spending? When the issue arises as to what to cut, what must make up that difference to make the numbers work, what will come first? Will our military personnel accounts be under the knife?

I do not believe that this is smart legislating, when we choose to ignore the current fiscal environment. And when we raised concerns on the plans to build a missile defense site on the east coast with money we do not have, the Rules Committee would not even allow it up for debate.

Shouldn't we be discussing these issues so that we can move forward, so that we can come to an agreement on how the Department of Defense and our servicemembers are best served?

DEBT CEILING ''GROUNDHOG DAY''

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, it seems like Groundhog Day all over again.

Earlier this week, GOP leaders laid down a new gambit on the old debate over whether to acknowledge our Nation's financial obligations. Those leaders have already abandoned the deal we made on the last debt ceiling package and are shifting all the cuts to education, infrastructure, and other vital domestic programs. Now they want another round of unsustainable cuts to these programs which will again bring us back to the brink of default.

We know the possible consequences: Market collapse, jobs lost, more than $1 trillion added to the deficit every

year, interest rates will rise. Just getting close to this cliff threatens the U.S. credit rating. We know that from recent experience.

The Speaker has said, no, he doesn't want to abandon the debt ceiling, he doesn't want to violate the debt ceiling, he doesn't want to let the country go into default. But isn't this the same kind of uncertainty that our Republican friends say they are most concerned about? One day it's, Well, we're not going to raise the debt ceiling. The next day, No, I didn't mean that.

We need certainty; we need stability, and we need to recognize this Nation's obligations.

□ 1230

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO BURMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–110)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Burma that was declared on May 20, 1997, is to continue in effect beyond May 20, 2012.

The Burmese government has made progress in a number of areas including releasing hundreds of political prisoners, pursuing cease-fire talks with several armed ethnic groups, and pursuing a substantive dialogue with Burma's leading pro-democracy opposition party. The United States is committed to supporting Burma's reform effort, but the situation in Burma continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Burma has made important strides, but the political opening is nascent, and we continue to have concerns, including remaining political prisoners, ongoing conflict, and serious human rights abuses in ethnic areas. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma and to maintain in force the sanctions that respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2012.*

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. BISHOP of Utah. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 661 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 661

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. No further general debate shall be in order.

SEC. 2. (a) In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–22. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(b) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

POINT OF ORDER

Mr. LARSON of Connecticut. Madam Speaker, I make a point of order against the consideration of the resolution. The resolution violates clause 9 of rule XXI by waiving that rule against consideration of amendment no. 1 by Mr. MCKEON.

The SPEAKER pro tempore. The gentleman from Connecticut makes a point of order that the resolution violates clause 9(c) of rule XXI.

Under clause 9(c) of rule XXI, the gentleman from Connecticut and the gentleman from Utah each will control 10 minutes of debate on the question of consideration.

Following the debate, the Chair will put the question of consideration as follows: ''Will the House now consider the resolution?''

The Chair recognizes the gentleman from Connecticut.

Mr. LARSON of Connecticut. Madam Speaker, I yield myself such time as I may consume.

I rise to speak on behalf of so many families of our men and women in service who are in need of our help. I'm proud to be joined on the floor this afternoon by my dear friend and colleague, WALTER JONES.

I think, Madam Speaker, what we have here is just simply—as the line from ''Cool Hand Luke'' says—a failure to communicate. These things can happen. But I know that there are honorable people on both sides who are in agreement with the plight of what happens to the Kenyon family, that I have pictured here. I use this picture and rise on their behalf because these are constituents of mine who brought to my attention a concern that while men and women deployed in our armed services—and in this case, Sergeant Major William Kenyon, deployed twice while his daughter, Rachel, deals with autism.

Autism is near epidemic in this country, and for military families especially, when someone is abroad in the service of their country, it's hard enough when two parents are at home to deal with autism, but it's even more complicated when a father or mother is away from their child. And so we heard from thousands of family members across this Nation, and in the process we learned how important this was.

What they seek is applied behavior analysis, which, unfortunately for them, there's a cap that's placed on this. Imagine you're the mother at

home. This loving mother, Rachel, with her daughter, Rachel Margaret, with caps imposed on them, can't afford or can't get the service.

This amendment is simple and straightforward and has been accepted by the committee. And what happened in the process—and this is why I say that there is miscommunication—is that when the agreed pay-for was asked to be modified, it indeed was, but there was a miscommunication between Rules and the committee.

I know in my heart that not only Mr. JONES, Mr. BISHOP, who is here, Mr. SESSIONS, who's part of the committee and the Caucus on Autism, and the number of like-minded people in both caucuses care deeply about these results.

As we approach Memorial Day, certainly we want the message to be to our men and women in the field that we will leave no soldier behind on the battlefield. We also have to know that we will leave no child behind at home.

This is a compelling case that the Kenyons make on behalf of all Americans—men and women who serve in our military—and one that has been underscored by my dear friend in his experience at Camp Lejeune.

I yield 1 minute to the gentleman from North Carolina, WALTER JONES.

Mr. JONES. I thank the gentleman from Connecticut.

I want to say to both parties, he is exactly right. I have Camp Lejeune Marine Base in my district. The last 4 years I've met two different times with Marine husbands and wives and their children with autism. It is a serious problem. And as Mr. LARSON has said, this was fixed, but somewhere along the way the communication breaks down, like it does too often here in Washington.

□ 1240

As Mr. LARSON said, let's try to fix this problem today. Let's get it in the base bill. Let's send it over to the Senate on behalf of all of our men and women in uniform and the families who have children with autism.

Please, God, let us fix this for those families.

Mr. LARSON of Connecticut. I thank my good friend, the gentleman from North Carolina, for his comments.

This is a pretty remarkable family. And about a month ago I was in New York City on the Intrepid where we heard from several military families, families in general that are dealing with the issue of autism. So many like-minded people in this caucus, and frankly in this Congress, understand the predicament that the Kenyons face.

Imagine, Sergeant Major Kenyon, having done two tours of duty in Afghanistan. I rise today on behalf of him and his daughter, who only ask of this Congress what I know everyone would like to deliver on. We can't let a miscommunication stand between their getting the relief that they and so many American families need.

I would hope, and I'm told through our process that because, as the resolution was read, that because Chairman MCKEON has en bloc capability, that we are able to work out something and have this amendment as it was intended, as it was agreed to in the process, and as the corrections were made that were asked of the majority so that it could be made in order and placed en bloc, that this may occur for this family and the thousands others that are like them.

I ask my colleague from Utah, a man of great distinction—and I don't know that he will use his 10 minutes or if we could enter into a colloquy—as to how we might proceed on this.

Mr. BISHOP of Utah. Is the gentleman yielding time to me?

Mr. LARSON of Connecticut. I will gladly yield time to the gentleman for a colloquy.

Mr. BISHOP of Utah. Would you like to start the colloquy, because I really don't have the best answer for you right now.

Mr. LARSON of Connecticut. I thank the gentleman.

It is my hope and understanding that this may not be a remedy that we can have through the Rules Committee, and rather than put the body through a series of votes, if we could work with the committee and the committee of cognizance, the Armed Services Committee, I know that Ranking Member SMITH is here and certainly will work with and strive to correct this anomaly that has occurred, and I believe that like-minded people on both sides of the aisle want to see this succeed.

Mr. BISHOP of Utah. What I suggest is if the gentleman would reserve the balance of his time, let me say what I have to say about this particular issue, and then we can proceed from that point, if that is okay.

Mr. LARSON of Connecticut. I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I yield myself such time as I may consume.

There are a couple of different levels on which we need to respond. I have the utmost respect for the gentleman from Connecticut, as well as the gentleman from North Carolina, on this issue. I have a great deal of empathy on this issue. There is the technical approach about which this rule deals, as well as the potential of how we can actually solve the problem, and those are two different concepts. I think you alluded to that fact.

The first one, as to the specifics of this, and as I would then obviously claim the time in favor of the consideration of the resolution, the question before the House is: Should the House now consider House Resolution 661? And while the resolution waives all points of order against the amendment in the nature of a substitute and the amendment printed in the Rules Committee report, the committee is not aware of any points of order and the waivers are prophylactic in nature, which means Chairman MCKEON has filed an earmark statement regarding his manager's amendment and the statement we will read at some time in the future.

There is the ability, though, of obviously trying to find a solution to a problem that has developed, whether it is from miscommunication or not. From my position as managing this particular rule, I cannot commit to that. But I am aware, and I am sure that the committee is obviously recognizing the fact that we have multiple steps as we go forward. The Senate still has to produce a piece of work, and it has to go to a conference committee. At any of those steps along the way, there is the opportunity of trying to find a good solution to this particular issue. Though I cannot make a commitment on my part at this time, I think we can talk about that in the future.

And with that, Madam Speaker, I reserve the balance of my time and see if you want to go any further with this.

Mr. LARSON of Connecticut. I thank the gentleman from Utah. I know that he is a man of great integrity and respect, and I understand the dilemma that he is placed in in terms of the Rules Committee.

It is my understanding and hope, and we will work with the committee of cognizance because we do think, with so many people having signed on to this bill and so many people watching and knowing that there was good-faith agreements on all sides—and this is not about finger-pointing or blame. This is about helping these kids out. It's about helping these families out. I'm not here to obstruct the process, you're right. I raised the point of order so I would have an opportunity to talk about the Kenyons, not about the point of order. But that's the only tool that I had available to me, and I will continue to proceed down the road. And I know that I will be joined by Members on both sides, and hopefully we can have the will of the House be known and not rely on the Senate in the process of conference.

I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. When I was chairman of Government Reform and Oversight, we had hearings for about 2 years on the autism issue. And while I'm not going to speak on this particular motion, I would just like to say that it is a real tragedy that we are facing in this country. We used to have one in 10,000 people that were autistic—kids—and now it is 1 in 88. It is an absolute epidemic, and there's really not

much of a recourse for the parents. These kids are going to live a normal life expectancy, and it's going to cost the taxpayers of this country and all the States a ton of money. And so we have to get a handle on this as quickly as possible.

So I appreciate the gentleman raising the issue. I'm not going to be able to support his position, but if I can work with you in any way to deal with this problem, I hope you'll contact me.

Mr. LARSON of Connecticut. I thank the gentleman, and I believe there will be a way if we can talk with Chairman MCKEON.

The SPEAKER pro tempore. The time of the gentleman from Connecticut has expired.

Mr. BISHOP of Utah. Madam Speaker, at this time, I am limited in the kinds of responses I have here. Once again, I appreciate the gentleman from Connecticut bringing this issue up. It is a significant issue. We have a great deal of empathy for this particular issue, and I'm sure that as we go along through the process of this bill, this issue and some others may be able to be worked out in other venues.

At this stage of the game, though, there are certain restrictions procedurally on what we can and cannot do with this particular issue. This issue, as I said, has had the statement by Chairman MCKEON as to the amendments. His statement was simply as follows:

The amendments to be offered by Representative MCKEON to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 under rule XXI.

So with that, there are certain restrictions which we have to do procedurally to go forward with this particular piece of legislation, realizing there are other discussions that will take place before we come to a final conclusion. So in order to allow the House to continue its scheduled business for the day, I would urge Members to vote ''yes'' on the question of consideration of this resolution so that we can continue on with the 141 amendments that were made in order and then talk about procedurally how to do some others that may be coming down at some other time.

I yield back the balance of my time.

□ 1250

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRIES

Mr. MCGOVERN. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman from Massachusetts will state his inquiry.

Mr. MCGOVERN. Madam Speaker, how can I go about amending the resolution such that the amendment that I and Congressman WALTER JONES authored to H.R. 4310 regarding the war in Afghanistan could be made in order?

The SPEAKER pro tempore. At this point, an amendment to the resolution could be offered by the gentleman from Utah or a Member to whom he yields for that purpose.

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that the resolution be amended to include the McGovern-Jones-Smith-Paul amendment on Afghanistan.

The SPEAKER pro tempore. Does the gentleman from Utah yield for a unanimous consent request?

Mr. BISHOP of Utah. No.

Mr. MCGOVERN. Madam Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. MCGOVERN. Is it true that the rule can be amended on the floor?

The SPEAKER pro tempore. At this point, only if the gentleman from Utah offers an amendment or yields to another Member for that purpose.

Mr. MCGOVERN. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. MCGOVERN. Is it true that the gentleman from Utah could yield for the purpose of a unanimous consent request to amend the rule?

The SPEAKER pro tempore. That is correct.

Mr. MCGOVERN. Further parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. MCGOVERN. Is it true that the gentleman is continuing to prevent the House from debating and voting on the McGovern-Jones amendment simply because the Republican leadership is afraid it will pass?

The SPEAKER pro tempore. The gentleman is not stating a proper parliamentary inquiry.

The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Madam Speaker, this resolution provides for a structured rule for the consideration of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, and provides for the consideration of specific amendments that have been made in order pursuant to the rule.

I'm actually pleased to stand before the House on this one, as well as the underlying base bill, which was approved in a rule yesterday and was debated on this floor. It signifies the hard work of the chairman of the House Armed Services Committee, Mr. MCKEON, as well as the ranking member, the gentleman from Washington State (Mr. SMITH), and the complex of wide-ranging bills that go to the floor for our consideration or issues.

One of the things that is so nice about this particular issue, bill, and the relationship of this committee is their tradition of working together across the aisle in a bipartisan manner. It was done again this year in committee. I certainly hope that that policy retains itself here on the floor as well.

Much has already been said regarding H.R. 4310. This particular rule now allows amendments to be considered to that.

Realizing that every one of the issues that we will be talking about was handled under regular order in a subcommittee hearing with a subcommittee mark, and then a full committee hearing—which lasted for over 2 days, going way into the early morning hours of the morning—we have now been requested, as the Rules Committee, to consider 240 additional amendments. At some point in the process we need to stop trying to reinvent the wheel at every level and go on with the work that moves us forward to a product. The Rules Committee, in an effort to try and be as open as possible, made in order 141 of the 240 requests. Of those 141, 49 were Republican, but 63 were Democrat amendments and 29 were bipartisan amendments.

It's going to be an open process. And it's going to be a process that will allow for a wide range of debate, some of which—and hopefully all of which—will in some way be directed to the purpose of this bill, which is to provide authorization for the military defense of this country and provide what our military shape will appear to be. There may be some efforts to try and go with other issues that are tangentially related but not directly to the core responsibility of this bill, which is to shape the future of our military. But it is a fair rule and it is a good rule, which makes lots of amendments in order and which makes lots of Democrat amendments in order and bipartisan amendments in order, with also a few Republican amendments in order as well.

With that, as I'm sure we'll have more time to discuss this rule, I reserve the balance of my time.

Mr. MCGOVERN. I thank the gentleman from Utah for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, let me begin by commending the chairman of the House Armed Services Committee, Mr. MCKEON, and the ranking member, Mr. SMITH of Washington, for their hard work on this bill. As has been mentioned, these two gentlemen demonstrate that despite strong differences of opinion they can work together in a bipartisan manner, and that is to be commended. Unfortunately, Madam Speaker, the same cannot be said of the Rules Committee, and I strongly oppose this rule.

Last night, late at night, the Rules Committee made in order several amendments to the defense bill—we have a long list of them here—but many other amendments on important, substantive issues were denied an opportunity for debate. Among those was a bipartisan amendment on Afghanistan submitted by my Republican colleagues, Congressman WALTER JONES and RON PAUL, my Democratic colleague, the ranking member of the House Armed Services Committee, Congressman SMITH of Washington, and myself. In fact, the ranking member of the Armed Services Committee asked that an amendment he had on Afghanistan be withdrawn so that he could support the amendment that Mr. JONES and I brought before the Rules Committee.

In brief, it would have required the President to fulfill his commitments to transition all combat operations to Afghan authority no later than the end of 2013 and complete the transition of all military and security operations by the end of 2014. Anything beyond 2014 should be authorized by Congress.

The McGovern-Jones-Smith-Paul amendment would have replaced section 1216 in this bill, which retains at least 68,000 troops in Afghanistan until 2015, and then advocates a robust military presence beyond that date. Madam Speaker, that seems like an important issue that deserves a serious debate, but the Rules Committee said no. They refused to make our amendment in order. And why not, Madam Speaker? What is the Republican leadership afraid of? Are they afraid that a bipartisan majority of this House will vote to follow the will of the American people and change our Afghanistan policy?

Madam Speaker, we have been at war in Afghanistan since 2001. This is the longest war in American history. By the end of this year, we will have gone into debt to the tune of nearly $500 billion to finance the war in Afghanistan—all of it borrowed money, all of it on a national credit card; not a single penny of it paid for, and that includes the $88.5 billion in this bill.

Over 15,000 of our brave service men and women have been wounded, and the death toll of our troops in Afghanistan has now reached 1,968. That number continues to grow as U.S. forces receive less cooperation from Pakistan and they are subject to increasing attacks from Afghan Government troops serving alongside them. And the death toll numbers do not include the soaring rates of suicide by our returning war veterans. But the Republican leadership of this House does not think we should debate an amendment that advocates a different approach. That is simply outrageous, Madam Speaker.

Every single one of us, every single one of us in this Chamber, is responsible for putting our brave service men and women in harm's way, and to disallow an amendment, to disallow this kind of debate that would help change our policy, I think is outrageous.

I'm glad that the Rules Committee finally made in order the one Afghanistan amendment submitted by the gentlelady from California, Congresswoman BARBARA LEE. This amendment calls for the safe, orderly, and expeditious withdrawal of our forces from Afghanistan, and it will finally allow Members of this body to vote on whether it is time to bring all of our troops home right now from Afghanistan.

Last night, the chairman of the Rules Committee told me that I should be happy because they were making that one amendment on Afghanistan in order, and it was going to receive a whole 20 minutes of debate—20 minutes for a debate on the war in Afghanistan, just 10 minutes for those of us who have concerns about the war. Are we really supposed to be happy about that? Are the American people supposed to be happy about it?

Poll after poll reveals that a majority of Americans—Democrats, Independents, and Republicans alike—now support ending U.S. military operations in Afghanistan and bringing our service men and women home. Winding the war down as quickly as possible is a bipartisan issue.

□ 1300

It has bipartisan support in this House, and it has been granted just 20 lousy minutes of debate.

Well, I'm not happy with that, Madam Speaker, and I can't imagine that any Member of this House thinks that 20 minutes is enough time to debate the life-and-death issues of the war in Afghanistan.

We spend 40 minutes in this House on bills naming post offices, 40 minutes on naming post offices, and that's fine. But the longest war in U.S. history only warrants half of that? Talk about misplaced priorities.

As the only amendment on the war in Afghanistan made in order, I urge my colleagues to vote in support of the Lee amendment. Otherwise, this bill calls for our uniformed men and women to remain in Afghanistan indefinitely, and my colleagues need to be clear on this. This is a bill that would mandate that our brave men and women in uniform stay there indefinitely.

The Rules Committee also denied Congressman GARAMENDI's amendment to strike the funding to construct an east coast Star Wars fantasy base. The defense bill provides $100 million in start up money for the east coast base, and to bring it into operation by 2015 will require another projected $5 billion.

Just last week, Army General Martin Dempsey, the Chairman of the Joint Chiefs of Staff, said the site is not needed. The Pentagon doesn't want it, Madam Speaker. And I actually think $5 billion is lowballing the cost. A similar base on the west coast has now cost us upwards of $30 billion.

Why shouldn't we have such a debate on an expensive proposal like that? Or is all the Republican talk about cost-cutting and putting our fiscal house in order as big a fantasy as this silly Star Wars proposal?

And where are all these extra billions and billions of dollars coming from, Madam Speaker? Well, we know where it's coming from. We had that debate just last week. It's coming from programs to help hardworking families. It's coming from the safety net that keeps those families from falling into poverty, especially in these hard times. It's coming from programs that make sure seniors and the working poor can at least put food on the table and take their kids to a doctor when they're sick. SNAP, Medicaid, Meals on Wheels, Medicare, health care for women and children, education infrastructure—in short, it's taken from programs that are the very lifeblood of our cities, States, and our towns.

Madam Speaker, this bill costs $642.7 billion. But too many amendments to reduce some of the more outrageous costs in this bill were denied by the Republican Rules Committee. In real terms, defense spending is now more than 20 percent higher than the average Cold War budget and double the amount we were spending a decade ago.

Madam Speaker, we have, and we will continue to have, the greatest, strongest military on the face of this Earth. But at some point, national security means more than throwing billions of dollars at pie-in-the-sky Star Wars programs that will never actually materialize.

It means taking care of our own people. It means educating our children. It means an infrastructure that isn't crumbling around us. It means clean air and clean water and a health care system that works. It means creating jobs so that our local communities can thrive and our veterans from Iraq and Afghanistan can actually find decent work when they return home. These must be our priorities.

Madam Speaker, let me conclude by quoting President Dwight Eisenhower in a speech he made in 1953:

Every gun that is made, every warship launched, every rocket fired signifies in the final sense a theft from those who hunger and are not fed, those who are cold and are not clothed.

His words resonate with us today. Unfortunately, the Republican leadership of this House refuses to heed them.

I urge my colleagues, especially those who are concerned about this war in Afghanistan, vote this rule down. This is an unfair, unfair rule. It doesn't deserve to go forward. We ought to have a real debate on Afghanistan, and I hope my colleagues on both sides of the aisle will stand with me.

I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, as we discuss the amendments that we've made to a bill whose purpose is to shape the future of our services and how they will function, not necessarily every kind of tangential issue, I would like to yield as much time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the full Rules Committee.

Mr. DREIER. Madam Speaker, let me begin by thanking my friend for his superb management of this very important rule.

I'm happy to see my very good friend and very thoughtful colleague from Washington, the distinguished ranking member of the Committee on Armed Services, here; and I know Mr. MCKEON and his team have been here as well. And I want to extend appreciation to them for their hard work in putting together a bipartisan package which will deal with what I argue is the one thing that only the Federal Government can do.

Mr. SMITH and I had an exchange in the Rules Committee on this. There are many things that the Federal Government does that are very good. There are many things that the Federal Government does that are important. I argue that most of the things that the Federal Government does can, not necessarily that they must, but can be handled by other levels of government or individuals, or charitable organizations or a wide range of things. But when it comes to our Nation's security, only the Federal Government has the ability and the responsibility to deal with that.

I argue that if you look at the preamble of the Constitution, the five most important words are right smack dab in the middle. They are ''provide for the common defense.'' And that's exactly what we are doing with this effort.

Again, I believe that we have put together a rule that is not perfect. I'll acknowledge that it's not perfect; but I do want to express my appreciation to my friend from Worcester, the floor manager on the minority side for this rule, in acknowledging that we have made in order an amendment that will allow for a debate on this issue, the amendment of my California colleague, BARBARA LEE, and he's encouraging support for that amendment.

I understand that he's disappointed that his amendment was not made in order. But, Madam Speaker, it's important to note that we had 243 amendments submitted to the Rules Committee for consideration of the Defense authorization bill, and we had the challenge of trying to put together, which happens under both Democrats and Republicans, putting together a rule that will allow for a free-flowing debate and an opportunity for Members to cast up-or-down votes on the issues that relate to the Defense authorization bill.

And we have done just that: 142 of the 243 amendments have been made in order; 66 percent, 66 percent of the amendments that have been made in order have been offered by Democrats or in a bipartisan way. And so the notion of saying somehow that the majority is not allowing for debate on any issue, including Afghanistan, is a mischaracterization of what this rule does.

I will say that my friend is absolutely right: this has been an extraordinarily long war, the longest war we've faced. It's a war that's ongoing. It's a war against radical extremism. We all know that.

People ask, What is it that is our mission in Afghanistan regularly? And I think that as we point out what that is, to me it's obvious. It's ensuring that neither the Taliban nor al Qaeda are in a position to pose a threat to the United States of America and our interests and peace-loving people around the world. That's what we are trying to accomplish.

We all know what happened at the end of the 1980s when we saw the demise of the Soviet Union and we saw, obviously, an effort in the early part of the first half of the 1990s, we saw the Taliban reemerge, and we saw threats that existed from an al Qaeda to all parts of the world: Dar es Salaam, Tanzania; Nairobi, Kenya; the World Trade Center attack in 1993. We can go through the litany of these attacks.

We have, as a goal, ensuring that the kinds of threats that we faced never, ever happen again. That's why it is that we're there.

Now, has it worked out perfectly? Absolutely not. And we know that we have a Nation that is war weary. I, Madam Speaker, am war weary. I want to bring our men and women home. But at the same time, I understand why it is that we are there; and I think, working in a bipartisan way, we can get where we all ultimately want to be because we do share the goal of a stable, safe, free, peaceful world. That's the reason that we, as a Nation, have stood firmly committed to our Nation's defense capability.

And so, Madam Speaker, I'd just like to say that this is a rule that is not perfect, doesn't make everyone happy; but it will allow, today and tomorrow, for us to have a free-flowing debate, move ahead with this constitutionally very important issue of providing for our common defense.

With that, I urge my colleagues to support it.

Mr. MCGOVERN. Madam Speaker, at this time I yield 3 minutes to the gentleman from Washington (Mr. SMITH), the ranking member of the Armed Services Committee.

Mr. SMITH of Washington. Madam Speaker, I can't recall in 16 years in Congress ever speaking against a rule. By and large, I have a great deal of respect for the fact that the majority has the right to set the terms of debate. I understand that we cannot endlessly debate every issue. You have to set a certain amount of parameters on it and move forward.

□ 1310

But this rule goes so against the principles of how we are supposed to debate the Armed Services bill—and I've been privileged to be on that committee for 16 years—that I have to speak against this rule. It is not allowing us to have our position on the single most important issue that faces our country right now on the Armed Services Committee—the future of the war in Afghanistan. It is not allowing us to have our position debated and voted on on the floor.

Now, I had an amendment on Afghanistan in the committee, which was not allowed either because of sequential referral rules. The committee gets all kinds of interesting sets of rules; and even though the base bill had a discussion of Afghanistan policy, my amendment was not allowed. So we said, okay, we'll have the debate on the floor. I worked with Mr. MCGOVERN, and I worked with a variety of others. I very specifically told the Rules Committee that this is our amendment on Afghanistan, and it was not allowed in order. The amendment that was allowed in order by Ms. LEE simply says: get out. There is a huge distance between that policy and the policy of the majority, which is: as many troops for as long as possible. That is the position that Mr. MCGOVERN and I put forward. I asked the Rules Committee to rule it in order, and they denied us the right to debate that amendment and to vote on it.

It is the single most important issue facing our Armed Forces right now. The minority's position was excluded from this debate. Now, I can understand why. Close to 70 percent of the country wants us out of Afghanistan quicker. The majority's position is: more troops in Afghanistan for a

longer period of time. Our position is quite the opposite: get us out as soon as we responsibly can; meet those obligations on counterterrorism, but do so without an extended troop presence. Our position is clearly where the country is. The majority didn't want to have to vote on that. It didn't want to have to have that debate, so they froze out our amendment.

There are a lot of debates that when you're in the majority you'd just as soon not have. I understand that, but that's why it's a representative democracy, and that's why we have the rights of the minority. That's why, particularly on the Armed Services bill, I tell everyone that it's the most bipartisan committee in Congress.

Let me just say that my beef is not with Chairman MCKEON. He has worked with me in an open and honest manner, and he testified at the Rules Committee that my amendment should be ruled in order, and yet it was not.

This is a critically, critically important issue. They have denied us the right to debate it. They have denied us the right to put our position out on the floor, to have a debate, and to have a vote on the war in Afghanistan, on the Armed Services bill. There is no more important issue. They were afraid of the debate—afraid that they're on the wrong side of the issue—so they denied the people's House the right to debate it and to vote on it.

I can think of no greater reason to vote down a rule than that. It is a shameful way to deal with the Armed Services Committee bill. I urge this body to vote ''no.''

Mr. BISHOP of Utah. Madam Speaker, at some point, I will make some comments as to the history of what we are trying to do, but I would like to get a few of the other issues before us—which are amendments—covered before we collapse into what appears to be the direction in which we are going.

Because of that, I would like to yield 3 minutes to one of the members of the Armed Services Committee, who, indeed, is the chairman of one of the subcommittees and who does yeoman's work, especially with our missile defense system, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. I want to thank Mr. BISHOP for his leadership on this and on the issues of our national security.

I am here today to speak in support of this year's National Defense Authorization Act and this rule. This bill is a reflection of the committee's aim to both support the defense of our Nation and of our men and women in uniform. Two provisions in this bill are of particular interest to me. One relates to the prevention of sexual assault in the military, and the other pertains to protecting the child custody rights of our deployed servicemembers.

As the chairman of the Military Personnel Subcommittee, JOE WILSON has been a steadfast advocate for these issues. His commitment is reflected in this year's bill and in many more preceding it. I would also like to thank his professional staff, John Chapla and Jeanette James, who have both been instrumental in this legislation.

This year's bill contains several provisions that aim to improve military culture and climate as it relates to sexual assault. Included are provisions that require the disposition of sexual assault cases at a higher level authority than is currently required. It also requires the creation of special-victims units that specialize in the investigation of sexual assault cases. A sexual assault advisory council will be created, which will bring in experts to advise the Department of Defense and their Sexual Assault and Prevention Office on sexual assault policy. These provisions build upon the years of bipartisan committee work.

Today's military has sustained the longest war in our country's history and has done so with an all-volunteer force. Both men and women have left their families and children at home and have sacrificed their lives for our country in order to make the world a better and safer place. Yet many of these same servicemembers face the terror of sexual assault within their own ranks.

To combat this problem, we included a provision in a past National Defense Authorization Act to establish a sexual assault prevention office and to make victim advocates more accessible to our men and women who are affected by this terrible crime;

We made communications between victims and advocates privileged. In the past, these conversations could be used against them in court;

We mandated that the SAPRO director have the rank of a general officer in order to maintain the level of authority necessary to carry out the responsibilities inherent to the position;

We instituted a law requiring that military protective orders be made standing orders and that civilian authorities be notified when a military protective order is issued and affects off-base personnel;

Lastly, we have worked with the Department of Defense to create a policy that requires a general officer review of any denial of base transfer to victims of sexual assault.

It is our intent that these news laws empower sexual assault victims and make the armed services a safer place for all who serve. I want to thank Mary Lauterbach, from my community, who lost her daughter—murdered by a fellow marine after she made a sexual assault allegation.

Another issue is of child custody. Servicemembers risk their lives in support of contingency operations to keep our Nation safe. State courts should not be allowed to use a servicemember's prior deployments or the possibility of future deployments when making child custody determinations. The provision in this bill will amend the Servicemembers Civil Relief Act and protect servicemembers against this injustice by providing national uniform standards. State laws differ on the question of whether deployment or the potential for deployment can be used as a criterion by courts, and many States have no laws at all.

I encourage the passage and support of this, and I thank JOE WILSON for the inclusion of these two important provisions.

Mr. MCGOVERN. Madam Speaker, I am proud to yield 3 minutes to my Republican colleague, the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Madam Speaker, I thank the gentleman from Massachusetts.

I want to start my comments with his close. As he closed with the quoting of President Eisenhower, I would like to begin my comments by quoting President Eisenhower. When he was leaving office, he said, ''Beware the industrial military complex.''

Madam Speaker, it doesn't make any sense when our kids are dying or losing their legs that we're going to have a 20-minute debate on Afghanistan. We ought to be having a full day of debate on Afghanistan, quite frankly. We've spent $1.3 trillion in Iraq and in Afghanistan. Over 6,400 Americans have died. That's why I rise with my friend Mr. MCGOVERN.

I will tell you that I will vote against the rule today because it denies the American people a full debate on why our young men and women are dying for a corrupt leader named Karzai. Madam Speaker, we can't even audit the books in Afghanistan. I think about the fact of those marines I saw recently at Walter Reed over in Bethesda. Two had lost both legs. They're from my district, Camp Lejeune. One was a lance corporal who lost one leg.

He said to me, Congressman, why are we still in Afghanistan? I said, Sir, I don't know. With friends from both sides, I'm trying to get you out of Afghanistan.

But, no, we're going to stay there because we won't even take the time to debate Afghanistan on this bill. It doesn't make any sense.

I took the McGovern amendment, and I sent it to my adviser, who is a former commandant of the Marine Corps.

I said to him, Mr. Commandant, what do you think about this approach by Mr. MCGOVERN and myself? He emailed me back and said, You're on track. Bring it up and debate it in the House.

And we can't even do that.

Let me quote a Special Operations officer in Afghanistan today—today. He emailed this to me yesterday:

If you ask me if it's worth one American life to build governance here in Afghanistan, I would say ''no.''

They're on the ground, Madam Speaker. They're on the ground and are fighting for this country. This week, we lost seven American lives in Afghanistan. We owe it to them to at least debate a realistic future course for the war. What we are doing today and tonight and tomorrow is not realistic because there are those in this House of Representatives, for whatever reason, who want to stay there 15 years and 20 years. That's why we today owe it to the men and women in uniform, to the families who have kids who have died and, really, more so, Madam Speaker, to the kids who came back with their legs gone.

□ 1320

I've seen five kids at Walter Reed that have no body parts below their waist, and they're living and they will live.

We owe it to the American people to debate the future course in Afghanistan, and I'm sorry that many on my own side will not allow this amendment to get to the floor so we can have an honest debate and we can say to the American people we care about your $10 billion, we care about your sons and daughters, and it's time to stop sending them to give their life for nothing in Afghanistan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

Mr. BISHOP of Utah. Madam Speaker, I am pleased to yield 2½ minutes to the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES of Missouri. Madam Speaker, I rise in support of the rule, House Resolution 661, which allows for full and fair debate on the National Defense Authorization Act.

Given that the Federal Government spends over half a trillion dollars each year through contracts, the Federal procurement market is incredibly important to small businesses. Improving small business opportunities for Federal contractors is a triple play. Small businesses win more contracts, workers win more jobs, and taxpayers win because small businesses bring competition, innovation, and lower prices to save the government money.

H.R. 4310 ensures that small businesses have greater opportunities to compete. It increases the small business goal from 23 percent to 25 percent, which could mean up to $11 billion in new small business contracts. It improves the quality of the Federal contracting workforce. It cracks down on deceptive entities hiding behind small businesses, making it easier to catch fraud and abuse. It simplifies the rules for small businesses, and it addresses the top complaint I hear more than anything else, which is unjustifiable contract bundling.

These reforms reflect the work of the Small Business Committee, which held 10 hearings and two markups on these issues, and the Armed Services Committee's own efforts to do better by small contractors. Over 20 trade associations have offered their support to the changes.

I want to thank Chairman MCKEON, Ranking Member SMITH, Mr. SHUSTER, Mr. LARSON and their staffs for the assistance of bringing these provisions to the floor.

While the House is seeking ways to expand opportunities for small businesses, the administration issued a statement opposing the bill's modest increase in small business goals in the bill's bundling provisions that make it easier for small businesses to compete.

Ironically, this opposition came the same day that the administration issued a report seeking ways to move America's small businesses forward. The best way to move small business forward is to give them opportunities to succeed. Supporting this significant legislation will create jobs, save taxpayer dollars, and put small businesses back to work.

I urge my colleagues to support this rule and the pro-jobs, pro-competition, and commonsense reforms in this bill.

Mr. MCGOVERN. Madam Speaker, at this time, it is my privilege to yield 4 minutes to the gentleman from Maryland, the Democratic whip, Mr. HOYER.

Mr. HOYER. I thank my friend from Massachusetts for yielding, the acting ranking member of the Rules Committee right now, who is a distinguished Member of this body.

I rise in deep disappointment at the treatment he was accorded last night. It was unworthy of this body, unworthy of the Rules Committee, and unworthy of the character and integrity of the gentleman from Massachusetts. I am pleased that there has been an apology for that, but I did not want it to go unmentioned. This body is better than that; although, at times, it is not. We ought to all lament the fact when it is not.

Madam Speaker, the rule to consider this bill is not only unfair but inconsistent with the majority's stated goal of having an open process. I will quote the Speaker in just a couple of minutes.

My friend from Massachusetts (Mr. MCGOVERN) has put forward a bipartisan amendment—and I want to commend the gentleman from North Carolina, my Republican colleague, and I hope all Americans, Madam Speaker, notice the courage and conviction that the gentleman from North Carolina (Mr. JONES) has. He was sponsoring an amendment with the gentleman from Massachusetts, and they don't always agree. But as the gentleman from North Carolina said: There is no more important issue that confronts a country than sending its young men and women in harm's way at the point of the spear.

Yes, it is to defeat terrorism and to keep America safe, but the decision to do that and the ongoing discussion, particularly after a decade, is certainly something the American people would expect, a full-blown debate and airing of our continuing to keep our young people and not-so-young people in harm's way. It is certainly germane to this bill as it concerns our military operations in Afghanistan.

Mr. MCGOVERN's amendment and Mr. JONES' amendment would reaffirm the strategy laid out by the President and agreed to by the Afghan President to transition security responsibility to Afghan forces so our troops can come home.

Today, Al Qaeda has been forced out of Afghanistan and the Taliban is severely weakened, objectives that I supported. Afghan forces are taking responsibility for more and more of their country's security, and we're making strong gains thanks to the hard work and sacrifice of our troops whom we honor.

With tens of thousands of Americans still deployed in combat, one of our highest priorities in this year's Defense authorization act must be to make sure they have a strategy to complete their mission and return home safely. We owe that to them. We owe that to their parents, their wives, their brothers, their sisters, their nieces, their nephews, and to all their neighbors.

Our men and women in uniform have performed everything asked of them with courage, distinction, and professionalism. We've asked many of them to return for tour of duty after tour of duty to one of the world's most deadly war zones, and we owe it to all of them to have a carefully conceived strategy. Mr. MCGOVERN's amendment would not tie the President's hands and would help place us in the strongest possible position to combat terrorism around the world.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. HOYER. I understand that everybody may not agree on Mr. MCGOVERN's formulation, but that's what this body is for: to debate these issues of great importance to the people and resolve them in a democratic way.

I'm sorely disappointed that this amendment was not made in order. If it had, I would have voted for it.

In September, Speaker BOEHNER, himself, said something significant. Madam Speaker, it's important what the Speaker said, and I agree with what the Speaker said. He said this:

I have no fear in allowing the House to work its will . . . I've long believed in it, and I continue to believe in it.

Madam Speaker, the actions of the Rules Committee last night were inconsistent with that conviction. Let the House work its will. Let's have a vote on this amendment. Let us send a message to our troops that we have an exit strategy in Afghanistan, that we'll see them safely home with their mission accomplished.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. MCGOVERN. I yield the gentleman an additional 10 seconds.

Mr. HOYER. I want to thank Representative MCGOVERN for his leadership on this issue, commend Ranking Member ADAM SMITH of the Armed Services Committee for his work on this amendment, and I congratulate Mr. JONES for his courage and for his vision.

While you may disagree, you ought not to shut down alternative opinions.

□ 1330

Mr. BISHOP of Utah. I yield myself 2 minutes at this time.

I am somewhat perplexed at the idea that what is happening here is not being fair, according to the standards that we've had in the past. This particular rule makes 141 amendments—two-thirds of them Democrat or bipartisan amendments—in order. Last year, the rule made 152 amendments in order. Yet when the other party was in control of this body, on this same bill, they made in order 82, 69, 58, and 50 in each of the 4 years in which they were in control. The idea of tripling the number of bills that are being made in order to be debated on this floor has to be considered as one of those things that's fair.

The issue that supposedly is not allowed—even though it will be debated because there is an amendment, and it will be part of the discussion here—was not totally ignored. In fact, some of the statements that have been made on how we're not talking about this at all—it was addressed in the committee as well. And the committee voted on a bipartisan vote of 56–5.

But this is where I have some difficulty because all I can do is know what I'm reading. And in section 1216 of the bill, it clearly says the United States military should not maintain an indefinite combat mission in Afghanistan and should transition toward a counterterrorism and advise and assist mission at the earliest practical date consistent with conditions on the ground. It's what the committee went through. They talked about it. It was part of the discussion.

It can be part of the discussion in alternative bills other than this particular one, which we have to have if, indeed, you want to fund the military and pay their salaries and pay their health care and provide the shape of the future military. That's what the purpose of this bill is. To say that we are denying any kind of access just does not meet with the reality of what is in the base and what has been done and what will be done in other particular venues.

I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, it's my pleasure to yield 1 minute to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. I rise in opposition to the bill and to the underlying rule.

To put it simply in the minute that I have, this bill needlessly puts in jeopardy the health and safety of workers and residents who live near nuclear weapons facilities. Congressman VISCLOSKY, Congresswoman SÁNCHEZ, and I offered an amendment to fix these dangerous flaws. But today's rule will not allow that amendment onto the floor.

Our amendment recognized that these facilities pose unique challenges when it comes to health and safety. They are ultrahazardous. They make plutonium pits, handle bomb-grade uranium, and manage high explosives. If the worst were to happen, the American taxpayer is on the hook for any nuclear event, even if the contractor that operates the facility engages in gross misconduct. To protect workers, residents, and taxpayers, we need to ask that contractors live up to the highest standards of safety. This legislation does not do that.

I want to commend the gentleman from Massachusetts (Mr. MCGOVERN) for trying to get this amendment made in order in the Rules Committee. It's an important amendment. We're hearing from workers in these facilities all across the country that we're removing a critical margin of safety for them, that we're turning this over to contractors and lessening the safety standards across these plants and removing the jurisdiction of the Secretary of Energy. This bill should be rejected for what it does to these workers.

These are some groups submitting letters opposing changes to nuclear safety protections in H.R. 4310:

1. Defense Nuclear Facilities Safety Board

2. Alliance of Nuclear Worker Advocacy Groups

3. Alliance for Nuclear Accountability

4. Building and Construction Trades Department, AFL–CIO

5. Metal Trades Department, AFL–CIO

6. United Steelworkers

7. Laborers International Union of North America

8. Communications Workers of America

9. National Treasury Employees Union

10. Project on Government Oversight

DEFENSE NUCLEAR FACILITIES
SAFETY BOARD,
Washington, DC, May 7, 2012.

Hon. LORETTA SANCHEZ,
Ranking Member, Subcommittee on Strategic Forces, Committee on Armed Services, House of Representatives, Rayburn House Office Bldg., Washington, DC.

DEAR CONGRESSWOMAN SANCHEZ: Thank you for the opportunity to provide input and comments on HR4310, the FY 2013 National Defense Authorization bill, particularly with regard to the sections in Title 32 that affect nuclear safety, and the Board's oversight mission, operations and budget capacity. I'm convinced that the legislation, if enacted, will weaken current independent nuclear safety oversight and enforcement at DOE's defense nuclear facilities. I have spent my entire career spanning more than 40 years supporting the national security programs of the United States. Nothing would sadden me more than seeing that mission compromised by threats to public and worker safety resulting from lapses in safety.

As you know, I presently serve as Chairman of the Defense Nuclear Facilities Safety Board (Board), having been appointed by President Bush to the Board in 2006 and later reappointed as its Chairman by President Obama in 2010. I have 43 years of experience as a scientist and engineer in the field of radiation effects science, technology, and hardness assurance in support of military and space systems. I was elected a Fellow of the Institute of Electrical and Electronic Engineers and the American Physical Society, and was selected as one of the most highly cited researchers in Engineering by the Institute for Scientific Information, which lists the 250 most highly cited researchers in the world in given scientific fields. I have been honored with the 2000 IEEE Millennium Medal, IEEE Nuclear & Plasma Sciences Merit and Shea Award, R&D 100 Awards, Industry Week's Top 25 Technologies of Year, and Discover Award, and many prize-winning papers. I have authored 140 publications in the open refereed literature, including more than 30 invited papers, book chapters, and presentations.

The Board provides the only independent safety oversight at DOE's defense nuclear facilities. As Chairman of the Board I am proud of the safety record of the DOE and the role that the Board has played over the last 23 years. There is no question that the defense nuclear facilities complex is in a safer posture now than when the Board commenced operations in the late 1980's. However, we cannot ignore the current and emerging challenges that will define the future of DOE's defense nuclear facilities, the need for federal stewardship of this enterprise, and the federal commitment to protect the health and safety of the workers and the public. Today's challenges of aged infrastructure, design and construction of new and replacement facilities, and the undertaking of a wide variety of new activities in defense nuclear facilities coupled with ongoing mission support activities require continued vigilance in safety oversight to assure public and worker protection. A nuclear safety incident cannot be tolerated and would do irreparable harm to the stockpile stewardship and legacy waste missions of the Department of Energy.

This legislation contains significant changes to the National Nuclear Security Administration (NNSA) Act and the Board's Enabling Statute that would put NNSA and DOE's national security mission in jeopardy. The proposed changes, if enacted, would

amount to Congress concluding that NNSA does not need independent safety oversight. It would all but erase the Board's independence and authority with respect to safety oversight of NNSA defense nuclear facilities and activities. Changes to the Atomic Energy Act would lower the standard used to ensure adequate protection of public safety. The legislation endorses a strong shift toward contractor self-regulation, which is not justified based on the present maturity of contractor assurance systems but, even more importantly, neuters the inherent responsibility of the government to ensure public and worker safety. This responsibility cannot be delegated by NNSA to its contractors. Finally, the President's ability to direct NNSA's operations through the Secretary of Energy would also be much reduced. Let me address a few of these concerns in more detail.

Section 3113 of the bill gives the NNSA Administrator complete authority to establish and conduct oversight of NNSA activities outside of that already established by the Secretary of Energy. The Administrator develops a system of governance, management, and oversight, of covered contractors and ensures that any and all Federal Agencies comply with this system. Clearly, this vacates the notion of independent oversight, which should be of grave concern to the Congress. Other agencies that presently provide oversight include the Board, Nuclear Regulatory Commission (NRC), Environmental Protection Agency, Department of Transportation, and the Occupational and Safety Health Agency (OSHA). Some examples of undesirable consequences of the proposed language include:

The Board will be unable to provide effective safety oversight.

The NRC will be precluded from conducting license-related oversight activities associated with operation of the MOX facility.

NNSA itself will be precluded from conducting Operational Readiness Reviews, Integrated Safety Management System Verifications, and Nuclear Explosive Safety Studies.

Section 3113 of the Bill further directs the NNSA Administrator to ''conduct oversight based on outcomes and performance-based standards rather than transactional oversight.'' I am convinced this model is inappropriate for oversight of complex, high-hazard nuclear operations at defense nuclear facilities. NNSA defines ''transactional oversight'' as activities that assess contractor performance through evaluating contractor activities at the work, task, or facility level; direct interaction with personnel at any level within the contractor organization; and direct independent Federal staff evaluation of activities, physical conditions, and contractor documentation. [NA 1 SD 226.1A, NNSA Line Oversight and Contractor Assurance System Supplemental Directive] Clearly, transactional oversight is essential at the Pantex Plant where nuclear weapons are assembled, disassembled, and undergo surveillance. It is also essential for plutonium operations at the Los Alamos Plutonium Facility, highly-enriched uranium operations at the Y–12 National Security Complex, and for complex, high-hazard nuclear operations at the Nevada National Security Site, Lawrence Livermore National Laboratory, and Sandia National Laboratories. For these activities, anything other than transactional oversight is irresponsible and will jeopardize the NNSA mission. The government cannot delegate its responsibility to ensure public and worker safety to its contractors.

I think it is important to understand that a system based on ''outcomes'' is inappropriate in safety space. The Nuclear Regulatory Commission uses performance-based regulation to improve effectiveness and efficiency, but not where failure to meet a performance criterion can result in an immediate safety concern. For safety, a system of ''leading indicators'' to prevent accidents is required. For complex, high-hazard nuclear operations, a performance-based outcome approach may appear successful on the surface, but underlying weaknesses in processes can eventually lead to serious accidents and unwanted results. A significant body of information on this subject is available in both the commercial and academic sectors; it was also explored in the series of public meetings and hearings that led to issuance of the Board's Recommendation 2004 1, Oversight of Complex, High-Hazard Nuclear Operations.

The Board has devoted considerable resources in the past few years to understand activity-level work planning and control. We have teamed with the Department and NNSA to understand the challenges of writing and implementing procedures that account for hazards in the workplace and the controls necessary to mitigate those hazards. There are many challenges to implementing those procedures that must account for a wide range of human factors. The inescapable conclusion is that the key to worker safety is the ability to faithfully and repeatedly execute procedures. A procedure is only the starting point. A system of transactional oversight is the only way to ensure the safe execution of work through the effective implementation of procedures.

I believe one of the contributing factors that lead the House Armed Services Strategic Forces Subcommittee to propose this legislation was a basic misunderstanding of the testimony it received at the its February 16, 2012 hearing on ''Governance, Oversight, and Management of the Nuclear Security Enterprise.'' At that hearing, Dr. Shank, Co-Chair of the Committee to Review the Quality of the Management and of the Science and Engineering Research at the Department of Energy's National Security Laboratories, testified about the scope of this review and its conclusions. One concern and associated conclusion is embodied in this legislation, i.e., the need to ''conduct oversight based on outcomes and performance-based standards rather than transactional oversight.'' However, when the Board subsequently met with Dr. Shank, it became clear that his review committee did not look at defense nuclear facilities at any of the laboratories. Dr. Shank explained that the committee focused on management of science, not safety, and not production facilities. The review was focused on the need for the laboratories to do research more efficiently and effectively, and improve morale at the laboratories. The committee did not review complex, high-hazard nuclear operations or any high-consequence operations. In my opinion, this testimony should not be used as the basis to argue against the need for independent oversight or eliminate transactional oversight at defense nuclear facilities.

For the record, the Board's staff asked about the significance of Appendix 3 to the Committee's report, ''Review of Relevant Studies and Reports 1995–2010.'' Appendix 3 is the only part of the report that discusses the Board. Dr. Shank characterized Appendix 3 as an add-on and not part of the report. The Board's staff followed up with Mr. Shaw, Project Director, on April 20, 2012, to understand this distinction. Mr. Shaw explained that he and his staff of research assistants prepared Appendix 3 as background material for the committee. The appendices are a compilation of lines of inquiry or questions that the Committee members raised as the study progressed, and items for which Mr. Shaw and his staff thought they needed to provide more background information to the Committee members to understand what had been presented. He informed the Board's staff that, to comply with the Federal Advisory Committee Act, that information along withal! other such material provided to the committee were included as appendices to the report. However, he reiterated that they should not be viewed as the work of the committee or representative of the Committee's conclusions.

The proposed legislation requires the Board and NNSA to use a new health and safety standard. More specifically, Sections 3115 and 3202 of the legislation establish a new lower standard for protection of the public in proximity to DOE's defense nuclear facilities. (As discussed below, Section 3202 of the bill deals with ''Improvements to the Defense Nuclear Facilities Safety Board.'') The new standard ''ensures that risks to . . . the health and safety of the general public . . . are as low as practicable and that adequate protection is provided.'' (Please note that in Section 3115 the risks are ''as low as practical,'' while in Section 3202 the risks are as low as reasonably practical.'') This standard lowers the protections presently provided to the public by the NRC for commercial nuclear power and by the Board in making recommendations to the Secretary of Energy, which is to ''ensure adequate protection of the public.'' The legislation proposes the Secretary or Administrator can perform a cost-benefit analysis to determine the need to provide adequate protection of the public. The Atomic Energy Act of 1954, as amended, has always been clear that the Secretary must provide adequate protection to the public and that cost is not an element of adequate protection. However, cost can be considered in determining the need for safety margin or defense in depth, i.e., additional protections beyond the need for adequate protection. The application of the ''as low as [reasonably] practicable'' standard is unclear. It has been used in British and European law as a modified cost-benefit analysis, but has no standing in U.S. law. It is also unclear why the public safety should be subjected to considerations by the Secretary or Administrator of whether risks are as low as [reasonably] practical.

The Board provides the only independent safety oversight at DOE's defense nuclear facilities. In addition, the Board has unique responsibilities under its statute to address ''severe or imminent'' threats to the public. I would now like to comment on Section 3202 of the bill: ''Improvements to the Defense Nuclear Facilities Safety Board.'' Let me say categorically that these are not improvements. I believe these provisions in the bill arise from a total misunderstanding of the operation of the Board. I feel strongly that these ''improvements'' to the Board's Enabling Statute will degrade nuclear safety at DOE's defense nuclear facilities. Let me once again detail my concerns.

To begin with, the Board is a collegial body composed of five members appointed by the President and confirmed by the Senate who are respected experts in the field of nuclear safety. Since the Board's inception nearly 23 years ago, every Board letter or recommendation has been voted on and approved by each and every Board Member.

Those familiar with the scientific discipline will readily understand that this involves a great deal of respect and camaraderie among the Board members to enable them to unravel complex technical issues and forcefully act on safety concerns. One aspect of these bill's improvements is to allow Board members ''to employ at least one technical advisor.'' This is unnecessary on two counts. The first is that Board members have full access to all the Board's staff. Board members already have 80 technical advisors. The second is that Board members are technical experts who are able to independently weigh technical evidence and make decisions important to safety at DOE's defense nuclear facilities. A system of advisors will simply place an unnecessary burden on Board resources and create dissension.

A provision in Section 3202 requires that all Board members ''have full, simultaneous access to all information relating to the performance of the Board's functions, powers and mission.'' This provision is simply unworkable and argues against the public interest and trust. For example, the Technical Director must inform the Board Chairman about a serious accident at a defense nuclear facility, even if other Board members are not immediately available. The Board always strives to share all available information with all Board members. The Board members are always collectively briefed by DOE and Board staff, but Board members sometimes have conflicting schedules and aren't available for the ''simultaneous'' exchange of information . The origins of this provision suggest a serious lack of knowledge about the operation of the Board.

Under this legislation, the Board ''shall consider and specifically assess the technical and economic feasibility, the cost and benefits, and the practicability of implementing [its Recommendations].'' Under its existing statute, the Board must consider the technical and economic feasibility of implementing its recommended measures. The Secretary of Energy may ''accept'' a Board recommendation but make a determination that its implementation is impracticable because of budgetary considerations or because the implementation would affect the Secretary's ability to meet the annual nuclear weapons stockpile requirements. The Secretary must report any such decision to the President and Congress. The Secretary of Energy has never made a determination that a Board Recommendation cannot be implemented due to budget impracticability. I believe this is strong evidence that we have executed our statute in a faithful and responsible manner.

Issues of cost and benefit have historically been the purview of the Secretary of Energy and should remain so. It is important to note that the Board nominally identifies the problem, but leaves selection of the solution to the Secretary. In order to provide a cost-benefit analysis, the Board would need to define a solution, which is inappropriate and would hamper the Secretary's flexibilities to respond to a Board recommendation. Mr. Gene Aloise, Director of Natural Resources and Environment, U.S. Government Accountability Office, testified at the Committee's February 16, 2012, hearing on Governance, Oversight, and Management of the Nuclear Security Enterprise. He said, ''NNSA currently lacks the basic financial information on the total costs to operate and maintain its essential facilities and infrastructure, leaving it unable to identify return on investment or opportunities for cost savings.'' If NNSA isn't capable of performing cost-benefit analyses, it's unreasonable to expect the Board to produce valid estimates of those costs. Needless to say, the Board would require a significant increase in budget and manpower to perform any meaningful cost-benefit analysis.

The Board is very mindful of the need for efficient and cost-effective solutions to safety problems at defense nuclear facilities. In evaluating the proper course of action for existing facilities that do not meet modern industry standards and design requirements, both the Board and DOE consider the entire suite of options for mitigating hazards as well as factors such as the remaining life of the facilities, schedules for replacing them, and means to mitigate disruptions to ongoing operations that may result from recommended safety improvements. However, the Board has no authority to specify a particular solution; that authority is the Secretary's.

The proposed legislation also weakens the arm's length relationship between the Board and Department of Energy necessary for the Board to provide independent oversight by requiring the Board to obtain DOE review and comments on Board recommendations. This proposed requirement will enable the Secretary to provide comments to Board recommendations prior to their issuance. Board recommendations are fully vetted by intense staff-level discussions that typically take place over months and sometimes years. The Board shapes its recommendation already fully taking into account the feedback it has received from the Department. In the final analysis, the Secretary has the power to accept or reject a Board recommendation. This provision to require comments from the Secretary will delay needed safety improvements to ensure adequate protection of the public at DOE's defense nuclear facilities and erode public confidence that the Board is faithfully executing its mission to provide truly independent oversight.

Under its existing statute, the Board's jurisdiction is limited to the Department of Energy's defense nuclear facilities. ''Defense Nuclear Facilities'' are defined to include production or utilization facilities, and certain types of storage facilities under the control or jurisdiction of the Secretary of Energy. Unless this element is met, the Board's jurisdiction, authority, powers or duties are not triggered. It does not allow the Board to write Recommendations to the NNSA Administrator. Under this legislation, NNSA may become a separate entity. An NNSA independent from the Department of Energy, where the Secretary of Energy would have no authority over NNSA, would defeat (1) the Board's recommendation jurisdiction, (2) the Board's jurisdiction and duty to report to the President in the case of imminent or severe threats issuing from defense nuclear facilities, and (3) the Board's information gathering jurisdiction. Essentially, the NNSA would have no independent safety oversight body.

The Department of Energy has a well-established regulatory structure, with a significant body of rules, orders, manuals, and standards. These would have no standing in an independent NNSA. The set of safety standards to be used in NNSA would have to be reconstituted. Based on recent experience, I am concerned that many standards necessary to safely perform complex, high-hazard nuclear operations would be automatically deleted as a part of standing up this newly independent organization. It must be understood that the Board evaluates safety at defense nuclear facilities based on DOE's requirements and standards. The Board does not have separate requirements. Lack of an adequate set of safety standards would rapidly degrade safety at defense nuclear facilities.

In summary, I am deeply concerned that the proposed legislation will diminish both the effectiveness of the Board and safety at DOE's defense nuclear facilities. The proposed changes, if enacted, would all but erase the Board's oversight independence and authority with respect to NNSA's facilities and activities. NNSA would become essentially self-regulating without any significant oversight from the Secretary of Energy, the Board, or any other Federal entity. Additional provisions in the legislation encourage the NNSA in large part to delegate its inherent responsibility to protect public and worker safety to its contractors.

If I can answer any question or provide additional insights, please don't hesitate to call. Once again, I appreciate the opportunity to provide my views on this legislation.

Sincerely,

PETER S. WINOKUR, Ph.D.,
Chairman,
Defense Nuclear Facilities Safety Board.

LABORERS INTERNATIONAL UNION
OF NORTH AMERICA,
Washington, DC, May 8, 2012.

Hon. ADAM SMITH,
Ranking Member, House Committee on Armed Services, Rayburn House Office Bldg., Washington, DC.

DEAR REPRESENTATIVE SMITH: On behalf of the 500,000 members of the Laborers International Union of North America (LIUNA) I would like to express our opposition to the proposal that has been under consideration in the House Armed Services Committee that would seriously weaken worker safety & health protections at Department of Energy (DOE) nuclear weapons labs and production facilities. This provision would transfer worker safety & health responsibilities from the DOE's Office of Health, Safety and Security (HSS) to the National Nuclear Security Administration (NNSA) and shift these programs to ''performance-based'' oversight. This move would effectively eliminate current health and safety standards that impose fines and penalties for violations.

The safety & health of workers is one of LIUNA's highest priorities. As you know, the work our members perform at these facilities is, by its very nature, inherently dangerous and requires the highest possible level of care and protection. The current program, which this legislation would destroy, has been developed through years of collaborative work with successive Administrations and has been integrated into the work culture at the DOE facilities.

By requiring only ''performance standards'' instead of those that are currently in place, the legislation would substitute existing DOE standards with those of Occupational Safety and Health Administration (OSHA). Unfortunately, OSHA does not have standards that are appropriate for many DOE operations which could endanger our members. In some critical cases DOE's standards are much more stringent than OSHA, especially with respect to the standard for Beryllium. The existing DOE programs have been accepted by the workforce and are essential to a safe and productive workplace.

To disrupt the HSS safety & health program by transferring it to NNSA is an attack on the men and women who do the dangerous

work at these facilities. These workers deserve more protections not less. I urge you to reject this ill advised change.

With kind regards, I am

Sincerely yours,

TERRY O'SULLIVAN,
General President.

Mr. BISHOP of Utah. I am pleased to yield 2½ minutes to the gentleman from Missouri (Mr. AKIN), the chairman of the Seapower Subcommittee of the House Armed Services Committee, a person who has worked very hard on this for his entire career here in the House.

Mr. AKIN. Madam Speaker, I rise in support of H.R. 4310, the National Defense Authorization Act of 2013.

As chairman of the Seapower Subcommittee, there are many aspects of this bill that are commendable. First of all, from a Navy point of view, we are maintaining the cadence of building two fast-attack boats every year. That has significant implications relative to our industrial base. Likewise, we are going to be building two destroyers a year, so we have made some changes to the President's budget there. We're also requiring that the Navy keeps at least 12 ballistic missile submarines that are an important leg of our triad.

I would also call attention to a couple of amendments that I have offered. The first is that we have worked with information that we've gotten from overseas on the evacuation procedures that are being done and the speed with which our sons and daughters are being picked up on the battlefield. There is nothing wrong with the great people who are working the medevacs. We are concerned with DOD policy, however—that that policy may be resulting in unnecessary delays.

Secondly, this bill contains an amendment that I offered to protect First Amendment rights of people in the service and chaplains, in particular. Unfortunately, it seems that this is against what the White House, many Democrats, and The New York Times all seem to want. The heart of the amendment is to say that if you are a chaplain, you are not going to be forced to perform ceremonies that you think are wrong. It protects what we call ''free speech,'' the First Amendment, and also the right of religious freedom. It does the same thing for our servicemembers.

And it seems ironic that there is opposition to affording First Amendment rights to our sons and daughters who are fighting for our First Amendment rights. So this seems like it should be very noncontroversial, allowing people to follow the dictates of their own conscience. But it seems to be meeting stiff resistance, nonetheless.

Lastly, I wanted to make sure that in this bill, we make absolutely clear that there's nothing in this bill which gets in the way of our habeas corpus rights in America and that no American citizen can be unlawfully detained, and that the right of habeas corpus, as a constitutional right, is in no way abridged by this bill.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. This morning in California, in Marysville, a young soldier will be laid to rest, one of many. The most important issue facing this Nation—the Afghanistan war—continues on. We have 10 minutes to debate our view of how that should end.

Ranking Member SMITH proposed in committee an amendment that would rationally bring down and end this war. He was refused the opportunity—the ranking member, refused the opportunity to even be heard in committee.

And now we are faced with the language in the bill that extends this war indefinitely at a cost this year of $88 billion and at the same level interminably into the future. This deserves a robust debate. What is the role of America in Afghanistan? How long are we to continue there? Unfortunately, that debate is truncated and will be terminated by the majority in an unsuccessful way that extends the war. Why would we do that? Apparently for reasons that are not understood.

Mr. BISHOP of Utah. Madam Speaker, I urge the gentleman to read page 544 in the base bill to answer his question.

I am pleased to yield 1 minute to the gentleman from Illinois (Mr. WALSH).

Mr. WALSH of Illinois. Madam Speaker, I rise in support of the rule.

As a Small Business subcommittee chairman, I know how important small businesses are to the future of our great Nation. They are the engine of this economy and the key to pulling America out of this economic recession.

But, Madam Speaker, small businesses are also vital to our armed services. Over $500 billion in Federal contracts are awarded each year, and 70 percent of those dollars are awarded by the Department of Defense. It is vital for taxpayers and the military that small businesses compete for these contracts. Small business entrepreneurship will provide our brave servicemen and -women with the equipment that will best enable them to defend this country and our families.

It is clear that the Armed Services Committee shares this dedication to small businesses. I am proud that they have chosen to include the bipartisan Small Business Protection Act in the NDAA. The gentleman from Virginia (Mr. CONNOLLY) and I introduced the Small Business Protection Act to guarantee that American small businesses are not driven out of the competition for government contracts.

I cannot stress enough the vital role American small businesses play in the success of our military and the future of our country. It is imperative that my colleagues on both sides of the aisle come together and support American entrepreneurship and small business.

□ 1340

Mr. MCGOVERN. I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

There's one agency of the Federal Government that has never been audited—and is unauditable. It happens to be the Department of Defense.

Last year, Representative GARRETT and I snuck up on them with a little amendment in the appropriations bill to require an audit of the Pentagon. It's not too much to ask when they spend $600 billion a year, none of which they can meaningfully account for according to the GAO. They can't reconcile their books. It was stripped out in the conference committee. Senator AYOTTE from New Hampshire got one in the authorization bill. It was stripped out in the conference committee.

Now this time they're acting proactively. They're prohibiting us from bringing an amendment to the floor of the House that would require—and we're letting up on them a little bit—that 3 years from now the Department of Defense—that's $1.8 trillion from now—should have to pass an audit. And they're saying no, no, no, no. They can't be required to do an audit until they spend $3.6 trillion in the year 2017.

This is an abuse of the American taxpayer and an abuse of our servicemen and -women. The waste that goes on at the Pentagon has to stop. We need a meaningful audit.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Well-known as ''Military City,'' San Antonio has accomplished a traumatic but successful conversion of Kelly and Brooks Air Force Bases. Now the Pentagon is recommending that we have another round of closures. Let's first guarantee that we apply the same rigorous base review standards to military facilities outside the United States as would apply inside the United States.

Today, I offer an amendment acceptable to the committee, similar to the approach recommended by Senators TESTER and HUTCHISON that requires the Department of Defense to thoroughly examine the potential benefits and savings realized by closing outdated or excess overseas military bases. Both the Government Accountability Office and Congressional Budget Office say that maintaining these facilities overseas is far more expensive than our stateside operations. So while

many of the 585 military bases that we have around the world may be necessary, let's ensure that the Department thoroughly scrutinizes each of them and verifies that each is essential to our national defense. This was not done adequately in the last round.

I urge my colleagues to support this amendment, and ensure that the Pentagon carefully considers the cost of these overseas installations.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

It is a failure when Congress will not allow debate on the most important issue in this bill, and that is the policy in Afghanistan.

Congress has been failing the American people. We haven't paid for that war. We haven't even debated how to pay for that war. It's been on the credit card for 10 years—over a trillion dollars. And by refusing to allow us to debate the McGovern amendment, which is about the policy, we now won't even debate the policy. So we don't pay for it and we don't even debate the wisdom of the policy. That's a grave mistake.

The reality is the war in Afghanistan is over. It's time for Congress to end it. The President has set a date: 2014. What's magic about that?

The Afghans have to step up and assume responsibility for their future, and we have to have a debate as to whether or not we should bring those troops home sooner than 2014. We owe it to the American taxpayer; we owe it to the American men and women who are serving, and we owe it to our own responsibility to debate the important public issues of our time.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. To start the war in Iraq, Congress was lied to. To start the war in Afghanistan, Congress was misled. To start the war in Libya, Congress was ignored. To start the war in Iran, language has been hidden in the NDAA.

The NDAA prepares for war against Iran. It is a declaration of policy, which includes military action. It has a plan to pre-position aircraft, munitions, and fuel for air- and sea-based mission. It has a plan for maintaining sufficient naval assets in the region to launch a sustained sea and air campaign against a range of Iranian nuclear and military targets. This bill prepares for war.

Some will say, Well, it doesn't authorize for war. This bill prepares for war. Even if it's amended, it prepares for war. And we need to vote this bill down because it prepares for a war with Iran, which would be devastating to this country's interests.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Lodged in between our commemoration of Memorial Day and our fallen loved ones and heroes and Flag Day, which we stand proudly to wave the flag, I really stand here as a friend that is deeply saddened by something that I think has never occurred, and that is to allow Americans, through the McGovern-Smith amendment, to really speak to all of our Members.

And I think America would agree: None of us should be challenged with our patriotism. But if we raise the question of what are the next steps in Afghanistan, it is not a diminishing of the service of our men and women. It is not the eliminating of our responsibility to be able to assure the safety and security of the Afghan people. It is to allow Members of Congress to represent their constituents on both sides of the aisle to raise the question: What are the next steps and how will we bring our troops home safely?

This amendment should be allowed to be discussed, just as we're discussing the potential removal and where we are eliminating the language and the ability to remove citizens and to hold them indefinitely.

It is the American way, Madam Speaker. I beg of us to do this in a bipartisan way and to allow the McGovern-Smith amendment to go forward.

Madam Speaker, I rise to support my amendment to H.R. 4310 "National Defense Authorization Act," which would require the Secretary of Defense prior to the awarding of defense contract to private contractors, to conduct an assessment to determine whether or not the Department of Defense has carried out sufficient outreach programs to include minority and women-owned small business.

Throughout my tenure in Congress, I have sponsored legislation that promotes diversity. I stand proudly before you today to call for renewed vigor in advocating and constructing effective policies that will make the United States the most talented, diverse, effective, and powerful workforce in an increasingly globalized economy.

This amendment will require the Department of Defense to consider the impact that changes to outsourcing guidelines will have on small minority and women owned business by requiring them to engage with these businesses.

Promoting diversity is more than just an idea it requires an understanding that there is a need to have a process that will ensure the inclusion of minorities and women in all areas of American life.

Small businesses represent more than the American dream—they represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country.

Small business growth means economic growth for the nation. But to keep this segment of our economy thriving, entrepreneurs need access to loans. Through loans, small business owners can expand their businesses, hire more workers and provide more goods and services.

The Small Business Administration, SBA, a federal organization that aids small businesses with loan and development programs, is a key provider of support to small businesses. The SBA's main loan program accounts for 30 percent of all long-term small business borrowing in America.

I have worked hard to help small business owners to fully realize their potential. That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs.

These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing.

My amendment would require the Department of Defense to assess whether their outreach programs are sufficient prior to awarding contracts. The Department of Defense should investigate what impact their regulations have on minority and women owned small businesses.

Outreach is key to developing healthy and diverse small businesses.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, it is my privilege to yield 1 minute to the gentlewoman from California, the Democratic leader, Ms. PELOSI.

Ms. PELOSI. I thank the gentleman for yielding, and I thank him for his leadership year in and year out to clarify what our mission is and to make sure that we honor our troops—and ''honor them'' means not having them stay in harm's way any longer than is necessary for our national security.

Madam Speaker, I rise today in opposition to this rule, and I do so with some level of sadness; because when we're talking about the defense of our country and the oath we take to protect and defend the Constitution, I would have hoped, under this bill, we could have had, on the floor, the appropriate discussion of what is happening in Afghanistan.

I rise today, just having returned with a bipartisan, all-women congressional delegation to Afghanistan. It's our traditional Mother's Day visit to our troops who are there in combat. We've recently been going to Afghanistan, and Iraq before that. The purpose of the trip this time was to have a conversation with the President of Afghanistan, President Karzai, as the first congressional delegation into Afghanistan following the signing of the Strategic Partnership Agreement between President Obama and President Karzai.

But our main purpose of the trip was to visit our troops and to thank them for their service and their sacrifice to keep America's families safe on Mother's Day and every day in the year. The further purpose was to thank, in particular, our women who are in service

there—other mothers in combat and, believe it or not, our grandmothers who are in the war zone.

We met a Mom who has a baby that is just 16 weeks old. I had the honor of pinning a ribbon on a newly appointed woman captain who has six children, age 4 to 14, in the 10th month of her 1-year deployment in Afghanistan.

Our women in the military serve our country very well. They strengthen our national security. We are grateful to them and their families, and we are grateful to all of our men and women in uniform.

□ 1350

They are the 1 percent that we should care the most about and focus on. You hear a great deal about the 99 percent and the 1 percent. Well, this 1 percent is less than 1 percent of our men and women in uniform, a little higher than that, when they come home. What we say in the military is on the battlefield, we leave no soldier behind. And when they come home, leave no veteran behind. We will be meeting with our veteran service organizations today as this bill is being debated.

So I wish that the rule would have allowed for the consideration of the McGovern amendment. I was surprised, frankly; and I'm rarely surprised around here. But I was surprised that that discussion could not take place on this floor in the form of approving that amendment because it is in furtherance of what is happening in the strategic partnership.

I can tell you this on the basis of our trip, and we have to be careful when we return as congressional delegations from a trip that we don't read too much into our own observations, but what we did hear that was different from before, going every year, is that our troops' leadership is fabulous. General Allen is so great, as are the other generals and commanders who serve with him. They are preparing for the timetable spelled out in the President's strategic partnership agreement signed by the two Presidents.

On the civilian front and what we are doing with USAID and our Americans who are serving there, as well as the coalition forces and friends who are helping in Afghanistan, are working along the path of this strategic partnership, and then the civilian part to go beyond that.

So, really, I come home more encouraged than ever that it is possible for us to accomplish our mission, which is the protection of the American people, to do so in a way as it comes to an end. And it is never over, our protection of the American people is an endless commitment, but at least the commitment of that many troops on the ground in that country is one that we can say that soon we will bring our troops home safely. And that hopefully will be soon.

So the timetable that Mr. MCGOVERN has in his amendment is in sync with what that partnership is. There is other language in the bill which I think, frankly, confuses the issue; and that is why the clarity of debate would have been helpful.

I am glad that the amendment by Mr. SMITH, the ranking member, which is a bipartisan amendment, will be able to come to the floor. It addresses the detention issue, and we will have a fuller discussion of that when that amendment comes to the floor. But to recall, President Obama, when he signed last year's bill, did a signing statement that said that he would not enforce that part of the bill. Hopefully, today, we can remove that part of the bill because it flies in the face of our commitment to protect the American people and to have the proper balance between security and liberty and freedom. And that is our responsibility.

So I urge my colleagues to vote ''no'' on this rule, to vote ''no'' on moving the previous question unless we can take up the McGovern amendment. And, again, I salute the President for the strategic partnership agreement. But most of all, I support our men and women in uniform and their families for their service, their sacrifice, and their patriotism for our country.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, may I inquire of the gentleman from Utah how many more speakers he has because I'm the final speaker on our side.

Mr. BISHOP of Utah. I said others were coming down here. I do not know whether that happens, so when the gentleman from Massachusetts is ready to close, I will be ready to close at whatever time that is.

Mr. MCGOVERN. Madam Speaker, I yield myself the balance of my time to close.

I urge my colleagues to vote ''no'' on the previous question. If the previous question is defeated, I will offer the bipartisan McGovern-Jones-Smith-Paul amendment.

By denying debate on this amendment, the Republican leadership has ensured that there will be no debate or challenge to sec. 1216 in the bill, a section that calls for retaining 68,000 U.S. troops in Afghanistan until 2015 and indefinitely beyond that.

We did everything right with this amendment. We worked in a bipartisan way. We drafted it carefully. The ranking member of the House Armed Services Committee withdrew his own amendment on this issue and joined as a cosponsor of this amendment. We deserved the courtesy of a debate and a vote. It's the right thing to do. It's the decent thing to do.

But more important than that, the American people deserve a full and substantive debate on the war in Afghanistan, the longest war in American history. They deserve to know where their Member of Congress stands on this issue of critical national importance. They deserve a Congress that focuses on the issues that matter most.

The Republican leadership's refusal to allow a full debate on our amendment shows how far they will go to make sure that a policy of staying in Afghanistan until the end of time remains untouched and unchallenged.

Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Madam Speaker, I urge my colleagues to vote ''no'' and defeat the previous question. I urge my Republican colleagues to join with us in a bipartisan way to vote ''no'' on the previous question so we can have a real debate on Afghanistan. That's what your constituents want; that's what we should have here. And barring that, Madam Speaker, I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I appreciate the opportunity of coming down here and presenting the particular rule on the amendments. I take a little bit of umbrage with the idea that the amendment process that we are authorizing in this rule is not necessarily fair. I would remind people that it took 3 years under the prior Speaker before they authorized as many amendments as we are authorizing just this year alone in this particular bill. It's 141 amendments covering a vast variety of issues.

Sometimes I get the impression from some of the comments that were made that we're not going to be talking about Afghanistan; that's sorely wrong. There is an amendment made in order about that issue. It's given twice the amount of time on that issue as any other issue that's before us here. It is there. The debate will take place. The debate will happen. It may not be the actual verbiage or the pride of authorship that some wished, but it will be there.

Indeed, in this hour of discussion, we've talked about that as well, as was done in the Rules Committee, as was done in the base committee. There is a section, page 544, which does talk about the President's proposal in Afghanistan.

One of the things we have to remember is why we're doing this bill at all. This is one of those significant issues. We talk about a lot of stuff on the floor of the House, and we introduce a lot of

bills on the floor of the House which have very little to do with our core constitutional responsibilities. This is not one of those.

During the Articles of Confederation time, the United States was in a situation where we had fewer than 800 men in our military capacity. We had no Navy to protect our shipping. Since we had not paid off the Tory debt, we were in breach of the peace treaty that ended the Revolutionary War. Therefore, British troops were on American soil. There were British forts on American soil. There was a military force on our northern border which was threatening us, and the British were plying with impunity weapons to Native Americans who were opposed to the Government of the United States. What the United States could do about it was absolutely nothing. We couldn't do squat.

Therefore, when the Constitution was actually debated, I don't think it is any insignificant issue that over half of the issues and powers granted to Congress in section 8 dealt with the defense of this country. Indeed, the Constitution was in major part about how we defend this country.

This issue before us today, this bill, is on how we shape the military of the future and the military of the present, how we defend this country.

I would remind people that before World War II started, we had made a decision in this country we didn't need fighter jets any more and so we cut production of them. And when the war started, we were unprepared. Our fighter bombers suffered enormous casualties in those first runs in Europe. In fact, we suspended our bombing runs until we could produce the fighters to accompany those bombers that were necessary to protect our young men and women who were fighting in World War II.

We don't have the luxury of being unprepared in the future, and that is the core of this bill. This bill is about talking about the infrastructure that we have for our military so we are prepared for whatever the future may bring.

□ 1400

The base of this bill restores approximately $4 billion in authorization of necessary Department funding that was recommended by the President for deletion.

Sometime ago, Secretary Panetta went on the record publicly saying the possibility of sequestration would hollow out and have catastrophic impacts on the Department of Defense; it must be avoided. We agree. This bill attempts to do that.

Unfortunately, the Secretary pointed the finger at Congress saying that we were to blame for this situation. In all due respect, the Secretary was half right. We share in the situation. And we share the need for a cooperative administration—and very particularly, a cooperative President and Commander in Chief—to fix the immediate threat to our national security that could come back by sequestration. We don't need threats of vetoes and any attempt to roll back the sequestration cuts to the Department of Defense.

This is an alarming situation. Many of us in Congress would encourage Secretary Panetta to communicate the urgency of this need to his boss, the President, and try to persuade him not to oppose what we are attempting to do in this particular piece of legislation.

We have some military construction replacement projects that were needed yesterday and are being deferred year after year—pushed so far into the future as to render them meaningless. We can no longer make those kinds of mistakes as we did prior to World War II.

Our ICBM fleet will be aging out in the next 12 to 15 years; and as of yet we do not have an adequate replacement policy, nor have we provided the research and development funding needed to a follow-up replacement system. Instead, we are urging what will amount to unilateral nuclear reductions on our part, while China, Russia, India, and others are developing and fielding new and modernized ICBM nuclear systems for their countries as well. Those are the situations which we need to face. That is what is significant. That's what this bill addresses.

This bill addresses the funding and infrastructure needs of our military, and we should never lose sight of that core reason for this bill. And amendments—all 141 of them—either have to add to that concept of making the infrastructure viable, or we're talking about tangents. This is not the avenue for those particular places to be.

In short—I wasn't short, but in long, then, Madam Speaker, that's the purpose of the National Defense Authorization Act. That's what the base bill does. That's what the bulk of the 140 amendments we have authorized do. We need to proceed without getting lost in the purpose and the intent of this particular process and why it is so important. It is our core constitutional responsibility, and we need to take it seriously.

All the other issues that were talked about will be addressed. The issue of our policy in Afghanistan—which has multiple opportunities to be addressed—will be addressed on the floor. There will be an amendment made in order. There will be twice the amount of time in debate on that as any of the other significant issues of how we shape our military forces. The reason it is so significant is because we're not talking about what the military will be in the month of August of this year. The decisions we make on the infrastructure of the military today influence what our military will be in 15 to 20 years. It also influences what diplomatic capacities and opportunities we may have 15 or 20 years from now. That's why it is so significant. We cannot lose track of what is the purpose of this bill, and any amendment that distracts us from that is not productive in what we are trying to do.

I'll say this one more time: this is a fair rule. We have made 140 of the 240 amendments that were proposed in order. It covers a great variety of issues, issues that perhaps should have been covered in the committee as well, but they will be covered again here on the floor, including what we are doing as a policy in Afghanistan.

I urge adoption of this particular rule because it is a fair rule, one that makes more amendments than we did in years—and in years past when the other side was in charge of this. It's a good bill. It's a fair rule. I urge its adoption.

Mr. ANDREWS. Madam Speaker, I hereby submit the enclosed letters:

BUILDING AND CONSTRUCTION
TRADES DEPARTMENT—AFL–CIO
Washington, DC, May 4, 2012.

Rep. HOWARD P. ''BUCK'' MCKEON,
Chairman, House Committee on Armed Services, Rayburn HOB, Washington, DC.

DEAR MR. CHAIRMAN: The House Armed Services Committee has adopted legislation that would seriously weaken worker safety & health protections at Department of Energy (DOE) nuclear weapons complex. The legislation would not only transfer worker safety & health responsibilities from the DOE's Office of Health, Safety and Security (HSS) to the National Nuclear Security Administration (NNSA), but would also shift the entire safety & health program to ''performance-based'' oversight thereby effectively eliminating current health and safety standards that impose fines and penalties for violations. This would be a terrible mistake and we are strongly opposed to any such tinkering with the lives of our many members working at these facilities.

For years the BCTD has made the safety & health of these workers one of our highest priorities. We have worked with successive Administrations to develop the current program that the proposed legislation would now effectively destroy. As you might imagine the work that our members perform at these facilities is, by its very nature, inherently dangerous and requires the highest possible level of care and protection.

According to a recent report by the Project on Government Oversight; unlike the private sector, nuclear weapons facilities are ultrahazardous, have very large radioactive waste legacies, excess cancer and beryllium disease among its employees, a long history of safety problems, and contractor mismanagement enabled by self-regulation. For more than 20 years, the Government Accountability Office (GAO) has listed DOE's nuclear weapons program on its high risk list of programs most vulnerable to waste, fraud and abuse.

By eliminating the role of the DOE's HSS for oversight and enforcement of safety & health and requiring only performance standards, the legislation would substitute existing DOE standards with those of OSHA. In some critical cases DOE's standards are more stringent than OSHA especially with respect to the standard for Beryllium that this change would eliminate. DOE's Beryllium worker exposure standard is 10 times as

protective as federal OSHA's. The legislation would now turn over Beryllium protection to the tender mercies of the National Laboratories and other DOE contractors even though, in 2010, DOE fined the Livermore Lab (LLNL) some $200,000 for a series of Beryllium violations.

Moreover, the bill eliminates the ALARA radiation exposure standard (As Low As (is) Reasonably Achievable) and reverts back to a worker radiation concept used 40 years ago called ALARP (As Low As Reasonably Practicable); a time when workers were exposed to outrageous levels of radiation. This is completely unacceptable, and our members at the weapons facilities will simply not stand for it.

Since its creation, we have worked closely with HSS in developing its worker safety & health program including the Chronic Beryllium Disease Prevention Program and ALARA radiation exposure standard that have been integrated into the work culture at the DOE facilities. These programs have been accepted by the workforce and are essential to a safe and more productive workplace.

To now seek to disrupt the HSS safety & health program by transferring it to NNSA and weakening the current standards of protection makes no sense. Other than to satisfy the demands of the National Laboratories and contractors, there is little or no justification for this proposal and we appeal to you to stop it. The health, safety and lives of the men and women who do the dangerous work at these facilities demand no less.

Sincerely,

SEAN MCGARVEY,
President.

METAL TRADES DEPARTMENT,
AFL–CIO,
Washington, DC, May 3, 2012.

Representative ADAM SMITH,
Ranking Member, House Committee on Armed Services, Rayburn House Office Bldg., Washington, DC.

DEAR REPRESENTATIVE SMITH: The House Armed Services Committee has recently proposed legislation that would seriously weaken worker safety and health protections at Department of Energy (DOE) nuclear weapons complex.

The legislation proposes to transfer worker safety and health responsibilities from the DOE's Office of Health, Safety and Security (HSS) to the National Nuclear Security Administration (NNSA) and would also shift the entire safety and health program to ''performance-based'' oversight thereby effectively eliminating current health and safety standards that impose fines and penalties for violations.

The House bill limits the occupational safety and health standards that may be applied to the NNSA facilities to those promulgated under section 6 of the OSHAct. This not only excludes stronger protections afforded by DOE rules, it also excludes protections provided under OSHA regulations issued under section 8 of the OSHAct. These regulations include the OSHA 1904 recordkeeping rules, the 1977 regulations on antiretaliation and the 1903 inspection rules which set out the rights of workers and unions to participate in inspections.

We are strongly opposed to these changes. It would endanger the lives of the many members we have working at these facilities.

For years, the Metal Trades Department has made the safety and health of our nuclear workers a top priority. As you might imagine the work that our members perform at these facilities is, by its very nature, inherently dangerous and requires the highest possible level of care and protection and it has taken us years of work with past Administrations to develop the current safety and health program that this legislation would destroy.

According to a recent report by the Project on Government Oversight, unlike the private sector, nuclear weapons facilities are ultrahazardous, have very large radioactive waste legacies, excess cancer and beryllium disease among its employees, a long history of safety problems, and contractor mismanagement enabled by self-regulation. For more than 20 years, the Government Accountability Office (GAO) has listed DOE's nuclear weapons program on its high-risk list of programs most vulnerable to waste, fraud and abuse.

By eliminating the role of the DOE's HSS for oversight and enforcement of safety and health and requiring only performance standards, the legislation would substitute existing DOE standards with those of OSHA. In critical cases, DOE's standards are more stringent than OSHA especially with respect to the standard for Beryllium that this change would eliminate. DOE's Beryllium worker exposure standard is 10 times as protective as federal OSHA's. The legislation would now turn over Beryllium protection to the tender mercies of the National Laboratories even though, in 2010, DOE fined the Livermore Lab (LLNL) $200,000 for a series of Beryllium violations including:

Failure to identify and inventory beryllium contamination facilities to control worker exposures to beryllium;

Failure to perform hazard assessments for buildings identified in the beryllium baseline inventory;

Failure to implement proper hazard control and prevention measures to eliminate or abate the hazards associated beryllium;

Failure to ensure that potential airborne beryllium exposures were accurately measured;

Failure to control materials and equipment located in beryllium contaminated work areas;

Failure to evaluate cases of beryllium sensitization and to identify workgroups at increased risk of chronic beryllium disease; and,

Failure to effectively train employees to perform work within beryllium contaminated areas.

Since its creation, we have worked closely with HSS in developing its worker safety and health program including the Chronic Beryllium Disease Prevention Program that have been integrated into the work culture at the DOE facilities. These programs have been accepted by the workforce and are essential to a safe and more productive workplace.

Transferring the current safety and health program to NNSA is a terrible decision and it's unjustified. The health, safety and lives of the men and women who do the dangerous work at these facilities depend on you to stop this proposal.

Sincerely,

RONALD E. AULT,
President.

THE NATIONAL TREASURY
EMPLOYEES UNION,
Washington, DC, May 15, 2012.

DEAR REPRESENTATIVE: The National Treasury Employees Union (NTEU) represents employees at the Department of Energy (DOE) including those in the Office of Health, Safety and Security (HSS) that enforce health and safety rules at DOE nuclear weapons facilities. NTEU is strongly opposed to a provision negatively impacting worker health and safety at these facilities included in Title XXXI of the National Defense Authorization Act as reported by the House Armed Services Committee. We understand that an amendment has been filed by Representative George Miller to modify that section. We ask that the Miller Amendment be made in order by the Rules Committee.

Section 3113 and 3115 of Title XXXI in the bill would severely weaken worker health and safety protection at DOE nuclear weapons facilities. It would transfer worker safety and health responsibilities from DOE's Office of Health, Safety and Security (HSS) to the National Nuclear Security Administration, while eliminating the current standards that impose fines and penalties for violations. The work done at these facilities is extremely hazardous and there is a long history of safety problems. Given this work involves the most dangerous substances and weapons in the world, it is probably the last workplace that should see reduced health and safety standards and inspections.

The employees of the Office of Health, Safety and Security are uniquely skilled, trained and experienced at protecting worker life and health at these facilities. Transferring their functions to bureaus without such experience or expertise would be a reckless act and endanger those employees that serve our country's defense in these facilities.

I appreciate your consideration of our views on this important worker health and safety issue. If you or your staff have any further questions, please feel free to contact Kurt Vorndran at 202.572.5560 or kurt.vorndran@nteu.org. Thank you.

Sincerely,

COLLEEN M. KELLEY,
National President.

Ms. WOOLSEY. Madam Speaker, I hereby submit the enclosed letters:

PROJECT ON
GOVERNMENT OVERSIGHT,
Washington, DC, May 15, 2012.

HONORABLE MEMBERS,
U.S. House of Representatives, Washington, DC.

POGO'S PICKS FOR MORE SAVINGS, SECURITY, AND ACCOUNTABILITY IN THE NATIONAL DEFENSE AUTHORIZATION ACT: NINE AMENDMENTS TO SUPPORT

DEAR REPRESENTATIVE: As you prepare to vote on the National Defense Authorization Act of FY 2013 (NDAA) and dozens of proposed amendments, we recommend nine amendments for more savings, security, and accountability.

The Project On Government Oversight is a nonpartisan independent watchdog that champions good government reforms. POGO's investigations into corruption, misconduct, and conflicts of interest achieve a more effective, accountable, open, and ethical federal government. POGO recently released an update to our recommendations for national security savings with Taxpayers for Common Sense—Spending Even Less, Spending Even Smarter—which includes $700 billion in spending reductions. Some of those recommendations are being offered as amendments to the NDAA.

We haven't assessed all of the proposed NDAA amendments, and don't yet know which ones will be made in order. However, POGO strongly supports the following sensible measures.

1. PREVENT HUMAN TRAFFICKING BY GOVERNMENT CONTRACTORS—AMENDMENT BY JAMES LANKFORD AND GERRY CONNOLLY

The End Trafficking in Government Contracting Act of 2012 is offered as a bipartisan

amendment to stop U.S. taxpayer dollars from funding the abhorrent practice of human trafficking in war zones. In its final report to Congress last year, the Commission on Wartime Contracting said it had uncovered evidence of human trafficking in Iraq and Afghanistan by labor brokers and subcontractors. Commissioner Dov Zakheim later told a Senate panel that the Commission had only scratched the surface of the problem. He called it the ''tip of the iceberg.'' Existing contracting regulations to implement anti-trafficking plans are too weak. This amendment will strengthen the law and will require companies to closely monitor and report the activities of their subcontractors down the supply chain. It also would expand the definition of ''fraudulent recruiting'' to apply to laborers who work on U.S. government contracts outside the U.S., mandating responsible labor recruitment practices. It's time to end the suffering and abuses of our taxpayer-funded ''shadow army.''

2. RESTRICT TAXPAYER-FUNDED COMPENSATION FOR CONTRACTORS—AMENDMENT BY PAUL TONKO AND JACKIE SPEIER

This amendment is based on the Stop Excessive Payments to Government Contractors Act of 2011—part of a bipartisan, bicameral push for reform—and would lower the existing contractor compensation cap to $400,000 and apply it to all defense contractors. Importantly, the provision would also ensure that the cap is set in such a way that it will stop the exorbitant growth rate the current formula has enabled. Taxpayer-funded contractor compensation should be reined in from the ever-increasing cap that currently well exceeds what the government pays its own senior executives—including the President. The current cap for contractor compensation is $763,029. It's time to stop making taxpayers foot outrageous contractor payrolls and rein in the growing cost of the entire government workforce.

3. REDUCE FUNDING FOR THE CHEMISTRY AND METALLURGY RESEARCH REPLACEMENT-NUCLEAR FACILITY—AMENDMENT BY ED MARKEY, LORETTA SANCHEZ, AND HANK JOHNSON

This amendment restores the cut already made by appropriators for a costly and unnecessary plutonium research facility. It also strikes sections from H.R. 4310 that would require the completion of the proposed facility and forbid Congress from funding less expensive alternatives. The cost of this nuclear boondoggle—known as the Chemistry and Metallurgy Research Replacement-Nuclear Facility (CMRR–NF)—has swelled from $375 million to nearly $6 billion over the past ten years. Earlier this year, the National Nuclear Security Administration (NNSA) said it does not need CMRR NF in order to fulfill its nuclear weapons and science missions. What's more, there is plentiful scientific evidence and expert testimony that says that the increased plutonium pit production enabled by CMRR NF is not necessary to national security. The President's budget and House Appropriations have already zeroed-out the funding, but one member of House Armed Services—Representative Michael Turner—has ignored the evidence and sought to send more taxpayer dollars into this nuclear money pit. Support this amendment to restore sensible savings.

4. DELAY THE NEW LONG-RANGE PENETRATING BOMBER AIRCRAFT—AMENDMENT BY ED MARKEY, PETER WELCH, AND JOHN CONYERS

This amendment delays development of the next-generation long-range penetrating bomber aircraft through FY 2023 and reduces funds for the program by about $291 million. The Administration initially cancelled the program in FY 2010 as there was ''no urgent need'' for a new bomber because the Air Force expects its fleet of bombers to be operational for years to come. According to FY 2013 budget requests, the program is projected to cost at least $6.3 billion in the next five years alone, and would likely cost billions more over its lifetime. Deferring development of this costly and unnecessary system saves money and is low-risk because of robust U.S. bomb delivery capabilities that will be available for decades.

5. STOP THE ROLLBACK OF OVERSIGHT OF NUCLEAR WEAPONS LABORATORIES—AMENDMENT BY GEORGE MILLER, PETER VISCLOSKY, AND LORETTA SANCHEZ

This amendment would restore oversight over the nuclear weapons laboratories by modifying Section 3113 and striking Sections 3115 and 3202 of H.R. 4310. These sections pose dangerous rollbacks of health, safety, security, and financial oversight at the Department of Energy's nuclear weapons laboratories. Section 3113 gives the NNSA's contractor-operated labs the ability to self-report and self-regulate their performance, despite the fact that the Government Accountability Office (GAO) has included these labs on its list of programs that are at ''high risk'' for waste, fraud, and abuse for over 20 years. Section 3115 lowers the bar for health and safety standards at the labs by shifting oversight from the Department of Energy to the NNSA and its contractors. Section 3202 would weaken the Defense Nuclear Facilities Safety Board in its role as independent adviser to the nuclear weapons laboratories. Ever since the Board was created in reaction to serious safety issues at nuclear sites, the Department of Energy has been required to accept Board recommendations or give a reason for their rejection, but section 3202 requires the Board to submit drafts of its recommendations to the Department first, which would strip the Board of its complete independence. Section 3202 also increases the amount of time the Department has to respond to recommendations, which could undermine public health and safety. We need more oversight of the contractors at our nuclear laboratories—not less.

6. REPLACE THE COSTLY VARIANT OF THE F–35 WITH SUPER HORNETS—AMENDMENT BY JOHN CONYERS AND KEITH ELLISON

The Marine Corps' variant of the F–35 fighter plane is the most expensive variant of the most expensive DoD weapon program ever, and has been plagued by cost overruns and schedule delays. This amendment would replace the 6 Marine Corps F–35s the DoD plans to buy in FY 2013 with proven F/A–18E/F Super Hornets, which have many capabilities that rival the F–35 and cost far less to buy and operate. This amendment will save taxpayers $1.7 billion in FY 2013 and millions more in operating costs over the life of these planes.

7. IMPROVE SERVICE CONTRACTOR INVENTORIES—AMENDMENT BY JACKIE SPEIER

Currently, service contract inventories released by the Pentagon provide little, if any, useful data about service contracts. Moreover, those inventories do not provide the agency with any information that allows it to make informed personnel decisions that will save taxpayer dollars. The offered amendment, which falls in line with Pentagon efforts to increase the data reported in the inventories, would require DoD to collect additional data about the labor, hours, and costs of service contract workers that can be used for comparing the cost of the civilian, military, and contractor workforces.

8. REDEFINE ''COMMERCIAL ITEM'' FOR CONTRACTS AS PROPOSED BY DOD—AMENDMENT BY LEONARD BOSWELL

This amendment mirrors the DoD's legislative proposal and would result in improved oversight of billions of dollars' worth of so-called ''commercial'' goods and services. It would narrow the definition of a ''commercial item'' to mean goods or services that are actually sold to the general public in like quantities. This would be a huge improvement over the current definition, which includes good or services ''of a type'' that are ''offered'' for sale or lease. POGO has promoted such a change to the definition since 1999, and now have been joined by DoD, the Department of Defense Panel on Contracting Integrity, and the Acquisition Advisory Panel. Since the mid-1990s, the government has been buying so-called ''commercial'' goods and services that are not actually sold in the commercial market. Making matters worse, these purchases are often without any government review of the cost data that leads to the final price the contractors are proposing. Would you buy a car if the dealer told you that you couldn't see the window sticker? We doubt it, and the government shouldn't either.

9. RIGHT-SIZE THE BLOATED TOP RANKS—AMENDMENT BY MIKE COFFMAN

This amendment would cap the number of General/Flag Officers at ''0.05 percent of the combined authorized strengths for active duty personnel.'' In other words, for every 2,000 troops there can be no more than one General or Admiral. This amendment will reduce the General and Flag Officer ranks by less than 5 percent. At the end of FY 2011, the military was more top-heavy than it had ever been in U.S. history. While the enlisted ranks have been shrinking, the top ranks have grown. Since 2001, the very top ranks, 3- and 4-star General/Flag Officers, have grown faster than any other personnel group at the DoD. It's time to right-size the top-heavy top ranks.

We welcome the opportunity to discuss these and other national security issues with you. For more information, please contact me at 202–347–1122 or acanterbury@pogo.org.

Sincerely,

ANGELA CANTERBURY,
Director of Public Policy.

Ms. FUDGE. Madam Speaker, I hereby submit the enclosed letter:

PITTSBURGH, PA, MAY 8, 2012.

Hon. HOWARD P. ''BUCK'' MCKEON,
Chairman, Armed Services Committee, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON: On behalf of the United Steelworkers (USW) union, I write to express our strong concern with language included in the House Armed Services Committee's FY13 National Defense Authorization Bill (NDAA). As we understand it, the language will necessitate a change of worker health and safety enforcement at Department of Energy (DOE) weapons complex sites from the DOE's office of Health, Safety and Security (HSS) to the National Nuclear Security Administration (NNSA). In addition, this legislation would shift the entire safety and health structure to performance-based oversight based on Occupational Safety and Health Administration (OSHA) standards. Performance-based oversight effectively eliminates the current DOE specific health and safety standards that provide the means for protections to be implemented at these

facilities and also removes the enforcement mechanisms that are vital to ensure worker and public safety.

The USW represents workers at several DOE facilities. Our members at these sites are exposed to a variety of radioactive and toxic materials. Many of the operations of these facilities are completely unique to the DOE. These unique hazards have resulted in specific worker safety orders being issued to provide requirements for the contractors to follow, and for the workers to understand proper workplace protections.

Some of the protections that will be stripped from workers are those included in DOE Order 850. DOE Order 850 provides specific worker protections for exposure to beryllium. Beryllium is an extremely toxic and dangerous compound. It causes a devastating lung disorder called chronic beryllium disease. The DOE Order is significantly better than the current standard for beryllium from OSHA including an exposure limit that is 10 times less than OSHA's. The OSHA standard for beryllium was adopted in 1970; the beryllium industry itself acknowledges that it is woefully inadequate. In contrast, the DOE beryllium standard is far more protective. Another example is the DOE's Order 851, which requires the sites to have defined, proactive safety and health programs. There is no equivalent OSHA rule. Most important, the DOE can order a contractor to correct a hazard immediately. OSHA can do so only in the most extreme cases. An employer who contests an OSHA citation can delay abatement until he or she exhausts every appeal up to the U.S. Supreme Court, a process that can take years.

We are also extremely concerned with the consequences this legislation would have on worker radiation safety. The current standard within the DOE is to provide protections to workers that are as low as reasonably achievable (ALARA). This legislation would strip away the gains in radiation safety that have been made over the past half century and instead implement lesser protections that are as low as reasonably practicable (ALARP). We know that ALARP protections will increase the radiation exposure to workers in these facilities. This will result in today's workers being our next generation of occupational disease victims.

We urge you to remove this language from the FY13 NDAA as it will serve to weaken critical health and safety protection for workers. We stand ready to meet with you or other members of the committee to explore this matter further and provide information from the USW as a stakeholder in this process.

Sincerely,

LEO W. GERARD,
International President.

ALLIANCE OF
NUCLEAR WORKER ADVOCACY GROUPS,
May 14, 2012.

Hon. HOWARD P. ''BUCK'' MCKEON,
Chairman, Armed Services Committee, House of Representatives, Rayburn Office Building, Washington, DC.

DEAR CHAIRMAN MCKEON: The Alliance of Nuclear Worker Advocacy Groups (ANWAG) has learned that language is included in the FY 2013 National Defense Authorization Bill (NDAA) that will reduce the protection of workers exposed to radiological hazards from the current standard of ''as low as reasonably achievable'' (ALARA) to ''as low as reasonably practicable'' (ALARP). This amendment also allows the protection standard for other hazards to meet the Occupational Safety and Health Administration's instead of the current policies implemented by the Department of Energy (DOE). This language is not acceptable.

ANWAG monitors the implementation of the Energy Employees Occupational Illness Compensation Program Act of 2000, as amended, (EEOICPA) and advocates for the workers and families under EEOICPA who were damaged performing nuclear weapons work. EEOICPA was legislated in part because employees of the DOE's nuclear weapons facilities contractors placed those workers in harm's way by not providing adequate protection to their daily exposure of the unique toxic brew of potentially hazardous chemicals and radioactive materials present at those facilities. In fact, Congress found,

§ 7384. Findings; sense of Congress

(a) FINDINGS.—The Congress finds the following:

(1) Since World War II, Federal nuclear activities have been explicitly recognized under Federal law as activities that are ultra-hazardous. Nuclear weapons production and testing have involved unique dangers, including potential catastrophic nuclear accidents that private insurance carriers have not covered and recurring exposures to radioactive substances and beryllium that, even in small amounts, can cause medical harm.

(2) Since the inception of the nuclear weapons program and for several decades afterwards, a large number of nuclear weapons workers at sites of the Department of Energy (DOE) and at sites of vendors who supplied the Cold War effort were put at risk without their knowledge and consent for reasons that, documents reveal, were driven by fears of adverse publicity, liability, and employee demands for hazardous duty pay.

(3) Many previously secret records have documented unmonitored exposures to radiation and beryllium and continuing problems at these sites across the Nation, at which the Department of Energy and its predecessor agencies have been, since World War II, self-regulating with respect to nuclear safety and occupational safety and health. No other hazardous Federal activity has been permitted to be carried out under such sweeping powers of self-regulation.

Substantial costs now being incurred are an undeniable consequence of the negligence in the past. Does Congress want to repeat the mistakes made 60, 40, even 20 years ago?

ANWAG fears that if this language remains in the NDAA the workplace environment at the nuclear weapons facilities will revert back to the ''profit over protection'' philosophy. This would result in, once again, workers needlessly placed in harm's way. Great strides have been taken by DOE to better protect their workers from exposure to radiation and chemical hazards, such as exposure to beryllium. While immediate radiological illnesses are not anticipated with this proposed change in the protection standard, it is known that the effects from long term low dose exposure to ionizing radiation produces serious and sometimes fatal illnesses after a lengthy latency period.

It is unconscionable that the current dedicated and patriotic workforce would be unnecessarily exposed and subjected to increased hazards because of this proposed change in protection standards. Knowledge of the serious pain and suffering incurred by the workers through lax policies of the past should lead any ethical politician to vote to protect the life and health of these nuclear weapons workers.

ANWAG urges you to keep these workers safe by deleting this language from NDAA. Do not consider language which will increase the possibility that these workers could contract debilitating and sometimes fatal diseases. Do not let the families of these workers share in the nightmare of watching their loved one die from a disease that could have been prevented if the worker had the proper protection.

If you require further information on the history of EEOICPA and its implementation, please do not hesitate to contact us.

Sincerely,

Alliance of Nuclear Worker Advocacy Groups: Harry Williams, ANWAG Founding Member; Terrie Barrie, ANWAG Founding Member; Scott Yundt, Staff Attorney, Tri-Valley CAREs; Paul Mullens, Union Local #5–689; Deb Jerison, Director, Energy Employees Claimant Assistance Project; Faye Vlieger, Advisory Committee Member, Cold War Patriots; David M. Manuta, Ph.D., FAIC, President, Manuta Chemical Consulting, Inc; D'Laine Blaze, TheAeroSpace.org; Laura Schultz, President, Rocky Flats Support Group; Jan Lovelace, Advocate, ORNL Firefighters; Ann Suellentrop, MSRN, Kansas City Physicians for Social Responsibility; Dr. Kathleen Burns, Director, Sciencecorps.

Mr. KUCINICH. Madam Speaker, I hereby submit the enclosed letters:

MAY 9, 2012.

Re Workers and Nuclear Safety Protection in the Department of Energy FY 2013 National Defense Authorization Act (HR 4310).

Hon. HOWARD MCKEON,
Chairman, House Armed Services Committee, U.S. House of Representatives Washington, DC.

Hon. ADAM SMITH,
Ranking Member, House Armed Services Committee, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN MCKEON AND RANKING MEMBER SMITH: On behalf of the Communications Workers of America (CWA), I write to express CWA's strong concern with language included in the House Armed Services Committee's FY 2013 National Defense Authorization Act (NDAA). As introduced, key sections of Title XXXI of the NDAA will weaken worker and nuclear safety protections for affected employees and community members living near facilities operated by the National Nuclear Security Administration (NNSA) within the U.S. Department of Energy (DOE).

Section 3115 of the proposed legislation will transfer responsibilities for worker safety and health enforcement at DOE weapons complex sites from the DOE's Office of Health, Safety and Security to the National Nuclear Security Administration (NNSA). Unfortunately, this will result in worker safety standards being limited to those issued under Section 6 of the Occupational Safety and Health Act (OSHA). Further, nuclear facility safety would be based upon ensuring the safety and health of workers of NNSA and its contractors—as well as the general public—are as low as practicable (as opposed to achievable) and that adequate protection is provided. This new standard will provide a lower level of protection than that used by the Nuclear Regulatory Commission for commercial nuclear power plants. As such, this weakening of workplace and worker safety and health protections will result in today's workers becoming the

next generation of occupational disease victims.

Under the legislation, there would be a drastic shift in the entire safety and health structure to a performance-based oversight system based on Occupational Safety and Health Administration (OSHA) standards. Such performance-based oversight will effectively eliminate the current DOE-specific safety and health standards that provide the means for adequate safety and health protections to be implemented at covered facilities and remove the enforcement mechanisms vital to ensuring worker and public safety. This change represents a dramatic shift towards contractor self-regulation and all but eliminates the government's role in ensuring the protection of workers and members of the public.

CWA represents several thousand workers at three of the targeted facilities, i.e., Lawrence Livermore National Laboratory, Lawrence Berkeley National laboratory, and Los Alamos National Laboratory. Our members at these facilities are exposed to a variety of radioactive and toxic materials. Many work operations at these facilities are unique to the DOE resulting in the issuance of specific worker safety orders setting requirements for contractors to follow and providing guidance helping workers to understand proper workplace protections.

As noted, the proposed legislation would eliminate such DOE safety orders including important provisions of DOE Order 850 which provides specific worker protections for beryllium exposure. Beryllium is an extremely toxic, life-threatening compound which causes a devastating lung disorder—Chronic Beryllium Disease. Further, the DOE Order provides significantly more protection than the OSHA beryllium standard—including an exposure limit which is ten times less than the OSHA standard.

In addition, the harmful legislation would eliminate coverage of DOE Order 851 which requires DOE facilities to have defined, proactive safety and health programs. (Unfortunately, there is no equivalent OSHA rule); eliminate DOE's current authority to order an employer to immediately correct a workplace hazard. (OSHA has limited authority to require such action of employers); and, as provided in the OSHAct, allow employers to delay workplace hazard abatement until lengthy legal procedures/appeals are exhausted.

CWA urges you to reject HR 4310 and any other efforts to weaken critical safety and health protections for DOE workers. As a stakeholder in this process, we are prepared to meet with you and/or other members of the committee to further explore and discuss this matter.

Sincerely,

SHANE LARSON,
Legislative Director,
Communications Workers of America.

MAY 16, 2012.

To: House Military Staff
From: Alliance for Nuclear Accountability
Subject: Protect Nuclear Safety Oversight—Support Miller-Visclosky-Sanchez Amendment to FY13 National Defense Authorization Act

The House Armed Services Committee mark of the National Defense Authorization Act (NDAA) contains several provisions that, if enacted, will adversely affect safety oversight at nuclear weapons facilities. Representatives Miller, Visclosky, and Sanchez are wisely offering an amendment to strike these provisions. Please support this important amendment that would protect workers at and communities surrounding nuclear weapons facilities.

These onerous provisions include:

Moving away from the ''adequate protection standard'' that has been the cornerstone of nuclear safety oversight for over 25 years.

Moving away from the existing ''transactional'' model of oversight to the more reactionary ''performance-based'' model.

Removing independence from nuclear weapons oversight, making all oversight agencies subservient to the Undersecretary for Nuclear Security.

Adding layers of unnecessary bureaucracy to the Defense Nuclear Facilities Safety Board.

If these provisions are included in the final NDAA, our nuclear safety will be significantly imperiled.

TALKING POINTS:

This bill would overturn the ''adequate protection standard'' that has guided nuclear safety oversight for over two decades. The adequate protection standard has been defined through legal precedent as not allowing cost considerations to impact safety recommendations. This standard would be muddled by a new ''low as reasonably practicable'' standard, an imprecise measure undefined by statute and almost certain to favor cost-cutting measures over public safety.

The NDAA would mandate that ''performance-based oversight'' replace ''transactional oversight'' for regulators. Right now nuclear oversight is ''transactional'', meaning that it prescribes best practices for contractors to follow in the hopes of avoiding an accident. ''Performance-based'' oversight is the style used by the National Transportation Safety Board, which would only investigate an airline's safety procedures after a plane crash, based on an airline's performance.

The NDAA would degrade the independent nature of oversight organizations such as the Defense Nuclear Facilities Safety Board (DNFSB) and OSHA. The bill would make these previously independent agencies subservient to the head of the National Nuclear Security Administration (NNSA) while conducting oversight activities. The stunning thing about this is that the NNSA is already free to disregard advice offered by agencies such as the DNFSB. The NDAA's new requirement would go further and allow the Undersecretary for Nuclear Security to directly interfere in investigations.

By enshrining contractors' role in determining how to achieve safety standards, the NDAA moves closer to allowing our nation's nuclear weapons labs to oversee themselves. The bottom line for these contractors is profit, not community or worker safety and they require appropriate oversight. We saw the result in Fukushima, Japan when nuclear oversight took a backseat to profits.

There is no reason to saddle the DNFSB with additional reporting and staffing requirements. DNFSB members are all appointed for their technical expertise and have a dedicated staff at their disposal; there is no reason to require that all Board members employ personal technical assistants or to micro-manage how information is communicated to and among Board members.

The Board should maintain primary responsibility for technical safety evaluations, allowing the Department of Energy to decide how best to implement DNFSB recommendations. Cost should not be the primary factor driving safety measures, the DNFSB should base its decisions on science and what's best for workers and communities. It should be the NNSA's responsibility to consider cost restrictions and determine implementation steps.

Thank you,

Katherine Fuchs, Program Director, Alliance for Nuclear Accountability (NM, SC, DC); Roger Herried, Abalone Alliance Clearinghouse (CA); Katie Heald, Coordinator, Campaign for a Nuclear Weapons Free World (CA); Renee Nelson, President, Clean Water and Air Matter (CA); Mark Donham, Coordinator, Coalition for Health Concerns (IL); Bob Kinsey, Co-Chair, Colorado Coalition for the Prevention of Nuclear War (CO); Joni Arends, Executive Director, Concerned Citizens for Nuclear Safety (NM); Gar Smith, Co-Founder, Environmentalists Against War (CA); Lisa Crawford, President, Fernald Residents for Environmental Safety and Health (OH); David Culp, Legislative Representative, Friends Committee on National Legislation (PA, DC); Jean Mcmahon, National Committee Delegate, Green Party of Oklahoma (OK); Tom Carpenter, Executive Director, Hanford Challenge (WA); Gerry Pollet, JD, Executive Director, Heart of America Northwest (WA); Donald B. Clark, Network for Environmental & Economic, Responsibility—United Church of Christ (TN); Rick Wayman, Program Director, Nuclear Age Peace Foundation (CA); Ralph Hutchison, Coordinator, Oak Ridge Environmental Peace Alliance (TN); Kevin Martin, Executive Director, Peace Action Education Fund (MD); Jon Rainwater, Executive Director, Peace Action West (CA); Jerry Stein, Coordinator, Peace Farm (TX); Catherine Thomasson, MD, Executive Director, Physicians for Social Responsibility (DC); Ann Suellentrop, R.N., President, Kansas City Physicians for Social Responsibility (MO); Robert Gould, President, San Francisco-Bay Area Physicians for Social Responsibility (CA); Lewis E. Patrie, M.D, M.P.H., Western North Carolina Physicians for Social (NC); Jay Coghlan, Executive Director, Nuclear Watch New Mexico (NM); Glenn Carroll, Coordinator, Nuclear Watch South (GA); Gene Stone, Coordinator, Residents Organized for a Safe Environment (CA); Judith Mohling, Coordinator, Nuclear Nexus Project, Rocky Mountain Peace and Justice Center (CO); Linda Seeley, Vice President, San Luis Obispo Mothers for Peace (CA); Liz Woodruff, Executive Director, Snake River Alliance (ID); Don Hancock, Director, Nuclear Waste Safety Program, Southwest Research and Information Center (NM); Marylia Kelley, Executive Director, Tri-Valley Communities Against a Radioactive Environment (CA); Kathy Crandall-Robinson, Public Policy Director, Women's Action for New Directions (MA, DC); Bobbie Paul, Executive Director, Georgia Women's Action for New Directions (GA).

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 661 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following:

SEC. 5. Notwithstanding any other provision of this resolution, the amendment printed in section 6 shall be in order as though printed as the last amendment in the report

of the Committee on Rules if offered by Representative McGovern of Massachusetts or a designee. That amendment shall be debatable for one hour equally divided and controlled by the proponent and an opponent.

SEC. 6. The amendment referred to in section 5 is as follows:

Strike section 1216 and insert the following:

SEC. 1216. COMPLETION OF ACCELERATED TRANSITION OF UNITED STATES COMBAT AND MILITARY AND SECURITY OPERATIONS TO THE GOVERNMENT OF AFGHANISTAN.

(a) IN GENERAL.—In coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, the President shall—

(1) complete the accelerated transition of United States combat operations to the Government of Afghanistan by not later than December 31, 2013;

(2) complete the accelerated transition of United States military and security operations to the Government of Afghanistan and redeploy United States Armed Forces from Afghanistan (including operations involving military and security-related contractors) by not later than December 31, 2014; and

(3) pursue robust negotiations leading to a political settlement and reconciliation of the internal conflict in Afghanistan, to include the Government of Afghanistan, all interested parties within Afghanistan and with the observance and support of representatives of donor nations active in Afghanistan and regional governments and partners in order to secure a secure and independent Afghanistan and regional security and stability.

(b) SENSE OF CONGRESS.—It is the sense of Congress that should the President determine the necessity to maintain United States troops in Afghanistan to carry out missions after December 31, 2014, such presence and missions should be authorized by Congress.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to limit or prohibit any authority of the President to—

(1) modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces redeploy from Afghanistan;

(2) attack Al Qaeda forces wherever such forces are located;

(3) provide financial support and equipment to the Government of Afghanistan for the training and supply of Afghanistan military and security forces; or

(4) gather, provide, and share intelligence with United States allies operating in Afghanistan and Pakistan.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308 311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. With that, I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McGOVERN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the rule, if ordered: and motions to suspend the rules with regard to H. Res. 568 and H.R. 5740.

The vote was taken by electronic device, and there were—yeas 236, nays 182, not voting 13, as follows:

[Roll No. 259]

YEAS—236

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf

Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—182

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—13

Amodei
Costello
Filner
Holden
Issa
Miller, George
Nunnelee
Pascrell
Sanchez, Loretta
Scalise
Slaughter
Southerland
Wasserman Schultz

□ 1427

Messrs. LOEBSACK, COSTA, SHULER, and Ms. HOCHUL changed their vote from ''yea'' to ''nay.''

Messrs. LONG, MILLER of Florida, and DUFFY changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 259, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore (Mr. GRIMM). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan and their families, and of all who serve in our Armed Forces and their families.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 178, not voting 9, as follows:

[Roll No. 260]

AYES—244

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—178

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Campbell
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz

Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—9

Amodei
Costello
Filner
Holden
Miller, George
Pascrell
Sanchez, Loretta
Slaughter
Wasserman Schultz

□ 1436

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 260, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

EXPRESSING SENSE OF HOUSE REGARDING IMPORTANCE OF PREVENTING IRAN FROM ACQUIRING A NUCLEAR WEAPONS CAPABILITY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 568) expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 11, answered ''present'' 9, not voting 10, as follows:

[Roll No. 261]

YEAS—401

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—11

Amash
Blumenauer
Davis (KY)
Duncan (TN)
Kucinich
Lee (CA)
McDermott
Olver
Paul
Stark
Woolsey

ANSWERED ''PRESENT''—9

Conyers
DeFazio
Ellison
Honda
Johnson (GA)
Johnson, E. B.
McCollum
Moore
Speier

NOT VOTING—10

Amodei
Costello
Filner
Gohmert
Holden
Miller, George
Pascrell
Sanchez, Loretta
Slaughter
Wasserman Schultz

□ 1445

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 261, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5740) to extend the National Flood Insurance Program, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 18, not voting 11, as follows:

[Roll No. 262]

YEAS—402

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks

Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walberg
Walden
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—18

Amash
Broun (GA)
Duncan (TN)
Flake
Franks (AZ)
Graves (GA)
Mack
McClintock
Miller (MI)
Paul
Petri
Quayle
Reed
Rohrabacher
Ross (FL)
Sensenbrenner
Visclosky
Walsh (IL)

NOT VOTING—11

Amodei
Costello
Filner
Hastings (WA)
Holden
Miller, George
Pascrell
Sanchez, Loretta
Schock
Slaughter
Wasserman Schultz

□ 1452

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 262, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

□ 1500

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4310.

The SPEAKER pro tempore (Mr. WOODALL). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 661 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4310.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 1508

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, May 16, 2012, all time for general debate pursuant to House Resolution 656 had expired.

Pursuant to House Resolution 661, no further general debate shall be in order. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–22. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 4310

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2013''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.
DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS
TITLE I—PROCUREMENT
Subtitle A—Authorization of Appropriations
Sec. 101. Authorization of appropriations.
Subtitle B—Army Programs
Sec. 111. Multiyear procurement authority for Army CH–47 helicopters.
Sec. 112. Reports on airlift requirements of the Army.
Subtitle C—Navy Programs
Sec. 121. Retirement of nuclear-powered ballistic submarines.
Sec. 122. Extension of Ford-class aircraft carrier construction authority.
Sec. 123. Extension of multiyear procurement authority for F/A–18E, F/A–18F, and E–18G aircraft.
Sec. 124. Multiyear procurement authority for V–22 joint aircraft program.
Sec. 125. Multiyear procurement authority for Arleigh Burke-class destroyers and associated systems.

Sec. 126. Multiyear procurement authority for Virginia-class submarine program.
Sec. 127. Refueling and complex overhaul of the U.S.S. Abraham Lincoln.
Sec. 128. Report on Littoral Combat Ship designs.
Sec. 129. Comptroller General reviews of Littoral Combat Ship program.
Sec. 130. Sense of Congress on importance of engineering in early stages of shipbuilding.
Sec. 131. Sense of Congress on Marine Corps Amphibious Lift and Presence Requirements.

Subtitle D—Air Force Programs

Sec. 141. Retirement of B–1 bomber aircraft.
Sec. 142. Maintenance of strategic airlift aircraft.
Sec. 143. Limitation on availability of funds for divestment or retirement of C–27J aircraft.
Sec. 144. Limitation on availability of funds for termination of C–130 avionics modernization program.
Sec. 145. Review of C–130 force structure.
Sec. 146. Limitation on availability of funds for evolved expendable launch vehicle program.
Sec. 147. Procurement of space-based infrared systems.

Subtitle E—Joint and Multiservice Matters

Sec. 151. Requirement to set F–35 aircraft initial operational capability dates.
Sec. 152. Limitation on availability of funds for retirement of RQ–4 Global Hawk unmanned aircraft systems.
Sec. 153. Common data link for manned and unmanned intelligence, surveillance, and reconnaissance systems.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Next-generation long-range strike bomber aircraft nuclear certification requirement.
Sec. 212. Unmanned combat air system.
Sec. 213. Extension of limitation on availability of funds for Unmanned Carrier-launched Surveillance and Strike system program.
Sec. 214. Limitation on availability of funds for future manned ground moving target indicator capability of the Air Force.
Sec. 215. Limitation on availability of funds for milestone A activities for the MQ–18 unmanned aircraft system.
Sec. 216. Vertical lift platform technology demonstrations.

Subtitle C—Missile Defense Programs

Sec. 221. Procurement of AN/TPY–2 radars.
Sec. 222. Development of advanced kill vehicle.
Sec. 223. Missile defense site on the East Coast.
Sec. 224. Ground-based midcourse defense system.
Sec. 225. Ground-based midcourse defense interceptor test.
Sec. 226. Deployment of SM–3 IIB interceptors on land and sea.
Sec. 227. Iron Dome short-range rocket defense program.
Sec. 228. Sea-based X-band radar.
Sec. 229. Prohibition on the use of funds for the MEADS program.
Sec. 230. Limitation on availability of funds for phased, adaptive approach to missile defense in Europe.
Sec. 231. Limitation on availability of funds for the precision tracking space system.
Sec. 232. Plan to improve discrimination and kill assessment capability of ballistic missile defense systems.
Sec. 233. Plan to increase rate of flight tests of ground-based midcourse defense system.
Sec. 234. Report on regional missile defense architectures.
Sec. 235. Use of funds for conventional prompt global strike program.
Sec. 236. Transfer of Aegis weapon system equipment to Missile Defense Agency.

Subtitle D—Reports

Sec. 241. Study on electronic warfare capabilities of the Marine Corps.
Sec. 242. National Research Council review of defense science and technical graduate education needs.
Sec. 243. Report on three-dimensional integrated circuit manufacturing capabilities.
Sec. 244. Report on efforts to field new directed energy weapons.

Subtitle E—Other Matters

Sec. 251. Eligibility for Department of Defense laboratories to enter into educational partnerships with educational institutions in territories and possessions of the United States.
Sec. 252. Regional advanced technology clusters.
Sec. 253. Briefing on power and energy research conducted at University Affiliated Research Center.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Authorization of appropriations of funds for inactivation execution of U.S.S. Enterprise.

Subtitle B—Energy and Environmental Provisions

Sec. 311. Training range sustainment plan and training range inventory.
Sec. 312. Modification of definition of chemical substance.
Sec. 313. Exemption of Department of Defense from alternative fuel procurement requirement.
Sec. 314. Limitation on availability of funds for procurement of alternative fuel.
Sec. 315. Plan on environmental exposures to members of the Armed Forces.

Subtitle C—Logistics and Sustainment

Sec. 321. Expansion and reauthorization of multi-trades demonstration project.
Sec. 322. Depot-level maintenance and repair.

Subtitle D—Readiness

Sec. 331. Intergovernmental support agreements with State and local governments.
Sec. 332. Extension and expansion of authority to provide assured business guarantees to carriers participating in Civil Reserve Air Fleet.
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Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Subtitle B—Other Matters

Sec. 2611. Modification of authority to carry out certain fiscal year 2010 projects.
Sec. 2612. Modification of authority to carry out certain fiscal year 2011 projects.
Sec. 2613. Extension of authorization of certain fiscal year 2009 project.
Sec. 2614. Extension of authorization of certain fiscal year 2010 projects.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Subtitle A—Authorization of Appropriations

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 1990.
Sec. 2702. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 2005.

Subtitle B—Other Matters

Sec. 2711. Consolidation of Department of Defense base closure accounts and authorized uses of base closure account funds.
Sec. 2712. Air Armament Center, Eglin Air Force Base.
Sec. 2713. Prohibition on conducting additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Preparation of military installation master plans.
Sec. 2802. Sustainment oversight and accountability for military housing privatization projects and related annual reporting requirements.
Sec. 2803. One-year extension of authority to use operation and maintenance funds for construction projects outside the United States.
Sec. 2804. Treatment of certain defense nuclear facility construction projects as military construction projects.
Sec. 2805. Execution of Chemistry and Metallurgy Research Building Replacement nuclear facility and limitation on alternative plutonium strategy.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Authority of military museums to accept gifts and services and to enter into leases and cooperative agreements.
Sec. 2812. Clarification of parties with whom Department of Defense may conduct exchanges of real property at certain military installations.
Sec. 2813. Indemnification of transferees of property at any closed military installation.
Sec. 2814. Identification requirement for entry on military installations.
Sec. 2815. Plan to protect critical Department of Defense critical assets from electromagnetic pulse weapons.

Subtitle C—Energy Security

Sec. 2821. Congressional notification for contracts for the provision and operation of energy production facilities authorized to be located on real property under the jurisdiction of a military department.
Sec. 2822. Continuation of limitation on use of funds for Leadership in Energy and Environmental Design (LEED) gold or platinum certification and expansion to include implementation of ASHRAE building standard 189.1.
Sec. 2823. Availability and use of Department of Defense energy cost savings to promote energy security.

Subtitle D—Provisions Related to Guam Realignment

Sec. 2831. Use of operation and maintenance funding to support community adjustments related to realignment of military installations and relocation of military personnel on Guam.
Sec. 2832. Certification of military readiness need for firing range on Guam as condition on establishment of range.
Sec. 2833. Repeal of conditions on use of funds for Guam realignment.

Subtitle E—Land Conveyances

Sec. 2841. Modification to authorized land conveyance and exchange, Joint Base Elmendorf Richardson, Alaska.
Sec. 2842. Modification of financing authority, Broadway Complex of the Department of the Navy, San Diego, California.
Sec. 2843. Land conveyance, John Kunkel Army Reserve Center, Warren, Ohio.
Sec. 2844. Land conveyance, Castner Range, Fort Bliss, Texas.
Sec. 2845. Modification of land conveyance, Fort Hood, Texas.
Sec. 2846. Transfer of administrative jurisdiction, Fort Lee Military Reservation and Petersburg National Battlefield, Virginia.

Subtitle F—Other Matters

Sec. 2861. Inclusion of religious symbols as part of military memorials.
Sec. 2862. Redesignation of the Center for Hemispheric Defense Studies as the William J. Perry Center for Hemispheric Defense Studies.
Sec. 2863. Sense of Congress regarding establishment of military divers memorial at Washington Navy Yard.
Sec. 2864. Gold Star Mothers National Monument, Arlington National Cemetery.
Sec. 2865. Naming of training and support complex, Fort Bragg, North Carolina.
Sec. 2866. Naming of electrochemistry engineering facility, Naval Support Activity Crane, Crane, Indiana.
Sec. 2867. Retention of core functions of the Electronic Systems Center at Hanscom Air Force Base, Massachusetts.
Sec. 2868. Retention of core functions of the Air Force Materiel Command, Wright-Patterson Air Force Base, Ohio.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

Sec. 2901. Authorized Navy construction and land acquisition projects.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
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Sec. 3111. Authorized personnel levels of the Office of the Administrator.
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Sec. 3116. Design and use of prototypes of nuclear weapons.
Sec. 3117. Improvement and streamlining of the missions and operations of the Department of Energy and National Nuclear Security Administration.
Sec. 3118. Cost-benefit analyses for competition of management and operating contracts.
Sec. 3119. Limitation on availability of funds for Inertial Confinement Fusion Ignition and High Yield Campaign.
Sec. 3120. Limitation on availability of funds for Global Security through Science Partnerships Program.
Sec. 3121. Limitation on availability of funds for Center of Excellence on Nuclear Security.
Sec. 3122. Two-year extension of schedule for disposition of weapons-usable plutonium at Savannah River Site, Aiken, South Carolina.

Subtitle C—Improvements to National Security Energy Laws

Sec. 3131. Improvements to the Atomic Energy Defense Act.
Sec. 3132. Improvements to the National Nuclear Security Administration Act.
Sec. 3133. Clarification of the role of the Administrator for Nuclear Security.
Sec. 3134. Consolidated reporting requirements relating to nuclear stockpile stewardship, management, and infrastructure.
Sec. 3135. Repeal of certain reporting requirements.

Subtitle D—Reports

Sec. 3141. Notification of nuclear criticality and non-nuclear incidents.
Sec. 3142. Reports on lifetime extension programs.

Sec. 3143. National Academy of Sciences study on peer review and design competition related to nuclear weapons.
Sec. 3144. Report on defense nuclear nonproliferation programs.
Sec. 3145. Study on reuse of plutonium pits.
Subtitle E—Other Matters
Sec. 3151. Use of probabilistic risk assessment to ensure nuclear safety.
Sec. 3152. Advice to President and Congress regarding safety, security, and reliability of United States nuclear weapons stockpile and nuclear forces.
Sec. 3153. Classification of certain restricted data.
Sec. 3154. Independent cost assessments for life extension programs, new nuclear facilities, and other matters.
Sec. 3155. Assessment of nuclear weapon pit production requirement.
Sec. 3156. Intellectual property related to uranium enrichment.
Sec. 3157. Sense of Congress on competition and fees related to the management and operating contracts of the nuclear security enterprise.
TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD
Sec. 3201. Authorization.
Sec. 3202. Improvements to the Defense Nuclear Facilities Safety Board.
TITLE XXXIV—NAVAL PETROLEUM RESERVES
Sec. 3401. Authorization of appropriations.
TITLE XXXV—MARITIME ADMINISTRATION
Sec. 3501. Authorization of appropriations for national security aspects of the merchant marine for fiscal year 2013.
Sec. 3502. Application of the Federal acquisition regulation.
Sec. 3503. Procurement of ship disposal.
Sec. 3504. Limitation of National Defense Reserve Fleet vessels to those over 1,500 gross tons.
Sec. 3505. Donation of excess fuel to maritime academies.
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DIVISION D—FUNDING TABLES
Sec. 4001. Authorization of amounts in funding tables.
TITLE XLI—PROCUREMENT
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TITLE XLIII—OPERATION AND MAINTENANCE
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TITLE XLIV—MILITARY PERSONNEL
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Sec. 4501. Other authorizations.
Sec. 4502. Other authorizations for overseas contingency operations.
TITLE XLVI—MILITARY CONSTRUCTION
Sec. 4601. Military construction.
Sec. 4602. Military construction for overseas contingency operations.
TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
Sec. 4701. Department of Energy national security programs.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR ARMY CH–47 HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Army may enter into a multiyear contract, beginning with the fiscal year 2013 program year, for the procurement of airframes for CH–47F helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 112. REPORTS ON AIRLIFT REQUIREMENTS OF THE ARMY.

(a) REPORTS.—Not later than October 31, 2012, and each year thereafter through 2017, the Secretary of the Army shall submit to the congressional defense committees a report on the time-sensitive or mission-critical airlift requirements of the Army.

(b) MATTERS INCLUDED.—The reports under subsection (a) shall include, with respect to the fiscal year before the fiscal year in which the report is submitted, the following information:

(1) The total number of time-sensitive or mission-critical airlift movements required for training, steady-state, and contingency operations.

(2) The total number of time-sensitive or mission-critical airlift sorties executed for training, steady-state, and contingency operations.

(3) Of the total number of sorties listed under paragraph (2), the number of such sorties that were operated using each of—

(A) aircraft of the Army;

(B) aircraft of the Air Force; and

(C) aircraft of contractors.

(4) For each sortie described under subparagraph (A) or (C) of paragraph (3), an explanation for why the Secretary did not use aircraft of the Air Force to support the mission.

Subtitle C—Navy Programs

SEC. 121. RETIREMENT OF NUCLEAR-POWERED BALLISTIC SUBMARINES.

Section 5062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Beginning October 1, 2012, the Secretary of the Navy may not retire or decommission a nuclear-powered ballistic missile submarine if such retirement or decommissioning would result in the active or commissioned fleet of such submarines consisting of less than 12 submarines.

''(2) The limitation in paragraph (1) shall not apply to a nuclear-powered ballistic submarine that has been converted to carry exclusively non-nuclear payloads as of October 1, 2012.''.

SEC. 122. EXTENSION OF FORD-CLASS AIRCRAFT CARRIER CONSTRUCTION AUTHORITY.

Section 121(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as amended by section 124 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1320), is amended by striking ''four fiscal years'' and inserting ''five fiscal years''.

SEC. 123. EXTENSION OF MULTIYEAR PROCUREMENT AUTHORITY FOR F/A–18E, F/A–18F, AND EA–18G AIRCRAFT.

Section 128 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2217), as amended by Public Law 111–238 (124 Stat. 2500), is amended by adding at the end the following new subsection:

''(f) EXTENSION OF MULTIYEAR AUTHORITY.—Notwithstanding section 2306b of title 10, United States Code, the Secretary of the Navy may modify a multiyear contract entered into under subsection (a) to add a fifth production year to such contract.''.

SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR V–22 JOINT AIRCRAFT PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2013 program year, for the procurement of V–22 aircraft for the Department of the Navy, the Department of the Air Force, and the United States Special Operations Command.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE-CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2013 program year, for the procurement of not more than 10 Arleigh Burke-class guided missile destroyers, including the Aegis weapon systems, MK 41 vertical launching systems, and commercial broadband satellite systems associated with such vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into a contract, beginning in fiscal year 2013, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

SEC. 126. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA-CLASS SUBMARINE PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—

(1) IN GENERAL.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2014 program year, for the procurement of not more than 10 Virginia-class submarines and Government-furnished equipment associated with the Virginia-class submarine program.

(2) USE OF INCREMENTAL FUNDING.—The Secretary may use incremental funding with respect to a contract entered into under paragraph (1).

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into a contract, beginning in fiscal year 2013, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a)(1).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a)(1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

SEC. 127. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. ABRAHAM LINCOLN.

(a) REFUELING AND COMPLEX OVERHAUL.—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2013 for shipbuilding and conversion, Navy, not more than $1,613,392,000 may be obligated or expended for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln (CVN–72) during such fiscal year. Such amount shall be the first increment in the two-year sequence of incremental funding planned for such nuclear refueling and complex overhaul.

(b) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into a contract during fiscal year 2013 for the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (b) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 128. REPORT ON LITTORAL COMBAT SHIP DESIGNS.

Not later than December 31, 2013, the Secretary of the Navy shall submit to the congressional defense committees a report on the designs of the Littoral Combat Ship, including comparative cost and performance information for both designs of such ship.

SEC. 129. COMPTROLLER GENERAL REVIEWS OF LITTORAL COMBAT SHIP PROGRAM.

(a) ACCEPTANCE OF LCS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the compliance of the Secretary of the Navy with part 246 of title 48 of the Code of Federal Regulations and subpart 46.5 of the Federal Acquisition Regulation in accepting the LCS.

(2) MATTERS INCLUDED.—The review under paragraph (1) shall include a discussion of the knowledge of, and determinations by, the LCS program office and contractors with respect to the following:

(A) Potential for cracks in the LCS hull and deckhouse and any corresponding potential design risks.

(B) Chargeable equipment failures.

(C) Potential for engine failures or breakdowns.

(D) Meeting key performance parameters, including speed.

(E) Review of the quality of seals and welds.

(F) Review of water jet corrosion.

(G) Completeness of records to support acceptance of the LCS.

(H) How the LCS risk and problems compare to lead ships in comparable programs.

(I) Security of the ship and systems, including any known lapses.

(J) Manning analysis, including how it would affect key performance parameters.

(K) Strategies for balancing cost, schedule, and performance trade-offs as required by section 201 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1719).

(b) OPERATIONAL SUPPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the operational support and sustainment strategy for the Littoral Combat Ship program, including modernization and logistics support.

(c) COOPERATION.—For purposes of conducting the review under subsection (a)(1) and (b), the Secretary of Defense shall ensure that the Comptroller General has access to—

(1) all relevant records of the Department; and

(2) all relevant communications between Department officials, whether such communications occurred inside or outside the Federal Government.

SEC. 130. SENSE OF CONGRESS ON IMPORTANCE OF ENGINEERING IN EARLY STAGES OF SHIPBUILDING.

It is the sense of Congress that—

(1) placing a priority on engineering dollars in the early stages of shipbuilding programs is a vital component of keeping cost down; and

(2) therefore, the Secretary of the Navy should take appropriate steps to prioritize early engineering in large ship construction including amphibious class ships beginning with the LHA–8.

SEC. 131. SENSE OF CONGRESS ON MARINE CORPS AMPHIBIOUS LIFT AND PRESENCE REQUIREMENTS.

(a) IN GENERAL.—It is the sense of Congress that—

(1) the United States Marine Corps is a combat force which leverages maneuver from the sea as a force multiplier allowing for a variety of operational tasks ranging from major combat operations to humanitarian assistance;

(2) the United States Marine Corps is unique in that, while embarked upon Naval vessels, they bring all the logistic support necessary for the full range of military operations, operating ''from the sea'' they require no third party host nation permission to conduct military operations;

(3) the Department of the Navy has a requirement for 38 amphibious assault ships to meet this full range of military operations;

(4) for budgetary reasons only that requirement of 38 vessels was reduced to 33 vessels, which adds military risk to future operations;

(5) the Department of the Navy has been unable to meet even the minimal requirement of 33 operationally available vessels and has submitted a shipbuilding and ship retirement plan to the Congress which will reduce the force to 28 vessels; and

(6) experience has shown that early engineering and design of naval vessels has significantly reduced the acquisition costs and life-cycle costs of those vessels.

(b) NEXT GENERATION OF AMPHIBIOUS SHIPS.—In light of subsection (a), it is the sense of Congress that—

(1) the Navy should consider prioritization of investment in and procurement of the next generation of amphibious assault ships;

(2) the next generation amphibious assault ships should maintain survivability protection level II in accordance with current Navy ship requirements;

(3) commonality in hull form design could be a desirable element to reduce acquisition and life cycle cost; and

(4) maintaining a robust amphibious shipbuilding industrial base is vital for future national security.

Subtitle D—Air Force Programs

SEC. 141. RETIREMENT OF B–1 BOMBER AIRCRAFT.

(a) IN GENERAL.—Section 8062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h)(1) Beginning October 1, 2011, the Secretary of the Air Force may not retire more than six B–1 aircraft.

''(2) The Secretary shall maintain in a common capability configuration not less than 36 B–1 aircraft as combat-coded aircraft.

''(3) In this subsection, the term 'combat-coded aircraft' means aircraft assigned to meet the primary aircraft authorization to a unit for the performance of its wartime mission.''.

(b) CONFORMING AMENDMENT.—Section 132 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1320) is amended by striking subsection (c).

SEC. 142. MAINTENANCE OF STRATEGIC AIRLIFT AIRCRAFT.

(a) MODIFICATION TO LIMITATION ON RETIREMENT OF C–5 AIRCRAFT.—Section 137(d)(3)(B) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2222) is amended by striking ''316'' and inserting ''301''.

(b) REPORT.—

(1) IN GENERAL.—Not later than February 1, 2013, the Commander of the United States Transportation Command shall submit to the congressional defense committees a report assessing the operational risk of meeting the steady-state and warfighting requirements of the commanders of the geographical combatant commands with respect to the Secretary of the Air Force maintaining an inventory of strategic airlift aircraft of less than 301 aircraft.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include a description and analysis of the assumptions made by the Commander with respect to—

(A) aircraft usage rates;

(B) aircraft mission availability rates;

(C) aircraft mission capability rates;

(D) aircrew ratios;

(E) aircrew production;

(F) aircrew readiness rates; and

(G) any other assumption the Commander uses to develop such report.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR DIVESTMENT OR RETIREMENT OF C–27J AIRCRAFT.

(a) IN GENERAL.—After fiscal year 2013, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to divest, retire, or transfer, or prepare to divest, retire, or transfer, a C–27J aircraft until a period of 180 days has elapsed following the date on which—

(1) the Director of the Congressional Budget Office submits to the congressional defense committees the analysis conducted under subsection (b)(1); and

(2) the reports under subsections (d)(2) and (e)(2) of section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1318) are submitted to the congressional defense committees.

(b) LIFE-CYCLE COST ANALYSIS.—

(1) CBO.—The Director of the Congressional Budget Office shall submit to the congressional defense committees a 40-year life-cycle cost analysis of C–27J aircraft, C–130H aircraft, and C–130J aircraft.

(2) MATTERS INCLUDED.—The life-cycle cost analysis conducted under paragraph (1) shall—

(A) take into account all upgrades and modifications required to sustain the aircraft specified in paragraph (1) during a 40-year service-life;

(B) assess the most cost-effective and mission-effective manner for which C–27J aircraft could be affordably fielded by the Air National Guard, including by determining—

(i) the number of basing locations required;

(ii) the number of authorized personnel associated with a unit's manning document; and

(iii) the maintenance and sustainment strategy required; and

(C) outline any limiting factors regarding the analysis of C–27J aircraft with respect to cost assumptions used by the Director in such analysis and the actual costs incurred for aircraft fielded by the Air Force as of the date of the analysis.

(3) COOPERATION.—The Secretary of Defense shall provide the Director with any information, including original source documentation, the Director determines is required to promptly conduct the analysis under paragraph (1).

SEC. 144. LIMITATION ON AVAILABILITY OF FUNDS FOR TERMINATION OF C–130 AVIONICS MODERNIZATION PROGRAM.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to terminate the C–130 avionics modernization program until a period of 180 days has elapsed after the date on which the Secretary of the Air Force submits to the congressional defense committees the cost-benefit analysis conducted under subsection (b)(1).

(b) COST-BENEFIT ANALYSIS.—

(1) FFRDC.—The Secretary shall seek to enter into an agreement with the Institute for Defense Analyses to conduct an independent cost-benefit analysis that compares the following alternatives:

(A) Upgrading and modernizing the legacy C–130 airlift fleet using the C–130 avionics modernization program.

(B) Upgrading and modernizing the legacy C–130 airlift fleet using a reduced scope program for avionics and mission planning systems.

(2) MATTERS INCLUDED.—The cost-benefit analysis conducted under paragraph (1) shall take into account—

(A) the effect of life-cycle costs for—

(i) each of the alternatives described in subparagraphs (A) and (B); and

(ii) C–130 aircraft that are not upgraded or modernized; and

(B) the future costs associated with the potential upgrades to avionics and mission systems that may be required in the future for legacy C–130 aircraft to remain relevant and mission effective.

SEC. 145. REVIEW OF C–130 FORCE STRUCTURE.

(a) REVIEW.—The Secretary of the Air Force shall conduct a review of the C–130 force structure.

(b) REPORT.—Not later than the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2014, the Secretary of the Air Force shall submit to the congressional defense committees a report of the review under subsection (a), including—

(1) how the Secretary will determine which C–130 aircraft will be retired or relocated during fiscal years 2014 through 2018;

(2) a description of the methodologies underlying such determinations, including the factors and assumptions that shaped the specific determinations;

(3) the rationale for selecting C–130 aircraft to be retired or relocated with respect to such aircraft of the regular components and such aircraft of the reserve components; and

(4) details of the costs incurred, avoided, or saved with respect to retiring or relocating C–130 aircraft.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the date on which the report is submitted under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees a review of such report, including the costs and benefits of the planned retirements and relocations described in such report.

SEC. 146. LIMITATION ON AVAILABILITY OF FUNDS FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) assured access to space remains critical to national security; and

(2) the plan by the Air Force to commit, beginning in fiscal year 2013, to an annual production rate of launch vehicle booster cores should maintain mission assurance, stabilize the industrial base, reduce costs, and provide opportunities for competition.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force for the evolved expendable launch vehicle program, 10 percent may not be obligated or expended until the date on which the Secretary of the Air Force submits to the appropriate congressional committees—

(1) a report describing the acquisition strategy for such program; and

(2) written certification that such strategy—

(A) maintains assured access to space;

(B) achieves substantial cost savings; and

(C) provides opportunities for competition.

(c) MATTERS INCLUDED.—The report under subsection (b)(1) shall include the following information:

(1) The anticipated savings to be realized under the acquisition strategy for the evolved expendable launch vehicle program.

(2) The number of launch vehicle booster cores covered by the planned contract for such program.

(3) The number of years covered by such contract.

(4) An assessment of when new entrants that have submitted a statement of intent will be certified to compete for evolved expendable launch vehicle-class launches.

(5) The projected launch manifest, including possible opportunities for certified new entrants to compete for evolved expendable launch vehicle-class launches.

(6) Any other relevant analysis used to inform the acquisition strategy for such program.

(d) COMPTROLLER GENERAL.—

(1) REVIEW.—The Comptroller General of the United States shall review the report under subsection (b)(1).

(2) SUBMITTAL.—Not later than 30 days after the date on which the report under subsection (b)(1) is submitted to the appropriate congressional committees, the Comptroller General shall—

(A) submit to such committees a report on the review under paragraph (1); or

(B) provide to such committees a briefing on such review.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 147. PROCUREMENT OF SPACE-BASED INFRARED SYSTEMS.

(a) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Air Force may procure two space-based infrared systems by entering into a fixed-price contract. Such procurement may also include—

(A) material and equipment in economic order quantities when cost savings are achievable; and

(B) cost reduction initiatives.

(2) USE OF INCREMENTAL FUNDING.—With respect to a contract entered into under paragraph (1) for the procurement of space-based infrared systems, the Secretary may use incremental funding for a period not to exceed six fiscal years.

(3) LIABILITY.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that the total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at the time of termination.

(b) LIMITATION OF COSTS.—

(1) LIMITATION.—Except as provided by subsection (c), and excluding amounts described in paragraph (2), the total amount obligated or expended for the procurement of two space-based infrared systems authorized by subsection (a) may not exceed $3,900,000,000.

(2) EXCLUSION.—The amounts described in this paragraph are amounts associated with the following:

(A) Plans.

(B) Technical data packages.

(C) Post-delivery and program support costs.

(D) Technical support for obsolescence studies.

(c) WAIVER AND ADJUSTMENT TO LIMITATION AMOUNT.—

(1) WAIVER.—In accordance with paragraph (2), the Secretary may waive the limitation in subsection (b)(1) if the Secretary submits to the congressional defense committees written notification of the adjustment made to the amount set forth in such subsection.

(2) ADJUSTMENT.—Upon waiving the limitation under paragraph (1), the Secretary may adjust the amount set forth in subsection (b)(1) by the following:

(A) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2012.

(B) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2012.

(C) The amounts of increases or decreases in costs of the satellites that are attributable to insertion of new technology into a space-based infrared system, as compared to the technology built into such a system procured prior to fiscal year 2013, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is—

(i) expected to decrease the life-cycle cost of the system; or

(ii) required to meet an emerging threat that poses grave harm to national security.

(d) REPORT.—Not later than 30 days after the date on which the Secretary awards a contract under subsection (a), the Secretary shall submit to the congressional defense committees a report on such contract, including the following:

(1) The total cost savings resulting from the authority provided by subsection (a).

(2) The type and duration of the contract awarded.

(3) The total contract value.

(4) The funding profile by year.

(5) The terms of the contract regarding the treatment of changes by the Federal Government to the requirements of the contract, including how any such changes may affect the success of the contract.

(6) A plan for using cost savings described in paragraph (1) to improve the capability of overhead persistent infrared, including a description of—

(A) the available funds, by year, resulting from such cost savings;

(B) the specific activities or subprograms to be funded by such cost savings and the funds, by year, allocated to each such activity or subprogram;

(C) the objectives for each such activity or subprogram and the criteria used by the Secretary to determine which such activity or subprogram to fund;

(D) the method in which such activities or subprograms will be awarded, including whether it will be on a competitive basis; and

(E) the process for determining how and when such activities and subprograms would transition to an existing program or be established as a new program of record.

Subtitle E—Joint and Multiservice Matters

SEC. 151. REQUIREMENT TO SET F–35 AIRCRAFT INITIAL OPERATIONAL CAPABILITY DATES.

(a) F–35A.—Not later than December 31, 2012, the Secretary of the Air Force shall—

(1) establish the initial operational capability date for the F–35A aircraft; and

(2) submit to the congressional defense committees a report on the details of such initial operational capability.

(b) F–35B AND F–35C.—Not later than December 31, 2012, the Secretary of the Navy shall—

(1) establish the initial operational capability dates for the F–35B and F–35C aircraft; and

(2) submit to the congressional defense committees a report on the details of such initial operational capabilities for both variants.

SEC. 152. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF RQ–4 GLOBAL HAWK UNMANNED AIRCRAFT SYSTEMS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to retire, prepare to retire, or place in storage an RQ–4 Block 30 Global Hawk unmanned aircraft system.

(b) MAINTAINED LEVELS.—During the period preceding December 31, 2014, in supporting the operational requirements of the combatant commands, the Secretary of the Air Force shall maintain the operational capability of each RQ–4 Block 30 Global Hawk unmanned aircraft system belonging to the Air Force or delivered to the Air Force during such period.

SEC. 153. COMMON DATA LINK FOR MANNED AND UNMANNED INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE SYSTEMS.

Section 141 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3164), as amended by section 143 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2223), is amended by adding at the end the following new subsection:

''(e) STANDARDS IN SOLICITATIONS.—The Secretary of Defense shall ensure that a solicitation for a common data link described in subsection (a)—

''(1) complies with the most recently issued common data link specification standard of the Department of Defense as of the date of the solicitation; and

''(2) does not include any proprietary or undocumented interface or waveform as a requirement or criterion for evaluation.''.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. NEXT-GENERATION LONG-RANGE STRIKE BOMBER AIRCRAFT NUCLEAR CERTIFICATION REQUIREMENT.

The Secretary of the Air Force shall ensure that the next-generation long-range strike bomber is—

(1) capable of carrying strategic nuclear weapons as of the date on which such aircraft achieves initial operating capability; and

(2) certified to use such weapons by not later than two years after such date.

SEC. 212. UNMANNED COMBAT AIR SYSTEM.

The Secretary of the Navy shall—

(1) conduct additional technology development risk reduction activities using the unmanned combat air system; and

(2) preserve a competitive acquisition environment for the Unmanned Carrier-launched Surveillance and Strike system program.

SEC. 213. EXTENSION OF LIMITATION ON AVAILABILITY OF FUNDS FOR UNMANNED CARRIER-LAUNCHED SURVEILLANCE AND STRIKE SYSTEM PROGRAM.

(a) EXTENSION OF LIMITATION.—Subsection (a) of section 213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1330) is amended by inserting ''or fiscal year 2013'' after ''fiscal year 2012''.

(b) TECHNOLOGY DEVELOPMENT PHASE.—Such section is further amended by adding at the end the following new subsection:

''(d) TECHNOLOGY DEVELOPMENT AND CRITICAL DESIGN PHASES.—

''(1) CONTRACTORS.—The Secretary of the Navy may not reduce the number of prime contractors working on the Unmanned Carrier-launched Surveillance and Strike system program to one prime contractor for the technology development phase of such program prior to the program achieving the critical design review milestone.

''(2) CRITICAL DESIGN REVIEW.—The Unmanned Carrier-launched Surveillance and Strike system program may not achieve the critical design review milestone until on or after October 1, 2016.''.

(c) TECHNICAL AMENDMENT.—Such section is further amended by striking ''Future Unmanned Carrier-based Strike System'' each place it appears and inserting ''Unmanned Carrier-launched Surveillance and Strike system''.

SEC. 214. LIMITATION ON AVAILABILITY OF FUNDS FOR FUTURE MANNED GROUND MOVING TARGET INDICATOR CAPABILITY OF THE AIR FORCE.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for research, development, test, and evaluation, Air Force, may be obligated or expended for any activity, including pre-Milestone A activities, to initiate a new start acquisition program to provide the Air Force with a manned ground moving target indicator capability or manned dismount moving target indicator capability until a period of 90 days has elapsed following the date on which the Secretary of the Air Force submits the report under subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the plan of the future manned ground moving target and manned dismount moving target indicator capabilities of the Air Force.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The plan to maintain onboard command and control capability that is equal to or better than such capability provided by the E–8C joint surveillance target attack radar program.

(B) Each analysis of alternatives completed during fiscal year 2012 regarding future manned ground moving target indicator capability or manned dismount moving target indicator capability.

(C) With respect to each new program analyzed in an analysis of alternatives described in subparagraph (B)—

(i) the development, procurement, and sustainment cost estimates for such program; and

(ii) a description of how such program will affect the potential growth of future manned ground moving target indicator capability or manned dismount moving target indicator capability.

(D) A description of potential operational and sustainment cost savings realized by the Air Force using a platform that is—

(i) derived from commercial aircraft; and

(ii) in operation by the Department of Defense as of the date of the report.

(E) The plan by the Secretary of Defense to retire or replace E–8C joint surveillance target attack radar aircraft.

(F) Any other matter the Secretary considers appropriate.

(c) WAIVER.—The Secretary may waive the limitation in subsection (a) if the Secretary—

(1) determines that such waiver is required to meet an urgent operational need or other emergency contingency requirement directly related to ongoing combat operations; and

(2) notifies the congressional defense committees of such determination.

SEC. 215. LIMITATION ON AVAILABILITY OF FUNDS FOR MILESTONE A ACTIVITIES FOR THE MQ–18 UNMANNED AIRCRAFT SYSTEM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for research, development, test, and evaluation, Army, may be obligated or expended for Milestone A activities with respect to the MQ–18 medium-range multi-purpose vertical take-off and landing unmanned aircraft system until—

(1) the Chairman of the Joint Requirements Oversight Council certifies in writing to the appropriate congressional committees that—

(A) such system is required to meet a capability in the manned and unmanned medium-altitude intelligence, surveillance, and reconnaissance force structure of the Department of Defense; and

(B) an existing unmanned aircraft system cannot meet such capability or be modified to meet such capability; and

(2) a period of 30 days has elapsed following the date on which the Chairman submits the certification under paragraph (1).

(b) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(2) The term ''Milestone A activities'' means, with respect to an acquisition program of the Department of Defense—

(A) the distribution of request for proposals;

(B) the selection of technology demonstration contractors; and

(C) technology development.

SEC. 216. VERTICAL LIFT PLATFORM TECHNOLOGY DEMONSTRATIONS.

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act or otherwise made

available for fiscal year 2013 for joint capability technology demonstrations, the Under Secretary of Defense for Acquisition, Technology, and Logistics may obligate or expend not more than $5,000,000 to carry out a program to develop and flight-demonstrate vertical lift platform technologies that address the capability gaps described in the Future Vertical Lift Strategic Plan of the Department of Defense submitted to Congress in August 2010.

(b) GOALS AND OBJECTIVES.—The Under Secretary shall ensure that the program under subsection (a) has the following goals and objectives:

(1) To develop innovative vertical lift platform technologies that address capability gaps in speed, range, ceiling, survivability, reliability, and affordability applicable to both current and future rotorcraft of the Department of Defense.

(2) To flight-demonstrate such vertical lift technologies no later than 2016.

(3) To accelerate the development and transition of innovative vertical lift technologies by promoting the formation of competitive teams of small business working in collaboration with large contractors and academia.

Subtitle C—Missile Defense Programs

SEC. 221. PROCUREMENT OF AN/TPY–2 RADARS.

(a) PROCUREMENT.—The Secretary of Defense shall procure two AN/TPY–2 radars.

(b) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of developing an AN/TPY–2 radar on a rotational table to allow the radar to quickly change directions.

SEC. 222. DEVELOPMENT OF ADVANCED KILL VEHICLE.

Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report that includes—

(1) a plan to provide that the new advanced kill vehicle on the standard missile–3 block IIB interceptor shall have the capability of being used for the ground-based midcourse defense program; and

(2) a description of the technology of and concept behind applying the former multiple kill vehicle concept to the new vehicle described in paragraph (1).

SEC. 223. MISSILE DEFENSE SITE ON THE EAST COAST.

(a) OPERATIONAL SITE.—The Secretary of Defense shall ensure that a covered missile defense site on the East Coast of the United States is operational by not later than December 31, 2015.

(b) CONSIDERATION OF LOCATION.—

(1) STUDY.—Not later than December 31, 2013, the Secretary of Defense shall conduct a study evaluating three possible locations selected by the Director of the Missile Defense Agency for a covered missile defense site on the East Coast of the United States.

(2) EIS.—The Secretary shall prepare an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for each location evaluated under paragraph (1).

(3) LOCATION.—In selecting the three possible locations for a covered missile defense site under paragraph (1), the Secretary should—

(A) take into consideration—

(i) the strategic location of the proposed site; and

(ii) the proximity of the proposed site to major population centers; and

(B) give priority to a proposed site that—

(i) is operated or supported by the Department of Defense;

(ii) lacks encroachment issues; and

(iii) has a controlled airspace.

(c) PLAN.—

(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to deploy an appropriate missile defense interceptor for a missile defense site on the East Coast.

(2) MATTERS INCLUDED.—In developing the plan under paragraph (1), the Director shall evaluate the use of—

(A) two- or three-stage ground-based interceptors; and

(B) standard missile–3 interceptors, including block IA, block IB, and for a later deployment, block IIA or block IIB interceptors.

(3) SUBMISSION.—The Director shall submit to the President the plan under paragraph (1) for inclusion with the budget materials submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2014.

(4) FUNDING.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Missile Defense Agency, $100,000,000 may be obligated or expended to carry out the plan developed under paragraph (1) after a period of 30 days has elapsed following the date on which the congressional defense committees receive the plan pursuant to paragraph (3).

(d) COVERED MISSILE DEFENSE SITE.—In this section, the term ''covered missile defense site'' means a missile defense site that uses—

(1) ground-based interceptors; or

(2) standard missile–3 interceptors.

SEC. 224. GROUND-BASED MIDCOURSE DEFENSE SYSTEM.

(a) GMD SYSTEM.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense, not less than $1,261,000,000 shall be made available for the ground-based midcourse defense system, as specified in the funding table in section 4201.

(b) CERTAIN PROGRAMS OF THE GMD SYSTEM.—

(1) EKV.—The Secretary of Defense shall complete the refurbishment of the CE1 exoatmospheric kill vehicle-equipped ground-based interceptors.

(2) MF-1.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the ground-based midcourse defense system, not less than $205,000,000 shall be obligated or expended to upgrade Missile Field 1 at Fort Greely, Alaska.

SEC. 225. GROUND-BASED MIDCOURSE DEFENSE INTERCEPTOR TEST.

Not later than December 31, 2013, the Secretary of Defense shall conduct an intercontinental ballistic missile test of the ground-based midcourse defense program using a ground-based interceptor equipped with a CE1 exoatmospheric kill vehicle.

SEC. 226. DEPLOYMENT OF SM–3 IIB INTERCEPTORS ON LAND AND SEA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that standard missile–3 block IIB interceptors should be deployable in both land-based and sea-based modes by the date on which such interceptors achieve initial operating capability.

(b) LAND AND SEA MODES.—The Secretary of Defense shall ensure that standard missile–3 block IIB interceptors are deployable using both land-based and sea-based systems by the date on which such interceptors achieve initial operating capability.

(c) REPORT.—

(1) FORCE STRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on how the deployment of standard missile–3 block IIB interceptors affects the force structure of the Navy.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The implications for the force structure of the Navy if standard missile–3 block IIB interceptors cannot fit in the standard vertical launching system configuration for the Aegis ballistic missile defense system, including the implications regarding—

(i) ship deployments;

(ii) cost; and

(iii) ability to respond to raids.

(B) An explanation for how standard missile–3 block IIB interceptors would be used, at initial operating capability, for the defense of the United States from threats originating in the Pacific region if such interceptors are not deployable in a sea-based mode, including an explanation of cost and force structure requirements.

SEC. 227. IRON DOME SHORT-RANGE ROCKET DEFENSE PROGRAM.

(a) AVAILABILITY OF FUNDS.—

(1) IN GENERAL.—Of the funds authorized to be appropriated by section 201 for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201, or otherwise made available for the Department of Defense for fiscal years 2012 through 2015, the Secretary of Defense may provide up to $680,000,000 to the Government of Israel for the procurement of additional batteries and interceptors under the Iron Dome short-range rocket defense system and for related operations and sustainment expenses.

(2) AVAILABILITY.—Funds made available for fiscal year 2012 or 2013 to carry out paragraph (1) are authorized to remain available until September 30, 2014.

(b) OFFICE.—The Secretary of Defense shall establish within the Missile Defense Agency of the Department of Defense an office to carry out subsection (a) and other matters relating to assistance for Israel's Iron Dome short-range rocket defense system.

SEC. 228. SEA-BASED X-BAND RADAR.

The Director of the Missile Defense Agency shall ensure that the sea-based X-band radar is maintained in a status such that the radar may be deployed in less than 14 days and for at least 60 days each year.

SEC. 229. PROHIBITION ON THE USE OF FUNDS FOR THE MEADS PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended for the medium extended air defense system.

SEC. 230. LIMITATION ON AVAILABILITY OF FUNDS FOR PHASED, ADAPTIVE APPROACH TO MISSILE DEFENSE IN EUROPE.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for covered missile defense activities, not more than 75 percent may be obligated or expended until—

(1) the Secretary of Defense and the Secretary of State jointly submit to the appropriate congressional committees—

(A) a report on the cost-sharing arrangements for the phased, adaptive approach to missile defense in Europe; and

(B) written certification that a proportional share, as determined by the Secretaries, of the costs for such approach to missile defense will be provided by members of the North Atlantic Treaty Organization other than the United States; and

(2) the Secretary of Defense—

(A) submits a NATO prefinancing request for consideration of expenses regarding such approach to missile defense (excluding such expenses related to military construction described in section 2403(b)); and

(B) submits to the appropriate congressional committees the response by the NATO Secretary General or the North Atlantic Council to such request.

(b) WAIVER.—The President may waive the limitation in subsection (a) with respect to a

specific project of a covered missile defense activity if the President submits to the appropriate congressional committees and the written certification that the waiver for such project is vital to the national security interests of the United States.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) The term ''covered missile defense activities'' means, with respect to the phased, adaptive approach to missile defense in Europe, activities regarding—

(A) Aegis ashore sites; or

(B) an AN/TPY–2 radar located in Turkey.

SEC. 231. LIMITATION ON AVAILABILITY OF FUNDS FOR THE PRECISION TRACKING SPACE SYSTEM.

(a) INITIAL LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the precision tracking space system may be obligated or expended until the date on which—

(1) a federally funded research and development center begins the analysis under subsection (b)(1); and

(2) the terms of reference for the analysis are submitted to the congressional defense committees.

(b) ANALYSIS OF ALTERNATIVES.—

(1) FFRDC.—The Director of the Missile Defense Agency shall enter into an agreement with a federally funded research and development center that has not previously been involved with the precision tracking space system to conduct an analysis of alternatives of such program.

(2) BASIS OF ANALYSIS.—The analysis under paragraph (1) shall be based on a clear articulation by the Director of—

(A) the ground-based sensors that will be required to be maintained to aid the precision tracking space system constellation;

(B) the number of satellites to be procured for a first constellation, including the projected lifetime of such satellites in the first constellation, and the number projected to be procured for a first and, if applicable, second replenishment;

(C) the technological and acquisition risks of such system;

(D) an evaluation of the technological capability differences between the precision tracking space system sensor and the space tracking and surveillance system sensor; and

(E) the cost differences, as confirmed by the Director of Cost Assessment and Program Evaluation, between such systems, including costs relating to launch services.

(3) ANALYSIS.—In conducting the analysis under paragraph (1), the federally funded research and development center shall—

(A) appoint a panel of independent study leaders for such analysis;

(B) evaluate whether the precision tracking space system, as planned by the Director in the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2013, is the lowest cost sensor option with respect to land-, air-, or space-based sensors, or a combination thereof, to improve the homeland missile defense of the United States, including by adding discrimination capability to the ground-based midcourse defense system;

(C) examine the overhead persistent infrared data or other data that is available as of the date of the analysis that is not being used;

(D) determine how using the data described in subparagraph (C) could improve sensor coverage for the homeland missile defense of the United States and regional missile defense capabilities;

(E) study the plans of the Director to integrate the precision tracking space system concept into the ballistic missile defense system and evaluate the concept or operations of such use; and

(F) consider the agreement entered into under subsection (d)(1).

(4) COST DETERMINATION.—In determining costs under the analysis under paragraph (1), the federally funded research and development center shall take into account acquisition costs and operation and sustainment costs during the initial ten-year and twenty-year periods.

(c) FURTHER LIMITATION.—

(1) SUBMITTAL AND WAIT.—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the precision tracking space system may obligated or expended until—

(A) the Director submits to the congressional defense committees the analysis under subsection (b)(1); and

(B) a period of 60 days has elapsed following the date of such submittal.

(2) EXCEPTION.—The limitation in paragraph (1) shall not apply to funds described in such paragraph that are obligated or expended for technology development activities.

(d) MEMORANDUM OF AGREEMENT.—

(1) IN GENERAL.—The Director shall enter into a memorandum of agreement with the Commander of the Air Force Space Command with respect to the space situational awareness capabilities, requirements, design, and cost-sharing of the precision tracking space system.

(2) SUBMITTAL.—The Director shall submit to the congressional defense committees the agreement entered into under paragraph (1).

SEC. 232. PLAN TO IMPROVE DISCRIMINATION AND KILL ASSESSMENT CAPABILITY OF BALLISTIC MISSILE DEFENSE SYSTEMS.

(a) PLAN.—The Director of the Missile Defense Agency shall develop a plan to improve the discrimination and kill assessment capability of ballistic missile defense systems, particularly with respect to the ground-based midcourse defense system.

(b) SUBMISSION.—Not later than December 31, 2012, the Director shall—

(1) transmit to the Secretary of Defense the plan under subsection (a) to be used in the budget materials submitted to the President by the Secretary in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2014; and

(2) submit to the congressional defense committees such plan.

SEC. 233. PLAN TO INCREASE RATE OF FLIGHT TESTS OF GROUND-BASED MIDCOURSE DEFENSE SYSTEM.

(a) PLAN.—

(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to increase the rate of flight tests and ground tests of the ground-based midcourse defense system.

(2) RATE OF PLANNED FLIGHT TESTS.—The plan under paragraph (1) shall ensure that there are at least three flight tests conducted during every two-year period unless the Director submits to the congressional defense committees—

(A) written certification that such rate of tests is not feasible or cost-effective; and

(B) an analysis explaining the reasoning of such certification.

(b) SUBMISSION.—Not later than December 31, 2012, the Director shall—

(1) transmit to the Secretary of Defense the plan under subsection (a)(1) to be used in the budget materials submitted to the President by the Secretary in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2014; and

(2) submit to the congressional defense committees such plan.

SEC. 234. REPORT ON REGIONAL MISSILE DEFENSE ARCHITECTURES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall submit to the congressional defense committees a report on—

(1) the regional missile defense architectures, including the force structure and inventory requirements derived from such architectures; and

(2) the comprehensive force management process to evaluate such requirements, including the capability, deployment, and resource outcomes that such process has determined.

SEC. 235. USE OF FUNDS FOR CONVENTIONAL PROMPT GLOBAL STRIKE PROGRAM.

The Secretary of Defense shall ensure that any funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for ground-testing activities of the conventional prompt global strike program are obligated or expended using competitive solicitation procedures to involve industry as well as government partners.

SEC. 236. TRANSFER OF AEGIS WEAPON SYSTEM EQUIPMENT TO MISSILE DEFENSE AGENCY.

(a) TRANSFER BY NAVY.—In accordance with section 230, the Secretary of the Navy may—

(1) transfer to the Director of the Missile Defense Agency Aegis weapon system equipment with ballistic missile defense capability for use by the Director in the Aegis ashore site in the country the Director has designated as ''Host Nation 1'';

(2) in ensuring the shipbuilding schedules of ships affected by this section—

(A) obligate or expend unobligated funds made available for fiscal year 2012 for shipbuilding and conversion, Navy, for the DDG–51 Destroyer to deliver complete, mission-ready Aegis weapon system equipment with ballistic missile defense capability to a DDG–51 Destroyer for which funds were made available for fiscal year 2012 under shipbuilding and conversion, Navy; or

(B) use any Aegis weapon system equipment acquired using such funds to deliver complete, mission-ready Aegis weapon system equipment with ballistic missile defense capability to a DDG–51 Destroyer for which funds were made available for fiscal year 2012 under shipbuilding and conversion, Navy; and

(3) treat equipment transferred to the Secretary under subsection (b) as equipment acquired using funds made available under shipbuilding and conversion, Navy, for purposes of completing the construction and outfitting of such equipment.

(b) TRANSFER BY MDA.—In accordance with section 230, upon the receipt of any equipment under subsection (a), the Director of the Missile Defense Agency shall transfer to the Secretary of the Navy Aegis weapon system equipment with ballistic missile defense capability procured by the Director for installation in a shore-based Aegis weapon system for use by the Secretary in the DDG–51 Destroyer program.

Subtitle D—Reports

SEC. 241. STUDY ON ELECTRONIC WARFARE CAPABILITIES OF THE MARINE CORPS.

(a) STUDY.—The Commandant of the Marine Corps shall conduct a study on the future capabilities of the Marine Corps with respect to electronic warfare.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall submit to the congressional defense committees a report on the study conducted under subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) A detailed plan for EA–6B Prowler aircraft squadrons.

(B) A solution for the replacement of such aircraft.

(C) Concepts of operation for future air-ground task force electronic warfare capabilities of the Marine Corps.

(D) Any other issues that the Commandant determines appropriate.

SEC. 242. NATIONAL RESEARCH COUNCIL REVIEW OF DEFENSE SCIENCE AND TECHNICAL GRADUATE EDUCATION NEEDS.

(a) REVIEW.—The Secretary of Defense shall enter into an agreement with the National Research Council to conduct a review of specialized degree-granting graduate programs of the Department of Defense in engineering, applied sciences, and management.

(b) MATTERS INCLUDED.—At a minimum, the review under subsection (a) shall address—

(1) the need by the Department of Defense and the military departments for military and civilian personnel with advanced degrees in engineering, applied sciences, and management, including a list of the numbers of such personnel needed by discipline;

(2) an analysis of the sources by which the Department of Defense and the military departments obtain military and civilian personnel with such advanced degrees;

(3) the need for educational institutions under the Department of Defense to meet the needs identified in paragraph (1);

(4) the costs and benefits of maintaining such educational institutions, including costs relating to directed research;

(5) the ability of private institutions or distance-learning programs to meet the needs identified in paragraph (1);

(6) existing organizational structures, including reporting chains, within the military departments to manage the graduate education needs of the Department of Defense and the military departments; and

(7) recommendations for improving the ability of the Department of Defense to identify, manage, and source the graduate education needs of the Department.

(c) REPORT.—Not later than 30 days after the date on which the review under subsection (a) is completed, the Secretary shall submit to the congressional defense committees a report on the results of such review.

SEC. 243. REPORT ON THREE-DIMENSIONAL INTEGRATED CIRCUIT MANUFACTURING CAPABILITIES.

(a) ASSESSMENT.—The Secretary of Defense shall conduct a comprehensive assessment regarding the manufacturing capability of the United States to produce three-dimensional integrated circuits to serve the national defense interests of the United States.

(b) ELEMENTS.—The assessment under subsection (a) shall include—

(1) an assessment of the military requirements for using three-dimensional integrated circuits in future microelectronic systems;

(2) an assessment of the current domestic commercial capability to develop and manufacture three-dimensional integrated circuits for use in military systems, including a plan for alternative sources to supply such circuits in case of shortages in the domestic supply; and

(3) an assessment of the feasibility, as well as planning and design requirements, for the development of a domestic manufacturing capability for three-dimensional integrated circuits.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessment under subsection (a).

(d) FORM.—The report under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

SEC. 244. REPORT ON EFFORTS TO FIELD NEW DIRECTED ENERGY WEAPONS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report summarizing efforts within the Department of Defense to transition mature and maturing directed energy technologies to new operational weapon systems during the five- to- ten-year period beginning on the date of the report.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) Thorough assessments of—

(A) the maturity of high-energy laser, high-power microwave, and millimeter wave non-lethal technologies, both domestically and foreign;

(B) missions for which directed energy weapons could be used to substantially enhance the current and planned military capabilities of the United States;

(C) the potential for new directed energy systems to reduce requirements for expendable air and missile defense weapons;

(D) the status of and prognosis for foreign directed energy programs;

(E) the potential vulnerabilities of military systems of the United States to foreign directed energy weapons and efforts by the Secretary to mitigate such vulnerabilities; and

(F) a summary of actions the Secretary is taking to ensure that the military will be the global leader in directed energy capabilities.

(2) In light of the suitability of surface ships to support a solid-state laser weapon based on mature and maturing technologies, whether—

(A) the Department of the Navy should be designated as lead service for fielding a 100 to 200 kilowatt-class laser to defend surface ships against unmanned aircraft, cruise missile, and fast attack craft threats; and

(B) the Secretary of the Navy should initiate a program of record to begin fielding a ship-based solid-state laser weapon system.

(3) In light of the potential effectiveness of high-power microwave weapons against sensors, battle management, and integrated air defense networks, whether—

(A) the Department of the Navy and the Department of the Air Force should be designated as lead services for integrating high-power microwave weapons on small air vehicles, including cruise missiles and unmanned aircraft; and

(B) the Secretary of the Air Force should initiate a program of record to field a cruise missile- or unmanned air vehicle-based high-power microwave weapon.

(4) In light of the potential of mature chemical laser technologies to counter air and ballistic missile threats from relocatable fixed sites, whether the Secretary of the Army should initiate a program of record to develop and field a multi-megawatt class chemical laser weapon system to defend forward airfields, ports, and other theater bases critical to future operations.

(5) Whether the investments by the Secretary of Defense in high-energy laser weapons research, development, test, and evaluation are appropriately prioritized across each military department and defense-wide accounts to support the weaponization of mature and maturing directed energy technologies during the five- to-ten-year period beginning on the date of the report, including whether sufficient funds are allocated within budget area 4 and higher accounts to prepare for near term weaponization opportunities.

(c) FORM.—The report under subsection (a) shall be unclassified, but may include a classified annex.

Subtitle E—Other Matters

SEC. 251. ELIGIBILITY FOR DEPARTMENT OF DEFENSE LABORATORIES TO ENTER INTO EDUCATIONAL PARTNERSHIPS WITH EDUCATIONAL INSTITUTIONS IN TERRITORIES AND POSSESSIONS OF THE UNITED STATES.

(a) ELIGIBILITY OF INSTITUTIONS IN TERRITORIES AND POSSESSIONS.—Section 2194(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) The term 'United States' includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.''.

(b) TECHNICAL AMENDMENT.—Paragraph (2) of such section is amended by inserting ''(20 U.S.C. 7801)'' before the period.

SEC. 252. REGIONAL ADVANCED TECHNOLOGY CLUSTERS.

(a) DEVELOPMENT OF INNOVATIVE ADVANCED TECHNOLOGIES.—The Secretary of Defense may use the research and engineering network of the Department of Defense, including the organic industrial base, to support regional advanced technology clusters established by the Secretary of Commerce to encourage the development of innovative advanced technologies, including advanced robotics, advanced defense systems, power and energy innovations, systems to mitigate manmade and naturally occurring electromagnetic pulse or high-powered microwaves, cybersecurity and applied lightweight materials, to address national security and homeland defense challenges.

(b) DESIGNATION OF LEAD OFFICE.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(1) designate an office within the Department of Defense with the lead responsibility for enhancing the use of regional advanced technology clusters by the Department; and

(2) notify the appropriate congressional committees of such designation.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate congressional committees a report describing—

(1) the participation of the Department of Defense in regional advanced technology clusters;

(2) implementation by the Department of processes and tools to facilitate collaboration with the clusters; and

(3) agreements established by the Department with the Department of Commerce to jointly support the continued growth of the clusters.

(d) COLLABORATION.—The Secretary of Defense may meet, collaborate, and share resources with other Federal agencies for purposes of assisting in the expansion of regional advanced technology clusters under this section.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Commerce, Science, and Transportation of the Senate; and

(C) the Committee on Energy and Commerce of the House of Representatives.

(2) The term ''regional advanced technology clusters'' means geographic centers focused on building science and technology-based innovation capacity in areas of local and regional strength to foster economic growth and improve quality of life.

SEC. 253. BRIEFING ON POWER AND ENERGY RESEARCH CONDUCTED AT UNIVERSITY AFFILIATED RESEARCH CENTER.

Not later than February 28, 2013, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on power and energy research conducted at the University Affiliated Research Centers. The briefing shall include—

(1) a description of research conducted with other university based energy centers; and

(2) a description of collaboration efforts with university-based research centers on energy research and development activities, particularly with centers that have an expertise in energy efficiency and renewable energy, including—

(A) lighting;

(B) heating;

(C) ventilation and air-conditioning systems; and

(D) renewable energy integration.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

SEC. 302. AUTHORIZATION OF APPROPRIATIONS OF FUNDS FOR INACTIVATION EXECUTION OF U.S.S. ENTERPRISE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Secretary of the Navy for fiscal year 2013 for inactivation execution of the U.S.S. Enterprise (CVN 65) as specified in the funding table in section 4301.

(b) LIMITATION.—The total amount obligated and expended by the Secretary of the Navy for the inactivation execution of the U.S.S. Enterprise may not exceed $708,000,000.

(c) CONTRACT AUTHORITY.—

(1) IN GENERAL.—Subject to the availability of funds under subsection (a) and the condition in paragraph (2), the Secretary of the Navy may enter into a contract during fiscal year 2013 for the inactivation execution of the U.S.S. Enterprise.

(2) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for that fiscal year.

Subtitle B—Energy and Environmental Provisions

SEC. 311. TRAINING RANGE SUSTAINMENT PLAN AND TRAINING RANGE INVENTORY.

Section 366 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2522; 10 U.S.C. 113 note), as most recently amended by section 348 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2159) is amended in subsections (a)(5) and (c)(2), by striking ''fiscal years 2005 through 2013'' and inserting ''fiscal years 2005 through 2018''.

SEC. 312. MODIFICATION OF DEFINITION OF CHEMICAL SUBSTANCE.

Section 3(2)(B)(v) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)(v)) is amended by inserting '', or any component of any such article including, without limitation, shot, bullets and other projectiles, propellants, and primers'' before '', and''.

SEC. 313. EXEMPTION OF DEPARTMENT OF DEFENSE FROM ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended by adding at the end the following: ''This section shall not apply to the Department of Defense.''.

SEC. 314. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF ALTERNATIVE FUEL.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available during fiscal year 2013 for the Department of Defense may be obligated or expended for the production or purchase of any alternative fuel if the cost of producing or purchasing the alternative fuel exceeds the cost of producing or purchasing a traditional fossil fuel that would be used for the same purpose as the alternative fuel.

(b) EXCEPTION.—Notwithstanding subsection (a), the Secretary of Defense may purchase such limited quantities of alternative fuels as are necessary to complete fleet certification for 50/50 blends. In such instances, the Secretary shall purchase such alternative fuel using competitive procedures and ensure the best purchase price for the fuel.

SEC. 315. PLAN ON ENVIRONMENTAL EXPOSURES TO MEMBERS OF THE ARMED FORCES.

(a) PLAN.—Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan on the time line of the Secretary to develop a material solution to measure environmental exposures to members of the Armed Forces in the continental United States and outside the continental United States.

(b) MATTERS INCLUDED.—The plan under subsection (a) shall include the following:

(1) A time line for identifying relevant materiel solutions that would facilitate the Secretary identifying members of the Armed Forces who have individual exposures to environmental hazards.

(2) A time line, and estimated cost, of developing and deploying the material solution described in paragraph (1).

(3) A system for collecting and maintaining exposure data and a description of the content required.

(4) An identification of the categories of environmental exposures that will be tracked, including burn pits, dust or sand, water contamination, hazardous materials, and waste.

(5) A summary of ongoing research into health consequences of military environmental exposures and areas where additional research is needed.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the plan developed under subsection (a).

Subtitle C—Logistics and Sustainment

SEC. 321. EXPANSION AND REAUTHORIZATION OF MULTI-TRADES DEMONSTRATION PROJECT.

(a) EXPANSION.—Section 338 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 5013 note), as most recently amended by section 329 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 67), is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) DEMONSTRATION PROJECT AUTHORIZED.—In accordance with subsection 4703 of title 5, United States Code, the Secretary of a military department may carry out a demonstration project at facilities described in subsection (b) under which workers who are certified at the journey level as able to perform multiple trades shall be promoted by one grade level.''; and

(2) in subsection (b), by striking ''Logistics Center, Navy Fleet Readiness Center,'' and inserting ''Logistics Complex, Navy Fleet Readiness Center, Navy shipyard, Marine Corps Logistics Base,''.

(b) REAUTHORIZATION.—Such section is further amended—

(1) in subsection (d), by striking ''2013'' and inserting ''2018''; and

(2) in subsection (e), by striking ''2014'' and inserting ''2019''.

SEC. 322. DEPOT-LEVEL MAINTENANCE AND REPAIR.

(a) AMENDMENTS TO DEFINITION OF DEPOT-LEVEL MAINTENANCE AND REPAIR.—Section 2460 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting after ''software'' the following: ''during the course of a customary depot-level maintenance action''; and

(B) by striking ''or the modification or rebuild of end-items,'' and inserting ''retrofit, modification, upgrade, or rebuild of end items, components,'';

(2) in paragraph (1)(B), by striking ''and'' at the end;

(3) in paragraph (2)(B), by striking ''change events made to operational software, integration and testing'' and inserting ''and change events (including integration and testing) made to operational software'';

(4) in paragraph (2)(C), by striking the period and inserting ''if the modifications or upgrades are being applied during a customary depot-level maintenance action; and''; and

(5) by adding at the end the following new paragraph:

''(3) excludes—

''(A) the nuclear refueling or defueling of an aircraft carrier and any concurrent complex overhaul; and

''(B) the procurement of major modifications or upgrades designed to significantly improve the performance or safety of a weapon system or major end item.''.

(b) AMENDMENTS RELATING TO CORE DEPOT-LEVEL MAINTENANCE AND REPAIR CAPABILITIES.—

(1) ASSOCIATED CAPACITY.—Section 2464(a)(3)(A) of title 10, United States Code, is amended by striking ''and capacity required in paragraph (1)'' and inserting ''required in paragraph (1) and the associated capacity to maintain those capabilities in accordance with paragraph (2)''.

(2) DIRECT SUPPORT OF ASSOCIATED LOGISTICS CAPABILITIES.—Section 2464(a)(3)(B) of such title is amended by inserting ''in direct support of depot-level maintenance and repair'' after ''associated logistics capabilities''.

(3) TIME OF FIELDING.—Section 2464(a)(3) of such title is further amended by adding at the end the following new sentence: ''If a weapon system or item of military equipment does not have an officially scheduled initial operational capability, the weapon system or item is considered fielded at the time when, as part of combined or individual operation, it provides a warfighting capability, unless the Secretary waives this paragraph under subsection (b)(1)(A) based on a determination that the system or item is not an enduring element of the national defense strategy.''.

(3) REQUIREMENT TO NOTIFY CONGRESS BEFORE ISSUANCE OF WAIVER.—Section 2464(b)(3) of such title is amended by striking ''within 30 days of issuance'' and inserting ''at least 30 days before issuance of the waiver''.

(4) PROHIBITION ON DELEGATION OF CERTAIN WAIVER AUTHORITY.—Section 2464(b) of such title is amended by adding at the end the following new paragraph:

''(4) The authority of the Secretary of Defense to waive the requirement in subsection (a)(3) on the basis of a determination under paragraph (1)(A) or (1)(B) may not be delegated.''.

(5) EXCLUSION OF NUCLEAR AIRCRAFT CARRIERS AND SPECIAL ACCESS PROGRAMS.—Section 2464 of such title is further amended—

(A) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(B) by inserting after subsection (c) the following new subsection (d):

''(d) EXCLUSION OF NUCLEAR AIRCRAFT CARRIERS AND SPECIAL ACCESS PROGRAMS.—(1) The requirement in subsection (a)(3) shall not apply to nuclear aircraft carriers.

''(2) The requirement in subsection (a)(3) shall not apply to special access programs.''.

(6) ANNUAL SPECIAL ACCESS PROGRAM CORE CAPABILITY REVIEW.—Section 2464 of such title is further amended by adding at the end the following new subsection:

''(i) BIENNIAL SPECIAL ACCESS PROGRAM CORE CAPABILITY REVIEW.—Notwithstanding the inapplicability of subsection (a)(3) to special access programs (as provided in subsection (d)), the Secretary of Defense shall, not later than April 1 on each even-numbered year, conduct a review of each special access program in existence during the two fiscal years preceding the fiscal year during which the review is conducted to determine the core depot maintenance and repair capabilities required to provide a ready and controlled source of technical competence, and the resources that would be required to establish a core capability if it becomes necessary. The Secretary of Defense shall include the results of such review in the form of a classified annex to the biennial core report required under subsection (f).''.

(7) AMENDMENTS FOR CONSISTENCY IN USE OF TERMS.—Section 2464 of such title is further amended—

(A) in subsection (a)(1), by striking ''a core depot-level maintenance and repair capability'' and inserting ''core depot-level maintenance and repair capabilities'';

(B) in subsection (a)(2), by striking ''This core depot-level maintenance and repair capability'' and inserting ''The core depot-level maintenance and repair capabilities required in paragraph (1)''; and

(C) in subsection (e)(1), as redesignated by paragraph (5), by striking ''a core depot-level maintenance and repair capability'' and inserting ''core depot-level maintenance and repair capabilities''.

(8) CONFORMING AMENDMENTS.—Section 2464(b) of such title is further amended—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) by inserting ''or'' at the end of subparagraph (A); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2) and in that paragraph by striking ''or (2)''.

Subtitle D—Readiness

SEC. 331. INTERGOVERNMENTAL SUPPORT AGREEMENTS WITH STATE AND LOCAL GOVERNMENTS.

(a) AGREEMENTS AUTHORIZED.—Section 2391 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection:

''(c) INTERGOVERNMENTAL SUPPORT AGREEMENTS WITH STATE AND LOCAL GOVERNMENTS.—(1) The Secretary of the military department concerned may enter into an intergovernmental support agreement with a State or local government to provide, receive, or share installation-support services when such an agreement—

''(A) serves the best interests of the military department by enhancing mission effectiveness or creating efficiencies or economies of scale, including by reducing costs;

''(B) serves the best interest of State or local government party to the agreement, as determined by the community's particular circumstances; and

''(C) otherwise provides a mutual benefit to the military department and the State or local government.

''(2) The authority provided by this subsection and limitations on its use are not intended to revoke, preclude, or otherwise interfere with existing or proposed mutual-aid agreements relating to police or fire protection services or other similar first responder agreements or arrangements.

''(3) Funds available to the Secretary of the military department concerned for installation support may be used to reimburse a State or local government for providing installation-support services pursuant to an agreement under this subsection. Funds received by the Secretary as reimbursement for providing installation-support services pursuant to the agreement shall be credited to the appropriation or account charged with providing installation support.''.

(b) INSTALLATION-SUPPORT SERVICES DEFINED.—Subsection (e) of section 2391 of title 10, United States Code, as redesignated by subsection (a)(1) of this section, is amended by adding at the end the following new paragraph:

''(4) The term 'installation-support services' means those services, supplies, resources, and support provided typically by a local government, except that the term does not include or authorize police or fire protection services.''.

SEC. 332. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ASSURED BUSINESS GUARANTEES TO CARRIERS PARTICIPATING IN CIVIL RESERVE AIR FLEET.

(a) EXTENSION.—Subsection (k) of section 9515 of title 10, United States Code, is amended by striking ''December 31, 2015'' and inserting ''December 31, 2020''.

(b) APPLICATION TO ALL SEGMENTS OF CRAF.—Such section is further amended—

(1) in subsection (a)(3), by striking ''passenger''; and

(2) in subsection (j), by striking '', except that it only means such transportation for which the Secretary of Defense has entered into a contract for the purpose of passenger travel''.

SEC. 333. EXPANSION AND REAUTHORIZATION OF PILOT PROGRAM FOR AVAILABILITY OF WORKING-CAPITAL FUNDS FOR PRODUCT IMPROVEMENTS.

(a) EXPANSION.—Section 330 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 68) is amended—

(1) in subsection (a), by inserting '', the Secretary of the Navy, and the Secretary of the Air Force (in this section referred to as the 'Secretary concerned')'' after ''the Secretary of the Army'';

(2) in subsection (d)—

(A) by inserting ''by the Secretary concerned'' after ''submitted''; and

(B) by inserting ''by the Secretary concerned'' after ''used''; and

(3) in subsection (e)—

(A) in paragraph (1), by striking ''the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, in consultation with the Assistant Secretary of the Army for Financial Management and Comptroller,'' and inserting ''the Secretary concerned''; and

(B) in paragraph (2), by striking ''the Assistant Secretary of the Army for Acquisition, Logistics, and Technology'' and inserting ''the Secretary concerned''.

(b) COVERED PRODUCT IMPROVEMENTS.—Subsection (b) of such section is amended—

(1) by inserting ''retrofit, modernization, upgrade, or rebuild of a'' before ''component''; and

(2) by striking ''reliability and maintainability'' and inserting ''reliability, availability, and maintainability''.

(c) LIMITATION ON CERTAIN PROJECTS.—Subsection (c)(1) of such section is amended by striking ''performance envelope'' and inserting ''capability''.

(d) REPORTING REQUIREMENT.—Subsection (e) of such section is amended—

(1) in paragraph (2), by striking ''2012'' and inserting ''2017''; and

(2) in paragraph (3), by striking ''60 days'' and inserting ''45 days''.

(e) EXTENSION.—Subsection (f) of such section, as amended by section 354 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1377), is further amended by striking ''2014'' and inserting ''2018''.

*(f) CLERICAL AMENDMENT.—The heading of such section is amended by striking ''**TO ARMY**''.*

SEC. 334. CENTER OF EXCELLENCE FOR THE NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Chapter 5 of title 32, United States Code, is amended by adding at the end the following new section:

''§ 510. Center of Excellence for the National Guard State Partnership Program

''(a) CENTER AUTHORIZED.—The National Guard Bureau may maintain a Center of Excellence for the National Guard State Partnership Program (in this section referred to as the 'Center').

''(b) CENTER AUTHORITY AND PURPOSE.—If the Center is established, the Chief of the National Guard Bureau shall administer the Center to provide training opportunities for units and members of the regular and reserve components for the purpose of improving the skills for such units and members when deployed to complete the mission of the State Partnership Program. The Center will provide accredited instruction in partnership with a university program and other internationally recognized institutions.

''(c) CONDUCT OF CENTER.—The Chief of the National Guard Bureau may provide for the conduct of the Center in such State as the Chief considers appropriate.

''(d) PERSONS ELIGIBLE TO PARTICIPATE IN CENTER TRAINING.—(1) The Chief of the National Guard Bureau may recommend units and members of the National Guard to attend training at the Center under section 502(f) of this title for not longer than the duration of the training.

''(2) The Secretaries of the Army, Navy, Air Force, and Marine Corps may detail units or members of their respective regular or reserve components to attend training at the Center. The Secretary of Homeland Security may detail members of the Coast Guard to attend training and provide subject matter expertise as requested.

''(e) AUTHORIZED TRAINING.—The training authorized to be provided by the Center involves such matters within the core competencies of the National Guard and suitable for contacts under the State Partnership Program as the Chief of the National Guard Bureau specifies consistent with regulations issued by the Secretary of Defense.

''(f) CENTER PERSONNEL.—(1) The Chief of the National Guard Bureau shall appoint an active member of the National Guard to be the Commandant of the Center to administer and lead the center.

''(2) The Center shall contain personnel authorizations under a table of distribution and allowance that ensures sufficient cadre and support to the Center and will be assigned to the host State.

''(3) Personnel of the National Guard of any State may serve on full-time National Guard duty for the purpose of providing command, administrative, training, or supporting services for the Center. For the performance of those services, any personnel may be ordered to duty under section 502(f) of this title.

''(4) Employees of the Departments of Defense may be detailed to the Center for the purpose of providing additional training.

''(5) The National Guard Bureau may procure, by contract, the temporary full time services of such civilian personnel as may be necessary in carrying out the training provided by the Center.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''510. Center for Excellence for the National Guard State Partnership Program.''.

Subtitle E—Reports

SEC. 341. REPORT ON JOINT STRATEGY FOR READINESS AND TRAINING IN A C4ISR-DENIED ENVIRONMENT.

(a) REPORT REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall submit to Congress a report on the readiness of the joint force to conduct operations in environments where there is no access to Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (in this section referred to as ''C4ISR'') systems, including satellite communications, classified Internet protocol-based networks, and the Global Positioning System (in this section referred to as ''GPS'').

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall include a description of the steps taken and planned to be taken—

(1) to identify likely threats to the C4ISR systems of the United States, including both weapons and those states with such capabilities; as well as the most likely areas in which C4ISR systems could be at risk;

(2) to identify vulnerabilities to the C4ISR systems of the United States that could result in a C4ISR-denied environment;

(3) to determine how the Armed Forces should respond in order to reconstitute C4ISR systems, prevent further denial of C4ISR systems; and develop counter-attack capabilities;

(4) to determine which types of joint operations could be feasible in an environment in which access to C4ISR systems is restricted or denied;

(5) to conduct training and exercises for sustaining combat and logistics operations in C4ISR-denied environments; and

(6) to propose changes to current tactics, techniques, and procedures to prepare to operate in an environment in which C4ISR systems are degraded or denied for 48-hour, 7 day, 30-day, or 60-day periods.

(c) JOINT EXERCISE PLAN REQUIRED.—Based on the findings of the report required by subsection (a), the Chairman of the Joint Chiefs of Staff shall develop a roadmap and joint exercise plan for the joint force to operate in an environment where access to C4ISR systems, including satellite communications, classified Internet protocol-based networks, and the GPS network, is denied. The plan and joint exercise program shall include—

(1) the development of alternatives to satellite communications, classified Internet protocol-based networks, and GPS for logistics, intelligence, surveillance, and reconnaissance, and combat operations; and

(2) methods to mitigate dependency on satellite communications, classified Internet protocol-based networks, and GPS;

(3) methods to protect vulnerable satellite communications, classified Internet protocol-based networks, and GPS; and

(4) a joint exercise and training plan to include fleet battle experiments, to enable the force to operate in a satellite communications, Internet protocol-based network, and GPS-denied environment.

(d) FORM OF REPORT.—The report required to be submitted by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 342. COMPTROLLER GENERAL REVIEW OF ANNUAL DEPARTMENT OF DEFENSE REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.

Section 2229a(b)(1) of title 10, United States Code, is amended—

(1) by striking ''By not later than 120 days after the date on which a report is submitted under subsection (a), the'' and inserting ''The''; and

(2) by striking ''the report'' and inserting ''each report submitted under subsection (a)''.

SEC. 343. MODIFICATION OF REPORT ON MAINTENANCE AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.

Section 7310(c) of title 10, United States Code, is amended—

(1) in paragraph (3)(A), by inserting after ''justification under law'' the following: ''and operational justification''; and

(2) in paragraph (4), by adding at the end the following new subparagraph:

''(C) A vessel not described in subparagraph (A) or (B) that is operated pursuant to a contract entered into by the Military Sealift Command, the Maritime Administration, or the United States Transportation Command.''.

SEC. 344. EXTENSION OF DEADLINE FOR COMPTROLLER GENERAL REPORT ON DEPARTMENT OF DEFENSE SERVICE CONTRACT INVENTORY.

Section 803(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2402) is amended by striking ''180 days'' and inserting ''270 days''.

SEC. 345. GAO REPORT REVIEWING METHODOLOGY OF DEPARTMENT OF DEFENSE RELATING TO COSTS OF PERFORMANCE BY CIVILIAN EMPLOYEES, MILITARY PERSONNEL, AND CONTRACTORS.

(a) REVIEW REQUIREMENT.—The Comptroller General of the United States shall conduct a review of Department of Defense Directive-Type Memorandum 09-007 entitled ''Estimating and Comparing the Full Costs of Civilian and Military Manpower and Contractor Support'' to determine whether the methodology used in the memorandum reflects the actual, relevant, and quantifiable costs to taxpayers of performance by Federal civilian employees, military personnel, and contractors.

(b) CONSULTATION.—In conducting the review required by subsection (a), the Comptroller General shall consult with the Under Secretary of Defense for Personnel and Readiness, the Director of Cost Assessment and Program Evaluation, the Director of the Office of Management and Budget, and private sector stakeholders.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit a report on the review required by subsection (a) to the Committees on Armed Services of the Senate and the House of Representatives. The report shall contain the results of the review and make recommendations for any statutory changes that the Comptroller General determines are necessary to ensure that the memorandum reviewed includes the actual, relevant, and quantifiable costs to taxpayers for Federal civilian employees, military personnel, and contractors.

SEC. 346. REPORT ON MEDICAL EVACUATION POLICIES.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees and the Comptroller General of the United States a report on the policies, procedures, and guidelines of the Department of Defense for helicopter evacuation of injured members of the Armed Forces performed by—

(1) unarmed Army helicopters (in this section referred to as ''MEDEVAC''); and

(2) armed Air Force helicopters (in this section referred to as ''CASEVAC'').

(b) CONTENTS.—The report submitted under subsection (a) shall contain the following:

(1) The differences between armed escort helicopters that accompany MEDEVAC helicopters and CASEVAC helicopters.

(2) The differences between Army and Air Force training of MEDEVAC and CASEVAC air crews.

(3) The differences between the capacity of the Army and the Air Force to care for wounded members of the Armed Forces.

(4) The potential costs associated with—

(A) arming MEDEVAC helicopters;

(B) increasing the training of MEDEVAC air crews to be comparable to the training of CASEVAC air crews; and

(C) increasing the quality of the avionics used in MEDEVAC helicopters to be comparable to the quality of the avionics used in CASEVAC helicopters.

(5) An analysis of the Army rescue goal, commonly known as the ''golden hour'', which specifies a goal of transporting an injured member of the Armed Forces to a military medical treatment facility not later than 60 minutes after the MEDEVAC unit receives notification of the injury, including an analysis on—

(A) whether the 60-minute time period should begin at the time of injury instead of at the time of notification;

(B) the usefulness of gathering information about survival rates using additional different time periods; and

(C) the validity of the survival rate associated with the ''golden hour''.

(6) A comparison of the helicopter evacuation capabilities in combat zones of—

(A) the Army;

(B) the Air Force;

(C) Special Operations Command; and

(D) armed forces of other countries that perform helicopter evacuations in combat zones.

(7) An analysis of—

(A) the requirements under the Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field, done at Geneva, August 12, 1949 (6 UST 3114) and the related protocols with regard to the weapons an aircraft may carry and still be considered a medical aircraft (which, for purposes of such Convention and protocols, means an aircraft exclusively employed for the removal of wounded and sick and for the transport of medical personnel and equipment) protected under such Convention, and of the interpretations of and policies under such requirements by the Department of Defense;

(B) the threats to MEDEVAC and CASEVAC air crews and assets posed by unconventional forces that do not abide by international law, military tradition, or custom, such as insurgent or criminal organizations; and

(C) any strategies to respond to the threats identified in subparagraph (B), as well as any legal or policy restrictions to such responses based on the requirements, policies, and interpretations identified in subparagraph (A).

(8) An explanation of how the survival rate of injured members of the Armed Forces rescued by helicopter evacuation is calculated.

(9) Information on the average number of injured members of the Armed Forces that are evacuated during each MEDEVAC and CASEVAC mission.

(c) REVIEW BY COMPTROLLER GENERAL.—Not later than 120 days after the date on which the Comptroller General receives the report submitted by the Secretary of Defense under subsection (a), the Comptroller General shall submit

to the congressional defense committees an analysis of such report.

Subtitle F—Limitations and Extensions of Authority

SEC. 351. REPEAL OF AUTHORITY TO PROVIDE CERTAIN MILITARY EQUIPMENT AND FACILITIES TO SUPPORT CIVILIAN LAW ENFORCEMENT AND EMERGENCY RESPONSE.

Section 372 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''(a) IN GENERAL.—The Secretary'' and inserting ''The Secretary''; and

(2) by striking subsection (b).

SEC. 352. LIMITATION ON AVAILABILITY OF FUNDS FOR THE DISESTABLISHMENT OF AEROSPACE CONTROL ALERT LOCATIONS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to disestablish or downgrade any of the 18 level 5 aerospace control alert defense locations in existence as of the date of the enactment of this Act.

(b) MAINTAINED LEVELS.—The Secretary of the Air Force shall maintain the operational capabilities provided by the 18 level 5 aerospace control alert defense capabilities until the later of the following dates:

(1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

(2) September 30, 2013.

(c) CONSOLIDATED BUDGET EXHIBIT.—The Secretary of Defense shall establish a consolidated budget justification display that fully identifies the baseline aerospace control alert budget for each of the military services and encompasses all programs and activities of the aerospace control alert mission for each of the following functions:

(1) Procurement.

(2) Operation and maintenance.

(3) Research, development, testing, and evaluation.

(4) Military construction.

(d) REPORT.—

(1) REPORT TO CONGRESS.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report that provides a cost-benefit analysis and risk-based assessment of the aerospace control alert mission as it relates to expected future changes to the budget and force structure of such mission.

(2) COMPTROLLER GENERAL REVIEW.—Not later than 120 days after the date on which the Secretary submits the report required by paragraph (1), the Comptroller General of the United States shall—

(A) conduct a review of the force structure plan of the Department of Defense and the cost-benefit analysis and risk-based assessment contained in the report; and

(B) submit to the congressional defense committees a report on the findings of such review.

SEC. 353. LIMITATION ON AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL MUSEUM OF THE UNITED STATES ARMY.

Of the amounts authorized to be appropriated for Operation and Maintenance for fiscal year 2013, not more than $5,000,000 shall be made available for the National Museum of the United States Army until the Secretary of the Army submits to the congressional defense committees certification in writing that sufficient private funding has been raised to fund the construction of the portion of the museum known as the ''Baseline Museum'' and that at least 50 percent of the Baseline Museum has been completed.

SEC. 354. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) LIMITATION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.

(b) EXCEPTION.—Notwithstanding subsection (a), the U.S.S. Port Royal, CG 73, is authorized for retirement.

(c) MAINTAINED LEVELS.—The Secretary of the Navy, in supporting the operational requirements of the combatant commands, shall maintain the operational capability and perform the necessary maintenance of each cruiser and dock landing ship belonging to the Navy until the later of the following dates:

(1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

(2) September 30, 2013.

SEC. 355. RENEWAL OF EXPIRED PROHIBITION ON RETURN OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) CODIFICATION OF PROHIBITION.—Section 2572 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Except as provided in paragraph (3), and notwithstanding this section or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or an entity controlled by a foreign government, or otherwise transfer or convey such an object to any person or entity for purposes of the ultimate transfer or conveyance of the object to a foreign country or entity controlled by a foreign government.

''(2) In this subsection:

''(A) The term 'entity controlled by a foreign government' has the meaning given that term in section 2536(c)(1) of this title.

''(B) The term 'veterans memorial object' means any object, including a physical structure or portion thereof, that—

''(i) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

''(ii) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the armed forces; and

''(iii) was brought to the United States from abroad as a memorial of combat abroad.

''(3) The prohibition imposed by paragraph (1) does not apply to a transfer of a veterans memorial object if—

''(A) the transfer of that veterans memorial object is specifically authorized by law; or

''(B) the transfer is made after September 30, 2017.''.

(b) REPEAL OF OBSOLETE SOURCE LAW.—Section 1051 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 2572 note) is repealed.

Subtitle G—Other Matters

SEC. 361. RETIREMENT, ADOPTION, CARE, AND RECOGNITION OF MILITARY WORKING DOGS.

(a) RETIREMENT AND ADOPTION OF MILITARY WORKING DOGS.—

(1) RETIREMENT AND RECLASSIFICATION OF MILITARY WORKING DOGS.—Section 2583 of title 10, United States Code, is amended—

(A) by redesignating subsections (f) and (g) as subsections (h) and (i), respectively; and

(B) by inserting after subsection (e) the following new subsections:

''(f) CLASSIFICATION OF MILITARY WORKING DOGS.—The Secretary of Defense shall classify military working dogs as canine members of the armed forces. Such dogs shall not be classified as equipment.

''(g) TRANSFER OF RETIRED MILITARY WORKING DOGS.—If the Secretary of the military department concerned determines that a military working dog should be retired, and no suitable adoption is available at the military facility where the dog is located, the Secretary may transfer the dog—

''(1) to the 341st Training Squadron; or

''(2) to another location for adoption under this section.''.

(2) ACCEPTANCE OF FREQUENT TRAVELER MILES TO FACILITATE ADOPTION.—Section 2613(d) of such title is amended—

(A) in paragraph (1)(B), by striking ''; or'' and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new paragraph:

''(3) facilitating the adoption of a military working dog under section 2583 of this title.''.

(b) VETERINARY CARE FOR RETIRED MILITARY WORKING DOGS.—

(1) VETERINARY CARE.—

(A) IN GENERAL.—Chapter 50 of such title is amended by adding at the end the following new section:

''§ 993. Military working dogs: veterinary care for retired military working dogs

''(a) IN GENERAL.—The Secretary of Defense shall establish and maintain a system to provide for the veterinary care of retired military working dogs.

''(b) ELIGIBLE DOGS.—(1) A retired military working dog eligible for veterinary care under this section is any military working dog adopted under section 2583 of this title.

''(2) The veterinary care provided a military working dog under this section shall be provided during the life of the dog beginning on the date on which the dog is adopted under such section 2583.

''(c) ADMINISTRATION.—(1) The Secretary shall administer the system required by this section under a contract awarded by the Secretary for that purpose.

''(2)(A) The contract under this subsection shall be awarded to a private non-profit entity selected by the Secretary from among such entities submitting an application therefor that have such experience and expertise as the Secretary considers appropriate for purposes of this subsection.

''(B) An entity seeking the award of a contract under this subsection shall submit to the Secretary an application therefor in such form, and containing such information, as the Secretary shall require.

''(3) The term of any contract under this subsection shall be such duration as the Secretary shall specify.

''(d) STANDARDS OF CARE.—(1) The veterinary care provided under the system required by this section shall meet such standards as the Secretary shall establish and from time to time update.

''(2) The standards required by this subsection shall include the following:

''(A) Provisions regarding the types of care to be provided to retired military working dogs.

''(B) Provisions regarding the entities (including private veterinarians and entities) qualified to provide the care.

''(C) Provisions regarding the facilities, including military installations, government facilities, and private facilities, in which the care may be provided.

''(D) A requirement that complete histories be maintained on the health and use in research of retired military working dogs.

''(E) Such other matters as the Secretary considers appropriate.

''(3) The Secretary shall consult with the board of directors of the non-profit private entity awarded the contract under subsection (c) in

establishing and updating standards of care under this subsection.

''(e) COVERAGE OF COSTS.—(1) Except as provided in paragraph (2), any costs of operation and administration of the system required by this section, and of any veterinary care provided under the system, shall be covered by such combination of the following as the Secretary and the non-profit entity awarded the contract under subsection (c) jointly consider appropriate:

''(A) Contributions from the non-profit entity.

''(B) Payments for such care by owners or guardians of the retired military working dogs receiving such care.

''(C) Other appropriate non-Federal sources of funds.

''(2) Funds provided by the Federal Government—

''(A) may not be used—

''(i) to provide veterinary care under the system required by this section; or

''(ii) to pay for the normal operation of the non-profit entity awarded the contract under subsection (c); and

''(B) may be used to carry out the duties of the Secretary under subsections (a), (c), (d), and (f).

''(f) REGULATIONS.—The Secretary shall prescribe regulations for the discharge of the requirements and authorities in this section, including regulations on the standards of care required by subsection (d).''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''993. Military working dogs: veterinary care for retired military working dogs.''.

(2) REGULATIONS.—The Secretary of Defense shall prescribe the regulations required by subsection (f) of section 993 of title 10, United States Code (as added by paragraph (1)), not later than 180 days after the date of the enactment of this Act.

(c) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—Section 1125 of such title is amended—

(1) by inserting ''(a) GENERAL AUTHORITY.—'' before ''The Secretary of Defense''; and

(2) by adding at the end the following new subsection:

''(b) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—The Secretary of Defense shall create a decoration or other appropriate recognition to recognize military working dogs under the jurisdiction of the Secretary that are killed in action or perform an exceptionally meritorious or courageous act in service to the United States.''.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2013, as follows:

(1) The Army, 552,100.

(2) The Navy, 322,700.

(3) The Marine Corps, 197,300.

(4) The Air Force, 330,383.

SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 552,100.

''(2) For the Navy, 322,700.

''(3) For the Marine Corps, 197,300.

''(4) For the Air Force, 330,383.''.

SEC. 403. LIMITATIONS ON END STRENGTH REDUCTIONS FOR REGULAR COMPONENT OF THE ARMY AND MARINE CORPS.

(a) ANNUAL CERTIFICATION.—Subject to subsections (b) and (c), if the President determines that a reduction in end strength of the regular component of the Army or Marine Corps (or both) is necessary for any of fiscal years 2014 through 2017, the President shall submit to Congress, with the budget request for that fiscal year, a certification that the reduction in end strength, should the assumptions of the National Security Strategy prescribed by the President in the most recent annual national security strategy report under section 108 of the National Security Act of 1947 (50 U.S.C. 404a) prove to be incorrect, will not—

(1) undermine the ability of the Armed Forces to meet the requirements of the National Security Strategy;

(2) increase security risks for the United States; or

(3) compel members of the Armed Forces to endure diminished dwell time and repeated deployments.

(b) ANNUAL LIMITATION ON REDUCTIONS.—

(1) ARMY.—The end strength of the regular component of the Army shall not be reduced by more than 15,000 members during each of fiscal years 2014 through 2017 from the end strength of the regular component of the Army at the end of the preceding fiscal year.

(2) MARINE CORPS.—The end strength of the regular component of the Marine Corps shall not be reduced by more than 5,000 members during each of fiscal years 2014 through 2017 from the end strength of the regular component of the Marine Corps at the end of the preceding fiscal year.

(c) BUDGETING REQUIREMENT.—The budget for the Department of Defense for each of fiscal years 2014 through 2017 as submitted to Congress—

(1) shall include amounts for maintaining an end strength of the regular component of the Army and the Marine Corps sufficient to comply with the active duty end strengths prescribed in section 691(b) of title 10, United States Code; and

(2) shall not rely on any emergency, supplemental, or overseas contingency operations funding.

SEC. 404. EXCLUSION OF MEMBERS WITHIN THE INTEGRATED DISABILITY EVALUATION SYSTEM FROM END STRENGTH LEVELS FOR ACTIVE FORCES.

(a) EXCLUSION.—A member of the Armed Forces who is within the Integrated Disability Evaluation System as of the last day of any of fiscal years 2013 through 2018 shall not be counted toward the end strength levels for active duty members of the Armed Forces prescribed for that fiscal year.

(b) FUNDING SOURCE.—The Secretary of Defense shall use funds authorized to be appropriated for overseas contingency operations being carried out by the Armed Forces to cover any military personnel expenses incurred as a result of the exclusion under subsection (a) of members of the Armed Forces from the end strengths levels for active forces.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2013, as follows:

(1) The Army National Guard of the United States, 358,200.

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 62,500.

(4) The Marine Corps Reserve, 39,600.

(5) The Air National Guard of the United States, 106,005.

(6) The Air Force Reserve, 72,428.

(7) The Coast Guard Reserve, 9,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2013, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 32,060.

(2) The Army Reserve, 16,277.

(3) The Navy Reserve, 10,114.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 14,952.

(6) The Air Force Reserve, 2,888.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2013 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 27,210.

(2) For the Army Reserve, 8,395.

(3) For the Air National Guard of the United States, 22,272.

(4) For the Air Force Reserve, 10,946.

SEC. 414. FISCAL YEAR 2013 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2013, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2013, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2013, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2013, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2013.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

SEC. 501. LIMITATION ON NUMBER OF NAVY FLAG OFFICERS ON ACTIVE DUTY.

(a) ADDITIONAL FLAG OFFICER AUTHORIZED.—Section 526(a)(2) of title 10, United States Code, is amended by striking ''160'' and inserting ''161''.

(b) CORRESPONDING CHANGE IN COMPUTING NUMBER OF FLAG OFFICERS IN STAFF CORPS OF THE NAVY.—Section 5150(c) of such title is amended by striking the last sentence.

SEC. 502. EXCEPTION TO REQUIRED RETIREMENT AFTER 30 YEARS OF SERVICE FOR REGULAR NAVY WARRANT OFFICERS IN THE GRADE OF CHIEF WARRANT OFFICER, W–5.

Section 1305(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''A regular warrant officer (other than a regular Army warrant officer)'' and inserting ''Subject to paragraphs (2) and (3), a regular warrant officer''; and

(B) by striking ''he'' and inserting ''the officer''; and

(2) by adding at the end the following new paragraph:

''(3) In the case of a regular Navy warrant officer in the grade of chief warrant officer, W–5, the officer shall be retired 60 days after the date on which the officer completes 33 years of total active service.''.

SEC. 503. AIR FORCE CHIEF AND DEPUTY CHIEF OF CHAPLAINS.

(a) ESTABLISHMENT OF POSITIONS; APPOINTMENT.—Chapter 805 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8039. Chief and Deputy Chief of Chaplains: appointment; duties

''(a) CHIEF OF CHAPLAINS.—(1) There is a Chief of Chaplains in the Air Force, appointed by the President, by and with the advice and consent of the Senate, from officers of the Air Force designated under section 8067(h) of this title as chaplains who—

''(A) are serving in the grade of colonel or above;

''(B) are serving on active duty; and

''(C) have served on active duty as a chaplain for at least eight years.

''(2) An officer appointed as the Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.

''(3) The Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force and by law.

''(b) DEPUTY CHIEF OF CHAPLAINS.—(1) There is a Deputy Chief of Chaplains in the Air Force, appointed by the President, by and with the advice and consent of the Senate, from officers of the Air Force designated under section 8067(h) of this title as chaplains who—

''(A) are serving in the grade of colonel;

''(B) are serving on active duty; and

''(C) have served on active duty as a chaplain for at least eight years.

''(2) An officer appointed as the Deputy Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.

''(3) The Deputy Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force and the Chief of Chaplains and by law.

''(c) SELECTION BOARD.—Under regulations approved by the Secretary of Defense, the Secretary of the Air Force, in selecting an officer for recommendation to the President for appointment as the Chief of Chaplains or the Deputy Chief of Chaplains, shall ensure that the officer selected is recommended by a board of officers that, insofar as practicable, is subject to the procedures applicable to the selection boards convened under chapter 36 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''8039. Chief and Deputy Chief of Chaplains: appointment; duties.''.

SEC. 504. EXTENSION OF TEMPORARY AUTHORITY TO REDUCE MINIMUM LENGTH OF ACTIVE SERVICE AS A COMMISSIONED OFFICER REQUIRED FOR VOLUNTARY RETIREMENT AS AN OFFICER.

(a) ARMY.—Section 3911(b)(2) of title 10, United States Code, is amended by striking ''September 30, 2013'' and inserting ''September 30, 2018''.

(b) NAVY AND MARINE CORPS.—Section 6323(a)(2)(B) of such title is amended by striking ''September 30, 2013'' and inserting ''September 30, 2018''.

(c) AIR FORCE.—Section 8911(b)(2) of such title is amended by striking ''September 30, 2013'' and inserting ''September 30, 2018''.

SEC. 505. TEMPORARY INCREASE IN THE TIME-IN-GRADE RETIREMENT WAIVER LIMITATION FOR LIEUTENANT COLONELS AND COLONELS IN THE ARMY, AIR FORCE, AND MARINE CORPS AND COMMANDERS AND CAPTAINS IN THE NAVY.

Section 1370(a)(2)(F) of title 10, United States Code, is amended—

(1) by striking ''the period ending on December 31, 2007'' and inserting ''fiscal years 2013 through 2018'';

(2) by striking ''Air Force'' and inserting ''Army, Air Force, and Marine Corps''; and

(3) by striking ''in the period''.

SEC. 506. MODIFICATION TO LIMITATIONS ON NUMBER OF OFFICERS FOR WHOM SERVICE-IN-GRADE REQUIREMENTS MAY BE REDUCED FOR RETIREMENT IN GRADE UPON VOLUNTARY RETIREMENT.

Section 1370(a)(2) of title 10, United States Code, is amended—

(1) in subparagraph (E)—

(A) by inserting ''(i)'' after ''exceed''; and

(B) by inserting before the period at the end the following: ''or (ii) in the case of officers of that armed forces in a grade specified in subparagraph (G), two officers, whichever number is greater''; and

(2) by adding at the end the following new subparagraph:

''(G) Notwithstanding subparagraph (E), during fiscal years 2013 through 2017, the total number of brigadier generals and major generals of the Army, Air Force, and Marine Corps, and the total number of rear admirals (lower half) and rear admirals of the Navy, for whom a reduction is made under this section during any fiscal year of service-in-grade otherwise required under this paragraph—

''(i) for officers of the Army, Navy, and Air Force, may not exceed five percent of the authorized active-duty strength for that fiscal year for officers of that armed force in those grades; and

''(ii) for officers of the Marine Corps, may not exceed 10 percent of the authorized active-duty strength for that fiscal year for officers in those grades.''.

SEC. 507. DIVERSITY IN MILITARY LEADERSHIP AND RELATED REPORTING REQUIREMENTS.

(a) PLAN TO ACHIEVE MILITARY LEADERSHIP REFLECTING DIVERSITY OF UNITED STATES POPULATION.—

(1) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 656. Diversity in military leadership: plan

''(a) PLAN.—The Secretary of Defense shall develop and implement a plan to accurately measure the efforts of the Department of Defense to achieve a dynamic, sustainable level of members of the armed forces (including reserve components) that, among both commissioned officers and senior enlisted personnel of each armed force, will reflect the diverse population of the United States eligible to serve in the armed forces, including gender specific, racial, and ethnic populations. Any metric established pursuant to this subsection may not be used in a manner that undermines the merit-based processes of the Department of Defense, including such processes for accession, retention, and promotion. Such metrics may not be combined with the identification of specific quotas based upon diversity characteristics. The Secretary shall continue to account for diversified language and cultural skills among the total force of the military.

''(b) METRICS TO MEASURE PROGRESS IN DEVELOPING AND IMPLEMENTING PLAN.—In developing and implementing the plan under subsection (a), the Secretary of Defense shall develop a standard set of metrics and collection procedures that are uniform across the armed forces. The metrics required by this subsection shall be designed—

''(1) to accurately capture the inclusion and capability aspects of the armed forces broader diversity plans, including race, ethnic, and gender specific groups, functional expertise, and diversified cultural and language skills as to leverage and improve readiness; and

''(2) to be verifiable and systematically linked to strategic plans that will drive improvements.

''(c) DEFINITION OF DIVERSITY.—In developing and implementing the plan under subsection (a), the Secretary of Defense shall develop a uniform definition of diversity.

''(d) CONSULTATION.—Not less than annually, the Secretary of Defense shall meet with the Secretaries of the military departments, the Joint Chiefs of Staff, and senior enlisted members of the armed forces to discuss the progress being made toward developing and implementing the plan established under subsection (a).

''(e) COOPERATION WITH STATES.—The Secretary of Defense shall coordinate with the National Guard Bureau and States in tracking the progress of the National Guard toward developing and implementing the plan established under subsection (a).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''656. Diversity in military leadership: plan.''.

(b) INCLUSION IN DOD MANPOWER REQUIREMENTS REPORT.—Section 115a(c) of such title is amended by adding at the end the following new paragraphs:

''(4) The progress made in implementing the plan required by section 656 of this title to accurately measure the efforts of the Department to reflect the diverse population of the United States eligible to serve in the armed forces.

''(5) The number of members of the armed forces, including reserve components, listed by sex and race or ethnicity for each rank under each military department.

''(6) The number of members of the armed forces, including reserve components, who were promoted during the year covered by the report, listed by sex and race or ethnicity for each rank under each military department.

''(7) The number of members of the armed forces, including reserve components, who reenlisted or otherwise extended the commitment to military service during the year covered by the report, listed by sex and race or ethnicity for each rank under each military department.

''(8) The available pool of qualified candidates for the general officer grades of general and lieutenant general and the flag officer grades of admiral and vice admiral.''.

Subtitle B—Reserve Component Management

SEC. 511. CODIFICATION OF STAFF ASSISTANT POSITIONS FOR JOINT STAFF RELATED TO NATIONAL GUARD AND RESERVE MATTERS.

(a) CODIFICATION OF EXISTING POSITIONS.—Chapter 5 of title 10, United States Code, is amended by inserting after section 155 the following new section:

''§ 155a. Assistants to the Chairman of the Joint Chiefs of Staff for National Guard matters and for Reserve matters

''(a) ESTABLISHMENT OF POSITIONS.—The Secretary of Defense shall establish the following positions within the Joint Staff:

''(1) Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters.

''(2) Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters.

''(b) SELECTION.—(1) The Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters shall be selected by the Chairman from officers of the Army National Guard of the United States or the Air Guard of the United States who—

''(A) are recommended for such selection by their respective Governors or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard;

''(B) have had at least 10 years of federally recognized commissioned service in the National Guard and significant joint duty experience, as determined by the Chairman of the Joint Chiefs of Staff; and

''(C) are in a grade above the grade of colonel.

''(2) The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters shall be selected by the Chairman from officers of the Army Reserve, the Navy Reserve, the Marine Corps Reserve, or the Air Force Reserve who—

''(A) are recommended for such selection by the Secretary of the military department concerned;

''(B) have had at least 10 years of commissioned service in their reserve component and significant joint duty experience, as determined by the Chairman of the Joint Chiefs of Staff; and

''(C) are in a grade above the grade of colonel or, in the case of the Navy Reserve, captain.

''(c) TERM OF OFFICE.—Each Assistant to the Chairman of the Joint Chiefs of Staff under subsection (a) serves at the pleasure of the Chairman for a term of two years and may be continued in that assignment in the same manner for one additional term. However, in time of war there is no limit on the number of terms.

''(d) GRADE.—Each Assistant to the Chairman of the Joint Chiefs of Staff under subsection (a), while so serving, holds the grade of major general or, in the case of the Navy Reserve, rear admiral. Each such officer shall be considered to be serving in a position covered by the limited exclusion from the authorized strength of general officers and flag officers on active duty provided by section 526(b) of this title.

''(e) DUTIES.—(1) The Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters is an adviser to the Chairman on matters relating to the National Guard and performs the duties prescribed for that position by the Chairman.

''(2) The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters is an adviser to the Chairman on matters relating to the reserves and performs the duties prescribed for that position by the Chairman.

''(f) OTHER RESERVE COMPONENT REPRESENTATION ON JOINT STAFF.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs, shall develop appropriate policy guidance to ensure that, to the maximum extent practicable, the level of representation of reserve component officers on the Joint Staff is commensurate with the significant role of the reserve components within the armed forces.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 155 the following new item:

''155a. Assistants to the Chairman of the Joint Chiefs of Staff for National Guard matters and for Reserve matters.''.

(c) REPEAL OF SUPERSEDED LAW.—Section 901 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 10 U.S.C. 155 note) is repealed.

SEC. 512. AUTOMATIC FEDERAL RECOGNITION OF PROMOTION OF CERTAIN NATIONAL GUARD WARRANT OFFICERS.

Section 310(a) of title 32, United States Code, is amended—

(1) by inserting ''(1)'' before ''Notwithstanding''; and

(2) by adding at the end the following new paragraph:

''(2) Notwithstanding sections 307 and 309 of this title, if a warrant officer, W–1, of the National Guard is promoted to the grade of chief warrant officer, W–2, to fill a vacancy in a federally recognized unit in the National Guard, Federal recognition is automatically extended to that officer in the grade of chief warrant officer, W–2, effective as of the date on which that officer has completed the service in the grade prescribe by the Secretary concerned under section 12242 of title 10, if the warrant officer has remained in an active status since the warrant officer was so recommended.''.

Subtitle C—General Service Authorities

SEC. 521. MODIFICATIONS TO CAREER INTERMISSION PILOT PROGRAM.

(a) EXTENSION OF PROGRAMS TO INCLUDE ACTIVE GUARD AND RESERVE PERSONNEL.—Subsection (a)(1) of section 533 of Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4449; 10 U.S.C. 701 prec.) is amended by inserting after ''officers and enlisted members of the regular components'' the following: '', and members of the Active Guard and Reserve (as defined in section 101(b)(16) of title 10, United States Code),''.

(b) AUTHORITY TO CARRY FORWARD UNUSED ACCRUED LEAVE.—Subsection (h) of such section is amended by adding at the end the following new paragraph:

''(5) LEAVE.—A member who participates in a pilot program is entitled to carry forward the leave balance, existing as of the day on which the member begins participation and accumulated in accordance with section 701 of title 10, United States Code, but not to exceed 60 days.''.

(c) AUTHORITY FOR DISABILITY PROCESSING.—Subsection (j) of such section is amended—

(1) by striking ''for purposes of the entitlement'' and inserting ''for purposes of—

''(1) the entitlement'';

(2) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(2) retirement or separation for physical disability under the provisions of chapters 55 and 61 of title 10, United States Code.''.

SEC. 522. AUTHORITY FOR ADDITIONAL BEHAVIORAL HEALTH PROFESSIONALS TO CONDUCT PRE-SEPARATION MEDICAL EXAMS FOR POST-TRAUMATIC STRESS DISORDER.

Section 1177(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''or psychiatrist'' and inserting ''psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner''; and

(2) in paragraph (3), by striking ''or psychiatrist'' and inserting '', psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner''.

SEC. 523. AUTHORITY TO ACCEPT VOLUNTARY SERVICES TO ASSIST DEPARTMENT OF DEFENSE EFFORTS TO ACCOUNT FOR MISSING PERSONS.

Section 1501(a)(6) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) Notwithstanding section 1342 of title 31, the Secretary of Defense may accept voluntary services provided by individuals or non Federal entities to further the purposes of this chapter.''.

SEC. 524. AUTHORIZED LEAVE AVAILABLE FOR MEMBERS OF THE ARMED FORCES UPON BIRTH OR ADOPTION OF A CHILD.

Section 701 of title 10, United States Code, is amended—

(1) by striking subsections (i) and (j) and inserting the following new subsection:

''(i)(1) A member of the armed forces who gives birth to a child or who adopts a child in a qualifying child adoption and will be primary caregiver for the adopted child shall receive 42 days of leave after the birth or adoption to be used in connection with the birth or adoption of the child.

''(2) A married member of the armed forces on active duty whose wife gives birth to a child or who adopts a child in a qualifying child adoption, but will not be primary caregiver for the adopted child, shall receive 10 days of leave to be used in connection with the birth or adoption of the child.

''(3) If two members of the armed forces who are married to each other adopt a child in a qualifying child adoption, only one of the members may be designated as primary caregiver for purposes of paragraph (1). In the case of a dual-military couple, the member authorized leave under paragraph (1) and the member authorized leave under paragraph (2) may utilize the leave at the same time.

''(4) For the purpose of this subsection, an adoption of a child by a member is a qualifying child adoption if the member is eligible for reimbursement of qualified adoption expenses for such adoption under section 1052 of this title.

''(5) Leave authorized under this subsection is in addition to other leave provided under other provisions of this section.

''(6) The Secretary of Defense may prescribe such regulations as may be necessary to carry out this subsection.''; and

(2) by redesignating subsection (k) as subsection (j).

SEC. 525. COMMAND RESPONSIBILITY AND ACCOUNTABILITY FOR REMAINS OF MEMBERS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS WHO DIE OUTSIDE THE UNITED STATES.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall take such steps as may be necessary to ensure that there is continuous, designated military command responsibility and accountability for the care, handling, and transportation of the remains of each deceased member of the Army, Navy, Air Force, or Marine Corps who died outside the United States, beginning with the initial recovery of the remains, through the defense mortuary system, until the interment of the remains or the remains are otherwise accepted by the person designated as provided by section 1482(c) of title 10, United States Code, to direct disposition of the remains.

SEC. 526. REPORT ON FEASIBILITY OF DEVELOPING GENDER-NEUTRAL OCCUPATIONAL STANDARDS FOR MILITARY OCCUPATIONAL SPECIALTIES CURRENTLY CLOSED TO WOMEN.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report evaluating the feasibility of incorporating gender-neutral occupational standards for military occupational specialties closed, as of the date of the enactment of this Act, to female members of the Armed Forces.

SEC. 527. COMPLIANCE WITH MEDICAL PROFILES ISSUED FOR MEMBERS OF THE ARMED FORCES.

(a) COMPLIANCE REQUIREMENT.—The Secretary of a military department shall ensure that commanding officers—

(1) do not prohibit or otherwise restrict the ability of physicians and other licensed health-care providers to issue a medical profile for a member of the Armed Forces; and

(2) comply with the terms of a medical profile issued to a member of the Armed Forces is assigning duties to the member.

(b) LIMITED WAIVER AUTHORITY.—The first general officer or flag officer in the chain of command of a member of the Armed Forces covered by a medical profile may authorize, on a case-by-case basis, a temporary waiver of the compliance requirement imposed by subsection (a)(2) if the officer determines that the assignment of duties to the member in violation of the terms of the medical profile is vital to ensuring the readiness of the member and the unit.

(c) MEDICAL PROFILE DEFINED.—In this section, the term ''medical profile'', with respect to a member of the Armed Forces, means a limitation imposed by a physician or other licensed health-care provider on the physical activity of the member on account of an illness or injury to facilitate the member's recovery or reduce the seriousness of the illness or injury.

Subtitle D—Military Justice and Legal Matters

SEC. 531. CLARIFICATION AND ENHANCEMENT OF THE ROLE OF STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS.

(a) APPOINTMENT BY THE PRESIDENT AND PERMANENT APPOINTMENT TO GRADE OF MAJOR GENERAL.—Subsection (a) of section 5046 of title 10, United States Code, is amended—

(1) in the first sentence, by striking ''detailed'' and inserting ''appointed by the President, by and with the advice and consent of the Senate,''; and

(2) by striking the second sentence and inserting the following: ''If the officer to be appointed as the Staff Judge Advocate to the Commandant of the Marine Corps holds a grade lower than the grade of major general immediately before the appointment, the officer shall be appointed in the grade of major general.''.

(b) DUTIES, AUTHORITY, AND ACCOUNTABILITY.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) The Staff Judge Advocate to the Commandant of the Marine Corps, under the direction of the Commandant of the Marine Corps and the Secretary of the Navy, shall—

''(1) perform such duties relating to legal matters arising in the Marine Corps as may be assigned to the Staff Judge Advocate;

''(2) perform the functions and duties, and exercise the powers, prescribed for the Staff Judge Advocate to the Commandant of the Marine Corps in chapters 47 (the Uniform Code of Military Justice) and 53 of this title; and

''(3) perform such other duties as may be assigned to the Staff Judge Advocate.''.

(c) COMPOSITION OF HEADQUARTERS, MARINE CORPS.—Section 5041(b) of such title is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) The Staff Judge Advocate to the Commandant of the Marine Corps.''.

(d) SUPERVISION OF CERTAIN LEGAL SERVICES.—

(1) ADMINISTRATION OF MILITARY JUSTICE.—Section 806(a) of such title (article 6(a) of the Uniform Code of Military Justice) is amended in the third sentence by striking ''or senior members of his staff'' and inserting '', the Staff Judge Advocate to the Commandant of the Marine Corps, or senior members of their staffs''.

(2) DELIVERY OF LEGAL ASSISTANCE.—Section 1044(b) of such title is amended by inserting ''and, within the Marine Corps, the Staff Judge Advocate to the Commandant of the Marine Corps'' after ''jurisdiction of the Secretary''.

SEC. 532. PERSONS WHO MAY EXERCISE DISPOSITION AUTHORITY REGARDING CHARGES INVOLVING CERTAIN SEXUAL MISCONDUCT OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) PERSONS WHO MAY EXERCISE DISPOSITION AUTHORITY.—

(1) DISPOSITION AUTHORITY.—With respect to any charge under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) that alleges an offense specified in paragraph (2), the Secretary of Defense shall require the Secretaries of the military departments to restrict disposition authority under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) to officers of the Armed Forces who have the authority to convene special courts-martial under section 823 of such chapter (article 23 of the Uniform Code of Military Justice), but no lower than the first colonel, or in the case of the Navy, the first captain, with a legal advisor (or access to a legal advisor) in the chain of command of the person accused of committing the offense.

(2) COVERED OFFENSES.—Paragraph (1) applies with respect to a charge that alleges any of the following offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice):

(A) Rape or sexual assault under subsection (a) or (b) of section 920 of such chapter (article 120).

(B) Forcible sodomy under section 925 of such chapter (article 125).

(C) An attempt to commit an offense specified in paragraph (1) or (2), as punishable under section 880 of such chapter (article 80).

(b) IMPLEMENTATION.—

(1) SERVICE SECRETARIES.—The Secretaries of the military departments shall revise policies and procedures as necessary to comply with subsection (a).

(2) SECRETARY OF DEFENSE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with subsection (a).

(c) RECOMMENDATION OF ADDITIONAL CHANGES TO MANUAL FOR COURTS-MARTIAL OR UCMJ POLICY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall make recommendations for additional changes to the Manual for Courts-Martial or to Department of Defense policies that would—

(1) ensure the consideration of the material facts regarding an alleged offense specified in subsection (a)(2) or other sexual offense under sections 920 through 920c of title 10, United States Code (articles 120 through 120c of the Uniform Code of Military Justice) is given precedence over the consideration of the character of the military service of the person accused of the sexual offense; and

(2) require all commanders who receive a report or complaint alleging an offense specified in subsection (a)(2) to refer the report or complaint to the Defense Criminal Investigative Service, Army Criminal Investigative Command, Naval Criminal Investigative Service, or Air Force Office of Special Investigations, as the case may be.

SEC. 533. INDEPENDENT REVIEW AND ASSESSMENT OF UNIFORM CODE OF MILITARY JUSTICE AND JUDICIAL PROCEEDINGS OF SEXUAL ASSAULT CASES.

(a) INDEPENDENT REVIEW AND ASSESSMENT.—The Secretary of Defense shall establish an independent panel to conduct an independent review and assessment of judicial proceedings under the Uniform Code of Military Justice involving sexual assault and related offenses for the purpose of developing potential improvements to such proceedings.

(b) INDEPENDENT PANEL FOR REVIEW.—

(1) COMPOSITION.—The panel shall be composed of five members, appointed by the Secretary of Defense from among private United States citizens who have expertise in military law, civilian law, prosecution of sexual assaults in Federal criminal court, military justice policies, the missions of the Armed Forces, or offenses relating to rape, sexual assault, and other sexual misconduct under the Uniform Code of Military Justice.

(2) CHAIR.—The chair of the panel shall be appointed by the Secretary from among the members of the panel appointed under paragraph (1).

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the panel. Any vacancy in the panel shall be filled in the same manner as the original appointment.

(4) DEADLINE FOR APPOINTMENTS.—All original appointments to the panel shall be made not later than 120 days after the date of the enactment of this Act.

(5) MEETINGS.—The panel shall meet at the call of the chair.

(6) FIRST MEETING.—The chair shall call the first meeting of the panel not later than 60 days after the date of the appointment of all the members of the panel.

(7) DURATION.—The panel shall expire on September 30, 2017.

(c) DUTIES.—

(1) ANNUAL REPORT ON IMPLEMENTATION OF UCMJ AMENDMENTS.—The panel shall prepare annual reports regarding the implementation of the reforms to the offenses relating to rape, sexual assault, and other sexual misconduct under the Uniform Code of Military Justice enacted by

section 541 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1404).

(2) REVIEW AND CONSULTATION.—In preparing the reports, the panel shall review, evaluate, and assess the following:

(A) The advisory sentencing guidelines given by judges in Federal courts and how those guidelines compare to advisory sentencing guidance provided to panels rendering punishments in court-martial proceedings, including whether it would be more beneficial for advisory sentencing guidelines to be provided to panels or for discretion to be given to judges regarding whether to issue advisory sentencing guidelines.

(B) The punishments or administrative actions taken in response to sexual assault court-martial proceedings, including the number of punishments or administrative actions taken as rendered by a panel and the number of punishments or administrative actions rendered by a judge and the consistency and proportionality of the decisions, punishments, and administrative actions to the facts of each case compared with Federal and State criminal courts.

(C) The court-martial convictions of sexual assaults in the year covered by the report and the number and description of instances when punishments were reduced upon appeal and the instances in which the defendant appealed following a plea agreement, if such information is available.

(D) The number of instances in which the previous sexual conduct of the alleged victim was considered in Article 32 proceedings and any instances where previous sexual conduct was deemed to be inadmissible.

(E) The number of instances in which evidence of the previous sexual conduct of the alleged victim was introduced by the defense in a court-martial what impact that evidence had on the case.

(F) The training level of defense and prosecution trial counsel, including an inventory of the experience of JAG lead trial counsel in each instance and any existing standards or requirements for lead counsel, including their experience in defending or prosecuting sexual assault and related offenses.

(G) Such other matters and materials as the panel considers appropriate for purposes of the reports.

(3) UTILIZATION OF OTHER STUDIES.—In preparing the reports, the panel may review, and incorporate as appropriate, the findings of applicable ongoing and completed studies.

(4) FIRST REPORT.—Not later than 180 days after its first meeting, the panel shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives its first report under this subsection. The panel shall include proposals for such legislative or administrative action as the panel considers appropriate in light of its review.

(d) POWERS OF PANEL.—

(1) HEARINGS.—The panel may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the panel considers appropriate to carry out its duties under this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—Upon request by the chair of the panel, any department or agency of the Federal Government may provide information that the panel considers necessary to carry out its duties under this section.

(e) PERSONNEL MATTERS.—

(1) PAY OF MEMBERS.—Members of the panel shall serve without pay by reason of their work on the panel.

(2) TRAVEL EXPENSES.—The members of the panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance or services for the panel.

SEC. 534. COLLECTION AND RETENTION OF RECORDS ON DISPOSITION OF REPORTS OF SEXUAL ASSAULT.

(a) COLLECTION.—The Secretary of Defense shall require that the Secretary of each military department establish a record on the disposition of any report of sexual assault, whether such disposition is court martial, nonjudicial punishment, or other administrative action. The record of any such disposition shall include the following, as appropriate:

(1) Documentary information collected about the incident reported, other than investigator case notes.

(2) Punishment imposed, including the sentencing by judicial or non-judicial means including incarceration, fines, restriction, and extra duty as a result of military court-martial, Federal and local court and other sentencing, or any other punishment imposed.

(3) Administrative actions taken, if any.

(4) Any pertinent referrals offered as a result of the incident (such as drug and alcohol counseling and other types of counseling or intervention).

(b) RETENTION.—The Secretary of Defense shall require that—

(1) the records established pursuant to subsection (a) be retained by the Department of Defense for a period of not less than 20 years; and

(2) a copy of such records be maintained at a centralized location for the same period as applies to retention of the records under paragraph (1).

SEC. 535. BRIEFING, PLAN, AND RECOMMENDATIONS REGARDING EFFORTS TO PREVENT AND RESPOND TO HAZING INCIDENTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) BRIEFING AND PLAN REQUIRED.—Not later than May 1, 2013, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing and plan that outlines efforts by the Department of Defense—

(1) to prevent the hazing of members of the Armed Forces by other members of the Armed Forces; and

(2) to respond to and resolve alleged hazing incidents involving members of the Armed Forces, including the prosecution of offenders through the use of punitive articles under subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(b) DATABASE.—The plan required by subsection (a) shall include the establishment of a database for the purpose of improving the ability of the Department of Defense—

(1) to determine the extent to which hazing incidents involving members of the Armed Forces are occurring and the nature of such hazing incidents; and

(2) to track, respond to, and resolve hazing incidents involving members of the Armed Forces.

(c) RECOMMENDATIONS.—As part of the briefing required by subsection (a), the Secretary of Defense shall submit such recommendations for changes to the Uniform Code of Military Justice and the Manual for Courts-Martial as the Secretary of Defense considers necessary to improve the prosecution of hazing incidents.

(d) CONSULTATION.—The Secretary of Defense shall prepare the plan, database, and recommendations required by this section in consultation with the Secretaries of the military departments.

(e) HAZING DESCRIBED.—For purposes of carrying out this section, the Secretary of Defense shall use the definition of hazing contained in the August 28, 1997, Secretary of Defense Policy Memorandum, which defined hazing as any conduct whereby a member of the Armed Forces, regardless of branch or rank, without proper authority causes another member to suffer, or be exposed to, any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another person to perpetrate any such activity is also considered hazing. Hazing need not involve physical contact among or between members of the Armed Forces. Hazing can be verbal or psychological in nature. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator.

SEC. 536. PROTECTION OF RIGHTS OF CONSCIENCE OF MEMBERS OF THE ARMED FORCES AND CHAPLAINS OF SUCH MEMBERS.

(a) PROTECTION.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1034 the following new section:

''§ 1034a. Protection of rights of conscience of members of the Armed Forces and chaplains of such members

''(a) PROTECTION OF RIGHTS OF CONSCIENCE.—The Armed Forces shall accommodate the conscience and sincerely held moral principles and religious beliefs of the members of the Armed Forces concerning the appropriate and inappropriate expression of human sexuality and may not use such conscience, principles, or beliefs as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment. Nothing in this subsection precludes disciplinary action for conduct that is proscribed by chapter 47 of this title (the Uniform Code of Military Justice).

''(b) PROTECTION OF CHAPLAINS.—(1) For purposes of this title, a military chaplain is—

''(A) a certified religious leader or clergy of a faith community who, after satisfying the professional and educational requirements of the commissioning service, is commissioned as an officer in the Chaplains Corps of one of the branches of the Armed Forces; and

''(B) a representative of the faith group of the chaplain, who remains accountable to the endorsing faith group for the religious ministry involved to members of the Armed Forces, to—

''(i) provide for the religious and spiritual needs of members of the Armed Forces of that faith group; and

''(ii) facilitate the religious needs of members of the Armed Forces of other faith groups.

''(2) No member of the Armed Forces may—

''(A) direct, order, or require a chaplain to perform any duty, rite, ritual, ceremony, service, or function that is contrary to the conscience, moral principles, or religious beliefs of the chaplain, or contrary to the moral principles and religious beliefs of the endorsing faith group of the chaplain; or

''(B) discriminate or take any adverse personnel action against a chaplain, including denial of promotion, schooling, training, or assignment, on the basis of the refusal by the chaplain to comply with a direction, order, or requirement prohibited by subparagraph (A).

''(c) REGULATIONS.—The Secretary of Defense shall issue regulations implementing the protections afforded by this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of title 10, United States Code, is amended by inserting after the item relating to section 1034 the following new item:

1034a. Protection of rights of conscience of members of the Armed Forces and chaplains of such members.

SEC. 537. USE OF MILITARY INSTALLATIONS AS SITES FOR MARRIAGE CEREMONIES OR MARRIAGE-LIKE CEREMONIES.

A military installation or other property owned or rented by, or otherwise under the jurisdiction or control of, the Department of Defense may not be used to officiate, solemnize, or

perform a marriage or marriage-like ceremony involving anything other than the union of one man with one woman.

Subtitle E—Member Education and Training Opportunities and Administration

SEC. 541. TRANSFER OF TROOPS-TO-TEACHERS PROGRAM FROM DEPARTMENT OF EDUCATION TO DEPARTMENT OF DEFENSE AND ENHANCEMENTS TO THE PROGRAM.

(a) TRANSFER OF FUNCTIONS.—

(1) TRANSFER.—The responsibility and authority for operation and administration of the Troops-to-Teachers Program in chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is transferred from the Secretary of Education to the Secretary of Defense.

(2) EFFECTIVE DATE.—The transfer under paragraph (1) shall take effect on the first day of the first month beginning more than 90 days after the date of the enactment of this Act, or on such earlier date as the Secretary of Education and the Secretary of Defense may jointly provide.

(b) ENACTMENT OF PROGRAM AUTHORITY IN TITLE 10, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1154. Assistance to eligible members and former members to obtain employment as teachers: troops-to-teachers program

''(a) DEFINITIONS.—In this section:

''(1) CHARTER SCHOOL.—The term 'charter school' has the meaning given that term in section 5210(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i(1)).

''(2) ELIGIBLE SCHOOL.—The term 'eligible school' means—

''(A) a public school, including a charter school, at which—

''(i) at least 30 percent of the students enrolled in the school are from families with incomes below 185 percent of poverty level (as defined by the Office of Management and Budget and revised at least annually in accordance with section 9(b)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(1)) applicable to a family of the size involved; or

''(ii) at least 13 percent of the students enrolled in the school qualify for assistance under part B of the Individuals with Disabilities Education Act; or

''(B) a Bureau-funded school as defined in section 1141(3) of the Education Amendments of 1978 (25 U.S.C. 2021(3)).

''(3) HIGH-NEED SCHOOL.—The term 'high-need school' means—

''(A) an elementary or middle school in which at least 50 percent of the enrolled students are children from low-income families, based on the number of children eligible to for free and reduced priced lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the number of children eligible to receive medical assistance under the Medicaid program, or a composite of these indicators;

''(B) a high school in which at least 40 percent of enrolled students are children from low-income families, which may be calculated using comparable data from feeder schools; or

''(C) a school that is in a local educational agency that is eligible under section 6211(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7345(b)).

''(4) MEMBER OF THE ARMED FORCES.—The term 'member of the armed forces' includes a retired or former member of the armed forces.

''(5) PARTICIPANT.—The term 'participant' means an eligible member of the armed forces selected to participate in the Program.

''(6) PROGRAM.—The term 'Program' means the Troops-to-Teachers Program authorized by this section.

''(7) SECRETARY.—The term 'Secretary' means the Secretary of Defense.

''(8) ADDITIONAL TERMS.—The terms 'elementary school', 'local educational agency', 'secondary school', and 'State' have the meanings given those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(b) PROGRAM AUTHORIZATION.—The Secretary of Defense may carry out a Troops-to-Teachers Program—

''(1) to assist eligible members of the armed forces described in subsection (d) to obtain certification or licensing as elementary school teachers, secondary school teachers, or career or technical teachers; and

''(2) to facilitate the employment of such members—

''(A) by local educational agencies or charter schools that the Secretary of Education identifies as—

''(i) receiving grants under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et. seq.) as a result of having within their jurisdictions concentrations of children from low-income families; or

''(ii) experiencing a shortage of teachers, in particular a shortage of science, mathematics, special education, foreign language, or career or technical teachers; and

''(B) in elementary schools or secondary schools, or as career or technical teachers.

''(c) COUNSELING AND REFERRAL SERVICES.—The Secretary may provide counseling and referral services to members of the armed forces who do not meet the eligibility criteria described in subsection (d), including the education qualification requirements under paragraph (3)(B) of such subsection.

''(d) ELIGIBILITY AND APPLICATION PROCESS.—

''(1) ELIGIBLE MEMBERS.—The following members of the armed forces are eligible for selection to participate in the Program:

''(A) Any member who—

''(i) on or after October 1, 1999, becomes entitled to retired or retainer pay under this title or title 14;

''(ii) has an approved date of retirement that is within one year after the date on which the member submits an application to participate in the Program; or

''(iii) has been transferred to the Retired Reserve.

''(B) Any member who, on or after January 8, 2002—

''(i)(I) is separated or released from active duty after four or more years of continuous active duty immediately before the separation or release; or

''(II) has completed a total of at least six years of active duty service, six years of service computed under section 12732 of this title, or six years of any combination of such service; and

''(ii) executes a reserve commitment agreement for a period of not less than three years under paragraph (5)(B).

''(C) Any member who, on or after January 8, 2002, is retired or separated for physical disability under chapter 61 of this title.

''(2) SUBMISSION OF APPLICATIONS.—(A) Selection of eligible members of the armed forces to participate in the Program shall be made on the basis of applications submitted to the Secretary within the time periods specified in subparagraph (B). An application shall be in such form and contain such information as the Secretary may require.

''(B) In the case of an eligible member of the armed forces described in subparagraph (A)(i), (B), or (C) of paragraph (1), an application shall be considered to be submitted on a timely basis under if the application is submitted not later than three years after the date on which the member is retired, separated, or released from active duty, whichever applies to the member.

''(3) SELECTION CRITERIA; EDUCATIONAL BACKGROUND REQUIREMENTS; HONORABLE SERVICE REQUIREMENT.—(A) The Secretary shall prescribe the criteria to be used to select eligible members of the armed forces to participate in the Program.

''(B) If a member of the armed forces is applying for the Program to receive assistance for placement as an elementary school or secondary school teacher, the Secretary shall require the member to have received a baccalaureate or advanced degree from an accredited institution of higher education.

''(C) If a member of the armed forces is applying for the Program to receive assistance for placement as a career or technical teacher, the Secretary shall require the member—

''(i) to have received the equivalent of one year of college from an accredited institution of higher education or the equivalent in military education and training as certified by the Department of Defense; or

''(ii) to otherwise meet the certification or licensing requirements for a career or technical teacher in the State in which the member seeks assistance for placement under the Program.

''(D) A member of the armed forces is eligible to participate in the Program only if the member's last period of service in the armed forces was honorable, as characterized by the Secretary concerned. A member selected to participate in the Program before the retirement of the member or the separation or release of the member from active duty may continue to participate in the Program after the retirement, separation, or release only if the member's last period of service is characterized as honorable by the Secretary concerned.

''(4) SELECTION PRIORITIES.—In selecting eligible members of the armed forces to receive assistance under the Program, the Secretary—

''(A) shall give priority to members who—

''(i) have educational or military experience in science, mathematics, special education, foreign language, or career or technical subjects; and

''(ii) agree to seek employment as science, mathematics, foreign language, or special education teachers in elementary schools or secondary schools or in other schools under the jurisdiction of a local educational agency; and

''(B) may give priority to members who agree to seek employment in a high-need school.

''(5) OTHER CONDITIONS ON SELECTION.—(A) Subject to subsection (i), the Secretary may not select an eligible member of the armed forces to participate in the Program and receive financial assistance unless the Secretary has sufficient appropriations for the Program available at the time of the selection to satisfy the obligations to be incurred by the United States under subsection (e) with respect to the member.

''(B) The Secretary may not select an eligible member of the armed forces described in paragraph (1)(B)(i) to participate in the Program and receive financial assistance under subsection (e) unless the member executes a written agreement to serve as a member of the Selected Reserve of a reserve component of the armed forces for a period of not less than three years.

''(e) PARTICIPATION AGREEMENT AND FINANCIAL ASSISTANCE.—

''(1) PARTICIPATION AGREEMENT.—(A) An eligible member of the armed forces selected to participate in the Program under subsection (b) and to receive financial assistance under this subsection shall be required to enter into an agreement with the Secretary in which the member agrees—

''(i) within such time as the Secretary may require, to obtain certification or licensing as an

elementary school teacher, secondary school teacher, or career or technical teacher; and

''(ii) to accept an offer of full-time employment as an elementary school teacher, secondary school teacher, or career or technical teacher for not less than three school years in an eligible school to begin the school year after obtaining that certification or licensing.

''(B) The Secretary may waive the three-year commitment described in subparagraph (A)(ii) for a participant if the Secretary determines such waiver to be appropriate. If the Secretary provides the waiver, the participant shall not be considered to be in violation of the agreement and shall not be required to provide reimbursement under subsection (f), for failure to meet the three-year commitment.

''(2) VIOLATION OF PARTICIPATION AGREEMENT; EXCEPTIONS.—A participant shall not be considered to be in violation of the participation agreement entered into under paragraph (1) during any period in which the participant—

''(A) is pursuing a full-time course of study related to the field of teaching at an institution of higher education;

''(B) is serving on active duty as a member of the armed forces;

''(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

''(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

''(E) is unable to find full-time employment as a teacher in an elementary school or secondary school or as a career or technical teacher for a single period not to exceed 27 months; or

''(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the Secretary.

''(3) STIPEND AND BONUS FOR PARTICIPANTS.—(A) Subject to subparagraph (C), the Secretary may pay to a participant a stipend to cover expenses incurred by the participant to obtain the required educational level, certification or licensing. Such stipend may not exceed $5,000 and may vary by participant.

''(B)(i) Subject to subparagraph (C), the Secretary may pay a bonus to a participant who agrees in the participation agreement under paragraph (1) to accept full-time employment as an elementary school teacher, secondary school teacher, or career or technical teacher for not less than three school years in an eligible school.

''(ii) The amount of the bonus may not exceed $5,000, unless the eligible school is a high-need school, in which case the amount of the bonus may not exceed $10,000. Within such limits, the bonus may vary by participant and may take into account the priority placements as determined by the Secretary.

''(C)(i) The total number of stipends that may be paid under subparagraph (A) in any fiscal year may not exceed 5,000.

''(ii) The total number of bonuses that may be paid under subparagraph (B) in any fiscal year may not exceed 3,000.

''(iii) A participant may not receive a stipend under subparagraph (A) if the participant is eligible for benefits under chapter 33 of title 38.

''(iv) The combination of a stipend under subparagraph (A) and a bonus under subparagraph (B) for any one participant may not exceed $10,000.

''(4) TREATMENT OF STIPEND AND BONUS.—A stipend or bonus paid under this subsection to a participant shall be taken into account in determining the eligibility of the participant for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(f) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—

''(1) REIMBURSEMENT REQUIRED.—A participant who is paid a stipend or bonus under this subsection shall be subject to the repayment provisions of section 373 of title 37 under the following circumstances:

''(A) The participant fails to obtain teacher certification or licensing or to obtain employment as an elementary school teacher, secondary school teacher, or career or technical teacher as required by the participation agreement under subsection (e)(1).

''(B) The participant voluntarily leaves, or is terminated for cause from, employment as an elementary school teacher, secondary school teacher, or career or technical teacher during the three years of required service in violation of the participation agreement.

''(C) The participant executed a written agreement with the Secretary concerned under subsection (d)(5)(B) to serve as a member of a reserve component of the armed forces for a period of three years and fails to complete the required term of service.

''(2) AMOUNT OF REIMBURSEMENT.—A participant required to reimburse the Secretary for a stipend or bonus paid to the participant under subsection (e) shall pay an amount that bears the same ratio to the amount of the stipend or bonus as the unserved portion of required service bears to the three years of required service.

''(3) INTEREST.—Any amount owed by a participant under this subsection shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the reimbursement is determined to be due for securities having maturities of 90 days or less and shall accrue from the day on which the participant is first notified of the amount due.

''(4) EXCEPTIONS TO REIMBURSEMENT REQUIREMENT.—A participant shall be excused from reimbursement under this subsection if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The Secretary may also waive the reimbursement in cases of extreme hardship to the participant, as determined by the Secretary.

''(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—Except as provided in subsection (e)(3)(C)(iii), the receipt by a participant of a stipend or bonus under subsection (e) shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 or 33 of title 38 or chapter 1606 of this title.

''(h) PARTICIPATION BY STATES.—

''(1) DISCHARGE OF STATE ACTIVITIES THROUGH CONSORTIA OF STATES.—The Secretary may permit States participating in the Program to carry out activities authorized for such States under the Program through one or more consortia of such States.

''(2) ASSISTANCE TO STATES.—(A) Subject to subparagraph (B), the Secretary may make grants to States participating in the Program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members of the armed forces for participation in the Program and facilitating the employment of participants as elementary school teachers, secondary school teachers, and career or technical teachers.

''(B) The total amount of grants made under subparagraph (A) in any fiscal year may not exceed $5,000,000.

''(i) LIMITATION ON TOTAL FISCAL-YEAR OBLIGATIONS.—The total amount obligated by the Secretary under the Program for any fiscal year may not exceed $15,000,000.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1154. Assistance to eligible members and former members to obtain employment as teachers: Troops-to-Teachers Program.''.

(c) CONFORMING AMENDMENT.—Subparagraph (C) of section 1142(b)(4) of such title is amended by striking ''section 2302'' and all that follows through the end of the subparagraph and inserting ''under section 1154 of this title.''.

(d) TERMINATION OF DEPARTMENT OF EDUCATION TROOPS-TO-TEACHERS PROGRAM.—

(1) TERMINATION.—Chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents in section 2 of the Elementary and Secondary Education Act 1965 is amended by striking the items relating to chapter A of subpart 1 of part C of title II of such Act.

(3) EXISTING AGREEMENTS.—The repeal of chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) by paragraph (1) shall not affect—

(A) the validity or terms of any agreement entered into under such chapter, as in effect immediately before such repeal, before the effective date of the transfer of the Troops-to-Teachers Program under subsection (a); or

(B) the authority to pay assistance, make grants, or obtain reimbursement in connection with such an agreement as in effect before the effective date of the transfer of the Troops-to-Teachers Program under subsection (a).

SEC. 542. SUPPORT OF NAVAL ACADEMY ATHLETIC AND PHYSICAL FITNESS PROGRAMS.

(a) AUTHORITY TO SUPPORT PROGRAMS.—Chapter 603 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 6981. Support of athletic and physical fitness programs

''(a) AUTHORITY.—The Secretary of the Navy may enter into agreements, including cooperative agreements (as described in section 6305 of title 31), with the Naval Academy Athletic Association and its successors and assigns (in this section referred to as the 'association') to manage any aspect of the athletic and physical fitness programs of the Naval Academy.

''(b) AUTHORITY TO PROVIDE SUPPORT TO ASSOCIATION.—(1) The Secretary of the Navy may to transfer funds to the association to pay expenses incurred by the association in managing the athletic and physical fitness programs of the Naval Academy.

''(2) The Secretary may provide personal property and the services of members of the naval service and civilian personnel of the Department of the Navy to assist the association in managing the athletic and physical fitness programs of the Naval Academy.

''(c) ACCEPTANCE OF GIFTS FROM THE ASSOCIATION.—The Secretary of the Navy may accept from the association funds, supplies, and services for the support of the athletic and physical fitness programs of the Naval Academy.

''(d) RECEIPT AND RETENTION OF FUNDS FROM ASSOCIATION AND OTHER SOURCES.—(1) The Secretary of the Navy may receive from the association funds generated by the athletic and physical fitness programs of the Naval Academy and any other activity of the association and to retain and use such funds to further the mission of the Naval Academy. Receipt and retention of such funds shall be subject to oversight by the Secretary.

''(2) The Secretary may accept, use, and retain funds from the National Collegiate Athletic Association and to transfer all or part of those funds to the association for the support of the athletic and physical fitness programs of the Naval Academy.

''(e) USER FEES.—The Secretary of the Navy may charge user fees to the association for the association's use of Naval Academy facilities for

the conduct of summer athletic camps. Fees collected under this subsection may be retained for use in support of the Naval Academy athletic program and shall remain available until expended.

''(f) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—(1) The Secretary of the Navy may enter into an agreement with the association authorizing the association to represent the Department of the Navy in connection with licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Naval Academy, to the extent authorized by the Chief of Naval Research and in accordance with sections 2260 and 5022 of this title.

''(2) Notwithstanding section 2260(d)(2) of this title, any funds generated by the licensing, marketing, and sponsorship under a agreement entered into under paragraph (1) may be accepted, used, and retained by the Secretary, or transferred by the Secretary to the association, for—

''(A) payment of the costs of securing trademark registrations and operating of licensing programs; or

''(B) supporting the athletic and physical fitness programs of the Naval Academy.

''(g) AUTHORIZED SERVICE ON BOARD OF DIRECTORS.—The Secretary may authorize members of the naval service and civilian personnel of the Department of the Navy to serve in accordance with sections 1033 and 1589 of this title as members of the governing board of the association.

''(h) CONDITIONS.—The authority provided in this section with respect to the association is available only so long as the association continues—

''(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986

''(2) to operate in accordance with this section, the laws of the State of Maryland, and the constitution and bylaws of the association; and

''(3) to operate exclusively to support the athletic and physical fitness programs of the Naval Academy.

''(i) CONGRESSIONAL NOTIFICATION.—Not later than 60 days after the date on which the Secretary of the Navy enters into an agreement under the authority of this section, the Secretary shall provide a copy of the agreement to the congressional defense committees.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''6981. Support of athletic and physical fitness programs.''.

SEC. 543. DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW OF ACCESS TO MILITARY INSTALLATIONS BY REPRESENTATIVES OF FOR-PROFIT EDUCATIONAL INSTITUTIONS.

(a) REVIEW REQUIRED.—The Inspector General of the Department of Defense shall conduct a review to determine the extent of the access that representatives of for-profit educational institutions have to military installations and whether there are adequate safeguards in place to regulate such access.

(b) ELEMENTS OF REVIEW.—The review shall determine at a minimum the following:

(1) The extent to which representatives of for-profit educational institutions are accessing military installations for marketing and recruitment purposes.

(2) Whether there uniform and robust enforcement of DOD Directive 1344.07.

(3) Whether additional Department rules, policies, or oversight mechanisms should be put in place to regulate such practices.

(c) INSPECTOR GENERAL ACCESS.—The Secretary of Defense shall ensure that the Inspector General has access to all Department of Defense records and military installations for the purpose of conducting the review.

Subtitle F—Decorations and Awards

SEC. 551. ISSUANCE OF PRISONER-OF-WAR MEDAL.

Section 1128(a)(4) of title 10, United States Code, is amended by striking ''that are hostile to the United States,''.

SEC. 552. AWARD OF PURPLE HEART TO MEMBERS OF THE ARMED FORCES WHO WERE VICTIMS OF THE ATTACKS AT RECRUITING STATION IN LITTLE ROCK, ARKANSAS, AND AT FORT HOOD, TEXAS.

(a) AWARD REQUIRED.—The Secretary of the military department concerned shall award the Purple Heart to the members of the Armed Forces who were killed or wounded in the attacks that occurred at the recruiting station in Little Rock, Arkansas, on June 1, 2009, and at Fort Hood, Texas, on November 5, 2009.

(b) EXCEPTION.—Subsection (a) shall not apply to a member of the Armed Forces whose wound was the result of the willful misconduct of the member.

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $5,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 562. TRANSITIONAL COMPENSATION FOR DEPENDENT CHILDREN WHO WERE CARRIED DURING PREGNANCY AT THE TIME OF DEPENDENT-ABUSE OFFENSE COMMITTED BY AN INDIVIDUAL WHILE A MEMBER OF THE ARMED FORCES.

(a) DEFINITION OF DEPENDENT CHILD.—Subsection (l) of section 1059 of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking ''at the time of the dependent-abuse offense resulting in the separation of the former member'' and inserting ''or eligible spouse or former spouse at the time of the dependent-abuse offense resulting in the separation of the former member or who was carried during pregnancy at the time of the dependent-abuse offense resulting in the separation of the former member and was subsequently born alive to the eligible spouse or former spouse''.

(b) DETERMINATION OF PAYMENT AMOUNT.—Subsection (f) of such section is amended by adding at the end the following new paragraph:

''(4) A payment to a child under this section shall not cover any period during which the child was in utero.''.

(c) PROSPECTIVE APPLICABILITY.—No benefits shall accrue by reason of the amendments made by this section for any month that begins before the date of the enactment of this Act.

SEC. 563. MODIFICATION OF AUTHORITY TO ALLOW DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS TO ENROLL CERTAIN STUDENTS.

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsections:

''(k) ENROLLMENT OF RELOCATED DEFENSE DEPENDENTS' EDUCATION SYSTEM STUDENTS.—(1) The Secretary of Defense may authorize the enrollment in a Department of Defense education program provided by the Secretary pursuant to subsection (a) of a dependent of a member of the armed forces or a dependent of a Federal employee who is enrolled in the defense dependents' education system established under section 1402 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 921) if—

''(A) the dependents departed the overseas location as a result of a evacuation order;

''(B) the designated safe haven of the dependent is located within reasonable commuting distance of a school operated by the Department of Defense education program; and

''(C) the school possesses the capacity and resources necessary to enable the student to attend the school.

''(2) A dependent described in paragraph (1) who is enrolled in a school operated by the Department of Defense education program pursuant to such paragraph may attend the school only through the end of the school year.

''(l) ENROLLMENT IN VIRTUAL ELEMENTARY AND SECONDARY EDUCATION PROGRAM.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary may authorize the enrollment in the virtual elementary and secondary education program established as a component of the Department of Defense education program of a dependent of a member of the armed forces on active duty who—

''(A) is enrolled in an elementary or secondary school operated by a local educational agency or another accredited educational program in the United States (other than a school operated by the Department of Defense education program); and

''(B) immediately before such enrollment, was enrolled in the defense dependents' education system established under section 1402 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 921).

''(2) Enrollment of a dependent described in paragraph (1) pursuant to such paragraph shall be on a tuition basis.''.

SEC. 564. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES.

(a) CHILD CUSTODY PROTECTION.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

''SEC. 208. CHILD CUSTODY PROTECTION.

''(a) RESTRICTION ON TEMPORARY CUSTODY ORDER.—If a court renders a temporary order for custodial responsibility for a child based solely on a deployment or anticipated deployment of a parent who is a servicemember, then the court shall require that, upon the return of the servicemember from deployment, the custody order that was in effect immediately preceding the temporary order shall be reinstated, unless the court finds that such a reinstatement is not in the best interest of the child, except that any such finding shall be subject to subsection (b).

''(b) EXCLUSION OF MILITARY SERVICE FROM DETERMINATION OF CHILD'S BEST INTEREST.—If

a motion or a petition is filed seeking a permanent order to modify the custody of the child of a servicemember, no court may consider the absence of the servicemember by reason of deployment, or the possibility of deployment, in determining the best interest of the child.

''(c) NO FEDERAL JURISDICTION OR RIGHT OF ACTION OR REMOVAL.—Nothing in this section shall create a Federal right of action or otherwise give rise to Federal jurisdiction or create a right of removal.

''(d) PREEMPTION.—In any case where State law applicable to a child custody proceeding involving a temporary order as contemplated in this section provides a higher standard of protection to the rights of the parent who is a deploying servicemember than the rights provided under this section with respect to such temporary order, the appropriate court shall apply the higher State standard.

''(e) DEPLOYMENT DEFINED.—In this section, the term 'deployment' means the movement or mobilization of a servicemember to a location for a period of longer than 60 days and not longer than 18 months pursuant to temporary or permanent official orders—

''(1) that are designated as unaccompanied;

''(2) for which dependent travel is not authorized; or

''(3) that otherwise do not permit the movement of family members to that location.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item:

''208. Child custody protection.''.

SEC. 565. TREATMENT OF RELOCATION OF MEMBERS OF THE ARMED FORCES FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.

(a) IN GENERAL.—Title III of the Servicemembers Civil Relief Act is amended by inserting after section 303 (50 U.S.C. App. 533) the following new section:

''SEC. 303A. TREATMENT OF RELOCATION OF SERVICEMEMBERS FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.

''(a) TREATMENT OF ABSENCE FROM RESIDENCE DUE TO ACTIVE DUTY.—While a servicemember who is the mortgagor under an existing mortgage does not reside in the residence that secures the existing mortgage because of a relocation described in subsection (c)(1)(B), if the servicemember inquires about or applies for a covered refinancing mortgage, the servicemember shall be considered, for all purposes relating to the covered refinancing mortgage (including such inquiry or application and eligibility for, and compliance with, any underwriting criteria and standards regarding such covered refinancing mortgage) to occupy the residence that secures the existing mortgage to be paid or prepaid by such covered refinancing mortgage as the principal residence of the servicemember during the period of such relocation.

''(b) LIMITATION.—Subsection (a) shall not apply with respect to a servicemember who inquires about or applies for a covered refinancing mortgage if, during the 5-year period preceding the date of such inquiry or application, the servicemember entered into a covered refinancing mortgage pursuant to this section.

''(c) DEFINITIONS.—In this section:

''(1) EXISTING MORTGAGE.—The term 'existing mortgage' means a mortgage that is secured by a 1- to 4-family residence, including a condominium or a share in a cooperative ownership housing association, that was the principal residence of a servicemember for a period that—

''(A) had a duration of 13 consecutive months or longer; and

''(B) ended upon the relocation of the servicemember caused by the servicemember receiving military orders for a permanent change of station or to deploy with a military unit, or as an individual in support of a military operation, for a period of not less than 18 months that did not allow the servicemember to continue to occupy such residence as a principal residence.

''(2) COVERED REFINANCING MORTGAGE.—The term 'covered refinancing mortgage' means any mortgage that—

''(A) is made for the purpose of paying or prepaying, and extinguishing, the outstanding obligations under an existing mortgage or mortgages; and

''(B) is secured by the same residence that secured such existing mortgage or mortgages.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 303 the following new item:

''303A. Treatment of relocation of servicemembers for active duty for purposes of mortgage refinancing.''.

SEC. 566. SENSE OF CONGRESS REGARDING SUPPORT FOR YELLOW RIBBON DAY.

(a) FINDINGS.—Congress makes the following findings:

(1) The hopes and prayers of the American people for the safe return of members of the Armed Forces serving overseas are demonstrated through the proud display of yellow ribbons.

(2) The designation of a ''Yellow Ribbon Day'' would serve as an additional reminder for all Americans of the continued sacrifice of members of the Armed Forces.

(3) Yellow Ribbon Day would also recognize the history and meaning of the Yellow Ribbon as the symbol of support for members of the Armed Forces and American civilians serving in combat or crisis situations overseas.

(b) SENSE OF CONGRESS.—Congress supports the goals and ideals of Yellow Ribbon Day, observed on April 9th each year, in honor of members of the Armed Forces and American civilians who are serving overseas in defense of the United States apart from their families and loved ones.

Subtitle H—Improved Sexual Assault Prevention and Response in the Armed Forces

SEC. 571. ESTABLISHMENT OF SPECIAL VICTIM TEAMS TO RESPOND TO ALLEGATIONS OF CHILD ABUSE, SERIOUS DOMESTIC VIOLENCE, OR SEXUAL OFFENSES.

(a) ESTABLISHMENT REQUIRED.—The Secretary of each military department shall establish special victim teams for the purpose of—

(1) investigating and prosecuting allegations of child abuse, serious domestic violence, or sexual offenses; and

(2) providing support for the victims of such offenses.

(b) PERSONNEL.—A special victim team shall be comprised of specially trained and selected—

(1) investigators from the Defense Criminal Investigative Service, Army Criminal Investigative Command, Naval Criminal Investigative Service, or Air Force Office of Special Investigations;

(2) judge advocates;

(3) victim witness assistance personnel; and

(4) administrative paralegal support personnel.

(c) TRAINING, SELECTION, AND CERTIFICATION STANDARDS.—The Secretary of each military department shall prescribe standards for the training, selection, and certification of personnel for special victim teams established by that Secretary.

(d) TIME FOR ESTABLISHMENT.—

(1) DISCRETION REGARDING NUMBER OF TEAMS NEEDED.—The Secretary of a military department shall determine the total number of special victim teams to be established, and prescribe regulations for their management and use, in order to provide effective, timely, and responsive world-wide support for the purposes described in subsection (a). Not later than 270 days after the date of the enactment of this Act, each Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan and time line for the establishment of the special victim teams that the Secretary has determined are needed.

(2) INITIAL TEAM.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall have available for use at least one special victim team.

(e) EVALUATION OF EFFECTIVENESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe the common criteria to be used by the Secretaries of the military departments to measure the effectiveness and impact of the special victim teams from the investigative, prosecutorial, and victim's perspectives, and require the Secretaries of the military departments to collect and report the data required by the Secretary of Defense.

(f) SPECIAL VICTIM TEAM DEFINED.—In this section, the term ''special victim team'' means a distinct, recognizable group of appropriately skilled professionals who work collaboratively to achieve the purposes described in subsection (a). This section does not require that a special victim team be created as separate military unit or have a separate chain of command.

SEC. 572. ENHANCEMENT TO TRAINING AND EDUCATION FOR SEXUAL ASSAULT PREVENTION AND RESPONSE.

Section 585 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1434) is amended by adding at the end the following new subsections:

''(d) COMMANDERS' TRAINING.—The Secretary of Defense shall provide for the inclusion of a sexual assault prevention and response training module in the training for new or prospective commanders at all levels of command. The training shall be tailored to the responsibilities and leadership requirements of members of the Armed Forces as they are assigned to command positions. Such training shall include the following:

''(1) Fostering a command climate that does not tolerate sexual assault.

''(2) Fostering a command climate in which persons assigned to the command are encouraged to intervene to prevent potential incidents of sexual assault.

''(3) Fostering a command climate that encourages victims of sexual assault to report any incident of sexual assault.

''(4) Understanding the needs of, and the resources available to, the victim after an incident of sexual assault.

''(5) Use of military criminal investigative organizations for the investigation of alleged incidents of sexual assault.

''(6) Available disciplinary options, including court-martial, non-judicial punishment, administrative action, and deferral of discipline for collateral misconduct, as appropriate.

''(e) EXPLANATION TO BE INCLUDED IN INITIAL ENTRY AND ACCESSION TRAINING.—

''(1) REQUIREMENT.—The Secretary of Defense shall require that the matters specified in paragraph (2) be carefully explained to each member of the Army, Navy, Air Force, and Marine Corps at the time of (or within fourteen duty days after)—

''(A) the member's initial entrance on active duty; or

''(B) the member's initial entrance into a duty status with a reserve component.

''(2) MATTERS TO BE EXPLAINED.—This subsection applies with respect to the following:

''(A) Department of Defense policy with respect to sexual assault.

''(B) The resources available with respect to sexual assault reporting and prevention and the procedures to be followed by a member seeking to access those resources.''.

SEC. 573. ENHANCEMENT TO REQUIREMENTS FOR AVAILABILITY OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.

(a) REQUIRED POSTING OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.—

(1) POSTING.—The Secretary of Defense shall require that there be prominently posted, in accordance with paragraph (2), notice of the following information relating to sexual assault prevention and response, in a form designed to ensure visibility and understanding:

(A) Resource information for members of the Armed Forces, military dependents, and civilian personnel of the Department of Defense with respect to prevention of sexual assault and reporting of incidents of sexual assault.

(B) Contact information for personnel who are designated as Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.

(C) The Department of Defense ''hotline'' telephone number, referred to as the Safe Helpline, for reporting incidents of sexual assault, or any successor operation.

(2) POSTING PLACEMENT.—Posting under subsection (a) shall be at the following locations, to the extent practicable:

(A) Any Department of Defense duty facility.

(B) Any Department of Defense dining facility.

(C) Any Department of Defense multi-unit residential facility.

(D) Any Department of Defense health care facility.

(E) Any Department of Defense commissary or exchange.

(F) Any Department of Defense Community Service Agency.

(b) NOTICE TO VICTIMS OF AVAILABLE ASSISTANCE.—The Secretary of Defense shall require that procedures in the Department of Defense for responding to a complaint or allegation of sexual assault submitted by or against a member of the Armed Forces include prompt notice to the person making the complaint or allegation of the forms of assistance available to that person from the Department of Defense and, to the extent known to the Secretary, through other departments and agencies, including State and local agencies, and other sources.

SEC. 574. MODIFICATION OF ANNUAL DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS REGARDING SEXUAL ASSAULTS.

(a) GREATER DETAIL IN CASE SYNOPSES PORTION OF REPORT.—Section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection:

''(f) ADDITIONAL DETAILS FOR CASE SYNOPSES PORTION OF REPORT.—The Secretary of each military department shall include in the case synopses portion of each report described in subsection (b)(3) the following additional information:

''(1) If an Article 32 Investigating Officer recommends dismissal of the charges against a member of the Armed Forces accused of committing a sexual assault, the case synopsis shall explicitly state the reasons for that recommendation.

''(2) If the case synopsis states that a member of the Armed Forces accused of committing a sexual assault was administratively separated or, in the case of an officer, allowed to resign in lieu of facing a court martial, the case synopsis shall include the characterization (honorable, general, or other than honorable) given the service of the member upon separation.

''(3) The case synopsis shall indicate whether a member of the Armed Forces accused of committing a sexual assault was ever previously accused of a substantiated sexual assault.

''(4) The case synopsis shall indicate the branch of the Armed Forces of each member accused of committing a sexual assault and the branch of the Armed Forces of each member who is a victim of a sexual assault.

''(5) If the case disposition includes non-judicial punishment, the case synopsis shall explicitly state the nature of the punishment.

''(6) If alcohol was involved in any way in a substantiated sexual assault incident, the case synopsis shall specify whether the member of the Armed Forces accused of committing the sexual assault had previously been ordered to attend substance abuse counseling.''.

(b) APPLICATIONS FOR CERTAIN TRANSFERS BY SEXUAL ASSAULT VICTIMS.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

''(7) The number of applications submitted under section 673 of title 10, United States Code, during the year covered by the report for a permanent change of station or unit transfer for members of the Armed Forces on active duty who are the victim of a sexual assault or related offense, the number of applications denied, and, for each application denied, a description of the reasons why the application was denied.''.

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply beginning with the report regarding sexual assaults involving members of the Armed Forces required to be submitted by March 1, 2013, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011.

SEC. 575. INCLUSION OF SEXUAL HARASSMENT INCIDENTS IN ANNUAL DEPARTMENT OF DEFENSE REPORTS ON SEXUAL ASSAULTS.

Effective with the report required to be submitted by March 1, 2013, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note), the Secretary of each military department shall include in each annual report required by that section information on sexual harassment involving members of the Armed Forces under the jurisdiction of that Secretary during the preceding year. For purposes of complying with this section, the Secretary of the military department concerned shall apply subsection (b) of such section 1631 by substituting the term ''sexual harassment'' for ''sexual assault'' each place it appears in paragraphs (1) through (4) of such subsection.

SEC. 576. CONTINUED SUBMISSION OF PROGRESS REPORTS REGARDING CERTAIN INCIDENT INFORMATION MANAGEMENT TOOLS.

(a) REPORTS REQUIRED.—Not later than August 28, 2012, and every six months thereafter until the date determined under subsection (b), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the progress made during the previous six months to ensure that both of the following are fully functional and operational:

(1) The Defense Incident-Based Reporting System.

(2) The Defense Sexual Assault Incident Database.

(b) DURATION OF REPORTING REQUIREMENT.—The reporting requirement imposed by subsection (a) shall continue until the date on which the Secretary of Defense certifies, in a report submitted under such subsection, that—

(1) the Defense Incident-Based Reporting System and the Defense Sexual Assault Incident Database are fully functional and operational throughout the Department of Defense; and

(2) each of the military departments is using the Defense Incident-Based Reporting System or providing data for inclusion in the Defense Sexual Assault Incident Database.

(c) REPEAL OF SUPERSEDED REPORTING REQUIREMENT.—Section 598 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2345; 10 U.S.C. 113 note) is repealed.

SEC. 577. BRIEFINGS ON DEPARTMENT OF DEFENSE ACTIONS REGARDING SEXUAL ASSAULT PREVENTION AND RESPONSE IN THE ARMED FORCES.

Not later than October 31, 2012, and April 30, 2013, the Secretary of Defense (or the designee of the Secretary of Defense) shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing that outlines efforts by the Department of Defense to implement—

(1) subtitle H of title V of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1430) and the amendments made by that subtitle;

(2) the additional initiatives announced by the Secretary of Defense on April 17, 2012, to address sexual assault involving members of the Armed Forces; and

(3) any other initiatives, policies, or programs being undertaken by the Secretary of Defense and the Secretaries of the military departments to address sexual assault involving members of the Armed Forces.

SEC. 578. ARMED FORCES WORKPLACE AND GENDER RELATIONS SURVEYS.

(a) ADDITIONAL CONTENT OF SURVEYS.—Subsection (c) of section 481 of title 10, United States Code, is amended—

(1) by striking ''harassment and discrimination'' and inserting ''harassment, assault, and discrimination'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) The specific types of assault that have occurred, and the number of times each respondent has been assaulted during the preceding year.'';

(4) in paragraph (4), as so redesignated, by striking ''discrimination'' and inserting ''discrimination, harassment, and assault''; and

(5) by adding at the end the following new paragraph

''(5) Any other issues relating to discrimination, harassment, or assault as the Secretary of Defense considers appropriate.''.

(b) TIME FOR CONDUCTING OF SURVEYS.—Such section is further amended—

(1) in subsection (a)(1), by striking ''four quadrennial surveys (each in a separate year)'' and inserting ''four surveys''; and

(2) by striking subsection (d) and inserting the following new subsection:

''(d) WHEN SURVEYS REQUIRED.—(1) One of the two Armed Forces Workplace and Gender Relations Surveys shall be conducted in 2014 and then every second year thereafter and the other Armed Forces Workplace and Gender Relations Survey shall be conducted in 2015 and then every second year thereafter, so that one of the two surveys is being conducted each year.

''(2) The two Armed Forces Workplace and Equal Opportunity Surveys shall be conducted at least once every four years. The two surveys may not be conducted in the same year.''.

SEC. 579. REQUIREMENT FOR COMMANDERS TO CONDUCT ANNUAL ORGANIZATIONAL CLIMATE ASSESSMENTS.

(a) REQUIREMENT.—The Secretary of Defense shall require the commander of each covered unit to conduct an organizational climate assessment within 120 days after the commander assumes command and annually thereafter.

(b) DEFINITIONS.—In this section:

(1) COVERED UNIT.—The term ''covered unit'' means any organizational element of the Armed Forces (other than the Coast Guard) with more than 50 members assigned, including any such element of a reserve component.

(2) ORGANIZATIONAL CLIMATE ASSESSMENT.—The term ''organizational climate assessment'' means an assessment intended to obtain information about the positive and negative factors that may have an impact on unit effectiveness and readiness by measuring matters relating to human relations climate such as prevention and response to sexual assault and equal opportunity.

SEC. 580. ADDITIONAL REQUIREMENTS FOR ORGANIZATIONAL CLIMATE ASSESSMENTS.

(a) ELEMENTS OF ASSESSMENTS.—An organizational climate assessment shall include avenues for members of the Armed Forces to express their views on how their leaders, including commanders, are responding to allegations of sexual assault and complaints of sexual harassment. The Secretary of Defense shall require the Office of Diversity Management and Equal Opportunity and the Sexual Assault Prevention and Response Office to ensure equal opportunity advisors and officers of the Sexual Assault Prevention and Response Office are available to conduct these assessments.

(b) ENSURING COMPLIANCE.—

(1) IN GENERAL.—The Secretary of Defense shall direct the Secretaries of the military departments to verify and track the compliance of commanding officers in conducting organizational climate assessments.

(2) IMPLEMENTATION.—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing—

(A) a description of the progress of the development of the system that will verify and track the compliance of commanding officers in conducting organizational climate assessments; and

(B) an estimate of when the system will be completed and implemented.

(c) CONSULTATION.—In developing the sexual harassment and sexual assault portion of an organizational climate assessment, the Secretary of Defense shall consult with representatives of the following:

(1) The Sexual Assault Prevention and Response Office.

(2) The Office of Diversity Management.

(3) Appropriate non-Governmental organizations that have expertise in areas related to sexual harassment and sexual assault in the Armed Forces.

(d) RELATION TO OTHER REPORTING REQUIREMENTS.—The reporting requirements of this section are in addition to, and an expansion of, the Armed Forces Workplace and Gender Relations Surveys required by section 481 of title 10, United States Code.

SEC. 581. REVIEW OF UNRESTRICTED REPORTS OF SEXUAL ASSAULT AND SUBSEQUENT SEPARATION OF MEMBERS MAKING SUCH REPORTS.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of all unrestricted reports of sexual assault made by members of the Armed Forces since October 1, 2000, to determine the number of members who were subsequently separated from the Armed Forces and the circumstances of and grounds for such separation.

(b) ELEMENTS OF REVIEW.—The review shall determine at a minimum the following:

(1) For each member who made an unrestricted report of sexual assault and was subsequently separated, the reason provided for the separation and whether the member requested an appeal.

(2) For each member separated on the grounds of having a personality disorder, whether the separation was carried out in compliance with Department of Defense Instruction 1332.14.

(3) For each member who requested an appeal, the basis and results of the appeal.

(c) SUBMISSION OF RESULTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of the review.

SEC. 582. LIMITATION ON RELEASE FROM ACTIVE DUTY OR RECALL TO ACTIVE DUTY OF RESERVE COMPONENT MEMBERS WHO ARE VICTIMS OF SEXUAL ASSAULT WHILE ON ACTIVE DUTY.

(a) IN GENERAL.—Chapter 1209 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 12323. Active duty for response to sexual assault

''(a) CONTINUATION ON ACTIVE DUTY.—In the case of a member of a reserve component who is the alleged victim of sexual assault committed while on active duty and who is expected to be released from active duty before the determination of whether the member was assaulted while in the line of duty, the Secretary concerned may, upon the request of the member, order the member to be retained on active duty until the line of duty determination, but not to exceed 180 days beyond the original expiration of active duty date. A member eligible for continuation on active duty under this subsection shall be informed as soon as practicable after the alleged assault of the option to request continuation on active duty under this subsection.

''(b) RETURN TO ACTIVE DUTY.—In the case of a member of a reserve component not on active duty who is the alleged victim of a sexual assault that occurred while the member was on active duty and when the determination whether the member was in the line of duty is not completed, the Secretary concerned may, upon the request of the member, order the member to active duty for such time as necessary to complete the line of duty determination, but not to exceed 180 days.

''(c) REGULATIONS.—The Secretaries of the military departments shall prescribe regulations to carry out this section, subject to guidelines prescribed by the Secretary of Defense. The guidelines of the Secretary of Defense shall provide that—

''(1) a request submitted by a member described in subsection (a) or (b) to continue on active duty, or to be ordered to active duty, respectively, must be decided within 30 days from the date of the request; and

''(2) if the request is denied, the member may appeal to the first general officer or flag officer in the chain of command of the member, and in the case of such an appeal a decision on the appeal must be made within 15 days from the date of the appeal.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended adding at the end the following new item:

''12323. Active duty for response to sexual assault.''.

SEC. 583. INCLUSION OF INFORMATION ON SUBSTANTIATED REPORTS OF SEXUAL HARASSMENT IN MEMBER'S OFFICIAL SERVICE RECORD.

(a) INCLUSION.—If a complaint of sexual harassment is made against a member of the Army, Navy, Air Force, or Marine Corps and the complaint is substantiated, a notation to that effect shall be placed in the service record of the member, regardless of the member's rank, for the purpose of—

(1) reducing the likelihood that a member who has committed sexual harassment can commit the same offense multiple times without suffering the appropriate consequences; and

(2) alerting commanders of the background of the members of their command, so the commanders have better awareness of its members, especially as members are transferred.

(b) DEFINITION OF SUBSTANTIATED.—For purposes of implementing this section, the Secretary of Defense shall use the definition of substantiated developed for the annual report on sexual assaults involving members of the Armed Forces prepared under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note).

Subtitle I—Other Matters

SEC. 590. INCLUSION OF FREELY ASSOCIATED STATES WITHIN SCOPE OF JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.

Section 2031(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) If a secondary educational institution in the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau otherwise meets the conditions imposed by subsection (b) on the establishment and maintenance of units of the Junior Reserve Officers' Training Corps, the Secretary of a military department may establish and maintain a unit of the Junior Reserve Officers' Training Corps at the secondary educational institution even though the secondary educational institution is not a United States secondary educational institution.''.

SEC. 591. PRESERVATION OF EDITORIAL INDEPENDENCE OF STARS AND STRIPES.

To preserve the actual and perceived editorial and management independence of the Stars and Stripes newspaper, the Secretary of Defense shall extend the lease for the commercial office space in the District of Columbia currently occupied by the editorial and management operations of the Stars and Stripes newspaper until such time as the Secretary provides space and information technology and other support for such operations in a Government-owned facility in the National Capital Region geographically remote from facilities of the Defense Media Activity at Fort Meade, Maryland.

SEC. 592. SENSE OF CONGRESS REGARDING DESIGNATION OF BUGLE CALL COMMONLY KNOWN AS "TAPS" AS NATIONAL SONG OF REMEMBRANCE.

(a) FINDINGS.—Congress makes the following findings:

(1) The bugle call commonly known as ''Taps'' is known throughout the United States.

(2) In July 1862, following the Seven Days Battles, Union General Daniel Butterfield and bugler Oliver Willcox Norton created ''Taps'' at Berkley Plantation, Virginia, as a way to signal the end of daily military activities.

(3) ''Taps'' is now established by the uniformed services as the last call of the day and is sounded at the completion of a military funeral.

(4) ''Taps'' has become the signature, solemn musical farewell for members of the uniformed services and veterans who have faithfully served the United States during times of war and peace.

(5) Over its 150 years of use, ''Taps'' has been woven into the historical fabric of the United States.

(6) When sounded, ''Taps'' summons emotions of loss, pride, honor, and respect and encourages Americans to remember patriots who served the United States with honor and valor.

(7) The 150th anniversary of the writing of ''Taps'' will be observed with events culminating in June 2012 with a rededication of the Taps Monument at Berkley Plantation, Virginia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the bugle call commonly known as ''Taps'' should be designated as the National Song of Remembrance.

SEC. 593. RECOMMENDED CONDUCT DURING SOUNDING OF BUGLE CALL COMMONLY KNOWN AS "TAPS".

(a) CONDUCT DURING SOUNDING OF ''TAPS''.—Chapter 3 of title 36, United States Code, is amended by adding at the end the following new section:

''§ 306. Conduct during sounding of 'Taps'

''(a) DEFINITION.—In this section, the term 'Taps' refers to the bugle call consisting of 24 notes normally sounded on a bugle or trumpet without accompaniment or embellishment as the last call of the day on a military base, at the completion of a military funeral, or on other occasions as the solemn musical farewell to members of the uniform services and veterans.

''(b) CONDUCT DURING SOUNDING.—

''(1) IN GENERAL.—During a performance of Taps—

''(A) all present, except persons in uniform, should stand at attention with the right hand over the heart;

''(B) men not in uniform should remove their headdress with their right hand and hold the headdress at the left shoulder, the hand being over the heart; and

''(C) persons in uniform should stand at attention and give the military salute at the first note of Taps and maintain that position until the last note.

''(2) EXCEPTION.—Paragraph (1) shall not apply when Taps is sounded as the final bugle call of the day at a military base.

''(c) DEFINITION OF MILITARY BASE.—In this section, the term 'military base' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CHAPTER HEADING.—The heading of chapter 3 of title 36, United States Code, is amended to read as follows:

"CHAPTER 3—NATIONAL ANTHEM, MOTTO, AND OTHER NATIONAL DESIGNATIONS".

(2) TABLE OF CHAPTERS.—The item relating to chapter 3 in the table of chapters for such title is amended to read as follows:

''3. National Anthem, Motto, and Other National Designations ..... 301''.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''306. Conduct during sounding of 'Taps'.''.

SEC. 594. INSPECTION OF MILITARY CEMETERIES UNDER THE JURISDICTION OF DEPARTMENT OF DEFENSE.

(a) DOD INSPECTOR GENERAL INSPECTION OF ARLINGTON NATIONAL CEMETERY AND UNITED STATES SOLDIERS' AND AIRMEN'S HOME NATIONAL CEMETERY.—Section 1(d) of Public Law 111–339; 124 Stat. 3592) is amended—

(1) in paragraph (1), by striking ''The Secretary'' in the first sentence and inserting ''Subject to paragraph (2), the Secretary''; and

(2) in paragraph (2), by adding at the end the following new sentence: ''However, in the case of the report required to be submitted during 2013, the assessment described in paragraph (1) shall be conducted, and the report shall be prepared and submitted, by the Inspector General of the Department of Defense instead of the Secretary of the Army.''.

(b) TIME FOR SUBMISSION OF REPORT AND PLAN OF ACTION REGARDING INSPECTION OF CEMETERIES AT MILITARY INSTALLATIONS.—Section 592(d)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1443) is amended—

(1) by striking ''December 31, 2012'' and inserting ''June 29, 2013''; and

(2) by striking ''April 1, 2013'' and inserting ''October 1, 2013''.

SEC. 595. PILOT PROGRAM TO PROVIDE TRANSITIONAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES WITH A FOCUS ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

(a) PROGRAM AUTHORITY.—The Secretary of Defense may conduct one or more pilot programs to provide transitional assistance for members of the Armed Forces leaving active duty that focuses on assisting the members to transition into the fields of science, technology, engineering, and mathematics to address the shortage of expertise within the Department of Defense in those fields.

(b) COOPERATION WITH EDUCATIONAL INSTITUTIONS.—The Secretary of Defense may enter into an agreement with an institution of higher education to provide for the management and execution of a pilot program under this section. The institution of higher education must agree to allow the translation of military experience and training into course credit and provide for the transfer of previously received credit through local community colleges and other accredited institutions of higher education.

(c) DURATION.—Any pilot program established under the authority of this section may not operate for more than three academic years.

(d) REPORTING REQUIREMENT.—At the conclusion of a pilot program under this section, the Secretary of Defense shall submit to the congressional defense committee a report on the results of the pilot program, including the cost incurred to conduct the program, the number of participants of the program, and the outcomes for the participants of the program.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2013 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2013 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2013, the rates of monthly basic pay for members of the uniformed services are increased by 1.7 percent.

SEC. 602. BASIC ALLOWANCE FOR HOUSING FOR TWO-MEMBER COUPLES WHEN ONE MEMBER IS ON SEA DUTY.

(a) IN GENERAL.—Subparagraph (C) of section 403(f)(2) of title 37, United States Code, is amended to read as follows:

''(C) Notwithstanding section 421 of this title, a member of a uniformed service in a pay grade below pay grade E–6 who is assigned to sea duty and is married to another member of a uniformed service is entitled to a basic allowance for housing subject to the limitations of subsection (e).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2013.

SEC. 603. NO REDUCTION IN BASIC ALLOWANCE FOR HOUSING FOR ARMY NATIONAL GUARD AND AIR NATIONAL GUARD MEMBERS WHO TRANSITION BETWEEN ACTIVE DUTY AND FULL-TIME NATIONAL GUARD DUTY WITHOUT A BREAK IN ACTIVE SERVICE.

Section 403(g) of title 37, United States Code, is amended by adding at the end the following new paragraph:

''(6)(A) The rate of basic allowance for housing to be paid to a member of the Army National Guard of the United States or the Air National Guard of the United States shall not be reduced upon the transition of the member from active duty to full-time National Guard duty, or from full-time National Guard duty to active duty, when the transition occurs without a break in active service.

''(B) For the purposes of this paragraph, a break in active service occurs when one or more calendar days between active service periods do not qualify as active service.''.

SEC. 604. MODIFICATION OF PROGRAM GUIDANCE RELATING TO THE AWARD OF POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS TO MEMBERS OF THE RESERVE COMPONENTS UNDER DOD INSTRUCTION 1327.06.

Effective as of October 1, 2011, the changes made by the Secretary of Defense to the Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components under DOD Instruction 1327.06 shall not apply to a member of a reserve component whose qualified mobilization (as described in such program guidance) commenced before October 1, 2011, and continued on or after that date until the date the mobilization is terminated.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 408a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN MAXIMUM AMOUNT OF OFFICER AFFILIATION BONUS FOR OFFICERS IN THE SELECTED RESERVE.

Section 308j(d) of title 37, United States Code, is amended by striking ''$10,000'' and inserting ''$20,000''.

SEC. 617. INCREASE IN MAXIMUM AMOUNT OF INCENTIVE BONUS FOR RESERVE COMPONENT MEMBERS WHO CONVERT MILITARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL SHORTAGES.

Section 326(c)(1) of title 37, United States Code, is amended by striking ''$4,000, in the case of a member of a regular component of the armed forces, and $2,000, in the case of a member of a reserve component of the armed forces.'' and inserting ''$4,000.''.

Subtitle C—Travel and Transportation Allowances Generally

SEC. 621. TRAVEL AND TRANSPORTATION ALLOWANCES FOR NON-MEDICAL ATTENDANTS FOR MEMBERS RECEIVING CARE IN A RESIDENTIAL TREATMENT PROGRAM.

(a) AUTHORIZED TRAVEL AND TRANSPORTATION.—Subsection (a) of section 481k of title 37, United States Code, is amended—

(1) by inserting ''(1)'' before ''Under uniform regulations''; and

(2) by adding at the end the following new paragraph:

''(2) Travel and transportation described in subsection (d) also may be provided for a qualified non-medical attendant for a member of the uniformed services who is receiving care in a residential treatment program if the attending physician or other mental health professional and the commander or head of the military medical facility exercising control over the member determine that the presence and participation of such an attendant is essential to the treatment of the member.''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (b)—

(A) by striking ''covered member'' in the matter preceding paragraph (1) and inserting ''member''; and

(B) in paragraph (2), by striking ''surgeon and the commander or head of the military medical facility'' and inserting ''surgeon (or mental health professional in the case of a member described in subsection (a)(2)) and the commander or head of the military medical facility exercising control over the member''; and

(2) in subsection (c), by striking ''this section'' in the matter preceding paragraph (1) and inserting ''subsection (a)(1)''.

Subtitle D—Benefits and Services for Members Being Separated or Recently Separated

SEC. 631. EXTENSION OF AUTHORITY TO PROVIDE TWO YEARS OF COMMISSARY AND EXCHANGE BENEFITS AFTER SEPARATION.

(a) EXTENSION OF AUTHORITY.—Section 1146 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''2012'' and inserting ''2018''; and

(2) in subsection (b), by striking ''2012'' and inserting ''2018''.

(b) CORRECTION OF REFERENCE TO ADMINISTERING SECRETARY.—Such section is further amended—

(1) in subsection (a), by striking ''The Secretary of Transportation'' and inserting ''The Secretary concerned''; and

(2) in subsection (b), by striking ''The Secretary of Homeland Security'' and inserting ''The Secretary concerned''.

SEC. 632. TRANSITIONAL USE OF MILITARY FAMILY HOUSING.

(a) RESUMPTION OF AUTHORITY TO AUTHORIZE TRANSITIONAL USE.—Subsection (a) of section 1147 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''October 1, 1990, and ending on December 31, 2001'' and inserting ''October 1, 2012, and ending on December 31, 2018''; and

(2) in paragraph (2), by striking ''October 1, 1994, and ending on December 31, 2001'' and inserting ''October 1, 2012, and ending on December 31, 2018''.

(b) PROHIBITION ON PROVISION OF TRANSITIONAL BASIC ALLOWANCE FOR HOUSING.—Such section is further amended by adding at the end the following new subsection:

''(c) NO TRANSITIONAL BASIC ALLOWANCE FOR HOUSING.—Nothing in this section shall be construed to authorize the Secretary concerned to continue to provide for any period of time to an individual who is involuntary separated all or any portion of a basic allowance for housing to which the individual was entitled under section 403 of title 37 immediately before being involuntarily separated, even in cases in which the individual or members of the individual's household continue to reside after the separation in a housing unit acquired or constructed under the alternative authority of subchapter IV of chapter 169 of this title that is not owned or leased by the United States.''.

(c) CORRECTION OF REFERENCE TO ADMINISTERING SECRETARY.—Subsection (a)(2) of such section is further amended by striking ''The Secretary of Transportation'' and inserting ''The Secretary concerned''.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

SEC. 641. CHARITABLE ORGANIZATIONS ELIGIBLE FOR DONATIONS OF UNUSABLE COMMISSARY STORE FOOD AND OTHER FOOD PREPARED FOR THE ARMED FORCES.

Subparagraph (A) of section 2485(f) of title 10, United States Code, is amended to read as follows:

''(A) A food bank, food pantry, or soup kitchen (as those terms are defined in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501)).''.

SEC. 642. REPEAL OF CERTAIN RECORDKEEPING AND REPORTING REQUIREMENTS APPLICABLE TO COMMISSARY AND EXCHANGE STORES OVERSEAS.

(a) REPEAL.—Section 2489 of title 10, United States Code, is amended by striking subsections (b) and (c).

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by striking ''GENERAL AUTHORITY.—(1)'' and inserting ''AUTHORITY TO ESTABLISH RESTRICTIONS.—'';

(2) by striking ''(2)'' and inserting ''(b) LIMITATIONS ON USE OF AUTHORITY.—''; and

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

SEC. 643. TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE, DELAWARE, AS A FISHER HOUSE.

(a) FISHER HOUSES AND AUTHORIZED FISHER HOUSE RESIDENTS.—Subsection (a) of section 2493 of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''by patients'' and all that follows through ''such patients;'' and inserting ''by authorized Fisher House residents;'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

''(2) The term 'Fisher House' includes the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base,

Delaware, so long as such facility is available for residential use on a temporary basis by authorized Fisher House residents.''; and

(4) by adding at the end the following new paragraph:

''(4) The term 'authorized Fisher House residents' means the following:

''(A) With respect to a Fisher House described in paragraph (1) that is located in proximity to a health care facility of the Army, the Air Force, or the Navy, the following persons:

''(i) Patients of that health care facility.

''(ii) Members of the families of such patients.

''(iii) Other persons providing the equivalent of familial support for such patients.

''(B) With respect to the Fisher House described in paragraph (2), the following persons:

''(i) The primary next of kin of a member of the armed forces who dies while located or serving overseas.

''(ii) Other family members of the deceased member who are eligible for transportation under section 411f(e) of title 37.

''(iii) An escort of a family member described in clause (i) or (ii).''.

(b) CONFORMING AMENDMENTS.—Subsections (b), (e), (f), and (g) of such section are amended by striking ''health care'' each place it appears.

(c) REPEAL OF FISCAL YEAR 2012 FREE-STANDING DESIGNATION.—Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1466) is repealed.

SEC. 644. PURCHASE OF SUSTAINABLE PRODUCTS, LOCAL FOOD PRODUCTS, AND RECYCLABLE MATERIALS FOR RESALE IN COMMISSARY AND EXCHANGE STORE SYSTEMS.

(a) IMPROVED PURCHASING EFFORTS.—Section 2481(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) The governing body established pursuant to paragraph (2) shall endeavor to increase the purchase for resale at commissary stores and exchange stores of sustainable products, local food products, and recyclable materials.

''(B) As part of its efforts under subparagraph (A), the governing body shall develop—

''(i) guidelines for the identification of fresh meat, poultry, seafood, and fish, fresh produce, and other products raised or produced through sustainable methods; and

''(ii) goals, applicable to all commissary stores and exchange stores world-wide, to maximize, to the maximum extent practical, the purchase of sustainable products, local food products, and recyclable materials by September 30, 2017.''.

(b) DEADLINE FOR ESTABLISHMENT AND GUIDELINES.—The initial guidelines required by paragraph (3)(B)(i) of section 2481(c) of title 10, United States Code, as added by subsection (a), shall be issued not later than two years after the date of the enactment of this Act.

Subtitle F—Disability, Retired Pay, and Survivor Benefits

SEC. 651. REPEAL OF REQUIREMENT FOR PAYMENT OF SURVIVOR BENEFIT PLAN PREMIUMS WHEN PARTICIPANT WAIVES RETIRED PAY TO PROVIDE A SURVIVOR ANNUITY UNDER FEDERAL EMPLOYEES RETIREMENT SYSTEM AND TERMINATING PAYMENT OF THE SURVIVOR BENEFIT PLAN ANNUITY.

(a) DEPOSITS NOT REQUIRED.—Section 1452(e) of title 10, United States Code, is amended—

(1) in the subsection heading, by inserting ''AND FERS'' after ''CSRS'';

(2) by inserting ''or chapter 84 of such title,'' after ''chapter 83 of title 5'';

(3) by inserting ''or 8416(a)'' after ''8339(j)''; and

(4) by inserting ''or 8442(a)'' after ''8341(b)''.

(b) CONFORMING AMENDMENTS.—Section 1450(d) of such title is amended—

(1) by inserting ''or chapter 84 of such title'' after ''chapter 83 of title 5'';

(2) by inserting ''or 8416(a)'' after ''8339(j)''; and

(3) by inserting ''or 8442(a)'' after ''8341(b)''.

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply with respect to any participant electing a annuity for survivors under chapter 84 of title 5, United States Code, on or after the date of the enactment of this Act.

Subtitle G—Other Matters

SEC. 661. CONSISTENT DEFINITION OF DEPENDENT FOR PURPOSES OF APPLYING LIMITATIONS ON TERMS OF CONSUMER CREDIT EXTENDED TO CERTAIN MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Paragraph (2) of section 987(i) of title 10, United States Code, is amended to read as follows:

''(2) DEPENDENT.—The term 'dependent', with respect to a covered member, means a person described in subparagraph (A), (D), (E), or (I) of section 1072(2) of this title.''.

SEC. 662. LIMITATION ON REDUCTION IN NUMBER OF MILITARY AND CIVILIAN PERSONNEL ASSIGNED TO DUTY WITH SERVICE REVIEW AGENCIES.

Section 1559(a) of title 10, United States Code, is amended by striking ''December 31, 2013'' and inserting ''December 31, 2016''.

SEC. 663. EQUAL TREATMENT FOR MEMBERS OF COAST GUARD RESERVE CALLED TO ACTIVE DUTY UNDER TITLE 14, UNITED STATES CODE.

(a) INCLUSION IN DEFINITION OF CONTINGENCY OPERATION.—Section 101(a)(13)(B) of title 10, United States Code, is amended by inserting ''section 712 of title 14,'' after ''chapter 15 of this title,''.

(b) CREDIT OF SERVICE TOWARDS REDUCTION OF ELIGIBILITY AGE FOR RECEIPT OF RETIRED PAY FOR NON-REGULAR SERVICE.—Section 12731(f)(2)(B) of title 10, United States Code, is amended by adding at the end the following new clause:

''(iv) Service on active duty described in this subparagraph is also service on active duty pursuant to a call or order to active duty authorized by the Secretary of Homeland Security under section 712 of title 14 for purposes of emergency augmentation of the Regular Coast Guard forces.''.

(c) POST 9/11 EDUCATIONAL ASSISTANCE.—Section 3301(1)(B) of title 38, United States Code, is amended by inserting ''or section 712 of title 14'' after ''title 10''.

(d) RETROACTIVE APPLICATION OF AMENDMENTS.—

(1) INCLUSION OF PRIOR ORDERS.—The amendments made by this section shall apply to any call or order to active duty authorized by the Secretary of Homeland Security under section 712 of title 14, United States Code, on or after April 19, 2010.

(2) CREDIT FOR PRIOR SERVICE.—The amendments made by this section shall be deemed to have been enacted on April 19, 2010, for purposes of applying the amendments to the following provisions of law:

(A) Section 5538 of title 5, United States Code, relating to nonreduction in pay.

(B) Section 701 of title 10, United States Code, relating to the accumulation and retention of leave.

(C) Section 12731 of title 10, United States Code, relating to age and service requirements for receipt of retired pay for non-regular service.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Improvements to Health Benefits

SEC. 701. SENSE OF CONGRESS ON NONMONETARY CONTRIBUTIONS TO HEALTH CARE BENEFITS MADE BY CAREER MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

It is the sense of Congress that—

(1) career members of the uniformed services and their families endure unique and extraordinary demands and make extraordinary sacrifices over the course of a 20- to 30-year career in protecting freedom for all Americans; and

(2) those decades of sacrifice constitute a significant pre-paid premium for health care during a career member's retirement that is over and above what the member pays with money.

SEC. 702. EXTENSION OF TRICARE STANDARD COVERAGE AND TRICARE DENTAL PROGRAM FOR MEMBERS OF THE SELECTED RESERVE WHO ARE INVOLUNTARILY SEPARATED.

(a) TRICARE STANDARD COVERAGE.—Section 1076d(b) of title 10, United States Code, is amended—

(1) by striking ''Eligibility'' and inserting ''(1) Except as provided in paragraph (2), eligibility''; and

(2) by adding at the end the following new paragraph:

''(2) During the period beginning on the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013 or October 1, 2012, and ending December 31, 2018, eligibility for a member under this section who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall terminate 180 days after the date on which the member is separated.''.

(b) TRICARE DENTAL COVERAGE.—Section 1076a(a)(1) of such title is amended by adding at the end the following new sentence: ''During the period beginning on the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013 or October 1, 2012, and ending December 31, 2018, such plan shall provide that coverage for a member of the Selected Reserve who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall not terminate earlier than 180 days after the date on which the member is separated.''.

SEC. 703. MEDICAL AND DENTAL CARE CONTRACTS FOR CERTAIN MEMBERS OF THE NATIONAL GUARD.

(a) STANDARDS.—The Secretary of Defense shall ensure that each individual who receives medical or dental care under a covered contract meets the standards of medical and dental readiness of the Secretary upon the mobilization of the individual.

(b) COVERED CONTRACT DEFINED.—In this section, the term ''covered contract'' means a contract entered into by the National Guard of a State to provide medical or dental care to the members of such National Guard to ensure that the members meet applicable standards of medical and dental readiness.

Subtitle B—Health Care Administration

SEC. 711. UNIFIED MEDICAL COMMAND.

(a) UNIFIED COMBATANT COMMAND.—

(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by inserting after section 167a the following new section:

''§ 167b. Unified combatant command for medical operations

''(a) ESTABLISHMENT.—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall establish under section 161 of this title a unified command for medical operations (in this section referred to as the 'unified medical command'). The principal function of the command is to provide medical services to the armed forces and other health care beneficiaries of the Department of Defense as defined in chapter 55 of this title.

''(b) ASSIGNMENT OF FORCES.—In establishing the unified medical command under subsection

(a), all active military medical treatment facilities, training organizations, and research entities of the armed forces shall be assigned to such unified command, unless otherwise directed by the Secretary of Defense.

''(c) GRADE OF COMMANDER.—The commander of the unified medical command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating his permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such command shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37. During the five-year period beginning on the date on which the Secretary establishes the command under subsection (a), the commander of such command shall be exempt from the requirements of section 164(a)(1) of this title.

''(d) SUBORDINATE COMMANDS.—(1) The unified medical command shall have the following subordinate commands:

''(A) A command that includes all fixed military medical treatment facilities, including elements of the Department of Defense that are combined, operated jointly, or otherwise operated in such a manner that a medical facility of the Department of Defense is operating in or with a medical facility of another department or agency of the United States.

''(B) A command that includes all medical training, education, and research and development activities that have previously been unified or combined, including organizations that have been designated as a Department of Defense executive agent.

''(C) The Defense Health Agency established under subsection (f).

''(2) The commander of a subordinate command of the unified medical command shall hold the grade of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The commander of such a subordinate command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such a subordinate command shall also be required to be a surgeon general of one of the military departments.

''(e) AUTHORITY OF COMBATANT COMMANDER.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the unified medical command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to medical operations activities.

''(2) The commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to medical operations activities (whether or not relating to the unified medical command):

''(A) Developing programs and doctrine.

''(B) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for the forces described in subsection (b) and for other forces assigned to the unified medical command.

''(C) Exercising authority, direction, and control over the expenditure of funds—

''(i) for forces assigned to the unified medical command;

''(ii) for the forces described in subsection (b) assigned to unified combatant commands other than the unified medical command to the extent directed by the Secretary of Defense; and

''(iii) for military construction funds of the Defense Health Program.

''(D) Training assigned forces.

''(E) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

''(F) Validating requirements.

''(G) Establishing priorities for requirements.

''(H) Ensuring the interoperability of equipment and forces.

''(I) Monitoring the promotions, assignments, retention, training, and professional military education of medical officers described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.

''(3) The commander of such command shall be responsible for the Defense Health Program, including the Defense Health Program Account established under section 1100 of this title.

''(f) DEFENSE HEALTH AGENCY.—(1) In establishing the unified medical command under subsection (a), the Secretary shall also establish under section 191 of this title a defense agency for health care (in this section referred to as the 'Defense Health Agency'), and shall transfer to such agency the organization of the Department of Defense referred to as the TRICARE Management Activity and all functions of the TRICARE Program (as defined in section 1072(7)).

''(2) The director of the Defense Health Agency shall hold the rank of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The director of such agency shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The director of such agency shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.

''(g) REGULATIONS.—In establishing the unified medical command under subsection (a), the Secretary of Defense shall prescribe regulations for the activities of the unified medical command.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 167a the following new item:

''167b. Unified combatant command for medical operations.''.

(b) PLAN, NOTIFICATION, AND REPORT.—

(1) PLAN.—Not later than July 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan to establish the unified medical command authorized under section 167b of title 10, United States Code, as added by subsection (a), including any legislative actions the Secretary considers necessary to implement the plan.

(2) NOTIFICATION.—The Secretary shall submit to the congressional defense committees written notification of the time line of the Secretary to establish the unified medical command under such section 167b by not later than the date that is 30 days before establishing such command.

(3) REPORT.—Not later than 180 days after submitting the notification under paragraph (2), the Secretary shall submit to the congressional defense committees a report on—

(A) the establishment of the unified medical command; and

(B) the establishment of the Defense Health Agency under subsection (f) of such section 167b.

SEC. 712. AUTHORITY FOR AUTOMATIC ENROLLMENT IN TRICARE PRIME OF DEPENDENTS OF MEMBERS IN PAY GRADES ABOVE PAY GRADE E–4.

Subsection (a) of section 1097a of title 10, United States Code, is amended to read as follows:

''(a) AUTOMATIC ENROLLMENT OF CERTAIN DEPENDENTS.—(1) In the case of a dependent of a member of the uniformed services who is entitled to medical and dental care under section 1076(a)(2)(A) of this title and resides in an area in which TRICARE Prime is offered, the Secretary—

''(A) shall automatically enroll the dependent in TRICARE Prime if the member is in pay grade E–4 or below; and

''(B) may automatically enroll the dependent in TRICARE Prime if the member is in pay grade E–5 or higher.

''(2) Whenever a dependent of a member is enrolled in TRICARE Prime under paragraph (1), the Secretary concerned shall provide written notice of the enrollment to the member.

''(3) The enrollment of a dependent of the member may be terminated by the member or the dependent at any time.''.

SEC. 713. COOPERATIVE HEALTH CARE AGREEMENTS BETWEEN THE MILITARY DEPARTMENTS AND NON-MILITARY HEALTH CARE ENTITIES.

(a) AUTHORITY.—In addition to the authority of the Secretary of Defense under section 713 of the National Defense Authorization Act of 2010 (10 U.S.C. 1073 note), the Secretary of each military department may establish cooperative health care agreements between military installations and local or regional health care entities.

(b) REQUIREMENTS.—In establishing an agreement under subsection (a), the Secretary concerned shall—

(1) consult with—

(A) representatives from the military installation selected for the agreement, including the TRICARE managed care support contractor with responsibility for such installation; and

(B) Federal, State, and local government officials;

(2) identify and analyze health care services available in the area in which the military installation is located, including such services available at a military medical treatment facility or in the private sector (or a combination thereof);

(3) determine the cost avoidance or savings resulting from innovative partnerships between the military department concerned and the private sector; and

(4) determine the opportunities for and barriers to coordinating and leveraging the use of existing health care resources, including such resources of Federal, State, local, and private entities.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the provision of health care services at military medical treatment facilities or other facilities of the Department of Defense to individuals who are not otherwise entitled or eligible for such services under chapter 55 of title 10, United States Code.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SEC. 714. REQUIREMENT TO ENSURE THE EFFECTIVENESS AND EFFICIENCY OF HEALTH ENGAGEMENTS.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Assistant Secretary of Defense for Health Affairs and the Uniformed Services University of the Health Sciences, shall develop a process to ensure that health engagements conducted by the Department of Defense are effective and efficient in meeting the national security goals of the United States.

(b) PROCESS GOALS.—The Assistant Secretary of Defense for Health Affairs and the Uniformed Services University of the Health Sciences shall ensure that each process developed under subsection (a)—

(1) assesses the operational mission capabilities of the health engagement;

(2) uses the collective expertise of the Federal Government and non-governmental organizations to ensure collaboration and partnering activities; and

(3) assesses the stability and resiliency of the host nation of such engagement.

(c) PILOT PROGRAMS.—The Secretary of Defense, in coordination with the Uniformed Services University of Health Sciences, may conduct pilot programs to assess the effectiveness of any process developed under subsection (a) to ensure the applicability of the process to health engagements conducted by the Department of Defense.

SEC. 715. CLARIFICATION OF APPLICABILITY OF FEDERAL TORT CLAIMS ACT TO SUBCONTRACTORS EMPLOYED TO PROVIDE HEALTH CARE SERVICES TO THE DEPARTMENT OF DEFENSE.

Section 1089(a) of title 10, United States Code, is amended in the last sentence—

(1) by striking ''if the physician, dentist, nurse, pharmacist, or paramedical'' and inserting ''to such a physician, dentist, nurse, pharmacist, or paramedical'';

(2) by striking ''involved is''; and

(3) by inserting before the period at the end the following: ''or a subcontract at any tier under such a contract''.

SEC. 716. PILOT PROGRAM ON INCREASED THIRD-PARTY COLLECTION REIMBURSEMENTS IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to assess the feasibility of using processes described in paragraph (2) to increase the amounts collected under section 1095 of title 10, United States Code, from a third-party payer for charges for health care services incurred by the United States at a military medical treatment facility.

(2) PROCESSES DESCRIBED.—The processes described in this paragraph are revenue-cycle improvement processes, including cash-flow management and accounts-receivable processes.

(b) REQUIREMENTS.—In carrying out the pilot program under subsection (a)(1), the Secretary shall—

(1) identify and analyze the best practice options with respect to the processes described in subsection (a)(2) that are used in nonmilitary health care facilities; and

(2) conduct a cost-benefit analysis to assess the pilot program, including an analysis of—

(A) the different processes used in the pilot program;

(B) the amount of third-party collections that resulted from such processes;

(C) the cost to implement and sustain such processes; and

(D) any other factors the Secretary determines appropriate to assess the pilot program.

(c) LOCATIONS.—The Secretary shall carry out the pilot program under subsection (a)(1) at not less than two military installations of different military departments that meet the following criteria:

(1) There is a military medical treatment facility that has inpatient and outpatient capabilities at the installation.

(2) At least 40 percent of the military beneficiary population residing in the catchment area surrounding the installation is potentially covered by a third-party payer (as defined in section 1095(h)(1) of title 10, United States Code).

(d) DURATION.—The Secretary shall commence the pilot program under subsection (a)(1) by not later than 270 days after the date of the enactment of this Act and shall carry out such program for three years.

(e) REPORT.—Not later than 180 days after completing the pilot program under subsection (a)(1), the Secretary shall submit to the congressional defense committees a report describing the results of the program, including—

(1) a comparison of—

(A) the processes described in subsection (a)(2) that were used in the military medical treatment facilities participating in the program; and

(B) the third-party collection processes used by military medical treatment facilities not included in the program;

(2) a cost analysis of implementing the processes described in subsection (a)(2) for third-party collections at military medical treatment facilities; and

(3) an assessment of the program, including any recommendations to improve third-party collections.

SEC. 717. PILOT PROGRAM FOR REFILLS OF MAINTENANCE MEDICATIONS FOR TRICARE FOR LIFE BENEFICIARIES THROUGH THE TRICARE MAIL-ORDER PHARMACY PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall conduct a pilot program to refill prescription maintenance medications for each TRICARE for Life beneficiary through the national mail-order pharmacy program under section 1074g(a)(2)(E)(iii) of title 10, United States Code.

(b) MEDICATIONS COVERED.—

(1) DETERMINATION.—The Secretary shall determine the prescription maintenance medications included in the pilot program under subsection (a).

(2) SUPPLY.—In carrying out the pilot program under subsection (a), the Secretary shall ensure that the medications included in the program are—

(A) generally available to the TRICARE for Life beneficiary through retail pharmacies only for an initial filling of a 30-day or less supply; and

(B) any refills of such medications are obtained through the national mail-order pharmacy program.

(3) EXEMPTION.— The Secretary may exempt the following prescription maintenance medications from the requirements in paragraph (2):

(A) Such medications that are for acute care needs.

(B) Such other medications as the Secretary determines appropriate.

(c) NONPARTICIPATION.—

(1) OPT OUT.—The Secretary shall give TRICARE for Life beneficiaries who have been covered by the pilot program under subsection (a) for a period of one year an opportunity to opt out of continuing to participate in the program.

(2) WAIVER.—The Secretary may waive the requirement of a TRICARE for Life beneficiary to participate in the pilot program under subsection (a) if the Secretary determines, on an individual basis, that such waiver is appropriate.

(d) TRICARE FOR LIFE BENEFICIARY DEFINED.—In this section, the term ''TRICARE for Life beneficiary'' means a TRICARE beneficiary enrolled in the Medicare wraparound coverage option of the TRICARE program made available to the beneficiary by reason of section 1086(d) of title 10, United States Code.

(e) REPORTS.—Not later than March 31 of each year beginning in 2014 and ending in 2018, the Secretary shall submit to the congressional defense committees a report on the pilot program under subsection (a), including the effects of offering incentives for the use of mail order pharmacies by TRICARE beneficiaries and the effect on retail pharmacies.

(f) SUNSET.—The Secretary may not carry out the pilot program under subsection (a) after December 31, 2017.

SEC. 718. COST-SHARING RATES FOR PHARMACY BENEFITS PROGRAM OF THE TRICARE PROGRAM.

(a) IN GENERAL.—Section 1074g(a)(6) of title 10, United States Code, is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) The Secretary, in the regulations prescribed under subsection (h), shall establish cost-sharing requirements under the pharmacy benefits program. In accordance with subparagraph (C), such cost-sharing requirements shall consist of the following:

''(i) With respect to each supply of a prescription covering not more than 30 days that is obtained by a covered beneficiary under the TRICARE retail pharmacy program—

''(I) in the case of generic agents, $5;

''(II) in the case of formulary agents, $17; and

''(III) in the case of nonformulary agents, $44.

''(ii) With respect to each supply of a prescription covering not more than 90 days that is obtained by a covered beneficiary under the national mail-order pharmacy program—

''(I) in the case of generic agents, $0;

''(II) in the case of formulary agents, $13; and

''(III) in the case of nonformulary agents, $43.''; and

(2) by adding at the end the following new subparagraph:

''(C) Beginning October 1, 2013, the Secretary may only increase in any year the cost-sharing amount established under subparagraph (A) by an amount equal to the percentage by which retired pay is increased under section 1401a of this title.''.

(b) EFFECTIVE DATE.—The cost-sharing requirements under section 1074g(a)(6)(A) of title 10, United States Code, as amended by subsection (a)(1), shall apply with respect to prescriptions obtained under the TRICARE pharmacy benefits program on or after October 1, 2012.

SEC. 719. REVIEW OF THE ADMINISTRATION OF THE MILITARY HEALTH SYSTEM.

Section 716(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1477) is amended by striking ''until a 120-day period'' and all that follows through the period and inserting the following: ''until the Secretary implements and completes any recommendations included in the report submitted by the Comptroller General of the United States under subsection (b)(3) and notifies the congressional defense committees of such implementation and completion.''.

Subtitle C—Reports and Other Matters

SEC. 721. EXTENSION OF COMPTROLLER GENERAL REPORT ON CONTRACT HEALTH CARE STAFFING FOR MILITARY MEDICAL TREATMENT FACILITIES.

Section 726(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1480) is amended by striking ''March 31, 2012'' and inserting ''March 31, 2013''.

SEC. 722. EXTENSION OF COMPTROLLER GENERAL REPORT ON WOMEN-SPECIFIC HEALTH SERVICES AND TREATMENT FOR FEMALE MEMBERS OF THE ARMED FORCES.

Section 725(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1480) is amended by striking ''December 31, 2012'' and inserting ''March 31, 2013''.

SEC. 723. ESTABLISHMENT OF TRICARE WORKING GROUP.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) children of members of the Armed Forces deserve health-care practices and policies that—

(A) are designed to meet their pediatric-specific needs;

(B) are developed and determined proactively and comprehensively; and

(C) ensure and maintain their access to pediatric-specific treatments, providers, and facilities.

(2) children's health-care needs and standards of care are different and distinct from those of adults, therefore the TRICARE program should undertake a proactive, comprehensive approach

to review and analyze its policies and practices to meet the needs of children to ensure that children and their families receive appropriate care in proper settings and avoid unnecessary challenges in seeking or obtaining proper health care;

(3) a proactive and comprehensive review is necessary because the reimbursement structure of the TRICARE program is patterned upon Medicare and the resulting policies and practices of the TRICARE program do not always properly reflect appropriate standards for pediatric care;

(4) one distinct aspect of children's health care is the need for specialty care and services for children with special-health-care needs and chronic-health conditions;

(5) the requirement for specialized health care and developmental support is an ongoing and serious matter of day-to-day life for families with children with special or chronic-health-care needs;

(6) the Department of Defense and the TRICARE program, recognizing the special needs of certain children, have instituted special-needs programs, including the ECHO program, but there are collateral needs that are not being met, generally because the services are provided in the local community rather than by the Department of Defense, who may not always have the best tools or knowledge to access these State and local resources;

(7) despite wholehearted efforts by the Department of Defense, a gap exists between linking military families with children with special-health-care needs and chronic conditions with the resources and services available from local or regional highly specialized providers and the communities and States in which they reside;

(8) the gap is especially exacerbated by the mobility of military families, who often move from State to State, because special-needs health care, educational, and social services are very specific to each local community and State and such services often have lengthy waiting lists; and

(9) the Department of Defense will be better able to assist military families with children with special-health-care needs fill the gap by collaborating with special-health-care needs providers and those knowledgeable about the opportunities for such children that are provided by States and local communities.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense shall establish a working group to carry out a review of the TRICARE program with respect to—

(A) pediatric health care needs under paragraph (2); and

(B) pediatric special and chronic health care needs under paragraph (3).

(2) PEDIATRIC HEALTH CARE NEEDS.—

(A) DUTIES.—The working group shall—

(i) comprehensively review the policy and practices of the TRICARE program with respect to providing pediatric health care;

(ii) recommend changes to such policies and practices to ensure that—

(I) children receive appropriate care in an appropriate manner, at the appropriate time, and in an appropriate setting; and

(II) access to care and treatment provided by pediatric providers and children's hospitals remains available for families with children; and

(iii) develop a plan to implement such changes.

(B) REVIEW.—In carrying out the duties under subparagraph (A), the working group shall—

(i) identify improvements in policies, practices, and administration of the TRICARE program with respect to pediatric-specific health care and pediatric-specific healthcare settings;

(ii) analyze the direct and indirect effects of the reimbursement policies and practices of the TRICARE program with respect to pediatric care and care provided in pediatric settings;

(iii) consider case management programs with respect to pediatric complex and chronic care, including whether pediatric specific programs are necessary;

(iv) develop a plan to ensure that the TRICARE program addresses pediatric-specific health care needs on an on-going basis beyond the life of the working group;

(v) consider how the TRICARE program can work with the pediatric provider community to ensure access, promote communication and collaboration, and optimize experiences of military families seeking and receiving health care services for children; and

(vi) review matters that further the mission of the working group.

(3) PEDIATRIC SPECIAL AND CHRONIC HEALTH CARE NEEDS.—

(A) DUTIES.—The working group shall—

(i) review the methods in which families in the TRICARE program who have children with special-health-care needs access community resources and health-care resources;

(ii) review how having access to, and a better understanding of, community resources may improve access to health care and support services;

(iii) recommend methods to accomplish improved access by such children and families to community resources and health-care resources, including through collaboration with children's hospitals and other providers of pediatric specialty care, local agencies, local communities, and States;

(iv) consider approaches and make recommendations for the improved integration of individualized or compartmentalized medical and family support resources for military families;

(v) work closely with the Office of Community Support for Military Families with Special Needs of the Department of Defense and other relevant offices to avoid redundancies and target shared areas of concern for children with special or chronic-health-care needs; and

(vi) review any relevant information learned and findings made by the working group under this paragraph that may be considered or adopted in a consistent manner with respect to improving access, resources, and services for adults with special needs.

(B) REVIEW.—In carrying out the duties under subparagraph (A), the working group shall—

(i) discuss improvements to special needs health care policies and practices;

(ii) determine how to support and protect families of members of the National Guard or Reserve Components as the members transition into and out of the relevant Exceptional Family Member Program or the ECHO program;

(iii) analyze case management services to improve consistency, communication, knowledge, and understanding of resources and community contacts;

(iv) identify areas in which a State may offer services that are not covered by the TRICARE program or the ECHO program and how to coordinate such services;

(v) identify steps that States and communities can take to improve support for military families of children with special health care needs;

(vi) consider how the TRICARE program and other programs of the Department of Defense can work with specialty pediatric providers and resource communities to ensure access, promote communication and collaboration, and optimize experiences of military families seeking and receiving health care services for their children with special or chronic health care needs;

(vii) consider special and chronic health care in a comprehensive manner without focus on one or more conditions or diagnoses to the exclusion of others;

(viii) focus on ways to create innovative partnerships, linkages, and access to information and resources for military families across the spectrum of the special-needs community and between the medical community and the family support community; and

(ix) review matters that further the mission of the working group.

(c) MEMBERSHIP.—

(1) APPOINTMENTS.—The working group shall be composed of not less than 14 members as follows:

(A) The Chief Medical Officer of the TRICARE program, who shall serve as chairperson.

(B) The Chief Medical Officers of the North, South, and West regional offices of the TRICARE program.

(C) One individual representing the Army appointed by the Surgeon General of the Army.

(D) One individual representing the Navy appointed by the Surgeon General of the Navy.

(E) One individual representing the Air Force appointed by the Surgeon General of the Air Force.

(F) One individual representing the regional managed care support contractor of the North region of the TRICARE program appointed by such contractor.

(G) One individual representing the regional managed care support contractor of the South region of the TRICARE program appointed by such contractor.

(H) One individual representing the regional managed care support contractor of the West region of the TRICARE program appointed by such contractor.

(I) Not more than three individuals representing the non-profit organization the Military Coalition appointed by such organization.

(J) One individual representing the American Academy of Pediatrics appointed by such organization.

(K) One individual representing the National Association of Children's Hospitals appointed by such organization.

(L) One individual representing military families who is not an employee of an organization representing such families.

(M) Any other individual as determined by the Chief Medical Officer of the TRICARE program.

(2) TERMS.—Each member shall be appointed for the life of the working group. A vacancy in the working group shall be filled in the manner in which the original appointment was made.

(3) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(4) STAFF.—The Secretary of Defense shall ensure that employees of the TRICARE program provide the working group with the necessary support to carry out this section.

(d) MEETINGS.—

(1) SCHEDULE.—The working group shall—

(A) convene its first meeting not later than 60 days after the date of the enactment of this Act; and

(B) convene not less than four other times.

(2) FORM.—Any meeting of the working group may be conducted in-person or through the use of video conferencing.

(3) QUORUM.—Seven members of the working group shall constitute a quorum but a lesser number may hold hearings.

(e) ADVICE.—With respect to carrying out the review of the TRICARE program and pediatric special and chronic health care needs under subsection (b)(3), the working group shall seek counsel from the following individuals acting as an expert advisory group:

(1) One individual representing the Exceptional Family Member Program of the Army.

(2) One individual representing the Exceptional Family Member Program of the Navy.
(3) One individual representing the Exceptional Family Member Program of the Air Force.
(4) One individual representing the Exceptional Family Member Program of the Marine Corps.
(5) One individual representing the Office of Community Support for Military Families with Special Needs.
(6) One individual who is not an employee of an organization representing military families shall represent a military family with a child with special health care needs.
(7) Not more than three individuals representing organizations that—
(A) are not otherwise represented in this paragraph or in the working group; and
(B) possess expertise needed to carry out the goals of the working group.
(f) REPORTS REQUIRED.—
(1) REPORT.—Not later than 12 months after the date on which the working group convenes its first meeting, the working group shall submit to the congressional defense committees a report including—
(A) any changes described in subsection (b)(2)(A)(ii) identified by the working group that—
(i) require legislation to carry out, including proposed legislative language for such changes;
(ii) require regulations to carry out, including proposed regulatory language for such changes; and
(iii) may be carried out without legislation or regulations, including a time line for such changes; and
(B) steps that States and local communities may take to improve the experiences of military families with special-needs children in interacting with and accessing State and local community resources.
(2) FINAL REPORT.—Not later than 18 months after the date on which the report is submitted under paragraph (1), the working group shall submit to the congressional defense committees a final report including—
(A) any additional information and updates to the report submitted under paragraph (1);
(B) information with respect to how the Secretary of Defense is implementing the changes identified in the report submitted under paragraph (1); and
(C) information with respect to any steps described in subparagraph (B) of such paragraph that were taken by States and local communities after the date on which such report was submitted.
(g) TERMINATION.—The working group shall terminate on the date that is 30 days after the date on which the working group submits the final report pursuant to subsection (f)(2).
(h) DEFINITIONS.—In this Act:
(1) The term ''children'' means dependents of a member of the Armed Forces who are—
(A) individuals who have not yet attained the age of 21; or
(B) individuals who have not yet attained the age of 27 if the inclusion of such dependents is applicable and relevant to a program or policy being reviewed under this Act.
(2) The term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.
(3) The term ''ECHO program'' means the program established pursuant to subsections (d) through (e) of section 1079 of title 10, United States Code (commonly referred to as the ''Extended Care Health Option program'').
(4) The term ''TRICARE program'' means the managed health care program that is established by the Department of Defense under chapter 55 of title 10, United States Code.

SEC. 724. REPORT ON STRATEGY TO TRANSITION TO USE OF HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

(a) REPORT.—
(1) IN GENERAL.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report that outlines a strategy to refine, reduce, and, when appropriate, transition to using human-based training methods for the purpose of training members of the Armed Forces in the treatment of combat trauma injuries by October 1, 2017.
(2) ELEMENTS.—The report under paragraph (1) shall include the following:
(A) Required research, development, testing, and evaluation investments to validate human-based training methods to refine, reduce, and, when appropriate, transition to the use of live animals in medical education and training by October 1, 2015.
(B) Phased sustainment and readiness costs to refine, reduce, and, when appropriate, replace the use of live animals in medical education and training by October 1, 2017.
(C) Any risks associated with transitioning to human-based training methods, including resource availability, anticipated technological development time lines, and potential impact on the present combat trauma training curricula.
(D) An assessment of the potential affect of transitioning to human based-training methods on the quality of medical care delivered on the battlefield including any reduction in the competency of combat medical personnel.
(E) An assessment of risks to maintaining the level of combat life-saver techniques performed by all members of the Armed Forces.
(b) UPDATED ANNUAL REPORTS.—Not later than March 1, 2014, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purposes of training members of the Armed Forces in the treatment of combat trauma injuries under this section.
(c) DEFINITIONS.—In this section:
(1) The term ''combat trauma injuries'' means severe injuries likely to occur during combat, including—
(A) extremity hemorrhage;
(B) tension pneumothorax;
(C) amputation resulting from blast injury;
(D) compromises to the airway; and
(E) other injuries.
(2) The term ''human-based training methods'' means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—
(A) simulators;
(B) partial task trainers;
(C) moulage;
(D) simulated combat environments; and
(E) human cadavers.
(3) The term ''partial task trainers'' means training aids that allow individuals to learn or practice specific medical procedures.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. PILOT EXEMPTION REGARDING TREATMENT OF PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE IN ACCORDANCE WITH THE DEPARTMENT OF ENERGY'S WORK FOR OTHERS PROGRAM.

(a) EXEMPTION FROM INSPECTOR GENERAL REVIEWS AND DETERMINATIONS.—Subsection (a) of section 801 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2304 note) is amended by adding at the end the following new paragraph:
''(7) TREATMENT OF PROCUREMENTS THROUGH DEPARTMENT OF ENERGY.—For purposes of this subsection, effective during the 24-month period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the procurement of property or services on behalf of the Department of Defense pursuant to an interagency agreement between the Department of Defense and the Department of Energy in accordance with the Department of Energy's Work For Others Program, under which the property or services are provided by a management and operating contractor of the Department of Energy and are procured on behalf of the Department of Defense, shall not be considered a procurement of property or services on behalf of the Department of Defense by a covered non-defense agency.''.
(b) EXEMPTION FROM CERTAIN CERTIFICATION REQUIREMENTS.—Subsection (b) of such section is amended—
(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (4)''; and
(2) by adding at the end the following new paragraph:
''(4) EXCEPTION FOR PROCUREMENTS IN ACCORDANCE WITH THE DEPARTMENT OF ENERGY'S WORK FOR OTHERS PROGRAM.—Effective during the 24-month period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the limitation in paragraph (1) shall not apply to the procurement of property or services on behalf of the Department of Defense pursuant to an interagency agreement between the Department of Defense and the Department of Energy in accordance with the Department of Energy's Work for Others Program, under which the property or services are provided by a management and operating contractor of the Department of Energy and procured on behalf of the Department of Defense.''.
(c) CERTIFICATION.—Not later than 20 months after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees the following:
(1) A statement certifying whether the procurement policies, procedures, and internal controls of the Department of Energy provide sufficient protection and oversight for Department of Defense funds expended through the Department of Energy Work for Others Program.
(2) A recommendation regarding whether the pilot exemption granted by the amendments made by this section should be extended.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 811. MODIFICATION OF TIME PERIOD FOR CONGRESSIONAL NOTIFICATION OF THE LEASE OF CERTAIN VESSELS BY THE DEPARTMENT OF DEFENSE.

Section 2401(h)(2) of title 10, United States Code, is amended by striking ''30 days of continuous session of Congress'' and inserting ''60 days''.

SEC. 812. EXTENSION OF AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.

(a) EXTENSION.—Effective as of January 1, 2012, section 4202 of the Clinger Cohen Act of 1996 (division D of Public Law 104–106; 110 Stat. 652; 10 U.S.C. 2304 note) is amended in subsection (e) by striking ''2012'' and inserting ''2015''.
(b) TECHNICAL AMENDMENT TO CROSS REFERENCES.—Subsection (e) of such Act is further amended by striking ''section 303(g)(1) of the Federal Property and Administrative Services Act of 1949, and section 31(a) of the Office of Federal Procurement Policy Act, as amended by this section,'' and inserting ''section 3305(a) of title 41, United States Code, and section 1901(a) of title 41, United States Code,''.

SEC. 813. CODIFICATION AND AMENDMENT RELATING TO LIFE-CYCLE MANAGEMENT AND PRODUCT SUPPORT REQUIREMENTS.

(a) CODIFICATION AND AMENDMENT.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2335. Life-cycle management and product support

''(a) GUIDANCE ON LIFE-CYCLE MANAGEMENT.—The Secretary of Defense shall issue and maintain comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems. The guidance issued pursuant to this subsection shall—

''(1) maximize competition and make the best possible use of available Department of Defense and industry resources at the system, subsystem, and component levels; and

''(2) maximize value to the Department of Defense by providing the best possible product support outcomes at the lowest operations and support cost.

''(b) PRODUCT SUPPORT MANAGERS.—

''(1) REQUIREMENT.—The Secretary of Defense shall require that each major weapon system be supported by a product support manager in accordance with this subsection.

''(2) RESPONSIBILITIES.—A product support manager for a major weapon system shall—

''(A) develop and implement a comprehensive product support strategy for the weapon system;

''(B) use advanced predictive analysis to the extent practicable to improve material availability and reliability, increase operational availability rates, and reduce operation and sustainment costs;

''(C) conduct appropriate cost analyses to validate the product support strategy, including cost-benefit analyses as outlined in Office of Management and Budget Circular A-94;

''(D) ensure achievement of desired product support outcomes through development and implementation of appropriate product support arrangements;

''(E) adjust performance requirements and resource allocations across product support integrators and product support providers as necessary to optimize implementation of the product support strategy;

''(F) periodically review product support arrangements between the product support integrators and product support providers to ensure the arrangements are consistent with the overall product support strategy;

''(G) prior to each change in the product support strategy or every five years, whichever occurs first, revalidate any business-case analysis performed in support of the product support strategy; and

''(H) ensure that the product support strategy maximizes small business participation at the appropriate tiers and apply the requirements of section 15(g) of the Small Business Act (15 U.S.C. 644(g)) in a manner that ensures that small business concerns are not inappropriately selected for performance as a prime contractor.

''(c) DEFINITIONS.—In this section:

''(1) PRODUCT SUPPORT.—The term 'product support' means the package of support functions required to field and maintain the readiness and operational capability of major weapon systems, subsystems, and components, including all functions related to weapon system readiness.

''(2) PRODUCT SUPPORT ARRANGEMENT.— The term 'product support arrangement' means a contract, task order, or any type of other contractual arrangement, or any type of agreement or non-contractual arrangement within the Federal Government, for the performance of sustainment or logistics support required for major weapon systems, subsystems, or components. The term includes arrangements for any of the following:

''(A) Performance-based logistics.

''(B) Sustainment support.

''(C) Contractor logistics support.

''(D) Life-cycle product support.

''(E) Weapon systems product support.

''(3) PRODUCT SUPPORT INTEGRATOR.—The term 'product support integrator' means an entity within the Federal Government or outside the Federal Government charged with integrating all sources of product support, both private and public, defined within the scope of a product support arrangement.

''(4) PRODUCT SUPPORT PROVIDER.—The term 'product support provider' means an entity that provides product support functions. The term includes an entity within the Department of Defense, an entity within the private sector, or a partnership between such entities.

''(5) MAJOR WEAPON SYSTEM.—The term 'major weapon system' has the meaning given that term in section 2302d of this title.

''(6) ADVANCED PREDICTIVE ANALYSIS.—The term 'advanced predictive analysis' means a type of analysis that applies advanced predictive modeling methodology to life-cycle management and product support by using event simulation to account for variations in asset demand over time, including events such as current equipment condition, planned usage, aging of parts, maintenance capacity and quality, and logistics response.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by adding at the end the following new item:

''2335. Life-cycle management and product support.''.

(b) REPEAL OF SUPERSEDED SECTION.—Section 805 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2302) is repealed.

SEC. 814. CODIFICATION OF REQUIREMENT RELATING TO GOVERNMENT PERFORMANCE OF CRITICAL ACQUISITION FUNCTIONS.

(a) CODIFICATION.—

(1) IN GENERAL.—Subchapter I of chapter 87 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1706. Government performance of certain acquisition functions

''(a) GOAL.—It shall be the goal of the Department of Defense and each of the military departments to ensure that, for each major defense acquisition program and each major automated information system program, each of the following positions is performed by a properly qualified member of the armed forces or full-time employee of the Department of Defense:

''(1) Program manager.

''(2) Deputy program manager.

''(3) Product support manager.

''(4) Chief engineer.

''(5) Systems engineer.

''(6) Chief developmental tester.

''(7) Cost estimator.

''(b) PLAN OF ACTION.—The Secretary of Defense shall develop and implement a plan of action for recruiting, training, and ensuring appropriate career development of military and civilian personnel to achieve the objective established in subsection (a).

''(c) DEFINITIONS.—In this section:

''(1) The term 'major defense acquisition program' has the meaning given such term in section 2430(a) of this title.

''(2) The term 'major automated information system program' has the meaning given such term in section 2445a(a) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''1706. Government performance of certain acquisition functions.''.

(b) REPEAL OF SUPERSEDED SECTION.—Section 820 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 1701 note) is repealed.

SEC. 815. LIMITATION ON FUNDING PENDING CERTIFICATION OF IMPLEMENTATION OF REQUIREMENTS FOR COMPETITION.

(a) LIMITATION ON FUNDING FOR CERTAIN OFFICES.—Of the funds authorized to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for the Office of the Secretary of Defense may be obligated or expended until the certification described in subsection (b) is submitted.

(b) CERTIFICATION REQUIRED.—The Secretary of Defense shall certify to the congressional defense committees that the Department of Defense is implementing the requirements of section 202(d) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 2430 note). Such a certification shall be accompanied by—

(1) a briefing to the congressional defense committees on processes and procedures that have been implemented across the military departments and Defense Agencies to maximize competition throughout the life-cycle of major defense acquisition programs, including actions to award contracts for performance of maintenance and sustainment of major weapon systems or subsystems and components of such systems; and

(2) a representative sample of solicitations issued since May 22, 2009, intended to fulfill the objectives of such section 202(d).

SEC. 816. CONTRACTOR RESPONSIBILITIES IN REGULATIONS RELATING TO DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.

Section 818(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1493; 10 U.S.C. 2302 note) is amended to read as follows:

''(B) the cost of counterfeit electronic parts and suspect counterfeit electronic parts and the cost of rework or corrective action that may be required to remedy the use or inclusion of such parts are not allowable costs under Department contracts, unless—

''(i) the covered contractor has an operational system to detect and avoid counterfeit parts and suspect counterfeit electronic parts that has been reviewed and approved by the Department of Defense pursuant to subsection (e)(2)(B);

''(ii) the counterfeit electronic parts or suspect counterfeit electronic parts were—

''(I) procured from a trusted supplier in accordance with regulations described in paragraph (3); or

''(II) provided to the contractor as Government property in accordance with part 45 of the Federal Acquisition Regulation; and

''(iii) the covered contractor provides timely notice to the Government pursuant to paragraph (4).''.

SEC. 817. ADDITIONAL DEFINITION RELATING TO PRODUCTION OF SPECIALTY METALS WITHIN THE UNITED STATES.

Section 2533b(m) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11) The term 'produced', as used in subsections (a) and (b), means melted, or processed in a manner that results in physical or chemical property changes that are the equivalent of melting. The term does not include finishing processes such as rolling, heat treatment, quenching, tempering, grinding, or shaving.''.

SEC. 818. REQUIREMENT FOR PROCUREMENT OF INFRARED TECHNOLOGIES FROM NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) INFRARED TECHNOLOGIES.—Infrared technologies, including focal plane arrays sensitive to infrared wavelengths, read-out integrated circuits, cryogenic coolers, Dewar technology, infrared sensor engine assemblies, and infrared imaging systems.''.

SEC. 819. COMPLIANCE WITH BERRY AMENDMENT REQUIRED FOR UNIFORM COMPONENTS SUPPLIED TO AFGHAN MILITARY OR AFGHAN NATIONAL POLICE.

(a) REQUIREMENT.—In the case of any textile components supplied by the Department of Defense to the Afghan National Army or the Afghan National Police for purposes of production of uniforms, section 2533a of title 10, United States Code, shall apply, and no exceptions or exemptions under that section shall apply.

(b) EFFECTIVE DATE.—This section shall apply to solicitations issued and contracts awarded for the procurement of such components after the date of the enactment of this Act.

Subtitle C—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

SEC. 821. EXTENSION AND EXPANSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

(a) EXTENSION OF TERMINATION DATE.—Subsection (f) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399) is amended by striking ''on or after the date occurring three years after the date of the enactment of this Act'' and inserting ''after December 31, 2014''.

(b) EXPANSION OF AUTHORITY TO COVER FORCES OF THE UNITED STATES AND COALITION FORCES.—Subsection (b)(1) of such section is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C), by adding ''or'' at the end; and

(3) by adding at the end the following:

''(D) by the United States or coalition forces in Afghanistan if the product or service is from a country that has agreed to allow the transport of coalition personnel, equipment, and supplies;''.

(c) LIMITATION.—Such section is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following:

''(d) LIMITATION.—The Secretary may not use the authority provided in subsection (a) to procure goods or services from Pakistan until such time as the Government of Pakistan agrees to reopen the Ground Lines of Communication for the movement of United States equipment and supplies through Pakistan.''.

(d) REPEAL OF EXPIRED REPORT REQUIREMENT.—Subsection (h) of such section, as redesignated by subsection (c) of this section, is repealed.

(e) CLERICAL AMENDMENT.—The heading of such section is amended by striking ''; **REPORT''**.

SEC. 822. LIMITATION ON AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN AFGHANISTAN.

Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 266; 10 U.S.C. 2302 note) is amended—

(1) in the section heading, by striking ''**IRAQ AND''**;

(2) by striking ''Iraq or'' each place it appears; and

(3) in subsection (b)—

(A) by inserting ''(A)'' after ''(1)'';

(B) in paragraph (2)—

(i) by redesignating clauses (i) and (ii) of subparagraph (B) as subclauses (I) and (II), respectively, and in subclause (II), as so redesignated, by striking the period at the end and inserting ''; and'';

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(iii) by striking ''(2)'' and inserting ''(B)''; and

(C) by adding at the end the following new paragraph (2):

''(2) the Government of Afghanistan is not taxing assistance provided by the United States to Afghanistan in violation of any bilateral or other agreement with the United States.''.

Subtitle D—Other Matters

SEC. 831. ENHANCEMENT OF REVIEW OF ACQUISITION PROCESS FOR RAPID FIELDING OF CAPABILITIES IN RESPONSE TO URGENT OPERATIONAL NEEDS.

Section 804(b)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4256; 10 U.S.C. 2302 note) is amended—

(1) by inserting ''and'' at the end of subparagraph (B);

(2) by striking ''; and'' at the end of subparagraph (C) and inserting a period; and

(3) by striking subparagraph (D).

SEC. 832. LOCATION OF CONTRACTOR-OPERATED CALL CENTERS IN THE UNITED STATES.

The Secretary of Defense shall ensure that any call center operated pursuant to a contract entered into by the Secretary or by the head of any of the military departments is located in the United States.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

SEC. 901. ADDITIONAL DUTIES OF DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR MANUFACTURING AND INDUSTRIAL BASE POLICY AND AMENDMENTS TO STRATEGIC MATERIALS PROTECTION BOARD.

(a) FINDINGS.—Congress finds the following:

(1) The Defense Logistics Agency has made little progress in addressing the findings and recommendations from the April 2009 report of the Department of Defense report titled ''Reconfiguration of the National Defense Stockpile Report to Congress''.

(2) The office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy has historically analyzed the United States defense industrial base from the point of view of prime contractors and original equipment manufacturers and has provided insufficient attention to producers of materials critical to national security, including raw materials producers.

(3) Responsibility for the secure supply of materials critical to national security, which supports the defense industrial base, is decentralized throughout the Department of Defense.

(4) The office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy should expand its focus to consider both a top-down view of the supply chain, beginning with prime contractors, and a bottom-up view that begins with raw materials suppliers.

(5) To enable this focus and support a more coherent, comprehensive strategy as it pertains to materials critical to national security, the office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy should develop policy, conduct oversight, and monitor resource allocation for agencies of the Department of Defense, including the Defense Logistics Agency, for all activities that pertain to ensuring a secure supply of materials critical to national security.

(6) The Strategic Materials Protection Board should be reconfigured so as to be chaired by the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy and should fully execute its duties and responsibilities.

(b) APPOINTMENT OF DEPUTY ASSISTANT SECRETARY.—Section 139c(a) of title 10, United States Code, is amended by striking ''appointed by'' and all that follows through the end of the subsection and inserting ''appointed by the Secretary of Defense.''.

(c) RESPONSIBILITIES OF DEPUTY ASSISTANT SECRETARY.—Section 139c(b) of such title is amended—

(1) by striking paragraphs (1) through (4) and inserting the following:

''(1) Providing input to strategy reviews, including quadrennial defense reviews conducted pursuant to section 118 of this title, on matters related to—

''(A) the defense industrial base; and

''(B) materials critical to national security.

''(2) Establishing policies of the Department of Defense for developing and maintaining the defense industrial base of the United States and ensuring a secure supply of materials critical to national security.

''(3) Providing recommendations to the Under Secretary on budget matters pertaining to the industrial base, the supply chain, and the development and retention of skills necessary to support the industrial base.

''(4) Providing recommendations and acquisition policy guidance to the Under Secretary on supply chain management and supply chain vulnerability throughout the entire supply chain, from suppliers of raw materials to producers of major end items.''.

(2) by striking paragraph (5) and redesignating paragraphs (6), (7), (8), (9), and (10) as paragraphs (5), (6), (7), (8), and (9), respectively;

(3) by inserting after paragraph (9), as so redesignated, the following new paragraph (10):

''(10) Providing policy and oversight of matters related to materials critical to national security to ensure a secure supply of such materials to the Department of Defense.''.

(4) by redesignating paragraph (15) as paragraph (18); and

(5) by inserting after paragraph (14) the following new paragraphs:

''(15) Coordinating with the Director of Small Business Programs on all matters related to industrial base policy of the Department of Defense.

''(16) Ensuring reliable sources of materials critical to national security, such as specialty metals, armor plate, and rare earth elements.

''(17) Establishing policies of the Department of Defense for continued reliable resource availability from domestic sources and allied nations for the industrial base of the United States.''.

(d) MATERIALS CRITICAL TO NATIONAL SECURITY DEFINED.—Section 139c of such title is further amended by adding at the end the following new subsection:

''(d) MATERIALS CRITICAL TO NATIONAL SECURITY DEFINED.—In this section, the term 'materials critical to national security' has the meaning given that term in section 187(e)(1) of this title.''.

(e) AMENDMENTS TO STRATEGIC MATERIALS PROTECTION BOARD.—

(1) MEMBERSHIP.—Paragraph (2) of section 187(a) of such title is amended to read as follows:

''(2) The Board shall be composed of the following:

''(A) The Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, who shall be the chairman of the Board.

''(B) The Administrator of the Defense Logistics Agency Strategic Materials, or any successor organization, who shall be the vice chairman of the Board.

''(C) A designee of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology.

''(D) A designee of the Assistant Secretary of the Navy for Research, Development, and Acquisition.

''(E) A designee of the Assistant Secretary of the Air Force for Acquisition.''.

(2) DUTIES.—Paragraphs (3) and (4) of section 187(b) of such title are each amended by striking ''President'' and inserting ''Secretary''.

(3) MEETINGS.—Section 187(c) of such title is amended by striking ''Secretary of Defense'' and inserting ''Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy''.

(4) REPORTS.—Section 187(d) of such title is amended to read as follows:

''(d) REPORTS.—(1) After each meeting of the Board, the Board shall prepare a report containing the results of the meeting and such recommendations as the Board determines appropriate. The Secretary of each military department shall review and comment on the report.

''(2) Each such report shall be published in the Federal Register and subsequently submitted to the congressional defense committees, together with public comments and comments and recommendations from the Secretary of Defense, not later than 90 days after the meeting covered by the report.''.

SEC. 902. REQUIREMENT FOR FOCUS ON URGENT OPERATIONAL NEEDS AND RAPID ACQUISITION.

(a) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE FOR FOCUS ON URGENT OPERATIONAL NEEDS AND RAPID ACQUISITION.—

(1) IN GENERAL.—The Secretary of Defense, after consultation with the Secretaries of the military departments, shall designate a senior official in the Office of the Secretary of Defense as the principal official of the Department of Defense responsible for leading the Department's actions on urgent operational needs and rapid acquisition, in accordance with this section.

(2) STAFF AND RESOURCES.—The Secretary shall assign to the senior official designated under paragraph (1) appropriate staff and resources necessary to carry out the official's functions under this section.

(b) RESPONSIBILITIES.—The senior official designated under subsection (a) shall be responsible for the following:

(1) Acting as an advocate within the Department of Defense for issues related to the Department's ability to rapidly respond to urgent operational needs, including programs funded and carried out by the military departments.

(2) Improving visibility of urgent operational needs throughout the Department, including across the military departments, the Defense Agencies, and all other entities and processes in the Department that address urgent operational needs.

(3) Ensuring that tools and mechanisms are used to track, monitor, and manage the status of urgent operational needs within the Department, from validation through procurement and fielding, including a formal feedback mechanism for the armed forces to provide information on how well fielded solutions are meeting urgent operational needs.

(c) URGENT OPERATIONAL NEEDS DEFINED.—In this section, the term ''urgent operational needs'' means capabilities that are determined by the Secretary of Defense, pursuant to the review process required by section 804(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2302 note), to be suitable for rapid fielding in response to urgent operational needs.

SEC. 903. DESIGNATION OF DEPARTMENT OF DEFENSE SENIOR OFFICIAL FOR ENTERPRISE RESOURCE PLANNING SYSTEM DATA CONVERSION.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) designate a senior official of the Department of Defense as the official with principal responsibility for coordination and management oversight of data conversion for all enterprise resource planning systems of the Department; and

(2) set forth the responsibilities of that senior official with respect to such data conversion.

SEC. 904. ADDITIONAL RESPONSIBILITIES AND RESOURCES FOR DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION.

(a) SUPERVISION.—Section 139b(a)(3) of title 10, United States Code, is amended by striking ''to the Under Secretary'' before the period and inserting ''directly to the Under Secretary, without the interposition of any other supervising official''.

(b) CONCURRENT SERVICE.—Section 139b(a)(7) of such title is amended by striking ''may'' and inserting ''shall''.

(c) RESOURCES.—Section 139b(a) of such title is amended by adding at the end the following new paragraph:

''(8) RESOURCES.—

''(A) The President shall include in the budget transmitted to Congress, pursuant to section 1105 of title 31, for each fiscal year, a separate statement of estimated expenditures and proposed appropriations for the fiscal year for the activities of the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation in carrying out the duties and responsibilities of the Deputy Assistant Secretary under this section.

''(B) The Deputy Assistant Secretary of Defense for Developmental Test and Evaluation shall have sufficient professional staff of military and civilian personnel to enable the Deputy Assistant Secretary to carry out the duties and responsibilities prescribed by law. The resources for the Deputy Assistant Secretary shall be comparable to the resources, including Senior Executive Service positions, other civilian positions, and military positions, available to the Director of Operational Test and Evaluation.''.

(d) ANNUAL REPORT.—Section 139b(d) of such title is amended—

(1) in the subsection heading, by striking ''JOINT'';

(2) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively;

(3) by inserting ''(1)'' before ''Not later than March 31'';

(4) in the matter appearing before subparagraph (A), as so redesignated, by striking ''jointly'' and inserting ''each''; and

(5) by adding at the end the following new paragraph:

''(2) With respect to the report required under paragraph (1) by the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation—

''(A) the report shall include a separate section that covers the activities of the Department of Defense Test Resource Management Center (established under section 196 of this title) during the preceding year; and

''(B) the report shall be transmitted to the Under Secretary of Defense for Acquisition, Technology, and Logistics at the same time it is submitted to the congressional defense committees.''.

SEC. 905. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.

(a) REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.—

(1) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(2) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(A) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(B) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

(b) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.—

(1) DEFINITION OF ''MILITARY DEPARTMENT''.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

''(8) The term 'military department' means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.''.

(2) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: ''The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.''.

(3) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking ''There is a Secretary of the Navy'' and inserting ''There is a Secretary of the Navy and Marine Corps''.

(4) CHAPTER HEADINGS.—

(A) The heading of chapter 503 of such title is amended to read as follows:

''CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(B) The heading of chapter 507 of such title is amended to read as follows:

''CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(5) OTHER AMENDMENTS.—

(A) Title 10, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear other than as specified in paragraphs (1), (2), (3), and (4) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(B)(i) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking ''Assistant Secretaries of the Navy'' and inserting ''Assistant Secretaries of the Navy and Marine Corps''.

(ii) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting ''and Marine Corps'' after ''of the Navy'', with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

(c) OTHER PROVISIONS OF LAW AND OTHER REFERENCES.—

(1) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively.

(2) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in subsection (a)(2) shall be considered to be a reference to that office as redesignated by that section.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

Subtitle B—Space Activities

SEC. 911. ANNUAL ASSESSMENT OF THE SYNCHRONIZATION OF SEGMENTS IN SPACE PROGRAMS THAT ARE MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) ANNUAL ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for five years, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall annually submit to the congressional defense committees an assessment of the synchronization of the operability of the program segments of each space program that is a major defense acquisition program.

(b) CONTENTS.—Each assessment required under subsection (a) shall include—

(1) a description of the intended primary capabilities of each space program that is a major defense acquisition program and the level of operability of each program segment of such space program at the time of such assessment;

(2) a schedule for the deployment of such intended primary capabilities of such space program in each such program segment and in such space program as a whole;

(3) for each such space program for which a primary capability of such program will be operable by one program segment at least one year after the date on which such capability is operable by another program segment—

(A) an explanation of the reasons that such primary capability will be operable by one program segment at least one year after the date such capability is operable by another program segment; and

(B) an identification of the steps the Department is taking to improve the alignment of when the program segments become operable and the related challenges, costs, and risks; and

(4) a description of the impact on the mission of such space program caused by such primary capability being operable by one program segment at least one year after the date such capability is operable by another program segment.

(c) DEFINITIONS.—In this section:

(1) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—The term ''major defense acquisition program'' has the meaning given the term in section 2430 of title 10, United States Code.

(2) PROGRAM SEGMENT.—The term ''program segment'' means, with respect to a space program that is a major defense acquisition program, the following segments:

(A) The portion of such program that is satellite-based.

(B) The portion of such program that is ground-based.

(C) The portion of such program that is operated by the end-user.

SEC. 912. REPORT ON OVERHEAD PERSISTENT INFRARED TECHNOLOGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there are significant investments in overhead persistent infrared technology that span multiple agencies and support a variety of missions, including missile warning, missile defense, battle space awareness, and technical intelligence; and

(2) further efforts should be made to fully exploit overhead persistent infrared sensor data.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence, shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report on overhead persistent infrared technology that includes—

(1) an assessment of whether there are further opportunities for the Department of Defense and the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) to capitalize on increased data sharing, fusion, interoperability, and exploitation; and

(2) recommendations on how to better coordinate the efforts by the Department and the intelligence community to exploit overhead persistent infrared sensor data.

(c) COMPTROLLER GENERAL ASSESSMENT.—Not later than 90 days after the date on which the Secretary of Defense submits the report required under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees an assessment of the report required under subsection (b), including—

(1) an assessment of whether such report is comprehensive, fully supported, and sufficiently detailed; and

(2) an identification of any shortcomings, limitations, or other reportable matters that affect the quality or findings of the report required under subsection (b).

SEC. 913. PROHIBITION ON USE OF FUNDS TO IMPLEMENT INTERNATIONAL AGREEMENT ON SPACE ACTIVITIES THAT HAS NOT BEEN RATIFIED BY THE SENATE OR AUTHORIZED BY STATUTE.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or any other Act may be used by the Secretary of Defense or the Director of National Intelligence to limit the activities of the Department of Defense or the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) in outer space to implement or comply with an international agreement concerning outer space activities unless such agreement is ratified by the Senate or authorized by statute.

(b) REPORT ON INTERNATIONAL AGREEMENT NEGOTIATIONS.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Defense shall submit to the appropriate congressional committees a report on the progress of negotiations on an international agreement concerning outer space activities. Such report shall include a description of which foreign countries have agreed to sign such an international agreement and any implications that the draft of the agreement being negotiated may have on both classified and unclassified military and intelligence activities of the United States in outer space.

(2) FORM.—

(A) UNCLASSIFIED.—Except as provided in subparagraph (B), each report required under paragraph (1) shall be submitted in unclassified form.

(B) CLASSIFIED ANNEX.—The Secretary of Defense may submit to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate a classified annex to a report required under paragraph (1) containing any classified information required to be submitted for such report.

(3) TERMINATION DATE.—The requirement to submit a report under paragraph (1) shall cease to apply on the date on which the President submits to the appropriate congressional committees a certification that the United States is no longer involved in negotiations on an international agreement concerning outer space activities.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Science, Space, and Technology of the House of Representatives; and

(B) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate.

(c) REPORT ON FOREIGN COUNTER-SPACE PROGRAMS.—

(1) REPORT REQUIRED.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2275. Report on foreign counter-space programs

''(a) REPORT REQUIRED.—Not later than January 1 of each year, the Secretary of Defense shall submit to Congress a report on the counter-space programs of foreign countries.

''(b) CONTENTS.—Each report required under subsection (a) shall include—

''(1) an explanation of whether any foreign country has a counter-space program that could be a threat to the national security or commercial space systems of the United States; and

''(2) the name of each country with a counter-space program described in paragraph (1).

''(c) FORM.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each report required under subsection (a) shall be submitted in unclassified form.

''(2) CLASSIFIED ANNEX.—The Secretary of Defense may submit to the covered congressional committees a classified annex to a report required under subsection (a) containing any classified information required to be submitted for such report.

''(3) FOREIGN COUNTRY NAMES.—

''(A) UNCLASSIFIED FORM.—Subject to subparagraph (B), each report required under subsection (a) shall include the information required under subsection (b)(2) in unclassified form.

''(B) NATIONAL SECURITY WAIVER.—The Secretary of Defense may waive the requirement under subparagraph (A) if the Secretary determines it is in the interests of national security to waive such requirement and submits to Congress an explanation of why the Secretary waived such requirement.

''(d) PROHIBITION ON USE OF FUNDS FOR NONCOMPLIANCE.—If in any fiscal year the Secretary of Defense does not submit a report required under subsection (a) on or before the date on which such report is required to be submitted, none of the funds authorized to be appropriated by any Act for such fiscal year for activities of the Department of Defense may be used for travel related to the negotiation of an international agreement concerning outer space activities until such report is submitted.

''(e) COVERED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'covered congressional committees' means the Committee

on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of title 10, United States Code, is amended by adding at the end the following new item:

''2275. Report on foreign counter-space programs.''.

SEC. 914. ASSESSMENT OF FOREIGN COMPONENTS AND THE SPACE LAUNCH CAPABILITY OF THE UNITED STATES.

(a) ASSESSMENT.—The Secretary of the Air Force shall enter into an agreement with a federally funded research and development center to conduct an independent assessment of the national security implications of continuing to use foreign component and propulsion systems for the launch vehicles under the evolved expendable launch vehicle program.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center shall submit to the congressional defense committees a report on the assessment conducted under subsection (a).

SEC. 915. REPORT ON COUNTER SPACE TECHNOLOGY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter for two years, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report based on all available information describing key space technologies that could be used, or are being sought, by a foreign country with a counter space or ballistic missile program, and should be subject to export controls by the United States or an ally of the United States, as appropriate.

(b) FORM.—Each report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Intelligence-Related Activities

SEC. 921. AUTHORITY TO PROVIDE GEOSPATIAL INTELLIGENCE SUPPORT TO CERTAIN SECURITY ALLIANCES AND REGIONAL ORGANIZATIONS.

(a) AUTHORIZATION.—Section 443(a) of title 10, United States Code, is amended—

(1) by striking ''The Director'' and inserting ''(1) Subject to paragraph (2), the Director'';

(2) by striking ''foreign countries'' and inserting ''foreign countries, regional organizations with defense or security components, and security alliances of which the United States is a member''; and

(3) by adding at the end the following new paragraph:

''(2) In each case in which the Director of the National Geospatial-Intelligence Agency provides imagery intelligence or geospatial information support to a regional organization or security alliance under paragraph (1), the Director shall—

''(A) ensure that such intelligence and such support are not provided by such regional organization or such security alliance to any other person or entity;

''(B) notify the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate, that the Director has provided such intelligence or such support; and

''(C) coordinate the provision of such intelligence and such support with the commander of the appropriate combatant command.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 443 of title 10, United States Code, is amended by striking ''**foreign countries**'' and inserting ''**foreign countries, regional organizations, and security alliances**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 22 of title 10, United States Code, is amended by striking the item relating to section 443 and inserting the following new item:

''443. Imagery intelligence and geospatial information: support for foreign countries, regional organizations, and security alliances.''.

SEC. 922. TECHNICAL AMENDMENTS TO REFLECT CHANGE IN NAME OF NATIONAL DEFENSE INTELLIGENCE COLLEGE TO NATIONAL INTELLIGENCE UNIVERSITY.

(a) CONFORMING AMENDMENTS TO REFLECT NAME CHANGE.—Section 2161 of title 10, United States Code, is amended by striking ''National Defense Intelligence College'' each place it appears and inserting ''National Intelligence University''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 2161. Degree granting authority for National Intelligence University''.

(2) TABLE OF SECTIONS.—The item related to such section in the table of sections at the beginning of chapter 108 of such title is amended to read as follows:

''2161. Degree granting authority for National Intelligence University.''.

Subtitle D—Total Force Management

SEC. 931. LIMITATION ON CERTAIN FUNDING UNTIL CERTIFICATION THAT INVENTORY OF CONTRACTS FOR SERVICES HAS BEGUN.

(a) LIMITATION ON FUNDING FOR CERTAIN OFFICES.—Of the funds authorized to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics; the Office of the Assistant Secretary of the Navy for Research, Development, and Acquisition; and the Office of the Assistant Secretary of the Air Force for Acquisition may be obligated or expended until the certification described in subsection (c) is submitted.

(b) LIMITATION ON FUNDING FOR OTHER CONTRACTS.—Of the funds authorized for other contracts or other services to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for the Office of the Secretary of Defense, the Department of the Navy, and the Department of the Air Force may be obligated or expended until the certification described in subsection (c) is submitted.

(c) CERTIFICATION.—The certification described in this subsection is a certification in writing submitted to the congressional defense committees and made by the Secretary of Defense that the collection of data for purposes of meeting the requirements of section 2330a of title 10, United States Code, has begun.

(d) DEFINITION.—In this section, the term ''other contracts or other services'' means funding described in line 0989 within Exhibit OP–32 of the justification materials accompanying the President's budget request for fiscal year 2013.

SEC. 932. REQUIREMENT TO ENSURE SUFFICIENT LEVELS OF GOVERNMENT MANAGEMENT, CONTROL, AND OVERSIGHT OF FUNCTIONS CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL FUNCTIONS.

Section 129a of title 10, United States Code, is amended—

(1) in subparagraph (B) of subsection (f)(3), by inserting after ''Government'' the following: ''management, control, and''; and

(2) by adding at the end the following new subsection:

''(g) REQUIREMENT FOR MANAGEMENT, CONTROL, AND OVERSIGHT OR APPROPRIATE CORRECTIVE ACTIONS.—For purposes of subsection (f)(3)(B), if insufficient levels of Government management, control, and oversight are found, the Secretary of the military department or head of the Defense agency responsible shall provide such management, control, and oversight or take appropriate corrective actions, including potential conversion to Government performance, consistent with this section and sections 129 and 2463 of this title.''.

SEC. 933. SPECIAL MANAGEMENT ATTENTION REQUIRED FOR CERTAIN FUNCTIONS IDENTIFIED IN INVENTORY OF CONTRACTS FOR SERVICES.

Subparagraph (C) of section 2330a(e)(2) of title 10, United States Code, is amended to read as follows:

''(C) special management attention is being given to functions identified in the inventory as being closely associated with inherently governmental functions; and''.

Subtitle E—Cyberspace-related Matters

SEC. 941. MILITARY ACTIVITIES IN CYBERSPACE.

Section 954 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1551) is amended to read as follows:

''SEC. 954. MILITARY ACTIVITIES IN CYBERSPACE.

''(a) AFFIRMATION.—Congress affirms that the Secretary of Defense is authorized to conduct military activities in cyberspace.

''(b) AUTHORITY DESCRIBED.—The authority referred to in subsection (a) includes the authority to carry out a clandestine operation in cyberspace—

''(1) in support of a military operation pursuant to the Authorization for Use of Military Force (50 U.S.C. 1541 note; Public Law 107–40) against a target located outside of the United States; or

''(2) to defend against a cyber attack against an asset of the Department of Defense.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Secretary of Defense to conduct military activities in cyberspace.''.

SEC. 942. QUARTERLY CYBER OPERATIONS BRIEFINGS.

(a) BRIEFINGS.—Chapter 23 of title 10, United States Code, is amended by inserting after section 483 the following new section:

''§ 484. Quarterly cyber operations briefings

''The Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate quarterly briefings on all offensive and significant defensive military operations in cyberspace carried out by the Department of Defense during the immediately preceding quarter.''.

(b) INITIAL BRIEFING.—The first briefing required under section 484 of title 10, United States Code, as added by subsection (a), shall be provided not later than March 1, 2013.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of title 10, United States Code, is amended by inserting after the item relating to section 483 the following new item:

''484. Quarterly cyber operations briefings.''.

Subtitle F—Other Matters

SEC. 951. ADVICE ON MILITARY REQUIREMENTS BY CHAIRMAN OF JOINT CHIEFS OF STAFF AND JOINT REQUIREMENTS OVERSIGHT COUNCIL.

(a) AMENDMENTS RELATED TO CHAIRMAN OF JOINT CHIEFS OF STAFF.—Section 153(a)(4) of title 10, United States Code, is amended by striking subparagraph (F) and inserting the following new subparagraphs:

''(F) Identifying, assessing, and approving military requirements (including existing systems and equipment) to meet the national military strategy.

''(G) Recommending to the Secretary appropriate trade-offs among life-cycle cost, schedule, and performance objectives to ensure that such trade-offs are made in the acquisition of materiel and equipment to meet military requirements in a manner that best supports the strategic and contingency plans required by subsection (a).''.

(b) AMENDMENTS RELATED TO JROC.—Section 181(b) of such title is amended—

(1) in paragraph (1)(C), by striking ''in ensuring'' and all that follows through ''requirements'' and inserting the following: ''in ensuring that appropriate trade-offs are made among life-cycle cost, schedule, and performance objectives in the acquisition of materiel and equipment to meet military requirements''; and

(2) in paragraph (3), by striking ''such resource level'' and inserting ''the total cost of such resources''.

(c) AMENDMENTS RELATED CHIEFS OF ARMED FORCES.—Section 2547(a) of such title is amended—

(1) in paragraph (1), by striking ''of requirements relating to the defense acquisition system'' and inserting ''and certification of requirements for equipping the armed force concerned'';

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

''(3) The recommendation of trade-offs among life-cycle cost, schedule, and performance objectives to ensure acquisition programs to equip the armed force concerned deliver best value.

''(4) Termination of development or procurement programs that fail to meet life-cycle cost, schedule, and performance objectives.''.

SEC. 952. EXPANSION OF PERSONS ELIGIBLE FOR EXPEDITED FEDERAL HIRING FOLLOWING COMPLETION OF NATIONAL SECURITY EDUCATION PROGRAM SCHOLARSHIP.

Section 802(k) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(k)) is amended to read as follows:

''(k) EMPLOYMENT OF PROGRAM PARTICIPANTS.—

''(1) APPOINTMENT AUTHORITY.—The Secretary of Defense, the Secretary of Homeland Security, the Secretary of State, or the head of a Federal agency or office identified by the Secretary of Defense under subsection (g) as having national security responsibilities—

''(A) may, without regard to any provision of title 5 governing appointments in the competitive service, appoint an eligible program participant—

''(i) to a position in the excepted service that is certified by the Secretary of Defense under clause (i) of subsection (b)(2)(A) as contributing to the national security of the United States; or

''(ii) subject to clause (ii) of such subsection, to a position in the excepted service in such Federal agency or office identified by the Secretary; and

''(B) may, upon satisfactory completion of two years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of subparagraph (A), convert the appointment of such individual, without competition, to a career or career conditional appointment.

''(2) TREATMENT OF CERTAIN SERVICE.—In the case of an eligible program participant described in clause (ii) or (iii) of paragraph (3)(B) who receives an appointment under paragraph (1)(A), the head of a Department or Federal agency or office referred to in paragraph (1) may count any period that the individual served in a position with the Federal Government towards satisfaction of the service requirement under paragraph (1)(B) if that service—

''(A) in the case of an appointment under clause (i) of paragraph (1)(A), was in a position that is identified under clause (i) of subsection (b)(2)(A) as contributing to the national security of the United States; or

''(B) in the case of an appointment under clause (ii) of paragraph (1)(A), was in the Federal agency or office in which the appointment under that clause is made.

''(3) ELIGIBLE PROGRAM PARTICIPANT DEFINED.—In this subsection, the term 'eligible program participant' means an individual who—

''(A) has successfully completed an academic program for which a scholarship or fellowship under this section was awarded; and

''(B) at the time of the appointment of the individual to an excepted service position under paragraph (1)(A)—

''(i) under the terms of the agreement for such scholarship or fellowship, owes a service commitment to a Department or Federal agency or office referred to in paragraph (1);

''(ii) is employed by the Federal Government under a non-permanent appointment to a position in the excepted service that has national security responsibilities; or

''(iii) is a former civilian employee of the Federal Government who has less than a one-year break in service from the last period of Federal employment of such individual in a non-permanent appointment in the excepted service with national security responsibilities.''.

SEC. 953. ANNUAL BRIEFING TO CONGRESSIONAL DEFENSE COMMITTEES ON CERTAIN WRITTEN POLICY GUIDANCE.

Section 113(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) The Secretary of Defense shall provide an annual briefing to the congressional defense committees on the written policy guidance provided under paragraphs (1) and (2).''.

SEC. 954. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NONGOVERNMENTAL PERSONNEL AT DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

(a) EXTENSION.—Paragraph (1) of section 941(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 184 note), is amended by striking ''through 2012'' and inserting ''through 2013''.

(b) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess—

(1) the effectiveness of the Regional Centers for Security Studies in meeting the Centers' objectives and advancing the priorities of the Department of Defense;

(2) the extent to which the Centers perform a unique function within the interagency community or the extent to which there are similar or duplicative efforts within the Department of Defense or the Department of State;

(3) the measures of effectiveness and impact indicators each Regional Center uses to internally evaluate its programs;

(4) the oversight mechanisms within the Department of Defense with respect to the Regional Centers; and

(5) the costs and benefits to the Department of Defense of waiving reimbursement costs for personnel of nongovernmental organizations and international organizations to participate in activities of the Centers on an ongoing basis.

(c) REPORT.—Not later than March 1, 2013, the Comptroller General shall submit to the Committees on Armed Services and on Foreign Relations of the Senate and the Committees on Armed Services and on Foreign Affairs of the House of Representatives a report on the assessment required by subsection (b).

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $3,500,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

SEC. 1003. ANNUAL REPORT ON ARMED FORCES UNFUNDED PRIORITIES.

(a) REPORT REQUIRED.—Not later than 30 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code, each member of the Joint Chiefs of Staff specified in subsection (b) and the Commander of the United States Special Operations Command shall submit to the congressional defense committees a report containing a list of the unfunded priorities for the Armed Force under the jurisdiction of that member or commander.

(b) COVERED MILITARY SERVICE CHIEFS.—The reports required by subsection (a) shall be submitted by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, and the Chief of the National Guard Bureau.

(c) UNFUNDED PRIORITIES DEFINED.—In this section, the term ''unfunded priorities'', with respect to a report required by subsection (a) for a fiscal year, means a program or mission requirement that—

(1) has not been selected for funding in the proposed budget for the fiscal year;

(2) is necessary to fulfill a requirement associated with a combatant commander operational

or contingency plan or other validated global force requirement; and

(3) the officer submitting the report would have recommended for inclusion in the proposed budget for the fiscal year had additional resources been available or had the requirement emerged before the budget was submitted.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF THE AUTHORITY OF THE CHIEF OF THE NATIONAL GUARD BUREAU TO ESTABLISH AND OPERATE NATIONAL GUARD COUNTERDRUG SCHOOLS.

Section 901 of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 120 Stat. 3536; 32 U.S.C. 112–note) is amended—

(1) in subsection (c)—

(A) by striking paragraph (1) and redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and

(B) by adding at the end the following new paragraph:

''(5) The Western Regional Counterdrug Training Center, Camp Murray, Washington.'';

(2) by striking subsection (f) and redesignating subsection (g) as subsection (f); and

(3) in subsection (f)(1), as so redesignated, by striking ''fiscal years 2006 through 2010'' and inserting ''fiscal years 2013 through 2017''.

SEC. 1012. REPORTING REQUIREMENT ON EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

Section 1022(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–255), as most recently amended by the section 1008 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1558), is further amended by striking ''February 15, 2012'' and inserting ''February 15, 2013''.

SEC. 1013. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1007 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1558), is amended—

(1) in subsection (a), by striking ''2012'' and inserting ''2013''; and

(2) in subsection (c), by striking ''2012'' and inserting ''2013''.

SEC. 1014. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1594; 10 U.S.C. 371 note) is amended by striking ''2012'' and inserting ''2013''.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. POLICY RELATING TO MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE UNITED STATES NAVY.

Section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 303), as most recently amended by section 1015 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4586), is amended by striking ''Secretary of Defense'' and all that follows through the period and inserting the following: ''Secretary the Navy notifies the congressional defense committees that, as a result of a cost-benefit analysis, it would not be practical for the Navy to design the class of ships with an integrated nuclear power system.''.

SEC. 1022. LIMITATION ON AVAILABILITY OF FUNDS FOR DELAYED ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.

(a) IN GENERAL.—Section 231 of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e)(1) If the Secretary of Defense does not include with the defense budget materials for a fiscal year the plan and certification under subsection (a), the Secretary of the Navy may not use more than 50 percent of the funds described in paragraph (2) during the fiscal year in which such materials are submitted until the date on which such plan and certification are submitted to the congressional defense committees.

''(2) The funds described in this paragraph are funds made available to the Secretary of the Navy for operation and maintenance, Navy, for emergencies and extraordinary expenses.''.

(b) CONFORMING AMENDMENT.—Section 12304b(i) of title 10, United States Code, is amended by striking ''231(e)(2)'' and inserting ''section 231(f)(2)''.

Subtitle D—Counterterrorism

SEC. 1031. FINDINGS ON DETENTION PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE ENACTED IN 2001.

Congress finds the following:

(1) In 2001, Congress passed, and the President signed, the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) (hereinafter referred to as the ''AUMF''), which authorized the President to ''use all necessary and appropriate force'' against those responsible for the attacks of September 11, 2001, and those who harbored them ''in order to prevent any future acts of international terrorism against the United States''.

(2) In 2004, the Supreme Court held in Hamdi v. Rumsfeld that the AUMF authorized the President to detain individuals, including a United States citizen captured in Afghanistan and later detained in the United States, legitimately determined to be ''engaged in armed conflict against the United States'' until the end of hostilities, noting that ''[W]e understand Congress' grant of authority for the use of 'necessary and appropriate force' to include the authority to detain for the duration of the relevant conflict, and our understanding is based on longstanding law-of-war principles''.

(3) The Court reaffirmed the long-standing principle of American law that a United States citizen may not be detained in the United States pursuant to the AUMF without due process of law, stating the following:

(A) ''Striking the proper constitutional balance here is of great importance to the Nation during this period of ongoing combat. But it is equally vital that our calculus not give short shrift to the values that this country holds dear or to the privilege that is American citizenship.''.

(B) ''It is during our most challenging and uncertain moments that our Nation's commitment to due process is most severely tested; and it is in those times that we must preserve our commitment at home to the principles for which we fight abroad.''.

(C) ''[A] state of war is not a blank check for the President when it comes to the rights of the Nation's citizens.''.

(D) ''[A]bsent suspension, the writ of habeas corpus remains available to every individual detained within the United States.''.

(E) ''All agree suspension of the writ has not occurred here.''.

(F) ''[A]n enemy combatant must receive notice of the factual basis for his classification, and a fair opportunity to rebut the Government's factual assertions before a neutral decisionmaker.''.

(G) ''Whatever power the United States Constitution envisions for the Executive in its exchanges with other nations or with enemy organizations in times of conflict, it most assuredly envisions a role for all three branches when individual liberties are at stake.''.

(H) ''[U]nless Congress acts to suspend it, the Great Writ of habeas corpus allows the Judicial Branch to play a necessary role in maintaining this delicate balance of governance, serving as an important judicial check on the Executive's discretion in the realm of detentions.''.

(I) ''We reaffirm today the fundamental nature of a citizen's right to be free from involuntary confinement by his own government without due process of law, and we weigh the opposing governmental interests against the curtailment of liberty that such confinement entails.''.

(4) In 2008, in Boumediene v. Bush, the Supreme Court also extended the constitutional right to habeas corpus to the foreign detainees held pursuant to the AUMF at the United States Naval Station, Guantanamo Bay, Cuba.

(5) Chapter 47A of title 10, United States Code, as originally enacted by the Military Commissions Act of 2006 (Public Law 109–366), only allows for prosecution of foreign terrorists by military commission.

(6) In 2011, with the enactment of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81), Congress and the President affirmed the authority of the Armed Forces of the United States to detain pursuant to the AUMF a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored those responsible for those attacks, or a person who was a part of or substantially supported al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act or has directly supported such hostilities in aid of such enemy forces.

(7) The interpretation of the detention authority provided by the AUMF under the National Defense Authorization Act for Fiscal Year 2012 is the same as the interpretation used by the Obama administration in its legal filings in Federal court and is nearly identical to the interpretation used by the Bush administration. This interpretation has also been upheld by the United States Court of Appeals for the District of Columbia Circuit.

(8) Such Act also requires the Secretary of Defense to regularly brief Congress regarding the application of the detention authority provided by the AUMF.

(9) Section 1021 of such Act states that ''Nothing in this section shall be construed to affect existing law or authorities relating to the detention of United States citizens, lawful resident aliens of the United States, or any other persons who are captured or arrested in the United States.''.

SEC. 1032. FINDINGS REGARDING HABEAS CORPUS RIGHTS.

Congress finds the following:

(1) Article 1, section 9 of the Constitution states ''The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.''.

(2) Regarding the Great Writ, the Supreme Court has noted ''The writ of habeas corpus is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action.''.

SEC. 1033. HABEAS CORPUS RIGHTS.

Nothing in the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) or the National Defense Authorization Act

for Fiscal Year 2012 (Public Law 112–81) shall be construed to deny the availability of the writ of habeas corpus in a court ordained or established by or under Article III of the Constitution for any person who is detained in the United States pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

SEC. 1034. EXTENSION OF AUTHORITY TO MAKE REWARDS FOR COMBATING TERRORISM.

(a) EXTENSION.—Section 127b(c)(3)(C) of title 10, United States Code, is amended by striking ''September 30, 2013'' and inserting ''September 30, 2014''.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that outlines the future requirements and authorities to make rewards for combating terrorism. The report shall include—

(1) an analysis of future requirements under section 127b of title 10, United States Code;

(2) a detailed description of requirements for rewards in support of operations with allied forces; and

(3) an overview of geographic combatant commander requirements through September 30, 2014.

SEC. 1035. PROHIBITION ON TRAVEL TO THE UNITED STATES FOR CERTAIN DETAINEES REPATRIATED TO THE FEDERATED STATES OF MICRONESIA, THE REPUBLIC OF PALAU, AND THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) PROHIBITION ON TRAVEL TO THE UNITED STATES.—Notwithstanding any provision of the applicable Compact of Free Association described in subsection (c), an individual described in subsection (b) who has been repatriated to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau may not be afforded the rights and benefits put forth in section 141 of such applicable Compact of Free Association.

(b) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is or was located at United States Naval Station, Guantanamo Bay, Cuba, on or after September 11, 2001, while—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(c) APPLICABLE COMPACT OF FREE ASSOCIATION.—The applicable Compact of Free Association described in this subsection is—

(1) with respect to an individual repatriated to the Federal States of Micronesia, the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia as set forth in section 201(a) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188; 48 U.S.C. 1921 note);

(2) with respect to an individual repatriated to the Republic of the Marshall Islands, the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands as set forth in section 201(b) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188; 48 U.S.C. 1921 note); and

(3) with respect to an individual repatriated to the Republic of Palau, the Compact of Free Association between the Government of the United States of America and the Government of Palau as set forth in section 201 of the joint resolution entitled ''A Joint Resolution to approve the 'Compact of Free Association' between the United States and the Government of Palau, and for other purposes'', approved November 14, 1986 (Public Law 99–658; 48 U.S.C. 1931 note).

SEC. 1036. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the funds authorized to be appropriated by this Act for fiscal year 2013 may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1037. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense for fiscal year 2013 to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by subsection (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 1038. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2013 may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1037(e)(2).

SEC. 1039. REPORTS ON RECIDIVISM OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, THAT HAVE BEEN TRANSFERRED TO FOREIGN COUNTRIES.

(a) REPORT ON FACTORS CAUSING OR CONTRIBUTING TO RECIDIVISM.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter for five years, the Director of the Defense Intelligence Agency, in consultation with the head of each element of the intelligence community that the Director considers appropriate, shall submit to the covered congressional committees a report assessing the factors that cause or contribute to the recidivism of individuals detained at Guantanamo that are transferred or released to a foreign country, including a discussion of trends, by country and region, where recidivism has occurred.

(b) REPORT ON EFFECTIVENESS OF INTERNATIONAL AGREEMENTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, with the concurrence of the Secretary of Defense, shall submit to the covered congressional committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report assessing the effectiveness of international agreements relating to the transfer or release of individuals detained at Guantanamo between the United States and each foreign country to which an individual detained at Guantanamo has been transferred or released.

(c) FORM.—The reports required under subsections (a) and (b) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) COVERED CONGRESSIONAL COMMITTEES.—The term ''covered congressional committees'' means—

(A) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) INDIVIDUAL DETAINED AT GUANTANAMO.—The term ''individual detained at Guantanamo'' means any individual that is or was located at United States Naval Station, Guantanamo Bay, Cuba, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is or was—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1040. NOTICE AND REPORT ON USE OF NAVAL VESSELS FOR DETENTION OF INDIVIDUALS CAPTURED OUTSIDE AFGHANISTAN PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) NOTICE TO CONGRESS.—Not later than 5 days after first detaining an individual who is captured pursuant to the Authorization for Use of Military Force on a naval vessel outside the United States, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of the detention.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the use of naval vessels for the detention outside the United States of any individual who is captured pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note). Such report shall include—

(A) procedures and any limitations on detaining such individuals at sea on board United States naval vessels;

(B) an assessment of any force protection issues associated with detaining such individuals on such vessels;

(C) an assessment of the likely effect of such detentions on the original mission of the naval vessel; and

(D) any restrictions on long-term detention of individuals on United States naval vessels.

(2) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

SEC. 1041. NOTICE REQUIRED PRIOR TO TRANSFER OF CERTAIN INDIVIDUALS DETAINED AT THE DETENTION FACILITY AT PARWAN, AFGHANISTAN.

(a) NOTICE REQUIRED.—The Secretary of Defense shall submit to the appropriate congressional committees notice in writing of the proposed transfer of any individual detained pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) who is a national of a country other than the United States or Afghanistan from detention at the Detention Facility at Parwan, Afghanistan, to the custody of the Government of Afghanistan or of any other country. Such notice shall be provided not later than 10 days before such a transfer may take place.

(b) ADDITIONAL ASSESSMENTS AND CERTIFICATIONS.—As part of the notice required under subsection (a), the Secretary shall include the following:

(1) In the case of the proposed transfer of such an individual by reason of the individual being released, an assessment of the threat posed by the individual and the security environment of the country to which the individual is to be transferred.

(2) In the case of the proposed transfer of such an individual to a country other than Afghanistan for the purpose of the prosecution of the individual, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of the country with respect to prosecuting similar cases, including a description of the evidence against the individual that is likely to be admissible as part of the prosecution.

(3) In the case of the proposed transfer of such an individual for reintegration or rehabilitation in a country other than Afghanistan, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track records of the country for reintegrating or rehabilitating similar individuals.

(4) In the case of the proposed transfer of such an individual to the custody of the government of Afghanistan for prosecution or detention, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of Afghanistan to prosecute or detain long-term such individuals.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1042. REPORT ON RECIDIVISM OF INDIVIDUALS FORMERLY DETAINED AT THE DETENTION FACILITY AT PARWAN, AFGHANISTAN.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the relevant congressional committees a report that—

(1) assesses recidivism rates and the factors that cause or contribute to the recidivism of individuals formerly detained at the Detention Facility at Parwan, Afghanistan, who are transferred or released, with particular emphasis on individuals transferred or released in connection with reconciliation efforts or peace negotiations; and

(2) includes a general rationale of the Commander, International Security Assistance Force, as to why such individuals were released.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''relevant congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1043. ADDITIONAL REQUIREMENTS RELATING TO THE TRANSFER OF INDIVIDUALS DETAINED AT GUANTANAMO TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

Section 1028 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended—

(1) in subsection (a)(1)—

(A) by striking ''the certification described in subsection (b) not later than 30 days before the transfer of the individual'' and inserting ''by not later than 90 days before the transfer each of the following:''; and

(B) by adding at the end the following new subparagraphs:

''(A) The certification described in subsection (b).

''(B) An assessment of the likelihood that the individual to be transferred will engage in terrorist activity after the transfer takes place.

''(C) A detailed summary, in classified or unclassified form, of the individual's history of associations with foreign terrorist organizations and the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense.''; and

(2) in subsection (d)(2)—

(A) by striking ''30 days'' and inserting ''90 days''; and

(B) by adding at the end the following new subparagraphs:

''(E) An assessment of the likelihood that the individual to be transferred will engage in terrorist activity after the transfer takes place.

''(F) A detailed summary, in classified or unclassified form, of the individual's history of associations with foreign terrorist organizations and the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense.''.

Subtitle E—Nuclear Forces

SEC. 1051. NUCLEAR WEAPONS EMPLOYMENT STRATEGY OF THE UNITED STATES.

(a) SENSE OF CONGRESS.—Subsection (a) of section 1046 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1579) is amended to read as follows:

''(a) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) any future modification to the nuclear weapons employment strategy, plans, and options of the United States should maintain or enhance the ability of the nuclear forces of the United States to support the goals of the United States with respect to nuclear deterrence, extended deterrence, and assurances for allies, and the defense of the United States; and

''(2) the oversight responsibility of Congress includes oversight of the nuclear weapons employment strategy, plans, and options of the United States and that therefore the Chairmen and Ranking Members of the Committees on Armed Services of the Senate and House of Representatives, and such professional staff as they designate, should have access to the nuclear weapons employment strategy, plans, and options of the United States.''.

(b) REPORTS ON STRATEGY.—Section 491 of title 10, United States Code, is—

(1) transferred to chapter 24 of such title, as added by subsection (c)(1); and

(2) amended—

(A) in the heading, by inserting ''**weapons**'' after ''**Nuclear**'';

(B) by striking ''nuclear employment strategy'' each place it appears and inserting ''nuclear weapons employment strategy'';

(C) in paragraph (1)—

(i) by inserting ''the'' after ''modifications to''; and

(ii) by inserting '', plans, and options'' after ''employment strategy'';

(D) by inserting after paragraph (3) the following new paragraph:

''(4) the extent to which such modifications include an increased reliance on conventional or non-nuclear global strike capabilities or missile defenses of the United States.'';

(E) by striking ''On the date'' and inserting ''(a) REPORTS.—On the date''; and

(F) by adding at the end the following new subsection:

''(b) ANNUAL BRIEFINGS.—Not later than March 15 of each year, the Secretary of Defense shall provide to the congressional defense committees a briefing regarding the nuclear weapons employment strategy, plans, and options of the United States.''.

(c) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 24.—Part I of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 24—NUCLEAR POSTURE

''Sec.

''491. Nuclear weapons employment strategy of the United States: modification of strategy.''.

(2) TABLE OF CHAPTERS.—The table of chapters at the beginning of subtitle A of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 23 the following new item:

''24. Nuclear posture ..... 491''.

(3) TRANSFER OF PROVISIONS.—

(A) CHAPTER 23.—Chapter 23 of title 10, United States Code, is amended as follows:

(i) Section 490a is—

(I) transferred to chapter 24 of such title, as added by paragraph (1);

(II) inserted after section 491 of such title, as added to such chapter 24 by subsection (b)(1); and

(III) redesignated as section 492.

(ii) The table of sections at the beginning of such chapter 23 is amended by striking the items relating to sections 490a and 491.

(B) FY12 NDAA.—Section 1077 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 50 U.S.C. 2514) is—

(i) transferred to chapter 24 of title 10, United States Code, as added by paragraph (1);

(ii) inserted after section 492 of such title, as added by subparagraph (A)(i);

(iii) redesignated as section 493; and

(iv) amended by striking ''the date of the enactment of this Act'' and inserting ''December 31, 2011,''.

(C) CHAPTER 24.—The table of sections at the beginning of chapter 24 of title 10, United States Code, as added by paragraph (1), is amended by inserting after the item relating to section 491 the following new items:

''492. Biennial assessment and report on the delivery platforms for nuclear weapons and the nuclear command and control system.

''493. Reports to Congress on the modification of the force structure for the strategic nuclear weapons delivery systems of the United States.''.

(4) CONFORMING AMENDMENT.—Section 1041(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1574) is amended by striking ''section 490a of title 10, United States Code, as added by subsection (a),'' and inserting ''section 492 of title 10, United States Code,''.

SEC. 1052. COMMITMENTS FOR NUCLEAR WEAPONS STOCKPILE MODERNIZATION.

(a) FINDINGS.—Congress finds the following:

(1) In 2008, then Secretary of Defense Robert Gates warned that ''to be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.''.

(2) Secretary Gates also warned in September 2009 that modernization is a prerequisite to nuclear force reductions, stating that modernizing the nuclear capability of the United States is an ''enabler of arms control and our ability to reduce the size of our nuclear stockpile. When we have more confidence in the long-term viability of our weapons systems, then our ability to reduce the number of weapons we must keep in the stockpile is enhanced.''.

(3) President Obama's 2010 Nuclear Posture Review stated that—

(A) ''In order to sustain a safe, secure, and effective U.S. nuclear stockpile as long as nuclear weapons exist, the United States must possess a modern physical infrastructure—comprised of the national security laboratories and a complex of supporting facilities.''; and

(B) ''[I]mplementation of the Stockpile Stewardship Program and the nuclear infrastructure investments recommended in the NPR will allow the United States to shift away from retaining large numbers of non-deployed warheads as a hedge against technical or geopolitical surprise, allowing major reductions in the nuclear stockpile. These investments are essential to facilitating reductions while sustaining deterrence under New START and beyond.''.

(4) Section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) required the President to submit a report to Congress on the plan for the nuclear weapons stockpile, nuclear weapons complex, and delivery platforms at the time a follow-on treaty to the Strategic Arms Reduction Treaty was submitted by the President to the Senate. The President submitted such report in May 2010 and submitted updates in November 2010 and February 2011.

(5) Such section 1251 also contained a sense of Congress that ''the enhanced safety, security, and reliability of the nuclear weapons stockpile, modernization of the nuclear weapons complex, and maintenance of nuclear delivery systems are key to enabling further reductions in the nuclear forces of the United States.''.

(6) Forty-one Senators wrote to President Obama on December 15, 2009, stating, ''we don't believe further reductions can be in the national security interest of the U.S. in the absence of a significant program to modernize our nuclear deterrent.''.

(7) Former Secretary of Defense and Secretary of Energy James Schlesinger stated, while testifying before the Committee on Foreign Relations of the Senate in April 2010, ''I believe that it is immensely important for the Senate to ensure, what the Administration has stated as its intent, i.e., that there be a robust plan with a continuation of its support over the full 10 years, before it proceeds to ratify this START follow-on treaty.''.

(8) Former Secretary of State James Baker stated in testimony before the Committee on Foreign Relations of the Senate in May 2010 that ''because our security is based upon the safety and reliability of our nuclear weapons, it is important that our Government budget enough money to guarantee that those weapons can carry out their mission.''.

(9) Former Secretary of State Henry Kissinger also stated in May 2010 while testifying before the Committee on Foreign Relations of the Senate that ''as part of a number of recommendations, my colleagues, Bill Perry, George Shultz, Sam Nunn, and I have called for significant investments in a repaired and modernized nuclear weapons infrastructure and added resources for the three national laboratories.''.

(10) Then Secretary of Defense Robert Gates, while testifying before the Committee on Armed Services of the Senate in June 2010, stated, ''I see this treaty as a vehicle to finally be able to get what we need in the way of modernization that we have been unable to get otherwise. . . . We are essentially the only nuclear power in the world that is not carrying out these kinds of modernization programs.''.

(11) Secretary Gates further stated that ''I've been up here for the last four springs trying to get money for this and this is the first time I think I've got a fair shot of actually getting money for our nuclear arsenal.''.

(12) The Directors of the national nuclear weapons laboratories wrote to the chairman and ranking member of the Committee on Foreign Relations of the Senate in December 2010 that ''We are very pleased by the update to the Section 1251 Report, as it would enable the laboratories to execute our requirements for ensuring a safe, secure, reliable and effective stockpile

under the Stockpile Stewardship and Management Plan. In particular, we are pleased because it clearly responds to many of the concerns that we and others have voiced in the past about potential future-year funding shortfalls, and it substantially reduces risks to the overall program. In summary, we believe that the proposed budgets provide adequate support to sustain the safety, security, reliability and effectiveness of America's nuclear deterrent within the limit of 1,550 deployed strategic warheads established by the New START Treaty with adequate confidence and acceptable risk.''.

(13) President Obama pledged, in a December 2010 letter to several Senators, ''I recognize that nuclear modernization requires investment for the long-term. . . . That is my commitment to the Congress—that my Administration will pursue these programs and capabilities for as long as I am President.''.

(14) Secretary Gates added in May 2011 that, ''this modernization program was very carefully worked out between ourselves and the Department of Energy; and, frankly, where we came out on that played a fairly significant role in the willingness of the Senate to ratify the New START agreement.''.

(15) The Administrator for Nuclear Security, Thomas D'Agostino, testified before Congress in November 2011 that, ''it is critical to accept the linkage between modernizing our current stockpile in order to achieve the policy objective of decreasing the number of weapons we have in our stockpile, while still ensuring that the deterrent is safe, secure, and effective.''.

(b) NEW START TREATY DEFINED.—In this subtitle, the term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1053. LIMITATION AND REPORT IN THE EVENT OF INSUFFICIENT FUNDING FOR MODERNIZATION OF NUCLEAR WEAPONS STOCKPILE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) consistent with Condition 9 of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, agreed to on December 22, 2011, the United States is committed to ensuring the safety, security, reliability, and credibility of its nuclear forces; and

(2) the United States is committed to—

(A) proceeding with a robust stockpile stewardship program and maintaining and modernizing nuclear weapons production capabilities and capacities of the United States to ensure the safety, security, reliability, and credibility of the nuclear arsenal of the United States at the New START Treaty levels and meeting requirements for hedging against possible international developments or technical problems;

(B) reinvigorating and sustaining the nuclear security laboratories of the United States and preserving the core nuclear weapons competencies therein; and

(C) providing the resources needed to achieve these objectives, at a minimum at the levels set forth in the President's 10-year plan provided to Congress in November 2010 pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549).

(b) INSUFFICIENT FUNDING REPORT AND LIMITATION.—

(1) IN GENERAL.—Paragraph (2) of section 1045(a) of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b) is amended to read as follows:

''(2) INSUFFICIENT FUNDING.—

''(A) REPORT.—During each year in which the New START Treaty is in force, if the President determines that an appropriations Act is enacted that fails to meet the resource levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) or if at any time determines that more resources are required to carry out such plan than were estimated, the President shall submit to the appropriate congressional committees, within 60 days of making such a determination, a report detailing—

''(i) a plan to remedy the resource shortfall;

''(ii) if more resources are required to carry out the plan than were estimated—

''(I) the proposed level of funding required; and

''(II) an identification of the stockpile work, campaign, facility, site, asset, program, operation, activity, construction, or project for which additional funds are required;

''(iii) any effects caused by the shortfall on the safety, security, reliability, or credibility of the nuclear forces of the United States; and

''(iv) whether and why, in light of the shortfall, remaining a party to the New START Treaty is in the national interest of the United States.

''(B) LIMITATION.—If the President submits a report under subparagraph (A), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used to reduce the number of deployed nuclear warheads until—

''(i) after the date on which such report is submitted, the President certifies in writing to the appropriate congressional committees that the resource shortfall identified in such report has been addressed; and

''(ii) a period of 120 days has elapsed following the date on which such certification is made.

''(C) EXCEPTION.—The limitation in subparagraph (B) shall not apply to—

''(i) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

''(ii) nuclear warheads that are retired or awaiting dismantlement on the date of the report under subparagraph (A).

''(D) DEFINITIONS.—In this paragraph:

''(i) The term 'appropriate congressional committees' means—

''(I) the congressional defense committees; and

''(II) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

''(ii) The term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2012.

SEC. 1054. PROGRESS OF MODERNIZATION.

(a) FINDINGS.—Congress finds the following:

(1) In 2008, then Secretary of Defense Robert Gates warned that ''to be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.''.

(2) The 2010 Nuclear Posture Review stated that ''the President has directed a review of post-New START arms control objectives, to consider future reductions in nuclear weapons. Several factors will influence the magnitude and pace of future reductions in U.S. nuclear forces below New START levels'', including—

(A) ''First, any future nuclear reductions must continue to strengthen deterrence of potential regional adversaries, strategic stability vis-à-vis Russia and China, and assurance of our allies and partners. This will require an updated assessment of deterrence requirements; further improvements in U.S., allied, and partner nonnuclear capabilities; focused reductions in strategic and non-strategic weapons; and close consultations with allies and partners. The United States will continue to ensure that, in the calculations of any potential opponent, the perceived gains of attacking the United States or its allies and partners would be far outweighed by the unacceptable costs of the response.'';

(B) ''Second, implementation of the Stockpile Stewardship Program and the nuclear infrastructure investments recommended in the NPR will allow the United States to shift away from retaining large numbers of non-deployed warheads as a hedge against technical or geopolitical surprise, allowing major reductions in the nuclear stockpile. These investments are essential to facilitating reductions while sustaining deterrence under New START and beyond.''; and

(C) ''Third, Russia's nuclear force will remain a significant factor in determining how much and how fast we are prepared to reduce U.S. forces. Because of our improved relations, the need for strict numerical parity between the two countries is no longer as compelling as it was during the Cold War. But large disparities in nuclear capabilities could raise concerns on both sides and among U.S. allies and partners, and may not be conducive to maintaining a stable, long-term strategic relationship, especially as nuclear forces are significantly reduced. Therefore, we will place importance on Russia joining us as we move to lower levels.''.

(3) The 2010 Nuclear Posture Review also stated that the Administration would ''conduct follow-on analysis to set goals for future nuclear reductions below the levels expected in New START, while strengthening deterrence of potential regional adversaries, strategic stability vis-à-vis Russia and China, and assurance of our allies and partners.''.

(4) The Secretary of Defense has warned in testimony before the Committee on Armed Services of the House of Representatives regarding the sequestration mechanism under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 that ''if this sequester goes into effect and it doubles the number of cuts, then it'll truly devastate our national defense, because it will then require that we have to go at our force structure. We will have to hollow it out . . . [i]t will badly damage our capabilities for the future. . . . And if you have a smaller force, you're not going to be able to be out there responding in as many areas as we do now.''.

(5) The 2010 Nuclear Posture Review also stated that ''by modernizing our aging nuclear facilities and investing in human capital, we can substantially reduce the number of nuclear weapons we retain as a hedge.''.

(6) The President requested the promised $7,600,000,000 for weapons activities of the National Nuclear Security Administration in fiscal year 2012 but signed an appropriations Act for fiscal year 2012 that provided only $7,233,997,000, a substantial reduction to only the second year of the ten-year plan under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549).

(7) The President requested only $7,577,341,000 for weapons activities of the National Nuclear Security Administration in fiscal year 2013 while the President's section 1251 plan promised $7,900,000,000.

(8) The President's section 1251 plan further promised to request $8,400,000,000 in fiscal year

2014, $8,700,000,000 in fiscal year 2015, $8,900,000,000 in fiscal year 2016, at least $8,900,000,000 in fiscal year 2017, at least $9,200,000,000 in fiscal year 2018, at least $9,400,000,000 in fiscal year 2019, at least $9,400,000,000 in fiscal year 2020, and at least $9,500,000,000 in fiscal year 2021.

(9) While the administration has not yet shared with Congress the terms of reference of the so-called Nuclear Posture Review Implementation Study, or the Department of Defense's instructions for that review, the only publicly available statements by the administration, including language from the Nuclear Posture Review, suggest the review was specifically instructed by the President and his senior political appointees to only consider reductions to the nuclear forces of the United States.

(10) When asked at a hearing if the New START Treaty allowed the United States ''to maintain a nuclear arsenal that is more than is needed to guarantee an adequate deterrent,'' then Commander of the United States Strategic Command, General Kevin P. Chilton said, ''I do not agree that it is more than is needed. I think the arsenal that we have is exactly what is needed today to provide the deterrent.''.

(b) NUCLEAR EMPLOYMENT STRATEGY.—Section 491 of title 10, United States Code, as amended by section 1051, is amended by adding after subsection (b) the following:

''(c) LIMITATION.—With respect to a new nuclear weapons employment strategy described in a report submitted to Congress under subsection (a), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to implement such strategy until a period of one year has elapsed following the date on which such report is submitted to Congress.''.

(c) LIMITATION.—During each of fiscal years 2012 through 2021, none of the funds made available for each such fiscal year for the Department of Defense may be used to carry out the results of the decisions made pursuant to the 2010 Nuclear Posture Review Implementation Study that would alter the nuclear weapons employment strategy, guidance, plans, or options of the United States until the date on which the President certifies to the congressional defense committees that—

(1) the President has included the resources necessary to carry out the February 2011 update to the report required under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) in the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for such fiscal year;

(2) the resources described in paragraph (1) have been provided to the President in an appropriations Act; and

(3) the sequestration mechanism under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 has been repealed or the sequestration mechanism under such section for the security category has otherwise been terminated.

SEC. 1055. LIMITATION ON STRATEGIC DELIVERY SYSTEM REDUCTIONS.

(a) FINDINGS.—Congress finds the following:

(1) The Nuclear Posture Review of 2010 said, with respect to modernizing the triad, ''for planned reductions under New START, the United States should retain a smaller Triad of SLBMs, ICBMs, and heavy bombers. Retaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities.''.

(2) The Senate stated in Declaration 13 of the Resolution of Advice and Consent to Ratification of the New START Treaty that ''In accordance with paragraph 1 of Article V of the New START Treaty, which states that, 'Subject to the provisions of this Treaty, modernization and replacement of strategic offensive arms may be carried out,' it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems.''.

(3) The Senate required the President, prior to the entry into force of the New START Treaty, to certify to the Senate that the President intended to modernize or replace the triad of strategic nuclear delivery systems.

(4) The President made this certification in a message to the Senate on February 2, 2011, in which the President stated, ''I intend to (a) modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM; and (b) maintain the United States rocket motor industrial base.''.

(b) LIMITATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

''§ 494. Strategic delivery system reductions

''(a) ANNUAL CERTIFICATION.—Beginning fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether plans to modernize or replace strategic delivery systems are fully resourced and being executed at a level equal to or more than the levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549), including plans regarding—

''(1) a heavy bomber and air-launched cruise missile;

''(2) an intercontinental ballistic missile;

''(3) a submarine-launched ballistic missile;

''(4) a ballistic missile submarine; and

''(5) maintaining—

''(A) the nuclear command and control system; and

''(B) the rocket motor industrial base of the United States.

''(b) LIMITATION.—If the President certifies under subsection (a) that plans to modernize or replace strategic delivery systems are not fully resourced or being executed, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to reduce, convert, or eliminate strategic delivery systems, whether deployed or nondeployed, pursuant to the New START Treaty or otherwise until a period of 120 days has elapsed following the date on which such certification is made.

''(c) EXCEPTION.—The limitation in subsection (b) shall not apply to—

''(1) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and delivery systems; or

''(2) strategic delivery systems that are retired or awaiting dismantlement on the date of the certification under subsection (a).

''(d) DEFINITIONS.—In this section:

''(1) The term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

''(2) The term 'strategic delivery system' means a delivery platform for nuclear weapons.''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''494. Strategic delivery system reductions.''.

SEC. 1056. PREVENTION OF ASYMMETRY OF NUCLEAR WEAPON STOCKPILE REDUCTIONS.

(a) FINDINGS.—Congress finds the following:

(1) Then Secretary of Defense Robert Gates warned in 2008 that, ''There is no way to ignore efforts by rogue states such as North Korea and Iran to develop and deploy nuclear weapons or Russian or Chinese strategic modernization programs. To be sure, we do not consider Russia or China as adversaries, but we cannot ignore these developments and the implications they have for our national security.''.

(2) The 2010 Nuclear Posture Review stated that, ''large disparities in nuclear capabilities could raise concerns on both sides and among U.S. allies and partners, and may not be conducive to maintaining a stable, long-term strategic relationship, especially as nuclear forces are significantly reduced.''.

(3) The Senate stated in the Resolution of Advice and Consent to Ratification of the New START Treaty that, ''It is the sense of the Senate that, in conducting the reductions mandated by the New START Treaty, the President should regulate reductions in United States strategic offensive arms so that the number of accountable strategic offensive arms under the New START Treaty possessed by the Russian Federation in no case exceeds the comparable number of accountable strategic offensive arms possessed by the United States to such an extent that a strategic imbalance endangers the national security interests of the United States.''.

(4) At a hearing before the Committee on Armed Services of the House of Representatives in 2011, Secretary of Defense Leon Panetta said, with respect to unilateral nuclear reductions by the United States, ''I don't think we ought to do that unilaterally—we ought to do that on the basis of negotiations with the Russians and others to make sure we are all walking the same path.''.

(b) CERTIFICATION.—Section 1045 of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b) is amended by adding at the end the following new subsection:

''(d) PREVENTION OF ASYMMETRY IN REDUCTIONS.—

''(1) CERTIFICATION.—During any year in which the President recommends to reduce the number of nuclear weapons in the active and inactive stockpiles of the United States by a number that is greater than one percent of the number of nuclear weapons in such stockpiles, the President shall certify in writing to the congressional defense committees whether such reductions will cause the number of nuclear weapons in such stockpiles to be fewer than the number of nuclear weapons in the active and inactive stockpiles of the Russian Federation.

''(2) LIMITATION.—If the President certifies under paragraph (1) that the recommended number of nuclear weapons in the active and inactive stockpiles of the United States is fewer than the number of nuclear weapons in the active and inactive stockpiles of the Russian Federation, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used to carry out any reduction to such stockpiles of the United States until—

''(A) after the date on which such certification is made, the President transmits to the congressional defense committees a report by the Commander of the United States Strategic Command, without change, detailing whether the

recommended reduction would create a strategic imbalance between the total nuclear forces of the United States and the total nuclear forces of the Russian Federation; and

''(B) a period of 180 days has elapsed following the date on which such report is transmitted.

''(3) EXCEPTION.—The limitation in paragraph (2) shall not apply to—

''(A) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

''(B) nuclear warheads that are retired or awaiting dismantlement on the date of the certification under paragraph (1).''.

SEC. 1057. CONSIDERATION OF EXPANSION OF NUCLEAR FORCES OF OTHER COUNTRIES.

(a) FINDINGS.—Congress finds the following:

(1) The Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate said, ''It is the sense of the Senate that if, during the time the New START Treaty remains in force, the President determines that there has been an expansion of the strategic arsenal of any country not party to the New START Treaty so as to jeopardize the supreme interests of the United States, then the President should consult on an urgent basis with the Senate to determine whether adherence to the New START Treaty remains in the national interest of the United States.''.

(2) In 2011, experts testified before the Committee on Armed Services of the House of Representatives that—

(A) ''Russia is modernizing every leg of its nuclear triad with new, more advanced systems'', including new ballistic missile submarines, new heavy intercontinental ballistic missiles carrying up to 15 warheads each, new shorter range ballistic missiles, and new low-yield warheads; and

(B) ''China is steadily increasing the numbers and capabilities of the ballistic missiles it deploys and is upgrading older ICBMs to newer, more advanced systems. China also appears to be actively working to develop a submarine-based nuclear deterrent force, something it has never had. . . . A recent unclassified Department of Defense report says that this network of tunnels could be in excess of 5,000 kilometers and is used to transport nuclear weapons and forces.''.

(b) REPORT AND CERTIFICATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

''§ 495. Consideration of expansion of nuclear forces of other countries

''(a) REPORT AND CERTIFICATION.—During any year in which the President recommends any reductions in the nuclear forces of the United States, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used for such recommended reduction until the date on which—

''(1) the President transmits to the appropriate congressional committees a report detailing, for each country with nuclear weapons—

''(A) the number of each type of nuclear weapons possessed by such country;

''(B) the modernization plans for such weapons of such country;

''(C) the production capacity of nuclear warheads and strategic delivery systems (as defined in section 491(c) of this title) of such country; and

''(D) the nuclear doctrine of such country; and

''(2) the Commander of the United States Strategic Command certifies to the appropriate congressional committees whether such recommended reductions in the nuclear forces of the United States will—

''(A) impair the ability of the United States to address—

''(i) unplanned strategic or geopolitical events; or

''(ii) technical challenge; or

''(B) degrade the deterrence or assurance provided by the United States to friends and allies of the United States.

''(b) FORM.—The reports required by subsection (a)(1) shall be submitted in unclassified form, but may include a classified annex.

''(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means the following:

''(1) The congressional defense committees.

''(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.''.

(2) The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 494 the following new item:

''495. Consideration of expansion of nuclear forces of other countries.''.

SEC. 1058. CHEMISTRY AND METALLURGY RESEARCH REPLACEMENT NUCLEAR FACILITY AND URANIUM PROCESSING FACILITY.

(a) FINDINGS.—Congress finds the following:

(1) Administrator for Nuclear Security Thomas D'Agostino testified before the Committee on Armed Services of the House of Representatives in February 2008 that ''Infrastructure improvements are a major part of the complex transformation plan that we have, and we've made important progress, but we have a lot more to do. Some major facilities that we have date back to World War II and cannot readily meet today's safety and security requirements. Let me give you just two quick examples, if I could. A sufficient capability to work with plutonium is an essential part of a national security enterprise and is required for as long as we retain a nuclear deterrent, and most likely even longer. Currently, we have a very small production capacity at Los Alamos, about 10 pits per year, at our TA–55 area. Our building at Los Alamos, the Chemistry and Metallurgy Research Facility, is well over 50 years old and is insufficient to support the national security requirements for the stockpile and for future national security mission areas. So, whether we continue on our existing path or move towards a replacement modern warhead-type stockpile, we still need the capacity to produce about 50 to 80 pits per year, which is less than one-tenth of our Cold War level, as well as the ability to carry out pit surveillance, which is an essential part of maintaining our stockpile.''.

(2) Then Commander of the United States Strategic Command General Kevin P. Chilton also testified in February 2008 that ''When you have a responsive complex that has the capacity to flex to production as you may need it or adjust your deployed force posture in the future, should you need it—in other words, if we go to a lower number, you need to be certain that you can come back up, should the strategic environment change, and you can't necessarily without that flexible or responsive infrastructure behind it, and that's probably one of my great concerns. And then how you posture both the portion of your stockpile that you hold in reserve and your confidence in the weapons that you have deployed is very much a function of modernizing, in my view, the weapons systems that we have available today, which are, as the secretary described, of Cold War legacy design, and the associated issues with them.''.

(3) The Congressional Commission on the Strategic Posture of the United States reported in May 2009, with respect to the timing of the replacement of the nuclear weapons infrastructure of the United States, that ''This raises an obvious question about whether these two replacement programs might proceed in sequence rather than concurrently. There are strong arguments for moving forward concurrently. Existing facilities are genuinely decrepit and are maintained in a safe and secure manner only at high cost. Moreover, the improved production capabilities they promise are integral to the program of refurbishment and modernization described in the preceding chapter. If funding can be found for both, this would best serve the national interest in maintaining a safe, secure, and reliable stockpile of weapons in the most effective and efficient manner.''.

(4) The 2010 Nuclear Posture Review states—

(A) ''The National Nuclear Security Administration (NNSA), in close coordination with DoD, will provide a new stockpile stewardship and management plan to Congress within 90 days, consistent with the increases in infrastructure investment requested in the President's FY 2011 budget. As critical infrastructure is restored and modernized, it will allow the United States to begin to shift away from retaining large numbers of non-deployed warheads as a technical hedge, allowing additional reductions in the U.S. stockpile of non-deployed nuclear weapons over time.'';

(B) ''In order to sustain a safe, secure, and effective U.S. nuclear stockpile as long as nuclear weapons exist, the United States must possess a modern physical infrastructure—comprised of the national security laboratories and a complex of supporting facilities.'';

(C) ''Funding the Chemistry and Metallurgy Research Replacement Project at Los Alamos National Laboratory to replace the existing 50-year old Chemistry and Metallurgy Research facility in 2021.'';

(D) ''Developing a new Uranium Processing Facility at the Y–12 Plant in Oak Ridge, Tennessee to come on line for production operations in 2021.'';

(E) ''Without an ability to produce uranium components, any plan to sustain the stockpile, as well as support for our Navy nuclear propulsion, will come to a halt. This would have a significant impact, not just on the weapons program, but in dealing with nuclear dangers of many kinds.''; and

(F) ''The non-deployed stockpile currently includes more warheads than required for the above purposes, due to the limited capacity of the National Nuclear Security Administration (NNSA) complex to conduct LEPs for deployed weapons in a timely manner. Progress in restoring NNSA's production infrastructure will allow these excess warheads to be retired along with other stockpile reductions planned over the next decade.''.

(5) In the memorandum of agreement between the Department of Defense and the Department of Energy concerning the modernization of the nuclear weapon stockpile of the United States dated May 3, 2010, then Secretary of Defense Robert Gates and Secretary of Energy Steven Chu agreed that ''DOE Agrees to . . . increase pit production capacity . . . plan and program to ramp up to a minimum of 50 80 PPY in 2022.''.

(6) The plan required under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) submitted by the President states that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will complete construction by 2021 and will achieve full operational functionality by 2024.

(7) The Senate required that, prior to the entry into force of the New START Treaty, the

President certifies to the Senate that the President intends to—

(A) accelerate to the extent possible the design and engineering phase of the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility; and

(B) request full funding, including on a multiyear basis as appropriate, for the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility upon completion of the design and engineering phase for such facilities.

(8) The President did request full funding for such facilities on February 2, 2011, when the President stated, ''I intend to (a) accelerate, to the extent possible, the design and engineering phase of the Chemistry and Metallurgy Research Replacement (CMRR) building and the Uranium Processing Facility (UPF); and (b) request full funding, including on a multi-year basis as appropriate, for the CMRR building and the UPF upon completion of the design and engineering phase for such facilities.''.

(b) LIMITATION.—Section 1045 of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b), as amended by section 1056(b), is amended by adding at the end the following new subsection:

''(e) CMRR AND UPF.—

''(1) ANNUAL CERTIFICATION.—Beginning fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether—

''(A) the construction of both the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will be completed by not later than 2021; and

''(B) both facilities will be fully operational by not later than 2024.

''(2) LIMITATION.—If the President certifies under paragraph (1) that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will be completed by later than 2021 or be fully operational by later than 2024, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the National Nuclear Security Administration may be used to reduce the nondeployed nuclear warheads in the nuclear weapons stockpile of the United States until a period of 120 days has elapsed following the date of such certification.

''(3) EXCEPTION.—The limitation in paragraph (2) shall not apply to—

''(A) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

''(B) nuclear warheads that are retired or awaiting dismantlement on the date of the certification under paragraph (1).

''(4) TERMINATION.—The requirement in paragraph (1) shall terminate on the date on which the President certifies in writing to the congressional defense committees that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility are both fully operational.''.

SEC. 1059. NUCLEAR WARHEADS ON INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that reducing the number of nuclear warheads contained on each intercontinental ballistic missile of the United States does not promote strategic stability if at the same time other nuclear weapons states, including the Russian Federation and the People's Republic of China, are rapidly increasing the warhead-loading of their land-based missile forces.

(b) LIMITATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

''§ 496. Nuclear warheads on intercontinental ballistic missiles of the United States

''(a) IN GENERAL.—During any year in which the President proposes to reduce the number of nuclear warheads contained on an intercontinental ballistic missile of the United States, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used for such proposed reduction if the reduction results in such missile having only a single nuclear warhead unless the President certifies in writing to the congressional defense committees that the Russian Federation and the People's Republic of China are both also carrying out a similar reduction.

''(b) EXCEPTION.—The limitation in subsection (a) shall not apply to reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems.''.

(2) The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 495 the following:

''496. Nuclear warheads on intercontinental ballistic missiles of the United States.''.

SEC. 1060. NONSTRATEGIC NUCLEAR WEAPON REDUCTIONS AND EXTENDED DETERRENCE POLICY.

(a) FINDINGS.—Congress finds the following:

(1) The NATO Strategic Concept of 2010 endorsed the continued role of nuclear weapons in the security of the NATO alliance, stating—

(A) ''The supreme guarantee of the security of the Allies is provided by the strategic nuclear forces of the Alliance, particularly those of the United States; the independent strategic nuclear forces of the United Kingdom and France, which have a deterrent role of their own, contribute to the overall deterrence and security of the Allies.'';

(B) ''We will ensure that NATO has the full range of capabilities necessary to deter and defend against any threat to the safety and security of our populations. Therefore, we will . . . maintain an appropriate mix of nuclear and conventional forces''; and

(C) ''[NATO will] ensure the broadest possible participation of Allies in collective defence planning on nuclear roles, in peacetime basing of nuclear forces, and in command, control and consultation arrangements.''.

(2) However, the 2010 Strategic Concept also walked away from the decades-long policy encapsulated by the 1999 Strategic Concept that said, ''The presence of United States conventional and nuclear forces in Europe remains vital to the security of Europe, which is inseparably linked to that of North America.''.

(3) Former Secretary of Defense William Perry said in March 2011 testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives that ''the reason we have nuclear weapons in Europe in the first place, is not because the rest of our weapons are not capable of deterrence, but because, during the Cold War at least, our allies in Europe felt more assured when we had nuclear weapons in Europe. That is why they were deployed there in the first place. Today the issue is a little different. The issue is the Russians in the meantime have built a large number of nuclear weapons, and we keep our nuclear weapons there as somewhat of a political leverage for dealing with an ultimate treaty in which we may get Russia and the United States to eliminate tactical nuclear weapons. My own view is it would be desirable if both the United States and Russia would eliminate tactical nuclear weapons, but I see it as very difficult to arrive at that conclusion if we were to simply eliminate all of our tactical nuclear weapons unilaterally.''.

(4) During testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives in July 2011—

(A) former Department of Defense official Frank Miller stated, ''as long as U.S. allies believe that those weapons need to be there, we need to make sure that we provide that security.''; and

(B) former Department of Defense official Mort Halperin stated, ''I do not think we should be willing to trade our withdrawal of our nuclear weapons from Europe for some reduction, even a substantial reduction, in Russian tactical nuclear weapons because if it is . . . that the credibility of the American nuclear deterrent for our NATO allies depends on the presence of nuclear weapons in Europe, that will not change if the Russians cut their tactical nuclear arsenal by two thirds, or even eliminate it because they will still have their strategic weapons, which, while they can't have intermediate range missiles, they can find a way to target them on the NATO countries.''.

(5) Section 1237(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) expressed the sense of Congress that—

(A) the commitment of the United States to extended deterrence in Europe and the nuclear alliance of NATO is an important component of ensuring and linking the national security of the United States and its European allies;

(B) the nuclear forces of the United States are a key component of the NATO nuclear alliance; and

(C) the presence of the nuclear weapons of the United States in Europe—combined with NATO's unique nuclear sharing arrangements under which non-nuclear members participate in nuclear planning and possess specially configured aircraft capable of delivering nuclear weapons—provides reassurance to NATO allies who feel exposed to regional threats.

(b) LIMITATION.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

''§ 497. Limitation on reduction, consolidation, or withdrawal of nuclear forces based in Europe

''(a) POLICY ON NONSTRATEGIC NUCLEAR WEAPONS.—It is the policy of the United States—

''(1) to pursue negotiations with the Russian Federation aimed at the reduction of Russian deployed and nondeployed, nonstrategic nuclear forces;

''(2) that nonstrategic nuclear weapons should be considered when weighing the balance of the nuclear forces of the United States and the Russian Federation;

''(3) that any geographical relocation or storage of nonstrategic nuclear weapons by the Russian Federation does not constitute a reduction or elimination of such weapons;

''(4) the vast advantage of the Russian Federation in nonstrategic nuclear weapons constitutes a threat to the United States and its allies and a growing asymmetry in Western Europe; and

''(5) the forward-deployed nuclear forces of the United States are an important contributor to the assurance of the allies of the United States and constitute a check on proliferation

and a tool in dealing with neighboring states hostile to NATO.

''(b) POLICY ON EXTENDED DETERRENCE COMMITMENT TO EUROPE.—It is the policy of the United States that—

''(1) it maintain its commitment to extended deterrence, specifically the nuclear alliance of the North Atlantic Treaty Organization, as an important component of ensuring and linking the national security interests of the United States and the security of its European allies;

''(2) forward-deployed nuclear forces of the United States shall remain based in Europe in support of the nuclear policy and posture of NATO;

''(3) the presence of nuclear weapons of the United States in Europe—combined with NATO's unique nuclear sharing arrangements under which non-nuclear members participate in nuclear planning and possess specially configured aircraft capable of delivering nuclear weapons—contributes to the cohesion of NATO and provides reassurance to allies and partners who feel exposed to regional threats; and

''(4) only the President and Congress can articulate when and how the United States will employ the nuclear forces of the United States and no multilateral organization, not even NATO, can articulate a declaratory policy concerning the use of nuclear weapons that binds the United States.

''(c) LIMITATION ON REDUCTION, CONSOLIDATION, OR WITHDRAWAL OF NUCLEAR FORCES BASED IN EUROPE.—In light of the policy expressed in subsections (a) and (b), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to effect or implement the reduction, consolidation, or withdrawal of nuclear forces of the United States that are based in Europe unless—

''(1) the reduction, consolidation, or withdrawal of such nuclear forces is requested by the government of the host nation in the manner provided in the agreement between the United States and the host nation regarding the forces;

''(2) the President certifies that—

''(A) NATO member states have considered the reduction, consolidation, or withdrawal in the High Level Group;

''(B) NATO has decided to support such reduction, consolidation, or withdrawal;

''(C) the remaining nuclear forces of the United States that are based in Europe after such reduction, consolidation, or withdrawal would provide a commensurate or better level of assurance and credibility as before such reduction, consolidation, or withdrawal; and

''(D) there has been reciprocal action by the Russian Federation, not including the Russian Federation relocating nuclear forces from one location to another; or

''(3) the reduction, consolidation, or withdrawal of such nuclear forces is specifically authorized by an Act of Congress.

''(d) NOTIFICATION.—Upon any decision to reduce, consolidate, or withdraw the nuclear forces of the United States that are based in Europe, the President shall submit to the appropriate congressional committees a notification containing—

''(1) the certification required by paragraph (2) of subsection (c) if such reduction, consolidation, or withdrawal is based upon such paragraph;

''(2) justification for such reduction, consolidation, or withdrawal; and

''(3) an assessment of how NATO member states, in light of such reduction, consolidation, or withdrawal, assess the credibility of the deterrence capability of the United States in support of its commitments undertaken pursuant to article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964).

''(e) NOTICE AND WAIT REQUIREMENT.—The President may not commence a reduction, consolidation, or withdrawal of the nuclear forces of the United States that are based in Europe for which the certification required by subsection (c)(2) is made until the expiration of a 180-day period beginning on the date on which the President submits the notification under subsection (d) containing the certification.

''(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committees on Armed Services of the House of Representatives and the Senate; and

''(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 496 the following:

''497. Limitation on reduction, consolidation, or withdrawal of nuclear forces based in Europe.''.

SEC. 1061. IMPROVEMENTS TO NUCLEAR WEAPONS COUNCIL.

Section 179 of title 10, United States Code, is amended—

(1) in subsection (b)(3), by adding at the end the following: ''Not later than seven days before a meeting, the Chairman shall disseminate to each member of the Council the agenda and documents for such meeting.''; and

(2) in subsection (d)—

(A) in paragraph (2), by inserting ''and alternatives'' before the period;

(B) in paragraph (3), by inserting ''and approving'' after ''Coordinating'';

(C) in paragraph (7)—

(i) by striking ''broad'' and inserting ''specific''; and

(ii) by inserting before the period the following: ''and priorities among activities, including production, surveillance, research, construction, and any other programs within the National Nuclear Security Administration''; and

(D) by adding at the end the following new paragraph:

''(11) Coordinating and approving the annual budget proposals of the National Nuclear Security Administration, including before such proposals are submitted to—

''(A) the Director of the Office of Management and Budget;

''(B) the President; and

''(C) Congress under section 1105 of title 31.''.

SEC. 1062. INTERAGENCY COUNCIL ON THE STRATEGIC CAPABILITY OF THE NATIONAL LABORATORIES.

(a) ESTABLISHMENT.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 188. Interagency Council on the Strategic Capability of the National Laboratories

''(a) ESTABLISHMENT.—There is an Interagency Council on the Strategic Capability of the National Laboratories (in this section referred to as the 'Council').

''(b) MEMBERSHIP.—The membership of the Council is comprised of the following:

''(1) The Secretary of Defense.

''(2) The Secretary of Energy.

''(3) The Secretary of Homeland Security.

''(4) The Director of National Intelligence.

''(5) The Administrator for Nuclear Security.

''(6) Such other officials as the President considers appropriate.

''(c) STRUCTURE AND PROCEDURES.—The President may determine the chair, structure, staff, and procedures of the Council.

''(d) RESPONSIBILITIES.—The Council shall be responsible for the following matters:

''(1) Identifying and considering the science, technology, and engineering capabilities of the national laboratories that could be leveraged by each participating agency to support national security missions.

''(2) Reviewing and assessing the adequacy of the national security science, technology, and engineering capabilities of the national laboratories for supporting national security missions throughout the Federal Government.

''(3) Establishing and overseeing means of ensuring that—

''(A) capabilities identified by the Council under paragraph (1) are sustained to an appropriate level; and

''(B) each participating agency provides the appropriate level of institutional support to sustain such capabilities.

''(4) In accordance with acquisition rules regarding federally funded research and development centers, establishing criteria for when each participating agency should seek to use the services of the national laboratories, including the identification of appropriate mission areas and capabilities.

''(5) Making recommendations to the President and Congress regarding regulatory or statutory changes needed to better support—

''(A) the strategic capabilities of the national laboratories; and

''(B) the use of such laboratories by each participating agency.

''(6) Other actions the Council considers appropriate with respect to—

''(A) the sustainment of the national laboratories; and

''(B) the use of the strategic capabilities of such laboratories.

''(e) STREAMLINED PROCESS.—With respect to the participating agency for which a member of the Council is the head of, each member of the Council shall—

''(1) establish processes to streamline the consideration and approval of procuring the services of the national laboratories on appropriate matters; and

''(2) ensure that such processes are used in accordance with the criteria established under subsection (d)(4).

''(f) DEFINITIONS.—In this section:

''(1) The term 'participating agency' means a department or agency of the Federal Government that is represented on the Council by a member under subsection (b).

''(2) The term 'national laboratories' means—

''(A) each national security laboratory (as defined in section 3281(1) of the National Nuclear Security Administration Act (50 U.S.C. 2471(1))); and

''(B) each national laboratory of the Department of Energy.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 187 the following new item:

''188. Interagency Council on the Strategic Capability of the National Laboratories.''.

(c) REPORT.—

(1) IN GENERAL.—Not later than July 1, 2013, the Interagency Council on the Strategic Capability of the National Laboratories under section 188 of title 10, United States Code, as added by subsection (a), shall submit to the appropriate congressional committees a report describing and assessing the following:

(A) The actions taken to implement the requirements of such section 188 and the charter titled ''Governance Charter for an Interagency Council on the Strategic Capability of DOE National Laboratories as National Security Assets'' signed by the Secretary of Defense, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence in July 2010.

(B) The effectiveness of the Council in accomplishing the purpose and objectives of such section and such Charter.

(C) Efforts to strengthen work-for-others programs at the national laboratories.

(D) Efforts to make work-for-others opportunities more cost-effective.

(E) Ongoing and planned measures for increasing cost-sharing and institutional support investments from other agencies.

(F) Any regulatory or statutory changes recommended to improve the ability of such other agencies to leverage expertise and capabilities at such laboratories.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(C) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(D) The Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(E) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(d) CONSTRUCTION.—Nothing in section 188 of title 10, United States Code, as added by subsection (a), shall be construed to limit section 309 of the Homeland Security Act of 2002 (6 U.S.C. 189).

SEC. 1063. REPORT ON CAPABILITY OF CONVENTIONAL AND NUCLEAR FORCES AGAINST CERTAIN TUNNEL SITES.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Commander of the United States Strategic Command shall submit to the appropriate congressional committees a report on the underground tunnel network used by the People's Republic of China with respect to the capability of the United States to use conventional and nuclear forces to neutralize such tunnels and what is stored within such tunnels.

(b) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1064. REPORT ON CONVENTIONAL AND NUCLEAR FORCES IN THE WESTERN PACIFIC REGION.

(a) SENSE OF CONGRESS.—Congress—

(1) supports steps taken by the President to—

(A) reinforce the security of the allies of the United States; and

(B) strengthen the deterrent capability of the United States against the illegal and increasingly belligerent actions of North Korea; and

(2) encourages further steps, including such steps to deploy additional conventional forces of the United States and redeploy tactical nuclear weapons to the Western Pacific region.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report on deploying additional conventional and nuclear forces to the Western Pacific region to ensure the presence of a robust conventional and nuclear capability, including a forward-deployed nuclear capability, of the United States in response to the ballistic missile and nuclear weapons developments of North Korea and the other belligerent actions North Korea has made against allies of the United States. The report shall include an evaluation of any bilateral agreements, basing arrangements, and costs that would be involved with such additional deployments.

SEC. 1065. SENSE OF CONGRESS ON NUCLEAR ARSENAL.

It is the sense of Congress that the nuclear force structure of the United States should be periodically reexamined, through nuclear posture reviews, to assess assumptions that shape the structure, size, and targeting of the nuclear forces of the United States and to ensure that such forces are structured, sized, and targeted—

(1) to be capable of holding at risk the assets that potential adversaries value; and

(2) to provide robust extended deterrence and assurance to allies of the United States.

Subtitle F—Studies and Reports

SEC. 1066. ASSESSMENT OF DEPARTMENT OF DEFENSE USE OF ELECTROMAGNETIC SPECTRUM.

(a) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report assessing the use of electromagnetic spectrum by the Department of Defense, including—

(1) a comparison of the actual and projected cost impact, time required to plan and implement, and policy implications of electromagnetic spectrum reallocations made since the enactment of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66, 107 Stat. 312);

(2) an identification of critical electromagnetic spectrum assignments where there is use by the Department of Defense that—

(A) cannot be eliminated, relocated, consolidated in other electromagnetic spectrum bands, or for which there is no commercial or non-spectrum alternative, including a detailed explanation of why that is the case; and

(B) can be eliminated, relocated, consolidated in other electromagnetic spectrum bands, or for which there is a commercial or non-spectrum alternative, including frequency of use, time necessary to relocate or consolidate to another electromagnetic spectrum band, and operational and cost impacts; and

(3) an analysis of the research being conducted by the Department of Defense in electromagnetic spectrum-sharing and other dynamic electromagnetic spectrum access technologies, including maturity level, applicability for spectrum relocation or consolidation, and potential costs for continued development or implementation.

(b) INTERIM UPDATE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing to update such committees on the status of the report required under subsection (b).

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1067. ELECTRONIC WARFARE STRATEGY OF THE DEPARTMENT OF DEFENSE.

(a) GUIDANCE REQUIRED.—Not later than January 1, 2013, the Secretary of Defense shall review and update Department of Defense guidance related to electronic warfare to ensure that oversight roles and responsibilities within the Department related to electronic warfare policy and programs are clearly defined. Such guidance shall clarify, as appropriate, the roles and responsibilities related to the integration of electronic warfare matters and cyberspace operations.

(b) PLAN REQUIRED.—Not later than January 1, 2013, the Commander of the United States Strategic Command shall update and issue guidance regarding the responsibilities of the Command with regard to joint electronic warfare capabilities. Such guidance shall—

(1) define the role and objectives of the Joint Electromagnetic Spectrum Control Center or any other center established in the Command to provide governance and oversight of electronic warfare matters; and

(2) include an implementation plan outlining tasks, metrics, and timelines to establish such a center.

(c) ADDITIONAL REPORTING REQUIREMENTS.—Section 1053(b)(1) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2459) is amended—

(1) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(D) performance measures to guide the implementation of such strategy;

''(E) an identification of resources and investments necessary to implement such strategy; and

''(F) an identification of the roles and responsibilities within the Department to implement such strategy.''.

SEC. 1068. REPORT ON COUNTERPROLIFERATION CAPABILITIES AND LIMITATIONS.

(a) REPORT REQUIRED.—Not later than March 1, 2013, the Secretary of Defense shall provide to the congressional defense committees a report outlining operational capabilities, limitations, and shortfalls within the Department of Defense with respect to counterproliferation and combating weapons of mass destruction involving special operations forces and key enabling forces.

(b) ELEMENTS.—The report required under subsection (a) shall include each of the following elements:

(1) An overview of current capabilities and limitations.

(2) An overview and assessment of current and future training requirements and gaps.

(3) An assessment of technical capability gaps.

(4) An assessment of interagency coordination capabilities and gaps.

(5) An outline of current and future proliferation and weapons of mass destruction threats, including critical intelligence gaps.

(6) An assessment of current international bilateral and multilateral partnerships and the limitations of such partnerships, including an assessment of existing authorities to build partnership capacity in this area.

(7) A description of efforts to address the limitations and gaps referred to in paragraphs (1) through (6), including timelines and requirements to address such limitations and such gaps.

(8) Any other matters the Secretary considered appropriate.

Subtitle G—Miscellaneous Authorities and Limitations

SEC. 1071. RULE OF CONSTRUCTION RELATING TO PROHIBITION ON INFRINGING ON THE INDIVIDUAL RIGHT TO LAWFULLY ACQUIRE, POSSESS, OWN, CARRY, AND OTHERWISE USE PRIVATELY OWNED FIREARMS, AMMUNITION, AND OTHER WEAPONS.

Section 1062(c) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4363) is amended—

(1) in paragraph (1)(B), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2), by striking ''others.'' and inserting ''others; or''; and

(3) by adding at the end the following new paragraph:

''(3) authorize a mental health professional that is a member of the Armed Forces or a civilian employee of the Department of Defense or a commanding officer to inquire if a member of the Armed Forces plans to acquire, or already possesses or owns, a privately-owned firearm, ammunition, or other weapon, if such mental health professional or such commanding officer has reasonable grounds to believe such member is at high risk for suicide or causing harm to others.''.

SEC. 1072. EXPANSION OF AUTHORITY OF THE SECRETARY OF THE ARMY TO LOAN OR DONATE EXCESS SMALL ARMS FOR FUNERAL AND OTHER CEREMONIAL PURPOSES.

Section 4683(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) In order to meet the needs of an eligible organization with respect to performing funeral and other ceremonies, if the Secretary determines appropriate, the Secretary may—

''(i) loan or donate excess small arms to an eligible organization;

''(ii) authorize an eligible organization to retain small arms other than M 1 rifles; or

''(iii) if excess small arms stock is insufficient to meet organizational requirements, prescribe policies and procedures to establish a rotational loan program based on the needs of eligible organizations.

''(B) Nothing in this paragraph shall be construed to supersede any Federal law or regulation governing the use or ownership of firearms.

''(C) The Secretary may not delegate the authority under this paragraph.''.

SEC. 1073. PROHIBITION ON THE USE OF FUNDS FOR MANUFACTURING BEYOND LOW-RATE INITIAL PRODUCTION AT CERTAIN PROTOTYPE INTEGRATION FACILITIES.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be used for manufacturing production beyond the greater of low-rate initial production or 1000 units at a prototype integration facility of any of the following components of the Army Research, Development, and Engineering Command:

(1) The Armament Research, Development, and Engineering Center.

(2) The Aviation and Missile Research, Development, and Engineering Center.

(3) The Communications-Electronics Research, Development, and Engineering Center.

(4) The Tank Automotive Research, Development, and Engineering Center.

(b) WAIVER.—The Assistant Secretary of the Army for Acquisition, Logistics, and Technology may waive the prohibition under subsection (a) for a fiscal year if—

(1) the Assistant Secretary determines that the waiver is necessary—

(A) for reasons of national security; or

(B) to rapidly acquire equipment to respond to combat emergencies; and

(2) the Assistant Secretary submits to Congress a notification of the waiver together with the reasons for the waiver.

(c) LOW-RATE INITIAL PRODUCTION.—For purposes of this section, the term ''low-rate initial production'' shall be determined in accordance with section 2400 of title 10, United States Code.

SEC. 1074. INTERAGENCY COLLABORATION ON UNMANNED AIRCRAFT SYSTEMS.

(a) FINDINGS ON JOINT DEPARTMENT OF DEFENSE-FEDERAL AVIATION ADMINISTRATION EXECUTIVE COMMITTEE ON CONFLICT AND DISPUTE RESOLUTION.—Section 1036(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) is amended by adding at the end the following new paragraph:

''(9) Collaboration of scientific and technical personnel and sharing resources from the Department of Defense, Federal Aviation Administration, and National Aeronautics and Space Administration can advance an enduring relationship of research capability to advance the access of unmanned aircraft systems of the Department of Defense to the National Airspace System.''.

(b) INTERAGENCY COLLABORATION.—

(1) IN GENERAL.—The Secretary of Defense shall collaborate with the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration to conduct research and seek solutions to challenges associated with the safe integration of unmanned aircraft systems into the National Airspace System in accordance with subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 126 Stat. 72).

(2) ACTIVITIES IN SUPPORT OF PLAN ON ACCESS TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT SYSTEMS.—Collaboration under paragraph (1) may include research and development of scientific and technical issues, equipment, and technology in support of the plan to safely accelerate the integration of unmanned aircraft systems as required by subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 126 Stat. 72).

(3) NONDUPLICATIVE EFFORTS.—If the Secretary of Defense determines it is in the interest of the Department of Defense, the Secretary may use existing aerospace-related laboratories, personnel, equipment research radars, and ground facilities of the Department of Defense to avoid the duplication of efforts in carrying out collaboration under paragraph (1).

(4) REPORTS.—

(A) REQUIREMENT.—The Secretary of Defense, on behalf of the UAS Executive Committee, shall annually submit to the congressional defense committees, the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of collaborative research activity, including—

(i) the progress on accomplishing the goals of the unmanned aircraft systems research, development, and demonstration roadmap of the Next Generation Air Transportation System Joint Planning and Development Office of the Federal Aviation Administration; and

(ii) estimates of long-term funding needs.

(B) TERMINATION.—The requirement to submit a report under subparagraph (A) shall terminate on the date that is five years after the date of the enactment of this Act.

(c) UAS EXECUTIVE COMMITTEE DEFINED.—In this section, the term ''UAS Executive Committee'' means the Department of Defense Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

SEC. 1075. AUTHORITY TO TRANSFER SURPLUS MINE-RESISTANT AMBUSH-PROTECTED VEHICLES AND SPARE PARTS.

(a) AUTHORITY.—The Secretary of Defense is authorized to transfer surplus Mine-Resistant Ambush-Protected vehicles, including spare parts for such vehicles, to non-profit United States humanitarian demining organizations for purposes of demining activities and training of such organizations.

(b) TERMS AND CONDITIONS.—Any transfer of vehicles or spare parts under subsection (a) shall be subject to the following terms and conditions:

(1) The transfer shall be made on a loan basis.

(2) The costs of operation and maintenance of the vehicles shall be borne by the recipient organization.

(3) Any other terms and conditions as the Secretary of Defense determines to be appropriate.

(c) NOTIFICATION.—The Secretary of Defense shall notify the congressional defense committees in writing not less than 60 days before making any transfer of vehicles or spare parts under subsection (a). Such notification shall include the name of the organization, the number and model of the vehicle to be transferred, a listing of any spare parts to be transferred, and any other information the Secretary considers appropriate.

SEC. 1076. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF AIRCRAFT.

(a) IN GENERAL.—Except as provided by section 135, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Army or the Air Force may be used during fiscal year 2013 to divest, retire, or transfer, or prepare to divest, retire, or transfer, any—

(1) C–23 aircraft of the Army assigned to the Army as of May 31, 2012; or

(2) aircraft of the Air Force assigned to the Air Force as of May 31, 2012.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if—

(1) the Secretary submits to the congressional defense committees written certification that such a waiver is necessary to meet an emergency national security requirement; and

(2) a period of 15 days has elapsed following the date on which such certification is submitted.

(c) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report by the Chief of the National Guard Bureau, the Chief of Staff of the Air Force, and the Chief of Staff of the Army and approved by the Secretary of Defense that specifies, with respect to all aircraft proposed to be retired during fiscal years 2013 through 2017—

(A) the economic analysis used to make each realignment decision with respect to such aircraft of the National Guard and Air Force Reserve;

(B) alternative options considered for each such realignment decision, including an analysis of such options;

(C) the effect of each such realignment decision on—

(i) the current personnel at the location; and

(ii) the missions and capabilities of the Army; and

(D) the plans for each location that is being realigned, including the analysis used for such plans.

(2) GAO ANALYSIS.—The Comptroller General of the United States shall carry out the following:

(A) An economic analysis of the realignment decisions made by the Secretary of Defense with respect to the aircraft of the National Guard and Air Force Reserve described in paragraph (1)(A).

(B) An analysis of the alternative options considered for each such realignment decision.

(C) An analysis of the effect of each such realignment decision on—

(i) the current personnel at the location; and

(ii) the missions and capabilities of the Army; and

(D) An analysis of the plans described in paragraph (1)(D).

(3) COOPERATION.—The Secretary of Defense shall provide the Comptroller General with relevant data and cooperation to carry out the analyses under paragraph (2).

(4) SUBMITTAL.—Not later than 90 days after the date on which the Secretary submits the report under paragraph (1), the Comptroller General shall submit to the congressional defense committees a report containing the analyses conducted under paragraph (2).

SEC. 1077. PROHIBITION ON DEPARTMENT OF DEFENSE USE OF NONDISCLOSURE AGREEMENTS TO PREVENT MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT FROM COMMUNICATING WITH MEMBERS OF CONGRESS.

(a) INCLUSION OF CIVILIAN EMPLOYEES IN CURRENT PROHIBITION ON RESTRICTING COMMUNICATION.—Paragraph (1) of subsection (a) of section 1034 of title 10, United States Code, is amended by inserting ''or civilian employee of the Department of Defense'' after ''member of the armed forces''.

(b) PROHIBITION ON USING NONDISCLOSURE AGREEMENTS TO RESTRICT COMMUNICATION.—Such subsection is further amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2)(A) The prohibition imposed by paragraph (1) precludes the use of a nondisclosure agreement with a member of the armed forces or a civilian employee of the Department of Defense to restrict the member or employee in communicating with a Member of Congress or an Inspector General.

''(B) Subparagraph (A) does not prevent the use of nondisclosure agreements to prevent the disclosure of—

''(i) deliberations regarding the closure or realignment of a military installation under a base closure law;

''(ii) commercial proprietary information; and

''(iii) classified information the level of which exceeds the clearance held by the requestor.''.

Subtitle H—Other Matters

SEC. 1081. BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.

(a) BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—

(1) ESTABLISHMENT.—Chapter 2 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 119b. Bipartisan independent strategic review panel

''(a) ESTABLISHMENT.—There is established a bipartisan independent strategic review panel (in this section referred to as the 'Panel') to conduct a regular review of the national defense strategic environment of the United States and to conduct an independent assessment of the quadrennial defense review required under section 118.

''(b) MEMBERSHIP.—

''(1) APPOINTMENT.—The Panel shall be composed of 12 members from civilian life with a recognized expertise in national security matters who shall be appointed as follows:

''(A) Four members shall be appointed by the Secretary of Defense, of whom not more than three members shall be of the same political party.

''(B) Two members shall be appointed by the chair of the Committee on Armed Services of the House of Representatives.

''(C) Two members shall be appointed by the chair of the Committee on Armed Services of the Senate.

''(D) Two members shall be appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

''(E) Two members shall be appointed by the ranking minority member of the Committee on Armed Services of the Senate.

''(2) INITIAL MEMBERS: APPOINTMENT DATE AND TERM OF SERVICE.—

''(A) APPOINTMENT DATE.—The initial members of the Panel shall be appointed under paragraph (1) not later than January 30, 2013.

''(B) TERMS.—

''(i) The Secretary of Defense shall designate two initial members of the Panel appointed under paragraph (1)(A) to serve terms that expire on December 31, 2013, and two such initial members to serve terms that expire on December 31, 2014.

''(ii) The chair of the Committee on Armed Services of the House of Representatives shall designate one initial member of the Panel appointed under paragraph (1)(B) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.

''(iii) The chair of the Committee on Armed Services of the Senate shall designate one initial member of the Panel appointed under paragraph (1)(C) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.

''(iv) The ranking minority member of the Committee on Armed Services of the House of Representatives shall designate one initial member of the Panel appointed under paragraph (1)(D) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.

''(v) The ranking minority member of the Committee on Armed Services of the Senate shall designate one initial member of the Panel appointed under paragraph (1)(E) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.

''(3) CHAIRS.—The Secretary of Defense shall designate two members appointed pursuant to paragraph (1)(A) that are not of the same political party to serve as the Chairs of the Panel.

''(4) VACANCIES.—

''(A) A vacancy in the Panel shall be filled in the same manner as the original appointment and not later than 30 days after the date on which the vacancy begins.

''(B) A member of the Panel appointed to fill a vacancy shall be appointed for a term that expires—

''(i) in the case of an appointment to fill a vacancy resulting from a person not serving the entire term for which such person was appointed, at the end of the remainder of such term; and

''(ii) in the case of an appointment to fill a vacancy resulting from the expiration of the term of a member of the panel, two years after the date on which the term of such member expired.

''(5) REAPPOINTMENT.—Members of the Panel may be reappointed to the Panel for additional terms of service.

''(6) PAY.—The members of the Panel shall serve without pay.

''(7) TRAVEL EXPENSES.—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

''(c) DUTIES.—

''(1) REVIEW OF NATIONAL DEFENSE STRATEGIC ENVIRONMENT.—The Panel shall every four years, during a year following a year evenly divisible by four, review the national defense strategic environment of the United States. Such review shall include a review and assessment of—

''(A) the national defense environment, including challenges and opportunities;

''(B) the national defense strategy and policy;

''(C) the national defense roles, missions, and organizations;

''(D) the risks to the national defense of the United States and how such risks affect challenges and opportunities to national defense; and

''(2) ADDITIONAL REVIEWS.—The Panel may conduct additional reviews under paragraph (1) as requested by Congress or the Secretary of Defense, or when the Panel determines a significant change in the national defense environment has occurred that would warrant new recommendations from the Panel.

''(3) ASSESSMENT OF QUADRENNIAL DEFENSE REVIEW.—The Panel shall conduct an assessment of each quadrennial defense review required to be conducted under section 118. Each assessment shall include—

''(A) a review of the Secretary of Defense's terms of reference, and any other materials providing the basis for, or substantial inputs to, the work of the Department of Defense on such quadrennial defense review;

''(B) an assessment of the assumptions, strategy, findings, and risks in the report of the Secretary of Defense on such quadrennial defense review required under section 118(d), with particular attention paid to the risks described in such a report;

''(C) an independent assessment of a variety of possible force structures for the armed forces, including the force structure identified in the report required under section 118(d); and

''(D) a review of the resource requirements identified in such quadrennial defense review pursuant to section 118(b)(3) and, to the extent practicable, a general comparison of such resource requirements with the resource requirements to support the forces contemplated under the force structures assessed under subparagraph (C).

''(d) ADMINISTRATIVE PROVISIONS.—

''(1) STAFF.—

''(A) IN GENERAL.—The Chairs of the Panel may, without regard to the civil service laws and regulations, appoint and terminate an executive director and not more than 11 additional personnel, as may be necessary to enable the Panel to perform the duties of the Panel.

''(B) COMPENSATION.—The Chairs of the Panel may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to the classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

''(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Panel without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

''(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairs of the Panel may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title.

''(4) PROVISION OF INFORMATION.—The Panel may request directly from the Department of Defense and any of its components such information as the Panel considers necessary to carry out its duties under this section. The head of the department or agency concerned shall cooperate with the Panel to ensure that information requested by the Panel under this paragraph is promptly provided to the maximum extent practical.

''(5) USE OF CERTAIN DEPARTMENT OF DEFENSE RESOURCES.—Upon the request of the Chairs of the Panel, the Secretary of Defense shall make available to the Panel the services of any federally-funded research and development center that is covered by a sponsoring agreement of the Department of Defense.

''(6) FUNDING.—Funds for activities of the Panel shall be provided from amounts available to the Department of Defense.

''(e) REPORTS.—

''(1) REVIEW OF NATIONAL DEFENSE STRATEGIC ENVIRONMENT.—Not later than June 30 of a year following a year evenly divisible by four, the Panel shall submit to the congressional defense committees, the Secretary of Defense, and the National Security Council a report containing the results of the review conducted under subsection (c)(1) and any recommendations or other matters that the Panel considers appropriate.

''(2) ASSESSMENT OF QUADRENNIAL DEFENSE REVIEW.—Not later than 90 days after the date on which a report on a quadrennial defense review is submitted to Congress under section 118(d), the Panel shall submit to the congressional defense committees and the Secretary of Defense a report containing the results of the assessment conducted under subsection (c)(3) and any recommendations or other matters that the Panel considers appropriate.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by adding at the end the following new item:

''119b. Bipartisan independent strategic review panel.''.

(b) UPDATES FROM SECRETARY OF DEFENSE ON PROGRESS OF QUADRENNIAL DEFENSE REVIEW.—Section 118(f) of title 10, United States Code, is amended to read as follows:

''(f) UPDATES TO BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—The Secretary of Defense shall ensure that periodically, but not less often than every 60 days, or at the request of the Chairs of the bipartisan independent strategic review panel established under section 119b(a), the Department of Defense briefs such panel on the progress of the conduct of a quadrennial defense review under subsection (a).''.

(c) BIPARTISAN INDEPENDENT STRATEGIC REVIEW OF THE UNITED STATES ARMY.—

(1) REVIEW REQUIRED.—Not later than 30 days after the date on which all initial members of the bipartisan independent strategic review panel are appointed under section 119b(b) of title 10, United States Code, as added by subsection (a)(1) of this section, the Panel shall begin a review of the future of the Army.

(2) ELEMENTS OF REVIEW.—The review required under paragraph (1) shall include a review and assessment of—

(A) the validity and utility of the scenarios and planning assumptions the Army used to develop the current force structure of the Army;

(B) such force structure and an evaluation of the adequacy of such force structure for meeting the goals of the national military strategy of the United States;

(C) the size and structure of elements of the Army, in particular United States Army Training and Doctrine Command, United States Army Materiel Command, and corps and higher headquarters elements;

(D) potential alternative force structures of the Army; and

(E) the resource requirements of each of the alternative force structures analyzed by the Panel.

(3) REPORT.—

(A) PANEL REPORT.—Not later than one year after the date on which the Panel begins the review required under paragraph (1), the Panel shall submit to the congressional defense committees and the Secretary of Defense a report containing the findings and recommendations of the Panel, including any recommendations concerning changes to the planned size and composition of the Army.

(B) ADDITIONAL VIEWS.—The report required under subparagraph (A) shall include any additional or dissenting views of a member of the Panel that such member considers appropriate to include in such report.

(4) DEFINITIONS.—In this section:

(A) ARMY.—The term ''Army'' includes the reserve components of the Army.

(B) BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—The terms ''bipartisan independent strategic review panel'' and ''Panel'' mean the bipartisan independent strategic review panel established under section 119b(a) of title 10, United States Code, as added by subsection (a)(1) of this section.

SEC. 1082. NOTIFICATION OF DELAYED REPORTS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 122a the following new section:

''§ 122b. Notification of delayed reports

''If the Secretary of Defense determines that a report required by law to be submitted by any official of the Department of Defense to Congress will not be submitted by the date required under law, the Secretary shall submit to the congressional defense committees a notification, by not later than such date, of the following:

''(1) An explanation of why such report will not be submitted by such date.

''(2) The date on which such report will be submitted.

''(3) The status of such report as of the date of the notification.

''(4) The office of the Department carrying out such report and the individual acting as the head of such office.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 122a the following new item:

''122b. Notification of delayed reports.''.

SEC. 1083. TECHNICAL AND CLERICAL AMENDMENTS.

(a) AMENDMENTS TO NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Effective as of December 31, 2011, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended as follows:

(1) Section 243(d) (125 Stat. 1344) is amended by striking ''paragraph'' and inserting ''subsection''.

(2) Section 541(b) (125 Stat. 1407) is amended by striking '', as amended by subsection (a),''.

(3) Section 589(b) (125 Stat. 1438) is amended by striking ''section 717'' and inserting ''section 2564''.

(4) Section 602(a)(2) (125 Stat. 1447) is amended by striking ''repairs,'' and inserting ''repairs''.

(5) Section 631(e)(28)(A) (125 Stat. 1464) is amended by striking ''In addition'' in the matter proposed to be inserted and inserting ''Under regulations''.

(6) Section 631(f)(2) (125 Stat. 1464) is amended by striking ''table of chapter'' and inserting ''table of chapters''.

(7) Section 631(f)(3)(B) (125 Stat. 1465) is amended by striking ''chapter 9'' and inserting ''chapter 10''.

(8) Section 631(f)(4) (125 Stat. 1465) is amended by striking ''subsection (c)'' both places it appears and inserting ''subsection (d)''.

(9) Section 801 (125 Stat. 1482) is amended—

(A) in subsection (a)(1)(B), by striking ''paragraphs (6) and (7)'' and inserting ''paragraphs (5) and (6)'';

(B) in subsection (a)(2), in the matter proposed to be inserted as a new paragraph, by striking the double closing quotation marks after ''capabilities'' and inserting a single closing quotation mark; and

(C) in subsection (e)(1)(A), by striking ''***Point***'' in the matter proposed to be struck and inserting ''***Point A***''.

(10) Section 832(b)(1) (125 Stat. 1504) is amended by striking ''Defenese'' and inserting ''Defense''.

(11) Section 855 (125 Stat. 1521) is amended by striking ''Section 139e(b)(12)'' and inserting ''Section 139c(b)(12)''.

(12) Section 864(a)(2) (125 Stat. 1522) is amended by striking ''for Acquisition Workforce Programs'' in the matter proposed to be struck.

(13) Section 864(d)(2) (125 Stat. 1525) is amended to read as follows:

''(2) in paragraph (6), by striking 'ensure that amounts collected' and all that follows through the end of the paragraph (as amended by section 526 of division C of Public Law 112-74 (125 Stat. 914)) and inserting 'ensure that amounts collected under this section are not used for a purpose other than the activities set forth in section 1201(a) of this title.'.''.

(14) Section 866(a) (125 Stat. 1526) is amended by striking ''September 30'' in the matter proposed to be struck and inserting ''December 31''.

(15) Section 867 (125 Stat. 1526) is amended—

(A) in paragraph (1), by striking ''2010'' in the matter proposed to be struck and inserting ''2011''; and

(B) in paragraph (2), by striking ''2013'' in the matter proposed to be struck and inserting ''2014''.

(16) Section 1045(c)(1) (125 Stat. 1577) is amended by striking ''described in subsection (b)'' and inserting ''described in paragraph (2)''.

(17) Section 1067 (125 Stat. 1589) is amended—

(A) by striking subsection (a); and

(B) by striking the subsection designation and the subsection heading of subsection (b).

(18) Section 2702 (125 Stat. 1681) is amended—

(A) in the section heading, by striking ''***AUTHORIZED***'' and inserting ''***AUTHORIZATION OF APPROPRIATIONS FOR***''; and

(B) by striking ''Using amounts'' and all that follows through ''may carry out'' and inserting ''Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for''.

(19) Section 2815(c) (125 Stat. 1689) is amended by inserting ''subchapter III of'' before ''chapter 169''.

(b) AMENDMENTS TO IKE SKELTON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Effective as of January 7, 2011, and as if included therein as enacted, the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended as follows:

(1) Section 533(b) (124 Stat. 4216) is amended by inserting ''Section'' before ''1559(a)''.

(2) Section 863(d)(9) (124 Stat. 4293; 10 U.S.C. 2330 note) is amended by striking ''this title'' and inserting ''title 10, United States Code''.

(3) Section 896(a) (124 Stat. 4314) is amended by striking ''Chapter 7'' and inserting ''Chapter 4''.

(c) AMENDMENTS TO REFLECT REDESIGNATION OF CERTAIN POSITIONS IN OFFICE OF SECRETARY OF DEFENSE.—

(1) ASSISTANT SECRETARY OF DEFENSE FOR NUCLEAR, CHEMICAL, AND BIOLOGICAL DEFENSE PROGRAMS.— Section 1605(a)(5) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 2751 note) is amended by striking ''The Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs'' each place it appears and inserting ''The Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs''.

(2) ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.—

(A) The following provisions are amended by striking ''Director of Defense Research and Engineering'' and inserting ''Assistant Secretary of Defense for Research and Engineering'':

(i) Sections 2362(a)(1) and 2521(e)(5) of title 10, United States Code.

(ii) Section 241(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109 163; 10 U.S.C. 2521 note).

(iii) Section 212(b) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 10 U.S.C. 2358 note).

(iv) Section 246(d)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2358 note).

(v) Section 257(a) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2358 note).

(vi) Section 1101(b)(1)(D) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note).

(vii) Section 802(g)(1)(B)(ii) of the Higher Education Opportunity Act (20 U.S.C. 9631(g)(1)(B)(ii)).

(B) Section 2365 of title 10, United States Code, is amended—

(i) in subsection (a), by inserting ''of Defense for Research and Engineering'' after ''Assistant Secretary''; and

(ii) in subsection (d)(3)(A), by striking ''Director'' and inserting ''Assistant Secretary''.

(C) Section 256 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 1071 note) is amended in subsections (b)(4) and (d) by striking ''Director, Defense'' and inserting ''Assistant Secretary of Defense for''.

(D) Section 1504 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note) is amended—

(i) in subsection (a), by striking ''Director of Defense'' and inserting ''Assistant Secretary of Defense for''; and

(ii) in subsection (b)(9), by striking ''the Director of the'' and all that follows through ''Engineering'' and inserting ''the Director and the Assistant Secretary''.

(E) Section 802 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2358 note) is amended—

(i) in subsection (a), by striking ''Director of Defense'' and inserting ''Assistant Secretary of Defense for'';

(ii) in subsections (b), (d), and (e), by striking ''Director'' and inserting ''Assistant Secretary''; and

(iii) in subsection (f), by striking ''Not later than'' and all that follows through ''the Director'' and inserting ''The Assistant Secretary''.

(F) Section 214 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2521 note) is amended by striking ''unless the'' and all that follows through ''ensures'' and inserting ''unless the Assistant Secretary of Defense for Research and Engineering ensures''.

(d) CROSS-REFERENCE AMENDMENTS RELATING TO ENACTMENT OF TITLE 41.—Title 10, United States Code, is amended as follows:

(1) Section 2302 is amended—

(A) in paragraph (7), by striking ''section 4 of such Act'' and inserting ''such section''; and

(B) in paragraph (9)(A)—

(i) by striking ''section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)'' and inserting ''chapter 15 of title 41''; and

(ii) by striking ''such section'' and inserting ''such chapter''.

(2) Section 2306a(b)(3)(B) is amended by striking ''section 4(12)(C)(i) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(C)(i))'' and inserting ''section 103(3)(A) of title 41''.

(3) Section 2321(f)(2) is amended by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and inserting ''section 104 of title 41''.

(4) Section 2359a(h) is amended by striking ''section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))'' and inserting ''section 1702(c) of title 41''.

(5) Section 2359b(k)(4) is amended—

(A) in subparagraph (A), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and inserting ''section 110 of title 41''; and

(B) in subparagraph (B), by adding a period at the end.

(6) Section 2379 is amended—

(A) in subsections (a)(1)(A), (b)(2)(A), and (c)(1)(B)(i), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and inserting ''section 103 of title 41''; and

(B) in subsections (b) and (c)(1), by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and inserting ''section 104 of title 41''.

(7) Section 2382(c) is amended—

(A) in paragraph (2)(B), by striking ''sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)'' and inserting ''sections 4101, 4103, 4105, and 4106 of title 41''; and

(B) in paragraph (3)(A), by striking ''section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))'' and inserting ''section 1702(c) of title 41''.

(8) Section 2410m(b)(1) is amended—

(A) in subparagraph (A)(i), by striking ''section 7 of such Act'' and inserting ''section 7104(a) of such title''; and

(B) in subparagraph (B)(ii), by striking ''section 7 of the Contract Disputes Act of 1978'' and inserting ''section 7104(a) of title 41''.

(9) Section 2533b is amended—

(A) in subsection (h)—

(i) in paragraph (1), by striking ''sections 34 and 35 of the Office of Federal Procurement Policy Act (41 U.S.C. 430 and 431)'' and inserting ''sections 1906 and 1907 of title 41''; and

(ii) in paragraph (2), by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and inserting ''section 104 of title 41''; and

(B) in subsection (m)—

(i) in paragraph (2), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and inserting ''section 105 of title 41'';

(ii) in paragraph (3), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and inserting ''section 131 of title 41''; and

(iii) in paragraph (5), by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and inserting ''section 104 of title 41''.

(e) OTHER CROSS-REFERENCE AMENDMENTS IN TITLE 10.—Title 10, United States Code, is amended as follows:

(1) Section 1722b(c) is amended—

(A) in paragraph (3), by striking ''subsections (b)(2)(A) and (b)(2)(B)'' and inserting ''subsections (b)(1)(A) and (b)(1)(B)''; and

(B) in paragraph (4), by striking ''1734(d), or 1736(c)'' and inserting ''or 1734(d)''.

(2) Section 2382(b)(1) is amended by inserting ''of the Small Business Act (15 U.S.C. 657q(c)(4))'' after ''section 44(c)(4)'';

(3) Section 2548(e)(2) is amended by striking ''section 103(f) of the Weapon Systems Acquisition Reform Act of 2009 (10 U.S.C. 2430 note),'' and inserting ''section 2438(f) of this title''.

(4) Section 2925 is amended—

(A) in subsection (a)(1), by striking ''section 533'' and inserting ''section 553''; and

(B) in subsection (b)(1), by striking ''section 139b'' and inserting ''section 138c''.

(f) DATE OF ENACTMENT REFERENCES.—Title 10, United States Code, is amended as follows:

(1) Section 1564(a)(2)(B) is amended by striking ''the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011'' in clauses (ii) and (iii) and inserting ''January 7, 2011''.

(2) Section 2359b(k)(5) is amended by striking ''the date that is five years after the date of the enactment of this Act'' and inserting ''January 7, 2016''.

(3) Section 2649(c) is amended by striking ''During the 5-year period beginning on the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011'' and inserting ''Until January 6, 2016''.

(4) Section 2790(g)(1) is amended by striking ''on or after the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011'' and inserting ''after January 6, 2011,''.

(5) Sections 3911(b)(2), 6323(a)(2)(B), and 8911(b)(2) are amended by striking ''the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011'' and inserting ''January 7, 2011,''.

(6) Section 10217(d)(3) is amended by striking ''after the end of the 2-year period beginning on the date of the enactment of this subsection'' and inserting ''after January 6, 2013''.

(g) OTHER MISCELLANEOUS AMENDMENTS TO TITLE 10.—Title 10, United States Code, is amended as follows:

(1) Section 113(c)(2) is amended by striking ''on'' after ''Board on''.

(2) The table of sections at the beginning of chapter 4 is amended by striking the item relating to section 133b.

(3) Paragraph (3) of section 138(c), as added by section 314(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1357), is transferred to appear at the end of section 138c(c).

(4) Section 139a(d)(4) is amended by adding a period at the end.

(5) Section 139b(a)(6) is amended by striking ''propriety'' and inserting ''proprietary''.

(6) The item relating to section 225 at the end of the table of sections at the beginning of chapter 9 is transferred to appear after the item relating to section 224.

(7) Section 843(b)(2)(B)(v) (article 43 of the Uniform Code of Military Justice) is amended by striking ''Kidnaping,,'' and inserting ''Kidnaping,''

(8) Section 920(g)(7) (article 120 of the Uniform Code of Military Justice) is amended by striking the second period at the end.

(9) Section 1086(b)(1) is amended by striking ''clause (2)'' and inserting ''paragraph (2)''.

(10) Section 1142(b)(10) is amended by striking ''training,,'' and inserting ''training,''.

(11) Section 1401(a) is amended by striking ''columns 1, 2, 3, and 4,'' in the matter preceding the table and inserting ''columns 1, 2, and 3,''.

(12) Section 1781(a) is amended—

(A) in the first sentence, by striking ''Director'' and inserting ''Office'';

(B) in the first sentence, by striking ''hereinafter''; and

(C) in the second sentence, by striking ''office'' both places it appears and inserting ''Office''.

(13) Section 1790 is amended—

(A) by striking the section heading and inserting the following:

''§ 1790. Military personnel citizenship processing'';

(B) by striking ''AUTHORIZATION OF PAYMENTS.—'';

(C) by striking ''title 10, United States Code'' and inserting ''this title'';

(D) by striking ''Secs.''; and

(E) by striking ''sections 286(m) and (n) of such Act (8 U.S.C. Sec. 1356(m))'' and inserting ''subsections m and (n) of section 286 of such Act (8 U.S.C. 1356).''.

(14) Section 2006(b)(2) is amended by redesignating the second subparagraph (E) (as added by section 109(b)(2)(B) of Public Law 111–377 (124 Stat. 4120), effective August 1, 2011) as subparagraph (F).

(15) Section 2350m(e) is amended by striking ''Not later than October 31, 2009, and annually thereafter'' and inserting ''Not later than October 31 each year''.

(16) Section 2401 is amended by striking ''the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives'' in subsections (b)(1)(B) and (h)(1) and inserting ''the congressional defense committees''.

(17) Section 2438(a)(3) is amended by inserting ''the senior'' before ''official's''.

(18) Section 2548 is amended—

(A) in subsection (a)—

(i) by striking ''Not later than'' and all that follows through ''the Secretary'' and inserting ''The Secretary''; and

(ii) by adding a period at the end of paragraph (3);

(B) in subsection (d), by striking ''Beginning with fiscal year 2012, the'' and inserting ''The''; and

(C) in subsection (e)(1), by striking '', United States Code,''.

(19) Section 2561(f)(2) is amended by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs''.

(20) Section 2687a is amended—

(A) in subsection (a), by striking ''Foreign relations'' and inserting ''Foreign Relations''; and

(B) in subsection (b)(1)—

(i) by striking the comma after ''including''; and

(ii) by striking ''The Treaty'' and inserting ''the Treaty''.

(21) Section 4342 is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''clause'' both places it appears and inserting ''paragraph''; and

(ii) in paragraph (5), by striking ''clauses'' and inserting ''paragraphs'';

(B) in subsection (d), by striking ''clauses'' and inserting ''paragraphs''; and

(C) in subsection (f), by striking ''clauses'' and inserting ''paragraphs''.

(22) Section 4343 is amended by striking ''clauses'' and inserting ''paragraphs''.

(23) Section 6954 is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''clause'' both places it appears and inserting ''paragraph''; and

(ii) in paragraph (5), by striking ''clauses'' and inserting ''paragraphs''; and

(B) in subsection (d), by striking ''clauses'' and inserting ''paragraphs''.

(24) Section 6956(b) is amended by striking ''clauses'' and inserting ''paragraphs''.

(25) Section 9342 is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''clause'' both places it appears and inserting ''paragraph''; and

(ii) in paragraph (5), by striking ''clauses'' and inserting ''paragraphs'';

(B) in subsection (d), by striking ''clauses'' and inserting ''paragraphs''; and

(C) in subsection (f), by striking ''clauses'' and inserting ''paragraphs''.

(26) Section 9343 is amended by striking ''clauses'' and inserting ''paragraphs''.

(27) Section 10217(c)(3) is amended by striking ''consider'' and inserting ''considered''.

(h) REPEAL OF EXPIRED PROVISIONS.—Title 10, United States Code, is amended as follows:

(1) Section 1108 is amended—

(A) by striking subsections (j) and (k); and

(B) by redesignating subsection (l) as subsection (j).

(2) Section 2325 is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

(3) Section 2349a is repealed, and the table of sections at the beginning of subchapter I of chapter 138 is amended by striking the item relating to that section.

(4) Section 2374b is repealed, and the table of sections at the beginning of chapter 139 is amended by striking the item relating to that section.

(i) AMENDMENTS TO TITLE 37.— Title 37, United States Code, is amended as follows:

(1) Section 310(c)(1) is amended by striking ''section for for'' and inserting ''section for''.

(2) Section 431, as transferred to chapter 9 of such title by section 631(d)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1460), is redesignated as section 491.

(j) AMENDMENTS TO TITLE 41.— Title 41, United States Code, is amended as follows:

(1) Section 1122(a)(5) is amended by striking the period at the end and inserting a semicolon.

(2) Section 1703(i)(6) is amended by striking ''Procurememt'' and inserting ''Procurement''.

(k) AMENDMENT TO TITLE 46.— Subsection (a) of section 51301 of title 46, United States Code, is amended in the heading by striking ''IN GENERAL'' and inserting ''IN GENERAL''.

(l) DUPLICATIVE PROVISION IN ARMED FORCES RETIREMENT HOME ACT OF 1991.— Section 1511(d) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(d)) is amended by striking the first paragraph (3), leaving the second paragraph (3) added by section 561 of Public Law 112–81 (125 Stat. 1420).

(m) CROSS REFERENCES AND DATE OF ENACTMENT REFERENCES IN REINSTATEMENT OF TEMPORARY EARLY RETIREMENT AUTHORITY.— Section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 1293 note), as amended by section 504(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1391), is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (A), by striking ''1995 ('' and inserting ''1995 (Public Law 103–337;''; and

(B) in subparagraph (B), by striking ''1995'' and inserting ''1996'';

(2) in subsection (h), by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012'' and inserting ''December 31, 2011,''; and

(3) in subsection (i)(2), by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012'' and inserting ''December 31, 2011,''.

(n) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any amendment made by other provisions of this Act.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—General Provisions

SEC. 1101. EXPANSION OF PERSONNEL MANAGEMENT AUTHORITY UNDER EXPERIMENTAL PROGRAM WITH RESPECT TO CERTAIN SCIENTIFIC AND TECHNICAL POSITIONS.

Subparagraph (A) of section 1101(b)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note), as most recently amended by section 1110 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1615), is further amended by striking ''40'' and inserting ''60''.

SEC. 1102. AUTHORITY TO PAY FOR THE TRANSPORT OF FAMILY HOUSEHOLD PETS FOR FEDERAL EMPLOYEES DURING CERTAIN EVACUATION OPERATIONS.

Section 5725 of title 5, United States Code, is amended—

(1) in subsection (a), in the matter following paragraph (2), by striking ''and personal effects,'' and inserting '', personal effects, and family household pets,''; and

(2) by adding at the end the following:

''(c)(1) The expenses authorized under subsection (a) shall, with respect to the transport of family household pets, include the expenses for the shipment of and the payment of any quarantine costs for such pets.

''(2) Any payment or reimbursement under this section in connection with the transport of family household pets shall be subject to terms and conditions which—

''(A) the head of the agency shall by regulation prescribe; and

''(B) shall, to the extent practicable, be the same as would apply under regulations prescribed under section 476(b)(1)(H)(iii) of title 37 in connection with the transport of family household pets of members of the uniformed services, including regulations relating to the types, size, and number of pets for which such payment or reimbursement may be provided.''.

SEC. 1103. EXTENSION OF AUTHORITY TO FILL SHORTAGE CATEGORY POSITIONS FOR CERTAIN FEDERAL ACQUISITION POSITIONS FOR CIVILIAN AGENCIES.

Section 1703(j) of title 41, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''sections 3304, 5333, and 5753'' and inserting ''section 3304''; and

(B) by striking ''use the authorities in those sections to recruit and''; and

(2) in paragraph (2), by striking ''September 30, 2012'' and inserting ''September 30, 2017''.

SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

SEC. 1105. POLICY ON SENIOR MENTORS.

(a) IN GENERAL.—The Secretary of Defense shall provide written notice to the congressional defense committees at least 60 days before implementing any change in the policy regarding senior mentors issued on or about April 1, 2010.

(b) APPLICABILITY.—Changes implemented before the date of the enactment of this Act shall not be affected by this section.

Subtitle B—Interagency Personnel Rotations

SEC. 1111. INTERAGENCY PERSONNEL ROTATIONS.

(a) SHORT TITLE.—This subtitle may be cited as the ''Interagency Personnel Rotation Act of 2012''.

(b) DEFINITIONS.—In this subtitle:

(1) AGENCY.—The term ''agency'' has the meaning given the term ''Executive agency'' under section 105 of title 5, United States Code.

(2) COMMITTEE.—The term ''Committee'' means the Committee on National Security Personnel established under subsection (c)(1).

(3) COVERED AGENCY.—The term ''covered agency'' means an agency that is part of an ICI.

(4) ICI.—The term ''ICI'' means a National Security Interagency Community of Interest identified by the Committee under subsection (d)(1).

(5) ICI POSITION.—The term ''ICI position''—

(A) means—

(i) a position that—

(I) is identified by the head of a covered agency as a position within the covered agency that has significant responsibility for the subject

area of the ICI in which the position is located and for activities that involve more than 1 agency;

(II) is in the civil service (as defined in section 2101(1) of title 5, United States Code) in the executive branch of the Government (including a position in the Foreign Service) at or above GS–11 of the General Schedule or at a level of responsibility comparable to a position at or above GS–11 of the General Schedule; and

(III) is within an ICI; or

(ii) a position in an interagency body identified as an ICI position under subsection (d)(3)(B)(i); and

(B) shall not include—

(i) any position described under paragraph (10)(A) or (C); or

(ii) any position filled by an employee described under paragraph (10)(B).

(6) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(7) INTERAGENCY BODY.—The term ''interagency body'' means an entity or component identified under subsection (d)(3)(A).

(8) INTERAGENCY ROTATIONAL SERVICE.—The term ''interagency rotational service'' means service by an employee in—

(A) an ICI position that is—

(i) in—

(I) a covered agency other than the covered agency employing the employee; or

(II) an interagency body, without regard to whether the employee is employed by the agency in which the interagency body is located; and

(ii) the same ICI as the position in which the employee serves or has served before serving in that ICI position; or

(B) a position in an interagency body identified under subsection (d)(3)(B)(ii).

(9) NATIONAL SECURITY INTERAGENCY COMMUNITY OF INTEREST.—The term ''National Security Interagency Community of Interest'' means the positions in the executive branch of the Government that—

(A) as a group are positions within multiple agencies of the executive branch of the Government; and

(B) have significant responsibility for the same substantive, functional, or regional subject area related to national security or homeland security that requires integration of the positions and activities in that area across multiple agencies to ensure that the executive branch of the Government operates as a single, cohesive enterprise to maximize mission success and minimize cost.

(10) POLITICAL APPOINTEE.—The term ''political appointee'' means an individual who—

(A) is employed in a position described under sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);

(B) is a noncareer appointee in the Senior Executive Service, as defined under section 3132(a)(7) of title 5, United States Code; or

(C) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.

(11) SENIOR POSITION.—The term ''senior position'' means—

(A) a Senior Executive Service position, as defined in section 3132(a)(2) of title 5, United States Code;

(B) a position in the Senior Foreign Service established under the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);

(C) a position in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service established under section 3151 of title 5, United States Code;

(D) a position filled by a limited term appointee or limited emergency appointee in the Senior Executive Service, as defined under paragraphs (5) and (6), respectively, of section 3132(a) of title 5, United States Code; and

(E) any other equivalent position identified by the Committee.

(c) COMMITTEE ON NATIONAL SECURITY PERSONNEL.—

(1) ESTABLISHMENT.—There is established the Committee on National Security Personnel within the Executive Office of the President.

(2) MEMBERSHIP.—The members of the Committee shall be the Director of the Office of Management and Budget, the Director of the Office of Personnel Management, and the Assistant to the President for National Security Affairs.

(3) CHAIRPERSON.—The Director of the Office of Management and Budget shall be the Chairperson of the Committee.

(4) FUNCTIONS.—

(A) IN GENERAL.—The Committee shall perform the functions as provided under this subtitle to implement this subtitle and shall validate the actions taken by the heads of covered agencies to implement the directives issued and meet the standards established under subparagraph (B).

(B) DIRECTIVES AND STANDARDS.—

(i) IN GENERAL.—In consultation with the Director of the Office of Personnel Management and the Assistant to the President for National Security Affairs, the Director of the Office of Management and Budget shall issue directives and establish standards relating to the implementation of this subtitle.

(ii) USE BY COVERED AGENCIES.—The head of each covered agency shall carry out the responsibilities under this subtitle in accordance with the directives issued and standards established by the Director of the Office of Management and Budget.

(5) SUPPORT AND IMPLEMENTATION.—

(A) BOARD.—There is established to assist the Committee a board, the members of which shall be appointed—

(i) in accordance with subparagraph (B); and

(ii) from among individuals holding an office or position in level III of the Executive Schedule.

(B) APPOINTMENTS.—Members of the board shall be appointed as follows:

(i) One by the Secretary of State.

(ii) One by the Secretary of Defense.

(iii) One by the Secretary of Homeland Security.

(iv) One by the Attorney General.

(v) One by the Secretary of the Treasury.

(vi) One by the Secretary of Energy.

(vii) One by the Secretary of Health and Human Services.

(viii) One by the Secretary of Commerce.

(ix) One by the head of any other agency (or, if more than 1, by each of the respective heads of any other agencies) determined appropriate by the Committee.

As used in clause (ix), the term ''agency'' does not include any element of the intelligence community.

(C) CHIEF HUMAN CAPITAL OFFICERS COUNCIL.—The Chief Human Capital Officers Council shall provide advice to the Committee regarding technical human capital issues.

(D) COVERED AGENCY OFFICIALS.—

(i) IN GENERAL.—The head of each covered agency shall designate an officer and office within that covered agency with responsibility for the implementation of this subtitle.

(ii) EXISTING OFFICES.—If an officer or office of a covered agency is designated as the officer or office within the covered agency with responsibility for the implementation of Executive Order 13434 for the covered agency on the date of enactment of this Act, the head of the covered agency shall designate the officer or office as the officer or office within the covered agency with responsibility for the implementation of this subtitle.

(E) STAFF.—

(i) IN GENERAL.—Not more than 3 full-time employees (or the equivalent) may be hired to assist the Committee in the implementation of this subtitle. Each employee so hired shall be selected from among individuals serving in the Office of Management and Budget, the Office of Personnel Management, or any other agency.

(ii) FUNDING.—

(I) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2013 through 2017 to carry out clause (i) an amount equal to the amount expended for salaries and expenses of the National Security Professional Development Integration Office during fiscal year 2012.

(II) OFFSET.—

(aa) IN GENERAL.—Except as provided in subparagraph (D)(ii), effective on the date of enactment of this Act, the National Security Professional Development Integration Office of the Department of Defense is terminated and, on and after the date of enactment of this Act, the Secretary of Defense may not establish a comparable office to implement Executive Order 13434 or to design, administer, or report on the creation of a national security professional development system, cadre of national security professionals, or any personnel rotations, education, or training for individuals involved in interagency activities or who are national security professionals who are not employed by the Department of Defense. Nothing in this item shall be construed to prohibit the Secretary of Defense from establishing or designating an office to administer interagency rotations by, or the interagency activities of, employees of the Department of Defense.

(bb) TRANSFER OF FUNCTIONS.—Effective on the date of enactment of this Act, there are transferred to the Office of Management and Budget or the Office of Personnel Management, as determined appropriate by the Committee, the functions of the National Security Professional Development Integration Office of the Department of Defense.

(cc) FUNDS.—Effective on the date of enactment of this Act, all unobligated balances made available for the activities of the National Security Professional Development Integration Office of the Department of Defense are rescinded.

(d) NATIONAL SECURITY INTERAGENCY COMMUNITIES OF INTEREST.—

(1) IDENTIFICATION OF ICIS.—Subject to subsection (g), the Committee—

(A) shall identify ICIs on an ongoing basis for purposes of carrying out this subtitle; and

(B) may alter or discontinue an ICI identified under subparagraph (A).

(2) IDENTIFICATION OF ICI POSITIONS.—The head of each covered agency shall identify ICI positions within the covered agency.

(3) INTERAGENCY BODIES.—

(A) IDENTIFICATION.—

(i) IN GENERAL.—The Committee shall identify—

(I) entities in the executive branch of the Government that are primarily involved in interagency activities relating to national security or homeland security; and

(II) components of agencies that are primarily involved in interagency activities relating to national security or homeland security and have a mission distinct from the agency within which the component is located.

(ii) CERTAIN BODIES.—

(I) IN GENERAL.—The Committee shall identify the National Security Council as an interagency body under this subparagraph.

(II) FBI ROTATIONS.—Joint Terrorism Task Forces shall not be considered interagency bodies for purposes of service by employees of the Federal Bureau of Investigation.

(iii) DUTIES OF HEAD OF COVERED AGENCY.—The Committee shall designate the Federal officer who shall perform the duties of the head of a covered agency relating to ICI positions within an interagency body.

(B) POSITIONS IN INTERAGENCY BODIES.—The officials designated under subparagraph (A)(iii) shall identify—

(i) positions within their respective interagency bodies that are ICI positions; and

(ii) positions within their respective interagency bodies—

(I) that are not a position described under subsection (b)(10)(A) or (C) or a position filled by an employee described under subsection (b)(10)(B); and

(II) for which service in the position shall constitute interagency rotational service.

(e) INTERAGENCY COMMUNITY OF INTEREST ROTATIONAL SERVICE.—

(1) EXCLUSION OF SENIOR POSITIONS.—For purposes of this subsection, the term ''ICI position'' does not include a senior position.

(2) ROTATIONS.—

(A) IN GENERAL.—The Committee shall provide for employees serving in an ICI position to be assigned on a rotational basis to another ICI position that is—

(i) within another covered agency or within an interagency body; and

(ii) within the same ICI.

(B) EXCEPTION.—An employee may be assigned to an ICI position in another covered agency or in an interagency body that is not in the ICI applicable to an ICI position in which the employee serves or has served if—

(i) the employee has particular nongovernmental or other expertise or skills that are relevant to the assigned ICI position; and

(ii) the head of the covered agency employing the employee, the head of the covered agency to which the assignment is made, and the Committee approve the assignment.

(C) NONREIMBURSABLE BASIS.—Service by an employee in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee shall be performed without reimbursement.

(D) RETURN TO PRIOR POSITION.—Except as otherwise provided by the Committee, an employee performing service in an ICI position in another covered agency or interagency body or in a position designated under subsection (d)(3)(B)(ii) shall be entitled to return, within a reasonable period of time after the end of the period of service, to the position held by the employee, or a corresponding or higher position (or, in the case of an employee in the Foreign Service, as defined in section 102(11) of the Foreign Service Act of 1980 (22 U.S.C. 3902(11)), a position in the same or a higher personnel category), in the covered agency employing the employee.

(3) SELECTION OF ICI POSITIONS OPEN FOR ROTATIONAL SERVICE.—

(A) IN GENERAL.—The head of each covered agency shall determine which ICI positions in the covered agency shall be available for service by employees from another covered agency and may modify a determination under this subparagraph.

(B) LIST.—The Committee shall maintain a single, integrated list of ICI positions and of positions available for service by employees from another covered agency under this subsection and shall make the list available to Federal employees on an ongoing basis in order to facilitate applications for the positions and long-term career planning by employees of the executive branch of the Government, except to the extent that the Committee determines that the identity of certain positions should not be distributed in order to protect national security or homeland security.

(4) MINIMUM PERIOD OF SERVICE.—With respect to the period of service in an ICI position in another covered agency or interagency body, the Committee—

(A) shall, notwithstanding any other provision of law, ensure that the period of service is sufficient to gain an adequately detailed understanding and perspective of the covered agency or interagency body at which the employee is assigned;

(B) may provide for different periods of service, depending upon the nature of the position, including whether the position is in an area that is a combat zone for purposes of section 112–of the Internal Revenue Code of 1986; and

(C) shall require that an employee performing service in an ICI position in another covered agency or interagency body is informed of the period of service for the position before beginning such service.

(5) VOLUNTARY NATURE OF ROTATIONAL SERVICE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), service in an ICI position in another covered agency or interagency body shall be voluntary on the part of the employee.

(B) AUTHORITY TO ASSIGN INVOLUNTARILY.—If the head of a covered agency has the authority under another provision of law to assign an employee involuntarily to a position and the employee is serving in an ICI position, the head of the covered agency may assign the employee involuntarily to serve in an ICI position in another covered agency or interagency body.

(6) TRAINING AND EDUCATION OF PERSONNEL PERFORMING INTERAGENCY ROTATIONAL SERVICE.—Each employee performing interagency rotational service shall participate in the training and education, if any, that is regularly provided to new employees by the covered agency or interagency body in which the employee is serving in order to learn how the covered agency or interagency body functions.

(7) PREVENTION OF NEED FOR INCREASED PERSONNEL LEVELS.—The Committee shall ensure that employees are rotated across covered agencies and interagency bodies within an ICI in a manner that ensures that, for the original ICI positions of all employees performing service in an ICI position in another covered agency or interagency body—

(A) employees from another covered agency or interagency body who are performing service in an ICI position in another covered agency or interagency body, or other available employees, begin service in such original positions within a reasonable period, at no additional cost to the covered agency or the interagency body in which such original positions are located; or

(B) other employees do not need to serve in the positions in order to maintain the effectiveness of or to prevent any costs being accrued by the covered agency or interagency body in which such original positions are located.

(8) OPEN AND FAIR COMPETITION.—Each covered agency or interagency body that has an ICI position available for service by an employee from another covered agency shall coordinate with the Office of Personnel Management to ensure that employees of covered agencies selected to perform interagency rotational service shall be selected in a fully open and competitive manner that is consistent with the merit system principles set forth in paragraphs (1) and (2) of section 2301(b) of title 5, United States Code, unless the ICI position is otherwise exempt under another provision of law.

(9) PERSONNEL LAW MATTERS.—

(A) NATIONAL SECURITY EXCLUSION.—The identification of a position as available for service by an employee of another covered agency or as being within an ICI shall not be a basis for an order under section 7103(b) of title 5, United States Code, excluding the covered agency, or a subdivision thereof, in which the position is located from the applicability of chapter 71 of such title.

(B) ON ROTATION.—An employee performing interagency rotational service shall have all the rights that would be available to the employee if the employee were detailed or assigned under a provision of law other than this subtitle from the agency employing the employee to the agency in which the ICI position in which the employee is serving is located.

(10) CONSULTATION.—The Committee shall consult with relevant associations, unions, and other groups involved in collective bargaining or encouraging public service, organizational reform of the Government, or interagency activities (such as the Simons Center for the Study of Interagency Cooperation of the Command and General Staff College Foundation) in formulating and implementing policies under this subtitle.

(11) OFFICERS OF THE ARMED FORCES.—The policies, procedures, and practices for the management of officers of the Armed Forces may provide for the assignment of officers of the Armed Forces to ICI positions or positions designated under subsection (d)(3)(B)(ii).

(12) PERFORMANCE APPRAISALS.—The Committee shall—

(A) ensure that an employee receives performance evaluations that are based primarily on the contribution of the employee to the work of the covered agency in which the employee is performing service in an ICI position in another covered agency or interagency body and the functioning of the applicable ICI; and

(B) require that—

(i) officials at the covered agency employing the employee conduct the evaluations based on input from the supervisors of the employee during service in an ICI position in another covered agency or interagency body; and

(ii) the evaluations shall be provided the same weight in the receipt of promotions and other rewards by the employee from the covered agency employing the employee as performance evaluations receive for other employees of the covered agency.

(f) SELECTION OF SENIOR POSITIONS IN AN INTERAGENCY COMMUNITY OF INTEREST.—

(1) SELECTION OF INDIVIDUALS TO FILL SENIOR POSITIONS WITHIN AN ICI.—In selecting individuals to fill senior positions within an ICI, the head of a covered agency shall ensure that a strong preference is given to personnel who have performed interagency rotational service.

(2) ESTABLISHMENT BY HEADS OF COVERED AGENCIES OF MINIMUM THRESHOLDS.—

(A) IN GENERAL.—On October 1 of the 2nd fiscal year after the fiscal year in which the Committee identifies an ICI, and October 1 of each fiscal year thereafter, the head of each covered agency within which 1 or more positions within that ICI are located shall establish the minimum number of that agency's senior positions that are within that ICI that shall be filled by personnel who have performed interagency rotational service.

(B) REPORTING REQUIREMENTS.—

(i) MINIMUM NUMBER OF POSITIONS.—Not later than 30 days after the date on which all heads of covered agencies have established the minimum number required under subparagraph (A) for a fiscal year, the Committee shall submit to Congress a consolidated list of the minimum numbers of senior positions that shall be filled by personnel who have performed interagency rotational service.

(ii) FAILURE TO MEET MINIMUM NUMBER.—Not later than 30 days after the end of any fiscal year in which a covered agency fails to meet the minimum number of senior positions to be filled by individuals who have performed interagency rotational service established by the head of the

covered agency under subparagraph (A), the head of the covered agency shall submit to the Committee and Congress a report identifying the failure and indicating what actions the head of the covered agency has taken or plans to take in response to the failure.

(3) OTHER ROTATIONAL REQUIREMENTS.—

(A) CREDIT FOR SERVICE IN ANOTHER COMPONENT WITHIN AN AGENCY.—Service performed during the first 3 fiscal years after the fiscal year in which an ICI is identified by the Committee by an employee in a rotation to an ICI position in another component of the covered agency that employs the employee that is identified under subparagraph (B) shall constitute interagency rotational service for purposes of this section.

(B) IDENTIFICATION OF COMPONENTS.—Subject to approval by the Committee, the head of a covered agency may identify the components of the covered agency that are sufficiently independent in functionality for service in a rotation in the component to qualify as service in another component of the covered agency for purposes of subparagraph (A).

(g) IMPLEMENTATION.—

(1) ICIS AND ICI POSITIONS.—

(A) IN GENERAL.—During each of the first 4 fiscal years after the fiscal year in which this Act is enacted—

(i) there shall be 2 ICIs, which shall be an ICI for emergency management and an ICI for stabilization and reconstruction; and

(ii) not less than 20 employees and not more than 25 employees in the executive branch of the Government shall perform service in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee under this subtitle.

(B) LOCATION.—

(i) IN GENERAL.—The Committee shall designate a metropolitan area in which the ICI for emergency management will be located and a metropolitan area in which the ICI for stabilization and reconstruction will be located.

(ii) SERVICE.—During the first 4 fiscal years after the fiscal year in which this Act is enacted, any service in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee shall be performed—

(I) by an employee who is located in a metropolitan area for the ICI designated under clause (i) before beginning service in the ICI position; and

(II) at a location in a metropolitan area for the ICI designated under clause (i).

(2) PRIORITY FOR DETAILS.—During the first 4 fiscal years after the fiscal year in which this Act is enacted, a covered agency shall give priority in using amounts available to the covered agency for details to assigning employees on a rotational basis under this subtitle.

(h) STRATEGY AND PERFORMANCE EVALUATION.—

(1) ISSUING OF STRATEGY.—

(A) IN GENERAL.—Not later than October 1 of the 3rd fiscal year after the fiscal year in which this Act is enacted, and every 4 fiscal years thereafter through the 11th fiscal year after the fiscal year in which this Act is enacted, the Committee shall issue a National Security Human Capital Strategy to develop the national security and homeland security personnel necessary for accomplishing national security and homeland security objectives that require integration of personnel and activities from multiple agencies of the executive branch of the Government.

(B) CONSULTATIONS WITH CONGRESS.—In developing or making adjustments to the National Security Human Capital Strategy issued under subparagraph (A), the Committee—

(i) shall consult at least annually with Congress, including majority and minority views from all appropriate authorizing, appropriations, and oversight committees; and

(ii) as the Committee determines appropriate, shall solicit and consider the views and suggestions of entities potentially affected by or interested in the strategy.

(C) CONTENTS OF STRATEGY.—Each National Security Human Capital Strategy issued under subparagraph (A) shall—

(i) provide for the implementation of this subtitle;

(ii) identify best practices from ICIs already in operation;

(iii) identify any additional ICIs to be identified by the Committee;

(iv) include a schedule for the issuance of directives and establishment of standards relating to the requirements under this subtitle by the Committee;

(v) include a description of how the strategy incorporates views and suggestions obtained through the consultations with Congress required under subparagraph (B);

(vi) include an assessment of performance measures over a multi-year period, such as—

(I) the percentage of ICI positions available for service by employees from another covered agency for which such employees performed such service;

(II) the number of personnel participating in interagency rotational service in each covered agency and interagency body;

(III) the length of interagency rotational service under this subtitle;

(IV) reports by the heads of covered agencies submitted under subsection (f)(2)(B)(ii);

(V) the training and education of personnel who perform interagency rotational service, and the evaluation by the Committee of the training and education;

(VI) the positions (including grade level) held by employees who perform interagency rotational service during the period beginning on the date on which the interagency rotational service terminates and ending on the date of the assessment; and

(VII) to the extent possible, the evaluation of the Committee of the utility of interagency rotational service in improving interagency integration.

(2) REPORTS.—Not later than October 1 of the 2nd fiscal year after a fiscal year in which the Committee issues a National Security Human Capital Strategy under paragraph (1), the Committee shall assess the performance measures described in paragraph (1)(C)(vi).

(3) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Committee issues a National Security Human Capital Strategy under paragraph (1) or assesses performance measures under paragraph (2), the Committee shall submit the strategy or assessment to Congress.

(i) GAO STUDY OF INTERAGENCY ROTATIONAL SERVICE.—Not later than the end of the 2nd fiscal year after the fiscal year in which this Act is enacted, the Comptroller General of the United States shall submit to Congress a report regarding—

(1) the extent to which performing service in an ICI position in another covered agency or an interagency body under this subtitle enabled the employees performing the service to gain an adequately detailed understanding of and perspective on the covered agency or interagency body, including an assessment of the effect of—

(A) the period of service; and

(B) the duties performed by the employees during the service;

(2) the effectiveness of the Committee and the staff of the Committee funded under subsection (c)(5)(E)(ii) in overseeing and managing interagency rotational service under this subtitle, including an evaluation of any directives or standards issued by the Committee;

(3) the participation of covered agencies in interagency rotational service under this subtitle, including whether each covered agency that performs a mission relating to an ICI in effect—

(A) identified positions within the covered agency as ICI positions;

(B) had 1 or more employees from another covered agency perform service in an ICI position in the covered agency; or

(C) had 1 or more employees of the covered agency perform service in an ICI position in another covered agency;

(4) the positions (including grade level) held by employees after completing interagency rotational service under this subtitle, and the extent to which the employees were rewarded for the service; and

(5) the extent to which or likelihood that interagency rotational service under this subtitle has improved or is expected to improve interagency integration.

(j) PROHIBITION OF PRINTED REPORTS.—Each strategy, plan, report, or other submission required under this subtitle—

(1) shall be made available by the agency issuing the strategy, plan, report, or other submission only in electronic form; and

(2) shall not be made available by the agency in printed form.

(k) EXCLUSION.—This subtitle shall not apply to any element of the intelligence community.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) AUTHORITY FOR FISCAL YEAR 2013.—Subsection (a) of section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619) is amended—

(1) in the heading, by striking ''FISCAL YEAR 2012'' and inserting ''FISCAL YEAR 2013''; and

(2) by striking ''fiscal year 2012'' and inserting ''fiscal year 2013''.

(b) QUARTERLY REPORTS.—Subsection (b)(1) of such section is amended by striking ''fiscal year 2012'' and inserting ''fiscal year 2013''.

(c) EXTENSION OF AUTHORITY TO ACCEPT CONTRIBUTIONS.—Subsection (f) of such section is amended by striking ''in fiscal year 2012'' and inserting ''during any period during which the authority of subsection (a) is in effect''.

SEC. 1202. MODIFICATION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) AUTHORIZED ELEMENTS.—Section 1206(b)(1) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3457), as amended by the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2418), is further amended by striking ''equipment, supplies and training'' and inserting ''equipment, supplies, training, and small-scale military construction activities''.

(b) USE OF FUNDS FOR FISCAL YEAR 2013.—Subsection (c) of such section, as most recently amended by section 1204(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1621), is further amended by adding at the end the following:

''(6) USE OF FUNDS FOR FISCAL YEAR 2013.—

''(A) LIMITATION ON SMALL-SCALE MILITARY CONSTRUCTION ACTIVITIES.—Of amounts available under this subsection for the authority in subsection (a) for fiscal year 2013—

''(i) not more than $750,000 may be obligated or expended for small-scale military construction activities (as described in subsection (b)(1)) under a program authorized under subsection (a); and

''(ii) not more than $25,000,000 may be obligated or expended for small-scale military construction activities (as described in subsection

(b)(1)) under all programs authorized under subsection (a).

''(B) AVAILABILITY OF FUNDS FOR PROGRAMS DURING FISCAL YEAR 2014.—

''(i) IN GENERAL.—Subject to clause (ii), not more than 20 percent of amounts available under this subsection for the authority in subsection (a) for fiscal year 2013 may be obligated and expended to conduct or support a program authorized under subsection (a) during fiscal year 2014.

''(ii) NOTIFICATION.—Whenever the Secretary of Defense decides, with the concurrence of the Secretary of State, to conduct or support a program authorized under subsection (a) during fiscal year 2014 using amounts described in clause (i), the Secretary of Defense shall submit to the congressional committees specified in paragraph (3) of subsection (e) a notification in writing of that decision in accordance with such subsection by not later than September 30, 2013.''.

SEC. 1203. THREE-YEAR EXTENSION OF AUTHORITY FOR NON-RECIPROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.

Section 1207(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2514; 10 U.S.C. 168 note) is amended by striking ''September 30, 2012'' and inserting ''September 30, 2015''.

Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan

SEC. 1211. ONE-YEAR EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1630), is further amended—

(1) by striking ''fiscal year 2012'' and inserting ''fiscal year 2013''; and

(2) by striking ''Operation Iraqi Freedom or''.

(b) LIMITATION ON AMOUNT AVAILABLE.—Subsection (d)(1) of such section, as so amended, is further amended—

(1) by striking ''fiscal year 2012'' and inserting ''fiscal year 2013'';

(2) by striking ''$1,690,000,000'' and inserting ''$1,650,000,000''; and

(3) by adding at the end the following: ''Of the aggregate amount specified in the preceding sentence, the total amount of reimbursements made under subsection (a) and support provided under subsection (b) to Pakistan during fiscal year 2013 may not exceed $650,000,000.''.

(c) ADDITIONAL LIMITATION ON REIMBURSEMENT OF THE GOVERNMENT OF PAKISTAN.—Such section, as so amended, is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) ADDITIONAL LIMITATION ON REIMBURSEMENT OF THE GOVERNMENT OF PAKISTAN.—In addition to the other requirements of this section, reimbursements authorized by subsection (a) and the support authorized by subsection (b) may be made to the Government of Pakistan for support of United States military operations for fiscal year 2013 only if the Secretary of Defense submits to the congressional defense committees the following:

''(1) A report that contains a description of—

''(A) a model for reimbursement, including how claims are proposed and adjudicated;

''(B) new conditions or caveats that the Government of Pakistan places on the use of its supply routes; and

''(C) the estimated differences in costs associated with transit through supply routes in Pakistan for fiscal year 2011 as compared to fiscal year 2013.

''(2) A certification of the Secretary of Defense that the Government of Pakistan is committed to—

''(A) supporting counterterrorism operations against Al Qaeda, its associated movements, the Haqqani Network, and other domestic and foreign terrorist organizations;

''(B) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

''(C) preventing the proliferation of nuclear-related material and expertise; and

''(D) issuing visas in a timely manner for United States Government personnel supporting counterterrorism efforts and assistance programs in Pakistan.''.

SEC. 1212. AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) TYPES OF SUPPORT.—Subsection (b) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631) is amended—

(1) by striking ''The operations'' and inserting the following:

''(1) IN GENERAL.—The operations''; and

(2) by adding at the end the following:

''(2) TRAIN AND ASSIST.—The operations and activities that may be carried out by the Office of Security Cooperation in Iraq using funds provided under subsection (a) may, with the concurrence of the Secretary of State, include training and assisting Iraqi Ministry of Defense personnel.''.

(b) LIMITATION ON AMOUNT.—Subsection (c) of such section is amended by inserting at the end before the period the following: ''and in fiscal year 2013 may not exceed $508,000,000''.

(c) SOURCE OF FUNDS.—Subsection (d) of such section is amended—

(1) by inserting ''or fiscal year 2013'' after ''fiscal year 2012''; and

(2) by striking ''that fiscal year'' and inserting ''fiscal year 2012 or 2013, as the case may be,''.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the Office of Security Cooperation in Iraq.

(2) MATTERS TO BE INCLUDED.—The report shall include the following:

(A) The plan to consolidate Office sites.

(B) The status of any pending requests for additional United States military forces for the Office.

(C) The legal status and legal protections provided to Office personnel, the operational impact of such status and protections, and the associated constraints on the operational capacity of such personnel by reason of their legal status.

(D) The operational and functional limitations and authorities of Office personnel.

(E) A description of potential direct threats to Office personnel and their capacity to provide adequate force protection to thwart those threats.

(3) FORM.—The report shall be submitted in unclassified form, but may contain a classified annex if necessary.

(4) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1213. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4392), as amended by section 1216 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1632), is further amended—

(1) in subsection (a)—

(A) by striking ''$50,000,000'' and inserting ''$35,000,000''; and

(B) by striking ''in each of fiscal years 2011 and 2012'' and inserting ''for fiscal year 2013''; and

(2) in subsection (e)—

(A) by striking ''utilize funds'' and inserting ''obligate funds''; and

(B) by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

SEC. 1214. PROHIBITION ON USE OF PRIVATE SECURITY CONTRACTORS AND MEMBERS OF THE AFGHAN PUBLIC PROTECTION FORCE TO PROVIDE SECURITY FOR MEMBERS OF THE ARMED FORCES AND MILITARY INSTALLATIONS AND FACILITIES IN AFGHANISTAN.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Department of Defense, as of February 1, 2012, there had been 42 insider attacks on coalition forces since 2007 by the Afghan National Army, Afghan National Police, or Afghan nationals hired by private security contractors to guard United States bases and facilities in Afghanistan.

(2) The Department of Defense data shows that the trend of insider attacks is increasing.

(3) Members of the Armed Forces of the United States continue to be garrisoned and housed in facilities and installations in Afghanistan that are guarded by private security contractors and not by United States or coalition forces.

(4) President Karzai has prohibited the use of private security contractors in Afghanistan and determined that beginning in March, 2012, the Afghan Ministry of Interior will provide Afghan Public Protection Forces on a reimbursable basis to those desiring to contract for additional security.

(5) The Afghan Ministry of Interior will have the primary responsibility for screening and vetting the Afghan nationals who will comprise the Afghan Public Protection Force.

(6) The current force levels in Afghanistan are necessary to accomplish the International Security Assistance Force mission and force protection for members of the Armed Forces garrisoned and housed in Afghanistan should not come at the expense of mission success.

(7) The President of the United States has begun to draw down United States military forces in Afghanistan and has committed to continue this drawdown through 2014.

(8) The redeployment phase of any military operation brings increasing vulnerabilities to members of the Armed Forces.

(9) It is the responsibility of the Commander in Chief to provide for the security for members of the Armed Forces deployed to Afghanistan and to mitigate internal threats to such forces to the greatest extent possible, while continuing to meet the objectives of the International Security Assistance Force mission in Afghanistan, including the training and equipping of the Afghan National Security Forces in order that they may provide for their own security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the best security and force protection for members of the Armed Forces garrisoned and housed in Afghanistan should be provided;

(2) better security and force protection for members of the Armed Forces garrisoned and housed in Afghanistan can be provided by United States military personnel than private security contractors or members of the Afghan Public Protection Force;

(3) the President should take action in light of the increased risk to members of the Armed

Forces during this transitional period in Afghanistan and the increasing number of insider attacks; and

(4) the United States remains committed to mission success in Afghanistan in light of the national security interests in the region and the sacrifice and commitment of the United States Armed Forces over the last ten years.

(c) PROHIBITION.—Notwithstanding section 2465 of title 10, United States Code, funds appropriated to the Department of Defense may not be obligated or expended for the purpose of—

(1) entering into a contract for the performance of security-guard functions at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;

(2) otherwise employing private security contractors to provide security for members of the Armed Forces deployed to Afghanistan; or

(3) employing the Afghan Public Protection Force to provide security for such members or to perform such security-guard functions at such a military installation or facility.

(d) REQUIREMENT.—

(1) IN GENERAL.—The President shall ensure that as many appropriately trained members of the Armed Forces of the United States as are necessary are available to—

(A) perform security-guard functions at all military installations and facilities in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;

(B) provide security for members of the Armed Forces deployed to Afghanistan; and

(C) provide adequate counterintelligence support for such members.

(2) RELATIONSHIP TO OTHER REQUIREMENTS AND LIMITATIONS.—The members of the Armed Forces required to be made available under paragraph (1) shall be in addition to—

(A) the number of such members who are deployed to Afghanistan to support the requirements of the North Atlantic Treaty Organization mission in Afghanistan and the military campaign plan of the Commander of the International Security and Assistance Force; and

(B) any limitation on force levels that may be in effect.

(e) WAIVER.—The President may waive the prohibition under subsection (c) and the requirement under subsection (d) if the President submits to Congress a certification in writing that—

(1) the use of private security contractors or the Afghan Public Protection Force can provide a level of security and force protection for members of the Armed Forces deployed to Afghanistan that is at least equal to the security and force protection that can be provided by members of the Armed Forces; and

(2) the Secretary of Defense has ensured that all employees of private security contractors and members of the Afghan Public Protection Force providing security or force protection for members of the Armed Forces deployed to Afghanistan are independently screened and vetted by members of the Armed Forces of the United States.

(f) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the end of each quarter of fiscal years 2013 and 2014, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(A) Data on attempted and successful attacks by the Afghan National Security Forces, the Afghan Public Protection Force, and private security contractors on United States Armed Forces and civilian personnel of the Department of Defense.

(B) The number of members of the United States Armed Forces and civilian personnel of the Department of Defense wounded or killed due to such attacks.

(C) A description of tactical or covert methods used in such attacks and a description of motivations for such attacks.

(2) ADDITIONAL INFORMATION.—The first report submitted following the date of the enactment of this Act and the report submitted for the first quarter of fiscal year 2014 shall also include the following:

(A) Actions the Department of Defense is taking to monitor indicators and early warning signs of infiltration or co-option of the Afghan National Security Forces, the Afghan Public Protection Force, and private security contractors.

(B) The methodology and systematic approach to resolving disputes between the Afghan National Security Forces and United States Armed Forces and civilian personnel of the Department of Defense when such disputes arise.

(g) DEFINITION.—In this section, the term ''members of the Armed Forces deployed to Afghanistan'' means members of the Armed Forces deployed to Afghanistan in support of the International Security Assistance Force in Afghanistan and members of the Armed Forces of the United States deployed to Afghanistan in support of Operation Enduring Freedom.

SEC. 1215. REPORT ON UPDATES AND MODIFICATIONS TO CAMPAIGN PLAN FOR AFGHANISTAN.

(a) REPORT REQUIRED.—Not later than 180 days after the date on which any substantial update or modification is made to the campaign plan for Afghanistan (including the supporting and implementing documents for such plan), the Comptroller General of the United States shall submit to the congressional defense committees a report on the updated or modified plan, including an assessment of the updated or modified plan.

(b) EXCEPTION.—The requirement to submit a report under subsection (a) on any substantial update or modification to the campaign plan for Afghanistan shall not apply if the Comptroller General—

(1) determines that a report submitted to Congress by the Comptroller General before the date of the enactment of this Act substantially meets the requirement to submit the report under subsection (a); and

(2) notifies the congressional defense committees in writing of the determination under paragraph (1).

(c) TERMINATION.—The requirement to submit a report under subsection (a) on any substantial update or modification to the campaign plan for Afghanistan shall terminate on September 30, 2014.

(d) REPEAL.—Section 1226 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2525) is repealed.

SEC. 1216. UNITED STATES MILITARY SUPPORT IN AFGHANISTAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) following Al Qaeda's attacks on the United States on September 11, 2001, United States and coalition forces have achieved significant progress toward security and stability in Afghanistan;

(2) as the United States completes transfer of the lead for security to the Afghan National Security Forces by the end of 2014, the United States should ensure that the gains in security are maintained;

(3) the United States mission in Afghanistan continues to be to disrupt, dismantle, and defeat al Qaeda, as well as to prevent its return to either Afghanistan or Pakistan;

(4) the specific objectives in Afghanistan are to deny safe haven to Al Qaeda and to deny the Taliban the ability to overthrow the Afghan Government;

(5) the Taliban, Haqqanis, and associated insurgents continue to enjoy safe havens in Pakistan, but are unlikely to be capable of overthrowing the Afghan Government unless the United States withdraws forces precipitously from Afghanistan;

(6) the Haqqani Network provides unique capabilities and capacity to the Afghan Taliban, and additionally, serves as a combat multiplier to the Afghan insurgency due to its geographic primacy over the key terrain of the Paktika, Paktia, and Khost provinces, as well as North and South Waziristan, and willingness to introduce international weaponry and technology into the battle space and serve as the reception point and integrator of international foreign fighters into the Afghan insurgency;

(7) the Haqqani Network has been the most important Afghan-based protector of Al Qaeda;

(8) the unique capabilities and effects brought to the battle space by the Haqqani Network necessitate that the Government of Afghanistan should have superior operational capacity in order to maintain the security of Afghanistan over time;

(9) the United States military should not maintain an indefinite combat mission in Afghanistan and should transition to a counterterrorism and advise and assist mission at the earliest practicable date, consistent with conditions on the ground;

(10) significant uncertainty exists within Afghanistan regarding the level of future United States military support; and

(11) in order to reduce this uncertainty, and to promote further stability and security in Afghanistan, the President should—

(A) fully consider the International Security Assistance Force Commander's assessment regarding the need for the United States to maintain a ''significant combat presence through 2013'';

(B) maintain a force of at least 68,000 troops through December 31, 2014, unless fewer forces can achieve United States objectives;

(C) maintain a credible troop presence after December 31, 2014, sufficient to conduct counterterrorism and train and advise the Afghan National Security Forces, consistent with the Strategic Partnership Agreement (signed on May 2, 2012); and

(D) maintain sufficient funding for the Afghan National Security Forces to accomplish the objectives described in paragraphs (3), (4), and (8).

(b) NOTIFICATION.—The President shall notify the congressional defense committees of any decision to reduce the number of United States Armed Forces deployed in Afghanistan below the number of such Armed Forces deployed in Afghanistan on—

(1) December 31, 2012,

(2) December 31, 2013, and

(3) December 31, 2014,

prior to any public announcement of any such decision to reduce the number of United States Armed Forces deployed in Afghanistan.

(c) MATTERS TO INCLUDE IN NOTIFICATION.—As part of a notification required by subsection (b), the President shall—

(1) provide an assessment of the relevant security risk metrics associated with the marginal reduction in force levels; and

(2) provide a by-unit assessment of the operational capability of the Afghan National Security Forces to independently conduct the required operations to maintain security in Afghanistan.

SEC. 1217. EXTENSION AND MODIFICATION OF PAKISTAN COUNTERINSURGENCY FUND.

(a) IN GENERAL.—Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2521), as most recently amended by section 1220 of the National Defense Authorization Act for Fiscal

Year 2012 (Public Law 112–81; 125 Stat. 1633), is further amended by striking ''September 30, 2012'' both places it appears and inserting ''September 30, 2013''.

(b) LIMITATION ON FUNDS SUBJECT TO REPORT AND UPDATES.—Section 1220(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1633) is amended—

(1) in the heading of paragraph (1), by inserting ''FOR FISCAL YEAR 2012'' after ''FUNDS'';

(2) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(3) by inserting after paragraph (1) the following:

''(2) LIMITATION ON FUNDS FOR FISCAL YEAR 2013; REPORT REQUIRED.—Of the amounts appropriated or transferred to the Fund for fiscal year 2013, not more than 10 percent of such amounts may be obligated or expended until such time as the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate congressional committees an update of the report required under paragraph (1).'';

(4) in paragraph (3) (as redesignated)—

(A) by inserting ''after fiscal year 2013'' after ''any fiscal year'';

(B) by striking ''requested to be''; and

(C) by striking ''at the same time that the President's budget is submitted pursuant to section 1105(a) of title 31, United States Code'' and inserting ''not later than 45 days before amounts in the Fund are made available to the Secretary of Defense''; and

(5) in paragraph (4) (as redesignated), by striking ''the update required under paragraph (2)'' and inserting ''the updates required under paragraphs (2) and (3)''.

Subtitle C—Matters Relating to Iran

SEC. 1221. DECLARATION OF POLICY.

(a) FINDINGS.—Congress makes the following findings:

(1) Iran, which has long sought to foment instability and promote extremism in the Middle East, is now seeking to exploit the dramatic political transition underway in the region to undermine governments traditionally aligned with the United States and support extremist political movements in these countries.

(2) At the same time, Iran may soon attain a nuclear weapons capability, a development that would threaten United States interests, destabilize the region, encourage regional nuclear proliferation, further empower and embolden Iran, the world's leading state sponsor of terrorism, and provide it the tools to threaten its neighbors, including Israel.

(3) With the assistance of Iran over the past several years, Syria, Hezbollah, and Hamas have increased their stockpiles of rockets, with more than 60,000 rockets now ready to be fired at Israel. Iran continues to add to its arsenal of ballistic missiles and cruise missiles, which threaten Iran's neighbors, Israel, and United States Armed Forces in the region.

(4) Preventing Iran from acquiring a nuclear weapon is among the most urgent national security challenges facing the United States.

(5) Successive United States administrations have stated that an Iran armed with a nuclear weapon is unacceptable.

(6) President Obama stated on January 24, 2012, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.''.

(7) In order to prevent Iran from developing nuclear weapons, the United States, in cooperation with its allies, must utilize all elements of national power including diplomacy, robust economic sanctions, and credible, visible preparations for a military option.

(8) Nevertheless, to date, diplomatic overtures, sanctions, and other non-kinetic actions toward Iran have not caused the Government of Iran to abandon its nuclear weapons program.

(9) With the impact of additional sanctions uncertain, additional pressure on the Government of Iran could come from the credible threat of military action against Iran's nuclear program.

(b) DECLARATION OF POLICY.—It shall be the policy of the United States to take all necessary measures, including military action if required, to prevent Iran from threatening the United States, its allies, or Iran's neighbors with a nuclear weapon.

SEC. 1222. UNITED STATES MILITARY PREPAREDNESS IN THE MIDDLE EAST.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) military exercises conducted in the Persian Gulf and Gulf of Oman emphasize the United States resolve and the policy of the United States described in section 1221(b) by enhancing the readiness of the United States military and allied forces, as well as signaling to the Government of Iran the commitment of the United States to defend its vital national security interests; and

(2) the President, as Commander in Chief, should augment the presence of the United States Fifth Fleet in the Middle East and to conduct military deployments, exercises, or other visible, concrete military readiness activities to underscore the policy of the United States described in section 1221(b).

(b) PLAN.—

(1) IN GENERAL.—The Secretary of Defense shall prepare a plan to augment the presence of the United States Fifth Fleet in the Middle East and to conduct military deployments, exercises, or other visible, concrete military readiness activities to underscore the policy of the United States described in section 1221(b).

(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include, at a minimum, steps necessary for the Armed Forces to support the policy of the United States described in section 1221(b), including—

(A) pre-positioning sufficient supplies of aircraft, munitions, fuel, and other materials for both air- and sea-based missions at key forward locations in the Middle East and Indian Ocean;

(B) maintaining sufficient naval assets in the region necessary to signal United States resolve and to bolster United States capabilities to launch a sustained sea and air campaign against a range of Iranian nuclear and military targets, to protect seaborne shipping, and to deny Iranian retaliation against United States interests in the region;

(C) discussing the viability of deploying at least two United States aircraft carriers, an additional large deck amphibious ship, and a Mine Countermeasures Squadron in the region on a continual basis, in support of the actions described in subparagraph (B); and

(D) conducting naval fleet exercises similar to the United States Fifth Fleet's major exercise in the region in March 2007 to demonstrate ability to keep the Strait of Hormuz open and to counter the use of anti-ship missiles and swarming high-speed boats.

(3) SUBMISSION TO CONGRESS.—The plan required under paragraph (1) shall be submitted to the congressional defense committees not later than 120 days after the date of enactment of this Act.

SEC. 1223. ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) IN GENERAL.—Section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Central Command on the following:

''(1) Any critical gaps in intelligence that limit the ability of the Commander to counter threats emanating from Iran.

''(2) Any gaps in the capabilities, capacity, and authorities of the Commander to counter Iranian threats to United States Armed Forces and United States interests in the region.

''(3) Any gaps in the capabilities and capacity of the Commander to take military action against Iran to prevent Iran from developing a nuclear weapon.

''(4) Any other matters the Commander considers to be relevant.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to each report required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010 on or after such date of enactment.

Subtitle D—Reports and Other Matters

SEC. 1231. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Subsection (b) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note), as most recently amended by section 1238 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1642), is further amended—

(1) by redesignating paragraphs (10), (11), and (12) as paragraphs (12), (13), and (14), respectively; and

(2) by inserting after paragraph (9) the following:

''(10) The strategy, goals, and capabilities of Chinese space programs, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Chinese military capabilities.

''(11) The strategy, goals, and capabilities of Chinese cyber activities, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities. Relevant analyses and forecasts shall consider—

''(A) Chinese cyber activities directed against the Department of Defense;

''(B) potential harms that may affect Department of Defense communications, computers, networks, systems, or other military assets as a result of a cyber attack; and

''(C) any other developments regarding Chinese cyber activities that the Secretary of Defense determines are relevant to the national security of the United States.''.

(b) COMBATANT COMMANDER ASSESSMENT.—Such section is further amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Pacific Command on the following:

''(1) Any gaps in intelligence that limit the ability of the Commander to address challenges posed by the People's Republic of China.

''(2) Any gaps in the capabilities, capacity, and authorities of the Commander to address challenges posed by the People's Republic of China to United States Armed Forces and United States interests in the region.

''(3) Any other matters the Commander considers to be relevant.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) take effect on the date of the enactment of this Act and apply with respect to each report required to be submitted under section 1202 of the National Defense Authorization Act for Fiscal Year 2000 on or after such date of enactment.

SEC. 1232. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) ADDITIONAL REPORT.—Subsection (a) of section 1236 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1641) is amended by inserting after ''November 1, 2012,'' the following: ''and November 1, 2013,''.

(b) COMBATANT COMMANDER ASSESSMENT.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Pacific Command on the following:

''(1) Any gaps in intelligence that limit the ability of the Commander to counter threats emanating from North Korea.

''(2) Any gaps in the capabilities, capacity, and authorities of the Commander to counter North Korean threats to United States Armed Forces and United States interests in the region.

''(3) Any other matters the Commander considers to be relevant.''.

SEC. 1233. REPORT ON HOST NATION SUPPORT FOR OVERSEAS UNITED STATES MILITARY INSTALLATIONS AND UNITED STATES ARMED FORCES DEPLOYED IN COUNTRY.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1 of each year from 2013 through 2015, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the direct, indirect, and burden-sharing contributions made by host nations to support United States Armed Forces deployed in country.

(2) ELEMENTS.—The report required by paragraph (1) shall include at least the following:

(A) The methodology and accounting procedures used to measure and track direct, indirect, and burden-sharing contributions made by host nations.

(B) The stationing costs, paid by the host nation, associated with United States Armed Forces stationed outside the territory of the United States in that nation.

(C) A description of direct, indirect, and burden-sharing contributions by host nation, including the following:

(i) Contributions accepted for the following costs:

(I) Compensation for local national employees of the Department of Defense.

(II) Military construction projects of the Department of Defense, including design, procurement, construction management costs, rents on privately-owned land, facilities, labor, utilities and vicinity improvements.

(III) Other costs such as loan guarantees on public-private venture housing and payment-in-kind for facilities returned to the host nation.

(ii) Contributions accepted for any other purpose.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) HOST NATION.—The term ''host nation'' means any country that hosts a permanent or temporary United States military installation or a permanent or rotational deployment of United State Armed Forces located outside of the borders of the United States.

(3) CONTRIBUTIONS.—The term ''contributions'' means cash and in-kind contributions made by a host nation that replace expenditures that would otherwise be made by the Secretary of Defense using funds appropriated or otherwise made available in defense appropriations Acts.

SEC. 1234. NATO SPECIAL OPERATIONS HEADQUARTERS.

(a) IN GENERAL.—Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541), as amended by section 1242 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4405), is further amended by striking ''fiscal year 2011'' and inserting ''fiscal year 2013''.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the NATO Special Operations Headquarters, not more than 50 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of Defense finalizes and formalizes U.S. Special Operations Command as the executive agent and lead component for the NATO Special Operations Headquarters.

SEC. 1235. REPORTS ON EXPORTS OF MISSILE DEFENSE TECHNOLOGY TO CERTAIN COUNTRIES.

(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and each year thereafter through 2015, the Secretary of Defense shall submit to the appropriate congressional committees a report on the following:

(1) A description of the types of assistance, including assistance relating to missile defense, provided by the Department of Defense to foreign countries that export space, counter-space, and ballistic missile equipment, material, and technologies that could be used in other countries' space, counter-space, and ballistic missile programs.

(2) A description of such exports to countries with space, counter-space, and ballistic missile programs, including a description of specific technologies that are exported to such countries.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee of Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1236. LIMITATION ON FUNDS TO PROVIDE THE RUSSIAN FEDERATION WITH ACCESS TO MISSILE DEFENSE TECHNOLOGY.

(a) LIMITATION ON FUNDS FOR CLASSIFIED TECHNOLOGY AND DATA.—

(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the Department of Defense may be used to provide the Russian Federation with access to information that is classified or was classified as of January 2, 2012, regarding—

(A) missile defense technology of the United States, including hit-to-kill technology; or

(B) data, including sensitive technical data, warning, detection, tracking, targeting, telemetry, command and control, and battle management data, that support the missile defense capabilities of the United States.

(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.

(b) LIMITATION ON FUNDS FOR OTHER TECHNOLOGY AND DATA.—

(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the Department of Defense may be used to provide the Russian Federation with access to missile defense technology or technical data not described in subsection (a) unless—

(A) the President submits to the appropriate congressional committees—

(i) a report that contains a description of—

(I) the specific missile defense technology or technical data to be provided to the Russian Federation, the reasons for providing such technology or data, and how the technology or technical data is intended to be used;

(II) the measures necessary to protect the technology or technical data;

(III) the specific missile defense technology or technical data of the Russian Federation that the Russian Federation is providing the United States with access to; and

(IV) the status and substance of discussions between the United States and the Russian Federation on missile defense matters; and

(ii) written certification by the President that providing the Russian Federation with access to such missile defense technology or technical data—

(I) includes an agreement on prohibiting access to such technology or data by any other country or entity;

(II) will not enable the development of countermeasures to any missile defense system of the United States or otherwise undermine the effectiveness of any such missile defense system; and

(III) will correspond to equitable access by the United States to missile defense technology or technical data of the Russian Federation; and

(B) a period of 30 days has elapsed following the date on which the President submits to the appropriate congressional committees the report and written certification under subparagraph (A).

(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.

(c) FORM.—The report described in clause (i) of subsection (b)(1)(A) and the certification described in clause (ii) of such subsection shall be submitted in unclassified form, but may contain a classified annex, if necessary.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1237. INTERNATIONAL AGREEMENTS RELATING TO MISSILE DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that an agreement regarding missile defense cooperation between the United States and the Russian Federation that is negotiated with the Russian Federation through the North Atlantic Treaty Organization (''NATO'') or a provision to amend the charter of the NATO Russia Council, should not be considered legally or politically binding unless the agreement is—

(1) specifically approved with the advice and consent of the Senate pursuant to article II, section 2, clause 2 of the Constitution; or

(2) specifically authorized by an Act of Congress.

(b) MISSILE DEFENSE AGREEMENTS.—

(1) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 130f. International agreements relating to missile defense

''(a) IN GENERAL.—In accordance with the understanding under subsection (b)(1)(B) of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, any agreement with a country or international organization or amendment to the New START Treaty (including an agreement made by the Bilateral Consultative Commission established by the New START Treaty) concerning the limitation of the missile defense capabilities of the United States shall not be binding on the United States, and shall not enter into force with respect to the United States, unless after the date of the enactment of this section, such agreement or amendment is—

''(1) specifically approved with the advice and consent of the Senate pursuant to article II, section 2, clause 2 of the Constitution; or

''(2) specifically authorized by an Act of Congress.

''(b) ANNUAL NOTIFICATION.—Not later than January 31 of each year, beginning in 2013, the President shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a notification of—

''(1) whether the Russian Federation has recognized during the previous year the sovereign right of the United States to pursue quantitative and qualitative improvements in missile defense capabilities; and

''(2) whether during any treaty negotiations or other Government-to-Government contacts between the United States and the Russian Federation (including under the auspices of the Bilateral Consultative Commission established by the New START Treaty) during the previous year a representative of the Russian Federation suggested that a treaty or other international agreement include, with respect to the United States—

''(A) restricting missile defense capabilities, military capabilities in space, or conventional prompt global strike capabilities; or

''(B) reducing the number of non-strategic nuclear weapons deployed in Europe.

''(c) NEW START TREATY DEFINED.—In this section, the term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130e the following new item:

''130f. International agreements relating to missile defense.''.

(c) DEFENSE TECHNOLOGY COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2350n. Defense technology cooperation agreements between the United States and the Russian Federation

''(a) IN GENERAL.—None of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to implement a defense technology cooperation agreement entered into between the United States and the Russian Federation until a period of 60 days has elapsed following the date on which the President transmits such agreement to the congressional defense committees.

''(b) DEFENSE TECHNOLOGY COOPERATION AGREEMENT DEFINED.—In this section, the term 'defense technology cooperation agreement' means a cooperative agreement related to research and development entered into under section 2358 of this title or any other provision of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2350m the following new item:

''2350n. Defense technology cooperation agreement between the United States and the Russian Federation.''.

(d) LIMITATION ON MISSILE DEFENSE NEGOTIATION.—

(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the Department of Defense may be used to implement an agreement regarding missile defense entered into with the Russian Federation until the date that is 30 days after the date on which the President transmits to the appropriate congressional committees the draft agreement discussed between the United States and the Russian Federation at Deauville, France, in May 2011.

(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).

(b) FISCAL YEAR 2013 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2013 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2013, 2014, and 2015.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $519,111,000 authorized to be appropriated to the Department of Defense for fiscal year 2013 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $68,271,000.

(2) For chemical weapons destruction, $14,630,000.

(3) For global nuclear security, $99,789,000.

(4) For cooperative biological engagement, $276,399,000.

(5) For proliferation prevention, $32,402,000.

(6) For threat reduction engagement, $2,375,000.

(7) For activities designated as Other Assessments/Administrative Costs, $25,245,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2013 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2013 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2013 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for the fiscal year 2013 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal

year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

SEC. 1407. CEMETERIAL EXPENSES.

Funds are hereby authorized to be appropriated for the Department of the Army for fiscal year 2013 for cemeterial expenses, not otherwise provided for, as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2013, the National Defense Stockpile Manager may obligate up to $44,899,227 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 1412. ADDITIONAL SECURITY OF STRATEGIC MATERIALS SUPPLY CHAINS.

Section 2(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a) is amended by inserting ''or a single point of failure'' after ''foreign sources''.

Subtitle C—Other Matters

SEC. 1421. REDUCTION OF UNOBLIGATED BALANCES WITHIN THE PENTAGON RESERVATION MAINTENANCE REVOLVING FUND.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall transfer $26,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

SEC. 1422. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 1406 and available for the Defense Health Program for operation and maintenance, $139,204,000 may be transferred by the Secretary of Defense to the Joint Department of Defense Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1423. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2013 from the Armed Forces Retirement Home Trust Fund the sum of $67,590,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2013 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $3,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations and Other Matters

SEC. 1531. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013. In providing prior notice to the congressional defense committees of the obligation of funds from the Joint Improvised Explosive Device Defeat Fund for such fiscal year, as required by paragraph (4) of such subsection (c), the Secretary of Defense shall include the market research or associated analysis of alternatives conducted in the process of taking action to initiate any project for which the total obligation of funds from the Fund will exceed $10,000,000.

(b) MONTHLY OBLIGATIONS AND EXPENDITURE REPORTS.—Not later than 15 days after the end of each month of fiscal year 2013, the Secretary of Defense shall provide to the congressional defense committees a report on the Joint Improvised Explosive Device Defeat Fund explaining monthly commitments, obligations, and expenditures by line of action.

SEC. 1532. ONE-YEAR EXTENSION OF PROJECT AUTHORITY AND RELATED REQUIREMENTS OF TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

(a) EXTENSION.—Subsection (a) of section 1535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4426), as amended by section 1534 of the National Defense Authorization Act for

Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1658), is further amended—

(1) in paragraph (6), by striking ''October 31, 2011, and October 31, 2012'' and inserting ''October 31, 2011, October 31, 2012, and October 31, 2013''; and

(2) in paragraph (7), by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

(b) SCOPE OF PROJECTS.—Paragraph (3) of such subsection, as so amended, is further amended—

(1) by striking ''private investment, mining sector development, industrial development, and other projects'' and inserting ''mining and natural resource industry development''; and

(2) by striking ''focus on improving the commercial viability of'' and inserting ''complement''.

(c) FUNDING.—Paragraph (4) of such subsection, as so amended, is further amended—

(1) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—The Secretary''.

(2) by striking ''The amount'' and all that follows through ''appropriate congressional committees.'' and inserting the following:

''(B) LIMITATION.—The amount of funds used under authority of subparagraph (A)—

''(i) may not exceed $150,000,000 for fiscal year 2012, except that not more than 50 percent of such amount may be obligated until the plan required by subsection (b) is submitted to the appropriate congressional committees; and

''(ii) may not exceed $50,000,000 for fiscal year 2013, except that no such funds may be obligated until the Secretary notifies the appropriate congressional committees that the activities of the Task Force for Business and Stability Operations in Afghanistan will be transitioned to the Department of State by September 30, 2013.''; and

(3) by striking ''The funds'' and inserting the following:

''(C) AVAILABILITY.—The funds''.

SEC. 1533. LIMITATIONS ON AVAILABILITY OF FUNDS IN AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF EXISTING LIMITATIONS ON AVAILABILITY OF FUNDS IN AFGHANISTAN SECURITY FORCES FUND.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2013 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) AFGHAN PUBLIC PROTECTION FORCE.—

(1) LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2013 for the Afghanistan Security Forces Fund may be obligated or expended for the Afghan Public Protection Force (in this subsection referred to as the ''APPF'') until the Secretary of Defense certifies in writing to the congressional defense committees the following:

(A) Each subcontract, task order, or delivery order entered into with the APPF under a contract of the Department of Defense, or any agreement between the United States and Afghanistan for services of the APPF for the Department of Defense, will include—

(i) standard format, content, and liability clauses to ensure consistent levels of security and dispute resolution mechanisms;

(ii) a requirement for members of the APPF to adhere to the APPF Code of Conduct, including principles of conduct for such personnel, minimum vetting requirements, and management and oversight commitments;

(iii) authority for the prime contractor or, in the case of an agreement, the United States, to independently conduct biometric screening;

(iv) authority for the prime contractor or, in the case of an agreement, the United States—

(I) to direct the APPF, at its own expense, to remove or replace any personnel performing on a subcontract or such agreement who fail to meet the APPF Code of Conduct or terms of such subcontract or agreement; and

(II) to terminate the subcontract or such agreement, if the failure to comply is a gross violation or is repeated; and

(v) authority for the Commander, International Security Assistance Force (or his designee)—

(I) to provide an arming authorization for APPF personnel authorized to perform activities at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;

(II) to account for and keep appropriate records of APPF personnel authorized to perform activities at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed, including on a database referred to as the Synchronized Predeployment and Operational Tracker; and

(III) to consult with the Minister of Interior of Afghanistan regarding rules on the use of force for APPF personnel.

(B) The Minister of Interior of Afghanistan is committed to ensuring that sufficient numbers of APPF personnel are trained to match demand and attrition.

(C) Sufficient clarity exists with regard to command and control of APPF personnel and the role of risk management consultants.

(D) The program established pursuant to section 1225 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 22 U.S.C. 2785 note) is sufficient to—

(i) account for the transfer of any contractor-acquired, United States Government-owned defense articles to the APPF; and

(ii) conduct end-use monitoring, including an inventory of the existence and completeness of any such defense articles;

(E) Mechanisms are in place to ensure that there is no additional cost to the United States for—

(i) a weapon used in the performance of APPF services under a subcontract of a contract of the Department of Defense, or through an agreement between the United States and Afghanistan, if such a weapon is a United States Government-owned weapon; and

(ii) any assistance also provided through the Afghan Security Forces Fund for support to APPF.

(F) The Minister of Interior of Afghanistan has established the elements required by subparagraphs (A) through (F) of section 862(a)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). For purposes of the preceding sentence, the terms ''personnel performing private security functions in an area of combat operations or other significant military operations'', ''contractor'', and ''contractor personnel'', as used in section 862 of such Act, mean members of the APPF.

(G) The Secretary is confident the security provided to supply convoys, to Department of Defense construction projects, and to Armed Forces deployed to Afghanistan will not be degraded.

(2) ADDITIONAL LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2013 for the Afghanistan Security Forces Fund may be obligated or expended for infrastructure improvements at a APPF training center.

(3) QUARTERLY REPORTS.—

(A) ASSESSMENT REQUIRED.—Each fiscal year quarter during fiscal years 2013 and 2014, the Secretary of Defense shall conduct an assessment of the APPF.

(B) REPORTS.—Thirty days following the end of each quarter of fiscal years 2013 and 2014, the Secretary shall submit a report to the congressional defense committees of each assessment conducted under subparagraph (A).

(C) MATTERS COVERED.—Each such report shall include—

(i) a detailed assessment of the ability of the APPF to perform the essential tasks identified by the assessment team;

(ii) an identification and evaluation of measures of effectiveness,

(iii) a description of the size of the APPF and an assessment of the sufficiency of its recruiting and training; and

(iv) a discussion of the issues the Secretary considers significant, and any recommendations to address those issues or other recommendations to improve future performance of the APPF, as the Secretary considers appropriate.

(D) FIRST REPORT.—The first quarterly report submitted after the date of the enactment of this Act shall include an estimate of the cost to the Department of Defense of the APPF, including funds within the Afghan Security Forces Fund and estimated contractual costs for fiscal years 2013 and 2014.

(E) A report submitted following the end of the second and fourth quarter of a fiscal year shall include a comparison of the cost to the Department of Defense (both direct and to contractors of the Department of Defense) for the preceding six months of—

(i) the use of the APPF; and

(ii) the historical use of private security contractors for a similar six-month period.

(4) AGREEMENTS.—The Secretary shall submit to the congressional defense committees a copy of each agreement signed by the United States and Afghanistan for services of the APPF for the Department of Defense during the first six months following the date of the enactment of this Act.

TITLE XVI—INDUSTRIAL BASE MATTERS

Subtitle A—Defense Industrial Base Matters

SEC. 1601. DISESTABLISHMENT OF DEFENSE MATERIEL READINESS BOARD.

(a) DISESTABLISHMENT OF BOARD.—The Defense Materiel Readiness Board established pursuant to section 871 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 117 note) is hereby disestablished.

(b) TERMINATION OF DEFENSE STRATEGIC READINESS FUND.—The Defense Strategic Readiness Fund established by section 872(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 117 note) is hereby closed.

(c) REPEAL.—Subtitle G of title VIII of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 117 note) is repealed.

SEC. 1602. ASSESSMENT OF EFFECTS OF FOREIGN BOYCOTTS.

Section 2505 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) ASSESSMENT OF EXTENT OF EFFECTS OF FOREIGN BOYCOTTS.—Each assessment under subsection (a) shall include a separate discussion and presentation regarding the extent to which the national technology and industrial base is affected by foreign boycotts. The discussion and presentation regarding foreign boycotts shall—

''(1) identify sectors of the national technology and industrial base being affected by foreign boycotts;

''(2) assess the harm to the national technology and industrial base as a result of such boycotts; and

''(3) identify actions necessary to minimize the effects of foreign boycotts on the national technology and industrial base.''.

SEC. 1603. ADVANCING INNOVATION PILOT PROGRAM.

(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering, may establish and implement a pilot program, to be known as the ''Advancing Innovation Pilot Program'', in furtherance of the national security objectives in section 2501(a) of title 10, United States Code.

(b) PURPOSE.—The purpose of the pilot program is to accelerate development and fielding of research innovations from qualifying institutions.

(c) AVAILABILITY OF FUNDS.—Of the funds authorized and appropriated, or otherwise made available, for research, development, test and evaluation, the Secretary may allocate funding to qualifying institutions in accordance with this subsection. Such funding shall be used to evaluate the potential of fielding or commercialization of existing discoveries, including—

(1) proof of concept research or prototype development; and

(2) activities that contribute to determining a project's path to fielding or commercialization of dual-use technologies, including technical validations, market research, determination of intellectual property rights, and investigating military or commercial opportunities.

(d) IMPLEMENTATION.—Prior to obligation or execution of funding under the pilot program, the Secretary shall develop and issue guidance to implement the pilot program. Such guidance shall, at a minimum—

(1) require that funding allocated under the pilot program shall be done using a competitive, merit-based process;

(2) ensure that qualifying institutions establish a rigorous, diverse review board for program execution that shall be comprised of experts in translational and proof of concept research, including representatives that provide expertise in transitioning technology, financing mechanisms, intellectual property rights, and advancement of small business concerns;

(3) ensure that technology validation milestones are established; and

(4) enable the Assistant Secretary to reallocate funding with the pilot program from poor performing projects to those with more potential.

(e) LIMITATION.—Funding made available under the pilot program shall not be used for basic research, or to fund the acquisition of research equipment or supplies not directly related to fielding activities to meet military requirements or commercialization of dual-use technologies.

(f) REPORT.—Not later than 90 days after the completion of the pilot program, the Secretary shall submit to the congressional defense committees a report evaluating the effectiveness of the activities of the pilot program. The report shall include—

(1) a detailed description of the execution of the pilot program, including incentives and activities undertaken by review board experts;

(2) an accounting of the funds used in the pilot program;

(3) a detailed description of the institutional and proposal selection process;

(4) a detailed compilation of results achieved by the pilot program;

(5) an analysis of the program's effectiveness, with data supporting the analysis; and

(6) recommendations for advancing innovation and otherwise improving the transition of technology to meet Department of Defense requirements.

(g) DEFINITIONS.—In this section:

(1) QUALIFYING INSTITUTION.—The term ''qualifying institution'' means any entity at which research and development activities are conducted and that has past performance in technology transition or commercialization of third-party research, including—

(A) an institution of higher education or other nonprofit entity; and

(B) a for-profit entity.

(2) RESEARCHER.—The term ''researcher'' means a university or Federal laboratory that conducts basic research.

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965.

(4) DUAL-USE.—The term ''dual-use'' has the meaning provided in section 2500(2) of title 10, United States Code.

(h) TERMINATION.—The pilot program conducted under this section shall terminate on September 30, 2017.

SEC. 1604. NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) REQUIREMENT FOR STRATEGY.—

(1) IN GENERAL.—Section 2501 of title 10, United States Code, is amended as follows:

(A) The section heading is amended by striking ''**objectives concerning**'' and inserting ''**strategy for**''.

(B) Subsection (a) is amended—

(i) in the subsection heading, by striking ''OBJECTIVES'' and inserting ''STRATEGY'';

(ii) by striking ''It is the policy of'' and all that follows through ''objectives:'' and inserting the following: ''The Secretary of Defense shall develop a national security strategy for the national technology and industrial base. Such strategy shall be based on a prioritized assessment of risks and challenges to the defense supply chain and shall ensure that the national technology and industrial base is capable of achieving the following national security objectives:''; and

(iii) by adding at the end the following new paragraph:

''(9) Ensuring reliable sources of materials that are critical to national security, such as specialty metals, armor plate and rare earth elements.

''(10) Reducing, to the maximum extent practicable, the presence of counterfeit parts in the supply chain and the risk associated with such parts.''.

(2) CLERICAL AMENDMENT.—The item relating to section 2501 in the table of sections at the beginning of subchapter II of chapter 148 of such title is amended to read as follows:

''2501. National security strategy for national technology and industrial base.''.

(b) AMENDMENT TO ANNUAL REPORT RELATING TO DEFENSE INDUSTRIAL BASE.—Section 2504 of such title is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2); and

(3) by inserting after paragraph (2) (as so redesignated) the following new paragraph (3):

''(3) Based on the assessments prepared pursuant to section 2505 of this title—

''(A) a description of any mitigation strategies necessary to address any gaps or vulnerabilities in the national technology and industrial base; and

''(B) any other steps necessary to foster and safeguard the national technology and industrial base.''.

(c) REQUIREMENT FOR CONSIDERATION OF STRATEGY IN ACQUISITION PLANS.—Section 2440 of such title is amended by inserting after ''base'' the following: '', in accordance with the strategy required by section 2501 of this title,''.

(d) CONFORMING AMENDMENTS.—Section 852 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1517; 10 U.S.C. 2504 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c), and in that subsection by striking ''subsection (c).'' in the first sentence and inserting ''section 2501 of title 10, United States Code.''.

Subtitle B—Department of Defense Activities Related to Small Business Matters

SEC. 1611. PILOT PROGRAM TO ASSIST IN THE GROWTH AND DEVELOPMENT OF ADVANCED SMALL BUSINESS CONCERNS.

(a) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Defense shall establish a pilot program within the Department of Defense to assist in the growth and development of advanced small business concerns in accordance with this section.

(b) REQUIREMENTS OF PILOT PROGRAM.—

(1) RESTRICTED COMPETITION FOR CERTAIN CONTRACTS.—Under the pilot program and except as provided under paragraph (2)(B), competition for contract awards may be restricted to advanced small business concerns if—

(A) the anticipated award price of the contract (including options) is reasonably expected to exceed $25,000,000;

(B) the Procurement Center Representative of the Small Business Administration or the Director of Small Business Programs of the Department of Defense determines that, if the contract were not awarded under the pilot program, the contract would likely be awarded to an entity other than a small business concern;

(C) there is a reasonable expectation that at least two advanced small business concerns will submit offers with respect to the contract;

(D) such advanced small business concerns agree to the requirements specified in section 15(o) of the Small Business Act (15 U.S.C. 644(o)) (relating to percentage of work under the contract to be performed by the concern), except that work performed by other advanced small business concerns or by small business concerns shall be considered as work performed by the prime contractor for purposes of such requirements; and

(E) the contract award can be made at a fair market price.

(2) ELIGIBILITY.—

(A) ADVANCED SMALL BUSINESS CONCERN.—An entity shall be considered an advanced small business concern and eligible for participation in the pilot program if the entity—

(i) is independently owned and operated and is not dominant in its field of operation; and

(ii) has fewer than—

(I) twice the number of employees the Small Business Administration has assigned as a size standard to the North American Industrial Classification Standard code in which the entity is operating; or

(II) three times the average annual receipts the Small Business Administration has assigned as a size standard to the North American Industrial Classification Standard code in which the entity is operating.

(B) SMALL BUSINESS CONCERN.—Notwithstanding paragraph (1), a small business concern may submit an offer for any contract under the pilot program.

(3) CONSIDERATION AND NOTICE TO PUBLIC.—With respect to a contract opportunity determined to meet the criteria specified in paragraph (1), a contracting officer for the Department of Defense shall—

(A) consider awarding a contract under the pilot program before using full and open competition for such contract; and

(B) provide notice of the contract opportunity (including the eligibility requirements of the contract opportunity) in accordance with the Federal Acquisition Regulation and other applicable guidelines.

(4) RELATIONSHIP TO SMALL BUSINESS ACT PROGRAMS.—

(A) An advanced small business concern shall not be eligible for any assistance provided to small businesses by the Small Business Act (15 U.S.C. 637 et seq.) or the Small Business Investment Act of 1958 22 (15 U.S.C. 661 et seq.), unless eligibility is expressly provided through the pilot program established by this Act, and contracts awarded pursuant to the pilot program shall not be counted toward the achievement of the small business prime or subcontracting goals established by the Small Business Act (15 U.S.C. 644).

(B) An advanced small business concern shall enter into a subcontracting plan in accordance with section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

(C) Nothing in this section authorizes a Procurement Center Representative or an employee of the Office of Small Business Programs to provide assistance to advanced small business concerns or to advocate for the restriction of competition to advanced small business concerns.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the Small Business Administration, shall develop and issue guidance to implement the pilot program. The guidance shall—

(1) identify criteria under which the pilot program is evaluated, including a methodology to collect data during the course of the pilot program to facilitate an assessment at the conclusion of the pilot program;

(2) permit a self-certification for eligibility for participation in the pilot program;

(3) ensure that any self-certification requires the concern involved to meet the requirements of the Small Business Administration regarding ownership, control, and affiliation (as set forth in section 121.103 of title 13 of the Code of Federal Regulations);

(4) establish an appeals process to handle challenges to self-certifications of advanced small business concerns, with the certification of eligibility residing with the Small Business Administration's Office of Hearings and Appeals;

(5) identify a method to reimburse the Small Business Administration for additional costs to the Administration relating to such self-certifications;

(6) establish a methodology for identifying and tracking program participants, including reporting on contracts awarded to program participants using the Federal Procurement Data System; and

(7) ensure that the pilot program does not supersede goals or programs authorized by the Small Business Act (15 U.S.C. 637 et seq.) or the Small Business Investment Act of 1958 22 (15 U.S.C. 661 et seq.) or count toward the achievement of the small business prime or subcontracting goals established by the Small Business Act (15 U.S.C. 644).

(d) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the duration of the pilot program, the Secretary of Defense shall submit to the appropriate congressional committees a report on the pilot program that includes each of the following:

(1) The number of contracts awarded in the prior year under the pilot program.

(2) The value of the contracts awarded under the pilot program and a description of the work carried out under such contracts.

(3) The number of program participants under the pilot program.

(4) An assessment of the success of the pilot program based on the criteria described in subsection (c)(1).

(5) Such recommendations as the Secretary considers appropriate, including a recommendation regarding whether to extend the pilot program or terminate it early.

(e) TERMINATION.—The pilot program shall terminate on the date that is three years after the date on which the guidance for the pilot program is issued pursuant to subsection (c).

(f) DEFINITIONS.—In this section:

(1) ADVANCED SMALL BUSINESS CONCERN.—The term ''advanced small business concern'' means an entity that meets the requirements specified in subsection (b)(2)(A).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means each of the following:

(A) The Committees on Armed Services and on Small Business and Entrepreneurship of the Senate.

(B) The Committees on Armed Services and on Small Business of the House of Representatives.

(3) OFFICE OF SMALL BUSINESS PROGRAMS.—The term ''Office of Small Business Programs'' means the Office of Small Business Programs described in section 144(b) of title 10, United States Code.

(4) PILOT PROGRAM.—The term ''pilot program'' means the program established by the Secretary of Defense under subsection (a).

(5) PROCUREMENT CENTER REPRESENTATIVE.—The term ''Procurement Center Representative'' has the meaning provided in section 15 of the Small Business Act (15 U.S.C. 644).

(6) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning provided under section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

SEC. 1612. ROLE OF THE DIRECTORS OF SMALL BUSINESS PROGRAMS IN REQUIREMENTS DEVELOPMENT AND ACQUISITION DECISION PROCESSES OF THE DEPARTMENT OF DEFENSE.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall develop and issue guidance to ensure that the head of each Office of Small Business Programs in the Department of Defense is a participant in requirements development and acquisition decision processes—

(1) of the Department, in the case of the Director of Small Business Programs in the Department of Defense; and

(2) of the military department concerned, in the case of the Director of Small Business Programs in the Department of the Army, in the Department of the Navy, and in the Department of the Air Force.

(b) MATTERS TO BE INCLUDED.—Such guidance shall, at a minimum—

(1) require the Director of Small Business Programs in the Department of Defense—

(A) to serve as an advisor to the Defense Acquisition Board; and

(B) to serve as an advisor to the Information Technology Acquisition Board; and

(2) require coordination between the chiefs of the Armed Forces and the service acquisition executives, as appropriate (or their designees), and the Director of Small Business Programs in each military department during the process for approval of—

(A) a requirements document, as defined in section 2547 of title 10, United States Code; and

(B) acquisition strategies or plans.

SEC. 1613. SMALL BUSINESS ADVOCATE FOR DEFENSE AUDIT AGENCIES.

(a) SMALL BUSINESS ADVOCATE.—Subchapter II of chapter 8 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 204. Small Business Advocate for defense audit agencies

''(a) SMALL BUSINESS ADVOCATE.—The Secretary of Defense shall designate within each defense audit agency an official as the Small Business Advocate to have the duties described in subsection (b) and such other responsibilities as may be determined by the Secretary.

''(b) DUTIES.—The Small Business Advocate at a defense audit agency shall—

''(1) advise the Director of the defense audit agency on all issues related to small business concerns;

''(2) serve as the defense audit agency's primary point of contact and source of information for small business concerns; and

''(3) collect relevant data and monitor the defense audit agency's conduct of audits of small business concerns, including—

''(A) monitoring the timeliness of audit closeouts for small business concerns; and

''(B) monitoring the responsiveness of the agency to issues or other matters raised by small business concerns; and

''(4) develop and implement processes and procedures to improve the performance of the defense audit agency related to the timeliness of audits of small business concerns and the responsiveness of the agency to issues or other matters raised by small business concerns.

''(c) DEFENSE AUDIT AGENCY DEFINED.—In this section, the term 'defense audit agency' means the Defense Contract Audit Agency and the Defense Contract Management Agency.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 8 of such title is amended by inserting after the item relating to section 203 the following new item:

''204. Small Business Advocate for defense audit agencies.''.

SEC. 1614. INDEPENDENT ASSESSMENT OF FEDERAL PROCUREMENT CONTRACTING PERFORMANCE OF THE DEPARTMENT OF DEFENSE.

(a) ASSESSMENT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct an independent assessment of the Department's procurement performance related to small business concerns.

(b) MATTERS COVERED.—The assessment under subsection (a) shall, at a minimum, include—

(1) a description of the industrial composition of companies receiving subcontracts pursuant to the test program for the negotiation of comprehensive small business subcontracting plans pursuant to section 834 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 15 U.S.C. 637 note);

(2) a comparison of the industrial composition of prime contractors participating in such test program and the industrial composition of all prime contractors of the Department of Defense;

(3) a determination of barriers to accurately capturing data on small business prime contracting and subcontracting, including an examination of the reliability of the information technology systems of the Department that are used to track such data;

(4) recommendations for improving the quality and availability of data regarding small business prime contracting and subcontracting performance;

(5) recommendations to improve and inform negotiations regarding small business contract goals for the Department;

(6) an examination of the execution of small business subcontracting plans, including an assessment of the degree to which initial teaming agreements are not maintained through the performance of contracts;

(7) an examination of the extent to which the Department adheres to current policies and guidelines relating to small business prime contracting and subcontracting goals;

(8) recommendations for increasing opportunities for small business concerns owned and controlled by service-disabled veterans (as defined by section 3(q) of the Small Business Act (15 U.S.C. 632(q)) to do business with the Department of Defense;

(9) an examination of the extent to which the Department bundles, consolidates, or otherwise

groups requirements into contracts that are unsuitable for award to small businesses, and the effects that such practices have on small business participation;

(10) recommendations for increasing small business prime contracting and subcontracting opportunities with the Department; and

(11) recommendations for steps that can be taken to prevent abuses and ensuring that small business contracts are in fact going to small businesses.

(c) REPORT.—Not later than January 1, 2014, the Secretary shall submit to the congressional defense committees a report on the independent assessment conducted under this section.

SEC. 1615. ASSESSMENT OF SMALL BUSINESS PROGRAMS TRANSITION.

(a) INDEPENDENT REVIEW AND ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall select an appropriate entity outside the Department of Defense to conduct an independent review and assessment of the transition of technologies developed by small business, such as those developed under the Small Business Innovation Research Program, into major weapon systems and major automated information systems for the Department of Defense.

(b) ELEMENTS.—The review and assessment required by subsection (a) shall include the following:

(1) An analysis of a representative sample of major weapon systems and major automated information systems to determine the content of the systems from small businesses, including components transitioned from the Small Business Innovation Research Program.

(2) An analysis of established or ad hoc processes to allow program offices to monitor, evaluate, and transition small business-developed technologies into their program.

(3) Recommendations for developing a systematic and sustained process for monitoring, evaluating, and transitioning small business-developed technologies for use by the entire defense acquisition system of the Department of Defense, including data collection and measures of effectiveness and performance.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the entity conducting the review and assessment under subsection (a) shall submit to the Secretary and the congressional defense committees a report containing—

(A) the results of the review and assessment; and

(B) recommendations for improving the process for managing the transition and integration of technologies developed by small business (including under the Small Business Innovation Research Program) into major weapons systems and major automated information systems.

(2) ADDITIONAL EVALUATION REQUIRED.—Not later than 30 days after the date on which the congressional defense committees receive the report required by paragraph (1), the Secretary shall submit to such committees an evaluation by the Secretary of the results and recommendations contained in such report.

(d) SBIR PROGRAM DEFINED.—In this section, the term ''Small Business Innovation Research Program'' has the meaning provided such term by section 2500(11) of title 10, United States Code.

SEC. 1616. ADDITIONAL RESPONSIBILITIES OF INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) REQUIREMENT FOR PEER REVIEWS.—Section 8(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking ''and'' at the end of paragraph (8);

(2) by striking the period and inserting ''; and'' at the end of paragraph (9); and

(3) by adding at the end the following new paragraph:

''(10) conduct peer reviews of Department of Defense audit agencies in accordance with and in such frequency as provided by Government auditing standards as established by the Comptroller General of the United States.''.

(b) REQUIREMENT FOR ADDITIONAL INFORMATION IN SEMIANNUAL REPORTS.—Section 8(f) of such Act is amended by striking paragraph (1) and inserting the following:

''(1) Each semiannual report prepared by the Inspector General of the Department of Defense under section 5(a) shall be transmitted by the Secretary of Defense to the Committees on Armed Services and on Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and on Oversight and Government Reform of the House of Representatives and to other appropriate committees or subcommittees of Congress. Each such report shall include—

''(A) information concerning the numbers and types of contract audits conducted by the Department during the reporting period; and

''(B) information concerning any Department of Defense audit agency that, during the reporting period, has either failed an audit or is overdue for a peer review required to be conducted in accordance with subsection (c)(10).''.

SEC. 1617. RESTORATION OF 1 PERCENT FUNDING FOR ADMINISTRATIVE EXPENSES OF COMMERCIALIZATION READINESS PROGRAM OF DEPARTMENT OF DEFENSE.

(a) RESTORATION.—Section 9(y) of the Small Business Act (15 U.S.C. 638(y)), as amended by section 5141(b)(1)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1853) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) FUNDING.—For payment of expenses incurred to administer the Commercialization Readiness Program under this subsection, the Secretary of Defense and each Secretary of a military department is authorized to use not more than an amount equal to 1 percent of the funds available to the Department of Defense or the military department pursuant to the Small Business Innovation Research Program. Such funds shall not be used to make Phase III awards.''.

(b) TECHNICAL AMENDMENT.—Section 5141(b)(3)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1854) is amended—

(1) by striking ''subsection (y)—'' and all that follows through ''the following:'' and inserting ''subsection (y), by amending paragraph (4) to read as follows:''

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of January 1, 2012.

Subtitle C—Matters Relating to Small Business Concerns

PART I—PROCUREMENT CENTER REPRESENTATIVES

SEC. 1621. PROCUREMENT CENTER REPRESENTATIVES.

(a) IN GENERAL.—Section 15(l) of the Small Business Act (15 U.S.C. 644(l)) is amended by striking the subsection enumerator and inserting the following:

''(l) PROCUREMENT CENTER REPRESENTATIVES.—''.

(b) ASSIGNMENT AND ROLE.—Paragraph (1) of section 15(l) of such Act (15 U.S.C. 644(l)) is amended to read as follows:

''(1) ASSIGNMENT AND ROLE.—The Administrator shall assign to each major procurement center a procurement center representative with such assistance as may be appropriate.''.

(c) ACTIVITIES.—Section 15(l)(2) of such Act (15 U.S.C. 644(l)(2)) is amended—

(1) in the matter preceding subparagraph (A) by striking ''(2) In addition to carrying out the responsibilities assigned by the Administration, a breakout'' and inserting the following:

''(2) ACTIVITIES.—A'';

(2) by striking subparagraph (A) and inserting the following:

''(A) attend any provisioning conference or similar evaluation session during which a determination may be made with respect to the procurement method to be used to satisfy a requirement, review any acquisition plan with respect to a requirement, and make recommendations regarding procurement method determinations and acquisition plans;'';

(3) in subparagraph (B)—

(A) by striking ''(B) review, at any time, restrictions on competition'' and inserting the following:

''(B) review, at any time, barriers to small business participation in Federal contracting'';

(B) by striking ''items'' and inserting ''goods and services''; and

(C) by striking ''limitations'' and inserting ''barriers'';

(4) in subparagraph (C) by striking ''(C) review restrictions on competition'' and inserting the following:

''(C) review barriers to small business participation in Federal contracting'';

(5) by striking subparagraph (D) and inserting the following:

''(D) review any bundled or consolidated solicitation or contract in accordance with this Act;'';

(6) by striking subparagraph (E) and inserting the following:

''(E) have electronic access to procurement records, acquisition plans developed or in development, and other data of the procurement center commensurate with the level of such representative's approve security clearance classification;''; and

(7) by striking subparagraphs (F) and (G) and inserting the following:

''(F) receive, from personnel responsible for reviewing unsolicited proposals, copies of unsolicited proposals from small business concerns and any information on outcomes relating to such proposals;

''(G) participate in any session or planning process and review any documents with respect to a decision to convert an activity performed by a small business concern to an activity performed by a Federal employee;

''(H) be an advocate for the maximum practicable utilization of small business concerns in Federal contracting, including by advocating against the bundling of contract requirements when not justified; and

''(I) carry out any other responsibility assigned by the Administrator.''.

(d) APPEALS.—Section 15(l)(3) of such Act (15 U.S.C. 644(l)(3)) is amended by striking ''(3) A breakout procurement center representative'' and inserting the following:

''(3) APPEALS.—A procurement center representative''.

(e) NOTIFICATION AND INCLUSION.—Paragraph (4) of section 15(l) of such Act (15 U.S.C. 644(l)) is amended to read as follows:

''(4) NOTIFICATION AND INCLUSION.—Agency heads shall ensure that procurement center representatives are included in applicable acquisition planning processes.''.

(f) POSITION REQUIREMENTS.—Section 15(l)(5) of such Act (15 U.S.C. 644(l)(5)) is amended—

(1) by striking the paragraph enumerator and inserting the following:

''(5) POSITION REQUIREMENTS.—'';

(2) by striking subparagraphs (A) and (B) and inserting the following:

''(A) IN GENERAL.—A procurement center representative assigned under this subsection shall—

''(i) be a full-time employee of the Administration;

''(ii) be fully qualified, technically trained, and familiar with the goods and services procured by the major procurement center to which that representative is assigned; and

''(iii) have a Level III Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that any person serving in such a position on the date of enactment of this clause may continue to serve in that position for a period of 5 years without the required certification.''; and

(3) in subparagraph (C) by striking ''(C) The Administration shall establish personnel positions for breakout procurement representatives and advisers assigned pursuant to'' and inserting the following:

''(B) COMPENSATION.—The Administrator shall establish personnel positions for procurement center representatives assigned under''.

(g) MAJOR PROCUREMENT CENTER DEFINED.—Section 15(l)(6) of such Act (15 U.S.C. 644(l)(6)) is amended—

(1) by striking ''(6) For purposes'' and inserting the following:

''(6) MAJOR PROCUREMENT CENTER DEFINED.—For purposes''; and

(2) by striking ''other than commercial items and which has the potential to incur significant savings as the result of the placement of a breakout procurement center representative'' and inserting ''goods or services, including goods or services that are commercially available''.

(h) TRAINING.—Section 15(l)(7) of such Act (15 U.S.C. 644(l)(7)) is amended—

(1) by striking the paragraph enumerator and inserting the following:

''(7) TRAINING.—'';

(2) by striking subparagraph (A) and inserting the following:

''(A) AUTHORIZATION.—At such times as the Administrator deems appropriate, a procurement center representative shall provide training for contracting officers, other appropriate personnel of the procurement center to which such representative is assigned, and small businesses groups seeking to do business with such procurement center. Such training shall acquaint the participants with the provisions of this subsection and shall instruct the participants in methods designed to further the purposes of this subsection.

''(B) LIMITATION.—A procurement center representative may provide training under subparagraph (A) only to the extent that the training does not interfere with the representative carrying out other activities under this subsection.''; and

(3) in subparagraph (B)—

(A) by striking ''(B) The breakout procurement center representative'' and inserting the following:

''(8) ANNUAL BRIEFING AND REPORT.—A procurement center representative''; and

(B) by striking ''sixty'' and inserting ''60''.

SEC. 1622. SMALL BUSINESS ACT CONTRACTING REQUIREMENTS TRAINING.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this part, the Defense Acquisition University and the Federal Acquisition Institute shall each provide a course on contracting requirements under the Small Business Act, including the requirements for small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(b) COURSE REQUIRED.—To have a Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification an individual shall be required to complete the course established under subsection (a).

(c) REQUIREMENT THAT BUSINESS OPPORTUNITY SPECIALISTS BE CERTIFIED.—Section 7(j)(10)(D)(i) of the Small Business Act (15 U.S.C. 636(j)(10)(D)(i)) is amended by inserting after ''to assist such Program Participant.'' the following: ''The Business Opportunity Specialist shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that a Business Opportunity Specialist serving at the time of the date of enactment of the Small Business Opportunity Act of 2012 may continue to serve as a Business Opportunity Specialist for a period of 5 years beginning on that date of enactment without such a certification.''.

(d) GAO REPORT.—Not later than 365 days after the date of enactment of this part, the Comptroller General of the United States shall conduct a study and submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the relationship between the size and quality of the acquisition workforce and the Federal government's ability to maximize the utilization of small businesses in Federal procurement. The report shall specifically address the following:

(1) The extent to which training on small business contracting laws affects a contracting officer's determination to use one of the contracting authorities provided in the Small Business Act.

(2) The relationship between a robust Federal acquisition workforce and small business success in obtaining Federal contracting opportunities.

(3) The effect on economic growth if small businesses experienced a significant reduction in small business procurement activities.

(4) The effect of the anticipated acceleration of retirements by the acquisition workforce on small business procurement opportunities.

SEC. 1623. ACQUISITION PLANNING.

Section 15(e)(1) of the Small Business Act (15 U.S.C. 644(e)(1)) is amended—

(1) by striking ''the various agencies'' and inserting ''a Federal department or agency''; and

(2) by striking the period and inserting ''and each such Federal department or agency shall—

''(A) enumerate opportunities for the participation of small business concerns during all acquisition planning processes and in all acquisition plans;

''(B) invite the participation of the appropriate Director of Small and Disadvantaged Business Utilization in all acquisition planning processes and provide that Director access to all acquisition plans in development; and

''(C) invite the participation of the appropriate procurement center representative in all acquisition planning processes and provide that representative access to all acquisition plans in development.''.

PART II—GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS

SEC. 1631. GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

(a) IN GENERAL.—Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended by striking the subsection enumerator and inserting the following:

''(g) GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.—''.

(b) GOVERNMENTWIDE GOALS.—Paragraph (1) of section 15(g) of such Act (15 U.S.C. 644(g)) is amended to read as follows:

''(1) GOVERNMENTWIDE GOALS.—The President shall annually establish Governmentwide goals for procurement contracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in accordance with the following:

''(A) The Governmentwide goal for participation by small business concerns shall be established at not less than 25 percent of the total value of all prime contract awards for each fiscal year and 40 percent of the total value of all subcontract awards for each fiscal year.

''(B) The Governmentwide goal for participation by small business concerns owned and controlled by service-disabled veterans shall be established at not less than 3 percent of the total value of all prime contract and at not less than 3 percent of the total value of all subcontract awards for each fiscal year.

''(C) The Governmentwide goal for participation by qualified HUBZone small business concerns shall be established at not less than 3 percent of the total value of all prime contract and at not less than 3 percent of the total value of all subcontract awards for each fiscal year.

''(D) The Governmentwide goal for participation by small business concerns owned and controlled by socially and economically disadvantaged individuals shall be established at not less than 5 percent of the total value of all prime contract and at not less than 5 percent of the total value of all subcontract awards for each fiscal year.

''(E) The Governmentwide goal for participation by small business concerns owned and controlled by women shall be established at not less than 5 percent of the total value of all prime contract and at not less than 5 percent of the total value of all subcontract awards for each fiscal year.''.

(c) AGENCY GOALS.—Paragraph (2) of section 15(g) of such Act (15 U.S.C. 644(g)) is amended to read as follows:

''(2) AGENCY GOALS.—

''(A) ESTABLISHMENT.—The head of each Federal agency shall annually establish, for the agency that individual heads, goals for procurement contracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

''(B) RELATIONSHIP TO GOVERNMENTWIDE GOALS.—

''(i) SCOPE.—The goals established by the head of a Federal agency under subparagraph (A) shall be in the same format as the goals established by the President under paragraph (1) and shall address both prime contract and subcontract awards.

''(ii) REQUIREMENT PERTAINING TO AGENCY GOALS.—With respect to each goal for a fiscal year established under subparagraph (A) for a category of small business concern, the participation percentage applicable to such goal may not be less than the participation percentage applicable to the Governmentwide goal for such fiscal year established under paragraph (1) for such category.

''(C) CONSULTATION REQUIRED.—

''(i) IN GENERAL.—.In establishing goals under subparagraph (A), the head of each Federal agency shall consult with the Administrator.

''(ii) DISAGREEMENTS.—Except as provided by clause (iii), if the Administrator and the head of a Federal agency fail to agree on a goal established under subparagraph (A), the disagreement shall be submitted to the Administrator for

Federal Procurement Policy for final determination.

''(iii) AGENCY GOALS OF THE DEPARTMENT OF DEFENSE.—In the case of a goal proposed by the Secretary of Defense that is lower than a goal established during the preceding fiscal year for the Department of the Defense and for which the Administrator does not agree, the disagreement shall be submitted to the Administrator for Federal Procurement Policy for final determination.

''(D) PLAN FOR ACHIEVING GOALS.—After establishing goals under subparagraph (A) for a fiscal year, the head of each Federal agency shall develop a plan for achieving such goals, which shall apportion responsibilities among the agency's acquisition executives and officials.

''(E) EXPANDED PARTICIPATION.—In establishing goals under subparagraph (A), the head of each Federal agency shall make a consistent effort to annually expand participation by small business concerns from each industry category in procurement contracts of such agency, including participation by small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

''(F) CONSIDERATION.—The head of each Federal agency, in attempting to attain expanded participation under subparagraph (E), shall consider—

''(i) contracts awarded as the result of unrestricted competition; and

''(ii) contracts awarded after competition restricted to eligible small business concerns under this section and under the program established under section 8(a).

''(G) COMMUNICATION REGARDING GOALS.—

''(i) IMPORTANCE OF ACHIEVING GOALS.—Each procurement employee or program manager described in clause (ii) shall communicate to the subordinates of the procurement employee or program manager the importance of achieving goals established under subparagraph (A).

''(ii) PROCUREMENT EMPLOYEES OR PROGRAM MANAGERS DESCRIBED.—A procurement employee or program manager described in this clause is a senior procurement executive, senior program manager, or Director of Small and Disadvantaged Business Utilization of a Federal agency having contracting authority.''.

(d) ENFORCEMENT; DETERMINATIONS OF THE TOTAL VALUE OF CONTRACT AWARDS.—Section 15(g) of the Small Business Act (15 U.S.C. 644(g)), as amended by this part, is further amended by adding at the end the following:

''(3) ENFORCEMENT.—If the Administrator does not issue the report required in subsection (h)(2) on or before the date that is 120 days after the end of the prior fiscal year, the Administrator may not carry out or establish any pilot program until the date on which the Administrator issues the report.

''(4) DETERMINATIONS OF THE TOTAL VALUE OF CONTRACT AWARDS.—For purposes of the goals established under paragraphs (1) and (2), the total value of contract awards for a fiscal year may not be determined in a manner that excludes the value of a contract based on—

''(A) where the contract is awarded;

''(B) where the contract is performed;

''(C) whether the contract is mandated by Federal law to be performed by an entity other than a small business concern;

''(D) whether funding for the contract is made available in an appropriations Act, if the contract is subject to competitive procedures under chapter 33 of title 41, United States Code; or

''(E) whether the contract is subject to the Federal Acquisition Regulation.''.

SEC. 1632. REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

Subsection (h) of section 15 of the Small Business Act (15 U.S.C. 644) is amended to read as follows:

''(h) REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.—

''(1) AGENCY REPORTS.—At the conclusion of each fiscal year, the head of each Federal agency shall submit to the Administrator a report describing—

''(A) the extent of the participation by small business concerns, small business concerns owned and controlled by veterans (including service-disabled veterans), qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in the procurement contracts of such agency during such fiscal year;

''(B) whether the agency achieved the goals established for the agency under subsection (g)(2)(A) with respect to such fiscal year; and

''(C) any justifications for a failure to achieve such goals.

''(2) REPORTS BY ADMINISTRATOR.—Not later than 60 days after receiving a report from each Federal agency under paragraph (1) with respect to a fiscal year, the Administrator shall submit to the President and Congress, and to make available on a public website, a report that includes—

''(A) a copy of each report submitted to the Administrator under paragraph (1);

''(B) a determination of whether each goal established by the President under subsection (g)(1) for such fiscal year was achieved;

''(C) a determination of whether each goal established by the head of a Federal agency under subsection (g)(2)(A) for such fiscal year was achieved;

''(D) the reasons for any failure to achieve a goal established under paragraph (1) or (2)(A) of subsection (g) for such fiscal year and a description of actions planned by the applicable agency to address such failure, including the Administrator's comments and recommendations on the proposed remediation plan;

''(E) for the Federal Government and each Federal agency, an analysis of the number and dollar amount of prime contracts awarded during such fiscal year to—

''(i) small business concerns—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns; and

''(IV) through unrestricted competition;

''(ii) small business concerns owned and controlled by service-disabled veterans—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by service-disabled veterans; and

''(V) through unrestricted competition;

''(iii) qualified HUBZone small business concerns—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to qualified HUBZone small business concerns;

''(V) through unrestricted competition where a price evaluation preference was used; and

''(VI) through unrestricted competition where a price evaluation preference was not used;

''(iv) small business concerns owned and controlled by socially and economically disadvantaged individuals—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals;

''(V) through unrestricted competition; and

''(VI) by reason of that concern's certification as a small business owned and controlled by socially and economically disadvantaged individuals;

''(v) small business concerns owned by an Indian tribe other than an Alaska Native Corporation—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

''(V) through unrestricted competition; and

''(vi) small business concerns owned by Native Hawaiian Organization—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

''(V) through unrestricted competition; and

''(vii) small business concerns owned by an Alaska Native Corporation—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

''(V) through unrestricted competition; and

''(viii) small business concerns owned and controlled by women—

''(I) in the aggregate;

''(II) through competitions restricted to small business concerns;

''(III) through competitions restricted using the authority under section 8(m)(2);

''(IV) through competitions restricted using the authority under section 8(m)(2) and in which the waiver authority under section 8(m)(3) was used; and

''(V) through unrestricted competition; and

''(F) for the Federal Government and each Federal agency, the number, dollar amount, and distribution with respect to the North American Industry Classification System of subcontracts awarded during such fiscal year to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.''.

SEC. 1633. SENIOR EXECUTIVES.

(a) TRAINING.—Programs established for the development of senior executives under section 3396(a) of title 5, United States Code, shall include training with respect to Federal procurement requirements, including contracting requirements under the Small Business Act (15 U.S.C. 631 et seq.).

(b) EVALUATION OF EXECUTIVES.—The head of an agency shall ensure that evaluations of members of the senior executive service, as defined under section 3396(a) of title 5, United States Code, responsible for acquisition, other senior

officials responsible for acquisition, and other members of the senior executive service, as appropriate, include consideration of the agency's success in achieving small business contracting goals and percentages. Such evaluations shall, as a minimum, consider the extent to which the executive—

(1) promotes a climate or environment that is responsive to small business concerns;

(2) communicates the importance of achieving the agency's small business contracting goals; and

(3) encourages small business awareness, outreach, and support.

(c) DEFINITIONS.—In this section the term ''responsible for acquisition'', with respect to a member of the senior executive service or other senior official, means such a member or official who acquires services or supplies, directs agency organizations to acquire services or supplies, oversees acquisition officials, including program managers, contracting officers, and other acquisition workforce personnel responsible for formulating and approving acquisition strategies and plans.

PART III—MENTOR-PROTEGE PROGRAM

SEC. 1641. MENTOR-PROTEGE PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 45 as section 46; and

(2) by inserting after section 44 the following:

''SEC. 45. MENTOR-PROTEGE PROGRAMS.

''(a) ADMINISTRATION PROGRAM.—

''(1) AUTHORITY.—The Administrator is authorized to establish a mentor-protege program for all small business concerns.

''(2) MODEL FOR PROGRAM.—The mentor-protege program established under paragraph (1) shall be identical to the mentor-protege program of the Administration for small business concerns that participate in the program under section 8(a) of this Act (as in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2013), except that the Administrator may modify the program to the extent necessary given the types of small business concerns included as proteges.

''(b) PROGRAMS OF OTHER AGENCIES.—

''(1) APPROVAL REQUIRED.—Except as provided in paragraph (4), a Federal department or agency may not carry out a mentor-protege program for small business concerns unless—

''(A) the head of the department or agency submits a plan to the Administrator for the program; and

''(B) the Administrator approves such plan.

''(2) BASIS FOR APPROVAL.—The Administrator shall approve or disapprove a plan submitted under paragraph (1) based on whether the program proposed—

''(A) will assist proteges to compete for Federal prime contracts and subcontracts; and

''(B) complies with the regulations issued under paragraph (3).

''(3) REGULATIONS.—Not later than 270 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2013, the Administrator shall issue, subject to notice and comment, regulations with respect to mentor-protege programs, which shall ensure that such programs improve the ability of proteges to compete for Federal prime contracts and subcontracts and which shall address, at a minimum, the following:

''(A) Eligibility criteria for program participants, including any restrictions on the number of mentor-protege relationships permitted for each participant.

''(B) The types of developmental assistance to be provided by mentors, including how the assistance provided shall improve the competitive viability of the proteges.

''(C) Whether any developmental assistance provided by a mentor may affect the status of a program participant as a small business concern due to affiliation.

''(D) The length of mentor-protege relationships.

''(E) The effect of mentor-protege relationships on contracting.

''(F) Benefits that may accrue to a mentor as a result of program participation.

''(G) Reporting requirements during program participation.

''(H) Postparticipation reporting requirements.

''(I) The need for a mentor-protege pair, if accepted to participate as a pair in a mentor-protege program of any Federal department or agency, to be accepted to participate as a pair in all Federal mentor-protege programs.

''(J) Actions to be taken to ensure benefits for proteges and to protect proteges against actions by the mentor that—

''(i) may adversely affect the proteges status as a small business; or

''(ii) provide disproportionate economic benefits to the mentor relative to those provided the protege.

''(4) LIMITATION ON APPLICABILITY.—Paragraph (1) does not apply to the following:

''(A) Any mentor-protege program of the Department of Defense.

''(B) Any mentoring assistance provided under a Small Business Innovation Research Program or a Small Business Technology Transfer Program.

''(C) Until the date that is 1 year after the date on which the Administrator issues regulations under paragraph (3), any Federal department or agency operating a mentor-protege program in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2013.

''(c) REPORTING.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2013, and annually thereafter, the Administrator shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report that—

''(A) identifies each Federal mentor-protege program;

''(B) specifies the number of participants in each such program, including the number of participants that are—

''(i) small business concerns;

''(ii) small business concerns owned and controlled by service-disabled veterans;

''(iii) qualified HUBZone small business concerns;

''(iv) small business concerns owned and controlled by socially and economically disadvantaged individuals; or

''(v) small business concerns owned and controlled by women;

''(C) describes the type of assistance provided to proteges under each such program;

''(D) describes the benefits provided to mentors under each such program; and

''(E) describes the progress of proteges under each such program with respect to competing for Federal prime contracts and subcontracts.

''(2) PROVISION OF INFORMATION.—The head of each Federal department or agency carrying out a mentor-protege program shall provide to the Administrator, on an annual basis, the information necessary for the Administrator to submit a report required under paragraph (1).

''(d) DEFINITIONS.—In this section, the following definitions apply:

''(1) MENTOR.—The term 'mentor' means a for-profit business concern, of any size, that—

''(A) has the ability to assist and commits to assisting a protege to compete for Federal prime contracts and subcontracts; and

''(B) satisfies any other requirements imposed by the Administrator.

''(2) MENTOR-PROTEGE PROGRAM.—The term 'mentor-protege program' means a program that pairs a mentor with a protege for the purpose of assisting the protege to compete for Federal prime contracts and subcontracts.

''(3) PROTEGE.—The term 'protege' means a small business concern that—

''(A) is eligible to enter into Federal prime contracts and subcontracts; and

''(B) satisfies any other requirements imposed by the Administrator.

''(e) CURRENT MENTOR PROTEGE AGREEMENTS.—Mentors and proteges with approved agreement in a program operating pursuant to subsection (b)(4)(C) shall be permitted to continue their relationship according to the terms specified in their agreement until the expiration date specified in the agreement.

''(f) SUBMISSION OF AGENCY PLANS.—Agencies operating mentor protege programs pursuant to subsection (b)(4)(C) must submit the plans specified in subsection (b)(1)(A) to the Administrator within 6 months of the promulgation of rules required by subsection (b)(3). The Administrator shall provide initial comments on each plan within 60 days of receipt, and final approval or denial of each plan with 180 days of receipt.''.

SEC. 1642. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.

Not later than the date that is 2 years after the agencies operating subject to section 45(b)(4)(C) of the Small Business Act have their plans approved or denied by the Administrator, the Comptroller General of the United States shall conduct a study to—

(1) update the study required by section 1345 of the Small Business Jobs Act of 2010 (Pub. Law 111-240);

(2) examine whether potential affiliation issues between mentors and proteges under the prior programs have been resolved by enactment of this Act; and

(3) examine whether the regulations issued pursuant to section 45(b)(3)(I) of the Small Business Act have increased opportunities for mentor-protege pairs, and if they have decreased the paperwork required for such pairs participating in programs at multiple agencies.

PART IV—TRANSPARENCY IN SUBCONTRACTING

Subpart A—Limitations on Subcontracting

SEC. 1651. LIMITATIONS ON SUBCONTRACTING.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 45 as section 47; and

(2) by inserting after section 44 the following:

''SEC. 45. LIMITATIONS ON SUBCONTRACTING.

''(a) IN GENERAL.—If awarded a contract under section 8(a), 8(m), 15(a), 31, or 36, a covered small business concern—

''(1) in the case of a contract for services, may not expend on subcontractors more than 50 percent of the amount paid to the concern under the contract;

''(2) in the case of a contract for supplies (other than from a regular dealer in such supplies), may not expend on subcontractors more than 50 percent of the amount, less the cost of materials, paid to the concern under the contract;

''(3) in the case of a contract described in more than 1 of paragraphs (1) through (2)—

''(A) shall determine for which category of services or supplies, described in 1 of paragraphs (1) through (4), the greatest percentage of the contract amount is awarded;

''(B) shall determine the amount awarded under the contract for that category of services or supplies; and

''(C) may not expend on subcontractors, with respect to the amount determined under subparagraph (B), more than—

''(i) 50 percent of that amount, if the category of services or supplies applicable under subparagraph (A) is described in paragraph (1); and

''(ii) 50 percent of that amount, if the category of services or supplies applicable under subparagraph (A) is described in paragraph (2); and

''(4) in the case of a contract for supplies from a regular dealer in such supplies, shall supply the product of a domestic small business manufacturer or processor, unless a waiver of such requirement is granted—

''(A) by the Administrator, after reviewing a determination by the applicable contracting officer that no small business manufacturer or processor can reasonably be expected to offer a product meeting the specifications (including period for performance) required by the contract; or

''(B) by the Administrator for a product (or class of products), after determining that no small business manufacturer or processor is available to participate in the Federal procurement market.

''(b) SIMILARLY SITUATED ENTITIES.—Contract amounts expended by a covered small business concern on a subcontractor that is a similarly situated entity shall not be considered subcontracted for purposes of determining whether the covered small business concern has violated a requirement established under subsection (a) or (d).

''(c) MODIFICATIONS OF PERCENTAGES.—

''(1) IN GENERAL.—The Administrator may change, by rule (after providing notice and an opportunity for public comment), a percentage specified in paragraphs (1) through (4) of subsection (a) if the Administrator determines that such change is necessary to reflect conventional industry practices among business concerns that are below the numerical size standard for businesses in that industry category.

''(2) UNIFORMITY.—A change to a percentage under paragraph (1) shall apply to all covered small business concerns.

''(d) OTHER CONTRACTS.—

''(1) IN GENERAL.—With respect to a category of contracts to which a requirement under subsection (a) does not apply, the Administrator is authorized to establish, by rule (after providing notice and an opportunity for public comment), a requirement that a covered small business concern may not expend on subcontractors more than a specified percentage of the amount paid to the concern under a contract in that category.

''(2) UNIFORMITY.—A requirement established under paragraph (1) shall apply to all covered small business concerns.

''(3) CONSTRUCTION PROJECTS.—The Administrator shall establish, through public rulemaking, requirements similar to those specified in paragraph (1) to be applicable to contracts for general and specialty construction and to contracts for any other industry category not otherwise subject to the requirements of such paragraph. The percentage applicable to any such requirement shall be determined in accordance with paragraph (2).

''(e) DEFINITIONS.—In this section, the following definitions apply:

''(1) COVERED SMALL BUSINESS CONCERN.—The term 'covered small business concern' means a business concern that—

''(A) with respect to a contract awarded under section 8(a), is a small business concern eligible to receive contracts under that section;

''(B) with respect to a contract awarded under section 8(m)—

''(i) is a small business concern owned and controlled by women (as defined in that section); or

''(ii) is a small business concern owned and controlled by women (as defined in that section) that is not less than 51 percent owned by 1 or more women who are economically disadvantaged (and such ownership is determined without regard to any community property law);

''(C) with respect to a contract awarded under section 15(a), is a small business concern;

''(D) with respect to a contract awarded under section 31, is a qualified HUBZone small business concern; or

''(E) with respect to a contract awarded under section 36, is a small business concern owned and controlled by service-disabled veterans.

''(2) SIMILARLY SITUATED ENTITY.—The term 'similarly situated entity' means a subcontractor that—

''(A) if a subcontractor for a small business concern, is a small business concern;

''(B) if a subcontractor for a small business concern eligible to receive contracts under section 8(a), is such a concern;

''(C) if a subcontractor for a small business concern owned and controlled by women (as defined in section 8(m)), is such a concern;

''(D) if a subcontractor for a small business concern owned and controlled by women (as defined in section 8(m)) that is not less than 51 percent owned by 1 or more women who are economically disadvantaged (and such ownership is determined without regard to any community property law), is such a concern;

''(E) if a subcontractor for a qualified HUBZone small business concern, is such a concern; or

''(F) if a subcontractor for a small business concern owned and controlled by service-disabled veterans, is such a concern.''.

SEC. 1652. PENALTIES.

Section 16 of the Small Business Act (15 U.S.C. 645) is amended by adding at the end the following:

''(g) SUBCONTRACTING LIMITATIONS.—

''(1) IN GENERAL.—Whoever violates a requirement established under section 45 shall be subject to the penalties prescribed in subsection (d), except that, for an entity that exceeded a limitation on subcontracting under such section, the fine described in subsection (d)(2)(A) shall be treated as the greater of—

''(A) $500,000; or

''(B) the dollar amount expended, in excess of permitted levels, by the entity on subcontractors.

''(2) MONITORING.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall take such actions as are necessary to ensure that an existing Federal subcontracting reporting system is modified to notify the Administrator, the appropriate Director of the Office of Small and Disadvantaged Business Utilization, and the appropriate contracting officer if a requirement established under section 45 is violated.''.

SEC. 1653. CONFORMING AMENDMENTS.

(a) HUBZONES.—Section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) is amended—

(1) in subparagraph (A)(i) by striking subclause (III) and inserting the following:

''(III) with respect to any subcontract entered into by the small business concern pursuant to a contract awarded to the small business concern under section 31, the small business concern will ensure that the requirements of section 45 are satisfied; and'';

(2) by striking subparagraphs (B) and (C); and

(3) by redesignating subparagraph (D) as subparagraph (B).

(b) ENTITIES ELIGIBLE FOR CONTRACTS UNDER SECTION 8(a).—Section 8(a) of such Act (15 U.S.C. 637(a)) is amended by striking paragraph (14) and inserting the following:

''(14) LIMITATIONS ON SUBCONTRACTING.—A concern may not be awarded a contract under this subsection as a small business concern unless the concern agrees to satisfy the requirements of section 45.''.

(c) SMALL BUSINESS CONCERNS.—Section 15 of such Act (15 U.S.C. 644) is amended by striking subsection (o) and inserting the following:

''(o) LIMITATIONS ON SUBCONTRACTING.—A concern may not be awarded a contract under subsection (a) as a small business concern unless the concern agrees to satisfy the requirements of section 45.''.

SEC. 1654. REGULATIONS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidance with respect to compliance with the changes made to the Small Business Act by the amendments in this part, with opportunities for notice and comment.

Subpart B—Subcontracting Plans

SEC. 1655. SUBCONTRACTING PLANS.

(a) SUBCONTRACTING REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)) is amended—

(A) by striking ''(6) Each subcontracting plan'' and inserting the following:

''(6) SUBCONTRACTING PLAN REQUIREMENTS.—Each subcontracting plan'';

(B) by amending subparagraph (E) to read as follows:

''(E) assurances that the offeror or bidder will—

''(i) submit—

''(I) not later than 180 days after the date on which performance under the applicable contract begins, and every 180 days thereafter until contract performance ends, a report that describes all subcontracting activities under the contract during the preceding 180-day period;

''(II) not later than 1 year after the date on which performance under the applicable contract begins, and annually thereafter until contract performance ends, a report that describes all subcontracting activities under the contract that have occurred before the date on which the report is submitted; and

''(III) not later than 30 days after the date on which performance under the applicable contract ends, a report that describes all subcontracting activities under the contract; and

''(ii) cooperate with any study or survey required by the applicable Federal agency or the Administration to determine the extent of compliance by the offeror or bidder with the subcontracting plan;''; and

(C) by moving the margins for subparagraphs (A), (B), (C), (D), and (F) 2 ems to the right (so that the align with subparagraph (E), as amended by subparagraph (B) of this paragraph).

(2) REPORTING SYSTEM MODIFICATION.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this part, the Administrator of the Small Business Administration shall take such actions as are necessary to ensure that the Federal subcontracting reporting system to which covered reports are submitted is modified to notify the Administrator, the appropriate contracting officer, and the appropriate Director of Small and Disadvantaged Business Utilization if an entity fails to submit a required covered report. If the Administrator does not modify the subcontracting reporting system on or before the date that is 1 year after the date of enactment of this part, the Administrator may not carry out or establish any pilot program until the date the Administrator modifies the reporting system.

(B) COVERED REPORT DEFINED.—In this paragraph, the term ''covered report'' means a report submitted in accordance with assurances provided under section 8(d)(6)(E) of the Small Business Act (15 U.S.C. 637(d)(6)(E)).

(b) FAILURE TO SUBMIT SUBCONTRACTING REPORTS AS BREACH OF CONTRACT.—Section 8(d)(8) of such Act (15 U.S.C. 637(d)(8)) is amended—

(1) by striking ''(8) The failure'' and inserting the following:

''(8) MATERIAL BREACH.—The failure'';

(2) in subparagraph (A) by striking ''subsection, or'' and inserting ''subsection,'';

(3) in subparagraph (B) by striking ''subcontract,'' and inserting ''subcontract, or'';

(4) by inserting after subparagraph (B) the following:

''(C) assurances provided under paragraph (6)(E),''; and

(5) by moving the margins of subparagraphs (A), (B), and the matter following subparagraph (B) 2 ems to the right.

(c) AUTHORITY OF SMALL BUSINESS ADMINISTRATION.—Section 8(d)(10) of such Act (15 U.S.C. 637(d)(10)) is amended—

(1) by striking ''(10) In the case of'' and inserting the following:

''(10) AUTHORITY OF ADMINISTRATION.—In the case of'';

(2) in subparagraph (B) by striking '', which shall be advisory in nature,'';

(3) in subparagraph (C) by striking '', either on a contract-by-contract basis, or in the case contractors'' and inserting ''as a supplement to evaluations performed by the contracting agency, either on a contract-by-contract basis or, in the case of contractors''; and

(4) by moving the margins of subparagraphs (A) through (C) 2 ems to the right.

(d) APPEALS.—Section 8(d) of such Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(13) REVIEW AND ACCEPTANCE OF SUBCONTRACTING PLANS.—

''(A) IN GENERAL.—Except as provided in subparagraph (E), if a procurement center representative or commercial market representative determines that a subcontracting plan required under paragraph (4) or (5) fails to provide the maximum practicable opportunity for covered small business concerns to participate in the performance of the contract to which the plan applies, such representative may delay acceptance of the plan in accordance with subparagraph (B).

''(B) PROCESS.—

''(i) IN GENERAL.—Except as provided in clause (ii), a procurement center representative or commercial market representative who makes the determination under subparagraph (A) with respect to a subcontracting plan may delay acceptance of the plan for a 30-day period by providing written notice of such determination to head of the procuring activity of the contracting agency. Such notice shall include recommendations for altering the plan to provide the maximum practicable opportunity described in that subparagraph.

''(ii) EXCEPTION.—In the case of the Department of Defense, a procurement center representative or commercial market representative who makes the determination under subparagraph (A) with respect to a subcontracting plan may delay acceptance of the plan for a 15-day period by providing written notice of such determination to appropriate personnel of the Department of Defense. Such notice shall include recommendations for altering the plan to provide the maximum practicable opportunity described in that subparagraph. The authority of a procurement center representative or commercial market representative to delay acceptance of a subcontracting plan as provided in subparagraph (A), does not include the authority to delay the award or performance of the contract concerned.

''(C) DISAGREEMENTS.—If a procurement center representative or commercial market representative delays the acceptance of a subcontracting plan under subparagraph (B) and does not reach agreement with head of the procuring activity of the contracting agency to alter the plan to provide the maximum practicable opportunity described in subparagraph (A) not later than 30 days from the date written notice was provided, the disagreement shall be submitted to the head of the contracting agency by the Administrator for a final determination.

''(D) COVERED SMALL BUSINESS CONCERNS DEFINED.—In this paragraph, the term 'covered small business concerns' means small business concerns, qualified HUBZone small business concerns, small business concerns owned and controlled by veterans, small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

''(E) EXCEPTION.—The procurement center representative or commercial market representative may not delay the acceptance of a subcontracting plan if the appropriate personnel of the contracting agency certify that the agency's need for the property or services is of such an unusual and compelling urgency that the United States would be seriously injured unless the agency is permitted to accept the subcontracting plan.''.

SEC. 1656. NOTICES OF SUBCONTRACTING OPPORTUNITIES.

Section 8(k)(1) of the Small Business Act (15 U.S.C. 637(k)(1)) is amended by striking ''in the Commerce Business Daily'' and inserting ''on the appropriate Federal Web site (as determined by the Administrator)''.

SEC. 1657. REGULATIONS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidance with respect to the changes made to the Small Business Act, with opportunity for notice and comment.

Subpart C—Publication of Certain Documents

SEC. 1658. PUBLICATION OF CERTAIN DOCUMENTS.

The Small Business Act (15 U.S.C. 631 et seq.), as amended by this part, is further amended by inserting after section 45 the following:

''SEC. 46. PUBLICATION OF CERTAIN DOCUMENTS.

''A Federal agency, other than the Department of Defense, may only convert a function that is being performed by a small business concern to performance by a Federal employee if the agency has made publicly available the procedures and methodologies of the agency with respect to decisions to convert a function being performed by a small business concern to performance by a Federal employee, including procedures and methodologies for determining which contracts will be studied for potential conversion; procedures and methodologies by which a contract is evaluated as inherently governmental or as a critical agency function; and procedures and methodologies for estimating and comparing costs.''.

PART V—SMALL BUSINESS CONCERN SIZE STANDARDS

SEC. 1661. SMALL BUSINESS CONCERN SIZE STANDARDS.

Section 3 of the Small Business Act (15 U.S.C. 632) is amended—

(1) by striking ''SEC. 3.'' and inserting the following:

''SEC. 3. DEFINITIONS.''; and

(2) in subsection (a)—

(A) by striking the subsection enumerator and inserting the following:

''(a) SMALL BUSINESS CONCERNS.—'';

(B) in paragraph (1) by striking ''(1) For the purposes'' and inserting the following:

''(1) IN GENERAL.—For the purposes'';

(C) in paragraph (3) by striking ''(3) When establishing'' and inserting the following:

''(3) VARIATION BY INDUSTRY AND CONSIDERATION OF OTHER FACTORS.—When establishing'';

(D) by moving paragraph (5), including each subparagraph and clause therein, 2 ems to the right; and

(E) by adding at the end the following:

''(6) PROPOSED RULE MAKING.—In conducting rulemaking to revise, modify or establish size standards pursuant to this section, the Administrator shall consider, and address, and make publicly available as part of the notice of proposed rule making and notice of final rule each of the following:

''(A) a detailed description of the industry for which the new size standard is proposed;

''(B) an analysis of the competitive environment for that industry;

''(C) the approach the Administrator used to develop the proposed standard including the source of all data used to develop the proposed rulemaking; and

''(D) the anticipated effect of the proposed rulemaking on the industry, including the number of concerns not currently considered small that would be considered small under the proposed rulemaking and the number of concerns currently considered small that would be deemed other than small under the proposed rulemaking.

''(7) COMMON SIZE STANDARDS.—In carrying out this subsection, the Administrator may establish or approve a single size standard for a grouping of four digit North American Industrial Classification codes only if the Administrator makes publicly available, not later than the date on which such size standard is established or approved, a justification demonstrating that such size standard is appropriate for each individual industry classification included in the grouping.

''(8) NUMBER OF SIZE STANDARDS.—The Administrator shall not limit the number of size standards it creates pursuant to paragraph (2), and shall assign the appropriate size standard to each North American Industrial Classification System Code''.

PART VI—CONTRACT BUNDLING

SEC. 1671. CONSOLIDATION OF PROVISIONS RELATING TO CONTRACT BUNDLING.

Section 44 of the Small Business Act (15 U.S.C. 657q) is amended to read as follows:

''SEC. 44. CONTRACT BUNDLING.

''(a) DEFINITIONS.—In this Act:

''(1) BUNDLED CONTRACT.—The term 'bundled contract'—

''(A) means a contract that is entered into to meet procurement requirements that are combined in a bundling of contract requirements, without regard to whether a study of the effects of the solicitation on Federal officers or employees has been made; and

''(B) does not include—

''(i) a contract with an aggregate dollar value below the dollar threshold; or

''(ii) a single award contract for the acquisition of a weapons system acquired through a major defense acquisition.

''(2) BUNDLING METHODOLOGY.—The term 'bundling methodology' means—

''(A) a solicitation to obtain offers for a single contract or a multiple award contract;

''(B) a solicitation of offers for the issuance of a task or a delivery order under an existing single or multiple award contract; or

''(C) the creation of any new procurement requirements that permits a combination of contract requirements, including any combination of contract requirements or order requirements.

''(3) BUNDLING OF CONTRACT REQUIREMENTS.—The term 'bundling of contract requirements', with respect to the contract requirements of a Federal agency—

''(A) means the use of any bundling methodology to satisfy 2 or more procurement requirements for new or existing goods or services provided to or performed for the Federal agency,

including any construction services, that is likely to be unsuitable for award to a small-business concern due to—

''(i) the diversity, size, or specialized nature of the elements of the performance specified;

''(ii) the aggregate dollar value of the anticipated award;

''(iii) the geographical dispersion of the contract performance sites; or

''(iv) any combination of the factors described in clauses (i), (ii), and (iii); and

''(B) does not include the use of a bundling methodology for an anticipated award with an aggregate dollar value below the dollar threshold.

''(4) CHIEF ACQUISITION OFFICER.—The term 'Chief Acquisition Officer' means the employee of a Federal agency designated as the Chief Acquisition Officer for the Federal agency under section 1702(a) of title 41, United States Code.

''(5) CONTRACT.—The term 'contract' includes, for purposes of this section, any task order made pursuant to an indefinite quantity, indefinite delivery contract.

''(6) CONTRACT BUNDLING.—The term 'contract bundling' means the process by which a bundled contract is created.

''(7) DOLLAR THRESHOLD.—The term 'dollar threshold' means—

''(A) in the case of a contract for construction, $5,000,000; and

''(B) in any other case, $2,000,000.

''(8) MAJOR DEFENSE ACQUISITION PROGRAM.—The term 'major defense acquisition program' has the meaning given in section 2430(a) of title 10, United States Code.

''(9) PREVIOUSLY BUNDLED CONTRACT.—The term 'previously bundled contract' means a contract that is the successor to a contract that required a bundling analysis, contract for which any of the successor contract were designated as a consolidated contract or bundled contract in the Federal procurement database, or a contract for which the Administrator designated the prior contract as a bundled contract.

''(10) PROCUREMENT ACTIVITY.—The term 'procurement activity' means the Federal agency or office thereof acquiring goods or services.

''(11) PROCUREMENT REQUIREMENT.—The term 'procurement requirement' means a determination by an agency that the acquisition of a specified good or service is needed to satisfy the mission of the agency.

''(12) SENIOR PROCUREMENT EXECUTIVE.—The term 'senior procurement executive' means an official designated under section 1702(c) of title 41, United States Code, as the senior procurement executive for a Federal agency.

''(13) TRADE ASSOCIATION.—The term 'trade association' means any entity that is described in paragraph (3), (6), (12), or (19) of section 501(c) of the Internal Revenue Code of 1986 and which is exempt from tax under section 501(a) of such Code.

''(b) POLICY.—The head of each Federal agency shall ensure that the decisions made by the Federal agency regarding contract bundling are made with a view to providing small business concerns with the maximum practicable opportunities to participate as prime contractors and subcontractors in the procurements of the Federal agency.

''(c) CONTRACT BUNDLING.—

''(1) PROPOSED PROCUREMENTS.—Paragraphs (2) through (4) shall apply to a proposed procurement if the proposed procurement—

''(A) one or more small business concerns would suffer economic harm or disruption of its business operations, including the potential loss of an existing contract, as a direct or indirect result of the contract bundling;

''(B) includes, in its statement of work, goods or services—

''(i)(I) currently being performed by a small business; and

''(II) if the proposed procurement is in a quantity or estimated dollar value the magnitude of which renders small business prime contract participation unlikely; or

''(ii)(I) that are of a type that the Administrator through market research can demonstrate that two or more small businesses are capable of performing; and

''(II) if the statement of work proposes combining the goods or services identified in subclause (I) with other requirements for goods or services into the solicitation of offers;

''(C) is for construction and—

''(i) seeks to package or combine discrete construction projects; or

''(ii) the value of the goods or services subject to the contract exceeds the dollar threshold; or

''(D) is determined by the Administrator to have a solicitation that involves an unnecessary or unjustified bundling of contract requirements.

''(2) RESPONSIBILITY OF THE PROCUREMENT ACTIVITY.—At least 45 days prior to the issuance of a solicitation, the Procurement Activity shall notify and provide a copy of the proposed procurement to the procurement center representative assigned to the Procurement Activity. The 45-day notification process under this paragraph shall occur concurrently with other processing steps required prior to issuance of the solicitation. The notice shall include a statement as to why the agency has determined that contract bundling is necessary and justified and shall also describe why the proposed acquisition cannot be offered so as to make small business participation likely. Such statement shall address—

''(A) why the proposed acquisition cannot be further divided into reasonably small lots or discrete tasks in order to permit offers by small business concerns;

''(B) if applicable, a list of the incumbent contractors disaggregated by and including names, addresses, and whether or not the contractor is a small business concern;

''(C) a description of the industries that might be interested in bidding on the contract requirements;

''(D) an assessment of the impact on small businesses that had bid on previous procurement requirements that are included in the bundling of contract requirements;

''(E) delineating the number of existing small business concerns whose contracts will cease if the contract bundling proceeds;

''(F) if delivery schedule was a factor in the decision to bundle, an explanation as to why a schedule could not be developed that would encourage small business participation; and

''(G) in the case of a construction contract, why construction cannot be procured as separate discrete projects.

''(3) PUBLICATION OF NOTICE STATEMENT.—Concurrently, the statement required in paragraph (2) shall be published in the Federal contracting opportunities database.

''(4) RECOMPETITION OF A PREVIOUSLY BUNDLED CONTRACT.—If the proposed procurement is a previously bundled contract, that is to be recompeted as a bundled contract, the Administrator shall determine, with the assistance of the agency proposing the procurement—

''(A) the amount of savings and benefits (in accordance with subsection (d)) achieved under the bundling of contract requirements;

''(B) whether such savings and benefits will continue to be realized if the contract remains bundled, and whether such savings and benefits would be greater if the procurement requirements were divided into separate solicitations suitable for award to small business concerns;

''(C) the dollar value of subcontracts awarded to small business concerns under the bundled contract, disaggregated by North American Industrial Classification System Code;

''(D) the percentage of subcontract dollars awarded to small businesses under the bundled contract, disaggregated by North American Industrial Classification System Code; and

''(E) the dollar amount and percentage of prime contract dollars awarded to small businesses in the primary North American Industrial Classification System Code for that bundled contract during each of the two fiscal years preceding the award of the bundled contract and during each fiscal year of the performance of the bundled contract.

''(5) FAILURE TO PROVIDE NOTICE.—

''(A) NO NOTIFICATION RECEIVED.—If no notification of the proposed procurement or accompanying statement is received, but the Administrator determines that the proposed procurement is a proposed procurement described in paragraph (1), then the Administrator shall require that such a statement of work be completed by the Procurement Activity and sent to the procurement center representative and postpone the solicitation process for at least 10 days but not more than 45 days to allow the Administrator to review the statement and make recommendations as described in this section before the procurement process is continued.

''(B) NO WORK CONTINUED.—If the Administrator requires a Procurement Activity to provide a statement of work pursuant to subparagraph (A), the Procurement Activity shall not be permitted to continue with the procurement until such time as the Procurement Activity complies with the requirements of subparagraph (A).

''(6) RESPONSIBILITY OF THE PROCUREMENT CENTER REPRESENTATIVE.—Within 15 days after receipt of the proposed procurement and accompanying statement, if the procurement center representative believes that the procurement as proposed will render small business prime contract participation unlikely, the representative shall recommend to the Procurement Activity alternative procurement methods which would increase small business prime contracting opportunities.

''(7) DISAGREEMENT BETWEEN THE ADMINISTRATOR AND THE PROCUREMENT ACTIVITY.—

''(A) IN GENERAL.—If the Administrator determines that a small business concern would be adversely affected, directly or indirectly, by the proposed procurement, or if a small business concern or a trade association of which that small business concern is a member so requests, the Administrator may take action under this paragraph to further the interests of small businesses.

''(B) APPEAL TO AGENCY HEAD.—The proposed procurement shall be submitted for determination to the head of the contracting agency by the Administrator.

''(C) APPEAL BY AFFECTED SMALL BUSINESS CONCERN TO GAO.—For purposes of subchapter V of chapter 35 of title 31, United States Code, if a protest is submitted to the Comptroller General under that subchapter alleging a violation of this section of the Small Business Act, a trade association representing small business concerns shall be considered an interested party.

''(d) MARKET RESEARCH.—

''(1) IN GENERAL.—Before proceeding with an acquisition strategy that could lead to bundled contracts, the head of an agency shall conduct market research to determine whether bundling of the requirements is necessary and justified.

''(2) FACTORS.—For purposes of subsection (c)(1), a bundled contract is necessary and justified if the bundling of contract requirements will result in substantial measurable benefits in excess of those benefits resulting from a procurement of the contract requirements that does not involve contract bundling.

''(3) BENEFITS.—For the purposes of bundling of contract requirements, benefits described in paragraph (2) may include the following:

''(A) Cost savings.

''(B) Quality improvements.

''(C) Reduction in acquisition cycle times.

''(D) Better terms and conditions.

''(E) Any other benefits.

''(4) REDUCTION OF COSTS NOT DETERMINATIVE.—For purposes of this subsection:

''(A) Cost savings shall not include any reduction in the use of military interdepartmental purchase requests or any similar transfer funds among Federal agencies for the use of a contract issued by another Federal agency.

''(B) The reduction of administrative or personnel costs alone shall not be a justification for bundling of contract requirements unless the cost savings are expected to be substantial in relation to the dollar value of the procurement requirements to be bundled.

''(5) LIMITATION ON ACQUISITION STRATEGY.—The head of a Federal agency may not carry out an acquisition strategy that includes bundled contracts valued in excess of the dollar threshold, unless the senior procurement executive or, if applicable, Chief Acquisition Officer, for the Federal agency, certifies to the head of the Federal agency that steps will be taken to include small business concerns in the acquisition strategy prior to the implementation of such acquisition strategy.

''(e) STRATEGY SPECIFICATIONS.—If the head of a contracting agency determines that an acquisition plan or proposed procurement strategy will result in a bundled contract, the proposed acquisition plan or procurement strategy shall—

''(1) identify specifically the benefits anticipated to be derived from the bundling of contract requirements;

''(2) set forth an assessment of the specific impediments to participation by small business concerns as prime contractors that result from the contract bundling and specify actions designed to maximize small business participation as subcontractors (including suppliers) at various tiers under the contract or contracts that are awarded to meet the requirements; and

''(3) include a specific determination that the anticipated measurable benefits of the proposed bundled contract justify its use.

''(f) CONTRACT TEAMING.—In the case of a solicitation of offers for a bundled contract that is issued by the head of an agency, a small-business concern may submit an offer that provides for use of a particular team of subcontractors for the performance of the contract. The head of the agency shall evaluate the offer in the same manner as other offers, with due consideration to the capabilities of all of the proposed subcontractors. If a small business concern teams under this paragraph, it shall not affect its status as a small business concern for any other purpose.

''(g) DATABASE, ANALYSIS, AND ANNUAL REPORT REGARDING CONTRACT BUNDLING.—

''(1) DATABASE.—Not later than 180 days after the date of the enactment of this subsection, the Administrator shall develop and shall thereafter maintain a database containing data and information regarding—

''(A) each bundled contract awarded by a Federal agency; and

''(B) each small business concern that has been displaced as a prime contractor as a result of the award of such a contract.

''(2) ANALYSIS.—For each bundled contract that is to be recompeted, the Administrator shall determine—

''(A) the amount of savings and benefits realized, in comparison with the savings and benefits anticipated by the analysis required under subsection (d) prior to the contract award; and

''(B) whether such savings and benefits will continue to be realized if the contract remains bundled, and whether such savings and benefits would be greater if the procurement requirements were divided into separate solicitations suitable for award to small business concerns.

''(3) ANNUAL REPORT ON CONTRACT BUNDLING.—

''(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this paragraph, and annually in March thereafter, the Administrator shall transmit a report on contract bundling to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate.

''(B) CONTENTS.—Each report transmitted under subparagraph (A) shall include—

''(i) data on the number, arranged by industrial classification, of small business concerns displaced as prime contractors as a result of the award of bundled contracts by Federal agencies; and

''(ii) a description of the activities with respect to previously bundled contracts of each Federal agency during the preceding year, including—

''(I) data on the number and total dollar amount of all contract requirements that were bundled; and

''(II) with respect to each bundled contract, data or information on—

''(aa) the justification for the bundling of contract requirements;

''(bb) the cost savings realized by bundling the contract requirements over the life of the contract;

''(cc) the extent to which maintaining the bundled status of contract requirements is projected to result in continued cost savings;

''(dd) the extent to which the bundling of contract requirements complied with the contracting agency's small business subcontracting plan, including the total dollar value awarded to small business concerns as subcontractors and the total dollar value previously awarded to small business concerns as prime contractors; and

''(ee) the impact of the bundling of contract requirements on small business concerns unable to compete as prime contractors for the consolidated requirements and on the industries of such small business concerns, including a description of any changes to the proportion of any such industry that is composed of small business concerns.

''(h) BUNDLING ACCOUNTABILITY MEASURES.—

''(1) TEAMING REQUIREMENTS.—Each Federal agency shall include in each solicitation for any multiple award contract above the dollar threshold a provision soliciting bids from any responsible source, including responsible small business concerns and teams or joint ventures of small business concerns.

''(2) POLICIES ON REDUCTION OF CONTRACT BUNDLING.—

''(A) IN GENERAL.—Not later than 270 days after the date of enactment of this subparagraph, the Federal Acquisition Regulatory Council, established under section 1302(a) of title 41, United States Code, shall amend the Federal Acquisition Regulation issued under section 1303 of such title to—

''(i) establish a Government-wide policy regarding contract bundling, including regarding the solicitation of teaming and joint ventures; and

''(ii) require that the policy established under clause (i) be published on the website of each Federal agency.

''(B) RATIONALE FOR CONTRACT BUNDLING.—Not later than 30 days after the date on which the head of a Federal agency submits the report required under section 15(h), the head of the Federal agency shall publish on the website of the Federal agency a list and rationale for any bundled contract for which the Federal agency solicited bids or that was awarded by the Federal agency.''.

SEC. 1672. REPEAL OF REDUNDANT PROVISIONS.

(a) CERTAIN PROVISIONS REGARDING CONTRACT BUNDLING REPEALED.—

(1) Section 15(a) of the Small Business Act (15 U.S.C. 644(a)), is amended by striking ''If a proposed procurement includes'' and all that follows through ''the matter shall be submitted for determination to the Secretary or the head of the appropriate department or agency by the Administrator.''.

(2) All references in law to such sentences as they were in effect on the date that is one day prior to the effective date of this Act shall be deemed to be references to section 44(d), as added by this part.

(b) CERTAIN PROVISIONS REGARDING MARKET RESEARCH REPEALED.—

(1) Paragraphs (2) through (4) of section 15(e) of the Small Business Act (15 U.S.C. 644(e)) are repealed.

(2) All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to subsections (d) through (f), respectively, of section 44 of the Small Business Act, as added by this section.

(c) CERTAIN PROVISIONS REGARDING CONTRACT BUNDLING DATABASE REPEALED.—

(1) Paragraph (1) of section 15(p) of the Small Business Act (15 U.S.C. 644(p)) is repealed.

(2) Paragraphs (2) through (4) of section 15(p) of the Small Business Act (15 U.S.C. 644(p)) are repealed. All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to paragraphs (1) through (3), respectively, of section 44(h) of the Small Business Act, as added by this part.

(d) CERTAIN PROVISIONS REGARDING BUNDLING ACCOUNTABILITY MEASURES REPEALED.—

(1) Paragraphs (1) and (2) of section 15(q) of the Small Business Act (15 U.S.C. 644(q)) are repealed.

(2) All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to paragraphs (1) and (2), respectively, of section 44(i) of the Small Business Act, as added by this part.

(e) CERTAIN PROVISIONS REGARDING.—Subsection (o) of section 3 of the Small Business Act (15 U.S.C.) is repealed.

SEC. 1673. TECHNICAL AMENDMENTS.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(1) in the heading of subsection (p), to read as follows: ''ACCESS TO DATA.—''; and

(2) in the heading of subsection (q), to read as follows: ''REPORTS RELATED TO PROCUREMENT CENTER REPRESENTATIVES.—''.

PART VII—INCREASED PENALTIES FOR FRAUD

SEC. 1681. SAFE HARBOR FOR GOOD FAITH COMPLIANCE EFFORTS.

(a) SMALL BUSINESS FRAUD.—Section 16(d) of the Small Business Act (15 U.S.C. 645(d)) is amended by inserting after paragraph (2) the following:

''(3) LIMITATION ON LIABILITY.—This subsection shall not apply to any conduct in violation of subsection (a) if the defendant acted in reliance on a written advisory opinion from a licensed attorney who is not an employee of the defendant.''.

(b) REGULATIONS.—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall issue rules defining what constitutes an adequate advisory opinion for purposes of section 16(d)(3) of the Small Business Act.

(c) SMALL BUSINESS COMPLIANCE GUIDE.—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall issue (pursuant

to section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996) a compliance guide to assist business concerns in accurately determining their status as a small business concern.

SEC. 1682. OFFICE OF HEARINGS AND APPEALS.

(a) CHIEF HEARING OFFICER.—Section 4(b)(1) of the Small Business Act is amended by adding at the end the following: ''One shall be designated at the time of his or her appointment as the Chief Hearing Officer, who shall head and administer the Office of Hearings and Appeals within the Administration.''.

(b) OFFICE OF HEARINGS AND APPEALS ESTABLISHED IN ADMINISTRATION.—Section 5 of the Small Business Act (15 U.S.C. 634) is amended by adding at the end the following:

''(i) OFFICE OF HEARINGS AND APPEALS.—

''(1) IN GENERAL.—There is established in the Administration an Office of Hearings and Appeals—

''(A) to impartially decide such matters, where Congress designates that a hearing on the record is required or which the Administrator designates by regulation or otherwise; and

''(B) which shall contain the Administration's Freedom of Information/Privacy Acts Office.

''(2) CHIEF HEARING OFFICER.—The Chief Hearing Officer shall be a career member of the Senior Executive Service and an attorney duly licensed by any State, commonwealth, territory, or the District of Columbia.

''(A) DUTIES.—The Chief Hearing Officer shall—

''(i) serve as the Chief Administrative Law Judge; and

''(ii) be responsible for the operation and management of the Office of Hearings and Appeals, pursuant to the rules of practice established by the Administrator.

''(B) ALTERNATIVE DISPUTE RESOLUTION.—The Chief Hearing Officer may also assign a matter for mediation or other means of alternative dispute resolution.

''(3) ADMINISTRATIVE LAW JUDGES.—

''(A) IN GENERAL.—An administrative law judge shall be an attorney duly licensed by any State, commonwealth, territory, or the District of Columbia.

''(B) CONDITIONS OF EMPLOYMENT.—(i) An administrative law judge shall serve in the excepted service as an employee of the Administration under section 2103 of title 5, United States Code, and under the supervision of the Chief Hearing Officer.

''(ii) Administrative law judge positions shall be classified at Senior Level, as such term is defined in section 5376 of title 5, United States Code.

''(iii) Compensation for administrative law judge positions shall be set in accordance with the pay rates of section 5376 of title 5, United States Code.

''(C) TREATMENT OF CURRENT PERSONNEL.—An individual serving as a Judge in the Office of Hearings and Appeals (as that position and office are designated in section 134.101 of title 13, Code of Federal Regulations (as in effect on January 1, 2012)) on the effective date of this subsection shall be considered as qualified to be and redesignated as administrative law judges.

''(D) POWERS.—An administrative law judge shall have the authority to conduct hearings in accordance with sections 554, 556, and 557 of title 5, United States Code.''.

SEC. 1683. REQUIREMENT FRAUDULENT BUSINESSES BE SUSPENDED OR DEBARRED.

(a) IN GENERAL.—Section 16(d)(2)(C) of the Small Business Act (15 U.S.C. 645(d)(2)(C)) is amended by striking ''on the basis that such misrepresentation indicates a lack of business integrity that seriously and directly affects the present responsibility to perform any contract awarded by the Federal Government or a subcontract under such a contract''.

(b) REVISION TO FAR.—Not later than 270 days after the date of enactment of this part, the Federal Acquisition Regulation shall be revised to implement the amendment made by this section.

(c) DEVELOPMENT AND PROMULGATION OF GUIDANCE.—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall develop and promulgate guidance implementing this section.

(d) PUBLICATION OF PROCEDURES REGARDING SUSPENSION AND DEBARMENT.—Not later than 270 days after the date of enactment of this part, the Administrator shall publish on the Administration's Web site the standard operating procedures for suspension and debarment in effect, and the name and contact information for the individual designated by the Administrator as the senior individual responsible for suspension and debarment proceedings.

SEC. 1684. ANNUAL REPORT ON SUSPENSIONS AND DEBARMENTS PROPOSED BY SMALL BUSINESS ADMINISTRATION.

(a) REPORT REQUIREMENT.—The Administrator of the Small Business Administration shall submit each year to the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report on the suspension and debarment actions taken by the Administrator during the year preceding the year of submission of the report.

(b) MATTERS COVERED.—The report required by subsection (a) shall include the following information for the year covered by the report:

(1) NUMBER.—The number of contractors proposed for suspension or debarment.

(2) SOURCE.—The office within a Federal agency that originated each proposal for suspension or debarment.

(3) REASONS.—The reason for each proposal for suspension or debarment.

(4) RESULTS.—The result of each proposal for suspension or debarment, and the reason for such result.

(5) REFERRALS.—The number of suspensions or debarments referred to the Inspector General of the Small Business Administration or another agency, or to the Attorney General (for purposes of this paragraph, the Administrator may redact identifying information on names of companies or other information in order to protect the integrity of any ongoing criminal or civil investigation).

PART VIII—OFFICES OF SMALL AND DISADVANTAGED BUSINESS UNITS

SEC. 1691. OFFICES OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.

(a) APPOINTMENT AND POSITION OF DIRECTOR.—Section 15(k)(2) of the Small Business Act (15 U.S.C. 644(k)(2)) is amended by striking ''such agency,'' and inserting ''such agency to a position that is a Senior Executive Service position (as such term is defined under section 3132(a) of title 5, United States Code), except that, for any agency in which the positions of Chief Acquisition Officer and senior procurement executive (as such terms are defined under section 44(a) of this Act) are not Senior Executive Service positions, the Director of Small and Disadvantaged Business Utilization may be appointed to a position compensated at not less than the minimum rate of basic pay payable for grade GS 15 of the General Schedule under section 5332 of such title (including comparability payments under section 5304 of such title);''.

(b) PERFORMANCE APPRAISALS.—Section 15(k)(3) of such Act (15 U.S.C. 644(k)(3)) is amended—

(1) by striking ''be responsible only to, and report directly to, the head'' and inserting ''shall be responsible only to (including with respect to performance appraisals), and report directly and exclusively to, the head''; and

(2) by striking ''be responsible only to, and report directly to, such Secretary'' and inserting ''be responsible only to (including with respect to performance appraisals), and report directly and exclusively to, such Secretary''.

(c) SMALL BUSINESS TECHNICAL ADVISERS.—Section 15(k)(8)(B) of such Act (15 U.S.C. 644(k)(8)(B)) is amended—

(1) by striking ''and 15 of this Act,'' and inserting '', 15, and 44 of this Act;''; and

(2) by inserting after ''of this Act'' the following: ''(giving priority in assigning to small business that are in metropolitan statistical areas for which the unemployment rate is higher than the national average unemployment rate for the United States)''.

(d) ADDITIONAL REQUIREMENTS.—Section 15(k) of such Act (15 U.S.C. 644(k)) is amended by inserting after paragraph (10) the following:

''(11) shall review and advise such agency on any decision to convert an activity performed by a small business concern to an activity performed by a Federal employee;

''(12) shall provide to the Chief Acquisition Officer and senior procurement executive of such agency advice and comments on acquisition strategies, market research, and justifications related to section 44 of this Act;

''(13) may provide training to small business concerns and contract specialists, except that such training may only be provided to the extent that the training does not interfere with the Director carrying out other responsibilities under this subsection;

''(14) shall receive unsolicited proposals and, when appropriate, forward such proposals to personnel of the activity responsible for reviewing such proposals

''(15) shall carry out exclusively the duties enumerated in this Act, and shall, while the Director, not hold any other title, position, or responsibility, except as necessary to carry out responsibilities under this subsection; and

''(16) shall submit, each fiscal year, to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report describing—

''(A) the training provided by the Director under paragraph (13) in the most recently completed fiscal year;

''(B) the percentage of the budget of the Director used for such training in the most recently completed fiscal year; and

''(C) the percentage of the budget of the Director used for travel in the most recently completed fiscal year.''.

(e) REQUIREMENT OF CONTRACTING EXPERIENCE FOR OSDBU DIRECTOR.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), as amended by this part, is further amended, in the matter preceding paragraph (1), by striking ''who shall'' and insert the following: '', with experience serving in any combination of the following roles: federal contracting officer, small business technical advisor, contracts administrator for federal government contracts, attorney specializing in federal procurement law, small business liaison officer, officer or employee who managed federal government contracts for a small business, or individual whose primary responsibilities were for the functions and duties of section 8, 15 or 44 of this Act. Such officer or employee''.

(f) TECHNICAL AMENDMENTS.—Section 15(k) of such Act (15 U.S.C. 644(k)), as amended, is further amended—

(1) in paragraph (1)—

(A) by striking ''be known'' and inserting ''shall be known''; and

(B) by striking ''such agency,'' and inserting ''such agency;'';

(2) in paragraph (2) by striking ''be appointed by'' and inserting ''shall be appointed by'';
(3) in paragraph (3)—
(A) by striking ''director'' and inserting ''Director''; and
(B) by striking ''Secretary's designee,'' and inserting ''Secretary's designee;'';
(4) in paragraph (4)—
(A) by striking ''be responsible'' and inserting ''shall be responsible''; and
(B) by striking ''such agency,'' and inserting ''such agency;'';
(5) in paragraph (5) by striking ''identify proposed'' and inserting ''shall identify proposed'';
(6) in paragraph (6) by striking ''assist small'' and inserting ''shall assist small'';
(7) in paragraph (7)—
(A) by striking ''have supervisory'' and inserting ''shall have supervisory''; and
(B) by striking ''this Act,'' and inserting ''this Act;'';
(8) in paragraph (8)—
(A) by striking ''assign a'' and inserting ''shall assign a''; and
(B) in subparagraph (A), by striking ''the activity, and'' and inserting ''the activity; and'';
(9) in paragraph (9)—
(A) by striking ''cooperate, and'' and inserting ''shall cooperate, and''; and
(B) by striking ''subsection, and'' and inserting ''subsection;''; and
(10) in paragraph (10)—
(A) by striking ''make recommendations'' and inserting ''shall make recommendations'';
(B) by striking ''subsection (a), or section'' and inserting ''subsection (a), section'';
(C) by striking ''Act or section 2323'' and inserting ''Act, or section 2323'';
(D) by striking ''Code. Such recommendations shall'' and inserting ''Code, which shall''; and
(E) by striking ''contract file.'' and inserting ''contract file;''.

SEC. 1692. SMALL BUSINESS PROCUREMENT ADVISORY COUNCIL.

(a) DUTIES.—Section 7104(b) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644 note) is amended—
(1) in paragraph (1) by striking ''and'' at the end;
(2) in paragraph (2) by striking ''authorities.'' and inserting ''authorities;''; and
(3) by adding at the end the following:
''(3) to conduct reviews of each Office of Small and Disadvantaged Business Utilization established under section 15(k) of the Small Business Act (15 U.S.C. 644(k)) to determine the compliance of each Office with requirements under such section;
''(4) to identify best practices for maximizing small business utilization in Federal contracting that may be implemented by Federal agencies having procurement powers; and
''(5) to submit, annually, to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report describing—
''(A) the comments submitted under paragraph (2) during the 1-year period ending on the date on which the report is submitted, including any outcomes related to the comments;
''(B) the results of reviews conducted under paragraph (3) during such 1-year period; and
''(C) best practices identified under paragraph (4) during such 1-year period.''.
(b) MEMBERSHIP.—Section 7104(c)(3) of such Act (15 U.S.C. 644 note) is amended by striking ''(established under section 15(k) of the Small Business Act (15 U.S.C. 644(k))''.
(c) CHAIRMAN.—Section 7104(d) of such Act (15 U.S.C. 644 note) is amended by inserting after ''Small Business Administration'' the following: ''(or the designee of the Administrator)''.

PART IX—OTHER MATTERS

SEC. 1695. SURETY BONDS.

(a) MAXIMUM BOND AMOUNT.—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended—
(1) by inserting ''(A)'' after ''(1)'';
(2) by striking ''$2,000,000'' and inserting ''$6,500,000, as adjusted for inflation in accordance with section 1908 of title 41, United States Code,''; and
(3) by adding at the end the following:
''(B) The Administrator may guarantee a surety under subparagraph (A) for a total work order or contract amount that does not exceed $10,000,000, if a contracting officer of a Federal agency certifies that such a guarantee is necessary.''.
(b) DENIAL OF LIABILITY.—Section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b) is amended—
(1) by striking subsection (e) and inserting the following:
''(e) REIMBURSEMENT OF SURETY; CONDITIONS.—Pursuant to any such guarantee or agreement, the Administration shall reimburse the surety, as provided in subsection (c) of this section, except that the Administration shall be relieved of liability (in whole or in part within the discretion of the Administration) if—
''(1) the surety obtained such guarantee or agreement, or applied for such reimbursement, by fraud or material misrepresentation,
''(2) the total contract amount at the time of execution of the bond or bonds exceeds $6,500,000,
''(3) the surety has breached a material term or condition of such guarantee agreement, or
''(4) the surety has substantially violated the regulations promulgated by the Administration pursuant to subsection (d).''; and
(2) by adding at the end the following:
''(j) For bonds made or executed with the prior approval of the Administration, the Administration shall not deny liability to a surety based upon material information that was provided as part of the guaranty application.''.
(c) SIZE STANDARDS.—Section 410 of the Small Business Investment Act of 1958 (15 U.S.C. 694a) is amended by adding at the end the following:
''(9) Notwithstanding any other provision of law or any rule, regulation, or order of the Administration, for purpose of sections 410, 411, and 412 the term 'small business concern' means a business concern that meets the size standard for the primary industry in which such business concern, and the affiliates of such business concern, is engaged, as determined by the Administrator in accordance with the North American Industry Classification System.''.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2013''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—
(1) October 1, 2015; or
(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016.
(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—
(1) October 1, 2015; or
(2) the date of the enactment of an Act authorizing funds for fiscal year 2016 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—
(1) October 1, 2012; or
(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	$10,400,000
	Joint Base Elmendorf-Richardson	$7,900,000
California	Concord	$8,900,000
Colorado	Fort Carson	$52,000,000
District of Columbia	Fort McNair	$7,200,000
Georgia	Fort Benning	$16,000,000
	Fort Gordon	$23,300,000
	Fort Stewart	$49,650,000
Hawaii	Pohakuloa Training Area	$29,000,000

***Army: Inside the United States**—Continued*

State	Installation or Location	Amount
	Schofield Barracks	*$96,000,000*
	Wheeler Army Air Field	*$85,000,000*
Kansas	*Fort Riley*	*$12,200,000*
Kentucky	*Fort Campbell*	*$81,800,000*
	Fort Knox	*$6,000,000*
Missouri	*Fort Leonard Wood*	*$123,000,000*
New Jersey	*Joint Base McGuire-Dix-Lakehurst*	*$47,000,000*
	Picatinny Arsenal	*$10,200,000*
New York	*Fort Drum*	*$95,000,000*
	U.S. Military Academy	*$192,000,000*
North Carolina	*Fort Bragg*	*$98,000,000*
Oklahoma	*Fort Sill*	*$4,900,000*
South Carolina	*Fort Jackson*	*$24,000,000*
Texas	*Corpus Christi*	*$37,200,000*
	Fort Bliss	*$7,200,000*
	Fort Hood	*$51,200,000*
	Joint Base San Antonio	*$21,000,000*
Virginia	*Arlington*	*$84,000,000*
	Fort Belvoir	*$94,000,000*
	Fort Lee	*$81,000,000*
Washington	*Joint Base Lewis-McChord*	*$164,000,000*
	Yakima	*$5,100,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Italy	*Camp Ederle*	*$36,000,000*
	Vicenza	*$32,000,000*
Japan	*Okinawa*	*$78,000,000*
	Sagami	*$18,000,000*
Korea	*Camp Humphreys*	*$45,000,000*
Kwajalein Atoll	*Kwajalein Atoll*	*$62,000,000*

SEC. 2102. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601 the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,641,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2628) for Fort Belvoir, Virginia, for construction of a Road and Access Control Point at the installation, the Secretary of the Army may construct a standard design Access Control Point consistent with the Army's construction guidelines for Access Control Points.

SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 4659), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Alabama	*Anniston Army Depot*	*Lake Yard Interchange*	*$1,400,000*
New Jersey	*Picatinny Arsenal*	*Ballistic Evaluation Facility Phase I*	*$9,900,000*

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (123 Stat. 2628), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
Louisiana	Fort Polk	Land Purchases and Condemnation	$17,000,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility Phase 2	$10,200,000
Virginia	Fort Belvoir	Road and Access Control Point	$9,500,000
Washington	Fort Lewis	Fort Lewis-McChord AFB Joint Access	$9,000,000
Kuwait	Kuwait	APS Warehouses	$82,000,000

SEC. 2107. EXTENSION OF LIMITATION ON OBLIGATION OR EXPENDITURE OF FUNDS FOR TOUR NORMALIZATION.

Section 2111 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1665) is amended in the matter preceding paragraph (1) by inserting after ''under this Act'' the following: ''or an Act authorizing funds for military construction for fiscal year 2013''.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$29,285,000
California	Camp Pendleton	$88,110,000
	Coronado	$78,541,000
	Miramar	$27,897,000
	Point Mugu	$12,790,000
	San Diego	$71,188,000
	Seal Beach	$30,594,000
	Twentynine Palms	$47,270,000
Florida	Jacksonville	$21,980,000
Hawaii	Kaneohe Bay	$97,310,000
Mississippi	Meridian	$10,926,000
New Jersey	Earle	$33,498,000
North Carolina	Camp Lejeune	$69,890,000
	Cherry Point Marine Corps Air Station	$45,891,000
	New River	$8,525,000
South Carolina	Beaufort	$81,780,000
	Parris Island	$10,135,000
Virginia	Dahlgren	$28,228,000
	Oceana Naval Air Station	$39,086,000
	Portsmouth	$32,706,000
	Quantico	$58,714,000
	Yorktown	$48,823,000
Washington	Whidbey Island	$6,272,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Diego Garcia	Diego Garcia	$1,691,000
Greece	Souda Bay	$25,123,000
Japan	Iwakuni	$13,138,000
	Okinawa	$8,206,000
Romania	Deveselu	$45,205,000
Spain	Rota	$17,215,000
Worldwide (Unspecified)	Unspecified Worldwide Locations	$34,048,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,527,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $97,655,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION.—The Secretary of the Navy shall not enter into an award for a military construction project in Romania until after the date on which the Secretary submits a NATO prefinancing request for consideration of the military construction project.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), for Kitsap (Bangor) Washington, for construction of Explosives Handling Wharf No. 2 at that location, the Secretary of the Navy may acquire fee or lesser real property interests to accomplish required environmental mitigation for the project using appropriations authorized for the project.

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (122 Stat 4670) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1668), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
California	Marine Corps Base, Camp Pendelton.	Operations Access Points, Red Beach	$11,970,000
	Marine Corps Air Station, Miramar.	Emergency Response Station	$6,530,000
District of Columbia	Washington Navy Yard	Child Development Center	$9,340,000

SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (123 Stat. 2632), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2010 Project Authorization

State/Country	Installation or Location	Project	Amount
California	Bridgeport	Mountain Warfare Training, Commissary	$6,830,000
Maine	Portsmouth Naval Shipyard	Gate 2 Security Improvements	$7,090,000
Djibouti	Camp Lemonier	Security Fencing	$8,109,000
		Ammo Supply Point	$21,689,000
		Interior Paved Roads	$7,275,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Arkansas	Little Rock Air Force Base	$30,178,000
Florida	Tyndall Air Force Base	$14,750,000
Georgia	Fort Stewart	$7,250,000
	Moody Air Force Base	$8,500,000
New Mexico	Holloman Air Force Base	$25,000,000
North Dakota	Minot Air Force Base	$4,600,000
Texas	Joint Base San Antonio	$18,000,000
Utah	Hill Air Force Base	$13,530,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Greenland	Thule Air Base	$63,500,000
Guam	Andersen Air Force Base	$128,000,000
Italy	Aviano Air Base	$9,400,000
Worldwide, Unspecified	Unspecified Worldwide Locations	$34,657,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,253,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $79,571,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (123 Stat. 2636), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2010 Project Authorization

Location	Installation or Location	Project	Amount
Missouri	Whiteman Air Force Base	Land Acquisition North & South Boundary	$5,500,000
Montana	Malmstrom Air Force Base	Weapons Storage Area (WSA), Phase 2	$10,600,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$1,300,000
California	Coronado	$55,259,000
	DEF Fuel Support Point-San Diego	$91,563,000
	Edwards Air Force Base	$27,500,000
	Twentynine Palms	$27,400,000
Colorado	Buckley Air Force Base	$30,000,000
	Fort Carson	$56,673,000
	Pikes Peak	$3,600,000
CONUS Classified	Classified Location	$59,577,000
Delaware	Dover Air Force Base	$2,000,000
Florida	Eglin Air Force Base	$41,965,000
	Hurlburt Field	$16,000,000
	MacDill Air Force Base	$34,409,000
Hawaii	Joint Base Pearl Harbor-Hickam	$24,289,000
Illinois	Great Lakes	$28,700,000
	Scott Air Force Base	$86,711,000
Indiana	Grissom Army Reserve Base	$26,800,000
Kentucky	Fort Campbell	$71,639,000
Louisiana	Barksdale Air Force Base	$11,700,000
Maryland	Annapolis	$66,500,000
	Bethesda Naval Hospital	$69,200,000

***Defense Agencies: Inside the United States**—Continued*

State	Installation or Location	Amount
	Fort Meade	$128,600,000
Missouri	Fort Leonard Wood	$18,100,000
New Mexico	Cannon Air Force Base	$93,085,000
New York	Fort Drum	$43,200,000
North Carolina	Camp Lejeune	$80,064,000
	Fort Bragg	$100,422,000
	Seymour Johnson Air Force Base	$55,450,000
Pennsylvania	DEF Distribution Depot New Cumberland	$17,400,000
South Carolina	Shaw Air Force Base	$57,200,000
Texas	Red River Army Depot	$16,715,000
Virginia	Dam Neck	$11,000,000
	Joint Expeditionary Base Little Creek - Story	$11,132,000
	Norfolk	$8,500,000
Washington	Fort Lewis	$50,520,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium	Brussels	$26,969,000
Germany	Stuttgart-Patch Barracks	$2,413,000
	Vogelweh	$61,415,000
	Weisbaden	$52,178,000
Guam	Andersen Air Force Base	$67,500,000
Guantanamo Bay, Cuba	Guantanamo Bay	$40,200,000
Japan	Camp Zama	$13,273,000
	Kadena Air Base	$143,545,000
	Sasebo	$35,733,000
	Zukeran	$79,036,000
Korea	Kunsan Air Base	$13,000,000
	Osan Air Base	$77,292,000
Romania	Deveselu	$157,900,000
United Kingdom	Menwith Hill Station	$50,283,000
	Royal Air Force Feltwell	$30,811,000
	Royal Air Force Mildenhall	$6,490,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
Alaska	Clear	$15,337,000
California	Fort Hunter Liggett	$9,600,000
	Parks RFTA	$9,256,000
Colorado	Aerospace Data Facility	$3,310,000
	Fort Carson	$4,000,000
Hawaii	Joint Base Pearl Harbor Hickam	$6,610,000
Missouri	Whiteman	$6,000,000
North Carolina	Fort Bragg	$2,700,000
	MCB Camp Lejeune	$5,701,000
New Jersey	Sea Girt	$3,000,000
Pennsylvania	NSA Mechanicsburg	$19,926,000
	Susquehanna	$2,550,000
	Tobyhanna Army Depot	$3,950,000

Energy Conservation Projects: Inside the United States—Continued

State	Installation or Location	Amount
Tennessee	Arnold	$3,606,000
Texas	Fort Bliss	$5,700,000
	Fort Bliss	$2,600,000
	Laughlin	$4,800,000
Virginia	MCB Quantico	$7,943,000
	Pentagon Reservation	$2,360,000
	Pentagon Reservation	$2,120,000
Various Locations	Various Locations	$12,886,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Italy	Naval Air Station Sigonella	$6,121,000
Spain	Naval Station Rota	$2,671,000
Various Locations	Various Locations	$7,253,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION.—The Secretary of Defense shall not enter into an award for a military construction project in Romania until after the date on which the Secretary submits a NATO prefinancing request for consideration of the military construction project.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) MARYLAND.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), is amended in the item relating to Fort Meade, Maryland, by striking ''$29,640,000'' in the amount column and inserting ''$792,200,000''.

(b) GERMANY.—The table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673), is amended in the item relating to Rhine Ordnance Barracks, Germany, by striking ''$750,000,000'' in the amount column and inserting ''$850,000,000''.

SEC. 2405. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorization set forth in the table in subsection (b), as provided in section 2401(a) of that Act (123 Stat. 2640), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later:

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2010 Project Authorization

State/Country	Installation or Location	Project	Amount
Virginia	Pentagon Reservation	Pentagon electrical upgrade	$19,272,000

Subtitle B—Chemical Demilitarization Authorizations

SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction and land acquisition for chemical demilitarization as specified in the funding table in section 4601.

SEC. 2412. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

(a) MODIFICATIONS.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2699), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), is further amended—

(1) under the agency heading relating to Chemical Demilitarization Program, in the item relating to Pueblo Army Depot, Colorado, by striking ''$484,000,000'' in the amount column and inserting ''$520,000,000''; and

(2) by striking the amount identified as the total in the amount column and inserting ''$866,454,000''.

(b) CONFORMING AMENDMENT.—Section 2406(b)(2) of the Military Construction Authorization Act for Fiscal Year 1997 (110 Stat. 2779), as so amended, is further amended by striking ''$484,000,000'' and inserting ''$520,000,000''.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real

property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Fort McClellan	$5,400,000
Arkansas	Searcy	$6,800,000
California	Fort Irwin	$25,000,000
Connecticut	Camp Hartell	$32,000,000
Delaware	Bethany Beach	$5,500,000
Florida	Camp Blanding	$9,000,000
	Miramar	$20,000,000
Hawaii	Kapolei	$28,000,000
Idaho	Orchard Training Area	$40,000,000
Indiana	South Bend	$21,000,000
	Terra Haute	$9,000,000
Iowa	Camp Dodge	$3,000,000
Kansas	Topeka	$9,500,000
Kentucky	Frankfort	$32,000,000
Massachusetts	Camp Edwards	$27,200,000
Michigan	Camp Grayling	$17,000,000
Minnesota	Camp Ripley	$17,000,000
	St. Paul	$17,000,000
Missouri	Fort Leonard Wood	$18,000,000
	Kansas City	$1,900,000
	Monett	$820,000
	Perryville	$700,000
Montana	Miles City	$11,000,000
New Jersey	Sea Girt	$34,000,000
New York	Stomville	$24,000,000
Ohio	Chillcothe	$3,100,000
	Delaware	$12,000,000
Oklahoma	Camp Gruber	$25,000,000
Utah	Camp Williams	$36,000,000
Vermont	North Hyde Park	$4,397,000
Washington	Fort Lewis	$35,000,000
West Virginia	Logan	$14,200,000
Wisconsin	Wausau	$10,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations outside the United States, and in the amounts, set forth in the following table:

Army National Guard: Outside the United States

Country	Location	Amount
Guam	Barrigada	$8,500,000
Puerto Rico	Camp Santiago	$3,800,000
	Ceiba	$2,200,000
	Guaynabo	$15,000,000
	Gurabo	$14,700,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

Country	Location	Amount
California	Fort Hunter Liggett	$78,300,000
	Tustin	$27,000,000
Illinois	Fort Sheridan	$28,000,000

***Army Reserve**—Continued*

Country	Location	Amount
Maryland	Aberdeen Proving Ground	$21,000,000
	Baltimore	$10,000,000
Massachusetts	Devens Reserve Forces Training Area	$8,500,000
Nevada	Las Vegas	$21,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$7,400,000
Pennsylvania	Conneant Lake	$4,800,000
Washington	Joint Base Lewis-McChord	$40,000,000
Wisconsin	Fort McCoy	$47,800,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Arizona	Yuma	$5,379,000
Iowa	Fort Des Moines	$19,162,000
Louisiana	New Orleans	$7,187,000
New York	Brooklyn	$4,430,000
Texas	Fort Worth	$11,256,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
California	Fresno Yosemite International Airport Air National Guard	$11,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	$6,500,000
New Mexico	Kirtland Air Force Base	$8,500,000
Tennessee	McGee-Tyson Airport	$18,000,000
Wyoming	Cheyenne Municipal Airport	$6,486,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
California	March Air Reserve Base	$16,900,000
New York	Niagara Falls International Airport	$6,100,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD READINESS CENTER PROJECT, NORTH LAS VEGAS, NEVADA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2648) for North Las Vegas, Nevada, for construction of a Readiness Center, the Secretary of the Army may construct up to 68,593 square feet of readiness center, 10,000 square feet of unheated equipment storage area, and 25,000 square feet of unheated vehicle storage, consistent with the Army's construction guidelines for readiness centers.

(b) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, MIRAMAR, CALIFORNIA.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2649) for Camp Pendleton, California, for construction of an Army Reserve Center, the Secretary of the

Army may instead construct an Army Reserve Center in the vicinity of the Marine Corps Air Station, Miramar, California.

(c) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, BRIDGEPORT, CONNECTICUT.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2649) for Bridgeport, Connecticut, for construction of an Army Reserve Center/Land, the Secretary of the Army may instead construct an Army Reserve Center and acquire land in the vicinity of Bridgeport, Connecticut.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, FORT STORY, VIRGINIA.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4453) for Fort Story, Virginia, for construction of an Army Reserve Center, the Secretary of the Army may instead construct an Army Reserve Center in the vicinity of Fort Story, Virginia.

(b) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, FORT CHAFFEE, ARKANSAS.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Fort Chaffee, Arkansas, for construction of a Live Fire Shoot House, the Secretary of the Army may construct up to 5,869 square feet of Live Fire Shoot House.

(c) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WINDSOR LOCKS, CONNECTICUT.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Windsor Locks, Connecticut, for construction of a Readiness Center, the Secretary of the Army may construct up to 119,510 square feet of a Readiness Center.

(d) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, KALAELOA, HAWAII.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Kalealoa, Hawaii, for construction of a Combined Support Maintenance Shop, the Secretary of the Army may construct up to 137,548 square feet of a Combined Support Maintenance Shop.

(e) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WICHITA, KANSAS.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Wichita, Kansas, for construction of a Field Maintenance Shop, the Secretary of the Army may construct up to 62,102 square feet of Field Maintenance Shop.

(f) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, MINDEN, LOUISIANA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Minden, Louisiana, for construction of a Readiness Center, the Secretary of the Army may construct up to 90,944 square feet of a Readiness Center.

(g) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, SAINT INIGOES, MARYLAND.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Saint Inigoes, Maryland, for construction of a Tactical Unmanned Aircraft System Facility, the Secretary of the Army may construct up to 10,298 square feet of a Tactical Unmanned Aircraft System Facility.

(h) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, CAMP GRAFTON, NORTH DAKOTA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Camp Grafton, North Dakota, for construction of a Readiness Center, the Secretary of the Army may construct up to 68,671 square feet of a Readiness Center.

(i) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WATERTOWN, SOUTH DAKOTA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Watertown, South Dakota, for construction of a Readiness Center, the Secretary of the Army may construct up to 97,865 square feet of a Readiness Center.

SEC. 2613. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2009 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2604 of that Act (122 Stat. 4706), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air National Guard: Extension of 2009 Project Authorization

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Munitions Complex	$3,400,000

SEC. 2614. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorizations set forth in the tables in subsection (b), as provided in sections 2602 and 2604 of that Act (123 Stat. 2649, 2651), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The tables referred to in subsection (a) are as follows:

Army Reserve: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton	Army Reserve Center	$19,500,000
Connecticut	Bridgeport	Army Reserve Center/Land	$18,500,000

Air National Guard: Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Base Entrance	$6,500,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Subtitle A—Authorization of Appropriations

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act as specified in the funding table in section 4601.

SEC. 2702. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2711. CONSOLIDATION OF DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNTS AND AUTHORIZED USES OF BASE CLOSURE ACCOUNT FUNDS.

(a) ESTABLISHMENT OF SINGLE DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT; USE OF FUNDS.—The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking sections 2906 and 2906A and inserting the following new section 2906:

''SEC. 2906. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

''(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the 'Department of Defense Base Closure Account' which shall be administered by the Secretary as a single account.

''(b) CREDITS TO ACCOUNT.—There shall be credited to the Account the following:

''(1) Funds authorized for and appropriated to the Account.

''(2) Funds transferred to the Account pursuant to section ____(b) of the National Defense Authorization Act for Fiscal Year 2013.

''(3) Funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that funds may be transferred under the authority of this paragraph only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees.

''(4) Proceeds received from the lease, transfer, or disposal of any property at a military installation closed or realigned under this part or the 1988 BRAC law.

''(c) USE OF ACCOUNT.—

''(1) AUTHORIZED PURPOSES.—The Secretary may use the funds in the Account only for the following purposes:

''(A) To carry out the Defense Environmental Restoration Program under section 2701 of title 10, United States Code, and other environmental restoration and mitigation activities at military installations closed or realigned under this part or the 1988 BRAC law.

''(B) To cover property management, disposal, and caretaker costs incurred at military installations closed or realigned under this part or the 1988 BRAC law.

''(C) To cover costs associated with supervision, inspection, overhead, engineering, and design of military construction projects undertaken under this part or the 1988 BRAC law before September 30, 2013, and subsequent claims, if any, related to such activities.

''(D) To record, adjust, and liquidate obligations properly chargeable to the following accounts:

''(i) The Department of Defense Base Closure Account 2005 established by section 2906A of this part, as in effect on September 30, 2013.

''(ii) The Department of Defense Base Closure Account 1990 established by this section, as in effect on September 30, 2013.

''(iii) The Department of Defense Base Closure Account established by section 207 of the 1988 BRAC law, as in effect on September 30, 2013.

''(2) SOLE SOURCE OF FUNDS.—The Account shall be the sole source of Federal funds for the activities specified in paragraph (1) at a military installation closed or realigned under this part or the 1988 BRAC law.

''(3) PROHIBITION ON USE OF ACCOUNT FOR NEW MILITARY CONSTRUCTION.—Except as provided in paragraph (1), funds in the Account may not be used, directly or by transfer to another appropriations account, to carry out a military construction project, including a minor military construction project, under section 2905(a) or any other provision of law at a military installation closed or realigned under this part or the 1988 BRAC law.

''(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NONAPPROPRIATED FUNDS.—

''(1) DEPOSIT OF PROCEEDS IN RESERVE ACCOUNT.—If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the 1988 BRAC law.

''(2) The amount so deposited under paragraph (1) shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary of Defense.

''(3) USE OF RESERVE FUNDS.—Subject to the limitation contained in section 204(b)(7)(C)(iii) of the 1988 BRAC law, amounts in the reserve account are hereby made available to the Secretary, without appropriation and until expended, for the purpose of acquiring, constructing, and improving—

''(A) commissary stores; and

''(B) real property and facilities for nonappropriated fund instrumentalities.

''(e) ANNUAL REPORTS.—

''(1) ANNUAL ACCOUNTING.—No later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this part, the Secretary shall transmit a report to the congressional defense committees containing an accounting of—

''(A) the amount and nature of credits to, and expenditures from, the Account during such fiscal year; and

''(B) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report.

''(2) SPECIFIC ELEMENTS OF REPORT.—The report for a fiscal year shall include the following:

''(A) The obligations and expenditures from the Account during the fiscal year, identified by subaccount and installation, for each military department and Defense Agency.

''(B) The fiscal year in which appropriations or transfers for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

''(C) An estimate of the net revenues to be received from property disposals under this part or the 1988 BRAC law to be completed during the first fiscal year commencing after the submission of the report.

''(f) CLOSURE OF ACCOUNT; TREATMENT OF REMAINING FUNDS.—

''(1) CLOSURE.—The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code, except that unobligated funds which remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the final report transmitted under paragraph (2).

''(2) FINAL REPORT.—No later than 60 days after the closure of the Account under paragraph (1), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

''(A) all the funds credited to and expended from the Account or otherwise expended under this part or the 1988 BRAC law; and

''(B) any funds remaining in the Account.

''(g) DEFINITIONS.—In this section:

''(1) The term 'commissary store funds' means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

''(2) The term 'nonappropriated funds' means funds received from a nonappropriated fund instrumentality.

''(3) The term 'nonappropriated fund instrumentality' means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

''(4) The term '1988 BRAC law' means title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).''.

(b) CLOSURE OF EXISTING CURRENT ACCOUNTS; TRANSFER OF FUNDS.—

(1) CLOSURE.—Subject to paragraph (2), the Secretary of the Treasury shall close, pursuant to section 1555 of title 31, United States Code, the following accounts on the books of the Treasury:

(A) The Department of Defense Base Closure Account 2005 established by section 2906A of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as in effect on the effective date of this section.

(B) The Department of Defense Base Closure Account 1990 established by section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as in effect on the effective date of this section.

(C) The Department of Defense Base Closure Account established by section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note), as in effect on the effective date of this section.

(2) TRANSFER OF FUNDS.—All amounts remaining in the three accounts specified in paragraph (1) as of the effective date of this section, shall be transferred, effective on that date, to the Department of Defense Base Closure Account established by section 2906 of the Defense Base Closure and Realignment Act of 1990, as added by subsection (a).

(3) CROSS REFERENCES.—Except as provided in this subsection or the context requires otherwise, any reference in a law, regulation, document, paper, or other record of the United States to an account specified in paragraph (1) shall be deemed to be a reference to the Department of Defense Base Closure Account established by section 2906 of the Defense Base Closure and Realignment Act of 1990, as added by subsection (a).

(c) CONFORMING AMENDMENTS.—

(1) REPEAL OF FORMER ACCOUNT.—Section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is repealed.

(2) DEFINITION.—

(A) 1990 LAW.—Section 2910(1) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking ''1990 established by section 2906(a)(1)'' and inserting ''established by section 2906(a)''.

(B) 1988 LAW.—The Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended—

(i) in section 204(b)(7)(A), by striking ''established by section 207(a)(1)''; and

(ii) in section 209(1), by striking ''established by section 207(a)(1)'' and inserting ''established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)''.

(3) ENVIRONMENTAL RESTORATION.—Chapter 160 of title 10, United States Code, is amended—

(A) in section 2701(d)(2), by striking ''Department of Defense Base Closure Account 1990 or the Department of Defense Base Closure Account 2005 established under sections 2906 and 2906A'' and inserting ''Department of Defense Base Closure Account established by section 2906'';

(B) in section 2703(h)—

(i) by striking ''the applicable Department of Defense base closure account'' and inserting ''the Department of Defense Base Closure Account established under section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)''; and

(ii) by striking ''the applicable base closure account'' and inserting ''such base closure account''; and

(C) in section 2905(g)(2), by striking ''Closure Account 1990'' and inserting ''Closure Account''.

(4) DEPARTMENT OF DEFENSE HOUSING FUNDS.—Section 2883 of such title is amended—

(A) in subsection (c)—

(i) by striking subparagraph (G) of paragraph (1); and

(ii) by striking subparagraph (G) of paragraph (2); and

(B) in subsection (f)—

(i) in the first sentence, by striking ''or (G)'' both places it appears; and

(ii) by striking the second sentence.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the later of—

(1) October 1, 2013; and

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014.

SEC. 2712. AIR ARMAMENT CENTER, EGLIN AIR FORCE BASE.

The Secretary of the Air Force shall retain an Air Armament Center at Eglin Air Force Base, Florida, in name and function, with the same integrated mission elements, responsibilities, and capabilities as existed upon the completion of implementation of the recommendations of the 2005 Base Closure and Realignment Commission regarding such military installation contained in the report transmitted by the President to Congress in accordance with section 2914(e) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), until such time as such integrated mission elements, responsibilities, and capabilities are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.

SEC. 2713. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round, and none of the funds appropriated pursuant to the authorization of appropriations contained in this Act may be used to propose, plan for, or execute an additional BRAC round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. PREPARATION OF MILITARY INSTALLATION MASTER PLANS.

(a) MILITARY INSTALLATION MASTER PLANS.—Subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after section 2863 the following new section:

''§ 2864. Military installation master plans

''(a) PLANS REQUIRED.—At a time interval prescribed by the Secretary concerned (but not less frequently than once every 10 years), the commander of each military installation under the jurisdiction of the Secretary shall ensure an installation master plan is developed to address environmental planning, sustainable design and development, sustainable range planning, real property master planning, and transportation planning.

''(b) TRANSPORTATION COMPONENT.—

''(1) COOPERATION WITH METROPOLITAN PLANNING ORGANIZATIONS.—The transportation component of an installation master plan shall be developed and updated in cooperation with the metropolitan planning organization designated for the metropolitan planning area in which the military installation is located.

''(2) DEFINITIONS.—In this subsection, the terms 'metropolitan planning area' and 'metropolitan planning organization' have the meanings given those terms in section 134(b) of title 23 and section 5303(b) of title 49.

''(3) TRANSIT SERVICES.—The installation master plan for a military installation shall also address operating costs for transit service and travel demand measures on the installation.''.

SEC. 2802. SUSTAINMENT OVERSIGHT AND ACCOUNTABILITY FOR MILITARY HOUSING PRIVATIZATION PROJECTS AND RELATED ANNUAL REPORTING REQUIREMENTS.

(a) SUSTAINMENT OVERSIGHT AND ACCOUNTABILITY FOR PRIVATIZATION PROJECTS.—

(1) OVERSIGHT AND ACCOUNTABILITY MEASURES.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2885 the following new section:

''§ 2885a. Oversight and accountability for privatization projects: sustainment

''(a) OVERSIGHT AND ACCOUNTABILITY MEASURES.—Each Secretary concerned shall prescribe regulations to effectively oversee and manage a military housing privatization project carried out under this subchapter during the sustainment phase of the project following completion of the construction or renovation of the housing units. The regulations shall include the following requirements for each privatization project:

''(1) The financial health and performance of the military housing privatization project, including the debt-coverage ratio of the project and occupancy rates for the constructed or renovated housing units.

''(2) A resident satisfaction assessment of the privatization project.

''(3) An assessment of the backlog of maintenance and repair.

''(b) REQUIRED QUALIFICATIONS.—The Secretary concerned or designated representative shall ensure that the project owner, developer, or general contractor that is selected for each military housing privatization initiative project has sustainment experience commensurate with that required to maintain the project.''.

(2) CONFORMING AMENDMENT.—Section 2885(a) of such title is amended in the matter preceding paragraph (1) by inserting before the period at the end of the first sentence the following: ''during the course of the construction or renovation of the housing units''.

(3) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of section 2885 of such title is amended to read as follows:

''§ 2885. Oversight and accountability for privatization projects: construction''.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2885 and inserting the following new items:

''2885. Oversight and accountability for privatization projects: construction.

''2885a. Oversight and accountability for privatization projects: sustainment.''.

(b) ANNUAL REPORTING REQUIREMENTS.—Section 2884(b) of such title is amended—

(1) by striking paragraphs (2), (3), (4), and (7);

(2) by redesignating paragraphs (5), (6), and (8) as paragraphs (2), (3), and (4), respectively; and

(3) by adding at the end the following new paragraphs:

''(5) A trend analysis of the backlog of maintenance and repair for each privatization project, including the total cost of the operation, maintenance, and repair costs associated with each project.

''(6) If the debt associated with a privatization project exceeds net operating income or the occupancy rates for the constructed or renovated housing units are below 75 percent for any sustained period of more than one year, a report regarding the plan to mitigate the financial risk of the project.''.

SEC. 2803. ONE-YEAR EXTENSION OF AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804(a)(2) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1685), is amended—

(1) in paragraph (1), by striking ''September 30, 2012'' and inserting ''September 30, 2013''; and

(2) in paragraph (2), by striking ''fiscal year 2013'' and inserting ''fiscal year 2014''.

SEC. 2804. TREATMENT OF CERTAIN DEFENSE NUCLEAR FACILITY CONSTRUCTION PROJECTS AS MILITARY CONSTRUCTION PROJECTS.

(a) FINDINGS.—Congress finds the following:

(1) According to a memorandum of agreement between the Secretary of Defense and the Secretary of Energy dated May 2010 and a subsequent addendum to such memorandum, the Secretary of Defense plans to transfer $8,300,000,000 of the budgetary authority of the Department of Defense to the Administrator for Nuclear Security of the National Nuclear Security Administration between fiscal years 2011 and 2016 to fund activities of the Administration that the Secretary determines to be high priorities.

(2) Such funding has directly supported defense activities at the National Nuclear Security Administration, including design and construction activities for the Chemistry and Metallurgy Research Building Replacement project and the Uranium Processing Facility project specified in paragraphs (2) and (3) of subsection (b).

(b) COVERED FACILITIES.—This section applies to the following construction projects of the National Nuclear Security Administration:

(1) Any project to build a nuclear facility, initiated on or after October 1, 2013, that is estimated to cost in excess of $1,000,000,000 and is intended to be primarily utilized to support the nuclear weapons activities of the National Nuclear Security Administration.

(2) The Chemistry and Metallurgy Research Building Replacement project, Los Alamos, New Mexico.

(3) The Uranium Processing Facility project, Oak Ridge, Tennessee.

(c) TREATMENT AS MILITARY CONSTRUCTION PROJECTS.—In the case of the construction projects of the National Nuclear Security Administration specified in subsection (b), the projects are deemed to be military construction projects to be carried out with respect to a military installation and therefore subject to the following:

(1) The advance-project authorization requirement of section 2802(a) of title 10, United States Code, and other requirements of chapter 169 of such title related to military construction projects carried out by the Secretary of Defense with respect to the Defense Agencies.

(2) Annual Acts authorizing military construction projects (and authorizing the appropriation of funds therefor) for a fiscal year.

(d) MILITARY CONSTRUCTION AUTHORIZATION FOR CERTAIN DEFENSE NUCLEAR FACILITY PROJECTS.—The Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations, and in the amounts, set forth in the following table:

Defense Nuclear Facility Projects

State	Installation or Location	Amount
New Mexico	Los Alamos	$3,500,000,000
Tennessee	Oak Ridge	$4,200,000,000

(e) REGULATION, REQUIREMENTS, AND COORDINATION.—For each project specified in subsection (b)—

(1) the Administrator for Nuclear Security of the National Nuclear Security Administration and the Secretary of Energy shall retain authority to regulate design and construction activities pursuant to the Atomic Energy Act and other applicable laws;

(2) the Secretary of Defense shall coordinate with the Administrator for Nuclear Security regarding requirements for the facility; and

(3) the Administrator for Nuclear Security shall make available to the Secretary of Defense the expertise of the National Nuclear Security Administration to support design and construction activities.

(f) TRANSFER OF FACILITIES.—Upon completion of construction of a project specified in subsection (b), the Secretary of Defense shall negotiate with the Administrator for Nuclear Security of the National Nuclear Security Administration to transfer the constructed facility to the authority of the Administrator for operations.

(g) SENSE OF CONGRESS.—It is the sense of Congress that during fiscal year 2014 and thereafter, the budgetary authority provided by the Secretary of Defense to the Administrator for Nuclear Security of the National Nuclear Security Administration under the memorandum described in subsection (a)(1) should be reduced by the amount needed to fund the design and construction of the projects specified in paragraphs (2) and (3) of subsection (b).

(h) INFORMATION TRANSFER AND LEGAL EFFECT OF TRANSFER.—Not later than September 30, 2013, the Administrator for Nuclear Security of the National Nuclear Security Administration shall transfer to the Secretary of Defense all information in the possession of the Administrator related to architectural and engineering services and construction design for the construction projects specified in subsection (b). All environmental impact statements and legal rulings in effect before that date related to the projects shall be considered valid upon transfer of responsibility for the projects to the Secretary of Defense under subsection (c).

(i) EFFECTIVE DATE.—This section shall apply to the construction projects specified in subsection (b) effective for fiscal year 2014 and fiscal years thereafter.

SEC. 2805. EXECUTION OF CHEMISTRY AND METALLURGY RESEARCH BUILDING REPLACEMENT NUCLEAR FACILITY AND LIMITATION ON ALTERNATIVE PLUTONIUM STRATEGY.

(a) POLICY.—It is the policy of the United States to create and sustain the capability to produce plutonium pits for nuclear weapons, and to ensure sufficient plutonium pit production capacity, to respond to technical challenges in the existing nuclear weapons stockpile or geopolitical developments.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) successful and timely construction of the Chemistry and Metallurgy Research Building Replacement nuclear facility in Los Alamos, New Mexico, is critical to achieving the policy expressed in subsection (a) and that such facility should achieve full operational capability by fiscal year 2024;

(2) prior-year funds for the Chemistry and Metallurgy Research Building Replacement nuclear facility, up to $160,000,000 being available, should be applied to continue design and construction of this facility in fiscal year 2013; and

(3) during fiscal year 2014 and thereafter, the budgetary authority provided by the Secretary of Defense to the Administrator for Nuclear Security of the National Nuclear Security Administration under the memorandum of agreement between the Secretary of Defense and the Secretary of Energy dated May 2010 should be reduced by the amount needed to fund the design and construction of the Chemistry and Metallurgy Research Building Replacement nuclear facility under the military construction authorities provided in section 2804.

(c) FUTURE BUDGET REQUESTS.—The Secretary of Defense, in coordination with the Administrator for Nuclear Security of the National Nuclear Security Administration, shall request such funds in fiscal year 2014 and subsequent fiscal years under the military construction authorities of section 2804 to ensure the Chemistry and Metallurgy Research Building Replacement nuclear facility achieves full operational capability by fiscal year 2024.

(d) LIMITATION ON ALTERNATIVE PLUTONIUM STRATEGY.—No funds authorized to be appropriated by this Act or any other Act may be obligated or expended on any activities associated with a plutonium strategy for the National Nuclear Security Administration that does not include achieving full operational capability of the Chemistry and Metallurgy Research Building Replacement nuclear facility by fiscal year 2024.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. AUTHORITY OF MILITARY MUSEUMS TO ACCEPT GIFTS AND SERVICES AND TO ENTER INTO LEASES AND COOPERATIVE AGREEMENTS.

(a) MUSEUM SUPPORT AUTHORITY.—Chapter 155 of title 10, United States Code, is amended by inserting after section 2608 the following new section:

"§ 2609. Military museum programs: acceptance of gifts and other support

''(a) ACCEPTANCE OF SERVICES.—Notwithstanding section 1342 of title 31, the Secretary concerned may accept services from a nonprofit entity to support a military museum program under the jurisdiction of the Secretary.

''(b) LIMITATION ON USE OF GIFT FUNDS.—A gift made for the purpose of assisting in the development, operation, maintenance, or management of, or for the acquisition of collections for, a military museum program and deposited into one of the general gift funds specified in section 2601(c) of this title shall be available only for the military museum program and the purpose for which the gift was made.

''(c) SOLICITATION OF GIFTS.—Under regulations prescribed under this section, the Secretary concerned may solicit from any person or public or private entity, for the use and benefit of a military museum program, a gift of books, manuscripts, works of art, historical artifacts, drawings, plans, models, condemned or obsolete combat materiel, or other personal property.

''(d) LEASING AUTHORITY.—(1) In accordance with section 2667 of this title, the Secretary concerned may lease real and personal property of a military museum program to a nonprofit entity for purposes related to the military museum program.

''(2) A lease under this subsection may not include any part of the collection of a military museum program.

''(e) COOPERATIVE AGREEMENTS.—The Secretary concerned may enter into a cooperative agreement with a nonprofit entity for purposes related to support of a military museum program.

''(f) EMPLOYEE STATUS.—For purposes of this section, employees or personnel of a nonprofit entity may not be considered to be employees of the United States.

''(g) REGULATIONS.—(1) The Secretary of Defense shall prescribe regulations to implement this section. The regulations shall apply uniformly throughout the Department of Defense.

''(2) The regulations shall provide that solicitation of a gift, acceptance of a gift (including a gift of services), or use of a gift under this section may not occur if the nature or circumstances of the solicitation, acceptance, or use would compromise the integrity or the appearance of integrity of any program of the Department of Defense or any individual involved in such program.

''(h) DEFINITIONS.—In this section:

''(1) The term 'military museum program' may include an individual museum.

''(2) The term 'nonprofit entity' means an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986 whose primary purpose is supporting a military museum program.

''(3) The term 'Secretary concerned' includes the Secretary of Defense with respect to matters concerning the Defense Agencies.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2608 the following new item:

''2609. Military museum programs: acceptance of gifts and other support.''.

SEC. 2812. CLARIFICATION OF PARTIES WITH WHOM DEPARTMENT OF DEFENSE MAY CONDUCT EXCHANGES OF REAL PROPERTY AT CERTAIN MILITARY INSTALLATIONS.

Section 2869(a)(1) of title 10, United States Code, is amended—

(1) by striking ''any eligible entity'' and inserting ''any person'';

(2) by striking ''the entity'' and inserting ''the person''; and

(3) by striking ''their control'' and inserting ''the person's control''.

SEC. 2813. INDEMNIFICATION OF TRANSFEREES OF PROPERTY AT ANY CLOSED MILITARY INSTALLATION.

Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2687 note) is amended—

(1) in subsection (a)(1), by striking ''pursuant to a base closure law'' and inserting ''after October 24, 1988, the date of the enactment of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note)''; and

(2) in subsection (f), by striking paragraph (3).

SEC. 2814. IDENTIFICATION REQUIREMENT FOR ENTRY ON MILITARY INSTALLATIONS.

(a) IDENTIFICATION REQUIREMENT FOR MILITARY INSTALLATIONS.—

(1) MINIMUM IDENTIFICATION REQUIRED.—

(A) IN GENERAL.—Beginning on the day that is 120 days after the date of the enactment of this Act, the Secretary concerned may not permit a person who is 18 years old or older to enter a military installation in the United States unless such person presents, as determined by an authentication procedure that meets the minimum procedural requirements identified by the Secretary of Defense in paragraph (4), at a minimum—

(i) a valid Federal or State government issued photo identification card;

(ii) a valid Common Access Card; or

(iii) a valid uniformed services identification card.

(B) EXCEPTION FOR CERTAIN FOREIGN PASSPORTS.—The Secretary concerned may permit a person to enter a military installation in the United States if such person presents a valid foreign passport, as determined by an authentication procedure that meets the minimum procedural requirements identified by the Secretary of Defense in paragraph (4), if—

(i) such person is visiting such military installation on official business between the Armed Forces and the armed forces of a foreign country; or

(ii) such person is visiting a member of the uniformed services or a civilian employee of the Department of Defense on such military installation.

(2) EXPIRED OR FRAUDULENT IDENTIFICATION.—The Secretary concerned shall confiscate any form of identification that the Secretary determines, using an authentication procedure that meets the minimum procedural requirements identified by the Secretary of Defense in paragraph (4), to be expired or fraudulent.

(3) COORDINATION AMONG MILITARY INSTALLATIONS OF A STATE.—The Secretary concerned shall keep a list and shall inform the personnel at any other military installation in the State of such military installation of the name of any person—

(A) who attempts to help a person required to present a valid form of identification under paragraph (1) to enter a military installation in the United States without such required identification; or

(B) who attempts to enter a military installation military installation in the United States with a form of identification that the Secretary concerned determines to be expired or fraudulent under paragraph (2).

(4) PROCEDURAL REQUIREMENTS FOR IDENTIFICATION VERIFICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall identify the minimum procedural requirements for the Secretary concerned to authenticate the forms of identification in paragraph (1) for a person entering a military installation in the United States. In identifying such requirements, the Secretary of Defense shall identify minimum procedural requirements to ensure that individuals who need to enter a military installation in the United States to perform work under a contract awarded by the Department of Defense present a valid form of identification under paragraph (1).

(b) DEFINITIONS.—

(1) COMMON ACCESS CARD.—In this section, the term ''Common Access Card'' means the standard identification card issued by the Secretary of Defense to active-duty military personnel, Selected Reserve personnel, Department of Defense civilian employees, and certain persons awarded contracts by the Secretary of Defense.

(2) SECRETARY CONCERNED.—In this section, the term ''Secretary concerned'' has the meaning given the term in section 101(a) of title 10, United States Code.

(3) UNIFORMED SERVICES IDENTIFICATION CARD.—In this section, the term ''uniformed services identification card'' means the identification card issued by the Secretary of Defense to spouses and other eligible dependents of members of the uniformed services and other eligible persons, as determined by the Secretary of Defense.

SEC. 2815. PLAN TO PROTECT CRITICAL DEPARTMENT OF DEFENSE CRITICAL ASSETS FROM ELECTROMAGNETIC PULSE WEAPONS.

(a) PLAN REQUIRED.—Not later than September 1, 2013, the Secretary of the Defense shall submit to the congressional defense committees a plan to protect defense critical assets under the jurisdiction of the Department of Defense, and critical equipment at military installations, from the adverse effects of electromagnetic pulse and high-powered microwave weapons.

(b) PREPARATION AND ELEMENTS OF PLAN.—In preparing the plan required by subsection (a), the Secretary of Defense shall utilize the guidance and recommendations of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack established by section 1401 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114. Stat. 1654A 345). The plan shall include the following elements:

(1) An assessment of overall military installation protection from electromagnetic pulse and high-powered microwave weapons.

(2) A listing of defense critical assets.

(3) An assessment of the adequacy of each defense critical asset, to include the backup power capabilities of the defense critical asset, to withstand attack currently and a description and a cost estimate for each project to improve, repair, renovate, or modernize defense critical assets for which any deficiency is identified in the assessment.

(4) A list of projects, costs, and timelines through the future-years defense program to meet the requirements to overcome deficiencies identified under paragraph (3) for all defense critical assets.

(5) A list of civilian critical infrastructures upon which a defense critical asset depends (electricity, water, telecommunications, etc) that, if rendered inoperable by electromagnetic pulse or high-powered microwave weapons, would compromise the function of a defense critical asset.

(c) FORM OF SUBMISSION.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFENSE CRITICAL ASSET.—In this section, the term ''defense critical asset'' means an asset of such extraordinary importance to operations in peace, crisis, and war that its incapacitation or destruction would have a very serious debilitating effect on the ability of the Department of Defense to fulfill its missions.

Subtitle C—Energy Security

SEC. 2821. CONGRESSIONAL NOTIFICATION FOR CONTRACTS FOR THE PROVISION AND OPERATION OF ENERGY PRODUCTION FACILITIES AUTHORIZED TO BE LOCATED ON REAL PROPERTY UNDER THE JURISDICTION OF A MILITARY DEPARTMENT.

Section 2662(a)(1) of title 10, Untied States Code, is amended by adding at the end the following new subparagraph:

''(H) Any transaction or contract action for the provision and operation of energy production facilities on real property under the jurisdiction of the Secretary of a military department, as authorized by section 2922a(a)(2) of this title, if the term of the transaction or contract exceeds 20 years.''.

SEC. 2822. CONTINUATION OF LIMITATION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR PLATINUM CERTIFICATION AND EXPANSION TO INCLUDE IMPLEMENTATION OF ASHRAE BUILDING STANDARD 189.1.

Section 2830(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1695) is amended—

(1) in the subsection heading, by inserting after ''AND ASHRAE IMPLEMENTATION'' after ''CERTIFICATION''; and

(2) in paragraph (1)—

(A) by striking ''authorized to be'';

(B) by striking ''by this Act'';

(C) by inserting ''or 2013'' after ''fiscal year 2012''; and

(D) by inserting before the period at the end the following: ''and implementing ASHRAE building standard 189.1''.

SEC. 2823. AVAILABILITY AND USE OF DEPARTMENT OF DEFENSE ENERGY COST SAVINGS TO PROMOTE ENERGY SECURITY.

Section 2912(b)(1) of title 10, United States Code, is amended by inserting after ''additional

energy conservation'' the following: ''and energy security''.

Subtitle D—Provisions Related to Guam Realignment

SEC. 2831. USE OF OPERATION AND MAINTENANCE FUNDING TO SUPPORT COMMUNITY ADJUSTMENTS RELATED TO REALIGNMENT OF MILITARY INSTALLATIONS AND RELOCATION OF MILITARY PERSONNEL ON GUAM.

(a) TEMPORARY ASSISTANCE AUTHORIZED.—

(1) ASSISTANCE TO GOVERNMENT OF GUAM.—Using funds made available under subsection (c), the Secretary of Defense may assist the Government of Guam in meeting the costs of providing increased municipal services and facilities required as a result of the realignment of military installations and the relocation of military personnel on Guam (in this section referred to as the ''Guam realignment'') if the Secretary determines that an unfair and excessive financial burden will be incurred by the Government of Guam to provide the services and facilities in the absence of the Department of Defense assistance.

(2) MITIGATION OF IDENTIFIED IMPACTS.—The Secretary of Defense may take such actions as the Secretary considers to be appropriate to mitigate the significant impacts identified in the Record of Decision of the ''Guam and CNMI Military Relocation Environmental Impact Statement'' by providing increased municipal services and facilities to activities that directly support the Guam realignment.

(b) METHODS OF PROVIDING ASSISTANCE.—

(1) USE OF EXISTING PROGRAMS.—The Secretary of Defense shall carry out subsection (a) through existing Federal programs supporting the Government of Guam and the Guam realignment, whether or not the programs are administered by the Department of Defense or another Federal agency.

(2) COST SHARE ASSISTANCE.—The Secretary may assist the Government of Guam to any cost-sharing obligation imposed on the Government of Guam under any Federal program utilized by the Secretary under paragraph (1).

(c) SOURCE OF FUNDS.—

(1) TRANSFER AUTHORITY.—To the extent necessary to carry out subsection (a), the Secretary may transfer appropriated funds available to the Department of Defense or a military department for operation and maintenance to a different account of the Department of Defense or another Federal agency in order to make funds available to the Government of Guam under a Federal program utilized by the Secretary under subsection (b)(1). Amounts so transferred shall be merged with the appropriation to which transferred and shall be available only for the purpose of assisting the Government of Guam as described in subsection (a).

(2) ADDITIONAL AUTHORITY.—The transfer authority provided by paragraph (1) is in addition to the transfer authority provided by section 1001.

(d) PROGRESS REPORTS REQUIRED.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives semiannual reports indicating the total amount expended under the authority of this section during the preceding six-month period, the specific projects for which assistance was provided during such period, and the total amount provided for each project during such period.

(e) TERMINATION.—The authority to provide assistance under this section expires September 30, 2020. Amounts obligated on or before that date may be expended after that date.

SEC. 2832. CERTIFICATION OF MILITARY READINESS NEED FOR FIRING RANGE ON GUAM AS CONDITION ON ESTABLISHMENT OF RANGE.

A firing range on Guam may not be established (including any construction or lease of lands related to such establishment) until the Secretary of Defense certifies to the congressional defense committees that there is a national security need for the firing range related to readiness of the Armed Forces assigned to the United States Pacific Command.

SEC. 2833. REPEAL OF CONDITIONS ON USE OF FUNDS FOR GUAM REALIGNMENT.

Section 2207(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1668) is amended—

(1) in paragraph (2), by inserting ''and'' after the semicolon;

(2) by striking paragraphs (3) and (4); and

(3) by redesignating paragraph (5) as paragraph (3).

Subtitle E—Land Conveyances

SEC. 2841. MODIFICATION TO AUTHORIZED LAND CONVEYANCE AND EXCHANGE, JOINT BASE ELMENDORF RICHARDSON, ALASKA.

(a) CHANGE IN OFFICER AUTHORIZED TO CARRY OUT CONVEYANCES.—Subsection (a) of section 2851 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1697) is amended—

(1) in paragraph (1), by striking ''The Secretary of the Air Force may, in consultation with the Secretary of the Interior'' and inserting ''The Secretary of the Interior may, in consultation with the Secretary of the Air Force''; and

(2) in paragraph (2)—

(A) by striking ''The Secretary of the Air Force may, in consultation with the Secretary of the Interior, upon terms mutually agreeable to the Secretary of the Air Force'' and inserting ''The Secretary of the Interior may, in consultation with the Secretary of the Air Force, upon terms mutually agreeable to the Secretary of the Interior''; and

(B) by striking ''in consultation with the Secretary of the Interior'' the second place it appears and inserting ''in consultation with the Secretary of the Air Force''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a)(3), by inserting ''of the Interior'' after ''Secretary'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''The Secretary of the Air Force'' and inserting ''The Secretary of the Interior'';

(ii) by striking ''the Secretary'' the first place it appears and inserting ''the Secretary of the Interior and the Secretary of the Air Force''; and

(iii) by striking ''the Secretary'' in each other place it appears and inserting ''the Secretaries''; and

(B) in paragraph (2), by striking ''the Secretary'' and inserting ''the Secretaries''; and

(3) in subsections (e) and (f), by inserting ''of the Interior'' after ''Secretary''.

(c) TECHNICAL AMENDMENT.—Subsection (a)(1) of such section is further amended by striking ''JBER'' and inserting ''Joint Base Elmendorf Richardson, Alaska (in this section referred to as 'JBER'),''.

SEC. 2842. MODIFICATION OF FINANCING AUTHORITY, BROADWAY COMPLEX OF THE DEPARTMENT OF THE NAVY, SAN DIEGO, CALIFORNIA.

Subsection (a) of section 2732 of the Military Construction Authorization Act, 1987 (division B of Public 99–661; 100 Stat. 4046) is amended to read as follows:

''(a) IN GENERAL.—(1) Subject to subsections (b) through (g), the Secretary of the Navy may enter into long-term leases of real property located within the Broadway Complex of the Department of the Navy, San Diego, California.

''(2) Subject to subsections (b) through (g), the Secretary may assist any lessee of real property described in paragraph (1) in financing the construction by the lessee of any facility on such real property or otherwise within the boundaries of the metropolitan San Diego, California, area.''.

SEC. 2843. LAND CONVEYANCE, JOHN KUNKEL ARMY RESERVE CENTER, WARREN, OHIO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Village of Lordstown, Ohio (in this section referred to as the ''Village''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 6.95 acres and containing the John Kunkel Army Reserve Center located at 4967 Tod Avenue in Warren, Ohio, for the purpose of permitting the Village to use the parcel for public purposes.

(b) INTERIM LEASE.—Until such time as the real property described in subsection (a) is conveyed to the Village, the Secretary may lease the property to the Village.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Village to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Village in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Village.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) CONDITIONS OF CONVEYANCE.—The conveyance of the real property under subsection (a) shall be subject to the following conditions:

(1) That the Village not use any Federal funds to cover any portion of the conveyance costs required by subsection (c) to be paid by the Village or to cover the costs for the design or construction of any facility on the property.

(2) That the Village begin using the property for public purposes before the end of the five-year period beginning on the date of conveyance.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2844. LAND CONVEYANCE, CASTNER RANGE, FORT BLISS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—

(1) CONVEYANCE AUTHORITY.—The Secretary of the Army may convey, without consideration, to the Parks and Wildlife Department of the State of Texas (in this section referred to as the ''Department'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 7,081 acres at Fort Bliss, Texas, for the purpose of permitting the

Department to establish and operate a park as an element of the Franklin Mountains State Park.

(2) PIECEMEAL CONVEYANCES.—In anticipation of the conveyance of the entire parcel of real property described in paragraph (1), the Secretary may subdivide the parcel and convey to the Department portions of the real property as the Secretary determines that the condition of the real property is compatible with the Department's intended use of the property.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance, all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the land conveyance under this section, including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Department in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to Department. This paragraph does not apply to costs associated with the environmental remediation of the property to be conveyed.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal descriptions of the parcels of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2845. MODIFICATION OF LAND CONVEYANCE, FORT HOOD, TEXAS.

Section 2848(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2140) is amended by striking ''for the sole purpose'' and all that follows through ''Central Texas.'' and inserting the following: ''for the purpose of permitting the University System to use the property—

''(1) for the establishment of a State-supported university, separate from other universities of the University System, designated as Texas A&M University, Central Texas; and

''(2) for such other educational and related purposes as the University System considers to be appropriate and the Secretary of the Army determines to be compatible with military activities in the vicinity of the property.''.

SEC. 2846. TRANSFER OF ADMINISTRATIVE JURISDICTION, FORT LEE MILITARY RESERVATION AND PETERSBURG NATIONAL BATTLEFIELD, VIRGINIA.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION FROM SECRETARY OF THE ARMY.—The Secretary of the Army shall transfer to the Secretary of the Interior, without reimbursement, administrative jurisdiction over a parcel of land at Fort Lee Military Reservation consisting of approximately 1.171 acres and depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map titled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/80,801A, and dated May 2011. The Secretary of the Interior shall include the land transferred under this subsection within the boundary of Petersburg National Battlefield and administer the land as part of the park in accordance with laws and regulations applicable to the park.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION TO SECRETARY OF THE ARMY.—The Secretary of the Interior shall transfer to the Secretary of the Army, without reimbursement, administrative jurisdiction over a parcel of land consisting of approximately 1.170 acres and depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map referred to in subsection (a).

(c) AVAILABILITY OF MAP.—The map referred to in subsection (a) shall be available for public inspection in the appropriate offices of the National Park Service.

Subtitle F—Other Matters

SEC. 2861. INCLUSION OF RELIGIOUS SYMBOLS AS PART OF MILITARY MEMORIALS.

(a) AUTHORITY.—Chapter 21 of title 36, United States Code, is amended by adding at the end the following new section:

''§ 2115. Inclusion of religious symbols as part of military memorials

''(a) INCLUSION OF RELIGIOUS SYMBOLS AUTHORIZED.—To recognize the religious background of members of the United States Armed Forces, religious symbols may be included as part of—

''(1) a military memorial that is established or acquired by the United States Government; or

''(2) a military memorial that is not established by the United States Government, but for which the American Battle Monuments Commission cooperated in the establishment of the memorial.

''(b) MILITARY MEMORIAL DEFINED.—In this section, the term 'military memorial' means a memorial or monument commemorating the service of the United States Armed Forces. The term includes works of architecture and art described in section 2105(b) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2115. Inclusion of religious symbols as part of military memorials.''.

SEC. 2862. REDESIGNATION OF THE CENTER FOR HEMISPHERIC DEFENSE STUDIES AS THE WILLIAM J. PERRY CENTER FOR HEMISPHERIC DEFENSE STUDIES.

(a) REDESIGNATION.—The Department of Defense regional center for security studies known as the Center for Hemispheric Defense Studies is hereby renamed the ''William J. Perry Center for Hemispheric Defense Studies''.

(b) CONFORMING AMENDMENTS.—(1) Section 184 of title 10, United States Code, is amended—

(A) in subsection (b)(2)(C), by striking ''The Center for Hemispheric Defense Studies'' and inserting ''The William J. Perry Center for Hemispheric Defense Studies''; and

(B) in subsection (f)(5), by striking ''the Center for Hemispheric Defense Studies'' and inserting ''the William J. Perry Center for Hemispheric Defense Studies''.

(2) Section 2611(a)(2)(C) of such title is amended by striking ''The Center for Hemispheric Defense Studies.'' and inserting ''The William J. Perry Center for Hemispheric Defense Studies.''.

(c) REFERENCES.—Any reference to the Department of Defense Center for Hemispheric Defense Studies in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the William J. Perry Center for Hemispheric Defense Studies.

SEC. 2863. SENSE OF CONGRESS REGARDING ESTABLISHMENT OF MILITARY DIVERS MEMORIAL AT WASHINGTON NAVY YARD.

It is the sense of Congress that the Secretary of the Navy should provide an appropriate site at the former Navy Dive School at the Washington Navy Yard for a memorial, to be paid for with private funds, to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world, so long as the Secretary of the Navy has exclusive authority to approve the design and site of the memorial.

SEC. 2864. GOLD STAR MOTHERS NATIONAL MONUMENT, ARLINGTON NATIONAL CEMETERY.

(a) ESTABLISHMENT.—The Secretary of the Army shall permit the Gold Star Mothers National Monument Foundation (a nonprofit corporation established under the laws of the District of Columbia) to establish an appropriate monument in Arlington National Cemetery or on Federal land in its environs under the jurisdiction of the Department of the Army to commemorate the sacrifices made by mothers, and made by their sons and daughters who as members of the Armed Forces make the ultimate sacrifice, in defense of the United States. The monument shall be known as the ''Gold Star Mothers National Monument''.

(b) PAYMENT OF EXPENSES.—The Gold Star Mothers National Monument Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the monument, and no Federal funds may be used to pay such expenses.

SEC. 2865. NAMING OF TRAINING AND SUPPORT COMPLEX, FORT BRAGG, NORTH CAROLINA.

(a) NAMING.—The complex located on Fort Bragg, North Carolina, currently referred to as ''Patriot Point'', shall be known and designated as the ''Colonel Robert Howard Training and Support Complex''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the complex referred to in subsection (a) shall be deemed to be a reference to the ''Colonel Robert Howard Training and Support Complex''.

SEC. 2866. NAMING OF ELECTROCHEMISTRY ENGINEERING FACILITY, NAVAL SUPPORT ACTIVITY CRANE, CRANE, INDIANA.

(a) NAMING.—The electrochemistry engineering facility on Naval Support Activity Crane, Crane, Indiana, shall be known and designated as the ''John Hostettler Electrochemistry Engineering Facility''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''John Hostettler Electrochemistry Engineering Facility''.

SEC. 2867. RETENTION OF CORE FUNCTIONS OF THE ELECTRONIC SYSTEMS CENTER AT HANSCOM AIR FORCE BASE, MASSACHUSETTS.

The Secretary of the Air Force shall retain the core functions of the Electronic Systems Center at Hanscom Air Force Base, Massachusetts, with the same integrated mission elements, responsibilities, and capabilities as existed as of

November 1, 2011, until such time as such integrated mission elements, responsibilities, and capabilities are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.

SEC. 2868. RETENTION OF CORE FUNCTIONS OF THE AIR FORCE MATERIEL COMMAND, WRIGHT-PATTERSON AIR FORCE BASE, OHIO.

The Secretary of the Air Force shall retain the core functions of the Air Force Materiel Command that exist at Wright-Patterson Air Force Base, Ohio, as of November 1, 2011, until such time as such core functions are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) OUTSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
SW Asia	SW Asia	$51,348,000
Djibouti	Camp Lemonier	$99,420,000

(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction projects outside the United States authorized by subsection (a) as specified in the funding table in section 4602.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 13-D-301, Electrical Infrastructure Upgrades, Lawrence Livermore National Laboratory, Livermore, California, and Los Alamos National Laboratory, Los Alamos, New Mexico, $23,000,000.

Project 13-D-905, Remote-Handled Low-Level Waste Disposal Project, Idaho National Laboratory, $8,890,000.

Project 13-D-904, Kesselring Site Radiological Work and Storage Building, Kesselring Site, West Milton, New York, $2,000,000.

Project 13-D-903, Kesselring Site Prototype Staff Building, Kesselring Site, West Milton, New York, $14,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. ENERGY SECURITY AND ASSURANCE.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for energy security and assurance programs necessary for national security as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR.

(a) CAP ON FULL-TIME EQUIVALENT POSITIONS.—

(1) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by inserting after section 3241 the following new section:

"SEC. 3241A. AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR.

''(a) FULL-TIME EQUIVALENT PERSONNEL LEVELS.—(1) Beginning 180 days after the date of the enactment of this section, the total number of employees of the Office of the Administrator of the Administration may not exceed 1,730.

''(2) Beginning October 1, 2014, the total number of employees of the Office of the Administrator may not exceed 1,630.

''(b) COUNTING RULE.—(1) A determination of the number of employees in the Office of the Administrator under subsection (a) shall be expressed on a full-time equivalent basis.

''(2) Except as provided by paragraph (3), in determining the total number of employees in the Office of the Administrator under subsection (a), the Administrator shall count each employee of the Office without regard to whether the employee is located at the headquarters of the Administration, a site office of the Administration, a service or support center of the Administration, or any other location.

''(3) The following employees may not be counted for purposes of determining the total number of employees in the Office of the Administrator under subsection (a):

''(A) Employees of the Office of Naval Reactors.

''(B) Employees of the Office of Secure Transportation.

''(C) Members of the Armed Forces detailed to the Administration.

''(c) VOLUNTARY EARLY RETIREMENT.—In accordance with section 3523 of title 5, United States Code, the Administrator may offer voluntary separation or retirement incentives to meet the total number of employees authorized under subsection (a).

''(d) WORK PLACEMENT PROGRAM.—The Administrator shall establish a work placement program to assist employees of the Administration who are separated from service pursuant to this section find new employment.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3241 the following new item:

''Sec. 3241A. Authorized personnel levels of the Office of the Administrator.''.

(b) INCREASE IN EXCEPTED POSITIONS.—Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking ''300'' and inserting ''450''.

(c) REPORTS.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report—

(A) describing the criteria and processes used to implement the personnel levels required by section 3241A of the National Nuclear Security Administration Act, as added by subsection (a);

(B) detailing the realized and expected cost savings within the Office of the Administrator and the nuclear security enterprise resulting from such personnel reductions and the transition to performance-based governance, management, and oversight pursuant to section 3265 of such Act, as added by section 3113;

(C) describing any impacts such personnel reductions have had or will have on the ability of the Administration to perform the mission of the Administration safely, securely, effectively, and efficiently;

(D) assessing various levels of further personnel reductions, including reductions of 10 percent, 15 percent, and 50 percent, on the ability of the Administration to perform the mission of the Administration safely, securely, effectively, and efficiently;

(E) recommending any further efficiencies and personnel reductions that should be made as a result of such transition pursuant to such section 3265, including an implementation plan and schedule for achieving such efficiencies and reductions; and

(F) assessing the salary and wage structure of the Office of the Administrator and the management and operating contractors of the nuclear security enterprise, as well as the status and effectiveness of contractor assurance systems across the nuclear security enterprise.

(2) ASSESSMENT.—Not later than 180 days after the date on which the report under paragraph (1) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of such report.

SEC. 3112. BUDGET JUSTIFICATION MATERIALS.

Section 3251(b) of the National Nuclear Security Administration Act (50 U.S.C. 2451) is amended—

(1) by striking ''In the'' and inserting ''(1) In the''; and

(2) by adding at the end the following new paragraph:

''(2) In the budget justification materials submitted to Congress in support of each such budget, the Administrator shall include an assessment of how the budget maintains the core nuclear weapons skills of the Administration,

including nuclear weapons design, engineering, production, testing, and prediction of stockpile aging.''.

SEC. 3113. CONTRACTOR GOVERNANCE, OVERSIGHT, AND ACCOUNTABILITY.

(a) OVERSIGHT OF CONTRACTORS.—

(1) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by adding after section 3264 the following new section:

''SEC. 3265. CONTRACTOR GOVERNANCE, OVERSIGHT, AND ACCOUNTABILITY.

''(a) PERFORMANCE-BASED CONTRACTOR GOVERNANCE, MANAGEMENT, AND OVERSIGHT.—(1) The Administrator shall establish a system of governance, management, and oversight of covered contractors.

''(2) The system established under paragraph (1) shall—

''(A) include clear, consistent, and auditable performance-based standards relating to the mission effectiveness and operations of a covered contractor;

''(B) ensure that the governance, management, and oversight of the mission effectiveness and operations of a covered contractor is conducted pursuant to national and international standards and best practices;

''(C) recognize the respective roles of—

''(i) the Federal Government in determining the performance-based standards with respect to high-level mission and operations performance objectives; and

''(ii) a covered contractor, particularly a contractor that is a federally funded research and development corporation, in determining how to accomplish such objectives;

''(D) conduct oversight based on outcomes and performance-based standards rather than detailed, transaction-based oversight; and

''(E) include appropriate measures to ensure that the Administrator has accurate and consistent data and information to manage and make decisions with respect to the nuclear security enterprise.

''(3)(A) The Administrator may exempt individual areas of governance, management, and oversight from the requirements of the system established under paragraph (1) and continue to conduct transaction-based oversight if the Administrator determines that such exemption is necessary to ensure the national security or the safety, security, or performance of the Administration.

''(B) If the Administrator makes an exemption under subparagraph (A), the Administrator shall annually submit to the congressional defense committees a certification for each such exemption, including a description of why such exemption is needed.

''(C) During the three-year period beginning on the date of the enactment of this section, the Administrator may temporarily exempt individual facilities or contractors from the system established under paragraph (1) and continue to conduct transaction-based oversight if the Administrator determines that such exemption is needed to ensure that robust contractor assurance, accountability, and performance-based oversight mechanisms are in place for such facility or contractor.

''(D) If the Administrator makes an exemption under subparagraph (C), the Administrator shall annually submit to the congressional defense committees a written justification for such exemption and a plan and schedule to transition the exempted facility or contractor to the system established under paragraph (1).

''(b) CONTRACTOR ACCOUNTABILITY.—The Administrator shall—

''(1) ensure that each management and operating contract includes robust mechanisms to ensure the accountability of a covered contractor; and

''(2) exercise such mechanisms as the Administrator determines appropriate to ensure the performance of the covered contractor.

''(c) DEFINITIONS.—In this section:

''(1) The term 'covered contractor' means a contractor who enters into a management and operating contract.

''(2) The term 'management and operating contract' means a contract entered into by the Administrator and a contractor to manage and operate a Government-owned, contractor-operated facility.

''(3) The term 'performance-based standards', with respect to a covered contract, means that the contract includes the use of performance work statements that set forth contract requirements in clear, specific, and objective terms with measurable outcomes.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3264 the following new item:

''Sec. 3265. Contractor governance, oversight, and accountability.''.

(b) REPORTS.—Not later than January 15, 2013, and each year thereafter through 2016, the Administrator shall submit to the congressional defense committees a report that includes—

(1) a description of each instance during the previous calendar year in which the Administrator, or any other head of an agency of the Federal Government, used a procedure, standard, or process for governance, management, and oversight of a covered contract (as defined in section 3265(d)(1) of the National Nuclear Security Administration Act, as added by subsection (a)(1)) that is not a procedure, standard, or process that conforms to national or international standards or industry best practices;

(2) an explanation of why such procedure, standard, or process was used during such year and any steps that will be taken by the Administrator or other head of an agency, as the case may be, in future years to instead use a procedure, standard, or process that conforms to national or international standards or industry best practices; and

(3) a description of any oversight activities by any agency of the Federal Government that occurred during the previous calendar year that the Administrator considers duplicative or unnecessary.

SEC. 3114. NATIONAL NUCLEAR SECURITY ADMINISTRATION COUNCIL.

(a) NNSA COUNCIL.—Section 4102 of the Atomic Energy Defense Act (50 U.S.C. 2512) is amended to read as follows:

''SEC. 4102. MANAGEMENT STRUCTURE FOR NUCLEAR SECURITY ENTERPRISE.

''(a) IN GENERAL.—The Administrator shall establish a management structure for the nuclear security enterprise in accordance with the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.).

''(b) NATIONAL NUCLEAR SECURITY ADMINISTRATION COUNCIL.—(1) The Administrator shall establish a council to be known as the 'National Nuclear Security Administration Council'. The Council may advise the Administrator on scientific and technical issues relating to policy matters, operational concerns, strategic planning, and the development of priorities relating to the mission and operations of the Administration and the nuclear security enterprise.

''(2) The Council shall be composed of the directors of the national security laboratories and the nuclear weapons production facilities.

''(3) The Council may provide the Administrator or the Secretary of Energy recommendations for improving the—

''(A) governance, management, effectiveness, and efficiency of the Administration; and

''(B) any other matter in accordance with paragraph (1).

''(4) Not later than 60 days after the date on which any recommendation under paragraph (3) is received, the Administrator or the Secretary, as the case may be, shall respond to the Council with respect to whether such recommendation will be implemented and the reasoning for implementing or not implementing such recommendation.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4102 and inserting the following new item:

''Sec. 4102. Management structure for nuclear security enterprise.''.

SEC. 3115. SAFETY, HEALTH, AND SECURITY OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) SECURITY OF ASSETS AND INFORMATION.—

(1) IN GENERAL.—Section 3231 of the National Nuclear Security Administration Act (50 U.S.C. 2421) is amended to read as follows:

''SEC. 3231. PROTECTION OF SPECIAL NUCLEAR MATERIAL AND NATIONAL SECURITY INFORMATION.

''(a) POLICIES AND PROCEDURES REQUIRED.—The Administrator shall establish policies and procedures to ensure the protection of—

''(1) special nuclear material and other sensitive physical assets of the Administration; and

''(2) classified information in the possession of the Administration.

''(b) PROMPT REPORTING.—The Administrator shall establish procedures to ensure prompt reporting to the Administrator of any significant problem, abuse, violation of law or Executive order, or deficiency relating to the—

''(1) protection of the special nuclear material and other sensitive physical assets of the Administration; and

''(2) management of classified information by personnel of the Administration.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3231 and inserting the following new item:

''Sec. 3231. Protection of special nuclear material and national security information.''.

(b) HEALTH AND SAFETY.—

(1) IN GENERAL.—Section 3261 of the National Nuclear Security Administration Act (50 U.S.C. 2461) is amended—

(A) in subsection (a), by striking ''The Administrator'' and inserting ''In accordance with subsections (c) and (d), the Administrator'';

(B) by striking subsection (c);

(C) by adding at the end the following new subsection:

''(c) NON-NUCLEAR HEALTH AND SAFETY.—(1) In carrying out this section with respect to non-nuclear operations, the Administrator shall ensure that the Administration complies with all applicable occupational safety and health standards promulgated under the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) that are administered by the Secretary of Labor.

''(2) With respect to complying with the occupational safety and health standards under paragraph (1), and conducting oversight of such occupational safety and health standards, the Administrator shall ensure that such complying and oversight by the Administration is conducted—

''(A) in accordance with best industry and Government practices for meeting such standards; and

''(B) in accordance with the performance-based system of governance, management, and oversight established under section 3265, notwithstanding the exemption authority under subsection (a)(3) of such section.

''(3) Except as provided by paragraph (4), the Administrator may not establish or prescribe

any order, rule, or regulation regarding occupational safety and health unless such order, rule, or regulation is pursuant to an occupational safety and health standard described in paragraph (1).

''(4)(A) In carrying out paragraph (3)—

''(i) the Administrator may waive the requirement under such paragraph for any type of high hazard operations if the Administrator determines that such waiver is necessary to ensure safety; and

''(ii) the Administrator shall waive such requirements for operations involving beryllium.

''(B) The Administrator shall submit an annual certification to the congressional defense committees regarding why any such waivers made under subparagraph (A) are required to ensure safety.''; and

(D) by adding after subsection (c), as added by subparagraph (C), the following new subsection:

''(d) NUCLEAR HEALTH AND SAFETY.—(1) In carrying out this section with respect to nuclear operations, the Administrator shall prescribe appropriate policies and regulations to ensure that risks to the health and safety of the employees of the Administration, contractors of the Administration, and the general public from such nuclear operations are as low as reasonably practicable and that adequate protection is provided.

''(2) With respect to prescribing and complying with the policies and regulations under paragraph (1), and conducting oversight of such policies and regulations by the Administration, the Administrator shall ensure that such prescribing, complying, and oversight is conducted in accordance with the performance-based system of governance, management, and oversight established under section 3265, notwithstanding the exemption authority under subsection (a)(3) of such section.''.

(2) NUCLEAR HEALTH AND SAFETY EFFECTIVE DATE.—The amendment made by paragraph (1)(D) shall take effect October 1, 2013.

(c) REPORT ON AUTHORITY FOR NUCLEAR SAFETY.—Not later than March 1, 2013, the Administrator shall submit to the congressional defense committees a report that includes—

(1) an implementation plan describing the actions needed to fully transition the policy, regulatory, and oversight authority for the nuclear safety of the nuclear security enterprise from the Department of Energy to the Administration; and

(2) a description of the costs and benefits of such a transition.

SEC. 3116. DESIGN AND USE OF PROTOTYPES OF NUCLEAR WEAPONS.

(a) PROTOTYPES.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4508 the following new section:

''SEC. 4509. DESIGN AND USE OF PROTOTYPES OF NUCLEAR WEAPONS FOR INTELLIGENCE PURPOSES.

''(a) PROTOTYPES.—The Administrator shall develop and carry out a plan for the national security laboratories and nuclear weapons production plants to design and build prototypes of nuclear weapons to further intelligence estimates with respect to foreign nuclear weapons activities.

''(b) PROHIBITION ON PRODUCTION OF NUCLEAR YIELDS.—In carrying out subsection (a), the Administrator may not conduct any experiments that produce a nuclear yield.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4508 the following new item:

''Sec. 4509. Design and use of prototypes of nuclear weapons for intelligence purposes.''.

SEC. 3117. IMPROVEMENT AND STREAMLINING OF THE MISSIONS AND OPERATIONS OF THE DEPARTMENT OF ENERGY AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for Nuclear Security, in coordination with the Secretary of Defense and other officials, as the Secretary of Energy and the Administrator consider appropriate, shall revise the Department of Energy Acquisition Regulation and other regulations, rules, directives, orders, and policies that apply to the administration, execution, and oversight of the missions and operations of the Department of Energy and the National Nuclear Security Administration to improve and streamline such administration, execution, and oversight.

(b) IMPROVEMENT AND STREAMLINING.—In carrying out subsection (a), the Secretary of Energy and the Administrator for Nuclear Security shall—

(1) streamline business processes and structures to reduce unnecessary, burdensome, or duplicative approvals;

(2) delegate approval for work for others agreements and cooperative research and development agreements (except those that the Secretary or Administrator determine are high value or unique) to the management and operating contractors of a Government-owned, contractor-operated facility of the Department or Administration and hold such contractors accountable for maintaining appropriate portfolios with respect to such agreements;

(3) establish processes for ensuring routine or low-risk procurement and subcontracting decisions are made at the discretion of the management and operating contractors while ensuring that the Secretary or Administrator apply appropriate oversight;

(4) assess procurement thresholds as of the date of the enactment of this Act and take steps as appropriate to adjust such thresholds;

(5) eliminate duplicative or low-value reports and data calls and ensure consistency in management and cost accounting data; and

(6) otherwise streamline, clarify, and eliminate redundancy in the regulations, rules, directives, orders, and policies described by subsection (a).

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary and the Administrator shall provide to the appropriate congressional committees a briefing on the regulations, rules, directives, orders, and policies improved and streamlined pursuant to subsection (a).

(2) APPROPRIATE COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SEC. 3118. COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.

(a) LIMITATION.—The Administrator for Nuclear Security may not release a final request for proposal for competition of any contract to manage and operate a facility of the National Nuclear Security Administration until the date on which the Administrator submits to the congressional defense committees a report described in subsection (b).

(b) REPORT DESCRIBED.—A report described in this subsection is a report on a request for proposal for competition described in subsection (a) that includes—

(1) the expected cost savings resulting from the competition over the life of the contract;

(2) the costs of the competition, including immediate costs of conducting the competition and any increased costs over the life of the contract;

(3) a description of—

(A) any disruption or delay in mission activities or deliverables resulting from the competition; and

(B) any benefits of the proposed competition to mission performance or operations;

(4) how the competition complies with the Federal Acquisition Regulation regarding federally funded research and development centers, if applicable; and

(5) any other matters the Administrator considers appropriate.

(c) GAO REVIEW.—Not later than 90 days after each report is submitted to the congressional defense committees under subsection (a) or (d)(2), the Comptroller General of the United States shall submit to such committees a review of such report.

(d) APPLICABILITY.—

(1) IN GENERAL.—The limitation in subsection (a) shall apply with respect to a request for proposal described by such subsection that is released by the Administrator for Nuclear Security during fiscal years 2012 through 2017.

(2) FISCAL YEAR 2012 RFPS.—For each request for proposal described by subsection (a) that is released by the Administrator during fiscal year 2012 before the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a report described in subsection (b) by not later than 90 days after the date of such enactment.

SEC. 3119. LIMITATION ON AVAILABILITY OF FUNDS FOR INERTIAL CONFINEMENT FUSION IGNITION AND HIGH YIELD CAMPAIGN.

(a) LIMITATION.—Except as provided in subsection (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for fusion ignition under the Inertial Confinement Fusion Ignition and High Yield Campaign, not more than 50 percent may be obligated or expended until the date on which—

(1) the Administrator for Nuclear Security certifies to the congressional defense committees that fusion ignition has been achieved at the National Ignition Facility at Lawrence Livermore National Laboratory; or

(2) the Administrator submits to such committees a detailed report on fusion ignition, including—

(A) a thorough description of the remaining technical challenges and gaps in understanding with respect to such ignition;

(B) a plan and schedule for reevaluating the ignition program and incorporating experimental data into computer models;

(C) the best judgment of the Administrator with respect to whether ignition can be achieved at the National Ignition Facility, as designed on the date of the report; and

(D) if funding being spent on ignition research as of the date of the report were applied to life extension programs—

(i) a description of such programs that could be accelerated or otherwise improved; and

(ii) how such funding changes would affect the stockpile stewardship program.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply to the Z machine at Sandia National Laboratories or the Omega laser system at the University of Rochester.

SEC. 3120. LIMITATION ON AVAILABILITY OF FUNDS FOR GLOBAL SECURITY THROUGH SCIENCE PARTNERSHIPS PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the National Nuclear Security Administration, not more than $8,000,000 may be obligated or expended for the

Global Security through Science Partnerships Program, formerly known as the Global Initiatives for Proliferation Prevention Program, until the date on which the Secretary of Energy submits to the appropriate congressional committees the report under subsection (b).

(b) REPORT.—The Secretary of Energy shall submit to the appropriate congressional committees a report with a plan to complete the Global Security through Science Partnerships Program by the end of calendar year 2015.

(c) FORM.—The report under subsection (b) may be submitted in unclassified form and may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 3121. LIMITATION ON AVAILABILITY OF FUNDS FOR CENTER OF EXCELLENCE ON NUCLEAR SECURITY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the National Nuclear Security Administration, not more than $7,000,000 may be obligated or expended for the United States-China Center of Excellence on Nuclear Security until the date on which the Secretary of Energy submits to the appropriate congressional committees the report under subsection (b)(2).

(b) NUCLEAR SECURITY.—

(1) REVIEW.—The Secretary of Energy, in coordination with the Secretary of Defense, shall conduct a review of the existing and planned non-proliferation activities with the People's Republic of China as of the date of the enactment of this Act to determine if the engagement is directly or indirectly supporting the proliferation of nuclear weapons development and technology to other nations.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the appropriate congressional committees a report certifying that the activities reviewed under paragraph (1) are not contributing to the proliferation of nuclear weapons development and technology to other nations.

(c) FORM.—The report under subsection (b)(2) may be submitted in unclassified form and may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 3122. TWO-YEAR EXTENSION OF SCHEDULE FOR DISPOSITION OF WEAPONS-USABLE PLUTONIUM AT SAVANNAH RIVER SITE, AIKEN, SOUTH CAROLINA.

Section 4306 of the Atomic Energy Defense Act (50 U.S.C. 2566) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (C), by striking ''2012'' and inserting ''2014''; and

(B) in subparagraph (D), by striking ''2017'' and inserting ''2019'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''by January 1, 2012'';

(B) in paragraph (4), by striking ''2012'' each place it appears and inserting ''2014''; and

(C) in paragraph (5), by striking ''2012'' and inserting ''2014'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''2012'' and inserting ''2014'';

(B) in paragraph (1), by striking ''2014'' and inserting ''2016''; and

(C) in paragraph (2), by striking ''2020'' each place it appears and inserting ''2022'';

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''2014'' and inserting ''2016''; and

(ii) by striking ''2019'' and inserting ''2021''; and

(B) in paragraph (2)(A), by striking ''2020'' each place it appears and inserting ''2022''; and

(5) in subsection (e), by striking ''2023'' and inserting ''2025''.

Subtitle C—Improvements to National Security Energy Laws

SEC. 3131. IMPROVEMENTS TO THE ATOMIC ENERGY DEFENSE ACT.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) is amended to read as follows:

''SEC. 4002. DEFINITIONS.

''In this division:

''(1) The term 'Administration' means the National Nuclear Security Administration.

''(2) The term 'Administrator' means the Administrator for Nuclear Security.

''(3) The term 'classified information' means any information that has been determined pursuant to Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 401 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 435 note), or successor orders, to require protection against unauthorized disclosure and that is so designated.

''(4) The term 'congressional defense committees' means—

''(A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(5) The term 'nuclear security enterprise' means the physical facilities, technology, and human capital of the national security laboratories and the nuclear weapons production facilities.

''(6) The term 'national security laboratory' means any of the following:

''(A) Los Alamos National Laboratory, Los Alamos, New Mexico.

''(B) Sandia National Laboratories, Albuquerque, New Mexico, and Livermore, California.

''(C) Lawrence Livermore National Laboratory, Livermore, California.

''(7) The term 'nuclear weapons production facility' means any of the following:

''(A) The Kansas City Plant, Kansas City, Missouri.

''(B) The Pantex Plant, Amarillo, Texas.

''(C) The Y–12 National Security Complex, Oak Ridge, Tennessee.

''(D) The Savannah River Site, Aiken, South Carolina.

''(E) The Nevada National Security Site, Nevada.

''(F) Any facility of the Department of Energy that the Secretary of Energy, in consultation with the Administrator and the Congress, determines to be consistent with the mission of the Administration.

''(8) The term 'Restricted Data' has the meaning given such term in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4002 and inserting the following new item:

''Sec. 4002. Definitions.''.

(b) STOCKPILE STEWARDSHIP.—Section 4201(b)(5)(E) of the Atomic Energy Defense Act (50 U.S.C. 2521(b)(5)(E)) is amended by striking ''(as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471))''.

(c) ANNUAL ASSESSMENTS.—Section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) is amended by striking subsection (i).

(d) TESTING OF NUCLEAR WEAPONS.—

(1) IN GENERAL.—Section 4210 of the Atomic Energy Defense Act (50 U.S.C. 2530) is amended to read as follows:

''SEC. 4210. TESTING OF NUCLEAR WEAPONS.

''(a) UNDERGROUND TESTING.—No underground test of nuclear weapons may be conducted by the United States after September 30, 1996, unless a foreign state conducts a nuclear test after this date, at which time the prohibition on United States nuclear testing is lifted.

''(b) ATMOSPHERIC TESTING.—None of the funds appropriated pursuant to the National Defense Authorization Act for Fiscal Year 1994 or any other Act for any fiscal year may be available to maintain the capability of the United States to conduct atmospheric testing of a nuclear weapon.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the items relating to sections 4210 and 4211 and inserting the following new item:

''Sec. 4210. Testing of nuclear weapons.''.

(3) CONFORMING AMENDMENT.—Section 4211 of the Atomic Energy Defense Act (50 U.S.C. 2531) is repealed.

(e) MANUFACTURING INFRASTRUCTURE.—Section 4212 of the Atomic Energy Defense Act (50 U.S.C. 2532) is amended by striking subsections (d) and (e).

(f) CRITICAL DIFFICULTIES REPORT.—

(1) IN GENERAL.—Section 4213 of the Atomic Energy Defense Act (50 U.S.C. 2533) is amended—

*(A) in the heading, by striking ''**NUCLEAR WEAPONS LABORATORIES AND NUCLEAR WEAPONS PRODUCTION PLANTS**'' and inserting ''**NATIONAL SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES**'';*

(B) in subsection (a), by striking ''Assistant Secretary of Energy for Defense Programs'' and inserting ''Administrator'';

(C) by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator'';

(D) by striking ''nuclear weapons laboratory'' each place it appears and inserting ''national security laboratory'';

(E) by striking ''production plant'' each place it appears and inserting ''production facility''; and

(F) by striking subsection (e).

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4213 and inserting the following new item:

''Sec. 4213. Reports on critical difficulties at national security laboratories and nuclear weapons production facilities.''.

(g) PLAN FOR TRANSFORMATION.—

(1) IN GENERAL.—Section 4214 of the Atomic Energy Defense Act (50 U.S.C. 2534) is amended—

(A) by striking subsections (b) and (d); and

(B) by redesignating subsection (c) as subsection (b).

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4213 the following new item:

''Sec. 4214. Plan for transformation of national nuclear security administration nuclear weapons complex.''.

(h) TRITIUM PRODUCTION PROGRAM.—Section 4231 of the Atomic Energy Defense Act (50 U.S.C. 2541) is amended to read as follows:

"SEC. 4231. TRITIUM PRODUCTION PROGRAM.

''(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a tritium production program that is capable of meeting the tritium requirements of the United States for nuclear weapons. In carrying out the tritium production program, the Secretary shall assess alternative means for tritium production, including production through—

''(1) types of new and existing reactors, including multipurpose reactors (such as advanced light water reactors and gas turbine gas-cooled reactors) capable of meeting both the tritium production requirements and the plutonium disposition requirements of the United States for nuclear weapons;

''(2) an accelerator; and

''(3) multipurpose reactor projects carried out by the private sector and the Government.

''(b) LOCATION OF TRITIUM PRODUCTION FACILITY.—The Secretary shall locate any new tritium production facility of the Department of Energy at the Savannah River Site, South Carolina.''.

(i) TRITIUM RECYCLING FACILITIES.—Section 4234 of the Atomic Energy Defense Act (50 U.S.C. 2544) is amended—

(1) by striking ''(a) IN GENERAL.—The Secretary of Energy'' and inserting ''The Secretary''; and

(2) by striking subsection (b).

(j) RESTRICTED DATA.—Section 4501 of the Atomic Energy Defense Act (50 U.S.C. 2651(a)) is amended by striking subsection (c).

(k) FOREIGN VISITORS.—Section 4502 of the Atomic Energy Defense Act (50 U.S.C. 2652) is amended—

(1) by striking ''national laboratory'' each place it appears and inserting ''national security laboratory''; and

(2) in subsection (g), by striking paragraphs (3) and (4).

(l) BACKGROUND INVESTIGATIONS.—Section 4503 of the Atomic Energy Defense Act (50 U.S.C. 2653) is amended—

(1) by striking ''(a) IN GENERAL.—'';

(2) by striking subsections (b) and (c); and

(3) by striking ''national laboratory'' and inserting ''national security laboratory''.

(m) SECURITY FUNCTIONS REPORT.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended—

(1) by striking ''(a) IN GENERAL.—''; and

(2) by striking subsection (b).

(n) COUNTERINTELLIGENCE REPORT.—Section 4507 of the Atomic Energy Defense Act (50 U.S.C. 2658) is amended—

(1) by striking ''national laboratories'' each place it appears and inserting ''national security laboratories''; and

(2) by striking subsection (c).

(o) COMPUTER SECURITY REPORT.—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659)—

(1) in subsection (a), by striking ''national laboratories'' and inserting ''national security laboratories''; and

(2) by striking subsections (e) and (f).

(p) DOCUMENT REVIEW.—Section 4521 of the Atomic Energy Defense Act (50 U.S.C. 2671) is amended by striking subsection (c).

(q) REPORTS ON LOCAL IMPACT ASSISTANCE.—

(1) IN GENERAL.—Section 4604(f) of the Atomic Energy Defense Act (50 U.S.C. 2704(f)) is amended by adding at the end the following new paragraph:

''(3) In addition to the plans submitted under paragraph (1), the Secretary of Energy shall submit to Congress every six months a report setting forth a description of, and the amount or value of, all local impact assistance provided during the preceding six months under subsection (c)(6).''.

(2) CONFORMING AMENDMENT.—Section 4851 of the Atomic Energy Defense Act (50 U.S.C. 2821) is repealed.

(3) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4851.

(r) RECRUITMENT AND TRAINING.—Section 4622 of the Atomic Energy Defense Act (50 U.S.C. 2722) is amended—

(1) in subsection (b)—

(A) by striking ''(1) As part of'' and inserting ''As part of''; and

(B) by striking paragraph (2); and

(2) by striking subsection (d).

(s) FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Section 4623 of the Atomic Energy Defense Act (50 U.S.C. 2723) is amended—

*(A) in the heading, by striking ''**DEPARTMENT OF ENERGY NUCLEAR WEAPONS COMPLEX**'' and inserting ''**NUCLEAR SECURITY ENTERPRISE**'';*

(B) by striking ''Department of Energy nuclear weapons complex'' each place it appears and inserting ''nuclear security enterprise'';

(C) in subsection (c), by striking ''following'' and all that follows through the period at the end and inserting ''national security laboratories and nuclear weapon production facilities.''; and

(D) in subsection (f)(2), by striking ''the Department of Energy for'' and inserting ''the nuclear security enterprise for''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4623 and inserting the following new item:

''Sec. 4623. Fellowship program for development of skills critical to the nuclear security enterprise.''.

(t) COST OVERRUNS.—Section 4713(a)(1)(A) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)(1)(A)) is amended—

(1) by striking ''for Nuclear Security''; and

(2) by striking ''National Nuclear Security''.

(u) BUDGET REQUEST.—

(1) IN GENERAL.—Section 4731 of the Atomic Energy Defense Act (50 U.S.C. 2771) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4731.

(v) CONTRACTOR BONUSES.—Section 4802 of the Atomic Energy Defense Act (50 U.S.C. 2782) is amended—

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(w) FUNDS FOR RESEARCH AND DEVELOPMENT.—Section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792) is amended—

(1) by striking subsections (b) through (d); and

(2) by redesignating subsection (e) as subsection (b).

(x) TECHNOLOGY PARTNERSHIPS.—Section 4813(c) of the Atomic Energy Defense Act (50 U.S.C. 2794(c)) is amended by striking paragraph (5).

(y) UNIVERSITY COLLABORATION.—Section 4814 of the Atomic Energy Defense Act (50 U.S.C. 2795) is amended by striking subsection (c).

(z) ENGINEERING AND MANUFACTURING RESEARCH.—Section 4832 of the Atomic Energy Defense Act (50 U.S.C. 2812) is amended by striking subsections (c) through (e).

(aa) PILOT PROGRAM REPORT.—Section 4833 of the Atomic Energy Defense Act (50 U.S.C. 2813) is amended by striking subsection (e).

(bb) TECHNICAL AMENDMENTS.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended as follows:

(1) By striking ''Nevada Test Site'' each place it appears and inserting ''Nevada National Security Site''.

(2) By striking ''Director of Central Intelligence'' each place it appears and inserting ''Director of National Intelligence''.

SEC. 3132. IMPROVEMENTS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.

(a) NUCLEAR SECURITY ENTERPRISE REFERENCE.—

(1) FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—Section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453) is amended by striking ''nuclear weapons complex'' each place it appears and inserting ''nuclear security enterprise''.

(2) GAO REPORTS.—Section 3255 of the National Nuclear Security Administration Act (50 U.S.C. 2455) is amended—

(A) by striking ''nuclear security complex'' each place it appears and inserting ''nuclear security enterprise''; and

(B) in subsection (b), by striking paragraph (3).

(3) DEFINITION.—Section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471) is amended by adding at the end the following new paragraph:

''(6) The term 'nuclear security enterprise' means the physical facilities, technology, and human capital of the national security laboratories and the nuclear weapons production facilities.''.

(b) TRANSFER OF FUNCTIONS.—

(1) NEW TRANSFERS.—

(A) IN GENERAL.—Section 3291 of the National Nuclear Security Administration Act (50 U.S.C. 2481) is amended to read as follows:

"SEC. 3291. TRANSFER OF FUNCTIONS.

''(a) AUTHORITY TO TRANSFER FUNCTIONS.—The Secretary of Energy may transfer to the Administrator any facility, mission, or function of the Department of Energy that the Secretary, in consultation with the Administrator and Congress, determines to be consistent with the mission of the Administration.

''(b) ENVIRONMENTAL REMEDIATION AND WASTE MANAGEMENT ACTIVITIES.—In the case of any environmental remediation and waste management activity of any element of the Administration, the Secretary of Energy may determine to transfer responsibility for that activity to another element of the Department of Energy.

''(c) TRANSFER OF FUNDS.—(1) Any balance of appropriations that the Secretary of Energy determines is available and needed to finance or discharge a function, power, or duty or an activity that is transferred to the Administration shall be transferred to the Administration and used for any purpose for which those appropriations were originally available. Balances of appropriations so transferred shall—

''(A) be credited to any applicable appropriation account of the Administration; or

''(B) be credited to a new account that may be established on the books of the Department of the Treasury;

and shall be merged with the funds already credited to that account and accounted for as one fund.

''(2) Balances of appropriations credited to an account under paragraph (1)(A) are subject only to such limitations as are specifically applicable to that account. Balances of appropriations credited to an account under paragraph (1)(B) are subject only to such limitations as are applicable to the appropriations from which they are transferred.

''(d) PERSONNEL.—(1) With respect to any function, power, or duty or activity of the Department of Energy that is transferred to the Administration, those employees of the element of the Department of Energy from which the transfer is made that the Secretary of Energy determines are needed to perform that function, power, or duty, or for that activity, as the case

may be, shall be transferred to the Administration.

''(2) The authorized strength in civilian employees of any element of the Department of Energy from which employees are transferred under this section is reduced by the number of employees so transferred.''.

(B) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3291 and inserting the following new item:

''Sec. 3291. Transfer of Functions.''.

(2) APPLICABILITY OF EXISTING LAWS AND REGULATIONS.—Section 3296 of the National Nuclear Security Administration Act (50 U.S.C. 2484) is amended to read as follows:

''SEC. 3296. APPLICABILITY OF PREEXISTING LAWS AND REGULATIONS.

''With respect to any facility, mission, or function of the Department of Energy that the Secretary of Energy transfers to the Administrator under section 3291, unless otherwise provided in this title, all provisions of law and regulations in effect immediately before the date of the transfer that are applicable to such facility, mission, or functions shall continue to apply to the corresponding functions of the Administration.''.

(3) RULE OF CONSTRUCTION.—Nothing in section 3291 of the National Nuclear Security Administration Act (50 U.S.C. 2481), as amended by paragraph (1), may be construed to affect any function or activity transferred by the Secretary of Energy to the Administrator for Nuclear Security before the date of the enactment of this Act.

(c) REPEAL OF EXPIRED PROVISIONS.—

(1) IN GENERAL.—The following sections of the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) are repealed:

(A) Section 3242 (50 U.S.C. 2442).

(B) Section 3292 (50 U.S.C. 2482).

(C) Section 3295 (50 U.S.C. 2483).

(D) Section 3297 (50 U.S.C. 2401 note).

(2) CLERICAL AMENDMENTS.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to sections 3242, 3292, 3295, and 3297.

(d) TECHNICAL AMENDMENTS TO THE NNSA ACT.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended as follows:

(1) In section 3212(a)(2) (50 U.S.C. 2402), by striking ''as added by section 3202 of this Act,''.

(2) In section 3253(b)(3) (50 U.S.C. 2453(b)(3)), by striking ''section 3158 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (42 U.S.C. 2121 note)'' and inserting ''section 4202(a) of the Atomic Energy Defense Act (50 U.S.C. 2522(a))''.

(3) In section 3281(2) (50 U.S.C. 2471(2))—

(A) in subparagraph (C), by striking ''Y–12 Plant'' and inserting ''Y–12 National Security Complex''; and

(B) in subparagraph (D), by striking ''tritium operations facilities at the''.

(4) By striking ''Nevada Test Site'' each place it appears and inserting ''Nevada National Security Site''.

(e) TECHNICAL AMENDMENT TO THE DOE ORGANIZATION ACT.—Section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) is amended by redesignating the second subsection (b) as subsection (c).

SEC. 3133. CLARIFICATION OF THE ROLE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

(a) ROLE UNDER NNSA ACT.—

(1) FUNCTION.—Section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)) is amended—

(A) in subsection (b), by striking ''all programs and activities of the Administration'' and inserting ''all programs, policies, regulations, and rules of the Administration''; and

(B) in subsection (d), by striking '', unless disapproved by the Secretary of Energy.'' and inserting ''to carry out the mission and functions of the Administration, except as provided by section 3219.''.

(2) ROLE OF THE SECRETARY OF ENERGY.—

(A) IN GENERAL.—Section 3219 of the National Nuclear Security Administration Act (50 U.S.C. 2409) is amended to read as follows:

''SEC. 3219. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY REGARDING THE ADMINISTRATION.

''(a) IN GENERAL.—(1) The Secretary of Energy may disapprove any action, policy, regulation, or rule of the Administrator if—

''(A) the Secretary submits to the congressional defense committees justification for such disapproval; and

''(B) a period of 15 days has elapsed following the date on which such justification was submitted.

''(2) Nothing in this title may be construed to provide authority to the Secretary of Energy to administer, enforce, or oversee the activities under this title except—

''(A) as provided by paragraph (1); or

''(B) to the extent otherwise specifically provided by law.

''(3) Except as provided by this section, the Administrator shall have complete authority to establish and conduct oversight of policies, activities, and procedures of the Administration without direction or oversight by the Secretary of Energy.

''(4) The authority of the Secretary under paragraph (1) may be delegated only to the Deputy Secretary of Energy, without further redelegation.

''(b) LIMITATION ON TRANSFER.—Notwithstanding the authority granted by section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) or any other provision of law, the Secretary of Energy may not establish, abolish, alter, consolidate, or discontinue any organizational unit or component, or transfer any function, of the Administration, except as authorized by section 3291.''.

(B) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3219 and inserting the following new item:

''Sec. 3219. Scope of Authority of Secretary of Energy regarding the Administration.''.

(C) DEPARTMENT OF ENERGY ORGANIZATION ACT.—Section 202(c)(3) of the Department of Energy Organization Act (42 U.S.C. 7132(c)(3)) is amended to read as follows:

''(3) The Under Secretary for Nuclear Security shall serve as the Administrator for Nuclear Security under section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402). In carrying out the functions of the Administrator, the Under Secretary shall be subject to the authority of the Secretary of Energy in accordance with section 3219 of such Act (50 U.S.C. 2409).''.

(3) STATUS OF ADMINISTRATION AND CONTRACTOR PERSONNEL.—Section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410) is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraph (B) and (C) as subparagraph (A) and (B), respectively;

(ii) in paragraph (2), by striking ''any other officer, employee, or agent of the Department of Energy'' and inserting ''any officer, employee, or agent of the Department of Energy, except as provided by section 3219''; and

(B) in subsection (b), by striking ''except for'' and all that follows through the period and inserting ''except as provided by section 3219.''.

(4) OFFICE OF DEFENSE NUCLEAR SECURITY.—Section 3232 of the National Nuclear Security Administration Act (50 U.S.C. 2422) is amended to read as follows:

''SEC. 3232. OFFICE OF DEFENSE NUCLEAR SECURITY.

''(a) ESTABLISHMENT.—There is within the Administration an Office of Defense Nuclear Security, headed by a Chief appointed by the Administrator.

''(b) CHIEF OF DEFENSE NUCLEAR SECURITY.—(1) The head of the Office of Defense Nuclear Security is the Chief of Defense Nuclear Security, who shall report to the Administrator and shall implement the security policies directed by the Administrator.

''(2) The Chief shall be responsible for the development and implementation of security programs and policies for the Administration, including the protection, control, and accounting of materials, and for the physical and cyber security for all facilities of the Administration.''.

(5) COUNTERINTELLIGENCE PROGRAMS.—Section 3233 of the National Nuclear Security Administration Act (50 U.S.C. 2423) is amended in each of subsections (a) and (b) by striking ''The Secretary of Energy shall'' and inserting ''The Secretary of Energy, in coordination with the Administrator, shall''.

(6) BUDGET TREATMENT.—Section 3251(a) of the National Nuclear Security Administration Act (50 U.S.C. 2451(a)) is amended by striking ''within the other amounts requested for the Department of Energy'' and inserting ''from the amounts requested for any other agency, including the Department of Energy''.

(7) FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—Section 3253(b)(6) of the National Nuclear Security Administration Act (50 U.S.C. 2453(b)(6)) is amended by striking '', developed in consultation with the Director of the Office of Health, Safety, and Security of the Department of Energy,''.

(b) ROLE UNDER THE AEDA.—

(1) STOCKPILE STEWARDSHIP.—Section 4201(a) of the Atomic Energy Defense Act (50 U.S.C. 2521(a)) is amended by striking ''The Secretary of Energy, acting through the Administrator for Nuclear Security,'' and inserting ''The Administrator''.

(2) REPORT ON STOCKPILE STEWARDSHIP.—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended—

(A) in subsection (a)—

(i) by striking ''The Secretary of Energy'' and inserting ''The Administrator''; and

(ii) by striking ''Department of Energy'' and inserting ''Administration''; and

(B) in subsection (b), by striking ''The Secretary of Energy'' and inserting ''The Administrator''.

(3) STOCKPILE MANAGEMENT.—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—

(A) in subsection (a), by striking ''The Secretary of Energy, acting through the Administrator for Nuclear Security and'' and inserting ''The Administrator,''; and

(B) in subsection (b), by striking ''Secretary of Energy'' and inserting ''Administrator''

(4) ANNUAL ASSESSMENTS.—Section 4205(h) of the Atomic Energy Defense Act (50 U.S.C. 2525(h)) is amended to read as follows:

''(h) SECRETARY CONCERNED DEFINED.—In this section, the term 'Secretary concerned' means—

''(1) the Secretary of Energy, with respect to matters concerning the Administration; and

''(2) the Secretary of Defense, with respect to matters concerning the Department of Defense.''.

(5) NUCLEAR TEST BAN READINESS PROGRAM.—Section 4207 of the Atomic Energy Defense Act (50 U.S.C. 2527) is amended—

(A) in subsection (b), by striking ''Secretary of Energy'' and inserting ''Administrator''; and

(B) in subsection (d), by striking ''Secretary of Energy'' and inserting ''Administrator''.

(6) SPECIFIC REQUEST REQUIREMENT.—Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(A) in subsection (a)(1)—

(i) by striking '' after fiscal year 2002 in which the Secretary of Energy'' and inserting ''in which the Administrator''; and

(ii) by striking ''the Secretary shall'' and inserting ''the Administrator shall''; and

(B) in subsection (b), by striking ''Secretary shall'' and inserting ''Administrator shall''.

(7) MANUFACTURING INFRASTRUCTURE.—Section 4212(a)(1) of the Atomic Energy Defense Act (50 U.S.C. 2532(a)(1)) is amended by striking ''Secretary of Energy'' and inserting ''Administrator''.

(8) PLAN FOR TRANSFORMATION.—Section 4214 of the Atomic Energy Defense Act (50 U.S.C. 2534), as amended by section 3131(g)(1), is amended by striking ''Secretary of Energy'' each place it appears and inserting ''Administrator''.

(9) NUCLEAR MATERIALS PROTECTION, CONTROL, AND ACCOUNTING.—Section 4303(a) of the Atomic Energy Defense Act (50 U.S.C. 2563(a)) is amended—

(A) by striking ''Secretary of Energy'' and inserting ''Administrator''; and

(B) by striking ''Department of Energy'' and inserting ''Administration''.

(10) TRITIUM PRODUCTION PROGRAM.—Section 4231 of the Atomic Energy Defense Act (50 U.S.C. 2541), as amended by section 3131(h), is amended—

(A) by striking ''Secretary'' each place it appears and inserting ''Administrator''; and

(B) in subsection (b), by striking ''Department of Energy'' and inserting ''Administration''.

(11) TRITIUM RECYCLING FACILITIES.—Section 4234 of the Atomic Energy Defense Act (50 U.S.C. 2544), as amended by section 3131(i), is amended by striking ''Secretary'' and inserting ''Administrator''.

(12) CERTAIN FISSILE MATERIALS PROGRAM.—Section 4305 of the Atomic Energy Defense Act (50 U.S.C. 2565) is amended by striking ''Secretary of Energy'' and inserting ''Administrator''.

(13) FISSILE MATERIALS MANAGEMENT PLAN.—Section 4403(a)(1) of the Atomic Energy Defense Act (50 U.S.C. 2583(a)(1)) is amended by striking ''the Office of Defense Programs'' and inserting ''the Administration''.

(14) RESTRICTED DATA.—Section 4501(a) of the Atomic Energy Defense Act (50 U.S.C. 2651(a)) is amended by striking ''The Secretary of Energy'' and inserting ''The Administrator''.

(16) BACKGROUND INVESTIGATIONS.—Section 4503 of the Atomic Energy Defense Act (50 U.S.C. 2653), as amended by section 3131(l), is amended by striking ''The Secretary of Energy'' and inserting ''The Administrator''.

(17) COUNTERINTELLIGENCE FAILURES.—Section 4505 of the Atomic Energy Defense Act (50 U.S.C. 2656) is amended—

(A) by striking ''Secretary of Energy'' each place it appears and inserting ''Administrator'';

(B) by striking ''Secretary'' each place it appears and inserting ''Administrator'';

(C) by striking ''Department of Energy'' each place it appears and inserting ''Administration''; and

(D) by striking ''Department'' each place it appears and inserting ''Administration''.

(18) SECURITY FUNCTIONS REPORT.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657), as amended by section 3131(m), is amended by striking ''the Secretary of Energy'' and inserting ''the Administrator''.

(19) COUNTERINTELLIGENCE REPORT.—Section 4507(a) of the Atomic Energy Defense Act (50 U.S.C. 2658(a)) is amended by striking ''Secretary of Energy'' and inserting ''Administrator''.

(20) COMPUTER SECURITY REPORT.—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659) is amended—

(A) in subsection (c), by striking ''Secretary of Energy'' each place it appears and inserting ''Administrator''; and

(B) in subsection (d), by striking ''Secretary'' each place it appears and inserting ''Administrator''.

(21) DOCUMENT REVIEW.—Section 4521 of the Atomic Energy Defense Act (50 U.S.C. 2671) is amended—

(A) in subsection (a)—

(i) by striking ''Secretary of Energy'' and inserting ''Administrator'';

(ii) by striking ''Department of Energy'' and inserting ''Administration''; and

(B) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''Administrator''.

(22) MANAGEMENT TRAINING.—

(A) IN GENERAL.—Section 4621 of the Atomic Energy Defense Act (50 U.S.C. 2721) is amended—

(i) in the heading, by inserting ''***AND NATIONAL NUCLEAR SECURITY ADMINISTRATION***'' after ''***ENERGY***'';

(ii) in subsection (a)—

(I) by striking ''Secretary of Energy'' and inserting ''Under Secretary of Energy for Nuclear Security''; and

(II) by inserting ''and the Administration'' after ''the Department of Energy''; and

(iii) in subsection (b)(1), by inserting ''and Administration'' after ''Department of Energy''.

(B) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4621 and inserting the following new item:

''Sec. 4621. Executive management training in the Department of Energy and National Nuclear Security Administration.''.

(23) RECRUITMENT AND TRAINING.—Section 4622 of the Atomic Energy Defense Act (50 U.S.C. 2722) is amended—

(A) in subsection (a), by striking ''the Secretary of Energy'' and inserting ''the Administrator''; and

(B) in subsection (c), by striking ''Secretary'' and inserting ''Administrator''.

(24) FELLOWSHIP PROGRAM.—Section 4623 of the Atomic Energy Defense Act (50 U.S.C. 2723) is amended—

(A) by striking ''Secretary of Energy'' each place it appears and inserting ''Administrator'';

(B) by striking ''Secretary'' each place it appears and inserting ''Administrator;'';

(C) in subsection (b)(1), by striking ''Department of Energy'' and inserting ''Administration''; and

(D) in subsection (e), by striking '', in consultation with the Assistant Secretary of Energy for Defense Programs,''.

(25) TRANSFER OF WEAPONS FUNDS.—Section 4711 of the Atomic Energy Defense Act (50 U.S.C. 2751) is amended—

(A) in subsection (a), by striking ''Secretary of Energy'' and inserting ''Administrator'';

(B) in subsection (d), by striking ''Secretary, acting through the Administrator for Nuclear Security,'' and inserting ''Administrator''; and

(C) in subsection (e)—

(i) in paragraph (1)—

(I) by striking ''Department of Energy'' and inserting ''Administration''; and

(II) by striking ''Department'' and inserting ''Administration''; and

(ii) in paragraph (2), by inserting ''or the Administration'' after ''Department of Energy''.

(26) COST OVERRUNS.—Section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A)—

(I) by striking ''Secretary of Energy'' and inserting ''Administrator''; and

(II) in clause (ii), by striking ''Department'' and inserting ''Administration''; and

(ii) in subparagraph (B), by striking ''Secretary'' and inserting ''Administrator''; and

(B) in subsection (c)(2)(B), by inserting ''or the Administration'' after ''Department of Energy''.

(27) PENALTIES.—Section 4721(a) of the Atomic Energy Defense Act (50 U.S.C. 2761(a)) is amended by striking ''the Department of Energy for the Naval Nuclear Propulsion Program'' and inserting ''the Administration for the Naval Nuclear Reactor Program''.

(28) RESEARCH AND DEVELOPMENT.—Section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791) is amended—

(A) in subsection (a), by inserting ''and the Administration'' after ''Department of Energy'';

(B) in subsection (b)—

(i) by striking ''The Secretary'' and inserting ''(1) Except as provided by paragraph (2), the Secretary''; and

(ii) by adding at the end the following new paragraph:

''(2) With respect to the conduct of laboratory-directed research and development at laboratories of the Administration, the Administrator shall prescribe regulations for such conduct and oversee such regulations.''; and

(C) in subsection (c), by inserting ''or the Administrator'' after ''the Secretary''.

(29) FUNDS FOR RESEARCH AND DEVELOPMENT.—Subsection (a)(1) of section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792(a)(1)) is amended—

(A) by striking ''the Department of Energy in'' and inserting ''the Administration in'';

(B) by striking ''under the Department of Energy''; and inserting ''under the'';

(C) by striking ''any Department of Energy'' and inserting ''any''; and

(D) by striking ''mission of the Department of Energy'' and inserting ''mission of the Administration''.

SEC. 3134. CONSOLIDATED REPORTING REQUIREMENTS RELATING TO NUCLEAR STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE.

(a) CONSOLIDATED PLAN FOR STEWARDSHIP, MANAGEMENT, AND CERTIFICATION OF WARHEADS IN THE NUCLEAR WEAPONS STOCKPILE.—

(1) IN GENERAL.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended to read as follows:

''SEC. 4203. NUCLEAR WEAPONS STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE PLAN.

''(a) PLAN REQUIREMENT.—The Administrator, in consultation with the Secretary of Defense and other appropriate officials of the departments and agencies of the Federal Government, shall develop and annually update a plan for sustaining the nuclear weapons stockpile. The plan shall cover, at a minimum, stockpile stewardship, stockpile management, stockpile surveillance, program direction, infrastructure modernization, human capital, and nuclear test readiness. The plan shall be consistent with the programmatic and technical requirements of the most recent annual Nuclear Weapons Stockpile Memorandum.

''(b) SUBMISSIONS TO CONGRESS.—(1) In accordance with subsection (c), not later than

March 15 of each even-numbered year, the Administrator shall submit to the congressional defense committees a summary of the plan developed under subsection (a).

''(2) In accordance with subsection (d), not later than March 15 of each odd-numbered year, the Administrator shall submit to the congressional defense committees a detailed report on the plan developed under subsection (a).

''(3) The summaries and reports required by this subsection shall be submitted in unclassified form, but may include a classified annex.

''(c) ELEMENTS OF BIENNIAL PLAN SUMMARY.—Each summary of the plan submitted under subsection (b)(1) shall include, at a minimum, the following:

''(1) A summary of the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type.

''(2) A summary of the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types.

''(3) A summary of the methods and information used to determine that the nuclear weapons stockpile is safe and reliable, as well as the relationship of science-based tools to the collection and interpretation of such information.

''(4) A summary of the status of the nuclear security enterprise, including programs and plans for infrastructure modernization and retention of human capital, as well as associated budgets and schedules.

''(5) A summary of the status of achieving the purposes of the program established under section 4207(b).

''(6) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).

''(7) Such other information as the Administrator considers appropriate.

''(d) ELEMENTS OF BIENNIAL DETAILED REPORT.—Each detailed report on the plan submitted under subsection (b)(2) shall include, at a minimum, the following:

''(1) With respect to stockpile stewardship and management—

''(A) the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type;

''(B) for each five-year period occurring during the period beginning on the date of the report and ending on the date that is 20 years after the date of the report—

''(i) the planned number of nuclear warheads (including active and inactive) for each warhead type in the nuclear weapons stockpile; and

''(ii) the past and projected future total lifecycle cost of each type of nuclear weapon;

''(C) the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types;

''(D) a description of the process by which the Administrator assesses the lifetimes, and requirements for life extension or replacement, of the nuclear and non-nuclear components of the warheads (including active and inactive warheads) in the nuclear weapons stockpile;

''(E) a description of the process used in recertifying the safety, security, and reliability of each warhead type in the nuclear weapons stockpile;

''(F) any concerns of the Administrator which would affect the ability of the Administrator to recertify the safety, security, or reliability of warheads in the nuclear weapons stockpile (including active and inactive warheads);

''(G) mechanisms to provide for the manufacture, maintenance, and modernization of each warhead type in the nuclear weapons stockpile, as needed;

''(H) mechanisms to expedite the collection of information necessary for carrying out the stockpile management program required by section 4204, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials;

''(I) mechanisms to ensure the appropriate assignment of roles and missions for each national security laboratory and nuclear weapons production facility, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel;

''(J) mechanisms to ensure that each national security laboratory has full and complete access to all weapons data to enable a rigorous peer-review process to support the annual assessment of the condition of the nuclear weapons stockpile required under section 4205;

''(K) mechanisms for allocating funds for activities under the stockpile management program required by section 4204, including allocations of funds by weapon type and facility; and

''(L) for each of the five fiscal years following the fiscal year in which the report is submitted, an identification of the funds needed to carry out the program required under section 4204.

''(2) With respect to science-based tools—

''(A) a description of the information needed to determine that the nuclear weapons stockpile is safe and reliable;

''(B) for each science-based tool used to collect information described in subparagraph (A), the relationship between such tool and such information and the effectiveness of such tool in providing such information based on the criteria developed pursuant to section 4202(a); and

''(C) the criteria developed under section 4202(a) (including any updates to such criteria).

''(3) An assessment of the stockpile stewardship program under section 4201 by the Administrator, in consultation with the directors of the national security laboratories, which shall set forth—

''(A) an identification and description of—

''(i) any key technical challenges to the stockpile stewardship program; and

''(ii) the strategies to address such challenges without the use of nuclear testing;

''(B) a strategy for using the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory to ensure that the nuclear weapons stockpile is safe, secure, and reliable without the use of nuclear testing.

''(C) an assessment of the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory that exist at the time of the assessment compared with the science-based tools expected to exist during the period covered by the future-years nuclear security program; and

''(D) an assessment of the core scientific and technical competencies required to achieve the objectives of the stockpile stewardship program and other weapons activities and weapons-related activities of the Administration, including—

''(i) the number of scientists, engineers, and technicians, by discipline, required to maintain such competencies; and

''(ii) a description of any shortage of such individuals that exists at the time of the assessment compared with any shortage expected to exist during the period covered by the future-years nuclear security program.

''(4) With respect to the nuclear security infrastructure—

''(A) a description of the modernization and refurbishment measures the Administrator determines necessary to meet the requirements prescribed in—

''(i) the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 404a) if such strategy has been submitted as of the date of the plan;

''(ii) the most recent quadrennial defense review if such strategy has not been submitted as of the date of the plan; and

''(iii) the most recent nuclear posture review as of the date of the plan;

''(B) a schedule for implementing the measures described under subparagraph (A) during the 10-year period following the date of the plan; and

''(C) the estimated levels of annual funds the Administrator determines necessary to carry out the measures described under subparagraph (A), including a discussion of the criteria, evidence, and strategies on which such estimated levels of annual funds are based.

''(5) With respect to the nuclear test readiness of the United States—

''(A) an estimate of the period of time that would be necessary for the Administrator to conduct an underground test of a nuclear weapon once directed by the President to conduct such a test;

''(B) a description of the level of test readiness that the Administrator, in consultation with the Secretary of Defense, determines to be appropriate;

''(C) a list and description of the workforce skills and capabilities that are essential to carrying out an underground nuclear test at the Nevada National Security Site;

''(D) a list and description of the infrastructure and physical plants that are essential to carrying out an underground nuclear test at the Nevada National Security Site; and

''(E) an assessment of the readiness status of the skills and capabilities described in subparagraph (C) and the infrastructure and physical plants described in subparagraph (D).

''(6) With respect to the program established under section 4207(b), a description of the progress made to the date of the report in achieving the purposes of such program.

''(7) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).

''(e) NUCLEAR WEAPONS COUNCIL ASSESSMENT.—(1) For each detailed report on the plan submitted under subsection (b)(2), the Nuclear Weapons Council established by section 179 of title 10, United States Code, shall conduct an assessment that includes the following:

''(A) An analysis of the plan, including—

''(i) whether the plan supports the requirements of the national security strategy of the United States or the most recent quadrennial defense review, as applicable under subsection (d)(4)(A), and the Nuclear Posture Review; and

''(ii) whether the modernization and refurbishment measures described under subparagraph (A) of paragraph (4) and the schedule described under subparagraph (B) of such paragraph are adequate to support such requirements.

''(B) An analysis of whether the plan adequately addresses the requirements for infrastructure recapitalization of the facilities of the nuclear security enterprise.

''(C) If the Nuclear Weapons Council determines that the plan does not adequately support modernization and refurbishment requirements under subparagraph (A) or the nuclear security enterprise facilities infrastructure recapitalization requirements under subparagraph (B), a risk assessment with respect to—

''(i) supporting the annual certification of the nuclear weapons stockpile; and

''(ii) maintaining the long-term safety, security, and reliability of the nuclear weapons stockpile.

''(2) Not later than 180 days after the date on which the Administrator submits the plan under subsection (b)(2), the Nuclear Weapons Council shall submit to the congressional defense committees a report detailing the assessment required under paragraph (1).

''(f) DEFINITIONS.—In this section:

''(1) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31, United States Code.

''(2) The term 'future-years nuclear security program' means the program required by section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

''(3) The term 'nuclear security budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Administrator for the National Nuclear Security Administration in support of the budget for that fiscal year.

''(4) The term 'quadrennial defense review' means the review of the defense programs and policies of the United States that is carried out every four years under section 118 of title 10, United States Code.

''(5) The term 'weapons activities' means each activity within the budget category of weapons activities in the budget of the National Nuclear Security Administration.

''(6) The term 'weapons-related activities' means each activity under the Department of Energy that involves nuclear weapons, nuclear weapons technology, or fissile or radioactive materials, including activities related to—

''(A) nuclear nonproliferation;

''(B) nuclear forensics;

''(C) nuclear intelligence;

''(D) nuclear safety; and

''(E) nuclear incident response.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4203 and inserting the following new item:

''Sec. 4203. Nuclear weapons stockpile stewardship, management, and infrastructure plan.''.

(b) REPEAL OF REQUIREMENT FOR BIENNIAL REPORT ON STOCKPILE STEWARDSHIP CRITERIA.—

(1) IN GENERAL.—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended by striking subsections (c) and (d).

(2) TECHNICAL AMENDMENT.—The heading of such section is amended to read as follows: ''***STOCKPILE STEWARDSHIP CRITERIA***''.

(3) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4202 and inserting the following new item:

''Sec. 4202. Stockpile stewardship criteria.''.

(c) REPEAL OF REQUIREMENT FOR BIENNIAL PLAN ON MODERNIZATION AND REFURBISHMENT OF THE NUCLEAR SECURITY COMPLEX.—Section 4203A of the Atomic Energy Defense Act (50 U.S.C. 2523A) is repealed.

(d) REPEAL OF REQUIREMENT FOR ANNUAL UPDATE TO STOCKPILE MANAGEMENT PROGRAM PLAN.—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—

(1) by striking subsections (c) and (d); and

(2) by redesignating subsection (e) as subsection (c).

(e) NUCLEAR TEST BAN READINESS PROGRAM.—Section 4207 of the Atomic Energy Defense Act (50 U.S.C. 2527) is amended by striking subsection (e).

(f) REPEAL OF REQUIREMENT FOR REPORTS ON NUCLEAR TEST READINESS.—

(1) AEDA.—

(A) IN GENERAL.—Section 4208 of the Atomic Energy Defense Act (50 U.S.C. 2528) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4208.

(2) NDAA FISCAL YEAR 1996.—Section 3152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104 106; 110 Stat. 623) is repealed.

SEC. 3135. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) GAO ENVIRONMENTAL MANAGEMENT REPORTS.—Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''The Comptroller'' and all that follows through ''(2),'' and inserting ''Beginning on the date on which the report under subsection (b)(2) is submitted, the Comptroller General shall conduct a review'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as so redesignated, by striking ''the end of the period described in paragraph (2)'' and inserting ''August 30, 2012''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(2)''; and

(B) in paragraph (2), by striking ''90 days'' and all that follows through ''(c)(3)'' and inserting ''April 30, 2016, or the date that is 210 days after the date on which all American Recovery and Reinvestment Act funds have been obligated or expended (or are no longer available to be obligated or expended), whichever is earlier''.

(b) WORKFORCE RESTRUCTURING PLAN UPDATES.—

(1) IN GENERAL.—Section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704), as amended by section 3131(q)(1), is amended—

(A) in subsection (b)(1), by striking ''and any updates of the plan under subsection (e)'';

(B) by striking subsection (e);

(C) in subsection (f)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraph (3), as added by such section 3131(q)(1), as paragraph (2); and

(D) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(2) CONFORMING AMENDMENT.—Section 4643(d)(1) of the Atomic Energy Defense Act (50 U.S.C. 2733(d)(1)) is amended by striking ''section 4604(g)'' and inserting ''section 4604(f)''.

(c) UNCLASSIFIED CONTROLLED NUCLEAR INFORMATION QUARTERLY REPORT.—Section 148 of the Atomic Energy Act of 1954 (42 U.S.C. 2168) is amended by striking subsection e.

Subtitle D—Reports

SEC. 3141. NOTIFICATION OF NUCLEAR CRITICALITY AND NON-NUCLEAR INCIDENTS.

(a) NOTIFICATION.—

(1) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by adding after section 4645, as added by section 3151, the following new section:

''SEC. 4646. NOTIFICATION OF NUCLEAR CRITICALITY AND NON-NUCLEAR INCIDENTS.

''(a) NOTIFICATION.—The Secretary of Energy and the Administrator, as the case may be, shall submit to the appropriate congressional committees a notification of a nuclear criticality incident resulting from a covered program that results in an injury or fatality or results in the shut-down, or partial shut-down, of a covered facility by not later than 15 days after the date of such incident.

''(b) ELEMENTS OF NOTIFICATION.—Each notification submitted under subsection (a) shall include the following:

''(1) A description of the incident, including the cause of the incident.

''(2) In the case of a criticality incident, whether the incident caused a facility, or part of a facility, to be shut-down.

''(3) The affect, if any, on the mission of the Administration or the Office of Environmental Management of the Department of Energy.

''(4) Any corrective action taken in response to the incident.

''(c) DATABASE.—(1) The Secretary and the Administrator shall each maintain a record of incidents described in paragraph (2).

''(2) An incident described in this paragraph is any of the following incidents resulting from a covered program:

''(A) A nuclear criticality incident that results in an injury or fatality or results in the shut-down, or partial shut-down, of a covered facility.

''(B) A non-nuclear incident that results in serious bodily injury or fatality at a covered facility.

''(d) COOPERATION.—In carrying out this section, the Secretary and the Administrator shall ensure that each management and operating contractor of a covered facility cooperates in a timely manner.

''(e) DEFINITIONS.—In this section:

''(1) The term 'appropriate congressional committees' means—

''(A) the congressional defense committees; and

''(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

''(2) The term 'covered facility' means—

''(A) a facility of the nuclear security enterprise; and

''(B) a facility conducting activities for the defense environmental cleanup program of the Office of Environmental Management of the Department of Energy.

''(3) The term 'covered program' means—

''(A) programs of the Administration; and

''(B) defense environmental cleanup programs of the Office of Environmental Management of the Department of Energy.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4645 the following new item:

''Sec. 4646. Notification of nuclear criticality and non-nuclear incidents.''.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for Nuclear Security shall each submit to the appropriate congressional committees a report detailing any incidents described in paragraph (2) that occurred during the 10-year period before the date of the report.

(2) INCIDENTS DESCRIBED.—An incident described in this paragraph is any of the following incidents that occurred as a result of programs of the National Nuclear Security Administration or defense environmental cleanup programs of the Office of Environmental Management of the Department of Energy:

(A) A nuclear criticality incident that resulted in an injury or fatality or resulted in the shut-down, or partial shut-down, of a facility of the nuclear security enterprise or a facility conducting activities for such defense environmental cleanup programs.

(B) A non-nuclear incident that results in serious bodily injury or fatality at such a facility.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

SEC. 3142. REPORTS ON LIFETIME EXTENSION PROGRAMS.

(a) PROTOTYPES.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4214 the following new section:

''SEC. 4215. REPORTS ON LIFETIME EXTENSION PROGRAMS.

''(a) REPORTS REQUIRED.—Before proceeding beyond phase 6.2 activities with respect to any lifetime extension program, the director of the national security laboratory responsible for such program shall submit to the congressional defense committees a report on the lifetime extension option selected for such program, including—

''(1) whether such option selected is refurbishment, reuse, or replacement; and

''(2) why such option was selected, including an assessment of the advantages and disadvantages of the two options not selected.

''(b) PHASE 6.2 ACTIVITIES DEFINED.—In this section, the term 'phase 6.2 activities' means, with respect to a lifetime extension program, the phase 6.2 feasibility study and option down-select.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4214 the following new item:

''Sec. 4215. Reports on lifetime extension programs.''.

SEC. 3143. NATIONAL ACADEMY OF SCIENCES STUDY ON PEER REVIEW AND DESIGN COMPETITION RELATED TO NUCLEAR WEAPONS.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the National Academy of Sciences to conduct a study of peer review and design competition related to nuclear weapons.

(b) ELEMENTS.—The study required by subsection (a) shall include an assessment of—

(1) the quality and effectiveness of peer review of designs, development plans, engineering and scientific activities, and priorities related to both nuclear and non-nuclear aspects of nuclear weapons;

(2) incentives for effective peer review;

(3) the potential effectiveness, efficiency, and cost of alternative methods of conducting peer review and design competition related to both nuclear and non-nuclear aspects of nuclear weapons, as compared to current methods;

(4) the known instances where current peer review practices and design competition succeeded or failed to find problems or potential problems; and

(5) such other matters related to peer review and design competition related to nuclear weapons as the Administrator considers appropriate.

(c) COOPERATION AND ACCESS TO INFORMATION AND PERSONNEL.—The Administrator shall ensure that the National Academy of Sciences receives full and timely cooperation, including full access to information and personnel, from the National Nuclear Security Administration and the management and operating contractors of the Administration for the purposes of conducting the study under subsection (a).

(d) REPORT.—

(1) IN GENERAL.—The National Academy of Sciences shall submit to the Administrator a report containing the results of the study conducted under subsection (a) and any recommendations resulting from the study.

(2) SUBMITTAL TO CONGRESS.—Not later than December 15, 2014, the Administrator shall submit to the Committees on Armed Services of the House of Representatives and Senate the report submitted under paragraph (1) and any comments or recommendations of the Administrator with respect to the report.

(3) FORM.—The report submitted under paragraph (1) shall be in unclassified form, but may include a classified annex.

SEC. 3144. REPORT ON DEFENSE NUCLEAR NONPROLIFERATION PROGRAMS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1 of each year from 2013 through 2015, the Administrator for Nuclear Security shall submit to the appropriate congressional committees a report on the budget, objectives, and metrics of the defense nuclear nonproliferation programs of the National Nuclear Security Administration.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An identification and explanation of uncommitted balances that are more than the acceptable carryover thresholds, as determined by the Secretary of Energy, on a program-by-program basis.

(B) An identification of foreign countries that are sharing the cost of implementing defense nuclear nonproliferation programs, including an explanation of such cost sharing.

(C) A description of objectives and measurements for each defense nuclear nonproliferation program.

(D) A description of the proliferation of nuclear weapons threat and how each defense nuclear nonproliferation program activity counters the threat.

(E) A description and assessment of nonproliferation activities coordinated with the Department of Defense to maximize efficiency and avoid redundancies.

(F) A description of how the defense nuclear nonproliferation programs are prioritized to meet the most urgent nonproliferation requirements.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(c) FORM.—The report required by subsection (a)(1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 3145. STUDY ON REUSE OF PLUTONIUM PITS.

(a) STUDY.—Not later than 120 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a study of plutonium pits, including—

(1) the availability of plutonium pits—

(A) as of the date of the report; and

(B) after such date as a result of the dismantlement of nuclear weapons; and

(2) an assessment of the potential for reusing plutonium pits in future life extension programs.

(b) MATTERS INCLUDED.—The study submitted under subsection (a) shall include the following:

(1) The feasibility and practicability of potential full or partial reuse options with respect to plutonium pits.

(2) The benefits and risks of reusing plutonium pits.

(3) The potential costs and cost savings of such reuse.

(4) The effects of such reuse on the requirements for plutonium pit manufacturing.

Subtitle E—Other Matters

SEC. 3151. USE OF PROBABILISTIC RISK ASSESSMENT TO ENSURE NUCLEAR SAFETY.

(a) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by adding after section 4644 the following new section:

''SEC. 4645. USE OF PROBABILISTIC RISK ASSESSMENT TO ENSURE NUCLEAR SAFETY OF FACILITIES OF THE ADMINISTRATION AND THE OFFICE OF ENVIRONMENTAL MANAGEMENT.

''(a) NUCLEAR SAFETY AT NNSA AND DOE FACILITIES.—The Administrator and the Secretary of Energy shall ensure that the methods for assessing, certifying, and overseeing nuclear safety at the facilities specified in subsection (b) use national and international standards and nuclear industry best practices, including probabilistic or quantitative risk assessment if sufficient data exists.

''(b) FACILITIES SPECIFIED.—Subsection (a) shall apply—

''(1) to the Administrator with respect to the national security laboratories and the nuclear weapons production facilities; and

''(2) to the Secretary of Energy with respect to defense nuclear facilities of the Office of Environmental Management of the Department of Energy.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4644 the following new item:

''Sec. 4645. Use of probabilistic risk assessment to ensure nuclear safety of facilities of the Administration and the Office of Environmental Management.''.

SEC. 3152. ADVICE TO PRESIDENT AND CONGRESS REGARDING SAFETY, SECURITY, AND RELIABILITY OF UNITED STATES NUCLEAR WEAPONS STOCKPILE AND NUCLEAR FORCES.

(a) IN GENERAL.—Section 1305 of the National Defense Authorization Act for Fiscal Year 1998 (42 U.S.C. 7274p) is—

(1) transferred to the Atomic Energy Defense Act (50 U.S.C. 2501 et seq.);

(2) inserted after section 4215 of such Act, as added by section 3142(a);

(3) redesignated as section 4216; and

(4) amended—

(A) by amending subsection (f) to read as follows:

''(f) EXPRESSION OF INDIVIDUAL VIEWS.—No individual, including representatives of the President, may take any action against, or otherwise constrain, a director of a national security laboratory or a nuclear weapons production facility, a member of the Joint Nuclear Weapons Council, or the Commander of United States Strategic Command from presenting the professional views of the individual to the President, the National Security Council, or Congress regarding—

''(1) the safety, security, reliability, or credibility of the nuclear weapons stockpile and nuclear forces; or

''(2) the status of, and plans for, the capabilities and infrastructure that support and sustain the nuclear weapons stockpile and nuclear forces.''; and

(B) by redesignating subsection (g) as subsection (h); and

(C) by inserting after subsection (f) the following new subsection (g):

''(g) DELIVERY OF CLASSIFIED INFORMATION TO CONGRESS.—(1) The directors of the national security laboratories, the directors of the nuclear weapons production facilities, the members of the Joint Nuclear Weapons Council, and the Commander of the United States Strategic Command are each authorized to provide directly to Congress classified information with respect to matters described by paragraphs (1) or (2) of subsection (f).

''(2) The Administrator and Secretary of Defense shall ensure that direct classified mail channels are established between the national security laboratories, nuclear weapons production facilities, members of the Joint Nuclear Weapons Council, the United States Strategic Command, and the congressional defense committees to carry out this subsection.''.

(b) CONFORMING AMENDMENT.—Section 4215 of the Atomic Energy Defense Act, as added by subsection (a), is amended—

(1) by striking ''nuclear weapons laboratories'' each place it appears and inserting ''national security laboratories'';

(2) by striking ''nuclear weapons laboratory'' each place it appears and inserting ''national security laboratory'';

(3) by striking ''nuclear weapons production plants'' each place it appears and inserting ''nuclear weapons production facilities'';

(4) by striking ''nuclear weapons production plant'' each place it appears and inserting ''nuclear weapons production facility''; and

(5) by amending subsection (h), as redesignated by subsection (a)(4)(B), to read as follows:

''(h) REPRESENTATIVE OF THE PRESIDENT DEFINED.—In this section, the term 'representative of the President' means the following:

''(1) Any official of the Department of Defense or the Department of Energy who is appointed by the President and confirmed by the Senate.

''(2) Any member or official of the National Security Council.

''(3) Any member or official of the Joint Chiefs of Staff.

''(4) Any official of the Office of Management and Budget.''.

(c) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4215 the following new item:

''Sec. 4216. Advice to President and Congress regarding safety, security, and reliability of United States nuclear weapons stockpile.''.

SEC. 3153. CLASSIFICATION OF CERTAIN RESTRICTED DATA.

Section 142 of the Atomic Energy Act of 1954 (42 U.S.C. 2162) is amended—

(1) in subsection d.—

(A) by inserting ''(1)'' before ''The Commission''; and

(B) by adding at the end the following:

''(2) The Commission may restore to the Restricted Data category information related to the design of nuclear weapons (in this subsection referred to as 'design information') removed under paragraph (1) if the Commission and the Department of Defense jointly determines that—

''(A) the programmatic requirements that caused the design information to be removed from the Restricted Data category are no longer applicable or have diminished;

''(B) the design information would be more appropriately protected as Restricted Data; and

''(C) restoring the design information to the Restricted Data category is in the interest of national security.

''(3) In carrying out paragraph (2), design information shall be restored to the Restricted Data category in accordance with regulations implemented pursuant to this section.''; and

(2) in subsection e.—

(A) by inserting ''(1)'' before ''The Commission'';

(B) by striking ''Central'' and inserting ''National''; and

(C) by adding at the end the following:

''(2) The Commission may restore to the Restricted Data category information related to foreign nuclear programs (in this subsection referred to as 'foreign nuclear information') removed under paragraph (1) if the Commission and the Director of National Intelligence jointly determine that—

''(A) the programmatic requirements that caused the foreign nuclear information to be removed from the Restricted Data category are no longer applicable or have diminished;

''(B) the foreign nuclear information would be more appropriately protected as Restricted Data; and

''(C) restoring the foreign nuclear information to the Restricted Data category is in the interest of national security.

''(3) In carrying out paragraph (2), foreign nuclear information shall be restored to the Restricted Data category in accordance with regulations implemented pursuant to this section.''.

SEC. 3154. INDEPENDENT COST ASSESSMENTS FOR LIFE EXTENSION PROGRAMS, NEW NUCLEAR FACILITIES, AND OTHER MATTERS.

(a) COST ASSESSMENT.—To inform the decisions made by the Nuclear Weapons Council established by section 179 of title 10, United States Code, the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation and in coordination with the Administrator for Nuclear Security, shall assess the cost of options and alternatives for—

(1) new nuclear weapon life extension programs; and

(2) new nuclear facilities within the nuclear security enterprise that are estimated to cost more than $500,000,000.

(b) REPORT.—Not later than 30 days after the date on which each assessment conducted under subsection (a) is completed, the Administrator for Nuclear Security and the Secretary of Defense shall jointly submit to the congressional defense committees a report containing the results of such assessment.

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(d) AUTHORITY FOR FURTHER ASSESSMENTS.—Upon the request of the Administrator for Nuclear Security, the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation and in consultation with the Administrator, may conduct a cost assessment of any initiative of the National Nuclear Security Administration that is estimated to cost more than $500,000,000.

SEC. 3155. ASSESSMENT OF NUCLEAR WEAPON PIT PRODUCTION REQUIREMENT.

(a) ASSESSMENT.—The Secretary of Defense and the Secretary of Energy, in coordination with the Commander of the United States Strategic Command, shall jointly assess the annual plutonium pit production requirement needed to sustain a safe, secure, and reliable nuclear weapon arsenal.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit to the congressional defense committees a report regarding the assessment conducted under section (a), including—

(A) an explanation of the rationale and assumptions that led to the current 50 to 80 plutonium pit production requirement, including the factors considered in determining such requirement;

(B) an analysis of whether there are any changes to the current 50 to 80 plutonium pit production requirement, including the reasons for any such changes;

(C) the implications for national security, for maintaining the nuclear weapons stockpile (including the impact on options available for life extension programs), and for costs of having pit production capacity at—

(i) 10 to 20 pits per year;

(ii) 20 to 30 pits per year;

(iii) 30 to 50 pits per year; and

(iv) 50 to 80 pits per year; and

(D) the implications of various pit production capacities on the requirements for the nuclear weapon hedge or reserve forces of the United States.

(2) UPDATE.—If the report under paragraph (1) does not incorporate the results of the Nuclear Posture Review Implementation Study, the Secretary of Defense and the Secretary of Energy, in coordination with the Commander of the United States Strategic Command, shall jointly submit to the congressional defense committees an update to the report under paragraph (1) that incorporates the results of such study by not later than 90 days after the date on which such committees receive such study.

(c) FORM.—The reports under paragraphs (1) and (2) of subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 3156. INTELLECTUAL PROPERTY RELATED TO URANIUM ENRICHMENT.

(a) IN GENERAL.—Subject to subsection (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for defense nuclear nonproliferation, the Secretary of Energy may make available not more than $150,000,000 for the development and demonstration of domestic national-security-related enrichment technologies as provided in subsection (c).

(b) CERTIFICATION.—Not later than 30 days before the date on which the Secretary makes an amount available under subsection (a), the Secretary shall submit to the congressional defense committees—

(1) written certification that such amount is needed for national security purposes; and

(2) a description of such purposes.

(c) ADMINISTRATION.—An amount made available by the Secretary under subsection (a) shall be used to provide, directly or indirectly, Federal funds, resources, or other assistance for the research, development, or deployment of domestic national-security-related enrichment technology, subject to the following requirements:

(1) The Secretary shall provide such assistance using merit selection procedures.

(2) The Secretary may provide such assistance only if the Secretary executes an agreement with the recipient (or any affiliate, successor, or assignee) of such funds, resources, or other assistance (in this section referred to as the ''recipient'') that requires—

(A) the achievement of specific technical criteria by the recipient by specific dates not later than June 30, 2014;

(B) that the recipient—

(i) immediately upon execution of the agreement, grant to the United States for use by or on behalf of the United States, through the Secretary, a royalty-free, non-exclusive license in all enrichment-related intellectual property and associated technical data owned, licensed, or otherwise controlled by the recipient as of the date of the enactment of this Act, or thereafter developed or acquired to meet the requirements of the agreement;

(ii) amend any existing agreement between the Secretary and the recipient to permit the Secretary to use or permit third parties on behalf of the Secretary to use intellectual property and associated technical data related to the award of funds, resources, or other assistance royalty-free for Government purposes, including completing or operating enrichment technologies and using them for national defense purposes, including providing nuclear material to operate commercial nuclear power reactors for tritium production; and

(iii) as soon as practicable, deliver to the Secretary all technical information and other documentation in its possession or control necessary to permit the Secretary to use all intellectual property related to domestic enrichment technologies described in this subparagraph; and

(C) any other condition or restriction the Secretary determines necessary to protect the interests of the United States.

(d) CONTROL OF PROPERTY.—If the Secretary determines that a recipient has not achieved the technical criteria required under an agreement under subsection (c)(2) by the date specified pursuant to subparagraph (A) of such subsection, the recipient shall, as soon as practicable, surrender custody, possession, and control, or return, as appropriate, any real or personal property owned or leased by the recipient, to the Secretary in connection with the deployment of enrichment technology, along with all capital improvements, equipment, fixtures, appurtenances, and other improvements thereto, and any further obligation by the Secretary under any such lease shall terminate.

(e) APPLICATION OF REQUIREMENTS.—The limitations and requirements in this section shall

apply to funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the development and demonstration of domestic national security-related enrichment technology.

(f) EXCEPTION.—Subsections (c) and (d) shall not apply with respect to the issuance of any loan guarantee pursuant to section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).

SEC. 3157. SENSE OF CONGRESS ON COMPETITION AND FEES RELATED TO THE MANAGEMENT AND OPERATING CONTRACTS OF THE NUCLEAR SECURITY ENTERPRISE.

It is the sense of Congress that—

(1) in the past decade, competition of the management and operating contracts for the national security laboratories has resulted in significant increases in fees paid to the contractors—funding that otherwise could be used to support program and mission activities of the National Nuclear Security Administration;

(2) competition of the management and operating contracts of the nuclear security enterprise is an important mechanism to help realize cost savings, seek efficiencies, improve performance, and hold contractors accountable;

(3) when the Administrator for Nuclear Security considers it appropriate to achieve these goals, the Administrator should conduct competition of these contracts while recognizing the unique nature of federally funded research and development centers; and

(4) the Administrator should ensure that fixed fees and performance-based fees contained in management and operating contracts are as low as possible to maintain a focus on national service while attracting high-quality contractors and achieving the goals of the competition.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There is authorized to be appropriated for fiscal year 2013 $31,415,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. IMPROVEMENTS TO THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) ESTABLISHMENT.—Section 311 of the Atomic Energy Act of 1954 (42 U.S.C. 2286) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking ''Energy or any contractor of the Department of Energy'' and inserting ''Energy, the National Nuclear Security Administration, or any contractor of the Department or Administration''; and

(B) by striking paragraph (4);

(2) in subsection (c)—

(A) in the heading, by striking ''AND VICE CHAIRMAN'' and inserting '', VICE CHAIRMAN, AND MEMBERS'';

(B) in paragraph (2), by striking ''The Chairman'' and inserting ''In accordance with paragraphs (5) and (6), the Chairman''; and

(C) by adding at the end the following new paragraphs:

''(5) Each member of the Board, including the Chairman and Vice Chairman, shall—

''(A) have equal responsibility and authority in establishing decisions and determining actions of the Board regarding recommendations, budgets, senior staff, hearings and witnesses, investigations, subpoenas, and setting policies and regulations governing operations of the Board;

''(B) have full, simultaneous access to all information relating to the performance of the Board's functions, powers, and mission; and

''(C) have one vote.

''(6) Any member of the Board may propose an individual to be appointed to a senior staff position of the Board and require a determination by the Board under paragraph (5)(A) on whether such individual shall be appointed.'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''Except as provided under paragraph (2), the'' and inserting ''The'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2); and

(4) by amending subsection (e) to read as follows:

''(e) QUORUM.—(1) Three members of the Board shall constitute a quorum.

''(2) A quorum shall be required to take the actions of the Board described in subsection (c)(5)(A).''.

(b) MISSION AND FUNCTIONS.—

(1) IN GENERAL.—Section 312 of the Atomic Energy Act of 1954 (42 U.S.C. 2286a) is amended—

(A) in the heading, by inserting ''**MISSION AND**'' before ''**FUNCTIONS**'';

(B) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively;

(C) by inserting before subsection (b), as so redesignated, the following new subsection (a):

''(a) MISSION.—The mission of the Board shall be to provide independent analysis, advice, and recommendations to the Secretary of Energy to ensure that—

''(1) risks to public health and safety at the defense nuclear facilities of the Department of Energy are as low as reasonably practicable; and

''(2) public health and safety are adequately protected.'';

(D) in subsection (b), as so redesignated—

(i) in the heading, by striking ''IN GENERAL'' and inserting ''FUNCTIONS'';

(ii) in paragraph (1), by inserting ''risks to public health and safety are as low as reasonably practicable and'' after ''to ensure that'';

(iii) in paragraph (4), by striking ''to ensure adequate protection of public health and safety'' each place it appears and inserting ''to ensure that risks to public health and safety are as low as reasonably practicable and public health and safety are adequately protected''; and

(iv) in paragraph (5)—

(I) by striking ''to ensure adequate protection of public health and safety'' and inserting ''to ensure that risks to public health and safety are as low as reasonably practicable and public health and safety are adequately protected'';

(II) by inserting '', and specifically assess,'' after ''shall consider''; and

(III) by inserting '', the costs and benefits, and the practicability'' after ''economic feasibility''.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Act of 1954 is amended by striking the item relating to section 312 and inserting the following new item:

''Sec. 312. Mission and functions of the board.''.

(c) POWERS.—Section 313 of the Atomic Energy Act of 1954 (42 U.S.C. 2286b) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''or a member authorized by the Board''; and

(B) in paragraph (2)(A), by striking the first sentence and inserting the following: ''Subpoenas may be issued only with the approval of a majority of the members of the Board and shall be served by any person designated by the Chairman, any member, or any person as otherwise provided by law.''; and

(2) in subsection (b), by adding at the end the following new paragraph:

''(3) Of the funds appropriated to the Board to carry out this chapter, each member of the Board, other than the Chairman, may employ at least one technical advisor to serve in the immediate office of the member to provide assistance to the member in carrying out the responsibilities of the member under this chapter. If employed in the immediate office of a member, such advisor shall report to such member and, notwithstanding section 311(c)(2)(A), may not be subject to the appointment, direction, or supervision of the Chairman.''; and

(3) in subsection (j)(2), by striking ''section 312(1)'' and inserting ''section 312(b)(1)''.

(d) BOARD RECOMMENDATIONS.—Section 315 of the Atomic Energy Act of 1954 (42 U.S.C. 2286d) is amended to read as follows:

''SEC. 315. BOARD RECOMMENDATIONS.

''(a) DRAFTS AND SUBMISSION OF RECOMMENDATIONS.—(1) Subject to subsections (f) and (g), the Board shall submit to the Secretary of Energy a draft of any recommendations under section 312 and any related findings, supporting data, and analyses before the date on which such recommendations are finalized.

''(2) The Secretary may provide to the Board comments on the recommendations not later than 45 days after the date on which the Secretary receives the draft submission of the Board under paragraph (1). The Board may grant, upon request by the Secretary, not more than an additional 30 days for the Secretary to submit comments to the Board.

''(3) After the period of time in which the Secretary may provide recommendations under paragraph (2) elapses, the Board may publish in the Federal Register either the original or a revised version of the recommendations based on the comments of the Secretary, together with a request for the submission to the Board of public comments on such recommendations. Interested persons shall have 30 days after the date of publication in which to submit comments, data, views, or arguments to the Board concerning the recommendations. The Board shall furnish the Secretary with copies of all comments, data, views, and arguments submitted to it under this paragraph.

''(b) DISPOSITION OF RECOMMENDATIONS.—(1) Not later than 60 days after publication of the recommendations under subsection (a)(3), the Secretary of Energy shall publish in the Federal Register and transmit to the Board, in writing, a statement of the final decision of the Secretary with respect to whether the Secretary accepts or rejects, in whole or in part, such recommendations, including a description of any actions to be taken in response to the recommendations, any expected schedule, cost, technical, or program impacts of such recommendations, and the views of the Secretary regarding such recommendations. The Board may grant, upon request by the Secretary, not more than an additional 30 days for the Secretary to transmit such statement to the Board.

''(2) The Board may hold hearings for the purpose of obtaining public comments on its recommendations and the disposition of such recommendations by the Secretary of Energy.

''(c) REJECTION OF RECOMMENDATIONS.—If the Secretary of Energy, in a statement under subsection (b)(1), rejects (in whole or part) any recommendation made by the Board under subsection (a), the Board may transmit to the Secretary and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a letter describing the views and perspectives of the Board regarding the Secretary's disposition of the Board's recommendations.

''(d) IMPLEMENTATION PLAN.—The Secretary of Energy shall prepare a plan for the implementation of each Board recommendation, or part of a recommendation, that is accepted by the Secretary in the statement under subsection (b)(1). Not later than 120 days after the date on which such statement is published, the Secretary shall transmit to the Board such implementation plan. The Secretary may implement

any such recommendation (or part of any such recommendation) before, on, or after the date on which the Secretary transmits the implementation plan to the Board under this subsection.

''(e) IMPLEMENTATION.—(1) Subject to paragraph (2), not later than one year after the date on which the Secretary of Energy transmits an implementation plan with respect to a recommendation (or part thereof) under subsection (d), the Secretary shall carry out and complete the implementation plan. If complete implementation of the plan takes more than one year, the Secretary of Energy shall submit a report to the Committees on Armed Services and on Appropriations of the Senate and the House of Representatives setting forth the reasons for the delay and when implementation will be completed.

''(2) If the Secretary of Energy determines that the implementation of a Board recommendation (or part thereof) is impracticable because of budgetary considerations, or that the implementation would affect the Secretary's ability to meet the annual nuclear weapons stockpile requirements established pursuant to section 91 of this Act, the Secretary shall submit to the President and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a report containing the recommendation and the Secretary's determination.

''(f) IMMINENT OR SEVERE THREAT.—(1) In any case in which the Board determines that a recommendation submitted to the Secretary of Energy under section 312 relates to an imminent or severe threat to public health and safety, the Board and the Secretary of Energy shall proceed under this subsection in lieu of subsections (a) and (b).

''(2) The Board shall transmit to the President, the Secretary of Defense, and the Secretary of Energy a recommendation relating to an imminent or severe threat to public health and safety. Not later than 15 days after the date on which such recommendation is received, the Secretary of Energy shall submit the comments and views of the Secretary to the President. The President shall review such comments and views and shall make the decision concerning the acceptance or rejection of the Board's recommendation.

''(3) After receipt by the President of the recommendation from the Board under this subsection, the Board shall promptly make such recommendation available to the public and shall submit such recommendation to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives. The President shall promptly notify such committees of the decision made by the President under paragraph (2) and the reasons for that decision.

''(g) LIMITATION.—Notwithstanding any other provision of this section, the requirements to make information available to the public under this section—

''(1) shall not apply in the case of information that is classified; and

''(2) shall be subject to the orders and regulations issued by the Secretary of Energy under sections 147 and 148 of this Act to prohibit dissemination of certain information.''.

(e) REPORTS.—Section 316 of the Atomic Energy Act of 1954 (42 U.S.C. 2286e) is amended by striking ''to the Speaker of'' each place it appears.

(f) INFORMATION TO CONGRESS.—Section 320 of the Atomic Energy Act of 1954 (42 U.S.C. 2286h–1) is amended by striking ''the Congress'' and inserting ''Committees on Armed Services and Appropriations of the Senate and the House of Representatives''.

(g) INSPECTOR GENERAL.—Chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.) is amended by adding at the end the following new section:

''SEC. 322. INSPECTOR GENERAL.

''The Board shall enter into an agreement with an agency of the Federal Government to procure the services of the Inspector General of such agency for the Board.''.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $14,909,000 for fiscal year 2013 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2013.

Funds are hereby authorized to be appropriated for fiscal year 2013, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $77,253,000, of which—

(A) $67,253,000 shall remain available until expended for Academy operations; and

(B) $10,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $16,045,000, of which—

(A) $2,400,000 shall remain available until expended for student incentive payments;

(B) $2,545,000 shall remain available until expended for direct payments to such academies; and

(C) $11,100,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $12,717,000, to remain available until expended.

(4) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.

(5) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 6661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,750,000, all of which shall remain available until expended for administrative expenses of the program.

SEC. 3502. APPLICATION OF THE FEDERAL ACQUISITION REGULATION.

Section 3502(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–398 (114 Stat. 1645A–490), is amended by striking ''the enactment of this Act'' and inserting ''contract award''.

SEC. 3503. PROCUREMENT OF SHIP DISPOSAL.

Section 113(e)(15) of title 40, United States Code, is amended—

(1) by inserting ''disposal for recycling and all contracts related thereto (including contracts for towing, dry-docking, sale or purchase of services for recycling, or management of vessels during disposal),'' after ''charter, construction, reconstruction,'';

(2) by striking ''merchant''; and

(3) by inserting ''and with the Federal Acquisition Regulation'' after ''under this subtitle''.

SEC. 3504. LIMITATION OF NATIONAL DEFENSE RESERVE FLEET VESSELS TO THOSE OVER 1,500 GROSS TONS.

Section 57101(a) of title 46, United States Code, is amended by inserting ''of 1,500 gross tons or more or such other vessels as the Secretary of Transportation shall determine are appropriate'' after ''Administration''.

SEC. 3505. DONATION OF EXCESS FUEL TO MARITIME ACADEMIES.

Section 51103(b)(1) of title 46, United States Code, is amended by striking so much as precedes paragraph (2) and inserting the following:

''(b) PROPERTY FOR INSTRUCTIONAL PURPOSES.—

''(1) IN GENERAL.—The Secretary of Transportation may cooperate with and assist the institutions named in paragraph (2) by making vessels, fuel, shipboard equipment, and other marine equipment, owned by the United States Government and determined by the entity having custody and control of such property to be excess or surplus, available to those institutions for instructional purposes, by gift, loan, sale, lease, or charter on terms and conditions the Secretary considers appropriate. The consent of the Secretary of Navy shall be obtained with respect to any property from National Defense Reserve Fleet vessels, 50 U.S.C. App. 1744, where such vessels are either Ready Reserve Force vessels or other National Defense Reserve Fleet vessels determined to be of sufficient value to the Navy to warrant their further preservation and retention.''.

SEC. 3506. CLARIFICATION OF HEADING.

(a) IN GENERAL.—The heading of section 57103 of title 46, United States Code, is amended to read as follows:

''§ 57103. Donation of nonretention vessels in the national defense reserve fleet''.

(b) CONFORMING AMENDMENT.—The item relating to section 57103 in the analysis of chapter 571 of such title is amended to read as follows: ''57103. Donation of nonretention vessels in the national defense reserve fleet.''.

SEC. 3507. TRANSFER OF VESSELS TO THE NATIONAL DEFENSE RESERVE FLEET.

Section 57101 of title 46, United States Code, is amended by adding at the end the following:

''(c) AUTHORITY OF FEDERAL ENTITIES TO TRANSFER VESSELS.—All Federal entities are authorized to transfer vessels to the National Defense Reserve Fleet without reimbursement subject to the approval of the Secretary of Transportation and the Secretary of the Navy with respect to Ready Reserve Force vessels and the Secretary of Transportation with respect to all other vessels.''.

SEC. 3508. AMENDMENTS RELATING TO THE NATIONAL DEFENSE RESERVE FLEET.

Subparagraphs (B), (C), and (D) of sections 11(c)(1) of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744(c)(1)) are amended to read as follows:

''(B) activate and conduct sea trials on each vessel at a frequency that is deemed necessary;

''(C) maintain and adequately crew, as necessary, in an enhanced readiness status those vessels that are scheduled to be activated in 5 or less days;

''(D) locate those vessels that are scheduled to be activated near embarkation ports specified for those vessels; and''.

SEC. 3509. EXTENSION OF MARITIME SECURITY FLEET PROGRAM.

(a) Section 53101 of title 46, United States Code, is amended—

(1) by amending paragraph (4) to read as follows:

''(4) FOREIGN COMMERCE.—The term foreign commerce means—

''(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country; and

''(B) commerce or trade between foreign countries.'';

(2) by striking paragraph (5);

(3) by redesignating paragraphs (6) through (13) as paragraphs (5) through (12), respectively; and

(4) by amending paragraph (5), as so redesignated, to read as follows:

''(5) PARTICIPATING FLEET VESSEL.—The term participating fleet vessel means any vessel that—

''(A) on October 1, 2015—

''(i) meets the requirements of paragraph (1), (2), (3), or (4) of section 53102(c); and

''(ii) is less than 20 years of age if the vessel is a tank vessel, or is less than 25 years of age for all other vessel types; and

''(B) on December 31, 2014, is covered by an operating agreement under this chapter.''.

(b) Section 53102(b) of such title is amended to read as follows:

''(b) VESSEL ELIGIBILITY.—A vessel is eligible to be included in the Fleet if—

''(1) the vessel meets the requirements of paragraph (1), (2), (3), or (4) of subsection (c);

''(2) the vessel is operated (or in the case of a vessel to be constructed, will be operated) in providing transportation in foreign commerce;

''(3) the vessel is self-propelled and—

''(A) is a tank vessel that is 10 years of age or less on the date the vessel is included in the Fleet; or

''(B) is any other type of vessel that is 15 years of age or less on the date the vessel is included in the Fleet;

''(4) the vessel—

''(A) is suitable for use by the United States for national defense or military purposes in time of war or national emergency, as determined by the Secretary of Defense; and

''(B) is commercially viable, as determined by the Secretary; and

''(5) the vessel—

''(A) is a United States-documented vessel; or

''(B) is not a United States-documented vessel, but—

''(i) the owner of the vessel has demonstrated an intent to have the vessel documented under chapter 121 of this title if it is included in the Fleet; and

''(ii) at the time an operating agreement for the vessel is entered into under this chapter, the vessel is eligible for documentation under chapter 121 of this title.''.

(c) Section 53103 of such title is amended—

(1) by amending subsection (b) to read as follows:

''(b) EXTENSION OF EXISTING OPERATING AGREEMENTS.—

''(1) OFFER TO EXTEND.—Not later than 60 days after the date of enactment of this paragraph, the Secretary shall offer, to an existing contractor, to extend, through September 30, 2025, an operating agreement that is in existence on the date of enactment of this paragraph. The terms and conditions of the extended operating agreement shall include terms and conditions authorized under this chapter, as amended from time to time.

''(2) TIME LIMIT.—An existing contractor shall have not later than 120 days after the date the Secretary offers to extend an operating agreement to agree to the extended operating agreement.

''(3) SUBSEQUENT AWARD.—The Secretary may award an operating agreement to an applicant that is eligible to enter into an operating agreement for fiscal years 2016 through 2025 if the existing contractor does not agree to the extended operating agreement under paragraph (2).''; and

(2) by amending subsection (c) to read as follows:

''(c) PROCEDURE FOR AWARDING NEW OPERATING AGREEMENTS.—The Secretary may enter into a new operating agreement with an applicant that meets the requirements of section 53102(c) (for vessels that meet the qualifications of section 53102(b)) on the basis of priority for vessel type established by military requirements of the Secretary of Defense. The Secretary shall allow an applicant at least 30 days to submit an application for a new operating agreement. After consideration of military requirements, priority shall be given to an applicant that is a United States citizen under section 50501 of this title. The Secretary may not approve an application without the consent of the Secretary of Defense. The Secretary shall enter into an operating agreement with the applicant or provide a written reason for denying the application.''.

(d) Section 53104 of such title is amended—

(1) in subsection (c), by striking paragraph (3); and

(2) in subsection (e), by striking ''an operating agreement under this chapter is terminated under subsection (c)(3), or if''.

(e) Section 53105 of such title is amended—

(1) by amending subsection (e) to read as follows:

''(e) TRANSFER OF OPERATING AGREEMENTS.—A contractor under an operating agreement may transfer the agreement (including all rights and obligations under the operating agreement) to any person that is eligible to enter into the operating agreement under this chapter if the Secretary and the Secretary of Defense determine that the transfer is in the best interests of the United States. A transaction shall not be considered a transfer of an operating agreement if the same legal entity with the same vessels remains the contracting party under the operating agreement.''; and

(2) by amending subsection (f) to read as follows:

''(f) REPLACEMENT VESSELS.—A contractor may replace a vessel under an operating agreement with another vessel that is eligible to be included in the Fleet under section 53102(b), if the Secretary, in conjunction with the Secretary of Defense, approves the replacement of the vessel.''.

(f) Section 53106 of such title is amended—

(1) in subsection (a)(1), by striking ''and (C) $3,100,000 for each of fiscal years 2012 through 2025.'' and inserting the following:

''(C) $3,100,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, and 2018;

''(D) $3,500,000 for each of fiscal years 2019, 2020, and 2021; and

''(E) $3,700,000 for each of fiscal years 2022, 2023, 2024, and 2025.'';

(2) in subsection (c)(3)(C), by striking ''a LASH vessel.'' and inserting ''a lighter aboard ship vessel.''; and

(3) by striking subsection (f).

(g) Section 53107(b)(1) is amended to read as follows:

''(1) IN GENERAL.—An Emergency Preparedness Agreement under this section shall require that a contractor for a vessel covered by an operating agreement under this chapter shall make commercial transportation resources (including services) available, upon request by the Secretary of Defense during a time of war or national emergency, or whenever the Secretary of Defense determines that it is necessary for national security or contingency operation (as that term is defined in section 101 of title 10, United States Code).''.

(h) Section 53109 is repealed.

(i) Section 53111 is amended—

(1) by striking ''and'' at the end of paragraph (2); and

(2) by amending paragraph (3) to read as follows:

''(3) $186,000,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, and 2018;

''(4) $210,000,000 for each of fiscal years 2019, 2020, and 2021; and

''(5) $222,000,000 for each fiscal year thereafter through fiscal year 2025.''.

(j) EFFECTIVE DATE OF AMENDMENTS.—The amendments made by—

(1) paragraphs (2), (3), and (4) of section 3308(a) of this Act take effect on December 31, 2014; and

(2) section 3308(f)(2) of this Act take effect on December 31, 2014.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
01	UTILITY F/W AIRCRAFT	18,639	18,639

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
03	MQ–1 UAV	518,088	518,088
04	RQ–11 (RAVEN)	25,798	25,798
	ROTARY		
06	HELICOPTER, LIGHT UTILITY (LUH)	271,983	271,983
07	AH–64 APACHE BLOCK IIIA REMAN	577,115	577,115
08	ADVANCE PROCUREMENT (CY)	107,707	107,707
09	AH–64 APACHE BLOCK IIIB NEW BUILD	153,993	153,993
10	ADVANCE PROCUREMENT (CY)	146,121	146,121
13	UH–60 BLACKHAWK M MODEL (MYP)	1,107,087	1,107,087
14	ADVANCE PROCUREMENT (CY)	115,113	115,113
15	CH–47 HELICOPTER	1,076,036	1,076,036
16	ADVANCE PROCUREMENT (CY)	83,346	83,346
	MODIFICATION OF AIRCRAFT		
18	MQ–1 PAYLOAD—UAS	231,508	231,508
20	GUARDRAIL MODS (MIP)	16,272	16,272
21	MULTI SENSOR ABN RECON (MIP)	4,294	4,294
22	AH–64 MODS	178,805	178,805
23	CH–47 CARGO HELICOPTER MODS (MYP)	39,135	39,135
24	UTILITY/CARGO AIRPLANE MODS	24,842	24,842
26	UTILITY HELICOPTER MODS	73,804	73,804
27	KIOWA WARRIOR MODS	192,484	192,484
29	NETWORK AND MISSION PLAN	190,789	190,789
30	COMMS, NAV SURVEILLANCE	133,191	133,191
31	GATM ROLLUP	87,280	87,280
32	RQ–7 UAV MODS	104,339	104,339
	GROUND SUPPORT AVIONICS		
34	AIRCRAFT SURVIVABILITY EQUIPMENT	34,037	34,037
36	CMWS	127,751	127,751
	OTHER SUPPORT		
37	AVIONICS SUPPORT EQUIPMENT	4,886	4,886
38	COMMON GROUND EQUIPMENT	82,511	82,511
39	AIRCREW INTEGRATED SYSTEMS	77,381	77,381
40	AIR TRAFFIC CONTROL	47,235	47,235
41	INDUSTRIAL FACILITIES	1,643	1,643
42	LAUNCHER, 2.75 ROCKET	516	516
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**5,853,729**	**5,853,729**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
01	PATRIOT SYSTEM SUMMARY	646,590	696,590
	Additional PAC–3 missiles		[50,000]
02	MSE MISSILE	12,850	12,850
	AIR-TO-SURFACE MISSILE SYSTEM		
04	HELLFIRE SYS SUMMARY	1,401	11,401
	Program increase		[10,000]
	ANTI-TANK/ASSAULT MISSILE SYS		
05	JAVELIN (AAWS-M) SYSTEM SUMMARY	81,121	81,121
06	TOW 2 SYSTEM SUMMARY	64,712	64,712
07	ADVANCE PROCUREMENT (CY)	19,931	19,931
08	GUIDED MLRS ROCKET (GMLRS)	218,679	218,679
09	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,767	18,767
10	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	12,051	12,051
	MODIFICATIONS		
11	PATRIOT MODS	199,565	199,565
13	MLRS MODS	2,466	2,466
14	HIMARS MODIFICATIONS	6,068	6,068
	SPARES AND REPAIR PARTS		
16	SPARES AND REPAIR PARTS	7,864	7,864
	SUPPORT EQUIPMENT & FACILITIES		
17	AIR DEFENSE TARGETS	3,864	3,864
18	ITEMS LESS THAN $5 MILLION (MISSILES)	1,560	1,560
19	PRODUCTION BASE SUPPORT	5,200	5,200
	TOTAL MISSILE PROCUREMENT, ARMY	**1,302,689**	**1,362,689**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
01	STRYKER VEHICLE	286,818	286,818
	MODIFICATION OF TRACKED COMBAT VEHICLES		
03	STRYKER (MOD)	60,881	60,881
04	FIST VEHICLE (MOD)	57,257	57,257
05	BRADLEY PROGRAM (MOD)	148,193	288,193
	Program increase		[140,000]
06	HOWITZER, MED SP FT 155MM M109A6 (MOD)	10,341	10,341
07	PALADIN PIM MOD IN SERVICE	206,101	206,101
08	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	107,909	169,909
	Program increase		[62,000]
09	ASSAULT BREACHER VEHICLE	50,039	50,039
10	M88 FOV MODS	29,930	29,930
11	M1 ABRAMS TANK (MOD)	129,090	129,090

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
12	ABRAMS UPGRADE PROGRAM	74,433	255,433
	Program increase		[181,000]
	SUPPORT EQUIPMENT & FACILITIES		
13	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,145	1,145
	WEAPONS & OTHER COMBAT VEHICLES		
14	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	506	0
	XM25 funding ahead of need		[−506]
17	LIGHTWEIGHT .50 CALIBER MACHINE GUN	25,183	25,183
19	MORTAR SYSTEMS	8,104	8,104
21	XM320 GRENADE LAUNCHER MODULE (GLM)	14,096	14,096
24	CARBINE	21,272	21,272
25	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,598	6,598
26	COMMON REMOTELY OPERATED WEAPONS STATION	56,725	56,725
27	HOWITZER LT WT 155MM (T)	13,827	13,827
	MOD OF WEAPONS AND OTHER COMBAT VEH		
29	M777 MODS	26,843	26,843
30	M4 CARBINE MODS	27,243	27,243
31	M2 50 CAL MACHINE GUN MODS	39,974	39,974
32	M249 SAW MACHINE GUN MODS	4,996	4,996
33	M240 MEDIUM MACHINE GUN MODS	6,806	6,806
34	SNIPER RIFLES MODIFICATIONS	14,113	14,113
35	M119 MODIFICATIONS	20,727	20,727
36	M16 RIFLE MODS	3,306	3,306
37	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	3,072	3,072
	SUPPORT EQUIPMENT & FACILITIES		
38	ITEMS LESS THAN $5 MILLION (WOCV-WTCV)	2,026	2,026
39	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,115	10,115
40	INDUSTRIAL PREPAREDNESS	442	442
41	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,378	2,378
	SPARES		
42	SPARES AND REPAIR PARTS (WTCV)	31,217	31,217
	TOTAL PROCUREMENT OF W&TCV, ARMY	**1,501,706**	**1,884,200**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
01	CTG, 5.56MM, ALL TYPES	158,313	123,513
	Unit cost savings		[−34,800]
02	CTG, 7.62MM, ALL TYPES	91,438	91,438
03	CTG, HANDGUN, ALL TYPES	8,954	8,954
04	CTG, .50 CAL, ALL TYPES	109,604	109,604
05	CTG, 20MM, ALL TYPES	4,041	4,041
06	CTG, 25MM, ALL TYPES	12,654	12,654
07	CTG, 30MM, ALL TYPES	72,154	54,154
	Pricing adjustments for target practice round and light-weight dual-purpose round		[−18,000]
08	CTG, 40MM, ALL TYPES	60,138	60,138
	MORTAR AMMUNITION		
09	60MM MORTAR, ALL TYPES	44,375	44,375
10	81MM MORTAR, ALL TYPES	27,471	27,471
11	120MM MORTAR, ALL TYPES	87,811	87,811
	TANK AMMUNITION		
12	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	112,380	112,380
	ARTILLERY AMMUNITION		
13	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	50,861	50,861
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	26,227	26,227
15	PROJ 155MM EXTENDED RANGE XM982	110,329	55,329
	Excalibur I-b round schedule delay		[−55,000]
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	43,924	43,924
	MINES		
17	MINES & CLEARING CHARGES, ALL TYPES	3,775	3,775
	NETWORKED MUNITIONS		
18	SPIDER NETWORK MUNITIONS, ALL TYPES	17,408	17,408
	ROCKETS		
19	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	1,005	1,005
20	ROCKET, HYDRA 70, ALL TYPES	123,433	123,433
	OTHER AMMUNITION		
21	DEMOLITION MUNITIONS, ALL TYPES	35,189	35,189
22	GRENADES, ALL TYPES	33,477	33,477
23	SIGNALS, ALL TYPES	9,991	9,991
24	SIMULATORS, ALL TYPES	10,388	10,388
	MISCELLANEOUS		
25	AMMO COMPONENTS, ALL TYPES	19,383	19,383
26	NON-LETHAL AMMUNITION, ALL TYPES	7,336	7,336
27	CAD/PAD ALL TYPES	6,641	6,641
28	ITEMS LESS THAN $5 MILLION	15,092	15,092
29	AMMUNITION PECULIAR EQUIPMENT	15,692	15,692
30	FIRST DESTINATION TRANSPORTATION (AMMO)	14,107	14,107
31	CLOSEOUT LIABILITIES	106	106
	PRODUCTION BASE SUPPORT		
32	PROVISION OF INDUSTRIAL FACILITIES	220,171	220,171

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
33	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	182,461	182,461
34	ARMS INITIATIVE	3,377	3,377
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**1,739,706**	**1,631,906**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
01	SEMITRAILERS, FLATBED:	7,097	7,097
02	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	346,115	346,115
03	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	19,292	19,292
04	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	52,933	52,933
05	PLS ESP	18,035	18,035
09	TRUCK, TRACTOR, LINE HAUL, M915/M916	3,619	3,619
10	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	26,859	26,859
12	TACTICAL WHEELED VEHICLE PROTECTION KITS	69,163	69,163
13	MODIFICATION OF IN SVC EQUIP	91,754	91,754
	NON-TACTICAL VEHICLES		
18	PASSENGER CARRYING VEHICLES	2,548	2,548
19	NONTACTICAL VEHICLES, OTHER	16,791	16,791
	COMM—JOINT COMMUNICATIONS		
20	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	10,061	10,061
21	WIN-T—GROUND FORCES TACTICAL NETWORK	892,635	872,635
	Program adjustment		[−20,000]
22	SIGNAL MODERNIZATION PROGRAM	45,626	45,626
23	JCSE EQUIPMENT (USREDCOM)	5,143	5,143
	COMM—SATELLITE COMMUNICATIONS		
24	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	151,636	151,636
25	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,822	6,822
26	SHF TERM	9,108	9,108
28	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	27,353	27,353
29	SMART-T (SPACE)	98,656	98,656
31	GLOBAL BRDCST SVC—GBS	47,131	47,131
32	MOD OF IN-SVC EQUIP (TAC SAT)	23,281	23,281
	COMM—C3 SYSTEM		
34	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,848	10,848
	COMM—COMBAT COMMUNICATIONS		
35	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	979	979
36	JOINT TACTICAL RADIO SYSTEM	556,250	521,250
	Program adjustment		[−35,000]
37	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	86,219	76,219
	Program adjustment		[−10,000]
38	RADIO TERMINAL SET, MIDS LVT(2)	7,798	7,798
39	SINCGARS FAMILY	9,001	9,001
40	AMC CRITICAL ITEMS—OPA2	24,601	24,601
41	TRACTOR DESK	7,779	7,779
43	SPIDER APLA REMOTE CONTROL UNIT	34,365	19,365
	Program delay		[−15,000]
44	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,833	1,833
45	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	12,984	12,984
47	GUNSHOT DETECTION SYSTEM (GDS)	2,332	2,332
48	RADIO, IMPROVED HF (COTS) FAMILY	1,132	1,132
49	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	22,899	22,899
	COMM—INTELLIGENCE COMM		
51	CI AUTOMATION ARCHITECTURE	1,564	1,564
52	RESERVE CA/MISO GPF EQUIPMENT	28,781	28,781
	INFORMATION SECURITY		
53	TSEC—ARMY KEY MGT SYS (AKMS)	23,432	23,432
54	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	43,897	43,897
	COMM—LONG HAUL COMMUNICATIONS		
56	TERRESTRIAL TRANSMISSION	2,891	2,891
57	BASE SUPPORT COMMUNICATIONS	13,872	13,872
58	WW TECH CON IMP PROG (WWTCIP)	9,595	9,595
	COMM—BASE COMMUNICATIONS		
59	INFORMATION SYSTEMS	142,133	142,133
61	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	57,727	57,727
62	PENTAGON INFORMATION MGT AND TELECOM	5,000	5,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
65	JTT/CIBS-M	1,641	1,641
66	PROPHET GROUND	48,797	48,797
69	DCGS-A (MIP)	184,007	184,007
70	JOINT TACTICAL GROUND STATION (JTAGS)	2,680	2,680
71	TROJAN (MIP)	21,483	21,483
72	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,412	2,412
73	CI HUMINT AUTO REPRINTING AND COLLECTION	7,077	7,077
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
75	LIGHTWEIGHT COUNTER MORTAR RADAR	72,594	72,594
76	CREW	15,446	15,446
78	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,470	1,470
79	CI MODERNIZATION	1,368	1,368
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
80	FAAD GBS	7,980	7,980
81	SENTINEL MODS	33,444	33,444
82	SENSE THROUGH THE WALL (STTW)	6,212	6,212
83	NIGHT VISION DEVICES	166,516	166,516
85	NIGHT VISION, THERMAL WPN SIGHT	82,162	82,162
86	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	20,717	20,717
89	GREEN LASER INTERDICTION SYSTEM (GLIS)	1,014	1,014
90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,881	29,881
91	PROFILER	12,482	12,482
92	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,075	3,075
94	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	141,385	141,385
96	MOD OF IN-SVC EQUIP (LLDR)	22,403	22,403
98	MORTAR FIRE CONTROL SYSTEM	29,505	29,505
99	COUNTERFIRE RADARS	244,409	244,409
100	ENHANCED SENSOR & MONITORING SYSTEM (WMD)	2,426	2,426
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
101	TACTICAL OPERATIONS CENTERS	30,196	30,196
102	FIRE SUPPORT C2 FAMILY	58,903	58,903
103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	8,111	8,111
104	FAAD C2	5,031	5,031
105	AIR & MSL DEFENSE PLANNING & CONTROL SYS	64,144	64,144
106	KNIGHT FAMILY	11,999	11,999
107	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,853	1,853
108	AUTOMATIC IDENTIFICATION TECHNOLOGY	14,377	14,377
111	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	59,821	59,821
112	MANEUVER CONTROL SYSTEM (MCS)	51,228	51,228
113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	176,901	176,901
114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	15,209	15,209
	ELECT EQUIP—AUTOMATION		
115	ARMY TRAINING MODERNIZATION	8,866	8,866
116	AUTOMATED DATA PROCESSING EQUIP	129,438	129,438
117	GENERAL FUND ENTERPRISE BUSINESS SYS FAM	9,184	9,184
118	CSS COMMUNICATIONS	20,639	20,639
119	RESERVE COMPONENT AUTOMATION SYS (RCAS)	35,493	35,493
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
120	ITEMS LESS THAN $5 MILLION (A/V)	8,467	8,467
121	ITEMS LESS THAN $5 MILLION	5,309	5,309
	ELECT EQUIP—SUPPORT		
122	PRODUCTION BASE SUPPORT (C-E)	586	586
	CLASSIFIED PROGRAMS		
124A	CLASSIFIED PROGRAMS	3,435	3,435
	CHEMICAL DEFENSIVE EQUIPMENT		
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	3,960	3,960
127	BASE DEFENSE SYSTEMS (BDS)	4,374	4,374
128	CBRN SOLDIER PROTECTION	9,259	9,259
	BRIDGING EQUIPMENT		
130	TACTICAL BRIDGING	35,499	35,499
131	TACTICAL BRIDGE, FLOAT-RIBBON	32,893	32,893
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
134	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	29,106	29,106
135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	25,459	25,459
136	REMOTE DEMOLITION SYSTEMS	8,044	8,044
137	< $5M, COUNTERMINE EQUIPMENT	3,698	3,698
	COMBAT SERVICE SUPPORT EQUIPMENT		
138	HEATERS AND ECU'S	12,210	12,210
139	SOLDIER ENHANCEMENT	6,522	6,522
140	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	11,222	11,222
141	GROUND SOLDIER SYSTEM	103,317	103,317
144	FIELD FEEDING EQUIPMENT	27,417	27,417
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	52,065	52,065
146	MORTUARY AFFAIRS SYSTEMS	2,358	2,358
147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	31,573	31,573
148	ITEMS LESS THAN $5 MILLION	14,093	14,093
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	36,266	36,266
	MEDICAL EQUIPMENT		
150	COMBAT SUPPORT MEDICAL	34,101	34,101
151	MEDEVAC MISSON EQUIPMENT PACKAGE (MEP)	20,540	20,540
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	2,495	2,495
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,028	2,028
156	SCRAPERS, EARTHMOVING	6,146	6,146
157	MISSION MODULES—ENGINEERING	31,200	31,200
161	TRACTOR, FULL TRACKED	20,867	20,867
162	ALL TERRAIN CRANES	4,003	4,003
163	PLANT, ASPHALT MIXING	3,679	3,679
164	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	30,042	30,042
165	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA	13,725	13,725

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(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
166	CONST EQUIP ESP	13,351	13,351
167	ITEMS LESS THAN $5 MILLION (CONST EQUIP)	9,134	9,134
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
170	ITEMS LESS THAN $5 MILLION (FLOAT/RAIL)	10,552	10,552
	GENERATORS		
171	GENERATORS AND ASSOCIATED EQUIP	60,302	60,302
	MATERIAL HANDLING EQUIPMENT		
173	FAMILY OF FORKLIFTS	5,895	5,895
	TRAINING EQUIPMENT		
175	COMBAT TRAINING CENTERS SUPPORT	104,649	104,649
176	TRAINING DEVICES, NONSYSTEM	125,251	125,251
177	CLOSE COMBAT TACTICAL TRAINER	19,984	19,984
178	AVIATION COMBINED ARMS TACTICAL TRAINER	10,977	10,977
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	4,056	4,056
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
180	CALIBRATION SETS EQUIPMENT	10,494	10,494
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	45,508	45,508
182	TEST EQUIPMENT MODERNIZATION (TEMOD)	24,334	24,334
	OTHER SUPPORT EQUIPMENT		
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	5,078	5,078
184	PHYSICAL SECURITY SYSTEMS (OPA3)	46,301	46,301
185	BASE LEVEL COMMON EQUIPMENT	1,373	1,373
186	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	59,141	59,141
187	PRODUCTION BASE SUPPORT (OTH)	2,446	2,446
188	SPECIAL EQUIPMENT FOR USER TESTING	12,920	12,920
189	AMC CRITICAL ITEMS OPA3	19,180	19,180
190	TRACTOR YARD	7,368	7,368
191	UNMANNED GROUND VEHICLE	83,937	83,937
	OPA2		
193	INITIAL SPARES—C&E	64,507	64,507
	TOTAL OTHER PROCUREMENT, ARMY	**6,326,245**	**6,246,245**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	STAFF AND INFRASTRUCTURE		
04	OPERATIONS	227,414	0
	Transfer of funds to title 15		[−227,414]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	**227,414**	**0**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
01	EA–18G	1,027,443	997,443
	Cost growth-CFE electronics, non-recurring costs		[−30,000]
02	ADVANCE PROCUREMENT (CY)		45,000
	Program increase		[45,000]
03	F/A–18E/F (FIGHTER) HORNET	2,035,131	1,989,131
	Cost growth-CFE electronics, support costs		[−46,000]
04	ADVANCE PROCUREMENT (CY)	30,296	30,296
05	JOINT STRIKE FIGHTER CV	1,007,632	1,007,632
06	ADVANCE PROCUREMENT (CY)	65,180	65,180
07	JSF STOVL	1,404,737	1,404,737
08	ADVANCE PROCUREMENT (CY)	106,199	106,199
09	V–22 (MEDIUM LIFT)	1,303,120	1,303,120
10	ADVANCE PROCUREMENT (CY)	154,202	154,202
11	H–1 UPGRADES (UH 1Y/AH 1Z)	720,933	720,933
12	ADVANCE PROCUREMENT (CY)	69,658	69,658
13	MH–60S (MYP)	384,792	384,792
14	ADVANCE PROCUREMENT (CY)	69,277	69,277
15	MH–60R (MYP)	656,866	826,866
	Cruiser Retention—Restore 5 helicopters		[170,000]
16	ADVANCE PROCUREMENT (CY)	185,896	185,896
17	P–8A POSEIDON	2,420,755	2,420,755
18	ADVANCE PROCUREMENT (CY)	325,679	325,679
19	E–2D ADV HAWKEYE	861,498	861,498
20	ADVANCE PROCUREMENT (CY)	123,179	123,179
	TRAINER AIRCRAFT		
22	JPATS	278,884	278,884
	OTHER AIRCRAFT		
23	KC–130J	3,000	3,000
24	ADVANCE PROCUREMENT (CY)	22,995	22,995
25	ADVANCE PROCUREMENT (CY)	51,124	51,124
26	MQ–8 UAV	124,573	124,573
27	STUASLO UAV	9,593	9,593
	MODIFICATION OF AIRCRAFT		
28	EA–6 SERIES	30,062	30,062
29	AEA SYSTEMS	49,999	49,999
30	AV–8 SERIES	38,703	38,703
31	ADVERSARY	4,289	4,289
32	F–18 SERIES	647,306	647,306
33	H–46 SERIES	2,343	2,343

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
34	AH–1W SERIES	8,721	8,721
35	H–53 SERIES	45,567	45,567
36	SH–60 SERIES	83,527	83,527
37	H–1 SERIES	6,508	6,508
38	EP–3 SERIES	66,374	66,374
39	P–3 SERIES	148,405	148,405
40	E–2 SERIES	16,322	16,322
41	TRAINER A/C SERIES	34,284	34,284
42	C–2A	4,743	4,743
43	C–130 SERIES	60,302	60,302
44	FEWSG	670	670
45	CARGO/TRANSPORT A/C SERIES	26,311	26,311
46	E–6 SERIES	158,332	158,332
47	EXECUTIVE HELICOPTERS SERIES	58,163	58,163
48	SPECIAL PROJECT AIRCRAFT	12,421	12,421
49	T–45 SERIES	64,488	64,488
50	POWER PLANT CHANGES	21,569	21,569
51	JPATS SERIES	1,552	1,552
52	AVIATION LIFE SUPPORT MODS	2,473	2,473
53	COMMON ECM EQUIPMENT	114,690	114,690
54	COMMON AVIONICS CHANGES	96,183	96,183
56	ID SYSTEMS	39,846	39,846
57	P–8 SERIES	5,302	5,302
58	MAGTF EW FOR AVIATION	34,127	34,127
59	RQ–7 SERIES	49,324	49,324
60	V–22 (TILT/ROTOR ACFT) OSPREY	95,856	95,856
	AIRCRAFT SPARES AND REPAIR PARTS		
61	SPARES AND REPAIR PARTS	1,166,430	1,126,430
	Spares cost growth—F–35C, F–35B, E 2D		[−40,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
62	COMMON GROUND EQUIPMENT	387,195	387,195
63	AIRCRAFT INDUSTRIAL FACILITIES	23,469	23,469
64	WAR CONSUMABLES	43,383	43,383
65	OTHER PRODUCTION CHARGES	3,399	3,399
66	SPECIAL SUPPORT EQUIPMENT	32,274	32,274
67	FIRST DESTINATION TRANSPORTATION	1,742	1,742
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**17,129,296**	**17,228,296**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
01	TRIDENT II MODS	1,224,683	1,224,683
	SUPPORT EQUIPMENT & FACILITIES		
02	MISSILE INDUSTRIAL FACILITIES	5,553	5,553
	STRATEGIC MISSILES		
03	TOMAHAWK	308,970	308,970
	TACTICAL MISSILES		
04	AMRAAM	102,683	112,683
	Program increase		[10,000]
05	SIDEWINDER	80,226	80,226
06	JSOW	127,609	137,809
	Program increase		[10,200]
07	STANDARD MISSILE	399,482	399,482
08	RAM	66,769	66,769
09	HELLFIRE	74,501	91,901
	Program increase		[17,400]
11	AERIAL TARGETS	61,518	61,518
12	OTHER MISSILE SUPPORT	3,585	3,585
	MODIFICATION OF MISSILES		
13	ESSM	58,194	58,194
14	HARM MODS	86,721	86,721
	SUPPORT EQUIPMENT & FACILITIES		
16	WEAPONS INDUSTRIAL FACILITIES	2,014	2,014
17	FLEET SATELLITE COMM FOLLOW-ON	21,454	21,454
	ORDNANCE SUPPORT EQUIPMENT		
18	ORDNANCE SUPPORT EQUIPMENT	54,945	54,945
	TORPEDOES AND RELATED EQUIP		
19	SSTD	2,700	2,700
20	ASW TARGETS	10,385	10,385
	MOD OF TORPEDOES AND RELATED EQUIP		
21	MK–54 TORPEDO MODS	74,487	74,487
22	MK–48 TORPEDO ADCAP MODS	54,281	54,281
23	QUICKSTRIKE MINE	6,852	6,852
	SUPPORT EQUIPMENT		
24	TORPEDO SUPPORT EQUIPMENT	46,402	46,402
25	ASW RANGE SUPPORT	11,927	11,927
	DESTINATION TRANSPORTATION		
26	FIRST DESTINATION TRANSPORTATION	3,614	3,614
	GUNS AND GUN MOUNTS		
27	SMALL ARMS AND WEAPONS	12,594	12,594

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	MODIFICATION OF GUNS AND GUN MOUNTS		
28	CIWS MODS	59,303	59,303
29	COAST GUARD WEAPONS	19,072	19,072
30	GUN MOUNT MODS	54,706	54,706
31	CRUISER MODERNIZATION WEAPONS	1,591	19,622
	Cruiser retention—5″/62 Upgrade		[18,031]
32	AIRBORNE MINE NEUTRALIZATION SYSTEMS	20,607	20,607
	SPARES AND REPAIR PARTS		
34	SPARES AND REPAIR PARTS	60,150	60,150
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,117,578**	**3,173,209**
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
01	CARRIER REPLACEMENT PROGRAM	608,195	608,195
03	VIRGINIA CLASS SUBMARINE	3,217,601	3,217,601
04	ADVANCE PROCUREMENT (CY)	874,878	1,652,878
	Advance procurement		[778,000]
05	CVN REFUELING OVERHAULS	1,613,392	1,613,392
06	ADVANCE PROCUREMENT (CY)	70,010	70,010
08	DDG–1000	669,222	669,222
09	DDG–51	3,048,658	3,048,658
10	ADVANCE PROCUREMENT (CY)	466,283	581,283
	Advance procurement		[115,000]
11	LITTORAL COMBAT SHIP	1,784,959	1,784,959
	AMPHIBIOUS SHIPS		
15	JOINT HIGH SPEED VESSEL	189,196	189,196
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
17	ADVANCE PROCUREMENT (CY)	307,300	307,300
18	OUTFITTING	309,648	309,648
20	LCAC SLEP	47,930	47,930
21	COMPLETION OF PY SHIPBUILDING PROGRAMS	372,573	372,573
	TOTAL SHIPBUILDING & CONVERSION, NAVY	**13,579,845**	**14,472,845**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
01	GENERAL PURPOSE BOMBS	27,024	27,024
02	AIRBORNE ROCKETS, ALL TYPES	56,575	56,575
03	MACHINE GUN AMMUNITION	21,266	21,266
04	PRACTICE BOMBS	34,319	34,319
05	CARTRIDGES & CART ACTUATED DEVICES	53,755	53,755
06	AIR EXPENDABLE COUNTERMEASURES	61,693	61,693
07	JATOS	2,776	2,776
08	LRLAP 6″ LONG RANGE ATTACK PROJECTILE	7,102	7,102
09	5 INCH/54 GUN AMMUNITION	48,320	48,320
10	INTERMEDIATE CALIBER GUN AMMUNITION	25,544	25,544
11	OTHER SHIP GUN AMMUNITION	41,624	41,624
12	SMALL ARMS & LANDING PARTY AMMO	65,893	65,893
13	PYROTECHNIC AND DEMOLITION	11,176	11,176
14	AMMUNITION LESS THAN $5 MILLION	4,116	4,116
	MARINE CORPS AMMUNITION		
15	SMALL ARMS AMMUNITION	83,733	83,733
16	LINEAR CHARGES, ALL TYPES	24,645	24,645
17	40MM, ALL TYPES	16,201	16,201
19	81MM, ALL TYPES	13,711	3,711
	Excess to need		[−10,000]
20	120MM, ALL TYPES	12,557	12,557
22	GRENADES, ALL TYPES	7,634	7,134
	Excess to need		[500]
23	ROCKETS, ALL TYPES	27,528	27,528
24	ARTILLERY, ALL TYPES	93,065	93,065
25	DEMOLITION MUNITIONS, ALL TYPES	2,047	0
	Excess to need		[−2,047]
26	FUZE, ALL TYPES	5,297	5,297
27	NON LETHALS	1,362	1,362
28	AMMO MODERNIZATION	4,566	4,566
29	ITEMS LESS THAN $5 MILLION	6,010	6,010
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**759,539**	**746,992**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
01	LM–2500 GAS TURBINE	10,658	10,658
02	ALLISON 501K GAS TURBINE	8,469	8,469
	NAVIGATION EQUIPMENT		
03	OTHER NAVIGATION EQUIPMENT	23,392	23,392
	PERISCOPES		
04	SUB PERISCOPES & IMAGING EQUIP	53,809	53,809
	OTHER SHIPBOARD EQUIPMENT		
05	DDG–MOD	452,371	452,371
06	FIREFIGHTING EQUIPMENT	16,958	16,958

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Line	Item	FY 2013 Request	House Authorized
07	COMMAND AND CONTROL SWITCHBOARD	2,492	2,492
08	POLLUTION CONTROL EQUIPMENT	20,707	20,707
09	SUBMARINE SUPPORT EQUIPMENT	12,046	12,046
10	VIRGINIA CLASS SUPPORT EQUIPMENT	79,870	79,870
11	LCS CLASS SUPPORT EQUIPMENT	19,865	19,865
12	SUBMARINE BATTERIES	41,522	41,522
13	LPD CLASS SUPPORT EQUIPMENT	30,543	30,543
14	STRATEGIC PLATFORM SUPPORT EQUIP	16,257	16,257
15	DSSP EQUIPMENT	3,630	3,630
16	CG MODERNIZATION	101,000	184,972
	Cruiser retention		[83,972]
17	LCAC	16,645	16,645
18	UNDERWATER EOD PROGRAMS	35,446	35,446
19	ITEMS LESS THAN $5 MILLION	65,998	65,998
20	CHEMICAL WARFARE DETECTORS	4,359	4,359
21	SUBMARINE LIFE SUPPORT SYSTEM	10,218	10,218
	REACTOR PLANT EQUIPMENT		
22	REACTOR POWER UNITS	286,859	286,859
23	REACTOR COMPONENTS	278,503	278,503
	OCEAN ENGINEERING		
24	DIVING AND SALVAGE EQUIPMENT	8,998	8,998
	SMALL BOATS		
25	STANDARD BOATS	30,131	30,131
	TRAINING EQUIPMENT		
26	OTHER SHIPS TRAINING EQUIPMENT	29,772	29,772
	PRODUCTION FACILITIES EQUIPMENT		
27	OPERATING FORCES IPE	64,346	64,346
	OTHER SHIP SUPPORT		
28	NUCLEAR ALTERATIONS	154,652	154,652
29	LCS COMMON MISSION MODULES EQUIPMENT	31,319	31,319
30	LCS MCM MISSION MODULES	38,392	38,392
31	LCS SUW MISSION MODULES	32,897	32,897
	LOGISTIC SUPPORT		
32	LSD MIDLIFE	49,758	49,758
	SHIP SONARS		
34	SPQ–9B RADAR	19,777	19,777
35	AN/SQQ–89 SURF ASW COMBAT SYSTEM	89,201	89,201
36	SSN ACOUSTICS	190,874	190,874
37	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,035	17,035
38	SONAR SWITCHES AND TRANSDUCERS	13,410	13,410
	ASW ELECTRONIC EQUIPMENT		
40	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,489	21,489
41	SSTD	10,716	10,716
42	FIXED SURVEILLANCE SYSTEM	98,896	98,896
43	SURTASS	2,774	2,774
44	MARITIME PATROL AND RECONNAISSANCE FORCE	18,428	18,428
	ELECTRONIC WARFARE EQUIPMENT		
45	AN/SLQ–32	92,270	92,270
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT	107,060	108,185
	Cruiser Retention		[1,125]
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	914	914
	SUBMARINE SURVEILLANCE EQUIPMENT		
48	SUBMARINE SUPPORT EQUIPMENT PROG	34,050	34,050
	OTHER SHIP ELECTRONIC EQUIPMENT		
49	COOPERATIVE ENGAGEMENT CAPABILITY	27,881	27,881
50	TRUSTED INFORMATION SYSTEM (TIS)	448	448
51	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	35,732	35,732
53	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	9,533	9,533
54	MINESWEEPING SYSTEM REPLACEMENT	60,111	60,111
55	SHALLOW WATER MCM	6,950	6,950
56	NAVSTAR GPS RECEIVERS (SPACE)	9,089	9,089
57	AMERICAN FORCES RADIO AND TV SERVICE	7,768	7,768
58	STRATEGIC PLATFORM SUPPORT EQUIP	3,614	3,614
	TRAINING EQUIPMENT		
59	OTHER TRAINING EQUIPMENT	42,911	42,911
	AVIATION ELECTRONIC EQUIPMENT		
60	MATCALS	5,861	5,861
61	SHIPBOARD AIR TRAFFIC CONTROL	8,362	8,362
62	AUTOMATIC CARRIER LANDING SYSTEM	15,685	15,685
63	NATIONAL AIR SPACE SYSTEM	16,919	16,919
64	FLEET AIR TRAFFIC CONTROL SYSTEMS	6,828	6,828
65	LANDING SYSTEMS	7,646	7,646
66	ID SYSTEMS	35,474	35,474
67	NAVAL MISSION PLANNING SYSTEMS	9,958	9,958
	OTHER SHORE ELECTRONIC EQUIPMENT		
68	DEPLOYABLE JOINT COMMAND AND CONT	9,064	9,064
69	MARITIME INTEGRATED BROADCAST SYSTEM	16,026	16,026
70	TACTICAL/MOBILE C4I SYSTEMS	11,886	11,886

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
71	DCGS-N	11,887	11,887
72	CANES	341,398	344,848
	Cruiser Retention		[3,450]
73	RADIAC	8,083	8,083
74	CANES-INTELL	79,427	79,427
75	GPETE	6,083	6,083
76	INTEG COMBAT SYSTEM TEST FACILITY	4,495	4,495
77	EMI CONTROL INSTRUMENTATION	4,767	4,767
78	ITEMS LESS THAN $5 MILLION	81,755	81,755
	SHIPBOARD COMMUNICATIONS		
80	SHIP COMMUNICATIONS AUTOMATION	56,870	58,023
	Cruiser Retention		[1,153]
81	MARITIME DOMAIN AWARENESS (MDA)	1,063	1,063
82	COMMUNICATIONS ITEMS UNDER $5M	28,522	28,522
	SUBMARINE COMMUNICATIONS		
83	SUBMARINE BROADCAST SUPPORT	4,183	4,183
84	SUBMARINE COMMUNICATION EQUIPMENT	69,025	69,025
	SATELLITE COMMUNICATIONS		
85	SATELLITE COMMUNICATIONS SYSTEMS	49,294	49,294
86	NAVY MULTIBAND TERMINAL (NMT)	184,825	186,540
	Cruiser Retention		[1,715]
	SHORE COMMUNICATIONS		
87	JCS COMMUNICATIONS EQUIPMENT	2,180	2,180
88	ELECTRICAL POWER SYSTEMS	1,354	1,354
	CRYPTOGRAPHIC EQUIPMENT		
90	INFO SYSTEMS SECURITY PROGRAM (ISSP)	144,104	144,104
	CRYPTOLOGIC EQUIPMENT		
91	CRYPTOLOGIC COMMUNICATIONS EQUIP	12,604	12,604
	OTHER ELECTRONIC SUPPORT		
92	COAST GUARD EQUIPMENT	6,680	6,680
	SONOBUOYS		
95	SONOBUOYS—ALL TYPES	104,677	104,677
	AIRCRAFT SUPPORT EQUIPMENT		
96	WEAPONS RANGE SUPPORT EQUIPMENT	70,753	70,753
97	EXPEDITIONARY AIRFIELDS	8,678	8,678
98	AIRCRAFT REARMING EQUIPMENT	11,349	11,349
99	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	82,618	82,618
100	METEOROLOGICAL EQUIPMENT	18,339	18,339
101	DCRS/DPL	1,414	1,414
102	AVIATION LIFE SUPPORT	40,475	40,475
103	AIRBORNE MINE COUNTERMEASURES	61,552	61,552
104	LAMPS MK III SHIPBOARD EQUIPMENT	18,771	18,771
105	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,954	7,954
106	OTHER AVIATION SUPPORT EQUIPMENT	10,023	10,023
107	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS)	3,826	3,826
	SHIP GUN SYSTEM EQUIPMENT		
108	NAVAL FIRES CONTROL SYSTEM	3,472	3,472
109	GUN FIRE CONTROL EQUIPMENT	4,528	4,528
	SHIP MISSILE SYSTEMS EQUIPMENT		
110	NATO SEASPARROW	8,960	8,960
111	RAM GMLS	1,185	1,185
112	SHIP SELF DEFENSE SYSTEM	55,371	55,371
113	AEGIS SUPPORT EQUIPMENT	81,614	81,614
114	TOMAHAWK SUPPORT EQUIPMENT	77,767	77,767
115	VERTICAL LAUNCH SYSTEMS	754	754
116	MARITIME INTEGRATED PLANNING SYSTEM-MIPS	4,965	4,965
	FBM SUPPORT EQUIPMENT		
117	STRATEGIC MISSILE SYSTEMS EQUIP	181,049	181,049
	ASW SUPPORT EQUIPMENT		
118	SSN COMBAT CONTROL SYSTEMS	71,316	71,316
119	SUBMARINE ASW SUPPORT EQUIPMENT	4,018	4,018
120	SURFACE ASW SUPPORT EQUIPMENT	6,465	6,465
121	ASW RANGE SUPPORT EQUIPMENT	47,930	47,930
	OTHER ORDNANCE SUPPORT EQUIPMENT		
122	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	3,579	3,579
123	ITEMS LESS THAN $5 MILLION	3,125	3,125
	OTHER EXPENDABLE ORDNANCE		
124	ANTI-SHIP MISSILE DECOY SYSTEM	31,743	42,981
	Cruiser Retention		[1,238]
	Program increase for NULKA decoys		[10,000]
125	SURFACE TRAINING DEVICE MODS	34,174	34,174
126	SUBMARINE TRAINING DEVICE MODS	23,450	23,450
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
127	PASSENGER CARRYING VEHICLES	7,158	7,158
128	GENERAL PURPOSE TRUCKS	3,325	3,325
129	CONSTRUCTION & MAINTENANCE EQUIP	8,692	8,692
130	FIRE FIGHTING EQUIPMENT	14,533	14,533
131	TACTICAL VEHICLES	15,330	15,330
132	AMPHIBIOUS EQUIPMENT	10,803	10,803

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
133	POLLUTION CONTROL EQUIPMENT	7,265	7,265
134	ITEMS UNDER $5 MILLION	15,252	15,252
135	PHYSICAL SECURITY VEHICLES	1,161	1,161
	SUPPLY SUPPORT EQUIPMENT		
136	MATERIALS HANDLING EQUIPMENT	15,204	15,204
137	OTHER SUPPLY SUPPORT EQUIPMENT	6,330	6,330
138	FIRST DESTINATION TRANSPORTATION	6,539	6,539
139	SPECIAL PURPOSE SUPPLY SYSTEMS	34,804	34,804
	TRAINING DEVICES		
140	TRAINING SUPPORT EQUIPMENT	25,444	25,444
	COMMAND SUPPORT EQUIPMENT		
141	COMMAND SUPPORT EQUIPMENT	43,165	43,165
142	EDUCATION SUPPORT EQUIPMENT	2,251	2,251
143	MEDICAL SUPPORT EQUIPMENT	3,148	3,148
146	NAVAL MIP SUPPORT EQUIPMENT	3,502	3,502
148	OPERATING FORCES SUPPORT EQUIPMENT	15,696	15,696
149	C4ISR EQUIPMENT	4,344	4,344
150	ENVIRONMENTAL SUPPORT EQUIPMENT	19,492	19,492
151	PHYSICAL SECURITY EQUIPMENT	177,149	177,149
152	ENTERPRISE INFORMATION TECHNOLOGY	183,995	183,995
	CLASSIFIED PROGRAMS		
152A	CLASSIFIED PROGRAMS	13,063	13,063
	SPARES AND REPAIR PARTS		
153	SPARES AND REPAIR PARTS	250,718	250,718
	TOTAL OTHER PROCUREMENT, NAVY	**6,169,378**	**6,272,031**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
01	AAV7A1 PIP	16,089	16,089
02	LAV PIP	186,216	45,316
	Budget adjustment per USMC		[−140,900]
	ARTILLERY AND OTHER WEAPONS		
03	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,502	2,502
04	155MM LIGHTWEIGHT TOWED HOWITZER	17,913	17,913
05	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	47,999	47,999
06	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	17,706	17,706
	OTHER SUPPORT		
07	MODIFICATION KITS	48,040	48,040
08	WEAPONS ENHANCEMENT PROGRAM	4,537	4,537
	GUIDED MISSILES		
09	GROUND BASED AIR DEFENSE	11,054	11,054
11	FOLLOW ON TO SMAW	19,650	19,650
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	20,708	20,708
	COMMAND AND CONTROL SYSTEMS		
14	UNIT OPERATIONS CENTER	1,420	1,420
	REPAIR AND TEST EQUIPMENT		
15	REPAIR AND TEST EQUIPMENT	25,127	25,127
	OTHER SUPPORT (TEL)		
16	COMBAT SUPPORT SYSTEM	25,822	25,822
17	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
18	ITEMS UNDER $5 MILLION (COMM & ELEC)	5,498	5,498
19	AIR OPERATIONS C2 SYSTEMS	11,290	11,290
	RADAR + EQUIPMENT (NON-TEL)		
20	RADAR SYSTEMS	128,079	128,079
21	RQ–21 UAS	27,619	27,619
	INTELL/COMM EQUIPMENT (NON-TEL)		
22	FIRE SUPPORT SYSTEM	7,319	7,319
23	INTELLIGENCE SUPPORT EQUIPMENT	7,466	7,466
25	RQ–11 UAV	2,318	2,318
26	DCGS-MC	18,291	18,291
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
29	NIGHT VISION EQUIPMENT	48,084	48,084
	OTHER SUPPORT (NON-TEL)		
30	COMMON COMPUTER RESOURCES	206,708	206,708
31	COMMAND POST SYSTEMS	35,190	35,190
32	RADIO SYSTEMS	89,059	89,059
33	COMM SWITCHING & CONTROL SYSTEMS	22,500	22,500
34	COMM & ELEC INFRASTRUCTURE SUPPORT	42,625	42,625
	CLASSIFIED PROGRAMS		
035A	CLASSIFIED PROGRAMS	2,290	2,290
	ADMINISTRATIVE VEHICLES		
35	COMMERCIAL PASSENGER VEHICLES	2,877	2,877
36	COMMERCIAL CARGO VEHICLES	13,960	13,960
	TACTICAL VEHICLES		
37	5/4T TRUCK HMMWV (MYP)	8,052	8,052
38	MOTOR TRANSPORT MODIFICATIONS	50,269	50,269
40	LOGISTICS VEHICLE SYSTEM REP	37,262	37,262
41	FAMILY OF TACTICAL TRAILERS	48,160	48,160

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	OTHER SUPPORT		
43	ITEMS LESS THAN $5 MILLION	6,705	6,705
	ENGINEER AND OTHER EQUIPMENT		
44	ENVIRONMENTAL CONTROL EQUIP ASSORT	13,576	13,576
45	BULK LIQUID EQUIPMENT	16,869	16,869
46	TACTICAL FUEL SYSTEMS	19,108	19,108
47	POWER EQUIPMENT ASSORTED	56,253	56,253
48	AMPHIBIOUS SUPPORT EQUIPMENT	13,089	13,089
49	EOD SYSTEMS	73,699	73,699
	MATERIALS HANDLING EQUIPMENT		
50	PHYSICAL SECURITY EQUIPMENT	3,510	3,510
51	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	11,490	11,490
52	MATERIAL HANDLING EQUIP	20,659	20,659
53	FIRST DESTINATION TRANSPORTATION	132	132
	GENERAL PROPERTY		
54	FIELD MEDICAL EQUIPMENT	31,068	31,068
55	TRAINING DEVICES	45,895	45,895
56	CONTAINER FAMILY	5,801	5,801
57	FAMILY OF CONSTRUCTION EQUIPMENT	23,939	23,939
60	RAPID DEPLOYABLE KITCHEN	8,365	8,365
	OTHER SUPPORT		
61	ITEMS LESS THAN $5 MILLION	7,077	7,077
	SPARES AND REPAIR PARTS		
62	SPARES AND REPAIR PARTS	3,190	3,190
	TOTAL PROCUREMENT, MARINE CORPS	**1,622,955**	**1,482,055**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
01	F–35	3,124,302	3,124,302
02	ADVANCE PROCUREMENT (CY)	293,400	229,400
	Excess advance procurement		[−64,000]
	OTHER AIRLIFT		
05	C–130J	68,373	68,373
07	HC–130J	152,212	152,212
09	MC–130J	374,866	374,866
12	C–27J		115,000
	C–27J buy-back		[115,000]
	HELICOPTERS		
15	HH–60 LOSS REPLACEMENT/RECAP	60,596	60,596
17	CV–22 (MYP)	294,220	294,220
18	ADVANCE PROCUREMENT (CY)	15,000	15,000
	MISSION SUPPORT AIRCRAFT		
19	CIVIL AIR PATROL A/C	2,498	2,498
	OTHER AIRCRAFT		
24	TARGET DRONES	129,866	129,866
26	RQ–4	75,000	180,200
	Sustain current force structure		[105,200]
28	AC–130J	163,970	163,970
30	MQ–9	553,530	712,430
	Additional aircraft		[158,900]
31	RQ–4 BLOCK 40 PROC	11,654	11,654
	STRATEGIC AIRCRAFT		
32	B–2A	82,296	82,296
33	B–1B	149,756	149,756
34	B–52	9,781	9,781
35	LARGE AIRCRAFT INFRARED COUNTERMEASURES	28,800	28,800
	TACTICAL AIRCRAFT		
36	A–10	89,919	89,919
37	F–15	148,378	148,378
38	F–16	6,896	6,896
39	F–22A	283,871	283,871
40	F–35 MODIFICATIONS	147,995	147,995
	AIRLIFT AIRCRAFT		
41	C–5	6,967	6,967
43	C–5M	944,819	944,819
44	ADVANCE PROCUREMENT (CY)	175,800	175,800
46	C–17A	205,079	205,079
47	C–21	199	199
48	C–32A	1,750	1,750
49	C–37A	445	445
	TRAINER AIRCRAFT		
51	GLIDER MODS	126	126
52	T–6	15,494	15,494
53	T–1	272	272
54	T–38	20,455	20,455
	OTHER AIRCRAFT		
56	U–2 MODS	44,477	44,477
57	KC–10A (ATCA)	46,921	46,921
58	C–12	1,876	1,876

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Line	Item	FY 2013 Request	House Authorized
59	MC–12W	17,054	17,054
60	C–20 MODS	243	243
61	VC–25A MOD	11,185	11,185
62	C–40	243	243
63	C–130	67,853	67,853
65	C–130J MODS	70,555	70,555
66	C–135	46,707	46,707
67	COMPASS CALL MODS	50,024	50,024
68	RC–135	165,237	165,237
69	E–3	193,099	193,099
70	E–4	47,616	47,616
71	E–8	59,320	59,320
72	H–1	5,449	5,449
73	H–60	26,227	26,227
74	RQ–4 MODS	9,257	9,257
75	HC/MC–130 MODIFICATIONS	22,326	22,326
76	OTHER AIRCRAFT	18,832	18,832
77	MQ–1 MODS	30,861	30,861
78	MQ–9 MODS	238,360	238,360
79	MQ–9 UAS PAYLOADS	93,461	93,461
80	CV–22 MODS	23,881	23,881
	AIRCRAFT SPARES AND REPAIR PARTS		
81	INITIAL SPARES/REPAIR PARTS	729,691	728,291
	Premature request for deployment spares packages for F–35		[–23,000]
	Support additional MQ–9 aircraft		[21,600]
	COMMON SUPPORT EQUIPMENT		
82	AIRCRAFT REPLACEMENT SUPPORT EQUIP	56,542	56,542
	POST PRODUCTION SUPPORT		
83	A–10	5,100	5,100
84	B–1	965	965
86	B–2A	47,580	47,580
88	KC–10A (ATCA)	13,100	13,100
89	C–17A	181,703	181,703
90	C–130	31,830	31,830
91	C–135	13,434	13,434
92	F–15	2,363	2,363
93	F–16	8,506	8,506
96	OTHER AIRCRAFT	9,522	9,522
	INDUSTRIAL PREPAREDNESS		
97	INDUSTRIAL RESPONSIVENESS	20,731	20,731
	WAR CONSUMABLES		
98	WAR CONSUMABLES	89,727	89,727
	OTHER PRODUCTION CHARGES		
99	OTHER PRODUCTION CHARGES	842,392	842,392
	CLASSIFIED PROGRAMS		
103A	CLASSIFIED PROGRAMS	20,164	20,164
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**11,002,999**	**11,316,699**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
01	ROCKETS	8,927	8,927
	CARTRIDGES		
02	CARTRIDGES	118,075	118,075
	BOMBS		
03	PRACTICE BOMBS	32,393	32,393
04	GENERAL PURPOSE BOMBS	163,467	163,467
05	JOINT DIRECT ATTACK MUNITION	101,921	101,921
	FLARE, IR MJU–7B		
06	CAD/PAD	43,829	43,829
07	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	7,515	7,515
08	SPARES AND REPAIR PARTS	1,003	1,003
09	MODIFICATIONS	5,321	5,321
10	ITEMS LESS THAN $5 MILLION	5,066	5,066
	FUZES		
11	FLARES	46,010	46,010
12	FUZES	36,444	36,444
	SMALL ARMS		
13	SMALL ARMS	29,223	29,223
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**599,194**	**599,194**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
01	MISSILE REPLACEMENT EQ-BALLISTIC	56,906	56,906
	TACTICAL		
02	JASSM	240,399	240,399
03	SIDEWINDER (AIM 9X)	88,020	88,020
04	AMRAAM	229,637	244,637
	Program increase		[15,000]
05	PREDATOR HELLFIRE MISSILE	47,675	47,675

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(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
06	SMALL DIAMETER BOMB	42,000	42,000
	INDUSTRIAL FACILITIES		
07	INDUSTR'L PREPAREDNS/POL PREVENTION	744	744
	CLASS IV		
09	MM III MODIFICATIONS	54,794	54,794
10	AGM–65D MAVERICK	271	271
11	AGM–88A HARM	23,240	23,240
12	AIR LAUNCH CRUISE MISSILE (ALCM)	13,620	13,620
13	SMALL DIAMETER BOMB	5,000	5,000
	MISSILE SPARES AND REPAIR PARTS		
14	INITIAL SPARES/REPAIR PARTS	74,373	74,373
	SPACE PROGRAMS		
15	ADVANCED EHF	557,205	557,205
17	WIDEBAND GAPFILLER SATELLITES (SPACE)	36,835	36,835
19	GPS III SPACE SEGMENT	410,294	410,294
20	ADVANCE PROCUREMENT (CY)	82,616	82,616
21	SPACEBORNE EQUIP (COMSEC)	10,554	10,554
22	GLOBAL POSITIONING (SPACE)	58,147	58,147
23	DEF METEOROLOGICAL SAT PROG(SPACE)	89,022	89,022
24	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,679,856	1,679,856
25	SBIR HIGH (SPACE)	454,251	454,251
	SPECIAL PROGRAMS		
30	SPECIAL UPDATE PROGRAMS	138,904	138,904
	CLASSIFIED PROGRAMS		
030A	CLASSIFIED PROGRAMS	1,097,483	1,097,483
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**5,491,846**	**5,506,846**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
01	PASSENGER CARRYING VEHICLES	1,905	1,905
	CARGO AND UTILITY VEHICLES		
02	MEDIUM TACTICAL VEHICLE	18,547	18,547
03	CAP VEHICLES	932	932
04	ITEMS LESS THAN $5 MILLION	1,699	1,699
	SPECIAL PURPOSE VEHICLES		
05	SECURITY AND TACTICAL VEHICLES	10,850	10,850
06	ITEMS LESS THAN $5 MILLION	9,246	9,246
	FIRE FIGHTING EQUIPMENT		
07	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,148	23,148
	MATERIALS HANDLING EQUIPMENT		
08	ITEMS LESS THAN $5 MILLION	18,323	18,323
	BASE MAINTENANCE SUPPORT		
09	RUNWAY SNOW REMOV AND CLEANING EQU	1,685	1,685
10	ITEMS LESS THAN $5 MILLION	17,014	17,014
	COMM SECURITY EQUIPMENT(COMSEC)		
12	COMSEC EQUIPMENT	166,559	166,559
13	MODIFICATIONS (COMSEC)	1,133	1,133
	INTELLIGENCE PROGRAMS		
14	INTELLIGENCE TRAINING EQUIPMENT	2,749	2,749
15	INTELLIGENCE COMM EQUIPMENT	32,876	32,876
16	ADVANCE TECH SENSORS	877	877
17	MISSION PLANNING SYSTEMS	15,295	15,295
	ELECTRONICS PROGRAMS		
18	AIR TRAFFIC CONTROL & LANDING SYS	21,984	21,984
19	NATIONAL AIRSPACE SYSTEM	30,698	30,698
20	BATTLE CONTROL SYSTEM—FIXED	17,368	17,368
21	THEATER AIR CONTROL SYS IMPROVEMENTS	23,483	23,483
22	WEATHER OBSERVATION FORECAST	17,864	17,864
23	STRATEGIC COMMAND AND CONTROL	53,995	53,995
24	CHEYENNE MOUNTAIN COMPLEX	14,578	14,578
25	TAC SIGINT SPT	208	208
	SPCL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY	69,743	69,743
28	AF GLOBAL COMMAND & CONTROL SYS	15,829	15,829
29	MOBILITY COMMAND AND CONTROL	11,023	11,023
30	AIR FORCE PHYSICAL SECURITY SYSTEM	64,521	64,521
31	COMBAT TRAINING RANGES	18,217	18,217
32	C3 COUNTERMEASURES	11,899	11,899
33	GCSS-AF FOS	13,920	13,920
34	THEATER BATTLE MGT C2 SYSTEM	9,365	9,365
35	AIR & SPACE OPERATIONS CTR-WPN SYS	33,907	33,907
	AIR FORCE COMMUNICATIONS		
36	INFORMATION TRANSPORT SYSTEMS	52,464	52,464
38	AFNET	125,788	125,788
39	VOICE SYSTEMS	16,811	16,811
40	USCENTCOM	32,138	32,138
	DISA PROGRAMS		
41	SPACE BASED IR SENSOR PGM SPACE	47,135	47,135
42	NAVSTAR GPS SPACE	2,031	2,031

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Line	Item	FY 2013 Request	House Authorized
43	NUDET DETECTION SYS SPACE	5,564	5,564
44	AF SATELLITE CONTROL NETWORK SPACE	44,219	44,219
45	SPACELIFT RANGE SYSTEM SPACE	109,545	109,545
46	MILSATCOM SPACE	47,592	47,592
47	SPACE MODS SPACE	47,121	47,121
48	COUNTERSPACE SYSTEM	20,961	20,961
	ORGANIZATION AND BASE		
49	TACTICAL C-E EQUIPMENT	126,131	126,131
50	COMBAT SURVIVOR EVADER LOCATER	23,707	23,707
51	RADIO EQUIPMENT	12,757	12,757
52	CCTV/AUDIOVISUAL EQUIPMENT	10,716	10,716
53	BASE COMM INFRASTRUCTURE	74,528	74,528
	MODIFICATIONS		
54	COMM ELECT MODS	43,507	43,507
	PERSONAL SAFETY & RESCUE EQUIP		
55	NIGHT VISION GOGGLES	22,693	22,693
56	ITEMS LESS THAN $5 MILLION	30,887	30,887
	DEPOT PLANT+MTRLS HANDLING EQ		
57	MECHANIZED MATERIAL HANDLING EQUIP	2,850	2,850
	BASE SUPPORT EQUIPMENT		
58	BASE PROCURED EQUIPMENT	8,387	8,387
59	CONTINGENCY OPERATIONS	10,358	10,358
60	PRODUCTIVITY CAPITAL INVESTMENT	3,473	3,473
62	MOBILITY EQUIPMENT	14,471	14,471
63	ITEMS LESS THAN $5 MILLION	1,894	1,894
	SPECIAL SUPPORT PROJECTS		
65	DARP RC135	24,176	24,176
66	DCGS-AF	142,928	142,928
68	SPECIAL UPDATE PROGRAM	479,446	479,446
69	DEFENSE SPACE RECONNAISSANCE PROG.	39,155	39,155
	CLASSIFIED PROGRAMS		
069A	CLASSIFIED PROGRAMS	14,331,312	14,331,312
	SPARES AND REPAIR PARTS		
71	SPARES AND REPAIR PARTS	14,663	14,663
	TOTAL OTHER PROCUREMENT, AIR FORCE	**16,720,848**	**16,720,848**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
42	MAJOR EQUIPMENT, OSD	45,938	45,938
43	MAJOR EQUIPMENT, INTELLIGENCE	17,582	17,582
	MAJOR EQUIPMENT, NSA		
41	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,770	6,770
	MAJOR EQUIPMENT, WHS		
45	MAJOR EQUIPMENT, WHS	26,550	26,550
	MAJOR EQUIPMENT, DISA		
12	INFORMATION SYSTEMS SECURITY	12,708	12,708
14	GLOBAL COMBAT SUPPORT SYSTEM	3,002	3,002
15	TELEPORT PROGRAM	46,992	46,992
16	ITEMS LESS THAN $5 MILLION	108,462	108,462
17	NET CENTRIC ENTERPRISE SERVICES (NCES)	2,865	2,865
18	DEFENSE INFORMATION SYSTEM NETWORK	116,906	116,906
19	PUBLIC KEY INFRASTRUCTURE	1,827	1,827
21	CYBER SECURITY INITIATIVE	10,319	10,319
	MAJOR EQUIPMENT, DLA		
22	MAJOR EQUIPMENT	9,575	9,575
	MAJOR EQUIPMENT, DSS		
26	MAJOR EQUIPMENT	2,522	2,522
	MAJOR EQUIPMENT, DCAA		
02	ITEMS LESS THAN $5 MILLION	1,486	1,486
	MAJOR EQUIPMENT, TJS		
44	MAJOR EQUIPMENT, TJS	21,878	21,878
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
30	THAAD	460,728	587,728
	Procure 12 additional interceptors		[127,000]
31	AEGIS BMD	389,626	389,626
32	BMDS AN/TPY–2 RADARS	217,244	387,244
	Procure additional AN/TPY–2 radar		[170,000]
33	RADAR SPARES	10,177	10,177
	MAJOR EQUIPMENT, DHRA		
05	PERSONNEL ADMINISTRATION	6,147	6,147
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
27	VEHICLES	50	50
28	OTHER MAJOR EQUIPMENT	13,096	13,096
	MAJOR EQUIPMENT, DODEA		
24	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,458	1,458
	MAJOR EQUIPMENT, DCMA		
03	MAJOR EQUIPMENT	2,129	2,129
	MAJOR EQUIPMENT, DMACT		
23	MAJOR EQUIPMENT	15,179	15,179

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	555,787	555,787
	AVIATION PROGRAMS		
46	ROTARY WING UPGRADES AND SUSTAINMENT	74,832	74,832
48	MH–60 MODERNIZATION PROGRAM	126,780	126,780
49	NON-STANDARD AVIATION	99,776	36,976
	Transfer to Line 051—Mission Shift		[−62,800]
51	U–28	7,530	116,930
	Program increase		[46,600]
	Transfer from Line 049—Mission Shift		[62,800]
52	MH–47 CHINOOK	134,785	134,785
53	RQ–11 UNMANNED AERIAL VEHICLE	2,062	2,062
54	CV–22 MODIFICATION	139,147	139,147
55	MQ–1 UNMANNED AERIAL VEHICLE	3,963	26,963
	Program increase		[23,000]
56	MQ–9 UNMANNED AERIAL VEHICLE	3,952	39,352
	Program increase		[35,400]
58	STUASLO	12,945	12,945
59	PRECISION STRIKE PACKAGE	73,013	73,013
60	AC/MC–130J	51,484	51,484
62	C–130 MODIFICATIONS	25,248	25,248
63	AIRCRAFT SUPPORT	5,314	5,314
	SHIPBUILDING		
64	UNDERWATER SYSTEMS	23,037	23,037
	AMMUNITION PROGRAMS		
66	ORDNANCE REPLENISHMENT	113,183	113,183
67	ORDNANCE ACQUISITION	36,981	36,981
	OTHER PROCUREMENT PROGRAMS		
68	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	99,838	103,738
	Program increase		[3,900]
69	INTELLIGENCE SYSTEMS	71,428	71,428
70	SMALL ARMS AND WEAPONS	27,108	27,108
71	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	12,767	12,767
74	COMBATANT CRAFT SYSTEMS	42,348	42,348
75	SPARES AND REPAIR PARTS	600	600
77	TACTICAL VEHICLES	37,421	37,421
78	MISSION TRAINING AND PREPARATION SYSTEMS	36,949	41,949
	Program increase		[5,000]
79	COMBAT MISSION REQUIREMENTS	20,255	20,255
80	MILCON COLLATERAL EQUIPMENT	17,590	17,590
82	AUTOMATION SYSTEMS	66,573	66,573
83	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,549	6,549
84	OPERATIONAL ENHANCEMENTS INTELLIGENCE	32,335	32,335
85	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	15,153	15,153
86	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	33,920	33,920
87	TACTICAL RADIO SYSTEMS	75,132	75,132
90	MISCELLANEOUS EQUIPMENT	6,667	6,667
91	OPERATIONAL ENHANCEMENTS	217,972	243,272
	Program increase		[25,300]
92	MILITARY INFORMATION SUPPORT OPERATIONS	27,417	27,417
	CBDP		
93	INSTALLATION FORCE PROTECTION	24,025	24,025
94	INDIVIDUAL PROTECTION	73,720	73,720
95	DECONTAMINATION	506	506
96	JOINT BIO DEFENSE PROGRAM (MEDICAL)	32,597	32,597
97	COLLECTIVE PROTECTION	3,144	3,144
98	CONTAMINATION AVOIDANCE	164,886	164,886
	TOTAL PROCUREMENT, DEFENSE-WIDE	**4,187,935**	**4,624,135**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
01	JOINT URGENT OPERATIONAL NEEDS FUND	99,477	0
	Program reduction		[−99,477]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**99,477**	**0**
	TOTAL PROCUREMENT	**97,432,379**	**99,121,919**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY	**ROTARY**	
9	AH–64 APACHE BLOCK IIIB NEW BUILD	71,000	71,000
12	KIOWA WARRIOR (OH 58F) WRA	183,900	183,900

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
15	CH–47 HELICOPTER	231,300	231,300
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**486,200**	**486,200**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
4	HELLFIRE SYS SUMMARY	29,100	29,100
	ANTI-TANK/ASSAULT MISSILE SYS		
8	GUIDED MLRS ROCKET (GMLRS)	20,553	20,553
	TOTAL MISSILE PROCUREMENT, ARMY	**49,653**	**49,653**
	PROCUREMENT OF W&TCV, ARMY		
	MOD OF WEAPONS AND OTHER COMBAT VEH		
36	M16 RIFLE MODS	15,422	15,422
	TOTAL PROCUREMENT OF W&TCV, ARMY	**15,422**	**15,422**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
3	CTG, HANDGUN, ALL TYPES	1,500	1,500
4	CTG, .50 CAL, ALL TYPES	10,000	10,000
7	CTG, 30MM, ALL TYPES	80,000	61,000
	Pricing adjustments for target practice round and light-weight dual purpose round		[19,000]
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES	14,000	14,000
10	81MM MORTAR, ALL TYPES	6,000	6,000
11	120MM MORTAR, ALL TYPES	56,000	56,000
	ARTILLERY AMMUNITION		
13	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	29,956	29,956
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,044	37,044
15	PROJ 155MM EXTENDED RANGE XM982	12,300	12,300
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	17,000	17,000
	MINES		
17	MINES & CLEARING CHARGES, ALL TYPES	12,000	12,000
	ROCKETS		
20	ROCKET, HYDRA 70, ALL TYPES	63,635	63,635
	OTHER AMMUNITION		
23	SIGNALS, ALL TYPES	16,858	16,858
	MISCELLANEOUS		
28	ITEMS LESS THAN $5 MILLION	1,200	1,200
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**357,493**	**338,493**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
2	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	28,247	28,247
4	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	2,050	2,050
11	HMMWV RECAPITALIZATION PROGRAM	271,000	271,000
14	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	927,400	927,400
	COMM—INTELLIGENCE COMM		
52	RESERVE CA/MISO GPF EQUIPMENT	8,000	8,000
	COMM—BASE COMMUNICATIONS		
61	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(	25,000	25,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
69	DCGS–A (MIP)	90,355	90,355
73	CI HUMINT AUTO REPRINTING AND COLLECTION	6,516	6,516
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
75	LIGHTWEIGHT COUNTER MORTAR RADAR	27,646	27,646
77	FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES	52,000	52,000
78	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	205,209	205,209
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
92	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	14,600	14,600
99	COUNTERFIRE RADARS	54,585	54,585
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
102	FIRE SUPPORT C2 FAMILY	22,430	22,430
103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	2,400	2,400
112	MANEUVER CONTROL SYSTEM (MCS)	6,400	6,400
113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	5,160	5,160
	CHEMICAL DEFENSIVE EQUIPMENT		
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	15,000	15,000
127	BASE DEFENSE SYSTEMS (BDS)	66,100	66,100
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	3,565	3,565
	COMBAT SERVICE SUPPORT EQUIPMENT		
143	FORCE PROVIDER	39,700	39,700
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	650	650
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	2,119	2,119
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	428	428
153	ITEMS LESS THAN $5 MILLION (MAINT EQ)	30	30
	TRAINING EQUIPMENT		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
175	COMBAT TRAINING CENTERS SUPPORT	7,000	7,000
176	TRAINING DEVICES, NONSYSTEM	27,250	27,250
178	AVIATION COMBINED ARMS TACTICAL TRAINER	1,000	1,000
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	5,900	5,900
	OTHER SUPPORT EQUIPMENT		
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	98,167	60,167
	Rapid equipping force delayed execution rates		[−38,000]
	TOTAL OTHER PROCUREMENT, ARMY	**2,015,907**	**1,977,907**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
1	ATTACK THE NETWORK	950,500	950,500
	JIEDDO DEVICE DEFEAT		
2	DEFEAT THE DEVICE	400,000	400,000
	FORCE TRAINING		
3	TRAIN THE FORCE	149,500	149,500
	STAFF AND INFRASTRUCTURE		
4	OPERATIONS	175,400	402,800
	Transfer from title 1		[227,400]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	**1,675,400**	**1,902,800**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
11	H–1 UPGRADES (UH–1Y/AH–1Z)	29,800	29,800
	MODIFICATION OF AIRCRAFT		
30	AV–8 SERIES	42,238	42,238
32	F–18 SERIES	41,243	41,243
35	H–53 SERIES	15,870	15,870
38	EP–3 SERIES	13,030	13,030
43	C–130 SERIES	16,737	16,737
48	SPECIAL PROJECT AIRCRAFT	2,714	2,714
54	COMMON AVIONICS CHANGES	570	570
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
62	COMMON GROUND EQUIPMENT	2,380	2,380
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**164,582**	**164,582**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
9	HELLFIRE	17,000	17,000
10	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	6,500	6,500
	TOTAL WEAPONS PROCUREMENT, NAVY	**23,500**	**23,500**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	18,000	18,000
2	AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
3	MACHINE GUN AMMUNITION	21,500	21,500
6	AIR EXPENDABLE COUNTERMEASURES	20,303	20,303
11	OTHER SHIP GUN AMMUNITION	532	532
12	SMALL ARMS & LANDING PARTY AMMO	2,643	2,643
13	PYROTECHNIC AND DEMOLITION	2,322	2,322
14	AMMUNITION LESS THAN $5 MILLION	6,308	6,308
	MARINE CORPS AMMUNITION		
15	SMALL ARMS AMMUNITION	10,948	10,948
16	LINEAR CHARGES, ALL TYPES	9,940	9,940
17	40 MM, ALL TYPES	5,963	5,963
20	120MM, ALL TYPES	11,605	11,605
21	CTG 25MM, ALL TYPES	2,831	2,831
22	GRENADES, ALL TYPES	2,359	2,359
23	ROCKETS, ALL TYPES	3,051	3,051
24	ARTILLERY, ALL TYPES	54,886	54,886
25	DEMOLITION MUNITIONS, ALL TYPES	1,391	1,391
26	FUZE, ALL TYPES	30,945	30,945
27	NON LETHALS	8	8
29	ITEMS LESS THAN $5 MILLION	12	12
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**285,747**	**285,747**
	OTHER PROCUREMENT, NAVY		
	OTHER SHORE ELECTRONIC EQUIPMENT		
70	TACTICAL/MOBILE C4I SYSTEMS	3,603	3,603
	AIRCRAFT SUPPORT EQUIPMENT		
97	EXPEDITIONARY AIRFIELDS	58,200	58,200
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
127	PASSENGER CARRYING VEHICLES	3,901	3,901
128	GENERAL PURPOSE TRUCKS	852	852
129	CONSTRUCTION & MAINTENANCE EQUIP	2,436	2,436
130	FIRE FIGHTING EQUIPMENT	3,798	3,798
131	TACTICAL VEHICLES	13,394	13,394
134	ITEMS UNDER $5 MILLION	375	375

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	COMMAND SUPPORT EQUIPMENT		
149	C4ISR EQUIPMENT	3,000	3,000
151	PHYSICAL SECURITY EQUIPMENT	9,323	9,323
	TOTAL OTHER PROCUREMENT, NAVY	**98,882**	**98,882**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
2	LAV PIP	10,000	10,000
	ARTILLERY AND OTHER WEAPONS		
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	108,860	108,860
	GUIDED MISSILES		
10	JAVELIN	29,158	29,158
	OTHER SUPPORT		
13	MODIFICATION KITS	41,602	41,602
	REPAIR AND TEST EQUIPMENT		
15	REPAIR AND TEST EQUIPMENT	13,632	13,632
	OTHER SUPPORT (TEL)		
17	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
19	AIR OPERATIONS C2 SYSTEMS	15,575	15,575
	RADAR + EQUIPMENT (NON-TEL)		
20	RADAR SYSTEMS	8,015	8,015
	INTELL/COMM EQUIPMENT (NON-TEL)		
23	INTELLIGENCE SUPPORT EQUIPMENT	35,310	35,310
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
29	NIGHT VISION EQUIPMENT	652	652
	OTHER SUPPORT (NON-TEL)		
30	COMMON COMPUTER RESOURCES	19,807	19,807
32	RADIO SYSTEMS	36,482	36,482
33	COMM SWITCHING & CONTROL SYSTEMS	41,295	41,295
	TACTICAL VEHICLES		
39	MEDIUM TACTICAL VEHICLE REPLACEMENT	10,466	10,466
41	FAMILY OF TACTICAL TRAILERS	7,642	7,642
	ENGINEER AND OTHER EQUIPMENT		
45	BULK LIQUID EQUIPMENT	18,239	18,239
46	TACTICAL FUEL SYSTEMS	51,359	51,359
47	POWER EQUIPMENT ASSORTED	20,247	20,247
49	EOD SYSTEMS	362,658	362,658
	MATERIALS HANDLING EQUIPMENT		
50	PHYSICAL SECURITY EQUIPMENT	55,500	55,500
52	MATERIAL HANDLING EQUIP	19,100	19,100
	GENERAL PROPERTY		
54	FIELD MEDICAL EQUIPMENT	15,751	15,751
55	TRAINING DEVICES	3,602	3,602
57	FAMILY OF CONSTRUCTION EQUIPMENT	15,900	15,900
	TOTAL PROCUREMENT, MARINE CORPS	**943,683**	**943,683**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC AIRCRAFT		
35	LARGE AIRCRAFT INFRARED COUNTERMEASURES	139,800	139,800
	OTHER AIRCRAFT		
55	U–2 MODS	46,800	46,800
63	C–130	11,400	11,400
67	COMPASS CALL MODS	14,000	14,000
68	RC–135	8,000	8,000
75	HC/MC–130 MODIFICATIONS	4,700	4,700
	AIRCRAFT SPARES AND REPAIR PARTS		
81	INITIAL SPARES/REPAIR PARTS	21,900	21,900
	OTHER PRODUCTION CHARGES		
99	OTHER PRODUCTION CHARGES	59,000	59,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**305,600**	**305,600**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
2	CARTRIDGES	13,592	13,592
	BOMBS		
4	GENERAL PURPOSE BOMBS	23,211	23,211
5	JOINT DIRECT ATTACK MUNITION	53,923	53,923
	FLARE, IR MJU–7B		
6	CAD/PAD	2,638	2,638
10	ITEMS LESS THAN $5 MILLION	2,600	2,600
	FUZES		
11	FLARES	11,726	11,726
12	FUZES	8,513	8,513
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**116,203**	**116,203**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
5	PREDATOR HELLFIRE MISSILE	34,350	34,350

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**34,350**	**34,350**
	OTHER PROCUREMENT, AIR FORCE		
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	2,010	2,010
4	ITEMS LESS THAN $5 MILLION	2,675	2,675
	SPECIAL PURPOSE VEHICLES		
6	ITEMS LESS THAN $5 MILLION	2,557	2,557
	MATERIALS HANDLING EQUIPMENT		
8	ITEMS LESS THAN $5 MILLION	4,329	4,329
	BASE MAINTENANCE SUPPORT		
9	RUNWAY SNOW REMOV AND CLEANING EQU–	984	984
10	ITEMS LESS THAN $5 MILLION	9,120	9,120
	ELECTRONICS PROGRAMS		
22	WEATHER OBSERVATION FORECAST	5,600	5,600
	SPCL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY	11,157	11,157
	ORGANIZATION AND BASE		
49	TACTICAL C-E EQUIPMENT	7,000	7,000
53	BASE COMM INFRASTRUCTURE	10,654	10,654
	MODIFICATIONS		
54	COMM ELECT MODS	8,000	8,000
	PERSONAL SAFETY & RESCUE EQUIP		
55	NIGHT VISION GOGGLES	902	902
	BASE SUPPORT EQUIPMENT		
59	CONTINGENCY OPERATIONS	60,090	60,090
62	MOBILITY EQUIPMENT	9,400	9,400
63	ITEMS LESS THAN $5 MILLION	9,175	9,175
	CLASSIFIED PROGRAMS		
069A	CLASSIFIED PROGRAMS	2,672,317	2,672,317
	SPARES AND REPAIR PARTS		
71	SPARES AND REPAIR PARTS	2,300	2,300
	TOTAL OTHER PROCUREMENT, AIR FORCE	**2,818,270**	**2,818,270**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
15	TELEPORT PROGRAM	5,260	5,260
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	126,201	126,201
	AVIATION PROGRAMS		
61	MQ–8 UAV	16,500	16,500
	OTHER PROCUREMENT PROGRAMS		
68	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	151	151
69	INTELLIGENCE SYSTEMS	30,528	30,528
77	TACTICAL VEHICLES	1,843	1,843
82	AUTOMATION SYSTEMS	1,000	1,000
86	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	108	108
91	OPERATIONAL ENHANCEMENTS	14,758	14,758
	TOTAL PROCUREMENT, DEFENSE-WIDE	**196,349**	**196,349**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	50,000
	Program reduction		[–50,000]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**100,000**	**50,000**
	NATIONAL GUARD & RESERVE EQUIPMENT		
	UNDISTRIBUTED		
999	MISCELLANEOUS EQUIPMENT		500,000
	Program increase		[500,000]
	TOTAL NATIONAL GUARD & RESERVE EQUIPMENT		**500,000**
	TOTAL PROCUREMENT	**9,687,241**	**10,307,641**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	20,860	20,860
2	0601102A	DEFENSE RESEARCH SCIENCES	219,180	219,180

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	80,986	80,986
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	123,045	123,045
		SUBTOTAL BASIC RESEARCH	**444,071**	**444,071**
		APPLIED RESEARCH		
5	0602105A	MATERIALS TECHNOLOGY	29,041	39,291
		Advanced coating technologies for corrosion mitigation		[10,250]
6	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	45,260	45,260
7	0602122A	TRACTOR HIP	22,439	22,439
8	0602211A	AVIATION TECHNOLOGY	51,607	51,607
9	0602270A	ELECTRONIC WARFARE TECHNOLOGY	15,068	15,068
10	0602303A	MISSILE TECHNOLOGY	49,383	49,383
11	0602307A	ADVANCED WEAPONS TECHNOLOGY	25,999	25,999
12	0602308A	ADVANCED CONCEPTS AND SIMULATION	23,507	23,507
13	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	69,062	69,062
14	0602618A	BALLISTICS TECHNOLOGY	60,823	60,823
15	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,465	4,465
16	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	7,169	7,169
17	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	35,218	35,218
18	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	60,300	60,300
19	0602709A	NIGHT VISION TECHNOLOGY	53,244	53,244
20	0602712A	COUNTERMINE SYSTEMS	18,850	18,850
21	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	19,872	19,872
22	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,095	20,095
23	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	28,852	28,852
24	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	9,830	9,830
25	0602784A	MILITARY ENGINEERING TECHNOLOGY	70,693	70,693
26	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,781	17,781
27	0602786A	WARFIGHTER TECHNOLOGY	28,281	28,281
28	0602787A	MEDICAL TECHNOLOGY	107,891	107,891
		SUBTOTAL APPLIED RESEARCH	**874,730**	**884,980**
		ADVANCED TECHNOLOGY DEVELOPMENT		
29	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	39,359	39,359
30	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,580	69,580
31	0603003A	AVIATION ADVANCED TECHNOLOGY	64,215	64,215
32	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	67,613	67,613
33	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	104,359	104,359
34	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	4,157	4,157
35	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	9,856	9,856
36	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,661	50,661
37	0603009A	TRACTOR HIKE	9,126	9,126
38	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,257	17,257
39	0603020A	TRACTOR ROSE	9,925	9,925
40	0603105A	MILITARY HIV RESEARCH	6,984	6,984
41	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	9,716	9,716
42	0603130A	TRACTOR NAIL	3,487	3,487
43	0603131A	TRACTOR EGGS	2,323	2,323
44	0603270A	ELECTRONIC WARFARE TECHNOLOGY	21,683	21,683
45	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	71,111	71,111
46	0603322A	TRACTOR CAGE	10,902	10,902
47	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	180,582	180,582
48	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	27,204	27,204
49	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	6,095	6,095
50	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	37,217	37,217
51	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	13,626	13,626
52	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	28,458	28,458
53	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	25,226	25,226
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**890,722**	**890,722**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
54	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	14,505	14,505
55	0603308A	ARMY SPACE SYSTEMS INTEGRATION	9,876	9,876
56	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	5,054	5,054
57	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ADV DEV	2,725	2,725
58	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	30,560	30,560
59	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	14,347	14,347
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	10,073	10,073
61	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	8,660	8,660
62	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,715	10,715
63	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	4,631	4,631
64	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL	278,018	278,018
65	0603790A	NATO RESEARCH AND DEVELOPMENT	4,961	4,961
66	0603801A	AVIATION—ADV DEV	8,602	8,602
67	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	14,605	14,605
68	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS	5,054	5,054
69	0603807A	MEDICAL SYSTEMS—ADV DEV	24,384	24,384
70	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	32,050	32,050
71	0603850A	INTEGRATED BROADCAST SERVICE	96	96

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72	0604115A	TECHNOLOGY MATURATION INITIATIVES	24,868	24,868
73	0604131A	TRACTOR JUTE	59	59
75	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2)	76,039	76,039
77	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	4,043	4,043
78	0305205A	ENDURANCE UAVS	26,196	26,196
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**610,121**	**610,121**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
79	0604201A	AIRCRAFT AVIONICS	78,538	78,538
80	0604220A	ARMED, DEPLOYABLE HELOS	90,494	90,494
81	0604270A	ELECTRONIC WARFARE DEVELOPMENT	181,347	176,347
	Program adjustment		[−5,000]	
83	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	12,636	12,636
84	0604321A	ALL SOURCE ANALYSIS SYSTEM	5,694	5,694
85	0604328A	TRACTOR CAGE	32,095	32,095
86	0604601A	INFANTRY SUPPORT WEAPONS	96,478	93,078
		XM25 funding ahead of need		[−3,400]
87	0604604A	MEDIUM TACTICAL VEHICLES	3,006	3,006
89	0604611A	JAVELIN	5,040	5,040
90	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	3,077	3,077
91	0604633A	AIR TRAFFIC CONTROL	9,769	9,769
92	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	13,141	13,141
99	0604710A	NIGHT VISION SYSTEMS—ENG DEV	32,621	32,621
100	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,132	2,132
101	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	44,787	44,787
102	0604716A	TERRAIN INFORMATION—ENG DEV	1,008	1,008
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	73,333	73,333
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	28,937	28,937
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	10,815	10,815
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	13,926	13,926
107	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	17,797	17,797
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	214,270	214,270
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV	14,581	14,581
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	43,706	43,706
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	20,776	20,776
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	43,395	43,395
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	104,983	104,983
114	0604814A	ARTILLERY MUNITIONS—EMD	4,346	4,346
116	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	77,223	77,223
117	0604820A	RADAR DEVELOPMENT	3,486	3,486
118	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	9,963	9,963
119	0604823A	FIREFINDER	20,517	20,517
120	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	51,851	51,851
121	0604854A	ARTILLERY SYSTEMS—EMD	167,797	167,797
122	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	400,861	0
		Prohibition of funds for MEADS		[−400,861]
123	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,922	7,922
124	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	51,463	51,463
125	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	158,646	158,646
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	10,000	10,000
128	0605456A	PAC–3/MSE MISSILE	69,029	69,029
129	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	277,374	277,374
130	0605625A	MANNED GROUND VEHICLE	639,874	639,874
131	0605626A	AERIAL COMMON SENSOR	47,426	47,426
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	72,295	72,295
133	0303032A	TROJAN—RH12	4,232	4,232
134	0304270A	ELECTRONIC WARFARE DEVELOPMENT	13,942	13,942
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,286,629**	**2,877,368**
		RDT&E MANAGEMENT SUPPORT		
135	0604256A	THREAT SIMULATOR DEVELOPMENT	18,090	18,090
136	0604258A	TARGET SYSTEMS DEVELOPMENT	14,034	14,034
137	0604759A	MAJOR T&E INVESTMENT	37,394	37,394
138	0605103A	RAND ARROYO CENTER	21,026	21,026
139	0605301A	ARMY KWAJALEIN ATOLL	176,816	176,816
140	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	27,902	27,902
142	0605601A	ARMY TEST RANGES AND FACILITIES	369,900	369,900
143	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	69,183	69,183
144	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	44,753	44,753
146	0605606A	AIRCRAFT CERTIFICATION	5,762	5,762
147	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,402	7,402
148	0605706A	MATERIEL SYSTEMS ANALYSIS	19,954	19,954
149	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,535	5,535
150	0605712A	SUPPORT OF OPERATIONAL TESTING	67,789	67,789
151	0605716A	ARMY EVALUATION CENTER	62,765	62,765
152	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	1,545	1,545
153	0605801A	PROGRAMWIDE ACTIVITIES	83,422	83,422
154	0605803A	TECHNICAL INFORMATION ACTIVITIES	50,820	50,820

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155	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	46,763	46,763
156	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,601	4,601
157	0605898A	MANAGEMENT HQ—R&D	18,524	18,524
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,153,980**	**1,153,980**
		OPERATIONAL SYSTEMS DEVELOPMENT		
159	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	143,005	143,005
161	0607865A	PATRIOT PRODUCT IMPROVEMENT	109,978	109,978
162	0102419A	AEROSTAT JOINT PROJECT OFFICE	190,422	171,422
		Program adjustment		[−19,000]
164	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	32,556	32,556
165	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	253,959	253,959
166	0203740A	MANEUVER CONTROL SYSTEM	68,325	68,325
167	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	280,247	226,147
		Ahead of need		[−54,100]
168	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	898	898
169	0203758A	DIGITIZATION	35,180	35,180
171	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	20,733	20,733
172	0203808A	TRACTOR CARD	63,243	63,243
173	0208053A	JOINT TACTICAL GROUND SYSTEM	31,738	31,738
174	0208058A	JOINT HIGH SPEED VESSEL (JHSV)	35	35
176	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,591	7,591
177	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,961	15,961
178	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	120,927	120,927
179	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	15,756	15,756
180	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,443	14,443
182	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	31,303	31,303
183	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	40,876	40,876
184	0305219A	MQ–1 SKY WARRIOR A UAV	74,618	74,618
185	0305232A	RQ–11 UAV	4,039	4,039
186	0305233A	RQ–7 UAV	31,158	31,158
187	0305235A	VERTICAL UAS	2,387	2,387
188	0307665A	BIOMETRICS ENABLED INTELLIGENCE	15,248	15,248
189	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,908	59,908
189A	9999999999	CLASSIFIED PROGRAMS	4,628	4,628
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,669,162**	**1,596,062**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**8,929,415**	**8,457,304**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,690	123,690
		Increase Defense University Research Instrumentation Program		[10,000]
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,261	18,261
3	0601153N	DEFENSE RESEARCH SCIENCES	473,070	473,070
003A	0601XXXN	SCIENCE AND TECHNOLOGY		3,450
		Transfer from PE 0205658N		[3,450]
		SUBTOTAL BASIC RESEARCH	**605,021**	**618,471**
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH	89,189	89,189
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	143,301	143,301
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	46,528	46,528
7	0602235N	COMMON PICTURE APPLIED RESEARCH	41,696	41,696
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	44,127	44,127
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	78,228	78,228
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,635	49,635
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,973	5,973
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	96,814	96,814
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	162,417	162,417
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,394	32,394
		SUBTOTAL APPLIED RESEARCH	**790,302**	**790,302**
		ADVANCED TECHNOLOGY DEVELOPMENT		
15	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	56,543	56,543
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	18,616	18,616
19	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	54,858	54,858
20	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	130,598	130,598
21	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,706	11,706
22	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	256,382	256,382
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	3,880	3,880
25	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	51,819	51,819
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**584,402**	**584,402**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
28	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	34,085	34,085
29	0603216N	AVIATION SURVIVABILITY	8,783	8,783
30	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,773	3,773
31	0603251N	AIRCRAFT SYSTEMS	24,512	24,512

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32	0603254N	ASW SYSTEMS DEVELOPMENT	8,090	8,090
33	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,301	5,301
34	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,506	1,506
35	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	190,622	190,622
36	0603506N	SURFACE SHIP TORPEDO DEFENSE	93,346	93,346
37	0603512N	CARRIER SYSTEMS DEVELOPMENT	108,871	108,871
39	0603525N	PILOT FISH	101,169	101,169
40	0603527N	RETRACT LARCH	74,312	74,312
41	0603536N	RETRACT JUNIPER	90,730	90,730
42	0603542N	RADIOLOGICAL CONTROL	777	777
43	0603553N	SURFACE ASW	6,704	6,704
44	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	555,123	929,523
		Program increase		[374,400]
45	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,368	9,368
46	0603563N	SHIP CONCEPT ADVANCED DESIGN	24,609	24,609
47	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,710	13,710
48	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	249,748	249,748
49	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	29,897	29,897
50	0603576N	CHALK EAGLE	509,988	509,988
51	0603581N	LITTORAL COMBAT SHIP (LCS)	429,420	429,420
52	0603582N	COMBAT SYSTEM INTEGRATION	56,551	56,551
53	0603609N	CONVENTIONAL MUNITIONS	7,342	7,342
54	0603611M	MARINE CORPS ASSAULT VEHICLES	95,182	95,182
55	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	10,496	10,496
56	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	52,331
57	0603658N	COOPERATIVE ENGAGEMENT	56,512	56,512
58	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	7,029	7,029
59	0603721N	ENVIRONMENTAL PROTECTION	21,080	21,080
60	0603724N	NAVY ENERGY PROGRAM	55,324	55,324
61	0603725N	FACILITIES IMPROVEMENT	3,401	3,401
62	0603734N	CHALK CORAL	45,966	45,966
63	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,811	3,811
64	0603746N	RETRACT MAPLE	341,305	341,305
65	0603748N	LINK PLUMERIA	181,220	181,220
66	0603751N	RETRACT ELM	174,014	174,014
68	0603764N	LINK EVERGREEN	68,654	68,654
69	0603787N	SPECIAL PROCESSES	44,487	44,487
70	0603790N	NATO RESEARCH AND DEVELOPMENT	9,389	9,389
71	0603795N	LAND ATTACK TECHNOLOGY	16,132	16,132
72	0603851M	JOINT NON-LETHAL WEAPONS TESTING	44,994	44,994
73	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	137,369	137,369
76	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	73,934	73,934
77	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
78	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	71,300	71,300
79	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,654	5,654
80	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	31,549	31,549
82	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	86,801	86,801
83	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	44,500	44,500
84	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	13,172	13,172
86	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	643	643
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,335,297**	**4,709,697**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
87	0604212N	OTHER HELO DEVELOPMENT	33,978	33,978
88	0604214N	AV–8B AIRCRAFT—ENG DEV	32,789	32,789
89	0604215N	STANDARDS DEVELOPMENT	84,988	84,988
90	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	6,866	6,866
91	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,060	4,060
92	0604221N	P–3 MODERNIZATION PROGRAM	3,451	3,451
93	0604230N	WARFARE SUPPORT SYSTEM	13,071	13,071
94	0604231N	TACTICAL COMMAND SYSTEM	71,645	71,645
95	0604234N	ADVANCED HAWKEYE	119,065	119,065
96	0604245N	H–1 UPGRADES	31,105	31,105
97	0604261N	ACOUSTIC SEARCH SENSORS	34,299	34,299
98	0604262N	V–22A	54,412	54,412
99	0604264N	AIR CREW SYSTEMS DEVELOPMENT	2,717	2,717
100	0604269N	EA–18	13,009	13,009
101	0604270N	ELECTRONIC WARFARE DEVELOPMENT	51,304	51,304
102	0604273N	VH 71A EXECUTIVE HELO DEVELOPMENT	61,163	61,163
103	0604274N	NEXT GENERATION JAMMER (NGJ)	187,024	187,024
104	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	337,480	337,480
105	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	260,616	510,616
		Cruiser Retention		[250,000]
106	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	824	824
107	0604329N	SMALL DIAMETER BOMB (SDB)	31,064	31,064
108	0604366N	STANDARD MISSILE IMPROVEMENTS	63,891	63,891
109	0604373N	AIRBORNE MCM	73,246	73,246
110	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION	10,568	10,568
111	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	39,974	39,974

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Line	Program Element	Item	FY 2013 Request	House Authorized
112–	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM	122,481	47,481
		Transfer from RDN 112 to RDN 167		[–75,000]
113	0604501N	ADVANCED ABOVE WATER SENSORS	255,516	255,516
114	0604503N	SSN–688 AND TRIDENT MODERNIZATION	82,620	82,620
115	0604504N	AIR CONTROL	5,633	5,633
116	0604512N	SHIPBOARD AVIATION SYSTEMS	55,826	55,826
117	0604518N	COMBAT INFORMATION CENTER CONVERSION	918	918
118	0604558N	NEW DESIGN SSN	165,230	165,230
119	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	49,141	49,141
120	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	196,737	196,737
121	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,889	3,889
122	0604601N	MINE DEVELOPMENT	8,335	8,335
123	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	49,818	49,818
124	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,099	10,099
125	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,348	7,348
126	0604727N	JOINT STANDOFF WEAPON SYSTEMS	5,518	5,518
127	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	87,662	87,662
128	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	64,079	64,079
129	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	151,489	152,614
		Cruiser Retention		[1,125]
131	0604771N	MEDICAL DEVELOPMENT	12,707	12,707
132	0604777N	NAVIGATION/ID SYSTEM	47,764	47,764
133	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	737,149	737,149
134	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	743,926	743,926
135	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	12,143	12,143
136	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	72,209	72,209
138	0605212N	CH–53K RDTE	606,204	606,204
140	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	421,102	421,102
141	0204202N	DDG–1000	124,655	124,655
142	0304231N	TACTICAL COMMAND SYSTEM—MIP	1,170	1,170
144	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	23,255	23,255
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**5,747,232**	**5,923,357**
		RDT&E MANAGEMENT SUPPORT		
146	0604256N	THREAT SIMULATOR DEVELOPMENT	30,790	30,790
147	0604258N	TARGET SYSTEMS DEVELOPMENT	59,221	59,221
148	0604759N	MAJOR T&E INVESTMENT	35,894	35,894
149	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	7,573	7,573
150	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	20,963	20,963
151	0605154N	CENTER FOR NAVAL ANALYSES	46,856	46,856
153	0605804N	TECHNICAL INFORMATION SERVICES	796	796
154	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	32,782	32,782
155	0605856N	STRATEGIC TECHNICAL SUPPORT	3,306	3,306
156	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	70,302	70,302
157	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	144,033	144,033
158	0605864N	TEST AND EVALUATION SUPPORT	342,298	342,298
159	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,399	16,399
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,579	4,579
161	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,000	8,000
162	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	18,490	18,490
163	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	2,795	2,795
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**845,077**	**845,077**
		OPERATIONAL SYSTEMS DEVELOPMENT		
167	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT	142,282	217,282
		Transfer from RDN 112 to RDN 167		[75,000]
170	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	105,892	105,892
171	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	34,729	34,729
172	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,434	1,434
173	0101402N	NAVY STRATEGIC COMMUNICATIONS	19,208	19,208
174	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	25,566	25,566
175	0204136N	F/A–18 SQUADRONS	188,299	188,299
176	0204152N	E–2 SQUADRONS	8,610	8,610
177	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	15,695	15,695
178	0204228N	SURFACE SUPPORT	4,171	4,171
179	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	11,265	11,265
180	0204311N	INTEGRATED SURVEILLANCE SYSTEM	45,922	45,922
181	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	8,435	8,435
182	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	75,088	75,088
183	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	20,229	20,229
184	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,756	1,756
185	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	19,843	19,843
186	0205601N	HARM IMPROVEMENT	11,477	11,477
187	0205604N	TACTICAL DATA LINKS	118,818	118,818
188	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	27,342	27,342
189	0205632N	MK–48 ADCAP	28,717	28,717
190	0205633N	AVIATION IMPROVEMENTS	89,157	89,157
191	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM	3,450	0
		Transfer to Science and Technology (RDN 003A)		[–3,450]

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192	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	86,435	86,435
193	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	219,054	219,054
194	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	181,693	181,693
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	58,393	58,393
196	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	22,966	22,966
197	0207161N	TACTICAL AIM MISSILES	21,107	21,107
198	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,857	2,857
199	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	1,932	1,932
204	0303109N	SATELLITE COMMUNICATIONS (SPACE)	188,482	188,482
205	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	16,749	16,749
206	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	26,307	26,307
207	0303150M	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	500	500
210	0305149N	COBRA JUDY	17,091	17,091
211	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	810	810
212	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	8,617	8,617
213	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,066	9,066
215	0305207N	MANNED RECONNAISSANCE SYSTEMS	30,654	30,654
216	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,917	25,917
217	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,676	14,676
218	0305220N	RQ–4 UAV	657,483	657,483
219	0305231N	MQ–8 UAV	99,600	99,600
220	0305232M	RQ–11 UAV	495	495
221	0305233N	RQ–7 UAV	863	863
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	9,734	9,734
225	0305239M	RQ–21A	22,343	22,343
226	0308601N	MODELING AND SIMULATION SUPPORT	5,908	5,908
227	0702207N	DEPOT MAINTENANCE (NON-IF)	27,391	27,391
229	0708011N	INDUSTRIAL PREPAREDNESS	54,879	54,879
230	0708730N	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000
230A	9999999999	CLASSIFIED PROGRAMS	1,151,159	1,351,159
		Program increase		[200,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**3,975,546**	**4,247,096**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**16,882,877**	**17,718,402**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	361,787	361,787
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,153	141,153
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,094	13,094
		SUBTOTAL BASIC RESEARCH	**516,034**	**516,034**
		APPLIED RESEARCH		
4	0602102F	MATERIALS	114,166	114,166
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	120,719	120,719
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,319	89,319
7	0602203F	AEROSPACE PROPULSION	232,547	232,547
8	0602204F	AEROSPACE SENSORS	127,637	127,637
9	0602601F	SPACE TECHNOLOGY	98,375	98,375
10	0602602F	CONVENTIONAL MUNITIONS	77,175	77,175
11	0602605F	DIRECTED ENERGY TECHNOLOGY	106,196	106,196
12	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	104,362	104,362
13	0602890F	HIGH ENERGY LASER RESEARCH	38,557	38,557
		SUBTOTAL APPLIED RESEARCH	**1,109,053**	**1,109,053**
		ADVANCED TECHNOLOGY DEVELOPMENT		
14	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	47,890	57,890
		Increase Materials Affordability Initiative program		[10,000]
15	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	6,565	6,565
16	0603203F	ADVANCED AEROSPACE SENSORS	37,657	37,657
17	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	81,376	81,376
18	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	151,152	151,152
19	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,941	32,941
20	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	64,557	64,557
21	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	29,256	29,256
22	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	21,523	21,523
23	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	36,352	36,352
24	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,004	19,004
25	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	37,045	37,045
26	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	31,419	31,419
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**596,737**	**606,737**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
28	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	3,866	3,866
29	0603287F	PHYSICAL SECURITY EQUIPMENT	3,704	3,704
30	0603430F	ADVANCED EHF MILSATCOM (SPACE)	229,171	227,671
		Project decrease		[−1,500]
31	0603432F	POLAR MILSATCOM (SPACE)	120,676	120,676
32	0603438F	SPACE CONTROL TECHNOLOGY	25,144	23,144

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		Project decrease		[−2,000]
33	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	32,243	32,243
34	0603790F	NATO RESEARCH AND DEVELOPMENT	4,507	4,507
35	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	652	652
36	0603830F	SPACE PROTECTION PROGRAM (SPP)	10,429	10,429
37	0603850F	INTEGRATED BROADCAST SERVICE—DEM/VAL	19,938	19,938
38	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	71,181	71,181
39	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,027	12,027
40	0603859F	POLLUTION PREVENTION—DEM/VAL	2,054	2,054
41	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	57,975	57,975
42	0604015F	LONG RANGE STRIKE	291,742	291,742
43	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	114,417	114,417
44	0604317F	TECHNOLOGY TRANSFER	2,576	2,576
45	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	16,711	16,711
47	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,343	16,343
48	0604422F	WEATHER SATELLITE FOLLOW-ON	2,000	2,000
50	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	9,423	9,423
54	0604857F	OPERATIONALLY RESPONSIVE SPACE		25,000
		Operationally Responsive Space		[25,000]
55	0604858F	TECH TRANSITION PROGRAM	37,558	34,558
		Project decrease		[−3,000]
56	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	96,840	96,840
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,181,177**	**1,199,677**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
58	0603840F	GLOBAL BROADCAST SERVICE (GBS)	14,652	14,652
59	0604222F	NUCLEAR WEAPONS SUPPORT	25,713	25,713
60	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,583	6,583
61	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,975	1,975
62	0604280F	JOINT TACTICAL RADIO	2,594	2,594
63	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	24,534	24,534
64	0604287F	PHYSICAL SECURITY EQUIPMENT	51	51
65	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	143,000	143,000
66	0604421F	COUNTERSPACE SYSTEMS	28,797	28,797
67	0604425F	SPACE SITUATION AWARENESS SYSTEMS	267,252	267,252
68	0604429F	AIRBORNE ELECTRONIC ATTACK	4,118	4,118
69	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	448,594	446,594
		Project decrease		[−2,000]
70	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,951	9,951
71	0604604F	SUBMUNITIONS	2,567	2,567
72	0604617F	AGILE COMBAT SUPPORT	13,059	13,059
73	0604706F	LIFE SUPPORT SYSTEMS	9,720	9,720
74	0604735F	COMBAT TRAINING RANGES	9,222	9,222
76	0604750F	INTELLIGENCE EQUIPMENT	803	803
77	0604800F	F–35—EMD	1,210,306	1,210,306
78	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	135,437	135,437
79	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	7,980	7,980
80	0604932F	LONG RANGE STANDOFF WEAPON	2,004	2,004
81	0604933F	ICBM FUZE MODERNIZATION	73,512	73,512
82	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	140,100	140,100
83	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,815,588
84	0605229F	CSAR HH–60 RECAPITALIZATION	123,210	123,210
85	0605278F	HC/MC–130 RECAP RDT&E	19,039	19,039
86	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	281,056	281,056
87	0101125F	NUCLEAR WEAPONS MODERNIZATION	80,200	80,200
89	0207604F	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE	310	310
90	0207701F	FULL COMBAT MISSION TRAINING	14,861	14,861
91	0305230F	MC–12	19,949	19,949
92	0401138F	C–27J AIRLIFT SQUADRONS		25,000
		Joint Cargo Aircraft		[25,000]
93	0401318F	CV–22	28,027	28,027
94	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	1,960	1,960
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**4,966,724**	**4,989,724**
		RDT&E MANAGEMENT SUPPORT		
95	0604256F	THREAT SIMULATOR DEVELOPMENT	22,812	22,812
96	0604759F	MAJOR T&E INVESTMENT	42,236	42,236
97	0605101F	RAND PROJECT AIR FORCE	25,579	25,579
99	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	16,197	16,197
100	0605807F	TEST AND EVALUATION SUPPORT	722,071	722,071
101	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	16,200	16,200
102	0605864F	SPACE TEST PROGRAM (STP)	10,051	45,001
		Program increase		[34,950]
103	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	42,597	42,597
104	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,301	27,301
105	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,964	13,964
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	203,766	203,766
107	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	42,430	42,430
108	0804731F	GENERAL SKILL TRAINING	1,294	1,294

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111	1001004F	INTERNATIONAL ACTIVITIES	3,851	3,851
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,190,349**	**1,225,299**
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	371,595	370,095
		Project decrease		[−1,500]
114	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF IPPS)	91,697	91,697
115	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	17,037	17,037
117	0101113F	B–52 SQUADRONS	53,208	53,208
118	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	431	431
119	0101126F	B–1B SQUADRONS	16,265	16,265
120	0101127F	B–2 SQUADRONS	35,970	35,970
121	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	30,889	30,889
122	0101314F	NIGHT FIST—USSTRATCOM	10	10
124	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	5,609	5,609
126	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	15,098	15,098
127	0205219F	MQ–9 UAV	147,971	147,971
128	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	49,848	49,848
129	0207131F	A–10 SQUADRONS	13,538	13,538
130	0207133F	F–16 SQUADRONS	190,257	190,257
131	0207134F	F–15E SQUADRONS	192,677	192,677
132	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,683	13,683
133	0207138F	F–22A SQUADRONS	371,667	371,667
134	0207142F	F–35 SQUADRONS	8,117	8,117
135	0207161F	TACTICAL AIM MISSILES	8,234	8,234
136	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	87,041	87,041
137	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,472	1,472
138	0207224F	COMBAT RESCUE AND RECOVERY	2,095	2,095
139	0207227F	COMBAT RESCUE—PARARESCUE	1,119	1,119
140	0207247F	AF TENCAP	63,853	63,853
141	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,063	1,063
142	0207253F	COMPASS CALL	12,094	12,094
143	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	187,984	187,984
145	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	7,950	7,950
146	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	76,315	76,315
147	0207412F	CONTROL AND REPORTING CENTER (CRC)	8,653	8,653
148	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	65,200	65,200
149	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	5,767	5,767
152	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,756	5,756
154	0207444F	TACTICAL AIR CONTROL PARTY-MOD	16,226	16,226
156	0207448F	C2ISR TACTICAL DATA LINK	1,633	1,633
157	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	18,086	18,086
158	0207452F	DCAPES	15,690	15,690
159	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	24,241	24,241
160	0207590F	SEEK EAGLE	22,654	22,654
161	0207601F	USAF MODELING AND SIMULATION	15,501	15,501
162	0207605F	WARGAMING AND SIMULATION CENTERS	5,699	5,699
163	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,425	4,425
164	0208006F	MISSION PLANNING SYSTEMS	69,377	69,377
165	0208021F	INFORMATION WARFARE SUPPORT	7,159	7,159
166	0208059F	CYBER COMMAND ACTIVITIES	66,888	66,888
174	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,056	12,056
175	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	4,159	4,159
176	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	20,124	20,124
177	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	69,133	69,133
178	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	6,512	6,512
179	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM	4,316	4,316
180	0303601F	MILSATCOM TERMINALS	107,237	107,237
182	0304260F	AIRBORNE SIGINT ENTERPRISE	129,106	129,106
185	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,461	4,461
186	0305103F	CYBER SECURITY INITIATIVE	2,055	2,055
187	0305105F	DOD CYBER CRIME CENTER	285	285
188	0305110F	SATELLITE CONTROL NETWORK (SPACE)	33,773	33,773
189	0305111F	WEATHER SERVICE	29,048	29,048
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	43,187	43,187
191	0305116F	AERIAL TARGETS	50,496	50,496
194	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	354	354
195	0305145F	ARMS CONTROL IMPLEMENTATION	4,000	4,000
196	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	342	342
198	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	29,621	29,621
199	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	14,335	14,335
201	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,680	3,680
202	0305174F	SPACE INNOVATION AND DEVELOPMENT CENTER	2,430	2,430
203	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	8,760	8,760
205	0305202F	DRAGON U–2	23,644	23,644
206	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	21,000	21,000
207	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	96,735	96,735
208	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,316	13,316
209	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	63,501	63,501

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210	0305219F	MQ–1 PREDATOR A UAV	9,122	9,122
211	0305220F	RQ–4 UAV	236,265	236,265
212	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,367	7,367
213	0305236F	COMMON DATA LINK (CDL)	38,094	38,094
214	0305238F	NATO AGS	210,109	210,109
215	0305240F	SUPPORT TO DCGS ENTERPRISE	24,500	24,500
216	0305265F	GPS III SPACE SEGMENT	318,992	318,992
217	0305614F	JSPOC MISSION SYSTEM	54,645	54,645
218	0305881F	RAPID CYBER ACQUISITION	4,007	4,007
219	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	13,357	13,357
220	0305913F	NUDET DETECTION SYSTEM (SPACE)	64,965	64,965
221	0305940F	SPACE SITUATION AWARENESS OPERATIONS	19,586	19,586
223	0308699F	SHARED EARLY WARNING (SEW)	1,175	1,175
224	0401115F	C–130 AIRLIFT SQUADRON	5,000	5,000
225	0401119F	C–5 AIRLIFT SQUADRONS (IF)	35,115	35,115
226	0401130F	C–17 AIRCRAFT (IF)	99,225	99,225
227	0401132F	C–130J PROGRAM	30,652	30,652
228	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	7,758	7,758
229	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA)	100	100
231	0401219F	KC–10S	24,022	24,022
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	7,471	7,471
234	0408011F	SPECIAL TACTICS/COMBAT CONTROL	4,984	4,984
235	0702207F	DEPOT MAINTENANCE (NON-IF)	1,588	1,588
236	0708012F	LOGISTICS SUPPORT ACTIVITIES	577	577
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	119,327	119,327
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	15,873	15,873
240	0804743F	OTHER FLIGHT TRAINING	349	349
242	0808716F	OTHER PERSONNEL ACTIVITIES	117	117
243	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,018	2,018
244	0901218F	CIVILIAN COMPENSATION PROGRAM	1,561	1,561
245	0901220F	PERSONNEL ADMINISTRATION	7,634	7,634
246	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,175	1,175
247	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	3,491	3,491
248	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	100,160	100,160
249A	9999999999	CLASSIFIED PROGRAMS	11,172,183	11,172,183
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**15,867,972**	**15,866,472**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**25,428,046**	**25,512,996**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH INITIATIVE	45,071	45,071
2	0601101E	DEFENSE RESEARCH SCIENCES	309,051	309,051
3	0601110D8Z	BASIC RESEARCH INITIATIVES	19,405	19,405
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	39,676	39,676
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	87,979	87,979
6	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	50,566	50,566
		SUBTOTAL BASIC RESEARCH	**551,748**	**551,748**
		APPLIED RESEARCH		
7	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	20,615	20,615
8	0602115E	BIOMEDICAL TECHNOLOGY	110,900	110,900
9	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE		10,000
		Program increase		[10,000]
10	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	36,826	36,826
11	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH	7,898	7,898
12	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	392,421	392,421
13	0602304E	COGNITIVE COMPUTING SYSTEMS	30,424	30,424
15	0602383E	BIOLOGICAL WARFARE DEFENSE	19,236	19,236
16	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	223,269	223,269
17	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH	13,753	13,753
18	0602668D8Z	CYBER SECURITY RESEARCH	18,985	18,985
19	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH	6,771	6,771
20	0602702E	TACTICAL TECHNOLOGY	233,209	233,209
21	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	166,067	166,067
22	0602716E	ELECTRONICS TECHNOLOGY	222,416	222,416
23	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	172,352	172,352
24	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	28,739	28,739
		SUBTOTAL APPLIED RESEARCH	**1,703,881**	**1,713,881**
		ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		
25	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,612	25,612
26	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	26,324	26,324
27	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,144	77,144
28	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	275,022	275,022
29	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	79,975	79,975
31	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,032	20,032
32	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	3,892	3,892
33	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	36,685	36,685

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34	0603286E	ADVANCED AEROSPACE SYSTEMS	174,316	149,316
		Program decrease		[−25,000]
35	0603287E	SPACE PROGRAMS AND TECHNOLOGY	159,704	159,704
36	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	234,280	234,280
37	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	6,983	6,983
38	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	158,263	158,263
39	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	25,393	25,393
40	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT	13,754	13,754
42	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	19,935	19,935
43	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT	8,235	8,235
44	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	21,966	21,966
45	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	24,662	24,662
47	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	24,605	24,605
48	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	30,678	30,678
49	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,282	65,282
50	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	72,234	82,234
		Program increase		[10,000]
51	0603727D8Z	JOINT WARFIGHTING PROGRAM	8,403	8,403
52	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	111,008	111,008
54	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	237,859	212,859
		Program reduction		[−25,000]
55	0603765E	CLASSIFIED DARPA PROGRAMS	3,000	3,000
56	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	236,883	236,883
57	0603767E	SENSOR TECHNOLOGY	299,438	299,438
58	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	12,195	12,195
59	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	30,036	30,036
60	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	107,002	107,002
62	0603828J	JOINT EXPERIMENTATION	21,230	21,230
63	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	47,433	47,433
64	0603901C	DIRECTED ENERGY RESEARCH	46,944	76,944
		Program increase		[30,000]
65	0603902C	NEXT GENERATION AEGIS MISSILE	224,077	224,077
66	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	92,602	92,602
68	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	26,244	26,244
69	0303310D8Z	CWMD SYSTEMS	53,946	53,946
70	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	45,317	45,317
71	1160422BB	AVIATION ENGINEERING ANALYSIS	861	861
72	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY	4,959	4,959
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT (ATD)	**3,194,413**	**3,184,413**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
73	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	33,234	33,234
74	0603527D8Z	RETRACT LARCH	21,023	21,023
75	0603600D8Z	WALKOFF	94,624	94,624
77	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM	16,958	16,958
78	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	75,941	75,941
79	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	316,929	316,929
80	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,172	1,363,172
		East Coast site planning and development, and EIS work		[103,000]
		Program increase		[357,000]
81	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	179,023	179,023
82	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	347,012	347,012
84	0603890C	BMD ENABLING PROGRAMS	362,711	362,711
85	0603891C	SPECIAL PROGRAMS—MDA	272,387	272,387
86	0603892C	AEGIS BMD	992,407	992,407
87	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	51,313	51,313
88	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	6,912	6,912
89	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT & COMMUNICATION	366,552	366,552
90	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	55,550	55,550
91	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	63,043	63,043
92	0603906C	REGARDING TRENCH	11,371	11,371
93	0603907C	SEA BASED X-BAND RADAR (SBX)	9,730	9,730
94	0603913C	ISRAELI COOPERATIVE PROGRAMS	99,836	267,836
		Increase to DSWS, ASIP, Arrow-3 cooperative programs		[168,000]
95	0603914C	BALLISTIC MISSILE DEFENSE TEST	454,400	454,400
96	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	435,747	435,747
97	0603920D8Z	HUMANITARIAN DEMINING	13,231	13,231
98	0603923D8Z	COALITION WARFARE	11,398	11,398
99	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,283	3,283
100	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	12,368	12,368
101	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING	5,131	5,131
104	0604787J	JOINT SYSTEMS INTEGRATION	3,273	3,273
106	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	7,364	7,364
107	0604880C	LAND-BASED SM–3 (LBSM3)	276,338	276,338
108	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	420,630	420,630
109	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E	297,375	50,000
		Project decrease to support technology development		[−247,375]
111	0604886C	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)	58,742	58,742
113	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,158	3,158

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		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**6,282,166**	**6,662,791**
		SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)		
115	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	6,817	6,817
116	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	110,383	110,383
117	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	311,071	311,071
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS JPO)	25,787	25,787
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,688	20,688
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,749	5,749
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,699	12,699
125	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	387	387
126	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,859	1,859
127	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	7,010	7,010
128	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	133,104	133,104
129	0605075D8Z	DCMO POLICY AND INTEGRATION	25,269	25,269
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	10,238	10,238
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	19,670	19,670
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,556	3,556
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)	**694,287**	**694,287**
		RDT&E MANAGEMENT SUPPORT		
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,383	6,383
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,845	3,845
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	144,109	144,109
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,419	2,419
139	0604943D8Z	THERMAL VICAR	8,214	8,214
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	19,380	19,380
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	32,266	32,266
142	0605110D8Z	USD(A&T)—CRITICAL TECHNOLOGY SUPPORT	840	840
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	56,012	56,012
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	55,508	55,508
146	0605130D8Z	FOREIGN COMPARATIVE TESTING	18,174	18,174
147	0605142D8Z	SYSTEMS ENGINEERING	43,195	43,195
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	6,457	6,457
149	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	4,901	4,901
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	6,307	6,307
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,601	6,601
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,849	92,849
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S	1,857	1,857
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	12,056	12,056
162	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	55,454	55,454
163	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	16,364	16,364
164	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,110	15,110
166	0605898E	MANAGEMENT HQ—R&D	69,767	69,767
167	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,454	4,454
169	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,637	2,637
174	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,238	8,238
176	0305103E	CYBER SECURITY INITIATIVE	1,801	1,801
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	16,041	16,041
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)	77,475	77,475
182	0901598C	MANAGEMENT HQ—MDA	34,855	34,855
183	0901598D8W	MANAGEMENT HEADQUARTERS WHS	104	104
184A	9999999999	CLASSIFIED PROGRAMS	64,255	64,255
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**887,928**	**887,928**
		OPERATIONAL SYSTEMS DEVELOPMENT		
185	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	8,866	8,866
186	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MGMT	3,238	3,238
187	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	288	288
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	14,745	14,745
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY	5,013	5,013
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,922	3,922
192	0208045K	C4I INTEROPERABILITY	72,574	72,574
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	6,214	6,214
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	499	499
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	14,498	14,498
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS	26,164	26,164
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	12,931	12,931
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,296	6,296
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	30,948	30,948
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	11,780	11,780
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	191,452	241,452
		Program increase		[50,000]
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	36,575	46,575
		Program increase		[10,000]
212	0303153K	DEFENSE SPECTRUM ORGANIZATION	24,278	24,278
213	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	2,924	2,924
214	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,294	1,294
215	0303610K	TELEPORT PROGRAM	6,050	6,050

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217	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	17,058	17,058
222	0305103K	CYBER SECURITY INITIATIVE	4,189	4,189
223	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	10,462	10,462
227	0305186D8Z	POLICY R&D PROGRAMS	6,360	6,360
229	0305199D8Z	NET CENTRICITY	21,190	21,190
232	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,114	7,714
		Program increase		[600]
235	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,247	3,247
237	0305219BB	MQ–1 PREDATOR A UAV	1,355	1,355
240	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,303	2,303
241	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	1,478	1,478
249	0708011S	INDUSTRIAL PREPAREDNESS	27,044	27,044
250	0708012S	LOGISTICS SUPPORT ACTIVITIES	4,711	4,711
251	0902298J	MANAGEMENT HQ—OJCS	4,100	4,100
253	1105219BB	MQ–9 UAV	3,002	3,002
257	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	97,267	97,267
258	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	821	821
259	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	25,935	25,935
260	1160408BB	SOF OPERATIONAL ENHANCEMENTS	51,700	51,700
261	1160421BB	SPECIAL OPERATIONS CV–22 DEVELOPMENT	1,822	1,822
262	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	10,131	10,131
263	1160429BB	AC/MC–130J	19,647	19,647
264	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	2,225	2,225
265	1160476BB	SOF TACTICAL RADIO SYSTEMS	3,036	3,036
266	1160477BB	SOF WEAPONS SYSTEMS	1,511	1,511
267	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	4,263	4,263
268	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	4,448	4,448
269	1160480BB	SOF TACTICAL VEHICLES	11,325	11,325
270	1160481BB	SOF MUNITIONS	1,515	1,515
271	1160482BB	SOF ROTARY WING AVIATION	24,430	24,430
272	1160483BB	SOF UNDERWATER SYSTEMS	26,405	61,405
		Program increase		[35,000]
273	1160484BB	SOF SURFACE CRAFT	8,573	8,573
275	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,620	7,620
276	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,386	16,386
276A	9999999999	CLASSIFIED PROGRAMS	3,754,516	3,774,416
		Program increases		[19,900]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**4,667,738**	**4,783,238**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**17,982,161**	**18,478,286**
		OPERATIONAL TEST & EVAL, DEFENSE		
		RDT&E MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	72,501	107,501
		Program increase for DOT&E cyber—range operations		[25,000]
		Program increase for DOT&E cyber—threat development and assessment		[10,000]
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	49,201	49,201
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	63,566	63,566
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**185,268**	**220,268**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**185,268**	**220,268**
		TOTAL RESEARCH, DEVELOPMENT, TEST AND EVALUATION	**69,407,767**	**70,387,256**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**		
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	19,860	19,860
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**19,860**	**19,860**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**19,860**	**19,860**
	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**		
56	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	4,600	4,600
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,600**	**4,600**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
131	0604771N	MEDICAL DEVELOPMENT	2,173	2,173

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**2,173**	**2,173**
		RDT&E MANAGEMENT SUPPORT		
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,200	5,200
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**5,200**	**5,200**
	RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**OPERATIONAL SYSTEMS DEVELOPMENT**		
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	6,762	6,762
221	0305233N	RQ–7 UAV	7,600	7,600
230A	9999999999	CLASSIFIED PROGRAMS	33,784	33,784
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**48,146**	**48,146**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**60,119**	**60,119**
		OPERATIONAL SYSTEMS DEVELOPMENT		
249A	9999999999	CLASSIFIED PROGRAMS	53,150	53,150
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**53,150**	**53,150**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**53,150**	**53,150**
		APPLIED RESEARCH		
9	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE		10,000
		Program increase		[10,000]
		SUBTOTAL APPLIED RESEARCH		**10,000**
		ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		
27	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT		25,000
		Program increase		[25,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		**25,000**
	ADVANCED COMPONENT DEVELOPMENT & PROTYPES			
94	0603913C	ISRAELI COOPERATIVE PROGRAMS		680,000
		Iron Dome		[680,000]
102	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM		200,000
		Program increase		[200,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		**880,000**
		OPERATIONAL SYSTEMS DEVELOPMENT		
239	0305231BB	MQ–8 UAV	5,000	5,000
276A	9999999999	CLASSIFIED PROGRAMS	107,387	107,387
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**112,387**	**112,387**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**112,387**	**1,027,387**
		TOTAL RDT&E	**245,516**	**1,160,516**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
10	MANEUVER UNITS	1,223,087	1,223,087
20	MODULAR SUPPORT BRIGADES	80,574	80,574
30	ECHELONS ABOVE BRIGADE	723,039	723,039
40	THEATER LEVEL ASSETS	706,974	706,974
50	LAND FORCES OPERATIONS SUPPORT	1,226,650	1,226,650
60	AVIATION ASSETS	1,319,832	1,319,832
70	FORCE READINESS OPERATIONS SUPPORT	3,447,174	3,447,174
80	LAND FORCES SYSTEMS READINESS	454,774	454,774
90	LAND FORCES DEPOT MAINTENANCE	1,762,757	1,762,757
100	BASE OPERATIONS SUPPORT	7,401,613	7,401,613
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,041,074	3,234,674
	Realignment to Cemeterial Expenses, Army		[−25,000]
	Restoration and Modernization of Facilities		[218,600]
120	MANAGEMENT AND OPERATIONAL HQ'S	410,171	410,171
130	COMBATANT COMMANDERS CORE OPERATIONS	177,819	177,819

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	461,333	461,333
	SUBTOTAL OPERATING FORCES	**22,436,871**	**22,630,471**
	MOBILIZATION		
180	STRATEGIC MOBILITY	405,496	405,496
190	ARMY PREPOSITIONING STOCKS	195,349	195,349
200	INDUSTRIAL PREPAREDNESS	6,379	6,379
	SUBTOTAL MOBILIZATION	**607,224**	**607,224**
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	112,866	112,866
220	RECRUIT TRAINING	73,265	73,265
230	ONE STATION UNIT TRAINING	51,227	51,227
240	SENIOR RESERVE OFFICERS TRAINING CORPS	443,306	443,306
250	SPECIALIZED SKILL TRAINING	1,099,556	1,099,556
260	FLIGHT TRAINING	1,130,627	1,130,627
270	PROFESSIONAL DEVELOPMENT EDUCATION	191,683	191,683
280	TRAINING SUPPORT	652,095	652,095
290	RECRUITING AND ADVERTISING	507,510	507,510
300	EXAMINING	156,964	156,964
310	OFF-DUTY AND VOLUNTARY EDUCATION	244,343	244,343
320	CIVILIAN EDUCATION AND TRAINING	212,477	212,477
330	JUNIOR ROTC	182,691	182,691
	SUBTOTAL TRAINING AND RECRUITING	**5,058,610**	**5,058,610**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	601,331	601,331
360	CENTRAL SUPPLY ACTIVITIES	741,324	741,324
370	LOGISTIC SUPPORT ACTIVITIES	610,136	610,136
380	AMMUNITION MANAGEMENT	478,707	478,707
390	ADMINISTRATION	556,307	556,307
400	SERVICEWIDE COMMUNICATIONS	1,547,925	1,547,925
410	MANPOWER MANAGEMENT	362,205	362,205
420	OTHER PERSONNEL SUPPORT	220,754	220,754
430	OTHER SERVICE SUPPORT	1,153,556	1,150,509
	Army Museum Funding (Early to need)		[−3,047]
440	ARMY CLAIMS ACTIVITIES	250,970	250,970
450	REAL ESTATE MANAGEMENT	222,351	222,351
460	BASE OPERATIONS SUPPORT	222,379	222,379
470	SUPPORT OF NATO OPERATIONS	459,710	459,710
480	MISC. SUPPORT OF OTHER NATIONS	25,637	25,637
490	CLASSIFIED PROGRAMS	1,052,595	1,052,595
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**8,505,887**	**8,502,840**
	UNDISTRIBUTED ADJUSTMENTS		
500	UNDISTRIBUTED ADJUSTMENTS		−350,700
	Army Medical Evacuation Paramedic Certification Training		[5,000]
	Historical unobligated balances		[−289,200]
	Overestimate of Foreign Currency Fluctuation Costs		[−66,500]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−350,700**
	TOTAL OPERATION & MAINTENANCE, ARMY	**36,608,592**	**36,448,445**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
10	MISSION AND OTHER FLIGHT OPERATIONS	4,918,144	4,927,144
	Cruiser Retention		[9,000]
20	FLEET AIR TRAINING	1,886,825	1,886,825
30	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	44,032	44,032
40	AIR OPERATIONS AND SAFETY SUPPORT	101,565	101,565
50	AIR SYSTEMS SUPPORT	374,827	374,827
60	AIRCRAFT DEPOT MAINTENANCE	960,802	960,802
70	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,545	37,545
80	AVIATION LOGISTICS	328,805	328,805
90	MISSION AND OTHER SHIP OPERATIONS	4,686,535	4,711,185
	Cruiser Retention		[24,650]
100	SHIP OPERATIONS SUPPORT & TRAINING	769,204	769,204
110	SHIP DEPOT MAINTENANCE	5,089,981	5,157,944
	Cruiser Retention		[67,963]
120	SHIP DEPOT OPERATIONS SUPPORT	1,315,366	1,329,237
	Cruiser Retention		[13,871]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
130	COMBAT COMMUNICATIONS	619,909	619,909
140	ELECTRONIC WARFARE	92,364	92,364
150	SPACE SYSTEMS AND SURVEILLANCE	174,437	174,437
160	WARFARE TACTICS	441,035	441,035
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	333,554	333,554
180	COMBAT SUPPORT FORCES	910,087	910,087
190	EQUIPMENT MAINTENANCE	167,158	167,158
200	DEPOT OPERATIONS SUPPORT	4,183	4,183
210	COMBATANT COMMANDERS CORE OPERATIONS	95,528	95,528
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	204,569	204,569
230	CRUISE MISSILE	111,884	111,884
240	FLEET BALLISTIC MISSILE	1,181,038	1,181,038
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	87,606	87,606
260	WEAPONS MAINTENANCE	519,583	519,583
270	OTHER WEAPON SYSTEMS SUPPORT	300,435	300,435
280	ENTERPRISE INFORMATION	1,077,924	1,077,924
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,101,279	2,155,879
	Restoration and Modernization of Facilities		[54,600]
300	BASE OPERATING SUPPORT	4,822,093	4,822,093
	SUBTOTAL OPERATING FORCES	**33,758,297**	**33,928,381**
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	334,659	334,659
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,562	6,562
330	SHIP ACTIVATIONS/INACTIVATIONS	1,066,329	587,329
	Cruiser Retention		[−9,000]
	Fiscal year 2013 portion of USS ENTERPRISE Inactivation Costs		[−470,000]
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	83,901	83,901
350	INDUSTRIAL READINESS	2,695	2,695
360	COAST GUARD SUPPORT	23,502	23,502
	SUBTOTAL MOBILIZATION	**1,517,648**	**1,038,648**
	TRAINING AND RECRUITING		
370	OFFICER ACQUISITION	147,807	147,807
380	RECRUIT TRAINING	10,473	10,473
390	RESERVE OFFICERS TRAINING CORPS	139,220	139,220
400	SPECIALIZED SKILL TRAINING	582,177	582,177
410	FLIGHT TRAINING	5,456	5,456
420	PROFESSIONAL DEVELOPMENT EDUCATION	170,746	170,746
430	TRAINING SUPPORT	153,403	153,403
440	RECRUITING AND ADVERTISING	241,329	242,267
	Naval Sea Cadet Corps		[938]
450	OFF-DUTY AND VOLUNTARY EDUCATION	108,226	108,226
460	CIVILIAN EDUCATION AND TRAINING	105,776	105,776
470	JUNIOR ROTC	51,817	51,817
	SUBTOTAL TRAINING AND RECRUITING	**1,716,430**	**1,717,368**
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	797,177	797,177
490	EXTERNAL RELATIONS	12,872	12,872
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,181	120,181
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	235,753	235,753
520	OTHER PERSONNEL SUPPORT	263,060	263,060
530	SERVICEWIDE COMMUNICATIONS	363,213	363,213
550	SERVICEWIDE TRANSPORTATION	182,343	182,343
570	PLANNING, ENGINEERING AND DESIGN	282,464	282,464
580	ACQUISITION AND PROGRAM MANAGEMENT	1,092,123	1,092,123
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	53,560	53,560
600	COMBAT/WEAPONS SYSTEMS	25,299	25,299
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	64,418	64,418
620	NAVAL INVESTIGATIVE SERVICE	580,042	580,042
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,984	4,984
710	CLASSIFIED PROGRAMS	537,079	537,079
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,614,568**	**4,614,568**
	UNDISTRIBUTED ADJUSTMENTS		
720	UNDISTRIBUTED ADJUSTMENTS		−166,400
	Historical unobligated balances		[−166,400]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−166,400**
	TOTAL OPERATION & MAINTENANCE, NAVY	**41,606,943**	**41,132,565**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
10	OPERATIONAL FORCES	788,055	788,055
20	FIELD LOGISTICS	762,614	762,614
30	DEPOT MAINTENANCE	168,447	168,447
40	MARITIME PREPOSITIONING	100,374	100,374
50	SUSTAINMENT, RESTORATION & MODERNIZATION	825,039	847,839
	Restoration and Modernization of Facilities		[22,800]
60	BASE OPERATING SUPPORT	2,188,883	2,188,883
	SUBTOTAL OPERATING FORCES	**4,833,412**	**4,856,212**
	TRAINING AND RECRUITING		
70	RECRUIT TRAINING	18,251	18,251
80	OFFICER ACQUISITION	869	869
90	SPECIALIZED SKILL TRAINING	80,914	80,914
100	PROFESSIONAL DEVELOPMENT EDUCATION	42,744	42,744
110	TRAINING SUPPORT	292,150	292,150
120	RECRUITING AND ADVERTISING	168,609	178,609
	Recruiting and advertising		[10,000]
130	OFF-DUTY AND VOLUNTARY EDUCATION	56,865	56,865
140	JUNIOR ROTC	19,912	19,912
	SUBTOTAL TRAINING AND RECRUITING	**680,314**	**690,314**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	39,962	39,962
170	ACQUISITION AND PROGRAM MANAGEMENT	83,404	83,404
190	CLASSIFIED PROGRAMS	346,071	346,071
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**469,437**	**469,437**
	UNDISTRIBUTED ADJUSTMENTS		
200	UNDISTRIBUTED ADJUSTMENTS		−23,900
	Historical unobligated balances		[−23,900]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−23,900**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**5,983,163**	**5,992,063**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
10	PRIMARY COMBAT FORCES	2,973,141	2,973,141
20	COMBAT ENHANCEMENT FORCES	1,611,032	1,744,032
	Global Hawk Block 30		[133,000]
30	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,472,806	1,472,806
40	DEPOT MAINTENANCE	5,545,470	5,545,470
50	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,353,987	1,569,487
	Restoration and Modernization of Facilities		[215,500]
60	BASE SUPPORT	2,595,032	2,595,032
70	GLOBAL C3I AND EARLY WARNING	957,040	957,040
80	OTHER COMBAT OPS SPT PROGRAMS	916,200	916,200
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	733,716	733,716
110	LAUNCH FACILITIES	314,490	314,490
120	SPACE CONTROL SYSTEMS	488,762	488,762
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	862,979	862,979
140	COMBATANT COMMANDERS CORE OPERATIONS	222,429	222,429
	SUBTOTAL OPERATING FORCES	**20,047,084**	**20,395,584**
	MOBILIZATION		
150	AIRLIFT OPERATIONS	1,785,379	1,785,379
160	MOBILIZATION PREPAREDNESS	154,049	154,049
170	DEPOT MAINTENANCE	1,477,396	1,477,396
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	309,699	309,699
190	BASE SUPPORT	707,574	707,574
	SUBTOTAL MOBILIZATION	**4,434,097**	**4,434,097**
	TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	115,427	115,427
210	RECRUIT TRAINING	17,619	17,619
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	92,949	92,949
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	336,433	336,433
240	BASE SUPPORT	842,441	842,441
250	SPECIALIZED SKILL TRAINING	482,634	482,634

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
260	FLIGHT TRAINING	750,609	750,609
270	PROFESSIONAL DEVELOPMENT EDUCATION	235,114	235,114
280	TRAINING SUPPORT	101,231	101,231
290	DEPOT MAINTENANCE	233,330	233,330
310	RECRUITING AND ADVERTISING	130,217	130,217
320	EXAMINING	2,738	2,738
330	OFF-DUTY AND VOLUNTARY EDUCATION	155,170	155,170
340	CIVILIAN EDUCATION AND TRAINING	175,147	175,147
350	JUNIOR ROTC	74,809	74,809
	SUBTOTAL TRAINING AND RECRUITING	**3,745,868**	**3,745,868**
	ADMIN & SRVWD ACTIVITIES		
360	LOGISTICS OPERATIONS	1,029,734	1,029,734
370	TECHNICAL SUPPORT ACTIVITIES	913,843	913,843
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	303,610	303,610
400	BASE SUPPORT	1,266,800	1,266,800
410	ADMINISTRATION	587,654	587,654
420	SERVICEWIDE COMMUNICATIONS	667,910	667,910
430	OTHER SERVICEWIDE ACTIVITIES	1,094,509	1,094,509
440	CIVIL AIR PATROL	23,904	23,904
470	INTERNATIONAL SUPPORT	81,307	81,307
480	CLASSIFIED PROGRAMS	1,239,040	1,239,040
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**7,208,311**	**7,208,311**
	UNDISTRIBUTED ADJUSTMENTS		
490	UNDISTRIBUTED ADJUSTMENTS		−43,700
	Historical unobligated balances		[−141,700]
	Overestimate of Foreign Currency Fluctuation Costs		[−32,000]
	Retain Air Force Force Structure		[130,000]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−43,700**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**35,435,360**	**35,740,160**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
10	JOINT CHIEFS OF STAFF	485,708	485,708
20	SPECIAL OPERATIONS COMMAND		5,091,001
	Transfer from line 025		[5,091,001]
25	CLASSIFIED PROGRAMS	5,091,001	−5,091,001
	Transfer to Line 020		[−5,091,001]
	SUBTOTAL OPERATING FORCES	**5,576,709**	**5,576,709**
	TRAINING AND RECRUITING		
30	DEFENSE ACQUISITION UNIVERSITY	147,210	144,710
	Program decrease		[−2,500]
40	NATIONAL DEFENSE UNIVERSITY	84,999	82,499
	Program decrease		[−2,500]
	SUBTOTAL TRAINING AND RECRUITING	**232,209**	**227,209**
	ADMIN & SRVWD ACTIVITIES		
50	CIVIL MILITARY PROGRAMS	161,294	161,294
80	DEFENSE CONTRACT AUDIT AGENCY	573,973	573,973
90	DEFENSE CONTRACT MANAGEMENT AGENCY	1,293,196	1,293,196
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	17,513	17,513
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,186	676,186
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,346,847	1,346,847
140	DEFENSE LEGAL SERVICES AGENCY	35,137	35,137
150	DEFENSE LOGISTICS AGENCY	431,893	431,893
160	DEFENSE MEDIA ACTIVITY	224,013	224,013
170	DEFENSE POW/MIA OFFICE	21,964	21,964
180	DEFENSE SECURITY COOPERATION AGENCY	557,917	557,917
190	DEFENSE SECURITY SERVICE		506,662
	Transfer from Line 280		[506,662]
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,319	35,319
210	DEFENSE THREAT REDUCTION AGENCY		443,382
	Transfer from Line 280		[443,382]
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,744,971	2,744,971
230	MISSILE DEFENSE AGENCY	259,975	259,975
250	OFFICE OF ECONOMIC ADJUSTMENT	253,437	253,437
260	OFFICE OF THE SECRETARY OF DEFENSE	2,095,362	2,135,362
	Advancing Diversity and EO		[5,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	Office of Net Assessment		[10,000]
	Readiness Environmental Protection Initiative		[25,000]
270	WASHINGTON HEADQUARTERS SERVICE	521,297	521,297
280	CLASSIFIED PROGRAMS	14,933,801	14,045,757
	Program increase		[62,000]
	Transfer to Line 190		[−506,662]
	Transfer to Line 210		[−443,382]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**26,184,095**	**26,286,095**
	UNDISTRIBUTED ADJUSTMENTS		
290	UNDISTRIBUTED ADJUSTMENTS		−107,700
	DOD Impact Aid		[30,000]
	Historical unobligated balances		[−128,000]
	Overestimate of Foreign Currency Fluctuation Costs		[9,700]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−107,700**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**31,993,013**	**31,982,313**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
10	MANEUVER UNITS	1,391	1,391
20	MODULAR SUPPORT BRIGADES	20,889	20,889
30	ECHELONS ABOVE BRIGADE	592,724	592,724
40	THEATER LEVEL ASSETS	114,983	114,983
50	LAND FORCES OPERATIONS SUPPORT	633,091	633,091
60	AVIATION ASSETS	76,823	76,823
70	FORCE READINESS OPERATIONS SUPPORT	481,997	481,997
80	LAND FORCES SYSTEMS READINESS	70,118	70,118
90	LAND FORCES DEPOT MAINTENANCE	141,205	141,205
100	BASE OPERATIONS SUPPORT	561,878	561,878
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	287,399	308,099
	Restoration and Modernization of Facilities		[20,700]
120	MANAGEMENT AND OPERATIONAL HQ'S	52,431	52,431
	SUBTOTAL OPERATING FORCES	**3,034,929**	**3,055,629**
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	12,995	12,995
150	ADMINISTRATION	32,432	32,432
160	SERVICEWIDE COMMUNICATIONS	4,895	4,895
170	MANPOWER MANAGEMENT	16,074	16,074
180	RECRUITING AND ADVERTISING	60,683	60,683
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**127,079**	**127,079**
	UNDISTRIBUTED ADJUSTMENTS		
190	UNDISTRIBUTED ADJUSTMENTS		1,100
	Army Medical Evacuation Paramedic Certification Training		[5,000]
	Deny request of increase for technicians		[−3,900]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**1,100**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**3,162,008**	**3,183,808**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
10	MISSION AND OTHER FLIGHT OPERATIONS	616,776	616,776
20	INTERMEDIATE MAINTENANCE	15,076	15,076
30	AIR OPERATIONS AND SAFETY SUPPORT	1,479	1,479
40	AIRCRAFT DEPOT MAINTENANCE	107,251	107,251
50	AIRCRAFT DEPOT OPERATIONS SUPPORT	355	355
60	MISSION AND OTHER SHIP OPERATIONS	82,186	82,186
70	SHIP OPERATIONS SUPPORT & TRAINING	589	589
80	SHIP DEPOT MAINTENANCE	48,593	48,593
90	COMBAT COMMUNICATIONS	15,274	15,274
100	COMBAT SUPPORT FORCES	124,917	124,917
110	WEAPONS MAINTENANCE	1,978	1,978
120	ENTERPRISE INFORMATION	43,699	43,699
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	60,646	60,646
140	BASE OPERATING SUPPORT	105,227	105,227
	SUBTOTAL OPERATING FORCES	**1,224,046**	**1,224,046**
	ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	3,117	3,117

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,337	14,337
170	SERVICEWIDE COMMUNICATIONS	2,392	2,392
180	ACQUISITION AND PROGRAM MANAGEMENT	3,090	3,090
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**22,936**	**22,936**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,246,982**	**1,246,982**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
10	OPERATING FORCES	89,690	89,690
20	DEPOT MAINTENANCE	16,735	16,735
30	SUSTAINMENT, RESTORATION AND MODERNIZATION	37,913	37,913
40	BASE OPERATING SUPPORT	103,746	103,746
	SUBTOTAL OPERATING FORCES	**248,084**	**248,084**
	ADMIN & SRVWD ACTIVITIES		
50	SERVICEWIDE TRANSPORTATION	873	873
60	ADMINISTRATION	14,330	14,330
70	RECRUITING AND ADVERTISING	8,998	8,998
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**24,201**	**24,201**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**272,285**	**272,285**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
10	PRIMARY COMBAT FORCES	2,089,326	2,089,326
20	MISSION SUPPORT OPERATIONS	112,992	112,992
30	DEPOT MAINTENANCE	406,101	406,101
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	71,564	78,264
	Restoration and Modernization of Facilities		[6,700]
50	BASE SUPPORT	364,862	364,862
	SUBTOTAL OPERATING FORCES	**3,044,845**	**3,051,545**
	ADMIN & SRVWD ACTIVITIES		
60	ADMINISTRATION	78,824	78,824
70	RECRUITING AND ADVERTISING	16,020	16,020
80	MILITARY MANPOWER AND PERS MGMT (ARPC)	19,496	19,496
90	OTHER PERS SUPPORT (DISABILITY COMP)	6,489	6,489
100	AUDIOVISUAL	808	808
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**121,637**	**121,637**
	UNDISTRIBUTED ADJUSTMENTS		
110	UNDISTRIBUTED ADJUSTMENTS		161,617
	Retain Air Force Reserve Force Structure		[161,617]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**161,617**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,166,482**	**3,334,799**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
10	MANEUVER UNITS	680,206	680,206
20	MODULAR SUPPORT BRIGADES	186,408	186,408
30	ECHELONS ABOVE BRIGADE	865,628	865,628
40	THEATER LEVEL ASSETS	112,651	112,651
50	LAND FORCES OPERATIONS SUPPORT	36,091	36,091
60	AVIATION ASSETS	907,011	907,011
70	FORCE READINESS OPERATIONS SUPPORT	751,606	751,606
80	LAND FORCES SYSTEMS READINESS	60,043	60,043
90	LAND FORCES DEPOT MAINTENANCE	411,940	411,940
100	BASE OPERATIONS SUPPORT	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	688,189	737,589
	Restoration and Modernization of Facilities		[49,400]
120	MANAGEMENT AND OPERATIONAL HQ'S	953,716	953,716
	SUBTOTAL OPERATING FORCES	**6,648,912**	**6,698,312**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	11,806	11,806
140	REAL ESTATE MANAGEMENT	1,656	1,656
150	ADMINISTRATION	89,358	89,358
160	SERVICEWIDE COMMUNICATIONS	39,513	39,513
170	MANPOWER MANAGEMENT	7,224	7,224

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
180	RECRUITING AND ADVERTISING	310,143	310,143
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**459,700**	**459,700**
	UNDISTRIBUTED ADJUSTMENTS		
190	UNDISTRIBUTED ADJUSTMENTS		−79,700
	Army Medical Evacuation Paramedic Certification Training		[5,000]
	Deny request of increase for technicians		[−95,000]
	Retain Army National Guard Force Structure		[10,300]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−79,700**
	TOTAL OPERATION & MAINTENANCE, ARNG	**7,108,612**	**7,078,312**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
10	AIRCRAFT OPERATIONS	3,559,824	3,563,329
	Aerospace Control Alert		[3,505]
20	MISSION SUPPORT OPERATIONS	721,225	721,225
30	DEPOT MAINTENANCE	774,875	774,875
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	270,709	295,409
	Restoration and Modernization of Facilities		[24,700]
50	BASE SUPPORT	624,443	624,443
	SUBTOTAL OPERATING FORCES	**5,951,076**	**5,979,281**
	ADMIN & SRVWD ACTIVITIES		
60	ADMINISTRATION	32,358	32,358
70	RECRUITING AND ADVERTISING	32,021	32,021
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**64,379**	**64,379**
	UNDISTRIBUTED ADJUSTMENTS		
80	UNDISTRIBUTED ADJUSTMENTS		286,800
	Retain Air National Guard Force Structure		[286,800]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**286,800**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,015,455**	**6,330,460**
	MISCELLANEOUS APPROPRIATIONS		
	MISCELLANEOUS APPROPRIATIONS		
20	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,759	108,759
30	COOPERATIVE THREAT REDUCTION	519,111	519,111
40	ACQ WORKFORCE DEV FD	274,198	274,198
50	ENVIRONMENTAL RESTORATION, ARMY	335,921	335,921
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	**1,237,989**	**1,237,989**
	MISCELLANEOUS APPROPRIATIONS		
60	ENVIRONMENTAL RESTORATION, NAVY	310,594	310,594
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	**310,594**	**310,594**
	MISCELLANEOUS APPROPRIATIONS		
70	ENVIRONMENTAL RESTORATION, AIR FORCE	529,263	529,263
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	**529,263**	**529,263**
	MISCELLANEOUS APPROPRIATIONS		
10	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,516	13,516
80	ENVIRONMENTAL RESTORATION, DEFENSE	11,133	11,133
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	**24,649**	**24,649**
	MISCELLANEOUS APPROPRIATIONS		
90	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,543	237,543
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	**237,543**	**237,543**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**2,340,038**	**2,340,038**
	TOTAL OPERATION & MAINTENANCE	**174,938,933**	**175,082,230**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
40	THEATER LEVEL ASSETS	2,758,162	2,758,162
50	LAND FORCES OPERATIONS SUPPORT	991,396	991,396
60	AVIATION ASSETS	40,300	40,300
70	FORCE READINESS OPERATIONS SUPPORT	1,755,445	1,755,445
80	LAND FORCES SYSTEMS READINESS	307,244	307,244
100	BASE OPERATIONS SUPPORT	393,165	393,165
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	250,000	250,000
140	ADDITIONAL ACTIVITIES	12,524,137	12,395,137
	Reduction to Task Force for Business and Stability Operations		[−129,000]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	400,000	200,000
	Historical underexecution		[−200,000]
160	RESET	3,687,973	3,437,973
	Unexecutable depot-level maintenance		[−250,000]
	SUBTOTAL OPERATING FORCES	**23,107,822**	**22,528,822**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	3,238,310	3,238,310
360	CENTRAL SUPPLY ACTIVITIES	129,000	129,000
380	AMMUNITION MANAGEMENT	78,022	78,022
420	OTHER PERSONNEL SUPPORT	137,277	137,277
430	OTHER SERVICE SUPPORT	72,293	72,293
490	CLASSIFIED PROGRAMS	1,828,717	1,828,717
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**5,483,619**	**5,483,619**
	UNDISTRIBUTED ADJUSTMENTS		
500	UNDISTRIBUTED ADJUSTMENTS		179,700
	Historical unobligated balances		[−179,700]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**179,700**
	TOTAL OPERATION & MAINTENANCE, ARMY	**28,591,441**	**27,832,741**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
10	MISSION AND OTHER FLIGHT OPERATIONS	937,098	937,098
30	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,000	1,000
40	AIR OPERATIONS AND SAFETY SUPPORT	15,794	15,794
50	AIR SYSTEMS SUPPORT	19,013	19,013
60	AIRCRAFT DEPOT MAINTENANCE	201,912	201,912
70	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,000	3,000
80	AVIATION LOGISTICS	44,150	44,150
90	MISSION AND OTHER SHIP OPERATIONS	463,738	463,738
100	SHIP OPERATIONS SUPPORT & TRAINING	24,774	24,774
110	SHIP DEPOT MAINTENANCE	1,310,010	1,310,010
130	COMBAT COMMUNICATIONS	42,965	42,965
160	WARFARE TACTICS	25,970	25,970
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	19,226	19,226
180	COMBAT SUPPORT FORCES	1,668,359	1,668,359
190	EQUIPMENT MAINTENANCE	7,954	7,954
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	94,655	94,655
260	WEAPONS MAINTENANCE	303,087	303,087
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,218	3,218
300	BASE OPERATING SUPPORT	143,442	143,442
	SUBTOTAL OPERATING FORCES	**5,329,365**	**5,329,365**
	MOBILIZATION		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	31,395	31,395
360	COAST GUARD SUPPORT	254,461	254,461
	SUBTOTAL MOBILIZATION	**285,856**	**285,856**
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	50,903	50,903
	SUBTOTAL TRAINING AND RECRUITING	**50,903**	**50,903**
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	1,377	1,377
490	EXTERNAL RELATIONS	487	487
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,022	6,022
520	OTHER PERSONNEL SUPPORT	3,514	3,514
550	SERVICEWIDE TRANSPORTATION	184,864	184,864

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
580	ACQUISITION AND PROGRAM MANAGEMENT	2,026	2,026
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
710	CLASSIFIED PROGRAMS	14,556	14,556
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**214,271**	**214,271**
	UNDISTRIBUTED ADJUSTMENTS		
720	UNDISTRIBUTED ADJUSTMENTS		22,100
	Historical unobligated balances		[−22,100]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**22,100**
	TOTAL OPERATION & MAINTENANCE, NAVY	**5,880,395**	**5,858,295**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
10	OPERATIONAL FORCES	1,921,258	1,921,258
20	FIELD LOGISTICS	1,094,028	1,094,028
30	DEPOT MAINTENANCE	222,824	222,824
60	BASE OPERATING SUPPORT	88,690	88,690
	SUBTOTAL OPERATING FORCES	**3,326,800**	**3,326,800**
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	215,212	215,212
	SUBTOTAL TRAINING AND RECRUITING	**215,212**	**215,212**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	512,627	512,627
190	CLASSIFIED PROGRAMS	11,701	11,701
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**524,328**	**524,328**
	UNDISTRIBUTED ADJUSTMENTS		
200	UNDISTRIBUTED ADJUSTMENTS		−15,600
	Historical unobligated balances		[−15,600]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−15,600**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**4,066,340**	**4,050,740**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
10	PRIMARY COMBAT FORCES	1,494,144	1,494,144
20	COMBAT ENHANCEMENT FORCES	809,531	809,531
30	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	13,095	13,095
40	DEPOT MAINTENANCE	1,403,238	1,403,238
50	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	155,954	155,954
60	BASE SUPPORT	342,226	342,226
70	GLOBAL C3I AND EARLY WARNING	15,108	15,108
80	OTHER COMBAT OPS SPT PROGRAMS	271,390	271,390
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	25,400	25,400
120	SPACE CONTROL SYSTEMS	5,110	5,110
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	52,173	52,173
	SUBTOTAL OPERATING FORCES	**4,587,369**	**4,587,369**
	MOBILIZATION		
150	AIRLIFT OPERATIONS	3,187,211	3,187,211
160	MOBILIZATION PREPAREDNESS	43,509	43,509
170	DEPOT MAINTENANCE	554,943	554,943
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,431	4,431
190	BASE SUPPORT	9,256	9,256
	SUBTOTAL MOBILIZATION	**3,799,350**	**3,799,350**
	TRAINING AND RECRUITING		
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	424	424
240	BASE SUPPORT	1,036	1,036
250	SPECIALIZED SKILL TRAINING	10,923	10,923
260	FLIGHT TRAINING	72	72
270	PROFESSIONAL DEVELOPMENT EDUCATION	323	323
280	TRAINING SUPPORT	352	352
	SUBTOTAL TRAINING AND RECRUITING	**13,130**	**13,130**
	ADMIN & SRVWD ACTIVITIES		
360	LOGISTICS OPERATIONS	100,429	100,429
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	47,200	47,200

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
400	BASE SUPPORT	7,242	7,242
410	ADMINISTRATION	1,552	1,552
420	SERVICEWIDE COMMUNICATIONS	82,094	82,094
430	OTHER SERVICEWIDE ACTIVITIES	582,977	582,977
480	CLASSIFIED PROGRAMS	20,270	20,270
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**841,764**	**841,764**
	UNDISTRIBUTED ADJUSTMENTS		
490	UNDISTRIBUTED ADJUSTMENTS		−34,700
	Historical unobligated balances		[−34,700]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−34,700**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**9,241,613**	**9,206,913**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
10	JOINT CHIEFS OF STAFF	2,000	2,000
20	SPECIAL OPERATIONS COMMAND	2,503,060	2,503,060
	SUBTOTAL OPERATING FORCES	**2,505,060**	**2,505,060**
	ADMIN & SRVWD ACTIVITIES		
80	DEFENSE CONTRACT AUDIT AGENCY	30,674	30,674
90	DEFENSE CONTRACT MANAGEMENT AGENCY	69,803	69,803
110	DEFENSE HUMAN RESOURCES ACTIVITY	3,334	3,334
120	DEFENSE INFORMATION SYSTEMS AGENCY	152,925	152,925
140	DEFENSE LEGAL SERVICES AGENCY	102,322	102,322
160	DEFENSE MEDIA ACTIVITY	10,823	10,823
180	DEFENSE SECURITY COOPERATION AGENCY	2,200,000	1,550,000
	Program Decrease—Coalition Support Funds		[−650,000]
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	139,830	139,830
260	OFFICE OF THE SECRETARY OF DEFENSE	87,805	87,805
280	CLASSIFIED PROGRAMS	2,522,003	2,522,003
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**5,319,519**	**4,669,519**
	UNDISTRIBUTED ADJUSTMENTS		
290	UNDISTRIBUTED ADJUSTMENTS		−29,300
	Historical unobligated balances		[−29,300]
	SUBTOTAL UNDISTRIBUTED ADJUSTMENTS		**−29,300**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**7,824,579**	**7,145,279**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
30	ECHELONS ABOVE BRIGADE	78,600	78,600
50	LAND FORCES OPERATIONS SUPPORT	20,811	20,811
70	FORCE READINESS OPERATIONS SUPPORT	20,726	20,726
100	BASE OPERATIONS SUPPORT	34,400	34,400
	SUBTOTAL OPERATING FORCES	**154,537**	**154,537**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**154,537**	**154,537**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
10	MISSION AND OTHER FLIGHT OPERATIONS	24,834	24,834
20	INTERMEDIATE MAINTENANCE	300	300
40	AIRCRAFT DEPOT MAINTENANCE	13,364	13,364
60	MISSION AND OTHER SHIP OPERATIONS	8,213	8,213
80	SHIP DEPOT MAINTENANCE	929	929
100	COMBAT SUPPORT FORCES	8,244	8,244
140	BASE OPERATING SUPPORT	40	40
	SUBTOTAL OPERATING FORCES	**55,924**	**55,924**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**55,924**	**55,924**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
10	OPERATING FORCES	22,657	22,657
40	BASE OPERATING SUPPORT	2,820	2,820
	SUBTOTAL OPERATING FORCES	**25,477**	**25,477**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**25,477**	**25,477**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
10	PRIMARY COMBAT FORCES	7,600	7,600
30	DEPOT MAINTENANCE	106,768	106,768
50	BASE SUPPORT	6,250	6,250
	SUBTOTAL OPERATING FORCES	**120,618**	**120,618**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**120,618**	**120,618**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
10	MANEUVER UNITS	38,485	38,485
20	MODULAR SUPPORT BRIGADES	1,959	1,959
30	ECHELONS ABOVE BRIGADE	20,076	20,076
40	THEATER LEVEL ASSETS	2,028	2,028
60	AVIATION ASSETS	183,811	183,811
70	FORCE READINESS OPERATIONS SUPPORT	43,780	43,780
100	BASE OPERATIONS SUPPORT	70,237	70,237
120	MANAGEMENT AND OPERATIONAL HQ'S	20,072	20,072
	SUBTOTAL OPERATING FORCES	**380,448**	**380,448**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE COMMUNICATIONS	2,000	2,000
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**2,000**	**2,000**
	TOTAL OPERATION & MAINTENANCE, ARNG	**382,448**	**382,448**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
20	MISSION SUPPORT OPERATIONS	19,975	19,975
	SUBTOTAL OPERATING FORCES	**19,975**	**19,975**
	TOTAL OPERATION & MAINTENANCE, ANG	**19,975**	**19,975**
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
10	SUSTAINMENT	2,523,825	2,523,825
20	INFRASTRUCTURE	190,000	190,000
30	EQUIPMENT AND TRANSPORTATION	241,521	241,521
40	TRAINING AND OPERATIONS	758,380	758,380
	SUBTOTAL MINISTRY OF DEFENSE	**3,713,726**	**3,713,726**
	MINISTRY OF INTERIOR		
50	SUSTAINMENT	1,305,950	1,305,950
60	INFRASTRUCTURE	50,000	50,000
70	EQUIPMENT AND TRANSPORTATION	84,859	84,859
80	TRAINING AND OPERATIONS	569,868	569,868
	SUBTOTAL MINISTRY OF INTERIOR	**2,010,677**	**2,010,677**
	RELATED ACTIVITIES		
90	SUSTAINMENT	18,325	18,325
100	INFRASTRUCTUE	1,200	1,200
110	EQUIPMENT & TRANSPORTATION	1,239	1,239
120	TRAINING AND OPERATIONS	4,000	4,000
	SUBTOTAL RELATED ACTIVITIES	**24,764**	**24,764**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**5,749,167**	**5,749,167**
	AFGHANISTAN INFRASTRUCTURE FUND		
	AFGHANISTAN INFRASTRUCTURE FUND		
10	POWER	400,000	375,000
	Program Decrease		[−25,000]
	SUBTOTAL AFGHANISTAN INFRASTRUCTURE FUND	**400,000**	**375,000**
	TOTAL AFGHANISTAN INFRASTRUCTURE FUND	**400,000**	**375,000**
	TOTAL OPERATION & MAINTENANCE	**62,512,514**	**60,977,114**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2013 Request	House Authorized
MILITARY PERSONNEL	**135,111,799**	**135,726,855**
Army medical evacuation paramedic certification training		2,000
Basic allowance for housing for members of the National Guard (Section 603)		6,000
Non-medical attendant travel (Section 621)		2,000
Reserve Components administrative absence (Section 604)		2,000
Restore accrual payments to the Medicare eligible health care trust fund		672,000
Retain 128 Air National Guard AGRs for two air sovereignty alert locations		8,300
Retain Air Force Force Structure		30,000
Retain Air Force Reserve Force Structure		20,000
Retain Air National Guard Force Structure		70,826
Retain Global Hawk		22,200
Unobligated balances		[−352,000]
USMC military personnel in lieu of LAV funding		131,730

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2013 Request	House Authorized
MILITARY PERSONNEL	**14,060,094**	**14,060,094**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2013 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	60,037	60,037
TOTAL WORKING CAPITAL FUND, ARMY	**60,037**	**60,037**
WORKING CAPITAL FUND, AIR FORCE		
SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	45,452	45,452
TOTAL WORKING CAPITAL FUND, AIR FORCE	**45,452**	**45,452**
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	39,135	39,135
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**39,135**	**39,135**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	1,371,560	1,371,560
TOTAL WORKING CAPITAL FUND, DECA	**1,371,560**	**1,371,560**
NATIONAL DEFENSE SEALIFT FUND		
MPF MLP	38,000	38,000
POST DELIVERY AND OUTFITTING	39,386	39,386
LG MED SPD RO/RO MAINTENANCE	128,819	128,819
DOD MOBILIZATION ALTERATIONS	26,598	26,598
TAH MAINTENANCE	29,199	29,199
RESEARCH AND DEVELOPMENT	42,811	42,811
READY RESERVE FORCE	303,323	303,323
TOTAL NATIONAL DEFENSE SEALIFT FUND	**608,136**	**608,136**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	8,625,507	8,625,507
PRIVATE SECTOR CARE	16,148,263	16,148,263

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2013 Request	House Authorized
CONSOLIDATED HEALTH SUPPORT	2,309,185	2,309,185
INFORMATION MANAGEMENT	1,465,328	1,465,328
MANAGEMENT ACTIVITIES	332,121	332,121
EDUCATION AND TRAINING	722,081	722,081
BASE OPERATIONS/COMMUNICATIONS	1,746,794	1,746,794
UNDISTRIBUTED, OPERATION & MAINTENANCE		281,900
Foreign currency flucuation		[−5,100]
Overfunding in electronic health record		[−30,000]
Restore estimated savings in TRICARE Prime and Standard enrollment fees and deductibles for TRICARE Standard		[273,000]
Restore pharmacy co-pay estimated savings		[179,000]
TRICARE rate adjustments		[90,000]
Unobligated balances		[−225,000]
RDT&E	672,977	672,977
PROCUREMENT	506,462	454,462
Overfunding in electronic health record		[−52,000]
TOTAL DEFENSE HEALTH PROGRAM	**32,528,718**	**32,758,618**
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	635,843	635,843
RDT&E	647,351	647,351
PROCUREMENT	18,592	18,592
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**1,301,786**	**1,301,786**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	889,545	889,545
DRUG DEMAND REDUCTION PROGRAM	109,818	109,818
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**999,363**	**999,363**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION & MAINTENANCE	272,821	272,821
PROCUREMENT	1,000	1,000
TOTAL OFFICE OF THE INSPECTOR GENERAL	**273,821**	**273,821**
CEMETERIAL EXPENSES, ARMY		
OPERATION & MAINTENANCE	41,000	41,000
CONSTRUCTION	4,800	4,800
FACILITIES MAINTENANCE		25,000
Realignment from Operation and Maintenance, Army		[25,000]
TOTAL CEMETERIAL EXPENSES, ARMY	**45,800**	**70,800**
TOTAL OTHER AUTHORIZATIONS	**37,273,808**	**37,528,708**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2013 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	42,600	42,600
TOTAL WORKING CAPITAL FUND, ARMY	**42,600**	**42,600**
WORKING CAPITAL FUND, AIR FORCE		
C–17 CLS ENGINE REPAIR	230,400	230,400
TRANSPORTATION FALLEN HEROES	10,000	10,000
TOTAL WORKING CAPITAL FUND, AIR FORCE	**240,400**	**240,400**
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	220,364	220,364
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**220,364**	**220,364**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2013 Request	House Authorized
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	483,326	483,326
PRIVATE SECTOR CARE	376,982	376,982
CONSOLIDATED HEALTH SUPPORT	111,675	111,675
INFORMATION MANAGEMENT	4,773	4,773
MANAGEMENT ACTIVITIES	660	660
EDUCATION AND TRAINING	15,370	15,370
BASE OPERATIONS/COMMUNICATIONS	1,112	1,112
TOTAL DEFENSE HEALTH PROGRAM	**993,898**	**993,898**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DEFENSEWIDE ACTIVITIES	469,025	469,025
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**469,025**	**469,025**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION & MAINTENANCE	10,766	10,766
TOTAL OFFICE OF THE INSPECTOR GENERAL	**10,766**	**10,766**
TOTAL OTHER AUTHORIZATIONS	**1,977,053**	**1,977,053**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	Alaska			
Army	Fort Wainwright	Modified Record Fire Range	10,400	10,400
Army	Joint Base Elmendorf-Richardson	Modified Record Fire Range	7,900	7,900
	California			
Army	Concord	Engineering/Housing Maintenance Shop	3,100	3,100
Army	Concord	Lightning Protection System	5,800	5,800
	Colorado			
Army	Fort Carson	Central Energy Plant	0	0
Army	Fort Carson, Colorado	Digital Multipurpose Training Range	18,000	18,000
	District of Columbia			
Army	Fort Mcnair	Vehicle Storage Building, Installation	7,200	7,200
	Georgia			
Army	Fort Benning	Ground Source Heat Transfer System	16,000	16,000
Army	Fort Gordon	Ground Source Heat Transfer System	12,200	12,200
Army	Fort Gordon	Modified Record Fire Range	4,000	4,000
Army	Fort Gordon	Multipurpose Machine Gun Range	7,100	7,100
Army	Fort Stewart, Georgia	Automated Combat Pistol Qual Crse	3,650	3,650
Army	Fort Stewart, Georgia	Digital Multipurpose Training Range	22,000	22,000
Army	Fort Stewart, Georgia	Unmanned Aerial Vehicle Complex	24,000	24,000
	Hawaii			
Army	Pohakuloa Training Area	Automated Infantry Platoon Battle Course	29,000	29,000
Army	Schofield Barracks	Barracks	55,000	55,000
Army	Schofield Barracks	Barracks	41,000	41,000
Army	Wheeler Army Air Field	Combat Aviation Brigade Barracks	85,000	85,000
	Italy			
Army	Camp Ederle	Barracks	36,000	36,000
Army	Vicenza	Simulations Center	32,000	32,000
	Japan			
Army	Okinawa	Satellite Communications Facility	78,000	78,000
Army	Sagami	Vehicle Maintenance Shop	18,000	18,000
	Kansas			
Army	Fort Riley, Kansas	Unmanned Aerial Vehicle Complex	12,200	12,200
	Kentucky			
Army	Fort Campbell, Kentucky	Battalion Headquarters Complex	55,000	55,000
Army	Fort Campbell, Kentucky	Live Fire Exercise Shoothouse	3,800	3,800
Army	Fort Campbell, Kentucky	Unmanned Aerial Vehicle Complex	23,000	23,000
Army	Fort Knox	Automated Infantry Squad Battle Course	6,000	6,000
	Korea			
Army	Camp Humphreys	Battalion Headquarters Complex	45,000	45,000
	Kwajalein Atoll			
Army	Kwajalein Atoll	Pier	0	0
	Missouri			
Army	Fort Leonard Wood	Battalion Complex Facilities	26,000	26,000
Army	Fort Leonard Wood	Trainee Barracks Complex 3, Ph 2	58,000	58,000
Army	Fort Leonard Wood	Vehicle Maintenance Shop	39,000	39,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	New Jersey			
Army	Joint Base Mcguire-Dix-Lakehurst	Flight Equipment Complex	47,000	47,000
Army	Picatinny Arsenal	Ballistic Evaluation Center	10,200	10,200
	New York			
Army	Fort Drum, New York	Aircraft Maintenance Hangar	95,000	95,000
Army	U.S. Military Academy	Cadet Barracks	192,000	192,000
	North Carolina			
Army	Fort Bragg	Aerial Gunnery Range	42,000	42,000
Army	Fort Bragg	Infrastructure	30,000	30,000
Army	Fort Bragg	Unmanned Aerial Vehicle Complex	26,000	26,000
	Oklahoma			
Army	Fort Sill	Modified Record Fire Range	4,900	4,900
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 2, Ph 2	24,000	24,000
	Texas			
Army	Corpus Christi	Aircraft Component Maintenance Shop	13,200	13,200
Army	Corpus Christi	Aircraft Paint Shop	24,000	24,000
Army	Fort Bliss	Multipurpose Machine Gun Range	7,200	7,200
Army	Fort Hood, Texas	Modified Record Fire Range	4,200	4,200
Army	Fort Hood, Texas	Training Aids Center	25,000	25,000
Army	Fort Hood, Texas	Unmanned Aerial Vehicle Complex	22,000	22,000
Army	Joint Base San Antonio	Barracks	21,000	21,000
	Virginia			
Army	Arlington	Cemetery Expansion Millennium Site	84,000	84,000
Army	Fort Belvoir	Secure Admin/Operations Facility	94,000	94,000
Army	Fort Lee	Adv Individual Training Barracks Cplx, Ph2	81,000	81,000
	Washington			
Army	Joint Base Lewis-Mcchord	Battalion Complex	73,000	73,000
Army	Joint Base Lewis-Mcchord	Waste Water Treatment Plant	91,000	91,000
Army	Yakima	Convoy Live Fire Range	5,100	5,100
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support FY–13	34,000	34,000
Army	Unspecified Worldwide Locations	Minor Construction FY–13	25,000	25,000
Army	Unspecified Worldwide Locations	Planning and Design Fy13	65,173	65,173
Total Military Construction, Army			**1,923,323**	**1,923,323**
	Arizona			
Navy	Yuma	Combat Aircraft Loading Apron	15,985	15,985
Navy	Yuma	Security Operations Complex	13,300	13,300
	Bahrain Island			
Navy	Sw Asia	Combined Dining Facility	9,819	0
Navy	Sw Asia	Transient Quarters	41,529	0
	California			
Navy	Camp Pendleton, California	Comm. Information Systems Ops Complex	78,897	78,897
Navy	Camp Pendleton, California	Mv 22 Aviation Simulator Building	4,139	4,139
Navy	Camp Pendleton, California	San Jacinto Road Extension	5,074	5,074
Navy	Coronado	Bachelor Quarters	76,063	76,063
Navy	Coronado	H–60s Simulator Training Facility	2,478	2,478
Navy	Lemoore	Bams Maintenance Training Facility	14,843	0
Navy	Miramar	Hangar 5 Renovations & Addition	27,897	27,897
Navy	Point Mugu	Bams Maintenance Training Facility	0	12,790
Navy	San Diego	Entry Control Point (Gate Five)	11,752	11,752
Navy	San Diego	Lcs Training Facility	59,436	59,436
Navy	Seal Beach	Strategic Systems Weapons Eval. Test Lab	30,594	30,594
Navy	Twentynine Palms, California	Land Expansion Phase 2	47,270	47,270
	Diego Garcia			
Navy	Diego Garcia	Communications Infrastructure	1,691	1,691
	Djibouti			
Navy	Camp Lemonier, Djibouti	Containerized Living and Work Units	7,510	0
Navy	Camp Lemonier, Djibouti	Fitness Center	26,960	0
Navy	Camp Lemonier, Djibouti	Galley Addition and Warehouse	22,220	0
Navy	Camp Lemonier, Djibouti	Joint HQ/Joint Operations Center Facility	42,730	0
	Florida			
Navy	Jacksonville	Bams Mission Control Complex	21,980	21,980
	Greece			
Navy	Souda Bay	Aircraft Parking Apron Expansion	20,493	20,493
Navy	Souda Bay	Intermodal Access Road	4,630	4,630
	Guam			
Navy	Joint Region Marianas	North Ramp Parking (Andersen AFB)—Inc 2	25,904	25,904
	Hawaii			
Navy	Kaneohe Bay	Aircraft Staging Area	14,680	14,680
Navy	Kaneohe Bay	Mv–22 Hangar and Infrastructure	82,630	82,630
	Japan			
Navy	Iwakuni	Maintenance Hangar Improvements	5,722	5,722
Navy	Iwakuni	Vertical Take-Off and Landing Pad North	7,416	7,416
Navy	Okinawa	Bachelor Quarters	8,206	8,206
	Mississippi			
Navy	Meridian	Dining Facility	10,926	10,926

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	New Jersey			
Navy	Earle	Combat System Engineering Building Addition	33,498	33,498
	North Carolina			
Navy	Camp Lejeune, North Carolina	Base Access and Road—Phase 3	40,904	40,904
Navy	Camp Lejeune, North Carolina	Staff Nco Academy Facilities	28,986	28,986
Navy	Cherry Point Marine Corps Air Station	Armory	11,581	11,581
Navy	Cherry Point Marine Corps Air Station	Marine Air Support Squadron Compound	34,310	34,310
Navy	New River	Personnel Administration Center	8,525	8,525
	Romania			
Navy	Deveselu, Romania	Aegis Ashore Missile Defense Complex	45,205	45,205
	South Carolina			
Navy	Beaufort	Aircraft Maintenance Hangar	42,010	42,010
Navy	Beaufort	Airfield Security Upgrades	13,675	13,675
Navy	Beaufort	Ground Support Equipment Shop	9,465	9,465
Navy	Beaufort	Recycling/Hazardous Waste Facility	3,743	3,743
Navy	Beaufort	Simulated Lhd Flight Deck	12,887	12,887
Navy	Parris Island	Front Gate Atfp Improvements	10,135	10,135
	Spain			
Navy	Rota	General Purpose Warehouse	3,378	3,378
Navy	Rota	High Explosive Magazine	13,837	13,837
	Virginia			
Navy	Dahlgren	Cruiser/Destroyer Upgrade Training Facility	16,494	16,494
Navy	Dahlgren	Physical Fitness Center	11,734	11,734
Navy	Oceana Naval Air Station	A School Barracks	39,086	39,086
Navy	Portsmouth	Drydock 8 Electrical Distribution Upgrade	32,706	32,706
Navy	Quantico	Infrastruture—Widen Russell Road	14,826	14,826
Navy	Quantico	The Basic School Student Quarters—Phase 7	31,012	31,012
Navy	Quantico	Weapons Training Battalion Mess Hall	12,876	12,876
Navy	Yorktown	Armory	4,259	4,259
Navy	Yorktown	Bachelor Enlisted Quarters	18,422	18,422
Navy	Yorktown	Motor Transportation Facility	6,188	6,188
Navy	Yorktown	Regimental Headquarters	11,015	11,015
Navy	Yorktown	Supply Warehouse Facility	8,939	8,939
	Washington			
Navy	Kitsap	Explosives Handling Wharf #2 (Inc)	280,041	280,041
Navy	Whidbey Island	Ea–18g Flight Simulator Facility	6,272	6,272
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Mcon Design Funds	102,619	102,619
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	16,535	16,535
Navy	Various Worldwide Locations	Bams Operational Facilities	34,048	34,048
Total Military Construction, Navy			**1,701,985**	**1,549,164**
	Arkansas			
AF	Little Rock AFB	C–130J Flight Simulator Addition	4,178	4,178
AF	Little Rock AFB	C–130J Fuel Systems Maintenance Hangar	26,000	26,000
	Florida			
AF	Tyndall AFB	F–22 Adal Hangar for Low Observable/Composite	14,750	14,750
	Georgia			
AF	Fort Stewart, Georgia	Air Support Operations Center (ASOC)	7,250	7,250
AF	Moody AFB	HC–130J Simulator Facility	8,500	8,500
	Greenland			
AF	Thule Ab	Consolidated Engineer Shop and Supply Facility	0	0
AF	Thule Ab	Dormitory (48 Pn)	24,500	24,500
	Guam			
AF	Andersen AFB	Fuel Systems Hangar	0	0
	Italy			
AF	Aviano Ab	F–16 Mission Training Center	9,400	9,400
	Nebraska			
AF	Offutt AFB	US STRATCOM Replacement Facility, Incr 2	161,000	161,000
	New Mexico			
AF	Holloman AFB	Mq–9 Maintenance Hangar	25,000	25,000
	North Dakota			
AF	Minot AFB	B–52 Add/Alter Munitions Age Facility	4,600	4,600
	Texas			
AF	Joint Base San Antonio	Dormitory (144 Rm)	18,000	18,000
	Utah			
AF	Hill AFB	F–35 Adal Building 118 for Flight Simulator	4,000	4,000
AF	Hill AFB	F–35 Adal Hangar 45w/AMU	7,250	7,250
AF	Hill AFB	F–35 Modular Storage Magazines	2,280	2,280
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Planning and Design	18,635	18,635
AF	Unspecified Worldwide Locations	Sanitary Sewer Lift/Pump Station	2,000	2,000
AF	Unspecified Worldwide Locations	Transient Aircraft Hangars	15,032	15,032
AF	Unspecified Worldwide Locations	Transient Contingency Dormitory—100 Rm	17,625	17,625
AF	Various Worldwide Locations	Unspecified Minor Construction	18,200	18,200
Total Military Construction, Air Force			**388,200**	**388,200**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	Arizona			
Def-Wide	Yuma	Truck Unload Facility	1,300	1,300
	Belgium			
Def-Wide	Brussels	NATO Headquarters Facility	26,969	26,969
	California			
Def-Wide	Coronado	SOF Close Quarters Combat/Dynamic Shoot Fac	13,969	13,969
Def-Wide	Coronado	SOF Indoor Dynamic Shooting Facility	31,170	31,170
Def-Wide	Coronado	SOF Mobile Comm Detachment Support Facility	10,120	10,120
Def-Wide	Def Fuel Support Point—San Diego	Replace Fuel Pier	91,563	91,563
Def-Wide	Edwards Air Force Base	Replace Fuel Storage	27,500	27,500
Def-Wide	Twentynine Palms, California	Medical Clinic Replacement	27,400	27,400
	Colorado			
Def-Wide	Buckley Air Force Base	Denver Power House	30,000	30,000
Def-Wide	Fort Carson, Colorado	SOF Battalion Operations Complex	56,673	56,673
Def-Wide	Pikes Peak	High Altitude Medical Research Lab	3,600	3,600
	Conus Classified			
Def-Wide	Classified Location	SOF Parachute Training Facility	6,477	6,477
	Delaware			
Def-Wide	Dover AFB	Replace Truck Off-Load Facility	2,000	2,000
	Florida			
Def-Wide	Eglin AFB	SOF Avfid Ops and Maintenance Facilities	41,695	41,695
Def-Wide	Hurlburt Field	Construct Fuel Storage Facility	16,000	16,000
Def-Wide	Macdill AFB	SOF Joint Special Ops University Fac (Jsou)	34,409	34,409
	Germany			
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 2	127,000	127,000
Def-Wide	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades	2,413	2,413
Def-Wide	Vogelweh	Replace Vogelweh Elementary School	61,415	61,415
Def-Wide	Weisbaden	Weisbaden High School Addition	52,178	52,178
	Guam			
Def-Wide	Andersen AFB	Upgrade Fuel Pipeline	67,500	67,500
	Guantanamo Bay, Cuba			
Def-Wide	Guantanamo Bay	Replace Fuel Pier	37,600	37,600
Def-Wide	Guantanamo Bay	Replace Truck Load Facility	2,600	2,600
	Hawaii			
Def-Wide	Joint Base Pearl Harbor-Hickam	SOF Sdvt–1 Waterfront Operations Facility	24,289	24,289
	Illinois			
Def-Wide	Great Lakes	Drug Laboratory Replacement	28,700	28,700
Def-Wide	Scott AFB	DISA Facility Upgrades	84,111	84,111
Def-Wide	Scott AFB	Medical Logistics Warehouse	2,600	2,600
	Indiana			
Def-Wide	Grissom ARB	Replace Hydrant Fuel System	26,800	26,800
	Japan			
Def-Wide	Camp Zama	Renovate Zama High School	13,273	13,273
Def-Wide	Kadena Ab	Replace Elementary School	71,772	71,772
Def-Wide	Kadena Ab	Replace Stearley Heights Elementary School	71,773	71,773
Def-Wide	Sasebo	Replace Sasebo Elementary School	35,733	35,733
Def-Wide	Zukeran	Replace Zukeran Elementary School	79,036	79,036
	Kentucky			
Def-Wide	Fort Campbell, Kentucky	Replace Barkley Elementary School	41,767	41,767
Def-Wide	Fort Campbell, Kentucky	SOF Ground Support Battalion	26,313	26,313
Def-Wide	Fort Campbell, Kentucky	SOF Landgraf Hangar Extension	3,559	3,559
	Korea			
Def-Wide	Kunsan Air Base	Medical/Dental Clinic Addition	13,000	13,000
Def-Wide	Osan AFB	Hospital Addition/Alteration	34,600	34,600
Def-Wide	Osan AFB	Replace Osan Elementary School	42,692	42,692
	Louisiana			
Def-Wide	Barksdale AFB	Upgrade Pumphouse	11,700	11,700
	Maryland			
Def-Wide	Annapolis	Health Clinic Replacement	66,500	66,500
Def-Wide	Bethesda Naval Hospital	Base Installation Access./Appearance Plan	7,000	7,000
Def-Wide	Bethesda Naval Hospital	Electrical Capacity and Cooling Towers	35,600	35,600
Def-Wide	Bethesda Naval Hospital	Temporary Medical Facilities	26,600	26,600
Def-Wide	Fort Detrick	USAMRIID Stage I, Incr 7	19,000	19,000
Def-Wide	Fort Meade	High Performance Computing Center Inc 2	300,521	300,521
Def-Wide	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 1	25,000	25,000
	Missouri			
Def-Wide	Fort Leonard Wood	Dental Clinic	18,100	18,100
	New Mexico			
Def-Wide	Cannon AFB	Medical/Dental Clinic Repalcement	71,023	71,023
Def-Wide	Cannon AFB	SOF Ac–130J Combat Parking Apron	22,062	22,062
	New York			
Def-Wide	Fort Drum, New York	Idt Complex	25,900	25,900
Def-Wide	Fort Drum, New York	Soldier Specialty Care Clinic	17,300	17,300
	North Carolina			
Def-Wide	Camp Lejeune, North Carolina	Medical Clinic Replacement	21,200	21,200
Def-Wide	Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities	53,399	53,399
Def-Wide	Camp Lejeune, North Carolina	SOF Survival Evasion Resist. Escape Tng Fac	5,465	5,465
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	40,481	40,481
Def-Wide	Fort Bragg	SOF Civil Affairs Battalion Complex	31,373	31,373

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
Def-Wide	Fort Bragg	SOF Support Addition	3,875	3,875
Def-Wide	Fort Bragg	SOF Sustainment Brigade Complex	24,693	24,693
Def-Wide	Seymour Johnson AFB	Medical Clinic Replacement	53,600	53,600
Def-Wide	Seymour Johnson AFB	Replace Pipeline	1,850	1,850
	Pennsylvania			
Def-Wide	Def Distribution Depot New Cumberland	Replace Communications Building	6,800	6,800
Def-Wide	Def Distribution Depot New Cumberland	Replace Reservoir	4,300	4,300
Def-Wide	Def Distribution Depot New Cumberland	Replace Sewage Treatment Plant	6,300	6,300
	Romania			
Def-Wide	Deveselu, Romania	Aegis Ashore Missile Defense System Complex	157,900	82,900
	South Carolina			
Def-Wide	Shaw AFB	Medical Clinic Replacement	57,200	57,200
	Texas			
Def-Wide	Fort Bliss	Hospital Replacement Incr 4	207,400	207,400
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Phase 3 Incr	80,700	80,700
Def-Wide	Red River Army Depot	Dfas Facility	16,715	16,715
	United Kingdom			
Def-Wide	Menwith Hill Station	MHS Utilities and Roads	3,795	3,795
Def-Wide	Menwith Hill Station	Replace Menwith Hill Elementary/High School	46,488	46,488
Def-Wide	Raf Feltwell	Feltwell Elementary School Addition	30,811	
Def-Wide	Raf Mildenhall	SOF CV–22 Simulator Facility	6,490	6,490
	Utah			
Def-Wide	Camp Williams	Ic Cnci Data Center 1 Inc 4	191,414	191,414
	Virginia			
Def-Wide	Dam Neck	SOF Magazines	0	0
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Combat Services Support Facility—East	11,132	11,132
Def-Wide	Norfolk	Veterinary Facility Replacement	8,500	8,500
	Washington			
Def-Wide	Fort Lewis	SOF Battalion Operations Facility	46,553	46,553
Def-Wide	Fort Lewis	SOF Military Working Dog Kennel	3,967	3,967
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	0
Def-Wide	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	6,440	6,440
Def-Wide	Unspecified Worldwide Locations	Minor Construction	5,000	5,000
Def-Wide	Unspecified Worldwide Locations	Planning & Design	5,000	5,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	7,928	7,928
Def-Wide	Unspecified Worldwide Locations	Planning and Design	105,700	105,700
Def-Wide	Unspecified Worldwide Locations	Planning and Design	27,620	27,620
Def-Wide	Unspecified Worldwide Locations	Planning and Design	8,300	8,300
Def-Wide	Unspecified Worldwide Locations	Planning and Design	47,978	47,978
Def-Wide	Unspecified Worldwide Locations	Planning and Design	105,569	105,569
Def-Wide	Unspecified Worldwide Locations	Planning and Design	2,919	2,919
Def-Wide	Unspecified Worldwide Locations	Planning and Design	4,548	4,548
Def-Wide	Unspecified Worldwide Locations	SOF Operations and Skills Training Complex	0	0
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Const	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	7,254	7,254
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	4,091	4,091
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Milcon	3,000	3,000
Total Military Construction, Defense-Wide			**3,654,623**	**3,569,623**
	Colorado			
Chem Demil	Pueblo Depot	Ammunition Demilitarization Facility, Ph Xiv	36,000	36,000
	Kentucky			
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Ph Xiii	115,000	115,000
Total Chemical Demilitarization Construction, Defense			**151,000**	**151,000**
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	254,163	254,163
Total NATO Security Investment Program			**254,163**	**254,163**
	Alabama			
Army NG	Fort MC Clellan	Live Fire Shoot House	5,400	5,400
	Arkansas			
Army NG	Searcy	Field Maintenance Shop	6,800	6,800
	California			
Army NG	Fort Irwin	Maneuver Area Training & Equipment Site Ph3	25,000	25,000
	Connecticut			
Army NG	Camp Hartell	Combined Support Maintenance Shop	32,000	32,000
	Delaware			
Army NG	Bethany Beach	Regional Training Institute Ph1	5,500	5,500
	Florida			
Army NG	Camp Blanding	Combined Arms Collective Training Fac	9,000	9,000
Army NG	Miramar	Readiness Center	20,000	20,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	Guam			
Army NG	Barrigada	JFHQ Ph4	8,500	8,500
	Hawaii			
Army NG	Kapolei	Army Aviation Support Facility Ph1	28,000	28,000
	Idaho			
Army NG	Orchard Trainig Area	Ortc(Barracks)Ph2	40,000	40,000
	Indiana			
Army NG	South Bend	Armed Forces Reserve Center Add/Alt	21,000	21,000
Army NG	Terre Haute	Field Maintenance Shop	9,000	9,000
	Iowa			
Army NG	Camp Dodge	Urban Assault Course	3,000	3,000
	Kansas			
Army NG	Topeka	Taxiway, Ramp & Hangar Alterations	9,500	9,500
	Kentucky			
Army NG	Frankfort	Army Aviation Support Facility	32,000	32,000
	Massachusetts			
Army NG	Camp Edwards	Ground Water Extraction, Treatment, and Recharge System	0	0
Army NG	Camp Edwards	Unit Training Equipment Site	22,000	22,000
	Michigan			
Army NG	Camp Grayling	Operational Readiness Training Complex (Ortc) Barracks	0	0
	Minnesota			
Army NG	Camp Ripley	Scout Reconnaisance Range	17,000	17,000
Army NG	St Paul	Readiness Center	17,000	17,000
	Missouri			
Army NG	Fort Leonard Wood	Regional Training Institute	18,000	18,000
Army NG	Kansas City	Readiness Center Add/Alt	1,900	1,900
Army NG	Monett	Readiness Center Add/Alt	820	820
Army NG	Perryville	Readiness Center Add/Alt	700	700
	Montana			
Army NG	Miles City	Readiness Center	11,000	11,000
	New Jersey			
Army NG	Sea Girt	Regional Training Institute	34,000	34,000
	New York			
Army NG	Stormville	Combined Support Maint Shop Ph1	24,000	24,000
	Ohio			
Army NG	Chillicothe	Field Maintenance Shop Add/Alt	3,100	3,100
Army NG	Delaware	Readiness Center	12,000	12,000
	Oklahoma			
Army NG	Camp Gruber	Operations Readiness Training Complex	25,000	25,000
	Puerto Rico			
Army NG	Camp Santiago	Readiness Center	3,800	3,800
Army NG	Ceiba	Refill Station Building	2,200	2,200
Army NG	Guaynabo	Readiness Center (JFHQ)	15,000	15,000
Army NG	Gurabo	Readiness Center	14,700	14,700
	Utah			
Army NG	Camp Williams	BEQ Facility (Regional Training Institute)	15,000	15,000
Army NG	Camp Williams	Regional Training Institute Ph2	21,000	21,000
	Vermont			
Army NG	North Hyde Park	Field Maintenance Shop	0	0
	Washington			
Army NG	Fort Lewis	Readiness Center	35,000	35,000
	West Virginia			
Army NG	Logan	Readiness Center	14,200	14,200
	Wisconsin			
Army NG	Wausau	Field Maintenance Shop	10,000	10,000
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	26,622	26,622
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,057	15,057
Total Military Construction, Army National Guard			**613,799**	**613,799**
	California			
Army Res	Fort Hunter Liggett	Access Control Point	0	0
Army Res	Fort Hunter Liggett	Ortc	64,000	64,000
Army Res	Fort Hunter Liggett	Uph Barracks	4,300	4,300
Army Res	Tustin	Army Reserve Center	27,000	27,000
	Illinois			
Army Res	Fort Sheridan	Army Reserve Center	28,000	28,000
	Maryland			
Army Res	Aberdeen Proving Ground	Army Reserve Center	21,000	21,000
Army Res	Baltimore	Add/Alt Army Reserve Center	10,000	10,000
	Massachusetts			
Army Res	Devens Reserve Forces Training Area	Automatic Record Fire Range	4,800	4,800
Army Res	Devens Reserve Forces Training Area	Combat Pistol/MP Firearms Qualification	3,700	3,700
	Nevada			
Army Res	Las Vegas	Army Reserve Center/AMSA	21,000	21,000
	New Jersey			
Army Res	Joint Base Mcguire-Dix-Lakehurst	Automated Infantry Squad Battle Course	7,400	7,400
	Pennsylvania			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
Army Res	Conneaut Lake	Defense Access Road	0	0
	Washington			
Army Res	Joint Base Lewis-Mcchord	Army Reserve Center	40,000	40,000
	Wisconsin			
Army Res	Fort Mccoy	Central Issue Facility	12,200	12,200
Army Res	Fort Mccoy	Dining Facility	8,600	8,600
Army Res	Fort Mccoy	Ecs Tactical Equip. Maint. Facilty (Temf)	27,000	27,000
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	15,951	15,951
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	10,895	10,895
Total Military Construction, Army Reserve			**305,846**	**305,846**
	Arizona			
N/MC Res	Yuma	Reserve Training Facility—Yuma AZ	5,379	5,379
	Iowa			
N/MC Res	Fort Des Moines	Joint Reserve Center—Des Moines IA	19,162	19,162
	Louisiana			
N/MC Res	New Orleans	Transient Quarters	7,187	7,187
	New York			
N/MC Res	Brooklyn	Vehicle Maint. Fac.—Brooklyn NY	4,430	4,430
	Texas			
N/MC Res	Fort Worth	Commercial Vehicle Inspection Site	11,256	11,256
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	Planning and Design	2,118	2,118
Total Military Construction, Navy and Marine Corps Reserve			**49,532**	**49,532**
	California			
Air NG	Fresno Yosemite IAP ANG	F–15 Conversion	11,000	11,000
	Hawaii			
Air NG	Joint Base Pearl Harbor-Hickam	TFI—F–22 Combat Apron Addition	6,500	6,500
	New Mexico			
Air NG	Kirtland AFB	Alter Target Intelligence Facility	8,500	8,500
	Tennessee			
Air NG	Mcghee-Tyson Airport	Dormitory Classroom Facility	0	0
	Worldwide Unspecified			
Air NG	Various Worldwide Locations	Planning and Design	4,000	4,000
Air NG	Various Worldwide Locations	Unspecified Minor Construction	5,900	5,900
	Wyoming			
Air NG	Cheyenne Map	C–130 Flight Simulator Training Facility	6,486	6,486
Total Military Construction, Air National Guard			**42,386**	**42,386**
	California			
AF Res	March Air Reserve Base	Joint Regional Deployment Processing Center	0	0
	New York			
AF Res	Niagara Falls IAP	Flight Simulator Facility	6,100	6,100
	Worldwide Unspecified			
AF Res	Various Worldwide Locations	Planning and Design	2,879	2,879
AF Res	Various Worldwide Locations	Unspecified Minor Construtions	2,000	2,000
Total Military Construction, Air Force Reserve			**10,979**	**10,979**
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P&d	4,641	4,641
Total Family Housing Construction, Army			**4,641**	**4,641**
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings Account	31,785	31,785
FH Ops Army	Unspecified Worldwide Locations	Leasing	203,533	203,533
FH Ops Army	Unspecified Worldwide Locations	Maintenance of Real Property	109,534	109,534
FH Ops Army	Unspecified Worldwide Locations	Management Account	56,970	56,970
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous Account	620	620
FH Ops Army	Unspecified Worldwide Locations	Privatization Support Costs	26,010	26,010
FH Ops Army	Unspecified Worldwide Locations	Services Account	13,487	13,487
FH Ops Army	Unspecified Worldwide Locations	Utilities Account	88,112	88,112
Total Family Housing Operation & Maintenance, Army			**530,051**	**530,051**
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Improvements	79,571	79,571
FH Con AF	Unspecified Worldwide Locations	Planning and Design	4,253	4,253
Total Family Housing Construction, Air Force			**83,824**	**83,824**
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings Account	37,878	37,878

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	46,127	46,127
FH Ops AF	Unspecified Worldwide Locations	Leasing	62,730	62,730
FH Ops AF	Unspecified Worldwide Locations	Maintenance (Rpma Rpmc)	201,937	201,937
FH Ops AF	Unspecified Worldwide Locations	Management Account	55,002	55,002
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous Account	1,943	1,943
FH Ops AF	Unspecified Worldwide Locations	Services Account	16,550	16,550
FH Ops AF	Unspecified Worldwide Locations	Utilities Account	75,662	75,662
Total Family Housing Operation & Maintenance, Air Force			**497,829**	**497,829**
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Design	4,527	4,527
FH Con Navy	Unspecified Worldwide Locations	Improvements	97,655	97,655
Total Family Housing Construction, Navy and Marine Corps			**102,182**	**102,182**
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings Account	17,697	17,697
FH Ops Navy	Unspecified Worldwide Locations	Leasing	83,774	83,774
FH Ops Navy	Unspecified Worldwide Locations	Maintenance of Real Property	85,254	85,254
FH Ops Navy	Unspecified Worldwide Locations	Management Account	62,741	62,741
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous Account	491	491
FH Ops Navy	Unspecified Worldwide Locations	Privatization Support Costs	27,798	27,798
FH Ops Navy	Unspecified Worldwide Locations	Services Account	19,615	19,615
FH Ops Navy	Unspecified Worldwide Locations	Utilities Account	80,860	80,860
Total Family Housing Operation & Maintenance, Navy and Marine Corps			**378,230**	**378,230**
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	4,660	4,660
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	66	66
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	20	20
FH Ops DW	Unspecified Worldwide Locations	Leasing	35,333	35,333
FH Ops DW	Unspecified Worldwide Locations	Leasing	10,822	10,822
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	567	567
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	73	73
FH Ops DW	Unspecified Worldwide Locations	Management Account	371	371
FH Ops DW	Unspecified Worldwide Locations	Services Account	31	31
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	283	283
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	12	12
Total Family Housing Operation & Maintenance, Defense-Wide			**52,238**	**52,238**
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Family Housing Improvement Fund	1,786	1,786
Total DOD Family Housing Improvement Fund			**1,786**	**1,786**
	Worldwide Unspecified			
BRAC 05	Unspecified Worldwide Locations	Comm Add 3: Galena Fol, AK	1,337	1,337
BRAC 05	Unspecified Worldwide Locations	Don–100: Planing, Design and Management	5,038	5,038
BRAC 05	Unspecified Worldwide Locations	Don–101: Various Locations	4,176	4,176
BRAC 05	Unspecified Worldwide Locations	Don–138: NAS Brunswick, ME	4,897	4,897
BRAC 05	Unspecified Worldwide Locations	Don–157: Mcsa Kansas City, MO	39	39
BRAC 05	Unspecified Worldwide Locations	Don–168: Ns Newport, RI	1,742	1,742
BRAC 05	Unspecified Worldwide Locations	Don–172: NWS Seal Beach, Concord, CA	2,129	2,129
BRAC 05	Unspecified Worldwide Locations	Don–84: JRB Willow Grove & Cambria Reg Ap	189	189
BRAC 05	Unspecified Worldwide Locations	Ind–106: Kansas Army Ammunition Plant, KS	7,280	7,280
BRAC 05	Unspecified Worldwide Locations	Ind–110: Mississippi Army Ammo Plant, MS	160	160
BRAC 05	Unspecified Worldwide Locations	Ind–112: River Bank Army Ammo Plant, CA	22,431	22,431
BRAC 05	Unspecified Worldwide Locations	Ind–119: Newport Chemical Depot, in	197	197
BRAC 05	Unspecified Worldwide Locations	Ind–122: Lone Star Army Ammo Plant, TX	11,379	11,379
BRAC 05	Unspecified Worldwide Locations	Med–2: Walter Reed Nmmc, Bethesda, MD	7,787	7,787
BRAC 05	Unspecified Worldwide Locations	Med–57: Brooks City Base, TX	326	326
BRAC 05	Unspecified Worldwide Locations	Program Management Various Locations	20,453	20,453
BRAC 05	Unspecified Worldwide Locations	Program Management Various Locations	605	605
BRAC 05	Unspecified Worldwide Locations	Usa–113: Fort Monroe, VA	12,184	12,184
BRAC 05	Unspecified Worldwide Locations	Usa–121: Fort Gillem, GA	4,976	4,976
BRAC 05	Unspecified Worldwide Locations	Usa–167: USAR Command and Control—NE	175	175
BRAC 05	Unspecified Worldwide Locations	Usa–212: USAR Cmd & Cntrl—New England	222	222
BRAC 05	Unspecified Worldwide Locations	Usa–222: Fort Mcpherson, GA	6,772	6,772
BRAC 05	Unspecified Worldwide Locations	Usa–223: Fort Monmouth, NJ	9,989	9,989
BRAC 05	Unspecified Worldwide Locations	Usa–236: Rc Transformation in CT	557	557
BRAC 05	Unspecified Worldwide Locations	Usa–242: Rc Transformation in NY	172	172
BRAC 05	Unspecified Worldwide Locations	Usa–253: Rc Transformation in PA	100	100
BRAC 05	Unspecified Worldwide Locations	Usa–36: Red River Army Depot	1,385	1,385
Total Base Realignment and Closure Account 2005			**126,697**	**126,697**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	Worldwide Unspecified			
BRAC IV	Base Realignment & Closure, Air Force	Base Realignment & Closure	122,552	122,552
BRAC IV	Base Realignment & Closure, Army	Base Realignment & Closure	79,893	79,893
BRAC IV	Base Realignment & Closure, Navy	Base Realignment & Closure	146,951	146,951
Total Base Realignment and Closure Account 1990			**349,396**	**349,396**
	Worldwide Unspecified			
PYS	Unspecified Worldwide Locations	BRAC 2005	0	−126,697
PYS	Unspecified Worldwide Locations	Contingency Construction	0	−20,000
Total Prior Year Savings			**0**	**−146,697**
Total Military Construction			**11,222,710**	**10,838,192**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	BAHRAIN ISLAND			
Navy	SW ASIA	COMBINED DINING FACILITY	0	9,819
Navy	SW ASIA	TRANSIENT QUARTERS	0	41,529
	DJIBOUTI			
Navy	CAMP LEMONIER, DJIBOUTI	CONTAINERIZED LIVING AND WORK UNITS	0	7,510
Navy	CAMP LEMONIER, DJIBOUTI	FITNESS CENTER	0	26,960
Navy	CAMP LEMONIER, DJIBOUTI	GALLEY ADDITION AND WAREHOUSE	0	22,220
Navy	CAMP LEMONIER, DJIBOUTI	JOINT HQ/JOINT OPERATIONS CENTER FACILITY	0	42,730
Total Military Construction, Navy			**0**	**150,768**
	WORLDWIDE UNSPECIFIED			
PYS	UNSPECIFIED WORLDWIDE LOCATIONS	112–10 AND TITLE IV OF DIVISION H P.L. 112–74	0	−150,768
Total Prior Year Savings			**0**	**−150,768**
Total Military Construction			**0**	**0**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	6,000	6,000
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,577,341	7,900,979
Defense nuclear nonproliferation	2,458,631	2,485,631
Naval reactors	1,088,635	1,187,635
Office of the administrator	411,279	363,279
Total, National nuclear security administration	**11,535,886**	**11,937,524**
Environmental and other defense activities:		
Defense environmental cleanup	5,472,001	5,482,001
Other defense activities	735,702	685,702
Total, Environmental & other defense activities	**6,207,703**	**6,167,703**
Total, Atomic Energy Defense Activities	**17,743,589**	**18,105,227**
Total, Discretionary Funding	**17,749,589**	**18,111,227**
Electricity Delivery & Energy Reliability		
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration	6,000	6,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	House Authorized
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	369,000	435,000
W76 Life extension program	174,931	255,931
Total, Life extension programs	**543,931**	**690,931**
Stockpile systems		
B61 Stockpile systems	72,364	72,364
W76 Stockpile systems	65,445	65,445
W78 Stockpile systems	139,207	151,207
W80 Stockpile systems	46,540	46,540
B83 Stockpile systems	57,947	57,947
W87 Stockpile systems	85,689	85,689
W88 Stockpile systems	123,217	128,217
Total, Stockpile systems	**590,409**	**607,409**
Weapons dismantlement and disposition		
Operations and maintenance	51,265	51,265
Stockpile services		
Production support	365,405	371,405
Research and development support	28,103	32,103
R&D certification and safety	191,632	218,632
Management, technology, and production	175,844	184,844
Plutonium sustainment	141,685	150,685
Total, Stockpile services	**902,669**	**957,669**
Total, Directed stockpile work	**2,088,274**	**2,307,274**
Campaigns:		
Science campaign		
Advanced certification	44,104	73,604
Primary assessment technologies	94,000	101,000
Dynamic materials properties	97,000	106,000
Advanced radiography	30,000	30,000
Secondary assessment technologies	85,000	85,000
Total, Science campaign	**350,104**	**395,604**
Engineering campaign		
Enhanced surety	46,421	54,921
Weapon systems engineering assessment technology	18,983	18,983
Nuclear survivability	21,788	21,788
Enhanced surveillance	63,379	71,379
Total, Engineering campaign	**150,571**	**167,071**
Inertial confinement fusion ignition and high yield campaign		
Diagnostics, cryogenics and experimental support	81,942	81,942
Ignition	84,172	54,172
Support of other stockpile programs	14,817	34,817
Pulsed power inertial confinement fusion	6,044	6,044
Joint program in high energy density laboratory plasmas	8,334	8,334
Facility operations and target production	264,691	264,691
Total, Inertial confinement fusion and high yield campaign	**460,000**	**450,000**
Advanced simulation and computing campaign	600,000	570,000
Readiness Campaign		
Nonnuclear readiness	64,681	64,681
Tritium readiness	65,414	65,414
Total, Readiness campaign	**130,095**	**130,095**
Total, Campaigns	**1,690,770**	**1,712,770**
Readiness in technical base and facilities (RTBF)		
Operations of facilities		
Kansas City Plant	163,602	163,602
Lawrence Livermore National Laboratory	89,048	89,048
Los Alamos National Laboratory	335,978	335,978
Nevada National Security Site	115,697	115,697
Pantex	172,020	172,020
Sandia National Laboratory	167,384	167,384

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	House Authorized
Savannah River Site	120,577	120,577
Y–12 National security complex	255,097	255,097
Total, Operations of facilities	**1,419,403**	**1,419,403**
Science, technology and engineering capability support	166,945	166,945
Nuclear operations capability support	203,346	203,346
Subtotal, Readiness in technical base and facilities	**1,789,694**	**1,789,694**
Construction:		
13–D–301 Electrical infrastructure upgrades, LANL/LLNL	23,000	23,000
12–D–301 TRU–waste facilities, LANL	24,204	24,204
11–D–801 TA–55 Reinvestment project, LANL	8,889	8,889
10–D–501 Nuclear facilities risk reduction Y–12 National security complex, Oakridge, TN	17,909	17,909
09–D–404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM	11,332	11,332
08–D–802 High explosive pressing facility Pantex Plant, Amarillo, TX	24,800	24,800
06–D–141 PED/Construction, UPF Y–12 , Oak Ridge, TN	340,000	340,000
04–D–125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM	0	100,000
Total, Construction	**450,134**	**550,134**
Total, Readiness in technical base and facilities	**2,239,828**	**2,339,828**
Secure transportation asset		
Operations and equipment	114,965	114,965
Program direction	104,396	104,396
Total, Secure transportation asset	**219,361**	**219,361**
Nuclear counterterrorism incident response	247,552	247,552
Site stewardship		
Operations and maintenance	90,001	72,639
Total, Site stewardship	**90,001**	**72,639**
Defense nuclear security		
Operations and maintenance	643,285	643,285
NNSA CIO activities	155,022	155,022
Legacy contractor pensions	185,000	185,000
National security applications	18,248	18,248
Subtotal, Weapons activities	**7,577,341**	**7,900,979**
Total, Weapons Activities	**7,577,341**	**7,900,979**
Defense Nuclear Nonproliferation		
Nonproliferation and verification R&D		
Operations and maintenance	548,186	548,186
Nonproliferation and international security	150,119	150,119
International nuclear materials protection and cooperation	311,000	311,000
Fissile materials disposition		
U.S. surplus fissile materials disposition		
Operations and maintenance		
U.S. plutonium disposition	498,979	498,979
U.S. uranium disposition	29,736	29,736
Total, Operations and maintenance	**528,715**	**528,715**
Construction:		
99–D–143 Mixed oxide fuel fabrication facility, Savannah River, SC	388,802	388,802
Total, Construction	**388,802**	**388,802**
Total, U.S. surplus fissile materials disposition	**917,517**	**917,517**
Russian surplus fissile materials disposition	3,788	3,788
Total, Fissile materials disposition	**921,305**	**921,305**
Global threat reduction initiative	466,021	493,021
Legacy contractor pensions	62,000	62,000
Total, Defense Nuclear Nonproliferation	**2,458,631**	**2,485,631**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	House Authorized
Naval Reactors		
Naval reactors development	418,072	418,072
Ohio replacement reactor systems development	89,700	186,700
S8G Prototype refueling	121,100	121,100
Naval reactors operations and infrastructure	366,961	366,961
Construction:		
13–D–905 Remote-handled low-level waste facility, INL	8,890	8,890
13–D–904 KS Radiological work and storage building, KSO	2,000	2,000
13–D–903, KS Prototype Staff Building, KSO	14,000	14,000
10–D–903, Security upgrades, KAPL	19,000	19,000
08–D–190 Expended Core Facility M–290 recovering discharge station, Naval Reactor Facility, ID	5,700	5,700
Total, Construction	**49,590**	**49,590**
Program direction	43,212	45,212
Subtotal, Naval Reactors	**1,088,635**	**1,187,635**
Total, Naval Reactors	**1,088,635**	**1,187,635**
Office Of The Administrator		
Office of the administrator	411,279	363,279
Total, Office Of The Administrator	**411,279**	**363,279**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	1,990	1,990
Hanford site:		
River corridor and other cleanup operations	389,347	389,347
Central plateau–remediation	558,820	558,820
Richland community and regulatory support	15,156	15,156
Total, Hanford site	**963,323**	**963,323**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	396,607	396,607
Idaho community and regulatory support	3,000	3,000
Total, Idaho National Laboratory	**399,607**	**399,607**
NNSA sites		
Lawrence Livermore National Laboratory	1,484	1,484
Nuclear facility D & D Separations Process Research Unit	24,000	24,000
Nevada	64,641	64,641
Sandia National Laboratories	5,000	5,000
Los Alamos National Laboratory	239,143	239,143
Total, NNSA sites and Nevada off-sites	**334,268**	**334,268**
Oak Ridge Reservation:		
Building 3019	67,525	67,525
OR cleanup and disposition	109,470	109,470
OR reservation community and regulatory support	4,500	4,500
Total, Oak Ridge Reservation	**181,495**	**181,495**
Office of River Protection:		
Waste treatment and immobilization plant		
01–D–416 A-E/ORP-0060 / Major construction	690,000	690,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	482,113	482,113
Total, Office of River protection	**1,172,113**	**1,172,113**
Savannah River sites:		
Savannah River risk management operations	444,089	444,089
SR community and regulatory support	16,584	16,584
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	698,294	698,294
Construction:		
05–D–405 Salt waste processing facility, Savannah River	22,549	22,549
PE&D glass waste storage building #3	0	0

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	House Authorized
Total, Radioactive liquid tank waste	**720,843**	**720,843**
Total, Savannah River site	**1,181,516**	**1,181,516**
Waste Isolation Pilot Plant		
Waste isolation pilot plant	198,010	198,010
Total, Waste Isolation Pilot Plant	**198,010**	**198,010**
Program direction	323,504	323,504
Program support	18,279	18,279
Safeguards and Security:		
Oak Ridge Reservation	18,817	18,817
Paducah	8,909	8,909
Portsmouth	8,578	8,578
Richland/Hanford Site	71,746	71,746
Savannah River Site	121,977	121,977
Waste Isolation Pilot Project	4,977	4,977
West Valley	2,015	2,015
Total, Safeguards and Security	**237,019**	**237,019**
Technology development	20,000	30,000
Uranium enrichment D&D fund contribution	463,000	463,000
Subtotal, Defense environmental cleanup	**5,494,124**	**5,504,124**
Adjustments		
Use of prior year balances	−12,123	−12,123
Use of unobligated balances	−10,000	−10,000
Total, Adjustments	**−22,123**	**−22,123**
Total, Defense Environmental Cleanup	**5,472,001**	**5,482,001**
Other Defense Activities		
Health, safety and security		
Health, safety and security	139,325	139,325
Program direction	106,175	106,175
Undistributed adjustment		−50,000
Total, Health, safety and security	**245,500**	**195,500**
Specialized security activities	188,619	188,619
Office of Legacy Management		
Legacy management	164,477	164,477
Program direction	13,469	13,469
Total, Office of Legacy Management	**177,946**	**177,946**
Defense-related activities		
Defense related administrative support	118,836	118,836
Office of hearings and appeals	4,801	4,801
Subtotal, Other defense activities	**735,702**	**685,702**
Total, Other Defense Activities	**735,702**	**685,702**

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112–485 and amendments en bloc described in section 3 of House Resolution 661.

Each amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Such amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

□ 1510

AMENDMENT NO. 1 OFFERED BY MR. MCKEON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–485.

Mr. MCKEON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 448, strike line 21 and insert ''Not later than 120 days after the date''.

Page 448, line 23, strike ''submit'' and insert ''provide''.

Page 449, line 1, strike ''report'' and insert ''briefing''.

Page 450, strike lines 8 through 15.

Strike the section heading for section 1104 and insert the following:

SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2013, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1104 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1612), is further amended by striking ''through 2012'' and inserting ''through 2013''.

Page 796, beginning line 12, strike ''the Secretary may transfer appropriated funds available'' and insert ''the Secretary is authorized to transfer funds made available in fiscal year 2013''.

Page 840, line 4, strike the period and insert the following: ''or with a detailed justification on the continued threat and how the continuation of the program would effectively address such threat.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I ask unanimous consent that my amendment No. 1 be modified in the manner that I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Mr. MCKEON:

At the end of the amendment, add the following:

At the end of subtitle A of title VII, add the following:

SEC. 704. CERTAIN TREATMENT OF AUTISM UNDER TRICARE.

(a) IN GENERAL.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g)(1) In providing health care under subsection (a) to a covered beneficiary described in paragraph (3)(A), the treatment of autism spectrum disorders shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

''(2) In carrying out this subsection, the Secretary shall ensure that—

''(A) except as provided by subparagraph (B), a person who is authorized to provide behavioral health treatment is licensed or certified by a State or accredited national certification board; and

''(B) if applied behavior analysis or other behavioral health treatment is provided by an employee or contractor of a person described in subparagraph (A), the employee or contractor shall meet minimum qualifications, training, and supervision requirements as set forth by the Secretary.

''(3)(A) A covered beneficiary described in this subparagraph is a covered beneficiary who is a beneficiary by virtue of—

''(i) service in the armed forces (not including the Coast Guard); or

''(ii) being a dependent of a member of the armed forces (not including the Coast Guard).

''(B) Nothing in this subsection shall be construed as limiting or otherwise affecting the benefits otherwise provided under this chapter to a covered beneficiary who is a beneficiary by virtue of—

''(i) service in the Coast Guard, the Commissioned Corp of the National Oceanic and Atmospheric Administration, or the Commissioned Corp of the Public Health Service; or

''(ii) being a dependent of a member of a service described in clause (i).

''(C) This subsection shall not apply to a medicare-eligible beneficiary (as defined in section 1111(b) of this title).

''(D) Except as provided in subparagraph (C), nothing in this subsection shall be construed as limiting or otherwise affecting the benefits provided to a medicare-eligible beneficiary under—

''(i) this chapter;

''(ii) part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.); or

''(iii) any other law.''.

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Private Sector Care is hereby increased by $30,000,000.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for Research, Development, Test and Evaluation, Army, as specified in the corresponding funding table in division D, is hereby reduced by $30,000,000, to be derived as follows:

(A) $21,000,000 from the Aerostat Joint Project Office.

(B) $9,000,000 from Endurance UAVs.

Mr. MCKEON (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Is there objection to modifying the amendment?

Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume.

We have worked long and hard, the staff has worked long and hard to get us to this point. This manager's amendment that we've worked on has been worked through both sides. We have unanimous agreement on it. It's a good bill, a good addition to the bill, and I ask that it be approved.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, although I am not opposed, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. BERMAN), the ranking member on the Foreign Affairs Committee.

Mr. BERMAN. Thank you, Mr. SMITH, for yielding me this time.

I rise in support of the manager's amendment, but to speak in support of the Smith amendment, which is part of the en bloc amendment which will be taken up next. I am pleased to join Ranking Member SMITH, Chairman MCKEON, and Foreign Affairs Chair ROS-LEHTINEN as sponsor of the Smith amendment.

I am particularly pleased that this amendment incorporates most of H.R. 3288, the Safeguarding United States Satellite Leadership and Security Act, legislation I introduced last November, along with DON MANZULLO, ADAM SMITH, DUTCH RUPPERSBERGER, ROB BISHOP, MARTIN HEINRICH, MIKE COFFMAN, and GERRY CONNOLLY. We have since been joined by 12 other cosponsors from both sides of the aisle, many of whom are also cosponsors of this amendment.

Mr. Chairman, this bipartisan amendment, which will be part of the en bloc, would help restore America's global competitiveness in high-tech satellite technology and protect vital U.S. national security interests.

Treating commercial satellites and components as if they were lethal weapons, regardless of whether they're going to friend or foe, has gravely harmed American space manufacturers—a view borne out by numerous studies, industry assessments, and the administration's own recent ''1248'' report to Congress. We depend on these manufacturers for our own critical defense needs. If onerous restrictions prevent them from competing in the international marketplace, then they can't innovate and ultimately cannot survive.

This amendment also supports U.S. national security. It includes a strict prohibition on any satellite exports to China—the original concern that caused Congress to transfer all satellites to the Munitions List—as well as to Iran, North Korea, Syria, Sudan, and Cuba.

I urge my colleagues to support the amendment, and I thank the chair and the ranking member of the committee for their support of this amendment.

Mr. MCKEON. Mr. Chairman, I just want to rise to commend the gentleman, Mr. BERMAN, for his strong work on this amendment, for the work that he's done to further this cause of helping businesses in being able to do business abroad while still protecting the security of America.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

I support the manager's amendment. I'm going to speak the balance of my time on the Smith-Amash amendment coming up later. There has been a

great deal of distorted information going out. I want to take this opportunity to correct some of it.

First of all, the Gohmert amendment that's being offered does not solve the problem; you will still be subject to military custody and indefinite detention. It is not clear on that point; it leaves open the possibility the President will maintain that authority, and that is what this debate should be all about.

The President, right now, has the authority to go outside of the normal due process, constitutionally protected rights that are part of a court trial, and lock somebody up indefinitely or place them in military custody here in the U.S. That is an extraordinary amount of power to give the executive branch over individual freedom and liberty. I don't think it is necessary to keep us safe. Ten years of successfully prosecuting, convicting, and locking up terrorists under Article III courts has proven that point.

But hands down, the dumbest set of arguments I've ever heard in debating has been circulating that somehow taking away this extraordinary power from the President rewards terrorists. I would like to remind everybody—and particularly Tea Party conservatives—that just because the government arrests you doesn't mean you're guilty. Under their thinking, basically, once the government says you're a terrorist, you're a terrorist, and we shouldn't have a trial about it. So any effort to make sure that there's a process, to make sure that you actually are a terrorist becomes rewarding them. No; it's the process to make sure they are actually guilty. I cannot believe that Tea Party conservatives want to create a situation where when the government says you're guilty of a crime, that's it—no trial, no process, let's just lock you up and forget about it. That's why we have a court system.

Let's have the real debate here. Does the President need this authority to keep us safe? I don't believe he does. Let's stop these ridiculous arguments about rewarding terrorists and have some respect for the Constitution and due process.

With that, I yield back the balance of my time.

Mr. MCKEON. At this point, Mr. Chairman, I yield the balance of our time to the vice chairman of the committee, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I thank the chairman for yielding.

Mr. Chairman, we're going to have ample opportunity to debate a number of the issues that the distinguished ranking member raised, but I don't think that we can be here on the floor and allow some of the arguments that have been made to go without some challenge.

For example, to say that a letter signed by two former Attorneys General, a former Secretary of Homeland Security, and a variety of other officials who have had positions of responsibility in previous administrations who believe that the Smith-Amash amendment would be detrimental to our effort against terrorists, to say that those arguments are somehow silly or foolish I think really demeans past administrations.

□ 1520

It is not actually fitting for this sort of debate. I understand that emotions can run high when we talk about these issues, and there are serious issues to be discussed, some difficult problems and some clear differences. But I hope that in the future the nature of the debate is elevated somewhat beyond calling former distinguished officials names.

And let me make one other point. One of the key problems that many of us have with the Smith-Amash amendment is that it would bestow upon illegal aliens who come to this country to carry out terrorist attacks, it would bestow upon them full constitutional rights. That means basically, as soon as a member of al Qaeda sets foot on American soil, the first thing he hears after ''you are under arrest'' is you have the right to remain silent. You have the right to be provided an attorney. And if you can't afford one, an attorney will be provided to you.

Now, there may be differences about how we should treat illegal aliens who come here as members of al Qaeda to conduct terrorist attacks. But I think the vast majority of people in this body and around the country do not think telling them they have the right to remain silent, as the first thing they hear, is a wise thing.

So as you go through the arguments, and I would encourage Members of the House to read the letter themselves. I would encourage Members of the House to look at today's Wall Street Journal editorial. I would encourage Members of the House to look at the Heritage Foundation entry today on their Web site, to look how significant these issues are, how the Smith-Amash amendment would undermine our ability to defend our people, and how it is unfair to characterize concerns expressed by a dozen or eight to 10 former national security officials as somehow foolish or silly.

I think, Mr. Chairman, that we can do better with that.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from California (Mr. MCKEON).

The amendment, as modified, was agreed to.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 661, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 2, 13, 14, 15, 16, 21, 23, 25, 27, 28, 40, 43, 57, 74, 83, 95, 97, 102, 107, and 126, printed in House Report 112–485, offered by Mr. MCKEON of California:

AMENDMENT NO. 2 OFFERED BY MR. LANDRY OF LOUISIANA

At the end of title X, add the following new section:

SEC. 1084. PROHIBITION ON USE OF INFORMATION AGAINST A UNITED STATES CITIZEN GATHERED BY UNMANNED AERIAL VEHICLE WITHOUT A WARRANT.

Notwithstanding any other provision of law, information acquired by an unmanned aerial vehicle operated by the Department of Defense may not be admitted in a Federal court, State court, or court of a political subdivision of a State as evidence against a United States citizen unless such information was obtained by such unmanned aerial vehicle pursuant to a court order.

AMENDMENT NO. 13 OFFERED BY MR. HANNA OF NEW YORK

At the end of subtitle D of title II, add the following new section:

SEC. 245. REPORT ON AIR FORCE CYBER OPERATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a study of Air Force cyber operations research, science, and technology. The report shall include following:

(1) The near-, mid- and far-term research and development priorities of the Secretary with respect to cyber operations, including the resources needed to execute such priorities.

(2) The percentage of research and development funding of the Air Force that is used to support cyber operations during each year covered by the future-years defense program submitted to Congress during 2012 under section 221 of title 10, United States Code.

(3) The anticipated role of each of the installations of the Air Force Research Laboratory with respect to cybersecurity research and development and operational support during each year covered by such future-years defense program.

(4) The resources, including both personnel and funding, that are projected to support the Air Force Research Laboratory in fulfilling such roles.

(5) Anticipated budget actions, if any, that the Secretary of Defense and the Secretary of the Air Force plan to take during fiscal year 2013 to ensure that the Department of Defense and the Air Force maintain the leadership role in cyber research.

(6) The plan of the Secretary of the Air Force to integrate cyber operations into military operations.

(7) The ways in which the Secretary is recruiting and retaining scientists and engineers at the Air Force Research Laboratory involved with cyber operations research, including the use of the authorities granted under the laboratory demonstration program established by Section 342 of the National Defense Authorization Act for Fiscal Year 1995 and section 1114 of the National Defense Authorization Act for Fiscal Year 2001.

(8) Efforts to coordinate science and technology cyber activities of the Air Force Research Laboratory with other Air Force organizations, including the Air Force Institute of Technology and the Air Force Institute of Technology Center for Cyberspace Research.

(9) The potential benefit to the Air Force for collaboration with private industry and the development of cyber security technology clusters.

AMENDMENT NO. 14 OFFERED BY MR. BISHOP OF UTAH

Page 95, strike lines 15 through 18, and insert the following:

(4) in paragraph (2)(C), by striking the period and inserting '';

AMENDMENT NO. 15 OFFERED BY MR. GALLEGLY OF CALIFORNIA

In title III, at the end of subtitle B add the following:

SEC. ___. SOUTHERN SEA OTTER MILITARY READINESS AREAS.

(a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2283. Establishment of the Southern Sea Otter Military Readiness Areas

''(a) ESTABLISHMENT.—The Secretary of Defense shall establish areas, to be known as 'Southern Sea Otter Military Readiness Areas', for national defense purposes. Such areas shall include each of the following:

''(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

''N. Latitude/W. Longitude
''33°27.8′/119°34.3′
''33°20.5′/119°15.5′
''33°13.5′/119°11.8′
''33°06.5′/119°15.3′
''33°02.8′/119°26.8′
''33°08.8′/119°46.3′
''33°17.2′/119°56.9′
''33°30.9′/119°54.2′.

''(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line, as designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

''(3) The area that includes Marine Corps Base Camp Pendleton and the adjacent waters within the following coordinates:

''Latitude/W. Longitude
''33°26.6′/117°38.9′
''33°21.3′/117°45.8′
''32°56.2′/117°39.7′
''33°6.5′/117°28.5′
''33°10.2′/117°23.7′
''33°11.8′/117°23.2′
''33°26.6′/117°38.9′.

''(b) ACTIVITIES WITHIN THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—

''(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4 and 9 of the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

''(2) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting military readiness activities.

''(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of any military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

''(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require the removal of any southern sea otter located within the Southern Sea Otter Military Readiness Areas as of the date of the enactment of this section or thereafter.

''(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with, and with the concurrence of, the Secretary of the Navy, determines that military activities occurring in the Southern Sea Otter Military Readiness Areas are substantially impeding southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

''(e) MONITORING.—

''(1) IN GENERAL.—The Secretary of the Navy, in consultation and in cooperation with the Secretary of the Interior, shall monitor the Southern Sea Otter Military Readiness Areas not less often than every year to evaluate the status of the southern sea otter population.

''(2) REPORTS.—Within 18 months after the effective date of this section and every three years thereafter, the Secretaries of the Navy and the Interior shall jointly report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

''(f) DEFINITIONS.—In this section:

''(1) The term 'incidental taking' means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

''(2) The term 'optimum sustainable population' means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.

''(3) The term 'southern sea otter' means any member of the subspecies Enhydra lutris nereis.

''(4) The term 'take'—

''(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531–1544) shall have the meaning given such term in that Act; and

''(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1423h), shall have the meaning given such term in that Act.

''(5) The term 'military readiness activity' has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 16 U.S.C. 703 note), and includes all training and operations of the Armed Forces that relate to combat, and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''2283. Establishment of the Southern Sea Otter Military Readiness Areas.''.

(c) CONSERVATION AND MANAGEMENT ACTIONS.—Section 1 of Public Law 99–625 (16 U.S.C. 1536 note) is amended by adding at the end the following:

''(g) CONSERVATION AND MANAGEMENT ACTIONS.—If the Secretary issues a final rule ending the management plan authorized under subsection (b) through the termination of the regulations implementing such plan—

''(1) the Secretary, in planning and implementing recovery and conservation measures under the Act to allow for the expansion of the range of the population of the sea otter, shall coordinate and cooperate with—

''(A) the Secretary of the Navy;

''(B) the Secretary of Commerce regarding recovery efforts for species listed under the Act; and

''(C) the State of California to assist the State in continuing viable commercial harvest of State fisheries; and

''(2) interaction with sea otters in the course of engaging in fishing in any State fishery south of Point Conception, California, under an authorization issued by the State of California shall not be treated as a violation of section 9 of the Act for incidental take or of the Marine Mammal Protection Act of 1972.''.

AMENDMENT NO. 16 OFFERED BY MS. HAYWORTH OF NEW YORK

At the end of subtitle C of title III, add the following new section:

SEC. 3___. SENSE OF CONGRESS REGARDING THE PERFORMANCE OF COMMERCIALLY-AVAILABLE ACTIVITIES BY DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) our Nation's economic strength is characterized by individual freedom and the competitive enterprise system, and as such, the Federal Government should not compete with its citizens and private enterprise;

(2) in recognition of this policy, the Government should rely on commercially available sources to provide commercial products and services and should not start or carry on any activity to provide a commercial product or service if the product or service can be procured more economically from a commercial source;

(3) this policy conforms with Department of Defense Total Force Management procedures aimed at improving total manpower requirements, determinations, and planning to facilitate decisions regarding which sector (military, civilian, or contractor personnel) should perform each requirement; and

(4) the Department of Defense should not convert the performance of any function from performance by a contractor to performance by Department of Defense civilian employees unless the function is inherently governmental in nature or the conversion is necessary to comply with section 129a of title 10, United States Code, as amended by this Act.

(b) DEFINITION OF INHERENTLY GOVERNMENTAL.—In this section, the term ''inherently governmental'' has the meaning given that term in section 5(2) of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501 note).

AMENDMENT NO. 21 OFFERED BY MS. PINGREE OF MAINE

At the end of subtitle H of title V, add the following new section:

SEC. 584. SENSE OF CONGRESS ON MILITARY SEXUAL TRAUMA.

(a) FINDINGS.—Congress finds the following:

(1) The Department of Defense conducted a survey of members of the Armed Forces serving on active duty that revealed that onlY–13.5 percent of such members reported incidents of sexual assault, which means that more than 19,000 incidents of sexual assault of members of the Armed Forces actually occurred in 2010 alone.

(2) Despite attempts, the Department of Defense has failed to address the chronic under reporting of incidents of sexual assault and harassment, as by the Department's own estimates, 86 percent of sexual assaults went unreported in 2010.

(3) Sexual assault in the military is an ongoing problem leading many victims to seek help after separation from the Armed Forces from the Department of Veterans Affairs.

(4) About 1 in 5 women and 1 in 100 men seen in Veterans Health Administration respond ''Yes'' when screened for military sexual trauma.

(5) Among users of healthcare provided by the Department of Veterans Affairs, medical record data indicates that diagnoses of posttraumatic stress disorder and other anxiety disorders, depression and other mood disorders, and substance use disorders are most frequently associated with military sexual trauma.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Veterans Affairs should expand efforts to raise awareness about military sexual trauma and the treatment and services that the Department provides to victims; and

(2) in light of the fact that the available data shows an overwhelming number of military sexual trauma claims go unreported within the Department of Defense, making it very difficult for veterans to show proof of the assault when filing claims with the Department of Veterans Affairs for post-traumatic stress disorder and other mental health conditions caused by military sexual trauma, the Secretary of Veterans Affairs should review the disability process to ensure that victims of military sexual trauma who file claims for service connection do not face unnecessary or overly burdensome requirements in order to claim disability benefits with the Department.

AMENDMENT NO. 23 OFFERED BY MR. BISHOP OF NEW YORK

SEC. 5___. SENSE OF CONGRESS REGARDING THE RECOVERY OF THE REMAINS OF CERTAIN MEMBERS OF THE ARMED FORCES KILLED IN THURSTON ISLAND, ANTARCTICA.

(a) FINDINGS.—Congress makes the following findings:

(1) Commencing August 26, 1946, though late February 1947 the United States Navy Antarctic Developments Program Task Force 68, codenamed ''Operation Highjump'' initiated and undertook the largest ever-to-this-date exploration of the Antarctic continent.

(2) The primary mission of the Task Force 68 organized by Rear Admiral Richard E. Byrd Jr. USN, (Ret) and led by Rear Admiral Richard H. Cruzen, USN, was to do the following:

(A) Establish the Antarctic research base Little America IV.

(B) In the defense of the United States of America from possible hostile aggression from abroad - to train personnel test equipment, develop techniques for establishing, maintaining and utilizing air bases on ice, with applicability comparable to interior Greenland, where conditions are similar to those of the Antarctic.

(C) Map and photograph a full two-thirds of the Antarctic Continent during the classified, hazardous duty/volunteer-only operation involving 4700 sailors, 23 aircraft and 13 ships including the first submarine the U.S.S. Sennet, and the aircraft carrier the U.S.S. Philippine Sea, brought to the edge of the ice pack to launch (6) Navy ski-equipped, rocket-assisted R4Ds.

(D) Consolidate and extend United States sovereignty over the largest practicable area of the Antarctic continent.

(E) Determine the feasibility of establishing, maintaining and utilizing bases in the Antarctic and investigating possible base sites.

(3) While on a hazardous duty/all volunteer mission vital to the interests of National Security and while over the eastern Antarctica coastline known as the Phantom Coast, the PBM-5 Martin Mariner ''Flying Boat'' ''George 1'' entered a whiteout over Thurston Island. As the pilot attempted to climb, the aircraft grazed the glacier's ridgeline and exploded within 5 seconds instantly killing Ensign Maxwell Lopez, Navigator and Wendell ''Bud'' Hendersin, Aviation Machinists Mate 1st Class while Frederick Williams, Aviation Radioman 1st Class died several hours later. Six other crewmen survived including the Captain of the ''George 1's'' seaplane tender U.S.S. Pine Island.

(4) The bodies of the dead were protected from the desecration of Antarctic scavenging birds (Skuas) by the surviving crew wrapping the bodies and temporarily burying the men under the starboard wing engine nacelle.

(5) Rescue requirements of the ''George-1'' survivors forced the abandonment of their crewmates' bodies.

(6) Conditions prior to the departure of Task Force 68 precluded a return to the area to the recover the bodies.

(7) For nearly 60 years Navy promised the families that they would recover the men: ''If the safety, logistical, and operational prerequisites allow a mission in the future, every effort will be made to bring our sailors home.''.

(8) The Joint POW/MIA Accounting Command twice offered to recover the bodies of this crew for Navy.

(9) A 2004 NASA ground penetrating radar overflight commissioned by Navy relocated the crash site three miles from its crash position.

(10) The Joint POW/MIA Accounting Command offered to underwrite the cost of an aerial ground penetrating radar (GPR) survey of the crash site area by NASA.

(11) The Joint POW/MIA Accounting Command studied the recovery with the recognized recovery authorities and national scientists and determined that the recovery is only ''medium risk''.

(12) National Science Foundation and scientists from the University of Texas, Austin, regularly visit the island.

(13) The crash site is classified as a ''perishable site'', meaning a glacier that will calve into the Bellingshausen Sea.

(14) The National Science Foundation maintains a presence in area - of the Pine Island Glacier.

(15) The National Science Foundation Director of Polar Operations will assist and provide assets for the recovery upon the request of Congress.

(16) The United States Coast Guard is presently pursuing the recovery of 3 WWII air crewmen from similar circumstances in Greenland.

(17) On Memorial Day, May 25, 2009, President Barak Obama declared: ''. . .the support of our veterans is a sacred trust. . .we need to serve them as they have served us. . .that means bringing home all our POWs and MIAs. . .''.

(18) The policies and laws of the United States of America require that our armed service personnel be repatriated.

(19) The fullest possible accounting of United States fallen military personnel means repatriating living American POWs and MIAs, accounting for, identifying, and recovering the remains of military personnel who were killed in the line of duty, or providing convincing evidence as to why such a repatriation, accounting, identification, or recovery is not possible.

(20) It is the responsibility of the Federal Government to return to the United States for proper burial and respect all members of the Armed Forces killed in the line of duty who lie in lost graves.

(b) SENSE OF CONGRESS.—In light of the findings under subsection (a), Congress—

(1) reaffirms its support for the recovery and return to the United States, the remains and bodies of all members of the Armed Forces killed in the line of duty, and for the efforts by the Joint POW-MIA Accounting Command to recover the remains of members of the Armed Forces from all wars, conflicts and missions;

(2) recognizes the courage and sacrifice of all members of the Armed Forces who participated in Operation Highjump and all missions vital to the national security of the United States of America;

(3) acknowledges the dedicated research and efforts by the US Geological Survey, the National Science Foundation, the Joint POW/MIA Accounting Command, the Fallen American Veterans Foundation and all persons and organizations to identify, locate, and advocate for, from their temporary Antarctic grave, the recovery of the well-preserved frozen bodies of Ensign Maxwell Lopez, Naval Aviator, Frederick Williams, Aviation Machinist's Mate 1ST Class, Wendell Hendersin, Aviation Radioman 1ST Class of the ''George 1'' explosion and crash; and

(4) encourages the Department of Defense to review the facts, research and to pursue new efforts to undertake all feasible efforts to recover, identify, and return the well-preserved frozen bodies of the ''George 1'' crew from Antarctica's Thurston Island.

AMENDMENT NO. 25 OFFERED BY MR. PETRI OF WISCONSIN

At the end of subtitle A of title VI, add the following new section:

SEC. 6___. PAYMENT OF BENEFIT FOR NONPARTICIPATION OF ELIGIBLE MEMBERS IN POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE PROGRAM DUE TO GOVERNMENT ERROR.

(a) PAYMENT OF BENEFIT.—

(1) IN GENERAL.—Subject to subsection (e), the Secretary concerned shall, upon application therefor, make a payment to each individual described in paragraph (2) of $200 for each day of nonparticipation of such individual in the Post-Deployment/Mobilization Respite Absence program as described in that paragraph.

(2) COVERED INDIVIDUALS.—An individual described in this paragraph is an individual who—

(A) was eligible for participation as a member of the Armed Forces in the Post-Deployment/Mobilization Respite Absence program; but

(B) as determined by the Secretary concerned pursuant to an application for the correction of the military records of such individual pursuant to section 1552 of title 10,

United States Code, did not participate in one or more days in the program for which the individual was so eligible due to Government error.

(b) DECEASED INDIVIDUALS.—

(1) APPLICATIONS.—If an individual otherwise covered by subsection (a) is deceased, the application required by that subsection shall be made by the individual's legal representative.

(2) PAYMENT.—If an individual to whom payment would be made under subsection (a) is deceased at time of payment, payment shall be made in the manner specified in section 1552(c)(2) of title 10, United States Code.

(c) PAYMENT IN LIEU OF ADMINISTRATIVE ABSENCE.—Payment under subsection (a) with respect to a day described in that subsection shall be in lieu of any entitlement of the individual concerned to a day of administrative absence for such day.

(d) CONSTRUCTION.—

(1) CONSTRUCTION WITH OTHER PAY.—Any payment with respect to an individual under subsection (a) is in addition to any other pay provided by law.

(2) CONSTRUCTION OF AUTHORITY.—It is the sense of Congress that—

(A) the sole purpose of the authority in this section is to remedy administrative errors; and

(B) the authority in this section is not intended to establish any entitlement in connection with the Post-Deployment/Mobilization Respite Absence program.

(e) PAYMENTS SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—No cash payment may be made under subsection (a) unless the funds to be used to make the payments are available pursuant to an appropriations Act enacted after the date of enactment of this Act.

(f) FUNDING OFFSET.—The Secretary of Defense shall transfer $2,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

(g) DEFINITIONS.—In this section the terms ''Post-Deployment/Mobilization Respite Absence program'' and ''Secretary concerned'' have the meaning given such terms in section 604(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2350).

AMENDMENT NO. 27 OFFERED BY MR. ISRAEL OF NEW YORK

At the end of subtitle C of title VII, add the following new section:

SEC. 725. PILOT PROGRAM ON ENHANCEMENTS OF DEPARTMENT OF DEFENSE EFFORTS ON MENTAL HEALTH IN THE NATIONAL GUARD AND RESERVES THROUGH COMMUNITY PARTNERSHIPS.

(a) PROGRAM AUTHORITY.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense in research, treatment, education, and outreach on mental health and substance use disorders and traumatic brain injury in members of the National Guard and Reserves, their family members, and their caregivers through community partners.

(b) COMMUNITY PARTNERS.—The Secretary of Defense may award grants to community partners described in subsection (c) using a competitive and merit-based award process whereby the awardee agrees to make contributions toward the costs of activities carried out with the grant, from non-Federal sources, an amount equal to not less than $3 for each $1 of funds provided under the grant.

(c) COMMUNITY PARTNER DESCRIBED.—A community partner described in this subsection is a private non-profit organization or institution that engages in one or more of the following:

(1) Research on the causes, development, and innovative treatment of mental health and substance use disorders and traumatic brain injury in members of the National Guard and Reserves, their family members, and their caregivers.

(2) Providing treatment to such members and their families for such mental health and substance use disorders and traumatic brain injury.

(3) Identifying and disseminating evidence-based treatments of mental health and substance use disorders and traumatic brain injury described in paragraph (1).

(4) Outreach and education to such members, their families and caregivers, and the public about mental health and substance use disorders and traumatic brain injury described in paragraph (1).

(d) DURATION.—The duration of the pilot program may not exceed three years.

(e) REPORT.—Not later than 180 days before the completion of the pilot program, the Secretary of Defense shall submit to the Secretary of Veterans Affairs and Congress a report on the results of the pilot program, including the amount of grants so awarded and activities carried out, the number of members of the National Guard and Reserves provided treatment or services by community partners, and a description and assessment of the effectiveness and achievements of the pilot program with respect to research, treatment, education, and outreach on mental health and substance use disorders and traumatic brain injury.

AMENDMENT NO. 28 OFFERED BY MR. POSEY OF FLORIDA

At the end of subtitle B of title IX, add the following new section:

SEC. 916. COMMERCIAL SPACE LAUNCH COOPERATION.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2276. Commercial space launch cooperation

''(a) AUTHORITY.—The Secretary of Defense may take such actions as the Secretary considers to be in the best interest of the Federal Government to—

''(1) maximize the use of the capacity of the space transportation infrastructure of the Department of Defense by the private sector in the United States;

''(2) maximize the effectiveness and efficiency of the space transportation infrastructure of the Department of Defense;

''(3) reduce the cost of services provided by the Department of Defense related to space transportation infrastructure at launch support facilities and space recovery support facilities;

''(4) encourage commercial space activities by enabling investment by covered entities in the space transportation infrastructure of the Department of Defense; and

''(5) foster cooperation between the Department of Defense and covered entities.

''(b) AUTHORITY FOR CONTRACTS AND OTHER AGREEMENTS RELATING TO SPACE TRANSPORTATION INFRASTRUCTURE.—The Secretary of Defense—

''(1) may enter into an agreement with a covered entity to provide the covered entity with support and services related to the space transportation infrastructure of the Department of Defense; and

''(2) upon the request of such covered entity, may include such support and services in the space launch and reentry range support requirements of the Department of Defense if—

''(A) the Secretary determines that the inclusion of such support and services in such requirements—

''(i) is in the best interest of the Federal Government;

''(ii) does not interfere with the requirements of the Department of Defense; and

''(iii) does not compete with the commercial space activities of other covered entities, unless that competition is in the national security interests of the United States; and

''(B) any commercial requirement included in the agreement has full non-Federal funding before the execution of the agreement.

''(c) CONTRIBUTIONS.—

''(1) IN GENERAL.—The Secretary of Defense may enter into an agreement with a covered entity on a cooperative and voluntary basis to accept contributions of funds, services, and equipment to carry out this section.

''(2) USE OF CONTRIBUTIONS.—Any funds, services, or equipment accepted by the Secretary under this subsection—

''(A) may be used only for the objectives specified in this section in accordance with terms of use set forth in the agreement entered into under this subsection; and

''(B) shall be managed by the Secretary in accordance with regulations of the Department of Defense.

''(3) REQUIREMENTS WITH RESPECT TO AGREEMENTS.—An agreement entered into with a covered entity under this subsection—

''(A) shall address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the agreement; and

''(B) shall include a provision that the covered entity will not recover the costs of its contribution through any other agreement with the United States.

''(d) DEFENSE COOPERATION SPACE LAUNCH ACCOUNT.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a special account to be known as the 'Defense Cooperation Space Launch Account'.

''(2) CREDITING OF FUNDS.—Funds received by the Secretary of Defense under subsection (c) shall be credited to the Defense Cooperation Space Launch Account.

''(3) USE OF FUNDS.—Funds deposited in the Defense Cooperation Space Launch Account under paragraph (2) are authorized to be appropriated and shall be available for obligation only to the extent provided in advance in an appropriation Act for costs incurred by the Department of Defense in carrying out subsection (b). Funds in the Account shall remain available until expended.

''(e) ANNUAL REPORT.—Not later than January 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on the funds, services, and equipment accepted and used by the Secretary under this section during the preceding fiscal year.

''(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.

''(g) DEFINITIONS.—In this section:

''(1) COVERED ENTITY.—The term 'covered entity' means a non-Federal entity that—

''(A) is organized under the laws of the United States or of any jurisdiction within the United States; and

''(B) is engaged in commercial space activities.

''(2) LAUNCH SUPPORT FACILITIES.—The term 'launch support facilities' has the meaning given the term in section 50501(7) of title 51.

''(3) SPACE RECOVERY SUPPORT FACILITIES.—The term 'space recovery support facilities' has the meaning given the term in section 50501(11) of title 51.

''(4) SPACE TRANSPORTATION INFRASTRUCTURE.—The term 'space transportation infrastructure' has the meaning given that term in section 50501(12) of title 51.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2276. Commercial space launch cooperation.''.

AMENDMENT NO. 40 OFFERED BY MR. BISHOP OF NEW YORK

At the end of title X, add the following new section:

SEC. 1084. THE HOUSE OF REPRESENTATIVES HONORS.

(a) FINDINGS.—The House of Representatives finds the following:

(1) The spread of warfare across Europe and Asia led to the establishment on May 20, 1941, of the United States Office of Civilian Defense by Executive Order 8757 of President Franklin D. Roosevelt, to ''assure effective coordination of Federal relations with State and local governments engaged in defense activities, to provide for necessary cooperation with States and local governments in respect to measures for adequate protection of the civilian population in emergency periods, to facilitate constructive civilian participation in the defense program, and to sustain national morale''.

(2) The December 7, 1941, attack by the Empire of Japan on Pearl Harbor, Hawaii, precipitated the entry of the United States into the worldwide conflict and signaled a new era of warfare that demanded new efforts to protect the people of the United States from airborne assault by an overseas enemy.

(3) In response to this new threat, the United States Office of Civilian Defense mobilized millions of volunteers to participate in efforts to enhance the preparedness of the United States in case of attack, including fire protection, communication and logistics, construction of bomb shelters, and air raid blackout drills.

(4) Thousands of Americans unable to serve in the United States Armed Forces volunteered their service as Air Raid Wardens in communities across the United States during World War II, contributing to America's defense against potential enemy assault and the ultimate victory of the Allied nation.

(5) A training manual distributed to Air Raid Wardens during World War II noted that ''In the system of civilian defense, the Air Raid Warden occupies the key position. He is the field officer under whose supervision the efforts of the civilian population are directed in the tremendous task of effective defense. Through the Air Raid Wardens, civilian activity is coordinated with that of the police and fire departments and other vital services.''

(6) Training manuals distributed to Air Raid Wardens included ''I am an Air Raid Warden'', by Frank W. Atherton, Chief Air Raid Warden, 1st District, United States Citizens' Defense Corps of Michigan, which read, in part that ''I am an Air Raid Warden. My country, my state and my community have given me many pleasant and fruitful years and now in time of trouble I feel that it is my duty to do my part in the work assigned to me in helping to reduce to a minimum any harm that may come from without or within.''

(7) Tony Pastor and His Orchestra released a song in 1942, titled ''Obey Your Air Raid Warden'', which was widely distributed as a public service announcement and contained the following lyrics: ''One, be calm. Two, get under shelter. Three, don't run. Obey your air-raid warden. Four, stay home. Five, keep off the highway. Six, don't phone. Obey your air-raid warden. There are rules that you should know, What to do and where to go, When you hear the sirens blow, Stop, look, and listen. Seven, don't smoke. Eight, help all the kiddies. Most of all, obey your air-raid warden. Stop, look, and listen. Dim the lights, Wait for information, Most of all, obey your air-raid warden. Stop the panic, Don't get in a huff, Our aim today is to call their bluff. Follow these rules and that is enough. Obey your air-raid warden.''

(b) THE HOUSE OF REPRESENTATIVES HONORS.—The House of Representatives encourages surviving Air Raid Wardens and other volunteers of the United States Office of Civilian Defense during the World War II to record and permanently preserve stories of their service for future generations.

AMENDMENT NO. 43 OFFERED BY MR. ELLISON OF MINNESOTA

At the end of subtitle D of title XII of division A of the bill, add the following:

SEC. 12xx. LIMITATION ON ASSISTANCE TO PROVIDE TEAR GAS OR OTHER RIOT CONTROL ITEMS.

None of the funds authorized to be appropriated by this Act may be used to provide tear gas or other riot control items to the government of a country undergoing a transition to democracy in the Middle East or North Africa unless the Secretary of Defense certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the security forces of such government are not using excessive force to repress peaceful, lawful, and organized dissent.

AMENDMENT NO. 57 OFFERED BY MR. TURNER OF OHIO

Page 831, strike lines 8 through 13 and insert the following: ''the Administrator shall prescribe appropriate policies and regulations to ensure the adequate protection of the health and safety of the employees of the Administration, contractors of the Administration, and the public. Such policies and regulations shall be based upon risk whenever sufficient data exists.''.

Page 831, after line 22, insert the following new paragraph:

''(3) CONSTRUCTION.—Nothing in this subsection shall be construed to cause a reduction in nuclear safety standards.''.

Page 922, beginning line 18, strike ''ensure'' and all that follows through ''protected.'' on line 23 and insert the following: ''ensure the adequate protection of public health and safety at defense nuclear facilities of the Department of Energy. Such analysis, advice, and recommendations shall be based upon risk whenever sufficient data exists.''.

Page 923, line 2, insert ''and'' after the semicolon.

Page 923, strike lines 3 through 13.

Page 923, line 14, strike ''(iv)'' and insert ''(ii)''.

Page 923, strike lines 15 through 21.

Page 923, line 22, strike ''(II)'' and insert ''(I)''.

Page 923, line 23, insert ''risk (whenever sufficient data exists)'' after ''assess''.

Page 924, line 1, strike ''(III)'' and insert ''(II)''.

Page 931, after line 4, insert the following new subsection:

(h) SAFETY STANDARDS.—Nothing in this section nor in the amendments made by this section shall be construed to cause a reduction in nuclear safety standards.

AMENDMENT NO. 74 OFFERED BY MS. CHU OF CALIFORNIA

At the end of section 535, relating to efforts to prevent and respond to hazing incidents involving members of the Armed Forces, add the following new subsections:

(f) ANNUAL REPORTING REQUIREMENT.—

(1) IN GENERAL.—The database required by subsection (b) shall be used to develop and implement an annual congressional report.

(2) REPORTS REQUIRED.—Not later than January 15 of each year, the Secretary of Defense and the Secretary of Homeland Security (with respect to the Coast Guard) shall submit to the designated congressional committees a report on the hazing incidents involving members of the Armed Forces during the preceding year.

(3) ELEMENTS.—Each report shall include the following:

(A) an assessment by the Secretaries of the implementation during the preceding year of the policies and procedures of each Armed Force on the prevention of and response to hazing involving members of the Armed Forces in order to determine the effectiveness of such policies and procedures.

(B) Data on the number of alleged and substantiated hazing incidents within each Armed Force that occurred that year, including the race, gender and Armed Force of the victim and offender, the nature of the hazing, and actions taken to resolve and address the hazing.

(g) COMPTROLLER GENERAL REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the designated congressional committees a report on the policies to prevent hazing and systems initiated to track incidents of hazing in each of the Armed Forces, including officer cadet schools, military academies, military academy preparatory schools, and basic training and professional schools for enlisted members.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An evaluation of the definition of hazing used pursuant to subsection (e).

(B) A description of the criteria used, and the methods implemented, in the systems to track incidents of hazing in the Armed Forces.

(C) An assessment of the following:

(i) The scope of hazing in each Armed Force.

(ii) The policies in place and the training on hazing provided to members throughout the course of their careers for each Armed Force.

(iii) The actions taken to mitigate hazing incidents in each Armed Force.

(iv) The effectiveness of the training and policies in place regarding hazing.

(v) The number of alleged and substantiated incidents of hazing over the last five years for each Armed Force, the nature of these cases and actions taken to address such matters through non-judicial and judicial action.''

(D) An evaluation of the additional actions, if any, the Secretary of Defense and the Secretary of Homeland Security propose to take to further address the incidence of hazing in the Armed Forces.

(E) Such recommendations as the Comptroller General considers appropriate for improving hazing prevention programs, policies, and other actions taken to address hazing within the Armed Forces.

(h) DESIGNATED CONGRESSIONAL COMMITTEES DEFINED.—In subsections (f) and (g), the term ''designated congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Commerce, Science and Transportation of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Transportation and Infrastructure of the House of Representatives.

AMENDMENT NO. 83 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of subtitle H of title V, add at the end the following new section:

SEC. 5___. CORRECTION OF MILITARY RECORDS OF MEMBERS OF THE ARMED FORCES WHO EXPERIENCE RETALIATORY PERSONNEL ACTIONS FOR MAKING A REPORT OF SEXUAL ASSAULT OR SEXUAL HARASSMENT.

The Secretary of Defense shall conduct a general education campaign to notify members of the Armed Forces regarding the authorities available under chapter 79 of title 10, United States Code, for the correction of military records when a member experiences any retaliatory personnel action for making a report of sexual assault or sexual harassment.

AMENDMENT NO. 95 OFFERED BY MR. LARSEN OF WASHINGTON

Strike section 818 and insert the following:

SEC. 818. ASSESSMENT AND REPORT RELATING TO INFRARED TECHNOLOGY SECTORS.

(a) ASSESSMENT.—The Secretary of Defense, in conjunction with the sector-by-sector, tier-by-tier review conducted by the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, shall conduct an assessment of the health and status of various national defense infrared technology sectors, including technology such as focal plane arrays sensitive to infrared wavelengths, read-out integrate circuits, cryogenic coolers, Dewar technology, infrared sensor engine assemblies, and infrared imaging systems.

(b) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the findings of the assessment within 90 days after the date of the enactment of this Act.

AMENDMENT NO. 97 OFFERED BY MR. MURPHY OF CONNECTICUT

At the end of title VIII, add the following new section:

SEC. 833. CONSIDERATION AND VERIFICATION OF INFORMATION RELATING TO EFFECT ON DOMESTIC EMPLOYMENT OF AWARD OF DEFENSE CONTRACTS.

(a) IN GENERAL.—Section 2305(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6)(A) The head of an agency, in issuing a solicitation for competitive proposals, shall state in the solicitation that the agency may consider information (in this paragraph referred to as a 'jobs impact statement') that the offeror may include in its offer related to the effects on employment within the United States of the contract if it is awarded to the offeror.

''(B) The information that may be included in a jobs impact statement may include the following:

''(i) The number of jobs expected to be created in the United States, or the number of jobs retained that otherwise would be lost, if the contract is awarded to the offeror.

''(ii) The number of jobs created or retained in the United States by the subcontractors expected to be used by the offeror in the performance of the contract.

''(iii) A guarantee from the offeror that jobs created or retained in the United States will not be moved outside the United States after award of the contract.

''(C) The contracting officer may consider the information in the jobs impact statement in the evaluation of the offer.

''(D) The agency may request further information from the offeror in order to verify the accuracy of the information in the jobs impact statement.

''(E) In the case of a contract awarded to an offeror that submitted a jobs impact statement with the offer for the contract, the agency shall, not later than six months after the award of the contract and annually thereafter for the duration of the contract or contract extension, assess the accuracy of the jobs impact statement.

''(F) The Secretary of Defense shall submit to Congress an annual report on the frequency of use within the Department of Defense of jobs impact statements in the evaluation of competitive proposals.''.

(b) REVISION OF FEDERAL ACQUISITION REGULATION.—The Federal Acquisition Regulation shall be revised to implement the amendment made by this section.

AMENDMENT NO. 102 OFFERED BY MR. LARSEN OF WASHINGTON

At the end of subtitle E of title X, add the following new section:

SEC. 1065A. BUDGET REQUIREMENTS ASSOCIATED WITH SUSTAINING AND MODERNIZING THE NUCLEAR DETERRENT.

Section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by amending subparagraph (F) to read as follows:

''(F) In accordance with paragraph (3), a detailed estimate of the budget requirements associated with sustaining and modernizing the nuclear deterrent of the United States and the nuclear weapons stockpile of the United States, including the costs associated with the plans outlined under subparagraphs (A) through (E), over the 10-year period following the date of the report, including the applicable and appropriate costs associated with—

''(i) training;

''(ii) basing;

''(iii) security;

''(iv) testing;

''(v) research;

''(vi) development;

''(vii) deployment;

''(viii) transportation;

''(ix) personnel;

''(x) overhead; and

''(xi) other appropriate matters.''; and

(B) by adding at the end the following new paragraph:

''(3) DETAILED BUDGET ESTIMATE CONTENTS.—Each budget estimate under paragraph (2)(F) shall include a detailed description of the matters included in such estimate, the rationale for including such matters, and the cost listed by location. Such costs listed by location shall be submitted in the form of a classified annex in accordance with subsection (b).''; and

(2) by adding at the end the following new subsection:

''(c) COMPTROLLER GENERAL.—The Comptroller General of the United States shall—

''(1) review each report under subsection (a) for accuracy and completeness with respect to the matters described in paragraphs (2)(F) and (3) of such subsection; and

''(2) not later than 180 days after the date on which such report under subsection (a) is submitted, submit to the congressional defense committees a summary of each such review.''.

AMENDMENT NO. 107 OFFERED BY MR. LEWIS OF GEORGIA

At the end of title X, add the following new section:

SEC. 10___. COST OF WARS.

The Secretary of Defense, in consultation with the Commissioner of the Internal Revenue Service and the Director of the BureaU–of Economic Analysis, shall post on the public Web site of the Department of Defense the costs, including the relevant legacy costs, to each American taxpayer of each of the wars in Afghanistan and Iraq.

AMENDMENT NO. 126 OFFERED BY MR. SMITH OF WASHINGTON

At the end of title XII of division A of the bill, add the following:

Subtitle E—Authority to Remove Satellites and Related Components and Technology From the United States Munitions List

SEC. 1241. AUTHORITY TO REMOVE SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY FROM THE UNITED STATES MUNITIONS LIST.

(a) AUTHORITY.—Subject to subsection (b), the President is authorized to remove commercial satellites and related components and technology from the United States Munitions List, consistent with the procedures in section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)).

(b) DETERMINATION.—The President may exercise the authority provided in subsection (a) only if the President submits to the appropriate congressional committees a determination that the transfer of commercial satellites and related components and technology from the United States Munitions List does not pose an unacceptable risk to the national security of the United States. Such determination shall include a description of the risk-mitigating controls, procedures, and safeguards the President will put in place to reduce such risk to an absolute minimum.

(c) PROHIBITION.—No license or other authorization for export shall be granted for the transfer, retransfer, or reexport of any commercial satellite or related component or technology contained on the Commerce Control List to any person or entity of the following:

(1) The People's Republic of China.

(2) Cuba.

(3) Iran.

(4) North Korea.

(5) Sudan.

(6) Syria.

(7) Any other country with respect to which the United States would deny the application for licenses and other approvals for exports and imports of defense articles under section 126.1 of the International Traffic in Arms Regulations.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director of National

Intelligence shall submit to the appropriate congressional committees on efforts of state sponsors of terrorism, other foreign countries, or entities to illicitly acquire commercial satellites and related components and technology.

(2) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1242. REPORT ON LICENSES AND OTHER AUTHORIZATIONS TO EXPORT COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY CONTAINED ON THE COMMERCE CONTROL LIST.

(a) IN GENERAL.—Not later than 60 days after the end of each calendar quarter, the President shall transmit to the Committee on Banking, Finance, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives a report containing a listing of all licenses and other authorizations to export commercial satellites and related components and technology contained on the Commerce Control List.

(b) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1243. REVIEW OF UNITED STATES MUNITIONS LIST.

Section 38(f)(1) of the Arms Export Control Act (22 U.S.C. 2778(f)(1)) is amended by striking the last sentence and inserting the following: ''Such notice shall include, to the extent practicable, an enumeration of the item or items to be removed and describe the nature of any controls to be imposed on the item or items under any other provision of law.''.

SEC. 1244. REPORT ON COUNTRY EXEMPTIONS FOR LICENSING OF EXPORTS OF MUNITIONS AND RELATED TECHNICAL DATA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Attorney General and Secretary of Homeland Security shall submit to the appropriate congressional committees a report that contains an assessment of the extent to which the terms and conditions of an exemption for foreign countries from the licensing requirements of the Commerce Munitions List (or analogous controls for commercial satellites and related components and technology) contain strong safeguards.

(b) MATTERS TO BE INCLUDED.—The report shall include a compilation of sufficient documentation relating to the export of munitions, commercial spacecraft, and related technical data to facilitate law enforcement efforts to effectively detect, investigate, deter, and enforce criminal violations of any provision of the Export Administration Regulations, including efforts on the part of state sponsors of terrorism, other foreign countries, or entities to illicitly acquire such controlled United States technology.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1245. END-USE MONITORING OF MUNITIONS AND RELATED TECHNICAL DATA.

(a) ESTABLISHMENT OF MONITORING PROGRAM.—In order to ensure accountability with respect to the export of munitions and related technical data on the Commerce Munitions List, the President shall establish a program to provide for the end-use monitoring of such munitions and related technical data.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress a report describing the actions taken to implement this section, including a detailed accounting of the costs and number of personnel associated with the program established under subsection (a).

SEC. 1246. INTERAGENCY PROCESS FOR MODIFICATION OF CATEGORY XV OF THE UNITED STATES MUNITIONS LIST.

(a) INTERAGENCY REVIEW.—Subject to the procedures in section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)), the President shall ensure that, through interagency procedures or regulations, the Secretary of State, the Secretary of Defense, the Secretary of Commerce, and as appropriate the Director of National Intelligence concur on all subsequent modifications to Category XV of the United States Munitions List (relating to spacecraft systems and associated equipment).

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on the results of the interagency reviews required by subsection (a).

(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include the following matters:

(A) A review of the space and space-related technologies currently on the United States Munitions List, to include satellite systems, dedicated subsystems, and components.

(B) An assessment of the national security risks of removing certain space and space-related technologies identified under subparagraph (A) from the United States Munitions List.

(C) An examination of the degree to which other nations' export control policies control or limit the export of space and space-related technologies for national security reasons.

(D) Recommendations for—

(i) the space and space-related technologies that should remain on, or may be candidates for removal from, the United States Munitions List based on the national security review required under subsection (a);

(ii) the safeguards and verifications necessary to—

(I) prevent the proliferation and diversion of such space and space-related technologies;

(II) confirm appropriate end use and end users; and

(III) minimize the risk that such space and space-related technologies could be used in foreign missile, space, or other applications that could pose a threat to the security of the United States; and

(iii) improvements to the space export control policy and processes of the United States that do not adversely affect United States national security.

(E) A description of and recommendations regarding how the United States industrial base and United States national security could be enhanced and strengthened through reforms to and amendments of export control laws and regulations.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1247. DEFINITIONS.

In this subtitle:

(1) COMMERCE MUNITIONS LIST.—The term ''Commerce Munitions List'' means items transferred from the United States Munitions List to the Commerce Control List and designated as ''600 series'' items on the Commerce Control List under the Export Administration Regulations, as proposed by the Bureau of Industry and Security of the Department of Commerce on July 15, 2011 (76 Fed. Reg. 41958), or any successor regulations.

(2) COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY.—The term ''commercial satellites and related components and technology'' means—

(A) communications satellites that do not contain classified components, including remote sensing satellites with performance parameters below thresholds identified on the United States Munitions List; and

(B) systems, subsystems, parts, and components associated with such satellites and with performance parameters below thresholds specified for items that would remain on the United States Munitions List.

(3) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' means the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or any successor regulations.

(4) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law.

(5) UNITED STATES MUNITIONS LIST.—The term ''United States Munitions List'' means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the Committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chair, I yield, at this time, 1 minute to the gentleman from California (Mr. GALLEGLY).

Mr. GALLEGLY. I want to thank Chairman MCKEON and also Ranking

Member SMITH for all their work in putting this bill together.

My amendment, which is included in the en bloc, will address the repercussions of the expansion of sea otters into the southern California coastal waters. With the official termination of the sea otter containment zone by the Fish and Wildlife Service, sea otters will begin to migrate south. As they do this, they will be invading U.S. Naval testing areas.

While I fully support the recovery efforts of the sea otter, this does not have to happen at the expense of our national security.

By creating military readiness areas around San Nicolas Island, San Clemente Island, and the shores off Camp Pendleton, sea otters will be able to expand their range. At the same time, the Navy will be able to maintain their incidental-taking exemption, which allows the Navy to continue their operation off the southern California coast without harming our national security.

Further, while implementing a plan for the recovery of sea otters, the Fish and Wildlife Service will have to coordinate with the Navy and the Department of Commerce on recovery efforts for other endangered and threatened species, and the State of California can continue a viable commercial harvest of fisheries.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MCKEON. I yield the gentleman an additional 30 seconds.

Mr. GALLEGLY. I urge support of this en bloc amendment.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 1 minute.

Just to respond to the arguments of the gentleman from Texas, if an al Qaeda terrorist comes to the U.S., whether they're an illegal alien or not, frankly, we want them arrested, tried, and convicted. All we want to do is make sure that they actually are a terrorist before we do that, to have a process in place so that the President doesn't have that power to simply lock somebody up without due process and a trial.

And then the argument about how we are bestowing upon illegal aliens constitutional rights. I've got bad news for the gentleman from Texas. We aren't bestowing anything. The United States Constitution bestows upon them those rights.

The United States Constitution says any person in the U.S., not citizen, not legal, illegal, it doesn't matter. So if he has a beef, he has a beef with James Madison and everybody else who supported the Constitution.

And we hear constantly from that side, strict interpretation, the Constitution must be adhered to. The Constitution says any person, not any lawful resident or any citizen. The United States Constitution clearly triggers that. We're not creating anything. In fact, the Gohmert amendment goes outside the Constitution by creating rights that aren't contemplated in here, separating people in this country in terms of who should get what rights. It's in the Constitution: any person.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chair, I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, I appreciate, again, the strong views of the distinguished ranking member. I would just say there is a real difference of opinion about to what extent U.S. constitutional rights, which each of us, as citizens, are privileged to have, are bestowed upon any illegal alien, as soon as they set foot in this country.

Now, there are places in the Constitution it says ''persons.'' There are other places it talks about ''accused.'' But I would point back to some of the very case law from the Supreme Court such as the Hamdan decision, which references the differences in procedure that due process requires for a citizen versus a noncitizen. It is not a clear-cut thing to say that as soon as you set foot on this soil, then you have the right to remain silent.

And the part that the gentleman—the other concern that many of us have is when you say you've got the right to remain silent, that prevents us from getting the intelligence, the information that prevents the attack of your buddy, the guy next to you. That's got to be factored in here too.

Mr. SMITH of Washington. I would just point out that Mirandized or not, nobody has to speak, and a ton of information has come out of people after they were Mirandized.

With that, I yield 1 minute to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, I want to thank the ranking member for yielding.

I rise in strong support of the en bloc amendment which includes my amendment. It requires the Secretary of Defense, the IRS, and Commerce to calculate the total cost of the wars in Afghanistan and Iraq to each American taxpayer.

My amendment is about truth and transparency. Americans need to know how their taxes are being spent so we can make informed decisions about our budget. Even if you do not oppose war, don't you want to know what it costs you, your children, your grandchildren, and your great grandchildren?

For too long there has been a big, fat, blank check for war. We need to be honest with ourselves. We need to be honest with each other.

Mr. Chairman, I hope all of my colleagues will support the Lewis amendment and this en bloc package.

□ 1530

Mr. MCKEON. Mr. Chairman, at this time, I yield 2 minutes to the gentlewoman from California (Mrs. BONO MACK) for the purpose of a colloquy.

Mrs. BONO MACK. I thank the gentleman for this colloquy. I would like to first thank him, my good friend from California, for his leadership and for his hard work in crafting this bill in support of our men and women in the military.

Mr. Chairman, as you know, these men and women sacrifice their lives to guarantee our safety. In return, it is our responsibility to provide the best possible care for them. Specifically, I am returning to an issue of growing importance to our country, and that is protecting our military men and women from the detrimental effects of prescription drug misuse. Because of the physical and emotional hardships we place on our troops, they are at an increased risk for using prescription drugs and, therefore, of misusing prescription drugs.

I was encouraged to see the recommendations made by the Pain Management Task Force at DOD to mitigate the risk of prescription drug abuses and dependence in pain patients, and I would like to work with you, Mr. Chairman, and the committee to ensure that the Department of Defense and the Veterans Administration adopt these recommendations as quickly as possible.

Mr. Chairman, I thank you again for your help, and I look forward to working with you as the National Defense Authorization Act moves into conference.

I yield to the gentleman from California.

Mr. MCKEON. I do agree that protecting our men and women in the military from the detrimental effects of prescription drug misuse, especially protecting our combat-wounded servicemembers, is of vital importance.

As the gentlelady knows, the committee report of H.R. 4310 includes an item of special interest that expresses the support for substance abuse treatment programs within the military services and that encourages the Department of Defense to pursue research aimed at developing new treatments to help our troops who are struggling with the devastating problem.

I will be happy to work with the gentlewoman from California to consider the appropriate measures to address this critical issue.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman.

As cofounder of the bipartisan Working Group on Export Controls, I want to thank my colleagues for their hard work to address this system, which was created in the midst of the Cold War but remained relatively unchanged despite the amazing advance of technology, which has rendered much of it obsolete.

We have an opportunity for reform by supporting the administration's initiatives to deliver greater clarity and efficiency. I think your amendment makes progress.

I have three concerns:

Provisions, first of all, that deal with the requirement the administration may be called upon to specify—individually—hundreds of thousands of parts that will be transferred, a requirement that may be impossible to comply with;

The amendment includes seven new reporting requirements of little use but taking valuable time away from enforcement;

And finally, the amendment would remove the President's existing authority, in place since 1998, to waive restriction on satellite exports, limiting his ability to conduct foreign policy.

I commend the good work that is in the bill, and hope that these provisions can be addressed as the legislation moves forward.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. At this time, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the gentleman for yielding.

I rise to express my concern that an amendment offered by Mr. TURNER that is contained in the en bloc amendments does not cure provisions in the underlying bill that weaken the enforcement of worker health and safety and that create a self-regulation regime for contractors at the National Nuclear Security Administration, which, I believe, will place profit above safety. Section 3115 would move the enforcement of worker health and safety from DOE's Office of Health, Safety and Security to the National Nuclear Security Administration.

Additionally, the legislation restricts the oversight authority of the Defense Nuclear Facilities Safety Board, which is a board that has played a vital role in independently addressing worker safety and whistleblower issues at large DOE projects.

To support my position, I would quote from this year's House Committee on Appropriations report accompanying the fiscal year 2013 energy and water bill:

The committee believes that having an independent assessment capability at the Department is important and supports the role of HSS.

Mr. Chair, I rise to express my concerns with an amendment offered by Mr. TURNER contained in the en bloc amendment. I do not believe the Turner Amendment cures provisions of the underlying bill that weaken enforcement of worker health and safety, and create a self regulation regime for contractors at the National Nuclear Security Administration (NNSA). I believe these provisions place profit above safety.

Specifically, Section 3115 of H.R. 4310 would move enforcement of worker health and safety from Department of Energy's Office of Health, Safety and Security (HSS) to NNSA. Taking away the independent oversight that HSS provides at NNSA facilities is a mistake.

The House Committee on Appropriations in its report for the Fiscal Year 2013 Energy and Water bill was very clear on the value of HHS. It states, "The Committee believes that having an independent assessment capability at the Department is important and supports the role of HSS in the areas of nuclear safety, worker safety and health, safeguards and security, cyber security and emergency management. The Committee agrees that the responsibility for protecting workers, the public, the environment, and national security assets rests with the Department's line management organizations. However, it is critical that the Department preserve the HSS authority to independently assess Departmental compliance and performance and to have access to and cooperation from all Departmental programs."

Additionally, the legislation restricts the oversight authority of the Defense Nuclear Facilities Safety Board (DNFSB), a board that has played a vital role in independently addressing worker safety and whistle blower issues at large DOE projects. Again, the Fiscal Year 2013 Energy and Water report was unambiguous in expressing its support for DNFSB. It states, "The Committee expects the DNFSB to continue to play a significant role in scrutinizing the Department's safety and security activities, including the reform initiatives underway in the Department that may impact projects under its jurisdiction."

Further, the requirement that NNSA move towards "performance-based oversight" is misguided and will create a dangerous contractor self-regulation regime. While I do not believe that contractors will not take worker safety seriously, I do stand by the old adage that independent oversight is always more honest and rigid than self-evaluation.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentlelady from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. I thank the ranking member for yielding his time.

Mr. Chairman, the amendment I am sponsoring today sends a loud and clear message to the Departments of Defense and Veterans Affairs.

It sends a message that we recognize that the problem of sexual assault in the military is real and significant. It sends a message that the VA should live up to its promise and remove the barriers to benefits for victims. But, most importantly, it sends a message to the survivors.

The men and women I have met with who volunteered to serve were dedicating their lives to military careers when they suddenly found out their worlds were crashing in on them when they became victims of sexual assault. It sends a message to them that we hear them, that we recognize the pain and the injustice they have suffered and that we will not stand for it.

I met with Secretary Panetta recently, and I know he understands this problem and is committed to changing the culture, but we cannot call that good enough. We need to say, in no uncertain terms, that we will not allow the men and women who wear the uniform to become victims of sexual assault and that we will not forget those who waited too long for the benefits they deserve.

Mr. MCKEON. May I inquire as to how much time we have remaining?

The Acting CHAIR. The gentleman from Washington has 5 minutes remaining. The gentleman from California has 6¼ minutes remaining.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. I thank the ranking member.

I rise today to support my amendment, No. 97, originally introduced as the American Jobs Matter Act, that is included in this en bloc package. This amendment will finally allow American manufacturers to compete fairly for Department of Defense contracts.

My State, which has built submarines for the Navy and has supplied our Armed Forces for generations, has lost about 130,000 manufacturing jobs in the last 20 years, and this country has lost about 6 million. At the same time, the Department of Defense, which is the largest purchaser of goods in the world, has been aggressively outsourcing work to foreign firms.

Instead of finding ways to get around the Buy America law, the DOD should be doing more to help protect manufacturing jobs here at home. When we lose the capacity to produce an item that our military needs, we put ourselves at risk, and we also lose jobs.

This amendment simply allows for the Federal Government to consider the number of jobs being created here in the United States as a part of a bid for U.S. defense work. Frankly, most of my constituents and our constituents probably think this already happens, but this is an important amendment for job creation and also for U.S. national security.

I would like to thank Chairman MCKEON and Ranking Member SMITH for their willingness to work together on this issue.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentlelady from California (Ms. CHU).

Ms. CHU. I have a personal reason for offering this amendment. My nephew was a victim of military hazing, and it killed him.

Harry Lew was serving in the Marines in Afghanistan when his peers ordered him to dig a foxhole, to do push-ups, like crunches and planks, with his heavy, full body armor and a 25-pound

sandbag. They stomped, kicked, and punched him, and poured the entire contents of the sandbag onto his face and in his mouth. It lasted a full 3 hours and 20 minutes. Twenty minutes later, he committed suicide.

I thank Chairmen MCKEON and WILSON and Ranking Member SMITH because this bill takes the most significant steps to protect servicemembers from hazing—ever.

My amendment adds a GAO report so we can have an objective analysis of the DOD's antihazing policies. It also adds an annual report to Congress on what the DOD is doing to prevent hazing so that we can ensure there is real accountability.

Mr. MCKEON. We have no further requests for time, so I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield back the balance of my time.

Mr. MCKEON. I encourage all Members to support the en bloc amendments, and I yield back the balance of my time.

Mr. MANZULLO. Mr. Chair, this amendment, No. 126, has been a long time in coming. Congress overreacted back in 1998 to move export licensing decisions for commercial communication satellites (COMSATs) to the highly restrictive munitions list. As a result, worldwide market share for U.S.-made commercial communications satellites dropped from 75 percent to an average of just 44 percent over the past 13 years. As a result, the Aerospace Industries Association (AIA) estimated last January that U.S. manufacturers lost $21 billion in satellite revenue from 1999 to 2009, costing about 9,000 direct jobs annually because of treating exports of COMSATs, along with satellite parts and components, like military weaponry.

In addition, this Congressional overreaction harmed our national security because it hurt our U.S. space industrial base, particularly component manufacturers. These firms became less globally competitive because stringent export controls provide a perverse incentive to foreign satellite makers to design out U.S. parts. Thus, as these U.S. component makers struggle to sell their product in the commercial marketplace, they become less able to meet the national security needs of the U.S. government. A 2011 analysis of the U.S. space industrial base by the respected Tauri Group documented that out of 135 U.S. space hardware manufacturers, 28 technology areas are at some risk of disappearing from our shores because of limited suppliers.

The so-called ''Section 1248'' report recently released to Congress by the Departments of Defense and State on the risk assessment of U.S. space export control policy also documented that 95.7 percent of all export licenses for satellite parts and components in 2011 going to partners and allies were approved with no additional provisos or restrictions. Four percent were approved with conditions. Only 0.3 percent—or a total of six licenses—was denied. These 4.3 percent of applications will still be captured under the new satellite export licensing system proposed by the Administration. In other words, we waste valuable time and resources by processing licenses for satellite parts and components that involve little or no national security risk. The current licensing system detracts from efforts to stop true threats to our national security.

As a long time leader and proponent of sensible export control reform within the confines of protecting national security, I commend this bipartisan amendment. This proposal would have never come together without the support of the ranking Democratic Member of the House Foreign Affairs Committee, HOWARD BERMAN, along with my Chairman, ILEANA ROS-LEHTINEN. I want to particularly thank Representative BERMAN for asking me to be the principal Republican co-sponsor of the Safeguarding United States Satellite Leadership and Security Act of 2011 (H.R. 3288) that forms the underlying basis for this amendment.

However, this amendment isn't perfect. Some stakeholders have raised concerns about the wording of certain phrases in this amendment and the plethora of reports it requires. Some of the concerns may be overblown but I am optimistic that these issues can be worked out with further tweaks to the language. I pledge my support and effort to help further ameliorate these concerns as the NDAA moves through the legislation process.

Again, Mr. Chair, I urge my colleagues to support this bipartisan compromise and vote for the first en bloc manager's amendment.

Mr. PETRI. Mr. Chair, I urge my colleagues to join me and Representative KIND in correcting a government error and ending bureaucratic impediments that are keeping soldiers from receiving their earned benefits.

Quite simply, the Petri-Kind amendment, which is included in this en bloc amendment, would pay approximately 575 National Guardsmen for the vacation days they earned through the Post Deployment Mobilization Respite Absence program that they were unable to take after their last deployment due to government error. Some have not been reimbursed for as long as five years.

The problem occurred when the Defense Department did not issue the guidelines for calculating this benefit until several months after it went into effect. Some soldiers demobilizing during this time did not have these additional days added to their leave. Many of them have since retired or are not deploying again and are unable to use their earned vacation days.

This effort is a national problem, affecting Army National Guardsmen in 34 states. Unfortunately, soldiers in Wisconsin are affected more than those in any other state with 80 Wisconsin Army National Guardsmen impacted, most of whom are members of the 1157th Transportation Company based in Oshkosh. As I speak, this unit is once again serving overseas after deploying to Afghanistan just last month. I thank the entire Wisconsin delegation for their support of this amendment, as well as the National Guard Association of the United States.

This amendment is similar to Representative KLINE's bill, H.R. 4045, which passed by voice vote in the House Tuesday night to pay a much larger group of soldiers who also did not receive the pay they were promised.

Mr. Chair, we have a moral obligation to ensure that our men and women serving in the military receive the benefits they are due. I appreciate the support give to this amendment by the House Armed Services Committee and urge its passing by the entire House.

Mr. HOLT. Mr. Chair, I rise in strong support of amendment No. 2. Just this month, we learned from a leaked Air Force Instruction on intelligence activities that their drones ''incidentally'' collect imagery of ''US persons or private property without consent'' during the course of normal training operations. Neither I nor Mr. LANDRY intend to prevent Department elements charged with training UAV operators from being able to do their jobs. At the same time, we have a responsibility to ensure that data that is collected is not misused. That is precisely what Mr. LANDRY is trying to do today, and I am pleased to join him this effort.

This amendment will have no impact on the training activities of our unmanned aerial vehicle operators. What it will do is ensure that any imagery of American citizens, their homes, business, etc. that is collected cannot be used in any court proceeding in the absence of a judicial warrant issued on the basis of probable cause. I commend my colleague from Louisiana from offering this amendment, and I urge my colleagues to join me in supporting it.

Mr. SMITH of Washington. Mr. Chair, I rise to speak on the amendment by Mr. TURNER that addresses safety at defense nuclear facilities, that is considered in this en-bloc package.

Much reckless damage has been done in this bill that weakens safety for workers at defense nuclear facilities and for the public.

Among other changes, this hill blocks independent oversight by the Department of Energy and weakens the capacity of the Defense Nuclear Facilities Safety Board. This oversight is critical to keeping people safe, and we should not be cutting corners on safety.

These changes have profound implications and risk imperiling the safety and lives of worker and the public.

It also transfers responsibility for safety to the National Nuclear Security Administrator and to contractors, at a time when NNSA's undivided attention should be focused on maintaining a safe, secure and reliable nuclear deterrent and on the pressing need to make much-needed progress on nuclear nonproliferation to reduce the risk of nuclear terrorism.

For these reasons, Mr. MILLER, Mr. VISCLOSKY, Ms. SANCHEZ, Mr. WAXMAN and I submitted two amendments to undo some of the damage that is done in this bill, and that would have preserved strong safety standards and independent oversight.

My amendment would have restored the authority of the Secretary of Energy over the nuclear weapons complex and nonproliferation programs, whose control has been improperly severed without justification in this bill.

However, the Rules Committee did not make these amendments in order, and so regrettably we are prevented from having this important debate on an issue that affects thousands of Americans who work or live near defense nuclear sites.

Going forward, I will work with the Senate in conference to reverse many of these changes, to improve the outcome in our final bill.

Specifically with regard to the amendment by Mr. TURNER in this package, it makes several important improvements but does not go far enough and fail to fix significant problems in the bill.

(1) This amendment does not specifically prohibit a reduction in the safety standards, both nuclear and non-nuclear, compared to the standards we have today for defense nuclear facilities. Nonnuclear safety standards, such as fire protection, quality assurance, chemical, are also important to the safety of defense nuclear facilities.

(2) This amendment reaffirms that the decision on safety standards should be made by the Administrator for Nuclear Security, rather than by the Secretary of Energy and the Dept of Energy's Office of Health, Safety and Security, which would provide independent oversight of NNSA and the nuclear weapons complex health and safety and security operations.

(3) The core concept of risk and cost-benefit should not be an element of adequate protection. Inserting cost requirements muddles the requirements for safety. At this time, cost is not an element of adequate protection for commercial nuclear power or for DOE's defense nuclear facilities. It also forces the Defense Nuclear Facilities Safety Board to prejudge NNSA's action and decisions in responding to safety concerns, rather than allowing the Board to focus on identifying and raising safety concerns.

(4) This requirement places obstacles in the Board's path and will make it more difficult to ensure adequate protection of public and worker safety.

(5) These provisions would allow inconsistent safety standards.

I am deeply concerned about these changes and hope to work with my colleagues to remedy the measures that unnecessarily put workers and the public at risk.

Ms. BORDALLO. Mr. Chair, I rise today in opposition of Mr. GALLEGLY'S AMENDMENT #15 to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

The Fish and Wildlife Service and the Navy have a long track record of working together on otter conservation through the Integrated Natural Resources Management Plan. The Navy activities have not lead to the harassment of otters off the coast of California, so the provisions to continue Naval exemptions from the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) should be preserved in H.R. 4043.

This amendment takes the necessary step of extending the Navy's exemption allowing ongoing military operations. However, I do not believe that we should be using our Nation's military readiness as a cover for establishing regulations that only benefits a special interest group. I have serious concerns with the broad exemptions for fishermen included in this amendment. Fishermen working south of Point Conception, California would be given incidental take exemptions from the ESA and MMPA indefinitely. This would remove any ability of the Fish and Wildlife Service or any other agency to address problems that may arise with otter recovery as a result of interaction with fisheries. ESA and MMPA exemptions for specific industries undermine the principles of management based on sound science under these statutes and set a dangerous precedent of Congressional micromanagement for political reasons.

The Navy has agreed to continue the management of the sea otters on these installations, in consultation with the Secretary of the Interior. Mr. Schregardus, Deputy Assistant Secretary for the Navy on Environment, testifying before the Fisheries and Oceans Subcommittee, specified that the further provisions have no relevancy to military readiness operations in the region. None of the witnesses present at the hearing could identify how the management actions specified in subsection (g) had any impact on military readiness. Additionally, we have heard testimony from scientists that indicate the concerns for the ongoing viability of the California shellfish industry do not rest on the shoulders of sea otters. Commercial over-harvest and withering disease are the primary culprits to the decline of endangered abalone species. The presence of sea otters and related improvement to the nearshore kelp forest ecosystems can actually benefit abalone.

Southern sea otters are recovering from the devastating fur trade in the 18th and 19th centuries, which almost eliminated them completely. The nearly 2,800 otters that live in the region today have grown from just over 40 individuals that remained on the California coast in the 1930s.

While the population is growing, the recovery of this species is extremely slow. It is very important that our legislative actions do not reverse past conservation successes that have developed as a result of collaboration between the Navy, the Fish and Wildlife Service and other scientists and stakeholders.

I urge adoption of only the naval provisions in this amendment, which would address the national security needs of the nation without compromising the recovery of the southern sea otter.

Ms. SLAUGHTER. Mr. Chair, I rise today in support of my amendment to the National Defense Authorization Act, which will assist victims of sexual harassment or sexual assault in the military. There are countless current and former members of the military who have bravely reported sexual harassment or assault, only to be retaliated against. My amendment would educate these service members about the resources available to them to help them get justice.

These brave men and women, who serve our nation with honor and distinction, should not have to live in fear of reprisal for doing what is right. My amendment will ensure that they are informed of the resources available, and the processes in place, to protect them from any retaliatory personnel actions after reporting sexual harassment or abuse.

The Board of Correction for Military Records (BCMR) is the vehicle by which a current or former member of the Armed Forces who feels that they have suffered an injustice as a result of error or injustice in military records may apply for a correction of those military records.

My amendment will educate current and former military members about the opportunity to apply for relief from the BCMR if they have been previously punished for reporting cases of sexual assault.

Applying for relief to the BCMR could help a service member such as a current Marine who is facing an unwarranted Field Fight Performance Board following her filing of a sexual harassment complaint.

It could help an Army soldier who was denied promotion, removed from her assignment, and referred for a mental evaluation after reporting a sexual assault, and who received a series of negative evaluation reports after filing a sexual harassment complaint and initiating a Congressional inquiry into her situation.

It could help a sailor who is facing involuntary administrative separation from the Navy—which would deny her future medical benefits—because she has been diagnosed with an ''adjustment disorder'' after seeking mental health treatment in the aftermath of a sexual assault.

We have made excellent progress recently in dealing with this blemish of sexual assault on the proud and honorable tradition of our armed forces. I am pleased that new protections for victims are in place as a result of last year's NDAA, and that the Department of Defense is moving forward with advanced investigative techniques that will improve prosecution of sexual assault cases.

But I am also very concerned about the issue of sexual harassment, which is so often the precursor to sexual assault. This educational campaign is simply a first step in addressing the issue of sexual harassment, and sending a message that this behavior—and certainly retaliating against victims who report it—is absolutely unacceptable in our military.

Much is asked of the men and women who dedicate themselves to the protection of our freedoms. We must continue to ensure that we earn that trust and dedication.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

□ 1540

AMENDMENT NO. 3 OFFERED BY MR. KUCINICH

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–485.

Mr. KUCINICH. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XII of division A of the bill, add the following:

SEC. 12xx. LIMITATION ON DEPLOYMENTS FOR NATO MISSIONS.

(a) LIMITATION.—Beginning on the date of the enactment of this Act, the deployment of a unit or individual of the United States Armed Forces in support of a North Atlantic Treaty Organization mission may be made only after express statutory authorization has been obtained from Congress for such deployment.

(b) DEPLOYMENT DEFINED.—In this section, the term ''deployment'' has the meaning given that term in subsection 991(b) of title 10, United States Code.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman

from Ohio (Mr. KUCINICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. KUCINICH. Mr. Chair, I yield myself 1 minute.

The administration's use of signature strikes raises the risk to innocent civilians or individuals who have had no relationship to attacks on the United States.

We know that the U.S. has made mistakes in who has been at the receiving end of its drone-strike program, and this was when we knew the identity of the person being targeted. A recent report by the Bureau of Investigative Journalism estimates that at least 2,292 people have been killed by U.S. drone strikes in Pakistan since 2004. The bureau estimates that, of that number, over 350 are civilians. A July 2009 Brookings Institution report stated 10 civilians die for every one suspected militant from U.S. drone strikes.

Yet another study by the New America Foundation concluded that out of the 114 drone attacks in Pakistan, at least 32 percent of those killed by the strikes were civilians. Again, that was before we allowed drone strikes based only on signature behaviors.

We cannot deny that our drone strikes have resulted in the death of innocent people.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, at this time I yield 1½ minutes to the distinguished ranking member, and I am glad to do so on an issue on which we agree.

Mr. SMITH of Washington. I thank the gentleman.

I rise in opposition to the amendment.

I think the gentleman raises a very legitimate point that the exercise of strikes against terrorist targets does need a proper oversight. There are a number of ways in which I think we can have greater transparency in those decisions, frankly, whether they're signature strikes or against individuals.

The bottom line is al Qaeda declared war against us in 1996. They are actively prosecuting that war against us from a number of different locations, many of which we don't have as much information as we would like, but clearly in federally administered tribal areas of Pakistan and Yemen and Somalia, they are organizing training camps and they are actively pursuing us. Our Joint Special Operations Command is trying to keep track of those networks and keep them from attacking us.

The ability to hit those training camps is an important part of protecting us from terrorist attacks. As General McChrystal said: It takes a network to beat a network. We need our network to have the ability to stop Al Qaeda's network. They declared war against us. They haven't changed their mind. It is still something that we need to be able to adequately protect this country against. This amendment unduly restricts our military's ability to protect this country.

Mr. KUCINICH. Mr. Chair, I yield myself 30 seconds.

We're talking about the deaths of innocent people here. A recent article published in The Washington Post revealed that the Central Intelligence Agency and the Joint Special Operations Command have been given new authority that allows them to fire upon targets based solely on their so-called ''intelligence signatures,'' patterns of behavior that are detected through signal intercepts, human sources, aerial surveillance, and that indicated a presence of an important operative plot against U.S. interests. But allowing CIA and JSOC to conduct drone strikes without having to know the identity of the person they're targeting is in stark contrast to targeted strikes against suspected terrorists on lists maintained by the CIA and JSOC.

Mr. THORNBERRY. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend.

I rise to respectfully disagree with the amendment offered by a person for whom I have great respect. I know that he offers this amendment because he certainly wants to avoid a situation where our country arbitrarily takes innocent human life. I think he's right to have that concern, and I think it's one that is widely held. I think that the issue raised by this amendment is whether others can be entrusted with striking that same balance or whether the Congress should enact a unilateral prohibition against certain kinds of activities.

When the decision-makers who operate these drone strikes make a decision, they have to strike this balance between our moral obligation to avoid arbitrary attacks on innocent people and our moral obligation to defend our country. And I think that they are capable of striking that balance, and I frankly think that a blanket prohibition against the use of these strikes—except in circumstances where we know the identity of the target—unduly restricts them in making that judgment.

I certainly understand and sympathize with the goal of this amendment. But because I think it unduly restricts our options, I would urge its defeat.

Mr. KUCINICH. I yield 2 minutes to the cosponsor of the amendment, the ranking Democrat on the Judiciary Committee, Mr. CONYERS of Michigan.

Mr. CONYERS. I thank the author of the amendment, and I join with him in it because, ladies and gentlemen, the administration policy up till now has been quite clear: drones pursue specific individuals who appear on a target list maintained by the CIA and initiate attacks only when drone operators are confident that the individual being targeted is a terrorist on that list.

What this amendment attempts to ensure is that the missile strikes being used by the CIA or the Joint Special Operations Command are targeting actual terrorists that pose a threat to our national security and not against civilians who may look suspicious to a drone operator operating thousands of miles away. What I am saying is merely that a new and expanded drone policy that allows for indiscriminate missile strikes against supposedly suspicious individuals obviously increases the risk of civilian death and risks inflaming an already powerful anti-American sentiment abroad. Ladies and gentlemen, this policy will not make us any safer. It will do just the opposite.

I encourage my colleagues to support our amendment so that the Congress ensures that accountability and a measure of precision and due process are retained as critical components of our country's drone policy.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. KUCINICH. Mr. Chair, I am prepared to close. I reserve the balance of my time.

Mr. THORNBERRY. As a point of parliamentary inquiry, Mr. Chairman, who has the right to close on this amendment?

The Acting CHAIR. The gentleman from Texas has the right to close.

Mr. THORNBERRY. Further parliamentary inquiry, Mr. Chairman. How much time remains on our side?

The Acting CHAIR. The gentleman from Texas has 2½ minutes remaining. The gentleman from Ohio has 1½ minutes remaining.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Rhode Island, the ranking member of the Emerging Threats and Capabilities Subcommittee.

Mr. LANGEVIN. I thank the gentleman for yielding, and I appreciate the gentleman from Ohio and the gentleman from Michigan for offering this amendment; but unfortunately I must rise in opposition.

I certainly share their concerns, and I know of their good intentions; and I certainly share the authors' concerns over civilian casualties, and certainly even one civilian death is too many.

Mr. Chair, we should not jeopardize our men and women in uniform by hamstringing their ability to engage when threatened or returning fire. Certainly the Predators are incredibly

powerful tools, and they need to be used judiciously and appropriately. I believe that they are only when necessary. The language here as it is written would threaten many of the most urgent uses of remotely powered aircraft. For example, if our troops are under fire from an unknown assailant or if an insurgent is placing a bomb, this language, as I read it, would prohibit targeting that individual.

Mr. Chairman, patterns of behavior are certainly appropriate indicators and are vetted strenuously. John Brennan at the White House has indicated and stated publicly that the drone-strike policy was rooted in adherence to law, and indeed the authorization for use of military force provides the President with the authority to ''use all necessary and appropriate force.''

The Acting CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. I yield the gentleman another 15 seconds.

□ 1550

Mr. LANGEVIN. I appreciate the gentleman yielding.

There are strict policies for how these tools can be used: there has to be a significant threat to the United States; action could mitigate or prevent an actual threat from materializing; capture is not feasible or could put U.S. servicemen and -women in undue harm; and collateral damage and harm to civilians is minimal. This strict criteria is what can be used, and I think they are the tools that we need to preserve.

Mr. KUCINICH. Parliamentary inquiry.

The Acting CHAIR. The gentleman from Ohio will state his inquiry.

Mr. KUCINICH. As a matter of procedure, who has the right to close, the sponsor of an amendment or the opponent of an amendment?

The Acting CHAIR. A manager of a measure who opposes an amendment thereto has the right to close.

Mr. KUCINICH. I thank the Chair.

I am prepared to close. How much time do I have remaining, please?

The Acting CHAIR. The gentleman from Ohio has 1½ minutes remaining.

Mr. KUCINICH. In the absence of transparency and accountability for the drones program abroad, overreach is unchecked. The administration refuses to release the legal justification for permitting so-called ''signature drone strikes.'' The administration refuses to disclose whether and how there's any follow-up with the families of innocent civilians who died from a drone strike. The administration refuses to disclose whether civilian casualties are collected, tracked, and analyzed.

Our amendment, the Conyers-Kucinich amendment, recognizes that innocent civilians should not be collateral damage. It recognizes that sending an unmanned plane to drop bombs without knowing the identity of a target does not reflect American values. It recognizes that drones bombing people of unknown identity will generate powerful and enduring anti-American sentiment that prolongs and expands wars. It recognizes that Congress did not give the President an unlimited and unchecked power to expand our wars abroad, especially when it does not even bother to give Congress the legal justification to do so.

It became clear that the authorization for the use of military force is being interpreted, given carte blanche to circumvent Congress, and we ought to put an end to it right now.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, this amendment raises a number of concerns. It is a very strange thing, for example, to say in a war that you have to know the name, rank, and serial number of the person that you are about to shoot before you can even shoot him. And to put it a little more in this context, the gentleman from Ohio's amendment would say that if we see people making bombs down there that are going to be used against our servicepeople, that we can't do anything about it, that we've just got to watch them. And then even after the bomb explodes, unless we know the identity—which is the language in the amendment—unless we know the name of the person down there, we can't do anything about it, with all of the technology that's available to the United States.

And actually, it gets even worse. If we see al Qaeda members shooting at our troops down there, if we don't know the identity or the name of the people doing the shooting, then we can't do anything about it. Surely that carries things far too far.

We can't debate in the open House all of the allegations that are made in newspaper articles. What we can do is say what the National Security Adviser or the President has said, that these sorts of capabilities are only used pursuant to law, and they are only used where there is a significant threat to the U.S., where action could mitigate or prevent the threat, and that collateral damage or harm to civilians is absolutely minimal. That helps protect our soldiers and our country.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was rejected.

AMENDMENT NO. 4 OFFERED BY MR. ROHRABACHER

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–485.

Mr. ROHRABACHER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XII of division A of the bill, add the following:

SEC. 12xx. PROHIBITION ON AVAILABILITY OF FUNDS FOR ASSISTANCE FOR PAKISTAN.

Notwithstanding any other provision of this Act, none of the funds authorized to be appropriated by this Act may be used to provide assistance for Pakistan.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, since 9/11, the United States has given Pakistan about $22 billion. That money has served only to embolden Pakistan's government to maintain the brutal repression of its own people and to continue its blatant support for terrorist attacks on its neighboring countries, as well as attacks on American troops in nearby Afghanistan.

My amendment would cut off all aid in this bill designated for Pakistan. It would end the charade that we are buying cooperation in the ongoing struggle against terrorist forces in South Asia. Pakistan isn't with us in a war against terrorism; they are at war with us.

Pakistan, at best, is a war profiteer, collecting a ransom by taxing our military supply lines that pass through their country, which, for the past 6 months, by the way, they have closed to resupplying our forces in Afghanistan. They are laughing all the way to the bank. Of course, the Pakistani people will never see any of that money.

The corruption in Pakistan itself is reason not to give aid to them, which they will then pilfer. Furthermore, they use their military power to butcher the Balochs and others who don't want to be under their corrupt thumb.

How can we forget this same Pakistani Government gave safe haven to Osama bin Laden after he led the conspiracy that slaughtered 3,000 Americans on 9/11? After our SEALs went in to get him, the Pakistani Government took the wreckage of our downed stealth helicopter and gave it for study to Communist China, whom they refer to as their ''all-weather friend.''

The Pakistani Government has gone so far as to arrest and imprison, without trial, Dr. Afridi, the doctor who helped us gather the intelligence that located Osama bin Laden in the nest that the Pakistani Government had provided him right there in Pakistan. The Pakistani Government threw him in jail and is talking about trying him for treason for the good deed that he helped us in bringing to justice the man who slaughtered 3,000 of our citizens. And we can continue to give money to these people, even as we ignore the suffering of Dr. Afridi, who is in prison now, languishing in prison? And all of us are forgetting this hero?

We have lost almost 2,000 Americans defending our country as part of Operation Enduring Freedom. Most of those deaths were due to Pakistani-inspired and -supported insurgents.

How much more does the Pakistan Government have to do before we quit giving them our money? They are playing us like fools while murdering our soldiers. And, yes, we are acting like fools for giving them this money despite that. We should have quit bankrolling this rotten regime a long time ago. My amendment would do just that.

The Pakistan Government is a terrorist government that murders and even attacks its own people, such as in Balochistan. It is a pro-terrorist, radical Islamic clique that rules Pakistan. They don't deserve one penny from us to help them in their dirty deeds.

I would ask for support from my colleagues. Let's finally stand up. If we need an ally in that area, let's go to some people in that area that want to be our friends, perhaps the Indians.

I reserve the balance of my time.

Mr. SMITH of Washington. I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. I appreciate the gentleman from Washington yielding me 2 minutes.

I strongly urge opposition to this amendment with some heavy heart because some of the things that my good colleague has said may be accurate; much of it is inflammatory and not accurate. But nevertheless, I don't want to be seen as an apologist for Pakistan.

But by the same token, we have trimmed the amount of money subject to this authorization and to this amendment by half. We have strengthened the controls around that money to require Pakistan to certify to us, to Secretary Panetta, that, in fact, this money is being spent in the fight against counterterrorism.

□ 1600

We will have additional amendments on the floor this afternoon that don't have any opposition, which will further strengthen that certification process. And by restricting all funds, under the DOD position, simply plays into the bad guys' hands in Pakistan. It will give them no incentives in which to work with us and it will further their strength and resolve to close the cross-border, overland passage of U.S. military goods to assist us with the fight in Afghanistan.

While my good colleague has much greater experience with some of those folks in that part of the world than I do, nevertheless, I stand in opposition to his amendment. It is a meat cleaver when we ought to be going at it the way we've done it—by trimming the money back, putting restrictions on that money that will force the Pakistanis in order to get it. And, by the way, they have not gotten money from DOD since June of 2010.

So while the comments that he's made might apply to all funding for the State Department and everything else, it only applies to Department of Defense money. We've not given them money since June of 2010. We have adequate protections in the bill this time and will strengthen those protections later on in the debate in the votes this afternoon.

I stand in opposition to the amendment.

Mr. ROHRABACHER. I reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentleman. And certainly I've worked with the gentleman from California on a number of issues, and I rise in vigorous opposition to this amendment as the cochairman and founder of the Pakistan Caucus. And let me frame the reason.

First of all, we have a very responsible and sizable Pakistani American community that champions the idea of a democratic and economically stable Pakistan. It was only a few years ago that Benazir Bhutto was assassinated. However, the government that has carried on, although living in a difficult neighborhood and having difficult challenges, is a result of her efforts to try to bring democracy to Pakistan.

The people of Pakistan live in a very difficult neighborhood, and if we abandon this assistance—obviously, defense assistance—we abandon the people of Pakistan. We abandon those who want an education and economic stability. We abandon those soldiers in the Pakistani military who have fallen in battle fighting against terrorists. We will abandon those who have been in the Swat Valley. We will abandon those who have been in the mountains of Pakistan.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlewoman an additional 20 seconds.

Ms. JACKSON LEE of Texas. It will abandon those who are fighting for democracy, with the Pakistani President heading to participate in NATO with Ambassador Sherry Rehman here, who interacts with Members of Congress.

Let me tell the American people, Pakistan is an effective ally with challenges, and we should not deny them the opportunity to correct and turn the corner. I ask my colleagues to recognize the value of Pakistan's alliance. It is better to be engaged than to not be engaged.

Let us oppose this amendment. It is the wrong direction to go.

Mr. ROHRABACHER. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I think all of us share many of the frustrations voiced by the gentleman from California, but his amendment goes too far.

I agree we should look for additional allies in the region. The problem is there's not another ally in the region through which our military can be supplied. So for the sake of our troops in Afghanistan, as well as a lot of the broader interests in the region, it is important for us to try to improve our relationship with Pakistan.

And as my colleague from Texas says, in the bill now we cut the funds from DOD in half and we require a certification that Pakistan is supporting our counterterrorism efforts, that they are supporting efforts to dismantle the IED networks, that they are preventing the proliferation of nuclear-related material, that they are issuing visas in a timely manner for U.S. Government personnel involved in counterterrorism efforts. We put severe restrictions on any assistance that they get. But that is a carrot to encourage them to work with us, rather than saying, No, you get nothing.

Mr. ROHRABACHER. How much time is remaining?

The Acting CHAIR. The gentleman from California has 1 minute remaining. The gentleman from Washington has 45 seconds remaining.

Mr. ROHRABACHER. I have here 13 pages of restrictions that we have had on Pakistan aid over the last few years, 13 pages of restrictions that have meant nothing.

During the time that we have been giving them billions of dollars with all of these restrictions, they have been giving safe haven to Osama bin Laden, who massacred and slaughtered 3,000 Americans. How can we forget about that? How can we just go on and give these people money?

The people of Pakistan can be our friends. They are our friends. But we have to recognize that their government is a terrorist-supporting government and a radical Islamic-supporting government.

And we continue to give them money as they support insurgents that kill our people overseas. Is there any doubt about that? Admiral Mullen confirmed it for us.

Why are we ignoring that? We are acting like fools and we are acting like cowards. It is time for us to stand up for the American defenders who are over there putting their lives on the line and say, No. If we're going to give money to the people killing you, we're not going to do that, period. That's going over the line.

I would suggest to my colleagues to join me in defunding the enemy of the United States.

I yield back the balance of my time.

Mr. SMITH of Washington. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 45 seconds.

Mr. SMITH of Washington. We are not ignoring any of that. All of those issues are things we discussed in the Armed Services Committee, are very much aware of and very concerned about. But the bottom line is, as my colleagues have pointed out, regrettably, Pakistan is in a part of the world where we have national security interests.

Pakistan has, at various times, provided critical support to allow us to get the supplies we need to our troops in Afghanistan. They have also assisted us in going after various terrorist groups inside of Pakistan. That help has been maybe 2 percent of what we would like it to be, but that 2 percent, regrettably, is help we cannot turn away.

It is a very problematic relationship. I think the gentleman who offered this amendment described that quite well. But we cannot afford to simply cut it off because of how important that region is to our national security interests. His amendment would do that. And it is bad policy for this country, bad policy for our troops, and bad policy for our national security interests. Therefore, I would urge us to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–485.

Ms. LEE of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XII of division A of the bill, add the following:

SEC. 12xx. LIMITATION ON FUNDS FOR OPERATIONS OF THE ARMED FORCES IN AFGHANISTAN.

(a) IN GENERAL.—Funds made available to carry out this Act for operations of the Armed Forces in Afghanistan shall be obligated and expended only for purposes of providing for the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to authorize the use of funds for the continuation of combat operations in Afghanistan while carrying out the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan; and

(2) to prohibit or otherwise restrict the use of funds available to any department or agency of the United States to carry out diplomatic efforts or humanitarian, development, or general reconstruction activities in Afghanistan.

The Acting CHAIR. Pursuant to House Resolution 661, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE of California. First, let me just say this. It is just downright outrageous that the McGovern-Jones amendment was ruled out of order by the Rules Committee, denying this House the opportunity to debate and vote on their amendment.

Secondly, we really do need a clear and 2 days of debate, at least—not 20 minutes—on this critical issue of Afghanistan. So for the life of me, 20 minutes is not long enough. And I don't quite understand why, in fact, the McGovern-Jones amendment was not given the full amount of time, because the American people deserve to hear both sides of this issue from a variety of policy perspectives.

My amendment today would put a responsible end to combat operation in Afghanistan by limiting the funding to the safe and orderly withdrawal of U.S. troops and military contractors.

And I have to thank the cosponsors of this bipartisan amendment—Representatives JONES, CONYERS, PAUL, WOOLSEY, WELCH, NADLER, HASTINGS—and all of our colleagues who have worked on this issue throughout the years to responsibly end the war in Afghanistan. I have offered this amendment in the past, and it has been a bipartisan amendment.

It is clear that the American people have been far ahead of Congress in supporting an end to the war in Afghanistan. My amendment allows Congress the opportunity to stand squarely with the war-weary American people who want to bring our troops home. The call has been growing across this land to bring this war to an end. It's time now for the Congress to answer the call here today.

□ 1610

The reality is there is no military solution to the war in Afghanistan. Our brave troops have done everything that was asked of them and more.

As a daughter of a military veteran, I also know firsthand the sacrifices and the commitment involved with defending our Nation. But the truth is that they have been put in an impossible situation. There is no military solution, and it's past time to end the war and bring the troops home.

Over a decade now, over $500 billion spent in direct costs and, mind you, not a penny of it has been paid for. Instead, we should have been investing in jobs and in our economy here at home and a smarter national security strategy.

It is time to say enough is enough. With almost 2,000 United States troops killed in Afghanistan and many tens of thousands more maimed with injuries both hidden and visible, we must recognize that the boots on the ground strategy in Afghanistan must end. It's critical to our economy and the future of this country that we stop pouring billions on a counterproductive military presence in Afghanistan.

The American people have made it clear that the war is no longer worth fighting—not for another year, not for another 2 years, and surely not for another 12 years. Today, Congress should stand with seven out of 10 Americans who oppose the war in Afghanistan. After 11 long years, it is time to bring our troops home. We can do that responsibly by voting ''yes'' on the Lee amendment today.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 10 minutes.

Mr. MCKEON. At this time, I yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY), the vice chairman of the committee.

Mr. THORNBERRY. Mr. Chairman, essentially this amendment says get out now; leave Afghanistan regardless of the consequences.

I appreciate the honesty and the forthright nature of this amendment offered by the gentlelady from California. It is better to say up front what you're trying to do rather than put various conditions on it, or to tie our troops' hands in some way, or to not put enough troops in the field in order to accomplish the mission we're asking them to do. This is very clear. It says leave now. And it is tempting for all of us because we have been there for awhile.

I want our troops to leave as soon as possible consistent with national security. As a matter of fact, the underlying bill says that the United States military should not maintain an indefinite combat presence in Afghanistan and should transition to a counterterrorism and advise-and-assist mission at the earliest possible date consistent with the conditions on the ground. And that's really the difference—consistent with the conditions on the ground.

We believe, I believe, you have to take account of what the situation is there, and you cannot just abandon Afghanistan and ignore, stick your head

in the sand and pretend it's not going to have consequences. I think it's important to remember why we're there to begin with. We're not there because of them. We're there because of us. We're there to make sure that Afghanistan is no longer used as a safe haven, as a base which will be used to launch attacks against us. That's the crux of the matter.

As soon as they are able to provide for their own security and prevent a return of the Taliban, a return of al Qaeda, then we can go and we'll have accomplished our mission, and they'll have to sort through their domestic issues on their own.

But if we leave too early and al Qaeda and the Taliban return and use it as a base to launch attacks against us, then I'm afraid more Americans will suffer and we could see repeats of past terrorist attacks.

So as tempting as it is, Mr. Chairman, we cannot ignore the consequences of our actions. Leaving too fast would be bad for our security.

Ms. LEE of California. I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise today in support of my friend BARBARA LEE's amendment.

Let's look at the facts. Two-thirds of Americans oppose our military occupation of Afghanistan. So if the American people were to vote on this amendment today, it would pass overwhelmingly with support from both Democrats and Republicans. After nearly 11 years, Mr. Chairman, enough is enough.

Congress must catch up to the people they represent and embrace a responsible end to this war. Instead of dumping $10 billion a month into an unwinnable war, let's redirect our resources towards a SMART Security approach. Let's invest in people. Let's invest in development. Let's invest in humanitarian progress. Let's bring our troops home.

Vote ''yes'' on the Lee amendment. Vote ''yes'' for SMART Security. Vote ''yes'' for the American people.

Mr. MCKEON. At this time, Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), a member of the committee.

Mr. CONAWAY. Mr. Chairman, I appreciate the chairman yielding me the time.

I stand in opposition to this amendment. My colleague stated it very well earlier. This says just get out now.

My colleagues across the aisle in support of this amendment have continued to use the word ''responsible'' over and over, and there is nothing responsible about abandoning the efforts in Afghanistan today without proper conditions on the ground.

The President has a plan in place. Some of us may have had differing ideas with him, but he put a plan in place that says our combat troops will be out of there by 2014 contingent with conditions on the ground.

The Afghan people are responsible for their own security, and we're trying to help them get to that place with the Afghan National Army, the Afghan National Police, and the Afghan local army. Those efforts are going on across the provinces of Afghanistan as we speak, and they're getting into the lead to take care of their security.

But abandoning of Afghanistan today would put at risk 27 million Afghanis who are counting on us to get this right, counting on us to put them in a position to be able to defend themselves when we do leave in 2014. So getting out now, Mr. Chairman, is irresponsible rather than responsible.

Now, I understand all of us are tired. All of us are weary. None of us like to go to those funerals. I go to the funerals of the young men and women who have been killed in Afghanistan and Iraq, and I stand with those moms and dads and husbands and wives on the worst days of their life. I understand, it's grinding grief that's associated with it. But there's a pride also attached to it that their loved one gave their life for something positive, for something good, so that 27 million Afghanis could create a government that would allow them to rule themselves and not have the thugs and the Taliban do what they did in the mid-1990s: come in and slaughter all of the thoughtful people, all the teachers, all the folks who would lead, in order to subjugate their people in ways that are just horrendous.

They will do that again to anyone who has helped us over this last 10-year period. So we do have a responsibility there. The responsibility is to get out when the conditions on the ground say it's time to get out.

NATO is meeting this weekend in Chicago to determine ongoing conditions, what's going to be done with respect to their commitments, and this amendment would undermine all of those efforts going on there.

So I stand in opposition to this amendment and encourage my colleagues to vote ''no'' on this amendment.

Ms. LEE of California. Mr. Chairman, I would like to yield 1 minute to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank the gentlelady from California, and I appreciate that ending America's longest war—over 10 years—is not an unreasonable notion, because there is a serious misunderstanding going on about this amendment on the other side.

Withdrawing United States troops does not mean we're abandoning Afghanistan. Please, there's a difference. There are other ways that we can continue to develop the diplomatic and political solutions that can't be won at gunpoint.

Don't you get it? If we're leaving in 2014, we're just saying let's speed it up; let's begin a rational withdrawal. And we have a responsibility to keep a commitment to Afghanistan. It doesn't mean troops. It doesn't mean our military has to die.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes at this time to the gentleman from Florida (Mr. WEST), a member of the committee, a gentleman who has led troops in battle.

Mr. WEST. Mr. Chairman, thank you for allowing me to speak.

I will say this one thing. I've been in Afghanistan for 2½ years. And having been a ground combat commander, I say one thing: if this amendment were to pass, where it says this amendment would restrict the authorization and use of funds for continuation of combat operations in Afghanistan, just today, in the Farah province, which I've been to, the Taliban attacked an Afghan Government compound, killing seven people.

□ 1620

What you are telling our men and women in combat, what you are saying to the enemy is that we are going to leave those men and women hanging, that we are not going to provide them the resources.

Now, I see where this amendment says it does not prohibit or restrict the use of funds available for the U.S. to carry out diplomatic, humanitarian, development, or general reconstruction efforts. One of the problems that we have had in Afghanistan is that we got involved in nation-building, we got involved in occupational-style warfare, and truly not being involved in a counterterrorism style of warfare and going after the enemy. This is where our primary focus should be.

We have generals that are on the ground that know what they're doing. They've been to Staff College, they've been to War College. Why is it that we don't want to listen to the people that we have placed trust and confidence in to lead our men and women in combat? They have been told that in 2014 we will be drawing down and leaving Afghanistan. Why in God's name would we want to repeat some of the horrible things that I saw my older brother go through in Vietnam, where we restricted funding, and the next thing you know you had the killing fields of Pol Pot? I'm telling you, I've been in Afghanistan; I know this enemy. And I don't see anyone over there, my dear colleagues on the other side, that I would trust more than General Allen, who is on the ground, who knows what he has to do.

The message that you send to our troops is that you're abandoning them. The message that you send to the Taliban, to al Qaeda, to the Haqqani Network, to LeT, to every single radical Islamic group, is that we have

turned our backs on our military, and you can continue to kill them.

I just want to say one simple thing. Two weeks ago, I went to the memorial service for PFC Michael J. Metcalf of Boynton Beach, Florida, who was laid to rest today in Arlington. I will not turn my back on those men and women who are still my friends, some of them even my relatives. I ask that my colleagues do not vote for this amendment.

Ms. LEE of California. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from California has 4½ minutes remaining. The gentleman from California has 4 minutes remaining.

Ms. LEE of California. I yield myself 30 seconds and respond to the gentleman from Florida and just say this amendment—I think he's probably not reading the amendment that I have offered.

What this amendment does is restrict our funding for the purpose of the safe and the orderly withdrawal from Afghanistan of all members of the Armed Forces and the Department of Defense. It is not a cut-and-run amendment. This is a force protection amendment. It would bring our young men and women out of harm's way and it would provide the resources to move forward to help stabilize the region.

I'd like now to yield 1 minute to the gentlelady from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. Mr. Chairman, I rise to speak in support of the Lee amendment.

When I was in the Hawaii State legislature, we were the only State that did a Hawaii Medal of Honor. The unfortunate part about it is we gave those medals to the spouses and the families and the friends of those who had fallen in Iraq and Afghanistan, as long as they had some connection to Hawaii, either serving at one of our bases or being from there. When I went through that proceeding, I said, you know, as soon as we can—and I believe the time has come for us—we must safely remove our troops and the civilian personnel because we owe it to them.

It is not a matter of whether or not we are abdicating or we are turning our backs on them. They have done what they were sent there to do. Eleven years of fighting; Osama bin Laden is dead. The people of the United States know that, and they are asking us to remove the men and women. Don't continue them in harm's way because we have done what we told them they were sent there to do. That is why I stand in support of the Lee amendment.

Mr. MCKEON. Mr. Chairman, at this time I yield 1 minute to my friend and colleague, the gentleman from Illinois (Mr. KINZINGER), a member of the committee and an Air Force pilot.

Mr. KINZINGER of Illinois. Mr. Chairman, leadership isn't easy. These are lessons that we learned all through history. We learned it from Abraham Lincoln when he had to face a union that was dissolving. I learned it in officer training as a pilot in the military. And I learned it in my experience overseas.

Think of the sacrifice that our troops have made in Afghanistan. Now, we understand it's been too long, but think of the sacrifice they've made. Now we're getting ready—very quickly, with the passage of an amendment, if this passes—to say we're just getting out; we're not going to leave the commanders on the ground with the authority to say how we do it or what we do.

What are we going to say to our troops if this passes, and what are we going to say to Bibi? Bibi is a young woman in Afghanistan who at the age of 12 was sold into slavery because somebody committed a crime in her family and the Taliban required her to be sold into slavery. She escaped and had her nose and ears cut off. Her uncle and her family turned their back on her as she tried to crawl to safety. She went to an American forward operating base, where she was granted safety and freedom. What are we going to say to Bibi when we pick up and say, you know what, we've had enough, we're just going to pick up and leave today?

This is a big deal. I would urge my colleagues to oppose this ill-thought-out amendment.

Ms. LEE of California. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from California has 2 minutes remaining. The gentleman from California has 3 minutes remaining.

Ms. LEE of California. I'd like to yield now 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I'd like to thank the gentlelady for a very thoughtful amendment. And I again acknowledge the amendment that both Mr. SMITH and Mr. MCGOVERN had. Clearly, what this is is an opportunity for the American people to speak through their representatives here on the floor of the House.

None of us want to promote the killing of women, the cutting off of ears, the mutilation of anyone. I have founded and chaired the Afghan Caucus. I have gone to Afghanistan many times. I've delivered books to their schools. What we are suggesting is that the precious blood of our soldiers, first going there after the horrific incident of 9/11, they, after 10 years, have given the fullest measure. What we're suggesting is that we bring them home safely and orderly, and that we begin to use the diplomatic resources, we enhance NATO, we make sure that we work with our allies, and we have the Afghan national security forces stand up. That's what we're saying.

We've given enough ribbons and hero awards because we know that our soldiers would not step away—they want to be there with their comrades. But it is important for us, as Members of Congress, who make decisions to send young men and women into war, to make a decision that their job is well done, and that Afghanistan begin to, in essence, develop the democratic processes and begin to have their national security forces and their police officers stand up. Enough killing of our soldiers by internal acts by Afghan police and soldiers. Let us bring them home now in an orderly way.

God bless our troops, and God bless the United States of America.

Mr. MCKEON. Mr. Chairman, at this time I yield 1 minute to my friend and colleague, the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I flew combat missions in Vietnam in 1971, '72, and '73. I was there when Members of this House voted to cut the funds to troops in combat.

I'm hearing the words ''safe'' and ''orderly'' withdrawal. Has anyone on the other side looked at the safe and orderly withdrawal that occurred in Vietnam? As we fell head over heels, we left 574 combat-ready aircraft there. That was the safe and orderly withdrawal we had when this body began to manage Vietnam. We lost the Vietnam War because we took the control of the war away from the generals and placed it into this body, people who had never been in combat, who had never been in harm's way.

I'm telling you, as someone who was there during a time when Congress choked off the funds to people that were in harm's way, I had a burning anger that burns today. And when I see this amendment and visualize the young men and women over there whom you're cutting funds off to and saying we're going to leave you with an orderly and quiet withdrawal—it's not humanly possible. The other side doesn't play by your orderly rules.

Understand that this is war, and our troops' lives are at risk, and you're putting them more so.

Ms. LEE of California. Mr. Chairman, I reserve the balance of my time.

Mr. MCKEON. Could I ask the time remaining?

The Acting CHAIR. The gentleman from California has 2 minutes remaining. The gentlewoman from California has 1 minute remaining.

Mr. MCKEON. And I have the right to close?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. MCKEON. I reserve the balance of my time.

Ms. LEE of California. Let me just first say that I appreciate this 20-minute debate, but we should have a couple of days to be able to have a full debate on why we need to, one, protect our troops and provide for their safe and orderly withdrawal.

The American people are war weary. We need to reunite our brave men and women in uniform with their families at home. We should transfer the billions of dollars that we're spending on war to creating jobs here at home. We should ensure that our troops are provided with the resources that they deserve and they need during this withdrawal.

□ 1630

We're asking for a safe and orderly withdrawal. We're saying our young men and women have fought; they've done everything we've asked them to do. We think that now, as the American people are saying, the combat mission, the fighting should end, and we should begin by protecting our troops and contractors; and we should begin to end the longest war in American history. It's time to end the war in Afghanistan.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, when I was in Afghanistan a few years ago, I visited Camp Leatherneck. General Nicholson, who was just setting up base, and they were just there in the desert—the men were out setting up forward operating bases, trying to take back territory that the Taliban commanded. The general told me that his troops were being asked every day by the local people, when are you leaving? How long are you going to be here? Can we trust you to be here to protect us?

Last year, when I returned, I went to the same area. We were able to go to Marjah this time, which we couldn't go to before because that was a Taliban stronghold. Last year, we were able to walk down the street in Marjah. I saw marines and Afghan soldiers embracing; they were happy to see each other. Maybe they'd been apart for a while.

The marines had put up light standards down the street, and the merchants were able to keep their stores open a little bit longer.

We opened a school while we were there, not a school like we enjoy, but it was a school built out of adobe and tents. They had 500 kids. About a third of them were girls. They were able to go to school that they hadn't been able to go to before. They were excited about that opportunity.

I visited with the local governor there. We had lunch. I asked him what motivated him, because he knew, as the Taliban came back for the spring effect, that his life was on the line. He said, God willing, we'll prevail.

Mr. Chairman, I think when we talk about pulling these people out before they have a chance to complete their mission—I was at a street fair in Simi Valley last week and I talked to a lady working in a booth for the troops. She said, my grandson just came home from Afghanistan. And I told him we ought to just get out of there. And he said, Granny, that's wrong. We're accomplishing great things. We're helping those people. Let us finish our mission.

That's what the generals say they should do. That's what the troops say they should do.

Defeat this amendment that pulls the troops out immediately.

I yield back the balance of my time.

Mr. NADLER. Mr. Chair, I rise to support the Lee Amendment to end the war in Afghanistan and bring our troops home as quickly as possible.

The whole premise of the war in Afghanistan is wrong. The rationale for the war is to fight Al Qaeda, but most of the day-to-day fighting is against an entrenched Taliban insurgency that will outlast any foreign fighters. Fighting in Afghanistan does not enhance the security of the United States in any way.

In 2001, we were attacked on 9/11 by Al Qaeda. Al Qaeda had bases in Afghanistan, and at that time it made sense to go in and destroy those bases, and we did. But that took about three weeks. We should have withdrawn after three weeks. The CIA told us more than a year ago that there are fewer than one hundred Al Qaeda personnel in all of Afghanistan. So why do we still have 88,000 troops there? Troops who will continue to risk their lives every day in a war that has already claimed far too many lives. And why should we continue pouring billions of dollars into an intractable mess when we should be devoting those funds to our own economy, our own jobs, our own schools, our own bridges and roads and highways, our own housing, social programs, and education?

Afghanistan is in the middle of what is, so far, a 35 year civil war. We do not have either the need or the ability to determine the winner in that war, which is what we're trying to do. If we continue on this course, in two years, there will be hundreds more dead American soldiers, several hundred billion more dollars wasted, and two or three more provinces labeled "pacified". But as soon as we leave, now or in 2014 or 2016 or 2024 or whenever, those provinces will promptly become "unpacified," the Taliban and the warlords will step up the fighting, and the Afghan civil war will resume its normal, natural course.

Our troops are fighting valiantly, but we are there on the wrong mission. We should recognize that rebuilding Afghanistan in our own image, that setting up a stable government that will last is both beyond our ability and beyond our mandate to prevent terrorists from attacking the United States. We fulfilled the mission in protecting America from terrorists based in Afghanistan over 10 years ago. We should have withdrawn our troops 10 years ago, we should withdraw them now. We shouldn't wait till 2014, we shouldn't have several thousand advisors or troops or whatever advising or helping the Afghanis for another 10 years. They have their own civil war they have been fighting for 35 years. I wish we could wave a magic wand and end it but we can't, we should not participate in what is an Afghan civil war, we do not need to pick the winner, we do not have the ability to pick the winner, all we are doing is wasting lives, wasting limbs, wasting people and wasting dollars. It ought to end as rapidly as we can physically get them out of there.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. LEE of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR (Mr. SIMPSON). It is now in order to consider amendment No. 6 printed in House Report 112–485.

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 542, after line 19, insert the following:

''(3) A certification of the Secretary of Defense that the Government of Pakistan—

''(A) has opened the Ground Lines of Communication;

''(B) is allowing the transit of NATO supplies through Pakistan into Afghanistan; and

''(C) is supporting retrograde of United States equipment out of Afghanistan.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. I first want to congratulate the chairman and the ranking member and their respective staffs for once again offering us a model for bipartisan collaboration on major legislation.

This particular amendment addresses the future drawdown in Afghanistan which will require NATO to remove $30 billion of equipment from Afghanistan by the end of 2014. This includes everything from vehicles to armor to equipment. Logistically speaking, this is quite a challenge.

The United States and its allies have relied on two major routes to transport equipment to Afghanistan: the Ground Lines of Communication, which is the NATO supply route, and the Northern Distribution Network through Central Asia.

For nearly 6 months, Pakistan has closed the NATO troop supply route in response to the accidental shooting of Pakistani troops on the border. While recent talks between us on the subject have been positive, the final outcome is far from certain.

This simple amendment addresses the issue head-on by withholding funds to the Coalition Support Fund until

the Secretary of Defense certifies that Pakistan has opened the Ground Lines of Communication, is allowing the transit of NATO supplies through Pakistan into Afghanistan, and, three, is supporting retrograde of U.S. equipment out of Afghanistan.

Drawing down from Afghanistan will be no easy feat, and it will require the cooperation of our allies, no matter how strained the ties.

Several recent developments have caused some of my colleagues to question why we continue to engage with Pakistan at all. Well, Secretary of State Clinton said it best: Pakistan is a nuclear-armed state sitting at the crossroads of a strategic region. And we have seen the cost of disengaging from that region before.

Simply put, we have a national security interest in maintaining the bilateral relationship. The presence of several competing actors in South and Central Asia necessitates ongoing U.S. engagement in the region. A key requirement for a successful transition to a post-Taliban Afghanistan is a deep and nuanced understanding of all the players in the region. This includes each actor's desired endgame and its willingness to work toward a peaceful Afghanistan ruled by the Afghans. Equivocal statements and doublespeak by any party, frankly, impedes that progress.

As the United States prepares to complete the transition, we should clearly outline our mission, identify our allies, and specify our expectations. This amendment does just that.

Mr. Chairman, I also want to take a moment to express my appreciation again to the chairman and ranking member of the committee for working with me on this and other provisions in the bill. Specifically, I am grateful for the committee's collaboration on two initiatives to promote competition among advanced small businesses to ensure the Federal agencies are issuing accurate size standards, and to strengthen America's small businesses and save taxpayer money.

I also appreciate the committee's support of a bipartisan amendment, amendment No. 96, I submitted, along with Mr. LANKFORD of Oklahoma, to combat human trafficking by Federal subcontractors. I think it will go a long way to addressing that problem.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I claim time in opposition to the amendment although I don't oppose the amendment.

The Acting CHAIR. Does any Member claim time in opposition?

Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. I yield myself such time as I may consume.

Mr. Chairman, we had an amendment earlier to cut off all funds to Pakistan. This is a more moderate approach.

Pakistan is part of the problem, we understand that. They live in a tough neighborhood. We know that in some ways they help us, in some ways they don't help us.

This amendment is kind of a carrot-and-stick approach. We say, when you do the things that you say you'll do, when you open these Ground Lines of Communication, we'll be giving you some of the funds. I think that's the proper approach that we should take, and I think that will help us in moving forward our effort in that area.

I thank the gentleman for his amendment. I think it makes the bill stronger. I thank him for his work in this regard.

I ask support of the amendment and yield back the balance of my time.

Mr. CONNOLLY of Virginia. May I inquire how much time is left on this side.

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. CONNOLLY of Virginia. I yield 1 minute to the gentleman from Washington (Mr. SMITH), the distinguished ranking member of the committee.

Mr. SMITH of Washington. Mr. Chairman, I rise in support of this amendment as well.

As was discussed earlier, we certainly have problems with our relationship with Pakistan. We want to make sure that we continue to put the pressure on them to improve that relationship. Opening up these supply lines are critical to our troops. I think it is a minimum requirement that we should ask, and the gentleman's amendment is very well thought out. It is the appropriate response for dealing with our difficult ally.

As Mr. ROHRABACHER mentioned earlier, certainly there is much that Pakistan does that causes us trouble. But they are a country that we need to work with if we're going to properly contain the al Qaeda and terrorist threat that comes from that region of the world. I think the gentleman from Virginia's amendment strikes that balance just right, and I urge this body to support it.

Mr. CONNOLLY. I now yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the gentleman for his hard work, and let me have an open letter to our friends in Pakistan, Pakistani Americans, that your friendship is appreciated. The hard work that we have done together is appreciated.

But we are looking to begin the reopening of those borders that are crucial to the survival and the efforts of our men and women who are presently in Afghanistan and on that border. And I would also say that with the leadership of the new ambassador, with the efforts that have been made by the Foreign Minister of Pakistan, they understand, and have made announcements that they would begin the opening of those lines, not only of communication but travel, and we would hope that that would happen soon.

Again, I emphasize working with the Pakistani people is crucial. Developing allies is crucial in that very difficult neighborhood where Pakistanis themselves are subject to terrorist acts.

□ 1640

Mr. CONNOLLY of Virginia. I thank my colleague.

Again, I want to thank the chairman and the ranking member and their wonderful staffs for their hard work on this bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. ROONEY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–485.

Mr. ROONEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title X, add the following new section:

SEC. 10____. TRIAL OF FOREIGN TERRORISTS.

After the date of the enactment of this Act, any foreign national, who—

(1) engages or has engaged in conduct constituting an offense relating to a terrorist attack against persons or property in the United States or against any United States Government property or personnel outside the United States, and

(2) is subject to trial for that offense by a military commission under chapter 47A of title 10, United States Code,

shall be tried for that offense only by a military commission under that chapter.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Florida (Mr. ROONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. ROONEY. Mr. Chairman, I yield myself such time as I may consume.

My amendment simply codifies in the NDAA that any foreign terrorist detained be tried in a military tribunal set up by this Congress rather than in an Article III court. The reason for that is quite simple.

Article III courts, which are reserved for our citizens, afford constitutional

rights: the right of an attorney, the right to remain silent, a right to face your accuser and to contradict the evidence that's brought against you, evidence which sometimes is being offered by the government and by people in the intelligence community—information and sources that need to be protected.

Military tribunals, I think, are the more adequate venue for foreign terrorist enemy combatants to be tried and to be given due process fairly, which would also protect our sources and would also protect the way that we gather evidence by men and women in uniform and by panels of men and women in uniform. I had the pleasure of serving in the United States Army JAG Corps. They are people of the utmost integrity and the utmost fairness.

Specifically, despite the fact of our moving further away from 9/11, the war on terror continues, as we have seen with Abdulmutallab, the underwear bomber, as we have seen with Major Nidal Hasan in the Fort Hood shootings, as we have seen with the Times Square bombing, and as we have seen as recently as last week in a second attempt at an underwear-type bombing on an airplane.

So, for these reasons and for the reasons stated previously with regard to detainees at Guantanamo Bay, for those who are not U.S. citizens but who are foreign terrorist detainees—and they should get due process—I believe in the due process venue of the military tribunals and military court down in Guantanamo Bay so that they may get their day in court in a fair way, one that is humane and just.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield myself such time as I may consume.

I do not oppose military commissions. I think military commissions are an important tool, particularly when you are talking about people who are captured overseas, potentially in Afghanistan, Yemen, Somalia. I agree with the gentleman in that there are instances when the evidence necessary requires a military commission.

Yet the problem with this amendment is it says it has to be a military commission, that Article III courts are never an option. We have an extensive history of capturing terrorists overseas, of bringing them back to the United States, of trying them in Article III courts, and of convicting them and putting them in prison. We've done that a number of different times, and it is an option that should be on the table. I cannot support taking that option completely away under any circumstances, because there are a couple of problems with military commissions.

They are necessary for many of the reasons that Mr. ROONEY stated. However, they are also relatively new. We had some military commissions during World War II—I believe just one for a particular group of German spies who were here in the U.S. We've done a couple since then, but they are untested, and there will undoubtedly be appeals.

The beauty of the Article III courts is you have 230 years of history. My math may be off a little bit there, but you have over 200 years of history. Let's put it that way. It's well developed, and you know what's coming, and you can prepare the evidence accordingly. We don't know what's going to come from a military commission.

The second problem with the military commissions is that our overseas allies are not as fond of them as we are, and it may inhibit our ability to get them to turn terrorists over to us for prosecution if they know they have to go to military commissions.

This amendment doesn't make any sense. To take Article III courts completely off the table is taking an option away from the President and from this country to properly protect us. There are going to be instances when we are going to want to use that tool and other instances when we will want to use the military commissions, and this amendment takes away that option in a way that, I believe, will hamper national security. It will limit our options for how to prosecute terrorists.

I will say this again, and I will emphasize this: we seem to have totally lost track of the fact that the Department of Justice, the FBI, our Article III courts have been one of the most important tools in successfully stopping the terrorists—over 400 tried, convicted, and locked up for life. That is a very effective tool. The FBI knows how to investigate crimes. It knows how to interrogate suspects. It can do the job.

Why would we take that tool in our toolbox and throw it away? It doesn't make sense. For that reason, I have to oppose this amendment.

I reserve the balance of my time.

Mr. ROONEY. Mr. Chairman, I yield 90 seconds to my friend from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. I stand in support of Mr. ROONEY's amendment, which requires all detainees currently held at Guantanamo Bay to be tried by military commissions in the courtroom facility there. It is a strong amendment.

I visited Gitmo. It was the first trip that I took when I got to Congress. They had the facilities and the expertise there. I am also currently serving as a JAG officer in the Army—I'm in my 16th year—and I believe that it is the appropriate place to try them.

Article III courts are not equipped to try foreign terrorists. The constitutional and legal standards for evidence-gathering and prosecution in a civilian case are simply not adequate for the trial of an enemy combatant. These cases often rely on classified evidence, informants, and intelligence operatives. Military commissions, on the other hand, are set up to protect critical intelligence, officials, and evidence while still providing fair and due process for the accused.

I would also note that bringing terrorists up to New York City is a very expensive proposition. My constituents have made it clear to me that they want the terrorists kept where they are—at Gitmo—where our state-of-the-art facility houses them. We've spent millions of dollars there, including on a large courtroom in which to try detainees. It makes no sense to spend millions more to bring them here for trial when we have the facility and the process to try them at Gitmo.

I am confident that trying enemy combatants in military tribunals at Gitmo is the best way to hold terrorists accountable, to keep them out of the United States, and to prevent them from rejoining the fight.

Mr. SMITH of Washington. May I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I rise in opposition to the amendment.

If a suspected terrorist can only be tried successfully in a military commission because there are concerns about jeopardizing the confidentiality of classified information or other concerns, then I emphatically agree that that person should be tried in a military commission. But to presuppose that all such detainees properly belong in a military commission, I think, is a mistake, for two reasons.

First, it really prejudges the record of evidence and the standing of law in that case when we're not necessarily competent to do that. That is a decision the prosecutors ought to make. Secondly, I think, although it's not the intention of the authors, I'm sure, it belies a certain lack of confidence in our constitutional system of criminal justice.

We should be proud of our system. It's one that operates on principles of fairness, and it fairly and expeditiously determines guilt or innocence. I think to abandon that system in all cases and under all circumstances not only unwisely prejudges the facts of these cases but also unwittingly undercuts confidence in our Constitution and in our Article III courts. For that reason, I would urge a ''no'' vote on this amendment.

□ 1650

Mr. ROONEY. Mr. Chairman, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Florida has 1 minute remaining, and the gentleman from Washington has 1 minute remaining.

Mr. ROONEY. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, Mr. ROONEY has the right to close; is that correct?

The Acting CHAIR. The gentleman from Washington has the right to close.

Mr. SMITH of Washington. Then I will reserve the balance of my time.

The Acting CHAIR. The gentleman from Florida is recognized for 1 minute.

Mr. ROONEY. Mr. Chairman, I would just say to some of the things that have been said that I don't think that what this amendment is saying is in any way disparaging what Article III courts can do or would be successful doing. Certainly I would agree that they could be adequate in prosecuting criminals and people that do crimes in this country. What we are talking about are foreign enemy terrorist combatants, people that commit acts of war against this country in furtherance of the authorization that this Congress passed.

What we have done as a Congress is set up military commissions in ways that can protect evidence, ways that can protect witnesses and sources, and, in my opinion, in a way that the Article III courts might not be able to. I'm not saying that they couldn't. I'm saying that it is a better venue. Just like when we talked about earlier the Ranking Member Smith and Amash amendment, which would preclude the use of military tribunals. As much as the ranking member is saying that options should be on the table, we're saying the same thing.

With that, I hope my colleagues will vote for this amendment, and I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

Three quick points. I think the difference here and the reason that I drafted my amendment to say ''just in the U.S.,'' I think is a legitimate point. Overseas we do not have the same control over the investigatory process that we have here domestically. There's a clear difference between dealing with someone here domestically. That's why in the last 10 years we haven't done anything other than try people here in the U.S. under Article III courts. We haven't needed military commissions. That's why I think we should take that power away from the President because it's an extraordinary amount of power to give him that isn't necessary.

Overseas they are, in fact, taking away the options in this amendment and saying it has to be military tribunals. They are also saying that Article III courts are inadequate to do that when, in fact, they've done it repeatedly. The people who committed the bombing against the World Trade Towers in 1993 were captured overseas, brought back, and tried here in domestic courts. Article III courts work sometimes in these incidents. Their amendment takes those options away completely. I also point out that Guantanamo Bay is not an enormous facility. They already have 40 people waiting in line for military tribunals. Many more will backlog that.

But I want to come back to my amendment that will come up later. Domestically, we have proven that Article III courts are more than adequate. Overseas, we've proven that we need multiple options. So this amendment sort of is in reverse of what the facts bear out that we should be doing, and I urge opposition to it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. ROONEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. BARTLETT

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–485.

Mr. BARTLETT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title XXVIII, add the following new section:

SEC. 28___. USE OF PROJECT LABOR AGREEMENTS IN MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

(a) REQUIREMENTS.—Section 2852 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary of Defense and the Secretaries of the military departments, when awarding a construction contract on behalf of the Government, in any solicitations, bid specifications, project agreements, or other controlling documents, shall not—

''(A) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; and

''(B) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

''(2) Nothing in this subsection shall prohibit a contractor or subcontractor from voluntarily entering into an agreement with one or more labor organizations, as protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).''.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall not apply to construction contracts awarded before the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Maryland (Mr. BARTLETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. BARTLETT. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple amendment. I would first like to make two statements that I think are generally recognized facts. One of those is that only 11.8 percent of our workforce belongs to a PLA; secondly, that PLA contracts in the government on the average cost the taxpayer 12 to 18 percent more than a non-PLA contract.

Our amendment is very simple. It is not prescriptive. It is simply permissive. It says that the government will not discriminate in awarding contracts whether you're a PLA, not PLA, whether it's a mixture of PLA and non-PLA companies, that they will be considered equal and fairly. If, in fact, a PLA contractor is more efficient and does better quality work as they contend, then that will be taken into account in the award of the contract. You do not have to award to the lowest bidder. You can award on the basis of best value.

I think that this amendment is a commonsense amendment that anybody who believes in the free enterprise system ought to support, and I reserve the balance of my time.

Mr. COURTNEY. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Connecticut is recognized for 5 minutes.

Mr. COURTNEY. Mr. Chairman, I rise in strong opposition to my friend Mr. BARTLETT's amendment, which, in fact, does the opposite of what it was purported to do.

Presently the status quo allows the Department of Defense to have two choices: yes, they can use a project-labor commitment or a prehiring-labor agreement that establishes terms and conditions of employment, or now they can elect not to enter into a PLA. The effect of this amendment would, in fact, remove the Department's ability to have a PLA requirement in terms of hiring terms and conditions.

The reason why those models work right now and have worked for decades is it gives the Department of Defense the opportunity to set conditions regarding security screening, apprenticeship programs, veteran hiring programs. The Helmets to Hardhats program—which is one of the most successful programs of integrating veterans returning from Iraq and Afghanistan into the building trades—is done under a PLA arrangement. It also allows local job markets to be incorporated into military construction projects. Again, the Department now

presently has the option not to use PLAs. This amendment would, in fact, rob the Department of that opportunity.

With that, I reserve the balance of my time.

Mr. BARTLETT. Mr. Chairman, I yield 2 minutes to my friend from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding, and I rise in support of the Bartlett-Flake amendment.

Let me just clear something up if I can. What has happened is the President issued an executive order where he encouraged the Federal Agencies to—where they can and where appropriate—employ PLAs. That might seem fine. The problem is some of the Federal Agencies have taken that to mean that they should require PLAs, and some of them have issued guidance to that effect. So they've taken what the President said and taken it one step further.

What we're trying to do here is simply say that you cannot favor PLAs, nor can you prohibit them, and that the Federal Agencies will be neutral in this regard. To say that it would prohibit the use of PLAs is simply not true. We're simply trying to keep the President or the Federal Agencies from putting their finger on the scale in favor of PLAs or against them. That's what this amendment does, and I'm proud to support it.

Let me just say that this amendment was offered in the Appropriations Committee yesterday in the Military Construction bill, and it was passed by a voice vote. There is a recognition that the President has—unwittingly or not—put his finger on the scale in favor of PLAs or union shops, and that's just not fair. The President and the Agencies ought to be neutral in this regard.

PLAs might make sense; they might not. What we ought to do is ensure that the taxpayer gets the biggest bang for the buck. That's the purpose of this amendment, and that's why I support it.

Mr. COURTNEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Chairman, I thank the gentleman for yielding, and I rise in strong opposition to the Bartlett-Flake amendment. This amendment would indeed seek to prohibit Agencies from using a PLA. It is not as the gentleman from Arizona has just stated.

Let me clear something up. Large-scale construction projects—look, I was an ironworker for 18 years. I've run work. I was an ironworker foreman, an ironworker general foreman. PLAs are a great advantage to have in a complex construction project.

This amendment and the PLA provision that's already in the President's executive order applies to projects that are $25 million and over. All of those projects below $25 million don't get affected by the PLA executive order. What the PLA does require, as Mr. COURTNEY has pointed out, is it does require compliance with statutory compliance with workers' comp law, statutory compliance with anti-discrimination law, with proper classification of workers, and with health and safety laws on some very dangerous job sites.

It is a good idea to reject the Bartlett-Flake amendment and allow the PLAs to be used when appropriate.

□ 1700

Mr. BARTLETT. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank the gentleman for yielding.

Mr. Chairman, I stand in strong support of this amendment, an amendment that I think speaks to a rationality in our contracting, and especially when we think of what we're talking about here in the defense world.

It's one thing to have PLAs that virtually make unfair competition for 86 percent of all of our construction contractors, because 86 percent, nationwide, don't have PLA agreements, they're nonunion, and yet have skilled workers doing the jobs they are expected.

For defense contracting to have a mandate that there must be a PLA agreement in place oftentimes will put our defense industry in the position of accepting a product that is more expensive and potentially of a lesser quality in the process.

This is not a mandate. This says choice can be made either way. And I think it needs to be made very clear that's all we're saying. It is neutral. It is not, as was described by others, that this would take PLAs out of the mix.

I stand in strong support for this, and I ask that this amendment be applied to ultimately make a stronger defense capability for our country.

Mr. COURTNEY. Mr. Chairman, I yield 1 minute to the gentlelady from Hawaii (Ms. HANABUSA), who is a member of the Armed Services Committee.

Ms. HANABUSA. I thank the gentleman from Connecticut.

I rise in opposition to the Bartlett amendment because I think the Bartlett amendment doesn't quite understand the difference between a project labor agreement and a collective bargaining agreement.

This amendment targets Executive Order 13502, which encourages the use of PLAs in construction contracts of $25 million or more. And the reason is that it's historically something that we have supported.

Ironically, in 1992, there was a Supreme Court decision that defined PLAs, called the Boston Harbor Agreement, which was under President Bush, who had a similar executive order that prohibited the use of PLAs. It was Bush's solicitor Kenneth Starr that argued for the PLAs. And he said the reason why you would use them is because of timely completion, labor peace and stability, labor supply, and for public purpose. This is the reason why you would use PLAs.

We know that historically, this has been one of the best ways to do these major construction projects. What the Bartlett amendment does is it will tie the hands of the Department of Defense.

Mr. BARTLETT. Mr. Chairman, may I inquire how much time remains?

The Acting CHAIR. The gentleman from Maryland has 1½ minutes remaining. The gentleman from Connecticut has 2 minutes remaining.

Mr. BARTLETT. I yield 1 minute to my good friend from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Mr. Chairman, I rise today in support of amendment No. 8, the Bartlett-Flake amendment, to H.R. 4310.

The amendment will prevent the DOD from requiring contractors to sign expensive union-favoring project labor agreements as a condition of winning Federal construction contracts for projects authorized by the bill.

Under a PLA, the construction firm must agree to sign a union collective bargaining agreement, whether it's unionized or not, before it can bid on a government project. PLAs can result in increased costs for contractors and taxpayers by as much as 18 percent and cause unnecessary procurement delays and political favoritism in the Federal procurement process.

At a time when the Department of Defense is facing devastating across-the-board cuts, it simply does not make sense to encourage PLAs. I urge my colleagues to support the amendment.

Mr. COURTNEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentleman very much for yielding.

We've seen this amendment a number of times in the 112th Congress, and, sadly, it doesn't get any better. It's based upon the misconception that somehow PLAs are costing the taxpayer money.

Definitive research was done by the Department of Veterans Affairs that concluded that it really depends on what part of the country you are in and whether you have a heavily unionized workforce in your area or you don't. They concluded that PLAs are productive and actually come in on time and under budget in areas where you have a heavy unionized workforce and not so much in areas where you don't. And that makes sense because you have to bring people in to do the work.

The amendment, I think, is being billed as ''we just want people given a choice,'' but come on. The people that

are advocating this hate PLAs. They don't want PLAs. They want to kill project labor agreements. So this was craftily drafted by the Associated Builders and Contractors to pretend that we're going to give people a choice when they really don't want people to have a choice.

Please reject this. We don't have to go out. And the President's executive order is clear. All it says is you have to consider PLAs in the mix. And I urge us to reject the amendment.

Mr. BARTLETT. Mr. Chairman, maybe it's because I am a scientist, but I'm having some trouble understanding how an amendment that specifically says that it is nondiscriminatory, that it's going to be totally agnostic to whether an organization is PLA or not PLA, somehow excludes PLAs in contention. That is certainly not what the amendment does.

I think this is a very commonsense amendment. I think that very few Americans would like to exclude nearly 90 percent of American workers in contention for Federal contracts. This is a fair, commonsense amendment, and I urge it's acceptance by both sides.

I yield back the balance of my time.

Mr. COURTNEY. Mr. Chairman, to conclude, again, there is a myth that somehow President Obama's executive order has swept through all the Federal agencies, and PLAs are now a mandated requirement. The fact of the matter is that is not the way the executive order reads. The Department of Defense has, in fact, granted only one PLA since President Obama's executive order was issued in January of 2009. As Mr. LYNCH said, that executive order exempts projects $25 million or less.

I would be happy to invite Members to my district to a military base where there has not been one PLA contract; although, we've done a number of projects on our Navy base.

So the fact is that the option exists today. This amendment would remove that option to the Department of Defense, which, again, has obviously exercised it very judiciously because they've only done one PLA since January of 2009.

Again, I urge Members to reject this amendment which handcuffs the Department of Defense to set up prehiring agreements that can help veterans, the local workforce, and apprenticeship programs for young Americans who want to get an opportunity to learn a building trade.

I yield back the balance of my time.

Mr. BARTLETT. Mr. Chair, I submit the following list of organizations supporting Amendment 8, the Bartlett/Flake Amendment:

American Council of Engineering Companies (ACEC)
Associated Builders and Contractors (ABC)
Associated General Contractors (AGC)
Business Coalition for Fair Competition (BCFC)
Construction Industry Round Table (CIRT)
Independent Electrical Contractors (IEC)
Merit Elevator Contractors Association of America (MECAA)
National Association of Women in Construction (NAWIC)
National Black Chamber of Commerce (NBCC)
National Federation of Independent Business (NFIB)
National Right to Work (NRTW)
National Taxpayers Union (NTU)
Small Business & Entrepreneurship Council (SBEC)
U.S. Chamber of Commerce
Women Construction Owners & Executives, USA (WCOE, USA)

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. BARTLETT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–485.

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title I, add the following new section:

SEC. 132. TERMINATION OF THE F–35B AIRCRAFT PROGRAM.

(a) TERMINATION.—

(1) PROCUREMENT.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or any year thereafter may be obligated or expended to procure an F–35B aircraft, including through advance procurement.

(2) R&D.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwide made available for fiscal year 2013 or any year thereafter may obligated or expended for research or development of F–35B aircraft.

(b) F/A–18E/F.—In accordance with section 128 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2217), as amended by section 123, the Secretary may procure an additional number of F/A–18E or F/A–18F aircraft, or combination thereof, that is equal to the number of F–35B aircraft that the Secretary planned to procure as of the date on which the budget of the President was submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2013.

(c) CORRESPONDING FUNDING REDUCTION, INCREASES, AND DEFICIT REDUCTION.—

(1) REDUCTION.—

(A) PROCUREMENT.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in section 101 for aircraft procurement, Navy, as specified in the corresponding funding table in division D, is hereby reduced—

(i) by $1,404,737,000, with the amount of the reduction to be derived from F–35B aircraft under Line 007 JSF STOVL as set forth in the table under section 4101; and

(ii) by $106,199,000, with the amount of the reduction to be derived from F–35B aircraft under Line 008 Advance Procurement (CY) as set forth in the table under section 4101.

(B) R&D.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Navy, as specified in the corresponding funding table in division D, is hereby reduced by $737,149,000, with the amount of the reduction to be derived from under Line 133, Program Element 0604800M, Joint Strike Fighter (JSF) - EMD, as set forth in the table under section 4101.

(2) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Navy, as specified in the corresponding funding table in division D, for Line 003 F/A–18E/F (Fighter) Hornet is hereby increased by $459,645,614.

(3) BALANCE FOR DEFICIT REDUCTION.—Of the amounts reduced pursuant to subparagraphs (A) and (B) of paragraph (1), $1,788,439,386 may not be made available for any purpose other than deficit reduction.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I am joined on this amendment by my colleague from Minnesota, Mr. KEITH ELLISON.

This amendment is simple in that it merely terminates the most expensive weapons system of the Department of Defense in its history, that is, terminating the F–35B Joint Strike Fighter.

Well, why? Well, because there are many other planes that have capabilities that rival the F–35B and yet cost far less to buy and operate. Our amendment would save $50 billion over the life of this program.

The termination of this program has been recommended by so many groups. I will mention a few: The Project on Government Oversight, Taxpayers for Common Sense, the Cato Institute, the Center for American Progress, the Public Interest Research Group, the National Taxpayers Union, our colleague Senator TOM COBURN of Oklahoma, and the Bowles-Simpson Commission. Please join us in a very simple idea.

I reserve the balance of my time.

□ 1710

Mr. MCKEON. I rise, Mr. Chairman, to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I oppose the Conyers amendment. The F–35B is a short takeoff and vertical landing variant of the F–35 stealth fighter, and it's in the

final stages of development and has entered low-rate initial production. The F–35B will operate from large deck amphibious ships as well as have the capability to operate from forward operating bases and damaged air strips to support Marine Corps ground maneuver forces ashore.

The Commandant of the Marine Corps, General Amos, wrote to the committee yesterday and said:

The importance of the F–35B short takeoff vertical landing variant to the Marine Corps and the Nation cannot be overstated.

The F–35B has made significant progress in the last year, under General Amos' guidance, by completing all of the plan test points in 2011 and accomplishing 260 vertical landings. If passed, this amendment could have major negative impacts to our Nation's future combat power, increase the cost of the overall F–35 program, and negatively affect the eight international program partners in foreign military sales.

I urge my colleagues to vote ''no'' on the Conyers amendment.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to my cosponsor of the amendment, the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I don't stand up here before you representing myself as some great expert on airplanes, but I am a member of this body who is very concerned about the deficit and about spending. And we must save money, particularly where we need to.

Now, when the Simpson-Bowles Commission says that this particular airplane is not necessary and should be cut—and recommendation 47, cancel the Marine Corps version of the F–35—I have to stop and take notice. When other organizations, many of which are fairly conservative groups—Taxpayers for Common Sense, the Cato Institute—no bleeding heart liberals there—the Project for Government Oversight, the National Taxpayers Union, the Project on Defense Alternatives, and the Center for American Progress, all agree that this is a wasteful program which we can save money with, I think we've got to stop and we've got to take notice.

Now I notice my colleague on the other side of the aisle was making very good points, and they sound very similar to some points I read earlier today from a memo from somebody from Lockheed Martin. Lockheed Martin is a private contractor who is making the program.

The talking points that they sent out are essentially arguing so that they can ensure a commercial success of their particular project, which they have a financial interest in. But they make no claim of cost. They do not say that this is an exorbitant expense that people who have an eye toward budget are saying is not worth the money.

We're not asking for the F–35A or F–35C to be cut. But we are saying that this particular program, where there is a diverse and broad range of parties who say that this is not a necessary program, should be cut and can be replaced by other good alternatives, and I think we have need to pay attention to that. I'm sure my friends who repeat constantly that, We're broke, we're broke, we're broke, would agree.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, a member of the committee and the chairman of the Veterans' Affairs Committee, the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. I first want to start off by inviting my colleagues that oppose the F–35B to visit Eglin Air Force Base in the Florida Panhandle, home of the 33rd Fighter Wing, where the sixth operational F–35B was recently delivered. The aircraft is performing well, and this year it is exceeding program expectations.

The F–35B is the tactical strike aircraft that will, in fact, enable our marines to defeat and deter advanced threats well into the future. The groups that you don't hear the opponents talk about is the fact that the President supports it, the Secretary of Defense says we need it, the chairman of the Joint Chiefs of Staff says we need it, the Commandant of the Marine Corps says we need it. Nobody is saying that the F–18 out there is not a highly capable fourth-generation aircraft, but it has been meeting our needs for three decades now. The F–35B is designed to defeat the threats of our adversaries that they are developing today.

If we are to maintain our air superiority and defeat 21st century threats, we need more than a 20th century aircraft.

Mr. CONYERS. I yield myself 1½ minutes.

An incredible number of organizations and people, both Democratic and Republican Members of the House and Senate, have called the F–35B program a scandal and a tragedy—and that is quoting the senior Senator from Arizona, Senator MCCAIN—and Under Secretary Frank Kendall has referred to the process of developing and producing the F–35 as ''acquisition malpractice.''

And then, even worse, the serious performance issues that caused in 2010 Secretary Gates to stop production and place the program on 2 years probation. And according to the Department's figures, the F–35B has driven cost overruns and is directly responsible for scheduled delays in the overall development program. And it isn't even qualified to participate in close air support mission for the Marine Corps' need. It's far too vulnerable for this role, which requires low, slow flying. The Marines would be much better served to utilize the Army's excess A 10s, which have a far superior range and payload capability.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MCKEON. I yield 1 minute to my friend and colleague, the ranking member on the committee, the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Without question, the F–35 has been a troubled program. It's been more expensive than we would like it to be and has underperformed. It is getting better, as the chairman mentioned.

There are a number of problems with this amendment, however. First of all, in replacing the F–35B—that's the Marine Corps variant; it's a vertical takeoff plane. I know Mr. KLINE will do a much better job of explaining this in a moment than I will. The Marine Corps is an expeditionary force. They need to insert themselves. That's why they need a vertical takeoff plane. The F–18 that is proposed to replace it is not a vertical takeoff. It is not a replacement for the F–35B.

Second, the F–35 is a vastly more capable plane than the F–18. It is all about stealth and being able to get in on targets. The F–18 cannot get to the areas that the F–35 could get to to deal with adversaries like Iran or North Korea and those surface-to-air missiles. It is a much more capable plane.

If we cut this variant, we will also jeopardize the entire program, not just this variant. Our foreign partners are likely to withdraw. It will undermine our per-unit cost to the point where sustaining the program will be very difficult.

It is unfortunate at this point the degree to which we have to rely on this program. But it's going to be 95 percent of our fighter attack aircraft fleet in 10 years. We have to make it work. Therefore, I oppose this amendment.

Mr. MCKEON. I yield 1 minute to my friend and colleague, a member of the committee, chairman of the Education Committee, and a marine pilot, the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. I thank the gentleman for yielding.

Mr. Chairman, I rise today to oppose the gentleman's amendment and impress upon my colleagues the importance of the short takeoff vertical landing capability of the F–35B and its contribution to the continued success of the United States Marine Corps.

Mr. Chairman, so many years ago, as a young marine and a young marine pilot, I remember watching a jump jet—a Harrier—hovering over the ground. That Harrier, that AV–8A, went from being a novelty to growing and maturing to becoming an essential, integral part of the Marine air-ground team. That Harrier today is old and getting outdated and needs to be replaced.

Similarly, I've watched the magic of the FA–18, a fantastic, top-of the-line, frontline fighter. Terrific aircraft. It

can't take off and land vertically. It doesn't have the capability. And we need those capabilities that the ranking member, Mr. SMITH, talked about—the stealth capability, the advanced capability—to become that integral part of the Marine air-ground team.

So I encourage my colleagues to support the continued development of the F–35B and oppose the gentleman's amendment.

The Acting CHAIR. The gentleman from California has 1 minute remaining.

□ 1720

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, a member of the committee, the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I thank the chairman for yielding me this 1 minute.

Again, all of the points about why this program, which was struggling a couple of years ago, has now really shown great promise in terms of the tests that show that a lot of the criticisms that we've heard on the floor are, to some degree, out of date, with all due respect to the proponents.

I think it is important for people to recognize that we made a decision as a country a number of years ago to cancel the F–22 program, that the fifth generation program of the future is going to be the F–35. And there are many other nations around the world, frankly, that are watching this debate—Australia, our European allies—who are all going to participate in the Joint Strike Fighter program. I think it is critically important that we make a statement that we are going to move forward with this program. Their navies and their aircraft carriers are also going to be investing in these platforms. And, again, with the progress that is being made, I think it is important for us to send a strong signal internationally that this is a program that America is going to continue to invest in.

Again, I respectfully rise to oppose this amendment and urge a ''no'' vote.

Mr. MCKEON. I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong opposition to the Ellison/Conyers amendment.

Simply put, if the goal is to deprive the Marine Corps of the Short Take-Off Vertical Landing variant of the F–35, designed to replace its aging Harriers and F–18's—while simultaneously increasing the per unit cost of Joint Strike Fighters—then this amendment achieves it.

The STOVL variant is desperately needed for the execution of short takeoffs and vertical landings in combat deployments aboard amphibious assault ships and in austere conditions ashore.

It will provide the Marines with a much more capable tactical fighter force that meets the future threats facing our nation.

This misguided amendment is opposed by the Department of Defense and the Marine Corps, not only because it would invest in yesterday's technology at the expense of tomorrow's, but because the F–35B has performed exceedingly well over the past 18 months, testing ahead of schedule in both 2011 and 2012.

Because the F–35B is urgently needed by the Marine Corps and our international partners, I urge my colleagues to defeat this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–485.

Mr. QUIGLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title I, add the following new section:

SEC. 132. ELIMINATION OF AVAILABILITY OF FUNDS FOR PROCUREMENT OF V–22 OSPREY AIRCRAFT.

Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Navy, as specified in the corresponding funding table in division D, is hereby reduced by $1,303,120,000, with the amount of the reduction to be derived from Line 009 V–22 (Medium Lift) as set forth in the table under section 4101. The amount of such reduction shall not be available for any purpose other than deficit reduction.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. QUIGLEY. Mr. Chairman, I rise to offer an amendment with my friend from Illinois (Mr. GUTIERREZ) to cut funding for the V–22 Osprey and put the savings toward deficit reduction.

As many know, the Osprey has a long and troubled past. According to a 2009 GAO report, the Osprey was not suited to fly safely in extreme heat, excessive sand, or under enemy fire. The GAO also found that the Osprey was 186 percent over budget, costing over $100 million per unit to produce, or five times more than the Sea Knight helicopter it was designed to replace.

More recently, the Pentagon testing found that the readiness rate of the V–22 was well below that of traditional aircraft, noting:

Its average mission capable rate was 53 percent from June 2007 to May 2010, well below the required rate of 82 percent.

Sadly, due to these severe shortcomings, the V–22 has taken the lives of 36 individuals, including 31 servicemembers. Just last month, two marines lost their lives when an Osprey crashed in Morocco.

Now, I understand that since the 2009 report, a number of improvements have been made. Costs are being reduced and safety is being improved. I also understand the unique benefits the V–22 can provide to our servicemembers, especially for rescue operations. But these operations can be completed with less expensive helicopters. And here's the bottom line: we're emerging from a recession. We have a deficit topping $1 trillion for 4 straight years, and we have limited resources, which means we have to make choices.

As we look to reduce our deficit, we have to put everything on the table, including defense. Defense spending comprises close to 20 percent of our budget and yet this Defense authorization completely exempts any cuts from defense. In fact, it actually increases spending by over $4 billion over the President's request.

We have to take a hard look at what we are spending and ask ourselves: Is this essential? Given its continued cost overruns, poor safety record, and the fact that it can be replaced with less expensive helicopters, I think it is clear that the V–22 is not essential. At best it's suboptimal. It is certainly not essential. And I'm not alone. President George H.W. Bush tried to zero out funding for the V–22, but Congress wouldn't let him. Former Defense Secretary Dick Cheney tried to zero out funding for the V–22, but Congress wouldn't let him. And now the President's Bipartisan Fiscal Commission, the Bipartisan Policy Commission, and the Sustainable Defense Task Force have all recommended cutting the V–22 and replacing it with less expensive MH–60 helicopters.

But the reality is one of the reasons we block cuts to the V–22 is because 2,000 companies make supply parts for the Osprey from 40 States. I get it. The Department of Defense has become a jobs program. If all we're worried about is job creation, we'd be better off building bridges and transit programs because in the end we have to remember the big picture. Choosing to fund this over-budget, dangerous, nonessential plane means cuts in other vital areas such as education, infrastructure, and health care.

I encourage my colleagues to join me in scrutinizing this budget, setting priorities, and cutting programs that aren't essential in order to protect ones that are. This Defense authorization bill includes a long list of nonessential programs, all of which should be cut. But a vote for my amendment to cut the over-budget, under-performing V–22 Osprey is a step in the right direction.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. I yield 1 minute to my friend and colleague, a member of the committee, the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT. Mr. Chairman, if we don't buy these aircraft, it doesn't mean that we won't be buying other rotorcraft because there are missions that must be accomplished. This airplane will replace the CH–46E, and compared to the CH–46E, it has four times the range and carries twice as many combat-loaded personnel.

So the gentleman's goal of reducing spending, his amendment might result in exactly the opposite because obviously for many missions this will be far and away the most efficient aircraft.

Mr. Chairman, we need to reject this amendment because if we pass the amendment, it could very well result in increased costs to our military, not decreased costs, and less efficiency on many missions.

Mr. QUIGLEY. I continue to reserve.

Mr. MCKEON. Mr. Chairman, I yield at this time 1 minute to the ranking member of the committee, the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, the V–22 was a troubled program. Certainly before it was finally developed, it went through a number of difficulties. But as the gentleman mentioned in offering the amendment, it has gotten over those difficulties; and, in fact, has been deployed in Afghanistan for a very long time. I was in Afghanistan, and I rode on a V–22. And so it obviously can perform in desert environments. I was down in the Helmand province, and it is a very capable plane.

Again it has to do with the Marine Corps and the Marine Corps' capabilities. They are an expeditionary force. The vertical takeoff and landing ability of the V–22 is critical to what they do. As Mr. BARTLETT pointed out, it has longer range and greater capacity, and properly deployed and properly used, can actually make it cheaper than buying more helicopters that are necessary to accomplish that mission. It is a necessary program, certainly necessary for the Marine Corps. I would urge opposition to the amendment.

Mr. QUIGLEY. I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Texas (Mr. THORNBERRY), the vice chairman of the committee.

Mr. THORNBERRY. Mr. Chairman, I have before me an article from defense.aol.com from just a few months ago which was written by Richard Whittle, who wrote a whole book on the V–22. And as the editor says, this is as close to ground truth on the V–22 as one can get.

What he says is the marines and the Air Force Special Operations Command have been flying it in combat zones for 4 years, and they love it. He goes on to talk about problems in the early years, but the critics went to sleep in the middle of the story. In other words, they have not recognized the significant improvements that several people have talked about.

Since October 1, 2001, the military has lost 405 helicopters, 99 percent of them have not been V–22s; and yet this amendment comes only against the V–22 when it turns out the redesigned, retested Osprey safety record is the safest rotorcraft the Marine Corps flies based on mishaps per 100,000 flight hours.

When it comes to cost, since 2008 they are under budget and are actually going to save the taxpayers over $200 million versus what was budgeted. This plane is working well. This amendment is behind the times.

Mr. QUIGLEY. I continue to reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Pennsylvania (Mr. MEEHAN).

□ 1730

Mr. MEEHAN. Thank you, Mr. Chairman, for yielding.

Mr. Chairman, I rise strongly to oppose the Quigley amendment in this particular matter.

I'm grateful for the opportunity to speak on behalf of the V–22, on behalf of the marines who are using it in the theater of battle where it has proven itself. Indeed, if this argument were taking place in 2009, there might be a case to be made, but it's being made in 2012, where, in fact, I've got the testimony of the Commandant of the Marine Corps.

The Osprey has given the United States unprecedented agility and operational reach, unmatched by any other tactical aircraft. The Osprey is the cornerstone of the Marine ground task force. More significantly, with regard to cost savings, it has—procured under a multiyear procurement contract, it will actually save a proposed $825 million over single-year contracts, providing required capability for the Marine Corps. In addition, if we tried to replace it, there would be 74 percent more cost associated.

Reliability, cost, dependability, proof. I urge my colleagues to support the retention of the V–22.

The Acting CHAIR. The gentleman from Illinois has 1 minute remaining. The gentleman from California has 1 minute remaining and the right to close.

Mr. QUIGLEY. Mr. Chairman, the fact remains, studies still show this a dangerous vehicle. Studies still show it is suboptimal. Studies still show it is wildly over cost.

I want to help marines. I want to save marine lives. That's why this amendment is appropriate. It is, in the end, still dangerous pork with wings.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Pennsylvania (Mr. BRADY), a member of the committee.

Mr. BRADY of Pennsylvania. Thank you, Mr. Chairman, for allowing me the time.

Mr. Chairman, I rise in opposition, along with my colleague, Mr. FATTAH, to this amendment.

The V–22 Osprey program is a truly revolutionary system that is being used around the world today by both our United States Marine Corps and the Special Operations Command in support of our Nation's missions.

This amendment would eliminate the only cost-effective way to replace the fleet of aging medium-lift aircraft in our inventory. Canceling V–22 does not remove the requirement to replace legacy CH–46 and HH–53 airframes. It would only interrupt the carefully planned transition to a more capable and more cost-efficient alternative—at an additional expense to the American taxpayer.

I quote the United States Air Force Special Operations Command Commander, Lieutenant General Donald Wurster:

> This aircraft is the single most significant transformation of Air Force Special Operations since the introduction of the helicopter. Nearly every mission we have faced in the last 20 years would have been done better and faster with the V–22.

Mr. Chairman, who are we, sitting here guarded and completely safe, to not listen to the brave men and women and their commander and not give them everything they need and request to keep them safe and give them the tools to do their job?

I urge you to support the President's budget request and vote ''no'' on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The amendment was rejected.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mrs. HARTZLER) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2415. An act to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the ''Trooper Joshua D. Miller Post Office Building''.

H.R. 3220. An act to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the ''Master Sergeant Daniel L. Fedder Post Office''.

H.R. 3413. An act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the ''Private Isaac T. Cortes Post Office''.

H.R. 4045. An act to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

H.R. 4119. An act to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

The message also announced that the Senate has passed with amendments a bill of the House of the following title:

H.R. 4849. Amendment.

The SPEAKER pro tempore. The Committee will resume its sitting.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The Committee resumed its sitting.

AMENDMENT NO. 11 OFFERED BY MR. MARKEY

The Acting CHAIR (Mr. SIMPSON). It is now in order to consider amendment No. 11 printed in House Report 112–485.

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title II, strike section 211 and insert the following new section:

SEC. 211. DELAY OF NEW LONG-RANGE PENETRATING BOMBER AIRCRAFT.

(a) PROHIBITION ON FUNDS.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2013 through 2023 for the Department of Defense may be obligated or expended for the research, development, test, and evaluation or procurement of a long-range penetrating bomber aircraft.

(b) REDUCTION OF FUNDS.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Air Force, as specified in the corresponding funding table in division D, is hereby reduced by $291,742,000, with the amount of the reduction to be derived from Line 042, Program Element 0604015F, Long Range Strike, as set forth in the table under section 4201.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of my amendment.

Here's what my amendment says: Why are we building a new nuclear bomber? It's 2012. The B–52s that we have—93 of them—are going to last until 2040. The B–2s we have are going to last until 2058. That's when they begin to retire.

Now, of all the things America doesn't need right now, it's a brand new nuclear bomber.

We're talking about cutting Medicare or Medicaid out here on the floor, there's not enough money to invest in research to find the cure for Alzheimer's, but we need a new nuclear bomber for $18 billion? It makes no sense. It's insane. We don't even have any more targets to hit them with.

Every single nuclear submarine we have has 96 independently targetable nuclear warheads on board. That's 96 cities in the Soviet Union, the bombs in the Soviet Union would destroy, 96 cities in China destroyed by one submarine. We already have 93 B–52s. We have 20 B–2s. We have ICBMs ready to launch. And they want to build a new bomber, a nuclear bomber with nuclear bombs. By the time the new nuclear bomb arrives, there will be no place to hit. All the old bombers, all the nuclear submarines will have hit all the targets.

The boom we should be listening to is the baby boom. We need money for Medicare. We need money for Medicaid. We need money for Social Security. We need money to invest in finding the cure for Alzheimer's and Parkinson's. That's the boom that's going to hit American families. That's the fear people have.

The fear that people have is not that they're going to be in a nuclear war. The fear that people have is that there's going to be a terrifying call that comes into their family that tells them that they now have another case of Alzheimer's in their family, that it has not been cured.

Each one of these bombers could double the size of the budget to find the cure for Alzheimer's. That's what we should be doing. That's the real terrorist that people are afraid of coming into their lives.

At this point, Mr. Chairman, I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlemen from California is recognized for 5 minutes.

Mr. MCKEON. I just might note that the B–52s that have been around that their grandchildren are flying now that the original pilots flew, the B–2s, we have 20. I inquired the other day how many of them were ready to go on a mission—maybe eight. So I think that all of this talk about nuclear, the next bomber is the next generation bomber that will deliver all kinds of weapons, not just nuclear.

I yield, at this time, 2 minutes to my friend and colleague, the gentleman from Louisiana (Mr. FLEMING).

Mr. FLEMING. I thank the gentleman for yielding.

Delaying development of the new bomber for 10 years would put the average age of the bomber fleet over 50 years old by the time a new bomber was fielded, our oldest of which, the B–52, would be nearly 75 years old. It would create unacceptable levels of risk regarding power projection requirements and would affect our national security.

The Air Force has only 19 B–2 stealth bombers in the inventory, but they are 1980s technology, very maintenance intensive and very expensive to own and operate. The aircraft availability rate of the B–2 bomber fleet today being ready at a moment's notice for a mission is currently less than 40 percent.

A mainstay of the U.S. global military power is the ability to conduct long-range conventional or nuclear strike missions anywhere in the world and against any type of threat. Therefore, it is imperative to maintain a credible bomber fleet.

The Air Force plans to affordably, cost-effectively develop off-the-shelf technology—stuff that exists today—instead of inventing new technologies which in the past have led to cost overruns.

And I would say to the gentleman, don't just take my opinion. It's in the President's budget, so the administration obviously supports it. The Air Force says it's one of its top priorities.

We're in a day when oftentimes Congress wants things for the Pentagon that the Pentagon doesn't want. In this case, the Pentagon and the Air Force wants it. But let me quote what the Air Force said:

> Delaying the long-range strike bomber program for 10 years would create unacceptable levels of risk in our ability to directly support future power projection requirements, significantly impacting national security. The long-range bomber will possess unique capabilities, including long-range, significant payload capacity, operational flexibility, and survivability in anti-access environments. It will replace existing bomber aircraft, some of which will be over six decades old when the long-range strike bomber reaches initial operational capability.

□ 1740

Mr. MARKEY. Could the Chair inform me as to how much time is remaining on our side?

The Acting CHAIR. The gentleman from Massachusetts has 3 minutes remaining. The gentleman from California has 2½ minutes remaining.

Mr. MARKEY. I yield myself as much time as I may consume.

Again, the experts all say that if we delay this just 10 years, which is all I'm asking for, a 10-year delay, since the B–2s and the B–52s aren't beginning to retire until between 2040 and 2058. All that Mr. WELCH and Mr. CONYERS and I are saying is, if we delay it for 10 years, there's still plenty of time to build them if there's a need.

But to begin to build new things right now with this era of tremendous

budget deficits, when we should just be trying to find a way to reduce our deficits, you know, balance this budget, it's just wasteful. It's wasteful. And I just want to balance the budget. And if we're wasting money on projects like this, then we have no chance of doing anything about this deficit reduction.

So, again, experience shows us that it only takes 16 years, not 30, to bring a new bomber from the drawing board to the runway.

There are millions of families out there who are trying to get by with a car that's a few years old and just keep it going. The Air Force has already spent over $6 billion refurbishing all these planes. They plan on spending billions more on refurbishing them. There's no reason to believe they can't go out to the year 2060.

This is not the year for us to be spending this money.

I reserve the balance of my time.

Mr. MCKEON. I yield 30 seconds to the gentlewoman from Guam (Ms. BORDALLO), my friend and colleague.

Ms. BORDALLO. Mr. Chairman, I oppose amendment No. 11. It would delay research and development funding for the NextGen bomber. The bomber is critical to replacing an aging fleet. The new bomber is needed so we don't raid our readiness accounts.

This is about the bomber carrying nuclear weapons. It does a lot more than just carry nukes. It deters aggressors and even provides maritime surveillance, especially in the Asia-Pacific area. Congress opposed a similar amendment last year and, as cochair of the Long Range Strike Caucus, I urge my colleagues to oppose this amendment again this year.

Mr. MARKEY. Again, could you, Mr. Chair, tell me how much time I have?

The Acting CHAIR. The gentleman from Massachusetts has 1½ minutes remaining. The gentleman from California has 2 minutes remaining.

Mr. MARKEY. I yield myself as much time as I may consume.

Just look at this from the perspective of an ordinary family. They've already got three cars in the driveway. Everyone says to them, you can go another 100,000 on those three cars. And yet the decision is made by some of the family members, we're going to buy a brand new, top-of-the-line car right now, even though the whole family is in debt. Everyone in the neighborhood would think that's crazy.

That's what we're doing here today. The majority is saying, let's build a brand new bomber, a gold-plated bomber that's been on the wish list of the Air Force for a generation, even though we have plenty of bombers, nuclear bombers in an era where there aren't any more nuclear sites that we can be bombing around the world, and we're just going to waste the money.

We should be balancing the budget. We have to tighten our belt. And I just urge the majority to reconsider this. We have to save the money. And there just are no targets, and there are plenty of bombers we have that can last out to 2060.

I reserve the balance of my time.

Mr. THORNBERRY. I ask unanimous consent to control the time of the gentleman from California, Mr. Chairman.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER), a member of the committee.

Mrs. HARTZLER. I think this amendment is very curious when the Secretary of Defense came out with a new defense strategy last year, and they came out and said that the long-range strike fighter is one of their top priorities. And yet a member of their own party is trying to do away with that.

As you know, gentlemen, over 50 percent of the cuts so far have come from our national defense. And there's only a few things we're supposed to be doing here in Congress, and one of them is provide for the common defense.

I have the honor of representing the B–2 bombers at Whiteman Air Force Base, and I couldn't be prouder of the good work that they are doing. But we have 19, right now, aircraft. If we approve this amendment, it would be over 50 years old by the time that we would be moving forward with looking at the future, and we'd have the B–2s at 75 years old.

I would use his analogy and say a family would not wait until the car is 50 years old, broken down in the garage and won't start before they go consider advancing and getting a new car.

We need to be proactive. We need to make sure that our defense industry remains strong. We need to be proactive. We need to oppose this amendment and continue to support our long-range strike fighters.

Mr. MARKEY. I yield myself the remainder of my time.

We're $15 trillion in debt—$15 trillion. We've got all the bombers we need. They can last to 2060. We don't need a new nuclear bomber. Okay? We just don't need a new nuclear bomber. We don't have the targets for them, we can't afford them, and we don't need them. How's that for a combination?

Let's just cut back on something on this defense budget. Does it have to be the entire wish list of every single defense contractor in the United States, regardless of whether or not it relates to the military needs of our country?

And by the way, 30 or 40 years from now, $18 billion. We can postpone it 10 years, still have the brandnew planes ready to go in 2050 and 2060. We should be saving money for this generation right now, not just passing it on for the next generation.

I urge an ''aye'' vote, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 30 seconds to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Mr. Speaker, earlier today I was on this House floor commemorating the 70th anniversary of Ellsworth Air Force Base, which is in my great State of South Dakota.

Our bomber fleet, the average age is 40 years old. Old dogs can learn new tricks, and our bombers are certainly doing that. They've been updated as much as they possibly can be, but they do eventually still get older.

I will tell you that the B–1 bomber has performed admirably over the last three decades, and so has the B–2 and the B–52. But I will tell you, we must continue to upgrade and to maintain our bomber fleet. And I will tell you that prohibiting development of the new generation bomber for 10 years is shortsighted. It puts our national security at risk.

I am going to urge my colleagues to vote against this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield the remaining time to the distinguished ranking member of the Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I rise in strong opposition to the Markey amendment. I know my friend is trying to be humorous, but this is a very serious subject.

I was one of the leaders who worked to do the B–2 bomber. That took us between 15 and 20 years. Now, the reason we're starting is we've got to pull this technology together and try to do this for less money. And we need a long-range, modern, penetrating bomber with conventional weapons.

The nuclear weapon isn't the priority to me. It's the smart, conventional weapons that give us an enormous capability.

Let's vote ''no'' on the ill-conceived Markey amendment. And if he wants to look at something, tell him to look at land-based missiles.

Mr. THORNBERRY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 112–485.

Mr. POLIS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 63, line 15, strike ''$1,261,000,000'' and insert ''$857,695,000''.

Page 64, after line 2, insert the following new subsection:

(c) REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in this section for the ground-based midcourse defense system, as specified in the corresponding funding table in division D, is hereby reduced by $403,305,000, with the amount of the reduction to be derived from Ballistic Missile Defense Midcourse Defense Segment, Line 080, East Coast site planning and development, and EIS work program, as set forth in the table under section 4201. The amount of such reduction shall not be available for any purpose other than deficit reduction.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Colorado (Mr. POLIS) and a member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. I yield myself such time as I may consume.

Mr. Chair, my amendment would reduce funding for the failed Ground-based Midcourse Defense (GMD) program by $404 million. This missile defense program was designed to intercept limited intermediate and long-range intercontinental ballistic missiles before they reenter the Earth's atmosphere. Now, a fine idea. But the only problem is that while this failed missile defense program rarely hits anything, it continues to cost taxpayers billions of dollars.

If we're going to target wasteful spending, then a missile defense program that can't hit its targets is a good place to achieve taxpayer savings. This program has documented failure after failure.

In a time of large deficits and increasing debt, Congress should have to justify every penny that we spend of taxpayer money, and there isn't any justification for spending an additional $400 million on a weapons program that simply doesn't work.

Since 1997, the system has failed more than half its tests, missing its target 9 in 17 times.

□ 1750

The scheduled March flight test was cancelled because they're still evaluating the previous failures.

Lieutenant General Patrick O'Reilly, the Director for the Missile Defense Agency, testified that the flight test failures weren't because of lack of funds.

In fact, he said:

I don't think those failures would have been avoided if we would have had a larger or a lesser budget than we had.

This is not a problem that we can solve by throwing more taxpayer money and larger deficits after it. American taxpayers cannot afford a Congress that keeps spending money on programs that don't work.

Now, I'm sure the other side will discuss the issues of why there is strategic importance to a long-range missile threat and to preventing attacks from North Korea and Iran, neither of which currently possess the ability to launch a missile, but a missile defense system that doesn't actually defend against missiles is no defense at all.

My amendment would cut funding for this program by $400 million just as the Government Accountability Office, the GAO, recommended. They took a close look at GMD and settled on a reasonable recommendation, which is that we would cut spending by $403 million. It's what my amendment is.

To quote the GAO:

Until the failure review investigation is completed, mitigations are developed and proven in ground testing and then confirmed through flight testing, funding for GMD is premature.

I wholeheartedly agree with the GAO, and I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, at this point, I yield 2 minutes to the chairman of the Subcommittee of Strategic Forces, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. This is the first in a number of amendments that are going to come from the other side of the aisle which are targeted at weakening our national missile defense system.

This is at a time that we see rising and increased threats from both Iran and North Korea. We have Secretary Gates having said that North Korea's programs are becoming an absolute threat to the mainland United States.

It also comes, coincidentally, at a time when our President has had what is known as the ''open mic incident'' when he was in South Korea and was speaking with President Medvedev of Russia and indicated that he was hopeful for a time when he could get past this next election so that he could have greater flexibility on missile defense.

This secret deal that the President has with the Russians to weaken our missile defense is consistent with the amendments we are going to be seeing from the other side of the aisle. We know the deal is secret because, after the President returned back to the United States, we asked him to tell us what is this increased flexibility and what is his intention in weakening our missile defense system. He won't tell us. So it remains a secret, but it is consistent with the amendments we are seeing on the other side of the aisle to weaken our national defense.

This amendment, disturbingly, tries to cut our Ground-based Midcourse Defense system, which currently is the only system that actually protects the mainland United States. It is part of the public portion of the President's plan that this be sustained. Again, we don't know what his secret deal is, but this system actually includes the CE I interceptor, which is three for three in its successful intercepts. We know this is a system that works, and we know this is a system that's important.

We also know, if people on this floor are serious about trying to reduce the deficit, perhaps they should support the Ryan budget.

Mr. POLIS. Mr. Chairman, a missile defense system that doesn't defend against missiles is no defense at all.

With that, I yield 1 minute to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. I am going to have to be quick because, first of all, I want to address the issue about the so-called ''open mic incident.''

I do thank Mr. TURNER for accurately describing what happened, but he is wrong on one thing, which is that the President did, in fact, respond as to what he meant. He sent a letter to Mr. TURNER on April 13, explaining what he meant.

Mr. TURNER of Ohio. Will the gentleman yield?

Mr. SMITH of Washington. I don't have any time. I'm sorry. I don't have any time. I can't yield.

Mr. TURNER of Ohio. Would you read the letter.

The Acting CHAIR. The gentleman from Washington controls the time.

Mr. SMITH of Washington. I read the letter.

The Acting CHAIR. The gentleman from Washington controls the time.

Mr. SMITH of Washington. What it says is basically what is obvious to everybody, which is that the President has a different opinion. The President believes that Russia can be a partner to reduce the missile threat and that he can possibly work with them to develop missile defense systems that they don't feel threatened by. It's no big secret. It's what the President has said.

Generally, the other side doesn't want to have anything to do with Russia—okay, fine—but they are a factor. The President wants to figure out some way in which we can work with someone who is no longer our enemy to reduce this threat. There is no great mystery here. That's what he is talking about.

I want to support Mr. POLIS' amendment as well and say that the problem is that we are going to need the ground-based missile system. It's funded in the President's budget to a certain amount of money, but because it has been missing so often, there was a limited amount of money that you can spend testing this. It's not ready.

They're spending money testing it. They just don't need this additional money.

The Acting CHAIR. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. SMITH of Washington. So we're not saying that we don't need missile defense. We're spending money on it. We're spending a lot of money on it, and we're going to develop that.

Then the point on Russia is very simple and straightforward in that the President would like to negotiate an understanding with Russia so that we are not in conflict with one another. There are many who don't want us to have that conversation, and I believe Mr. TURNER is in that camp. The President would like to have that conversation. That's all he meant, and he explained it in this letter.

Mr. THORNBERRY. Mr. Chairman, I yield 1½ minutes to a member of the committee, the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. I thank the gentleman.

It can't be emphasized too often that our Ground-based Midcourse Defense is the only tested system that we have that defends the homeland of the United States against the most dangerous and powerful weapons mankind has ever known. I just somehow have a hard time cognitively grasping why a nuclear missile landing on our homeland doesn't alarm people a little bit more than it seems to.

Assuming the SM–3 Block 2B missile is able to provide protection for the homeland in that year—an assumption the GAO calls into question in fairly alarmed terms—this system will be the only system that we have that will be able to protect the homeland until at least 2020.

Mr. Chairman, we make a desperate mistake—for whatever the reason is, whether it's a secret deal with the Russians or whatever it is—in reducing the only system that protects the United States of America. It is folly.

Mr. POLIS. I would like to inquire as to how much time remains on both sides.

The Acting CHAIR. The gentleman from Colorado has 1¾ minutes remaining. The gentleman from Texas has 2½ minutes remaining.

Mr. POLIS. What the gentleman from Arizona failed to acknowledge is that the system simply doesn't work—missing its target more than half the time. You can't solve a problem by throwing more government money after it as the gentleman from Arizona is advocating.

I would like to yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Everyone here is alarmed, Mr. Chairman, about the possibility of a nuclear attack on the United States. We also should be alarmed about sticking to the facts in the debate.

The fact is we are talking about a weapons system here that failed two tests in 2010 and that hasn't passed a test since 2008. The fact is that, in the meantime, we have a robust, successful, tested regional system that can protect the homeland, the country, and the fact is that the general who runs this program said:

> In the program right now, we are addressing and are prepared to come back to flight testing, but we've had two failures, and no matter what budget we're dedicating, we have to get over those flight test failures.

Fix it first. Fund it later. Support the Polis amendment.

Mr. THORNBERRY. Mr. Chairman, I yield 1½ minutes to a distinguished member of the committee, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the gentleman from Texas.

I do have the honor of representing Colorado Springs in my congressional district, which has the Missile Defense Agency and some of these other important assets for our Nation's defense, and I totally oppose this amendment of my colleague's from northern Colorado.

We do have ground-based interceptors on the west coast. We have ground-based interceptors in Alaska. We need them also on the east coast. We need to start planning for that. The money that would be slashed by this amendment would go to starting the planning process, and it doesn't happen overnight. It's a multiyear process. We need to start the planning now so we can defend the heavy population centers on the east coast from intercontinental ballistic missile threats. There are rogue nations in this world that mean us harm. There is the possibility of an accidental launch by a number of countries. We have to have that type of defense. The Institute for Defense Analyses did a study that Congress called for. It said we need an east coast site. Should this amendment pass, that money will not be there to begin that process.

Unfortunately, Barack Obama has been slashing missile defense for 3 years now. This bad amendment would continue that same trend. The CE I interceptor has worked three out of three times. That's a 100 percent record.

I also disagree with the gentleman from New Jersey, who just spoke, who said fix it first and then fund it. It's the other way around. You fund it so you can fix it.

They have it backwards, I'm afraid. A vote for this amendment is really nothing more than a vote against a strong missile defense for the United States. I urge a ''no'' vote.

□ 1800

Mr. POLIS. In closing, I was encouraged to hear my colleague from Colorado say: ''You fund it so you can fix it.'' I hope that quotation can also be used with regard to education and health care in this country, to ensure that everybody has access to a good education and the opportunities it can provide.

My amendment is a small step towards a sane defense budget. It would make a modest cut to a failed program that you simply cannot—by the military's own recognition—expect to fix by continuing to throw good money after bad.

I would urge the House to listen to the experts, listen to our military leaders, listen to independent auditors who are telling us not to throw good money after bad. Let's get the defense budget on the right track by spending money on our servicemembers and our programs that are proven to protect our country successfully. Let's not spend additional money on a missile defense system that simply doesn't work. It should be targeted for savings in this bill. It should be fixed. At that time, we can reconsider additional funding of this program. But there is ample funding with these reductions.

I urge my colleagues to vote ''yes'' on the Polis amendment, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield the remaining time to the gentleman from Ohio (Mr. TURNER).

The Acting CHAIR. The gentleman is recognized for 1 minute.

Mr. TURNER of Ohio. I want to encourage everyone to oppose this amendment which, again, is the first of a series of amendments on the other side of the aisle to weaken our National Missile Defense System. This is the only deployed system that we have that protects the mainland of the United States, and it is consistent with the President's secret deal.

The President has never answered our request as to what are the terms of his secret deal with the Russians where the President in a meeting with Medvedev said: ''I have greater flexibility after I get past the election.'' Imagine the audacity of saying that when he's no longer subject to the electorate, that he's going to disclose a new missile defense deal or arrangement with the Russians. In fact, Putin himself acknowledges the agreement in a March 2, 2012, interview with a Russian newspaper. He indicates that ''they made us a proposal just during the talks. They told us we would offer you this, we would offer you that, and they asked him to put it down on paper.''

There are ongoing negotiations between this administration and the Russians. The President got caught in an open mic. There is a secret deal with the Russians that the President needs to answer to. This amendment would weaken our national defense and our missile defense system, as would the

President's secret deal with the Russians. Vote ''no'' on this amendment.

Mr. THORNBERRY. I yield back the balance of my time.

Mr. BROOKS. Mr. Chair, I oppose Representative POLIS's amendment to cut Ground-Based Midcourse Defense (GMD) by $403 Million.

Russia's most senior military leader recently threatened to pre-emptively attack U.S.-led NATO missile defense sites in Europe should America not kowtow to Russian demands.

In light of these threats, and others from North Korea and Iran, a strong missile defense system is vital to the safety and security of America and American troops deployed overseas.

And GMD works. For example, the CE1 interceptor, used by GMD, is three for three in successful testing.

Hence, GMD is critical to America's national security. GMD must be adequately funded.

I urge rejection of the Polis Amendment that puts American cities and American lives at risk.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 661, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 33, 36, 65, 66, 75, 85, 89, 93, 98, 100, 104, 124, 127, and 128, printed in House Report 112–485, offered by Mr. MCKEON of California:

AMENDMENT NO. 33 OFFERED BY MR. FLAKE OF ARIZONA

At the end of subtitle F of title X, add the following new section:

SEC. 1069. REPORT ON COMMUNICATIONS FROM CONGRESS ON STATUS OF MILITARY CONSTRUCTION PROJECTS.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to Congress a report describing any letters from Congress (including a committee of the Senate or the House of Representatives, a member of Congress, an officer of Congress, or a congressional staff member) received by the Department of Defense that refers to or requests information on the status of a military construction project on the future-years defense program.

(b) DEADLINE.—The report required by subsection (a) shall be submitted not later than one year after the date of the enactment of this Act.

AMENDMENT NO. 36 OFFERED BY MR. GRIMM OF NEW YORK

At the end of subtitle H of title X, add the following new section:

SEC. 1084. INCREASE IN AUTHORIZED NUMBER OF WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

(a) IN GENERAL.—Section 1403(a) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2676; 10 U.S.C. 12310 note) is amended—

(1) in paragraph (1), by striking ''23'' and inserting ''a minimum of 25''; and

(2) by striking ''55 teams'' each place it appears and inserting ''57 teams''.

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Army, as specified in the corresponding funding table in section 4301, for Line 070, Force Readiness Operations Support is hereby increased by $5,000,000.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in division D, is hereby reduced by $5,000,000, to be derived from Line 036, Program Element 0603384BP, Chemical and Biological Defense Program.

AMENDMENT NO. 65 OFFERED BY MS. BORDALLO OF GUAM

At the end of subtitle D of title III, add the following new section:

SEC. 3____. CODIFICATION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) STATE PARTNERSHIP PROGRAM.—

(1) IN GENERAL.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:

''§ 116. State Partnership Program

''(a) AVAILABILITY OF APPROPRIATED FUNDS.—(1) Funds appropriated to the Department of Defense, including for the Air and Army National Guard, shall be available for the payment of costs to conduct activities under the State Partnership Program, whether inside the United States or outside the United States, for purposes as follows:

''(A) To support the objectives of the commander of the combatant command for the theater of operations in which such contacts and activities are conducted.

''(B) To support the objectives of the United States chief of mission of the partner nation with which contacts and activities are conducted.

''(C) To build international partnerships and defense and security capacity.

''(D) To strengthen cooperation between the departments and agencies of the United States Government and agencies of foreign governments to support building of defense and security capacity.

''(E) To facilitate intergovernmental collaboration between the United States Government and foreign governments in the areas of defense and security.

''(F) To facilitate and enhance the exchange of information between the United States Government and foreign governments on matters relating to defense and security.

''(2) Costs under paragraph (1) may include costs as follows:

''(A) Costs of pay and allowances of members of the National Guard.

''(B) Travel and necessary expenses of United States personnel outside of the Department of Defense in the State Partnership Program.

''(C) Travel and necessary expenses of foreign participants directly supporting activities under the State Partnership Program.

''(b) LIMITATIONS.—(1) Funds shall not be available under subsection (a) for activities described in that subsection that are conducted in a foreign country unless jointly approved by the commander of the combatant command concerned and the chief of mission concerned.

''(2) Funds shall not be available under subsection (a) for the participation of a member of the National Guard in activities described in that subsection in a foreign country unless the member is on active duty in the armed forces at the time of such participation.

''(3) Funds shall not be available under subsection (a) for interagency activities involving United States civilian personnel or foreign civilian personnel unless the participation of such personnel in such activities—

''(A) contributes to responsible management of defense resources;

''(B) fosters greater respect for and understanding of the principle of civilian control of the military;

''(C) contributes to cooperation between United States military and civilian governmental agencies and foreign military and civilian government agencies; or

''(D) improves international partnerships and capacity on matters relating to defense and security.

''(c) REIMBURSEMENT.—In the event of the participation of United States Government participants (other than personnel of the Department of Defense) in activities for which payment is made under subsection (a), the head of the department or agency concerned shall reimburse the Secretary of Defense for the costs associated with the participation of such personnel in such contacts and activities. Amounts reimbursed the Department of Defense under this subsection shall be deposited in the appropriation or account from which amounts for the payment concerned were derived. Any amounts so deposited shall be merged with amounts in such appropriation or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

''(d) DEFINITIONS.—In this section:

''(1) The term 'State Partnership Program' means a program that establishes a defense and security relationship between the National Guard of a State or territory and the military and security forces, and related disaster management, emergency response, and security ministries, of a foreign country.

''(2) The term 'activities', for purposes of the State Partnership Program, means any military-to-military activities or interagency activities for a purpose set forth in subsection (a)(1).

''(3) The term 'interagency activities' means the following:

''(A) Contacts between members of the National Guard and foreign civilian personnel outside the ministry of defense of the foreign country concerned on matters within the core competencies of the National Guard.

''(B) Contacts between United States civilian personnel and members of the Armed Forces of a foreign country on matters within such core competencies.

''(4) The term 'matter within the core competencies of the National Guard' means matters with respect to the following:

''(A) Disaster response and mitigation.

''(B) Defense support to civil authorities.

''(C) Consequence management and installation protection.

''(D) Response to a chemical, biological, radiological, nuclear, or explosives (CBRNE) event.

''(E) Border and port security and cooperation with civilian law enforcement.

''(F) Search and rescue.

''(G) Medicine.

''(H) Counterdrug and counternarcotics activities.

''(I) Public affairs.

''(J) Employer support and family support for reserve forces.

''(5) The term 'United States civilian personnel' means the following:

''(A) Personnel of the United States Government (including personnel of departments and agencies of the United States Government other than the Department of Defense) and personnel of State and local governments of the United States.

''(B) Members and employees of the legislative branch of the United States Government.

''(C) Non-governmental individuals.

''(6) The term 'foreign civilian personnel' means the following:

''(A) Civilian personnel of a foreign government at any level (including personnel of ministries other than ministries of defense).

''(B) Non-governmental individuals of a foreign country.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by adding at the end the following new item:

''116. State Partnership Program.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2517; 32 U.S.C. 107 note) is repealed.

AMENDMENT NO. 66 OFFERED BY MR. ALTMIRE OF PENNSYLVANIA

At the end of subtitle E of title III, add the following new section:

SEC. 347. REPORT ON PROVIDING TELECOMMUNICATIONS SERVICES TO UNIFORMED PERSONNEL TRANSITING THROUGH FOREIGN AIRPORTS.

(a) REPORT REQUIREMENT.—The Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of providing market-rate or below-market rate (or both) telecommunications service (either phone, VoIP, video chat, or a combination thereof), either directly or through a contract, to uniformed military personnel transiting through a foreign airport while in transit to or returning from deployment overseas. The Secretary also shall investigate allegations of certain telecom companies specifically targeting uniformed military personnel in transit overseas (who have no other option to contact their families) with above-market-rate fees, and shall include the results of that investigation in the report.

(b) SUBMISSION.—The report required by subsection (a) shall be submitted not later than 180 days after the date of the enactment of this Act.

AMENDMENT NO. 75 OFFERED BY MR. WELCH OF VERMONT

At the end of subtitle D of title V, add the following new section:

SEC. 5___. COORDINATION BETWEEN YELLOW RIBBON REINTEGRATION PROGRAM AND SMALL BUSINESS DEVELOPMENT CENTERS.

The Office for Reintegration Programs shall assist each State to coordinate services under the Yellow Ribbon Reintegration Program under section 582 of the National Defense Authorization Act of 2008 (10 U.S.C. 10101 note) with Small Business Development Centers (as defined in section 3(t) of the Small Business Act) in each State.

AMENDMENT NO. 85 OFFERED BY MR. BOSWELL OF IOWA

At the end of subtitle I of title V of division A, add the following new section:

SEC. 5___. REPORT ON EFFECTS OF MULTIPLE DEPLOYMENTS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report on the effects of multiple deployments on the well-being of military personnel and any recommended changes to health evaluations prior to redeployments.

AMENDMENT NO. 89 OFFERED BY MR. BOSWELL OF IOWA

At the end of subtitle C of title VII, add the following new section:

SEC. 725. STUDY ON BREAST CANCER AMONG MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) STUDY.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct a study on the incidence of breast cancer among members of the Armed Forces (including members of the National Guard and reserve components) and veterans. Such study shall include the following:

(1) A determination of the number of members and veterans diagnosed with breast cancer.

(2) A determination of demographic information regarding such members and veterans, including—

(A) race;

(B) ethnicity;

(C) sex;

(D) age;

(E) possible exposure to hazardous elements or chemical or biological agents (including any vaccines) and where such exposure occurred;

(F) the locations of duty stations that such member or veteran was assigned;

(G) the locations in which such member or veteran was deployed; and

(H) the geographic area of residence prior to deployment.

(3) An analysis of breast cancer treatments received by such members and veterans.

(4) Other information the Secretaries consider necessary.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report containing the results of the study required under subsection (a).

(c) FUNDING INCREASE AND OFFSETTING REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in division D, is hereby increased by $10,000,000, with the amount of the increase allocated to the Defense Health Program, as set forth in the table under section 4501, to carry out this section; and

(2) the amount authorized to be appropriated in section 101 for Weapons Procurement, Navy, as specified in the corresponding funding table in section 4101 of division D, is hereby reduced by a total $10,000,000, with the amount of the reduction to be derived from—

(A) Line 004 (AMRAAM) in the amount of $2,700,000;

(B) Line 006 (JSOW) in the amount of $2,700,000; and

(C) Line 009 (Hellfire) in the amount of $4,600,000.

AMENDMENT NO. 93 OFFERED BY MS. DELAURO OF CONNECTICUT

At the end of subtitle A of title VIII, add the following new section:

SEC. 802. REQUIREMENTS RELATING TO CONTRACTS FOR PURCHASE OF HELICOPTERS FOR AFGHAN SECURITY FORCES.

(a) REQUIREMENT FOR COMPETITIVELY BID CONTRACTS.—Subject to subsection (b), the Secretary of Defense shall award any contract that will use United States funds for the procurement of helicopters for the Afghan Security Forces using competitive procedures.

(b) PROHIBITION ON CONTRACTING WITH CERTAIN ENTITIES.—Notwithstanding subsection (a), the Secretary of Defense may not award a contract, directly or indirectly, to any entity controlled, directed, or influenced by—

(1) a country that has provided weapons to Syria at any time after the date of the enactment of the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Public Law 108–175); or

(2) any country that is currently a state sponsor of terrorism.

(c) STATE SPONSOR OF TERRORISM DEFINED.—In subsection (b), the term ''state sponsor of terrorism'' means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, or section 40 of the Arms Export Control Act.

(d) EFFECTIVE DATE.—The requirement in subsection (a) shall apply to contracts awarded after the date of the enactment of this Act.

(e) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of this section if the Secretary determines such a waiver is necessary in the national security interests of the United States.

AMENDMENT NO. 98 OFFERED BY MR. WELCH OF VERMONT

Page 313, after line 20, insert the following:

SEC. 833. ENERGY SAVINGS PERFORMANCE CONTRACT REPORT.

Not later than June 30, 2013, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each submit to the congressional defense committees a report on the use of energy savings performance contracts by the Department of the Army, the Department of the Navy, and the Department of the Air Force, respectively, including each of the following:

(1) The amount of appropriated funds that have been obligated or expended and that are expected to be obligated or expended for energy savings performance contracts.

(2) The amount of such funds that have been used for comprehensive retrofits.

(3) The amount of such funds that have been used to leverage private sector capital, including the amount of such capital.

AMENDMENT NO. 100 OFFERED BY MR. HOLT OF NEW JERSEY

At the end of title IX, add the following new section:

SEC. ____. NATIONAL LANGUAGE SERVICE CORPS.

(a) CHARTER FOR NATIONAL LANGUAGE SERVICE CORPS.—The David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) is amended by adding at the end the following new section:

''SEC. 813. NATIONAL LANGUAGE SERVICE CORPS.

''(a) ESTABLISHMENT.—

''(1) The Secretary of Defense shall establish and maintain within the Department of Defense a National Language Service Corps (in this section referred to as the 'Corps').

''(2) The purpose of the Corps is to provide a pool of personnel with foreign language

skills who, as provided in regulations prescribed under this section, agree to provide foreign language services to the Department of Defense or another department or agency of the United States.

''(b) NATIONAL SECURITY EDUCATION BOARD.—The Secretary shall provide for the National Security Education Board to oversee and coordinate the activities of the Corps to such extent and in such manner as determined by the Secretary under paragraph (9) of section 803(d).

''(c) MEMBERSHIP.—To be eligible for membership in the Corps, a person must be a citizen of the United States authorized by law to be employed in the United States, have attained the age of 18 years, and possess such foreign language skills as the Secretary considers appropriate for membership in the Corps. Members of the Corps may include employees of the Federal Government and of State and local governments.

''(d) TRAINING.—The Secretary may provide members of the Corps such training as the Secretary prescribes for purposes of this section.

''(e) SERVICE.—Upon a determination that it is in the national interests of the United States, the Secretary shall call upon members of the Corps to provide foreign language services to the Department of Defense or another department or agency of the United States.

''(f) FUNDING.—The Secretary may impose fees, in amounts up to full-cost recovery, for language services and technical assistance rendered by members of the Corps. Amounts of fees received under this section shall be credited to the account of the Department providing funds for any costs incurred by the Department in connection with the Corps. Amounts so credited to such account shall be merged with amounts in such account, and shall be available to the same extent, and subject to the same conditions and limitations, as amounts in such account. Any amounts so credited shall remain available until expended.

''(g) USERRA APPLICABILITY.—For purposes of the applicability of chapter 43 of title 38, United States Code, to a member of the Corps—

''(1) a period of active service in the Corps shall be deemed to be service in the uniformed services; and

''(2) the Corps shall be deemed to be a uniformed service.''.

(b) NATIONAL SECURITY EDUCATION BOARD MATTERS.—

(1) COMPOSITION.—Subsection (b) of section 803 of such Act (50 U.S.C. 1903) is amended—

(A) by striking paragraph (5);

(B) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

''(5) The Secretary of Homeland Security.

''(6) The Secretary of Energy.

''(7) The Director of National Intelligence.''.

(2) FUNCTIONS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(9) To the extent provided by the Secretary of Defense, oversee and coordinate the activities of the National Language Service Corps under section 813, including—

''(A) identifying and assessing on a periodic basis the needs of the departments and agencies of the Federal Government for personnel with skills in various foreign languages;

''(B) establishing plans to address foreign language shortfalls and requirements of the departments and agencies of the Federal Government;

''(C) recommending effective ways to increase public awareness of the need for foreign languages skills and career paths in the Federal government that use those skills;

''(D) coordinating activities with Executive agencies and State and Local governments to develop interagency plans and agreements to address overall foreign language shortfalls and to utilize personnel to address the various types of crises that warrant foreign language skills; and

''(E) proposing to the Secretary regulations to carry out section 813.''.

AMENDMENT NO. 104 OFFERED BY MR. HOLT OF NEW JERSEY

At the end of subtitle F of title X insert the following new section:

SEC. 1069. FEDERAL MORTUARY AFFAIRS ADVISORY COMMISSION.

(a) ESTABLISHMENT.—There is established a Federal Mortuary Affairs Advisory Commission.

(b) PURPOSE.—The purpose of the Commission shall be to advise the President, the Secretary of Defense, the Secretary of Veterans Affairs, and Congress on the best practices for casualty notification, family support, and mortuary affairs operations so as to ensure prompt notification and compassionate and responsive support for families who have lost servicemembers, and for the honorable and dignified disposition of the remains of fallen servicemembers.

(c) SCOPE.—Within the Department of Defense and the Department of Veterans Affairs, the Commission shall examine, on an ongoing basis, all matters that encompass the notification of family members on the death of a servicemember in said family; all family support programs, policies, and procedures designed to assist affected families; and all aspects of mortuary affairs operations, including the final disposition of fallen servicemembers.

(d) COMPOSITION.—

(1) MEMBERS.—The Commission shall consist of 13 members, appointed as follows:

(A) One member appointed by the President of the United States.

(B) One member appointed by the Speaker of the House of Representatives.

(C) One member appointed by the Minority Leader of the House of Representatives.

(D) One member appointed by the Majority Leader of the Senate.

(E) One member appointed by the Minority Leader of the Senate.

(F) One member appointed by the Chairman of the House Committee on Veterans Affairs.

(G) One member appointed by the Ranking Member of the House Committee on Veterans Affairs.

(H) One member appointed by the Chairman of the House Committee on Armed Services.

(I) One member appointed by the Ranking Member of the House Committee on Armed Services.

(J) One member appointed by the Chairman of the Senate Committee on Veterans Affairs.

(K) One member appointed by the Ranking Member of the Senate Committee on Veterans Affairs.

(L) One member appointed by the Chairman of the Senate Committee on Armed Services.

(M) One member appointed by the Chairman of the Senate Committee on Armed Services.

(2) TERM.—Each member shall serve a term of three years.

(3) MEETINGS AND QUORUM.—After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members. Seven members of the Commission shall constitute a quorum.

(4) CHAIRMAN AND VICE CHAIRMAN.—Upon convening for its first meeting, the Commission members shall elect by majority vote a chairman and vice chairman of the Commission.

(5) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) QUALIFICATIONS.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government.

(3) OTHER QUALIFICATIONS.—At least four individuals appointed to the Commission should include family members who have direct experience dealing with the loss of a servicemember that involved interactions with the Dover Port Mortuary. At least three individuals should have extensive private or public sector experience in mortuary science, operations, procedures, and decorum.

(f) DURATION.—The Commission shall have a 5 year duration, beginning after the last member of the Commission is appointed

(g) MEETINGS AND REPORTS.—The Commission shall hold regular public meetings, notification of which shall appear in the Federal Register and on the Commission's website. Not less than annually, the Commission shall provide a written report to the President, the Secretary of Defense, the Secretary of Veterans Affairs, and Congress on—

(1) recommendations for improving casualty notification, family support, and remains disposition; and

(2) progress, or lack thereof, by the Department of Defense and the Department of Veterans Affairs in acting upon prior recommendations of the Commission. Said report shall also be posted on the Commission's website for public inspection.

(h) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, Commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this title. Each department, bureau, agency, board, Commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman, the chairman of any subcommission created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(i) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(j) STAFF OF COMMISSION.—

(1) APPOINTMENT AND COMPENSATION.—The chairman, in consultation with vice chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(3) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(4) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(k) COMPENSATION AND TRAVEL EXPENSES.—

(1) COMPENSATION.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(2) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieU–of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

In the table of contents in section 2(b), insert after the item relating to section 1068 the following new item:

Sec. 1069. Federal mortuary affairs advisory commission.

AMENDMENT NO. 124 OFFERED BY MR. WELCH OF VERMONT

At the end of subtitle D of title XII of division A of the bill, add the following:

SEC. 12xx. REQUIREMENT TO SUBMIT TO CONGRESS A PLAN FOR A FOREIGN INFRASTRUCTURE PROJECT USING FUNDS MADE AVAILABLE FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) PLAN REQUIRED.—Not later than 60 days prior to the commencement of a covered infrastructure project, the head of the Federal department or agency with primary responsibility for carrying out the project shall submit to Congress a plan to carry out and sustain the project.

(b) MATTERS TO BE INCLUDED.—The plan shall include a description of the following:

(1) The total amount of funds to be obligated and expended under the project, including the total amount of funds to be contributed from other sources.

(2) How the project will be maintained after its completion, who will be responsible for maintaining the project, and who will contribute funds for maintaining the project.

(3) How the project will be protected after its completion.

(c) COVERED INFRASTRUCTURE PROJECT.—In this section, the term ''covered infrastructure project'' or ''project'' means a project to improve the infrastructure of a foreign country under which the United States contributes not less than $1,000,000 from funds made available for overseas contingency operations.

(d) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect covered infrastructure projects commenced on or after 60 days after such date of enactment.

AMENDMENT NO. 127 OFFERED BY MR. FLAKE OF ARIZONA

At the end of subtitle B of title XV, add the following new section:

SEC. 1523. LIMITATION ON USE OF FUNDS IN OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND.

Amounts appropriated to the Overseas Contingency Operations Transfer Fund pursuant to the authorizations of appropriations contained in this title and available for use or transfer to cover expenses directly relating to overseas contingency operations by the United States Armed Forces may be used only for an item or activity specified in the overseas contingency operations portion of the budget submitted to Congress by the President under section 1105 of title 31, United States Code, for fiscal year 2013.

AMENDMENT NO. 128 OFFERED BY MR. HUNTER OF CALIFORNIA

In section 1531, relating to the Joint Improvised Explosive Device Defeat Fund, add at the end the following new subsection:

(c) ADDITIONAL AUTHORIZED USE OF FUNDS IN JIEDDF.—Funds in the Joint Improvised Explosive Device Defeat Fund shall be available, with the concurrence of the Secretary of State, for the purpose of monitoring, disrupting, and interdicting the movement of explosive device precursors from a country that borders Afghanistan to a location within Afghanistan. For a country in which the actions and activities described in the preceding sentence are carried out, such funds may, with the concurrence of the Secretary of State, also be used to train and equip the security forces of that country that support missions to monitor, disrupt, and interdict the movement of explosive device precursors into Afghanistan.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, at this time I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND) for the purpose of a colloquy.

Mr. WESTMORELAND. Mr. Chair, I rise to commend the Armed Services Committee on their good work in a number of areas in the National Defense Authorization Act for Fiscal Year 2013, but I have a concern with the report language from section 815 that I would like to bring to the chairman of the committee's attention.

I certainly approve of utilizing competition to both improve contract performance and cost effectiveness of weapons systems. However, I want to bring to attention the fact that the C–17 and its F117 engines have been a model of modern sustainment. Today, time-on-wing for F117 engines has doubled since the start of this sustainment program while making multiple design and hardware upgrades.

Today, the F117 engines are sustained through an award-winning performance based on logistics contracts that minimize life-cycle costs with fixed fees based on flight cycles. This contract type requires comprehensive understanding and investment by the service provider, along with the engineering design expertise to develop and implement improvements in response to the actual mission.

I support the use of every practical means of providing for the efficient defense of this country in the protection of our warfighters. That includes the appropriate use of competition and any other contracting method that incentivizes positive outcomes for cost effectiveness and performance. In fact, the Air Force has taken steps to ensure these outcomes are achieved on the C–17 sustainment contract. As we push the Air Force and other services to extend the practices further, we must always keep reliability and readiness of the weapons system in mind.

I look forward to working with the chairman to address these issues in conference, and I yield to the gentleman from California.

Mr. MCKEON. I thank the gentleman from Georgia for his remarks and his strong support for the readiness of our Armed Forces. There's no doubt that our C–17 fleet is doing a remarkable job around the globe, and I assure the gentleman that this committee strongly shares in your desire to ensure that the C–17 continues to perform magnificently for many years to come.

Mr. SMITH of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. Mr. Chairman, I rise in support of the en bloc for a couple of reasons I think are very important to all of us. As we know, the amendment that I'm concerned with and talking about has to do with the issue of multiple deployments and to add to the

Armed Forces Breast Cancer Research Act of 2012 to the underlying legislation.

Amendment No. 85 requires the Secretary of Defense to submit a report on the effects that multiple deployments have on the well-being of our military personnel. I, along with some of you, have some appreciation for multiple deployments. We used to call them tours, but we understand that the deployments and the impact on our troops in uniform and our families is severe. We need to know more about it.

The other is I had a former staffer that went to a 5-year reunion, a female staffer. She's an Iraq war veteran, and she returned to tell me that six of the 70 women in her battalion, ages 25 to 35, had been diagnosed with breast cancer and others had noncancerous masses. This startled me, as did a study that indicates breast cancer is more prevalent in military women than civilian.

The women are not the only ones that need this study. At last count, at least 78 men who served at Camp Lejeune between 1950 and 1985 have been diagnosed with breast cancer. These marines and their families deserve more information. Last Congress, the Iraq and Afghanistan Veterans of America and the VFW supported conducting this study.

More troops are returning from duty only to face a new battle—breast cancer. So I urge my colleagues to get them answers. Support this en bloc amendment and the other good features of it.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding, and I thank him for including in this en bloc amendment an amendment that I and the gentleman from South Carolina (Mr. MULVANEY) offered to ensure that we budget honestly.

We have something called the Overseas Contingency Operations Account, or OCO, and this we fear is sometimes used to put in items that we don't want to become part of the budget, that are above the budget, or outside of the budget. This amendment will ensure that those items in this account are war related and not simply items to get around budget constraints in the budget that we've established for defense.

I thank the gentleman for putting this in. This is an important amendment. We've got to ensure that we budget honestly, and then make sure in the future we know what our budget is, and we know what accounts are doing. This is a good step in that direction.

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Mr. SMITH of Washington. Mr. Chairman, I yield myself 3 minutes.

I wanted to take this moment while we have a little extra time on this one to talk about Afghanistan and to express our opinions since we weren't able to get our amendment ruled in order.

It's important for all the Members on the floor to understand that the base bill has language on Afghanistan, and the base bill calls for us keeping 68,000 troops in Afghanistan until the end of 2014 and then makes unspecified requests to make sure that we have sufficient troops to accomplish a series of missions after 2014. It very aggressively calls for a large troop presence in Afghanistan for an extended period of time.

I, and many Members on this side of the aisle as well as some on the other, oppose that. We do not think that keeping that many troops in Afghanistan for that long is in the best interest of our national security or our country, and the bulk of the country agrees with us on that. Unfortunately, we weren't offered the opportunity to offer our amendment that offers what I think is a better approach.

I am also going to reluctantly oppose Representative LEE's amendment, the only alternative we were given, which is to pull us out as fast as we safely and responsibly can. Representative LEE's amendment does not allow us to maintain any sort of counterterrorism mission, which I do think is critically important. The amendment we wanted to offer was to put us on a more aggressive, quicker drawdown pace to speed up the transition to the Afghan forces for security while enabling us, with a relatively small number of troops, to maintain that counterterrorism issue.

We have trained over 350 Afghan national security forces. They have taken over responsibility for an increasing number of provinces and districts throughout the country and for an increasing number of security responsibilities. It is time to make that transition.

My objection to the base bill is it doesn't give us the opportunity to make that transition because it mistakenly believes that the key to Afghan stability is keeping as many U.S. troops in Afghanistan for as long as possible. Having that large of a foreign military force—as we have seen, there's been a huge increase in attacks by Afghan forces on U.S. forces. We had the Koran burning incident. We had the horrible incident of a soldier going off and allegedly killing 16 or 17 civilians in Afghanistan.

Our presence at this point, in and of itself, is destabilizing. And what we want is a responsible drawdown of that force. We don't want to do it hastily in a way that jeopardizes the mission or jeopardizes Afghanistan. That was the purpose of the amendment that I, along with Congressman MCGOVERN and others, authored. And it is unfortunate that for reasons I cannot understand, the majority refused to allow us the opportunity to debate that.

Now, as I said earlier, I speculated that part of the reason is because they know that the American people agree with us. It's a debate they don't want to have and a vote they don't want to take. And I respect that. A number of my colleagues have joked with me over the years, The toughest part of this job is voting; that's when people actually see where you stand.

The Acting CHAIR (Mr. HASTINGS of Washington). The time of the gentleman has expired.

Mr. SMITH of Washington. I yield myself an additional 1 minute.

There have been many times where I wished I didn't have to do that, but it comes with the job and particularly on something as important as Afghanistan.

I don't think anyone would dispute that the most important thing about this bill, the Armed Services Committee bill, this year is what's going on in Afghanistan. The single most important issue, and we're denied the opportunity to have a vote on what I think is a much better plan, rather, leaving in place in the base bill a call for having 68,000 troops in Afghanistan until the end of 2014.

It is very simple: the majority is in favor of a larger troop presence for a longer period of time. We are in favor of a smaller troop presence for a shorter period of time. I believe it's the better policy. I regret that we will not have the opportunity to vote on it; but as we go into conference, I will strenuously argue this point. It is a major flaw, I believe, in an otherwise very strong bill.

With that, I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume.

I'm not as good as my friend in characterizing or talking about something, so I would just like to read from the bill what it actually says:

> The United States military should not maintain an indefinite combat mission and should transition to a counterterrorism and advise and assist mission at the earliest practicable date, consistent with conditions on the ground. In order to reduce this uncertainty and to promote further stability and security in Afghanistan, the President should fully consider the international security assistance force commander's assessment regarding the need for the United States to maintain a significant combat presence through 2013. And finally, maintain a force of at least 68,000 troops through December 31, 2014, unless fewer forces can achieve the United States objective.

This is the policy that has been established by the Commander in Chief in consultation with the generals and the field commanders. Now, I met with General Allen, the commander in Afghanistan, about a month ago. I asked him how many troops he needed, and he said he was in the process of evaluating. He didn't have a number yet. When he got that number, he would

send it back through the chain of command to the Commander in Chief.

At that time, if he finds after his assessment that he may be able to withdraw troops sooner or may be able to accomplish his mission with less than 68,000, I would imagine the Commander in Chief will want to change his policy. And this allows for that because if the Commander in Chief, in consultation with the commander in the field, says that we can do it with fewer forces to achieve the objective, that's exactly what the bill says.

I reserve the balance of my time.

Mr. SMITH of Washington. I would just say that no part of the President's plan calls for having at least 68,000 troops through December 31, 2014. If you had struck that out of the bill, that would change things. But having that number in there makes an enormous difference.

And with that, I yield 1 minute to the gentlelady from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in support of this amendment. It includes my amendment, prohibiting the Defense Department from purchasing helicopters, directly or indirectly, for the Afghan security forces from any entity controlled, directed, or influenced by Russia, any other state that provides weapons to Syria, or other state sponsors of terrorism. It also requires that any such future contract be competitively bid.

The U.N. estimates more than 9,000 people in Syria have been killed by the Assad regime since violence began there. And the Russian state arms dealer Rosoboronexport continues to provide that regime with the means to perpetrate widespread and systematic attacks on its civilians, including signing a deal with Damascus in January to supply Syria with 36 combat jets.

Incredibly, the Defense Department is purchasing 21 Mi-17 helicopters for the Afghan security forces through a no-bid contract with that Russian company, even though it supplies arms to Syria and it was, for years, on the U.S. sanctions list for providing illegal nuclear assistance to Iran.

If U.S. taxpayer dollars are going to be spent providing helicopters to the Afghans, those dollars should be spent on American systems that create jobs here at home.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from New York (Mr. GRIMM).

Mr. GRIMM. I thank the chairman.

I rise today in support of my amendment. We know that the DOD faces a difficult challenge in balancing cuts with our national security strategy. However, the proposed elimination of two National Guard WMD civil support teams poses tremendous risk.

These teams are highly trained units that provide rapid support to civil authorities. Of special concern is the proposed elimination of the 24th WMD-CST located in New York City. This team has been instrumental in contingency preparations for high-profile activities like massive sporting and political events to national holidays. They have also responded to numerous crises situations.

My amendment, which I offered with my colleagues Representatives TONKO, BILIRAKIS and CASTOR, simply changes the authorized numbers of teams from 55 to 57, bringing this in line with the current number of active teams.

Making sure New York City, a top terrorist target, has the assets needed should we have another terrorist attack, is vital. I encourage my colleagues to join me in supporting this amendment.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Chairman, in March, ''NBC News'' ran a story about a soldier who was charged $41 for a three-second voicemail he left his wife from a pay phone in an airplane in Germany.

□ 1820

This is simply outrageous.

For servicemembers in transit to and from deployment, a quick phone call from an airport pay phone is often their only link to loved ones at home. Because public phones in foreign airports may not accept prepaid calling cards, servicemembers have to accept whatever cost the pay phone service charges in that particular airport. It is important that we help provide that crucial link for our servicemembers during this time of transit.

My amendment would direct the DOD to submit a report on the feasibility of providing telecom services to servicemembers in transit to overseas deployment and to investigate allegations of overcharging servicemembers. The brave men and women of our Armed Forces deserve better than $41 3-second call.

I encourage all Members to support my amendment.

Mr. MCKEON. I reserve the balance of my time.

Mr. SMITH of Washington. May I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman has 2¼ minutes remaining.

Mr. SMITH of Washington. I yield the balance of my time to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, this is a bill that illustrates an old saying: Adding insult to injury. The insult is the terms under which we are debating this vast commitment of taxpayer dollars to the most important issue we have—defense.

People will be debating at 11 o'clock tonight, in 5 minutes on a side, very significant issues. We had a few minutes to debate the question of Afghanistan. My colleague, Ms. LEE, and some Republicans will join to try to bring this budget number down to where it should be—$8 billion at least, back to the number of the agreement. And they will have 5 minutes in which to do it. That's outrageous.

Also, it's important to note if this bill goes through, it is a statement that efforts to improve the quality of life at home will be sacrificed to foreign adventures that are ill-fated in many cases.

I read a letter from the chairman of the committee to the Secretary of Defense. He said, Mr. Secretary, if we increase spending here, it won't come out of other national security accounts. Of course not. It will come out of Medicare. It will come out of Medicaid. It will come out of efforts to protect the environment. It will come out of police on our streets.

There is an excess of money here. Afghanistan is a good example. A commitment of 68,000 troops. The gentleman from California complained about what the gentleman from Washington said. It sounded the same to me. They put down 68,000 troops, dictating to the Commander in Chief—or trying to—what it should be.

There is an effort going on in Afghanistan which has gone far beyond what was justified by our national security. There is a commitment to spend more than is necessary on nuclear weapons when the military hasn't asked for them. There are weapons systems here the Pentagon didn't want. And where does it come from? It comes from everything we try to do to improve the quality of life at home.

This is an attack on our ability to provide the funding that America needs for a decent set of conditions here.

No one is opposing adequate national defense. This continues a pattern of overspending. I remember, again, what Rupert Murdoch's Wall Street Journal said, hailing the Republican budget, which this is carrying out. It protects defense so they can cut Medicare and Medicaid and other domestic programs. It's too bad we don't have a decent amount of time to expose the extent to which that is going on.

Mr. MCKEON. How much time do I have remaining?

The Acting CHAIR. The gentleman has 3½ minutes remaining.

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume.

I don't quite know where to start. We have just cut in this budget and in the previous Deficit Reduction Act $487 billion and another $500 billion, $600 billion that kicks in with sequestration next January, so that over the next 10 years we'll be cutting $100 billion dollars a year out of defense at a time when we are fighting a war.

In my lifetime, I have seen this cut back after every war so that we won't

be prepared, I guess, for the next one. And what happens when we get in the next conflict, being not prepared and having run our military down, is we end up losing a lot of people. And I do not want to see that happen if there is any possible way that we can overcome it.

I was in a meeting in the Pentagon a couple of months ago when the Secretary was laying out this budget. A senior military officer, one of the highest ranking in our country, was sitting across the table from me, and he looked at me at the end of the meeting, and said, In my 37 years in the military, and doing this, I have never seen a time more serious, more dangerous than right now.

We're facing a possible nuclear weapon in Iran. Much of the terrorism that we see around the world is nurtured and paid for and embraced and sent forth from Iran. We have the problem, we know, in North Korea. We have the problem of China that is decreasing their defense spending and pushing us further back in helping us defend Taiwan and other commitments that we have in the area. We had the Arab Spring that nobody had thought about or planned on. And where is the next hotspot going to be? We do not know. But I guarantee you that when you run down your defenses, that is when somebody will take advantage.

President Reagan said we should have peace through strength. General Eisenhower, President Eisenhower, we hear a lot the quotes about beware of the military industrial complex. He also said our military, our strength, our people in the military, are the ones that keep us safe, and we should be so strong that no one ever should dare attack us for fear of being annihilated. It's when we run down those forces, as we have.

I remember I was at the Reagan Library recently and they showed a video of when President Reagan ran in 1980. YoU–might recall that we had hostages in Iran that had been causing lots of problems for President Carter. And we tried to send the military on a mission, and they couldn't even fly across the desert with the equipment they had at that time. We had a hollowed-out military.

We do not want to go there at this point. Half of the savings that we have taken in deficit reduction have come out of the military. We have done this on the backs of our troops, when they account for less than 19 percent of the overall spending. If we had no discretionary spending, we would be running a deficit of a half-trillion dollars a year. That is no military spending, no education spending, no spending on our parks.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. HOLT. Mr. Chair, I want to thank Chairman MCKEON and Ranking Member SMITH for accepting this amendment, No. 104. When the long-running problems at the Dover Port Mortuary were revealed to the public last year, all of us were appalled and ashamed at how the remains of fallen warriors had been mishandled. It took a number of people, including a constituent of mine who is the widow of a deceased Iraq veteran, as well as several brave whistleblowers—public servants in the truest sense—to bring these problems to light. What we now know is that multiple Air Force IG inspections missed the mishandling of bodies, improper cremations and other serious problems that plagued the Dover Port Mortuary for years. Clearly, a higher, more sustained level of oversight of Dover and of our overall process for military mortuary affairs is called for.

My amendment would provide that higher level of oversight by creating a Federal Mortuary Affairs Advisory Commission. The amendment requires the appointment of family members with direct experience in dealing with Dover, as well as the appointment of outside specialists in mortuary affairs. We owe it to our fallen warriors and their families to make this painful process as dignified and respectful as possible. Creating this Commission will help us do that, which is why I ask for my colleagues to support it.

Without world class linguists we would not have found Bin Laden. It was an important reminder about the need to improve foreign language education and ensure our national security and defense officials have the skilled linguists they need to get the job done.

Since it was created as a pilot program in 2005, The National Language Service Corps (NLSC) has helped meet the growing need for linguists and my amendment, No. 100, will ensure that this program becomes permanent.

The NLSC is a corps of on-call language-certified experts who are available to supplement Federal agencies' language capacity. It is designed to provide a surge capability for meeting short-, mid-, and long-term requirements through the identification of a reserve workforce with expertise and skills in over 120 languages that are either currently or potentially critical to the Federal government. The NLSC currently has over 1,800 members who are proficient in a critical foreign language. My amendment will help our government have the linguists needed at a moment's notice. I appreciate the committee's understanding of the importance of America having a strong foreign language capacity for our defense and non-defense needs.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 4 by Mr. ROHRABACHER of California.

Amendment No. 5 by Ms. LEE of California.

Amendment No. 6 by Mr. CONNOLLY of Virginia.

Amendment No. 7 by Mr. ROONEY of Florida.

Amendment No. 8 by Mr. BARTLETT of Maryland.

Amendment No. 11 by Mr. MARKEY of Massachusetts.

Amendment No. 12 by Mr. POLIS of Colorado.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 4 OFFERED BY MR. ROHRABACHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROHRABACHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 84, noes 335, not voting 12, as follows:

[Roll No. 263]

AYES—84

Adams	Gohmert	Petri
Amash	Gowdy	Poe (TX)
Baldwin	Graves (GA)	Posey
Benishek	Green, Gene	Price (GA)
Bilirakis	Herrera Beutler	Reed
Black	Huelskamp	Ribble
Bono Mack	Hultgren	Rigell
Broun (GA)	Hunter	Rohrabacher
Buchanan	Jackson (IL)	Rokita
Cohen	Jenkins	Rooney
Cravaack	Johnson (IL)	Rothman (NJ)
Culberson	Jordan	Royce
Davis (IL)	Keating	Runyan
DeFazio	King (IA)	Rush
Denham	Kinzinger (IL)	Schilling
DesJarlais	Kissell	Schweikert
Doggett	Landry	Scott (SC)
Duffy	LoBiondo	Scott, Austin
Duncan (SC)	Lummis	Sensenbrenner
Duncan (TN)	Lynch	Stark
Farenthold	Mack	Stearns
Fincher	McClintock	Stutzman
Foxx	Miller (FL)	Tiberi
Franks (AZ)	Mulvaney	Upton
Garrett	Napolitano	Walsh (IL)
Gerlach	Nugent	Westmoreland
Gibson	Pallone	Woodall
Gingrey (GA)	Paul	Yoder

NOES—335

Ackerman	Bishop (NY)	Canseco
Aderholt	Bishop (UT)	Cantor
Akin	Blackburn	Capito
Alexander	Blumenauer	Capps
Altmire	Bonamici	Capuano
Andrews	Bonner	Carnahan
Austria	Boren	Carney
Baca	Boswell	Carson (IN)
Bachmann	Boustany	Carter
Bachus	Brady (PA)	Cassidy
Barletta	Brady (TX)	Castor (FL)
Barrow	Braley (IA)	Chabot
Bartlett	Brooks	Chaffetz
Barton (TX)	Brown (FL)	Chandler
Bass (CA)	Bucshon	Chu
Bass (NH)	Buerkle	Cicilline
Becerra	Burgess	Clarke (MI)
Berg	Burton (IN)	Clarke (NY)
Berkley	Butterfield	Clay
Berman	Calvert	Cleaver
Bilbray	Camp	Clyburn
Bishop (GA)	Campbell	Coble

Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crawford
Crenshaw
Critz
Crowley
Cummings
Davis (CA)
Davis (KY)
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gibbs
Gonzalez
Goodlatte
Gosar
Granger
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huizenga (MI)
Hurt
Israel
Issa
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kildee
Kind
King (NY)
Kingston
Kline
Kucinich
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Price (NC)
Quayle
Quigley
Rahall
Rangel
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Amodei
Biggert
Cardoza
Costello
Cuellar
Filner
Holden
Kelly
Pascrell
Sanchez, Loretta
Slaughter
Wasserman
Schultz

□ 1851

Messrs. FLEMING, JOHNSON of Georgia, DANIEL E. LUNGREN of California, KINGSTON, and BERG changed their vote from ''aye'' to ''no.''

Mrs. BONO MACK, Messrs. RIBBLE, BENISHEK, RIGELL, LYNCH, FARENTHOLD, BILIRAKIS, Ms. HERRERA BEUTLER, Ms. JENKINS, Mrs. BLACK, and Mr. ROKITA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 263, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

(By unanimous consent, Mr. MILLER of Florida was allowed to speak out of order.)

20TH ANNUAL CONGRESSIONAL SPORTSMEN'S SHOOT-OUT

Mr. MILLER of Florida. Mr. Chairman, a couple of days ago we had the 20th Annual Congressional Sportsmen's Shoot-Out. I'm pleased to say, for the majority side of the aisle, that we actually were able to return the trophy back to our side. To my good friend, MIKE ROSS, I want to say, nice try.

We had a great day raising money for the Congressional Sportsmen's Foundation, a foundation that helps fund educational opportunities for young people to learn about hunting and fishing and conservation. This is one of the great bipartisan things that we do as a group.

And with that, MIKE, I would also like to say we will miss your enthusiasm, as you leave this body, for hunting and the outdoors.

I yield to my good friend, MIKE ROSS from Arkansas.

Mr. ROSS of Arkansas. I thank the gentleman from Florida.

Let me just say that the Congressional Sportsmen's Caucus is one of the largest bipartisan caucuses within the Congress. I think the work we do together is very important, and at a time when there's so much that divides us, this is something that so many of us are able to come together and be united on. I want to thank everyone that participates and helps make it one of the largest, if not the largest, bipartisan caucuses in the Congress.

To my friend from Florida, now that he gave me a little kind jab, let me just make the point that the Democrats have won the annual skeet, trap, and sporting clays competition for the last 3 years, and we were feeling bad about it, and so we decided that this year we would make sure that all of our shotguns had a full choke and one arm tied behind our back to try to make it more fair. And, obviously, maybe we shouldn't have tied our arm behind our back.

We congratulate you on your victory this year, and we look forward to next year as well for those that are returning.

Mr. MILLER of Florida. I would be remiss if I did not acknowledge the top gun of the day, DUNCAN HUNTER.

AMENDMENT NO. 5 OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. Without objection, 2-minute voting will resume.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 113, noes 303, not voting 15, as follows:

[Roll No. 264]

AYES—113

Amash
Baldwin
Bass (CA)
Becerra
Benishek
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Campbell
Capps
Capuano
Carson (IN)
Cassidy
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchey
Hirono
Holt
Honda
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kucinich
Larson (CT)
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Maloney
Markey
Matsui
McClintock
McDermott
McGovern
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Paul
Petri
Pingree (ME)
Polis
Quigley
Rahall
Rangel
Richardson
Rohrabacher
Rothman (NJ)
Rush
Sánchez, Linda T.
Schakowsky
Schrader
Scott (VA)
Serrano
Sires
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walsh (IL)
Waters
Watt
Waxman
Welch
Woolsey
Yarmuth

NOES—303

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany

Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Carnahan
Carney
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lipinski
LoBiondo
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—15

Amodei
Biggert
Cardoza
Costello
Filner
Holden
Kaptur
Lewis (CA)
Pascrell
Pence
Sanchez, Loretta
Slaughter
Sullivan
Wasserman Schultz
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1859

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 264, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Stated against:

Mr. CASSIDY. Mr. Chair, on rollcall No. 264 I inadvertently voted "yea." My intention was to vote "nay."

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 412, noes 1, not voting 18, as follows:

[Roll No. 265]

AYES—412

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guinta
Guthrie
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paul
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton

Van Hollen
Velázquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—1

Kucinich

NOT VOTING—18

Amodei
Biggert
Cardoza
Costello
Cravaack
Filner
Grimm
Hall
Holden
Miller, George
Pascrell
Pence
Sanchez, Loretta
Schilling
Schock
Slaughter
Walberg
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1903

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 265, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

AMENDMENT NO. 7 OFFERED BY MR. ROONEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. ROONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 249, noes 171, not voting 11, as follows:

[Roll No. 266]

AYES—249

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Peters
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—171

Ackerman
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berman
Bishop (GA)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farenthold
Farr
Fattah
Frank (MA)
Fudge
Gonzalez
Green, Al
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Ribble
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—11

Amodei
Biggert
Cardoza
Costello
Filner
Holden
Pascrell
Pence
Sanchez, Loretta
Slaughter
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1908

Ms. HOCHUL and Mr. CARSON of Indiana changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 266, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT NO. 8 OFFERED BY MR. BARTLETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. BARTLETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 209, not voting 11, as follows:

[Roll No. 267]

AYES—211

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway

Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kline
Labrador
Lamborn
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—209

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—11

Amodei
Biggert
Cardoza
Costello
Filner
Holden
Pascrell
Pence
Sanchez, Loretta
Slaughter
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1912

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 267, I was away from the Capitol due to prior commitments to my constituents. Had I ben present, I would have voted "no."

AMENDMENT NO. 11 OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 112, noes 308, not voting 11, as follows:

[Roll No. 268]

AYES—112

Amash
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Braley (IA)
Campbell
Capps
Capuano
Carson (IN)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Deutch
Doggett
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Gibson
Griffith (VA)
Grijalva
Gutierrez
Hahn
Higgins
Hinchey
Hinojosa
Hirono
Holt
Honda
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Keating
Kind
Kucinich
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
Michaud
Miller, George
Moore
Mulvaney
Nadler
Napolitano
Neal
Olver
Pallone
Paul
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Polis
Quigley
Rahall
Rangel
Reed
Richmond
Rohrabacher
Rothman (NJ)
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schwartz
Sensenbrenner
Serrano
Smith (NJ)
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Waters
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—308

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
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Heinrich
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Herrera Beutler
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Huizenga (MI)
Hultgren
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Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
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Lungren, Daniel E.
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Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino

Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Amodei
Biggert
Cardoza
Costello
Filner
Holden
Pascrell
Pence
Sanchez, Loretta
Slaughter
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1916

Mr. COFFMAN of Colorado changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 268, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

AMENDMENT NO. 12 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 252, not voting 14, as follows:

[Roll No. 269]

AYES—165

Ackerman
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Goodlatte
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huizenga (MI)
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Kaptur
Keating
Kildee
Kind
Kucinich
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Ribble
Richmond
Rothman (NJ)
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—252

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Lankford
Latham
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Amodei
Biggert
Cardoza
Costello
Filner
Holden
Landry
LaTourette
Pascrell
Pence
Roybal-Allard
Sanchez, Loretta
Slaughter
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1919

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 269, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

Mr. MCKEON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEST) having assumed the chair, Mr. HASTINGS of Washington, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, had come to no resolution thereon.

MOTIONS TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF–2012, PART II

Mr. BARROW. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Barrow moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to insist on title II of the House bill, regarding approval of the Keystone XL Pipeline.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to clause 7 of rule XXII, the gentleman from Georgia (Mr. BARROW) and the gentleman from Michigan (Mr. UPTON) each will control 30 minutes.

Mr. WAXMAN. Mr. Speaker, I would like to inquire whether whoever is claiming time to speak on this motion on the Republican side of the aisle is, in fact, opposed to the motion.

The SPEAKER pro tempore. Is the gentleman from Michigan claiming the time in opposition or in favor of the motion?

Mr. UPTON. I would like to claim the time on the Republican side in support of the motion.

The SPEAKER pro tempore. Pursuant to clause 7(b)(2) of rule XXII, the gentleman from Georgia (Mr. BARROW), the gentleman from Michigan (Mr. UPTON), and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BARROW. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of a motion to instruct the conferees on the Surface Transportation Extension Act of 2012 to insist on title II of that act, which contains revisions of the North American Energy Access Act, essentially calling for the completion of the Keystone XL pipeline.

Mr. Speaker, in these times of increasing security threats and economic uncertainty, the construction of the Keystone XL pipeline represents a win-win for America's national security and economic interests. Not only will this project create thousands of much-needed jobs, but it will secure America's energy future by reducing our dependence on foreign oil.

By working with our neighbors to the north on an effort that ramps up our domestic energy production, we'll better protect families here at home from the effects of energy market insecurity caused by political and economic troubles in other parts of the world. Estimates vary, but the most conservative estimates predict that this jobs project will create 13,000 new construction jobs and an additional 7,000 manufacturing jobs.

But that's not all, Mr. Speaker. The Keystone XL pipeline, when operating at capacity, will be able to move 840,000 barrels of oil per day into our domestic refining capacity on the domestic production market. To put that in perspective, America imports about 8.4 million barrels per day. The carrying capacity of this pipeline alone is 10 percent of America's net national daily imports. America consumes 20 million barrels of oil a day. The carrying capacity of this pipeline represents 5 percent of current U.S. daily consumption of oil products.

The U.S. produces about 8.8 million barrels a day. This pipeline will have the capacity to bring in 10 percent more than what we're already producing on a daily basis here in this country. It also represents approximately a one-third increase in the total daily imports from Canada. And if that wasn't enough, the 840,000 barrels a day this pipeline carries comes real close to the 900,000 barrels that we import every day from Venezuela.

I don't know about anybody else, but any policy in this country that private enterprise is going to lead the way on and pay for that can cause us to tell the folks in Venezuela, Good-bye, we'll see you later, that's good economic policy and good energy policy for this country.

Mr. Speaker, we've held hearings on this matter. We've engaged the public and energy experts. We've checked and rechecked for environmental soundness and debated for hours on the floor of this House. After all that, what we're left with is a very well-vetted and, I think, worthwhile project that is ready to start construction. For the jobs and for the energy security, the folks I represent want us to get moving on this. We have an opportunity to make that happen in the highway bill conference that's currently underway.

I encourage my colleagues to support my motion to instruct so we can send that message loud and clear to the conferees.

With that, Mr. Speaker, I reserve the balance of my time.

□ 1930

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this amendment is really about jobs and the economy. The President, you will remember, in a national address in January, said he would do whatever it takes to create U.S. jobs. That's what this bill does. It creates, by just about everybody's estimate, 20,000 direct jobs and more than 100,000 indirect jobs. And I would note that under ED WHITFIELD's leadership, the chairman of the Energy and Power Subcommittee, we went through regular order on this bill last year. We held hearings, we held a subcommittee markup, we had a full committee markup, and last summer we passed it on the House floor by almost a two-to-one margin; obviously, bipartisan.

Mr. Speaker, we consume about 18 or 19 million barrels of oil every day. We produce only 8 to 9 million barrels a day. This is a pipeline that will bring us 800,000 barrels a day from our friends, the Canadians.

We've waited 3 years. You'll remember that Secretary of State Hillary Clinton said in October of 2010 that she was inclined to support this. And in August of last year she said, We'll have the review done before the end of the year. It's not been done yet. And even though this House passed the bill by a significant margin, the Senate did not act. That's why this bill has been attached to a couple of different bills, and now it's part of the highway bill. I support the gentleman's instruction to the conferees to include this.

The route has been rerouted through Nebraska. They now support this new route. We have spent billions of dollars in our refineries across the country trying to get ready for this new source of oil coming from our friends, the Canadians. So what happens if we continue to say no? The Canadians, for sure, are going to still produce this. They're still going to mine the oil sands in Alberta. But it's not going to come here. It's going to go to China. China is prepared to spend with the Canadians literally billions of dollars to send it there, of which none of it will come back to the United States.

That is not the right answer. No, it's not. That's why it's not only a national security issue as part of the highway bill, but it's also a way that we will know that we will have a steady source of supply.

Now let me just make one more point. Today, we import from Canada 2.6 million barrels of oil every single day. A million barrels of that already is oil sands. In my home State of Michigan, the Marathon refinery outside of Detroit has spent $2.2 billion expanding their refinery, preparing for oil sands—not from Alberta, not from this part of Canada, but other parts—of which the oil sands will then be part of what we consume here in the United States. A million barrels of the 2.6 million that Canada sends us every day is oil sands. What is the problem with expanding that by another 800,000 barrels a day that will produce American jobs and allow us to have less reliance on friends like Venezuela and folks in the Middle East, if we can use our best friend, Canada, to help us provide this oil to the United States?

So I support the gentleman's instruction. I hope that it will pass when we have the vote tomorrow.

I ask unanimous consent that the balance of my time be reserved and under the direction of Mr. WHITFIELD, the subcommittee chair of the Energy and Power Subcommittee.

The SPEAKER pro tempore (Mr. WOODALL). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to this instruction.

First of all, whatever your views are on the pipeline coming out of Canada, this is not the place for this issue to be brought up because what this provision would do would be to short-circuit the decisionmaking and mandate approval of the pipeline. It doesn't belong in the transportation bill.

We see this over and over again. Our Republican colleagues like to take bills and then hold them hostage to get what they want. They wanted to get the pipeline approved so they mandated the President had to make a decision within 60 days in a previous bill. The President didn't want it. He said, Okay, I'll sign it. But then he said he's not ready to make a decision in 60 days.

So this provision doesn't require him to make a decision. It tells him this is going to be decided. This is going to be done. That's what we used to call earmarks, and in fact this is an earmark—a special interest earmark.

On its merits, this legislative earmark for TransCanada makes no sense. Mandating approval of the Keystone XL pipeline might help jobs in other countries. It might create more jobs in Canada. But when the Republicans tell us it's going to produce so many jobs in the United States, they are not buying a pipeline; they are buying a pipe dream.

A green light for Keystone will lead to massive imports of transmission pipe manufactured overseas. The American people will bear all the risks and Big Oil will reap all the rewards of this pipeline. We are going to get more carbon pollution, more dangerous oil spills, land seizures by a foreign company, and higher oil prices in the Midwest. Big Oil gets the ability to extract more profits from the Midwest, a conduit for exploiting tar sands products to China, because that's where this oil is going to go. Because it's an international transport of oil from these tar sands from Canada to the United States going down to the Gulf, it can then be put on steamers and sent to China, and there is no restriction against it. We have open markets, and China would be delighted to take that oil. But it is not going to benefit us. It is going to benefit China.

President Obama listened to the differing views of American citizens and he made a responsible decision. He said he was not going to approve this pipeline through the ecologically fragile Sand Hills area of Nebraska. But the State Department would consider an alternative route, and Nebraska is still looking for another route that would be acceptable to the State.

The President is making sure he has all the information he needs to make the right decision. This provision takes the opposite approach. It gives the pipeline an unprecedented legislative earmark. It doesn't give discretion. It requires the Federal Energy Regulatory Commission to approve the pipeline immediately, even though we don't know what route it will take through Nebraska.

I think we ought to recognize these tar sands in Canada are very, very dirty, and it is going to require a lot of energy to get them into an oil form that can be transported through a pipeline. The consequence of that is going to be to add more carbon emissions at a time when our planet is already suffering from global warming and extreme climate change.

It would be incredibly reckless for Congress to jeopardize this critically important transportation bill by playing politics over an unrelated and extraneous provision. I urge my colleagues to reject this motion and to not put in this poison pill provision that would lead to the whole transportation bill being vetoed.

I reserve the balance of my time.

Mr. BARROW. I yield 2 minutes to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Speaker, construction of the Keystone XL pipeline would create thousands of jobs for hardworking Americans, but it would also increase our energy independence. Canada has already confirmed its intention to build the pipeline. The only question now is whether or not our Nation will benefit from the jobs, economic growth, and energy security that comes with construction of the pipeline.

We cannot allow this opportunity to pass us by. The project would be developed in keeping with all environmental regulations and constructed with the safest and most advanced pipeline technology available. What's more, the Keystone pipeline takes advantage of Canada's vast oil resources that are the second-largest on the planet.

The time for delay has long since passed. The House legislation would advance the approval and construction of the pipeline passed by the House on multiple occasions with bipartisan support. The Keystone pipeline has the potential to become a viable, long-lasting, sustainable source of energy for the future. Construction of the pipeline would provide a steady source of energy for our country, decrease our reliance on volatile oil markets, and provide the certainty that comes with steady jobs for tens of thousands of Americans.

Mr. Speaker, the pipeline is going to be built. What is left to decide is whether Americans will benefit from it. I strongly urge the conferees on the Surface Transportation reauthorization committee to include the Keystone pipeline in the final bill, and I look forward to working with my colleagues to continue to advance our Nation's energy independence.

□ 1940

Mr. WHITFIELD. Mr. Speaker, at this time, I would like to yield 4 minutes to the distinguished gentleman from Nebraska (Mr. TERRY), who is one of the primary sponsors of the Keystone pipeline legislation, and the route of the pipeline will be going partially through his home State of Nebraska.

Mr. TERRY. Mr. Speaker, I thank the gentleman, and I rise in strong support of the gentleman from Georgia's motion to instruct conferees to support the Keystone pipeline in the transportation bill.

Let's start with a quick tutorial here. Right here above the United States border in Canada, a couple hundred miles north of our border, lies the second or third largest current reserve of oil.

Now, there's already an existing pipeline coming down through the Bakken fields in North Dakota. This blue dotted line is the new pipeline, the one that is of controversy now, mostly because the environmental left, the NRDC and some other organizations that have come out and opposed that because they don't want fossil fuel use, especially a heavier crude. Now, that's the focus of the debate. They have stated that their whole goal here is to kill this pipeline.

Now, what does this pipeline do for the United States of America? First of all, we have the second or third largest reserve here. This pipeline will bring 800,000 barrels per day. We've already heard from two different gentlemen that our country imports about 10 million barrels per day. So if we can bring 800,000 to a million barrels per day, that's that much less that has to be imported from a country like Venezuela. And, by the way, we import about 800,000 to 900,000 barrels per day from Venezuela. Maybe we can stop sending our dollars to Venezuela so they can buy military equipment from Europe—I'm sorry—from Russia to destabilize South and Central America, which is what these dollars are doing.

So it provides us a level of energy security; offsets imports into our country from countries we don't like.

The bonus here is jobs—10,000 to 20,000 jobs will be created directly. And we hear statements that it won't create jobs, but I can take you to the laborers' facility that has a project labor agreement in hand. I can take you to the IBEW that has a project labor agreement in hand. I can take you to several other of our unions that have agreements ready to go if they would start building this pipeline.

Now, I wanted to mention and clear up some of the misinformation that's

out there regarding this pipeline in my home State of Nebraska.

First of all, in the efforts that we took to get this pipeline out of the politics of the White House and into reasonable hands to get this approved, we exempted the State of Nebraska, giving them enough time to find a new route. The President ignored that provision of the bill and still used the State of Nebraska as his excuse to kill the pipeline. We're here today because the President denied their permit, said no to the Keystone pipeline.

Well, as we stand here today, this pipeline has already been rerouted, a different route chosen off of the Sand Hills of Nebraska. The environmental assessment is occurring as we speak here today, and it'll be done in a few months. There is no longer an excuse for the President to use to kill this new permit just recently filed by TransCanada for this pipeline.

So in review, we offset the oil we import from other countries we don't like.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WHITFIELD. I yield an additional 1 minute to the gentleman.

Mr. TERRY. We create 20,000 jobs building this pipeline, and we have a relationship with China where we access the second or third largest reserve.

And the gentleman is right. There's a pipeline that they're building to go off west so the Chinese can have access to part of this. We need this oil. Let's complement our friends and let's pass this pipeline.

Mr. WAXMAN. At this time, I would like to yield 4 minutes to the gentleman from Pennsylvania (Mr. DOYLE), an important member of the Energy and Commerce Committee.

Mr. DOYLE. Mr. Speaker, I rise in opposition to this motion to instruct.

Like Mr. BARROW and many of my friends on the other side of the aisle, I support building this pipeline in a way that protects the environment and creates good American jobs—but not in the manner that this motion to instruct would have us do.

I've come to the floor many times to talk about the Keystone pipeline. Many times my concern was that we're not using enough American-made steel in this project, that a lot of what we were told initially about the steel worker jobs and the things that would be created just didn't come to materialize. But my biggest concern with this motion to instruct is we're once again talking about a 30-day timeline for approval from an agency, the Federal Energy Regulatory Commission, which has nothing to do with oil pipeline siting and permitting.

We're tasking FERC with the regulation of wholesale electricity. We task them with ensuring reliability, hydropower permitting, and natural gas pipeline siting. FERC doesn't have the authority or the expertise to permit and site oil pipeline at all, and it is unrealistic to expect that they can do it in 30 days. And if FERC doesn't issue a permit in 30 days, it doesn't matter; this motion would allow the permit to be deemed as issued, to build the Keystone XL pipeline even if FERC doesn't approve a permit within 30 days.

A 30-day arbitrary and rushed approval for this pipeline is not worth holding up our entire highway bill conference. The Keystone XL pipeline will be built in due time with appropriate permitting. It will create good-paying jobs and strengthen our relationship with our neighbor Canada. Let's not hold up the highway bill conference that can bring even more good jobs and improved infrastructure that our country so badly needs.

I urge my colleagues to vote ''no'' on this motion to instruct.

Mr. BARROW. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. I thank the gentleman from Georgia for offering this motion and I thank him for yielding me this time.

We've heard a lot from different Members out here already about what the construction of this pipeline would mean in terms of increased capacity, of product coming from North American sources for U.S. oil consumption. We've heard about the jobs for the construction of the pipeline, and I'm not going to repeat all of those numbers and statistics. But I thought it would be helpful to talk about a couple of the issues that have been raised about this pipeline and try to clarify some of the facts about what's going on with this type of product and this type of pipeline.

A lot of people think this is a brand new product. They're worried about product from oil sands. In fact, according to the Congressional Research Service, there are already five other pipelines that are bringing this product from Canada to the United States. In fact, for years this product has been coming to refineries in the State of Utah, where I'm from, and refined in refineries in North Salt Lake.

The most recent of those five pipelines that brings this product from Canada was actually approved by the Obama administration in 2009. It brings 800,000 barrels a day from Canada into the United States. And when that project was approved by the Obama administration's State Department, the State Department said that the pipeline would send:

> A positive economic signal in a difficult economic period about the future reliability and availability of a portion of United States' energy imports, and in the immediate term, this shovel-ready project will provide construction jobs for workers in the United States.

Now, when it comes to the Keystone proposal, as it was going through 3 years of environmental review, when discussing this pipeline, Secretary Clinton's Coordinator for International Energy Affairs, David Goldwyn, stated:

> Balancing jobs and energy security . . . I think the case for a pipeline is overwhelming and she will approve it.

□ 1950

This is a project that has received a lot of scrutiny. It's not a new type of project—five other ones come to this country. I know there may be some unique aspects of this specific pipeline proposal, but in general there are five other ones that bring this product to the United States already.

This has become a symbol. We can have honest disagreements about what we think about issues, but we should make sure we understand what the facts are about this pipeline. As I said, this product has already come into this country many times.

I thank the gentleman again for offering this motion to recommit, and I urge passage.

Mr. WHITFIELD. At this time, I'd like to yield 4 minutes to the distinguished gentleman from Louisiana (Mr. SCALISE), a member of the Energy and Commerce Committee and a real advocate for the Keystone pipeline.

Mr. SCALISE. I thank the gentleman from Kentucky for yielding.

I want to rise in strong support of the gentleman from Georgia's motion to instruct. This is a strong bipartisan motion that has support not only in the Halls of Congress, but also has support amongst the American people as they look at this proposal.

Keystone, our friend in Canada, they have vast oil reserves, and they're going to extract those reserves whether they're used in America or whether they're used in China. So the question is not whether or not Canada is going to go and explore their oil sands, it's whether or not we get the oil from a friend in Canada—1 million barrels a day when it's in operation—or we continue to become more reliant on Middle Eastern oil, oil from countries, in many cases, that use the money that we send—the billions of dollars a day we send to them—against us, against our troops.

We have an opportunity to do many things here. We can help secure America's energy independence by saying that's 1 million barrels a day less that we need to get from Middle Eastern countries who don't like us, we can get it from a friend in Canada. They want to send it to us. And oh, by the way, it's going to create about 20,000 American jobs upfront. There's much more to come. The estimates are even higher long term once the pipeline is in operation.

This shouldn't even be a dilemma. It's not controversial to most people. Most people consider it a no-brainer—20,000 jobs, 1 million barrels a day of oil

from a friend in Canada instead of other countries—and yet President Obama has said no. Now, he goes around giving speeches saying he's for all of the above. We've heard it time and time again, he's for all of the above. Maybe he's for all up above, but nothing below. Because if you say ''no'' to the Keystone pipeline, you're not for an all-of-the-above energy.

You just look at the facts. We've got the opportunity to say ''yes'' to something that creates great jobs, and this transportation bill is the perfect place for it because this is infrastructure. We've got pipeline already running all throughout our country.

Even if this amendment passes, Mr. Chairman, there's nothing that says that every State has to have the Keystone pipeline go through it. If there are any environmental issues, each State still has to permit the pipeline if it goes through their State. So each State still has the ability to say, look, we want to make sure the route fits best with our environment. That will happen anyway, even if it's approved.

But if the President rejects Keystone, make no doubt about it, the oil will still be produced in Canada, except it will be sent to China, and the jobs will be sent to China, and the billions of dollars of private investment—this isn't one of those phony stimulus bills where we print a bunch of money we don't have and borrow it from China. This is actually real investment from private sources, and they want to spend those billions of dollars here in America. They want to create those jobs here in America. They want to help ensure our American energy independence right here at home, and the President keeps saying ''no.''

It's our opportunity to stand up in a bipartisan way and say this is something we all agree upon. Just because some radical environmentalists went and held a big rally over at the White House a few months ago, and literally 3 days later the President said, oh, wait, now I'm against Keystone. It's time for us to stand up and do the right thing—stand up for those American jobs, stand up for billions of dollars in private investment, and stand up for American energy security and say ''yes'' to the Keystone pipeline. I strongly support this motion.

Mr. WAXMAN. Mr. Speaker, I'm pleased at this time to yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman from California.

The transportation bill should be about increasing the number of riders on our mass transit systems to reduce our oil dependence. It should be about increasing the number of riders in HOV lanes to ease commuters' lives and to encourage people to get more energy-efficient vehicles. The transportation bill should not be used as a vehicle to force approval of the Keystone XL ''export'' pipeline, because that's what it is—it's an extra large export pipeline.

The American Petroleum Institute ads claim that the Keystone pipeline will deliver oil ''to power our country.'' Sounds great. But in fact, there is no legislative guarantee that even a single drop of this oil and fuel from the Keystone ''export'' pipeline would stay in the United States for American consumers.

When I asked, in the hearing, the president of the TransCanada pipeline company whether he would guarantee that the oil that came from Canada through the entirety of the United States would stay here in the United States, he said no, I will not give you a guarantee. So let us not hear again from the Republicans about how this is oil for America because the president of the pipeline would not give us a guarantee that he would keep the oil here in the United States. And why is that? Because the pipeline is going to Port Arthur, Texas.

Now, what's so special about Port Arthur, Texas? Well, it just happens to be that it's a tax-free zone. So they're going to bring this pipeline, without any environmental safeguards because they just want to approve it themselves, the Congress—and a congressional expert is an oxymoron, okay. There is no such thing compared to real environmental experts, real experts in this area. A congressional expert is like jumbo shrimp or Salt Lake City nightlife—I mean, there is no such thing. And yet they're saying, no, let's approve the pipeline. No environmental safeguards—we'll just move it through, we're experts. We're going to supersede the Environmental Protection Agency and send it to Port Arthur, Texas. And then, in Port Arthur, Texas, it's going to get sent, and guess where it's going to get sent? You don't have to be Dick Tracy to figure this out. It's going to be sent to China. It's going to be sent to Latin America. It's going to be sent to Europe—tax free.

By the way, if you represent Port Arthur, Texas—if you represent any part of Texas, vote ''yes'' on this resolution. I'll throw in Louisiana and Oklahoma as well. But if you come from another State, I don't know what you're thinking. I really don't know what you're thinking. You don't have a guarantee on the environment. You don't have a guarantee that the oil is going to stay here in the United States. You're going to accept the canards, the fabrications, the misrepresentations that this is oil for America, when no one will put it in the bill that the oil must stay in America.

You won't hear the president of TransCanada or ExxonMobil or Chevron saying the oil is going to stay in America—let me know when that happens. This is oil that they're going to sell in other parts of the world. And why do they want to do that? Because right now a barrel of oil in the United States is $93 a barrel, and a barrel of oil in Europe is $115 a barrel. You don't have to be a finance major to figure out that they want to sell that oil on the world market.

So all we are is just a big conduit for that dirtiest oil in the world coming out of Canada, coming right through the United States—without environmental safeguards—going to Port Arthur, Texas, tax-free zone, to send it so that ExxonMobil and the rest of these companies can make a fortune on the global market. Now, is that crazy or what?

Why are we debating this right now? And why are we listening to these people at the same time that we export? You know something else we export, ladies and gentlemen? We export our young men and women over to the Middle East in order to protect oil coming into the United States. We should not be exporting young men and women at the expense of domestic oil which we could keep in our own country. That should not be exported, not if more young men and women have to be sent overseas in order to protect the oil lines coming in from the Middle East. That's our greatest vulnerability.

So vote ''no'' on this resolution. This is the capstone of the Republican majority's commitment to the oil industry. It is something that is very consistent with everything that they have done since they took over the majority. But the truth of the matter is is that this is just a one-way trip to exotic locations in China and Morocco and Singapore for oil that is going to compromise the environment of the United States and not protect our security one whit.

I'm waiting for the first Republican to stand up and accept an amendment which would keep that oil in the United States. It just is not going to happen.

Mr. BARROW. Mr. Speaker, at this time I yield to 2 minutes to the gentleman from North Carolina (Mr. KISSELL).

□ 2000

Mr. KISSELL. Mr. Speaker, I thank my friend and colleague from Georgia for the time, and I rise in full support of his motion to instruct the conferees to support the Keystone pipeline.

A lot of numbers and a lot of facts have been given out. I will not repeat those. I will just cover a couple of points very quickly.

We have heard through the past years and even decades, we've talked about energy independence, but yet we haven't gotten that. We have the opportunity to create North American energy independence if we just make a few good decisions. This is one of them.

It's time. We've talked about this long enough. It's time to move this

pipeline forward for all of the benefits that we can receive in jobs, in energy security. It's time.

We've heard a lot of discussions tonight about what the administration might say or Congress might say or the petroleum people and a few others. But we haven't heard something, an opinion for the American working families. Our families are desperate for energy security, for the pricing stability. This is a step towards that.

We should not forget at all our American working families, our responsibility to helping them as they struggle to get by in this tough economy. They have to be front and center in this decision. So I encourage my colleagues to vote ''yes.''

And I appreciate, once again, my colleague bringing this motion forward.

Mr. WHITFIELD. I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I'd like, at this time, to yield 4 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I rise in opposition to this motion to instruct the conferees. I'm a member of the Transportation and Infrastructure Committee, and we would like to see our bill passed.

And I represent a city, Memphis, Tennessee, that is the transportation and distribution center of America. Transportation jobs are extremely important to the city of Memphis.

It's been 958 days, nine extensions, nearly 3 years since the last surface transportation bill expired. The Keystone proponents insist this language be in this transportation bill, which is language, if it's anywhere, should be in an energy bill, not a transportation bill. But by doing so, they will end the hopes of transportation workers throughout this country, let alone Memphis, to have a transportation reauthorization bill passed. We will, instead, have a 10th extension and even more uncertainty in the transportation business.

The Senate's made it clear they're not going to accept the bill with the Keystone pipeline extension and so has the President of the United States, the same President of the United States who allowed the extension, the southern extension of the Keystone XL to go through. He's not against pipelines. He's not against oil. But he's against this one because it hasn't gone through the proper processes. And at that time, he'll make a decision, pro or con. But it needs to go through the proper processes, so we don't need to defeat the scientific judgment and environmental studies that are necessary before we approve a pipeline.

But what's happening is the proponents of the Keystone pipeline are paying homage to their patron saint, their patron saint, Big Oil. What Big Oil wants, Big Oil often gets. And it's Big Oil, not the people of Canada, our friends with the hockey pucks, our friends who have got a long-time good relationship with this Nation. It's Big Oil that will make the profit and control the oil. And Big Oil wants to sell it where they will make the most profit.

There is a greater demand in this world for oil than ever before because of a burgeoning middle class in China and India and other parts of this world where people are starting to get cars and need gas to drive those cars. Because of that, the price of oil has gone up.

While the middle class in America has shrunk, the middle class around the world has grown, and they want that oil, and that's where it's going to be sold. It doesn't have to go to Port Arthur, Texas, to go to other places. But it's going to be sold on the international market where it gets the best price for the oil companies who are already getting great tax breaks from this Congress, and that won't help the American people one iota.

The fact is we need to end our addiction to Big Oil. We need to get away from fossil fuels, and we need to think about the next generation.

James Hansen, a leading NASA climate scientist, has called the pipeline the fuse to the biggest carbon bomb on the planet. Game over. Give up future generations. Forget the flora and the fauna. Forget what we've known in the past.

But the real issue besides that is this is just not relevant and pertinent to this bill. What's important is that we pass a reauthorization bill that builds our highways, improves our transportation system, gets more people into buses, finds alternative forms of energy, has bike lanes and encourages people to get around without burning fossil fuels, and gets our transportation bill passed and puts people to work.

It's the best thing we could do for the economy is to pass the bill. And the conferees' suggestion that the Keystone pipeline be kept alive as an issue just keeps the passage of this bill further down the road, keeps American workers unemployed, keeps commerce stalled.

We need to not approve this recommendation. I ask us to vote ''no.''

Mr. BARROW. I yield myself such time as I may consume.

Mr. Speaker, some have said that because we are inextricably part of a world market, because we consume more than we produce of this vital commodity that, therefore, we cannot legislate ourselves an island in this process; and since we both produce and consume and produce and export, therefore it follows from that that virtually anything we can get, any new source of conventional energy that we get is going to be a mere conduit, a pass-through to somebody else and a loss to us.

I'd like to point out that we produce in this country some 12 million barrels a day. We export some 2.9 million to 3 million barrels a day. So there's both oil being produced in this country and exported, for a net annual production on a daily basis of 8.8. It does not follow from that that any new sources of energy that we get are going to flow right through this country someplace else. In fact, a study commissioned by the Department of Energy addressed the dynamic effect of limiting our access to unconventional sources of this energy in Canada and allowing that energy to go someplace else.

And a study compiled for the Department of Energy pointed out what the perverse effect of this would be. If we deny ourselves access to this new source of Canadian oil, what will happen is it will go to other countries. And who will fill the gap? Middle Eastern and African OPEC countries will actually increase their shipments to this country. We'll become more dependent upon imports from folks that we don't want to rely upon if we deny ourselves access to those folks we do want to rely upon.

In the words of the study commissioned for the Department of Energy, they would displace, the Canadian oil crudes would be lost to the U.S. market and go instead to Asia. They would displace the world's balancing crudes, Middle Eastern and African, predominantly OPEC grades, which would in turn move to the USA. The net effect would be substantially higher U.S. dependence on crude oils from those sources, the sources we want to wean ourselves off of.

Finally, along this line, it's been said that because we're describing conditions in ordinary terms when the markets are working as we hope they will and as they should, we need to remember, we need to bear in mind there's always the possibility the world market will fail us.

I'm old enough to remember a time in this country's history when we were embargoed. First, in 1973, because we came to the aid of our ally, Israel, in response to the Yom Kippur War, we were embargoed by the OPEC oil countries. Folks who supply a little more than a third of our imports today, at that time, cut us off completely. It happened before. It did happen again in 1979. We were embargoed a second time in the same decade.

We need to bear in mind that while we're concerned about market conditions and the ebb and flow of product and consumption in ordinary times, we also have to gird ourselves for the possibility that we can be embargoed by our current vendors. And against that backdrop, access to North American oil, in time of emergency, can have a far greater impact on our economic and national security at that time than the

conditions we're talking about and arguing about now in the ordinary course of events.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. WHITFIELD. I reserve the balance of my time.

□ 2010

Mr. WAXMAN. Mr. Speaker, may I inquire as to how much time each side has?

The SPEAKER pro tempore (Mr. CHAFFETZ). The gentleman from California has 5 minutes. The gentleman from Georgia has 8½ minutes. The gentleman from Kentucky has 8 minutes.

Mr. WAXMAN. Before I yield to Mr. RUSH from Illinois, I just want to make a comment.

We need to get ourselves off of our dependence on oil whether it is from the United States or overseas; and if we go along with this pipeline, we are increasing our dependence on a very, very dirty oil that is going to use up a lot of carbon just to be able to get it into a State where it can be sent down that pipeline.

I am pleased now to yield 3 minutes to the ranking member and, hopefully, the next chairman of the Energy Subcommittee, the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the ranking member of the full committee for recognizing me.

Mr. Speaker, I rise in opposition to this motion to instruct. A mandatory approval of the Keystone XL pipeline does not belong in our transportation bill. This provision jeopardizes the entire transportation bill and all of the American jobs that the transportation bill will provide and produce.

The southern portion of the Keystone XL pipeline from Oklahoma to the gulf is already moving forward with the President's support, but the northern portion does not yet have a final route through the State of Nebraska. President Obama has made it clear that he will not short-circuit the normal approval process and deprive the American people of their opportunity, their right, to have input just to benefit a foreign company and foreign interests.

As it stands now, it is very unclear if this project would benefit the hard-pressed communities of this Nation, such as the one that I represent, with jobs and contracts and other economic opportunities that we have been hearing so much about and that has been bandied about by the proponents of this pipeline. We desperately need jobs and contracts and economic opportunity, but we have no guarantees that this XL pipeline will produce the same.

So, regardless of whether you believe this pipeline should be built or not, including the Keystone XL pipeline approval—mandatory approval, I might add—in the transportation bill, which the President already promised he will veto, it may not necessarily further the pipeline, but it may doom the same. It may doom the entire transportation bill.

If you care about American jobs, then the number one priority should be to pass the transportation bill all by itself. Pass the transportation bill to create and preserve American jobs for the American people. Don't burden the jobs-producing transportation bill with extraneous gimmicks and extraneous gestures. The passage of this motion to instruct conferees will be a stumbling stone for Keystone.

Mr. WHITFIELD. May I ask who has the right to close?

The SPEAKER pro tempore. The gentleman from Georgia.

Mr. WHITFIELD. I yield myself such time as I may consume.

First of all, I want to thank the gentleman from Georgia for introducing this motion to instruct as I think it is for the benefit of the American people. Yet, having said this in many hearings on this subject, I really am puzzled as to how people can be opposed to the Keystone pipeline.

Many people have come up today who have been opposed to it, and they've talked about the necessity for jobs. The Keystone pipeline will create many jobs. As a matter of fact, we know that oil from the oil sands in Canada is already coming to America. There are over 1,000 American companies today supplying goods and services to Canadian oil sands and pipeline companies.

Just to give you an example, with regard to Caterpillar, which makes the 797—the world's largest truck—the engines are made in Indiana; the cab is fabricated and installed in Illinois; the frame component is cast in Louisiana; and the Michelin tires are made in South Carolina. That's just one. I could go through here and list a multitude of companies from which jobs are being created because of the oil sands, and only more will be created if we can build this new pipeline.

People say, Oh, you're going to export all this oil. Well, I genuinely believe that is a red herring. The Department of Energy, itself, did an analysis of this and said, if any oil were exported coming out of Canada, it would be a very minute amount. Yes, we do export some petroleum products now, but no one can honestly say—and no one has ever heard—that we intend to export the majority part of this oil, not even close to it. So I think that is a red herring.

I might also say that there was a moratorium on the Transatlantic pipeline in Canada from exporting oil. We found out that, when that happened, oil production in America went down because companies decided, well, the prices are down, and we're not going to be able to export any. Then President Clinton lifted that moratorium. So I think the gentleman from Massachusetts, in making this argument of, ''Oh, we've got to prevent export'' is a red herring.

There are a lot of pipelines already in America. On the average, they were studied for 18 months before they were approved. This pipeline has been studied for 40 months. I might also say that the Pipeline and Hazardous Materials Safety Administration has put together 57 additional safety measures for this pipeline that are not on other pipelines. This would be the safest pipeline built in America.

So we have the ability here, if the President would simply approve it, of building a pipeline that will bring 830,000 more barrels of oil a day to America. I still believe in supply and demand. If supply goes up, prices go down, and I think that we all recognize that. Yet President Obama received a final environmental impact statement from the State Department.

That environmental impact statement said, between the option of building this pipeline and not building this pipeline, the preference would be to build the pipeline.

That's why we all were so shocked. It's because, after that, we thought the President would approve this pipeline. But what did he say?

I don't want to make a decision until after the Presidential election.

Now, I'm not going to put words in his mouth, but I'm assuming he was concerned about the environmental groups, and that's fine. Yet to deprive the American people of approximately 20,000 new jobs directly in building the pipeline, additional jobs like Caterpillar that would be selling more products to the Canadian companies where the oil sands are being produced—the oil is being produced in the oil sands—really makes no sense.

This is a safe pipeline. It's 1,700 miles long. Only 60 miles of this pipeline route was suggested to be changed, which was in Nebraska, and the Governor of Nebraska and the legislature in Nebraska agreed with the change.

□ 2020

They've basically signed off on this. So I am puzzled by why anybody would be opposed to it. More oil, more jobs, less dependent on Middle Eastern oil. Yeah, we all would like to be less dependent on oil, but I tell you what, there are not enough electric cars in America to provide the necessary transportation that we need, despite the millions of dollars from President Obama's stimulus funds into the production of it.

The reality is we need oil. We have an opportunity to do it here, to create jobs. I think the perfect place for this to be considered is in the transportation bill because we're talking about transporting oil for America to be less dependent on Middle Eastern oil.

I would urge everyone to support the gentleman from Georgia and his motion, and I urge everyone to vote in favor of it.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

Those of us who are speaking on this motion to instruct the conferees are from the Energy and Commerce Committee, not the Transportation Committee, which developed the fundamental underlying bill to which this pipeline issue has been attached. The transportation bill provides an enormous amount of money for people to have jobs building the roads, mass transit, other kinds of transportation systems, and that all will be stopped if we don't renew the transportation bill itself.

The Senate, on an overwhelming bipartisan basis, got together and passed a transportation bill. The House wasn't able to do that. We were passing short-term extensions of existing law until we passed something to go to conference, and we're now in conference. So the motion is to instruct the conferees to take the House position on this pipeline issue.

The problem with it is the President has said he'll veto the bill. He'll veto the transportation bill if the pipeline provision is in it. He said it because he feels it needs to be reviewed before the decision is made on whether to allow this pipeline to be built. I don't consider that unreasonable.

What's really going on here is the Republicans want to stick it to the President. This is all politics. They want to make the President have to veto the bill, and then they'll say he vetoed the bill, how outrageous it is.

Let's not play politics. Let's reject this motion to instruct.

I yield back the balance of my time.

Mr. BARROW. Mr. Speaker, I yield myself the remaining time.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 8½ minutes.

Mr. BARROW. Mr. Speaker, I encourage the conferees to include approval of the Keystone XL pipeline. It will get Americans back to work. And while we're developing the alternative energy sources of the future, it will reduce our current dependency on purchasing oil from countries that don't share our values.

I understand the reasons why some folks are opposed to any new and unconventional sources of traditional energy that we rely on. The argument essentially is: More of the same means we'll increase our dependence upon a dirty source of energy. It will increase our dependence upon oil as the basic feedstock for transportation energy in this country.

Mr. Speaker, you can't increase your dependence beyond 100 percent. We are 100 percent dependent upon oil and its byproducts for the transportation energy in this country. Unlike the energy we get out of the walls or off the grid or out of the light sockets, a whole bunch of different energy feedstocks go into that basic energy commodity—some of it's coal; some of it's natural gas; some of it's nuclear, like the plants we're building in my district at Plant Vogtle; some of it's wind and solar.

We've got a lot of different energy feedstocks that go into the wires and we utilize in every other way. But the transportation energy in this country that we use to push all of our trucks, all of our cars, and all of our tractors, it all comes from oil. We've got all of our transportation eggs in one energy basket.

You can't increase your dependence anymore than 100%. That's where we are. I understand that's what people's concerns are. But I think Secretary Clinton summed it up conclusively just a year and a half or so ago back in October of 2010 at a conference. Secretary of State Clinton was quoted as saying:

We're either going to be dependent on dirty oil from the Persian Gulf or dirty oil from Canada until we can get our act together as a country and figure out that clean, renewable energy is both in our economic interests and in the interests of our planet.

Until we do that, we're going to be getting our oil from one source or the other. As for me, as between the Persian Gulf on the one hand and Canada on the other, I choose Canada.

Meanwhile, I am optimistic about the future of alternative, clean sources of energy, and I want to wean us off the use of foreign oil as much as anyone in this building. But we aren't there yet, we're not there now, and we're not going to be there in the foreseeable future. For as long as oil is our primary source of transportation energy in this country, we can't take it for granted, and we can't pretend that making it more scarce, or what's the same thing, making it more expensive is going to hasten the day we're no longer relying upon it just because we don't like it.

Mr. Speaker, the folks that I represent expect us to vote for jobs and for energy security. We have an opportunity to do that with the transportation bill. I urge my colleagues to support the motion to instruct and to send that message loud and clear to our conferees.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WHITFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

Mr. RAHALL. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Rahall moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to agree to sections 1528, 20017 (to the extent that such section amends section 5323 of title 49, United States Code, to provide subsection (k) relating to Buy America), 33007, 33008, and 35210 of the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from New York (Mr. HANNA) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

My motion is simple. It instructs the conferees to seize the opportunity to create more American jobs and to revive American manufacturing by closing loopholes in Buy American laws.

The House-Senate conference committee is seeking to resolve differences on the surface transportation reauthorization bill. But one thing we should be able to agree on right now is that every taxpayer dollar spent constructing highway, transit, and rail projects should help create jobs in America and not overseas.

American workers are still struggling to find work as our economy slowly recovers from the worst economic recession since the Great Depression. The construction and manufacturing sectors have been particularly hard hit. More than 56,000 U.S. factories have closed or moved overseas in the last 10 years, and 90,000 more manufacturing firms, most of which are small businesses, are at risk of going out of business.

Today, more than 2.2 million construction and manufacturing workers remain out of work. I have pleaded again and again that we must enact a well-funded, long-term surface transportation bill immediately and not let another construction season dwindle while Congress dawdles.

□ 2030

We must find common ground, and we must find it fast. As part of that effort, one area where I hope we can all agree is ensuring that the investments we make with this bill will be spent on projects that are stamped ''Made in America.'' We have the capability, the capacity, and the workers ready to get

the job done here at home. Unfortunately, we are currently giving these contracts and these high-skilled jobs away to foreign manufacturers and workers.

This motion to instruct directs House conferees to adopt several bipartisan Senate provisions to strengthen the Buy American provisions. The other body adopted these noncontroversial, commonsense Buy American provisions by voice vote and without a word of opposition.

First and foremost, the Senate Buy American provisions close existing loopholes that allow highway, transit, and rail projects to be subdivided into separate contracts, meaning Buy American rules no longer apply to most of the work. The most glaring recent example—and we've all heard about it—of project segmentation is California's Bay Bridge project, connecting Oakland to San Francisco.

Even though more than $320 million of Federal aid highway funds were spent on the Bay Bridge project, the project was divided into 20 separate construction projects. As a result, 343,000 tons of steel for the project were manufactured in China by a Chinese State-owned company that had no prior bridge-building experience—no prior bridge-building experience, employed 3,000 workers on the project, including welders, polishers, and engineers. These workers could be American workers, with our engineers designing the bridge and our workers welding the girders on our steel manufactured here at home and guaranteed to be much safer.

The Senate Buy American provisions also ensure, through robust notice and comment requirements, that U.S. companies will know of potential waivers to the Buy American law before the U.S. Department of Transportation grants the waivers. This process will enable these companies to assess whether they have an American-made product that can be used in the project. And that is what this motion is all about, ensuring that American workers and companies get a fair shot.

Last year I introduced bipartisan legislation, H.R. 3533, the Invest in American Jobs Act of 2011, to strengthen Buy American. The bipartisan Senate Buy American provisions incorporate many major provisions from this legislation.

Although I believe that we can do even more to strengthen Buy American, particularly in the area of public transportation, the bipartisan Senate Buy American provisions represent a good start. We will hear from some of our friends across the aisle that we should let the conference committee work its will. But let's be honest with ourselves: a vote against this motion is a vote to continue to send jobs overseas, to continue to weaken our economy, to continue to allow our foreign competitors to reap the benefits of rebuilding our Nation with American taxpayer dollars.

Mr. Speaker, we have a responsibility to U.S. taxpayers to ensure that the investments we make in our Nation's transportation and infrastructure truly help rebuild America—our infrastructure, our companies, and our people.

I urge adoption of this motion, and I reserve the balance of my time.

Mr. HANNA. Mr. Speaker, I yield myself such time as I may consume.

This motion, offered by my friend, the gentleman from West Virginia, instructs conferees to the Surface Transportation reauthorization conference to agree to several provisions in the Senate bill relating to Buy American requirements. These Senate provisions will expand Buy American requirements for the Federal highway program, the Federal transit program, and for Amtrak.

It is important to note that this is a nonbinding procedural vote. A vote for or against this motion does not impact the outcome of the conference negotiations. However, it's also important to note that time spent preparing and debating this motion would have been better spent at the negotiating table.

I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from New York (Mr. BISHOP), a very valued member of our Transportation and Infrastructure Committee.

Mr. BISHOP of New York. I thank Ranking Member RAHALL for yielding and for his leadership on this issue and his leadership on the Transportation and Infrastructure Committee.

Mr. Speaker, I support this commonsense motion to put America back to work by preventing the harmful outsourcing of American jobs. The U.S. is still recovering from the worst recession since the Great Depression. The manufacturing and construction sectors have been particularly hard-hit. In the past decade, more than 56,000 U.S. factories have closed or moved overseas. An additional 90,000 manufacturing firms are at risk of going out of business. More than 2.2 million construction and manufacturing workers remain out of work.

This motion to instruct directs conferees on H.R. 4348 to address important loopholes in Buy American laws in order to create more American jobs. Provisions contained in the Senate amendment to H.R. 4348 will help ensure that all steel, iron, and manufactured goods used to construct highway, transit, and rail projects are produced in the United States. By closing loopholes, these provisions will make certain that projects financed by U.S. taxpayers will be made in America, with jobs in our communities, not outsourced overseas.

This motion to instruct directs conferees to adopt several Senate Buy American provisions that would prohibit project segmentation on certain projects, require public notice and comment on waiver requests, require review of longstanding waivers, and require an annual report on waivers. I think that reasonable people would agree that this isn't too much to ask for projects that are paid for with U.S. taxpayer dollars.

Federal transportation dollars should not be used to outsource American jobs. It doesn't make sense. It isn't right. I urge my colleagues to support this motion to instruct conferees.

Mr. HANNA. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. I thank the gentleman from New York (Mr. HANNA).

I rise in opposition to this motion to instruct. The motion to instruct would add to already stringent Buy American provisions in American law that apply to highway, transit, Amtrak, and inner city rail projects, making them unworkable in our increasingly globalized economy.

I know this is well-intentioned. But too often in Washington, what some hope a bill will do, in fact, it does just the opposite. I know that many Members see the term ''Buy American'' and think they should automatically be in support. I understand that. I can certainly see justification for some Buy American provisions, and we already have that in law today. These are longstanding rules that are manageable for our American job creators and aligned with our international standards.

However, ''Buy American'' doesn't actually mean what it appears to mean. This motion to instruct would actually have the opposite effect, undermining America's transportation, infrastructure, and development as well as America's competitiveness and job growth. Instead of providing surefire markets for our local companies, goods, and services, this motion to instruct would actually backfire. The result will raise costs for American taxpayers, delay American projects, and burden American businesses that could, instead, be focusing on creating jobs in the struggling economy. And it conflicts with our goal of making the United States the most competitive country in the world.

I also want to insert into the RECORD two letters, one from the U.S. Chamber of Commerce, which is representing 3 million businesses in America, and another from the Emergency Committee for American Trade, local companies that employ over 6 million workers, both opposing this motion to instruct.

Let's explore the reasons why I urge my colleagues to oppose this motion. First, it will increase costs for transportation projects by requiring that local content requirements apply to more projects by making waivers from

these local requirements much more difficult.

□ 2040

That means that few transportation projects can be undertaken to fix our aging infrastructure. This is not the time to impede strategic investment in American infrastructure, which holds the key to U.S. economic competitiveness and prosperity.

Second, a misplaced requirement to ''buy local'' would hurt American companies, undermine their competitiveness, hamper their innovation and productivity, and prevent them from participating in bidding for transportation projects due to their increasingly global supply and production chains.

As we all know, many products that American companies build will sometimes have parts from other parts of the world, mainly so they can compete against other products in the world. Take, for example, a store from back home in Texas, where a Canadian manufacturer of PVC pipes and fittings was advised by its distributor in California that the contractor, who had used its fittings on sewage pipes installed at Camp Pendleton, was being asked to remove the fittings from the ground and replace them with a similar product from an American competitor.

So far, it sounds good. The problem is the Canadian manufacturer purchased most of its plastic resin inputs to make those fittings from Texas-based companies—from American companies in Texas. That meant that Buy American restrictions prevented our local companies from being able to export their product to Canada and sell it as part of an overall project in California. It was an overall lose-lose situation for everybody.

In short, more stringent Buy American provisions actually make it harder to sell American because of the realities of how products are built these days. These provisions will prevent American companies from being able to sell inputs—their products—to foreign companies, who then go after government contracts. It may sound attractive to cut foreign companies out of the procurement market, but don't forget about the thousands of American companies and millions of American workers who stand behind them and depend on them.

Third, tightening Buy American restrictions also sends a message to our global competitors that it's all right for them to enact more barriers against American goods and services when they're selling and buying procurement in their home market. In fact, all over the world—in countries like China, India and Brazil—local-content rules in a variety of industries are popping up to block American companies from selling into there.

In justifying those restrictions against our American companies, these countries often point to Buy American provisions and argue that what they're doing is just the same. Well, this dynamic has the effect of stopping American businesses and their workers from competing in vast foreign procurement markets around the world, resulting in billions of dollars lost to America and to our opportunities to sell our products overseas.

Fourth, such measures also make the United States a less attractive market for foreign-based companies that employ millions of hardworking Americans here at home. Expanded domestic content requirements send precisely the wrong signal, as America seeks to reverse the trend of declining foreign investment into America, which creates products and companies and jobs here in America.

And, fifth, tightening the Buy American restrictions could also leave the United States vulnerable to World Trade Organization litigation and retaliation based on what our obligations are under the WTO government procurement agreement.

Overall, stricter Buy American provisions undermine the American Government's ability to buy the highest quality goods and services at the lowest cost to us, the American taxpayers. It makes it more difficult to maintain policies consistent with our obligations around the world, and it blocks our ability to show our trading partners they need to open their procurement markets to American goods and services, and at the same time they hurt U.S. companies that are trying to find customers for their products and services.

I understand how politically appealing these measures can be; but when they backfire against American companies, when they backfire against American workers, you don't read much about it, but it costs these workers their livelihood. Frankly, it takes American companies competing here at home and around the world out of the picture.

At a time when we have a struggling economy, after the stimulus, after all the bailouts, after all the Cash for Clunkers, deficit spending, we actually have fewer Americans working today than when the President took office. Now is not the time to hurt more American workers, drive up the cost of these projects, delay them further, and ultimately hurt our ability to compete and sell around the world. No matter how politically appealing, this makes no economic sense for America.

For all these reasons, I urge my colleagues to vote ''no'' on this motion.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, May 17, 2012.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, urges you to oppose the Rahall Motion to Instruct on the Highway Extension Conference Report that would expand requirements that projects be built with U.S. steel and other goods—otherwise known as ''Buy America'' provisions.

The Rahall motion would impose costly and burdensome contracting obstacles upon federal, state, and local entities that receive funding under the surface transportation bill. Passage of this motion would have the unintended consequence of increasing costs and delaying much-needed infrastructure reinvestment, thereby resulting in fewer transportation projects being funded.

While the ''Buy America'' sentiment may sound appealing, the reality is quite different. As the U.S. already imposes significant ''Buy America'' contracting requirements, the Rahall motion would undermine American job creation and competitiveness, and would undercut Congress' goal of ensuring that transportation funds are spent in the most efficient and cost-effective manner possible. There is no need to expand ''Buy America'' provisions and doing so would be highly counterproductive, particularly for industry sectors hard hit by the recession.

The Chamber opposes the Rahall Motion to Instruct and urges you to vote against this effort to expand ''Buy America'' provisions.

Sincerely,

R. BRUCE JOSTEN.

EMERGENCY COMMITTEE
FOR AMERICAN TRADE,
Washington, DC, May 17, 2012.

DEAR REPRESENTATIVE: We are writing to express our strong opposition to the Rahall Motion to Instruct Conferees to accept certain Buy America expansion provisions included in the Senate Amendment to H.R. 4348, the Surface Transportation Act/Moving Ahead for Progress in the 21st Century that would substantially expand ''Buy America'' provisions for transportation projects in ways that will undermine infrastructure development, and American competitiveness and job growth.

Founded in 1967, ECAT is an organization of the heads of leading U.S. international business enterprises representing all major sectors of the American economy. Their annual worldwide sales exceed $3 trillion and they employ more than 6.4 million persons. ECAT's purpose is to promote economic growth through the expansion of international trade and investment.

As you know, the United States maintains robust domestic preference (e.g., Buy America) provisions in U.S. law, with particularly strong provisions related to transportation projects. These provisions provide strong preferences for the use of U.S. products and only permit the use of foreign goods from those foreign governments that are members of the World Trade Organization—Government Procurement Agreement (or similar provisions in trade agreements) where foreign governments open their procurement markets to U.S. goods, and for limited cost and availability, or public interest reasons. Those exceptions are vital to enable the U.S. government to procure effectively and efficiently in the public interest and to avoid price increases that will undermine procurement that would otherwise occur without a competitive marketplace.

The importance of maintaining balance in U.S. Buy America rules is more important than ever. U.S. companies are increasingly engaged in international supply and production chains that use inputs from overseas,

which enhance their competitiveness and the ability to manufacture and sustain and grow jobs in the United States. With tight fiscal constraints, the United States and state governments need to procure in the most efficient and cost-effective manner.

The Senate amendments, if adopted, would undermine U.S. infrastructure development, reduce competition, and restrict the United States' ability to acquire the best goods, services, and technologies at the best value for U.S. taxpayers.

Equally concerning is the impact that such Buy America expansions will have on U.S. companies seeking to expand their sales to burgeoning foreign procurement markets, where other governments are likely to retaliate with their own limits on U.S. participation in foreign procurements, shutting U.S. companies potentially out of hundreds of billions of dollars of new procurements overseas.

The Senate provisions that the Rahall motion would seek to include in H.R. 4338 would create costly and time-consuming obstacles to the waiver process and limit procurement flexibility of local governments, thereby expanding the application of Buy America provisions. Such proposals are unnecessary and counterproductive to efforts to promote infrastructure development and improve America's international competitiveness. Such proposals also send the wrong signal to other countries that will use buy national provisions like this to justify increasing the exclusion of U.S. goods and services from their own infrastructure projects.

We share your strong interest in strengthening America's infrastructure and promoting greater economic growth. We strongly urge you, therefore, to oppose the Rahall Motion to Instruct Conferees on adopting of restrictive Senate Buy America provisions that will undermine the goals of this legislation and its ability to stimulate U.S. growth.

Respectfully,

CALMAN COHEN,
President.

Mr. RAHALL. Mr. Speaker, I am very proud to yield 3 minutes to the gentlelady from Ohio (Ms. SUTTON), who's been a real stalwart and real fighter for Buy American provisions and American jobs.

Ms. SUTTON. I thank the gentleman for yielding, and I thank him for his leadership.

Mr. Speaker, I rise today for the laborer and the steelworker. I rise today for the small business owner and the working family. I rise today to support this motion to instruct because we should all rise and we should all strive to support our working families and create jobs right here in this country.

We know that one way to do that is to ensure that the money we spend to rebuild and strengthen our transportation and infrastructure, if we spend it here, it leads to jobs here. If we invest in American iron, steel, and manufactured goods, we are investing in the people who produce those products.

While it's easy to stand up here on the floor and talk about the need to support our workers and create jobs, this motion takes those words and turns them into action. By closing loopholes and strengthening Buy American provisions, we come one step closer to ensuring that every American taxpayer dollar spent on transportation and infrastructure will be spent on an item proudly stamped: ''Made in America.''

Last year, I was proud to introduce the American Jobs First Initiative, a series of four bills to strengthen Buy American laws and level the playing field for American manufacturers and workers. I introduced them, Mr. Speaker, because every day I hear from Ohioans who are ready to get back to work. Every day I hear from Ohioans who just want a chance at a good-paying job and a slice of the American Dream. And every day I hear from Ohioans who want this Congress to act to make sure that when their taxpayer dollars are being used, that we will use American iron and steel and manufactured goods to build that infrastructure.

This is our chance, Mr. Speaker. Vote ''yes'' on this motion to instruct. Vote for jobs. Vote for working Americans. And vote to give our constituents a fair chance at the American Dream.

Mr. HANNA. Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Connecticut, Mr. CHRIS MURPHY.

Mr. MURPHY of Connecticut. Thank you very much, Mr. RAHALL.

I rise in support of this motion to instruct. Over the past year, the President and Democrats have proposed a series of measures to spend a little bit of money to put people back to work, to spend some money to educate our kids, to build some new schools, to expand broadband. Every single one of those efforts has been met by resistance from Republicans. I realize why that is. The argument is that we don't have any more money to spend. I get that argument. What I don't get is the argument against this motion.

What this motion says is that forget spending new money. Let's just make sure that the money that we are already obligated to spend is spent on American jobs. No new money. Let's just redirect the money that we're spending on bridges, on roads, on railways, and make sure that it gets spent on U.S. companies.

It's wrong to suggest that we're talking about dramatically ratcheting up Buy American standards such that we're going to ignite some trade war with WTO companies. That's not what we're talking about here today. Buy American laws have been on the books for generations. What we're talking about is just bringing Buy American standards back to what they used to be.

The fact is that we have blown hole after hole after hole in Buy American, in part because the Chamber of Commerce, which opposes this motion to instruct, thinks it's a good thing for big multinational companies who bid on a lot of this work to be able to take big chunks of it overseas where they can drive down the cost to them and keep a bigger differential of the contract.

□ 2050

Let me give you an example of these loopholes. One loophole is a provision that allows you to segment a contract into all sorts of small, little pieces. When you segment that contract into small pieces, each one of those pieces can result in the amount of the particular contract being so small that it doesn't qualify for Buy American.

Well, on one particular bridge contract in San Francisco, by segmenting out the contract and getting around Buy American, we lost 43,000 tons of steel to a Chinese steel company. American jobs lost.

When you allow for every country that signs a trade agreement to be exempt from Buy American, this happened. Guess what? Today we make our dog tags on a European-made machine simply because the country that makes it is exempt from Buy American, and they bid 4 percent less than the American company did. American jobs lost.

We win when we enforce Buy American because what happens is a company gets a contract. They subcontract with other American companies, and the ripple effect of that one initial contract multiplies jobs times three throughout the economy. Every time we send a contract overseas, yes, it may save that particular bid 3 or 4 or 5 percent. But when we lose that job here in America, when we have to start paying unemployment compensation, when we lose the taxes to the Federal Government, when that unemployed worker's kids need to go on Medicaid, guess what? That 3 or 4 or 5 percent disappears overnight. Let's pass this motion to instruct.

Mr. HANNA. Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I am happy to yield 4 minutes to a very valued member of our Transportation and Infrastructure Committee, the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise in support of the motion to instruct offered by my good friend, the ranking member of the Transportation Committee, Mr. RAHALL. Mr. RAHALL has been a true advocate for the American worker, and certainly for our Nation's transportation system. He understands the key importance of not only passing this bill, but making sure that this bill is putting Americans to work.

This Congress, I have been working to improve Buy American requirements through my Buy American Improvement Act. Mr. RAHALL introduced the Invest in American Jobs Act of 2011. Unfortunately, we have been unable to move either of these bills here in the House, and we were unable to include language in the House version of

the bill that we worked on in committee. But over in the Senate, they came to a bipartisan agreement to include these important provisions in the bill, including prohibiting the segmentation of transportation projects, guaranteeing transparency and opportunities for public comment on requests for waivers to Buy American provisions, requiring longstanding waivers to be reconsidered, and requiring DOT to report annually on the waivers it grants.

Now why is this important? It's important because all too often there are loopholes that are either purposely used in order to get a product from overseas, or sometimes just simply overlooked.

I had an issue with a contractor, a defense contractor in my district, who lost a job, lost a bid to make a product to a South Korean company. They knew that the law was not followed. But far too often, someone who has a product to offer, someone who has a product that can be used in a transportation project, does not even know that they were passed over. It's critical that we put this Senate language in the final bill, the conferees do that, so we can know when an American company can do the job, and we get that to American workers.

If we ensure that all of the iron, steel, manufactured goods used in Federal highway, transit, and railroad projects is produced in the United States, it creates jobs for American manufacturers and stops needless outsourcing. In addition, by closing loopholes, those provisions will guarantee that when projects are funded by U.S. taxpayers, they will be made by American workers and create American jobs instead of being outsourced overseas.

There's a reason that the Chinese insist on ''Buy Chinese,'' just as India insists on ''Buy Indian,'' and Brazil on ''Buy Brazilian.''

We're here to say that we need to do the same thing, to send the message that U.S. taxpayer dollars should be spent in the United States, not in China, not anywhere else.

These are provisions our country needs now more than ever. The American taxpayer funds for transportation should be used to create American jobs. It's just common sense. If you go home, any of us, we go home and we talk to our constituents, they understand it. They know that it's common sense. Unfortunately, it's far too infrequent that we do what is common sense here.

The Senate managed to do what is common sense and put in important, key Buy American provisions in their version of the transportation bill. The conferees should accept that Senate position, that bipartisan position, the commonsense position, and make sure that we get this transportation bill passed as soon as possible and make sure that those taxpayer funds are used to put Americans to work, not to be outsourced.

I urge my colleagues to support this motion.

Mr. HANNA. Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from West Virginia has 14½ minutes remaining, and the gentleman from New York has 21 minutes remaining.

Mr. RAHALL. And do I have the right to close?

The SPEAKER pro tempore. Yes.

Mr. RAHALL. I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the ranking member of the Transportation Committee, and I thank him for his leadership.

Many Members have firsthand experience in addressing some of the angst of our constituents, whether it's in West Virginia or in the State of Texas, California, Ohio, maybe even Utah. We recognize that we have an obligation as part of the international family to engage in trade. That it's part of the economic fabric of this construct in which we work together.

But Mr. RAHALL's motion is both instructive and vital. For those who have had the opportunity to receive most recently Federal transportation dollars, the city of Houston has waited a mighty long time. But in the course of doing that, unfortunately, over two decades of trying to secure funding for a light rail project, we have seen the steel industry in America decimated.

The story of the San Francisco bridge is not only tragic, it is with great sadness that one would lose jobs and opportunities because of the way that particular project was bid.

It is no insult to China for America to stand up and demand that we Buy American. It is no insult to our other allies for, Mr. Speaker, that is what everyone does.

This motion creates an even playing field in a new world matrix where every man and every woman on the international field of trade is for themselves. Let me tell you the story of dealing with Federal funding. I've made every effort to press for the building of railcars. We don't make railcars. What we have are companies that are based here in the United States, owned elsewhere, but are based here and therefore they make these particular railcars in the United States. That's at least halfway because it does create jobs. I frankly believe that if we are giving Federal funding, those same companies should try to relocate the rail-making process in the area where the light rail or the rail system is going.

The prohibiting of the segmentation of highway transit and Amtrak projects is brilliant because what it does, again, it creates an even playing field for the construction companies, for those who are in essence experts on making the aspects of highway and transit, and allows them the even playing field of bidding.

□ 2100

To require opportunities for public notice is crucial to give our companies an even playing field. Why should we be ashamed of trying to rebuild manufacturing, to try to put life back into the steel industry, because nothing is ever final until you make the effort to do so.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RAHALL. I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE of Texas. This gives us the opportunity again to match what is being done in other countries. There will be American companies that will tell you that bribes are passed, while they are trying to negotiate, by others trying to do business overseas.

I had a constituent in my office today that said that they engaged with a Korean company. They went in with an agreement; they had a signed agreement. They gave them their intelligence and proprietary information. They said that we will match this and do this together. When they got to the endpoint, that Korean company said, well, we've got to go out for bid, when they had been promised, the American company, that that would not be the case, that they would be partnering all the way.

Mr. Speaker, let me tell you what the final results were. The Korean company didn't go out for bid. They took the proprietary information and they did the job themselves—never did this kind of work, don't know how to do the work, but the American company was left out the door. Not exactly fitting what Mr. RAHALL is saying, but as an example of why we have to match the kind of intensity on the international arena. We have to match it by protecting American companies.

I would say that this is an important, vital motion to instruct, and I want Federal dollars to be utilized for American companies. I believe this is the right approach to Buy American.

Mr. HANNA. Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I'm ready to close if the gentleman is ready to yield back his time or close himself first.

Mr. HANNA. Mr. Speaker, I yield back the balance of my time.

Mr. RAHALL. Mr. Speaker, in conclusion on this motion to instruct, let me just say that the motion is in support of the Senate Buy American provisions.

The Senate-passed Buy American provisions are very similar if not exactly as the House Transportation and

Infrastructure Committee adopted on a voice vote, which was offered by the gentleman from Minnesota (Mr. CRAVAACK) during committee consideration of what was then called H.R. 7. So the majority has accepted this language in committee deliberation, and yet they appear to be opposing it as it comes to the floor today in the form of a motion to instruct the conferees.

I would say also that that Buy American provision that is in the Senate-passed bill that this motion seeks to accept does allow for the Secretary of Transportation to provide for other than U.S. made when that product that is needed cannot be found in the United States of America or when it is truly cost prohibitive to make that product in the United States of America. So there is sufficient waiver authority provided in the Senate Buy American provisions to allow the Secretary of Transportation to do what is in America's best interest.

But most importantly, by adopting my motion to instruct—and in conference hopefully adopting the Senate Buy American provision—we're ending the most egregious loophole that is used to export American jobs, and that is the segmentation of contracts that allows companies to circumvent current Buy American provisions.

Let me say in addition that I was here for most of the previous debate on the previous motion to instruct on the Keystone pipeline, and I heard a great deal of support from that side of the aisle urging American-made energy. I certainly agree with that principle. I'm an advocate of all-of-the-above—as long as it's domestic—in our energy policy in this country. And, I might add, I'm a supporter of the Keystone pipeline and have so voted in previous votes in this body.

But now it comes to this motion to instruct conferees on Buy American, and I hear just the opposite from the majority side by their rather silent opposition, but nevertheless stated opposition, to this motion because while they're for American-made energy, they appear to be against American-made products using American labor and using the Buy American label on U.S. steel and other products used in our highway construction and transit modes in this country. So it seems to me rather contradictory what we're hearing from the majority side in the debate on these two motions this evening.

So as I conclude, let me say that this motion has truly wide-ranging support. I recognize that the majority has inserted the United States Chamber of Commerce opposition to this bill, and then at the same time I heard reference to the deals and the contractual relationships and the other alliances that our United States—supposedly—United States Chamber of Commerce has with other countries to build these projects, again shipping jobs overseas. So I wonder if it's truly the ''United States'' Chamber of Commerce that's addressing this issue.

But I will list those that are supportive of the motion to instruct. The Alliance for American manufacturing, the American Institute of Steel Construction, the American Iron and Steel Institute, the BlueGreen Alliance, the Committee on Pipe and Tube Imports, the Concrete Reinforcing Steel Institute, the International Brotherhood of Electrical Workers, International Brotherhood of Teamsters, McWane, Inc., Municipal Castings Association, National Steel Bridge Alliance, Nucor Corporation, Specialty Steel Industry of North America, Steel Manufacturers Association, the Transportation Trades Department, and the United Steelworkers of America are among just a few of the groups that are supporting this motion to instruct.

So, again, let me say this is about—and I will conclude now—American jobs. When it's made in America, Americans can make it, and we have too many Americans today that are not making it. They are near their rope's end. They're frustrated. They do not see Washington or the Congress of the United States as in any way addressing the real problems that exist out there in America and the real problems in their lives. They see us just passing the buck and continuing to argue among ourselves and appear to not agree on anything.

But this is something that we do agree on, as evidenced by the bipartisan manner in which this bill passed the other body—and we know how hard it is to get anything through that other body. But this transportation legislation did pass with over 70 votes in the other body—a rarity in this atmosphere today in Washington, but nevertheless something that happened. That's what we ought to be adopting here is looking at that bipartisan bill and following the other body's lead in this provision and in the entire bill itself.

So I conclude and urge Members to adopt this motion to instruct conferees.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON. Mr. Speaker, I rise to speak in favor of Congressman RAHALL'S Motion to Instruct Conferees to close the loopholes in the Buy America laws. By closing these loopholes, we can create more American jobs, and revive our domestic manufacturing base.

Our economy is still recovering from the worst economic recession since the Great Depression. Today, more than 2.2 million construction and manufacturing workers are still out of work. Let's use this opportunity to get them back to work.

Provisions contained in the Senate amendment to H.R. 4348 will help ensure that the materials used to construct our roads and bridges are produced in the United States. These projects are financed with taxpayer dollars, and we should be using materials produced domestically, not outsourced overseas.

I want to encourage my colleagues to support this motion, and to seize this opportunity to promote our construction and manufacturing industries. By producing and manufacturing domestically, we will create and sustain good-paying jobs in our local communities.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RAHALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 2110

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The SPEAKER pro tempore (Mr. WITTMAN). Pursuant to House Resolution 661 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4310.

Will the gentleman from Utah (Mr. CHAFFETZ) kindly take the chair.

□ 2110

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, with Mr. CHAFFETZ (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 12 printed in House Report 112–485 offered by the gentleman from Colorado (Mr. POLIS) had been disposed of.

AMENDMENT NO. 17 OFFERED BY MR. COFFMAN OF COLORADO

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 112–485.

Mr. COFFMAN of Colorado. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title III, add the following new section:

SEC. 3___. GUIDELINES AND PROCEDURES FOR USE OF CIVILIAN EMPLOYEES OR CONTRACTOR PERSONNEL TO PERFORM DEPARTMENT OF DEFENSE FUNCTIONS.

(a) IMPLEMENTATION GUIDELINES AND PROCEDURES REQUIRED.—Subsection (a) of section 2463 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking the first sentence and inserting the following: ''The Under Secretary of Defense for Personnel and Readiness shall devise and implement guidelines and procedures to implement this section.''; and

(2) in paragraph (2), by striking ''to performance by Department of Defense civilian employees'' and inserting ''to either performance by Department of Defense civilian employees or performance by contractor personnel''.

(b) CERTAIN FUNCTIONS.—Subsection (b) of such section is amended to read as follows:

''(b) SPECIAL CONSIDERATION FOR CERTAIN FUNCTIONS.—The guidelines and procedures required under subsection (a) shall provide for special consideration to be given to using Department of Defense civilian employees to perform any function that is performed by a contractor if the function—

''(1) is closely associated with the performance of an inherently governmental function; or

''(2) has been performed pursuant to a contract awarded on a non-competitive basis.''.

(c) REPEAL OF EXCLUSION.—Such section is further amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) through (g) as subsections (c) through (f), respectively.

(d) CROSS REFERENCE.—Paragraph (2) of subsection (d), as so redesignated, is amended by striking ''inherently governmental or any function described in subparagraph (A), (B), or (C) of subsection (b)(1)'' and inserting ''inherently governmental function''.

(e) DEFINITIONS.—Subsection (f) of such section, as so redesignated, is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Colorado (Mr. COFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. COFFMAN of Colorado. Mr. Chairman, over the last few years, the prevailing trend within the Department of Defense has been an increased bias for the use of Federal employees to perform commercial services. This pendulum has swung too far in the direction of a noncompetitive, Big Government model.

Congress is cutting the defense budget by $487 billion over the next 10 years and simultaneously preventing the Pentagon from utilizing free market competition to drive down the cost of doing business. We must take the handcuffs off the Department of Defense and allow the Secretary to shop for the best products and services at the best price.

I am offering amendment 17, which simply returns balance to civilian employees and private contractors in the Department of Defense. My amendment removes any bias towards private or public workforce performance of commercial activities. It allows the Secretary of Defense more options and discretion to efficiently manage taxpayer money authorized to run his Department.

In 2010, then-Secretary Gates admitted, ''We weren't seeing the savings we had hoped for from insourcing.'' Despite the candid assessment, the Department of Defense remains prohibited from utilizing any form of competition when looking for new commercial services, and it is too often directed to insource services that are currently being performed by private contractors.

Small businesses that received government contracts by virtue of a competitive bidding process are powerless to stop the loss of their jobs under the practice of insourcing.

Noncompetitive and nearly unrestricted insourcing practices are fiscally irresponsible and ones that we cannot afford in the current or foreseeable fiscal environment.

My amendment will strike the law that prevents the Secretary of Defense from utilizing private sector competition to provide new products or services. It replaces those restrictions with the ability to competitively bid out for new commercial products or services and select the most cost-effective option. Further, it removes criteria that compel the Pentagon to insource competitive contracts currently being performed.

According to OMB, GAO, and the Center for Naval Analyses, savings of 30 percent are achieved when implementing competitive sourcing for commercial activities currently performed by the government. The Federal Activities Inventory Reform, or FAIR, Act requires the Director of OMB to compile a list of activities performed by Federal Government sources that are not inherently governmental functions.

The Department of Defense, the FAIR Act identified 453,000 jobs that could be performed by a competitive source. If competition is applied to all DOD FAIR Act positions, the annual savings could exceed $13 billion.

My amendment recognizes that there are certain functions that should be performed by Department of Defense civilian employees. It does not adjust the definition of ''inherently governmental functions'' or functions ''closely associated to inherently governmental'' and does not seek to outsource those functions in any way. It will only address commercial functions and afford the Department of Defense options to reduce the cost of providing those products and services.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from Guam is recognized for 5 minutes.

Ms. BORDALLO. I yield myself 2 minutes.

As the ranking member on Readiness, I rise in strong opposition to this amendment, Mr. Chairman.

The amendment flies in the face of the total force management provisions adopted by Congress on a bipartisan basis in last year's defense bill and supported by the sponsor of this amendment. Defense Secretary Panetta has stated he is committed to promoting and facilitating improved total force management that is requirements-based and delivers the appropriate mix of civilian, military, and contracted support.

The amendment does not simply lift the A–76 moratorium, as the author suggests. I would note that our committee, on a bipartisan basis, rejected an amendment to lift the moratorium by a bipartisan 25–36 vote. This amendment simply guts how the Department of Defense manages its personnel and reduces oversight of many contracted functions. The amendment is contrary to the bipartisan consensus that this Congress has forged in how DOD should and can manage its personnel.

So I'm asking, do not vote on lifting the A–76 moratorium. Say ''no'' to this amendment. And I urge my colleagues to oppose it.

I reserve the balance of my time.

Mr. COFFMAN of Colorado. Mr. Chairman, there are three principal changes that this amendment makes to current law:

One is it states that new functions that the Department of Defense enters into, as far as having contract requirements, can be done by the private sector. It doesn't say shall be done by the private sector. It merely gives the Department of Defense an option, a tool to save money.

Functions that have been performed by the Department of Defense civilians for the past 10 years, irrespectively, whether they're done cost-effectively or not, again, it doesn't say that the Department of Defense has to outsource these functions. It says that they may, based on whether or not it's a cost-effective option.

Expansion of existing functions performed by Department of Defense civilians, again, if, in fact, there's additional requirements later on, something that's currently done by civil service employees, current law says we have to only accomplish it through civil service employees. This gives them the option.

The Acting CHAIR. The time of the gentleman has expired.

Ms. BORDALLO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. Mr. Chair, I rise in opposition to the Coffman amendment.

Under the guise of efficiency, this is really an assault on the Federal civilian workforce.

The Coffman amendment is based on the misguided belief that private contractors are less costly and more efficient—in other words, outsourcing and privatization should be the way we go—when, in fact, the insourcing of the work has been proven to be more efficient.

POGO, the Project on Government Oversight, said that the private contractors get paid about 1.83 times, almost twice, more than the government pays its employees. In fact, government pay is less in all of the 35 categories that they reviewed.

The amount spent on civilian personnel grew from fiscal year 2001 to 2010 from about $41 billion to $69 billion. In the same time frame, the private sector grew $73 billion to $181 billion. But, more importantly than that, the Army has said insourcing saves them 16 to 30 percent.

So we hear now today that this is what we want to give to the Secretary of Defense. Leon Panetta says he wants to uphold the policy of the total force management; that there is an appropriate mix of civilian, military, and private, and what we need to do is let that continue.

So this amendment is not supported by the facts. It's not even supported by the Department of Defense. It is clearly an attempt to just support the private sector on the back of Federal employees, and for that reason, I ask everyone to vote ''no.''

□ 2120

The Acting CHAIR. The gentlewoman from Guam has 2 minutes remaining.

Ms. BORDALLO. Mr. Chairman, I can speak from firsthand experience. The A–76 program was a pilot program in the territory of Guam a few years ago. I served as Lieutenant Governor at the time, and I will say this for the record that this program was a dismal failure, and that's what we experienced.

The Department of Defense has found in-sourcing to be very effective. It's an effective tool for the Department to rebalance the workforce, to realign inherently governmental and other critical work to government performance from contract support and, in many instances, to generate resource efficiencies.

So, again, we should vote ''no'' on this amendment. Lifting the A–76 moratorium would be a sad mistake on our part.

I yield back the balance of my time.

Mr. LOEBSACK. Mr. Chair, I strongly oppose amendment number 54 offered by Congressman COFFMAN.

By reducing oversight and limiting the Department of Defense's ability to address contracts that are over cost; high risk; or poorly performed, it reduces DOD's ability to meet management, readiness, and critical risk mitigation needs.

What's more, it undermines a bipartisan initiative enacted just last year that ensures the Department of Defense is able to utilize the entire defense workforce to protect taxpayers; our readiness to respond to a national security emergency; and our nation's ability to rapidly equip our troops with the equipment they need, when they need it.

When our Humvees needed to be uparmored to protect our troops, Rock Island Arsenal produced and delivered the initial Add-on-Armor kits within a month of receiving the order. This lifesaving armor had to get into the field as quickly as possible to save our troops lives, and only an arsenal had the capability to do it.

They did it again to protect our troops by armoring Stryker vehicles. The men and women at Rock Island Arsenal worked 24 hours a day, 7 days a week to produce the Common Ballistic Shield kits that our troops needed.

Yet this amendment would actually make it more difficult to maintain critical capabilities and ensure the civilian workforce at Rock Island Arsenal and across the country are able to respond when our troops and our country need them.

I strongly urge my colleagues to oppose this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. COFFMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COFFMAN of Colorado. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 18 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 112–485.

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 132, line 7, strike ''106,005'' and insert ''106,700''.

Page 133, line 22, strike ''14,952'' and insert ''14,833''.

At the end of subtitle G of title X, add the following new section:

SEC. 1078. LIMITATION ON AVAILABILITY OF FUNDS FOR TRANSFER, REDUCTION, OR ELIMINATION OF CERTAIN AIR NATIONAL GUARD UNITS.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used during fiscal year 2013 to transfer, reduce, or eliminate, or prepare to transfer, reduce, or eliminate, any unit of the Air National Guard supporting an Air and Space Operations Center or an Air Force Forces Staff.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if—

(1) the Secretary submits to the congressional defense committees written certification that such a waiver is necessary to meet an emergency national security requirement; and

(2) a period of 30 days has elapsed following the date on which such certification is submitted.

(c) REPORT.—

(1) IN GENERAL.—Not later than June 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report by the Chief of the National Guard Bureau and the Chief of Staff of the Air Force and approved by the Secretary of Defense that specifies, with respect to all Air National Guard units supporting an Air and Space Operations Center or an Air Force Forces Staff that are proposed to be reduced or eliminated during fiscal years 2013 through 2017—

(A) the economic analysis used to make each decision with respect to such unit to be reduced or eliminated;

(B) alternative options considered for each such decision, including an analysis of such options;

(C) a detailed account of the communications with the corresponding Air and Space Operations Center or Air Force Forces Staff that went into each such decision;

(D) a detailed account of the communications with the corresponding command that went into each such decision;

(E) the effect of each such decision on—

(i) the current personnel at the location; and

(ii) the missions and capabilities of the Air Force; and

(F) the plans for each location that is being realigned, including the analysis used for such plans.

(2) GAO ANALYSIS.—The Comptroller General of the United States shall carry out the following:

(A) An economic analysis of each decision made by the Secretary of Defense with respect to reducing or eliminating an Air national guard unit included in the report under paragraph (1).

(B) An analysis of the alternative options considered for each such decision, including an analysis of such options.

(C) An analysis of the communications with the corresponding Air and Space Operations Center or Air Force Forces Staff that went into each such decision.

(D) An analysis of the communications with the corresponding command that went into each such decision.

(E) An analysis of the effect of each such realignment decision on—

(i) the current personnel at the location; and

(ii) the missions and capabilities of the Army; and

(3) COOPERATION.—The Secretary of Defense shall provide the Comptroller General with relevant data and cooperation to carry out the analyses under paragraph (2).

(4) SUBMITTAL.—Not later than 90 days after the date on which the Secretary submits the report under paragraph (1), the Comptroller General shall submit to the congressional defense committees a report containing the analyses conducted under paragraph (2).

(d) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in section 301 and 421 for operation and maintenance and military personnel, as specified in the corresponding funding tables in section 4301 and 4401, respectively, are hereby increased by a total of $36,513,000, to be distributed as follows:

(A) The amount authorized to be appropriated in section 4301 for operation and maintenance, Air National Guard, is hereby increased by $10,686,000.

(B) The amount authorized to be appropriated in section 4301 for operation and

maintenance, Air Force, is hereby increased by $1,040,000.

(C) The amount authorized to be appropriated in section 4401 for military personnel, Air National Guard, is hereby increased by $21,993,000.

(D) The amount authorized to be appropriated in section 4401 for military personnel (MERHC), Air National Guard, is hereby increased by $2,794,000.

(2) REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for Research, Development, Test, and Evaluation, as specified in the corresponding funding table in section 4201, is hereby reduced by $36,513,000, to be derived from the Ballistic Missile Defense Midcourse Defense Segment.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. In the important debate to save National Guard units, we made some steps forward in this bill and, unfortunately, also took steps backward. Many in the Chamber may assume that all the National Guard units were restored in the markup of this bill. That's simply not the case.

A vital and unique group of Air National Guard units, known as C-NAFs, have a full-time mission to support Active Duty bases. These augmentation units take on a large chunk of the workload while only accounting for a small percentage of the mission's workforce—and the work is all done domestically. In and of itself, that provides a higher degree of security because there are discrete sites that are isolated and more easily secured here in the United States. These units were created because they're cost effective, and eliminating them will result in unfinished business, displaced costs and, perhaps the most alarming of all consequences, endangered lives.

To illustrate, the 102nd Air Operations Group at Otis Air National Guard Base works 24/7 365 days of the year to conduct 30 percent of the Air Force Global Strike Command's surveillance mission, and only accounts for 10 percent of the Command's workforce—30 percent of the mission and 10 percent of the Command's workforce. The 102nd Air Operations Group's counterparts at Barksdale Air Base in Louisiana rely on these great men and women to examine realtime footage and spot out threats.

When I talk about consequences, including the endangering of lives, the work of this unit has helped our servicemen and -women avoid concealed insurgents on the battlefield, and it tracks the proliferation of nuclear weapons as these events are occurring. It has the backs of our soldiers in the field, and it affords its own level of defense against nuclear weapons. Unfortunately, Mr. Chairman, the Air Force is only now realizing the impact of this loss.

I apologize for all of the acronyms that are here, but I wanted to take the actual slide from the Air Force's presentation. This slide is from May 2. It is an Air Force briefing to Lieutenant General Herbert Carlisle, deputy chief of staff for operations for the Air Force.

It proves that units like the 102nd AOG are essential. According to this slide, which is only 2 weeks old, the 102nd Air Operations Group is ''essential to the U.S. Strategic Command's time-sensitive planning mission,'' and the impact of losing this unit will render the Air Force ''unable to fully support extended time-sensitive scenarios.''

Furthermore, the Air Force reiterates that without the 102nd Air Operations Group, the mission of the Global Strike Command will not be supported, and the Rapid Assessment Team currently in place at Barksdale cannot take on more surveillance duties without the 102nd AOG.

But perhaps the most glaring piece of information on this slide is on the last line, which simply states:

The National Guard Bureau did not coordinate this cut with USSTRATCOM, Global Strike Command and the 8th Air Force.

Mr. Chairman, clearly, even the Air Force knows that a big mistake was made in the decision to eliminate these Guard units. My amendment simply freezes cuts to the Air National Guard units to support the Air Force until the impact of the unit's loss is determined and reported to Congress. This language leaves room to sort out the units that are essential to our national security and to cut where duplicative missions exist. For these reasons, I urge all of my colleagues to vote in favor of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Readiness, the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. I thank the gentleman for yielding.

Mr. Chairman, I want to say to my friend on his amendment that we share his love for the Guard across this body. I think most of the Members here recognized the great job they do day in and day out for us.

That's why I want to also say how much we appreciate the chairman's work and the ranking member's work to make sure in this bill that they have raised and saved many of our Guard priorities, and I thank them for looking in there and for doing that.

I wish we had been able to save everything in this bill, but friends on the other side have criticized us for the extra money we've put in already.

One of the things that you realize, Mr. Chairman, is that at times you just do have to make an allocation. In this particular situation, the National Guard Bureau actually looked and said, We want to save and prioritize our UAV mission because we think that's higher than headquarters functions. That's what they did. They made a priority assessment that it was more important for us to save the UAV missions, which they did, and not headquarters operations. I also realize, as the gentleman does, that we would like to each preserve these Guard units in our own areas, but the Department of Defense just felt that that wasn't possible. They opposed this amendment.

Mr. Chairman, I would say, if you have to make the choice between protecting our headquarters units and protecting missile defense, I think that's an easy decision for us. We want to make sure we are continuing to protect missile defense. I hope that we will vote against this amendment.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to my friend and colleague, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. I want to thank Chairman FORBES for his commitment and support for the Air National Guard and also thank Chairman MCKEON.

This amendment is not about the National Guard or the Air National Guard or even: How are we going to support our Guard? This amendment is about cutting missile defense. If you look at the amendment, it looks to take money from our national security, specifically in the area of our missile defense. Now, this is one amendment of a series of amendments that are coming across from the other side of the aisle that are attempting to cut missile defense.

This occurs at a time when Iran and North Korea continue to increase as a threat to our country. Secretary Gates even said, as he was departing, that North Korea is rising to the level of being a threat to the mainland of the United States—missile defense becoming that much more important.

Coincidentally, as we know, this also comes on the heels of the President's having what people know as an open-mic event when the President was caught surprised that his mic was open so that the American people could hear a conversation that he was having with President Medvedev in which he said that after the election—his last election—that he would have greater flexibility to deal with the issue of missile defense.

Now, the President, in his secret deal with the Russians has not yet told us what it is that he would lessen in our missile defense; but I know, as we look to these amendments, they are consistent with the issue of: Do we have a

strong missile defense? Do we not have a strong missile defense? Do we follow the President's lead of a weakening of our national defense and our missile defense?

□ 2130

On this side of the aisle, I think the American people believe that we need a strong missile defense, we need to make certain that we're protecting our homeland; and we're protecting our mainland.

I asked the White House and I asked the President if they would tell us what was in this secret deal that they have with the Russians, and they did respond to me in a letter of April 13, as Ranking Member SMITH mentioned. This letter does not say at all that there are any terms that the White House is willing to discuss, but it does say this sentence:

It is no secret this effort will be more complicated during election years.

Even in writing and in the openmiking event, the President says that after this election he'll have more flexibility, meaning that he can't stand in front of the American people and tell us what his plans are for missile defense or it could affect his election, meaning the electorate themselves would not support what this President wants to do with missile defense. I know the electorate would not support this Keating amendment.

It is important that we have a strong missile defense as we look to Iran and North Korea, and this Ground-based Midcourse Defense system that they want to cut in this amendment is the only one that we currently have that protects mainland United States. The CE1 intercepter has been tested, and it is three for three in its success. This is a system that works, that we need to make certain that we continue, and it certainly is one that I know the American public supports and wants us to continue.

Mr. KEATING. Mr. Chairman, how much time is remaining on each side?

The Acting CHAIR. The gentleman from Massachusetts and the gentleman from California each have 30 seconds remaining.

Mr. KEATING. Thank you, Mr. Chairman.

Don't be presumptuous enough to tell me my motivations. We looked for many pay-fors in this plan. What we have is plain and simple. We have enhancement of the security of our country because we have a plan that works and that will save lives and help us resolve missile-defense issues by tracking them versus a pay-for that we located that was $400 million over budget. I only took 9 percent of that, leaving 91 percent of that intact because I think this tradeoff enhances our security.

I yield back the balance of my time.

Mr. MCKEON. I yield my remaining 30 seconds to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. The gentleman states that his amendment only takes 9 percent from missile defense. The gentleman is stepping forward and saying what's in his amendment. The President, however, won't tell us how much he wants to cut from missile defense as he goes through this election cycle with the secret deal that he has with the Russians.

The one thing that we know is that this system stands ready to defend the United States, and it is necessary. Iran and North Korea continue to increase their threat to the United States. This system deserves our funding. It deserves the funding that's in this bill. This amendment should be defeated.

Mr. MCKEON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KEATING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 19 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 112–485.

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title V, add the following new section:

SEC. 5___. ELIMINATION OF MAXIMUM AGE LIMITATION FOR ORIGINAL ENLISTMENTS IN THE ARMED FORCES FOR INDIVIDUALS WHO ARE OTHERWISE QUALIFIED FOR ENLISTMENT.

Section 505(a) of title 10, United States Code, is amended by striking ''nor more than forty-two years of age''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment is very straightforward. It would simply allow individuals of any age to enlist in the military so long as they were able to meet all of the requirements to ensure that they're fit for duty.

Under current law, only individuals who are 42 years of age or younger are allowed to enlist in the military. This seems to be an arbitrary number. As we can all probably attest, there are some 20-year-olds that cannot run a mile. Yet there are a growing number of middle-aged men and women who are extremely physically fit and, whether due to family, work, or other obligations, were unable to enlist when they were younger.

I've heard from some of these individuals. Mr. Chairman. They are competitive runners, triathletes, and general fitness enthusiasts. I daresay they are stronger and fitter than many younger people, and they have an added benefit of life experience and maturity. Yet when they attempt to use these skills to serve their country, the military tells them, We don't want you, you're too old.

Not long ago, I heard from a man who was in just this situation. He is a competitive ultra-marathoner, the picture of health. This gentleman, who after starting a family and establishing a career, decided he was finally able to realize his dream of serving in his country's military. Unfortunately, he was told that he was just a few months too old. As a result, he could not enlist.

While stories like this gentleman's are compelling, there are other loss potentials to consider, also. One of our colleagues, my good friend and the gentleman from my home State of Georgia, Dr. PHIL GINGREY, has experienced a similar issue. He's not trying to serve in combat. He's not trying to get a military retirement. He simply wants to serve his country using his training as a medical doctor. He went to enlist in the Navy Reserve; and to his surprise he was told that he was too old, even as the need for good medical doctors in the military ranks continues to grow. We should allow people like Dr. GINGREY to enlist in the military. My amendment would do just that.

We'll hear a number of Members on the floor today who are expressing concern about the multiple tours that so many of our men and women in uniform have had to serve, often back to back over many years. I share this concern; and I believe that if we were to lift this age restriction, we could open up the military to a new population of strong, capable individuals, who in many cases have finished their education and their careers, and have seen their children grow into adulthood. Many of them aren't seeking military retirement, but rather have advanced in their careers, put away enough for retirement, and are ready for a new challenge.

I urge my colleagues to support this commonsense amendment, and I reserve the balance of my time.

Mrs. DAVIS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Mrs. DAVIS of California. Mr. Chairman, I rise in opposition to the amendment offered by my colleague from Georgia (Mr. BROUN).

I understand his belief that anyone who qualifies, regardless of age, should

be able to serve. However, serving in the United States military is a difficult and challenging profession, especially as one gets older in years. The Department of Defense does not support this amendment. Current law allows enlistments up to age 42; however, all of the services' current policies have restricted enlistment to a lesser age, with the Army at the maximum age of 35.

Mr. Chairman, we are currently drawing down the force and recruiting conditions do not require this proposal. Even during the most difficult recruiting environment at the peak of national emergency, only the Army exercised the authority and raised its age limit to 42. This policy was only in place for a few years, and the Army has since reinstated its old policy of a maximum of 35 years of age because the risks and the challenges of training older recruits outweigh the minimum gain.

What the Army found was that older-level recruits tend to have greater health and physical illness, especially when deployed. And once injured, these individuals face a longer period of recuperation.

Mr. Chairman, this amendment is not needed and counterproductive to recruiting young men and women in the Armed Forces. I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. BROUN of Georgia. Mr. Chairman, I'm 66 years of age. I'm in the United States Navy Reserve today, an active reservist as a general medical officer. There are many reservists not only in the Navy, but in other branches of the service that are beyond 42 years of age.

We have a critical need for doctors, lawyers, veterinarians, dentists, other specialties in our military, even as we turn down the size of our forces. I think it's critical to have the ability for people who want to serve, who are physically fit, who can meet all the requirements to be able to do so. That's all this amendment does. It does not waive any physical requirements. It does not waive anything that is out there today for someone to enlist. It's just going to utilize people who have the capability of serving to allow them to do so. Not doing so is actually discriminating against them just because they have celebrated a few birthdays.

□ 2140

I mentioned in my comments about an ultramarathoner that the military actually wanted. This guy was in better shape than most people who are in their twenties after they leave boot camp. The Army wanted him, but because he was just a couple of months too old, the law would not allow him to enlist.

He would have served this Nation very admirably. He wanted to serve. He was physically fit. He was capable of doing anything that a 20-year-old is capable of doing today. And my amendment would allow him—as well as the gentleman from Georgia (Dr. GINGREY)—to serve.

Dr. GINGREY is in good physical condition. He just wants to go utilize his medical experience and provide medical services to our men and women in uniform, and he should be allowed to do so also.

So I encourage my colleagues to vote for my amendment.

I yield back the balance of my time.

Mrs. DAVIS of California. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. WILSON), the chairman of the Military Personnel Subcommittee.

Mr. WILSON of South Carolina. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Georgia.

As a 31-year veteran of the Army Reserves and National Guard, I fully appreciate the need for an age limitation. What we ask our young men and women to do is nothing short of incredible. The physical and mental toughness that is instilled in them as they enlist is something that becomes more challenging over time.

I appreciate the efforts of the gentleman from Georgia, that there are always exceptions, and I applaud those who maintain a high level of physical fitness and desire to serve their country, but that is only one requirement that the military provides. I know firsthand that age limitation will expand opportunities for younger servicemembers to serve in command positions.

I urge defeat of this amendment.

Mrs. DAVIS of California. I yield 1 minute to the gentleman from Nevada, Dr. HECK, who is a medical doctor in the Army Reserve and is also a member of the Military Personnel Subcommittee.

Mr. HECK. I, too, rise in opposition to the amendment.

Like my colleague from Georgia, I am also an active reservist and a physician in the military.

We are fortunate that we now have an all-volunteer force. Indeed, we are blessed that we have such capable men and women that are willing to put on the uniform. But as we start to have a drawdown, as we start to go through total force management, we want to make sure that we keep opportunities for those that are the brightest, the most capable, and the fittest for the longest period of time.

I will tell you that being a physician in the Reserves is a lot different than enlisting in the active duty force. Going through initial entry training, military occupational specialty training is a very rigorous course of instruction.

As a physician, I have concerns. I think that while well-intended, the Secretary has already had the ability to grant waivers for exigent circumstances and when in the best interest of the Department of Defense and that this amendment is not required.

Mrs. DAVIS of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 20 OFFERED BY MR. CARSON OF INDIANA

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 112–485.

Mr. CARSON of Indiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title V, add the following new section:

SEC. 5___. PROHIBITION ON USE OF MENTAL HEALTH RECORDS, ADDICTION SERVICE RECORDS, COUNSELING RECORDS, OR OTHER DOCUMENTS REGARDING SEEKING ASSISTANCE WITH MENTAL HEALTH ISSUES WHEN MAKING DETERMINATIONS ABOUT PROMOTIONS.

(a) PROHIBITION.—Except as provided in subsection (b), when making determinations about promotions or separations, a promotion board may not request, review, or consider—

(1) the mental health records, addiction service records, counseling records, or any other documents concerning the pursuit of assistance with mental health issues, ongoing or past, of a member of the Armed Forces; or

(2) information contained in any of these records or documents whether provided by word of mouth or in writing from commanding officers, noncommissioned officers, or any other individual.

(b) LIMITED EXCEPTION.—The Secretary of Defense shall establish a process by which a member of the Armed Forces can be excluded from the prohibition and the records and information described in subsection (a) considered, if—

(1) the member is being considered for a discharge from the Armed Forces based on a severe or untreatable mental health disorder;

(2) a physician determines that the member could be a danger to himself or herself or other persons as a result of a mental health issue that is unresolved or untreated before the board meets;

(3) a physician determines that the member will be unable to complete the duties and

responsibilities associated with the advancement in rank being considered by a promotion board as a result of a mental health issue that is unresolved or untreated before the board meets; or

(4) the member consents to consideration of the records or information, such as to explain negative actions considered by a promotion board connected with a mental health issue that has been treated.

(c) NOTIFICATION.—The Secretary of Defense shall ensure that notification of the prohibition imposed by subsection (a), and the limited exception provided by subsection (b), is made available to members of the Armed Forces not later than 90 days after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Indiana (Mr. CARSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. CARSON of Indiana. Mr. Chairman, my amendment, which CBO has determined will have no impact on direct spending or appropriations, seeks to address an issue that I believe is preventing many of today's servicemembers from pursuing the mental health and addiction treatment that they so desperately need.

Quite simply, it prevents promotion boards from considering any other source of information from official documents, word of mouth, any source about the pursuit of treatment for mental health or addiction issues. The amendment provides necessary exceptions for individuals who are determined by a physician to be a danger to themselves or others, would be unable or unfit to accomplish the duties of higher rank, or if they give consent to consideration of such information. And lastly, and I believe most importantly, the amendment requires the Department of Defense to inform current servicemembers about these prohibitions.

As we all know, Mr. Chairman, mental health issues, like PTSD and depression, are the signature wounds of our wars in Afghanistan and Iraq. Unfortunately, we have entered these wars with an outdated military culture that stigmatized mental health issues and often equated pursuing treatment with weakness.

Mr. Chairman, we have made amazing progress since then, and I applaud the Department of Defense and the Armed Services Committee for their efforts. Yet I still hear from servicemembers who are afraid that pursuing mental health treatment will negatively impact their prospects for promotion and others who are absolutely convinced that this is a pervasive problem in the ranks, that many servicemembers believe this. Now, these individuals are dedicated to their jobs and determined to progress in their careers, so, not surprisingly, they hesitate in pursuing treatment.

Of course I understand that HIPAA prevents medical records from being considered—including those on mental health—with good reason. But we need to be absolutely sure that the fears of our servicemembers do not come to pass in other ways. We need to make explicit that promotion boards are not only prevented from considering medical records but also information on treatment received by word of mouth, from other areas of personnel files, or in any other form. This will reflect our modern understanding of mental health and addiction issues—that they should be treated, not ignored, and that individuals can overcome them.

But I believe, Mr. Chairman, the most important aspect of this amendment, the main reason I hope my colleagues will join me in supporting it, is that we need to be sure that our servicemembers know and are fully aware about these prohibitions.

Some may argue against this amendment, claiming that it perpetuates a myth, that, in fact, treatment information is not considered. Their argument perfectly illustrates why this amendment is so necessary. Because many servicemembers believe they will be penalized for pursuing treatment. And as long as this is true, we will still have our brave men and women suffer in silence. With screening and counseling, they could get healthy. They could perform their duties at a much higher level. And they could avoid falling into the traps of addiction, domestic violence, and homelessness that await too many of our veterans when the return home.

Mr. Chairman, I believe that the individuals assigned to the promotion boards have the best interests of the military at heart, and I believe that they do their jobs quite well. The quality of our advanced ranks proves just that. But I want to be sure that we do everything possible to remove the stigma on mental health treatment until all servicemembers are comfortable pursuing the treatment that they need. I believe this amendment is an important step in that direction. I hope all of my colleagues will join me in supporting this amendment.

□ 2150

Mr. MCKEON. Mr. Chairman, I rise to claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. I yield 3 minutes to my friend and colleague, the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. I rise in opposition to the amendment offered by the gentleman from Indiana. I oppose the amendment because it intrudes on the inherent responsibility of commanders to assess the fitness for promotion of servicemembers under their command. As a former president myself of the Mid-Carolina Mental Health Association, I appreciate mental health issues. Our commanders strive to be fair, and the service policies prevent prejudicial consideration of mental health treatment that carries no implications for performance and promotion qualification.

This amendment would require our commanders to withhold evidence of behavior that is clearly inconsistent with promotion. I am concerned whether it is even ethical to demand our commanders to ignore such information that they see as a risk to force readiness. A commander must make a recommendation on every individual regarding promotion eligibility. Once aware of facts that would clearly cause a commander to question a servicemember's fitness for promotion, it would seem impossible for a commander to render a recommendation that supports the member's promotion. It is unfair to ask our commanders to be so disingenuous.

The risk is that this amendment would routinely eliminate important factors from the promotion process that will result in the promotion of unqualified members over more deserving members. This provision attempts to replace the commander's judgment with that of an artificial standard that cannot account for the complexity of cases.

The role of commanders is pivotal in the promotion systems operated by the Armed Forces. The Nation invests immense trust in our military commanders in the most challenging of circumstances, and we must not betray that trust by limiting their responsibility to choose future leaders.

Don't tie the hands of our commanders as they assess their subordinates' fitness for promotion. Continue to put our trust in commanders and defeat this amendment.

I urge defeat of the amendment.

Mr. MCKEON. I yield 1 minute to my friend and colleague, a member of the committee, the gentleman from California (Mr. HUNTER).

Mr. HUNTER. I thank the gentleman from South Carolina, whose oldest son and I served in Iraq together.

As a United States Marine, I filled out dozens of evaluations on my marines. Some I recommended for promotions, some I did not.

As has already been said, Mr. Chairman, this amendment must be opposed because it would disrupt the vital role commanders play in the military promotion process. Our commanders are the best prepared to make the difficult judgments of balancing interests of the individuals against the need of the Armed Forces to promote the most qualified individuals. It is not ethical to ask commanders to overlook information that they believe directly bears on the member's qualification for promotion. Commanders strive to be fair, and current policies prevent prejudicial

consideration of mental health treatment that carries no implications for performance and promotion qualification.

The provision attempts to replace the commander's judgment with an artificial standard that cannot account for the complexity of cases. The Nation invests immense trust in our military commanders in the most challenging of circumstances, while leading marines and soldiers in combat, and we must not betray that trust.

I urge defeat of this amendment.

Mr. MCKEON. How much time is remaining?

The Acting CHAIR. The gentleman from California has 2 minutes remaining, and the time of the gentleman from Indiana has expired.

Mr. MCKEON. I yield the balance of my time to the gentleman from Nevada (Mr. HECK).

Mr. HECK. Mr. Chairman, I rise today to reluctantly oppose the gentleman from Indiana's amendment. I applaud his intent of trying to remove the stigma of seeking mental health services in the military. Again, as a physician in the Army Reserves, I've experienced the issues that he's trying to address here this evening. But I also have to agree with my colleagues that have brought up the issues regarding the impact on the commander's ability to make a truthful and honest recommendation for promotion.

Having had the honor to command and having had the opportunity to serve on promotion boards, I know that this information is vitally important. It's hard to draw the distinction as to whether or not you're using the information that the person sought care or was it because of the behavior that that person demonstrated that caused them to seek the care. Nonetheless, that information is vital.

When a physical profile or medical profile form is included in a packet that shows there's a duty restriction, perhaps because of a psychiatric disturbance or for a generally physical disturbance, that information is taken into consideration when determining whether or not that individual is fit for promotion and the duties that would be assigned subsequent to that promotion.

Again, I applaud my colleague's intent, but I think the answer to this is better education of our servicemembers to rid ourselves of this pervasive misconception than trying to pass this amendment.

Mr. MCKEON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. CARSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARSON of Indiana. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

The Chair understands that amendment No. 22 will not be offered.

AMENDMENT NO. 24 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in House Report 112–485.

Mr. WITTMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title V, add the following new section:

SEC. 5___. ESTABLISHMENT OF CHAIN OF COMMAND FOR ARMY NATIONAL MILITARY CEMETERIES.

(a) MILITARY CHAIN OF COMMAND REQUIRED.—The Secretary of the Army shall establish a chain of command for the Army National Military Cemeteries, to include a military commander of the Army National Military Cemeteries to replace the current civilian director upon the termination of the tenure of the director.

(b) CONFORMING AMENDMENT.—Section 4724(a)(1) of title 10, United States Code, is amended by striking ''who shall meet'' and inserting ''who is a commissioned officer and meets''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. Mr. Chairman, I yield myself such time as I may consume.

We all know the record of problems at Arlington National Cemetery, and we know the current leadership there has made significant progress in fixing that system. But my concern with Arlington is not with the professionals and leaders who have turned Arlington around and worked tirelessly to ensure the fallen members of our all-volunteer force, our veterans, and their families are treated with the respect, reverence, and honor they deserve. My concern is that the scandals and embarrassment that rocked Arlington National Cemetery went largely unprosecuted for one reason: no one from the former civilian directors in the former chain of command at Arlington was held accountable for their actions and their gross negligence and gross mismanagement because none of them were subject to the Uniform Code of Military Justice. Additionally, Arlington is managed by the Army and rests adjacent to a joint military base. Tenants of that command work on that base daily.

With that, I believe strongly that we need to have a military leader now in charge of Arlington National Cemetery.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of Florida. I rise to reluctantly oppose the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. I yield myself such time as I may consume.

On the 10th of June, 2010, the Secretary of the Army, a former member of this body, John McHugh, appointed Kathryn Condon, a former high-ranking senior civilian Army official with a strong management background, the first executive director of the Army National Cemeteries Program. There is every indication that she is qualified and well suited for the post.

The Army created the new position to oversee Arlington National Cemetery and Soldiers Home National Cemetery as a result of the problems that have been discussed by my friend and colleague, Mr. WITTMAN. In its initial recommendation, the Army did not state that the newly created executive director position should be filled by a military official, and since that time has not provided any rationale stating why a military official would be better suited for this position rather than a civilian with credentials like Ms. Condon's.

This amendment would establish the military chain of command, requiring the executive director of the Army Cemeteries Programs be a commissioned officer, replacing the current civilian in that position. Army oversight over the Cemeteries Program remains very strong by virtue of the fact that Ms. Condon reports directly to the Secretary of the Army. There is every indication today that Ms. Condon has performed her duties in a competent and effective manner. All IG and Advisory Committee reports show that significant progress at Arlington has been made under her leadership. Ms. Condon's status as a civilian does not affect the overall authority of the Army over the program or any aspect of the operations under her care.

I note that the Secretary of the Army, Secretary McHugh, wrote a strong letter of opposition to this amendment for the reasons that I have just addressed, and I would urge my colleagues to oppose this amendment.

□ 2200

Mr. WITTMAN. Mr. Chairman, with that I would like to yield 1½ minutes to the gentleman from Florida (Mr. WEST).

Mr. WEST. Mr. Chairman, I thank Chairman WITTMAN, and I do rise to support this amendment. Having spent time in the military, we were taught that there were some basic principles. A couple of those basic principles are unity of command and unity of effort.

I will take nothing away from the civilian appointee that we have in this position currently, but as we said, this is the Army national cemetery. And it being the Army national cemetery, I feel it is very important we have a chain of command, a chain of leadership. That could fall under the Military District of Washington.

As a matter of fact, the sergeant major of the Military District of Washington is someone that I served with at Fort Bragg, North Carolina, when I was a young major, and we understand chain of command. We understand responsibility and accountability. And I talked to him about this, and he feels that will be something that will be very well appropriate, to have a military commissioned officer.

When you look at our arsenals, our arsenals out there have strong civilian leadership and also strong civilian employees, but yet we have a military commander. When you look at an organization such as the Army Material Command, which is some 60 to 70 percent civilian, but yet we have a four-star general, General Ann Dunwoody, someone that I also know very well and served with, who is in charge of that organization.

So I think if we want to make sure that we have right type of unity of command, unity of effort, chain of command in place, we need to make sure that we have a uniformed military person that's in control and in command of this Army National Cemetery.

I urge my colleagues to support this amendment.

Mr. MILLER of Florida. Mr. Chairman, I reserve the balance of my time.

Mr. WITTMAN. Mr. Chairman, I yield 1½ minutes to my distinguished colleague from California (Mr. HUNTER).

Mr. HUNTER. Mr. Chairman, I thank the gentleman from Virginia and the gentleman from Florida.

I would like to start by talking about what this means to me. This is about accountability, responsibility, and authority. All of these leadership themes are well defined throughout the Uniform Code of Military Justice, but a civilian team does not protect the Tomb of the Unknown Soldier at Arlington National Cemetery. That's the 3rd United States Infantry Regiment that has the responsibility to honor our fallen comrades and conduct ceremonies and special events to represent the U.S. Army. One of most known tasks of this unit is the distinguished charge of guarding the Tomb of the Unknown at Arlington National Cemetery, which it has done with honor since July of 1937. Again, this is a military unit, it's not a civilian unit.

Many of our fallen heroes who were killed in action choose to be buried in Arlington, home to our Nation's military history, the men and women who sacrificed to make this country what it is today.

The current chain of command under the Department of the Army has a civilian executive director of the Army National Cemeteries reporting directly to the Secretary of the Army. Nowhere in the current chain of command does there exist a uniformed military officer of appropriate rank with commensurate command authority, accountability, and responsibility who is subject to the Uniform Code of Military Justice.

If we are only going to have one major national cemetery that is run by a branch of the DOD, then there needs to be a uniformed chain of command that runs the cemetery in a professional, military manner.

In closing, I would state, Mr. Chairman, I have friends that may choose to be buried at Arlington National Cemetery, and I would urge adoption of this amendment.

Mr. MILLER of Florida. Mr. Chairman, I would like to ask the sponsor of the amendment if he has any more speakers?

Mr. WITTMAN. I do to close.

Mr. MILLER of Florida. With that, I yield back the balance of my time.

Mr. WITTMAN. Mr. Chairman, you know, as you've heard, this issue is really about this: it's about making sure that there's accountability and that there's responsibility at this Nation's most distinguished resting place where our heroes that have defended this Nation go for their final resting place. If we put a uniformed officer in command of Arlington National Cemetery, then that officer will be held accountable to the exact same standards as the heroes buried at Arlington once were; that is the Uniform Code of Military Justice.

The men and women of our all-volunteer force who fall in combat, and those who serve and who choose to be buried at Arlington, deserve the honor of having a uniformed commanding officer to watch over them as they rest, to set and enforce a standard of military excellence and commitment, honor and integrity that only those serving in uniform can fully comprehend.

Folks, these are our Nation's heroes. We owe them nothing less, especially in light of the problems that we've had there at Arlington. So I urge my colleagues to support this amendment, to put back in place the distinction and the honor deserved by our men and women who have so honorably served this Nation.

I yield back the balance of my time.

The Acting CHAIR (Mr. REED). The question is on the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

The amendment was agreed to.

AMENDMENT NO. 26 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in House Report 112–485.

Mr. CUMMINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle G of title VI, add the following new section:

SEC. 664. MORTGAGE PROTECTION FOR MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN VETERANS.

(a) MORTGAGE PROTECTION.—

(1) IN GENERAL.—Section 303 of the Servicemembers Civil Relief Act (50 U.S.C. App. 533) is amended to read as follows:

''SEC. 303. MORTGAGES AND TRUST DEEDS.

''(a) MORTGAGE AS SECURITY.—This section applies only to an obligation on real or personal property that is secured by a mortgage, trust deed, or other security in the nature of a mortgage and is owned by a covered individual as follows:

''(1) With respect to an obligation on real or personal property owned by a servicemember, such obligation that originated before the period of the servicemember's military service and for which the servicemember is still obligated.

''(2) With respect to an obligation on real property owned by a servicemember serving in support of a contingency operation (as defined in section 101(a)(13) of title 10, United States Code), such obligation that originated at any time and for which the servicemember is still obligated.

''(3) With respect to an obligation on real property owned by a veteran described in subsection (f)(1)(B), such obligation that originated at any time and for which the veteran is still obligated.

''(4) With respect to an obligation on real property owned by a surviving spouse described in subsection (f)(1)(C), such obligation that originated at any time and for which the spouse is still obligated.

''(b) STAY OF PROCEEDINGS AND ADJUSTMENT OF OBLIGATION.—(1) In an action filed during a covered time period to enforce an obligation described in subsection (a), the court may after a hearing and on its own motion and shall upon application by a covered individual when the individual's ability to comply with the obligation is materially affected by military service—

''(A) stay the proceedings for a period of time as justice and equity require, or

''(B) adjust the obligation to preserve the interests of all parties.

''(2) For purposes of applying paragraph (1) to a covered individual who is a surviving spouse of a servicemember described in subsection (f)(1)(C), the term 'military service' means the service of such servicemember.

''(c) SALE OR FORECLOSURE.— A sale, foreclosure, or seizure of property for a breach of an obligation described in subsection (a) shall not be valid during a covered time period except—

''(1) upon a court order granted before such sale, foreclosure, or seizure with a return made and approved by the court; or

''(2) if made pursuant to an agreement as provided in section 107.

''(d) MISDEMEANOR.—A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.

''(e) PROOF OF SERVICE.—(1) A veteran described in subsection (f)(1)(B) shall provide documentation described in paragraph (2) to relevant persons to prove the eligibility of the veteran to be covered under this section.

''(2) Documentation described in this paragraph is a rating decision or a letter from the Department of Veterans Affairs that confirms that the veteran is totally disabled because of one or more service-connected injuries or service-connected disability conditions.

''(f) DEFINITIONS.—In this section:

''(1) The term 'covered individual' means the following individuals:

''(A) A servicemember.

''(B) A veteran who was retired under chapter 61 of title 10, United States Code, and whom the Secretary of Veterans Affairs, at the time of such retirement, determines is a totally disabled veteran.

''(C) A surviving spouse of a servicemember who—

''(i) died while serving in support of a contingency operation if such spouse is the successor in interest to property covered under subsection (a); or

''(ii) died while in military service and whose death is service-connected if such spouse is the successor in interest to property covered under subsection (a).

''(2) The term 'covered time period' means the following time periods:

''(A) With respect to a servicemember, during the period beginning on the date on which such servicemember begins military service and ending on the date that is 12 months after the date on which such servicemember is discharged from such service.

''(B) With respect to a servicemember serving in support of a contingency operation, during the period beginning on the date of the military orders for such service and ending on the date that is 12 months after the date on which such servicemember redeploys from such contingency operation.

''(C) With respect to a veteran described in subsection (f)(1)(B), during the 12-month period beginning on the date of the retirement of such veteran described in such subsection.

''(D) With respect to a surviving spouse of a servicemember described in subsection (f)(1)(C), during the 12-month period beginning on the date of the death of the servicemember.''.

(2) CONFORMING AMENDMENT.—Section 107 of the Servicemembers Civil Relief Act (50 U.S.C. App. 517) is amended by adding at the end the following:

''(e) OTHER INDIVIDUALS.—For purposes of this section, the term 'servicemember' includes any covered individual under section 303(f)(1).''.

(3) REPEAL OF SUNSET.—Subsection (c) of section 2203 of the Housing and Economic Recovery Act of 2008 (Public Law 110–289; 50 U.S.C. App. 533 note) is amended to read as follows:

''(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.''.

(b) INCREASED CIVIL PENALTIES FOR MORTGAGE VIOLATIONS.—Paragraph (3) of section 801(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended to read as follows:

''(3) to vindicate the public interest, assess a civil penalty—

''(A) with respect to a violation of section 303 regarding real property—

''(i) in an amount not exceeding $110,000 for a first violation; and

''(ii) in an amount not exceeding $220,000 for any subsequent violation; and

''(B) with respect to any other violation of this Act—

''(i) in an amount not exceeding $55,000 for a first violation; and

''(ii) in an amount not exceeding $110,000 for any subsequent violation.''.

(c) CREDIT DISCRIMINATION.—Section 108 of such Act (50 U.S.C. App. 518) is amended—

(1) by striking ''Application by'' and inserting ''(a) Application by''; and

(2) by adding at the end the following new subsection:

''(b) In addition to the protections under subsection (a), an individual who is eligible, or who may likely become eligible, for any provision of this Act may not be denied or refused credit or be subject to any other action described under paragraphs (1) through (6) of subsection (a) solely by reason of such eligibility.''.

(d) REQUIREMENTS FOR LENDING INSTITUTIONS THAT ARE CREDITORS FOR OBLIGATIONS AND LIABILITIES COVERED BY THE SERVICEMEMBERS CIVIL RELIEF ACT.—Section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) LENDING INSTITUTION REQUIREMENTS.—

''(1) COMPLIANCE OFFICERS.—Each lending institution subject to the requirements of this section shall designate an employee of the institution as a compliance officer who is responsible for ensuring the institution's compliance with this section and for distributing information to servicemembers whose obligations and liabilities are covered by this section.

''(2) TOLL-FREE TELEPHONE NUMBER.—During any fiscal year, a lending institution subject to the requirements of this section that had annual assets for the preceding fiscal year of $10,000,000,000 or more shall maintain a toll-free telephone number and shall make such telephone number available on the primary Internet Web site of the institution.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I'm honored today to be joined by the ranking member of the Committee on Veterans Affairs and the Committee on Armed Services in offering an amendment to provide urgently needed help to servicemembers, veterans, and their families.

When Congress passed the Servicemembers Civil Relief Act, one of its many goals was to protect our men and women in uniform from being foreclosed upon while they're on active duty, serving our Nation abroad. Under current law, some of the protections in the act are scheduled to sunset at the end of this year. Unless Congress acts now, our servicemembers could be placed at greater risk.

Our amendment fixes that by eliminating the sunset provision and ensuring that foreclosure protections are extended for 12 months. In addition, our amendment ensures that soldiers serving in contingency operations do not have to worry about losing their homes, regardless of when they were purchased.

Our amendment also extends foreclosure protections to the surviving spouses of servicemembers who are killed in the line of duty. And our amendment extends foreclosure protections to veterans who are 100 percent disabled at the time of discharge due to injuries they received during their service.

Finally, the amendment prohibits banks from discriminating against servicemembers covered by the act, and it increases penalties against banks to deter future violations.

We crafted this amendment after more than a year of investigating cases in which servicemembers suffered illegal foreclosures. We heard directly from these servicemembers, veterans, banks, and government officials at multiple hearings and forums in both the House and Senate.

I also issued a staff report detailing how several mortgage servicing companies have now conceded that they violated the act. Frankly, this amendment should be a no-brainer. Every Member of this Chamber should be able to agree that our troops fighting overseas should not also have to fight here at home just to keep a roof over their heads and the heads of their families.

Our amendment is supported by the American Legion, the Veterans of Foreign Wars, Paralyzed Veterans of America, and Disabled American Veterans, all of whom have written letters of support.

We owe it to our men and women in uniform to take action now, and this amendment provides commonsense protections to those who deserve the most. I urge Members to vote in favor of this amendment.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. I do rise in opposition but not in strong opposition because I agree with what the gentleman from Maryland is attempting to do, but I need to oppose it for several reasons.

First, the Servicemembers Civil Relief Act is designed to strike a balance between the needs of a servicemember and their civilian obligations, and I don't believe that anybody in this body would ever do something that could make life more difficult for them.

The changes to SCRA made by this amendment are worthy of vetting under regular order through the Committee on Veterans Affairs. Currently, real estate protections apply to purchases made before being called to active duty. However, section (A)(3) of the amendment would extend SCRA coverage to real estate purchased at any time, including while on active duty under certain circumstances.

□ 2210

That section alone makes a significant change to a provision that is over 70 years old. And while I don't necessarily oppose such an extension, we need to get the views of the major stakeholders, including the VA and the home mortgage industry.

Secondly, as written, some provisions are open to very wide interpretation.

For example, there is a provision that provides a 12-month protection from foreclosure to those who are separated or retired because of a disability and rated by VA as permanently and totally disabled.

Since it's very rare that a servicemember would actually leave the military with a 100 percent rating from the VA and the VA adjudication process, as most of us know, can take months, if not years in some cases, how would this provision be implemented? That is left unclear in this amendment. For example, would a bank be required to give back a foreclosed home if the veteran was found several years later to be rated as totally and permanently disabled?

The amendment also contains a significant increase in penalties for violating SCRA provisions. And again, while I don't necessarily oppose the change, I think we need to hear from the legal community on these provisions.

With that, I reserve the balance of my time.

Mr. CUMMINGS. First of all, may I inquire as to how much time we have, Mr. Chairman?

The Acting CHAIR. The gentlemen on both sides have 2½ minutes remaining.

Mr. CUMMINGS. I yield 1½ minutes to the ranking member of the Armed Services Committee, the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, I support this amendment.

I think Mr. MILLER raises some justifiable concerns about how much we're going to need to look into this further as we go forward. I believe we can be committed to doing that in conference and have that conversation.

But the biggest reason to pass this is because of the first thing it does, and that extends the current law that is set to expire for servicemembers who are deployed not being foreclosed. We have passed it in this Chamber; it has not passed in the Senate. If we put this into the Defense authorizing bill, it gives us another bite at the apple, another chance to make sure this passes without being sunsetted.

And then the other provisions I think are worthy expansions of the protection.

Now, just so we're clear, it doesn't expand it forever so that someone who's 100 percent service disabled would never be foreclosed upon. It merely gives the judge greater discretion to prohibit that foreclosure as long as justice would require, which I think is good protection for people who are 100 percent service disabled and for surviving spouses and for the others that are added to this.

I think there is cause to further vet this. I personally pledge to work with the majority as we go forward to do that, but I think the amendment is worthy of support because of how important this issue is.

Mr. MILLER of Florida. I appreciate the ranking member drawing attention to the fact that this is bottled up in the Senate, even though it has passed the House in regards to the extending of the sunset provisions of the SCRA.

I would say that, to confirm our concerns, my staff actually talked with an expert on SCRA who was the author of the 2003 major revisions, and here were some of his concerns:

Nothing mandates that a deployed servicemember give notice of their deployment to the financial institution. Without this information, how will the institution know that the servicemember is now covered by these new protections under SCRA?

The current Web site that financial institutions use to see if somebody is on active duty does not differentiate between deployed and nondeployed, thereby making it extremely difficult for the financial institution to keep track.

What is going to be the duration of the protection for surviving spouses—which is something Mr. SMITH just brought up—and disabled veterans? Indefinitely? He says no. But will institutions be discouraged from making loans to servicemembers because of this potential problem?

If we believe that we should expand this protection to mortgages, why not extend the protections to other areas?

These are the types of complex questions that really should be thought out and reviewed by experts in this area under regular order. That is why we have committees in this process.

With that, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, in reference to the argument about the deployment and notice, the Department of Defense has a long-standing database in place that lenders currently utilize to access this information, and I think that that would be sufficient with regard to that.

The question that the gentleman raises, Mr. MILLER, is a very good one with regard to the 100 percent disability. The amendment I've offered does not include those rated 100 percent disabled after multiple appeals. It only applies to those rated 100 percent disabled at the time of discharge. And you're probably right; it won't be but so many people.

Mr. MILLER of Florida. Will the gentleman yield?

Mr. CUMMINGS. I yield to the gentleman.

Mr. MILLER of Florida. I believe it says rated by VA. DOD makes a rating when you separate from service, and it says, VA. That is a problem because of the time that it takes for VA to do their rating.

Mr. CUMMINGS. Reclaiming my time, when we checked with VA within the last 2 hours, they said that the average is about 188 days. But be that as it may, I go back to what the ranking member said—we really ought to get this into conference. If there are issues that the gentleman is concerned about, perhaps they could be worked out at that time. But we've got servicemembers who are being abused right now. I know that, as chairman of Veterans', I know the gentleman wants to make sure that he protects our veterans.

So with that, I yield back the balance of my time.

Mr. MILLER of Florida. I would say that absolutely, if this were just an extension of SCRA to get past the sunset provisions, we would not have a problem with that. But I know, as any other Member in here, that the last thing we would want to do is to cause a problem for our veterans without thinking through all the potential consequences.

I would note that Mr. CUMMINGS introduced an identical piece of legislation, H.R. 5737, earlier this week, which would give the Committee on Veterans' Affairs an opportunity to review these issues. I would ask the gentleman to give our committee an opportunity to review this proposal in bill form through regular order. I pledge my commitment to work with you to make sure that your concerns are addressed in proper fashion.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CUMMINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 29 OFFERED BY MR. SABLAN

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in House Report 112–485.

Mr. SABLAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title X, add the following new section:

SEC. 1023. OVERHAUL, REPAIR, AND MAINTENANCE OF VESSELS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Subsection (a) of section 7310 of title 10, United States Code, is amended—

(1) by striking ''the United States or Guam'' each place it appears and inserting ''the United States, Guam, or the Commonwealth of the Northern Mariana Islands''; and

(2) in the heading for such subsection, by striking ''UNITED STATES OR GUAM'' and inserting ''UNITED STATES, GUAM, OR COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from the Northern Mariana Islands (Mr. SABLAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

Mr. SABLAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say at the outset that my amendment requires absolutely no Federal spending, nor is it in any way a precursor to future Federal spending. All I am proposing is that private businesses that may want to invest in the Northern Marianas and offer ship repair services to the United States military not be barred from that investment by Federal law.

We often hear it said that the Federal Government should not pick winners and losers. Yet under current law, naval vessels with a home port in the U.S. are prohibited from being overhauled, repaired, or maintained in a shipyard in the Northern Mariana Islands. My amendment fixes that inequity. It proposes to include the Northern Marianas as a U.S. jurisdiction where our military vessels may be serviced. It opens the opportunity for private businesses to do this work in the Marianas.

Businesses may not take advantage of the opportunity, we do not know, but there is no reason for our laws to foreclose this investment if it is feasible from a business point of view.

We also do not know whether the Navy will ever need repair capacity in the Northern Marianas, but we do know that the Department of Defense is realigning our forces to focus on Asia and the Pacific. We know that one area of impending buildup of military assets is the Marianas. So although there are sufficient repair facilities now, it would make good strategic sense for the Navy to have the option at least to repair its vessels in any U.S. jurisdiction in the Pacific region if that ever becomes necessary.

I can say for the record that the Navy has told me it has no opposition to my amendment. Governor Calvo, the Republican Governor of Guam, and the management of Guam's shipyard, who might be concerned about competition, instead actively support my proposal. They recognize that repair facilities in the Northern Marianas could at some point complement, not compete, with Guam and build the regional economy.

□ 2220

Governor Fitial, Republican Governor of the Northern Marianas, also supports changing the Federal law. The Marianas have been hit hard by recession. Lifting the existing prohibition on business investment could help our economy and help create jobs.

I urge my colleagues to support this no-cost, commonsense amendment, and I reserve the balance of my time.

OFFICE OF THE GOVERNOR OF GUAM,
Adelup, Guam, May 17, 2012.

Hon. HOWARD ''BUCK'' MCKEON,
House of Representatives,
Washington, DC.

Hon. ADAM SMITH,
House of Representatives,
Washington, DC

DEAR CHAIRMAN MCKEON AND RANKING MEMBER SMITH: In 2008, Congress passed PL–110–229, the Consolidated Natural Resources Act of 2008. This legislation was designed to alleviate the economic disadvantages created by the changes in visa requirements for our northern neighbor, the Commonwealth of the Northern Mariana Islands (CNMI), thus ensuring that the CNMI would be on equal footing with the rest of the United States in regard to economic development opportunities.

In order to avoid adverse economic impact on the CNMI PL 110–229 emphasized the economic synergies that could be generated from a regional economic approach which included Guam and the CNMI, as evidenced by PL 110–229's creation of the Guam-CNMI Visa Waiver Program.

Another area of economic opportunity for the CNMI that I believe could be generated through the regional economic approach is the amendment to 10 USC Sec. 7310 to allow U.S. Navy and U.S. flagged vessels to be repaired in the CNMI, as well as in the United States and Guam. The law was amended in 2006 to include Guam, and it would economically benefit the CNMI if it was further amended to include the CNMI. Already, I understand that several companies have expressed interest in establishing a ship repair facility in the CNMI, and I believe that such an economic opportunity would be consistent with regional economic intent of PL 11–229.

In order to expedite the elimination of this current barrier to the CNMI's development, Representative Sablan of the CNMI has submitted H.R. 4338. Respectfully, I request your positive consideration and support of H.R. 4338. I believe H.R. 4338 would ensure that our region is able to both benefit from the incredible changes which are taking place in our communities, as well as to allow us to support the vital needs of the United States in the future to the maximum extent of which we are capable. Thank you for your consideration of my request.

Sincerely,

EDDIE BAZA CALVO.

GUAM SHIPYARD,
NAVAL ACTIVITIES BRANCH,
Santa Rita, Guam, May 18, 2012.

Hon. MADELEINE Z. BORDALLO,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN BORDALLO: I write in support of legislation to expand domestic ship repair locations covered by Section 7310 of Title 10 to include the Commonwealth of the Northern Mariana Islands (CNMI).

Currently, Section 7310 requires that vessels under the jurisdiction of the Secretary of the Navy, with a homeport in the United States or Guam, be overhauled, repaired and maintained in the United States or Guam, except in the case of voyage repairs. In March 2012 Congressman Sablan of the CNMI introduced H.R. 4338 which would amend Subsection (a) of Section 7310 10 by striking ''the United States, or Guam'' in each place where it appears, and replacing it with ''the United States, Guam, or the Commonwealth of the Northern Mariana Islands''. More recently, Congressman Sablan offered an amendment to H.R. 4310, the National Defense Authorization Act for FY–13, which would have the same effect.

At present, there is no shipyard in CNMI capable of overhaul, repair and maintenance of Navy ships. However, Guam Shipyard is in discussions with Governor Fitial, about leasing land at the Seaport to set up a small ship repair facility in Saipan. We believe there is a market there for fishing and other small vessels, and perhaps even small Navy vessels. However, the water depth and other physical constraints of the harbor at Saipan would not permit its use to overhaul, repair and maintain the large Navy ships which form the bulk of the work at Guam Shipyard. Thus, the shipyard we contemplate opening in Saipan would not compete with Guam Shipyard for the work it currently performs for the Navy.

As always, we greatly appreciate the leadership and long-standing support you have provided on behalf of domestic repair of Navy vessels, and especially ship repair in Guam. Your dedicated engagement in Washington on behalf of Guam Shipyard, has been instrumental in ensuring it remains a shipyard facility, ready and able to meet Navy ship repair requirements in the Western Pacific, now and in the future.

Sincerely,

MATHEWS POTHEN,
President and Chief Executive Officer.

Mr. MCKEON. Mr. Chair, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. I yield 2 minutes to the gentlewoman from Hawaii (Ms. HANABUSA), my friend and colleague on the committee.

Ms. HANABUSA. Mr. Chair, I rise in opposition to the Sablan amendment. The reason is that it really is not necessary at this time and, at this period of time when we have budget issues and we have sequestration issues, we don't need to tackle this one as well.

What the amendment seeks is to amend 10 USC 7310 subsection A, which basically states U.S. Navy vessels home ported in the United States or Guam may not be overhauled, repaired, or maintained in shipyards outside the United States or Guam, except for voyage repairs. This is being sought to be amended to include CNMI.

I'd like to say, first of all, that I understand perfectly well why my good friend and colleague from the Northern Mariana Islands wants to do this. I mean, he's representing his constituents. But the points against it are overwhelming.

First of all, the Navy states it has the requirement for a public or private sector ship maintenance facility in CNMI. And also the Navy currently says it can conduct repairs in CNMI, but there is limited pier space and no drydocking capability, and that they can do the work elsewhere for the Navy and for the Military Sealift Command.

In addition to that, the shipyard repair capacity in both public and private shipyards exists today in Pearl Harbor, Hawaii, Bremerton, Washington, and Guam for both the U.S. Navy and the MSC ships.

Now, the Navy has no future requirement for the repair capacity in the Pacific region. And it's been testified to that the buildup on Guam does not create a demand for additional ship repair capacity. So the Navy's current regional ship maintenance work log only minimally supports the current maintenance facilities in Guam, and we don't need any additional facilities.

In addition to that, the Navy officials have stated there is not enough U.S. Navy or MSC work in current and future operating plants. It is for these reasons that I regretfully oppose the amendment.

Mr. SABLAN. Mr. Chairman, I agree with my good friend and colleague from Hawaii that there is no need for large vessel repairs. Those are being presently performed in Honolulu, Hawaii, or on Guam. Actually, the letter to Ms. BORDALLO from Guam shipyard actually says this. It says the water depth and other physical constraints of the harbor of Saipan would not permit its use to overhaul, repair, and maintain large Navy ships, which form the bulk of work at Guam shipyard. So there is no disagreement with my good friend from Hawaii on this.

Thus, the shipyard we contemplate opening in Saipan would not compete with Guam shipyard for the work it currently performs for the Navy.

We're not asking for anything here. We're just asking for the authorization. It may not happen. But then again, it may. And we're not asking for money here. We're asking for authorization so that private businesses who want to do it, who find some capacity to do it, can come in and establish a shipyard or a small repair yard on Saipan in the Northern Marianas and do the work and compete for the business. And that's what we need to do here.

I reserve the balance of my time.

Mr. MCKEON. How much time do we each have?

The Acting CHAIR. The gentleman from California has 3 minutes. The gentleman from the Northern Mariana Islands has 1¾ minutes.

Mr. MCKEON. And we have the right to close?

The Acting CHAIR. That is correct.

Mr. MCKEON. We just have one more speaker, so I will reserve the balance of my time.

Mr. SABLAN. Mr. Chairman, I have no more speakers. I just urge my colleagues to join me in support of the amendment.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield the balance of our time to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Chairman, I thank the gentleman for yielding, and I want to join the distinguished lady from Hawaii in opposing this amendment, and also in her complimenting the gentleman who brought it. I know his motives are very good in trying to create jobs in his area.

The problem we have, as the gentlelady from Hawaii has stated, is that we already have authority to conduct repairs in the Mariana Islands at this particular point in time. The problem is that there's limited pier space, and there's no drydock capability.

To allow private sectors to invest huge monies, or to come back here later after we get the authorization to say we want more money from Congress to appropriate there would not be appropriate because, as the gentlelady from Hawaii said, we already have sufficient capacity, both in Pearl Harbor, in Washington, in California, and in Guam.

And to show that there are no requirements for this further ship repair capacity in the Pacific region, you can just look at last year, where the absence of need was perhaps best exemplified by the fact that the Navy only received one bid when it had a proposal from shipyards in the Pacific region for a long-term operating lease for the Guam ship repair facility property, and that bid was from the current Guam shipyard operator.

The distance from overseas home ports and from the regions in which the MSC ships operates makes a shipyard in the Mariana Islands prohibitive in terms of operating costs to and from there.

So, Mr. Chairman, I hope that Congress will not go down this line. At this particular point in time, the Navy has absolutely no additional requirements or needs that they have for this particular yard there. We are struggling, at this particular point in time, to keep the other yards going with the capacity that we currently have, and to invest this kind of investment there when we're not going to be able to take advantage of it would not be appropriate for us to do, this body at this time.

So with that, Mr. Chairman, I hope that we will defeat this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SABLAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from the Northern Mariana Islands will be postponed.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 661, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 35, 37, 44, 60, 63, 69, 71, 80, 84, 86, 87, 91, 94, 109, 110, 117, 130, 137, and 140, printed in House Report 112–485, offered by Mr. MCKEON of California:

AMENDMENT NO. 35 OFFERED BY MS. BROWN OF FLORIDA

At the end of subtitle G of title X of division A, add the following:

SEC. 10___. AUTHORITY FOR CORPS OF ENGINEERS TO CONSTRUCT PROJECTS CRITICAL TO NAVIGATION SAFETY.

The Secretary of the Army, acting through the Chief of Engineers, may accept non-Federal funds and use such funds to construct a navigation project that has not been specifically authorized by law if—

(1) the Secretary has received a completed Chief of Engineers' report for the project;

(2) the project is fully funded by non-Federal sources using non-Federal funds; and

(3) the Secretary finds that the improvements to be made by the project are critical to navigation safety.

AMENDMENT NO. 37 OFFERED BY MR. BACA OF CALIFORNIA

At the end of subtitle H of title X, add the following new section:

SEC. 1084. RIALTO-COLTON BASIN, CALIFORNIA, WATER RESOURCES STUDY.

(a) IN GENERAL.—Not later than 2 years after funds are made available to carry out this Act, the Secretary of the Interior, acting through the Director of the United States Geological Survey, shall complete a study of water resources in the Rialto-Colton Basin in the State of California (in this section referred to as the ''Basin''), including—

(1) a survey of ground water resources in the Basin, including an analysis of—

(A) the delineation, either horizontally or vertically, of the aquifers in the Basin, including the quantity of water in the aquifers;

(B) the availability of ground water resources for human use;

(C) the salinity of ground water resources;

(D) the identification of a recent surge in perchlorate concentrations in ground water, whether significant sources are being flushed through the vadose zone, or if perchlorate is being remobilized;

(E) the identification of impacts and extents of all source areas that contribute to the regional plume to be fully characterized;

(F) the potential of the ground water resources to recharge;

(G) the interaction between ground water and surface water;

(H) the susceptibility of the aquifers to contamination, including identifying the extent of commingling of plume emanating within surrounding areas in San Bernardino County, California; and

(I) any other relevant criteria; and

(2) a characterization of surface and bedrock geology of the Basin, including the effect of the geology on ground water yield and quality.

(b) COORDINATION.—The Secretary shall carry out the study in coordination with the State of California and any other entities that the Secretary determines to be appropriate, including other Federal agencies and institutions of higher education.

(c) REPORT.—Upon completion of the study, the Secretary shall submit to the

Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the study.

AMENDMENT NO. 44 OFFERED BY MS. GRANGER OF TEXAS

At the end of subtitle D of title XII of division A of the bill, add the following:

SEC. 12xx. SALE OF F–16 AIRCRAFT TO TAIWAN.

The President shall carry out the sale of no fewer than 66 F–16C/D multirole fighter aircraft to Taiwan.

AMENDMENT NO. 60 OFFERED BY MR. CARSON OF INDIANA

At the end of subtitle E of title III, add the following new section:

SEC. 3____. SURVEY AND REPORT ON PERSONAL PROTECTION EQUIPMENT NEEDED BY MEMBERS OF THE ARMED FORCES DEPLOYED ON THE GROUND IN COMBAT ZONES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, when sending members of the United States Armed Forces into combat, the United States has an obligation to ensure that—

(1) the members are properly equipped with the best available protective equipment and supplies; and

(2) the members, or their family and friends, never feel compelled to purchase additional equipment and supplies to be safer in combat.

(b) SURVEY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an anonymous survey among members and former members of the Armed Forces who were deployed on the ground in a combat zone since September 11, 2001, requesting information on what kinds of personal protection equipment (such as body armor and ballistic eyewear) the member believes should have been provided to members during deployment but were not provided. The Secretary shall include in the survey questions about whether members, their families, or other persons purchased any personal protection equipment because the Armed Forces did not provide the equipment and the types and quantity of equipment purchased.

(c) REPORT ON RESULTS OF SURVEY.—Not later than 180 days after the completion of the survey required by subsection (b), the Secretary of Defense shall submit to Congress a report——

(1) describing the results of the survey;

(2) describing the types and quantity of personal protection equipment not provided by the Armed Forces and purchased instead by or on behalf of members of the Armed Forces to protect themselves;

(3) explaining why such personal protection equipment was not provided; and

(4) recommending future funding solutions to prevent the omission in the future.

AMENDMENT NO. 63 OFFERED BY MR. SMITH OF WASHINGTON

At the end of subtitle B of title III, add the following new section:

SEC. 3____. AUTHORITY OF SECRETARY OF A MILITARY DEPARTMENT TO ENTER INTO COOPERATIVE AGREEMENTS WITH INDIAN TRIBES FOR LAND MANAGEMENT ASSOCIATED WITH MILITARY INSTALLATIONS AND STATE-OWNED NATIONAL GUARD INSTALLATIONS.

(a) INCLUSION OF INDIAN TRIBES.—Section 103A(a) of the Sikes Act (16 U.S.C. 670C–1(a)) is amended in the matter preceding paragraph (1) by inserting ''Indian tribes,'' after ''local governments,''.

(b) INDIAN TRIBE DEFINED.—Section 100 of such Act (16 U.S.C. 670) is amended by adding at the end the following new paragraph:

''(6) INDIAN TRIBE.—The term 'Indian tribe' means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.''.

AMENDMENT NO. 69 OFFERED BY MR. CRAVAACK OF MINNESOTA

At the end of section 352 (page 119, after line 9), add the following new subsection:

(e) SENSE OF CONGRESS ON THE ESSENTIAL SERVICE PROVIDED BY FIGHTER WINGS PERFORMING AEROSPACE CONTROL ALERT MISSIONS.—It is the sense of Congress that fighter wings performing the 24-hour Aerospace Control Alert missions provide an essential service in defending the sovereign airspace of the United States in the aftermath of the terrorist attacks upon the United States on September 11, 2001.

AMENDMENT NO. 71 OFFERED BY MR. CUMMINGS OF MARYLAND

Page 142, line 23, insert ''(and the Secretary of Homeland Security in the case of the Coast Guard)'' after ''Defense''.

Page 143, line 18, insert ''(and the Secretary of Homeland Security in the case of the Coast Guard)'' after ''Defense''.

Page 144, line 7, insert ''(and the Secretary of Homeland Security in the case of the Coast Guard)'' after ''Defense''.

Page 144, line 9, insert ''and the Secretary of Homeland Security'' after ''Defense''.

Page 144, line 10, insert ''the Commandant of the Coast Guard,'' after ''Staff,''.

Page 145, after line 24, insert the following new subsection:

(c) COAST GUARD REPORT.—

(1) ANNUAL REPORT REQUIRED.—The Secretary of Homeland Security shall prepare an annual report addressing diversity among commissioned officers of the Coast Guard and Coast Guard Reserve and among enlisted personnel of the Coast Guard and Coast Guard Reserve. The report shall include—

(A) an assessment of the available pool of qualified candidates for the flag officer grades of admiral and vice admiral;

(B) the number of such officers and personnel, listed by sex and race or ethnicity for each rank;

(C) the number of such officers and personnel who were promoted during the year covered by the report, listed by sex and race or ethnicity for each rank; and

(D) the number of such officers and personnel who reenlisted or otherwise extended the commitment to the Coast Guard during the year covered by the report, listed by sex and race or ethnicity for each rank.

(2) SUBMISSION.—The report under paragraph (1) shall be submitted each year not later than 45 days after the date on which the President submits to Congress the budget for the next fiscal year under section 1105 of title 31, United States Code. Each report shall be submitted to the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives, and the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate.

Page 168, line 14, insert ''(and the Secretary of Homeland Security in the case of the Coast Guard)'' after ''Secretary of Defense''.

Page 168, line 17, insert ''and the Coast Guard'' after ''Department of Defense''.

Page 169, lines 5 and 6, insert ''and the Coast Guard'' after ''Department of Defense''.

Page 169, line 14, insert ''(and the Secretary of Homeland Security in the case of the Coast Guard)'' after ''Secretary of Defense''.

Page 169, line 17, strike ''the Secretary of Defense considers'' and insert ''the Secretaries consider''.

Page 169, line 24, insert ''(and the Secretary of Homeland Security in the case of the Coast Guard)'' after ''Secretary of Defense''.

AMENDMENT NO. 80 OFFERED BY MR. THOMPSON OF CALIFORNIA

At the end of subtitle F of title V, add the following new section:

SEC. 5____. ADVANCEMENT OF BRIGADIER GENERAL CHARLES E. YEAGER, UNITED STATES AIR FORCE (RETIRED), ON THE RETIRED LIST.

(a) ADVANCEMENT.—Brigadier General Charles E. Yeager, United States Air Force (retired), is entitled to hold the rank of major general while on the retired list of the Air Force.

(b) ADDITIONAL BENEFITS NOT TO ACCRUE.—The advancement of Charles E. Yeager on the retired list of the Air Force under subsection (a) shall not affect the retired pay or other benefits from the United States to which Charles E. Yeager is now or may in the future be entitled based upon his military service or affect any benefits to which any other person may become entitled based on his service.

AMENDMENT NO. 84 OFFERED BY MR. SMITH OF WASHINGTON

At the end of subtitle H of title V, add the following new section:

SEC. 5____. DEPARTMENT OF DEFENSE SEXUAL ASSAULT AND HARASSMENT OVERSIGHT AND ADVISORY COUNCIL.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 188. Sexual Assault and Harassment Oversight and Advisory Council

''(a) ESTABLISHMENT.—There is a Sexual Assault and Harassment Oversight and Advisory Council (in this section referred to as the 'Council').

''(b) MEMBERSHIP.—(1) The Council shall be comprised of individuals appointed by the Secretary of Defense who are experts and professionals in the fields of sexual assault and harassment, judicial proceedings involving sexual assault or harassment, or treatment for sexual assault or harassment. At a minimum, the Council shall include as members the following:

''(A) The Director of the Sexual Assault Prevention and Response Office of the Department of Defense.

''(B) The Judge Advocates General of the Army, Navy, and Air Force.

''(C) A judge advocate from the Army, Navy, Air Force, and Marine Corps with experience in prosecuting sexual assault cases.

''(D) A Department of Justice representative with experience in prosecuting sexual assault cases.

''(E) An individual who has extensive experience in providing assistance to sexual assault victims.

''(F) An individual who has expertise the civilian judicial system with respect to sexual assault.

''(2) Subject to paragraph (3), members shall be appointed for a term of two years. A member may serve after the end of the member's term until the member's successor takes office.

''(3) If a vacancy occurs in the Council, the vacancy shall be filled in the same manner as the original appointment. A member of the Council appointed to fill a vacancy occurring before the end of the term for which the member's predecessor was appointed shall only serve until the end of such term.

''(c) CHAIRMAN; MEETINGS.—(1) The Council shall elect a chair from among its members.

''(2) The Council shall meet not less often than once every year.

''(3) If a member of the Board fails to attend two successive Board meetings, except in a case in which an absence is approved in advance, for good cause, by the Board chairman, such failure shall be grounds for termination from membership on the Board. A person designated for membership on the Board shall be provided notice of the provisions of this paragraph at the time of such designation.

''(d) ADMINISTRATIVE PROVISIONS.—(1) Each member of the Council who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for Executive Schedule Level IV under section 5315 of title 5, for each day (including travel time) during which such member is engaged in the performance of the duties of the Council. Members of the Council who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

''(2) The members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, while away from their homes or regular places of business in the performance of services for the Council.

''(e) RESPONSIBILITIES.—The Council shall be responsible for providing oversight and advice to the Secretary of Defense and the Secretaries of the military departments on the activities and implementation of policies and programs developed by the Sexual Assault Prevention and Response Office, including any modifications to the Uniform Code of Military Justice, in response to sexual assault and harassment.

''(f) ANNUAL REPORT.—Not later than March 31 of each year, the Council shall submit to the Secretary of Defense and the congressional defense committees a report that describes the activities of the Council during the preceding year and contains such recommendations as the Council considers appropriate to improve sexual assault prevention and treatment programs and policies of the Department of Defense.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''188. Sexual Assault and Harassment Oversight and Advisory Council.''.

AMENDMENT NO. 86 OFFERED BY MR. TERRY OF NEBRASKA

At the end of title V, add the following new section:

SEC. 5___. MILITARY SALUTE DURING RECITATION OF PLEDGE OF ALLEGIANCE BY MEMBERS OF THE ARMED FORCES NOT IN UNIFORM AND BY VETERANS.

Section 4 of title 4, United States Code, is amended by adding at the end the following new sentence: ''Members of the Armed Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform.''.

AMENDMENT NO. 87 OFFERED BY MR. CARSON OF INDIANA

At the end of subtitle A of title VII, add the following new section:

SEC. 704. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 1074m of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraph (B) and (C) as subparagraph (C) and (D), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) Once during each 180-day period during which a member is deployed.''; and

(2) in subsection (c)(1)(A)—

(A) in clause (i), by striking ''; and'' and inserting a semicolon; and

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

''(ii) by personnel in deployed units whose responsibilities include providing unit health care services if such personnel are available and the use of such personnel for the assessments would not impair the capacity of such personnel to perform higher priority tasks; and''.

(b) CONFORMING AMENDMENT.—Section 1074m(a)(2) of title 10, United States Code, is amended by striking ''subparagraph (B) and (C)'' and inserting ''subparagraph (C) and (D)''.

AMENDMENT NO. 91 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle C of title VII, add the following new section:

SEC. 725. INCREASED COLLABORATION WITH NIH TO COMBAT TRIPLE NEGATIVE BREAST CANCER.

The Office of Health of the Department of Defense shall work in collaboration with the National Institutes of Health to—

(1) identify specific genetic and molecular targets and biomarkers for triple negative breast cancer; and

(2) provide information useful in biomarker selection, drug discovery, and clinical trials design that will enable both—

(A) triple negative breast cancer patients to be identified earlier in the progression of their disease; and

(B) the development of multiple targeted therapies for the disease.

AMENDMENT NO. 94 OFFERED BY MR. RIVERA OF FLORIDA

At the end of subtitle A of title VIII (page 297, after line 23), insert the following new section:

SEC. 802. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH STATE SPONSORS OF TERRORISM.

(a) PROHIBITION.—The Department of Defense may not enter into a contract for the procurement of goods or services with any person that has business operations with a state sponsor of terrorism.

(b) DEFINITIONS.—In this section:

(1) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to—

(A) section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) (as continued in effect pursuant to the International Emergency Economic Powers Act);

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371); or

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780).

(2) BUSINESS OPERATIONS.—The term ''business operations'' means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(3) PERSON.—The term ''person'' means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

AMENDMENT NO. 109 OFFERED BY MR. MEEHAN OF PENNSYLVANIA

At the end of title X, add the following new section:

SEC. 10___. REPORT ON DESIGNATION OF BOKO HARAM AS A FOREIGN TERRORIST ORGANIZATION.

(a) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this section, the Secretary of State shall submit to the appropriate congressional committees—

(A) a detailed report on whether the Nigerian organization named ''People Committed to the Propagation of the Prophet's Teachings and Jihad'' (commonly known as ''Boko Haram''), meets the criteria for designation as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(B) if the Secretary of State determines that Boko Haram does not meet such criteria, a detailed justification as to which criteria have not been met.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex if appropriate.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to infringe upon the sovereignty of Nigeria to combat militant or terrorist groups operating inside the boundaries of Nigeria.

AMENDMENT NO. 110 OFFERED BY MR. POMPEO OF KANSAS

At the end of subtitle H of title X of division A, add the following new section:

SEC. 10___. SENSE OF CONGRESS ON RECOGNIZING AIR MOBILITY COMMAND ON ITS 20TH ANNIVERSARY.

(a) FINDINGS.—Congress finds the following:

(1) On June 1, 1992, Air Mobility Command was established as the Air Force's functional command for cargo and passenger delivery, air refueling, and aeromedical evacuation.

(2) As the lead Major Command for all Mobility Air Forces, Air Mobility Command ensures that the Air Force's core functions of global vigilance, power, and reach are fulfilled.

(3) The ability of the United States to rapidly respond to humanitarian disasters and the outbreak of hostilities anywhere in the world truly defines the United States as a global power.

(4) Mobility Air Forces Airmen are unified by one single purpose: to answer the call of others so they may prevail.

(5) The United States' hand of friendship to the world many times takes the form of Mobility Air Forces aircraft delivering humanitarian relief. Since its inception, Air Mobility Command has provided forces for 43 humanitarian relief efforts at home and abroad, from New Orleans, Louisiana, to Bam, Iran.

(6) A Mobility Air Forces aircraft departs every 2 minutes, 365 days a year. Since September 11, 2001, Mobility Air Forces aircraft have flown 18.9 million passengers, 6.8 million tons of cargo, and offloaded 2.2 billion pounds of fuel. Many of these flights have assisted combat aircraft protection United States forces from overhead.

(7) The United States keeps its solemn promise to its men and women in uniform with Air Mobility Command, accomplishing 186,940 patient movements since the beginning of Operation Iraqi Freedom.

(8) Mobility Air Forces Airmen reflect the best values of the Nation: delivering hope, saving lives, and fueling the fight.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, on the occasion of the 20th anniversary of the establishment of Air Mobility Command, the people of the United States should—

(1) recognize the critical role that Mobility Air Forces play in the Nation's defense; and

(2) express appreciation for the leadership of Air Mobility Command and the more than 134,000 active-duty, Air National Guard, Air Force Reserve, and Department of Defense civilians that make up the command.

AMENDMENT NO. 117 OFFERED BY MR. QUAYLE OF ARIZONA

At the end of title X, add the following new section:

SEC. 10___. CONSOLIDATION OF DATA CENTERS.

Section 2867 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A), by inserting after ''April 1, 2012,'' the following: ''and each year thereafter,''; and

(B) by adding at the end the following new paragraph:

''(C) ADDITIONAL ELEMENT.—The performance plan required under this paragraph, with respect to plans submitted after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, shall be consistent with the July 2011 Government Accountability Office report to Congress, entitled 'Data Center Consolidation Agencies Need to Complete Inventories and Plans to Achieve Expected Savings' (GAO–11–565), as updated by quarterly consolidation progress reports submitted by the Department of Defense to the Office of Management and Budget''; and

(2) in subsection (d)(1), by adding at the end the following: ''Beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, such report shall include progress updates on consolidation goals achieved during the preceding fiscal year consistent with the framework outlined by the July 2011 Government Accountability Office report to Congress, entitled 'Data Center Consolidation Agencies Need to Complete Inventories and Plans to Achieve Expected Savings' (GAO–11–565), as updated by quarterly consolidation progress reports submitted by the Department of Defense to the Office of Management and Budget.''

AMENDMENT NO. 130 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 725, after line 6, insert the following (and conform the table of contents):

SEC. 1696. ASSESSMENT OF OUTREACH FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN AND MINORITIES REQUIRED BEFORE CONVERSION OF CERTAIN FUNCTIONS TO CONTRACTOR PERFORMANCE.

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act) that are located in the geographic area near the military base.

AMENDMENT NO. 137 OFFERED BY MS. TSONGAS OF MASSACHUSETTS

At the end of title XXVIII, add the following new section:

SEC. 28___. MASSACHUSETTS INSTITUTE OF TECHNOLOGY—LINCOLN LABORATORY IMPROVEMENT PROJECT.

(a) IMPROVEMENT AND MODERNIZATION PROJECT.—The Secretary of the Air Force may enter into discussions with the Massachusetts Institute of Technology for a project to improve and modernize the Lincoln Laboratory complex at Hanscom Air Force Base, Massachusetts. The project may include modifications and additions to research laboratories, office spaces, and supporting facilities necessary to carry out the mission of the Lincoln Laboratory as a Federally Funded Research and Development Center (in this section referred to as ''FFRDC''). Supporting facilities under the project may include infrastructure for utilities.

(b) USE OF FACILITIES.—The right of the Massachusetts Institute of Technology to use such facilities and equipment shall be as provided by the FFRDC Sponsoring Agreement and FFRDC contract between the Department of Defense and the Massachusetts Institute of Technology.

(c) RULE OF CONSTRUCTION REGARDING CONSTRUCTION AUTHORITY.—Nothing in this section shall be construed to authorize the Secretary of the Air Force to carry out a construction project at Hanscom Air Force Base, Massachusetts, unless such project is otherwise authorized by law.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in the FFRDC Sponsoring Agreement and the FFRDC contract as the Secretary of the Air Force considers appropriate to protect the interests of the United States.

AMENDMENT NO. 140 OFFERED BY MR. CUMMINGS OF MARYLAND

At the end of title XXXV add the following:

SEC. 35___. IDENTIFICATION OF ACTIONS TO ENABLE QUALIFIED UNITED STATES FLAG CAPACITY TO MEET NATIONAL DEFENSE REQUIREMENTS.

(a) IDENTIFICATION OF ACTIONS.—Section 501(b) of title 46, United States Code, is amended—

(1) by inserting ''(1)'' before ''When the head''; and

(2) by adding at the end the following:

''(2) The Administrator of the Maritime Administration shall—

''(A) in each determination referred to in paragraph (1), identify any actions that could be taken to enable qualified United States flag capacity to meet national defense requirements;

''(B) provide each such determination to the Secretary of Transportation and the head of the agency referred to in paragraph (1) for which the determination is made; and

''(C) publish each such determination on the Internet site of the Department of Transportation within 48 hours after it is provided to the Secretary of Transportation.

''(3)(A) The Secretary of Transportation, in consultation with the Secretary of Homeland Security, shall notify the Committees on Appropriations, Transportation and Infrastructure, and Armed Services of the House of Representatives and the Committees on Appropriations, Commerce, Science, and Transportation, and Armed Services of the Senate—

''(i) of any request for a waiver of the navigation or vessel-inspection laws under this section not later than 48 hours after receiving the request; and

''(ii) of the issuance of any waiver of compliance of such a law not later than 48 hours after such issuance.

''(B) The Secretary shall include in each notification under subparagraph (A)(ii) an explanation of—

''(i) the reasons the waiver is necessary; and

''(ii) the reasons actions referred to in subparagraph (A) are not feasible.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chair, I yield 1 minute to my friend and colleague, the gentleman from Florida (Mr. RIVERA).

Mr. RIVERA. Mr. Chairman, right now, I believe many Americans would be surprised, perhaps shocked to know that there are foreign businesses that also do business with terrorist nations that are currently engaged in contract and procurement activity with the Pentagon, with the Department of Defense. This, I believe, and I think most Americans would believe, is not only a

threat to American security, but it is also threatening American jobs because these foreign businesses are taking opportunities from American-based businesses that could be contracting and procuring with the Pentagon.

□ 2230

This amendment would prohibit businesses that engage in business activity with terrorist nations—and those are nations that have been officially designated as sponsors of terrorism by our own government—from contracting and procurement opportunities with the Department of Defense.

This is an issue of protecting not only American security but of protecting American jobs, and I encourage its passage.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Mr. Chairman, this en bloc amendment includes two of my amendments.

The first seeks to address what many consider to be a serious mistake made by our military and this Congress over the last decade of war, that is, allowing some of our troops, including several of my constituents, to deploy without certain equipment that they need to be safe in combat. Instead, these troops had to rely on their families and friends to send them this vital equipment.

My amendment calls on the DOD to survey troops who have served since September 11 in order to find out what, if any, equipment they did without and what equipment they relied on family and friends to send them.

I want to be clear. This is not an effort to condemn our military or the Armed Services Committee. In fact, I applaud their valuable efforts in this area. Yet, now that we are winding down our war in Afghanistan and we are out of Iraq, we need to understand our mistakes to avoid making them again in future conflicts.

My second amendment is very simply a reintroduction of language adopted last year by unanimous consent but that was, unfortunately, removed in conference.

It addresses the fact that our servicemembers deployed in Afghanistan only receive mental health assessments prior to deployment and after returning home. Yet it is during deployment—in combat—that these events leading to mental health issues are most likely to occur. Over months of deployment without diagnosis or treatment, their performances could suffer; they could develop dangerous addictions; and in tragic but far too common instances, they could hurt themselves or others.

My amendment requires the DOD to provide mental health assessments to our troops during deployment, improving the chances of catching and treating PTSD and other issues early.

I ask all of my colleagues to stand up for the physical safety and mental well-being of our troops.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Pennsylvania (Mr. MEEHAN).

Mr. MEEHAN. Thank you for yielding, Mr. Chairman.

I rise today to urge the support for my amendment, which requires the Secretary of State to submit a report to the Congress explaining whether Boko Haram meets the criteria for designation as a foreign terrorist organization. If the Secretary determines that Boko Haram does not merit a foreign terrorist organization designation, the amendment would require the Secretary to inform Congress which criteria are not met.

Mr. Chairman, 6 months ago, the Department of Justice reached out to the Department of State in urging this determination. My committee, the Subcommittee on Counterterrorism and Intelligence, held hearings and issued a report identifying the activities of Boko Haram, which is an Islamist terrorist-based group based in Nigeria that has quickly evolved from wielding machetes to using deadly, vehicle-borne improvised explosive devices. This is the same kind of conduct that was conducted by other terrorist organizations, and only later did the Department identify them as FTOs.

I urge its support.

Mr. SMITH of Washington. I yield 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank both the ranking member and the chair.

I have so much to say about this very passionate issue. I will quickly say that I have two amendments. One deals with outreach on behalf of small and minority businesses for defense contracts, and I truly believe it is enormously important for the vast number of those businesses; but I really rise today to talk about triple negative breast cancer, which has killed so many women.

I am very, very pleased to say that my amendment, with the Office of Health within the Department of Defense, will identify specific genetic and molecular targets and biomarkers for triple negative breast cancer, provide information useful in biomarker selection, drug discovery, and clinical trial design that will enable both triple negative breast cancer patients to be identified in the progression of the disease and also to provide for therapies.

I do this in the loving memory of Yolanda Williams, whose funeral I spoke at last year. She was the daughter of Dr. Lois Moore and the wife of Mr. Williams, and she had two beautiful daughters. This wonderful, caring woman died so quickly because of triple negative breast cancer. Also, in the loving memory of Betty Sommer's daughter, Stacey Michelle Gaecke, she shares her story that she also died from triple negative breast cancer.

I ask for the support of my amendment.

Mr. Chair, I rise today in support of my amendment # 91 to H.R. 4310 "National Defense Authorization Act," which would direct the Department of Defense Office of Health to work in collaboration with the National Institutes of Health to identify specific genetic and molecular targets and biomarkers for Triple Negative Breast Cancer, TNBC. In addition, my amendment is intended to result in information useful in biomarker selection, drug discovery, and clinical trials design that will enable both TNBC patients to be identified earlier in the progression of their disease and develop multiple targeted therapies for the disease.

Triple negative breast cancer is a specific strain of breast cancer for which no targeted treatment is available. The American Cancer Society calls this particular strain of breast cancer "an aggressive subtype associated with lower survival rates."

I offer this amendment in hopes that through a coordinated effort DOD and NIH can develop a targeted treatment for the triple negative breast cancer strain.

Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

Today, breast cancer accounts for 1 in 4 cancer diagnoses among women in this country. It is also the most commonly diagnosed cancer among African American women. The American Cancer Society estimates that in 2011, more than 26,000 African American women will be diagnosed with breast cancer, and another 6,000 will die from the disease.

Between 2002 and 2007, African American women suffered a 39% higher death rate from breast cancer than other groups.

African American women are also 12% less likely to survive five years after a breast cancer diagnosis. One reason for this disparity is that African American women are disproportionally affected by triple negative breast cancer.

More than 30% of all breast cancer diagnoses in African Americans are of the triple negative variety. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

THE STORY OF YOLANDA WILLIAMS

Mr. Chair, last year, I spoke at a funeral for Yolanda Williams, one of my constituents in the 18th Congressional District of Texas. Yolanda died from her battle with triple negative breast cancer. Like many other women who are diagnosed with this aggressive strain, she did not respond to treatment. Yolanda, wife and mother of two daughters, was only 44 years old.

This strain of breast cancer is not only more aggressive, it is also harder to detect, and more likely to recur than other types. Because triple negative breast cancer is difficult to detect, it often metastasizes to other parts of the body before diagnosis. 70% of women with metastatic triple negative breast cancer do not

live more than five years after being diagnosed.

Research institutions all over the nation have started to focus on this dangerous strain of breast cancer. In my home city of Houston, Baylor College of Medicine has its best and brightest minds working tirelessly to develop a targeted treatment for the triple negative breast cancer subtype. It is time for the Department of Defense to follow that example and commit additional funding to study the triple negative strain.

I urge my colleagues to join me in protecting women across the nation from this deadly form of breast cancer by supporting my amendment.

(FAST FACTS)

Breast cancer accounts for 1 in 4 cancer diagnoses among women in this country.

The survival rate for breast cancer has increased to 90% for White women but only 78% for African American women.

African American women are more likely to be diagnosed with larger tumors and more advanced stages of breast cancer.

Triple-negative breast cancer, TNBC, is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the HER2 protein on their cell membrane of tumor cells.

Triple Negative Breast Cancer (TNBC) cells are:

Usually of a higher grade and size;

Onset at a younger age;

More aggressive;

More likely to metastasize.

TNBC also referred to as basal-like, BL, due to their resemblance to basal layer of epithelial cells.

There is not a formal detailed classification of system of the subtypes of these cells.

TNBC is in fact a heterogeneous group of cancers; with varying differences in prognosis and survival rate between various subtypes. This has led to a lot of confusion amongst both physicians and patients.

Apart from surgery, cytotoxic chemotherapy is the only available treatment, targeted molecular treatments while being investigated are not accepted treatment.

Between 10–17% of female breast cancer patients have the triple negative subtype.

Triple-negative breast cancer most commonly affect African-American women, followed by Hispanic women.

African-American women have prevalence TNBC of 26% vs 16% in non-African American women.

TNBC usually affects women under 50 years of age.

African American women have a prevalence of premenopausal breast cancer of 26% vs 16% for Non-African American women.

Women with TNBC are 3 times the risk of death than women with the most common type of breast cancer.

Women with TNBC are more likely to have distance metastases in the brain and lung and more common subtypes of breast cancer.

LETTER FROM BETTY SOMMER CAUSES FOR A CURE

It is with loving memory of my beautiful, loving, vivacious daughter, Stacey Michelle Gaecke, that I share her story. It is with great hope and fervent prayer that somehow, somewhere we will discover the unknown factors to be able to treat those unfortunate to be diagnosed with triple negative breast cancer.

I remember her sweet voice when she called to tell me that she had found a lump in her right breast, had made an appointment with her gynecologist, but was sure it wasn't anything and that I didn't need to come back to town to go with her as she would be fine. Of course, I was with her when her gynecologist acknowledged the mass in her breast, but indicated that because we had no history of breast cancer in our family and because of her tender young age, she truly felt that there was no reason for concern. Because my daughter-in-law was diagnosed with breast cancer at age 28, we knew that age and family history didn't mean there was no reason for concern. The doctor also agreed that next steps would be diagnostics.

On February 13, 2009 as she laid on the cold, hard table in the breast center, they told us, even before pathology, that they were relatively certain that it was breast cancer and that there was also lymph node involvement. I remember telling Stacey everything would be okay and with tears running down her cheeks, she said, ''I don't think so Mom.''

As anyone who has walked the cancer journey, the next weeks are a whirlwind of tests of all kinds, blood and lab tests and one doctor visit after another. When the path report came back and we were told that she had triple negative breast cancer, we knew it wasn't the best type to be diagnosed with, but had no idea how aggressive and deadly this sub-set of breast cancer is.

She had both a great oncologist and breast surgeon, but with the standard care of treatment currently administered; unfortunately, after weeks and weeks of chemo, this aggressive cancer began to grow again right before her bilateral mastectomy. After what appeared to be a successful surgery, although 9 of 13 lymph nodes showed involvement, she began with radiation that literally fried her skin and tissue to the point it looked like raw meat.

In October, 2009 her PET scan indicated that there was no cancer detected. We quickly learned not to use the words ''cancer free.'' In light of this great news, we took a family and friend cruise in November to celebrate her victory. It was a special time and even with the good news, I noticed that she was having trouble walking and complained of pain in her hips and legs. These symptoms continued, but none of the diagnostic testing showed any signs of cancer.

On Christmas Eve, 2009, Stacey ended up in the emergency room with a bad gallbladder and it was then doctors discovered that her breast cancer had metastasized to her lungs and her liver. When her surgeon showed our family pictures of her liver, it was unbelievable that in 2 short months her liver was close to 50% compromised. Triple negative breast cancer is extremely aggressive, fast spreading and seems to know how to dodge the chemicals and treatments that are currently given.

We took her home for Christmas knowing we would be lucky to have her with us for the next Holiday season. The following weeks revealed that there was also metastasis to the bones, which was what had been causing her pain even in November. From the time she came home at Christmas, she lived in constant pain and had to be sedated heavily to the point that she slept most of the time.

She started on a clinical trial about the third week of January and with any success and with great hope, we could have our sweet girl with us for an anticipated 6 to 9 months. Because this cancer is so aggressive and so deadly, we left for a regular treatment on Friday, February 5th and within hours she was having unusual symptoms that sent us for testing, then to the hospital and on Monday, February 8th at 8:30 am, she took her last breath. We buried her on Saturday, February 13, 2010 . . . exactly one year from her diagnosis at age 39, leaving behind a husband and two sons, ages 10 and 12.

Within a year from her passing, we had another close friend, a beautiful young mom nearly the same age who left behind 3 beautiful children who will grow up without their mother. Young women and mothers are dying because, at this time, we are still treating with standard care of treatment. The same treatment for every type of breast cancer isn't going to stop the deaths of these young women. Triple negative resists this standard care of treatment and research is needed to identify specific genetic and molecular targets and biomarkers.

It is a mother's plea that we continue to find innovative research to put an end to, not only triple negative breast cancer, but to hopefully eradicate cancer within our lifetime.

RACE/ETHNICITY AND TRIPLE NEGATIVE BREAST CANCER

Worse survival for African American women with breast cancer has been reported by the National Cancer Institute Surveillance, Epidemiology, and End Results (SEER) registry, the Department of Defense database, large single-institution studies, and literature-based meta-analyses. After controlling for stage, demographics, socioeconomic variables, tumor characteristics, and treatment factors, racial disparity in survival existed among both premenopausal and postmenopausal women who were diagnosed with early-stage breast cancer. This racial disparity in survival among patients with early-stage breast cancer occurred in patients with both endocrine-responsive and nonresponsive tumors. African American women with breast cancer, especially those who are premenopausal, have a higher incidence of biologically more aggressive cancers with a basal-like subtype or that were triple negative (ie, lacking receptors for estrogen, progesterone, and HER2–neu).

The prevalence rates of the subtypes of breast cancer appear to differ by race. In studies of women in the United States and Britain, triple negative (or basal-like) tumors appear to be more common among black women, especially those who are premenopausal, compared to white women.

Distribution patterns of established breast cancer risk factors among 890 young breast cancer cases and 3,432 population-based controls.

Mr. Chair, I rise to support my amendment #130 to H.R. 4310 ''National Defense Authorization Act,'' would require the Secretary of Defense prior to the awarding of defense contract to private contractors, to conduct an assessment to determine whether or not the Department of Defense has carried out sufficient outreach programs to include minority and women-owned small business.

Throughout my tenure in Congress, I have sponsored legislation that promotes diversity. I stand proudly before you today to call for renewed vigor in advocating and constructing effective policies that will make the United States the most talented, diverse, effective, and powerful workforce in an increasingly globalized economy.

This amendment will require the Department of Defense to consider the impact that

changes to outsourcing guidelines will have on small minority and women owned business by requiring them to engage with these businesses.

Promoting diversity is more than just an idea it requires an understanding that there is a need to have a process that will ensure the inclusion of minorities and women in all areas of American life.

Small businesses represent more than the American dream—they represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country.

Small business growth means economic growth for the nation. But to keep this segment of our economy thriving, entrepreneurs need access to loans. Through loans, small business owners can expand their businesses, hire more workers and provide more goods and services.

The Small Business Administration, SBA, a federal organization that aids small businesses with loan and development programs, is a key provider of support to small businesses. The SBA's main loan program accounts for 30 percent of all long-term small business borrowing in America.

I have worked hard to help small business owners to fully realize their potential. That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs.

These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing.

My amendment would require the Department of Defense to assess whether their outreach programs are sufficient prior to awarding contracts. The Department of Defense should investigate what impact their regulations have on minority and women owned small businesses.

Outreach is key to developing healthy and diverse small businesses.

Mr. SMITH of Washington. I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I encourage all of our Members to support the en bloc amendments, and I yield back the balance of my time.

Mr. TERRY. Mr. Chair, I thank Chairman MCKEON and Ranking Member SMITH for accepting my amendment as part of this en bloc package.

In the last months of the Bush Administration, a change was made authorizing veterans and active-duty military not in uniform to render the military-style hand salute during the playing of the national anthem. Secretary of Veterans Affairs Dr. James B. Peake said at the time, ''The military salute is a unique gesture of respect that marks those who have served in our nation's armed forces. This provision allows the application of that honor in all events involving our nation's flag.''

This change, authorizing hand-salutes during the national anthem by veterans and out-of-uniform military personnel, was included in the Defense Authorization Act of 2009 and improved upon a little known change that was contained in the previous National Defense Authorization Act which authorized veterans to render the military-style hand salute during the raising, lowering or passing of the flag, but it did not address salutes during the national anthem.

These were important changes; however, they should have been broadened even further to authorize veterans and active-duty military not in uniform to render the military-style hand salute during the reciting of the Pledge of Allegiance.

Current Flag Code states that the Pledge of Allegiance to the Flag, ''I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all,'' should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute. (§ 4. Pledge of Allegiance to the flag; manner of delivery)

My amendment is an idea brought to us by our local VFW that simply seeks to create parity for veterans in and out of uniform who are reciting the Pledge of Allegiance. Veterans of this great nation take deep pride in being able to express honor in the way only veterans can, each time they reaffirm their pledge of allegiance to our great nation and its colors.

I thank Chairman MCKEON for his support of this amendment allowing vets to render a hand salute.

Mr. BACA. Mr. Chair I want to thank Chairman BUCK MCKEON and Ranking Member ADAM SMITH for their efforts.

I also want to thank Reps. GARY MILLER, DAVID DREIER, and KEN CALVERT—and Senator DIANE FEINSTEIN for their support of this bipartisan amendment.

My amendment directs the U.S. Geological Survey (USGS) to conduct a study of water resources in the Rialto-Colton Basin in California.

The USGS study would look at perchlorate contamination in the area's groundwater.

Perchlorate is a rocket fuel additive that impairs thyroid function in humans—and has been found to be harmful to women and children.

This contamination is the direct result of the area having been acquired by the U.S. Army in 1942—to develop an inspection, consolidation, and storage facility for weapons bound for the Port of Los Angeles.

Having lived in Rialto for decades, I am very aware of the perchlorate problem we have in our drinking water.

Currently the EPA is undertaking a $25 million dollar effort to clean up the contamination.

But for the efforts of the EPA to be successful, we must first know the full scope of the problem.

We can only gain this crucial information by conducting an extensive study—and my amendment would make this study a top priority for the USGS to expedite.

This study is critical to the health and well-being of my constituents.

The contamination at the Rialto site was measured at more than one thousand times the drinking-water standard for perchlorate, according to the EPA.

My constituents deserve to have clean drinking water for themselves, their families, and our future generations.

According to the USGS, groundwater makes up 79 percent of the available drinking water supply in the Inland Empire.

How much of this supply is polluted—we don't know; and we won't know unless the USGS does a comprehensive study!

I urge my colleagues to join me in bringing relief to the people of the Inland Empire—and to support my amendment.

Mr. GARY G. MILLER of California. Mr. Chair, I rise in support of the Baca amendment and I want to thank Chairman MCKEON and Ranking Member SMITH for their work on the underlying bill.

This amendment directs the U.S. Geological Survey (USGS) to conduct a study of water resources in the Rialto-Colton Basin in California.

The USGS study would look at perchlorate contamination in the area's groundwater.

Perchlorate is a rocket fuel additive that impairs thyroid function in humans—and has been found to be most harmful to women and children.

This contamination is the direct result of the area having been acquired by the United States Army in 1942 to develop an inspection, consolidation, and storage facility for weapons bound for the Port of Los Angeles.

Having lived near Rialto for decades, I am very aware of the perchlorate problem we have in our drinking water.

Currently the EPA is undertaking a $25 million dollar effort to clean up the perchlorate contamination.

In order for cleanup efforts to be successful, we must first know the full scope of the problem.

We can only gain this crucial information by conducting an extensive study.

The contamination at the Rialto site was measured at more than 1,000 times the drinking-water standard for perchlorate, according to the EPA.

Constituents of Southern California deserve to have clean drinking water for themselves, their families, and our future generations.

According to the USGS, groundwater makes up 79 percent of the available drinking water supply in the Inland Empire.

How much of this supply is polluted, we don't know; and we won't know unless the USGS does a comprehensive study!

I urge this body to join me in bringing relief to the people of the Inland Empire by supporting this amendment.

Again, I thank Representative BACA for putting forward this common sense amendment.

Mr. CALVERT. Mr. Chair, I rise today in support of the Baca Amendment to the National Defense Authorization Act. This amendment would provide needed funds for the U.S. Geological Survey to complete a comprehensive study of perchlorate contamination in the Rialto-Colton Basin in California.

This perchlorate contamination is a direct result of U.S. Army activities in the region beginning in 1942 for the inspection, consolidation, and storage of ordnance bound for the Port of Los Angeles and the use of perchlorate salts and solvents in these activities. Perchlorate is a known toxin that impairs thyroid function and can cause a broad array of adverse health conditions.

Contamination in the ground water has been measured at 1,000 times the EPA drinking-water standard for perchlorate. And the EPA is currently involved in a massive $25 million dollar effort to clean up the contamination. However, an in depth analysis of the perchlorate plume in the basin has not yet been conducted. For the efforts of the EPA and other agencies to be ultimately successful, we must know the full scope of the problem.

The study supported by this amendment will provide much needed data regarding the extent of groundwater contamination in the Rialto-Colton Basin. This information is invaluable to providing a safe reliable water supply to the residents of the Inland Empire and to cleaning up environmental contamination 70 years in the making.

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong support of the Granger Amendment #44 to H.R. 4310 that was included in the En Bloc Amendment #3. As one of the co-chairs of the Congressional Taiwan Caucus, I believe this amendment embodies the spirit of the Taiwan Relations Act of 1979 in providing assistance to Taiwan for its own defense.

Through the TRA, we are able to conduct arms sales to Taipei. Over the past 30 years, we have done this time and time again. Unfortunately, the Obama Administration has failed to proceed on Taiwan's top request—the F–16 C/D aircraft. Taiwan has an aging fixed wing aircraft fleet, and with the growing military gap across the Taiwan Strait, it is critical that we sell them this aircraft. The Granger Amendment does just that by requiring the President to move forward on the sale of no fewer than 66 F–16 C/Ds.

Mr. Chair, the Taiwan Caucus sent letters in 2010 and 2011 urging the White House to move forward on this matter. In 2010, 136 bipartisan Members signed that letter, and in 2011, 181 Members joined in the effort. Unfortunately, those letters were received with mostly silence. However, the White House cannot ignore this amendment.

I urge my colleagues to uphold our commitment to Taiwan and support the Granger Amendment.

Mr. CUMMINGS. Mr. Chair, I offer this bipartisan amendment with Congressman JEFF LANDRY to increase transparency surrounding the issuance of waivers allowing foreign vessels to carry cargo between points in the United States. I thank Congressman LANDRY for his leadership on this issue.

A report recently released by PriceWaterhouseCoopers found that in 2006, the most recent year for which data were available, the Jones Act fleet supported nearly 74,000 direct jobs in the U.S. shipbuilding and domestic waterborne transportation industries.

These jobs, in turn, supported more than $36 billion in economic output in 2009 and provided $6.5 billion in labor compensation.

Among other provisions, the Jones Act requires that a vessel cannot carry cargo between two U.S. points unless the vessel has been built in the United States, and is owned and crewed by Americans.

The Jones Act can be waived in the interest of national defense. However, the Maritime Administration (MARAD) must first assess whether Jones Act-qualified vessels are available to carry the cargo under consideration.

Following the release of oil from the Strategic Petroleum Reserve in 2011, the Department of Homeland Security waived the Jones Act dozens of times despite the availability of Jones Act-qualified vessels.

According to documents provided by the Department of Transportation, waivers were issued at the request of firms such as Shell Oil Company, ConocoPhillips Company, and BP Products North America.

As a result, the American oil released from the American Strategic Petroleum Reserve was then carried by vessels flagged in such countries as Liberia, the Marshall Islands, Singapore, the Bahamas, and Panama.

The amendment I offer with Congressman LANDRY is a simple one. Let me be clear: though I think waivers should be issued only in the rarest of circumstances, this amendment does not prohibit the issuance of any waivers.

Instead, it would require the Maritime Administration (MARAD) to include in its assessments of the availability of Jones Act-compliant vessels information on the actions that could be taken to enable Jones Act-qualified vessels to carry the cargo for which a waiver is sought.

MARAD would also be required to publish its assessments on its website and provide notification to Congress when a waiver is requested or issued.

Adoption of these provisions will significantly enhance the transparency surrounding the issuance of Jones Act waivers so that we can assess whether every possible opportunity to utilize Jones Act-compliant vessels in the coastwise trade has been utilized.

I urge Members on both sides of the aisle to support our bi-partisan amendment to ensure that every available step is taken to utilize American mariners to carry American cargoes on American ships between American ports.

Mr. CRAVAACK. Mr. Chair, I rise today in support of my amendment, which would express a sense of Congress that fighter wings performing the 24-hour Aerospace Control Alert missions provide an essential service in defending the sovereign airspace of the United States in the aftermath of 9/11.

Mr. Chair, the tragic events of 9/11 exposed holes in our nation's air security and reinforced the need for the U.S. military to take the steps necessary to significantly increase our ability to intercept hostile aircraft. Today, there are fighter jets placed at strategic points all across the United States, charged with the mission to provide air defense through the detection, deterrence, and if necessary, defeat of hostile air attacks. These sites, known as Aerospace Control Alert sites, have fully armed aircraft and trained personnel on 24-hour alert, 365 days a year.

One such Aerospace Control Alert site resides in my district. The 148th Fighter Wing of the Minnesota Air National Guard, also known as the ''Bulldogs,'' operates out of Duluth, Minnesota, and provides force protection of our country's northern border between Madison, Wisconsin, and Portland, Oregon. The Bulldogs have been performing the ACA mission successfully for years and were selected for the Raytheon trophy, which is awarded for outstanding performance to an Air Force or Air National Guard fighter unit with a mission in air defense. In fact, I am proud to say that the Director of the Air National Guard, Air Force Lt. Gen. Harry M. Wyatt III announced just this month that the 148th Fighter Wing was selected as the 2012 Air Force Association Outstanding Air National Guard Flying Unit.

Given the importance of the 24-hour Aerospace Control Alert mission to our national security, I was greatly concerned when I learned a few months ago of NORAD's proposed reduction of the 24-hour alert mission requirement at two Aerospace Control Alert (ACA) sites in the Continental United States. It is my understanding that this proposal was submitted in line with the President's budget request for FY 2013 and the U.S. Air Force's decision to make force structure changes.

My concern grew when I learned of a January 2012 GAO report that reviewed NORAD's 2010 analysis on whether it could change the number and location of its fighter sites without affecting the military's ability to defend the country against airborne attack. GAO's conclusion was that this NORAD analysis did not adequately balance risk with targeted budget reductions.

I recognize that our country's current fiscal reality necessitates the Department of Defense to tighten its belt and look for ways to do more with less.

However, I think it is imperative that decisions that directly affect our nation's ability to defend itself should be made on the basis of risk-management principles that balance risk and costs.

Therefore, I also rise today in support of Section 352 in the underlying bill, which would direct the Secretary of Defense to maintain our nation's existing eighteen ACA sites until the Secretary submits a report that shows the cost-benefit analysis and risk-based assessment of how future ACA changes would affect the DOD budget and force structure.

I would like to thank Congressman LOBIONDO for adding this important provision to the bill, and I urge the adoption of my amendment in recognition of a critical asset in our nation's defense system.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

AMENDMENT NO. 30 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in House Report 112–485.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title X, strike section 1064 and insert the following:

SEC. 1064. FINDINGS ON DEPLOYMENT OF TACTICAL NUCLEAR FORCES IN THE WESTERN PACIFIC REGION.

Congress finds the following:

(1) The United States and allied forces are currently capable of responding to aggression by the Democratic People's Republic of Korea (''North Korea'').

(2) The deployment of tactical nuclear weapons to the Republic of Korea (''South Korea'') would destabilize the areas of responsibility of the United States Pacific Command and United States Forces Korea.

(3) Such deployment would not be in the national security interests of the United States.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. My amendment would strike language in the bill directing the administration to consider redeploying tactical nuclear weapons to the western Pacific region, and it would replace that language with a finding that such a deployment would not be in the best national security interests of the United States. The irresponsible language in the bill has already provoked a strong negative reaction from the South Korean Government and has forced the State Department to clarify that deploying nuclear weapons in South Korea is not on the table.

Tactical nuclear weapons would be extremely destabilizing in the region. It would accelerate North Korea's development of nuclear weapons, and America would lose its moral ground in its diplomatic efforts to persuade North Korea to give up its nuclear weapons.

It would undermine decades of diplomatic efforts to secure a nuclear-free Korean Peninsula, especially the Joint Declaration on Denuclearization of the Korean Peninsula which both North and South Korea signed in 1991; and it would dramatically heighten tensions with China, perhaps with Russia, whose leaders would be understandably concerned by American tactical nuclear weapons in their backyards. Mr. Chairman, our forces in the region, including our ballistic missile submarines, our intercontinental ballistic missiles, Tomahawk cruise missiles, B–52 and B–2 bombers, are fully capable of countering North Korea.

I would quote General Walter Sharp, recently retired as commander of U.S. forces in Korea, who said less than 1 year ago:

I don't believe tactical nuclear weapons need to return to the Republic of Korea. The U.S. has sufficient capabilities from stocks in different places around the world in order to be able to do what we need to do to be able to deter North Korea from using nuclear weapons. They don't have to be stationed here in Korea for either deterrent capability or use capability.

Mr. Chairman, I reserve the balance of my time.

□ 2240

Mr. MCKEON. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, a member of the committee, the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. I thank the gentleman.

Mr. Chairman, I would say first and foremost that the true destabilizing force in the Western Pacific today is nuclear weapons in the hands of North Korea. There have been many efforts to try to pursue solutions in that regard: six-party talks and many different things. It is time that the United States have some additional options. The language in the NDAA that we have merely says that we need a report to be conducted regarding the efficacy of additional nuclear or conventional weapons in the Western Pacific region. It technically doesn't even mention South Korea. It is true that the South Korean people and some of the South Korean leaders have debated and some of them are arguing for the redeployment of the tactical nuclear weapons on the peninsula because they see North Korea's nuclear forces as the most destabilizing aspect.

This amendment that the gentleman puts forward simply says that it would not be in the national security interests of the United States, and I think that that's not in evidence at this point. I believe that having this language in our defense bill actually strengthens the administration's hand to promote some sort of a more just solution here and takes the country and the world in a safer direction.

Mr. Chairman, the bottom line is that I believe this amendment should be opposed, and the language in the NDAA should be preserved.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 1 minute to the good ranking member of the House Armed Services Committee, the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, this amendment makes an enormous amount of sense. There is no question North Korea is a threat, but there are two very salient points. First of all, as Mr. JOHNSON stated, we have a number of troops in South Korea. We have a number of options, including nuclear submarines and bombers in the region. We have on the table what we need to deal with that threat militarily.

Yes, Mr. FRANKS had an amendment in the committee that asked us to look at ways to expand that, including the possibility of deploying tactical nuclear weapons to the region, which I think is very dangerous to talk about. But specifically, it would be very dangerous to deploy those tactical nuclear weapons to South Korea. That's why this amendment is limited to saying that that would be a bad idea.

We all remember the Cuban missile crisis, how people are likely to react to nuclear weapons being deployed close by them. And North Korea is hardly a predictable actor. I can say with quite a great deal of confidence that if we were to put tactical nuclear weapons in South Korea, it would be an incredibly dangerous thing to do in terms of predicting how North Korea would react.

The Acting CHAIR. The time of the gentleman has expired.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. SMITH of Washington. This amendment simply states what I think is the obvious: It would be a bad idea to put tactical nuclear weapons into South Korea. To some degree, it makes more—rational perhaps is too strong a word—user friendly Mr. FRANKS' amendment in the committee, by at least making it clear that this very bad option for our national security interests is not going to be contemplated.

This amendment says that we should not put tactical nuclear weapons into South Korea. I think that is clearly the right policy, and I urge adoption.

Mr. MCKEON. May I inquire if the gentleman has any more speakers?

Mr. JOHNSON of Georgia. I have no speakers, and I'm prepared to close.

The Acting CHAIR. The gentleman from California has the right to close.

Mr. MCKEON. Then I reserve the balance of my time.

The Acting CHAIR. The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, my friend, Congressman FRANKS from Arizona, cited the fact that he believes that this language that I seek to remove from the NDAA actually strengthens the administration's hand. I would submit that what it does is imposes on the administration—insofar as delicate negotiations and diplomacy are being invoked—to try to convince the North Koreans that it's in their best interest to abandon their nuclear aspirations.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield the balance of my time to my friend and colleague, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. Thank you, Chairman MCKEON.

Mr. Chairman, I rise in opposition to the Johnson amendment.

The Johnson amendment strikes from this bill the call for a study. A study is just the obtaining of knowledge. It strikes in this bill a study on what our options need to be in response to an increasing threat from North Korea. This study is necessary for us to understand what our options are.

What has changed? Why are we concerned about North Korea? Why do we need to pursue these options? One, we know that they most recently have unveiled a road-mobile missile launcher that Secretary Gates has said is an ICBM that puts the United States mainland directly at risk. Secondly,

Secretary Panetta testified in front of our committee that there appears to be a link between China and the road-mobile missile launchers that we've seen and perhaps the missile technology, and we know that North Korea has been pursuing nuclear capabilities.

Our normal response to this has been our missile defense capability, where we've tried to bolster our missile-defense capability as North Korea gets increasingly dangerous in its quest to reach the United States with ICBMs and again a nuclear-capable North Korea. But we have grave concerns as to whether or not our missile-defense system would be there in order to be able to protect us. That's why we need to pursue additional options, because we continue to have from the other side of the aisle amendments to reduce our missile defense.

At the same time we know that the President most recently was caught in an open-mic discussion with the President of Russia, President Medvedev, indicating that after the election had occurred in the United States, when he would have, as he described it, more flexibility, that he would address the issue of missile defense. So we know that the President in his discussions with Russia has a secret deal that's supposed to be unveiled after the election that can't see the light of day during this election, holding the American people hostage to what its terms are. As this secret deal proceeds, this President could continue to weaken our missile-defense system as we have the rise of North Korea.

Mr. FRANKS in his amendment in our committee merely asks for information and for a study. What should our response be as we see North Korea reaching for capability to reach the United States? We know of their nuclear capability. We've seen them unveil their road-mobile missile launchers, and we know that this President, in his secret deals with the Russians, has said, I'm looking for greater flexibility in missile defense.

Our only defense currently for North Korea and its quest for missile technology that can reach the United States—this is important that we rise to the issue of asking the question, as Mr. FRANKS has, what do we need to do, especially in light of the President's secret deal with the Russians.

Mr. LARSEN of Washington. Mr. Chair, I rise today in support of an amendment offered by Representative JOHNSON of Georgia that would include a finding that states the deployment of tactical weapons to South Korea would destabilize the Western Pacific region and would not be in the national security interests of the United States.

Due to increased provocative actions taken by North Korea, I feel there is a thought that the placement of tactical nuclear weapons on the Korean Peninsula would act as a deterrent against North Korea's continued desire to build nuclear weapons. I disagree.

Our military's extended nuclear deterrent capabilities are already sufficient to deal with the North Korean threat. The Kim Jung-un regime is aware that with our advanced submarine launch capabilities, our sophisticated stealth bombers, and our ICBM missiles, the United States military has the ability to cause devastating harm to North Korea.

Instead of acting as a deterrent to North Korea, placing tactical nuclear weapons on the Korean Peninsula will only embolden the Kim Jung-un regime to develop their nuclear capabilities faster, increasing the risk of development or testing mistakes that could harm innocent North Koreans in the process.

Placing tactical nuclear weapons on the Korean Peninsula without the support of the South Korean, Japanese, or Chinese governments could severely hamper the progress made during the six-party talks. The United States should not unilaterally decide to take a destabilizing action in this region of the world without close consultation with our allies in the region.

For these reasons I strongly urge my colleagues to support the Johnson amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 31 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in House Report 112–485.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title X, add the following new section:

SEC. 1065A. REPORT ON PLANNED REDUCTIONS OF NUCLEAR WEAPONS OF THE UNITED STATES.

Not later than January 15, 2013, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees a report on whether—

(1) the planned reductions to the number of nuclear weapons of the United States pursuant to the levels set forth under the New START Treaty are in the national security interests of the United States; and

(2) such reductions should continue.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

□ 2250

Mr. JOHNSON of Georgia. Mr. Chairman, this amendment would direct the chairman of the Joint Chiefs and the Secretary of Defense to report to Congress regarding the impact on national security of reducing our nuclear weapons stockpiles, as required by the New START Treaty.

For strong supporters of New START, such as myself, it's self-evident that reducing our stockpiles when we already have the capacity to destroy the Earth many times over is clearly in our national security interest. But I understand that there is some doubt amongst my colleagues on the other side of the aisle. I respect those views, and we should address them.

So this amendment offers a simple solution, that is, let's require our senior military leadership to give us their views. I believe that my view, which is that cutting our nuclear stockpiles is perfectly consistent with our security interests, would be validated. But in the national interest, it seems not only prudent but essential to put that question to our senior military leadership. And I'm willing to do that, even if it risks me getting back the wrong answer, or an answer that I don't want to hear.

I'm, frankly, surprised this amendment is controversial because it's just common sense. I would ask any colleague who opposes this amendment why they wouldn't want to hear the views of our military leadership, why would we not want to hear from our senior commanders on this issue? Is there any valid reason? Let's ask our military leadership and get the expert opinions we need to move forward with a clear understanding of the policy's implications.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. I yield 2 minutes to my friend and colleague from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. Mr. Chairman, I am in opposition to redundant reporting and requests on items that are already available. Section 1045 of the FY12 National Defense Authorization Act, condition nine of the Senate's resolution of ratification for the New START Treaty, already requires almost exactly the same report as this amendment would require. But the President—not the Secretary of Defense or the chairman of the Joint Chiefs of Staff—is required to provide this report forward.

The report is required to be submitted whenever there is a shortfall in funding from the section 1251 plan levels. Because the FY12 omnibus appropriations resulted in a 5 percent shortfall, the reporting requirement was triggered, and the report was due in February. Congress has yet to receive

the report. So perhaps one of the things that we need to do is to just have the administration file the reports that are already being requested instead of requiring an additional report.

This amendment is duplicative of an existing reporting requirement. We think that we should work together to ensure that the administration provides us with the reports that are already due.

We too have very serious concerns as to how this administration is moving forward with its New START implementation. Part of the concerns that we have, obviously, is that the preamble to the New START agreement includes a statement that the Russians state that our missile defense system is part of the overall effect of the balance between the two nations. The administration says that the preamble, referring to missile defense, does not apply. But yet we see the President in an open-mic discussion with Medvedev saying, After the election, I will have greater flexibility on missile defense.

So there is some confusion as to whether or not this administration believes that missile defense and New START are tied together. We certainly are going to look for a greater illumination by this President of what his secret deal is and whether or not it involves New START.

Part of the discussion that we have in the reports that are due is holding this administration accountable to answer the questions that are already on the table, file the section 1045 report that was due in February and answer the question, What's the secret deal?

Mr. JOHNSON of Georgia. I yield myself 15 seconds to point out that the voluminous report that my colleague on the other side just referred to, that was included in last year's NDAA and has not been submitted. I'm just asking for a simple report.

I yield 2 minutes to my colleague from Washington.

Mr. SMITH of Washington. Mr. Chairman, I am just asking for a simple yes or no answer instead of a long report. Is this in the national security interest or isn't it? I think that's a worthy thing to get a straightforward answer to.

But I want to talk one last time about the alleged secret deal that's been spoken of. And I must compliment Mr. TURNER. He obviously went to an excellent propaganda school. If you keep saying something over and over again, even though there is not a shred of evidence to support it, eventually people will believe that there might actually be something there, even though it is a complete fabrication.

There is no secret deal. The President would like to negotiate with Russia in a way to better protect our national security over missile defense. That is what he said. Yet they keep saying ''secret deal,'' as if something exists when there is not a shred of evidence that it does. And it is absolutely clear-cut that all the President was saying was that during an election year, an issue like this would be subject to demagoguery precisely like this, and it would be difficult to do.

Now, the gentleman from Ohio (Mr. TURNER) and others will probably oppose whatever agreement the President might be able to reach in the future with the Russians. And that's fine. We can have a robust debate about it.

But to continue to stand up here on the floor and talk about a secret deal Mr. TURNER knows doesn't exist is very disingenuous and not helpful to the larger debate. We can have the debate about what we should be negotiating with the Russians and shouldn't be.

Some long for the days of the Cold War, wish we could go back to a full-blown confrontation with Russia. I don't, and the President doesn't. He would like to find a way where we can work together to create a more peaceful world. I would like to give him the opportunity.

But no deal exists, secret or otherwise. There is not a shred of evidence for that. Yet we keep hearing that said, and we know why we keep hearing it said, so it can be demagogued, so people can begin to believe something exists when there is absolutely not a shred of evidence that it does.

I urge support for the gentleman from Georgia's amendment and for people to try to break through all of that and understand that just because the words ''secret deal'' keep being said doesn't change the fact that there is no such thing.

Mr. MCKEON. Mr. Chair, how much time remains?

The Acting CHAIR. The gentleman from Georgia has 45 seconds. The gentleman from California has 3 minutes.

Mr. MCKEON. I yield myself 1 minute.

We have had this back-and-forth about the President's comments. But enough of us heard it—in fact, I think we heard it over and over and over from the media, with the President on an open mic saying—and I don't think there's any dispute about this—Please take back to Mr. Putin that I will have greater flexibility after the election.

You know, we could debate whether or not there's a secret deal, but I don't think there's any debate to the fact that the President said that, not wanting the general public to realize that he said that, but he did say it. So that leaves a question in America's mind of what he was talking about.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MCKEON. I yield myself an additional 15 seconds.

You have to be a little concerned, a little nervous if he's that interested in sending a message to Mr. Putin that after the election, I will have a little more leeway. I think it's very important. Why not lay it out for the American people? What did he mean when he said he would have more leeway? What does he plan to do with that additional leeway? I would like to see the President go to the American people and say that.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, what did he say? Well, it doesn't matter because whatever he said, please know that treaties have to be confirmed or ratified by the Senate with a two-thirds majority.

Mr. Chairman, let's ask our military leadership whether the New START military reductions are in our security interests, whether it vindicates supporters of arms control, like myself, or vindicates those who believe we need to build more. Let's get that answer from the people who are in the best position to answer the question. And those people are our leaders in the military and in the Defense Department.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield the balance of my time to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. We certainly share our concern with the other side of the aisle as to how New START will be implemented and its effect on our missile defense system.

The issue of President's secret deal with the Russians is not really one that's open to interpretation. This is not some speculation. This is not an issue of my opinion that there's a secret deal. You can go to YouTube and type in ''President Obama, Medvedev,'' and you will see them sitting with an open mic.

□ 2300

You will, with your own ear, hear the President say, This is my last election, which should be offensive to every person in the electorate because it says, As soon as I am free from having to respond to the election process or to the electorate, I will be—and what he says is: I will have more flexibility after my election. That's freedom. He asks for space from Mr. Medvedev, who said, gleefully, it seemed to me—and that is editorializing—I'll go tell Vladimir. So Vladimir knows something we don't.

So we can say, Well, what does Vladimir know? Well, we know that Putin said in a March 2, 2012, interview with RIA Novosti about the President and his negotiations on missile events:

> They made some proposals to us which we virtually agreed to and asked them to get them down on paper. They made a proposal to us just during the talks, they told us: We would offer you this, this, and that. We did not expect this, but I said, we agree.

This is Putin saying this—We agree.

Now that's a deal. When the other side says, we agree, that's a deal.

Do we know what the terms are? No. That's a secret. So a secret deal on

missile defense is something we know is happening. You can go to YouTube and see the President talking to Medvedev. You can see him saying, I'm going to go tell Vladimir. You can look up Mr. Putin's interview on March 2, 2012, when he says his response was, we agree.

And what's the President's response when we ask, What are the terms of this deal, Mr. President—the terms that you won't let the Republican see? He says, Nothing.

The Acting CHAIR. All time having expired, the question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 32 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in House Report 112–485.

Mr. PRICE of Georgia. I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title X, add the following new section:

SEC. 1066. PROHIBITION ON UNILATERAL REDUCTION OF NUCLEAR WEAPONS OF THE UNITED STATES.

(a) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following:

''§ 498. Prohibition on unilateral reduction of nuclear weapons

''The President may not retire, dismantle, or eliminate, or prepare to retire, dismantle, or eliminate, any nuclear weapon of the United States (including such deployed weapons and nondeployed weapons and warheads in the nuclear weapons stockpile) if such action would reduce the number of such weapons to a number that is less than the level described in the New START Treaty (as defined in section 130f(c) of this title) unless such action is—

''(1) required by a treaty or international agreement specifically approved with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution; or

''(2) specifically authorized by an Act of Congress.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''498. Prohibition on unilateral reduction of nuclear weapons.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, as we have been hearing all night, earlier this year in a conversation between President Obama and the Russian President the microphone was left open inadvertently and the President pleaded for ''space'' and promised ''flexibility'' on the issue of missile defense after his reelection. And though this conversation was not intended for public consumption, the President's comments were clearly deliberate.

The President believes in a world without nuclear weapons. That would indeed be wonderful. He also apparently believes that unilateral reduction of our capabilities will be met by others following suit and reducing their arsenals if only the U.S. gives up its nuclear weapons first. That's not reality, Mr. Chairman.

Since the end of the Cold War, the United States has eliminated over 80 percent of its nuclear weapons arsenal. Yet instead of others following our lead, new nuclear weapon players, such as North Korea, have emerged. India and Pakistan tested their nuclear weapons in the 1990s.

Following the ratification of the new START treaty with Russia, Moscow started the most extensive nuclear weapon modernization program since the end of the Cold War. President George W. Bush offered to cooperate with Russia on missile defense, believing there was a collective interest in defending against emerging threats from nations like Iran and North Korea. Such cooperation, however, has proven elusive, with Russia being less interested in cooperating against Iran than in degrading our missile defense capability.

Clearly, countries have their own motives and security interests that are not necessarily derived from the United States' actions. President Obama seems resolved to push forward regardless, even if that means compromising our own missile defense capabilities. This is reckless and dangerous in today's world. Iran is getting ever closer to developing a nuclear weapon and consistently threatens Israel, openly calling for that Nation's destruction. In the wake of Kim Jong Il's death, North Korea continues to move forward with its latest test firing of a long-range missile.

This amendment would ensure that without a treaty approved by the Senate or an authorization by an act of Congress, the President may not reduce our nuclear arsenal. Please join me in limiting the ''space'' and the ''flexibility'' that this President desires, further putting our Nation's security at risk.

I urge support of the amendment, and reserve the balance of my time.

Mr. SMITH of Washington. I rise to claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. We have over 5,100 nuclear warheads. Now I have seen it cited at one point that that gives us the power to destroy the Earth 23 times. I will confess that I have not done an extensive fact check on that estimate. So let's just say it's only 10 times. That we have the nuclear capability to destroy the Earth 10 times—less than half of what some of the estimates have been.

That strikes me and I think every other rational observer as a more than sufficient deterrent. This is not a matter of saying that we're going to get rid of all of our nuclear weapons and hope that everybody else does. It's a matter of recognizing the expense of maintaining that stockpile versus some other choices that could be involved in protecting our national security.

And I know a number of Members on both sides of the aisle in this committee can look at shipbuilding, at planes, at support for our troops, and imagine a number of different ways that we could spend that money more effectively on national defense, not to mention the deficit.

It's a very simple opposition to this argument. If this President or any President determines that it's in our best interest to reduce that stockpile, he should be able to propose it. Now it's a budget item. It has to come through Congress. It has to be debated.

But the larger point is, again, we have over 5,100 nuclear warheads. Now it's true that we used to have even more than that. We used to have the capability to destroy the war beyond what I think we could even imagine. But we have more than a sufficient deterrent capability right now. So to close off the option of making reductions there that make national security sense, I believe is unwise, and I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Georgia has 2½ minutes.

Mr. PRICE of Georgia. I yield myself 15 seconds.

I find it curious that it would be unwise to require that the Senate concur in a reduction of the nuclear weapons arsenal or that an act of Congress be approved prior to that occurring.

I am pleased to yield 1 minute to my friend, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. I want to thank Mr. PRICE.

Mr. Chairman, I want to echo what he has just said about the importance of this amendment. This amendment merely says that the President shall not unilaterally do these reductions without it being pursuant to a treaty or a statute passed by Congress, just that Congress has to be involved.

This provision parallels a provision in the new START Implementation

Act. It recognizes the concern that Congress has from the information that is coming out of the administration. The Associated Press just reported that the Obama administration is weighing options for sharp new cuts to the nuclear force, including a reduction of up to 80 percent in the number of deployed weapons following just on new START, which has additional reductions, coupled with the President's open-mic statements that he wants greater flexibility on missile defense in a secret deal with the Russians. You have to come to a point where Congress has to be concerned that they be in the loop, that the President not take unilateral actions to both reduce our nuclear weapons at the same time that he's negotiating to diminish our missile defense system with the Russians as part of his secret deal.

Mr. SMITH of Washington. I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Georgia has 1¼ minutes remaining.

Mr. PRICE of Georgia. I am pleased to yield the balance of my time to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. I thank the gentleman for bringing this amendment. One thing we know, that under this administration's watch we will see, if we don't change it, up to a trillion dollars of cuts to national defense coming down the pike. What does that mean? We have seen the Air Force say that they're on the ragged edge. We've seen this administration propose to take seven cruisers and dismantle those cruisers. What that would mean is doing away with twice the surface capability of the entire British Navy.

We've seen the possibility of as many as 150,000 pink slips that could then be coming down to our men and women in uniform and the loss of as many as 1.5 million jobs. And I don't know whether or not there's a secret deal or what that secret deal is with the Russians, but one thing we know is we are moving dangerously close to the point where we will no longer be able to guarantee the security of the United States and U.S. interests, and that's why it's important that we support this amendment, and I hope we'll do that.

Mr. SMITH of Washington. I yield myself the balance of my time.

I think there are some legitimate questions about our national security. Certainly, if we saw that level of cut of a trillion dollars—and a number of issues the gentleman raised are worthy of concern. This amendment talks about a very narrow area of interest, and that's our nuclear weapons stockpile, which as I indicated, is more than sufficient.

Just one final word on the secret deal. Whatever agreement the President may come up with—and he certainly doesn't have one at the moment—as Mr. JOHNSON indicated earlier, it requires a two-thirds vote of the Senate. So I think we can all relax about what exists there.

□ 2310

It will be a public debate. Now, as Mr. FORBES acknowledged, he doesn't know if such a thing exists or not. And it's interesting to keep talking about something that we don't know whether or not it exists, but whether it comes up or not, there will be a full debate here. I believe, however, when it comes to our nuclear weapons, that is an area where again, we can save money in order to protect other very necessary parts of our national security.

And with that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offer by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

It is now in order to consider amendment No. 34 printed in House Report 112–485.

AMENDMENT NO. 38 OFFERED BY MR. RIGELL

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in House Report 112–485.

Mr. RIGELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle H of title X, add the following new section:

SEC. ___. CONDITIONAL REPLACEMENT FOR FY 2013 SEQUESTER.

(a) CONTINGENT EFFECTIVE DATE.—This section and the amendments made by it shall take effect upon the enactment of—

(1) the Act contemplated in section 201 of H. Con. Res. 112 (112th Congress) that achieves at least the deficit reduction called for in such section for such periods; or

(2) similar legislation that at least offsets the outlay reductions flowing from the budget authority reductions mandated by section 251A(7)(A) and 251A(8) as it applies to direct spending in the defense function for fiscal year 2013 of the Balanced Budget and Emergency Deficit Control Act of 1985, as in force immediately before the date of enactment of this Act, combined with the outlay reductions flowing from the amendment to section 251A(7)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 made by subsection (c), within five years of enactment.

(b) REVISED 2013 DISCRETIONARY SPENDING LIMIT.—Paragraph (2) of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

''(2) with respect to fiscal year 2013, for the discretionary category, $1,047,000,000,000 in new budget authority;''.

(c) DISCRETIONARY SAVINGS.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

''(A) FISCAL YEAR 2013.—

''(i) FISCAL YEAR 2013 ADJUSTMENT.—On January 2, 2013, the discretionary category set forth in section 251(c)(2) shall be decreased by $19,104,000,000 in budget authority.

''(ii) SUPPLEMENTAL SEQUESTRATION ORDER.—On January 15, 2013, OMB shall issue a supplemental sequestration report for fiscal year 2013 and take the form of a final sequestration report as set forth in section 254(f)(2) and using the procedures set forth in section 253(f), to eliminate any discretionary spending breach of the spending limit set forth in section 251(c)(2) as adjusted by clause (i), and the President shall order a sequestration, if any, as required by such report.''.

(d) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DEFENSE DIRECT SPENDING.—Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for the defense function (050) for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

(e) REPORT.—

(1) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a detailed report on the impact of the sequestration of funds authorized and appropriated for Fiscal Year 2013 for the Department of Defense, if automatically triggered on January 2, 2013, as required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), as in effect immediately before the date of enactment of this Act.

(2) CONTENTS OF REPORT.—The report required by this section shall include—

(A) an assessment of the potential impact of sequestration on the readiness of the Armed Forces, including impacts to steaming hours, flying hours, full spectrum training miles, and all other readiness metrics;

(B) an assessment of the impact on ability of the Department of Defense to carry out the National Military Strategy of the United States and any changes to the most recent Chairman's Risk Assessment required by section 153 of title 10, United States Code;

(C) a listing of the programs, projects, and activities across the military departments and components that would be reduced or terminated as a result of automatically triggered cuts;

(D) an estimate of the number and value of all contracts that will be terminated, restructured, or rescoped due to sequestration, including an estimate of potential termination costs and increased contracts costs due to renegotiation and reinstatement of the contract; and

(E) an estimate of the number of civilian, contract, and uniformed personnel whose employment would be terminated due to sequestration, including the estimated cost to the Department of executing such a drawdown.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Virginia (Mr. RIGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. RIGELL. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I believe that our duty to our country and our men and women in uniform requires us to do everything in our power to prevent sequestration. Sequestration is not a rational course correction, but instead it is a violent, sudden, and severe budget cut, the adverse consequences of which cannot be overstated. Sequestration creates undeniable havoc in production, personnel, and in contract administration. If allowed to become reality, only two groups will benefit: our Nation's enemies and the legions of lawyers who will be engaged in endless litigation against the Federal Government.

To be clear, these are not the cuts often debated in reference to the President's budget. Sequestration cuts to defense are in addition to those cuts, the sum of the two, totaling nearly $1 trillion over 10 years. Now, even if one holds the view that defense spending must come down, this is not the method in any respect to accomplish that objective.

My amendment allows us to avert sequestration. Specifically, the 2013 sequester is eliminated consistent with the House-passed budget, provided one of two events happen: first, reconciliation legislation required by the budget resolution is enacted; or, two, legislation offsetting, within 5 years, the cost of the fiscal year 2013 discretionary sequester and the fiscal year 2013 sequester of defense mandatory programs is enacted.

It also requires a report on the impact of sequestration prior to it taking effect, which is crucial.

This amendment is critical to preventing sequestration, which must be done if we are to meet our obligation to defend this great country; and the men and women who are truly defending this country are the men and women in uniform. So I urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield myself as much time as I may consume.

There are two big problems with this. First of all, it's a 1-year solution. It would eliminate sequestration for fiscal year 2013 alone. And as we have seen this year already, the constant every year wondering whether or not something this large is going to happen is enormously disruptive to our economy and enormously disruptive to our defense industry and all the other places that suffer sequestration. This sets us up for another 1 year after 1 year after 1 year, as we have seen with expiring tax cuts, with expiring proposed cuts to Medicare.

This every year trying to figure out whether or not we are going to deal with it is almost as damaging as the cuts themselves. So whatever we do here, we're going to have to come up with a 10-year solution. We're going to have to come up with the $1.2 trillion in deficit reductions that are necessary to avoid sequestration.

And I agree with my colleagues—coming up with that money and avoiding sequestration is enormously important, but simply doing it 1 year at a time really doesn't help.

The second problem with this is the way it is structured. It takes defense out of the possibility of facing sequestration and dumps it all on the rest of the discretionary budget. And what happens here basically is the Republican proposal on this is defense should not be touched, and there should be no revenue, and we have to deal with an over trillion-dollar deficit. It's going to be well over $8 trillion, $9 trillion over the course of the next 10 years.

What that means is you're going to have to have a devastating level of cuts in every other Federal program—Social Security, Medicare, Medicaid, all other discretionary spending, transportation, education. Now, I am a strong defender of the defense budget and of national security, but I am also a strong defender of our infrastructure, a strong defender of Medicare and Medicaid. This simply shifts defense out from under and puts the entire burden on everything else.

Just to do a little quick math for you, we had a $1.3 trillion deficit last year, roughly 40 percent of the budget, almost, in deficit. So if you decide no revenue, we're not going to bring in any more money, and we're not going to cut anything from defense, which is 20 percent of the budget, so now you're down to 80 percent of the budget. And I can't do this math off the top of my head, but if you have to cut 40 percent from 100 percent, if you go down to 80, you'll probably have to cut pretty close to 50. So, look at everything else in the Federal Government and imagine a 50 percent cut. I don't think that's realistic.

You know, I have no great love for taxes, but if the alternative is devastating all other spending programs, we have to at least consider revenue as part of the solution. This amendment, as with all Republican budget proposals, precludes that option and puts everything on the back of every other piece of spending, save defense, and raises no revenue. I don't believe that is a responsible approach.

I also agree with Secretary Panetta who said proposing this, something that the President will not support, something that the Senate will not support, stops us dead in our tracks from having any hope of truly getting to a solution which will prevent sequestration, which I agree needs to be done. I don't agree that this amendment puts us on a path to do it.

I reserve the balance of my time.

Mr. RIGELL. Mr. Chairman, I yield the remainder of my time to my friend and colleague, the chairman of the Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, we passed a budget. We showed what we would do to deal with all of these fiscal problems and fiscal priorities. We showed defense spending decreases off the defense request from last year. We showed a responsible way to get savings from the Pentagon budget.

To my friends on the other side of the aisle, to their credit, they brought a budget to the floor that turned off the sequester and showed alternative savings as well. The Senate, nothing, no budget for 3 years. The President, he tells us he doesn't want the sequester to kick in, that it's a bad thing to happen, but he's not doing anything to show how he will prevent the sequester from happening.

Two weeks ago, we passed a reconciliation bill. That bill said specifically how we will cut spending in other areas of government to prevent the sequester from occurring next year, 1 year.

The ranking member of the Budget Committee, Mr. VAN HOLLEN, authored an amendment to do the same thing, other savings to pay for 1 year of the sequester set aside. So both the House Republicans and the Democrats in the House proposed the same kind of solution, 1 year set aside.

Let's just look at what people are saying about what the sequester will do to our national defense:

The President, in his own budget, said that the sequester would inflict great damage to the country's national security;

The Secretary of Defense says it would hollow out our defense;

The Chairman of the Joint Chiefs of Staff says that sequestration would pose unacceptable risks to the Nation's security;

The Chief of Naval Operations says that the sequester would have a severe and irreversible impact on the Navy's future;

The Chief of Staff of the Army says that he is definitely afraid of what would happen to our military if this takes place.

All this amendment does is it gives us one more avenue and opportunity to take the spending cuts we have already articulated and to put them in place to prevent the sequester from happening, from seeing all these bad things take place. It gives another opportunity within this conference report, when that arrives, to prevent the sequester

from happening by swapping those cuts out with other savings elsewhere in the budget.

Our government is projected to spend about $45 trillion over the next 10 years.

□ 2320

This is a trillion. So the math that the gentleman from Washington mentioned doesn't quite add up. But if we start dropping defense 10 percent in January, that is going to have a destabilizing effect on our national security.

There is plenty of other government spending that's being wasted that can be cut to pay for this. Sixty-one percent of the Federal Government has been on autopilot, off limits. It has not been touched since 2006. There are plenty of areas that we can get savings from like this amendment proposes to. Let's get it from there, and let's not put our men and women at risk who are putting on the uniform and serving us and fighting for our country.

Mr. SMITH of Washington. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. SMITH of Washington. I yield myself 1 minute.

I agree with a lot of what the gentleman said. For instance, he's right that we have to look at that other 61 percent of the budget. He is, however, wrong that it hasn't been touched since 2006. We Democrats touched it and reduced Medicare by $500 billion. And you Republicans beat—well, I can't say that—beat us up, shall we say, over the fact that we had done that. So there is a considerable amount of hypocrisy here.

We want to avoid sequestration, without question. But to not allow for any revenue—which, again, is what this amendment does—just cuts, protecting defense, not protecting anything else, allowing for no revenue despite the fact that revenue has gone down by almost 30 percent over the course of the last 10 years, puts us on the path to sequestration. That's a path I don't want to be on. But we have to be broader in our thinking about it other than just devastating every other portion of the budget as the approach. Protect defense, no revenue. That's not a solution to sequestration.

With that, I yield the last minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Mr. Chairman, there is hypocrisy here, and there is also great faith in ignorance on the part of the public. We have in this defense budget, it's $8.3 billion above what was agreed to in the Budget Control Act last year, and now he says that's not enough.

Under the Ryan budget, the entire discretionary expenditures in the United States will go down eventually to 3.5 percent of GDP from 12.5 percent. Since Governor Romney says defense should not go below 4 percent, that means minus one-half percent for everything else government does—less than zero for the post office, for transportation, for education, for the Weather Bureau, for NASA. For everything government does other than Social Security, Medicare and veterans and debt service—zero dollars. That's where this budget that the other side of the aisle is espousing and has voted for to a person leads us, to zero dollars for all government functions other than defense and veterans.

The Acting CHAIR. All time having expired, the question is on the amendment offered by the gentleman from Virginia (Mr. RIGELL).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 39 OFFERED BY MR. GINGREY OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in House Report 112–485.

Mr. GINGREY of Georgia. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle H of title X of division A, add the following new section:

SEC. 10____. SENSE OF CONGRESS REGARDING PRESERVATION OF SECOND AMENDMENT RIGHTS OF ACTIVE DUTY MILITARY PERSONNEL STATIONED OR RESIDING IN THE DISTRICT OF COLUMBIA.

(a) FINDINGS.—Congress finds the following:

(1) The Second Amendment to the United States Constitution provides that the right of the people to keep and bear arms shall not be infringed.

(2) Approximately 40,000 servicemen and women across all branches of the Armed Forces either live in or are stationed on active duty within the Washington, D.C. metropolitan area. Unless these individuals are granted a waiver as serving in a law enforcement role, they are subject to the District of Columbia's onerous and highly restrictive laws on the possession of firearms.

(3) Military personnel, despite being extensively trained in the proper and safe use of firearms, are therefore deprived by the laws of the District of Columbia of handguns, rifles, and shotguns that are commonly kept by law-abiding persons throughout the United States for sporting use and for lawful defense of their persons, homes, businesses, and families.

(4) The District of Columbia has one of the highest per capita murder rates in the Nation, which may be attributed in part to previous local laws prohibiting possession of firearms by law-abiding persons who would have otherwise been able to defend themselves and their loved ones in their own homes and businesses.

(5) The Gun Control Act of 1968, as amended by the Firearms Owners' Protection Act, and the Brady Handgun Violence Prevention Act, provide comprehensive Federal regulations applicable in the District of Columbia as elsewhere. In addition, existing District of Columbia criminal laws punish possession and illegal use of firearms by violent criminals and felons. Consequently, there is no need for local laws that only affect and disarm law-abiding citizens.

(6) On June 26, 2008, the Supreme Court of the United States in the case of *District of Columbia v. Heller* held that the Second Amendment protects an individual's right to possess a firearm for traditionally lawful purposes, and thus ruled that the District of Columbia's handgun ban and requirements that rifles and shotguns in the home be kept unloaded and disassembled or outfitted with a trigger lock to be unconstitutional.

(7) On July 16, 2008, the District of Columbia enacted the Firearms Control Emergency Amendment Act of 2008 (D.C. Act 17-422; 55 DCR 8237), which places onerous restrictions on the ability of law-abiding citizens from possessing firearms, thus violating the spirit by which the Supreme Court of the United States ruled in *District of Columbia v. Heller*.

(8) On February 26, 2009, the United States Senate adopted an amendment on a bipartisan vote of 62–36 by Senator John Ensign to S. 160, the District of Columbia House Voting Rights Act of 2009, which would fully restore Second Amendment rights to the citizens of the District of Columbia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that active duty military personnel who are stationed or residing in the District of Columbia should be permitted to exercise fully their rights under the Second Amendment to the Constitution of the United States and therefore should be exempt from the District of Columbia's restrictions on the possession of firearms.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Georgia (Mr. GINGREY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. GINGREY of Georgia. Mr. Chairman, I rise tonight to urge my colleagues to support my nonbinding amendment, No. 39, which would express the sense of Congress that active duty military personnel who live in or are stationed in Washington, D.C. should be exempt from existing District of Columbia firearm restrictions.

Mr. Chairman, it is no secret that the District of Columbia has historically had some of the most restrictive firearm regulations in the Nation. In fact, in June of 2008, the Supreme Court—in the District of Columbia v. Heller case—ruled that the District's handgun ban and requirements that rifles and shotguns in the home be kept unloaded and disassembled or outfitted with a trigger lock is unconstitutional. In that decision it also said that the Second Amendment is applicable to an individual, not just a militia.

Well, just 1 month later, the District of Columbia enacted the Firearms Control Emergency Amendment Act of 2008, which places onerous restrictions on the ability of law-abiding citizens to possess firearms, thus violating the spirit, if not the letter, by which the Supreme Court of the United States ruled in D.C. v. Heller.

Mr. Chairman, there are approximately 40,000 servicemen and -women across all branches of the Armed Forces that either live in or they're stationed on active duty within the Washington, D.C. metropolitan area. Indeed, many of them are stationed at the Pentagon. Unless these individuals are granted a waiver as serving in a law enforcement role, they are subject to the District of Columbia's onerous and highly restrictive laws on the possession of firearms.

Mr. Chairman, there are servicemen and -women who have been prosecuted because of this unconstitutional prohibition, despite their training in the use of firearms. This is a travesty. Studies have clearly shown that firearms are a crime deterrent. The de facto handgun ban leaves law-abiding citizens unable to protect themselves from violent acts or individuals breaking the law.

This amendment recognizes that the D.C. handgun law, especially in regard to trained servicemen and -women, punishes individuals well equipped to protect themselves and others while emboldening perpetrators of violent crime. Mr. Chairman, if we trust these brave men and women to defend our country, why do we not trust them to legally exercise their Second Amendment rights?

I would like to note that the NRA is supportive of my amendment, and I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from the District of Columbia is recognized for 5 minutes.

Ms. NORTON. Mr. Chairman, I rise in strong opposition to amendment No. 39. The amendment reflects a pattern by Republicans in the 112th Congress of singling out the District of Columbia for unique treatment and outright bullying.

There is no Federal law that exempts active military personnel in their personal capacities from otherwise applicable Federal firearms laws, except with respect to residency requirements, or from any State or local firearms laws. Yet the amendment expresses the sense of Congress that active duty personnel in their personal capacities should be exempt from gun laws only in one jurisdiction, the District of Columbia.

If the gentleman on the other side who sponsored this amendment believes that active duty personnel should be exempt from Federal, State, or local firearms laws, why did he not offer an amendment that would apply nationwide? Perhaps he did not offer such an amendment for the same reason that the Republican sponsor of H.R. 3808—to ban abortions for 20 weeks only in the District of Columbia, on which the House Judiciary Committee on the Constitution held a hearing today—did not introduce that same 20-week bill to apply nationwide. Or perhaps Republicans pick on the District because they think they can.

The proponents of this amendment, as well as the D.C. gun bill which would eliminate D.C.'s gun laws, live in the past, acting as if the changes the District has made in its gun laws after the Supreme Court Heller decision in 2008 had not happened, and as if a Federal district court and a Federal appeals court had not already upheld the constitutionality of the District's new gun laws. They act as if the Supreme Court's McDonald decisions in 2010 had never occurred.

□ 2330

In McDonald, the Court said that the Second Amendment does not confer ''the right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.''

This amendment represents the third attack by this Congress on the District's gun safety laws. Although the amendment is nonbinding, we will fight every attack on our rights as a local government, particularly when we are singled out for unequal treatment.

This amendment does nothing less than attempt to pave the way for actual inroads into the District's new gun safety laws. Republicans have been trying, this week, to use the District of Columbia to move issues they dare not propose for the Nation at large, instead of focusing on jobs. And our allies, our city, and I have spent the week fighting back equally hard.

The majority can expect a fierce fight from us whenever a bill degrades our citizens and treats them in any way as second-class citizens, as this bill proposes to do this very evening.

I reserve the balance of my time.

Mr. GINGREY of Georgia. Mr. Chairman, can I ask how much time I have remaining.

The Acting CHAIR. The gentleman from Georgia has 3 minutes.

Mr. GINGREY of Georgia. Mr. Chairman, I remind the gentlewoman from the District of Columbia that, first and foremost, this is a sense of Congress resolution, nonbinding resolution. It's not to be, in my opinion, Mr. Chairman, confused with any other ban or amendment that she referenced. It's certainly not to be confused with H.R. 645, a bill that would eliminate D.C.'s gun safety laws, which she was so concerned about in the last couple of years.

This is just simply saying, very clearly, Mr. Chairman, and especially to the governing body, the City Council and Mayor of the District of Columbia, look, we want to help you. We are recommending that you take this action. We're not forcing you to do this.

This is, again, as I say, a nonbinding resolution. It is just the sense of Congress, which, after all, has jurisdiction over the District of Columbia. We want to say to the governing body, we think it's a darn good idea for you to enact this waiver for these military men and women, 40,000 of them, as I say, stationed either in D.C., at the Pentagon, at Fort Myer in Virginia or Maryland, that have the ability and the training, the necessary judgment and mentality to actually help the 500,000 residents of the District of Columbia.

I don't think that my colleague and any colleagues on the other side of the aisle who might be in opposition to this, I think that opposition is misguided. They're missing an opportunity to support something that would be good, indeed, good for the safety of the people of the District of Columbia.

If we criminalize the possession of firearms, then it might be a trite and hackneyed expression, but only criminals then would have the right to bear arms.

Now, this bill that the District of Columbia passed in the aftermath of the Supreme Court decision, Heller v. District of Columbia, that upheld the Second Amendment rights for individuals and said that what law existed in the District of Columbia was unconstitutional.

So they come up with some arcane, very difficult, almost impossible rules and regulations in regard to the possession of firearms so that they, de facto, make it impossible. So I urge my colleagues on both sides of the aisle, support this amendment, sense of Congress, nonbinding.

I yield back the balance of my time.

The Acting CHAIR. The gentlewoman has 45 seconds remaining.

Ms. NORTON. Mr. Chair, if this is such a benign amendment for the good of the District of Columbia, I can't imagine why the gentleman hasn't offered it for the Nation at large. Why help us when we haven't asked for your help? Why not help everybody?

Why not help people in Virginia? More of the Members of our Armed Services pass through Virginia than pass through the District of Columbia.

You don't want to help us. Nobody on that side has helped us this year. If you want to help us, come ask me first, and I'll tell you what kind of help we need.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. GINGREY).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 41 will not be offered.

AMENDMENT NO. 42 OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 42 printed in House Report 112–485.

Ms. LEE of California. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title X, add the following new section:

SEC. 1084. REDUCTION OF AUTHORIZATION OF APPROPRIATIONS.

(a) REDUCTION.—Notwithstanding any other provision of this Act, but subject to subsection (b), the President, in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator for Nuclear Security, shall make such reductions in the amounts authorized to be appropriated under this Act in such manner as the President considers appropriate to achieve an aggregate reduction of $8,231,100,000.

(b) EXCLUSIONS.—In carrying out subsection (a), the President shall not reduce the amount of funds for the following accounts:

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

The Acting CHAIR. Pursuant to House Resolution 661, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE of California. Mr. Chairman, my amendment today is very straightforward. It would limit the Department of Defense funding to the amount authorized under the Budget Control Act of 2011. This would result in an $8 billion reduction in spending from the level authorized by the House Armed Services Committee.

The amendment is cosponsored by my colleagues, Representatives PAUL, WOOLSEY, STARK, BLUMENAUER, SCHRADER and FRANK, ranking member of the House Financial Services Committee and a long-time advocate for reasonable defense-spending reform.

As you know, Mr. Chair, last year Congress passed the Budget Control Act, which put in place spending caps on discretionary spending. Despite these statutory limitations, the House Armed Services Committee set overall military spending billions of dollars above what the Pentagon requested, or what was agreed to under the Budget Control Act.

While many of us did not support the discretionary caps under the Budget Control Act, our amendment simply brings Pentagon spending in line with the law. It does this while protecting our active duty military personnel and retirees. Let me repeat: not a single penny would come from active duty and National Guard personnel accounts, or from the defense health program.

The Pentagon budget already consumes almost 50 cents out of every discretionary dollar that we spend. And adding billions of unrequested dollars, at the expense of struggling families during the ongoing economic downturn, is just downright wrong.

So I ask my colleagues, if we are really concerned with the deficit, then vote for this amendment.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. I yield myself 1½ minutes.

This is a very clear opportunity to see the difference of the two sides of the aisle, how they feel about supporting the defense of our Nation. We have taken, with the Deficit Reduction Act, half of the savings has come out of defense. Less than 19 percent of the budget goes for defense, but half of the savings. So if we had a big pie and we had 19 percent of the spending comes out of defense; but then when we take the savings, we're taking half out of defense.

Mr. Chairman, if we continue to try to solve our deficit problem on the backs of our military, our troops, who's going to have our backs the next time we're attacked?

Over my lifetime, we have cut back the military after every war. This is the first time I've seen us cut back during the war.

We have troops right now going outside the wire, and they, when they get back to camp, they watch ''Fox News.'' I've been there. I've seen it.

□ 2340

They find out what's going on, and they listen to this debate, and they feel that there are some who don't have their backs. Well, it's not this side of the aisle.

Mr. Chairman, I reserve the balance of my time.

Ms. LEE of California. In reclaiming 30 seconds of my time, I just want to respond to the gentleman and say that that's further from the truth, what he just said.

First of all, our active duty troops in the field are covered by the Overseas Contingency Operations funds. Secondly, the Pentagon did not ask for this money.

I would like to yield 1 minute to the gentlelady from California (Ms. WOOLSEY).

Ms. WOOLSEY. I want to thank the gentlelady from California for bringing this amendment forward.

Mr. Chairman, I rise in strong support of this amendment, and I am proud to be a cosponsor and to show the difference between both sides of the aisle, because with all of the fiscal challenges that we face, it's just common sense that the most generously funded government agency, the Department of Defense, would tighten its belt just like everyone else.

Sure, my colleagues on the other side of the aisle are happy to cut and are big budget cutters when it comes to food stamps and Medicare and the safety net and anti-poverty programs. But when it comes to war and when it comes to weapons, they actually are the biggest spenders of all. I think the bare minimum we can ask is to keep the DOD budget at the level agreed to last year when we passed the Budget Control Act.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. LEE of California. I yield the gentlelady an additional 10 seconds.

Ms. WOOLSEY. The majority is asking poor children, seniors, and women's health needs to make due with less. The same must apply to the Pentagon. Vote ''yes'' on the Lee-Frank amendment.

Mr. MCKEON. Mr. Chairman, I will just note that the President increased over $4.5 billion over the Deficit Reduction Act, and we went $3.7 billion more than the President's in order to protect TRICARE and some other others things for the troops.

At this time, I yield 2 minutes the chairman of the Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. I thank the chairman for yielding.

Look, as the gentleman said, the President didn't ask for this amount of money. He asked for more money: in fiscal year 2012, $554 billion; the pre-sequester cap, $546 billion; the President's request, $551 billion. Our budget resolution was $554 billion. This bill, the base bill, is $548 billion. The gentlelady's amendment is $539.7 billion.

The gentlelady's amendment is cutting defense below the BCA caps, below the President's request. To the other gentlelady from California, all of these programs she mentioned are increasing.

The attempts that have been made by the majority have been to slow the rate of increase. This is being cut—real reductions in this category of spending—when all the other domestic spending is increasing, hopefully, at a slightly slower pace.

So let's remind ourselves that this is the first priority of the Federal Government. We are in war right now. The President, himself, and his budget are saying that we have to be higher for the safety and the security of our troops.

If the gentlelady's amendment passes, which actually brings it down below the BCA levels, then she is giving all the discretion to the executive branch, to the President, in order to decide how to allocate those dollars—

ceding the power of the purse from the legislative branch to the executive branch—which is clearly not in our interest as guardians of the elected branch, the legislative branch of Congress.

Ms. LEE of California. First of all, sometimes we respectfully disagree with the President.

I think that this $8 billion in cuts to bring us back to the Budget Control Act of 2011 is reasonable given the very difficult times we are faced with now and the fact that, of all the government agencies, the Pentagon has benefited the most from generous funding. We've got plenty of outdated and unnecessary Cold War-era weapons systems that can and should be canceled. I think this is a reasonable amendment.

I would now like to yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Barely 10 months ago, we passed a bipartisan Budget Control Act to forestall a sovereign debt crisis. On Tuesday, our total national debt increased to over $15.7 trillion. Clearly, the problem we passed the BCA to address is getting worse, not better.

As our own military leaders have acknowledged again and again, our debt and deficits are the largest national security threat that our Nation actually faces. Backpedaling on the Budget Control Act, as suggested here, is irresponsible.

We need to be building on the fiscal foundations in order to provide for our children's futures and for the future of the military. We spend a lot of hours here talking about how much we can't afford to cut back military spending and not nearly enough time talking about how to prepare for the military of the future.

In my opinion, the smart military budget of the future emphasizes our National Guard. It has proven more than a ready reserve in the sands of Iraq and in the mountains of Afghanistan. The National Guard is an affordable strategic asset of a unique capability. The rising cost to our military is probably personnel. The National Guard will help reduce that cost 4 1.

Mr. MCKEON. I reserve the balance of my time.

The Acting CHAIR. The gentlewoman has 15 seconds remaining.

Ms. LEE of California. Let me yield the 15 seconds to the gentleman from New York (Mr. NADLER).

Mr. NADLER. In 15 seconds, I will simply say that this amendment is the least we can do. We should go with the Budget Control Act. The other side of the aisle says we haven't passed a budget. This is the effective budget. The fact of the matter is that we have doubled military spending, exclusive of Afghanistan and Iraq, in 10 years. We ought to start reducing it now.

Mr. MCKEON. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman has 1 minute and 15 seconds.

Mr. MCKEON. I yield myself the balance of the time.

Mr. Chairman, I wish we were wrong, and I would hope that they are right in that we could continue to cut defense—cut it to the bone, cut it to the marrow—and that we could just live one big, happy, paradisiacal life, but history shows that that isn't the way things work.

As Reagan said, it is important to have peace through strength. You will remember before he was elected, when President Carter tried to deal with the hostage situation in Iran, that our helicopters couldn't even fly across the desert. We'd cut back the military so far that we had a hollow military.

There is a lot of talk about General Eisenhower and about President Eisenhower, and the thing he said, ''Beware of the military-industrial complex.'' He also said we have to have a very strong military because, if we don't, someone will take advantage of us. We have to be so strong that they're afraid to attack us for fear of annihilation.

I was talking to one of our leading military leaders just a few months ago. Mr. SMITH was in the meeting also. At the end of the meeting, he looked at me, and he said, In my 37 years, I've never seen a time more dangerous.

If we are right and if we go through with all of these cuts and hollow out our military, we are talking about cutting $100 billion a year for the next 10 years.

I yield back the balance of my time.

Mr. HOYER. Mr. Chair, I continue to be disappointed at how Republicans are approaching deficit reduction. Every day, we hear Republicans talking about the need for painful cuts to get our deficits in order. However, time and again, Republicans appear unwilling to exercise fiscal discipline when it affects something they like.

First, the sequester is set to impose difficult and arbitrary spending cuts across both defense and domestic programs unless we replace its deficit savings before the end of the year. Yet, Republicans seek to find these savings only by cutting domestic programs like Social Service Block Grants, food stamps, and preventive health care services. And second, we reached an agreement last August on spending levels, which Republicans have now broken.

This Republican defense bill authorizes $8 billion more than the agreed-upon level. At the same time, Republicans are drastically cutting domestic programs.

This amendment returns defense spending to the level agreed upon in the Budget Control Act. It does so without weakening our military or denying our troops the tools they need to succeed in their mission. This should be something Republicans and Democrats ought to see eye to eye on, because we previously agreed to it in August.

Democrats want to provide our troops with every tool they need to carry out their mission and keep Americans safe. The arbitrary cuts of the sequester will make doing so much more difficult.

That's why we need a solution that balances defense and non-defense spending cuts and includes revenues—a big, bold, and balanced approach.

This, Mr. Chair, is the opposite of a balanced approach, and I urge my colleagues to adopt this amendment and send a strong message that we must approach deficit reduction with the seriousness it deserves.

I commend Representative BARBARA LEE, Financial Services Ranking Member BARNEY FRANK, Representative LYNN WOOLSEY, and Representative EARL BLUMENAUER for their work on this amendment and for standing up for the agreement the parties reached last August.

Mr. RAHALL. Mr. Chair, today, I voted in favor of Representatives BARBARA LEE's and BARNEY FRANK's Amendment that would limit Defense spending in the coming fiscal year to the amount authorized in the Budget Control Act of 2011.

I am opposed to House Republican efforts to rewrite last summer's budget agreement, unfairly shifting the burden for deficit reduction to domestic programs while threatening yet another calamitous downgrade in the our Nation's credit rating.

A balanced approach is essential to achieving deficit reduction. I remain optimistic that the Congress can find savings in both domestic and defense programs. Certainly, I will continue fighting to ensure that cuts are not imposed that would harm our active-duty troops, military retirees, and veterans who have already sacrificed so much for our Nation.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. LEE of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

□ 2350

AMENDMENT NO. 45 OFFERED BY MR. GOHMERT

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in House Report 112–485.

Mr. GOHMERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 366, line 16, strike ''**HABEAS CORPUS RIGHTS**'' and insert ''**RIGHTS UNAFFECTED**''.

Page 366, line 17, strike ''Nothing'' and insert ''(a) RULE OF CONSTRUCTION.—Nothing''.

Page 366, line 21, insert ''or to deny any Constitutional rights'' after ''habeas corpus''.

Page 366, line 23, strike ''person who is detained in the United States'' and insert ''person who is lawfully in the United States when detained''.

Page 366, line 25, insert ''and who is otherwise entitled to the availability of such writ or such rights'' before the period.

Page 366, after line 25, insert the following:

(b) NOTIFICATION OF DETENTION OF PERSONS UNDER AUTHORIZATION FOR USE OF MILITARY FORCE.—Not later than 48 hours after the date on which a person who is lawfully in the United States is detained pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), the President shall notify Congress of the detention of such person.

(c) HABEAS APPLICATIONS.—A person who is lawfully in the United States when detained pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) shall be allowed to file an application for habeas corpus relief in an appropriate district court not later than 30 days after the date on which such person is placed in military custody.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Texas (Mr. GOHMERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Mr. Chairman, at this time, I yield 1 minute to the gentleman from Virginia (Mr. RIGELL).

Mr. RIGELL. I thank the gentleman for yielding, and I rise in strong support of the amendment and thank my colleagues—Mr. LANDRY, Mr. GOHMERT, and Mr. GOODLATTE—for their hard work and their strong leadership on this important issue. I also want to thank the chairman for incorporating the Rigell-Landry bill in the underlying bill, the Right to Habeas Corpus Act.

The amendment before us this evening provides absolute clarity that every American has full protection under, and access to, the Great Writ of Habeas Corpus. Specifically, it requires that a detained person has the ability to file an application for habeas corpus relief in an appropriate district court no later than 30 days after the date on which the person was placed in military custody.

Further, it requires that the administration—current and those to follow—that Congress is notified within 48 hours of a person having been detained under the AUMF in the United States.

The 30-day access to habeas corpus and the 48-hour reporting requirement strengthen the underlying bill. They strengthen liberty.

I urge my colleagues to support this amendment.

Mr. SMITH of Washington. Mr. Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield myself 1 minute and 15 seconds.

Three quick points:

First of all, habeas has already been guaranteed by the Constitution. There were those who accused last year's defense bill of having stripped habeas, but it didn't, so guaranteeing habeas does nothing to further protect the rights of individuals. That's first of all.

Second of all, the bill itself, the way it is worded, which is to say: Nothing shall be construed to deny the availability of the writ of habeas corpus or deny any constitutional rights in a court ordained or established by or under article III of the Constitution for any person who is lawfully in the United States when detained.

It has been ruled constitutional to place people in military custody, to hold them indefinitely. This amendment does not eliminate the right to hold people indefinitely or place them in military custody. It does not do what the next amendment—my amendment—actually does, which is protects those rights.

Third, I find it interesting that the authors of this amendment think that it does. They think that basically this will protect from indefinite detention and from military custody any person lawfully in the United States. At the same time, they are arguing that our amendment that clearly does that for everybody is giving rights to terrorists. What they are doing here, by their own admission—and I disagree with that argument. By their own argument, they are perfectly okay with giving rights to terrorists as long as they're lawfully in the United States. If they are not, that's a big problem.

I will expand upon that argument later.

I reserve the balance of my time.

Mr. GOHMERT. Mr. Chairman, at this time, I would yield 1 minute to my friend from Louisiana, also a cosponsor of this bill, Mr. LANDRY.

Mr. LANDRY. Mr. Chairman, I rise as a proud member of the Tea Party. I opposed the debt ceiling. I opposed some of the CRs. I opposed our involvement in Libya. I'm a strict constructionist when it comes to the Constitution. When I joined this body, I raised my hand to God and swore to uphold the Constitution and protect it from all threats both foreign and domestic. I am a veteran.

With this oath, my duty to protect our citizens' liberties is matched by my duty to protect their lives. That is exactly what the text of this bill, when combined with this amendment, does. It ensures that every American has access to our courts and ensures that they will not be indefinitely detained.

Equally important, our amendment does not harm our Armed Forces' ability to protect this Nation. Unfortunately, some in this body choose to believe that our soil here is not a battlefield in a war on terror. They want to treat the al Qaeda cell in Seattle differently or better than the al Qaeda cell in Yemen.

To yield to these Members to adopt their view does nothing to protect the liberties of our citizens. It only harms their safety. For that reason, I urge them to adopt this amendment.

Mr. SMITH of Washington. I would just again point out that he wants to protect the al Qaeda cell here as long as they are lawfully in the U.S. It doesn't make any sense.

I yield 1 minute and 45 seconds to the gentleman from Michigan (Mr. AMASH).

Mr. AMASH. I have a tremendous amount of respect for my colleagues, Mr. GOHMERT and Mr. LANDRY and Mr. RIGELL. I think their amendment is very well intentioned, and they care very deeply about this issue. I've had many conversations with them about it.

But the first part of the amendment does nothing. It says the AUMF does not deny habeas corpus or any constitutional rights for any person who is detained in the United States who is otherwise entitled to the availability of habeas corpus or such constitutional rights. In other words, if you have constitutional rights, you have constitutional rights.

The second part of the amendment might be harmful. It says:

Persons detained by the military are allowed to file a habeas petition not later than 30 days after the date on which such person is placed in military custody.

First, the Constitution already gives detainees the power to file a habeas at the moment they are detained. At best, the 30-day window does nothing; and at worst, it can be read to allow the government to deny habeas for 29 days or to deny habeas if the petitioner didn't file until after 30 days.

So I would like to express my disapproval of the amendment.

Mr. GOHMERT. Mr. Chairman, at this time, I would like to yield 40 seconds to another cosponsor of this amendment, the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, I appreciate Mr. AMASH's efforts to protect liberty.

Let us be clear, there should be no ambiguity when the constitutional rights of U.S. citizens are at risk. The fear that Americans have over indefinite detention is well-founded. We have the obligation, and now the opportunity, to be crystal clear in this language, and I believe that this amendment moves this NDAA in the right direction of protecting these cherished constitutional rights.

I urge support of this amendment.

Mr. SMITH of Washington. Mr. Chair, how much time do I have left?

The Acting CHAIR. The gentleman from Washington has 2½ minutes remaining.

Mr. SMITH of Washington. I will yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, this amendment asserts that it intends to protect the right of habeas corpus, which is to say the right to get into court. But the problem is not habeas. It's not the right to get into court.

That is granted by the Constitution. The problem is what you can assert once you get into court. It says nothing about that. It says nothing about the circumstances in which individuals might actually be subject to military detention when arrested within the territory of the United States.

It's actually dangerous. It narrows constitutional rights because it narrows the scope of the statutory habeas corpus protection to individuals lawfully in the United States when detained as opposed to those detained in the United States. Someone with questionable immigration status might not have any habeas rights under this amendment.

Secondly, as Mr. AMASH pointed out, by saying that you can file it not later than 30 days, it could be read to say that, unlike current law where you can file habeas the moment you're detained, you have to wait 30 days, or you might not be able to file after 30 days.

So it's an affirmatively dangerous amendment. It narrows the right to habeas corpus, and it doesn't do anything to protect the real problem here, which is not habeas. That was never the problem.

The real problem is the right of detention, when you get into court through habeas and the court says, You have no rights, because indefinite detention is permitted. That's the problem we ought to be dealing with. This amendment doesn't deal with it, and it makes the habeas arguably more difficult and more narrow.

If we value due process and if we value liberty, this amendment should be defeated.

Mr. GOHMERT. At this time, I reserve the balance of my time.

I do have the right to close; is that correct?

The Acting CHAIR. The gentleman from Washington has the right to close.

Mr. SMITH of Washington. Mr. Chairman, I will yield myself the balance of our time.

The Acting CHAIR. The gentleman is recognized for 1 minute.

Mr. SMITH of Washington. This amendment is pure and simply a smokescreen. The proponents of this amendment believe that the President of the United States should have the power to indefinitely detain people in the U.S. They believe that these people should be placed in military custody. I wish we could have that debate, and we will to some extent on the next amendment.

This was offered as a smokescreen to give people who want to claim that civil liberties are their top priority someplace to hide. It doesn't protect any rights whatsoever. It was pure and simply offered as a smokescreen.

Let's have the debate on the next amendment about whether or not the President of the United States should have this extraordinary amount of power to indefinitely detain or place in military custody or military tribunals people captured or detained within the United States. I, as I will explain in the next amendment, don't believe that that extraordinary amount of power is necessary to keep us safe. I think it is an amazing amount of power to give a President over the individual freedom, to give the government the power to take away someone's individual freedom without the due process rights that have been developed in our Constitution and our court system.

This amendment doesn't change that. Vote it down. Let's have a real debate on the next amendment.

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Mr. GOHMERT. Mr. Chair, the issue here is, do you want to fix the possible problems with the Authorization for Use of Military Force back in 2001 when all of the cosponsors were not even here and possibly the NDAA? Or do you want to extend new rights that are not constitutionally required? Because those of us that have sponsored this amendment want to fix the possible problem of inappropriate detention. That's why this amendment was offered.

I take a particular affront because I do not question the motivation of the gentleman from Washington (Mr. SMITH). I know the gentleman from Michigan (Mr. AMASH). We've stood alone on too many bills together. I know their intent is good.

This is not a smokescreen. This is intended to fix a problem. In the underlying bill that came before the floor, it has a fix for habeas corpus in paragraph A. I added the provision that gets us to where we were before the AUMF. That's what I wanted to fix, not as a smokescreen. But what this does is say, if you had these constitutional rights before the AUMF, you've still got them now. And nothing in the AUMF, nothing in the former NDAA, nothing in the new NDAA can change that. You have those rights.

I understand we don't have CARE supporting this amendment as they do the following proposed amendment. But listen, what this would do if the subsequent amendment wins instead of this one, you are giving rights to people illegally in this country, for example, to people who are foreign terrorists, who sneak their way in here and kill people, rights that immigrants who are undocumented don't have.

People say, Gee, we have a right to an article III court. This Congress has the right to never create an article III court. No one in America has the right to an article III court. This Congress has a right under article I, section 8 to create or not create inferior courts.

I'm glad we created them. I would say we should if we didn't. But the right is to go back to where we were before the AUMF. That's what this amendment does, and we appreciate the support of Heritage and The Wall Street Journal in saying that the subsequent amendment is not the way to go, extending additional rights. Let's fix the problem, and this amendment does that.

I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong support of amendment #45, offered by Mr. GOHMERT. This amendment clarifies that the Fiscal Year 2012 National Defense Authorization Act and the 2001 Authorization for Use of Military Force (AUMF) do not deny the writ of habeas corpus—or any Constitutional rights—to those detained in the United States under the AUMF who are entitled to such rights.

Mr. Chair, this amendment is necessary because while the intent in the FY '12 NDAA was not to allow for the indefinite detention of U.S. citizens without access to legal representation, some have misconstrued it as such. Simply put, this misunderstanding must end today. I support this amendment because I believe that providing for the safety and security of United States citizens is the paramount responsibility of the federal government. As we continue to fight the Global War on Terror, we must provide the President, the intelligence community, and our troops with all of the tools necessary to carry out this duty. Clearly, we must do this within the framework of our Constitution, and make certain that the Constitutional rights provided for our citizens are not violated.

Mr. Chair, in order to guarantee our citizens' Constitutional rights, I am further pleased that the text of H.R. 4388, the Right to Habeas Corpus Act—which was authored by Mr. RIGELL of Virginia and of which I am proud to be an original cosponsor—was included in the FY '13 NDAA. Article 1, section 9 of the Constitution states 'The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.' This legislation affirms that and goes on to state that "Nothing in the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) or the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) shall be construed to deny the availability of the writ of habeas corpus in a court ordained or established by or under Article III of the Constitution for any person who is detained in the United States pursuant to the Authorization for Use of Military Force."

Mr. Chair, with the adoption of Mr. GOHMERT's amendment and inclusion of Mr. RIGELL's legislation, we are taking the steps necessary to ensure the protection of our citizens' rights, while at the same time denying terrorists the same privileges.

Former Attorneys General Ed Meese and Mike Mukasey—as well as other high ranking national security officials from both the Reagan and Bush Administrations—requested in a May 9 letter to the Chairman of the House Armed Services Committee that "As the House begins consideration of the NDAA for Fiscal Year 2013, we urge you to ensure that attempts to exploit misconceptions about the NDAA are not successful in harming U.S. national security." Clearly they are referencing

the misunderstanding stemming from the FY '12 NDAA. They further wrote that "the FY '12 NDAA included an affirmation of the detention authority provided by the 2001 Authorization for Use of Military Force (AUMF). Given the President's plan to withdraw U.S. combat forces from Afghanistan and the continuing threat posed by groups like al Qaeda in the Arabian Peninsula, this affirmation was a critical step in reinforcing the military's legal authorities to combat terror."

As it relates to the other end of the spectrum—providing terrorists the same rights as would be conferred to U.S. citizens, as would be the case if the amendment authored by Mr. SMITH and Mr. AMASH were to be adopted—their letter states that ". . . rewarding terrorists with greater rights for making it to the United States would actually incentivize them to come to our shores, or to recruit from within the United States, where they pose the greatest risk to the American people. Such a result is perverse."

Mr. Chair, I am glad that because of our actions today, we are making clear the distinction between the rights provided our citizens and those provided to terrorists, while stating unequivocally that U.S. citizens will not be stripped of their habeas privileges.

I urge my colleagues to support Mr. GOHMERT's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GOHMERT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 46 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 46 printed in House Report 112–485.

Mr. SMITH of Washington. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title X, add the following new section:

SEC. 1044. DISPOSITION OF COVERED PERSONS DETAINED IN THE UNITED STATES PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) SHORT TITLE.—This section may be cited as the ''Due Process and Military Detention Amendments Act''.

(b) DISPOSITION.—Section 1021 of the National Defense Authorization Act for Fiscal Year 2012 is amended—

(1) in subsection (c), by striking ''The disposition'' and inserting ''Except as provided in subsection (g), the disposition''; and

(2) by adding at the end the following new subsections:

''(g) DISPOSITION OF PERSONS DETAINED IN THE UNITED STATES.—

''(1) PERSONS DETAINED PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE OR THE FISCAL YEAR 2012 OR 2013 NATIONAL DEFENSE AUTHORIZATION ACTS.—In the case of a covered person who is detained in the United States, or a territory or possession of the United States, pursuant to the Authorization for Use of Military Force, this Act, or the National Defense Authorization Act for Fiscal Year 2013, disposition under the law of war shall occur immediately upon the person coming into custody of the Federal Government and shall only mean the immediate transfer of the person for trial and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court. Such trial and proceedings shall have all the due process as provided for under the Constitution of the United States.

''(2) PROHIBITION ON TRANSFER TO MILITARY CUSTODY.—No person detained, captured, or arrested in the United States, or a territory or possession of the United States, may be transferred to the custody of the Armed Forces for detention under the Authorization for Use of Military Force, this Act, or the National Defense Authorization Act for Fiscal Year 2013.

''(h) RULE OF CONSTRUCTION.—This section shall not be construed to authorize the detention of a person within the United States, or a territory or possession of the United States, under the Authorization for Use of Military Force, this Act, or the National Defense Authorization Act for Fiscal Year 2013.''.

(c) REPEAL OF REQUIREMENT FOR MILITARY CUSTODY.—

(1) REPEAL.—Section 1022 of the National Defense Authorization Act for Fiscal Year 2012 is hereby repealed.

(2) CONFORMING AMENDMENT.—Section 1029(b) of such Act is amended by striking ''applies to'' and all that follows through ''any other person'' and inserting ''applies to any person''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Chair, I yield myself 1 minute.

First of all, the previous amendment doesn't say anything about pre-2001. As the gentleman from Michigan (Mr. AMASH) correctly stated, it says, If you have constitutional rights, you have them. It doesn't say anything about restoring them prior to 2001. It doesn't address the issue, and I apologize. I do not question Mr. GOHMERT's motives. I suspect that's what he wanted to do. That's not what his amendment does.

If you want to protect the rights of people in this country, then you need to support this amendment, the Smith amendment. And this is a very important debate.

Back in 2001, we passed the authorization for the use of military force. Post-9/11, it made sense, I think, to be careful, to give the President the power he needed to protect us. But what we've learned in the last 10 years is one power that he does not need is the power to indefinitely detain or place in military custody people here in the United States. Our justice system works. The Department of Justice works. The FBI works. They have arrested, convicted, and locked up over 400 terrorists and have gotten all kinds of actionable intelligence out of them.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I will yield myself an additional 15 seconds.

This is an extraordinary amount of power to give to the President, to give the government the power to take away an individual's rights and lock them up with nothing more than one quick court hearing, without the due process rights protection in our Constitution. It's not needed. This is our opportunity to repeal it.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. Mr. Chairman, this amendment turns the global fight on terror into a CSI investigation.

On its face, the supporters will say exactly, but let's see the results. The mission of those who fight the war on terror, now it's how do we prevent acts of terror from inflicting billions of dollars of damages to save lives?

You see, our law enforcement and prosecutorial system in this country is, by nature, an after-the-fact determination, meaning, we rarely have the ability to arrest a potential murderer until after he commits the crime. The deterrent is the length of the sentence for the murder that deters people from trying to harm or kill another.

That's not the case in terrorism. We set the punishment level to the severity of the crime. But the level under terrorism, there's no known level. What deters a person from flying a plane into a building? So how does passing this amendment protect the furtherance of that crime or would we simply be satisfied with investigating after the fact?

Mr. SMITH of Washington. I would point out that our Justice Department has arrested countless terrorists before they act by discovering their plots and stopping them. That is what they're designed to do, and it's what they've done quite effectively.

I yield 1½ minutes to the gentleman from Michigan (Mr. AMASH).

Mr. AMASH. Mr. Chair, the frightening thing here is that the government is claiming the power under the Afghanistan Authorization for Use of Military Force as a justification for entering American homes to grab people, indefinitely detain them, and not give them a charge in a trial. That's the frightening thing. That's the thing that the Smith-Amash amendment fixes. It's the only amendment that does it.

I sometimes hear this strange argument that the Constitution applies only to citizens, not persons. If you read the Fifth and 14th Amendments, it applies to persons. Those are the amendments that provide for due process. James Madison said the Constitution applies to persons. And logic dictates that the Constitution applies to persons. It applies to noncitizens.

Is the government allowed to make noncitizens worship a State religion? Is the government allowed to take noncitizens' property without compensation? Can the government quarter troops in noncitizens' homes? Can the government conduct unreasonable searches and seizures on noncitizens' homes? Of course not. That's ridiculous. Everybody here understands that's ridiculous. No one disputes that all persons in the U.S. are covered by the Constitution.

HASC claims to protect persons. The House Armed Services Committee in the NDAA claims to protect persons with respect to habeas. The Gohmert amendment claims to protect persons, not citizens. And the Smith-Amash amendment protects persons. It's a phony argument.

The Smith-Amash amendment is the only amendment that will protect citizens.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield the gentleman an additional 15 seconds.

Mr. AMASH. We have a very clear choice here. A Federal court has ruled section 1021 in the NDAA unconstitutional. There is one amendment that fixes it. Will you do it? And if you don't, how will you explain it to your constituents?

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WEST), a distinguished member of the committee.

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Mr. WEST. I rise in opposition to this amendment.

I find it very interesting that back in 1942, when there were German Nazi saboteurs that were captured off the coast of Long Island, that they were prosecuted in a military commission. One of them was sentenced to 30 years imprisonment; others were sentenced to death. And I understand that this is a different type of battlefield that we're on, the 21st century battlefield. We're all on this battlefield. No one would have ever thought that Major Malik Nadal Hasan would stand in Fort Hood, Texas, and shoot 43 Americans and 13 of those would be killed.

I find that we have to understand that we are at a war. We are not in a police action. We cannot look to guarantee to those who seek to harm us the constitutional rights that are granted to Americans. If we extend that to them, then we are starting to say that this war on terror, now it's a criminal action.

And I find it very interesting that a sponsor of this amendment is the Council for American Islamic Relations, which is an unindicted coconspirator for the largest terrorist financing act here.

So I say we should not support this amendment.

Mr. SMITH of Washington. I point out that only Members of Congress are allowed to sponsor amendments. Nobody outside of that has sponsored this.

I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, last year I argued in opposition to sections 1021 and 1022 of the NDAA, that they went far beyond the AUMF to suggest that the President has the authority to detain U.S. citizens indefinitely without charge.

This amendment prohibits the detention without charge of any person arrested or detained in the United States and is the first step toward restoring due process. It's a good first step, but its scope is limited to U.S. soil and to the present AUMF. We should do more. That's why I've introduced the No Detention Without Charge Act, which would not only prohibit detention without charge of people arrested in the United States, but would also prohibit the detention of any person anywhere indefinitely, except to the extent permitted by the Constitution and the law of war, and it would restore meaningful right of action for detainees to challenge the legality of their detention.

The notion that the United States should conduct itself according to the Constitution and the law of war should not be controversial. Smith-Amash takes the first step—and I have proposed the next—towards affirming our values and securing our liberty. If we are going to address indefinite detention, we must do so directly.

I urge my colleagues to support the Smith-Amash amendment and to sign on as cosponsors of my bill.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. We hear repeatedly people say persons are entitled to their constitutional rights, and, yes, they are.

When I was in the Army for 4 years, I was entitled to constitutional rights, but I had no right to freedom of speech. I had no right to freedom of assembly. There were a lot of people in the military that would rather not assemble at 5 a.m. in the morning, but you don't have that constitutional right.

The same way with immigrants. Immigrants do not have all of the rights under the Constitution that others do.

What we're saying is that people who are terrorists and kill Americans on American soil should not have more rights than an immigrant who is here peaceably but that is subject to the laws and subject to detention without going to an article III court. There are constitutional rights, yes, but not everyone under the Constitution has the same rights. Ask somebody in the military.

So I implore my colleagues, please do not give foreign terrorists on our soil more rights than our own military has under the Constitution.

Mr. SMITH of Washington. I would like to submit for the RECORD a statement from retired JAG officers explaining the difference in the Uniform Code of Military Justice.

RETIRED JAGS SPEAK OUT AGAINST NDAA MISINFORMATION

(For Immediate Release: May 17, 2012)

WASHINGTON, DC—In response to comments from members of Congress suggesting that the Smith-Amash Amendment to the National Defense Authorization Act for the 2013 Fiscal Year would give suspected terrorists more rights than members of the U.S. armed forces, Rear Admiral John D. Hutson (ret.) and Donald Guter, former Judge Advocate Generals of the Navy, and Thomas Romig, former Judge Advocate General of the Army, issued the following statement:

''It reveals a fundamental misunderstanding of our military justice system to suggest that by providing terrorism suspects with Article III civilian court trials, they would be getting 'better rights' than our own military. Our courts-martial system under the Uniform Code of Military Justice (UCMJ) has a special, constitutionally recognized role in maintaining good order and discipline in the military. It is not designed anyone other than members of the U.S. armed forces or those accompanying them in the field. The Smith-Amash amendment is a modest, bi-partisan approach to protecting constitutional values that ought to draw support from all members of Congress, including those who support our military justice system.''

I yield 1 minute to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH of Virginia. Ladies and gentlemen, the problem is that folks want to always talk about the terrorists, and absolutely we all should be concerned about the terrorists. But how about the citizens of the United States who have to worry about now being arrested when they don't know what it is they've done wrong?

In the court case that set aside 1021 just yesterday, the court points out that, they ask: Can you tell me what it means to substantially support associated forces? The representative of the government says: I'm not in a position to give specific examples. The court says: Give me one. And the gentleman, the representative of the government, says: I'm not in a position to give one specific example.

The problem is that we have citizens who may be caught up unintentionally by this bill or by 1021. We must protect the citizens of the United States from an overreaching bill that has been ruled unconstitutional.

And what else is interesting is the definitions aren't in 1021. The court points out in that case that in 18 U.S.C. 2339 and 2339(a) there are definitions. We need definitions. We cannot leave liberty to inference.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Can I inquire as to how much time is remaining?

The Acting CHAIR (Mr. JOHNSON of Ohio). The time of the gentleman from Washington has expired.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I appreciate Mr. SMITH's earlier acknowledgment that last year's NDAA did not take away rights of Americans. The Gohmert amendment, which we debated, I think removes all doubt and actually adds some extra procedural safeguards to make sure that Americans' rights are absolutely protected.

To his credit, Mr. SMITH's amendment, as he admits, does change the law from what it's been not only the past 11 years, but it changes the law from what it's been basically since World War II. And my suggestion is that we all ought to be very careful about changing the law.

With the exception of Fort Hood and the Little Rock shooting, we have gone 11 years without a successful terrorist attack here in the United States. There are a lot of reasons for that. But part of the reason is the legal framework that has given the tools to the military, the intelligence community, and law enforcement that have all made that possible.

Mr. SMITH's amendment changes that, and the biggest way it changes it is that it automatically gives foreigners constitutional rights that we all have thought of as belonging to Americans. So the second that a foreign terrorist, a member of al Qaeda, sets foot on U.S. soil, he is told: You have the right to remain silent. You have the right to an attorney. If you can't afford one, one will be provided to you.

Now, that is a significant change.

The gentleman from Washington says, well, look, our criminal justice system works all the time. And it is true; we can prosecute people. But the key here, as Mr. LANDRY said, is not just prosecuting people after they have committed their acts or after their bomb has failed to blow up, if we're lucky. The point is to prevent those attacks. That means have you to get the information from them. And that means, if you say, You have the right to remain silent, it is going to be harder to get that information from them. And we're talking about foreigners here.

American citizens absolutely have the right to contest their detention. No American citizen will ever be tried in a military commission. Any American citizen has the right to contest his detention. To keep us safe, this amendment must be rejected.

MAY 9, 2012.

Hon. HOWARD P. MCKEON,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN MCKEON: As former government officials with significant national security experience, we write to you in support of provisions that were included in the National Defense Authorization Act (NDAA) for Fiscal Year 2012 relating to the detention of enemy combatants. As the House will soon begin consideration of the NDAA for Fiscal Year 2013, we also write to address misconceptions about the FY12 provisions and efforts by others to exploit those misconceptions.

Importantly, the FY12 NDAA included an affirmation of the detention authority provided by the 2001 Authorization for Use of Military Force (AUMF). Given the President's plan to withdraw U.S. combat forces from Afghanistan and the continuing threat posed by groups like al Qaeda in the Arabian Peninsula, this affirmation was a critical step in reinforcing the military's legal authorities to combat terror.

Some have argued that the FY 12 NDAA's affirmation of detention authority altered the status quo, and is an ''expansion'' of the power of the federal government. This is false.

The FY12 NDAA explicitly states that ''nothing in this section shall be construed to affect existing law or authorities relating to the detention of United States citizens, lawful resident aliens of the United States, or any persons who are captured or arrested in the Unites States.''

As the Heritage Foundation recently wrote, ''The NDAA has not impacted the conditions under which a U.S. citizen may (or may not) be detained . . . The law regarding how U.S. citizens are handled, including the right to habeas corpus, is the same today as it was the day before it [the NDAA] was passed.'' The detainee provisions of the NDAA merely codified existing case law related to detainees, period.

On September 18, 2001, Congress passed the AUMF, which authorizes the President to ''use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons . . .''

As you are well aware, the law of armed conflict, also called the law of war, allows for a country engaged in armed conflict to detain the enemy for the duration of hostilities. That age old principle existed well before September 11, 2011 and is a right that all countries must retain during a time of war. Furthermore, the law of armed conflict does not discriminate between enemy combatants who are citizens of the United States and those that are not. Any citizen who joins al Qaeda or its affiliates is properly classified as an unlawful enemy combatant and may be treated as such. We find the notion propagated by some, that a citizen who has nothing to do with al Qaeda could be picked up off an American street and detained by the military, to be ridiculous.

In 2004, the U.S. Supreme Court recognized in Hamdi v. Rumsfeld that the United States had the legal authority to detain a U.S. citizen captured fighting alongside the Taliban in Afghanistan who was later detained in the United States pursuant to the AUMF. However, the Supreme Court made it clear that such detainees must have the right to challenge the legality of their detention before a federal judge. The Court noted that ''[a]bsent suspension, the writ of habeas corpus remains available to every individual detained within the United States.''

As you know, several members of Congress have introduced legislation relating to the detainee provisions in the FY12 NDAA. Representative Scott Rigell recently introduced H.R. 4388, the ''Right to Habeas Corpus Act,'' which would affirm the right of any person detained in the United States pursuant to the AUMF to challenge the legality of their detention in an Article III court. Representative Rigell's bill is entirely consistent both with the FY12 NDAA and existing case law.

Unfortunately, other members of Congress have introduced proposed legislation that would instead erode the authorities provided by the AUMF and limit the military's ability to pursue terrorists. For instance, Representative Adam Smith and Senator Mark Udall have introduced legislation that would prevent the President from ever detaining anyone, including foreign terrorists, in the United States pursuant to the AUMF. Representative John Garamendi and Senator Dianne Feinstein have introduced similar legislation that would leave it up to Congress to decide when the President has the authority to detain U.S. citizens who have joined the enemy.

It is highly questionable whether either of these proposed pieces of legislation would be constitutional as they would deprive any president of lawful options that he may need in order to fulfill his constitutional duties as commander in chief to defend the United States and protect American citizens. Rewarding terrorists with greater rights for making it to the United States would actually incentivize them to come to our shores, or to recruit from within the United States, where they pose the greatest risk to the American people. Such a result is perverse.

Although we believe the FY12 NDAA detainee provisions, read along with the AUMF and pertinent case law is clear, we understand the urge to affirm the availability of habeas corpus rights of any terrorist captured in the United States. Should that affirmation be necessary to erase doubts, we would respectfully encourage you to consider incorporating the language from Representative Rigell's ''Right to Habeas Corpus Act'' in the FY13 NDAA to address misconceptions and to defend against these other attempts to undermine the critical wartime authorities provided by the AUMF.

As the House begins consideration of the NDAA for Fiscal Year 2013, we urge you to ensure that attempts to exploit misconceptions about the NDAA are not successful in harming U.S. national security.

Sincerely,

Edwin Meese III, Former U.S. Attorney General; Michael B. Mukasey, Former U.S. Attorney General and Former U.S. District Judge; Michael Chertoff, Former Secretary of Homeland Security; Steven G. Bradbury, Former Acting Assistant Attorney General and Principal Deputy AAG, Office of Legal Counsel, U.S. Department of Justice; Daniel J. Dell'Orto, Former Principal Deputy General Counsel, Department of Defense; David Rivkin, Former Deputy Director, Office of Policy Development, U.S. Department of Justice; Charles D. Stimson, Former Deputy Assistant Secretary of Defense For Detainee Affairs and Former Assistant

US Attorney, District of Columbia; Paul Butler, Former Principle Deputy Assistant Secretary of Defense, SOLIC and Former Assistant US Attorney, SDNY; Steven A. Engel, Former Deputy Assistant Attorney General Office of Legal Counsel, U.S. Department of Justice; Paul Rosenzweig, Former Deputy Assistant Secretary for Policy and Acting Assistant Secretary for International Affairs, Department of Homeland Security.

Ms. JACKSON LEE of Texas. Mr. Chair I rise in support of amendment No. 46 to H.R. 4310 ''National Defense Authorization Act,'' NDAA, offered by Ranking Member ADAM SMITH and Rep. JUSTIN AMASH. It would strike section 1022 of the FY2012 NDAA and amends Section 1021 of same Act to eliminate indefinite military detention of any person detained under AUMF authority in U.S., territories or possessions by providing immediate transfer to trial and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court.

This amendment would bar any President or any other government official from ordering the military to put anyone in the United States, or its territories or possessions, into indefinite detention without charge or trial, or to put anyone in the United States on trial before a military commission.

Federal criminal courts are open, operating, experienced, and secure—and are the appropriate venue for any proceedings here in the United States itself.

The Bill of Rights applies to all persons within the United States and its territories, this amendment is consistent with 232 years of constitutional precedent as it does not pick and choose between which persons on located on U.S. soil will receive constitutional protections.

Further, the amendment bars the transfer of anyone in the United States to the military for indefinite detention without charge or trial. This provision is consistent with the Posse Comitatus Act, and would provide an additional protection against any misuse of civilian law enforcement as a way to put suspects into military detention without charge or trial.

It is fully consistent with the Constitution, with the Posse Comitatus Act of 1878, and with the Non-Detention Act of 1971. It will reinforce the protections that most Americans assume apply—and do apply—within the United States.

Since 2001, this executive power has only been utilized 3 times which makes it clear that it is not necessary to protect our national security; however, creates a gap in our civil liberties.

This amendment would repeal section 1022 of last year's NDAA. Section 1022 requires the military to put some civilian suspects into military detention.

The current Administration has waived application of section 1022 to many groups of potential suspects, it has not foreclosed the possibility of section 1022 being applied to all categories of civilians, including even within the United States itself. To ensure this provision will not be used against those living in the United States under section 1022 of last year's NDAA is to repeal it.

Our military is designed to fight our battles overseas and to protect our borders they are not designed to enforce domestic laws.

The military has not been required to enforce domestic laws since the Civil War. We have a Department of Justice, State and Federal Prosecutors, and local law enforcement that have been successful for hundreds of years.

The amendment reaffirms the importance and availability of due process protections for all persons within the United States. It prohibits the NDAA detention provisions from providing any authority for the military to detain persons under any claim of authority under the NDAA or the Authorization for Use of Military Force of 2001.

I urge my colleagues to join me in supporting civil liberties and upholding the constitution by supporting this amendment.

Mr. MCDERMOTT. Mr. Chair, last year, Congress passed the National Defense Authorization Act (NDAA) for Fiscal Year 2012 that granted unprecedented powers to the president, including ability to indefinitely detain without trial American citizens suspected of terrorism. I strongly opposed this provision and voted against passage of the entire Act.

On December 15, 2011, after the bill had passed, I spoke on the House floor condemning these dangerous and unnecessary measures. I was concerned that our civil liberties would erode if we leave the interpretation of the law to the commander-in-chief. As we continue our counter-terrorism efforts at home and abroad, we are leaving enormous leeway to the current president, the next president, and the president after that to gather intelligence and detain individuals without charge or trial.

Today, government surveillance is more intrusive than ever. Congress, which once seemed poised to shut Guantanamo Bay, has instead passed bipartisan law after law ensuring its indefinite operations. In my district, the Seattle Police Department recently acquired surveillance drones, but no policies have yet been drafted to guide their use. It is not clear whether these drones will be used only to collect evidence on specific crimes or become an invasive, all-encompassing surveillance operation without proper oversight.

This week, we're voting on the NDAA for Fiscal Year 2013, and the House had an opportunity to challenge some of these far-reaching provisions in current law.

Earlier this morning, I voted for the Smith-Amash amendment to the FY13 NDAA, which would strike Section 1022 of the FY12 NDAA and amend Section 1021 to eliminate indefinite military detention of those detained in the United States. In short, this amendment would explicitly ban any president or government official from ordering the military to place anyone in the country into indefinite detention without charge or trial. It also reaffirms due process protections for all persons within the United States.

I am deeply disappointed that this bipartisan amendment did not get enough votes to be adopted into the FY13 NDAA.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. SMITH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SMITH of Washington. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 47 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in House Report 112–485.

Mr. DUNCAN of South Carolina. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XII of division A of the bill, add the following:

SEC. 12xx. LIMITATION ON FUNDS FOR INSTITUTIONS OR ORGANIZATIONS ESTABLISHED BY THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.

None of the funds authorized to be appropriated by this Act may be made available for any institution or organization established by the United Nations Convention on the Law of the Sea, including the International Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from South Carolina (Mr. DUNCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. DUNCAN of South Carolina. First, let me say that there is centuries-old precedence of international law governing the navigational rights in territorial waters and navigation through the straits around the globe. The U.N.'s Convention on the Law of the Sea was submitted to the United States Senate for its advice and consent in adherence to the United States Constitution 30 years ago in the 1980s, but the United States Senate has consistently refused to support it.

The U.N. Convention on the Law of the Sea threatens the United States' national security interests and subordinates United States sovereignty to the global bureaucracy known as the United Nations.

□ 0020

It threatens U.S. sovereignty under part XV by subjecting U.S. companies to mandatory dispute settlements and costly lawsuits by creating an unaccountable International Seabed Authority, ISA, to make rules that the U.N. Convention on the Law of the Sea members must follow. In addition, these rules may be changed by the ISA over the objection of any signatory nation.

It threatens U.S. military priorities because the U.S. Navy could find itself subject to international dispute resolution for its military activities in a nation-state's exclusive economic zones

because article 288 does not define ''military activity.'' An example here might be the restriction, not the enhancement, of the free movement of United States Navy vessels in areas such as the South China Sea where we see China attempting to extend its territorial waters into areas such as the Spratly Islands.

You talk about redistribution of the wealth, it threatens U.S. foreign policy objectives because article 82 requires the revenue given to the ISA be distributed to the U.N. Convention on the Law of the Sea members. No transparency exists—as it doesn't in most U.N. policies—but no transparency exists on how countries use the funds, and nothing prevents the ISA from redistributing U.S. revenue to state sponsors of terrorism or undemocratic regimes with human rights abuses.

It threatens the U.S. economic interests. The U.N. Convention on the Law of the Sea provides for international revenue sharing from the exploitation of resources taken from the deep seabed—nickel, copper, cobalt are just some of the few, as well as oil and gas taken from the extended continental shelf. Now, this brings into question offshore and deep sea energy production and the question of whether we really want to turn over regulatory authority of these potential assets to the United Nations.

In addition, the Law of the Sea treaty could also potentially subject United States rivers and lakes to international jurisdiction where U.S. waterways meet international waters.

The Law of the Sea treaty would, in essence, turn the United States Navy into a policing arm of the United Nations, since we have the largest and most capable Navy in the world.

My amendment would protect the United States Navy, the United States military chain of command, authority of the Secretary of the Navy, Secretary of Defense, Commander in Chief, the Uniform Code of Military Justice, and the constitutional requirements of the U.S. Congress. My amendment limits American tax dollars to any institution or organization established by the U.N.'s Convention on the Law of the Sea, and I encourage the Members' support, and I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield myself such time as I may consume. I'll be very brief.

For the last 20 years, every single chief of Naval operations, Chairman of the Joint Chiefs, and other military officers have supported this treaty because they recognize that it gives us greater protections in an increasingly complicated world.

So I would urge opposition to this amendment that would undermine that Law of the Sea. It does not turn over the power to the United Nations. It creates a treaty that gives us a framework for dealing with what is an increasingly difficult set of issues.

China, absent this treaty, could, in fact, make greater claims in the South China Sea and elsewhere, and we would not have the same amount of power to oppose them. So please oppose this amendment.

I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Chair, I rise in opposition to the Duncan Amendment to prevent appropriations from being used to implement the Convention on the Law of the Sea. As Ranking Member of the Coast Guard and Maritime Transportation Subcommittee and as a member of the House Armed Services Committee, I know the importance of this treaty for both the Coast Guard and the Navy. Signing the Convention would allow both military services to prevent potential conflicts at sea with other nations. It would also lock in critical navigational rights that will ensure the timeliness and operational readiness of the services. This is a bipartisan issue, and I regret this amendment attempts to make it a partisan one.

Both the Navy and Coast Guard are enthusiastic and supportive of the potential that the Convention on the Law of the Sea holds. In fact, earlier this month Coast Guard Commandant Admiral Robert Papp gave a speech in which he said the Convention would ''better enable the Coast Guard to protect Americans from the sea, protect Americans from threats delivered by sea, and protect the sea itself.''

This amendment is the wrong policy given the many benefits that we stand to gain by joining the Convention. I urge my colleagues to vote ''no'' on this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. DUNCAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 48 OFFERED BY MR. COFFMAN OF COLORADO

The Acting CHAIR. It is now in order to consider amendment No. 48 printed in House Report 112–485.

Mr. COFFMAN of Colorado. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XII, add the following new section:

SEC. 12___. REMOVAL OF BRIGADE COMBAT TEAMS FROM EUROPE.

(a) FINDING.—Congress finds that, because defense spending among European NATO countries fell 12% since 2008, from $314 billion to $275 billion, so that currently only 4 out of the 28 NATO allies of the United States are spending the widely agreed-to standard of 2% of their GDP on defense, the United States must look to more wisely allocate scarce resources to provide for the national defense.

(b) REMOVAL AUTHORIZED.—The President is authorized and requested to end the permanent basing of units of the United States Armed Forces in European member nations of the North Atlantic Treaty Organization and return the four Brigade Combat Teams currently stationed in Europe to the United States.

(c) USE OF ROTATIONAL FORCES TO SATISFY SECURITY NEEDS.—It is the policy of the United States that the deployment of units of the United States Armed Forces on a rotational basis at military installations in European member nations of the North Atlantic Treaty Organization pursuant to the Army Force Generation (ARFORGEN) process is a force-structure arrangement sufficient to permit the United States—

(1) to satisfy the commitments undertaken by United States pursuant to Article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964);

(2) to address the current security environment in Europe; and

(3) to contribute to peace and stability in Europe.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Colorado (Mr. COFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. COFFMAN of Colorado. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, maintaining four brigade combat teams in Europe is an example of the kind of wasteful spending that should be cut from the Federal Government.

This is the fourth time I've offered an amendment to reduce U.S. troop levels in Europe, and it has received more support on the floor of the House each time. I want to thank my colleague from Colorado (Mr. COFFMAN) for his leadership efforts in offering this amendment with me this year. I'm hopeful this amendment's clear logic, obvious nature, and bipartisan support will lead the House to adopt it.

This amendment, very simply, will bring troops home from Europe. Basing these forces in the U.S. rather than Europe will cost 10 to 20 percent less and maintain the flexibility and infrastructure for global operations necessary in today's world. The amendment would also authorize the Pentagon to close bases across Europe that are no longer necessary.

In the wake of World War II and the Cold War, stationing troops in Europe made sense. We were holding the line against the Soviet Union and Warsaw Pact and meeting our obligations to NATO. But the Soviet Union ceased to exist 20 years ago. If we didn't have

these bases in Europe, we'd have to ask ourselves: Would we be setting bases up in Europe today to combat the global war on terrorism?

Our troop commitment in Europe needs to be reexamined. Our European allies are some of the richest countries in the world, so why are we subsidizing their defense? The average American spends over $2,500 on defense; the average European, about $500.

With modern technology, we can move troops and weapons quickly across the world to meet our NATO commitments and other operational necessities. We can rely on our capacity for rapid deployment to send troops and assets to all regions when needed.

Our amendment would call for rotational forces to be deployed in Europe so they can fulfill our NATO obligations. There's cheaper and less controversial ways of proving to our allies the strength of our commitment to defense than permanently stationing and maintaining over 80,000 troops in their countries.

Donald Rumsfeld even thinks it's time for a change to our policy. In his recent book he wrote:

> Of the quarter-million troops deployed abroad in 2001, more than 100,000 were in Europe, the vast majority stationed in Germany to fend off an invasion by a Soviet Union that no longer exists.

The Acting CHAIR. The time of the gentleman has expired.

Mr. COFFMAN of Colorado. Mr. Chairman, I yield an additional 15 seconds to the gentleman.

Mr. POLIS. I thank the gentleman from Colorado for his leadership.

At a time when we must seriously consider cuts to our budget and balancing our budget, we should not continue to subsidize the defense of wealthy European nations against a Soviet threat that ceased to exist two decades ago.

I urge my colleagues to support my amendment.

Mr. COFFMAN of Colorado. Mr. Chairman, I yield myself such time as I may consume.

The Pentagon has proposed removing two brigade combat teams already from permanent bases in Europe. The U.S. Army would still have about 37,000 soldiers in Europe even after it withdraws two of its four combat brigades, which is about 7,000 soldiers. The United States has about 80,000 military personnel still in Europe. There are 28 U.S. military bases—16 Army, eight Air Force, and four Navy.

The Coffman-Polis amendment would authorize the removal of all four brigade combat teams. The only permanent forces stationed in Europe would be those that are required to maintain our expeditionary capabilities and conduct engagement with the leadership of our NATO allies. We will continue to meet our security commitment to our NATO allies by utilizing rotational forces. This could be accomplished by expanding existing programs like the National Guard State Partnership Program.

Since 2008, the Defense Department, among European NATO countries, fell 12 percent, from $314 billion to $275 billion. Only four out of our 28 NATO allies are spending even 2 percent on their GDP on defense. The United States spends 4.7 percent on defense.

Our European allies are facing a fiscal crisis of their own; however, instead of being forced to find the same balance that the United States is trying to achieve, they are able to drastically reduce their national defense spending because they can take for granted that the United States will continue to be the guarantor of their security. This is an unfair burden to U.S. taxpayers.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield such time as he may consume to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Chairman, I rise in opposition to this amendment. And, Mr. Chairman, I would say that I have enormous respect for the gentlemen from Colorado. I have enormous respect for the gentleman from Colorado's service in the military. But I also have enormous respect for the United States Army and for the leadership of the United States Army.

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The only reason that we would do this move is—there are two reasons. One would be because it makes strategic sense to do so, and the United States Army says it does not make strategic sense to do so. The second one is because of cost. And the United States Army would point out that the cost savings we have would be minimal because the rotational units are very expensive and much less effective than forward-base forces.

Mr. Chairman, it's been said here that we don't want to be defending our allies, and indeed we don't, not necessarily. But what we're doing with this is not just defending our allies but joining with our allies to make sure we're defending the United States and U.S. interests.

Mr. Chairman, I would say that the Army has moved already very strongly by removing two of these combat brigades from Europe. They've reduced by 50 percent the number of personnel we have in Europe since 2003. I think we should listen to the Army and make sure that we're allowing them to do what they think at this particular point in time is strategically and from a cost-effective basis in the best interest of the United States.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER).

I'm anxious to hear about the secret deal to remove troops from Europe.

Mr. TURNER of Ohio. Well, I must say that we certainly have to be concerned about troop reductions in light of the possible secret deal between the Russians and the President.

I stand in opposition to this amendment because, first off, here you have Congress looking to withdraw troops that of course strategically our Department of Defense says that we need, and that intuitively we understand why they are there. We don't have troops there standing guard and defending Europe. We have troops there that are part of the alliance that are working in concert for the defense of the United States and our allies in issues of the war on terror, issues of training, issues of jointness, issues of logistics. I mean, Europe is not just a place where our troops are standing to oppose invasions of Europe; they're not there for that anymore. They're there for logistics of things such as the pirates that we have off of Africa, that people are abusing our resources to try to make certain that commerce can continue; the issues in Afghanistan, to make certain that we have the logistics for our troops and what they need; ensuring that our allies have jointness in training, working together and being present so that we can ensure that NATO works together in concert.

This provision would also lead to an incredibly negative perception among our NATO allies and partners that the U.S. is not committed to its NATO Article V responsibilities. You will recall, the NATO Article V, the only time it's been invoked was in favor of the United States after we were attacked and went into Afghanistan after 9/11.

These troops are present as part of the overall security of the United States. They're not there as a stake in the ground to protect Europe. To not look to our military for their strategy, for their determination as to where we need troops, for their use of deployment is for us to say that this Congress constitutes itself as the experts in military deployment, and we're not. This is not where the debate should occur.

We should oppose this amendment.

Mr. COFFMAN of Colorado. Mr. Chairman, unlike my two colleagues, and God bless them for their experience, but they've not served in our military, and they've not served in the United States Army in Europe as I have. So I can challenge the assumptions of the United States Army here.

The Cold War has been over with since 1989. We're spending 4.7 percent of our GDP on defense and our European allies, most of them, are spending less than 2 percent. There's an overreliance on the United States, and that's different from being allies. These are not

expeditionary forces. These are really, truly relics of the Cold War with no border to defend. So it is time that we take them back.

Where is the savings? Well, the savings is in part because there is already an agreement that we are going to draw down the end-strength of our active duty forces. So that certainly fits within that criteria that's already been agreed to.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Washington. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. COFFMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COFFMAN of Colorado. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 49 OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 49 printed in House Report 112–485.

Ms. LEE of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in title XII of division A of the bill, add the following:

Subtitle—PREVENT IRAN FROM ACQUIRING NUCLEAR WEAPONS AND STOP WAR THROUGH DIPLOMACY ACT

SEC. __1. SHORT TITLE.

This subtitle may be cited as the ''Prevent Iran from Acquiring Nuclear Weapons and Stop War Through Diplomacy Act''.

SEC. __2. FINDINGS.

Congress finds the following:

(1) In his Nobel Peace Prize acceptance speech on December 10, 2009, President Obama said, ''I know that engagement with repressive regimes lacks the satisfying purity of indignation. But I also know that sanctions without outreach—and condemnation without discussion—can carry forward a crippling status quo. No repressive regime can move down a new path unless it has the choice of an open door.''

(2) In his address to the American Israel Public Affairs Committee on March 4, 2012, President Obama said, ''I have said that when it comes to preventing Iran from obtaining a nuclear weapon, I will take no options off the table, and I mean what I say. That includes all elements of American power. A political effort aimed at isolating Iran; a diplomatic effort to sustain our coalition and ensure that the Iranian program is monitored; an economic effort to impose crippling sanctions; and, yes, a military effort to be prepared for any contingency.''

(3) While the Obama Administration has rejected failed policies of the past by engaging in negotiations with Iran without preconditions, only four of such meetings have occurred.

(4) Official representatives of the United States and official representatives of Iran have held only two direct, bilateral meetings in over 30 years, both of which occurred in October 2009, one on the sidelines of the United Nations Security Council negotiations in Geneva, and one on the sidelines of negotiations brokered by the United Nations International Atomic Energy Agency (referred to in this Act as the ''IAEA'') in Vienna.

(5) All of the outstanding issues between the United States and Iran cannot be resolved instantaneously. Resolving such issues will require a robust, sustained effort.

(6) Under the Department of State's current ''no contact'' policy, officers and employees of the Department of State are not permitted to make any direct contact with official representatives of the Government of Iran without express prior authorization from the Secretary of State.

(7) On September 20, 2011, then-Chairman of the Joint Chiefs of Staff Admiral Mike Mullen, called for establishing direct communications with Iran, stating, ''I'm talking about any channel that's open. We've not had a direct link of communication with Iran since 1979. And I think that has planted many seeds for miscalculation. When you miscalculate, you can escalate and misunderstand.''

(8) On November 8, 2011, the IAEA issued a report about Iran's nuclear program and expressed concerns about Iran's past and ongoing nuclear activities.

(9) On December 2, 2011, Secretary of Defense Leon Panetta warned that an attack on Iran would result in ''an escalation that would take place that would not only involve many lives, but I think it could consume the Middle East in a confrontation and a conflict that we would regret.''

SEC. __3. STATEMENT OF POLICY.

It should be the policy of the United States—

(1) to prevent Iran from pursuing or acquiring a nuclear weapon and to resolve the concerns of the United States and of the international community about Iran's nuclear program and Iran's human rights obligations under international and Iranian law;

(2) to ensure inspection of cargo to or from Iran, as well as the seizure and disposal of prohibited items, as authorized by United Nations Security Council Resolution 1929 (June 9, 2010);

(3) to pursue sustained, direct, bilateral negotiations with the Government of Iran without preconditions in order to reduce tensions, prevent war, prevent nuclear proliferation, support human rights, and seek resolutions to issues that concern the United States and the international community;

(4) to utilize all diplomatic tools, including direct talks, targeted sanctions, Track II diplomacy, creating a special envoy described in section 4, and enlisting the support of all interested parties, for the purpose of establishing an agreement with Iran to put in place a program that includes international safeguards, guarantees, and robust transparency measures that provide for full IAEA oversight of Iran's nuclear program, including rigorous, ongoing inspections, in order to verify that Iran's nuclear program is exclusively for peaceful purposes and that Iran is not engaged in nuclear weapons work;

(5) to pursue opportunities to build mutual trust and to foster sustained negotiations in good faith with Iran, including pursuing a fuel swap deal to remove quantities of low enriched uranium from Iran and to refuel the Tehran Research Reactor, similar to the structure of the deal that the IAEA, the United States, China, Russia, France, the United Kingdom, and Germany first proposed in October 2009;

(6) to explore areas of mutual benefit to both Iran and the United States, such as regional security, the long-term stabilization of Iraq and Afghanistan, the establishment of a framework for peaceful nuclear energy production, other peaceful energy modernization programs, and counter-narcotics efforts; and

(7) that no funds appropriated or otherwise made available to any executive agency of the Government of the United States may be used to carry out any military operation or activity against Iran unless the President determines that a military operation or activity is warranted and seeks express prior authorization by Congress, as required under article I, section 8, clause 2 of the United States Constitution, which grants Congress the sole authority to declare war, except that this requirement shall not apply to a military operation or activity—

(A) to directly repel an offensive military action launched from within the territory of Iran against the United States or any ally with whom the United States has a mutual defense assistance agreement;

(B) in hot pursuit of forces that engage in an offensive military action outside the territory of Iran against United States forces or an ally with whom the United States has a mutual defense assistance agreement and then enter into the territory of Iran; or

(C) to directly thwart an imminent offensive military action to be launched from within the territory of Iran against United States forces or an ally with whom the United States has a mutual defense assistance agreement.

SEC. __4. APPOINTMENT OF HIGH-LEVEL U.S. REPRESENTATIVE OR SPECIAL ENVOY.

(a) APPOINTMENT.—At the earliest possible date, the President, in consultation with the Secretary of State, shall appoint a high-level United States representative or special envoy for Iran.

(b) CRITERIA FOR APPOINTMENT.—The President shall appoint an individual under subsection (a) on the basis of the individual's knowledge and understanding of the issues regarding Iran's nuclear program, experience in conducting international negotiations, and ability to conduct negotiations under subsection (c) with the respect and trust of the parties involved in the negotiations.

(c) DUTIES.—The high-level United States representative or special envoy for Iran shall—

(1) seek to facilitate direct, unconditional, bilateral negotiations with Iran for the purpose of easing tensions and normalizing relations between the United States and Iran;

(2) lead the diplomatic efforts of the Government of the United States with regard to Iran;

(3) consult with other countries and international organizations, including countries in the region, where appropriate and when necessary to achieve the purpose set forth in paragraph (1);

(4) act as liaison with United States and international intelligence agencies where appropriate and when necessary to achieve the purpose set for in paragraph (1); and

(5) ensure that the bilateral negotiations under paragraph (1) complement the ongoing international negotiations with Iran.

SEC. __5. DUTIES OF THE SECRETARY OF STATE.

(a) ELIMINATION OF ''NO CONTACT'' POLICY.—Not later than 30 days after the date of

enactment of this Act, the Secretary of State shall rescind the ''no contact'' policy that prevents officers and employees of the Department of State from making any direct contact with official representatives of the Government of Iran without express prior authorization from the Secretary of State.

(b) OFFICE OF HIGH-LEVEL U.S. REPRESENTATIVE OR SPECIAL ENVOY.—Not later than 30 days after the appointment of a high-level United States representative or special envoy under section __4(a), the Secretary of State shall establish an office in the Department of State for the purpose of supporting the work of the representative or special envoy.

SEC. __6. REPORTING TO CONGRESS.

(a) REPORTS.—Not later than 60 days after the high-level United States representative or special envoy for Iran is appointed under section __4, and every 180 days thereafter, the United States representative or special envoy shall report to the committees set forth in subsection (b) on the steps that have been taken to facilitate direct, bilateral diplomacy with the government of Iran under section __4(c). Each such report may, when necessary or appropriate, be submitted in classified and unclassified form.

(b) COMMITTEES.—The committees referred to in subsection (a) are—

(1) the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Appropriations, the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.

SEC. __7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle such sums as may be necessary for fiscal year 2013.

The Acting CHAIR. Pursuant to House Resolution 661, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE of California. Mr. Chairman, my amendment is straightforward. It would appoint a Special Envoy for Iran to ensure that all diplomatic avenues are pursued to avoid a war with Iran and to prevent Iran from acquiring a nuclear weapon. It is cosponsored by my colleagues, Congresswoman WOOLSEY and Congressman CONYERS.

I must say that all of the cosponsors of this resolution agree that we must prevent an Iran armed with nuclear weapons, which would be totally unacceptable. As President Obama said, all options, including diplomatic options, need to be on the table with Iran.

We all recognize that the military option has been and will continue to be on the table, but we must not let the military option override any diplomatic initiative which would keep Iran from acquiring a nuclear weapon.

Let me just say and cite section 1221 of the bill in its Declaration of Policy on Iran. This is in the bill as it is currently written:

It is the policy of the United States to take all necessary measures, including military action, if required, to prevent Iran from threatening the United States, its allies, or Iran's neighbors with a nuclear weapon.

The bill also sets forth what it takes to require the military to prepare for war. So we all recognize that the military option in this bill is on the table. It's stated very clearly.

My amendment would just take two simple steps to support the diplomatic option. First, it would require President Obama to appoint a high-level Special Envoy to Iran to engage in sustained bilateral—that's country to country—comprehensive negotiations with the aim of ensuring Iran gives up any efforts to acquire nuclear weapons.

Secondly, my amendment would lift the ''no contact policy'' that prohibits high-level American diplomats from communicating directly with their Iranian counterparts.

In addition, it's just common sense that in order for the current multilateral negotiations to be effective, we need to get rid of this current policy that treats diplomatic talks as a prize rather than a tool for statecraft. My amendment in no way undermines current multilateral negotiations. In fact, we need both; we need bilateral and multilateral negotiations if in fact we're going to prevent Iran from acquiring a nuclear weapon.

We can all agree that an Iran armed with nuclear weapons really is unacceptable. Experts agree that at best an armed strike against Iran would set its nuclear program back 3 years while locking in Iran's determination to obtain nuclear weapons. So we're trying to do everything we can do. As one who has always supported nonproliferation, I understand what is taking place as it relates to the multilateral negotiations, but I think it is very important that we strengthen those with bilateral negotiations.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. I yield 2 minutes to my friend and colleague, the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Chairman, this amendment basically appoints a Special Envoy to Iran to try and talk the Islamic leaders out of nuclear weapons and out of their nuclear weapons program.

□ 0040

If talk and negotiations could denuclearize Iran, we wouldn't have to worry about them anymore. But the reality is you can't take the crazy out of radical Islamic fundamentalists, which are the people that run Iran.

And this amendment does, contrary to what the gentlelady from California says, this amendment does, in fact, take the military option off the table because it would prevent the President from taking action, even if the U.S. were directly threatened and immediately threatened unless Congress authorized it first. The President would have to call this body back into session, from wherever we were at, and then ask us for permission, on C–SPAN, to go ahead and act against an immediate Iranian threat.

This amendment does not acknowledge the six U.N. Security Council resolutions to address Iran's nuclear program. It does not acknowledge that France, Germany, and the U.K. offered Iran several proposals to resolve nuclear issues during negotiations in 2004 and 2005. It does not acknowledge that the diplomatic initiatives to resolve the Iranian nuclear issue have produced absolutely nothing. Absolutely nothing.

What this amendment does is appease and appease and appease and stall and while we talk, while we stand here in this body, right now, discussing this, Iran's getting closer and closer to a nuclear weapon. And Iran's not North Korea. North Korea is sane compared to Iran. As soon as they get enriched uranium that can be used as a weapon, it will end up on our shores. And it probably won't be by the Iranians. It probably won't be launched from Iran. It'll cross our border or come into an American port, and it will kill Americans.

So, Mr. Chairman, I oppose this amendment, and I would urge my colleagues to do the same.

Ms. LEE of California. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 2 minutes.

Ms. LEE of California. I'd like to yield now 1½ minutes to the gentlewoman from California, Congresswoman WOOLSEY.

Ms. WOOLSEY. Mr. Chairman, after 8 long and deadly years, we finally ended the war in Iraq. Hopefully, the war in Afghanistan is drawing to a close, but not nearly as quickly as I'd like.

The last thing we can afford is to enter another military conflict that kills Americans, drains our Treasury, and undermines our national reputation and our national security. That's why I support this amendment.

By sending a special envoy to Iran, we can take definitive steps to avoid war, giving diplomacy the best chance to succeed, and giving ourselves the best chance to keep Iran from developing a nuclear weapon.

This is consistent with my SMART Security Platform, which demands that we explore every possible alternative to war, that we use peaceful conflict resolution whenever and wherever possible, that we make a renewed commitment to nuclear nonproliferation.

So let's do the smart thing. Vote ''yes'' on this amendment. Prevent war.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. SMITH), the ranking member of the committee.

Mr. SMITH of Washington. Mr. Chair, I actually oppose this amendment for reasons completely opposite of what the previous opposition speaker opposed them for. I believe that part of the solution to stopping Iran from developing a nuclear weapon is to negotiate with them. The President is currently doing that as part of the Six Party Talks.

Now, none of that's going to work without very, very aggressive economic sanctions. I'm very pleased in last year's bill we were able to put in aggressive economic sanctions on the Central Bank of Iran. We need those sanctions. Those sanctions are what has driven these talks.

Unfortunately, I support just about everything in this amendment except for the part that requires bilateral negotiations. It would basically require us at this point to set up a separate set of negotiations apart from the Six Party Talks and would actually undermine the very negotiations that are going on right now.

I think it's very well intentioned. I agree that negotiations have to be part of that. It's just, given the negotiations that are going on, requiring bilateral negotiations at this point would undermine that very effort. And, therefore, for very different reasons I oppose the amendment.

Ms. LEE of California. Let me just say I respectfully disagree that this would undermine the current Six Party Talks. I think it would strengthen the Six Party Talks. We need bilateral and multilateral negotiations if we're going to prevent Iran from acquiring a nuclear weapon.

This bill is very clear in terms of the military option, in response to my colleague on the other side. The underlying bill says it shall be the policy of the United States to take all necessary measures, including military action, if required, to prevent Iran from threatening the United States, its allies, or Iran's neighbors with a nuclear weapon.

In no way does this amendment appease the Iranians. What it does is bring some semblance of balance and another strategy, another layer to strengthen the negotiations that are currently taking place so that we can keep Iran from acquiring a nuclear weapon and prevent an all-out war.

I yield back the balance of my time.

Mr. MCKEON. Hearing the word ''undermined'' brings to mind the fact that they are way underground building this nuclear facility. It kind of stretches the credibility thinking that they're doing that just to build a power plant.

Mr. Chairman, I yield the balance of our time to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Chairman, we've debated some important issues here tonight. Some of them we've had some fun with. Some of them we have debated very, very strenuously.

But make no mistake about it, the greatest threat to world peace today is Iran and the possibility that Iran will get a nuclear weapon. There is no other country in the world that has specifically stated its purpose to use that weapon will be to destroy one of our allies, which would be Israel.

And one of the most important things we can have is to make sure that we have no lack of clarity when we come to dealing with Iran.

Our good friend, Ike Skelton, used to always admonish us, read the bill. In this bill we are looking to take power away from the Secretary of State. We say we want to have diplomacy, and yet we are pulling away the Secretary of State's options to do that.

We're looking at taking away powers of the President, because, if nothing else, we're mucking up the War Powers Act and making it unclear what the President can do and what he can't do. And when it comes to Iran, that's the least important thing we can do.

The most important thing we can do is to make sure that we continue to give the President the options that he needs to keep everything on the table in dealing with Iran. And when we tell him he can't use military force until he's done all diplomatic avenues, nobody in here understands what that means exactly.

So, Mr. Chairman, I hope that we will not go down this path, because I can assure you the destination may be one that we wish we had never arrived at. And I hope we'll defeat this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. LEE of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 50 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 50 printed in House Report 112–485.

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XIII, add the following new section:

SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION ACTIVITIES WITH RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for Cooperative Threat Reduction may be obligated or expended for cooperative threat reduction activities with the Russian Federation until the date that is 30 days after the date on which the Secretary of Defense certifies, in coordination with the Secretary of State, to the appropriate congressional committees that—

(1) Russia is no longer—

(A) providing direct or indirect support to the government of Syria's suppression of the Syrian people; and

(B) transferring to Iran, North Korea, or Syria equipment and technology that have the potential to make a material contribution to the development of weapons of mass destruction or cruise or ballistic missile systems controlled under multilateral control lists; or

(2) funds planned to be obligated or expended for cooperative threat reduction activities with the Russian Federation are strictly for project closeout activities and will not be used for new activities or activities that will extend beyond fiscal year 2013.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if—

(1) the Secretary determines that such waiver is in the national security interests of the United States;

(2) the Secretary briefs, in an unclassified form, the appropriate congressional committees on the justifications of such waiver; and

(3) a period of 90 days has elapsed following the date on which such briefing is held.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

My amendment bans cooperative threat reduction funds going to Russia unless the Secretary of Defense, with the Secretary of State, first, can certify that the Russians are no longer supporting the Syrian regime, and, secondly, are not providing Syria, North Korea, or Iran equipment or technology to develop weapons of mass destruction.

This amendment sends a clear message condemning Russian support to Syria and the Assad regime. Since the anti-regime protests in Syria began in March of last year, Syrian security forces have killed well over 10,000 people. Some people say 12,000 people. They have wrongfully imprisoned tens of thousands more.

Russia, unfortunately, has proven repeatedly that they are willing to send technology and weapons to all buyers, including to regimes like Syria that are brutalizing their citizens.

□ 0050

We need to send a clear and consistent message to the Russians and to the rest of the world that the United States will not tolerate or support the oppression that the Syrian Government is inflicting on its people.

How can we continue to send military aid to Russia while they knowingly and deliberately turn around and support the brutal and corrupt Syrian regime?

The U.S. will not tolerate either direct or indirect military assistance to the Assad regime in Syria. We will not support the Russian transfer of weapons of mass destruction or ballistic missile equipment and technology to countries like Syria, Iran, or North Korea.

This amendment begins to put some teeth behind the words of the President and others in Congress on both sides of the aisle who have called for action. This amendment begins to support the seriousness behind our words. We must do everything we can to end the Assad regime's escalating use of indiscriminate violence against its people. Join me in supporting this important amendment.

I reserve the balance of my time.

Mr. SMITH of Washington. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. This is a classic ''cutting off your nose to spite your face'' amendment.

We are all very upset by the fact that Russia continues to be supportive of the Assad regime, but cutting off funds from the Defense Threat Reduction Program is not going to hurt Russia; it's going to hurt us.

The purpose of the Defense Threat Reduction Program, as the name would imply, is to reduce the threat. This was part of the broad nonproliferation effort, after the collapse of the Soviet Union, to set up a cooperative working agreement to try to control the weapons of mass destruction—nuclear, biological, chemical—that Russia has. This is a critically important program to stop proliferation and to make sure that these weapons of mass destruction don't wind up in the hands of terrorists and that they are actually controlled.

So, as much as I want to see Russia change its policy towards Syria, cutting off this program to try to force it is not a good idea, and I urge opposition to the amendment.

I reserve the balance of my time.

Mr. LAMBORN. The term that's used for this program is the Cooperative Threat Reduction Program. Russia has to cooperate. When they're turning around and supporting regimes like Syria with, we think, $1 billion worth of weapons transfers last year alone, what kind of cooperation is that?

Yes. Originally, 20 years ago, this program had a laudable purpose, but now Russia is doing something that is a bigger threat to our security, I believe. We have to find some way of sending a message to a country that is supporting these brutal regimes. I believe that this is the best way to do it, and I would urge the support of this amendment.

I reserve the balance of my time.

Mr. SMITH of Washington. I yield myself such time as I may consume.

This is precisely the wrong place to do it. It really isn't, again, punishing Russia. We are the ones who are most concerned about these weapons getting out and getting into the wrong hands. Yes, it requires Russia's cooperation. It is cooperation that we strived hard to get, so to cut it off at this point—to lose that cooperation—places us in greater jeopardy by making weapons of mass destruction more difficult to control. So, again, I would urge opposition.

I yield back the balance of my time.

Mr. LAMBORN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

AMENDMENT NO. 51 OFFERED BY MR. CARNAHAN

The Acting CHAIR. It is now in order to consider amendment No. 51 printed in House Report 112–485.

Mr. CARNAHAN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A of the bill, add the following:

TITLE XVII—CONTINGENCY OPERATIONS OVERSIGHT AND INTERAGENCY ENHANCEMENT ACT OF 2012

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Contingency Operations Oversight and Interagency Enhancement Act of 2012''.

SEC. 1702. DEFINITIONS.

In this title, the following definitions apply:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committees on Appropriations, Armed Services, Foreign Affairs, and Oversight and Government Reform of the House of Representatives; and

(B) the Committees on Appropriations, Armed Services, Foreign Relations, and Homeland Security and Governmental Affairs of the Senate.

(2) DIRECTOR.—The term ''Director'' means the Director of the United States Office for Contingency Operations.

(3) FUNCTIONS.—The term ''functions'' includes authorities, powers, rights, privileges, immunities, programs, projects, activities, duties, and responsibilities.

(4) IMMINENT STABILIZATION AND RECONSTRUCTION OPERATION.—The term ''imminent stabilization and reconstruction operation'' is a condition in a foreign country which the Director believes may require in the immediate future a response from the United States and with respect to which preparation for a stabilization and reconstruction operation is necessary.

(5) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(6) OFFICE.—The term ''Office'' means the United States Office for Contingency Operations.

(7) PERSONNEL.—The term ''personnel'' means officers and employees of an Executive agency, except that the term does not include members of the Armed Forces.

(8) POTENTIAL STABILIZATION AND RECONSTRUCTION OPERATION.—The term ''potential stabilization and reconstruction operation'' is a possible condition in a foreign country which in the determination of the Director may require in the immediate future a response from the United States and with respect to which preparation for a stabilization and reconstruction operation is advisable.

(9) STABILIZATION AND RECONSTRUCTION EMERGENCY.—The term ''stabilization and reconstruction emergency'' is a stabilization and reconstruction operation which is the subject of a Presidential declaration pursuant to section 1713.

(10) STABILIZATION AND RECONSTRUCTION OPERATION.—The term ''stabilization and reconstruction operation''—

(A) means a circumstance in which a combination of security, reconstruction, relief, and development services, including assistance for the development of military and security forces and the provision of infrastructure and essential services (including services that might be provided under the authority of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund)), should, in the national interest of the United States, be provided on the territory of an unstable foreign country;

(B) does not include a circumstance in which such services should be provided primarily due to a natural disaster (other than a natural disaster of cataclysmic proportions); and

(C) does not include intelligence activities.

(11) UNITED STATES.—The term ''United States'', when used in a geographic sense, means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any possession of the United States, and any waters within the jurisdiction of the United States.

SEC. 1703. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Responsibilities for overseas stability and reconstruction operations are divided among several agencies. As a result, lines of responsibility and accountability are not well-defined.

(2) Despite the establishment of the Office of the Coordinator for Reconstruction and Stabilization within the Department of State, the reaffirmation of the Coordinator's mandate by the National Security Presidential Directive 44, its codification with title XVI of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, and the issuance of the Department of Defense Directive 3000.05, serious imbalances and insufficient interagency coordination remain.

(3) The United States Government has not effectively or efficiently managed stabilization and reconstruction operations during recent decades.

(4) Based on trends, the United States will likely continue to find its involvement necessary in stabilization and reconstruction operations in foreign countries in the wake of violence or cataclysmic disaster.

(5) The United States has not adequately learned the lessons of its recent experiences in stabilization and reconstruction operations, and despite efforts to improve its performance is not yet organized institutionally to respond appropriately to the need to perform stabilization and reconstruction operations in foreign countries.

(6) The failure to learn the lessons of past stabilization and reconstruction operations will lead to further inefficiencies, resulting in greater human and financial costs.

(b) PURPOSES.—The purposes of this title are to—

(1) advance the national interest of the United States by providing an effective means to plan for and execute stabilization and reconstruction operations in foreign countries;

(2) provide for unity of command, and thus achieve unity of effort, in the planning and execution of stabilization and reconstruction operations;

(3) provide accountability for resources dedicated to stabilization and reconstruction operations;

(4) maximize the efficient use of resources, which may lead to budget savings, eliminated redundancy in functions, and improvement in the management of stabilization and reconstruction operations; and

(5) establish an entity to plan for stabilization and reconstruction operations and, when directed by the President, coordinate and execute such operations, eventually returning responsibility for such operations to other agencies of the United States Government as the situation becomes normalized.

SEC. 1704. CONSTRUCTION; SEVERABILITY.

Any provision of this title held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable from this title and shall not affect the remainder thereof, or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

SEC. 1705. EFFECTIVE DATE.

This Act shall take effect on the date that is 60 days after the date of the enactment of this Act.

Subtitle A—United States Office for Contingency Operations: Establishment, Functions, and Personnel

SEC. 1711. ESTABLISHMENT OF THE UNITED STATES OFFICE FOR CONTINGENCY OPERATIONS.

There is established as an independent entity the United States Office for Contingency Operations, which shall report to the Department of State and the Department of Defense.

SEC. 1712. TRANSFER OF AUTHORITIES, FUNCTIONS, PERSONNEL, AND ASSETS TO THE OFFICE.

(a) FUNCTIONS TRANSFERRED.—Not later than 90 days after the date of the enactment of this Act, there shall be transferred to the Office the functions, personnel, assets, and liabilities of the Bureau of Conflict and Stabilization Operations, including the Office of the Coordinator for Reconstruction and Stabilization of the Department of State.

(b) FUNCTIONS TRANSFERRED, IN WHOLE OR IN PART.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, in addition to the functions, personnel, assets, and liabilities transferred under subsection (a), there shall be transferred, in whole or in part, to the Office, under such conditions as the Director, the Director of the Office of Management and Budget, and the Director of the Office of Personnel Management jointly prescribe, the functions, personnel, assets, and liabilities of the following:

(A) Civilian organizational entities within the Department of Defense identified by the Secretary of Defense as—

(i) established to implement Department of Defense Instruction 3000.05, relating to stability operations; and

(ii) not essential for combat operations.

(B) The Bureau of International Narcotics and Law Enforcement Affairs of the Department of State.

(C) The Office of Transition Initiatives of the United States Agency for International Development.

(D) The Office of Foreign Disaster Assistance of the United States Agency for International Development.

(E) The Office of Conflict Mitigation and Management of the United States Agency for International Development.

(F) The International Criminal Investigative Training Assistance Program of the Department of Justice.

(G) The Department of the Treasury's program to provide technical assistance to foreign governments and foreign central banks of developing or transitional countries authorized under section 129 of the Foreign Assistance Act of 1961 and the Office of Technical Assistance of the Department of the Treasury that manages such program.

(H) The Contingency Acquisition Corps of the General Services Administration established pursuant to section 2312 of title 41, United States Code.

(2) REPORTS.—

(A) BEFORE THE TRANSFER.—The Director, the Director of the Office of Management and Budget, or the Director of the Office of Personnel Management, as appropriate, shall, not later than 60 days before carrying out a transfer in accordance with paragraph (1), submit to the appropriate congressional committees a report on the transfer.

(B) AFTER THE TRANSFER.—The Director shall submit to the appropriate congressional committees a report on the military and non-military resources, capabilities, and functions related to contingency operations of the entities and agencies transferred pursuant to paragraph (1). If any capabilities or functions of such entities and agencies were not so transferred, the Director shall include in such report an explanation relating to such non-transfer.

(c) FUTURE TRANSFERS AND RESTRUCTURING.—

(1) IN GENERAL.—In addition to the functions, personnel, assets, and liabilities transferred to the Office under subsections (a) and (b), the Director, the Director of the Office of Management and Budget, and the Director of the Office of Personnel Management may—

(A) transfer to the Office the functions, personnel, assets, or liabilities, in whole or in part, of any office, agency, bureau, program, or other entity that such Directors determine appropriate;

(B) transfer to the Office up to 150 skilled Federal personnel with expertise in contingency operations; and

(C) restructure the Office as such Directors determine appropriate to better carry out its functions and responsibilities.

(2) REPORTS.—If the Director, the Director of the Office of Management and Budget, and the Director of the Office of Personnel Management undertake a transfer or a restructuring in accordance with subparagraphs (A) and (B), respectively, of paragraph (1), the Director, the Director of the Office of Management and Budget, or the Director of the Office of Personnel Management, as appropriate, shall, not later than 60 days before carrying out any such transfer or restructuring, submit to the appropriate congressional committees a report on such transfer or restructuring.

SEC. 1713. RESPONSIBILITIES OF THE DIRECTOR, DEPUTY DIRECTOR, INSPECTOR GENERAL, AND OTHER OFFICES.

(a) DIRECTOR.—

(1) IN GENERAL.—The Office shall be headed by a Director, who shall be—

(A) appointed by the President, by and with the advice and consent of the Senate; and

(B) compensated at the rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code.

(2) SUPERVISION.—

(A) IN GENERAL.—The Director shall report directly to, and be under the general supervision of, the Secretary of State and the Secretary of Defense. Such supervision may not be delegated.

(B) INFORMATION SHARING.—The Director shall keep the National Security Advisor fully and continually informed of the activities of the Office.

(3) FUNCTIONS.—The functions of the Director shall include the following:

(A) Monitoring, in coordination with relevant offices and bureaus of the Department of Defense, the Department of State, and the United States Agency for International Development, political and economic instability worldwide in order to anticipate the need for mobilizing United States and international assistance for the stabilization and reconstruction of a country or region that is at risk of, in, or in transition from, conflict or civil strife.

(B) Assessing the various types of stabilization and reconstruction crises that could occur and cataloging and monitoring the military and non-military resources, capabilities, and functions of agencies that are available to address such crises.

(C) Planning to address requirements, such as demobilization, disarmament, capacity building, rebuilding of civil society, policing and security sector reform, and monitoring and strengthening respect for human rights that commonly arise in stabilization and reconstruction crises.

(D) Developing, in coordination with all relevant agencies, contingency plans and procedures to mobilize and deploy civilian and military personnel to conduct stabilization and reconstruction operations.

(E) Coordinating with counterparts in foreign governments and international and nongovernmental organizations on stabilization and reconstruction operations to improve effectiveness and avoid duplication.

(F) Building the operational readiness of the Civilian Response Corps and strengthening personnel requirements to enhance its essential interagency quality.

(G) Aiding the President, as the President may request, in preparing such rules and regulations as the President prescribes, for the planning, coordination, and execution of stabilization and reconstruction operations.

(H) Advising the Secretary of State and the Secretary of Defense, as the Secretary of

State or the Secretary of Defense may request, on any matters pertaining to the planning, coordination, and execution of stabilization and reconstruction operations.

(I) Planning and conducting, in cooperation with the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Defense, and commanders of unified combatant commands or specified combatant commands, a series of exercises to test and evaluate doctrine relating to stabilization and reconstruction operations and procedures to be used in such operations.

(J) Executing, administering, and enforcing laws, rules, and regulations relating to the preparation, coordination, and execution of stabilization and reconstruction operations.

(K) Administering such funds as may be appropriated or otherwise made available for the preparation, coordination and execution of stabilization and reconstruction operations.

(L) Planning for the use of contractors who will be involved in stabilization and reconstruction operations, including coordinating with the Secretary of State and the Secretary of Defense to ensure coordination of the work of such contractors with the work of contractors supporting—

(i) the Secretary of State; and

(ii) military operations and members of the Armed Forces.

(M) Prescribing standards and policies for project and financial reporting for all agencies involved in stabilization and reconstruction operations under the direction of the Office to ensure that all activities undertaken by such agencies are appropriately tracked and accounted for.

(N) Establishing an interagency training, preparation, and evaluation framework for all personnel deployed, or who may be deployed, in support of stabilization and reconstruction operations. Such training and preparation shall be developed and administered in partnership with such universities, colleges, or other institutions (whether public, private, or governmental) as the Director may determine and which agree to participate.

(4) RESPONSIBILITIES OF DIRECTOR FOR MONITORING AND EVALUATION REQUIREMENTS.—

(A) EVALUATIONS.—The Director shall plan and conduct evaluations of the impact of stabilization and reconstruction operations carried out by the Office.

(B) REPORTS.—

(i) IN GENERAL.—Not later than 30 days after the end of each fiscal-year quarter, the Director shall submit to the appropriate congressional committees a report summarizing all stabilization and reconstruction operations that are taking place under the supervision of the Director during the period of each such quarter and, to the extent possible, the period from the end of each such quarter to the time of the submission of each such report. Each such report shall include, for the period covered by each such report, a detailed statement of all obligations, expenditures, and revenues associated with such stabilization and reconstruction operations, including the following:

(I) Obligations and expenditures of appropriated funds.

(II) A project-by-project and program-by-program accounting of the costs incurred to date for the stabilization and reconstruction operation that are taking place, together with the estimate of any department or agency that is undertaking a project in or for the stabilization and reconstruction of such country, as applicable, of the costs to complete each project and each program.

(III) Revenues attributable to or consisting of funds provided by foreign countries or international organizations, and any obligations or expenditures of such revenues.

(IV) Revenues attributable to or consisting of foreign assets seized or frozen, and any obligations or expenditures of such revenues.

(V) An analysis on the impact of stabilization and reconstruction operations overseen by the Office, including an analysis of civil-military coordination with respect to the Office.

(ii) FORM.—Each report under this subsection may include a classified annex if the Director determines such is appropriate.

(iii) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law, specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs, or a part of an ongoing criminal investigation.

(b) DEPUTY DIRECTOR.—

(1) IN GENERAL.—There shall be within the Office a Deputy Director, who shall be—

(A) appointed by the President, by and with the advice and consent of the Senate; and

(B) compensated at the rate of basic pay for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) FUNCTIONS.— The Deputy Director shall perform such functions as the Director may from time to time prescribe, and shall act as Director during the absence or disability of the Director or in the event of a vacancy in the Office of the Director.

(c) ASSOCIATE DIRECTORS.—

(1) IN GENERAL.—There shall be within the Office not more than two Associate Directors, who shall be—

(A) appointed by the President, by and with the advice and consent of the Senate; and

(B) compensated at the rate of basic pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(2) FUNCTIONS.—The Associate Directors shall perform such functions as the Director may from time to time prescribe.

(3) SENSE OF CONGRESS.—It is the sense of Congress that of the two Associate Directors referred to in this subsection—

(A) one should be highly experienced in defense matters; and

(B) one should be highly experienced in diplomacy and development matters.

(d) FUNCTIONS OF THE PRESIDENT.—

(1) DECLARATION.—The President may, if the President finds that the circumstances and national security interests of the United States so require, declare that a stabilization and reconstruction emergency exists and shall determine the geographic extent and the date of the commencement of such emergency. The President may amend the declaration as circumstances warrant.

(2) TERMINATION.—If the President determines that a stabilization and reconstruction emergency declared under paragraph (1) is or will be no longer be in existence, the President may terminate, immediately or prospectively, a prior declaration that such an emergency exists.

(3) PUBLICATION IN FEDERAL REGISTER.—Declarations under this subsection shall be published in the Federal Register.

(e) AUTHORITIES OF OFFICE FOLLOWING PRESIDENTIAL DECLARATION.—If the President declares a stabilization and reconstruction emergency pursuant to subsection (d), the President may delegate to the Director the authority to coordinate all Federal efforts with respect to such stabilization and reconstruction emergency, including the authority to direct any Federal agency to support such efforts, with or without reimbursement.

SEC. 1714. PERSONNEL SYSTEM.

(a) PERSONNEL.—

(1) IN GENERAL.—The Director may select, appoint, and employ such personnel as may be necessary for carrying out the duties of the Office, subject to the provisions of title 5, United States Code, governing appointments in the excepted service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, and may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (to the same extent and in the same manner as those authorities may be exercised by an organization described in subsection (a) of such section). In exercising the employment authorities under subsection (b) of such section 3161, paragraph (2) of such subsection (relating to periods of appointments) shall not apply.

(2) SUBDIVISIONS OF OFFICE; DELEGATION OF FUNCTIONS.—The Director may establish bureaus, offices, divisions, and other units within the Office. The Director may from time to time make provision for the performance of any function of the Director by any officer or employee, or office, division, or other unit of the Office.

(3) REEMPLOYMENT AUTHORITIES.—The provisions of section 9902(g) of title 5, United States Code, shall apply with respect to the Office. For purposes of the preceding sentence, such provisions shall be applied—

(A) by substituting ''the United States Office for Contingency Operations'' for ''the Department of Defense'' each place it appears;

(B) by substituting ''the Stabilization and Reconstruction Operations Interagency Enhancement Act of 2012'' for ''the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136)'' in paragraph (2)(A) thereof; and

(C) by substituting ''the Director of the United States Office for Contingency Operations'' for ''the Secretary'' in paragraph (4) thereof.

(b) INTERIM OFFICERS.—

(1) IN GENERAL.—The President may authorize any persons who, immediately prior to the effective date of this Act, held positions in the Executive Branch of the Government, to act as Director, Deputy Director, Associate Director, and Inspector General of the Office until such positions are for the first time filled in accordance with the provisions of this Act or by recess appointment, as the case may be.

(2) COMPENSATION.—The President may authorize any such person described in paragraph (1) to receive the compensation attached to the Office in respect of which such person so serves, in lieu of other compensation from the United States.

(c) CONTRACTING SERVICES.—

(1) IN GENERAL.—The Director may obtain services of experts and consultants as authorized by section 3109 of title 5, United States Code.

(2) ASSISTANCE.—To the extent and in such amounts as may be provided in advance by appropriations Acts, the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and

other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Inspector General.

(d) INCENTIVIZING EXPERTISE IN PERSONNEL TASKED FOR STABILIZATION AND RECONSTRUCTION OPERATIONS.—

(1) STUDY.—The Director shall commission a study to measure the effectiveness of personnel in stabilization and reconstruction operations. The study shall seek to identify the most appropriate qualifications for personnel and incentive strategies for agencies to effectively recruit and deploy employees to support stabilization and reconstruction operations.

(2) SENSE OF CONGRESS.—It is the sense of Congress that, in the selection and appointment of any individual for a position both within the Office and other agencies in support of stabilization and reconstruction operations, due consideration should be given to such individual's expertise in such operations and interagency experience and qualifications.

Subtitle B—Preparing and Executing Stability and Reconstruction Operations

SEC. 1721. SOLE CONTROL.

The Director shall have sole control over the coordination of stabilization and reconstruction operations.

SEC. 1722. RELATION TO DEPARTMENT OF STATE AND UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) COORDINATION.—

(1) IN GENERAL.—The Director shall to the greatest degree practicable coordinate with the Secretary of State and the Administrator of the Agency for International Development regarding the Office's plans for stabilization and reconstruction operations. The Director shall give the greatest possible weight to the views of the Secretary and the Administrator on matters within their jurisdiction. During a declaration under section 1713 of a stabilization and reconstruction emergency, the Director shall work closely with the Secretary and the Administrator in planning, executing, and transitioning operations relevant to their respective jurisdictions.

(2) IN-COUNTRY.—During a stabilization and reconstruction emergency, the Director shall work closely with the Chief of Mission, or with the most senior Department of State or Agency for International Development officials responsible for the country in which such emergency exists, to ensure that the actions of the Office do not conflict with the foreign or development policies of the United States.

(b) DETAILING.—The heads of the various departments and agencies of the United States Government (other than the Secretary of Defense) shall provide for the detail on a reimbursable or nonreimbursable basis of such civilian personnel as may be agreed between such heads and the Director for the purposes of carrying out this Act. The heads of such departments and agencies shall provide for appropriate recognition and career progress for individuals who are so detailed upon their return from such details.

SEC. 1723. RELATION TO DEPARTMENT OF DEFENSE COMBATANT COMMANDS PERFORMING MILITARY MISSIONS.

(a) COORDINATION WITH SECRETARY OF DEFENSE AND COMBATANT COMMANDS.—To the greatest degree practicable, the Director shall coordinate with the Secretary of Defense and commanders of unified and specified combatant commands established under section 161 of title 10, United States Code, regarding the plans of the Office for stabilization and reconstruction operations.

(b) STAFF COORDINATION.—The Director shall detail personnel of the Office to serve on the staff of a combatant command to assist in planning when a military operation will involve likely Armed Forces interaction with non-combatant populations, so that plans for a stabilization and reconstruction operation related to a military operation—

(1) complement the work of military planners; and

(2) as provided in subsection (c), ease interaction between civilian direct-hire employees and contractors in support of the stabilization and reconstruction operation and the Armed Forces.

(c) LIMITATIONS.—

(1) DIRECTOR.—The authority of the Director shall not extend to small-scale programs (other than economic development programs of more than a de minimis amount) designated by the Secretary of Defense as necessary to promote a safe operating environment for the Armed Forces or other friendly forces.

(2) MILITARY ORDER.—Nothing in this Act shall be construed as permitting the Director or any of the personnel of the Office (other than a member of the Armed Forces assigned to the Office under subsection (e)) to issue a military order.

(d) SUPPORT.—

(1) ASSISTANCE REQUIRED.—The commanders of combatant commands shall provide assistance, to the greatest degree practicable, to the Director and the personnel of the Office as they carry out their responsibilities.

(2) PERSONNEL.—The Secretary of Defense shall provide for the detail or assignment, on a reimbursable or nonreimbursable basis, to the staff of the Office of such Department of Defense personnel and members of the Armed Forces as may be agreed between the Secretary and the Director as necessary to carry out the duties of the Office.

SEC. 1724. CONTINGENCY FEDERAL ACQUISITION REGULATION.

(a) REQUIREMENT TO PRESCRIBE CONTINGENCY FEDERAL ACQUISITION REGULATION.—The Director, in consultation with the Director of the Office of Management and Budget, shall prescribe a Contingency Federal Acquisition Regulation. The Regulation shall apply, under such circumstances as the Director prescribes, in lieu of the Federal Acquisition Regulation with respect to contracts intended for use in or with respect to stabilization and reconstruction emergencies or in imminent or potential stabilization and reconstruction operations.

(b) PREFERENCE TO CERTAIN CONTRACTS.—It is the sense of Congress that the Contingency Federal Acquisition Regulation required by subsection (a) should include provisions requiring an agency to give a preference to contracts that appropriately, efficiently, and sustainably implement programs and projects undertaken in support of a stabilization and reconstruction operation.

(c) DEADLINE.—The Director shall prescribe the Contingency Federal Acquisition Regulation required by subsection (a) by the date occurring one year after the date of the enactment of this Act. If the Director does not prescribe the Regulation by that date, the Director shall submit to Congress a statement explaining why the deadline was not met.

SEC. 1725. STABILIZATION AND RECONSTRUCTION FUND.

(a) IN GENERAL.—Subject to subsection (c), there is established in the Treasury of the United States a fund, to be known as the ''Stabilization and Reconstruction Emergency Reserve Fund'', to be administered by the Director at the direction of the President and with the consent of the Secretary of State and the Secretary of Defense for the following purposes with respect to a stabilization and reconstruction operation:

(1) Development of water and sanitation infrastructure.

(2) Providing food distribution and development of sustained production.

(3) Supporting relief efforts related to refugees, internally displaced persons, and vulnerable individuals, including assistance for families of innocent civilians who suffer losses as a result of military operations.

(4) Providing electricity.

(5) Providing healthcare relief and developing sustained healthcare.

(6) Development of telecommunications.

(7) Development of economic and financial policy.

(8) Development of education.

(9) Development of transportation infrastructure.

(10) Establishment and enforcement of rule of law.

(11) Humanitarian demining.

(12) Development of agriculture.

(13) Peace enforcement, peacekeeping, and post-conflict peacebuilding.

(14) Development of justice and public safety infrastructure.

(15) Development of security and law enforcement.

(16) Observation and enforcement of human rights.

(17) Development of governance, democratization, and building the capacity of government.

(18) Development of natural resource infrastructure.

(19) Establishment of environmental protection.

(20) Protection of vulnerable populations including women, children, the aged, and minorities.

(21) The operations of the Office.

(22) Any other purpose which the Director considers essential to address the emergency.

(b) CONGRESSIONAL NOTIFICATION.—

(1) PRESIDENTIAL DIRECTION.—At the time the President directs the Director to carry out or support an activity described in subsection (a), the President shall transmit to appropriate congressional committees a written notification of such direction.

(2) ACTIVITIES IN A COUNTRY.—Not less than 15 days before carrying out or supporting an activity described in subsection (a), the Director shall submit to the appropriate congressional committees information related to the budget, implementation timeline (including milestones), and transition strategy with respect to such activity and the stabilization or reconstruction operation at issue.

(c) AUTHORIZATION OF APPROPRIATIONS.—No funds are authorized to be appropriated to the fund established in subsection (a) other than pursuant to a law enacted after the date of the enactment of this Act. Any such sums authorized to be appropriated—

(1) shall be available until expended;

(2) shall not be made available for obligation or expenditure until the President declares a stabilization and reconstruction emergency pursuant to section 1713; and

(3) shall be in addition to any other funds made available for such purposes.

Subtitle C—Responsibilities of the Inspector General

SEC. 1731. INSPECTOR GENERAL.

(a) IN GENERAL.—There shall be within the Office an Office of the Inspector General, the

head of which shall be the Inspector General of the United States Office for Contingency Operations (in this title referred to as the ''Inspector General''), who shall be appointed as provided in section 3(a) of the Inspector General Act of 1978 (5 U.S.C. App.).

(b) TECHNICAL AMENDMENTS AND ADDITIONAL AUTHORITIES.—The Inspector General Act of 1978 (5 U.S.C. App) is amended—

(1) in section 12—

(A) in paragraph (1), by inserting ''the United States Office for Contingency Operations;'' after ''the President of the Export-Import Bank;''; and

(B) in paragraph (2), by inserting ''the United States Office for Contingency Operations,'' after ''the Federal Housing Finance Agency,'';

(2) in section 8J, by striking ''8E or 8F'' and inserting ''8E, 8F, or 8M''; and

(3) by inserting after section 8L the following new section:

''SEC. 8M. SPECIAL PROVISIONS CONCERNING THE INSPECTOR GENERAL OF THE UNITED STATES OFFICE FOR CONTINGENCY OPERATIONS.

''(a) SPECIAL AUDIT AND INVESTIGATIVE AUTHORITY.—

''(1) IN GENERAL.—When directed by the President, or otherwise provided by law, and in addition to the other duties and responsibilities specified in this Act, the Inspector General of the United States Office for Contingency Operations—

''(A) shall, with regard to the activities of the United States Office for Contingency Operations, have special audit and investigative authority over all accounts, spending, programs, projects, and operations; and

''(B) shall have special audit and investigative authority over the activities described in paragraph (2).

''(2) ACTIVITIES DESCRIBED.—The activities described in this paragraph are activities funded or undertaken by the United States Government that are not undertaken by or under the direction or supervision of the Director of the United States Office for Contingency Operations—

''(A) in response to emergencies, destabilization, armed conflict, or events that otherwise require stabilization or reconstruction operations;

''(B) where a rapid response by the United States is required or anticipated to be required; and

''(C) where the Inspector General is more well-suited than the implementing department or agency to engage rapidly in audit and investigative activities.

''(3) ADMINISTRATIVE OPERATIONS.—In any case in which the Inspector General of the United States Office for Contingency Operations is exercising or preparing to exercise special audit and investigative authority under this subsection, the head of any department or agency undertaking or preparing to undertake the activities described in paragraph (2) shall provide such Inspector General with appropriate and adequate office space within the offices of such department or agency or at appropriate locations of that department or agency overseas, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of such offices, and shall provide necessary maintenance services for such offices and the equipment and facilities located therein.

''(b) ADDITIONAL DUTIES.—

''(1) IN GENERAL.—It shall be the duty of the Inspector General of the United States Office for Contingency Operations to conduct, supervise, and coordinate audits and investigations of the treatment, handling, and expenditure of amounts appropriated or otherwise made available for activities to be carried out by or under the direction or supervision of the Director of the United States Office for Contingency Operations, or for activities subject to the special audit and investigative authority of such Inspector General under subsection (a), and of the programs, operations, and contracts carried out utilizing such funds, including—

''(A) the oversight and accounting of the obligation and expenditure of such funds;

''(B) the monitoring and review of activities funded by such funds;

''(C) the monitoring and review of contracts funded by such funds;

''(D) the monitoring and review of the transfer of such funds and associated information between and among departments, agencies, and entities of the United States, and private and nongovernmental entities; and

''(E) the maintenance of records on the use of such funds to facilitate future audits and investigations of the use of such funds.

''(2) SYSTEMS, PROCEDURES, AND CONTROLS.—The Inspector General of the United States Office for Contingency Operations shall establish, maintain, and oversee such systems, procedures, and controls as such Inspector General considers appropriate to discharge the duty under paragraph (1).

''(c) PERSONNEL AUTHORITY.—

''(1) IN GENERAL.—The Inspector General of the United States Office for Contingency Operations may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office, subject to the provisions of title 5, United States Code, governing appointments in the excepted service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

''(2) EMPLOYMENT AUTHORITY.—The Inspector General of the United States Office for Contingency Operations may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (without regard to subsection (a) of that section). In exercising the employment authorities under subsection (b) of section 3161 of title 5, United States Code, as provided under paragraph (1) of this subsection, paragraph (2) of such subsection (b) (relating to periods of appointments) shall not apply.

''(3) EXEMPTION.—Section 6(a)(7) shall not apply with respect to the Inspector General of the United States Office for Contingency Operations.

''(d) REPORTS.—

''(1) QUARTERLY REPORTS.—

''(A) IN GENERAL.—Not later than 60 days after the end of each fiscal-year quarter, the Inspector General of the United States Office for Contingency Operations shall submit to the appropriate committees of Congress a report in accordance with subparagraph (B) that summarizes for the period of that quarter and, to the extent possible, the period from the end of such quarter to the time of the submission of the report, the activities of such Inspector General and the activities under programs and operations funded with amounts appropriated or otherwise made available for activities carried out by or under the direction or supervision of the Director of the United States Office for Contingency Operations.

''(B) CONTENTS OF QUARTERLY REPORT.—Each report submitted pursuant to subparagraph (A) shall include, for the period covered by such report, a detailed statement of all obligations, expenditures, and revenues associated with reconstruction and rehabilitation activities by or under the direction or supervision of the Director of the United States Office for Contingency Operations, or under the special audit and investigative authority under subsection (a) of the Inspector General of the United States Office for Contingency Operations, and segregated by area (as may be prescribed by such Inspector General), including the following:

''(i) Obligations and expenditures of appropriated funds.

''(ii) A project-by-project and program-by-program accounting of the costs incurred to date by such Office or under the direction or supervision of such Office, or under the special audit and investigative authority of such Inspector General, for each stabilization and reconstruction operation, together with the estimate of the department or agency of the United States, as applicable, of the costs to complete each project and each program.

''(iii) Revenues attributable to or consisting of funds provided by foreign countries or international organizations, and any obligations or expenditures of such revenues.

''(iv) Revenues attributable to or consisting of foreign assets seized or frozen, and any obligations or expenditures of such revenues.

''(v) Operating expenses of departments, agencies, or other entities receiving amounts appropriated or otherwise made available to or obligated or expended under the direction or supervision of such Director.

''(vi) In the case of a covered contract—

''(I) the amount of such contract;

''(II) a brief discussion of the scope of such contract;

''(III) a discussion of how the relevant department, agency, or other entity identified, and solicited offers from, potential contractors to perform the contract, together with a list of the potential contractors that were issued solicitations for the offers; and

''(IV) the extent to which competitive procedures were used for such contract.

''(C) REPORT COORDINATION.—Each report under this paragraph shall be furnished to the head of the establishment involved not later than 30 days after the submission of the report under subparagraph (A) and shall be transmitted by such head to the appropriate committees of the Congress not later than 30 days after receipt of the report, together with a report by the head of the establishment containing any comments such head determines appropriate, including a classified annex if such head considers it necessary.

''(2) SEMIANNUAL REPORTS.—The Inspector General of the United States Office for Contingency Operations shall submit to the appropriate committees a semiannual report that includes a summary of the activities of the Office, including activities described in paragraphs (1) through (13) of section 5(a) of this Act. The first such report for a year, covering the first six months of the year, shall be submitted not later than August 30 of that year, and the second such report, covering the second six months of the year, shall be submitted not later than February 28 of the following year.

''(3) WAIVER.—

''(A) IN GENERAL.—The President may waive any of the requirements to be included in the reports under paragraph (1) or (2) if the President determines that the waiver is justified for national security reasons.

''(B) NOTICE OF WAIVER.—The President shall publish a notice of each waiver made

under this paragraph in the Federal Register not later than the date on which the report for which a waiver was made is required to be submitted to Congress under paragraph (1) or (2).

''(C) DESCRIPTION OF WAIVER IN REPORT.—The reports required under paragraph (1) or (2) shall specify whether waivers under this paragraph were made and with respect to which requirements.

''(4) REPORTS UNDER SECTION 5 OF THIS ACT.—

''(A) IN GENERAL.—In addition to reports otherwise required to be submitted under this subsection, the Inspector General of the United States Office for Contingency Operations—

''(i) may issue periodic reports of a similar nature to the quarterly reports submitted under paragraph (1) with respect to activities subject to the special audit and investigative authority of such Inspector General under subsection (a); and

''(ii) if such Inspector General did not engage, during any six month period, in audit or investigation activities with respect to activities carried out under the direction or supervision of the Director, shall issue a report, not later than six months after the previous report was issued under this subsection that includes a summary of the activities of the Office, including activities described in paragraphs (1) through (13) of section 5(a) of this Act.

''(B) EXEMPTION.—The Inspector General of the United States Office for Contingency Operations is not required to provide reports under section 5 of this Act.

''(5) LANGUAGE OF REPORTS.—The Inspector General of the United States Office for Contingency Operations shall publish each report under this subsection in both English and to the degree that the Inspector General shall prescribe, in languages relevant to the host country.

''(6) FORM OF SUBMISSION.—Each report under this subsection may include a classified annex if the Inspector General of the United States Office for Contingency Operations considers it necessary.

''(7) DISCLOSURE OF CERTAIN INFORMATION.—Nothing in this subsection shall be construed to authorize the public disclosure of information that is—

''(A) specifically prohibited from disclosure by any other provision of law;

''(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

''(C) a part of an ongoing criminal investigation.

''(e) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES.—The term 'appropriate committees' means—

''(A) the Committees on Appropriations, Armed Services, Foreign Affairs, and Oversight and Government Reform of the House of Representatives; and

''(B) the Committees on Appropriations, Armed Services, Foreign Relations, and Homeland Security and Governmental Affairs of the Senate.

''(2) COVERED CONTRACT.—The term 'covered contract' means a contract entered into by any department or agency, with any public or private sector entity, in any geographic area with regard to a stabilization or reconstruction operation or where the Inspector General of the United States Office for Contingency Operations is exercising its special audit or investigative authority for the performance of any of the following:

''(A) To build or rebuild physical infrastructure of such area.

''(B) To establish or reestablish a political or governmental institution of such area.

''(C) To provide products or services to the local population of the area.

''(3) DEPARTMENT OR AGENCY.—The term 'department or agency' means any agency as defined under section 551 of title 5, United States Code.

''(4) STABILIZATION AND RECONSTRUCTION OPERATION.—The term 'stabilization and reconstruction operation' has the meaning given the term in section 1702 of the Stabilization and Reconstruction Operations Interagency Enhancement Act of 2012.''.

(c) TRANSFER AND TERMINATION OF THE OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION AND THE OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION.—

(1) TRANSFER.—The following shall be transferred to the Office of the Inspector General of the United States Office for Contingency Operations:

(A)(i) All functions vested by law on the day before the effective date of this Act in the Office of the Special Inspector General for Iraq Reconstruction or the Inspector General of such office.

(ii) All functions vested by law on the day before the effective date of this Act in the Office of the Special Inspector General for Afghanistan Reconstruction or the Inspector General of such office.

(B) All personnel, assets, and liabilities of the Office of the Special Inspector General for Iraq Reconstruction, and all personnel, assets, and liabilities of the Office of the Special Inspector General for Afghanistan Reconstruction.

(2) EXERCISE OF FUNCTIONS.—The Inspector General shall exercise all functions transferred by paragraph (1)(A) on and after the effective date of this Act.

(3) PERSONNEL CLASSIFICATION AND COMPENSATION.—The transfer of personnel pursuant to paragraph (1)(B) shall not alter the terms and conditions of employment, including compensation and classification, of any employee so transferred.

(4) TERMINATION.—

(A) IRAQ RECONSTRUCTION FUNCTIONS.—

(i) IN GENERAL.—The authority of the Inspector General to exercise the functions transferred by paragraph (1)(A)(i) shall terminate 180 days after the date on which amounts appropriated or otherwise made available for the reconstruction of Iraq that are unexpended are less than $250,000,000.

(ii) DEFINITION.—In clause (i), the term ''amounts appropriated or otherwise made available for the reconstruction of Iraq'' has the meaning given the term in section 3001(m) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G), as such section was in effect on the day before the effective date of this Act.

(B) AFGHANISTAN RECONSTRUCTION FUNCTIONS.—

(i) IN GENERAL.—The authority of the Inspector General to exercise the functions transferred by paragraph (1)(A)(ii) shall terminate 180 days after the date on which amounts appropriated or otherwise made available for the reconstruction of Afghanistan that are unexpended are less than $250,000,000.

(ii) DEFINITION.—In clause (i), the term ''amounts appropriated or otherwise made available for the reconstruction of Afghanistan'' has the meaning given the term in section 1229(m) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 384), as such section was in effect on the day before the effective date of this Act.

(5) REPEALS.—The following provisions of law are repealed:

(A) Section 3001 of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106; 117 Stat. 1234; 5 U.S.C. App., note to section 8G).

(B) Section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110 181; 122 Stat. 378).

(d) SAVINGS PROVISIONS.—

(1) COMPLETED ADMINISTRATIVE ACTIONS.—(A) Completed administrative actions of the Office of the Special Inspector General for Afghanistan Reconstruction and the Office of the Special Inspector General for Iraq Reconstruction shall not be affected by the enactment of this Act or the transfer of such offices to the Office of the Inspector General of the United States Office for Contingency Operations, but shall continue in effect according to their terms until amended, modified, superseded, terminated, set aside, or revoked in accordance with law by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(B) For purposes of paragraph (1), the term ''completed administrative action'' includes orders, determinations, rules, regulations, personnel actions, permits, agreements, grants, contracts, certificates, licenses, registrations, and privileges.

(2) PENDING CIVIL ACTIONS.—Pending civil actions shall continue notwithstanding the enactment of this Act or the transfer of the Office of the Special Inspector General for Afghanistan Reconstruction and the Office of the Special Inspector General for Iraq Reconstruction to the Office of the Inspector General of the United States Office for Contingency Operations, and in such civil actions, proceedings shall be had, appeals taken, and judgments rendered and enforced in the same manner and with the same effect as if such enactment or transfer had not occurred.

(3) REFERENCES.—References relating to the Office of the Special Inspector General for Afghanistan Reconstruction and the Office of the Special Inspector General for Iraq Reconstruction that is transferred to the Office of the Inspector General of the United States Office for Contingency Operations in statutes, Executive orders, rules, regulations, directives, or delegations of authority that precede such transfer or the effective date of this Act shall be deemed to refer, as appropriate, to the Office of the Inspector General of the United States Office for Contingency Operations, to its officers, employees, or agents, or to its corresponding organizational units or functions.

Subtitle D—Responsibilities of Other Agencies

SEC. 1741. RESPONSIBILITIES OF OTHER AGENCIES FOR MONITORING AND EVALUATION REQUIREMENTS.

The head of any agency under the authority of the Director in support of a stabilization and reconstruction operation pursuant to section 1713 shall submit to the Director—

(1) on-going evaluations of the impact of such stabilization and reconstruction operation on such agency, including an assessment of interagency coordination in support of such operation;

(2) any information the Director requests, including reports, evaluations, analyses, or assessments, to permit the Director to satisfy the quarterly reporting requirement under section 1713(a)(4); and

(3) an identification, within each such agency, of all current and former employees skilled in crisis response, including employees employed by contract, and information regarding each such agency's authority mechanisms to reassign or reemploy such skilled personnel and mobilize rapidly associated resources in response to such operation.

SEC. 1742. TRANSITION OF STABILIZATION AND RECONSTRUCTION OPERATIONS.

(a) TERMINATION.—Upon Presidential termination of a stabilization and reconstruction emergency pursuant to section 1713(d)(2), any effort of a Federal agency under the authority of the Director pursuant to section 1713 in support of a related stabilization and reconstruction operation shall return to the authority of such agency.

(b) SCALE-DOWN OPERATIONS.—The President, in consultation with the Director, the Secretary of State, and the Secretary of Defense, shall delegate to appropriate Federal agencies post-stabilization and reconstruction emergency operations.

SEC. 1743. SENSE OF CONGRESS.

It is the sense of Congress that, to the extent possible, the Director and staff should partner with the country in which a stabilization and reconstruction operation is taking place, other foreign government partners, international organizations, and local nongovernmental organizations throughout the planning, implementation, and particularly during the transition stages of such operations to facilitate long term capacity building and sustainability of initiatives.

Subtitle E—Authorization of Appropriations

SEC. 1751. OFFSET OF COSTS IN ESTABLISHMENT OF OFFICE.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Director—

(1) shall reduce obligations for overseas response activities of the Office by not less than $7,000,000 from the amount obligated during fiscal year 2012 for overseas response activities by the Bureau of Conflict and Stabilization Operations and the Office of the Coordinator for Civilian Reconstruction and Stabilization; and

(2) may adjust, consolidate, or eliminate initiatives, positions, and programs to be incorporated within the Office (other than within the Office of Inspector General)—

(A) in order to achieve economies in operation; and

(B) in order to align the operations of the initiatives, positions, and programs more closely with the purposes of this title as stated in section 1703(b).

(b) REDUCTION IN COSTS.—In addition to the authority granted in subsection (a), the Director shall take such steps as the Director determines necessary to ensure, in each fiscal year, that costs incurred to carry out the provisions of this title do not exceed the sum of—

(1) 80 percent of amounts obligated in fiscal year 2012 for initiatives, positions, and programs transferred to the Office pursuant to this title other than those relating to the Inspector General of the Office; and

(2) 100 percent of the amounts obligated in fiscal year 2012 for initiatives, positions, and programs transferred to the Office pursuant to this Act relating to the Inspector General of the Office.

(c) REPORT.—Notwithstanding any other provision of law, the Director shall submit to Congress not later than 60 days after the date of the enactment of this Act a report on the actions taken to ensure compliance with subsections (a) and (b), including the specific initiatives, positions, and programs that have been adjusted or eliminated to ensure that the costs of carrying out this title will be offset.

SEC. 1752. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title for each of fiscal years 2013 through 2017 an amount that does not exceed the amount determined pursuant to section 1751(b) of this title.

SEC. 1753. SUNSET.

This title (other than this section) shall cease to be effective on September 30, 2017.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Missouri (Mr. CARNAHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CARNAHAN. At this time, I would like to engage in a colloquy with the chairman of the Armed Services Committee.

Mr. MCKEON. I am happy to oblige.

Mr. CARNAHAN. Thank you, Mr. Chairman.

My amendment integrates duplicative functions related to overseas contingency operation planning, management, and oversight into the U.S. Office for Contingency Operations—responding to a litany of concerns that have been raised in recent years pointing to the mismanagement of U.S. tax dollars in operations in Iraq and Afghanistan.

In fact, last August, the Commission on Wartime Contracting estimated that as much as $30 billion to $60 billion may have been lost due to waste and fraud in Iraq and Afghanistan. Poor accountability and oversight has also undermined the effectiveness of U.S. operations.

As the commission's report notes, there will be a next contingency, whether it takes the form of overseas hostilities or responding to emergencies like terror attacks, natural disasters, or other humanitarian crises. We must take action to ensure we are fully prepared for these scenarios.

Systemic problems within the U.S. Government have contributed to serious flaws in the preparation, management, and execution of contingency operations. Currently, responsibilities for these initiatives are spread over several U.S. departments and agencies, resulting in diffused accountability. While there have been positive steps to address issues of coordination, a great deal more needs to be done.

In fact, many of our key allies in NATO already have agencies or offices with cross-cutting functions, similar to that proposed in my amendment, that reflect the nature of the 21st century security challenges we face. It will certainly require an act of this body to streamline our system. More importantly, it is our duty as Members of Congress to exercise the strict oversight of conflict and stabilization initiatives. As then-Senator Harry Truman found when fighting the waste and mismanagement of funding during World War II, effective congressional oversight cannot only save lives and money, it makes our efforts stronger.

For these reasons, I have worked over the past couple of years to develop this legislation, with many others' input, that integrates duplicative functions into one streamlined office. It further ensures the proper acquisition, planning, contract management, and enhanced inspector general oversight to protect our resources from waste, fraud, and abuse. Beyond safeguarding spending, it promotes the readiness and safety of our deployed personnel and of our overall ability to effectively execute operations.

Chairman MCKEON, I understand you have raised some questions with regard to this amendment. I respect your points that you have made, and will be withdrawing this amendment. However, I would like to work with you and the committee in responding to these issues so we then have an opportunity to move this concept forward. Specifically, I hope the Armed Services Committee will hold hearings on this legislation and work toward incorporating its goals during the conference committee of this authorization bill.

Mr. MCKEON. I thank the gentleman for his efforts in addressing such a complex and serious issue.

I agree that much needs to be done to improve our contingency contracting outcomes and to preserve and integrate the lessons learned over the last 10 years. The committee report accompanying the bill takes action on many of these same concerns. The committee will pursue this issue going forward to explore additional recommendations for systemic improvements to operational combat support and stabilization and reconstruction programs, including the proposal represented by the gentleman's amendment.

Mr. CARNAHAN. I thank the chairman for that commitment.

I now ask unanimous consent to withdraw my amendment from further consideration, and I yield back the balance of my time.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 52 OFFERED BY MR. PETRI

The Acting CHAIR. It is now in order to consider amendment No. 52 printed in House Report 112–485.

Mr. PETRI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title XXVIII, insert the following:

SEC. 2824. DEFINITION OF RENEWABLE ENERGY SOURCE FOR DEPARTMENT OF DEFENSE ENERGY SECURITY.

Section 2924(7)(A) of title 10, United States Code, is amended by inserting before the period at the end the following: ''and direct solar renewable energy''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Wisconsin (Mr. PETRI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. PETRI. I join with my colleague, Representative HANK JOHNSON, in offering this amendment today.

The budget year 2007 Defense Authorization Act created a statutory goal that 25 percent of the energy utilized by the Department of Defense facilities come from renewable energy sources by 2025.

□ 0100

The budget year 2010 Defense authorization act modified that goal to explicitly include renewable energy technologies like geothermal heat pumps that do not first convert energy to electricity, but instead use the energy directly to accomplish a task such as heating or cooling a building.

One technology—direct solar—is becoming increasingly prevalent throughout our economy, but that was left out of the changes made in the budget year 2010 act. Direct-use solar energy technology channels solar energy in the form of sunlight into a building using light pipes to provide interior lighting that is similar to traditional electrically powered lighting. Direct solar allows much of a building's internal lighting to come from sunlight, relying on electrical lighting only in the off-peak evening hours or when sunlight is diminished.

The amendment before us would simply clarify that direct-use solar energy, like geothermal heat pumps and other direct-use technologies that are now included, is considered a renewable energy source for the purposes of this requirement. This change was included in the House NDAA bill last year; however, it was unfortunately not included in the final conference report.

These changes will provide the Department of Defense with the flexibility to meet its energy requirements more quickly and in a more cost-effective way.

I respectfully request that my colleagues support this amendment, and I reserve the balance of my time.

Ms. BORDALLO. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Guam is recognized for 5 minutes.

Ms. BORDALLO. I yield myself such time as I may consume.

While I appreciate the gentleman's support for direct-solar energy, this provision helps a specific technology to gain greater business opportunities. Unfortunately, their technology—direct solar—does not generate electricity or energy. It simply dispenses sunlight from skylights. If this amendment were to pass, the Department of Defense could meet all of their renewable-energy goals simply by accounting for light through windows, and this is not wise.

By adopting this amendment, we head down a slippery slope whereby we begin to highlight specific technologies in statute. And given the evolving nature of these technologies, that is not wise. The Department of Energy is the lead Department for defining energy standards and definitions, and this amendment undermines that expertise. Again, this seemingly innocuous amendment has some significant unintended consequences.

I reserve the balance of my time.

Mr. PETRI. This is not a window or a skylight. This is a technology that gathers the light through a lens, moves it through a light pipe, which then a fiber optical cable moves electrical light around the building. So it goes from the first floor, sometimes to the third or fourth floor down in the building. It is used by Coca-Cola and many other companies in the private sector. It's modern technology. It saves energy. It will save money so that we can meet our important defense needs without wasting money on unnecessary technology that moves it from solar to electricity and back to light, wasting a lot of energy in the process.

I yield to my colleague from Maryland.

Mr. BARTLETT. Thank you very much for yielding.

In the late seventies and early eighties, I was a land developer and homebuilder, among other things I was involved in. And I built 41 houses in one subdivision that used direct solar.

Direct solar simply means that you're using the sunlight directly without having it differentially warm the air so that you get wind blowing or turning a wind machine or it's shining on some solar panels that produce electricity.

You can use direct solar for a couple of different things. One is space warming. YoU–simply have a lot of gas on the south side of the house and design it open so the air flows through it, or you can use it for lighting. There is no better light. Any building that's on the top floor, you don't need any windows on the side; you need windows on the top to let light in. It's an enormous energy saver. It's a very efficient use of light. I have no idea why every building shouldn't incorporate direct solar as much.

Thank you, sir, for your amendment. I urge its adoption.

Mr. PETRI. I urge that this House not prefer one particular technology, which is currently the case, but allow a variety of technologies to meet the goal of a more energy-efficient society.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Chairman, I yield the gentleman from Washington 30 seconds.

Mr. SMITH of Washington. Mr. Chairman, that all sounds good; but the one thing that direct solar apparently can't do is actually generate energy and generate electricity. That's the problem with including it in the program for alternative energy. It may well be a very good thing, and it may be something we ought to do; but to say that it's going to count as an alternative energy source when it's not actually an energy source is what we object to pure and simply; and it does not fit in this category.

That's why I join the gentlelady from Guam in opposing the amendment.

Ms. BORDALLO. Mr. Chairman, by allowing direct solar to be used to meet the DOD goal of producing or procuring 25 percent of its energy from renewable sources by 2025 would also permit sunlight from windows to be counted toward meeting that goal.

Unlike a heat pump that converts the renewable geothermal source into electricity, direct solar does not convert the renewable solar source into electricity. It disperses light into a room similar to a skylight.

The underlying law that this amendment seeks to modify states that ''renewable energy source'' means energy generated from renewable sources. Direct solar does not generate energy, and the sponsor's Dear Colleague actually states that.

Direct solar is important to our efforts to reduce our dependence of fossil fuel as an energy-efficient technology, and we address this in our House report accompanying this bill. However, if deemed renewable, it would undermine congressional intent for how DOD will meet its goals for renewable sources that generate energy.

The Department of Defense opposes this amendment, and I strongly urge my colleagues to vote ''no'' against this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. PETRI).

The amendment was agreed to.

AMENDMENT NO. 53 OFFERED BY MR. BARTLETT

The Acting CHAIR. It is now in order to consider amendment No. 53 printed in House Report 112–485.

Mr. BARTLETT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle F of title XXVIII, add the following new section:

SEC. 28___. LIMITATION ON AVAILABILITY OF FUNDS PENDING REPORT REGARDING ACQUISITION OF LAND AND DEVELOPMENT OF A TRAINING RANGE FACILITY ADJACENT TO THE MARINE CORPS GROUND AIR COMBAT CENTER TWENTY NINE PALMS, CALIFORNIA.

(a) FINDINGS.—Congress makes the following findings:

(1) The Marine Corps has studied the feasibility of acquiring land and developing a training range facility to conduct Marine

Expeditionary Brigade level live-fire training on or near the West Coast.

(2) The Bureau of Land management estimates on national economic impact show $261.5 million in commerce at risk.

(3) Economic impact on the local community is estimated to be $71.1 Million.

(b) LIMITATION OF FUNDS PENDING REPORT.—

(1) IN GENERAL.—The Secretary of the Navy may not obligate or expend funds for the transfer of land or development of a new training range on land adjacent to the Marine Corps Ground Air Combat Center Twenty Nine Palms, California until the Secretary of the Navy has provided the Congressional defense committees a report on the Marine Corps' efforts with respect to the proposed training range.

(2) ELEMENTS OF REPORT.—The report required under paragraph (1) shall be submitted not later than 90 days after the date of enactment of this Act and shall include the following:

(A) A description of the actual training requirements for the proposed range and where those training requirements are currently being met to support combat deployments.

(B) Identify the impact on off-road vehicle recreational users of the land, the economic impact on the local economy, the recreation industry, and any other stakeholders.

(C) Identify any concerns discussed with the Bureau of Land Management regarding their assessments of the impact on other users.

(D) Identify the impact on the State of California's 1980 Desert Conservation plan regarding allocation of the Off Highway Vehicle Recreation Areas.

(E) The potential to use the same land without transfer, but under specific permits for use provided by the (such as agreements at other locations under permit from the Forest Service and Bureau of Land Management).

(F) Any potential on other Bureau of Land Management lands proximate to the Marine Corps Ground Air Combat Center Twenty Nine Palms or other locations in the geographic region.

(3) SECRETARY OF DEFENSE WAIVER.—In the event of urgent national need, the Secretary of Defense may notify the Congressional Committees and waive the requirement for this report.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Maryland (Mr. BARTLETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. BARTLETT. Currently, 189,000 acres of land under control of the Bureau of Land Management adjacent to the Marine Corps Ground Air Combat Center, Twenty-Nine Palms, California, is designated by the 1980 California Desert Conservation Plan as an off-highway vehicle recreation area.

The Marine Corps wants to acquire most of this land, 160,000 acres to 189,000, including the Johnson Valley area, most heavily used for recreation.

Currently, only 2 percent of the California desert is open for motorized off-highway vehicle recreation use with half of this 2 percent being in the Johnson Valley area. The recreational community use of Johnson Valley brings in over $70 million per year to the local economy. The recreational community includes rock hounds, off-highway vehicles, motorcycles, bicycles, campers, hikers, birdwatchers, turtlewatchers, model-airplane groups, and the commercial movie industry.

□ 0110

The Marine Corps has been working very closely with the recreational community in the Bureau of Land Management to find a compromise that's acceptable to all parties. My amendment simply codifies an ongoing process, recognizing the intent of the Marine Corps to submit a report to the Congress recommending the accommodation of the interest of the stakeholders.

I do not believe there's any opposition to this amendment. Indeed, the Marine Corps helped to write these talking points. The Congresspersons who do have districts close enough to be materially affected by this are not opposed to this amendment.

If there's no overt opposition to the amendment, I am prepared to yield back the balance of my time.

I yield back the balance of my time.

The Acting CHAIR (Mr. PETRI). The question is on the amendment offered by the gentleman from Maryland (Mr. BARTLETT).

The amendment was agreed to.

AMENDMENT NO. 54 OFFERED BY MR. FRANKS OF ARIZONA

The Acting CHAIR. It is now in order to consider amendment No. 54 printed in House Report 112–485.

Mr. FRANKS of Arizona. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XXXI, add the following new section:

SEC. 3123. LIMITATION ON AVAILABILITY OF FUNDS FOR NUCLEAR NONPROLIFERATION ACTIVITIES WITH RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for defense nuclear nonproliferation may be obligated or expended for nuclear nonproliferation activities with the Russian Federation until the date that is 30 days after the date on which the Secretary of Energy certifies, in coordination with the Secretary of State and the Secretary of Defense, to the appropriate congressional committees that—

(1) Russia is no longer—

(A) providing direct or indirect support to the government of Syria's suppression of the Syrian people; and

(B) transferring to Iran, North Korea, or Syria equipment and technology that have the potential to make a material contribution to the development of weapons of mass destruction or cruise or ballistic missile systems controlled under multilateral control lists; or

(2) funds planned to be obligated or expended for nuclear nonproliferation activities with the Russian Federation are strictly for project closeout activities and will not be used for new activities or activities that will extend beyond fiscal year 2013.

(b) WAIVER.—The Secretary of Energy may waive the limitation in subsection (a) if—

(1) the Secretary determines that such waiver is in the national security interests of the United States;

(2) the Secretary briefs, in an unclassified form, the appropriate congressional committees on the justifications of such waiver; and

(3) a period of 90 days has elapsed following the date on which such briefing is held.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Arizona (Mr. FRANKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FRANKS of Arizona. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment prohibits FY13 NNSA nonproliferation activities with Russia until the Secretary of Energy, in cooperation with the Secretaries of State and Defense, can certify two things: first, that Russia is no longer providing support to the Assad regime's efforts to suppress the Syrian people; and, second, that Russia is not providing technology or equipment to Iran, North Korea, or Syria that contribute to the development of weapons of mass destruction.

Mr. Chairman, this NNSA program for years has been an effort on our part to assist Russia to secure potential lost nuclear weapons and to help them be able to store and deal with some of the nuclear materials that they may have difficulty doing. But it's come to a point now where we have reached what I consider almost like a schizophrenic relationship here where we are funding Russia's own responsibility to deal with some of their older nuclear technology while allowing them to free up funds to spend on new nuclear technology which they sell to some of our enemies.

Mr. Chairman, that's not keeping faith with the American people. It's not keeping faith with the cause of human peace in the world. And, Mr. Chairman, we need to send Russia a message that we are committed to making sure that we don't arm our enemies and we don't support brutal regimes that suppress innocent people trying to fight for freedom in the world.

Mr. Chairman, this amendment does have two waivers that allow the NNSA to finish current activities due to be completed in fiscal year 2013 or to allow an activity to continue, if the Secretary of Energy believes it's in the national security interest of the United

States to do so. In the meantime, Mr. Chairman, this is something that we need to pass, and I would hope that my colleagues would support it.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. We discussed the nonproliferation programs earlier. It is still a critical issue. Former Soviet Union, now Russia and various other countries, have a large number of weapons of mass destruction. And it has been a very successful program. A bipartisan group of I think at least three, if not four Presidents who have worked on this program.

It's important that we continue to cooperate with Russia to try to reduce proliferation of weapons of mass destruction. It's clearly in our interests. It is also in their interests. And it is a program that has worked and worked quite effectively. Whatever else Russia may be doing that we don't like and agree with, there is near-universal praise of the cooperation that we received on nonproliferation. I don't think it's wise to cut and eliminate this program.

When the greatest threat that we face right now, as everyone will tell you, comes primarily from terrorist non-state actors, and the greatest threat that could happen there is if they got their hands on weapons of mass destruction, that's what we all worry most about in terms of the threat to the United States. A program that is making it more difficult for anyone, particularly terrorist groups, to get access to weapons of mass destruction, it's a program we certainly should not eliminate.

I urge opposition to this amendment, and I reserve the balance of my time.

Mr. FRANKS of Arizona. Well, Mr. Chairman, I would just say that when we are working with what was once the Soviet Union—now Russia—to try to prevent nonproliferation, and we supplied the money to help them prevent proliferation in the world of nuclear weapons while at the same time they are taking that exact same technology and giving it or selling it at great profit many times to our enemies, it just is an example of national cognitive dissonance, and it is something that we should change as quickly as we can.

Russia is one of Syria's main arms suppliers, having supplied an estimated $1 billion worth of arms, including surface-to-air missiles in 2011. It represents a challenge to peace in the region. And, Mr. Chairman, we simply have no business continuing to subsidize them if we're suggesting that we are trying to prevent proliferation while subsidizing their proliferation.

I would just urge the passage of this amendment.

With that, I yield back the balance of my time.

Mr. SMITH of Washington. I yield back the balance of my time as well.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FRANKS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FRANKS of Arizona. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 55 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 55 printed in House Report 112–485.

Mr. PEARCE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In subtitle E of title XXXI, strike section 3156.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chair, I yield myself such time as I may consume.

This week we have been inundated with complicated facts and details about our Nation's uranium enrichment capabilities as well as its impact on our national security. All of these technical, confusing arguments revolve around one failed company, the United States Enrichment Corporation, USEC.

Regardless of the complex arguments, it's very simple: Are we going to do the job we were sent here to do and protect the taxpayer from wasteful government spending, or are we going to look the other way and allow a $150 million earmark to bail out a failed private company? My amendment ensures that we do what I believe we came here to do, to be stewards of our constituents' hard-earned tax dollars.

I ask you to remember one fact: USEC is a failed company with no technological innovation to show for the billions it has been given. Why are we propping up this company with more taxpayer money instead of asking the Department of Defense and Department of Energy to use a fair and open and competitive process like it does for every other national security need?

I reserve the balance of my time.

Mr. TURNER of Ohio. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. TURNER of Ohio. I appreciate the gentleman from New Mexico's statement that sometimes it's best to make things as simple as possible. So looking at this as the most simple as possible, the gentleman's amendment merely says: ''Strike.'' So we're striking a provision from the current bill. That provision of the bill merely says that $150 million is for domestic national security-related enrichment technology.

□ 0120

Domestic. And what is this for? This is for our nuclear weapons programs. This is not for a truck fleet to take things from one side of the country to the other. This is our nuclear weapons program.

This provision that is asked to be struck says that it is for domestic national security-related enrichment technology. That means that if you're not doing domestic, you're going to have the United States be subject to foreign sources. Again, these are critical components of our nuclear weapons infrastructure and our nuclear Navy. We do not want to have foreign dependence upon a critical infrastructure.

Tom D'Agostino, director of the NNSA, recently came and briefed members of the Armed Services Committee and those who had an interest in this amendment. And he said, Conclusion: Domestic uranium enrichment capability is required to support national security and meet nuclear nonproliferation objectives.

So we have, one, a critical component of nuclear weapons; two, the issue of domestic or foreign; three, whether or not it's necessary and we need it. Those answer are all yes, which is why we should oppose this amendment.

The next thing is, what does this amendment actually do? This amendment, in striking this section, strikes a critical provision where it says that the United States, upon spending these dollars for our domestic capability, gets a license to the technology. The United States gets delivered to it, the technology of this domestic production. If this is struck, the domestic production, which the money will be spent anyway, no longer has a license.

Now the reason why we spend it anyway is because this amendment from the gentleman from New Mexico deletes section 3156 but it doesn't delete the charts on page 992 from the back of section 4701, which has the line item in it. The money gets spent anyway, but we lose the license.

I reserve the balance of my time.

Mr. PEARCE. I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY), a cosponsor of the amendment.

Mr. MARKEY. After Congress privatized the United States Enrichment Corporation in 1996, we quickly learned that it couldn't survive in the private sector without continued and repeated bailouts by the taxpayer to

the tune of billions of dollars. This company should actually be renamed the United States Earmark Corporation. The government has given it free centrifuge technology. The government has given it free uranium that it enriches and then it sells below market prices, undercutting its free market competitors. The government has paid to clean up its radioactive waste. The government has assumed its liabilities. And what has happened to the billions of dollars that it has received from the taxpayers?

Well, the entire company is now worth far less than the $150 million that is contained in this bill. It may be delisted from the New York Stock Exchange and become a penny stock. And after Tuesday's announcement of another gift of free uranium for USEC, Standard & Poor's downgraded it to junk bond status. J.P. Morgan is now in charge of all of its remaining dwindling cash. And when I asked the Treasury Department whether the government's support for the government puts taxpayers at risk, it said ''yes'' to me.

We've been told that this earmark is only about getting the tridium we need for our nuclear weapons, but that is not true. The treaty that governs uranium enrichment technology does not prevent other companies from doing the work, and URENCO is in New Mexico anyway—the competitor. And even if it did, there are other alternatives. When DOE examined its tridium options, it found that down-blending surplus highly enriched uranium would cost taxpayers hundreds of millions of dollars less than to use this corporation.

This is a waste of money. There are better alternatives already in the United States. There are better technologies that can be used at hundreds of millions of dollars less, and we are continuing to pour this earmark money down a rat hole and wasting it. We should be spending this money on the defense of our Nation.

Mr. TURNER of Ohio. How much time do we have remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. TURNER of Ohio. I yield 1 minute to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. I need to point out this is not an earmark. It has already been determined that this is not an earmark. This is a question of whether or not the United States of America is going to maintain its superiority as the world leader and protect our ability to provide for our nuclear security.

The company in New Mexico, URENCO, is not an American-owned company. My colleague from Colorado has already made the comments very clearly. From the National Nuclear Security Administration, from the State Department, write on down the line, we are required to purchase these types of uranium-enriched products from a domestic, indigenous source. That's what this bill is about.

I would be the first one to agree that everything that we're doing in this session of Congress has to do with trying to grow our economy and create jobs. This is one area where national security is concerned where I believe it takes preeminence.

With that, I urge us to defeat this amendment.

Mr. PEARCE. Mr. Chairman, I yield myself such time as I may consume.

We continue to hear different arguments. We hear that USEC is necessary for national security purposes. It is absolutely not. The U.S. Navy confirms that it has enough highly enriched uranium fuel to last until 2050. DOE itself declared that at no time in the foreseeable future would more highly enriched weapons-grade uranium be needed for defense. In March of 2012, the head of NSA testified to the Senate that tridium production would not be affected if USEC failed. We're hearing arguments that don't stand up to the facts.

My colleagues claim that USEC funding will protect U.S. intellectual property. It will not. USEC has had decades and billions of dollars of taxpayer money to create this technology—and has failed. They have created 38 machines. Six of those have failed, one catastrophically. There is nothing to be gained.

Our friends are complaining that this amendment does nothing. In fact, in January of 2012, Secretary Chu wrote a letter that DOE does not have the authority to shift funds around without the consent of Congress. With this amendment we're striking that authority.

Guess what USEC is? USEC is Solyndra on steroids. It is a taxpayer bailout of a failed company. USEC is a company that lost $540 million in 2011, and paid their chief executive officer $45 million while doing it. It's a company that has been downgraded three times in the last 5 years.

Mr. Chairman, I request that we vote for the amendment.

I yield back the balance of my time.

THE SECRETARY OF ENERGY,
Washington, DC, January 13, 2012.
Hon. ED WHITFIELD,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN WHITFIELD: Thank you for your letter regarding the proposed Research, Development, and Demonstration (RD&D) plan for the American Centrifuge Project (ACP) in Piketon, Ohio. I continue to believe ACP offers an innovative technology approach to uranium enrichment that offers both national security and economic benefits. The Department's proposed RD&D work is the best way to help ACP achieve commercial viability by reducing technical and financial risks associated with the project.

As you know, in October the Department of Energy and USEC asked Congress to allow the Department to use $150 million in fiscal year 2012 from our existing funds and the transfer authority to re-allocate funds within our existing budget to support the ACP research partnership that would enable the project to reduce its technical and financial risks by finalizing machine designs and demonstrating the technology and key systems on a larger scale. Unfortunately, Congress did not give the Department authority to proceed in this manner.

Because the project has strong commercial potential and because its success would strengthen and protect America's national security interests, we want to continue working with Congress to secure approval for this research effort. To make a down payment on the research effort while giving Congress the additional time it needs to act, the Department has decided to use its administrative authority to provide near term assistance. Specifically, the Department will assume $44 million in liability for uranium tails while taking precautions to protect taxpayers. Transfer authority will still be necessary to complete the full research effort.

With additional time, and strong backing from leaders in Congress, we hope that Congress will approve transfer authority to allow DOE to use its own funds to conduct RD&D on advanced enrichment technology.

In the absence of Congressional action to provide DOE the necessary transfer authority, the company asserts that the project and the jobs it supports are in jeopardy; demobilization of the project could entail significant risk that the project could not successfully be restarted. I urge Congress to act as swiftly as possible to provide the needed transfer authority so that we can use funds from our existing budget to fund the full RD&D program.

I thank you for your efforts to support a domestic uranium enrichment capacity in order to advance our energy, economic, and national security interests. I remain hopeful that by working together, and with prompt action by Congress, we can succeed in making the full RD&D program a reality. Please do not hesitate to contact me if you have any questions.

Sincerely,

STEVEN CHU.

Mr. TURNER of Ohio. The letter that the gentleman from New Mexico just placed in the RECORD concerned fiscal year 2012. This bill is about fiscal 2013. And so it's irrelevant. It's fine to have in the RECORD so people can confirm that.

I yield 1 minute to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Chairman, we should remember as a Nation that there was a time when we were the only country on Earth that had nuclear weapons capability. But that fell into foreign hands and the arms race was born. We should also remember that there was a time when we produced almost all of our uranium needs for our nuclear power plants. Today, we import over 90 percent of that.

Mr. Chairman, both in terms of national security and in terms of not letting a foreign entity have leverage over our nuclear Navy capability and our nuclear arms capability, I believe that we should not pass this amendment and change this language, because it's

important that we maintain both our security and our ability to produce our needed uranium fuel and highly enriched weapons-grade uranium at home.

Mr. TURNER of Ohio. All of the names of the companies that have been mentioned in this debate are not in this bill. This bill even requires competition. It's somewhat irrelevant to have the discussion on specific companies.

I yield the balance of my time to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, this is a matter of national security. This amendment would force the United States to be 100 percent reliant on the Russian and European suppliers of enriched uranium, a compound critical to America's energy and national security needs. That's just unacceptable. I don't have anything against the Russians or Europeans, our friends, but it would be a strategic malfeasance to rely on them.

Do not pass this amendment.

□ 0130

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PEARCE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

Mr. MCKEON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHABOT) having assumed the chair, Mr. PETRI, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, had come to no resolution thereon.

IT AND SUPPLY CHAIN SECURITY

(Mrs. MYRICK asked and was given permission to address the House for 1 minute.)

Mrs. MYRICK. I rise today in support of the supply-chain security language that Representative TURNER included in his Strategic Forces Subcommittee section of the National Defense Authorization Act.

Information technology procurement and supply-chain management continue to be a challenge for both the private sector and the Federal Government. Congress must continue to ensure that those entities have the resources and legal authority necessary to prevent certain companies from inserting potentially malicious equipment into various supply chains. The threats amplify when our public and private sectors consider Chinese State-owned and government-affiliated telecommunications companies as potential business partners.

I would like to submit an article into the RECORD, Mr. Speaker, that demonstrates a recent concern about the ZTE Corporation. ZTE is a Chinese State-owned and -operated company.

[From ZDNet, May 15, 2012]

BACKDOOR FOUND IN ZTE ANDROID PHONES

(By Michael Lee)

Two mobile phones, developed by Chinese telecommunications device manufacturer ZTE, have been found to carry a hidden backdoor, which can be used to instantly gain root access with a password, that has been hard-coded into the software.

Android devices typically ship with the user unable to run commands as the ''root user'', in order to protect customers from any inadvertent damage they could cause, and to reduce the chance of rogue applications taking complete control of the device. However, following an anonymous post to Pastebin, security researchers have found that ZTE has installed an application on the Score M and the Skate mobile phones, which make rooting these phones simple.

The post said:

''There is a setuid-root [set user ID upon execution] application at /system/bin/sync___agent that serves no function besides providing a root shell backdoor on the device. Just give the magic, hard-coded password to get a root shell.''

The phone is available in the US and the UK, amongst other markets. While no telco in Australia appears to be selling the Score M or Skate mobile phones outright, it is still possible to purchase it online or through smaller firms. ZTE has offices in Sydney and Melbourne, and is a supplier of a large number of Telstra mobile phones, typically rebranded as Telstra's own T- and F-series mobile phones. Telstra is aware of the issue, and is in the process of testing its devices, to determine if the backdoor exists on them.

''Our preliminary tests suggest that handsets supplied to Telstra are unaffected by this issue. That said, we take device security very seriously, and we are conducting more extensive testing to confirm our initial findings. Should we discover any issues, we will contact customers directly,'' Telstra said in a statement.

ZTE is also the company behind the Optus-branded MyTab tablet, which runs Android.

ZDNet Australia contacted Optus to comment on whether its devices may be affected, but did not receive a response at the time of writing.

Although Vodafone sells ZTE-branded USB modems, it does not sell any Android devices from ZTE in Australia.

Former McAfee threat research vice president Dmitri Alperovitch is a security researcher that has independently verified the original claim, posting the password to the hidden application on Twitter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. WASSERMAN SCHULTZ (at the request of Ms. PELOSI) for today and the balance of the week on account of the b'nai mitzvah of her son and daughter.

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2012, 2013, AND FOR THE 10-YEAR PERIOD FY 2013 THROUGH FY 2022

Mr. RYAN of Wisconsin. Mr. Speaker, to facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal years 2012, 2013, and for the 10-year period fiscal year 2013 through fiscal year 2022. This status report is current through May 11, 2012.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the overall limits set in H. Con. Res. 34 for fiscal year 2012 and H. Con. Res. 112–for fiscal year 2013. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2013 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays for action completed by each authorizing committee with the ''section 302(a)'' allocations made under H. Con. Res. 34 for fiscal year 2012 and under H. Con. Res. 112–for fiscal year 2013 and fiscal years 2013 through 2022. ''Action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal years 2012 and 2013 with the ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation.

The fourth table gives the current level for fiscal year 2014 of accounts identified for advance appropriations under section 501 of H. Con. Res. 112. This list is needed to enforce section 501 of the budget resolution, which creates a point of order against appropriation bills that contain advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate

amount of such appropriations to exceed the level specified in the resolution.

If you have any questions, please contact Paul Restuccia.

STATUS OF THE FISCAL YEAR 2012 & 2013 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 34 & H. CON. RES. 112

[Reflecting Action Completed as of May 11, 2012—On-budget amounts, in millions of dollars

	Fiscal Year 2012 [1]	Fiscal Year 2013 [2]	Fiscal Years 2013 2022
Appropriate Level:			
Budget Authority	2,858,503	2,793,848	n.a.
Outlays	2,947,662	2,891,589	n.a.
Revenues	1,877,839	2,260,625	32,439,140
Current Level:			
Budget Authority	3,112,936	1,867,303	n.a.
Outlays	3,167,577	2,351,864	n.a.
Revenues	1,890,471	2,293,339	32,472,564
Current Level over (+)/under (−) Appropriate Level:			
Budget Authority	+254,433	−926,545	n.a.
Outlays	+219,915	−539,725	n.a.
Revenues	+12,632	+32,714	+33,424

n.a. = Not applicable because annual appropriations Acts for fiscal years 2013 through 2022 will not be considered until future sessions of Congress.

[1] Notes for 2012:

The appropriate level for FY2012 was established in H. Con. Res 34, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 287. The current level for FY2012 starts with the baseline estimates contained in An Analysis of the President's Budgetary Proposals for Fiscal Year 2012, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.

[2] Notes for 2013:

The appropriate level for FY2013 was established in H. Con. Res 112, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 614 and H. Res. 643. The current level for FY2013 starts with the baseline estimates contained in Updated Budget Projections: Fiscal Years 2012 to 2022, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.

BUDGET AUTHORITY

Budget authority for FY 2012 is above the appropriate levels set by H. Con. Res. 34.

Budget authority for FY 2013 is below the appropriate levels set by H. Con. Res. 112.

OUTLAYS

Outlays for FY 2012 are above the appropriate levels set by H. Con. Res. 34.

Outlays for FY 2013 are below the appropriate levels set by H. Con. Res. 112.

REVENUE

Revenue for FY 2012 is above the appropriate levels set by H. Con. Res. 34.

Revenue for FY 2013 is above the appropriate levels set by H. Con. Res. 112.

Revenue for the period FY 2013 through FY 2022 is above the appropriate levels set by H. Con. Res. 112.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATION FOR RESOLUTION CHANGES

Reflecting Action Completed as of May 11, 2012—Fiscal Years, in millions of dollars

	2012		2013		2013-2022	
	BA	Outlays	BA	Outlays	BA	Outlays
House Committee:						
Agriculture:						
Allocation	−2,315	−2,228	−1,577	−1,503	−179,410	177,171
Current Level	0	0	0	0	0	0
Difference	+2,315	+2,228	+1,577	+1,503	+179,410	+177,871
Armed Services:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Education and the Workforce:						
Allocation	−4,994	−2,522	−18,098	−7,096	−227,471	−210,669
Current Level	+8,690	+3,492	0	0	0	0
Difference	+13,684	+6,014	+18,098	+7,096	+227,471	+210,669
Energy and Commerce:						
Allocation	−698	−1,207	−20,137	−4,661	−1,802,097	−1,767,601
Current Level	+13,189	+14,033	0	0	0	0
Difference	+13,887	+15,240	+20,137	+4,661	+1,802,097	+1,767,601
Financial Services:						
Allocation	−5,986	−6,485	−8,562	−8,495	−65,193	−65,098
Current Level	−1,300	−1,300	0	0	0	0
Difference	+4,686	+5,185	+8,562	+8,495	+65,193	+65,098
Foreign Affairs:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Homeland Security:						
Allocation	−1,900	−1,900	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	+1,900	+1,900	0	0	0	0
House Administration:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Judiciary:						
Allocation	−387	−1	−8,490	−594	−15,645	−13,737
Current Level	−3	−3	0	0	0	0
Difference	+384	−2	+8,490	+594	+15,645	+13,737
Natural Resources:						
Allocation	−239	−190	−460	−229	−8,242	−8,076
Current Level	0	0	0	0	0	0
Difference	+239	+190	+460	+229	+8,242	+8,076
Oversight and Governmert Reform:						
Allocation	−8,102	−8,275	−8,146	−8,113	−140,709	−140,829
Current Level	0	−1	0	0	0	0
Difference	+8,102	+8,274	+8,146	+8,113	+140,709	+140,829
Science, Space and Technology:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Transportation and Infrastructure:						
Allocation	−17,250	−122	−36,626	−9,354	−130,371	−28,397
Current Level	−350	0	0	0	0	0
Difference	+16,900	+122	+36,626	+9,354	+130,371	+28,397
Veterans' Affairs:						
Allocation	0	0	0	0	0	0

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATION FOR RESOLUTION CHANGES—Continued

Reflecting Action Completed as of May 11, 2012—Fiscal Years, in millions of dollars

	2012		2013		2013-2022	
	BA	Outlays	BA	Outlays	BA	Outlays
Current Level	−26	−26	0	0	0	0
Difference	−26	−26	0	0	0	0
Ways and Means:						
Allocation	−7,945	−8,020	−5,970	−8,211	−810,375	−817,297
Current Level	+118,306	+117,985	0	0	0	0
Difference	+126,251	+126,005	+5,970	+8,211	+810,375	+817,297

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2012—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS

	302(b) sub allocations as of May 11, 2012 (H. Rept. 112–104)		Current status reflecting action completed as of May 11, 2012		Current status minus sub allocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	17,250	21,452	20,137	23,292	+2,887	+1,840
Commerce, Justice, Science	50,237	62,446	52,944	63,759	+2,707	+1,313
Defense	648,709	654,698	633,229	647,612	−15,480	−7,086
Energy and Water Development	30,639	44,577	33,734	46,422	+3,095	+1,845
Financial Services and General Government	19,895	23,523	21,526	25,735	+1,631	+2,212
Homeland Security	40,850	45,122	46,258	45,360	+5,408	+238
Interior, Environment	27,473	30,766	29,175	30.866	+1,702	+100
Labor, Health and Human Services, Education	139,218	154,253	156,767	179,569	+17,549	+25,316
Legislative Branch	4,314	4,397	4,307	4,336	−7	−61
Military Construction and Veterans Affairs	72,535	78,492	71,747	78,414	−788	−78
State, Foreign Operations	39,569	46,060	53,343	53,880	+13,774	+6,820
Transportation, HUD	47,655	118,272	57,312	122,169	+9,657	+3,897
Subtotal (Section 302(b) Allocations)	1,138,3445	1,284,058	1,180,479	1,320,414	+42,135	+36,356
Total (Section 302(a) Allocation)	1,118,344	1,284,058	1,180,479	1,320,414	+42,135	+36,356
Memorandum:						
Emergencies [1]	0	0	0	0	0	0
Disaster Relief [2]	0	0	10,453	1,803	+10,453	+1,803
Program Integrity [3]	0	0	483	415	+483	+43.5
Global War on Terrorism [4]	126,544	64,100	126,544	63,421	0	−679

[1] Pursuant to H.Con Res 34, emergencies are not reflected in 302(b) allocations or current level above.
[2] The Budget Control Act (P.L 112–25), enacted after passage of the FY2012 House Budget resolution, established statutory discretionary spending caps at different levels than the 302(a) allocation set by the budget resolution. Spending designated for disaster relief under section 251(b)(2)(0) was not inckided within the original 302(a) allocation.
[3] The Budget Control Act (P.L 112–25), enacted after passage of the FY2012 House Budget resolution, established statutory discretionary spending caps at different levels than the 302(a) allocation set by the budget resolution. Spending designated for Continuing Disability Reviews and Redetenninations under section 251(b)(2)(8) was not included within the original 302(a) allocation.
[4] Section 301 of H.Con Res. 34, allows the allocation to the House Committee on Appropriations to be adjusted by amounts designated for the Global War on Terrorism IGWOT). The 302(b) allocations and current status above reflect any adjustments made to date for this purpose. Outlays displayed on the GWOT row, represent only new outlays resulting from new GWOT-related budget authority.

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2013—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS

	302(b) sub allocations as of May 11, 2012 (H. Rept. 112–465)		Current status reflecting action completed as of May 11, 2012		Current status minus sub allocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	19,405	22,189	9	7,734	−19,396	−14,455
Commerce, Justice, Science	51,131	62,953	51,129	62,853	−2	−100
Defense	607,700	622,289	31	239,114	−607,669	−383,175
Energy and Water Development	32,098	40,692	32,098	40,682	0	−10
Financial Services and General Government	21,150	23,939	78	6,310	−21,072	−17,629
Homeland Security	39,117	44,924	0	20,174	−39,117	−24,750
Interior, Environment	23,000	31,058	0	12,209	−28,000	−18,849
Labor, Health and Human Services, Education	150,002	162,564	24,647	112,119	−125,355	−50,445
Legislative Branch	4,289	4,381	0	768	−4,289	−3,613
Military Construction and Veterans Affairs	71,747	79,103	50,014	70,887	−21,733	−8,216
State, Foreign Operations	48,377	51,732	0	30,444	−42,377	−21,288
Transportation, HUD	51,606	115,161	4,400	76,909	−47,206	−38,252
Subtotal (Section 302(b) Allocations)	1,124,621	1,260,985	162,406	680,203	−962,216	−580,782
Total (Section 302(a) Allocation)	1,124,621	1,260,985	162,406	680,203	−962,216	−580,782
Memorandum:						
Emergencies [1]	0	0	0	0	0	0
Disaster Relief [2]	0	0	0	0	0	0
Program Integrity [3]	0	0	0	0	0	0
Global War on Terrorism [4]	96,725	51,125	0	0	−96,725	−51,125

[1] Spending designated as emergency is not included in the 302(a) allocation set by H. Con. Res. 112–or the current status of appropriaitons shown above.
[2] Spending designated as disaster relief is not assumed within the 302(a) allocation set by H. Con. Res 112, but is included in the current status of appropriations shown above.
[3] Spending designated for program integrity is not assumed within the 302(a) allocation set by H. Con. Res 112, but is included in the current status of appropriations shown above.
[4] Spending designated for the Global War on Terrorsim is included in both the 302(a) allocation set by H. Con. Res 122 and the current status of appropriations shown above.

2014 ADVANCE APPROPRIATIONS PURSUANT TO H. CON. RES. 112 AS OF MAY 11, 2012

[Budget authority in millions of dollars]

Section 501(c)(1) Limits	2,014
Appropriate Level	54,462
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs	
Medical Services	0
Medical Support and Compliance	0
Medical Facilities	0
Subtotal, enacted advances [1]	0
Section 502(c)(2) Limits	2014

2014 ADVANCE APPROPRIATIONS PURSUANT TO H. CON. RES. 112 AS OF MAY 11, 2012—Continued

[Budget authority in millions of dollars]

Appropriate Level	28,852
Enacted Advances:	
Accounts Identified for Advances:	
Employment and Training Administration	0
Education for the Disadvantaged	0
School Improvement Programs	0
Special Education	0
Career, Technical and Adult Education	0
Tenant-based Rental Assistance	0
Project-based Rental Assistance	0
Subtotal, enacted advances [1]	0

2014 ADVANCE APPROPRIATIONS PURSUANT TO H. CON. RES. 112 AS OF MAY 11, 2012—Continued

[Budget authority in millions of dollars]

Previously Enacted Advance Appropriations [2]	2,014
Corporation for Public Broadcasting	445
Total, enacted advances [1]	445

[1] Line items may not add to total due to rounding.
[2] Funds were appropriated in Public Law 112–74.

CONGRESSIONAL BUDGET OFFICE
Washington, DC, May 16, 2012.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2012 budget and is current through May 11, 2012. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 34, the Concurrent Resolution on the Budget for Fiscal Year 2012, as approved by the House of Representatives.

Since my last letter dated January 25, 2012, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, and revenues for fiscal year 2012:

The FAA Modernization and Reform Act of 2012 (Public Law 112–95); and

The Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112–96).

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

Enclosure.

FISCAL YEAR 2012 HOUSE CURRENT LEVEL REPORT THROUGH MAY 11, 2012

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted:			
Revenues	n.a.	n.a.	1,891,411
Permanents and other spending legislation	1,842,372	1,771,503	n.a.
Appropriation legislation	0	581,418	n.a.
Offsetting receipts	−708,099	−708,099	n.a.
Total, Previously enacted	1,134,273	1,644,822	1,891,411
Enacted Legislation:			
Authorizing Legislation:			
Comprehensive 1099 Taxpayer Protection & Repayment of Exchange Subsidy Overpayments Act of 2011 (P.L. 112–9)	0	0	−490
Airport and Airway Extension Act of 2011, Part II (P.L. 112–16)	−185	0	0
Budget Control Act of 2011 (P.L. 112–25)	8,690	3,492	0
Restoring GI Bill Fairness Act of 2011 (P.L. 112–26)	−26	−26	0
America Invents Act (P.L. 112–29)	−3	−3	−4
An act to extend the Generalized System of Preferences, and for other purposes (P.L. 112–40)	−28	−240	−996
United States-Korea Free Trade Agreement Implementation Act (P.L. 112–41)	53	53	−31
United States-Colombia Trade Promotion Agreement Implementation Act (P.L. 112–42)	−68	−68	−137
United States-Panama Trade Promotion Agreement Implementation Act (P.L. 112–43)	1	1	118
An act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding . . . and for other purposes (P.L. 112–56)	−39	−39	−25
Temporary Payroll Tax Cut Continuation Act of 2011 (P.L. 112–78)	29,363	29,363	136
An act to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research (P.L. 112–80)	0	−1	0
FAA Modernization and Reform Act of 2012 (P.L. 112–95)	−165	0	−24
Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112–96)	100,913	101,648	513
Total, Authorizing Legislation	138,506	134,180	−940
Appropriations Acts:			
Continuing Appropriations Act, 2012	−1,000	−1,000	0
Consolidated and Further Continuing Appropriations Act, 2012 (P.L. 112–55, Divisions A, B, and C)	242,076	195,617	0
Consolidated Appropriations Act, 2012 (P.L. 112–74)	1,621,868	1,193,967	0
Disaster Relief Appropriations Act, 2012 (P.L. 112–77)	8,607	1,608	0
Total, Appropriations Acts	1,871,551	1,390,192	0
Total, Enacted Legislation	2,010,057	1,524,372	−940
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	−31,394	−1,617	0
Total Current Level [1]	3,112,936	3,167,577	1,890,471
Total House Resolution [2]	2,858,503	2,947,662	1,877,839
Current Level Over House Resolution	254,433	219,915	12,632
Current Level Under House Resolution	n.a.	n.a.	n.a.
Memorandum:			
Revenues, 2012–2021:			
House Current Level	n.a.	n.a.	30,265,007
House Resolution	n.a.	n.a.	30,232,704
Current Level Over House Resolution	n.a.	n.a.	32,303
Current Level Under House Resolution	n.a.	n.a.	n.a.

Note: n.a. = not applicable; P.L. = Public Law.

[1] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off–budget amounts. As a result, current level does not include these items.

[2] Periodically, the House Committee on the Budget revises the totals in H. Con. Res. 34, pursuant to various provisions of the resolution:

	Budget Authority	Outlays	Revenues
Original House Resolution	2,858,545	2,947,916	1,891,411
Revisions:			
For the United States-Colombia, Panama, Korea Free Trade Agreement Implementation Acts (section 404)	−14	−14	−50
For an act to extend the Generalized System of Preferences, and for other purposes (section 305)	−28	−240	−996
For the Small Business Tax Cut Act of 2012 (section 404)	0	0	−12,526
Revised House Resolution	2,858,503	2,947,662	1,877,839

SOURCE: Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE
U.S. CONGRESS
Washington, DC, May 16, 2012.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2013 budget and is current through May 11, 2012. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 112, the Concurrent Resolution on the Budget for Fiscal Year 2013, as approved by the House of Representatives.

This is CBO's first current level report for fiscal year 2013.

Sincerely,

DOUGLAS W. ELMENDORF

Enclosure

FISCAL YEAR 2013 HOUSE CURRENT LEVEL REPORT THROUGH MAY 11, 2012

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted [1]:			
Revenues	n.a.	n.a.	2,293,339
Permanents and other spending legislation	1,869,081	1,818,192	n.a.
Appropriation legislation	0	553,056	n.a.

FISCAL YEAR 2013 HOUSE CURRENT LEVEL REPORT THROUGH MAY 11, 2012—Continued

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Offsetting receipts	−729,799	−729,799	n.a.
Total, Previously enacted	1,139,282	1,641,449	2,293,339
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	728,021	710,415	0
Total Current Level [2]	1,867,303	2,351,864	2,293,339
Total House Resolution [3]	2,793,848	2,891,589	2,260,625
Current Level Over House Resolution	n.a.	n.a.	32,714
Current Level Under House Resolution	−926,545	−539,725	n.a.
Memorandum:			
Revenues, 2013–2022:			
House Current Level	n.a.	n.a.	32,472,564
House Resolution	n.a.	n.a.	32,439,140
Current Level Over House Resolution	n.a.	n.a.	33,424
Current Level Under House Resolution	n.a.	n.a.	n.a.

SOURCE: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

1. Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before adoption of H. Con. Res. 112: the FAA Modernization and Reform Act of 2012 (P.L. 112–95), the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112–96), and an act to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes (P.L. 112–99).

2. For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

3. Periodically, the House Committee on the Budget revises the totals in H. Con. Res. 112, pursuant to various provisions of the resolution:

	Budget Authority	Outlays	Revenues
Original House Resolution	2,793,848	2,891,589	2,293,339
Revisions:			
For the Small Business Tax Cut Act of 2012 (section 404)	0	0	−32,714
Revised House Resolution	2,793,848	2,891,589	2,260,625

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2013 BUDGET RESOLUTION

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to section 503 of H. Con. Res. 112, the House-passed budget resolution for fiscal year 2013, deemed to be in force by H. Res. 614 and H. Res. 643, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the budget allocations and aggregates set forth pursuant to the budget for fiscal year 2013. This revision corrects a number that was inadvertently transposed in a previous revision submitted on April 18, 2012 for legislation related to the Small Business Tax Cut Act of 2012, H.R. 9.

This revision represents an adjustment pursuant to sections 302 and 311 of the Congressional Budget Act of 1974, as amended (Budget Act). For the purposes of the Budget Act, these revised aggregates and allocations are to be considered as aggregates and allocations included in the budget resolution, pursuant to section 101 of H. Con. Res. 112.

Budget Aggregates

[On-budget amounts, in millions of dollars]

	Fiscal Year		
	2012	2013	2013–2022
Current Aggregates:			
Budget Authority	2,858,503	2,793,848	(1)
Outlays	2,947,662	2,891,589	(1)
Revenues	1,877,839	2,261,165	32,439,140
Change for the Small Business Tax Cut Act (H.R. 9):			
Budget Authority	0	0	(1)
Outlays	0	0	(1)
Revenues	0	−540	0
Revised Aggregates:			
Budget Authority	2,858,503	2,793,848	(1)
Outlays	2,947,662	2,891,589	(1)
Revenues	1,877,839	2,260,625	32,439,140

[1] Not applicable because annual appropriations Acts for fiscal years 2013 through 2022 will not be considered until future sessions of Congress.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2072. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

H.R. 4967. An act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

ADJOURNMENT

Mr. MCKEON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 32 minutes a.m.), the House adjourned until today, Friday, May 18, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6048. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quizalofop Ethyl: Pesticide Tolerances [EPA-HQ-OPP-2010-1018; FRL-9340-5] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6049. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the Hawaii State Implementation Plan, Minor New Source Review Program [EPA-R09-OAR-2012-0213; FRL-9661-6] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6050. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Toxics Release Inventory (TRI) Reporting for Facilities Located in Indian Country and Clarification of Additional Opportunities Available to Tribal Governments under the TRI Program [EPA-HQ-OEI-2011-0196; 9660-9] (RIN: 2025-AA31) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6051. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; North Carolina; Annual Emissions Reporting [EPA-R04-OAR-2009-0140(b); FRL-9662-3] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6052. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alabama: Removal of State Low-Reid Vapor Pressure Requirement for the Birmingham Area [EPA-R04-OAR-2012-0118; FRL-9662-4] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6053. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Atlanta; Ozone 2002 Base Year Emissions Inventory [EPA-R04-OAR-2010-0021(a); FRL-9662-1] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6054. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Regional Haze State Implementation Plan [EPA-R04-OAR-2009-0786; FRL-9663-6] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6055. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Change of Address for Region 4, State and Local Agencies; Technical Correction [FRL-9660-3] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6056. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory

Commission, transmitting the Commission's final rule — Condition-Monitoring Techniques for Electric Cables Used in Nuclear Power Plants, Regulatory Guide 1.218 received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6057. A letter from the Special Inspector General for Iraq Reconstruction, transmitting seventh lessons learned report entitled ''Iraq Reconstruction: Lessons Learned from Investigations''; to the Committee on Foreign Affairs.

6058. A communication from the President of the United States, transmitting notification that an executive order has been issued declaring a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of certain members of the Government of Yemen and others to threaten Yemen's peace, security, and stability; (H. Doc. No. 112—109); to the Committee on Foreign Affairs and ordered to be printed.

6059. A letter from the Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6060. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting a report on the progress of implementing the provisions of the Family Court Act; to the Committee on the Judiciary.

6061. A letter from the Administrator, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded $5 million for the cost of response and recovery efforts for FEMA-3335-EM, in the State of Maryland, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

6062. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Multiple Domestic, Alaskan, and Hawaiian Compulsory Reporting Points [Docket No.: FAA-2012-0129; Airspace Docket No. 12-AWA-1] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6063. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Brooksville, FL [Docket No.: FAA-2012-0013; Airspace Docket No. 12-ASO-13] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6064. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Bellefonte, PA [Docket No.: FAA-2011-1337; Airspace Docket No. 11-AEA-23] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6065. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Area Navigation Route T-288; WY [Docket No.: FAA-2011-1193; Airspace Docket No. 11-ANM-14] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6066. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Springfield, TN [Docket No.: FAA-2011-0591; Airspace Docket No. 11-ASO-26] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6067. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Jacksonville, NC [Docket No.: FAA-2011-0556; Airspace Docket No. 11-ASO-21] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6068. A letter from the Special Inspector General for Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) April 2012 Quarterly Report; jointly to the Committees on Foreign Affairs and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DREIER (for himself and Mr. BERMAN):

H.R. 5793. A bill to amend the Internal Revenue Code of 1986 to extend the election to treat the cost of qualified film and television productions as an expense which is not chargeable to capital account; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5794. A bill to amend the Fair Debt Collection Practices Act to exempt a debt collector from liability when leaving certain voice mail messages for a consumer with respect to a debt as long as the debt collector follows regulations prescribed by the Bureau of Consumer Financial Protection on the appropriate manner in which to leave such a message, and for other purposes; to the Committee on Financial Services.

By Mr. KIND (for himself, Mr. LEVIN, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. LARSON of Connecticut, Mr. PASCRELL, Mr. CROWLEY, and Mr. STARK):

H.R. 5795. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax on domestic manufacturing income to 20 percent; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself and Ms. ROS-LEHTINEN):

H.R. 5796. A bill to establish a common fund to pay claims to the Americans held hostage in Iran, and to members of their families, who are identified as class members in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAVAACK:

H.R. 5797. A bill to amend title 46, United States Code, with respect to Mille Lacs Lake, Minnesota, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCDERMOTT (for himself and Mr. REICHERT):

H.R. 5798. A bill to amend the Export Enhancement Act of 1988 to improve export promotion activities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself, Mr. CLYBURN, Mr. HOYER, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. BACA, Ms. BASS of California, Mr. BECERRA, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARNAHAN, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DINGELL, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FILNER, Ms. FUDGE, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINCHEY, Mr. HINOJOSA, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KILDEE, Mr. KIND, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Ms. ZOE LOFGREN of California, Mr. LUJÁN, Mrs. MALONEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PASCRELL, Mr. PETERS, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. REYES, Ms. RICHARDSON, Mr. RICHMOND, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SEWELL, Mr. SIRES, Mr. SMITH of Washington, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TONKO, Mr. TOWNS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Ms. WOOLSEY, Mr. KEATING, and Mr. BISHOP of New York):

H.R. 5799. A bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, Science, Space, and Technology, Veterans' Affairs, Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Mr. GENE GREEN of Texas, Mr. CARTER, and Mr. THORNBERRY):

H.R. 5800. A bill to amend title XIX of the Social Security Act to provide for increased price transparency of hospital information

and to provide for additional research on consumer information on charges and out-of-pocket costs; to the Committee on Energy and Commerce.

By Ms. RICHARDSON (for herself, Mr. CONYERS, Mr. CLARKE of Michigan, and Mr. KUCINICH):

H.R. 5801. A bill to provide interest-free deferment on unsubsidized student loans made to recent college students during periods when the national unemployment rate is above 7 percent and other periods of deferment; to the Committee on Education and the Workforce.

By Ms. RICHARDSON:

H.R. 5802. A bill to amend title 46, United States Code, to authorize use of port security grant funds for replacement of certain security equipment or facilities; to the Committee on Homeland Security.

By Ms. RICHARDSON:

H.R. 5803. A bill to amend title 46, United States Code, regarding port security grant funding for mandated security personnel, and for other purposes; to the Committee on Homeland Security.

By Ms. RICHARDSON:

H.R. 5804. A bill to amend the Homeland Security Act of 2002 to require the Administrator of the Federal Emergency Management Agency to provide guidance to and coordination with local educational agencies and school districts that are at high risk of acts of terrorism or other incidents, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS:

H.R. 5805. A bill to direct the Secretary of Labor to establish alternate guidelines for measuring the progress of State and local performance for entrepreneurial training services under the Workforce Investment Act of 1998; to the Committee on Education and the Workforce.

By Ms. RICHARDSON:

H.R. 5806. A bill to amend the Homeland Security Act of 2002 to require the Administrator of the Federal Emergency Management Agency to provide guidance and coordination for outreach to people with disabilities during emergencies, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RICHARDSON:

H.R. 5807. A bill to require an audit of the extent to which regional FEMA offices are able to support coordinated and integrated Federal preparedness, protection, response, recovery, and mitigation capabilities to respond to an act of terrorism or other incident, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO:

H.R. 5808. A bill to suspend temporarily the duty on certain horizontally-oriented lead shot machines; to the Committee on Ways and Means.

By Mr. COSTELLO:

H.R. 5809. A bill to suspend temporarily the duty on certain cupping machines; to the Committee on Ways and Means.

By Mr. COSTELLO:

H.R. 5810. A bill to suspend temporarily the duty on certain tool blocks; to the Committee on Ways and Means.

By Mr. COSTELLO:

H.R. 5811. A bill to suspend temporarily the duty on certain parts of cupping presses; to the Committee on Ways and Means.

By Mr. DEFAZIO:

H.R. 5812. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HAHN:

H.R. 5813. A bill to amend the Small Business Act to provide for the establishment of the Ports as Small Business Incubators Program to provide eligible small businesses with access to commercial real property, and for other purposes; to the Committee on Small Business.

By Mr. HOLT:

H.R. 5814. A bill to amend the Help America Vote Act of 2002 to establish standards for the publication of the poll tapes used in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. HOLT:

H.R. 5815. A bill to prohibit deceptive practices in Federal elections; to the Committee on the Judiciary.

By Mr. HOLT (for himself, Mr. ACKERMAN, Mr. ALTMIRE, Mr. ANDREWS, Mr. BECERRA, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CHANDLER, Mr. CLAY, Mr. COHEN, Mr. COSTELLO, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DOGGETT, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HOLDEN, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. KEATING, Mr. KISSELL, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mrs. LOWEY, Mrs. MALONEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Mr. RICHMOND, Mr. ROTHMAN of New Jersey, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHULER, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. TOWNS, Mr. VAN HOLLEN, Mr. WALZ of Minnesota, Ms. WASSERMAN SCHULTZ, Mr. WATT, Mr. WAXMAN, Ms. WOOLSEY, Mr. BOSWELL, and Mr. HIMES):

H.R. 5816. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent paper ballot under title III of such Act, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUETKEMEYER (for himself, Mr. WESTMORELAND, and Mr. GARRETT):

H.R. 5817. A bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement; to the Committee on Financial Services.

By Mr. MCDERMOTT:

H.R. 5818. A bill to suspend temporarily the duty on certain fitness equipment; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 5819. A bill to suspend temporarily the duty on certain suspension system stabilizer bars; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 5820. A bill to modify the provisions of the Harmonized Tariff Schedule of the United States relating to returned property; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 5821. A bill to provide for duty free treatment for certain United States Government property returned to the United States; to the Committee on Ways and Means.

By Mr. MEEHAN (for himself, Mr. KING of New York, Mr. ROGERS of Alabama, Mrs. MILLER of Michigan, Mr. MCCAUL, Mr. CRAVAACK, Mr. LONG, Mr. DANIEL E. LUNGREN of California, and Mr. DENT):

H.R. 5822. A bill to require a report on the designation of Boko Haram as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary.

By Mr. GARY G. MILLER of California (for himself, Ms. CHU, Mr. ROHRABACHER, Mr. CALVERT, Mrs. DAVIS of California, Mr. SHERMAN, and Mr. BACA):

H.R. 5823. A bill to prohibit the Federal Housing Finance Agency from disposing of certain real estate-owned of such Agency, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation, under the initiative of such Agency for bulk sales of real estate-owned; to the Committee on Financial Services.

By Mr. PIERLUISI (for himself, Mrs. CHRISTENSEN, Ms. BORDALLO, Mr. FALEOMAVAEGA, and Mr. SERRANO):

H.R. 5824. A bill to amend the Social Security Act to eliminate the cap on certain payments under the TANF program to Puerto Rico, the Virgin Islands, Guam, and American Samoa, and for other purposes; to the Committee on Ways and Means.

By Mr. WELCH (for himself and Mr. WALZ of Minnesota):

H.R. 5825. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize and improve the Rural Energy for America Program; to the Committee on Agriculture.

By Mr. WALBERG (for himself, Mr. WEBSTER, Mr. FORBES, Mr.

HULTGREN, Mr. WILSON of South Carolina, Mr. LANKFORD, Mr. BROUN of Georgia, Mr. GINGREY of Georgia, Mr. HARRIS, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. HENSARLING, Mr. ROE of Tennessee, Mr. BISHOP of Utah, Mr. HUIZENGA of Michigan, Mr. JONES, Mr. FRANKS of Arizona, Mr. PITTS, Mr. NEUGEBAUER, Mr. THOMPSON of Pennsylvania, Mr. STUTZMAN, Mr. GOHMERT, Mr. WEST, Mr. SOUTHERLAND, Mrs. NOEM, Mr. CARTER, Mr. OLSON, Mr. BILIRAKIS, Mr. AKIN, Mr. LAMBORN, Mr. MILLER of Florida, Mrs. HARTZLER, Mr. FLEMING, and Mr. SCALISE):

H. Res. 662. A resolution expressing support for prayer at school board meetings; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Mrs. LOWEY):

H. Res. 663. A resolution expressing support for the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics, and for other purposes; to the Committee on Foreign Affairs.

By Ms. FUDGE (for herself, Ms. MOORE, and Mr. MCGOVERN):

H. Res. 664. A resolution expressing the sense of the House of Representatives regarding funding for feeding assistance programs, especially those affecting children; to the Committee on Agriculture.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

209. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 211 urging the Congress to reject the Department of Defense's recommendations to remove the A-10 Thunderbolt II aircraft from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base; to the Committee on Armed Services.

210. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Memorial 1001 urging the Congress to adopt measures and policies contained in the Save Arizona's Forest Environment (SAFE) Plan; to the Committee on Natural Resources.

211. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Memorial 1008 urging Congress to enact legislation exempting United States military bases from the regulations and restrictions of the Endangered Species Act; to the Committee on Natural Resources.

212. Also, a memorial of the Senate of the State of Michigan, relative to Senate Concurrent Resolution No. 19 urging the Congress to approve a grant for a project at the I-275 and Ford Road Interchange; to the Committee on Transportation and Infrastructure.

213. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Resolution 1014 supporting an increase in the United States Customs and Border protection personnel in the Tucson sector along the border between the United States and Mexico; to the Committee on Homeland Security.

214. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Memorial 1003 urging the Congress to adequately fund the United States Forest Service; jointly to the Committees on Agriculture and Natural Resources.

215. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial 2004 urging the Congress to enact legislation making monies collected under the federal gas tax immediately available to the individual states; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

216. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 1080 urging the Congress to initiate and support nationwide efforts to commemorate the 40th anniversary of the end of the United States' involvement in the Vietnam War; jointly to the Committees on Armed Services, Veterans' Affairs, and Financial Services.

217. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 1486 urging the Congress to pass H.R. 2918; jointly to the Committees on Foreign Affairs, the Judiciary, and Ways and Means.

218. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 1778 urging the Congress to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; jointly to the Committees on Financial Services, Agriculture, Energy and Commerce, the Judiciary, the Budget, Oversight and Government Reform, Ways and Means, and Small Business.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DREIER:

H.R. 5793.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. FRANK of Massachusetts:

H.R. 5794.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, Clause 3.

By Mr. KIND:

H.R. 5795.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. BRALEY of Iowa:

H.R. 5796.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 and Clause 18 of the United States Constitution.

By Mr. CRAVAACK:

H.R. 5797.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. McDERMOTT:

H.R. 5798.

Congress has the power to enact this legislation pursuant to the following:

Article 2, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LEWIS of Georgia:

H.R. 5799.

Congress has the power to enact this legislation pursuant to the following:

The authority for the introduction of this bill is Article I, Section 4, of the U.S. Constitution.

By Mr. BURGESS:

H.R. 5800.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section 8, Clause 3: ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes' as well as Article 1, Section 8, Clause 1: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Ms. RICHARDSON:

H.R. 5801.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 5802.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 5803.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 5804.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mrs. CAPPS:

H.R. 5805.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 5806.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section

8, Clauses 1 and 18 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 5807.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. COSTELLO:

H.R. 5808.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. COSTELLO:

H.R. 5809.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. COSTELLO:

H.R. 5810.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. COSTELLO:

H.R. 5811.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution of the United States.

By Mr. DEFAZIO:

H.R. 5812.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 3 of the U.S. Constitution.

By Ms. HAHN:

H.R. 5813.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. HOLT:

H.R. 5814.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the U.S. Constitution.

By Mr. HOLT:

H.R. 5815.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the U.S. Constitution.

By Mr. HOLT:

H.R. 5816.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the U.S. Constitution.

By Mr. LUETKEMEYER:

H.R. 5817.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, Article 1, Section 7, Clause 2 of the Constitution allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to repeal any bill that has been passed by both chambers and signed into law by the President.

By Mr. MCDERMOTT:

H.R. 5818.

Congress has the power to enact this legislation pursuant to the following:

Article 2, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCDERMOTT:

H.R. 5819.

Congress has the power to enact this legislation pursuant to the following:

Article 2, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCDERMOTT:

H.R. 5820.

Congress has the power to enact this legislation pursuant to the following:

Article 2, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCDERMOTT:

H.R. 5821.

Congress has the power to enact this legislation pursuant to the following:

Article 2, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MEEHAN:

H.R. 5822.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by the United States Constitution under Article I, Section 8, ''Congress shall have the power . . . To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;''

By Mr. GARY G. MILLER of California:

H.R. 5823.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Mr. PIERLUISI:

H.R. 5824.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. WELCH:

H.R. 5825.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Ms. BONAMICI.
H.R. 420: Mr. LOBIONDO.
H.R. 498: Mr. GARDNER.
H.R. 709: Ms. KAPTUR.
H.R. 721: Mr. RUPPERSBERGER.
H.R. 733: Mr. HARRIS.
H.R. 808: Mr. GRIJALVA and Mr. HASTINGS of Florida.
H.R. 885: Mr. NEAL.
H.R. 891: Mr. CONNOLLY of Virginia.
H.R. 904: Mr. WALZ of Minnesota and Ms. HOCHUL.
H.R. 930: Mr. RUNYAN.
H.R. 1005: Mr. CASSIDY.
H.R. 1048: Mr. VAN HOLLEN, Mr. CAPUANO, Mr. TOWNS, and Ms. BERKLEY.
H.R. 1063: Mr. DUFFY.
H.R. 1190: Mr. NADLER.
H.R. 1208: Mr. RANGEL.
H.R. 1244: Mr. WALDEN.
H.R. 1288: Mr. PASCRELL.
H.R. 1370: Mr. LANKFORD.
H.R. 1397: Mr. DAVID SCOTT of Georgia.
H.R. 1418: Mr. DAVIS of Illinois.
H.R. 1489: Mr. KILDEE.
H.R. 1521: Ms. RICHARDSON, Mr. FILNER, Ms. EDWARDS, and Mr. DAVID SCOTT of Georgia.
H.R. 1623: Mr. FILNER.
H.R. 1639: Mr. FORBES.
H.R. 1648: Mr. DAVID SCOTT of Georgia and Mr. MATHESON.
H.R. 1792: Mr. MILLER of North Carolina.
H.R. 1936: Mr. LATTA.
H.R. 1956: Mr. BUCHANAN, Mr. HALL, Mr. SCHOCK, Ms. GRANGER, Mr. POE of Texas, and Mrs. EMERSON.
H.R. 1957: Mr. MEEHAN.
H.R. 1971: Mr. CONNOLLY of Virginia.
H.R. 2030: Mr. JOHNSON of Georgia.
H.R. 2069: Mr. CONNOLLY of Virginia.
H.R. 2077: Mr. HARPER.
H.R. 2088: Mr. BERMAN.
H.R. 2364: Mr. BERMAN.
H.R. 2382: Mr. ROYCE and Mr. MANZULLO.
H.R. 2479: Mr. TIERNEY.
H.R. 2569: Mrs. CAPITO, Mr. WALSH of Illinois, and Mr. SCHILLING.
H.R. 2696: Ms. ZOE LOFGREN of California.
H.R. 2730: Mr. DAVIS of Illinois and Mr. RANGEL.
H.R. 2758: Mr. MORAN.
H.R. 2985: Mr. COBLE.
H.R. 3086: Ms. LEE of California and Ms. BORDALLO.
H.R. 3091: Mr. STIVERS.
H.R. 3159: Mr. TOWNS.
H.R. 3173: Mr. SIRES, Mr. LOBIONDO, and Mr. GUINTA.
H.R. 3187: Mr. HENSARLING, Mr. DONNELLY of Indiana, and Mr. SHUSTER.
H.R. 3192: Mr. CICILLINE.
H.R. 3199: Mr. RUNYAN.
H.R. 3252: Mr. HIGGINS.
H.R. 3395: Mr. BARLETTA, Mr. RIGELL, Mr. MEEHAN, Ms. MOORE, Mr. HINCHEY, and Mr. BENISHEK.
H.R. 3415: Mr. FILNER.
H.R. 3423: Mr. LOEBSACK, Ms. ROYBAL-ALLARD, Mr. NADLER, Mr. BERMAN, and Mr. SERRANO.
H.R. 3461: Mr. DESJARLAIS, Mr. BROUN of Georgia, and Mr. STEARNS.
H.R. 3497: Mr. HARPER and Mr. LUETKEMEYER.
H.R. 3619: Ms. NORTON, Mr. MCDERMOTT, Mr. TOWNS, and Mr. RANGEL.
H.R. 3643: Mr. CICILLINE and Mr. CARTER.
H.R. 3709: Mr. GARAMENDI.
H.R. 3728: Mr. CARTER.
H.R. 3761: Ms. LEE of California.
H.R. 3767: Mr. CICILLINE.
H.R. 3798: Ms. BONAMICI and Mr. GARAMENDI.
H.R. 3993: Ms. BONAMICI.

H.R. 4066: Mr. THOMPSON of California.
H.R. 4070: Mr. SCHILLING.
H.R. 4091: Mr. DUNCAN of South Carolina, Mr. ANDREWS, Mr. SIRES, Mr. CONNOLLY of Virginia, and Mr. TONKO.
H.R. 4103: Mr. GRIJALVA and Mr. LANGEVIN.
H.R. 4122: Mr. LANGEVIN, Mr. BILIRAKIS, and Mr. KEATING.
H.R. 4152: Mr. CHAFFETZ and Mr. FITZPATRICK.
H.R. 4154: Mr. DOYLE, Mr. LARSEN of Washington, and Mr. REED.
H.R. 4165: Mr. CHABOT and Mr. LOEBSACK.
H.R. 4180: Mr. NEUGEBAUER, Ms. FOXX, and Mr. BROUN of Georgia.
H.R. 4232: Ms. HOCHUL.
H.R. 4269: Mr. HALL.
H.R. 4271: Mr. JOHNSON of Georgia.
H.R. 4278: Mr. STEARNS.
H.R. 4296: Mr. KEATING, Mr. TIERNEY, Mr. ROSS of Florida, Mrs. BLACKBURN, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. HUIZENGA of Michigan, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, and Mr. WALBERG.
H.R. 4306: Mr. STARK.
H.R. 4336: Mr. BURTON of Indiana, Mr. GRIFFIN of Arkansas, and Mr. LOBIONDO.
H.R. 4341: Mr. CARNAHAN.
H.R. 4345: Mr. KING of Iowa, Mr. SMITH of Nebraska, and Mrs. BACHMANN.
H.R. 4350: Mr. GRIMM, Mr. DEUTCH, Mr. MORAN, and Mrs. NAPOLITANO.
H.R. 4367: Mrs. CAPITO, Mr. MANZULLO, and Mr. TERRY.
H.R. 4483: Mr. SCOTT of Virginia and Ms. LEE of California.
H.R. 4816: Mr. SCOTT of Virginia and Mr. RYAN of Ohio.
H.R. 4971: Mr. HALL.
H.R. 5044: Mr. TURNER of Ohio, Mr. JORDAN, Mr. ROHRABACHER, and Mr. LUETKEMEYER.
H.R. 5186: Ms. ESHOO.
H.R. 5188: Ms. WOOLSEY.
H.R. 5646: Mr. MILLER of Florida.
H.R. 5648: Mr. SCHRADER.
H.R. 5684: Ms. MCCOLLUM, Mr. HASTINGS of Florida, and Mr. RYAN of Ohio.
H.R. 5691: Mr. COHEN.
H.R. 5720: Mr. LOEBSACK.
H.R. 5738: Mr. BENISHEK.
H.R. 5742: Ms. KAPTUR, Mr. RIVERA, Mr. DEFAZIO, Mr. FARR, Mr. CARSON of Indiana, Mr. PASCRELL, and Mr. COURTNEY.
H.J. Res. 53: Mr. HALL.
H.J. Res. 108: Mr. SESSIONS.
H. Con. Res. 107: Mr. BENISHEK and Mr. GOHMERT.
H. Con. Res. 122: Mr. LUETKEMEYER.
H. Res. 25: Mr. RIVERA.
H. Res. 239: Mr. WALZ of Minnesota.
H. Res. 282: Mr. SCHRADER.
H. Res. 568: Mr. CLAY.
H. Res. 577: Mr. HUIZENGA of Michigan, Mr. LATTA, and Mr. SMITH of Nebraska.
H. Res. 623: Mr. CARDOZA and Mr. MATHESON.
H. Res. 646: Mr. FORTENBERRY.
H. Res. 654: Ms. LORETTA SANCHEZ of California.

EXTENSIONS OF REMARKS

IN RECOGNITION OF NORWEGIAN CONSTITUTION DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the Ohio Norsemen as they celebrate Syttende Mai in recognition of Norwegian Constitution Day.

Every year May 17th, or Syttende Mai, is observed by people throughout the world in recognition of the National Day of Norway. This date marks the anniversary of the 1814 signing of Norway's Constitution which declared the nation's legal independence and established a government dedicated to the freedom and equality of the Norwegian people. The document was inspired by and embodied the ideas of other early independence movements, marking a major victory for democracy in early 19th century Europe.

The holiday is celebrated with a prominent display of the nation's flag as well as a focus on parades featuring the children of the community. Processions are traditionally led by marching bands with some participants dressed in traditional Norwegian attire and often include speeches by young and old alike.

The Ohio Norsemen continue the tradition of celebrating their proud Norwegian ancestry by holding celebrations, parades, and potlucks replete with the foods of Norway. The celebrations held by the Ohio Norsemen are in line with a long held American tradition of honoring one's cultural ancestry while highlighting the shared democratic values embodied by the constitutions of these two nations.

Mr. Speaker and colleagues, please join me in recognizing the Ohio Norsemen as they celebrate and share the culture and heritage of all our citizens of Norwegian descent.

RECOGNIZING THE CAREER AND RETIREMENT OF DR. SAM H. McGOWEN

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the career of Dr. Sam H. McGowen as he retires as Superintendent of Mascoutah Community Unit School District #19, in Mascoutah, Illinois.

Sam McGowen has built a 45-year career in education, both as a teacher and administrator. A native of Poplar Bluff, Missouri, Sam earned his Bachelor's Degree from Southeast Missouri State University in 1966 and began his education career as a social studies teacher in Bonne Terre, Missouri. Sam would also earn a Master's from Southeast Missouri State and a doctorate in educational administration from St. Louis University.

Sam's career evolved into school administration and this would lead him to positions as superintendent for several Missouri school districts before coming to Mascoutah, Illinois. Part of the attraction of the Mascoutah opportunity was Sam's familiarity with Scott Air Force Base. He had visited Scott many times as part of his duties in the Missouri National Guard. Knowing that many students in the Mascoutah School District were from military families and appreciating the Mascoutah community from his previous visits, Sam was intrigued by this opportunity.

Sam McGowen's tenure as superintendent of Mascoutah Community Unit School District #19 has seen tremendous growth, both for the district and for the Mascoutah community. Enrollment has soared from 2,700 to 3,600 students and new construction has been completed for both a new high school building and a new elementary school for students who reside on the base.

This success comes in part because Sam understood the unique challenges that schools serving military families, such as Mascoutah, face. As a member of the Board of Directors for the National Association of Federally Impacted Schools and President of the Military Impacted Schools Association in 2001, Sam worked tirelessly on behalf of these students to ensure Impact Aid schools receive the necessary resources to provide their students with a quality education. Sam's dedication has made Mascoutah the successful school district it is today.

Sam and his wife, Sue, reside in Mascoutah and have four children and eight grandchildren.

Mr. Speaker, I ask my colleagues to join me in an expression of appreciation to Dr. Sam H. McGowen for his years of dedicated service to the Mascoutah community and to wish him and his family the very best in the future.

PERSONAL EXPLANATION

HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. CRAWFORD. Mr. Speaker, on Tuesday, May 15, 2012 I was inadvertently detained on rollcall votes 250, 251, and 252. Had I been present to vote I would have voted "yes" on rollcall 250, "yes" on rollcall 251, and "yes" on rollcall 252.

IN RECOGNITION OF MARGARET TERRY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Margaret Terry, who is retiring after 40 years of dedicated service with the Legal Aid Society of Cleveland.

Legal Aid Society of Cleveland is a law firm for low-income individuals and provides services in the areas of consumer rights, domestic violence, education, employment, family law, health, housing, foreclosure, immigration, public benefits, utilities, and taxes. It was founded as a nonprofit in 1905. Until 1966, it operated primarily with volunteers. In 1966, staff attorneys were hired; today there are 53 attorneys, 40 staff members and more than 1800 volunteers that serve Cleveland's low-income individuals. Legal Aid's mission is to secure justice and resolve fundamental problems for those who are low income and otherwise vulnerable by providing high quality legal services and working for systemic solutions.

Ms. Terry graduated from East Carolina University in 1967 before enrolling in the University of North Carolina Law School. Upon graduating in 1970, she joined Volunteers in Service to America (VISTA) and relocated to Cleveland, Ohio. Margaret was placed at the Legal Aid Society of Cleveland, working in the Juvenile Unit during her second year of service with VISTA. She was permanently hired by the Legal Aid Society of Cleveland in January 1973. Throughout her career, Ms. Terry handled a wide range of cases. She developed knowledge in a variety of aspects of the law led to her becoming a supervising attorney for Legal Aid's Intake Unit.

Mr. Speaker and colleagues, please join me in congratulating Margaret Terry on retiring after 40 years of unparalleled service to the underprivileged who sought her help through the Legal Aid Society of Cleveland.

RECOGNIZING OLDER AMERICANS DURING THE ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize and celebrate the achievements of Asian and Pacific Americans and their invaluable contributions to the American family.

It is a privilege to represent an extremely diverse district in Orange County, where many Asian Pacific Americans call home. As a

Member of the Congressional Asian Pacific American Caucus (CAPAC), I am a proud cosponsor of House Resolution 621, recognizing May as Asian Pacific American Heritage Month. It is also a time to honor the rich traditions and immense contributions Asian and Pacific Islander Americans have made to our Nation.

May is also Older Americans Month, a time where we recognize older adults and show our appreciation for their guiding wisdom and commitment to our communities. I would like to take this opportunity to acknowledge three extraordinary APIA community members from Orange County for their distinguished contributions that have enhanced the moral fabric of my district, the State of California, and our country.

Arts and music play an instrumental role in preserving and promoting the Vietnamese American culture. I would like to honor Mr. Tu Cong Phung, a renowned musician. Composer Phung arrived in the United States in 1980, as a boat refugee from Vietnam. His romantic music captures the essence of love that has become an integral part of Vietnamese music-lovers across for over 50 years.

Mr. Minh Tam Nguyen is a businessman, educator, and a veteran. Mr. Nguyen and his family immigrated to America in 1975 and began serving the community as a social worker in California. Mr. Nguyen founded Tam's Beauty Salon and Tam's Beauty Colleges and has educated over 25,000 students during his career and is proud to serve the Orange County immigrant community.

RECOGNIZING DUQUESNE, MISSOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. LONG. Mr. Speaker, I rise today to honor the resilience of the Duquesne, Missouri community.

One year ago the community of Duquesne and surrounding area was devastated by an EF–5 tornado, but showed the nation and the world what it means to help your neighbors in their greatest time of need.

The tornado that wreaked havoc on our friends and neighbors was ½ mile to ¾ mile wide and traveled approximately 13 miles in Duquesne, Joplin and surrounding area. The tornado damaged over 500 residential and commercial structures in Duquesne, forever changing the landscape of the community and lives of those who call the area home. This destructive force of nature claimed 161 lives in the area.

I saw the immediate aftermath of this disaster with my own eyes, and I know it is vital to get the right resources to the right people as quickly as possible, because lives depend on it. As their representative in Congress, it was my job to make sure the federal government worked with local and state officials to provide disaster relief. As a neighbor, it was my job to help in any way I could, from setting up cots in aid stations with other volunteers to helping with search and rescue. Missouri is called the Show-Me State, and Missourians and Americans from across our great country showed the nation and the world the compassion and generosity of the American spirit. Over 120,000 volunteers poured into the area to offer their help and support, and some are still assisting with rebuilding efforts.

As we commemorate the one-year anniversary which changed the lives of all families impacted by this horrific disaster, we treasure the good times in the past and look forward to a promising future for Duquesne and all who call this wonderful place home.

Even though we can't explain why tragedy strikes, we can use what happened here to remind us of the good inside us all and to remind us that even though we lost a lot, we did not lose everything. If anyone thinks that there are not good, generous and compassionate people in this world, then they need to come down here to see firsthand how this community came together during their time of need.

IN REMEMBRANCE OF THE HONORABLE ROBERT E. FEIGHAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Judge Robert E. Feighan.

Judge Feighan was born on September 4, 1927 to Edward and Catherine Feighan. He was a lifelong resident of Euclid, Ohio and long-time member of the St. Vincent de Paul Society of Holy Cross Church. He attended St. Ignatius High School for three years before enlisting in the U.S. Marine Corps. He served in China for a year before returning to graduate from Euclid Shore High School. He went on to John Carroll University and the Cleveland State University's Cleveland Marshall Law School, from which he graduated in 1955.

Judge Feighan first gained notoriety as an assistant Cuyahoga County prosecutor; a position he held from 1961 until 1981. He made headlines for convicting a man who committed a stabbing at Higbee's Department Store. In 1980, Judge Feighan was elected as a Cuyahoga county Common Pleas Court Judge and served until 1988. Uninterested in furthering his career politically, Judge Feighan neglected to run for another term and began a twenty year stint as a visiting judge. He retired in 2008.

I offer my condolences to his sister, Patricia Feighan and his many nieces and nephews.

Mr. Speaker and colleagues, please join me in honoring Judge Robert E. Feighan, who dedicated his life to serving the Greater Cleveland community.

IN RECOGNITION OF DR. JOE EDWARDS

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize a distinguished community leader in Cartersville, Georgia, Dr. Joe Edwards is celebrating his 25th anniversary as pastor of the Church Liberty Square.

Under his direction, Liberty Square has grown into a ''life-based'' church complex, boasting a K–12 school, family home communities, and a food distribution center that serves the needy. Pastor Edwards is a man who lives his faith; he and members of the Church at Liberty Square have positively transformed their community.

Pastor Edwards' devotion to Christ's ministry is an example to us all. I wish him continued blessings in his work. There is no doubt that Cartersville is a better place because of Pastor Edwards.

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor Edwards and the Church at Liberty Square.

IN HONOR OF THE FORTUNA FAMILY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the Fortuna Family, who is being recognized by the Slovenian National Home (the Nash) at their annual Persons of the Year Recognition Dinner.

The Fortuna Family began on November 21, 1953 when Joseph and Virginia Fortuna were married. In 1958, the couple opened the Fortuna Funeral Home in Cleveland's Slavic Village. Throughout their fifty-two year marriage, Joseph and Virginia raised four children, Joseph, Mary Ann, John and Jane.

The eldest, Joseph, was ordained a Roman Catholic priest in 1980 and today serves as the Pastor of Our Lady of the Lake Roman Catholic Church in Euclid, Ohio. Mary Ann married James Trzaska; the two are licensed funeral directors working at Fortuna Funeral Home. Mary Ann and James also have two children, Sheryl and Anthony, who are both attorneys. John Fortuna works at the family funeral home and has been a licensed funeral director for 33 years. John and his wife, Roberta, have three children, Joseph, Katherine and Kristen. The youngest of the Fortuna children, Jane, married Phil DeMattia and they have raised two children, David and Rebecca. Jane works as a nurse at the Cleveland Clinic.

The entire Fortuna Family has had a long connection to the Nash. In addition to Joseph and Virginia's wedding reception being held at the Nash, each of their children's wedding receptions were also hosted at the venue. Father Joseph's ordination was also celebrated at the Nash. Additionally, Joseph and Virginia began a long lasting family tradition of volunteerism at the Nash. Joseph served as President of the Board of Slovenian National Home and was named ''Man of the Year'' multiple times.

Mr. Speaker and colleagues, please join me in congratulating the Fortuna Family as they are honored at the Slovenian National Home's Persons of the Year Recognition Dinner.

DEDICATION AND UNVEILING OF THE MONUMENT HONORING STEPHEN DUBOISE II

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. ADERHOLT. Mr. Speaker, I want to honor and remember Stephen Duboise II, a soldier in the American Revolutionary War, along with his ancestors who can trace their lineage back to the founding of this country. Stephen Duboise II was the grandson of Isaac Duboise, who came to the United States from France. I am honored to recognize him and the entire Duboise family for their contributions to this country.

The Duboise family produced several Revolutionary War soldiers, including Stephen Duboise II. His service record speaks for itself and is documented in his application for a pension filed in Rutherford County, Tennessee, on August 24, 1832. During the war, he served under General Francis Marion (''The Swamp Fox'') and fought in several key Revolutionary battles.

Not long after his time in Tennessee, Stephen Duboise II moved to Franklin County, Alabama, which is part of the Fourth Congressional District that I am proud to represent. He is listed in the Franklin County census of 1840. Stephen Duboise II died in Franklin County on October 15, 1842, and is buried near the Duboise Cemetery in an unmarked grave.

On May 20, 2012, an unveiling and ceremony is scheduled along with the dedication of a monument at the Duboise Cemetery honoring Stephen Duboise II, along with other members of his family line from Isaac Duboise to Poter Duboise, who was buried alongside Stephen in 1910. By placing a monument at the Duboise Cemetery, with the genealogy attached, this rich heritage can be viewed and passed on for many generations to come. May God bless the Duboise family, the great State of Alabama, and the United States of America.

IN SUPPORT OF THE PEOPLE OF NAGORNO-KARABAKH

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. LANGEVIN. Mr. Speaker, I rise today to urge my colleagues to remember and support the people of Nagorno-Karabakh.

It is first worth highlighting the history at work in this tragic situation. Historically, the majority of the population in Nagorno-Karabakh has been Armenian, and the people have always had close ethnic, religious, and familial ties with Armenia. However, in 1921, Joseph Stalin, then the commissar for nationality affairs in the Transcaucasia Bureau of the Communist Party, declared Nagorno-Karabakh to be an autonomous region controlled by Azerbaijan as part of his strategy to divide and rule.

In 1987, as the Soviet Union teetered on the edge of dissolution, the Karabakh Armenians petitioned for the inclusion of Nagorno-Karabakh in the state of Armenia. In 1991, they petitioned for independent state status. Sadly, the situation remains unresolved.

After the Soviet Union dissolved, Armenians in Azerbaijan and Nagorno-Karabakh endured great hardship, including horrific violence in Sumgait (February 1998), in Kirovabad (November 1988) and in Baku (January 1990). These pogroms were only part of a pattern of anti-Armenian activities occurring throughout Azerbaijan, and thousands of people lost their lives and hundreds of thousands of Armenians were displaced as a result. Such targeted violence is as deplorable today as it was two decades ago—yet, tragically, the region is no closer to peace. A cease-fire agreement, brokered in 1994, remains in place, but continued incendiary actions and statements threaten to destabilize peace talks. In January 2008, Azerbaijani President Ilham Aliyev warned Armenians living in Nagorno-Karabakh, ''We are reinforcing our army because we must be ready to free our lands . . . at any moment and by any means.'' Such rhetoric can only be poison to the peace process.

U.S. policy toward the South Caucasus states has included promoting the resolution of the conflict surrounding the independent Republic of Nagorno-Karabakh. It is more important than ever that the United States maintain a principled stand for peace in this region, show that democracy can be born from conflict, and support Nagorno-Karabakh. It is my sincerest hope that Nagorno-Karabakh's right to self-determination can be affirmed without further loss of life.

IN RECOGNITION OF THE DEDICATION OF THE BUST OF FATHER ALEXANDER DUCHNOVICH IN THE RUSIN CULTURAL GARDEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the dedication of the bust of Father Alexander Duchnovich in the Rusin Cultural Garden on June 24, 2012.

The 254-acre piece of land that constitutes Rockefeller Park was donated to the City of Cleveland by John D. Rockefeller in 1896. The gardens were founded in 1926 to create a memorial area for the diverse ethnic groups that shape the region, and to serve as a space of reflection on peace, cooperation and understanding. The Cultural Gardens are currently a collection of 26 gardens which include African-American, American Indian, British, Chinese, Czech, Estonian, German, Hebrew, Hungarian, Irish, Italian, Polish, and Slovenian gardens, among others.

The Rusin Cultural Garden was dedicated in 1939. In May of 1952, the then leader of the Rusin Cultural Garden Association, Reverend Joseph Hanulya, unveiled a bust of Alexander Duchnovich. Alexander Duchnovich, a Greek Catholic priest, wrote the Rusin national anthem. His writings sought to unify Carpatho-Rusins. Unfortunately, the bust disappeared from the garden sometime during the 1970s.

Decades later, John Krenisky, a Clevelander and member of the Carpatho-Rusyn Society began fundraising for a replacement bust of Father Duchnovich. On November 21, 2011, after more than ten years of work, a bronze replacement bust designed by Wawrytko Studios & Light Sculpture Works was installed in the Rusin Cultural Garden. A celebration to dedicate the bust and efforts of Mr. Krenisky will include a performance by the Living Traditions Fold Ensemble and banquet at Holy Spirit Church.

Mr. Speaker and colleagues, please join me in recognition of the dedication of the bust of Father Alexander Duchnovich in the Rusin Cultural Garden.

CONGRATULATING TAIWANESE PRESIDENT MA YING-JEOU

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. WESTMORELAND. Mr. Speaker, I rise today to congratulate Taiwanese President Ma Ying-jeou on his upcoming inauguration to a second term.

Taiwan is a strategic partner of the United States. The enactment of the Taiwan Relations Act more than 30 years ago is a testament to our relationship. The lasting ties between Taiwan and the U.S. are due, in part, to enduring personal relationships between our two countries.

Our shared love of liberty and respect for our citizenry, upon which our governments were founded, has been truly exemplified by President Ma Ying-jeou.

President Ma enjoys a unique relationship with the U.S., having graduated from two of our most celebrated universities (New York University and Harvard University). His continued leadership to enhance our mutual goals has had a lasting impact on all Americans.

We wish him and the people of Taiwan well in the future and thank him for the cooperation in meeting the challenges we have faced together as allies.

Our future challenges are great and we know we can count on Taiwan as a strategic partner to join us in meeting those challenges as well.

IN RECOGNITION OF MR. MICHAEL SALVATORE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Mr. Michael Salvatore, Superintendent of Long Branch Public Schools. Mr. Salvatore is a gifted and passionate educator who has dedicated his life's work to serving the students of the Long Branch community. His dedication and positive transformation of the Long Branch Public School System have earned him the prestigious recognition bestowed upon him by the Long Branch Concordance. His efforts are truly worthy of this body's recognition.

Michael Salvatore has been employed with the Long Branch Public School System for 14 years and is dedicated to serving the students and families of Long Branch, NJ. He began as a preschool teacher and was later promoted to Principal at the Gregory School. Mr. Salvatore quickly won the hearts of many Long Branch children and families. His contagious enthusiasm and positive attitude led to the appointment as a core member of the State Department of Education's Leadership Advisory Council, where he trained hundreds of administrators throughout New Jersey. He has also held the title of District Administrator and Assistant Superintendent. In 2011, Mr. Salvatore was appointed Superintendent of the Long Branch Public School System. Mr. Salvatore's work is surrounded by a motto ''Where Children Matter Most'' and continues to successfully execute this ideal throughout his schools. He remains a firm believer that the quality of any organization cannot exceed the quality of its leaders and continues to craft a principal leadership network to improve essential practices directly correlated to student achievement. Superintendent Salvatore is also a proponent of technologically advanced approach to education. The use of tablet technology, podcast messaging, green energy and cloud computing have been utilized to enhance the classroom experience. Mr. Salvatore is also working diligently to encourage greater community involvement through parent forums and school festivals. A community brunch, inspired and executed by Superintendent Salvatore, fed more than five hundred people during the holidays. Mr. Salvatore's outstanding leadership abilities and dedication to his craft continue to further enhance a student's educational experience.

Mr. Speaker, please join me in congratulating Mr. Michael Salvatore, Superintendent of Long Branch Public Schools for receiving the honor bestowed by the Long Branch Concordance. His dedication and innovative foresight continues to affect the lives of students throughout Long Branch, NJ.

IN HONOR OF MRS. MARILYN RANSOM

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mrs. Marilyn Ransom, the North Olmsted Community Council Citizen of the Year for 2012. A resident of North Olmsted, OH since 1967, Marilyn has been an active volunteer and activist in her community for more than four decades.

Marilyn became involved in volunteerism as a parent by supporting her children's schools and the Girl Scouts. Throughout the 1970s and 1980s, she volunteered as a cadet assistant leader, leader and eventually Field Director for the Erie Shores Girl Scout Council as a recruiter for future leaders. Marilyn was also an involved member of the Parent-Teacher Association (PTA). She served as president of the North Olmsted Pre-School PTA and the Early Childhood Education chair for the Ohio PTA.

Marilyn dedicated her time to the City of Lorain YMCA, where, in her role as administrator, she was able to keep the facility open for an additional three years. She was an active member of the North Olmsted Christian Science Society, an organizer of Relay for Life teams and a volunteer with North Olmsted Community Council's Scholarship and Parade Committee. Marilyn was instrumental in the creation of the North Olmsted Honest Conversations program and the All Nations Day celebrations.

Mr. Speaker and colleagues, please join me in honoring Mrs. Marilyn Ransom, the 2012 North Olmsted Community Council Citizen of the Year.

IN RECOGNITION OF THE SECOND INAUGURATION OF PRESIDENT MA YING-JEOU OF TAIWAN

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Ms. FOXX. Mr. Speaker, on behalf of my colleagues in the United States House of Representatives, it is important to recognize the very important occasion of the second Inauguration of President Ma Ying-Jeou as the leader of our friend and ally the Republic of China (Taiwan).

The upcoming inauguration on May 20, 2012 is the culmination of a tremendous amount of hard work by President Ma who is deserving of praise for his years of public service. President Ma began his career as an assistant to the President of Taiwan before he became the youngest Cabinet Minister in the history of Taiwan. He confronted the difficult challenges of the Justice Ministry where he investigated and prosecuted corrupt public officials before being elected as the Mayor of Taipei where he successfully helped Taiwan's largest city grow economically. First elected in 2008, President Ma is now beginning another four year term following his recent reelection.

Last year, the United States and Taiwan celebrated the 100-year anniversary of our friendship and alliance. I look forward to continuing a robust friendship with this steadfast ally for many years to come and send my best wishes to President Ma as he undertakes the challenges of a second term in office.

HONORING HUDSON VALLEY'S FIRST RESPONDERS

HON. NAN A.S. HAYWORTH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Ms. HAYWORTH. Mr. Speaker, I rise today to recognize the first responders who serve our beautiful Hudson Valley in New York's 19th Congressional District.

This past year brought many challenges to our first responders. It's a privilege to join all of our neighbors in thanking these men and women. As part of our Nation's first line of defense, our police, fire, and emergency services personnel put themselves at risk every day to protect our homes, families, and communities.

In particular, the first responders named below deserve special recognition for conspicuous acts of valor, years of dedicated service, and leadership.

From Orange and Rockland Counties:

Captain William Stropell

Responder Stephen Broesler

Responder Melvin Livsey, Jr.

Responder Elieen Searless

Paramedic Elizabeth Bodnar

EMT Pat Conques

EMT Lois Stranges

EMT Anthony Maggio

EMT Shaun Mill

Firefighter Justin Phillips

Police Officer John Bourke

Public Safety Dispatcher Brad Dain

Firefighter Andrew Kolesar

Gas Troubleshooter Ian Mackey

Gas Troubleshooter Lee Stipek

Firefighter Kenneth Patterson

Firefighter Jerry Knapp

The West Haverstraw Volunteer Fire Department

The Haverstraw Volunteer Ambulance Corps

Rockland Mobile Care Paramedics

The Rockland County Anti-Terrorism Analytical Group

From Westchester, Putnam, and Dutchess Counties:

North Salem Emergency Management Coordinator Kurt Guldan

Chief Albert Melillo

Firefighter Joseph Simoncini, Sr.

Firefighter Robert H. Ruston

The Westchester County Technical Rescue Team

Tim Fisher, Richard Benkwitt, Thomas Bock, Joseph Alimena, Chris Blaich, Fred

Briggs, Carlos Canos, Paul Cappello, Chris Colombo, Mark Dickey, Robert

Franklin, William Gallagher, Phil Goulet, Nikolai Kabelev, Eliot Lazar, Gerard

McIlvain, Terence Murphy, Jerome Newman, Joseph Nickischer, Doug Palmesi,

Richard Palmesi, Brett Schlosser, Albert Sulenski

Paramedic, EMT, and Past Captain Donald Graesser

Police Officer Bryan Shay

Police Officer James Terrazos

Detective John Falcone

Paramedic Michael Revenson

Lieutenant Erin Scott

Past Chief Kenneth Clair

Firefighter Daniel Valentine

Firefighter Michael M. Bowman

Chief Mathew Steltz

Captain James Matero

The Cold Spring Volunteer Fire Company

The North Highland Volunteer Fire Company

The Putnam County 911 Emergency Dispatchers

The Putnam County Intelligence Committee

The Fairview Fire Department

The Veterans Affairs Hudson Valley Health Care System

Mr. Speaker, it's an honor to acknowledge and appreciate those who give so much of themselves to keep us safe.

HONORING SOUTH ABINGTON ELEMENTARY SCHOOL

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. MARINO. Mr. Speaker, I rise today to honor South Abington Elementary School, and a very special group of third grade students, recognizing their efforts to found and promote the Paws for Peace initiative.

Inspired by a children's book, Paws for Peace is an initiative started by six third-grade students from South Abington Elementary, with one goal: end the cruelty and suffering of animals in puppy mills. Many puppy mills engage in inhuman practices, including forcing dogs to live their entire lives in cages.

Paws for Peace encourages people to adopt animals from local shelters and pet rescues, rather than turning to puppy mills, using the slogan ''Adopt, don't shop!'' Through local and social media, members of Paws for Peace have been able to spread their message of animal welfare and humanity, creating a great impact throughout the 10th District.

With the assistance of Principal Robert D. Bugno, and teachers Judy Szymanski and Emily Saslo, third graders Olivia Arcuri, Paige Caskey, Ashley Hamilton, Christina Leo, Gianna Marturano, Mattie McGuinness, and Grace Phillips have truly made a difference in their community. They have demonstrated a heartfelt commitment to their cause, and I am proud to applaud their efforts here today.

Mr. Speaker, I rise to honor my constituents, and ask my colleagues to join me in praising their commitment to all walks of life in Pennsylvania's 10th Congressional District.

HONORING ROBIN GREGORIUS, ALABAMA SMALL BUSINESS PERSON OF THE YEAR

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. BONNER. Mr. Speaker, I rise to honor Ms. Robin Gregorius, who was recently selected the 2012 Alabama Small Business Person of Year by the U.S. Small Business Administration.

Ms. Gregorius' personal story is a testament to her determination to realize her dream of establishing an assisted living center that addresses the needs of her patients for the comforts and of home rather than a care facility.

The daughter of immigrant parents from the former nation of Czechoslovakia, Ms. Gregorius grew up on a farm in Robertsdale in Baldwin County, Alabama.

Her career as a registered nurse took her across the country, both near and far, including the cities of New Orleans and Los Angeles. Yet, she returned to the Mobile area to put her knowledge to work for local patients who would benefit from her new approach to assisted living care.

In a recent interview with the Mobile Press-Register, Ms. Gregorius noted that over her career she had observed that her older patients longed for ''homey'' surroundings in their care facilities with home cooking—important touches that were often lacking in assisting living quarters. And equally important, the staff in many care facilities seldom offered the ''family touch'' that many older patients sought.

Ms. Gregorius knew there was a better way and she sought to implement a new approach of ''assisted living with a heartbeat.'' While the journey to fufilling her dream was a long one, involving two decades of saving money—often working double shifts to earn for a down payment—she eventually secured a $1 million bank loan. The results have been rewarding.

Today, she owns and operates the Country Gables Assisted Living Home in Grand Bay where she and her staff of 14 care for patients in a novel way. As she put it, her care facility ''is pretty much run like a big bed-and-breakfast hotel, except it's breakfast, lunch and dinner with a 24-hour continuum of care.''

Ms. Gregorius is joined by her mother, Lahoma, and her sister, Ramona, in running their small assisted living facility like a large family home. Their hard work has been rewarded with the satisfaction of their patients and the knowledge that County Gables is a special place.

Fittingly, in March, Robin Gregorius was named as Alabama's Small Business Person of the Year. On May 20, 2012, she will officially receive her award at a Small Business Administration conference honoring the nation's other Small Business awardees here in Washington, DC.

On behalf of the people of Alabama and my colleagues in the Alabama Delegation, I wish to extend personal congratulations to Ms. Gregorius and her family for not only receiving this wonderful honor, but also for their substantial contributions to the lives of many local seniors.

HONORING POLISH MUSEUM OF AMERICA

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. QUIGLEY. Mr. Speaker, on behalf of the more than 110,000 Polish-American constituents in the fifth Congressional district in Illinois, I proudly recognize the 75th anniversary of the Polish Museum of America.

Ever since the inaugural mayoral election where three Polish-American citizens cast their votes for our first mayor, the Polish community has been influencing the culture and direction of the city of Chicago.

The Polish Museum of America is one of the oldest ethnic museums in the United States. The museum was founded in 1935 as a way to promote Polish culture, literature, customs and history as well as attest to the Polish presence in North America.

The Polish Museum of America has one of the most extensive archives and libraries on Polish history in the world, including original prints of flyers, posters, books, and an amazing genealogical research section. The library and archives of the museum are truly invaluable resources for both the Polish and the non-Polish communities of Chicago.

The museum holds many important historical collections, two of which are a collection of personal belongings of Ignacy Jan Paderewski, the second prime minister of Poland, as well as the items from the 1939 World Fair Polish Pavilion. Along with these treasures of Polish history, the PMA frequently houses modern art and other temporary exhibits which represent the proud culture of the Polish people.

Mr. Speaker, it gives me great pleasure and honor to congratulate the Polish Museum of America on 75 years of deepening all of our understanding and respect of the rich Polish history, traditions, and culture. I wish them even more success in the years to come.

RECOGNITION OF MS. LESLEY KILP HAENNY

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to recognize Ms. Lesley Kilp Haenny in the Department of the Interior, Bureau of Ocean Energy Management on the occasion of her departure from the Bureau's Office of Congressional Affairs.

Ms. Haenny is ending her federal service to join her husband, Jeremy Haenny, a Staff Sergeant in the U.S. Air Force, who was deployed three times to Afghanistan and recently transferred to the State of Washington.

Ms. Haenny distinguished herself through exceptional service while serving as a Congressional Liaison for the Bureau's Office of Congressional Affairs. Many Members of this chamber and our staffs have had the pleasure of working with Ms. Haenny over her four-and-a-half years of service with the Bureau.

Every day she provided key support for not only the Bureau and the Department of the Interior but also in assisting every Member of Congress and the constituents they serve. During her time in the Liaison office, Mrs. Haenny was instrumental in ensuring successful communication that kept Members of this body informed of the Bureau's activities in managing the nation's vital offshore energy resources, both renewable and conventional, in a way that ensures environmentally and economically responsible development. Her keen abilities in organization and interpersonal relationships were critical to the timely and successful communications with this body on the mission and program operations of the Bureau of Ocean Energy Management.

I would like to express my deepest appreciation to Mr. and Mrs. Haenny for their exemplary service to our nation. I wish them safe travels and continued success in this new endeavor.

HONORING BUD CLARK

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish today to honor a longtime friend and community servant from my District.

William Clark, Jr., or Bud as he was known by everyone, passed away recently at the age of 78.

Bud was born in Flint, Michigan, and lived most of his life in that state. Following business school at the University of Michigan, he went to work in the automobile industry and had a very successful career in management at General Motors.

East Tennessee—and my District in particular—has become one of the most popular places to move to in the entire country because of its incredible quality of life. I first met Bud when, like many others from his home state, he moved to Tennessee to retire.

Although he was not a Tennessean by birth, Bud quickly became more involved in the community than almost anyone I know. He undoubtedly touched the lives of hundreds of people in my District in many positive ways.

Bud became active in the American Legion Post 120 and 256, served in the Loudon County Veterans Honor Guard, the Loudon County Republican Party, the Piney Ruritan Club, the GM Club of Tellico Village, Friends of the Tellico Village Library and was a member of First Baptist Church of Tellico Village.

I have nothing but the highest respect and regard for anyone who serves this country in the Armed Forces, and Bud did so admirably during the Korean War from 1951–1953. He was a very patriotic American who loved this country very much.

I offer my condolences to Bud's wife of 34 years, Connie; daughters, Kim, Karin, Kris, and Keri; 5 grandchildren, 2 great grandchildren, 3 brothers and 2 sisters.

Mr. Speaker, I will remember Bud Clark as a good family man with a deep faith in God. I urge my Colleagues and other readers of the RECORD to join me in recognizing the many contributions he made to my District. This Nation is a better place because of his service and example.

IN MEMORY OF EDWARD MALLOY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. KING of New York. Mr. Speaker, I rise today to honor and acknowledge Ed Malloy, who tragically passed away on May 16.

Mr. Malloy was a committed labor leader who served as president of the New York City and New York State Building and Construction Trades council and was a vice president of the New York State AFL–CIO. He was a former steamfitter and a veteran of the U.S. Army who proudly served as Grand Marshal of the 2001 St. Patrick's Day Parade. I was proud to call him my friend.

Ed selflessly dedicated his own life to improving those of the working men and women of New York. He promoted private economic development and public works projects that cut costs and created countless jobs throughout the State. Following the tragic events of 9/11, he heroically led his members in the cleanup and rebuilding of the site.

Ed Malloy's contributions to the State of New York will endure for years to come. My thoughts and prayers are with his members, family and friends. He will truly be missed.

TRIBUTE TO CHARLES N. BIKAKIS

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. MCCARTHY of California. Mr. Speaker, I rise today to honor Chuck Bikakis, who recently retired as the Director of the Kern County Veterans Service Department. Chuck has been a motivated and passionate advocate for our veterans in Kern County for the past 14 years.

A veteran of the United States Marine Corps, Chuck received his Bachelor's degree from the United States Naval Academy and entered the Marine Corps in 1960. Chuck retired with the rank of Major after 20 years of service. In that time, Chuck served our country in Vietnam from August 1968 through September 1969.

After his retirement from the Marine Corps in 1980, Chuck relocated to Bakersfield and worked in real estate. He then worked in a Job Developer position with the Kern County Employers' Training Resource starting in January 1994 until the Kern County Board of Supervisors appointed him to the position of Director of the Kern County Veterans Service Department. Chuck held the position of Director of the Veterans Service Department since April 20, 1998.

Shortly after his appointment, Chuck relocated the Veterans Service Department to its current location and established the Kern County Veterans Services center. This one-stop Center now includes a Job Developer from Employers' Training Resource and a computer resource room. He was instrumental in bringing to Bakersfield the California Veterans Assistance Foundation, which operates a transitional housing program for veterans.

There are many other examples of Chuck's leadership that will continue to benefit veterans of Kern County for years to come. Chuck's concern for homeless veterans led to the first Kern County Homeless Veterans Stand Down during October 1999. With the assistance and support of veteran organizations, community volunteers, and local businesses, Stand Down has become an annual event that provides outreach and guidance to homeless veterans to give them the opportunity toward a new beginning away from life on the streets. Chuck has also collected funds to assist the families of deployed servicemembers and was an active participant in the design and development of the Kern County Veterans Memorial and the Bakersfield National Cemetery.

Dedicated to education and service on multiple levels, Chuck's retirement will leave big shoes to fill at the Kern County Veterans Service Department. I commend his service to the thousands of veterans in our area, thank him for his dedication, and join many members in our community in wishing Chuck our best wishes as he embarks into the next chapter of his life.

THE EFFICIENT EXPORT PROMOTION TO HELP AMERICAN BUSINESSES ACT OF 2012

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. MCDERMOTT. Mr. Speaker, today I am introducing a bill with the support of Congressman REICHERT to increase the efficiency and effectiveness of our country's export promotion efforts. Over the next decade exports will be this country's biggest growth engine for jobs. Even though most everyone knows that, everyone also agrees the United States does not do a great job of promoting our exports. But with commonsense no-cost reforms, we can take big steps to change that—and create jobs faster and compete better with other countries.

There are about 20 agencies in the Federal Government working hard to promote our exports—and they're all overseen by an effort centered in the called the Trade Promotion Coordinating Committee, TPCC, created by President Clinton in 1993.

The fact that most people have never heard of it says a lot about why we're not succeeding. My bill would put more energy into their efforts.

First, this bill would make sure the TPCC and all the agencies it coordinates has a single plan every year, sets clear goals and ensures the export efforts of all of these agencies are coordinated and do not overlap.

Second, my bill would require an annual report to businesses and Congress that looks back on the government's efforts to promote exports, the private sector's progress, where the Federal Government's work succeeded and came up short, how we're competing with other countries and what our next steps are.

Finally, my bill gets businesses and the TPCC much better data so we actually know how we are doing. Right now our Services export and import numbers are up to 35 percent off because Congress does not let the statisticians in the Commerce Department see all the data they need. Businesses want accurate economic data and people who promote our exports have to have it too. This is a place where Congress is in the way and we should fix it.

More than 50 other countries promote their exports and most of those countries do a better job than we do. This bill would go a long way towards making us number one.

This bill would cost the American taxpayer nothing, but go a long way towards making our export efforts more efficient, more accountable, and would help us create more jobs here at home. Thank you.

TRIBUTE TO WINFRED YOUNG ''CHUCK'' LORD

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. BONNER. Mr. Speaker, I rise to pay tribute to the exemplary life of a beloved and respected citizen of South Alabama, Mr. Winfred Young ''Chuck'' Lord, who recently passed away at the age of 75.

If we are truly fortunate, we may have an opportunity to get to know a person or two who is an inspiration in all that they do. Such people leave lifelong impressions on family and friends and their example calls us to be our best as well. To all who knew him, Chuck Lord was such an inspiration.

A native of Atlanta and a longtime resident of Mobile, Chuck Lord embodied the qualities of hard work, dedication to family and devotion to faith that made this country great. Hard work met up with him at an early age. Beginning at age 13, he labored to support himself and, at 17, he joined the Navy where he served for three years as a machinist aboard the USS *St. Paul,* a *Baltimore*-class heavy cruiser.

After completing his duty to country, Chuck Lord returned to civilian life, taking a job at McDonnell Douglas Aircraft Company in California. It was also in the Golden State that he met his future wife, Patricia. After a three-month courtship, they married, embarking on a journey that endured for 52 years.

In 1974, they bought a small vacuum business in Mobile. Chuck's hard work and skill led A&A Vacuum to expand to new locations in Mobile and Fairhope, transforming the company into a regional institution.

Chuck Lord was known as a fighter, giving his family and his business his full measure of attention even in the face of serious health conditions. Even as he recovered from heart transplant surgery, he insisted upon helping to run his business. Similarly, when he suffered kidney disease, he chose to undergo dialysis during the evenings so as not to interfere with his work schedule.

Chuck Lord treated his customers with the same dutiful attention to detail, earning him the respect and friendship of many.

On behalf of the people of South Alabama, I would like to extend my condolences to his wife Patricia, their children, Susan, Michael, Jenny, David, Dan, and Tony; their 28 grandchildren and two great grandchildren, and many friends. You are all in our prayers.

RECOGNIZING THE REPUBLIC OF TURKEY COMMEMORATING MAY 19 AS ATATURK YOUTH AND SPORTS DAY

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. COHEN. Mr. Speaker, I rise today to commemorate May 19 as a significant day in the history of our friend and ally the Republic of Turkey.

In Turkey, May 19 is celebrated as the commemoration of Mustafa Kemal Ataturk, the Founder of the Republic of Turkey. It was on that day in 1919 when Ataturk landed in the Black Sea port of Samsun and the war of independence began. After the war, he dedicated May 19 to Turkey's youth as a reminder that their ''first duty is to preserve and defend forever Turkish independence and the Turkish Republic.''

He was an exceptional leader who understood that Islam and modernity are not inconsistent—an important factor to reinforce today with democratic leaders throughout the Muslim world.

Ataturk went on to build a republic based on universal values, secularism, equal rights and democracy under the rule of law—from a disintegrating Ottoman Empire. He understood that advances in women's rights, education, science and technology were crucial to his vision of creating a nation as proud members of the group of civilized nations.

His reforms inspired President John F. Kennedy who said, ''The name Ataturk reminds mankind of the historical accomplishments of one of the greatest men of this century. His leadership gave inspiration to the Turkish nation, farsightedness in the understanding of the modern world, and courage and power as a military leader.''

Recognizing the importance physical activity has in the health of our nations, the United States and Turkey have a shared vision of promoting the well-being of their nation's youths. Coinciding with Ataturk Youth and Sports Day, President Barack Obama has designated the month of May 2012 as National Physical Fitness and Sports Month. These celebrations promote the value of physical activity in the pursuit of a happier, healthier and more productive nation.

May is a very important month for the United States and Turkey—it's a month where we both honor the importance and health of our youth. What started on May 19, 1919 as a great leader beginning his inspirational journey to transform his people, has culminated in a yearly celebration of his vision becoming a reality. We should all learn a lesson from this man's life. A leader with motivation and determination can lay the roots for a great future.

IN RECOGNITION OF PATTY MOZLEY

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize Ms. Patty Mozley for her 43 years of dedicated service to the students of The Walker School in Marietta, Georgia.

Mozley moved to Marietta in 1969 and began teaching third grade at The Walker School, a position she held for 17 years. She also served as interim principal, and spent her last 26 years as an enrollment advisor.

An avid playwright, Mozley also began The Walker School's drama program, writing and directing the first script. Before her retirement, The Walker School renamed its studio theatre in Mozley's honor.

Students, parents, and communities need more educators like her. She has inspired countless lives and fostered a love for learning in her students.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Mozley's outstanding accomplishments and her unwavering commitment to education.

RECOGNIZING EDITOR CAROL STARK AND THE JOPLIN GLOBE EDITORIAL STAFF

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize Editor Carol Stark and her staff at The Joplin Globe for their steadfast coverage of the Joplin tornado disaster.

The Joplin community was dealt a devastating blow when it was struck by a deadly tornado on May 22, 2011. During the entire aftermath of this catastrophe, Carol and her team did not waiver in providing up-to-date coverage to the Nation. Amidst the chaos that included the destruction of half of the staff's homes and the death of a fellow staffer, The Joplin Globe carried on its work and managed to get the next day's newspaper out only an hour late.

Because of her unyielding dedication and leadership during these hard times, Carol is the recipient of the Local Media Association's Editor of the Year award. The Joplin Globe also received the Jesse Laventhol Prize for Deadline News Reporting by the American Society of News Editors on April 2, 2012 in Washington, DC for its coverage of the tornado. These are noteworthy accomplishments and I am proud that they have been acknowledged for their efforts.

Mr. Speaker, Carol Stark and her team at The Joplin Globe have served both our community and our Nation well amidst times of trial and it is an honor to recognize their dedication and work.

RECOGNIZING STEVEN MOCZARY AS THE 2012 EGLIN AIR FORCE ASSOCIATION TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and congratulate Mr. Steven Moczary, the 2012 Eglin Air Force Association Teacher of the Year. Despite being new to the field of teaching, Mr. Moczary has had a substantial impact on the lives of his students. To be chosen as Teacher of the Year after only one year in the profession is evidence of Mr. Moczary's talent and work ethic. Mr. Moczary's strong background in science, engineering and aviation, as displayed by his Masters Degree in Aeronautical

Science from Embry Riddle Aeronautical University and his Bachelors Degree of Science in Engineering from Texas Tech University, has helped him achieve laudable success in such a short period of time.

Before beginning his career in education, Mr. Moczary served in the United States Air Force as a B–52 Electronic Warfare Officer and Flight Safety professional. As a teacher, he has continued his dedication to aeronautical safety as the Assistant Director of Academic Support for the CHOICE Aviation Institute. In this role, he works with his alma mater, Embry Riddle, to instill in his students a love for aviation, while imparting in them the importance of safety. His hope is to encourage more students to enter the aviation field.

Mr. Moczary's courses at the CHOICE Aviation Institute are among the most invigorating, innovative, and challenging in the entire school district. His knowledge of aeronautics is coupled with a unique ability to engage his students. Mr. Moczary is also able to call on his experience serving in the United States Air Force Safety Center and his vast knowledge of the safety systems and the human interface to communicate valuable information to students about the aviation profession and the science of flight.

Mr. Moczary is described as always having a ''can do'' spirit that he utilizes in his inspiring attitude to motivate his students. In his position as the Assistant Director of Academic Support, Mr. Moczary counsels and speaks to students about present and future enrollment in aviation programs, often providing them with career counseling. He also reintroduced the Unmanned Aerial Vehicles (UAVs) course to the CHOICE Aviation curriculum. This course teaches students about UAV technology, which can be particularly important to the Florida Panhandle after a hurricane or natural disaster to survey damage and search for missing persons. Mr. Moczary has given back to the community through a course teaching flying safety in high schools and middle schools across the Florida Panhandle.

Described as an invaluable asset to the CHOICE program, Okaloosa County schools, and Embry Riddle University, Mr. Moczary is committed to the success of each of his students. On behalf of the United States Congress, I am proud to recognize Mr. Steven Moczary for his achievement and commitment to aviation education in Northwest Florida. I also commend his honorable service in the United States Air Force. My wife Vicki joins me in wishing him all of the best.

HUMAN RIGHTS IN HONDURAS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. FARR. Mr. Speaker, I rise today to express my deep concern about the steady deterioration of human rights in Honduras since the June 2009 coup d'état. In recent months, attacks against journalists; lesbian, gay, bisexual, transgender, and intersex (LGBTI) advocates; land rights activists and other vulnerable communities have increased. I want to draw particular attention to a few tragic deaths that occurred just this month: on May 1st, Santos Alberto Dominguez, a member of the Civic Council of Popular and Indigenous Organizations (COPINH), was murdered. On May 8th, Erick Martinez, a well-known LGBTI activist, was found dead in a gutter. And on May 9th, Alfredo Villatoro—a popular radio show host—was kidnapped on his way to work and has not been heard from since.

These deaths come amidst numerous reports of abuses committed by Honduran security forces. And yet the vast majority of these abuses as well as Mr. Dominguez and Mr. Martinez's deaths have yet to be investigated and prosecuted. I have repeatedly requested that all U.S. assistance to Honduran police and military forces be suspended as long as Honduran authorities fail to investigate and prosecute these abuses. It is a travesty that U.S. taxpayers, dollars are bolstering abusive security forces.

But while the situation in Honduras continues to deteriorate, I am encouraged by the important work of Honduran human rights organizations. These groups are on the frontlines of justice, documenting human rights abuses and offering the support and legal representation that the Honduran state fails to provide. Yet these organizations are receiving threats of sexual violence—particularly targeted at female human rights workers—and death threats without any form of effective protection from the Honduran authorities. There has also been a troubling escalation of threats against international human rights accompaniers. All of these threats must be immediately investigated, and the individuals and groups that are behind them must be brought to justice.

Mr. Speaker, I will continue to support human rights in Honduras. The people of Honduras deserve their rights. They deserve their freedoms. And they deserve peace. They have suffered too much. Justice cannot wait a moment longer.

PAYING TRIBUTE TO U.S. ARMY COLONEL CHANDLER C. (SKIP) SHERRELL

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. ROGERS of Michigan. Mr. Speaker, I rise to honor U.S. Army Colonel Chandler C. (Skip) Sherrell who is retiring after 26 years of service to our nation as an Army Aviation Officer. During his distinguished career, COL Sherrell served the nation in peace and war in numerous positions of steadily increasing responsibility. COL Sherrell has led soldiers in combat, trained soldiers for war, and served as an advisor and assistant to the Chairman of the Joint Chiefs of Staff (CJCS), the Chief of Staff of the Army (CSA), and as a DoD Fellow to the United States Congress. He has served his Nation in Iraq, Saudi Arabia, Bosnia, Germany, and Korea, as well as in demanding assignments in the United States. His decorations for his service include awards for valor. He is an outstanding Army aviator, leader, and soldier, and he is deserving of our recognition.

COL Skip Sherrell concluded an outstanding career by serving for two years as the Chief of Staff of the U.S. Army Aviation & Missile Life Cycle Management Command (AMCOM). He brought a wealth of expertise in aviation operations to the AMCOM Command Group. Prior to joining AMCOM, COL Sherrell performed one of the most demanding and critical assignments of his career, serving as the Commander of Task Force (TF) 49. TF 49 was the Army's designation for a composite Aviation Brigade, formed from many units to perform combat operations in Iraq. In twelve months of intensive flying in multiple locations across Iraq, COL Sherrell led TF 49 to complete mission success with an impressive safety record—an outstanding achievement.

COL Sherrell served in a role that few Army officers experience: working as the Deputy Legislative Assistant to the Chairman of the Joint Chiefs of Staff (CJCS). Serving as a liaison to Congress as the personal representative of the CJCS is an important position, but more importantly, he also served as a soldier's advocate on Capitol Hill for equipment modernization and improved systems and protection.

Therefore Mr. Speaker, I ask our colleagues to join me in honoring COL Chandler C. (Skip) Sherrell's exceptional service, dedication and devotion to duty, leadership, and professional competency. He exemplifies the fine tradition of military service and reflects great credit upon himself, the Department of the Army, and the United States of America. May he know that his nation is greatly appreciative of his dedication, and wishes him the best in all his future endeavors.

JUANITA WILLIAMS—100TH BIRTHDAY

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. JONES. Mr. Speaker, two years ago I had the privilege to be on the House floor to bring tribute to a wonderful woman, Mrs. Juanita Worsley Williams, to acknowledge and celebrate her 98th birthday. I come again today to honor this lady on her 100th birthday on May 18, 2012.

Obviously, Mr. Speaker, there are many, many older Americans to celebrate, but this lady is special to me because she was with her husband, Dr. Williams, when he delivered me 69 years ago.

My father, the late Congressman Walter Jones, Sr., and my mother were very close with Mrs. Williams and her husband. My sister and I were close friends with the Williams children as we grew up. In a small town like Farmville, NC, everyone knows each other and my unique relationship with the Williams family has always been very special to me.

On the 19th of May, Mrs. Williams' family and friends will attend her birthday celebration. It will be a celebration of the 100 years of a lady with a strong religious faith who loves her family and community.

What Juanita Williams has given to the Town of Farmville is hard to measure, but her deeds speak for themselves: church service, Girl Scouts, Daughters of the American Revolution, Children of the American Revolution, Meals on Wheels, and much more.

This is a lady who gives more than she receives. Thank God for Mrs. Juanita Williams and may He continue to bless her, her family and these United States.

RECOGNIZING VICE ADMIRAL SALLY BRICE-O'HARA

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. LoBIONDO. Mr. Speaker, I rise today to recognize a leader for her extraordinary service in the United States Coast Guard. Vice Admiral Sally Brice-O'Hara served our nation for nearly 38 years, and on May 18, she will retire as Vice Commandant of the Coast Guard. We all owe her a debt of gratitude for her tremendous commitment to service and to our country.

As the 27th Vice Commandant of the Coast Guard, Vice Admiral Brice-O'Hara not only led over 57,000 active-duty, reserve and civilian members and 30,000 Coast Guard Auxiliary volunteers in executing all of the Coast Guard's maritime life-saving, law enforcement, environmental protection, ports and waterways security, and national defense operations world-wide, but she also served as the Chief Acquisition Executive responsible for guiding the Coast Guard through its critical, multi-billion dollar recapitalization program. Her leadership in driving the Service toward achieving the highest standards of professional conduct and competency, fiscal stewardship and public accountability led to the Coast Guard's first-ever qualified audit opinion, significant improvements in management of the Coast Guard's deployable specialized forces, and the implementation of numerous Service-wide aviation safety and training enhancements.

Vice Admiral Brice-O'Hara's experience, foresight and commitment to serving her fellow Coast Guard men and women and the people of the United States can be seen in the many accomplishments she achieved throughout her service in the Coast Guard's most important and impactful leadership positions. As Deputy Commandant for Operations, Vice Admiral Brice-O'Hara implemented vital improvements to the Service's operations and mission support execution and coordination through their modernization and stabilization programs; the most significant organizational change initiatives in the Service's history. As Commander of the Fourteenth District, Vice Admiral Brice-O'Hara directed all Coast Guard operations in the Central Pacific encompassing an area of over 12 million square miles. Responsible for protecting U.S. economic and sovereign interests in this vital region, Vice Admiral Brice-O'Hara ensured the security of our exclusive economic zones, protected our natural resources, and represented U.S. interests to our international partners as the Deputy Commander for East Asia Pacific Engagement. Her other Flag Officer assignments include Director of Reserve and Training where she developed Coast Guard-wide recruiting, training and management of over 12,000 Coast Guard Ready Reservists, and oversaw all Coast Guard training facilities; and Director of Personnel Management, where she administered Coast Guard-wide human resource and workforce development programs.

Vice Admiral Brice-O'Hara has also served in numerous command positions around the country including several which have had a direct and vital impact on the residents of Southern New Jersey and my Congressional District. As commander of the Fifth Coast Guard District, she directed Coast Guard operations along the mid-Atlantic and was responsible for protecting some of our Nation's most important economic sea ports and military infrastructure. She also oversaw response to the ATHOS I oil spill, the largest oil spill ever to affect the East Coast. Her dedicated leadership helped the Delaware Bay region recover quickly and avoid a lasting negative impact on the region's economy and Bay's sensitive ecosystem. She also served as Commanding Officer of the Coast Guard's only Recruit Training Command in Cape May, New Jersey, where she ably prepared recruits for service in the Coast Guard. Finally, she served as Commanding Officer of the Cape May Boat Station, where she oversaw the safety and security of South Jersey's waterways and the search and rescue of hundreds of individuals.

The conduct and leadership of Vice Admiral Brice-O'Hara has been exemplary. She has been awarded the Homeland Security Distinguished Service Medal, the Distinguished Service Medal, five awards of the Legion of Merit, the Meritorious Service Medal, six awards of the Coast Guard Commendation Medal, the Coast Guard Achievement Medal, and the Commandant's Letter of Commendation.

A native of Annapolis, Maryland, she graduated from Goucher College in 1974 with a Bachelor of Arts Degree in Sociology and received her Coast Guard commission from Officer Candidate School in 1975. She holds a Master of Arts Degree in Public Administration from Harvard University, John F. Kennedy School of Government, where she was named a Littauer Fellow, and a Master of Science Degree in National Security Strategy from the National War College. Vice Admiral Brice-O'Hara and her husband Robert O'Hara, a retired Coast Guard officer, have two adult sons, Robert and Brice.

Both as the Chairman of the Coast Guard and Maritime Transportation Subcommittee and as a grateful citizen, I am honored today to recognize the extraordinary career and distinguished service of Vice Admiral Brice-O'Hara. On behalf of a grateful Nation, I thank her for her and her family's sacrifices over the past 37 years, and I wish her well as she retires from the Coast Guard.

HONORING PASTOR J.S. HOPKINS ON HIS RETIREMENT FROM ST. MARK MISSIONARY BAPTIST CHURCH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. KILDEE. Mr. Speaker, on Saturday, June 2, 2012, Dr. J.S. Hopkins is being honored for a lifetime of devotion to the Lord and his 52 years of service as Pastor to the spiritual community of St. Mark Missionary Baptist Church in Flint, Michigan.

Dr. Hopkins was born on December 19, 1922, in Flora, Mississippi. He accepted Christ as his personal savior and was baptized on September 19, 1937. From 1942 to 1946 he served in the armed forces of the United States and in 1946, the year he was honorably discharged, he married Miss Lureatha Outland. The couple are proud parents of seven children. It was also in 1946 that Dr. Hopkins was crowned a church deacon and shortly afterward the couple moved to Michigan and Rev. Hopkins went to work for General Motors. He retired from GM in 1978 after 30 years of dedicated service.

After moving to Flint, Dr. Hopkins joined New Zion Missionary Baptist Church, serving on the Deacon Board. In 1957, the Hopkins moved their membership to True Light Missionary Baptist Church and within a year he was ordained as a minister. On May 9, 1960 Dr. Hopkins was called to pastor Temple Missionary Baptist Church, which later became the St. Mark Missionary Baptist Church. Dr. Hopkins' inspired leadership, vision and courage has been an immense blessing to the St. Mark Family. His spiritual, civic and social responsibilities have included being President of the Baptist Ministers Fellowship Alliance of Flint; Board of Directors, Great Flint O.I.C; Chairman, Annual Awards Committee, Concerned Pastors for Social Action; Dedicated Chairman of the C.P.S.A Courier; Founder of the Genesee County Christian Institute; Member of the Chaplaincy Advisory Council, Michigan Department of Corrections, and; Advisor to the Wolverine State Convention.

Mr. Speaker, please join me in congratulating Dr. J.S. Hopkins on his well-deserved retirement and dedication to the Flint community. His message of the Gospel of Jesus Christ and service to St. Mark Missionary Baptist Church are an inspiration to us all.

PORTS AS SMALL BUSINESS INCUBATORS ACT

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Ms. HAHN. Mr. Speaker, during my short time in Congress, I've worked hard to highlight the importance of our ports, not only to my district in California, but to our national economy. Ports support 13.3 million American jobs and generate $3.15 trillion in economic activity. That is why I founded the PORTS Caucus

to educate Members of Congress on the importance of ports to our national economy. As a member of the Small Businesses Committee, I also understand that economic recovery is going to be fueled by the job-creating power of our small businesses.

That is why I am introducing the "Ports as Small Business Incubators Act," which will join these two economic forces and further strengthen our economy. In 2005 alone, North American incubation programs assisted more than 27,000 companies that provided employment for more than 100,000 workers and generated annual revenues of $17 billion. My bill creates a grant program available to Port Authorities interested in creating their own small business incubators.

The Ports as Small Business Incubators Act will allow port authorities to apply for a grant to create a small business incubator. This program will encourage port authorities to give opportunities to entrepreneurs who need them most. These newly-created small business incubators will be designed to foster small businesses owned by women, veterans, and minorities. Finally, this program will also encourage businesses that develop a crucial part of our economy: green jobs. Port authorities can work with small businesses that focus on clean energy and improved air and water quality.

By passing this bill, we will ensure that our entrepreneurs are given the chance to succeed. This program will nurture our new businesses and provide a much-needed boost to our recovering economy.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and missed rollcall Vote No. 208 on the evening of May 7, 2012. Had I been present, I would have voted in the following manner:

Rollcall Vote No. 208—Quayle (AZ) Amendment: "no."

CALLING FOR THE IMMEDIATE RELEASE OF HUMAN RIGHTS ACTIVISTS KIM YOUNG HWAN, YU JAE GIL, KANG SHIN SAM, AND LEE SANG YONG

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. DIAZ-BALART. Mr. Speaker, today I want to bring attention to the cases of four human rights activists who have dedicated themselves to pro-democracy efforts in North Korea. Kim Young Hwan, Yu Jae Gil, Kang Shin Sam, and Lee Sang Yong reportedly were arrested in Dalian, in Communist China, and remain imprisoned by Communist China's Ministry of State Security in the Liaoning Province, near the border with North Korea.

These human rights activists are in serious danger. Many fear that Kim in particular, once a North Korean regime insider who has become one of the most outspoken advocates for freedom and human rights for the North Korean people, has been subjected to harsh interrogation and even torture by Chinese state security or North Korean security thugs. Even while living in South Korea, he often suffered harassment and intimidation for his activism and work on NKnet by pro-North Korean sympathizers. As the Daily NK reported on May 16, 2012, if Kim was transported to the Sino-North Korean border to be interrogated by North Korean agents, "then what is the difference between throwing a piece of meat to a dog and handing Kim to the North Korean National Security Agency, whose men come and go from Dandong as if it were their own house?"

The conditions of the other three activists are unknown because they have been denied consular access to representatives of South Korea, and they have been refused family and attorney visits as well. Like Kim, they were arrested on March 29, 2012 under Communist China's nebulous "threat to national security" edict, but further reasons for their detainment have not been provided. There are well-founded concerns that they have undergone harsh interrogations.

I commend the "Committee for the Release of North Korean Human Rights Activist Kim Young Hwan" for raising awareness of this critical human rights issue, and urge human rights advocates to press for the immediate release of these brave pro-democracy activists.

CONGRATULATIONS TO TAIWAN PRESIDENT MA YING-JEOU ON HIS SECOND INAUGURATION

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. COBLE. Mr. Speaker, May 20, 2012, marks Taiwan President Ma Ying-jeou's second and final inauguration. It is not only Taiwan's democracy that its citizens and the world will celebrate that day, but also Taiwan's economic achievements of the last 60 years.

Just as it was an early Asian proponent of democratic principles and ideals, Taiwan was also an early adapter and proponent of what is commonly today called globalization. Taiwan, Asia's first Economic Tiger, embraced market reforms in the 1950s and quickly launched some of the best known, and most efficient, original equipment manufacturers that came to serve many U.S. firms. Today, Taiwan is a technology powerhouse and the island is firmly entrenched in the top tier of developed world markets.

While many other markets have shown a disturbing tendency to turn inwards when global economic conditions get tough, Taiwan has consistently kept its trade and investment doors open. A founding member of the Asia Development Bank in 1966, Taiwan also joined the World Trade Organization (WTO) in 2001 and further acceded to the VVTO's Government Procurement Agreement in 2009.

Since his first inauguration in 2008, President Ma has steadily removed many of the longstanding trade and investment barriers to mainland China, positioning Taiwan as a global gateway to and from the so-called "Greater China" market. This new outlook culminated in the 2010 signing of the Economic and Cooperation Framework Agreement (ECFA) between Taiwan and mainland China. The ECFA benefits not only Taiwan firms and consumers, but aids U.S. interests by protecting intellectual property rights.

I encourage all of my colleagues in congratulating Taiwan President Ma on his inauguration, applaud Taiwan's many economic achievements since the 1950s, and support enhanced economic relations between the United States and Taiwan.

INTRODUCTION OF THE VOTER EMPOWERMENT ACT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to introduce the Voter Empowerment Act, with 123 of my colleagues. The right to vote is precious, almost sacred. It is the most powerful non-violent tool we have in a democratic society. It controls everything we do from the time we're born until the moment we die. And that's why the leaders standing with me today believe voting should be simple, easy and accessible to every citizen.

But there are 51 million Americans who are not registered, and it's harder for them to register today than it was just one year ago. In this age of technology, our country is moving backward, not forward. Since the beginning of last year, 176 bills have been introduced in 41 states making it harder and more difficult for people to participate in the democratic process.

In the last election 3 million eligible voters showed up to the polls to vote and were turned away because of failures in our registration system. We need to do something about this. The Voter Empowerment Act represents the leadership of many members of the Democratic Caucus who believe we must include the voice of every American citizen.

The American people should be asking why there is not a bipartisan push to enable Americans to cast a ballot that will be counted. We must not be silent while leaders we elect take our voting rights away. The vote is the soul and the heart of the democratic process. People died for the right to vote, and some of them were people I knew. I hope we will not return to the days of overt discrimination before we decide to do something about it.

The Voter Empowerment Act modernizes the voter registration system in this nation. It helps voters with disabilities, members of the military and young people to fully access their right to vote and to have their vote counted. The bill restores the integrity of the voting system, by providing well-informed, well-trained poll workers who know the law, and ensuring that election officials don't have a vested interest in the outcome of political campaigns. It

protects voters from deceptive practices and intimidation and prohibits voter caging. It will ensure that every vote is counted. The bill creates a national hotline so that problems are reported, corrected and prevented in real time, and it reauthorizes the Election Assistance Commission, the only agency with election administration expertise, to ensure the highest standards are being met nationwide.

Today with the introduction of the Voter Empowerment Act, we are making a major step. We are asking all of the American people and the press to pay attention to these problems because they are a threat to democracy as we know it.

I ask all members, from both sides of the aisle to join us in this effort to open up the democratic process to every American.

SUPERVISORY SPECIAL AGENT D. DARELL DONES

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. BARLETTA. Mr. Speaker, I rise to congratulate D. Darell Dones, Supervisory Special Agent (SSA) at the Federal Bureau of Investigation (FBI), who will receive a doctorate degree in Biodefense Terrorism from George Mason University tonight, May 17, 2012.

For 23 years, SSA Dones has worked with the FBI. Seven years ago, he was assigned to the Behavioral Science Unit (BSU). As a criminal behaviorist, SSA Dones provides a criminal and behavioral consultation of extreme violent offenders to requesting law enforcement agencies. He is also responsible for teaching basic and advanced investigative techniques and courses concerning Psychosocial Behavior, Mindset, and Intelligence of Violent Street and Prison Gangs, Applied Psychology, and Violent Criminal Analysis. Most recently, SSA Dones participated in a series of seminars titled ''Operation Gang Up,'' in my district with me and Pennsylvania State Senator John Yudichak. SSA Dones plays a critical role in this community-led, anti-gang initiative.

SSA Dones' research interests include psychosocial behavior of radical extremists and violent criminals, including U.S.-based street and prison gangs. The dissertation for his doctorate degree broadly hypothesizes whether or not foreign terrorist groups are attempting to radicalize U.S. gangs into using weapons of mass destruction against American citizens and targets. SSA Dones' efforts are aimed at providing a more accurate account of the psychosocial mindset, behavior, and causation of violent criminal groups.

Mr. Speaker, I commend Supervisory Special Agent D. Darell Dones for his service to our community, and for his many years of service to our country and its continued safety.

HOUSE ARMED SERVICES COMMITTEE HEARING ON CHILD CUSTODY

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. TURNER of Ohio. Mr. Speaker, I submit the following letter.

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES,
Washington, DC, May 29, 2012.

Mr. LEON PANETTA,
Secretary of Defense,
Washington, DC.

DEAR SECRETARY PANETTA We appreciate your interest stated during the February 15, 2012 House Armed Services Committee (HASC) hearing in protecting child custody rights for our men and women in uniform.

As you know, legislative language addressing this issue has already passed the House of Representatives on six separate occasions. It has passed five times as part of the National Defense Authorization Act, every year from 2008 through 2012. Additionally, in 2008 this language passed the House as a standalone bill (HR 6048) by voice vote. Sixty members from both sides of the aisle signed on to HR 6048 as co-sponsors. Most recently, the bill was included in the Managers Package in the FY12 House NDAA and was supported by the Department of Defense (DoD).

Enclosed are letters of support that both Secretary Gates and Secretary Stanley provided for this legislation last year. Also enclosed is the 2010 HASC letter to Secretary Gates. As we move forward with the current legislative session, we look forward to the same level of support from the DoD in addressing this important issue and ensuring that our men and women in uniform have their parental rights protected.

Sincerely,

Michael Turner, Rob Andrews, Howard P. ''Buck'' McKeon, Chairman, Adam Smith, Ranking Member, Mac Thornberry, Vice Chairman, Roscoe G. Bartlett, Walter B. Jones, W. Todd Akin, J. Randy Forbes, Jeff Miller, Joe Wilson, Frank A. LoBiondo, John Kline, Mike Rogers and Trent Franks.

Bill Shuster, K. Michael Conaway, Doug Lamborn, Rob Wittman, Duncan Hunter, John C. Fleming, Mike Coffman, Thomas J. Rooney, Todd Russell Platts, Scott Rigell, Chris Gibson, Vicky Hartzler, Joe Heck, Bobby Schilling and Jon Runyan.

Austin Scott, Tim Griffin, Steve Palazzo, Allen West, Martha Roby, Mo Brooks, Todd Young, Silvestre Reyes, Loretta Sanchez, Mike McIntyre, Robert A. Brady, Susan A. Davis, James R. Langevin, Rick Larsen, Jim Cooper and Madeleine Z. Bordallo.

Joe Courtney, David Loebsack, Niki Tsongas, Chellie Pingree, Larry Kissell, Martin Heinrich, William L. Owens, John Garamendi, Mark Critz, Tim Ryan, C.A. Dutch Ruppersberger, Hank Johnson, Betty Sutton, Colleen Hanabusa, Kathleen C. Hochul, and Jackie Speier.

PAYING TRIBUTE TO U.S. ARMY COLONEL RICHARD E. CROGAN

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. ROGERS of Michigan. Mr. Speaker, I rise to honor the accomplishments of U.S. Army Colonel Richard E. Crogan. His dedication to soldiers as a leader, warrior, and innovator has had a profound and lasting effect on United States Army Aviation. As the Commander for the Aviation Center Logistics Command (ACLC), COL Crogan supported an Army at war by providing maintenance, sustainment and logistics support and proficient U.S. and Allied Aviation Officers.

COL Crogan was responsible for oversight and quality assurance on the largest aviation service support contract in the U.S. Army. He was tasked with maintaining 587 rotary wing aircraft, providing over 500 launches every day to support an ever increasing need for army aviation. COL Crogan was personally responsible for providing the aircraft required to professionally train aviators and provide the Army's next generation of great warriors. Aviation maintenance is an expensive proposition and COL Crogan's innovative leadership and creative solutions have shown a total cost savings during his command of more than $750,000,000.

COL Crogan's great leadership contributed significantly to the elimination of the flight training backlog at Fort Rucker which reduced the time aviators spent training from 22 months to 12 months. Aviators will now report to their units ten months earlier to begin missions and the Army will see enormous cost savings in a time of fiscal reduction. COL Crogan raises the bar for those around him, as demonstrated by ACLC winning the Army Chief of Staff Supply Excellence Award in 2011.

Therefore Mr. Speaker, I ask our colleagues to join me in honoring Colonel Richard E. Crogan's exceptional service, dedication and devotion to duty, leadership, and professional competency. He exemplifies the fine tradition of military service and reflects great credit upon himself, the Department of the Army, and the United States of America. May he know that his nation is greatly appreciative of his dedication and wishes him the best in all his future endeavors.

MY PRESENT VOTE ON H. RES. 568

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I voted present today on H. Res. 568 because of my concern that it contains language that could create a blank check for war with Iran. As best said by Col. Lawrence Wilkerson, former Chief of Staff of Secretary of State Colin Powell, ''This resolution reads like the same sheet of music that got us into the Iraq War.'' This resolution threatens to undermine upcoming U.S.-Iran negotiations on

May 23, 2012. While I am not disputing the fact that a nuclear-armed Iran would pose a serious threat to Israel and U.S. national security interests, I am concerned that the tone of this resolution could be used as fodder for future conflict.

While I am an ardent supporter of Israel and remain committed to supporting legislation that ensures their security, I urge my colleagues to support more balanced policies and diplomatic solutions as we enter into negotiations with Iran. As we struggle to get our economy back on track, we simply cannot afford the economic and social costs of another war.

A TRIBUTE TO DR. KAMEL FUAD MUAKKASSA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. BURTON of Indiana. Mr. Speaker, I rise today to pay tribute to the life of Dr. Kamel Fuad Muakkassa, a neurosurgeon whose passion, intellect and generosity changed the lives of everyone around him, died on Sunday at the age of 62.

Dr. Muakkassa's life was one dedicated to attending lives. A supremely skilled neurosurgeon, he had a zest for life so profound that it will live on in all those who had the privilege of knowing him. He was married to the love of his life, Rola Mansour for 27 years. He enjoyed spending time with his wife, his children and grandchildren, upon whom he imparted many of his best qualities, including his giving nature, his unique love of life, his humor and his wit. Dr. Muakkassa mastered an extraordinarily wide range of talents and insisted on sharing his expertise by teaching those around him. His passions included playing golf and backgammon, travel and international affairs. All of this was in addition to the undeniable impact of his life's work: his relentless clinical and humanitarian achievements in the world of neurosurgery.

As Primary Founder, President and CEO of The Center for Neuro and Spine Inc. (CNS) and former Chief of Pediatric Neurosurgery of Children's Hospital of Akron, Dr. Muakkassa was a Board Certified Neurological Surgeon who had been serving the community for over 27 years. He most recently co-founded Akron General's Neuroscience Institute in 2011, which focuses on the prevention, diagnosis, treatment and rehabilitations of the disorders of the brain, spine and peripheral nervous system. Dr. Muakkassa performed more than 8,000 neurosurgical procedures and treated over 10,000 patients and had the uniquely broad background of addressing both pediatric and adult spine, brain and peripheral neurological disorders. Dr. Muakkassa advanced the treatment options in his community by being the very first surgeon in Akron to perform an Anterior Cervical Diskectomy with Fusion and Plating. Thousands of these surgeries are now performed here annually. Additionally, Dr. Muakkassa was the first surgeon to perform cutting-edge awake surgery for treating epilepsy patients at Akron General Medical Center back in 1986. Other firsts include placing pumps or spinal electrodes for pain management and spasticity, vagal nerve stimulators for depression and seizures and untethering complex spina bifida tumors.

Dr. Muakkassa graduated from The American University of Beirut with a degree in Medicine in 1974. He went on to complete his residency in General Surgery where he served as Chief Resident. Dr. Muakkassa continued his education with a residency program in Neurosurgery at The Upstate Medical Center in New York where he was again elected Chief Resident. Pursuing his pediatric interests, Dr. Muakkassa studied Pediatric Neurology at Strong Memorial Hospital and completed his Pediatric Neurosurgery fellowship at the prestigious Hospital for Sick Children in Toronto where he served as Chief Fellow.

Dr. Muakkassa most recently served as Associate Clinical Professor in Neurosurgery at Northeastern Ohio Universities College of Medicine (presently NEOMED). He also served as Chief of the Neurosurgery division at Barberton Citizens Hospital and Mercy Medical Center. He is published in peer review journals and received multiple awards including the Summit County Award of Excellence for Outstanding Medical Services to the Community, Teacher of the Year Award and the award for medical services to the Bosnian war victims. He was also a member of the American Association of Neurological Surgeons (AANS), the Congress of Neurosurgeons (CNS), Summit County Medical Society, Ohio State Medical Association, International Society of Pediatric Neurosurgery, Ohio State Neurological Society and the Joint Section on Neuro-trauma and Critical Care of the American Association of Neurological Surgeons.

In addition to his professional accomplishments, Kamel devoted considerable time and resources to charitable organizations. Most notably, he was president of the Druze Orphans and Charitable Organization, which provides housing, education and healthcare to Lebanese children in need.

Dr. Muakkassa, survived by his wife, Rola; his son, Fuad; his daughter, Leila and grandchildren, will forever be an accomplished Doctor, philanthropist, husband, and father whose dedication to medicine, and selflessness will be carried through the legacy he has left in the field of medicine.

RECOGNIZING THE 90TH ANNIVERSARY OF TEMPLE ISRAEL

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Ms. ROS-LEHTINEN. Mr. Speaker, tomorrow Temple Israel of Miami will be celebrating its 90th anniversary. Temple Israel is a pillar of the South Florida Jewish community. It is one of South Florida's oldest treasures and our community has truly been blessed over the years by its presence.

From the very beginning, Temple Israel's founders believed that they could create an organization that would make a positive change in the community. They sought to create bonds of loyalty within the international Jewish community, and within the South Florida community. For 90 years now, the Temple Israel congregation has consistently lived up to this purpose. The early leaders set a tradition to ''live Judaism'' by being actively engaged in local, national and world issues. Temple Israel's congregation continues to be among the most civically engaged members of our South Florida community.

The Temple Israel congregation has not only had a positive impact on the Jewish residents in South Florida, but also the community as a whole. From housing the Bridgeport Academy charter school that provides education for students from diverse backgrounds, to their tutoring and housing programs like the Dorothy Serotta Social Justice Forum program, Temple Israel's congregation is actively involved in the community year round. The members of Temple Israel's congregation are a shining example of ''Tikkun Olam.'' They carry on the Temple's legacy of courage, compassion, service, and inclusiveness.

I cannot thank Temple Israel enough for its leadership and positive impact as we celebrate its 90th anniversary. I look forward to seeing how the organization evolves as it continues to make a significant mark on our South Florida community.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 2012

Mr. PASCRELL. Mr. Speaker, I want to state for the RECORD that on May 17, 2012, I missed several rollcall votes due to a longstanding commitment to give the commencement address at Passaic County Community College, in my district.

Had I been present I would have voted:

''Nay''—rollcall Vote No. 259—Motion on Ordering the Previous Question on the Rule providing for consideration of amendments to H.R. 4310.

''Nay''—rollcall Vote No. 260—H. Res. 661—Rule providing for further consideration of H.R. 4310—National Defense Authorization Act for Fiscal Year 2013.

''Aye''—rollcall Vote No. 261—H. Res. 568—Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, as amended.

''Aye''—rollcall Vote No. 262—H.R. 5740—To extend the National Flood Insurance Program.

''Nay''—rollcall Vote No. 263—Rohrabacher (R–CA): Amendment No. 4—Prohibits funds made available by this Act from being used for assistance to Pakistan in fiscal year 2013.

While Pakistan has often not behaved as a good ally should, I do not believe it is in our national security interests to cut off all funding for military assistance and cooperation. It is an undeniable fact that we must work with the Pakistani government in order to keep our troops safe and supplied, and therefore cutting off all funding would not be prudent.

''Aye''—rollcall Vote No. 264—Lee (D–CA): Amendment No. 5—Limits the use of funds

made available in this Act to only the withdrawal of all members of the Armed Forces and Department of Defense (DoD) contractors from Afghanistan.

I strongly support an accelerated drawdown of our troops from Afghanistan, where they have been fighting for far too long. While we must continue to help the Afghan people to build their country with humanitarian and diplomatic support, it is time for our troops to leave.

''Aye''—rollcall Vote No. 265—Connolly (R–VA): Amendment No. 6—Withholds funds from the Coalition Support Fund until the Secretary of Defense certifies that Pakistan has opened the Ground Lines of Communication, is allowing the transit of NATO supplies through Pakistan into Afghanistan, is supporting the retrograde of U.S. equipment out of Afghanistan.

I believe this amendment takes the correct approach by providing leverage to correct some of Pakistan's most egregious behavior while rewarding them for cooperation with our military efforts.

''No''—rollcall Vote No. 266—Rooney (R–FL): Amendment No. 7—Directs that foreign nationals suspected of terrorism be tried only by military commissions.

I do not believe we should be taking away the tool of our robust domestic court system from the President. Military commissions are often an appropriate venue, but our domestic courts have tried and convicted terrorists on numerous occasions and are often the best tool we have for trying and convicting those who seek to harm Americans.

''No''—rollcall Vote No. 267—Bartlett (R–MD): Amendment No. 8—Prevents the DoD from requiring contractors to enter into a project labor agreement (PLA) as a condition of winning a federal construction contract.

Project labor agreements are an important tool that our government uses for large scale construction jobs to ensure they are safe and efficient. They are often cheaper than not using PLAs and this amendment would impose an unnecessary mandate on our government.

''Yes''—rollcall Vote No. 269—Markey (D–MA): Amendment No. 11—Prohibits any funds made available by this Act, as well as any funds authorized and appropriated to the DoD through FY2023, from being used for the research, development, testing, and evaluation of a long range penetrating bomber aircraft.

Our current bomber fleet is scheduled to be active for several more decades. This amendment will save $18 billion over the next ten years; funding could be better spent investing in our education, infrastructure and healthcare.

''Yes''—rollcall Vote No. 270—Polis (D–CO): Amendment No. 12—Reduces the funds authorized in this Act for the ground-based midcourse missile defense system by $403 million and would direct that amount to deficit reduction.

The GAO recommended this reduction, and the Pentagon has suspended this program until the problem with the recent failed tests can be fixed. With our deficit so high and the need to invest in education, health care and infrastructure so great, we must find savings wherever they can be found, including the defense budget.

HOUSE OF REPRESENTATIVES—*Friday, May 18, 2012*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Almighty God of the universe, we give You thanks for giving us another day.

We pray for the gift of wisdom to all with great responsibility in this House for the leadership of our Nation.

As the Members disperse to their various districts and our Nation enters a week which ends with the Memorial Day, may we all retreat from the busyness of life to remember our citizen ancestors who served our Nation in the armed services.

Grant that their sacrifice of self and, for so many, of life, would inspire all of America's citizens to step forward, in whatever their path of life, to make a positive contribution to the strength of our democracy.

Bless us this day and every day, and may all that is done within these hallowed Halls be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Connecticut (Mr. COURTNEY) come forward and lead the House in the Pledge of Allegiance.

Mr. COURTNEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches from each side of the aisle.

THE PHOTO ID

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, you need a photo ID to rent a car, open a bank account, get admitted to a hospital, get out of the country, get into the country, buy a gun, check into a hotel, rent a U-Haul, use a credit card, buy a lottery ticket, serve on a jury, get a fishing license, pick up a package at the post office, rent an apartment, visit a public school, and sell scrap metal at a junkyard or hear the Attorney General speak. You even need a photo ID to vote—in Mexico, but not the U.S.

Yesterday, it was reported that 53,000 dead people and thousands of noncitizens may be illegally registered to vote in Florida. Sixty-four percent of U.S. voters think that voter fraud is a problem.

Even though the Supreme Court has ruled voter ID laws are constitutional, the Attorney General is fighting against those legal laws. Why? It seems the people who would be disenfranchised by voter ID laws would be unlawful voters.

And that's just the way it is.

PREPARE FOR PEACE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Mr. Speaker, if you want peace, you prepare for peace. If you want war, you prepare for war.

The NDAA prepares for war against Iran. It calls for pre-positioning planes, bombs, ships, munitions, and for naval maneuvers in the Strait of Hormuz. This is not about defense; this is about offense.

I was a third-string quarterback on a not-very-good varsity football team, and I knew the difference and know the difference between defense and offense.

We're preparing to go on offense against Iran, which does not have nuclear weapons and has no intention or real capability to attack the United States. We're about to make the same disastrous mistake we made against Iraq.

This bill does not explicitly authorize war, perhaps, but that's beside the point. It's licensing it. It sets the stage for it in an election year.

Wake up, Congress.

NO BUDGET NO PAY ACT

(Mrs. BLACK asked and was given permission to address the House for 1 minute.)

Mrs. BLACK. Mr. Speaker, I rise today to talk about an important piece of legislation that I am proud to cosponsor, the No Budget No Pay Act. It says if we, the Members of the House and the Senate, don't adopt a budget and pass all of the appropriations bills by October 1, we don't get paid.

The Congressional Budget Act of 1974 requires the Congress complete a budget annually, and for over 1,000 days, we have not done so. The deadlines for the budget and appropriations bills are missed so often that they're meaningless. This kicking the can down the road mentality has got to stop. People are fed up. And, frankly, America cannot afford it anymore. We have to balance our books just like American families do.

Our constituents have to perform their job duties to collect a paycheck, and so should we. I urge you to support this commonsense legislation. Not only will it help us get our fiscal house in order, it will help restore trust in this institution.

PREVENTING CUTS TO AIR NATIONAL GUARD

(Ms. HOCHUL asked and was given permission to address the House for 1 minute.)

Ms. HOCHUL. Mr. Speaker, as we begin voting on the National Defense Authorization Act later today, I want to remind people that, earlier this year, the Air Force proposed cutting 5,100 Air National Guard positions from our military. Part of this plan eliminates three C 130s and 800 jobs from the Niagara Falls Air Reserve Station in my own district.

Transparency in government is important to all of us. Yet in this decision, no information was provided to us as to how these decisions were made to cut that many across the country. It's clear we need to reduce our spending, but we need to do it in a transparent and open way.

Last week, I was proud to join Republicans and Democrats on the Armed Services Committee in offering an amendment to restore these positions. When our citizens need help, whether it's fighting terrorism in Afghanistan or being rescued from floods in upstate New York, I say: Who you gonna call?

I want to make sure that the Air National Guard is prepared to protect us; and therefore, today, we need to protect them.

COMBAT ACTION BADGE AMENDMENT

(Mr. NUGENT asked and was given permission to address the House for 1 minute.)

Mr. NUGENT. Mr. Speaker, on May 2, 2005, the Department of the Army authorized the creation of the Combat Action Badge. This badge provides special recognition for soldiers who personally engage the enemy or are engaged by the enemy during combat operations. The bayonet and grenade on the badge are associated with the act of combat. The oak wreath on the badge signifies strength and loyalty.

Current Army policy limits the eligibility to those individuals who meet the criteria of the Combat Action Badge after September 18, 2001. Unfortunately, this overlooks thousands of veterans who made similar sacrifices in previous wars. That's why I offered this amendment that would expand the eligibility for the Combat Action Badge to also include those who served honorably from December 7, 1941, to September 18, 2001.

Additionally, in accordance with the wishes of those veterans who approached me about the expanded eligibility of this badge, the costs of the Combat Action Badge would be borne by those individuals, not the taxpayers. Therefore, this measure will cost American taxpayers nothing.

I was proud to introduce this identical amendment last year to the National Defense Authorization Act, which passed the House en bloc. So I'm back this year continuing to fight for combat veterans of the past to receive the recognition they rightfully deserve. With that, I ask for your support.

RECOGNIZING UNIVERSITY WITHOUT WALLS

(Mr. NEAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEAL. Mr. Speaker, I rise today to recognize the University of Massachusetts' popular and successful University Without Walls program as it celebrates its 40th anniversary at the end of this academic year.

The University Without Walls program was established in 1971 to give adults an opportunity to complete their bachelor's degrees at a world-class public university while simultaneously maintaining a job.

Over these past 40 years, the program has awarded degrees to more than 4,000 men and women ranging in age from 20 to 80. From the Facebook generation to the Greatest Generation, this program continues to make a difference in the lives of ordinary people.

While many colleges and universities across the country now have similar programs on their campuses, the program at UMass is one of the oldest and most well-regarded adult bachelor's degree completion initiatives in the Nation. I know many of the successful individuals from western Massachusetts who have benefited professionally from this initiative.

I applaud Dr. Ingrid Bracey and her extraordinary team at the UMass campus in Amherst for their dedication to nontraditional students in both the classroom and the workplace. As one of their strongest and most outspoken supporters, I'm happy to share their success story with the American family here today in the House of Representatives.

□ 0910

HONORING BLUE RIBBON SCHOOLS

(Mr. BARTLETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT. Mr. Speaker, I rise today to honor two very special schools in the Sixth District of Maryland which were honored this year as Federal Blue Ribbon Schools: Bel Air Elementary School in Cumberland and Oklahoma Road Middle School in Eldersburg.

Since 1982, the National Blue Ribbon Schools Program of the Department of Education has recognized schools where students achieve the very highest academic level.

I would like to particularly mention the women who lead these schools.

Mrs. Autumn Eirich brings a spark of excitement to Bel Air Elementary with her positive attitude and her dedication to the school community. She facilitated the Bel Air philosophy: School Centered on Reaching Excellence, or SCORE.

The Oklahoma Road Middle School has adopted the motto, ''Good, Better, Best,'' to encourage educational and social achievement for all their students. Ms. Catherine Hood symbolizes that motto with her leadership style of collegiality and stewardship, which has created an atmosphere of trust and fosters a positive learning environment.

With educational leaders like Autumn Eirich and Catherine Hood and dedicated students like those at Bel Air Elementary and Oklahoma Road Middle School, America's future is bright.

STUDENT LOAN CRISIS

(Mr. COURTNEY asked and was given permission to address the House for 1 minute.)

Mr. COURTNEY. Mr. Speaker, in a few hours, one of the least productive, most unpopular Congresses in American history is going to go on another recess, despite the fact that in 43 days interest rates for the Stafford student loan program will double from 3.4 percent to 6.8 percent on July 1, 43 days away from today.

What's happened in the last week or so? The Senate Republican leadership led a filibuster to block not only the consideration of a bill to prevent this, but discussion or debate on a bill. In this House, after 3 months of stonewalling, Speaker BOEHNER brought a bill to the House which cynically took money out of a preventive health care fund for cancer and heart disease screening to pay for a 1-year Band-Aid for Stafford student loans, a measure which the Hartford Courant this morning—the oldest published newspaper in America—described as ''just sick.''

My bill, H.R. 3826, will lock in the lower rate at 3.4 percent, providing students and families with a real horizon to budget for college. It has over 150 bipartisan cosponsors. It is time for us to move, fix this issue, and allow students and families the ability to plan for next year's college year.

IN RECOGNITION OF PATTY MOZLEY

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize Patty Mozley for 43 years of dedicated service to the students of The Walker School in Marietta, Georgia.

Patty moved to Marietta in 1969 and began teaching third grade, and she held that position for 17 years. She also served as interim principal and spent the last 26 years as an enrollment adviser.

An avid playwright, Mozley also began The Walker School's drama program, writing and directing the first script. Before her retirement, The Walker School renamed the studio theater in Mozley's honor. Students, parents, and communities need more educators like her. She has inspired countless lives, and she has fostered a love for learning in her students.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Patty Mozley's outstanding accomplishments and her unwavering commitment to education.

DEPUTY JAMES ''J.D.'' PAUGH

(Mr. BARROW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW. Mr. Speaker, I rise today to honor the life of Deputy James ''J.D.'' Paugh of the Richmond County Sheriff's Office in Augusta, Georgia.

Deputy Paugh was killed in the line of duty when he stopped to help what appeared to be a stranded motorist on the Bobby Jones Expressway. As Deputy Paugh stopped his vehicle, Christopher Michael Hodges opened fire, striking Deputy Paugh nine times before turning his gun on himself.

I had the opportunity to visit with members of Deputy Paugh's family on

Tuesday at the 31st Annual National Peace Officers' Memorial Service, where family and friends of peace officers who died in the line of duty came together from all over the Nation to remember their loved ones.

As National Police Week comes to a close this week, we honor J.D. Paugh, all peace officers who have given the ultimate sacrifice, and the families of fallen officers throughout the Nation.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The SPEAKER pro tempore (Mr. GINGREY of Georgia). Pursuant to House Resolution 661 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4310.

Will the gentleman from Illinois (Mr. DOLD) kindly take the chair.

□ 0916

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, with Mr. DOLD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 55 printed in House Report 112–485 offered by the gentleman from New Mexico (Mr. PEARCE) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–485 on which further proceedings were postponed, in the following order:

Amendment No. 46 by Mr. SMITH of Washington.

Amendment No. 45 by Mr. GOHMERT of Texas.

Amendment No. 17 by Mr. COFFMAN of Colorado.

Amendment No. 18 by Mr. KEATING of Massachusetts.

Amendment No. 19 by Mr. BROUN of Georgia.

Amendment No. 20 by Mr. CARSON of Indiana.

Amendment No. 26 by Mr. CUMMINGS of Maryland.

Amendment No. 29 by Mr. SABLAN of the Northern Mariana Islands.

Amendment No. 30 by Mr. JOHNSON of Georgia.

Amendment No. 31 by Mr. JOHNSON of Georgia.

Amendment No. 32 by Mr. PRICE of Georgia.

Amendment No. 38 by Mr. RIGELL of Virginia.

Amendment No. 42 by Ms. LEE of California.

Amendment No. 47 by Mr. DUNCAN of South Carolina.

Amendment No. 48 by Mr. COFFMAN of Colorado.

Amendment No. 49 by Ms. LEE of California.

Amendment No. 54 by Mr. FRANKS of Arizona.

Amendment No. 55 by Mr. PEARCE of New Mexico.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 46 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman of Washington (Mr. SMITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 238, not voting 11, as follows:

[Roll No. 270]

AYES—182

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reyes
Ribble
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Shimkus
Shuler
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—238

Adams
Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellison
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Reichert
Renacci
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Sewell
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner (NY)
Turner (OH)
Upton

Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Rogers (AL)
Sanchez, Loretta
Slaughter
Speier

□ 0945

Messrs. NEUGEBAUER, RIVERA, DESJARLAIS, STEARNS, MICA, STUTZMAN and Mrs. LUMMIS changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. ELLISON. Mr. Chair, during rollcall No. 270 on H.R. 4310, I mistakenly recorded my vote as "no" when I should have voted "aye."

Mr. FILNER. Mr. Chair, on rollcall 270, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 45 OFFERED BY GOHMERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. GOHMERT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 173, not voting 15, as follows:

[Roll No. 271]

AYES—243

Adams
Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—173

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matsui
McClintock
McCollum
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—15

Amodei
Cardoza
Clay
Costello
Filner
Gosar
McDermott
Nunnelee
Pascrell
Paulsen
Rangel
Sanchez, Loretta
Slaughter
Speier
Sutton

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 0948

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. PAULSEN. Mr. Chair, on rollcall No. 271, I was unavoidably detained. Had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 271, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 17 OFFERED BY MR. COFFMAN OF COLORADO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. COFFMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 209, noes 211, not voting 11, as follows:

[Roll No. 272]

AYES—209

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Coffman (CO)
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier

Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—211

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (AL)
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schilling
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Sires
Smith (NJ)
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Yarmuth
Young (AK)

NOT VOTING—11

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Ros-Lehtinen
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 0952

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 272, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 18 OFFERED BY MR. KEATING

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. KEATING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 229, not voting 10, as follows:

[Roll No. 273]

AYES—192

Ackerman
Aderholt
Alexander
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (IL)
DeFazio
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fleming
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Guinta
Gutierrez
Hahn
Hanabusa
Harper
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Mica
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Nunnelee
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Poe (TX)
Price (NC)
Rahall
Rangel
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Stutzman
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOES—229

Adams
Akin
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Culberson
Davis (CA)
Davis (KY)
DeGette
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)

Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
Long
Lucas
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Sánchez, Linda T.
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stark
Stearns
Stivers
Sullivan
Terry
Thornberry
Tipton
Turner (NY)
Turner (OH)
Walberg
Walsh (IL)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—10

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 0956

Mrs. MALONEY changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 273, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 19 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 256, not voting 11, as follows:

[Roll No. 274]

AYES—164

Adams
Amash
Baca
Bachus
Baldwin
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Bishop (UT)
Bonamici
Boswell
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Burgess
Burton (IN)
Butterfield
Camp
Capuano
Carnahan
Carney
Cassidy
Chabot
Cicilline
Clarke (MI)
Coble
Cohen
Connolly (VA)
Costa
Crenshaw
Crowley
Cummings
Davis (IL)
DeFazio
Dent
Doggett
Duncan (SC)
Duncan (TN)
Ellison
Engel
Eshoo
Farr
Frank (MA)
Franks (AZ)
Garamendi
Garrett
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Gowdy
Graves (GA)
Green, Gene
Hahn
Harris
Hayworth
Heinrich
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Israel
Jackson Lee (TX)
Johnson (IL)
Johnson (OH)
Jones
Jordan
Keating
King (IA)
Kingston
Kissell
Kucinich
Labrador
Landry
Langevin
Lankford
Latham
LaTourette
Lee (CA)
LoBiondo
Lofgren, Zoe
Lucas
Luján
Lynch
Manzullo
Matsui
McCaul
McClintock
McCollum
McCotter
McKinley
McMorris Rodgers
Meeks
Mica
Miller (FL)
Miller, George
Moore
Moran
Mulvaney
Neugebauer
Pallone
Pastor (AZ)
Paul
Pearce
Perlmutter
Peterson
Petri
Poe (TX)
Polis
Posey
Price (GA)
Quayle
Quigley
Rangel
Reyes
Ribble
Richardson
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Ross (FL)
Rothman (NJ)
Rush
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schweikert
Scott (SC)
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Simpson
Sires
Smith (NJ)
Stark
Stivers
Stutzman
Sullivan
Thompson (CA)
Thompson (PA)
Tiberi
Towns
Turner (NY)
Upton
Walberg
Walden
Walsh (IL)
Waters
Watt
Webster
Whitfield
Wolf
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—256

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Bachmann
Barletta
Barrow
Bartlett
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Calvert
Campbell
Canseco
Cantor
Capito
Capps
Carson (IN)
Carter
Castor (FL)
Chaffetz
Chandler
Chu
Clarke (NY)
Cleaver
Clyburn
Coffman (CO)
Cole
Conaway
Conyers
Cooper
Courtney
Cravaack
Crawford
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Fudge
Gallegly
Gardner
Gerlach
Gibbs
Goodlatte
Granger
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Hensarling
Herger
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hunter
Hurt
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kline
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Long
Lowey
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maloney
Marchant
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McDermott
McGovern
McHenry
McIntyre
McKeon
McNerney
Meehan
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Paulsen
Pelosi
Pence
Peters
Pingree (ME)
Pitts
Platts
Pompeo
Price (NC)
Rahall
Reed
Rehberg
Reichert
Renacci
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Roskam
Ross (AR)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Sánchez, Linda T.
Scalise
Schock
Schrader
Schwartz
Scott, Austin
Sessions
Sewell
Shimkus
Shuler
Shuster
Smith (NE)
Smith (TX)
Smith (WA)
Southerland
Stearns
Sutton
Terry
Thompson (MS)
Thornberry
Tierney
Tipton
Tonko
Tsongas
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waxman
Welch
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woolsey
Yarmuth

NOT VOTING—11

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Ryan (OH)
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1000

Mr. AL GREEN of Texas changed his vote from ''aye'' to ''no.''

Ms. MCCOLLUM and Mr. GEORGE MILLER of California changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 274, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT NO. 20 OFFERED BY MR. CARSON OF INDIANA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. CARSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 241, not voting 10, as follows:

[Roll No. 275]

AYES—180

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bonamici
Bono Mack
Boswell
Brady (PA)
Braley (IA)
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Foxx
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Harris
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

NOES—241

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chu
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Walberg
Walsh (IL)
Walz (MN)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1004

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 275, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 26 OFFERED BY MR. CUMMINGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 394, noes 27, not voting 10, as follows:

[Roll No. 276]

AYES—394

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)

Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—27

Amash
Chaffetz
Crenshaw
Duncan (SC)
Flake
Flores
Franks (AZ)
Garrett
Graves (GA)
Hastings (WA)
Hensarling
Huelskamp
Jenkins
Kingston
Labrador
Lummis
McClintock
Mulvaney
Myrick
Neugebauer
Paul
Pompeo
Rokita
Scott (SC)
Scott, Austin
Sessions
Smith (NE)

NOT VOTING—10

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

□ 1010

Ms. JENKINS changed her vote from ''aye'' to ''no.''

Mr. WESTMORELAND, Mrs. ELLMERS, and Messrs. FLEISCHMANN and ROSKAM changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 276, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 29 OFFERED BY MR. SABLAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 303, not voting 10, as follows:

[Roll No. 277]

AYES—118

Altmire
Amash
Baca
Baldwin
Becerra
Benishek
Bilbray
Bishop (NY)
Bishop (UT)
Brown (FL)
Capuano
Carson (IN)
Chu
Clarke (NY)
Clyburn
Cohen
Crowley
Cuellar
Cummings
Davis (IL)
Denham
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Frank (MA)
Garamendi
Gibson
Gingrey (GA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Harris
Heck
Heinrich
Hinchey
Hinojosa
Holt
Honda
Hoyer
Hultgren
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Kingston
Kissell
Kucinich
Larson (CT)
Latham
Lee (CA)
Lofgren, Zoe
Luján
Lungren, Daniel E.
Manzullo
Matsui
McCotter
McGovern
Meeks
Michaud
Miller, George
Moore
Moran
Mulvaney
Napolitano
Neal
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peterson
Pingree (ME)
Pitts
Poe (TX)
Polis
Price (NC)
Rahall
Reyes
Ribble
Richardson
Rohrabacher
Rooney
Roybal-Allard
Rush
Sánchez, Linda T.
Schakowsky
Schiff
Schrader
Schwartz
Scott, David
Serrano
Sessions
Simpson
Sires
Stark
Thompson (CA)
Thompson (MS)
Tierney
Towns
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Welch
Woodall
Woolsey
Young (AK)
Young (IN)

NOES—303

Ackerman
Adams
Aderholt
Akin
Alexander
Andrews
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clarke (MI)
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hirono
Hochul
Holden
Huelskamp
Huizenga (MI)
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Paulsen
Pearce
Pence
Peters
Petri
Platts
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rangel
Reed
Rehberg
Reichert
Renacci
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sewell
Sherman
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Wasserman Schultz
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Young (FL)

NOT VOTING—10

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1013

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 277, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 30 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 261, not voting 10, as follows:

[Roll No. 278]

AYES—160

Ackerman
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Fudge
Garamendi
Gibson
Gonzalez
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Paul
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richmond
Rigell
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—261

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1017

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 278, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 31 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 245, not voting 11, as follows:

[Roll No. 279]

AYES—175

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gingrey (GA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano

Neal
Olver
Pallone
Pastor (AZ)
Paul
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rigell
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—245

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Johnson (IL)
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1020

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 279, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Chair, on rollcall No. 279, I was present for rollcalls 278 and 280. I was talking to constituents from Canby, Illinois, off the floor, and inadvertently missed the vote. I support reduction in worldwide nuclear armaments, but felt this amendment was excessively micromanagerial.

Had I been present, I would have voted "present."

AMENDMENT NO. 32 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 179, not voting 11, as follows:

[Roll No. 280]

AYES—241

Adams
Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—179

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating

Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—11

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Issa
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1024

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 280, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 38 OFFERED BY MR. RIGELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. RIGELL) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 201, not voting 10, as follows:

[Roll No. 281]

AYES—220

Adams
Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barletta
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—201

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garrett
Gibson
Gonzalez
Graves (GA)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Labrador
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (SC)
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Yarmuth

NOT VOTING—10

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

□ 1027

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 281, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 42 OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 252, not voting 9, as follows:

[Roll No. 282]

AYES—170

Ackerman
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Campbell
Capps

Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kildee
Kind
Kucinich
Labrador
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Ribble
Richardson
Richmond
Rohrabacher
Rothman (NJ)
Roybal-Allard
Royce
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Stearns
Stutzman
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—252

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Amodei
Cardoza
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1031

Mr. MURPHY of Connecticut changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 282, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 47 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. DUNCAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 193, not voting 9, as follows:

[Roll No. 283]

AYES—229

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—193

Ackerman
Altmire
Andrews
Baca
Baldwin
Barletta
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper

Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Granger
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Harper
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Renacci
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—9

Amodei
Cardoza
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1034

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 283, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT NO. 48 OFFERED BY MR. COFFMAN OF COLORADO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. COFFMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 196, not voting 9, as follows:

[Roll No. 284]

AYES—226

Ackerman
Adams
Amash
Andrews
Baca
Baldwin
Barrow
Bartlett
Bass (CA)
Becerra
Benishek
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Butterfield
Camp
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Cravaack
Critz
Crowley
Cuellar
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Garrett
Gibson
Gohmert
Gonzalez
Goodlatte
Graves (GA)
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Guthrie
Gutierrez
Hahn
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Huelskamp
Huizenga (MI)
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kildee
Kind
Kingston
Kissell
Kucinich
Labrador
Landry
Langevin
Larson (CT)
Lee (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
Meehan
Meeks
Michaud
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Nunes
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Poe (TX)
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Ribble
Richardson
Richmond
Rigell
Rogers (MI)
Rohrabacher
Rokita
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Sires
Smith (NJ)
Smith (WA)
Southerland
Stark
Stivers
Stutzman
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Woodall
Woolsey
Yarmuth
Yoder

NOES—196

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Barton (TX)
Bass (NH)
Berg
Berkley
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Canseco
Cantor
Capito
Carter
Cassidy
Chaffetz
Clay
Cole
Conaway
Costa
Courtney
Crawford
Crenshaw
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibbs
Gingrey (GA)
Gowdy
Granger
Graves (MO)
Griffin (AR)
Grimm
Guinta
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hoyer
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kline
Lamborn
Lance
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Pitts
Platts
Pompeo
Posey
Quayle
Reed
Rehberg
Reichert
Renacci
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tipton
Towns
Turner (NY)
Turner (OH)
Walberg
Wasserman Schultz
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Amodei
Cardoza
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1038

Mr. CUMMINGS changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 284, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 49 OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 77, noes 344, not voting 10, as follows:

[Roll No. 285]

AYES—77

Baldwin	Fudge	Napolitano
Bass (CA)	Garamendi	Olver
Becerra	Grijalva	Pastor (AZ)
Bishop (GA)	Gutierrez	Pingree (ME)
Blumenauer	Hahn	Polis
Capps	Heinrich	Price (NC)
Capuano	Hinchey	Rahall
Chu	Holt	Richardson
Clarke (NY)	Honda	Richmond
Clay	Jackson (IL)	Roybal-Allard
Cleaver	Johnson (GA)	Rush
Clyburn	Johnson, E. B.	Ryan (OH)
Cohen	Jones	Sánchez, Linda T.
Conyers	Kaptur	
Cummings	Kucinich	Scott (VA)
Davis (IL)	Lee (CA)	Serrano
DeFazio	Lewis (GA)	Stark
DeGette	Lofgren, Zoe	Thompson (CA)
Doggett	Luján	Thompson (MS)
Doyle	McCollum	Tonko
Duncan (TN)	McDermott	Towns
Edwards	McGovern	Walz (MN)
Ellison	Miller (NC)	Waters
Eshoo	Miller, George	Watt
Farr	Moore	Welch
Fattah	Moran	Woolsey

NOES—344

Ackerman	Camp	Engel
Adams	Campbell	Farenthold
Aderholt	Canseco	Fincher
Akin	Cantor	Fitzpatrick
Alexander	Capito	Flake
Altmire	Carnahan	Fleischmann
Amash	Carney	Fleming
Andrews	Carson (IN)	Flores
Austria	Carter	Forbes
Baca	Cassidy	Fortenberry
Bachmann	Castor (FL)	Foxx
Bachus	Chabot	Frank (MA)
Barletta	Chaffetz	Franks (AZ)
Barrow	Chandler	Frelinghuysen
Bartlett	Cicilline	Gallegly
Barton (TX)	Clarke (MI)	Gardner
Bass (NH)	Coble	Garrett
Benishek	Cole	Gerlach
Berg	Conaway	Gibbs
Berkley	Connolly (VA)	Gibson
Berman	Cooper	Gingrey (GA)
Biggert	Costa	Gohmert
Bilbray	Courtney	Gonzalez
Bilirakis	Cravaack	Goodlatte
Bishop (NY)	Crawford	Gowdy
Bishop (UT)	Crenshaw	Granger
Black	Critz	Graves (GA)
Blackburn	Crowley	Graves (MO)
Bonamici	Cuellar	Green, Al
Bonner	Culberson	Green, Gene
Bono Mack	Davis (CA)	Griffin (AR)
Boren	Davis (KY)	Griffith (VA)
Boswell	DeLauro	Grimm
Boustany	Denham	Guinta
Brady (PA)	Dent	Guthrie
Brady (TX)	DesJarlais	Hall
Braley (IA)	Deutch	Hanabusa
Brooks	Diaz-Balart	Hanna
Broun (GA)	Dicks	Harper
Brown (FL)	Dingell	Harris
Buchanan	Dold	Hartzler
Bucshon	Donnelly (IN)	Hastings (FL)
Buerkle	Dreier	Hastings (WA)
Burgess	Duffy	Hayworth
Burton (IN)	Duncan (SC)	Heck
Butterfield	Ellmers	Hensarling
Calvert	Emerson	Herger
Herrera Beutler	McHenry	Runyan
Higgins	McIntyre	Ruppersberger
Himes	McKeon	Ryan (WI)
Hinojosa	McKinley	Sarbanes
Hirono	McMorris Rodgers	Scalise
Hochul		Schakowsky
Holden	McNerney	Schiff
Hoyer	Meehan	Schilling
Huelskamp	Meeks	Schmidt
Huizenga (MI)	Mica	Schock
Hultgren	Michaud	Schrader
Hunter	Miller (FL)	Schwartz
Hurt	Miller (MI)	Schweikert
Israel	Miller, Gary	Scott (SC)
Issa	Mulvaney	Scott, Austin
Jackson Lee (TX)	Murphy (CT)	Scott, David
	Murphy (PA)	Sensenbrenner
Jenkins	Myrick	Sessions
Johnson (IL)	Nadler	Sewell
Johnson (OH)	Neal	Sherman
Johnson, Sam	Neugebauer	Shimkus
Jordan	Noem	Shuler
Keating	Nugent	Shuster
Kelly	Nunes	Simpson
Kildee	Nunnelee	Sires
Kind	Olson	Smith (NE)
King (IA)	Owens	Smith (NJ)
King (NY)	Palazzo	Smith (TX)
Kingston	Pallone	Smith (WA)
Kinzinger (IL)	Paul	Southerland
Kissell	Paulsen	Stearns
Kline	Pearce	Stivers
Labrador	Pelosi	Stutzman
Lamborn	Pence	Sullivan
Lance	Perlmutter	Sutton
Landry	Peters	Terry
Langevin	Peterson	Thompson (PA)
Lankford	Petri	Thornberry
Larsen (WA)	Pitts	Tiberi
Larson (CT)	Platts	Tierney
Latham	Poe (TX)	Tipton
LaTourette	Pompeo	Tsongas
Latta	Posey	Turner (NY)
Levin	Price (GA)	Turner (OH)
Lewis (CA)	Quayle	Upton
Lipinski	Quigley	Van Hollen
LoBiondo	Rangel	Velázquez
Loebsack	Reed	Visclosky
Long	Rehberg	Walberg
Lowey	Reichert	Walden
Lucas	Renacci	Walsh (IL)
Luetkemeyer	Reyes	Wasserman Schultz
Lummis	Ribble	
Lungren, Daniel E.	Rigell	Waxman
	Rivera	Webster
Lynch	Roby	West
Mack	Roe (TN)	Westmoreland
Maloney	Rogers (AL)	Whitfield
Manzullo	Rogers (KY)	Wilson (FL)
Marchant	Rogers (MI)	Wilson (SC)
Marino	Rohrabacher	Wittman
Markey	Rokita	Wolf
Matheson	Rooney	Womack
Matsui	Ros-Lehtinen	Woodall
McCarthy (CA)	Roskam	Yarmuth
McCarthy (NY)	Ross (AR)	Yoder
McCaul	Ross (FL)	Young (AK)
McClintock	Rothman (NJ)	Young (FL)
McCotter	Royce	Young (IN)

NOT VOTING—10

Amodei	Filner	Slaughter
Cardoza	Gosar	Speier
Coffman (CO)	Pascrell	
Costello	Sanchez, Loretta	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1043

Ms. SEWELL and Mr. RANGEL changed their vote from ''aye'' to ''no.''

Ms. FUDGE and Messrs. RICHMOND, POLIS, and LUJÁN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 285, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 54 OFFERED BY MR. FRANKS OF ARIZONA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FRANKS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 181, not voting 9, as follows:

[Roll No. 286]

AYES—241

Adams	Duncan (TN)	Landry
Aderholt	Ellmers	Lankford
Akin	Emerson	Latham
Alexander	Farenthold	LaTourette
Amash	Fincher	Latta
Austria	Flake	Lewis (CA)
Bachmann	Fleischmann	LoBiondo
Bachus	Fleming	Long
Barletta	Flores	Lucas
Barrow	Forbes	Luetkemeyer
Bartlett	Fortenberry	Lummis
Barton (TX)	Foxx	Mack
Bass (NH)	Franks (AZ)	Manzullo
Benishek	Gallegly	Marchant
Berg	Gardner	Marino
Biggert	Garrett	Matheson
Bilbray	Gerlach	McCarthy (CA)
Bilirakis	Gibbs	McCaul
Bishop (GA)	Gibson	McClintock
Bishop (UT)	Gingrey (GA)	McCotter
Black	Gohmert	McHenry
Blackburn	Goodlatte	McIntyre
Bonner	Gowdy	McKeon
Bono Mack	Granger	McKinley
Boren	Graves (GA)	McMorris Rodgers
Boustany	Graves (MO)	
Brady (TX)	Griffin (AR)	Meehan
Brooks	Griffith (VA)	Mica
Broun (GA)	Grimm	Miller (FL)
Buchanan	Guinta	Miller (MI)
Bucshon	Guthrie	Miller, Gary
Buerkle	Hall	Mulvaney
Burgess	Harper	Murphy (PA)
Burton (IN)	Harris	Myrick
Calvert	Hartzler	Neugebauer
Camp	Hastings (WA)	Noem
Canseco	Hayworth	Nugent
Cantor	Hensarling	Nunes
Capito	Herger	Nunnelee
Carter	Herrera Beutler	Olson
Cassidy	Huelskamp	Palazzo
Chabot	Huizenga (MI)	Paulsen
Chaffetz	Hultgren	Pearce
Chandler	Hunter	Pence
Coble	Hurt	Peters
Coffman (CO)	Issa	Peterson
Cole	Jenkins	Petri
Conaway	Johnson (IL)	Pitts
Cravaack	Johnson (OH)	Platts
Crawford	Johnson, Sam	Poe (TX)
Crenshaw	Jones	Pompeo
Cuellar	Jordan	Posey
Culberson	Kelly	Price (GA)
Davis (KY)	King (IA)	Quayle
Denham	King (NY)	Reed
DesJarlais	Kingston	Rehberg
Diaz-Balart	Kinzinger (IL)	Reichert
Dold	Kline	Renacci
Dreier	Labrador	Ribble
Duffy	Lamborn	Richardson
Duncan (SC)	Lance	Rigell

Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall
Woolsey
Yarmuth

NOT VOTING—9

Amodei
Cardoza
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1047

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. HANNA. Mr. Chair, on rollcall Number 286 on the Franks Amendment No. 54 to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, I intended to vote "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 286, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 55 OFFERED BY MR. PEARCE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. PEARCE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 121, noes 300, not voting 10, as follows:

[Roll No. 287]

AYES—121

Amash
Baldwin
Barton (TX)
Bass (CA)
Becerra
Berkley
Bishop (UT)
Blumenauer
Bonamici
Broun (GA)
Buchanan
Burgess
Campbell
Canseco
Capps
Capuano
Carter
Cassidy
Chaffetz
Chu
Cicilline
Coffman (CO)
Conaway
Conyers
Courtney
Cummings
Davis (CA)
Davis (IL)
DeFazio
Doggett
Edwards
Ellison
Farenthold
Farr
Flake
Frank (MA)
Garamendi
Gardner
Gohmert
Graves (MO)
Grijalva
Hahn
Heinrich
Higgins
Himes
Hinchey
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Israel
Jackson (IL)
Jones
Keating
King (IA)
Kingston
Kucinich
Labrador
Lance
Lankford
Larsen (WA)
Levin
Lewis (GA)
Lofgren, Zoe
Luján
Lummis
Maloney
Marchant
Markey
Matheson
Matsui
McCaul
McClintock
McDermott
McGovern
McMorris Rodgers
McNerney
Michaud
Nadler
Napolitano
Neal
Neugebauer
Olson
Olver
Pallone
Paul
Paulsen
Pearce
Pelosi
Perlmutter
Pingree (ME)
Polis
Posey
Quigley
Rahall
Rangel
Rokita
Roybal-Allard
Sánchez, Linda T.
Sarbanes
Schakowsky
Schwartz
Serrano
Sherman
Shimkus
Smith (NE)
Stark
Thompson (PA)
Tierney
Tonko
Tsongas
Visclosky
Walberg
Waters
Watt
Waxman
Webster
Welch
Woodall
Woolsey

NOES—300

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Capito
Carnahan
Carney
Carson (IN)
Castor (FL)
Chabot
Chandler
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (KY)
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Eshoo
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hirono
Hochul
Holden
Hoyer
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kline
Lamborn
Landry
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marino
McCarthy (CA)
McCarthy (NY)
McCollum
McCotter
McHenry
McIntyre
McKeon
McKinley
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Noem
Nugent
Nunes
Nunnelee
Owens
Palazzo
Pastor (AZ)
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tipton
Towns
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf

Womack	Yoder	Young (FL)
Yarmuth	Young (AK)	Young (IN)

NOT VOTING—10

Amodei	Gosar	Slaughter
Cardoza	Johnson (GA)	Speier
Costello	Pascrell	
Filner	Sanchez, Loretta	

□ 1051

Mr. ROTHMAN of New Jersey changed his vote from ''aye'' to ''no.''

Mr. OLSON changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 287, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 661, I offer amendments en bloc.

The Acting CHAIR (Mr. YODER). The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 56, 58, 61, 67, 68, 78, 79, 106, 113, 114, 115, 116, 120, 122, 123, and 125, printed in House Report 112–485, offered by Mr. MCKEON of California:

AMENDMENT NO. 56 OFFERED BY MR. HEINRICH OF NEW MEXICO

At the end of subtitle E of title XXXI, add the following new section:

SEC. 3158. PILOT PROGRAM ON TECHNOLOGY COMMERCIALIZATION.

(a) PILOT PROGRAM.—The Secretary of Energy, in consultation with the Technology Transfer Coordinator appointed under section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)), may carry out a competitively awarded pilot program involving one non-profit entity and a national laboratory within the National Nuclear Security Administration for the purpose of accelerating technology transfer from national laboratories to the marketplace.

(b) SELECTION OF ENTITY AND NATIONAL LABORATORY.—In carrying out a pilot program under subsection (a), the Secretary of Energy and the Technology Transfer Coordinator shall jointly select a non-profit entity and a national laboratory for the purpose of carrying out the pilot program under this section. In making such selections, the Secretary and Coordinator shall consider each of the following:

(1) A commitment to participate made by a national laboratory within the National Nuclear Security Administration being considered for selection.

(2) The availability of technologies, licenses, intellectual property, and other matters at a national laboratory being considered for selection.

(c) PROGRAM ELEMENTS.—The pilot program shall be carried out as follows:

(1) Under the pilot program, the Secretary and the Coordinator shall evaluate and validate the performance of technology transfer activities at the selected laboratory.

(2) The pilot program shall involve collaboration with other offices and agencies within the Department of Energy and the National Nuclear Security Administration.

(3) Under the pilot program, the non-profit entity selected to carry out the pilot program shall work to create business startups and increase the number of cooperative research and development agreements and sponsored research projects at the selected laboratory. The non-profit entity shall work with interested businesses in identifying appropriate technologies at the national laboratory and facilitating the commercialization process.

(4) The Secretary of Energy and the Coordinator shall use the results of the pilot program as the basis for informing key performance parameters and strategies that could be implemented in various national laboratories across the country.

(d) DURATION.—A pilot program carried out under subsection (a) shall be not more than two years in duration.

(e) REPORTS.—

(1) INITIAL REPORTS.—Not later than one year after the date on which a pilot program under subsection (a) begins, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Committee on Science and Technology in the House of Representatives, and the Committee on Commerce, Science and Transportation in the Senate, a report that provides an update on the implementation of the pilot program under this section, including an identification of the selected non-profit entity and national laboratory.

(2) FINAL REPORT.—Not later than 90 days after the completion of the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Committee on Science and Technology in the House of Representatives, and the Committee on Commerce, Science and Transportation of the Senate a report on the pilot program, including any findings and recommendations of the Secretary. The non-profit entity shall submit a report detailing its experiences working with the laboratory and submit recommendations for improvement of technology commercialization.

(f) DEFINITIONS.—In this section, the term ''national laboratory'' means—

(1) a national laboratory (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)); or

(2) a national security laboratory (as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471)).

AMENDMENT NO. 58 OFFERED BY MR. TIERNEY OF MASSACHUSETTS

Page 453, after line 16, insert the following (and conform the table of contents accordingly):

SEC. 1069. REPORT ON MANUFACTURING INDUSTRY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report assessing the manufacturing industry of the United States. The report shall include, at a minimum, the following:

(1) An assessment of the current manufacturing capacity of the United States as it relates to the ability of the United States to respond to both civilian and defense needs.

(2) An assessment of the tax, trade, and regulatory policies of the United States as such policies impact the growth of the manufacturing industry in the United States.

(3) An analysis of the factors leading to the increased outsourcing of manufacturing processes to foreign nations.

(4) An analysis of the strength of the United States defense industrial base, including the security and stability of the supply chain and an assessment of the vulnerabilities of that supply chain.

AMENDMENT NO. 61 OFFERED BY MR. GARAMENDI OF CALIFORNIA

Page 81, line 2, strike ''and'' at the end.

Page 81, line 6, strike the period at the end and insert ''; and''.

Page 81, after line 6, insert the following:

(4) an assessment of any challenges that may exist in the manufacturing capability of the United States to produce three-dimensional integrated circuits (including a review of the challenges that may exist in the manufacturing capability of the United States to produce small-lot quantities of advanced chips (200 mm and 300 mm)) and a general analysis on potential ways to overcome these challenges and encourage domestic commercial capability to develop and manufacture three-dimensional integrated circuits for use in military systems.

AMENDMENT NO. 67 OFFERED BY MR. KIND OF WISCONSIN

At the end of title III, add the following new section:

SEC. 3___. ASSISTANCE FOR HOMELAND DEFENSE MISSION TRAINING.

(a) ASSISTANCE AUTHORIZED.—Chapter 9 of title 32, United States Code, is amended by adding at the end the following new section:

''§ 909. Training assistance

''(a) ASSISTANCE AUTHORIZED.—To improve the training of National Guard units and Federal agencies performing homeland defense activities, the Secretary of Defense may provide funding assistance through a special military cooperative agreement for the operation and maintenance of any State training center certified by the Federal Emergency Management Agency as capable of providing emergency response training.

''(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds under subsection (a) with or to a specific entity shall—

''(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10 or on competitive procedures; and

''(2) comply with other applicable provisions of law.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''909. Training assistance.''.

AMENDMENT NO. 68 OFFERED BY MR. TIERNEY OF MASSACHUSETTS

Page 116, after line 23, insert the following new section (and conform the table of contents accordingly):

SEC. 347. REPORT ON STATUS OF TARGETS IN OPERATIONAL ENERGY STRATEGY IMPLEMENTATION PLAN.

(a) IN GENERAL.—The Secretary of Defense shall submit annually to the relevant congressional committees a report on the status of the targets listed in the document entitled ''Operational Energy Strategy: Implementation Plan, Department of Defense, March 2012'', including—

(1) the status of each of the targets listed in the implementation plan;

(2) the steps being taken to meet the targets;

(3) the expected date of completion for each target if such date is different from the date indicated in the report; and

(4) the reason for any delays in meeting the targets.

(b) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''relevant congressional committees'' means—

(1) the Committee on Armed Services of the Senate and the House of Representatives;
(2) the Committee on Oversight and Government Reform of the House of Representatives;
(3) the Committee on Homeland Security and Governmental Affairs of the Senate;
(4) the Committee on Foreign Affairs of the House of Representatives; and
(5) the Committee on Foreign Relations of the Senate;

AMENDMENT NO. 78 OFFERED BY MR. KIND OF WISCONSIN

At the end of subtitle F of title V, add the following new section:

SEC. 5___. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FIRST LIEUTENANT ALONZO H. CUSHING FOR ACTS OF VALOR DURING THE CIVIL WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President is authorized to award the Medal of Honor under section 3741 of such title to then First Lieutenant Alonzo H. Cushing for conspicuous acts of gallantry and intrepidity at the risk of life and beyond the call of duty in the Civil War, as described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then First Lieutenant Alonzo H. Cushing while in command of Battery A, 4th United States Artillery, Army of the Potomac, at Gettysburg, Pennsylvania, on July 3, 1863, during the American Civil War.

AMENDMENT NO. 79 OFFERED BY MR. NUGENT OF FLORIDA

At the end of subtitle F of title V of division A, add the following new section:

SEC. 5___. RETROACTIVE AWARD OF ARMY COMBAT ACTION BADGE.

(a) AUTHORITY TO AWARD.—The Secretary of the Army may award the Army Combat Action Badge (established by order of the Secretary of the Army through Headquarters, Department of the Army Letter 600 05 1, dated June 3, 2005) to a person who, while a member of the Army, participated in combat during which the person personally engaged, or was personally engaged by, the enemy at any time during the period beginning on December 7, 1941, and ending on September 18, 2001 (the date of the otherwise applicable limitation on retroactivity for the award of such decoration), if the Secretary determines that the person has not been previously recognized in an appropriate manner for such participation.

(b) PROCUREMENT OF BADGE.—The Secretary of the Army may make arrangements with suppliers of the Army Combat Action Badge so that eligible recipients of the Army Combat Action Badge pursuant to subsection (a) may procure the badge directly from suppliers, thereby eliminating or at least substantially reducing administrative costs for the Army to carry out this section.

AMENDMENT NO. 106 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

At the end of title X, add the following new section:

SEC. 1084. REPORT ON DEFENSE FORENSIC DATA.

(a) REQUIREMENT.—The Director of the Defense Forensic Office within the Office of the Undersecretary of Defense for Acquisition, Technology, and Logistics may evaluate opportunities to increase the matching success rate when forensic data is collected during site exploitation to match forensic data stored in DNA databases. Among other items, the Defense Forensic Office may evaluate opportunities to assist other countries with moving forward with DNA database programs that require a defined category of criminal offender to submit DNA to a foreign country's national DNA database.

(b) REPORT.—The Defense Forensic Office shall submit to the congressional defense committees a report containing its findings and solutions no later than 120 days after the date of the enactment of this Act.

AMENDMENT NO. 113 OFFERED BY MR. SABLAN OF THE NORTHERN MARIANA ISLANDS

At the end of subtitle H of title X, add the following new section:

SEC. 1084. DISPLAY OF STATE, DISTRICT OF COLUMBIA, AND TERRITORIAL FLAGS BY ARMED FORCES.

Section 2249b of title 10, United States Code, is amended—

(1) by adding at the end the following new subsection:

''(c) DISPLAY OF DISTRICT OF COLUMBIA AND TERRITORIAL FLAGS BY ARMED FORCES.—The Secretary of Defense shall ensure that whenever the official flags of all 50 States are displayed by the armed forces, such display shall include the flags of the District of Columbia, Commonwealth of Puerto Rico, United States Virgin Islands, Guam, American Samoa, and Commonwealth of the Northern Mariana Islands.''; and

(2) in the section heading, by striking the colon and all that follows.

AMENDMENT NO. 114 OFFERED BY MR. THORNBERRY OF TEXAS

At the end of title X, add the following new section:

SEC. 10___. DISSEMINATION ABROAD OF INFORMATION ABOUT THE UNITED STATES.

(a) UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.—Section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) is amended to read as follows:

''GENERAL AUTHORIZATION

''SEC. 501. (a) The Secretary and the Broadcasting Board of Governors are authorized to use funds appropriated or otherwise made available for public diplomacy information programs to provide for the preparation, dissemination, and use of information intended for foreign audiences abroad about the United States, its people, and its policies, through press, publications, radio, motion pictures, the Internet, and other information media, including social media, and through information centers, instructors, and other direct or indirect means of communication.

''(b)(1) Except as provided in paragraph (2), the Secretary and the Broadcasting Board of Governors may, upon request and reimbursement of the reasonable costs incurred in fulfilling such a request, make available, in the United States, motion pictures, films, video, audio, and other materials prepared for dissemination abroad or disseminated abroad pursuant to this Act, the United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.), the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.), or the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.). The Secretary and the Broadcasting Board of Governors shall issue necessary regulations—

''(A) to establish procedures to maintain such material;

''(B) for reimbursement of the reasonable costs incurred in fulfilling requests for such material; and

''(C) to ensure that the persons seeking release of such material have secured and paid for necessary United States rights and licenses.

''(2) With respect to material prepared for dissemination abroad or disseminated abroad before the effective date of the Smith-Mundt Modernization Act of 2012—

''(A) the Secretary and the Broadcasting Board of Governors shall make available to the Archivist of the United States, for domestic distribution, motion pictures, films, videotapes, and other material 12 years after the initial dissemination of the material abroad; and

''(B) the Archivist shall be the official custodian of the material and shall issue necessary regulations to ensure that persons seeking its release in the United States have secured and paid for necessary United States rights and licenses and that all costs associated with the provision of the material by the Archivist shall be paid by the persons seeking its release, in accordance with paragraph (3).

''(3) The Archivist may charge fees to recover the costs described in paragraph (2), in accordance with section 2116 (c) of title 44. Such fees shall be paid into, administered, and expended as part of the National Archives Trust Fund.

''(c) Nothing in this section may be construed to require the Secretary or the Broadcasting Board of Governors to make material disseminated abroad available in any format other than in the format disseminated abroad.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the allocation of funds appropriated or otherwise made specifically available for public diplomacy.

(c) FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1986 AND 1987.—Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a) is amended to read as follows:

''SEC. 208. CLARIFICATION ON DOMESTIC DISTRIBUTION OF PROGRAM MATERIAL.

''(a) IN GENERAL.—No funds authorized to be appropriated to the Department of State or the Broadcasting Board of Governors shall be used to influence public opinion in the United States. This section shall apply only to programs carried out pursuant to the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.), the United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.), the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.), and the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.). This section shall not prohibit or delay the Department of State or the Broadcasting Board of Governors from providing information about its operations, policies, programs, or program material, or making such available, to the media, public, or Congress, in accordance with other applicable law.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Department of State or the Broadcasting Board of Governors from engaging in any medium or form of communication, either directly or indirectly, because a United States domestic audience is or may be thereby exposed to program material, or based on a presumption of such exposure. Such material may be made available within the United States and disseminated, when appropriate, pursuant to sections 502 and 1005 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1462 and 1437), except that nothing in this section may be construed to authorize the Department of State or the Broadcasting Board of

Governors to disseminate within the United States any program material prepared for dissemination abroad on or before the effective date of the Smith-Mundt Modernization Act of 2012.

''(c) APPLICATION.—The provisions of this section shall apply only to the Department of State and the Broadcasting Board of Governors and to no other department or agency of the Federal Government.''.

(d) CONFORMING AMENDMENTS.—The United States Information and Educational Exchange Act of 1948 is amended—

(1) in section 502 (22 U.S.C. 1462)—

(A) by inserting ''and the Broadcasting Board of Governors'' after ''Secretary''; and

(B) by inserting ''or the Broadcasting Board of Governors'' after ''Department''; and

(2) in section 1005 (22 U.S.C. 1437), by inserting ''and the Broadcasting Board of Governors'' after ''Secretary'' each place it appears.

(e) EFFECTIVE DATE.—This section shall take effect and apply on the date that is 180 days after the date of the enactment of this section.

AMENDMENT NO. 115 OFFERED BY MR. THORNBERRY OF TEXAS

At the end of title X, add the following new section:

SEC. 1084. IMPROVING ORGANIZATION FOR COMPUTER NETWORK OPERATIONS.

(a) CHARTER.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees a charter to establish an interagency body or organization to coordinate and deconflict full-spectrum military cyber operations for the Federal Government.

(b) ELEMENTS.—The charter required under subsection (a) shall include—

(1) business rules and processes for the functioning of the body or organization established by such charter;

(2) interagency guidance clarifying roles and responsibilities for full-spectrum military cyber operations;

(3) clarification and defined membership for such body or organization; and

(4) accommodation for documentation of the activities of such body or organization, including minutes and historical archives.

(c) REPORT.—Not later than 240 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees a report outlining the charter required under subsection (a), and plans to ensure the implementation of such charter.

(d) BUDGET JUSTIFICATION DOCUMENTS.—The Secretary of Defense shall submit to the congressional defense committees dedicated budget documentation materials to accompany future budget submissions, including a single Depart of Defense-wide budget estimate and detailed budget planning data for full-spectrum military cyberspace operations (computer network defense, attack, and exploitation) in both unclassified and classified funding data.

AMENDMENT NO. 116 OFFERED BY MR. TIERNEY OF MASSACHUSETTS

At the end of title X, add the following new section (and conform the table of contents accordingly):

SEC. 1084. IMPROVING UNITED STATES FOREIGN POLICE ASSISTANCE ACTIVITIES.

(a) FINAL REPORT.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the relevant congressional committees the final report from the National Security Council's Interagency Policy Committee on Security Sector Assistance.

(b) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of Defense and State shall jointly submit to the relevant congressional committees a plan to institute mechanisms to better coordinate, document, disseminate, and share information analysis and assessments regarding United States foreign police assistance activities.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''relevant congressional committees'' means—

(1) the Committee on Armed Services of the Senate and the House of Representatives;

(2) the Committee on Oversight and Government Reform of the House of Representatives;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives; and

(5) the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 120 OFFERED BY MR. THORNBERRY OF TEXAS

At the end of subtitle B of title XII of division A of the bill, add the following:

SEC. 12xx. MODIFICATION OF REPORT ON PROGRESS TOWARD SECURITY AND STABILITY IN AFGHANISTAN.

(a) IN GENERAL.—Section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385), as most recently amended by section 1218(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1632), is further amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following:

''(e) ADDITIONAL MATTERS TO BE INCLUDED ON AFGHANISTAN NATIONAL SECURITY FORCES.—In reporting on performance indicators and measures of progress required under subsection (d)(2)(D), the report required under subsection (a) shall assess the following:

''(1) For overall Afghanistan National Security Forces (ANSF):

''(A) Overall Afghan National Army (ANA) and Afghan National Police (ANP) literacy rate; ANA and ANP literacy rate by region; ANSF literacy rate by Kandak, Brigade, and Corps; trends over time; and how literacy improvements have enhanced associated mission essential competencies and professionalization of the ANSF.

''(B) An assessment of the ANA and the ANP interaction with the Afghan civilian population, respect for human rights, and associated professional education.

''(C) By fiscal year (current and one-year projected) budget requirements.

''(D) A by-country outline of contributions for the current fiscal year and one-year projected fiscal year.

''(E) By-Kandak Mission Essential Task List proficiency.

''(2) For recruitment:

''(A) Outline of screening criteria.

''(B) Literacy rate of all recruits.

''(C) Outline of the security vetting procedures.

''(D) Percentage screened that are not eligible to serve.

''(E) Percentage screened that report for entry level training.

''(F) Percentage attained of the required ANA end strength, of the ANP end strength, and overall ANSF end strength.

''(G) Trends in each above mentioned category from the prior fiscal year through the current report deadline.

''(3) For entry-level training:

''(A) Percentage that entered and successfully complete training.

''(B) A by-specialty list of all recruits that fail to graduate entry level training for the ANA and ANP.

''(C) Percentage of recruits that become unaccounted (UA) for or are 'Absent Without Leave' (AWOL) during training.

''(D) Trends in each above mentioned category from the prior fiscal year through the current report deadline.

''(4) For personnel administration:

''(A) Percentage of the ANSF that was paid on time.

''(B) UA/AWOL rate by Kandak, Brigade, and Corps.

''(C) Trends in each above mentioned category from the prior fiscal year through the current report deadline.

''(5) For professionalization of the ANSF:

''(A) Percentage of noncommissioned officer corps personnel as compared to noncommissioned officer corps end-strength requirements.

''(B) Number of enlisted, noncommissioned officer corps, and officers that complete continuing education.

''(C) An assessment of the noncommissioned officer corps continuing education program.

''(6) For retention:

''(A) On average time ANA and ANP personnel remain in their respective units.

''(B) By-fiscal year, by-Kandak percentage of personnel retained and personnel attrition from the prior fiscal year through the current report deadline.

''(7) For logistics:

''(A) On average percentage shortfall, by Kandak, of Class I-IX supplies, which includes Class I–Food, rations, and water; Class II–Clothing; Class III–Petroleum, oils, and lubricants; Class IV–Fortification and barrier materials; Class V–Ammunition; Class VII–Major End Items; Class VIII–Medical supplies; and Class IX–Repair Parts.

''(B) On average number of days to fill supply requests to address operational shortfalls.

''(C) Operational readiness rate for all mission essential equipment by Kandak, Brigade, and Corps.

''(8) For transition:

''(A) Provide the framework that ISAF, in conjunction with the Afghan government, uses to synthesize ANSF performance metrics and adjudicate transition of ANSF units through proficiency levels.

''(B) A by-Kandak analysis of the on average time to transition between proficiency levels since inception of the ANSF transition.

''(C) A by-region overview of the force structure mix that is correlated with the evolution of threat picture in the region.''.

(b) EFFECTIVE DATE.—The amendments made this section apply with respect to any report required to be submitted under section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385) on or after the date of the enactment of this Act.

AMENDMENT NO. 122 OFFERED BY MR. CONAWAY OF TEXAS

At the end of subtitle C of title XII of the bill, insert the following:

SEC. 12xx. ENHANCING THE DEFENSE OF ISRAEL AND UNITED STATES INTERESTS IN THE MIDDLE EAST.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should take the following actions to assist in the defense of Israel:

(1) Provide Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend the urgent threat posed to Israel and United States forces in the region.

(2) Provide Israel defense articles, intelligence, and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions.

(3) Allocate additional weaponry and munitions for the forward-deployed United States stockpile in Israel.

(4) Provide Israel additional surplus defense articles and defense services, as appropriate, in the wake of the withdrawal of United States forces from Iraq.

(5) Offer the Israeli Air Force additional training and exercise opportunities in the United States to compensate for Israel's limited air space.

(6) Expand Israel's authority to make purchases under section 23 of the Arms Export Control Act (relating to the ''Foreign Military Financing'' program) on a commercial basis.

(7) Seek to enhance the capabilities of the United States and Israel to address emerging common threats, increase security cooperation, and expand joint military exercises.

(8) Encourage an expanded role for Israel within the North Atlantic Treaty Organization (NATO), including an enhanced presence at NATO headquarters and exercises.

(9) Support extension of the long-standing loan guarantee program for Israel, recognizing Israel's unbroken record of repaying its loans on time and in full.

(10) Expand already-close intelligence cooperation, including satellite intelligence, with Israel.

(b) REPORT ON ISRAEL'S QUALITATIVE MILITARY EDGE.—

(1) STATEMENT OF POLICY.—It is the policy of the United States—

(A) to help Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation; and

(B) to encourage further development of advanced technology programs between the United States and Israel in light of current trends and instability in the region.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on the status of Israel's qualitative military edge in light of current trends and instability in the region.

(c) REPORT ON OTHER MATTERS.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on each of the following:

(1) Taking into account Israel's urgent requirement for F–35 aircraft, actions to improve the process relating to Israel's purchase of F–35 aircraft to improve cost efficiency and timely delivery.

(2) Efforts to expand cooperation between the United States and Israel in homeland defense, counter-terrorism, maritime security, cybersecurity, and other appropriate areas.

(3) Actions to integrate Israel into the defense of the Eastern Mediterranean.

SEC. 12xx. PLAN TO ENHANCE MILITARY CAPABILITIES OF PERSIAN GULF ALLIES.

(a) PLAN.—The Secretary of Defense, in consultation with the Secretary of State, shall develop a plan to enhance the military capabilities of Persian Gulf allies to bolster the posture of such allies in relation to Iran.

(b) MATTERS TO BE INCLUDED.—The plan required under subsection (a) shall include the following:

(1) A description of the means to augment the offensive strike capabilities of key Gulf Cooperation Council allies, including the potential sale or upgrades of strike attack aircraft and bunker buster munitions, to augment the viability of a credible military option and to strengthen such allies' self-defense capabilities against retaliation or military aggression by Iran.

(2) A needs-based assessment, or an update to an existing needs-based assessment, of the military requirements of Persian Gulf allies to support a credible military option and to defend against potential military aggression by Iran.

(3) A detailed summary of any arms sales and training requests by Persian Gulf allies and a description and justification for United States actions taken.

(c) RULE OF CONSTRUCTION.—Nothing in the plan required under subsection (a) shall be construed to alter Israel's qualitative military edge.

(d) SUBMISSION TO CONGRESS.—The plan required under subsection (a) shall be submitted to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act.

(e) FORM.—The plan required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

SEC. 12xx. PLAN TO INCREASE STRATEGIC REGIONAL PARTNERSHIPS.

(a) FINDINGS.—Congress finds the following:

(1) The United States should ensure that it has the broadest set of geographic approaches to militarily access Iran.

(2) United States Armed Forces and support staff currently have access from the eastern, southern, and western borders of Iran.

(3) Azerbaijan borders the northern frontier of Iran closest to nuclear sites near Tehran and the Government of Azerbaijan cooperates with the United States on Caspian Sea security and energy issues.

(b) POLICY.—It shall be the policy of the United States to—

(1) increase pressure on Iran by providing United States Armed Forces with the broadest set of geographic approaches to militarily access Iran; and

(2) explore means to enhance access to military facilities on the northern border of Iran.

(c) PLAN.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, shall develop a plan to increase the strategic partnership with regional allies to provide United States Armed Forces with the broadest set of geographic approaches to militarily access Iran.

(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include the following information:

(A) Mechanisms to broaden the geographical approaches to militarily access Iran.

(B) The need, if any, to strengthen the self-defense capabilities of regional allies as a result of such partnerships.

(C) The viability of increasing access for United States Armed Forces to bases in Azerbaijan to augment the viability of a credible military option.

(3) SUBMISSION TO CONGRESS.—The plan required under paragraph (1) shall be submitted to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act.

SEC. 12xx. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

(2) QUALITATIVE MILITARY EDGE.—The term ''qualitative military edge'' has the meaning given the term in section 36(h)(2) of the Arms Export Control Act (22 U.S.C. 2776(h)(2)).

AMENDMENT NO. 123 OFFERED BY MR. CONYERS OF MICHIGAN

At the end of subtitle C of title XII of division A of the bill, add the following:

SEC. 12xx. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as authorizing the use of force against Iran.

AMENDMENT NO. 125 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

At the end of subtitle D of title XII of division A of the bill, add the following:

SEC. 12xx. LIMITATION ON FUNDS FOR UNITED STATES PARTICIPATION IN JOINT MILITARY EXERCISES WITH EGYPT.

None of the funds authorized to be appropriated by this Act may be made available for United States participation in joint military exercises with Egypt if the Government of Egypt terminates or withdraws from the 1979 Israeli-Egypt peace treaty.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chair, I yield 1 minute to my friend and colleague, the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, it is imperative that the new government in Egypt adhere to the 1979 Israeli-Egyptian peace treaty.

This amendment conditions U.S. funding for U.S. military participation in joint military exercises with Egypt. If Egypt abrogates, terminates, or withdraws from the 1979 Israeli-Egypt peace treaty, then the U.S. will not fund any joint military exercises with Egypt.

I urge adoption.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. I thank the gentleman.

There are three amendments that I speak to, Mr. Chairman. I want to

thank Chairman MCKEON and Ranking Member SMITH for their support and for including these in the en bloc amendment. These amendments are examples of areas where we can work together to provide better information to this body about the status of our Nation's security. We can hold the administration and the executive branch accountable for the goals that are set, and we can make certain that these programs are more efficient.

The Government Accountability Office report that I commissioned made a specific recommendation that the National Security Council complete its efforts to define the agency roles and responsibilities with respect to foreign policing and that the Secretary of Defense and the Secretary of State establish mechanisms to better share and document information among these various agencies. The first amendment, No. 116, addresses that and holds them responsible to do just that.

Secondly, the Department of Defense Operational Energy Strategy Implementation Plan is about energy security while saving lives, improving capabilities, cutting costs, and lowering risks for both our personnel and the Nation. We have to make sure that this amendment, No. 68, is passed to ensure that accountability.

The Acting CHAIR. The time of the gentleman has expired.

Mr. TIERNEY. The third amendment, No. 58, is along the same line.

I thank the gentleman for recognizing me.

Mr. MCKEON. Mr. Chairman, I would like to thank my colleague and friend, the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN from Florida, for agreeing to allow amendment No. 114 to proceed on the NDAA in the en bloc package, a matter that is within the rule X jurisdiction of the Foreign Affairs Committee.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

Mr. MCKEON. I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Chair, I rise today in strong support of the Sensenbrenner-Kind Amendment to the fiscal year 2013 National Defense Authorization Act. This amendment waives the time restrictions to award the Medal of Honor to Lieutenant Alonzo Cushing.

This award is long overdue as Lt. Cushing heroically served his country during the Civil War. Lt. Cushing was born in Delafield, WI, which is located within my district, and raised in New York. He attended the United States Military Academy at West Point, and after graduating, was put in command of Battery A, 4th United States Artillery, Army of the Potomac for the Union Army. Lt. Cushing was praised for his valor and heroics throughout the Civil War, but it was his actions at the Battle of Gettysburg which have led to his consideration for our nation's highest award.

Cushing's battery was at the focal point of the Confederate attack on July 3rd at the Battle of Gettysburg. The intense bombardment preceding the charge by General George Pickett's troops left Cushing wounded by shell fragments, many of his men also wounded, and with only two working guns. Rather than withdraw, Lt. Cushing continued to lead his unit before succumbing to a fatal gunshot wound.

The Medal of Honor was not awarded posthumously during the Civil War, so Lt. Cushing was not considered. Years later, after the policy was changed to award the medal to the dead, Lt. Cushing's name simply did not come up. My office became aware of Lt. Cushing's heroic feat almost ten years ago, and I am pleased that while it has taken almost 150 years for Lt. Cushing to be honored for his actions, we are one step closer to making this happen. I urge my colleagues to support the Sensenbrenner-Kind Amendment.

Mr. THORNBERRY. Mr. Chair, my amendment, No. 115, would require the President to create a charter that codifies the formal establishment of an interagency body to coordinate and deconflict full-spectrum military cyber operations for the Federal Government. It supports and complements initiatives already included in the National Defense Authorization Act to improve the efficient use of military cyber operations that support military missions and objectives. At the same time, I want to be clear what this amendment does not do. I want to assure those who may have been confused by the language that it does not authorize the interagency body to manage spectrum resources, whether federal, state, or non-governmental. Nor does it authorize the interagency body to impose obligations or other regulations on the private sector. It is based on research the Government Accountability Office carried out for the committee, and it will improve the ability of the Department to integrate cyber effects into its operational planning.

The Acting CHAIR (Mr. WESTMORELAND). The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 5 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 661, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 5 consisting of amendment Nos. 62, 64, 70, 72, 73, 76, 81, 82, 88, 90, 99, 101, and 112, printed in House Report No. 112–485, offered by Mr. McKeon of California:

AMENDMENT NO. 62 OFFERED BY MR. MCDERMOTT OF WASHINGTON

Page 93, after line 10, insert the following new paragraph:

(6) A status report on the sharing of environmental exposure data with the Secretary of Veterans Affairs on an ongoing and regular basis for use in medical and treatment records of veterans, including using such data in determining the service-connectedness of health conditions and in identifying the possible origins and causes of disease.

AMENDMENT NO. 64 OFFERED BY MR. PIERLUISI OF PUERTO RICO

At the end of subtitle B of title III, add the following new section:

SEC. 3___. SENSE OF CONGRESS REGARDING DECONTAMINATION OF FORMER BOMBARDMENT AREA ON ISLAND OF CULEBRA, PUERTO RICO.

(a) FINDINGS.—The Congress finds the following—

(1) Section 2815 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4464) requires the Secretary of Defense within 270 days of receiving a request from the government of Puerto Rico, to conduct a study assessing the presence of unexploded ordnance, and any threat to public health, public safety and the environment posed by such unexploded ordnance, in the portion of the former bombardment area on the island of Culebra, Puerto Rico, that was transferred to the government of Puerto Rico by quitclaim deed on August 11, 1982.

(2) On April 25, 2011, the Governor of Puerto Rico formally requested by letter that the Secretary of Defense commence this study.

(3) On May 25, 2011, the Deputy Under Secretary of Defense for Installations and Environment acknowledged receipt of the Governor's letter on behalf of the Secretary of Defense, and affirmed that the Department of Defense would conduct the study in accordance with such section 2815 and provide the final report to Congress no later than 270 days from the date of the Governor's letter.

(4) January 20, 2012, marked the date 270 days after the Governor's letter of April 25, 2011.

(5) Section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93–166; 87 Stat. 668) stated that ''the present bombardment area on the island of Culebra shall not be utilized for any purpose that would require decontamination at the expense of the United States.'' The Department of Defense has interpreted this provision to constitute a permanent prohibition on the use of Federal funds in the area of Culebra referenced in such section to pay for decontamination and removal of unexploded ordnance, although it may be warranted to protect public health, public safety, and the environment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense should expeditiously submit to the Committees on Armed Services of the Senate and House of Representatives the final report prepared in accordance with section 2815 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4464);

(2) if that report indicates that decontamination and removal of unexploded ordnance in the portion of the former bombardment area on Culebra that was transferred to the government of Puerto Rico by quitclaim deed on August 11, 1982, could be conducted at reasonable cost to the Federal Government, it is appropriate for Congress to amend section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93–166; 87 Stat. 668) to authorize such decontamination and removal of unexploded ordnance; and

(3) any removal of unexploded ordnance should be accomplished pursuant to the normal prioritization process established by the Department of Defense under the Military Munitions Response Program within the Defense Environmental Restoration Program.

AMENDMENT NO. 70 OFFERED BY MR. QUIGLEY OF ILLINOIS

At the end of subtitle G of title III, add the following new section:

SEC. 362. COMPTROLLER GENERAL REVIEW OF HANDLING, LABELING, AND PACKAGING PROCEDURES FOR HAZARDOUS MATERIAL SHIPMENTS.

(a) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall conduct a review of the policies and procedures of the Department of Defense for the handling, labeling, and packaging of hazardous material shipments.

(b) MATTERS INCLUDED.—The review conducted under subsection (a) shall address the following:

(1) The relevant statutes, regulations, and guidance and policies of the Department of Defense pertaining to the handling, labeling, and packaging procedures of hazardous material shipments to support military operations.

(2) The extent to which the such guidance, policies, and procedures contribute to the safe, timely, and cost-effective handling of such material.

(3) The extent to which discrepancies in Department of Transportation guidance, policies, and procedures pertaining to handling, labeling, and packaging of hazardous materials shipments in commerce and similar Department of Defense guidance, policies, and procedures pertaining to the handling, labeling, and packaging of hazardous materials shipments impact the safe, timely, and cost-effective handling of such material.

(4) Any additional matters that the Comptroller General determines will further inform the appropriate congressional committees on issues related to the handling, labeling, and packaging procedures for hazardous material shipments to members of the Armed Forces worldwide.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate congressional committees a report of the review conducted under subsection (a).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

AMENDMENT NO. 72 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of subtitle B of title V, add the following new section:

SEC. 5___. ON-LINE TRACKING OF CERTAIN RESERVE DUTY.

The Secretary of Defense shall establish an online means by which members of the Ready Reserve of the Armed Forces can track their operational active-duty service performed after January 28, 2008, under section 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10, United States Code. The tour calculator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit authorized to date under the amendments to section 12731 of such title made by section 647 of the National Defense Authorization Act for fiscal year 2008 (Public Law 110–181; 122 Stat. 160).

AMENDMENT NO. 73 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

In section 535, insert the following new subsection after subsection (d) (and redesignate subsection (e) as subsection (f)):

(e) TRANSFER OF VICTIMS OF HAZING IN THE ARMED FORCES.—The Secretary concerned (as defined in section 101(a)(9) of title 10, United States Code) shall develop and implement a procedure to transfer a member of that branch of the Armed Forces who has been the victim of a substantiated incident of hazing to another unit in such branch of the Armed Forces.

AMENDMENT NO. 76 OFFERED BY MR. WALSH OF ILLINOIS

At the end of subtitle E of title V, add the following new section:

SEC. 544. EXPANSION OF DEPARTMENT OF DEFENSE PILOT PROGRAM ON RECEIPT OF CIVILIAN CREDENTIALING FOR MILITARY OCCUPATIONAL SPECIALTY SKILLS.

(a) EXPANSION OF PROGRAM.—Subsection (b)(1) of section 558 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2015 note) is amended by striking ''or more than five''.

(b) USE OF INDUSTRY-RECOGNIZED CERTIFICATIONS.—Subsection (b) of such section is further amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) consider utilizing industry-recognized certifications or licensing opportunities for civilian occupational skills comparable to the specialties or codes so designated; and''.

AMENDMENT NO. 81 OFFERED BY MR. DENT OF PENNSYLVANIA

At the end of subtitle G of title VI, add the following new section:

SEC. 664. STUDY ON ISSUING IDENTIFICATION CARDS TO CERTAIN MEMBERS UPON DISCHARGE.

(a) STUDY.—The Secretary of Defense shall conduct a study assessing the feasibility of issuing to a covered member an identification card that would—

(1) provide such member with a convenient method of summarizing the DD-214 form or other official document from the official military personnel file of the member; and

(2) not serve as proof of any benefits to which the member may be entitled to.

(b) MATTERS INCLUDED.—The study conducted under subsection (a) shall address the following:

(1) The information to be included on the identification card.

(2) Whether the Secretary should issue such card—

(A) to each covered member; or

(B) to a covered member upon request.

(3) If the card were to be issued to each covered member, the estimated cost of such issuance.

(4) If the card were to be issued upon the request of a covered member, whether the Secretary should charge such member a fee for such card, including the amount of such fee.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study conducted under subsection (a).

(d) COVERED MEMBER.—In this section, the term ''covered member'' means a member of the Armed Forces who—

(1) is expected to be discharged—

(A) after the completion of the service obligation of the member; and

(B) under conditions other than dishonorable;

(2) is expected to be issued a DD Form 214 Certificate of Release or Discharge from Active Duty; and

(3) after such discharge, would not otherwise be issued an identification card by the Department of Defense or the Department of Veterans Affairs.

AMENDMENT NO. 82 OFFERED BY MS. RICHARDSON OF CALIFORNIA

Page 213, after line 10, insert the following new subparagraph:

(G) Any Department of Defense website.

AMENDMENT NO. 88 OFFERED BY MR. ANDREWS OF NEW JERSEY

Page 292, line 20, strike '', reduce,''.

Page 293, line 6, strike ''to'' and insert ''from''.

Page 293, line 18, strike ''affect'' and insert ''effect''.

AMENDMENT NO. 90 OFFERED BY MR. SESSIONS OF TEXAS

At the end of subtitle C of title VII, add the following:

SEC. 725. PILOT PROGRAM ON PAYMENT FOR TREATMENT OF MEMBERS OF THE ARMED FORCES AND VETERANS FOR TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

(a) PAYMENT PROCESS.—The Secretary of Defense and the Secretary of Veterans Affairs shall carry out a five-year pilot program under which each such Secretary shall establish a process through which each Secretary shall provide payment for treatments (including diagnostic testing) of traumatic brain injury or post-traumatic stress disorder received by members of the Armed Forces and veterans in health care facilities other than military treatment facilities or Department of Veterans Affairs medical facilities. Such process shall provide that payment be made directly to the health care facility furnishing the treatment.

(b) CONDITIONS FOR PAYMENT.—The approval by a Secretary for payment for a treatment pursuant to subsection (a) shall be subject to the following conditions:

(1) Any drug or device used in the treatment must be approved or cleared by the Food and Drug Administration for any purpose.

(2) The treatment must have been approved by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services.

(3) The treatment (including any patient disclosure requirements) must be used by the health care provider delivering the treatment.

(4) The patient receiving the treatment must demonstrate an improvement as a result of the treatment on one or more of the following:

(A) Standardized independent pre-treatment and post-treatment neuropsychological testing.

(B) Accepted survey instruments.

(C) Neurological imaging.

(D) Clinical examination.

(5) The patient receiving the treatment must be receiving the treatment voluntarily.

(6) The patient receiving the treatment may not be a retired member of the uniformed services or of the Armed Forces who is entitled to benefits under part A, or eligible to enroll under part B, of title XVIII of the Social Security Act.

(c) ADDITIONAL RESTRICTIONS PROHIBITED.—Except as provided in this subsection (b), no restriction or condition for reimbursement may be placed on any health care provider that is operating lawfully under the laws of the State in which the provider is located with respect to the receipt of payment under this section.

(d) PAYMENT DEADLINE.—The Secretary of Defense and the Secretary of Veterans Affairs shall make a payment for a treatment

pursuant to subsection (a) not later than 30 days after a member of the Armed Forces or veteran (or health care provider on behalf of such member or veteran) submits to the Secretary documentation regarding the treatment. The Secretary of Defense and the Secretary of Veterans Affairs shall ensure that the documentation required under this subsection may not be an undue burden on the member of the Armed Forces or veteran or on the health care provider.

(e) PAYMENT AUTHORITY.—

(1) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall make payments under this section for treatments received by members of the Armed Forces using the authority in subsection (c)(1) of section 1074 of title 10, United States Code.

(2) DEPARTMENT OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall make payments under this section for treatments received by veterans using the authority in section 1728 of title 38, United States Code.

(f) PAYMENT AMOUNT.—A payment under this section shall be made at the equivalent Centers for Medicare and Medicaid Services reimbursement rate in effect for appropriate treatment codes for the State or territory in which the treatment is received. If no such rate is in effect, payment shall be made at a fair market rate, as determined by the Secretary of Defense, in consultation with the Secretary of Health and Human Services, with respect to a patient who is a member of the Armed Forces or the Secretary of Veterans Affairs with respect to a patient who is a veteran.

(g) DATA COLLECTION AND AVAILABILITY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly develop and maintain a database containing data from each patient case involving the use of a treatment under this section. The Secretaries shall ensure that the database preserves confidentiality and be made available only—

(A) for third-party payer examination;

(B) to the appropriate congressional committees and employees of the Department of Defense, the Department of Veterans Affairs, the Department of Health and Human Services, and appropriate State agencies; and

(C) to the primary investigator of the institutional review board that approved the treatment, in the case of data relating to a patient case involving the use of such treatment.

(2) ENROLLMENT IN INSTITUTIONAL REVIEW BOARD STUDY.—In the case of a patient enrolled in a registered institutional review board study, results may be publically distributable in accordance with the regulations prescribed pursuant to the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191) and other regulations and practices in effect as of the date of the enactment of this Act.

(3) QUALIFIED INSTITUTIONAL REVIEW BOARDS.—The Secretary of Defense and the Secretary of Veterans Affairs shall each ensure that the Internet Web site of their respective departments includes a list of all civilian institutional review board studies that have received a payment under this section.

(h) ASSISTANCE FOR MEMBERS TO OBTAIN TREATMENT.—

(1) ASSIGNMENT TO TEMPORARY DUTY.—The Secretary of a military department may assign a member of the Armed Forces under the jurisdiction of the Secretary to temporary duty or allow the member a permissive temporary duty in order to permit the member to receive treatment for traumatic brain injury or post-traumatic stress disorder, for which payments shall be made under subsection (a), at a location beyond reasonable commuting distance of the member's permanent duty station.

(2) PAYMENT OF PER DIEM.—A member who is away from the member's permanent station may be paid a per diem in lieu of subsistence in an amount not more than the amount to which the member would be entitled if the member were performing travel in connection with a temporary duty assignment.

(3) GIFT RULE WAIVER.—Notwithstanding any rule of any department or agency with respect to ethics or the receipt of gifts, any assistance provided to a member of the Armed Forces with a service-connected injury or disability for travel, meals, or entertainment incidental to receiving treatment under this section, or for the provision of such treatment, shall not be subject to or covered by any such rule.

(i) RETALIATION PROHIBITED.—No retaliation may be made against any member of the Armed Forces or veteran who receives treatment as part of registered institutional review board study carried out by a civilian health care practitioner.

(j) TREATMENT OF UNIVERSITY AND NATIONALLY ACCREDITED INSTITUTIONAL REVIEW BOARDS.—For purposes of this section, a university-affiliated or nationally accredited institutional review board shall be treated in the same manner as a Government institutional review board.

(k) MEMORANDA OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Veterans Affairs shall seek to expeditiously enter into memoranda of understandings with civilian institutional review boards described in subsection (j) for the purpose of providing for members of the Armed Forces and veterans to receive treatment carried out by civilian health care practitioners under a treatment approved by and under the oversight of civilian institutional review boards that would qualify for payment under this section.

(l) OUTREACH REQUIRED.—

(1) OUTREACH TO VETERANS.—The Secretary of Veterans Affairs shall notify each veteran with a service-connected injury or disability of the opportunity to receive treatment pursuant to this section.

(2) OUTREACH TO MEMBERS OF THE ARMED FORCES.—The Secretary of Defense shall notify each member of the Armed Forces with a service-connected injury or disability of the opportunity to receive treatment pursuant to this section.

(m) REPORT TO CONGRESS.—Not later than 30 days after the last day of each fiscal year during which the Secretary of Defense and the Secretary of Veterans Affairs are authorized to make payments under this section, the Secretaries shall jointly submit to Congress an annual report on the implementation of this section. Such report shall include each of the following for that fiscal year:

(1) The number of individuals for whom the Secretary has provided payments under this section.

(2) The condition for which each such individual receives treatment for which payment is provided under this section and the success rate of each such treatment.

(3) Treatment methods that are used by entities receiving payment provided under this section and the respective rate of success of each such method.

(4) The recommendations of the Secretaries with respect to the integration of treatment methods for which payment is provided under this section into facilities of the Department of Defense and Department of Veterans Affairs.

(n) TERMINATION.—The authority to make a payment under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(o) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each fiscal year during which the Secretary of Veterans Affairs and the Secretary of Defense are authorized to make payments under this section.

(p) FUNDING INCREASE AND OFFSETTING REDUCTION.—

(1) IN GENERAL.—Notwithstanding the amounts set forth in the funding tables in division D, to carry out this section during fiscal year 2013—

(A) the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in division D, is hereby increased by $10,000,000, with the amount of the increase allocated to the Defense Health Program, as set forth in the table under section 4501, to carry out this section; and

(B) the amount authorized to be appropriated in section 301 for Operation and Maintenance, Defense-wide, as specified in the corresponding funding table in division D, is hereby reduced by $10,000,000, with the amount of the reduction to be derived from Line 260, Office of the Secretary of Defense as set forth in the table under section 4301.

(2) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in paragraph (1)(A) with or to a specific entity shall—

(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

AMENDMENT NO. 99 OFFERED BY MR. ROGERS OF MICHIGAN

Page 345, line 20, strike ''RULE OF CONSTRUCTION'' and insert ''RULE OF CONSTRUCTION REGARDING AUTHORITY IN CYBERSPACE''.

Page 345, line 23, strike the quotation mark and the second period.

Page 345, after line 23 insert the following:

''(d) RULE OF CONSTRUCTION REGARDING COVERT ACTIONS.—Nothing in this section shall be construed to authorize a covert action (as defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 413b(e))) or modify the requirements of section 503 of such Act (50 U.S.C. 413b).

''(e) CONGRESSIONAL NOTIFICATION.—Consistent with, and in addition to, any other reporting requirements under law, the Secretary of Defense shall ensure that the congressional intelligence committees (as defined in section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7))) are kept fully and currently informed of any intelligence or intelligence-related activities undertaken in support of military activities in cyberspace.''.

AMENDMENT NO. 101 OFFERED BY MR. PIERLUISI OF PUERTO RICO

At the end of subtitle B of title X, add the following new section:

SEC. 1015. SENSE OF CONGRESS REGARDING THE COUNTERDRUG TETHERED AEROSTAT RADAR SYSTEM PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Since 1992, the Air Force has administered the Counterdrug Tethered Aerostat Radar System (TARS) program, which contributes to deterring and detecting smugglers moving illicit drugs into the United States.

(2) There are eight current tethered aerostat systems, located at Yuma, Arizona, Fort Huachuca, Arizona, Deming, New Mexico, Marfa, Texas, Eagle Pass, Texas, Rio Grande City, Texas, Cudjoe Key, Florida, and Lajas, Puerto Rico.

(3) Primary customers of the surveillance data from the TARS program are the Department of Homeland Security, the United States Northern Command, the United States Southern Command, and the North American Aerospace Defense Command.

(4) In the past two years, the radars in two of the eight tethered aerostat systems have been destroyed in strong weather conditions, namely the radar at Lajas, Puerto Rico, which was destroyed in April 2011, and the radar at Marfa, Texas, which was destroyed in February 2012.

(5) The Air Force has indicated that it does not have sufficient spare parts in its inventory to replace either of these two radars or the funding necessary to purchase any new radars. As a result, there are no current plans to resume operations at Lajas, Puerto Rico or Marfa, Texas.

(6) The loss of these two tethered aerostats systems substantially degrades counterdrug capabilities in the Caribbean corridor and along the Southwest border.

(7) The loss of the tethered aerostat system in Lajas, Puerto Rico, is particularly detrimental to the national counterdrug mission. In Section 1023 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), Congress found that—

(A) ''Drug traffickers use the Caribbean corridor to smuggle narcotics to the United States via Puerto Rico and the Dominican Republic. This route is ideal for drug trafficking because of its geographic expanse, numerous law enforcement jurisdictions, and fragmented investigative efforts.''; and

(B) ''The tethered aerostat system in Lajas, Puerto Rico, contributes to deterring and detecting smugglers moving illicit drugs into Puerto Rico. The aerostat's range and operational capabilities allow it to provide surveillance coverage of the eastern Caribbean corridor and the strategic waterway between Puerto Rico and the Dominican Republic, known as the Mona Passage.''.

(8) In such section 1023, Congress expressed that ''Congress and the Department of Defense should fund the Counter-Drug Tethered Aerostat program.''.

(9) In recent years, Puerto Rico and the U.S. Virgin Islands have been increasingly impacted by the drug trade and related violence. Both jurisdictions have homicide rates that are roughly six times the national average and about three times higher than any State, and many of these homicides are linked to the drug trade.

(10) The Department of Defense has raised questions as to whether it should continue to administer the TARS program or, alternatively, whether responsibility for this program should be vested in the Department of Homeland Security.

(b) SENSE OF CONGRESS.—In light of the findings under subsection (a), it is the sense of Congress that—

(1) irrespective of whether the Department of Defense continues to be responsible for the Counterdrug Tethered Aerostat Radar System (TARS) program or such responsibility is assigned to another agency, Congress and the responsible agency should fund the TARS program; and

(2) Congress and the responsible agency should take all appropriate steps to ensure that the eight current tethered aerostat systems are fully functional and, in particular, to ensure that the TARS program is providing coverage to protect jurisdictions of the United States in the Caribbean region, as well as jurisdictions of the United States along the United States-Mexico border and in the Florida Straits.

AMENDMENT NO. 112 OFFERED BY MS. RICHARDSON OF CALIFORNIA

At the end of title X, add the following new section:

SEC. 10___. SENSE OF CONGRESS REGARDING UNITED STATES NORTHERN COMMAND PREPAREDNESS.

It is the sense of the Congress that—

(1) the United States Northern Command plays a crucial role in providing additional response capability to State and local governments in domestic disaster relief and consequence management operations;

(2) the United States Northern Command must continue to build upon its current efforts to develop command strategies, leadership training, and response plans to effectively work with civil authorities when acting as the lead agency or a supporting agency; and

(3) the United States Northern Command should leverage whenever possible training and management expertise that resides within the Department of Defense, other Federal agencies, State and local governments, and private sector businesses and academic institutions to enhance—

(A) its defense support to civil authorities and incidence management missions;

(B) relationships with other entities involved in disaster response; and

(C) its ability to respond to unforeseen events.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentlelady from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I want to thank the ranking Democrat for his great leadership and allowing me to make this amendment in order as part of the en bloc.

Mr. Chairman, it is incumbent on all of us to ensure that the brave men and women who serve our Nation abroad are treated with dignity.

Sadly, in recent years, we have come to realize that too many of these young people endure abuse—not at the hands of the enemy, but from within their own unit. Last year, an Army private from my district, Danny Chen, lost his life after being hazed. Danny's loss has been a profound tragedy for his family, the Chinatown community, and all of New York.

While many steps should have been taken to save Danny, it is almost certain if he had transferred to another unit, he would be with us today.

□ 1100

The amendment I am offering will ensure that each branch of the military has a process allowing hazing victims to swiftly transfer to another unit. This commonsense policy will prevent future tragedies.

Mr. Chairman, all of us owe a great debt to the members of our military who risk so much for our Nation's freedom.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield back the balance of my time.

Mr. MCKEON. I yield back the balance of my time.

Ms. RICHARDSON. Mr. Chair, I speak in support of the En Bloc Amendment #5 to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, which includes two of my amendments.

I thank Chairman MCKEON, Ranking Member SMITH, and their staffs for their work on this bill, their devotion to the men and women of the Armed Forces, and for accepting my amendments.

Richardson Amendment No. 82 requires the Department of Defense to post on all its websites information on sexual assault prevention and response resources.

In light of technology, many people, particularly service personnel receive the majority of their information via the Internet.

Furthermore, online access to the needed information is particularly important because persons needing sexual assault resource information may be reluctant to seek information in a public setting without fear of losing privacy, or worse retaliation.

Richardson Amendment #112 improves the Defense Authorization Act by increasing the effectiveness of the Northern Command ("NORTHCOM") in fulfilling its critical mission of protecting the U.S. homeland in event of war and to provide support to local, state, and federal authorities in times of national emergency.

This amendment was included in last year's National Defense Authorization Act and I am pleased that it is included this year also.

The purpose for NORTHCOM's existence is to bring the capabilities and the resources of the U.S. military to the assistance of the American people during a catastrophic disaster.

NORTHCOM leaders will be much more effective in saving lives, protecting assets, and enhancing resilience after a disaster has occurred if they are trained in the techniques of effective engagement with civilian leadership.

My amendment ensures that such training will be available.

Mr. QUIGLEY. Mr. Chair, I am offering a commonsense amendment with my friend from the other side of the aisle Mr. HULTGREN from Illinois.

Our amendment simply asks the Government Accountability Office to study the packaging procedures for hazardous materials by

Department of Defense, and submit recommendations for improvements to Congress.

Safe and timely shipment of supplies and equipment to our troops is vital to their safety and success.

Unfortunately, due to the extremely complicated packaging requirements for hazardous materials, a large volume of needed supplies are often frustrated, or delayed.

According to one recent study by the Air Force, 73 percent of the hazmat frustrated shipments had no shipping documents and were delayed 11–15 days on average.

These delayed shipments harm our troops and costs us billions.

By reducing frustrated shipments by just 3 percent, DOD could save $2 billion annually.

Our amendment would require GAO to examine current shipping processes and identify improvements in order to expedite shipments, improve safety and reduce costs, and I encourage my colleagues to support it.

Mr. WALSH of Illinois. Mr. Chair, the unemployment rate among post-9/11 veterans is staggeringly high. Part of the problem is they routinely have to undergo lengthy certification processes for professions in which they are already qualified.

Thankfully, Congress took ownership of this issue last year and developed a pilot program to streamline this process. This program, however, ignores industry-recognized certifications. These types of certifications are as important as licensing and are widely used by the manufacturing industry. They prove a job applicant's skills competence, experience, and knowledge.

Many returning veterans have already obtained those skills and that experience in the military, which is why I'm introducing this amendment. The Walsh Amendment will expand the pilot program Congress authorized last year to include these industry-recognized certifications.

It will enable our returning service men and women to find good-paying, fulfilling employment that rewards their skill-level and experience.

As the 28 Founding Principles remind us, a free people will not survive unless they stay strong.

Mr. SESSIONS. Mr. Chair, thousands of our brave servicemen and women are returning from combat with severe cases of Traumatic Brain Injury (TBI) and Post-Traumatic Stress Disorder (PTSD), resulting in an inability to hold a job, properly care for their families, or in some cases, to overcome suicidal tendencies. As a nation, we have the responsibility for their care and recovery.

Currently, private healthcare providers across the United States are helping brain injury patients with new and innovative treatments that are not currently available or approved by the Department of Defense (DoD) and Department of Veterans Affairs (VA). Examples of these treatments include Hyperbaric Oxygen Therapy (HBOT), flash doses of approved drugs, and small device implants that operate like brain pacemakers. While the Department of Defense is currently conducting their own studies on these already proven treatment methods, it will take five or more years to formally approve these treatments and make them accessible to our injured troops and veterans. If a treatment is good enough for private medicine, why is it not good enough for military medicine?

In an effort to fix this delinquency I introduced the TBI Treatment Act (H.R. 396) in January 2011. Today I am proud to offer it as an amendment to the National Defense Authorization Act (H.R. 4310) with my friend and colleague from California, Congressman MIKE THOMPSON. The TBI Treatment Act helps expedite these ground-breaking treatments to our nations' veterans and active duty soldiers suffering from TBI.

The TBI Treatment Act establishes a 5-year ''pay-for-performance'' pilot program, not to exceed $10 million per year. Under my amendment, healthcare providers will treat active duty soldiers and veterans at no cost to the patient. The healthcare provider gets reimbursed from the DoD/VA respectively, only if the treatment is proven successful (based on independent pre- and post-treatment neuropsychological testing, accepted survey instruments, neurological imaging, or clinical examinations). Currently, soldiers are paying out-of-pocket for such important care. Lastly, treatments must be FDA-approved and approved by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services.

I ask that you join me in support of the Sessions-Thompson amendment to NDAA and help deliver proven treatments to our soldiers and veterans suffering from Traumatic Brain Injuries (TBI).

Mr. MCDERMOTT. Mr. Chair, I rise today to introduce my amendment to the National Defense Authorization Act (NDAA) for Fiscal Year 2013 to encourage and strengthen information and data sharing between the Department of Veterans Affairs and the Department of Defense related to environmental exposures of service members.

Attributing a medical diagnosis or set of symptoms to an environmental exposure can be challenging, especially exposures that occurred years or decades in the past. Of course, this is a big concern and source of frustration for service members, veterans and their families. We have seen this challenge time and again in our Nation's history, whether it is understanding Agent Orange exposures or the Gulf War Syndrome.

Today's service members may be exposed to hazards including air contamination resulting from burn pits, industrial toxic chemicals, chemical and biological warfare agents, toxic contaminants such those resulting from munitions containing depleted uranium, and others. The long-term health consequences of these hazardous environmental exposures remain uncertain.

A recent Government Accountability Office report looked at the Pentagon's policies regarding environmental exposures and identified a need for a comprehensive plan on environmental exposures of service members, including recommendations for what the Defense Department can do to identify and address possible health risks resulting from environmental exposures.

The NDAA for Fiscal Year 2013 under consideration by the House this week contains a provision requiring the Defense Department to develop a comprehensive plan on researching and documenting environmental exposure incidents to members of the Armed Forces. However, this provision does not explicitly connect this plan to the ongoing health information data sharing between the Department of Defense and the Department of Veterans Affairs.

My amendment addresses this by having the Defense Department include in their plan a comprehensive status update on their sharing of environmental exposure data with the Secretary of Veterans Affairs. This information should be available to the VA to be examined over time, over decades even, to address exposure-related questions and identify possible origins and causes of disease. Data sharing should be done in a timely, ongoing, and updateable manner so that the Department of Veterans Affairs is alerted to hazardous exposure events and information on environmental exposure events can be updated when there is new information.

Mr. Chair, the goal of my amendment is to enhance interdepartmental coordination and collaboration so that active duty members of the armed forces and veterans exposed to harmful toxins as a result of their military service get the answers, attention and treatment they and their families need.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 6 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 661, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 6 consisting of amendment Nos. 92, 96, 103, 105, 108, 118, 121, 129, 131, 132, 134, 135, 136, 138, 139, and 141, printed in House Report 112–485, offered by Mr. MCKEON of California:

AMENDMENT NO. 92 OFFERED BY MR. JOHNSON OF GEORGIA

At the end of title VII, add the following new section:

SEC. 7___. CONGRESSIONAL SUPPORT FOR GREATER AWARENESS OF POST-TRAUMATIC STRESS DISORDER.

(a) FINDINGS.—Congress makes the following findings:

(1) The brave men and women of the United States Armed Forces, who proudly serve the United States, risk their lives to protect the freedom of the United States and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being.

(2) More than 2,400,000 members of the Armed Forces have deployed overseas as part of overseas contingency operations since the events of September 11, 2001.

(3) One in five members who have returned from deployment reported symptoms of post-traumatic stress disorder (PTSD).

(4) Just over ½ of the members have sought treatment for PTSD symptoms.

(5) More than 90,000 members returning from deployment to Operation Enduring Freedom or Operation Iraqi Freedom are clinically diagnosed with PTSD.

(6) The Armed Forces have sustained an operational tempo for a period of time unprecedented in the history of the United

States, with many members deploying multiple times, placing them at high risk of PTSD.

(7) Up to 10 percent of Operation Desert Storm veterans, 30 percent of Vietnam veterans, and 8 percent of the general population of the United States suffer or have suffered from PTSD.

(8) Many cases of PTSD remain unreported, undiagnosed, and untreated due to a lack of awareness about PTSD and the persistent stigma associated with mental health issues.

(9) PTSD significantly increases the risk of depression, suicide, and drug- and alcohol-related disorders and deaths, especially if left untreated.

(10) The Departments of Defense and Veterans Affairs have made significant advances in the prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain.

(11) About ½ of members and their spouses report they are somewhat or not at all knowledgeable about the signs and symptoms of PTSD.

(b) CONGRESSIONAL EXPRESSION OF SUPPORT.—In light of the findings made in subsection (a), Congress—

(1) supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense to educate service members, veterans, the families of service members and veterans, and the public about the causes, symptoms, and treatment of post-traumatic stress disorder (PTSD); and

(2) supports the creation of an advisory commission on PTSD to coordinate the efforts of the Department of Defense, Department of Veterans Affairs, and other executive departments and agencies for the prevention, diagnosis, and treatment of PTSD.

AMENDMENT NO. 96 OFFERED BY MS. BASS OF CALIFORNIA

At the end of title VIII, add the following new section:

SEC. 833. REQUIREMENT TO INCLUDE TRAFFICKING IN PERSONS IN PERFORMANCE ASSESSMENTS OF DEFENSE CONTRACTORS.

(a) PERFORMANCE ASSESSMENTS TO INCLUDE EVALUATION OF TRAFFICKING IN PERSONS.—With respect to any performance assessment of a defense contractor or subcontractor of such a contractor, or any labor recruiter, broker, or other agent used by the contractor or subcontractor, the Secretary of Defense shall include an evaluation of trafficking in persons.

(b) TRAFFICKING IN PERSONS DEFINED.—In this section, the term ''trafficking in persons'' has the meaning provided the term ''severe form of trafficking in persons'' in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

AMENDMENT NO. 103 OFFERED BY MR. BRALEY OF IOWA

At the end of subtitle F of title X, add the following new section:

SEC. 10___. REPORT ON LONG-TERM COSTS OF OPERATION NEW DAWN, OPERATION ENDURING FREEDOM, AND OTHER CONTINGENCY OPERATIONS.

(a) REPORT REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the President, with contributions from the Secretary of Defense, the Secretary of State, and the Secretary of Veterans Affairs, shall submit to Congress a report containing an estimate of the long-term costs of Operation New Dawn and Operation Enduring Freedom for each the following scenarios:

(1) The scenario in which the number of members of the Armed Forces deployed in support of Operation Enduring Freedom is reduced from roughly 90,000 in 2012 to 67,000 in 2013, and 50,000 by the beginning of 2014, and remains at 50,000 through 2020.

(2) The scenario in which the number of members of the Armed Forces deployed in support of Operation Enduring Freedom is reduced from roughly 90,000 in 2012 to 60,000 in 2013, and 30,000 by the beginning of 2014, and remains at 30,000 through 2020.

(3) An alternative scenario, determined by the President and based on current contingency operation and withdrawal plans, which takes into account expected force levels and the expected length of time that members of the Armed Forces will be deployed in support of Operation Enduring Freedom.

(b) ESTIMATES TO BE USED IN PREPARATION OF REPORT.—In preparing the report required by subsection (b), the President shall make estimates and projections through at least fiscal year 2020, adjust any dollar amounts appropriately for inflation, and take into account and specify each of the following:

(1) The total number of members of the Armed Forces expected to be deployed in support of Operation Enduring Freedom, and Operation Odyssey Dawn, including—

(A) the number of members of the Armed Forces actually deployed in Southwest Asia in support of Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn;

(B) the number of members of reserve components of the Armed Forces called or ordered to active duty in the United States for the purpose of training for eventual deployment in Southwest Asia, backfilling for deployed troops, or supporting other Department of Defense missions directly or indirectly related to Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn; and

(C) the break-down of deployments of members of the regular and reserve components and activation of members of the reserve components.

(2) The number of members of the Armed Forces, including members of the reserve components, who have previously served in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn and who are expected to serve multiple deployments.

(3) The number of contractors and private military security firms that have been used and are expected to be used during the course of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(4) The number of veterans currently suffering and expected to suffer from post-traumatic stress disorder, traumatic brain injury, or other mental injuries.

(5) The number of veterans currently in need of and expected to be in need of prosthetic care and treatment because of amputations incurred during service in support of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom.

(6) The current number of pending Department of Veterans Affairs claims from veterans of military service in Iraq, Afghanistan, and Libya, and the total number of such veterans expected to seek disability compensation from the Department of Veterans Affairs.

(7) The total number of members of the Armed Forces who have been killed or wounded in Iraq, Afghanistan, or Libya, including noncombat casualties, the total number of members expected to suffer injuries in Iraq, Afghanistan, and Libya, and the total number of members expected to be killed in Iraq, Afghanistan, and Libya, including noncombat casualties.

(8) The amount of funds previously appropriated for the Department of Defense, the Department of State, and the Department of Veterans Affairs for costs related to Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, including an account of the amount of funding from regular Department of Defense, Department of State, and Department of Veterans Affairs budgets that has gone and will go to costs associated with such operations.

(9) Current and future operational expenditures associated with Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn including—

(A) funding for combat operations;

(B) deploying, transporting, feeding, and housing members of the Armed Forces (including fuel costs);

(C) activation and deployment of members of the reserve components of the Armed Forces;

(D) equipping and training of Iraqi and Afghani forces;

(E) purchasing, upgrading, and repairing weapons, munitions, and other equipment consumed or used in Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn; and

(F) payments to other countries for logistical assistance in support of such operations.

(10) Past, current, and future costs of entering into contracts with private military security firms and other contractors for the provision of goods and services associated with Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(11) Average annual cost for each member of the Armed Forces deployed in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn, including room and board, equipment and body armor, transportation of troops and equipment (including fuel costs), and operational costs.

(12) Current and future cost of combat-related special pays and benefits, including reenlistment bonuses.

(13) Current and future cost of calling or ordering members of the reserve components to active duty in support of Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(14) Current and future cost for reconstruction, embassy operations and construction, and foreign aid programs for Iraq and Afghanistan.

(15) Current and future cost of bases and other infrastructure to support members of the Armed Forces serving in Iraq and Afghanistan.

(16) Current and future cost of providing health care for veterans who served in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn—

(A) the cost of mental health treatment for veterans suffering from post-traumatic stress disorder and traumatic brain injury, and other mental problems as a result of such service; and

(B) the cost of lifetime prosthetics care and treatment for veterans suffering from amputations as a result of such service.

(17) Current and future cost of providing Department of Veterans Affairs disability benefits for the lifetime of veterans who incur disabilities while serving in support of Operation Iraqi Freedom, Operation New

Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

(18) Current and future cost of providing survivors' benefits to survivors of members of the Armed Forces killed while serving in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

(19) Cost of bringing members of the Armed Forces and equipment back to the United States upon the conclusion of Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn, including the cost of demobilization, transportation costs (including fuel costs), providing transition services for members of the Armed Forces transitioning from active duty to veteran status, transporting equipment, weapons, and munitions (including fuel costs), and an estimate of the value of equipment that will be left behind.

(20) Cost to restore the military and military equipment, including the equipment of the reserve components, to full strength after the conclusion of Operation New Dawn or Operation Enduring Freedom.

(21) Amount of money borrowed to pay for Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn, and the sources of that money.

(22) Interest on money borrowed, including interest for money already borrowed and anticipated interest payments on future borrowing, for Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

AMENDMENT NO. 105 OFFERED BY MR. HARPER OF MISSISSIPPI

At the end of subtitle G of title X, add the following new section:

SEC. 1078. REVIEW OF AIR NATIONAL GUARD COMPONENT NUMBERED AIR FORCE AUGMENTATION FORCE.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary of the Air Force shall conduct a review of the decision of the Secretary to cancel or consolidate the Air National Guard Component Numbered Air Force Augmentation Force.

(2) MATTERS INCLUDED.—The review under paragraph (1) shall include the following:

(A) An explanation of how the Secretary determined which Air National Guard Augmentation Units would be retired or relocated during fiscal year 2013.

(B) A description of the methodologies underlying such determinations, including the factors and assumptions that shaped the specific determinations.

(C) The rationale for selecting Augmentation Units to be retired or relocated with respect to such Units of the Air National Guard.

(D) An explanation of how such consolidation or relocation affects national security.

(E) Details of the costs incurred, avoided, or saved with respect to consolidation or relocation of Augmentation Units.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the review conducted under subsection (a)(1).

(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the date on which the report is submitted under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees a review of such report.

AMENDMENT NO. 108 OFFERED BY MS. MCCOLLUM OF MINNESOTA

At the end of title X, add the following new section:

SEC. 10___. LIMITATION ON MILITARY MUSICAL UNITS.

Amounts authorized to be appropriated pursuant to this Act for military musical units (as such term is defined in section 974 of title 10, United States Code) may not exceed $200,000,000.

AMENDMENT NO. 118 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Page 542, line 6, strike ''is committed to'' and insert ''is taking demonstrable steps to''.

AMENDMENT NO. 121 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of subtitle B of title XII of division A of the bill, add the following:

SEC. 12xx. LIMITATION ON USE OF FUNDS UNDER THE PAKISTAN COUNTERINSURGENCY FUND.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act for the Pakistan Counterinsurgency Fund may be used to provide assistance to the Government of Pakistan until the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate congressional committees that the Government of Pakistan is demonstrating a continuing commitment to and is making significant efforts toward the implementation of a strategy to counter improvised explosive devices (IEDs), including—

(1) attacking IED networks;

(2) monitoring known precursors used in IEDs; and

(3) developing a strict protocol for the manufacture of explosive materials, including calcium ammonium nitrate, and accessories and their supply to legitimate end users.

(b) WAIVER.—The Secretary of Defense, in consultation with the Secretary of State, may waive the requirements of subsection (a) if the Secretary determines it is in the national security interest of the United States to do so.

(c) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 129 OFFERED BY MR. SCHRADER OF OREGON

Page 723, insert after line 2 the following (and redesignate provisions accordingly):

PART IX—EARLY STAGE SMALL BUSINESS CONTRACTING

SEC. 1693a. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO EARLY STAGE SMALL BUSINESSES.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following:

''SEC. 46. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO EARLY STAGE SMALL BUSINESSES.

''(a) ESTABLISHMENT.—The Administrator shall establish and carry out a program in accordance with the requirements of this section to provide improved access to Federal contract opportunities for early stage small business concerns.

''(b) PROCUREMENT CONTRACTS.—

''(1) IN GENERAL.—In carrying out subsection (a), the Administrator, in consultation with other Federal agencies, shall identify procurement contracts of Federal agencies for award under the program.

''(2) CONTRACT AWARDS.—Under the program established pursuant to this section, the award of a procurement contract of a Federal agency identified by the Administrator pursuant to paragraph (1) shall be made by the agency to an eligible program participant selected, and determined to be responsible, by the agency.

''(3) COMPETITION.—

''(A) SOLE SOURCE.—A contracting officer may award a sole source contract under this program if such concern is determined to be a responsible contractor with respect to performance of such contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more early stage small business concerns will submit offers for the contracting opportunity and in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

''(B) RESTRICTED COMPETITION.—A contracting officer may award contracts on the basis of competition restricted to early stage small business concerns if the contracting officer has a reasonable expectation that not less than 2 early stage small business concerns will submit offers and that the award can be made at a fair market price.

''(4) CONTRACT VALUE.—Contracts shall be awarded under this program if its value is greater than $3,000 and less than half the upper threshold of section 15(j)(1) of the Small Business Act.

''(c) ELIGIBILITY.—Only an early stage small business concern shall be eligible to compete for a contract to be awarded under the program. The Administrator shall certify that a small business concern is an early stage small business concern, or the Administrator shall approve a Federal agency, a State government, or a national certifying entity to certify that the business meets the eligibility criteria of an early stage small business concern.

''(d) TECHNICAL ASSISTANCE.—The Administrator shall provide early stage small business concerns with technical assistance and counseling with regard to—

''(1) applying for and competing for Federal contracts; and

''(2) fulfilling the administrative responsibilities associated with the performance of a Federal contract.

''(e) ATTAINMENT OF CONTRACT GOALS.—All contract awards made under the program shall be counted toward the attainment of the goals specified in section 15(g) of the Small Business Act.

''(f) REGULATIONS.—The Administrator shall—

''(1) issue proposed regulations to carry out this section not later than 180 days after the date of enactment of this Act; and

''(2) issue final regulations to carry out this section not later than 270 days after the date of enactment of this Act.

''(g) REPORT TO CONGRESS.—Not later than April 30, 2015, the Administrator shall transmit to the Congress a report on the performance of the program.

''(h) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) PROGRAM.—The term 'program' means a program established pursuant to subsection (a).

''(2) EARLY STAGE SMALL BUSINESS CONCERN.—The term 'early stage small business concern' means a small business concern that—

''(A) has not more than 15 employees; and

''(B) has average annual receipts that total not more than $1,000,000, except if the concern is in an industry with an average annual revenue standard that is less than $1,000,000, as defined by the North American Industry Classification System.''.

(b) REPEAL OF SIMILAR PROGRAM.—Section 304 of the Small Business Administration Reauthorization and Amendments Act of 1994 (15 U.S.C. 644 note) is repealed.

AMENDMENT NO. 131 OFFERED BY MR. FITPATRICK OF PENNSYLVANIA

Page 725, insert after line 6 the following:

SEC. 1696. LIMITATION ON CONTRACTING.

No agency may enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as that term defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).

AMENDMENT NO. 132 OFFERED BY MR. LANKFORD OF OKLAHOMA

At the end of division A, add the following new title:

TITLE XVII—END TRAFFICKING IN GOVERNMENT CONTRACTING

SEC. 1701. SHORT TITLE.

This title may be cited as the ''End Trafficking in Government Contracting Act of 2012''.

SEC. 1702. DEFINITIONS.

In this title:

(1) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(2) SUBCONTRACTOR.—The term ''subcontractor'' means a recipient of a contract at any tier under a grant, contract, or cooperative agreement.

(3) SUBGRANTEE.—The term ''subgrantee'' means a recipient of a grant at any tier under a grant or cooperative agreement.

(4) UNITED STATES.—The term ''United States'' has the meaning provided in section 103(12) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(12)).

SEC. 1703. CONTRACTING REQUIREMENTS.

Section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)) is amended by striking ''if the grantee or any subgrantee,'' and all that follows through the period at the end and inserting the following: ″or take any of the other remedial actions authorized under section 1705(c) of the End Trafficking in Government Contracting Act of 2012, if the grantee or any subgrantee, or the contractor or any subcontractor, engages in, or uses labor recruiters, brokers, or other agents who engage in, (i) severe forms of trafficking in persons, (ii) the procurement of a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, (iii) the use of forced labor in the performance of the grant, contract, or cooperative agreement, or (iv) acts that directly support or advance trafficking in persons, including the following acts:

''(1) Destroying, concealing, removing, or confiscating an employee's immigration documents without the employee's consent.

''(2) Failing to repatriate an employee upon the end of employment, unless—

''(A) exempted from the duty to repatriate the employee by the Federal department or agency providing or entering into the grant, contract, or cooperative agreement; or

''(B) the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action.

''(3) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment.

''(4) Charging recruited employees exorbitant placement fees, such as fees equal to or greater than the employee's monthly salary, or recruitment fees that violate the laws of the country from which an employee is recruited.

''(5) Providing inhumane living conditions.''.

SEC. 1704. COMPLIANCE PLAN AND CERTIFICATION REQUIREMENT.

(a) REQUIREMENT.—The head of an executive agency may not provide or enter into a grant, contract, or cooperative agreement valued at $1,000,000 or more if performance will substantially be conducted overseas, unless a duly designated representative of the recipient of such grant, contract, or cooperative agreement certifies to the contracting or grant officer prior to receiving an award and on an annual basis thereafter, after having conducted due diligence, that—

(1) the recipient has implemented a plan to prevent the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703, and is in compliance with that plan;

(2) the recipient has implemented procedures to prevent any activities described in such section 106(g) and to monitor, detect, and terminate any subcontractor, subgrantee, or employee of the recipient engaging in any activities described in such section; and

(3) to the best of the representative's knowledge, neither the recipient, nor any subcontractor or subgrantee of the recipient or any agent of the recipient or of such a subcontractor or subgrantee, is engaged in any of the activities described in such section.

(b) LIMITATION.—Any plan or procedures implemented pursuant to subsection (a) shall be appropriate to the size and complexity of the grant, contract, or cooperative agreement and to the nature and scope of its activities, including the number of non-United States citizens expected to be employed.

(c) DISCLOSURE.—The recipient shall provide a copy of the plan to the contracting or grant officer upon request, and, as appropriate, shall post the useful and relevant contents of the plan or related materials on its website and at the workplace.

(d) PERFORMANCE SUBSTANTIALLY OVERSEAS.—For purposes of subsection (a), a grant, contract, or cooperative agreement shall be considered to be performed substantially overseas if the estimated value of the services required to be performed under the grant, contract, or cooperative agreement outside the United States exceeds $500,000.

SEC. 1705. MONITORING AND INVESTIGATION OF TRAFFICKING IN PERSONS.

(a) INVESTIGATION.—If the contracting or grant officer of an executive agency for a grant, contract, or cooperative agreement receives credible evidence that a recipient of the grant, contract, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of such a subgrantee or subcontractor, has engaged in an activity described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703, including a report from a contracting officer representative, an inspector general, an auditor, an alleged victim or victim's representative, or any other credible source, the contracting or grant officer shall, before exercising any option to renew such grant, contract, or cooperative agreement, request that the agency's Office of Inspector General immediately initiate an investigation of the allegation or allegations contained in the report. If the agency's Office of Inspector General is unable to conduct a timely investigation, the suspension and debarment office or another investigative unit of the agency shall conduct the investigation.

(b) REPORT.—Upon completion of an investigation under subsection (a), the office or unit that conducted the investigation shall submit to the contracting or grant officer and, if such investigation was not conducted by the agency's Office of Inspector General, to the agency's Office of Inspector General, a report on the investigation, including conclusions about whether credible evidence exists that the recipient of a grant, contract, or cooperative agreement; any subcontractor or subgrantee of the recipient; or any agent of the recipient or of such a subcontractor or subgrantee, engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703.

(c) REMEDIAL ACTIONS.—

(1) IN GENERAL.—If a contracting or grant official determines that a recipient of a grant, contract, or cooperative agreement, or any subcontractor or subgrantee of the recipient, has engaged in any of the activities described in such section 106(g), the contracting or grant officer shall consider taking one or more of the following remedial actions:

(A) Requiring the recipient to remove an employee from the performance of work under the grant, contract, or cooperative agreement.

(B) Requiring the recipient to terminate a subcontract or subgrant.

(C) Suspending payments under the grant, contract, or cooperative agreement.

(D) Withholding award fees, consistent with the award fee plan, for the performance period in which the agency determined the contractor or subcontractor engaged in any of the activities described in such section 106(g).

(E) Declining to exercise available options under the contract.

(F) Terminating the contract for default or cause, in accordance with the termination clause for the contract.

(G) Referring the matter to the agency suspension and debarment official.

(H) Referring the matter to the Department of Justice for prosecution under any applicable law.

(2) SAVINGS CLAUSE.—Nothing in this subsection shall be construed as limiting the scope of applicable remedies available to the Federal Government.

(3) MITIGATING FACTOR.—Where applicable, the contracting or grant official may consider whether the contractor or grantee had a plan in place under section 1704, and was in compliance with that plan at the time of the violation, as a mitigating factor in determining which remedies, if any, should apply.

(d) INCLUSION OF REPORT CONCLUSIONS IN FAPIIS.—The contracting or grant officer shall ensure that relevant findings contained in the report under subsection (b) are included in the Federal Awardee Performance and Integrity Information System (FAPIIS). These findings shall be considered relevant past performance data for the purpose of awarding future contracts, grants, or cooperative agreements.

SEC. 1706. NOTIFICATION TO INSPECTORS GENERAL AND COOPERATION WITH GOVERNMENT.

The head of an executive agency making or awarding a grant, contract, or cooperative agreement shall require that the recipient of the grant, contract, or cooperative agreement—

(1) immediately inform the Inspector General of the executive agency of any information it receives from any source that alleges credible evidence that the recipient; any subcontractor or subgrantee of the recipient; or any agent of the recipient or of such a subcontractor or subgrantee, has engaged in conduct described in section 106(g) of the Trafficking in Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703; and

(2) fully cooperate with any Federal agencies responsible for audits, investigations, or corrective actions relating to trafficking in persons.

SEC. 1707. EXPANSION OF FRAUD IN FOREIGN LABOR CONTRACTING TO INCLUDE WORK OUTSIDE THE UNITED STATES.

Section 1351 of title 18, United States Code, is amended—

(1) BY STRIKING ''WHOEVER KNOWINGLY'' AND INSERTING ''(A) WORK INSIDE THE UNITED STATES.—Whoever knowingly

(2) by adding at the end the following new subsection:

''(b) WORK OUTSIDE THE UNITED STATES.—Whoever knowingly and with intent to defraud recruits, solicits, or hires a person outside the United States or causes another person to recruit, solicit, or hire a person outside the United States, or attempts to do so, for purposes of work performed on a United States Government contract performed outside the United States, or on a United States military installation or mission or other property or premises owned or controlled by the United States Government, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment, shall be fined under this title or imprisoned for not more than 5 years, or both.''.

SEC. 1708. IMPROVING DEPARTMENT OF DEFENSE ACCOUNTABILITY FOR REPORTING TRAFFICKING IN PERSONS CLAIMS AND VIOLATIONS.

Section 105(d)(7)(H) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(H)) is amended—

(1) in clause (iii), by inserting ''and'' at the end after the semicolon; and

(2) by adding at the end the following new clause:

''(iv) all trafficking in persons activities of contractors reported to the Under Secretary of Defense for Acquisition, Technology, and Logistics;''.

SEC. 1709. RULE OF CONSTRUCTION.

Excluding section 1707, nothing in this title shall be construed to supersede, enlarge, or diminish the common law or statutory liabilities of any grantee, subgrantee, contractor, subcontractor, or other party covered by section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703.

AMENDMENT NO. 134 OFFERED BY MR. DOGGETT OF TEXAS

At the end of title XXVII, add the following new section:

SEC. 27___. CONSIDERATION OF UNITED STATES MILITARY BASES LOCATED OVERSEAS IN CRITERIA USED TO CONSIDER AND RECOMMEND MILITARY INSTALLATIONS FOR CLOSURE OR REALIGNMENT.

Section 2687(b)(1)(B) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of clause (i); and

(2) by adding at the end the following new clause:

''(iii) the anticipated continuing need for and availability of military bases outside the United States, taking into account current restrictions on the use of military bases outside the United States and the potential for future prohibitions or restrictions on the use of such bases; and''.

AMENDMENT NO. 135 OFFERED BY MR. CRITZ OF PENNSYLVANIA

At the end of title XXVIII, add the following new section:

SEC. 28___. RETENTION OF CORE FUNCTIONS OF THE AIR TRAFFIC CONTROL STATION, JOHNSTOWN AIR NATIONAL GUARD BASE, PENNSYLVANIA.

The Secretary of the Air Force shall retain the core functions of the Air Traffic Control Station at Johnstown Air National Guard Base, Pennsylvania, with the same integrated mission elements, responsibilities, and capabilities as existed as of November 1, 2011, until such time as such integrated mission elements, responsibilities, and capabilities are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.

AMENDMENT NO. 136 OFFERED BY MR. YOUNG OF ALASKA

At the end of title XXVIII, add the following new section:

SEC. 9___. MODIFICATION OF NOTICE REQUIREMENTS IN ADVANCE OF PERMANENT REDUCTION OF SIZABLE NUMBERS OF MEMBERS OF THE ARMED FORCES AT MILITARY INSTALLATIONS.

(a) CALCULATION OF NUMBER OF AFFECTED MEMBERS.—Subsection (a) of section 993 of title 10, United States Code, is amended by adding at the end the following new sentence: ''In calculating the number of members to be reduced, the Secretary shall take into consideration both direct reductions and indirect reductions.''.

(b) NOTICE REQUIREMENTS.—Subsection (b) of such section is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) the Secretary of Defense or the Secretary of the military department concerned—

''(A) submits to Congress a notice of the proposed reduction and the number of military and civilian personnel assignments affected, including reductions in base operations support services and personnel to occur because of the proposed reduction; and

''(B) includes in the notice a justification for the reduction and an evaluation of the costs and benefits of the reduction and of the local economic, environmental, strategic, and operational consequences of the reduction; and

''(2) a period of 90 days expires following the day on which the notice is submitted to Congress.''.

(c) TIME AND FORM OF SUBMISSION OF NOTICE.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) TIME AND FORM OF SUBMISSION OF NOTICE.—The notice required by subsections (a) and (b) may be submitted to Congress only as part of the budget justification materials submitted by the Secretary of Defense to Congress in support of the budget for a fiscal year submitted under section 1105 of title 31.''.

(d) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

''(e) DEFINITIONS.—In this section:

''(1) The term 'direct reduction' means a reduction involving one or more members of a unit.

''(2) The term 'indirect reduction' means subsequent planned reductions or relocations in base operations support services and personnel able to occur due to the direct reductions.

''(3) The term 'military installation' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

''(4) The term 'unit' means a unit of the armed forces at the battalion, squadron, or an equivalent level (or a higher level).''.

AMENDMENT NO. 138 OFFERED BY MR. LUJÁN OF NEW MEXICO

At the end of subtitle D of title XXXI, add the following:

SEC. 3146. STUDY ON A MULTI-AGENCY GOVERNANCE MODEL FOR NATIONAL SECURITY LABORATORIES.

(a) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Administrator for Nuclear Security shall commission an independent assessment regarding the transition of the national security laboratories to multi-agency federally funded research and development centers with direct sustainment and sponsorship by multiple national security agencies. The assessment shall be conducted by an independent, non-governmental institute which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, and has recognized credentials and expertise in national security science and engineering laboratories and with ready access to policy experts throughout the United States.

(2) BACKGROUND MATERIAL.—The assessment shall leverage previous studies, including—

(A) the report published in 2009 by the Stimson Center titled ''Leveraging Science for Security: A Strategy for the Nuclear Weapons Laboratories in the 21st Century''; and

(B) the Phase 1 report published in 2012 by the National Academy of Sciences titled ''Managing for High-Quality Science and Engineering at the NNSA National Security laboratories''.

(3) ELEMENTS.—The assessment conducted pursuant to paragraph (1) shall include the following elements:

(A) An assessment of a new governance structure that—

(i) gives multiple national security agencies, including the Department of Defense, the Department of Homeland Security, the Department of Energy, and the intelligence community, direct sponsorship of the national security laboratories as federally

funded research and development centers so that such agencies have more direct and rapid access to the assets available at the laboratories and the responsibility to provide sustainable support for the science and technology needs of the agencies at the laboratories;

(ii) reduces costs to the Federal Government for the use of the resources of the laboratories, while enhancing the stewardship of these national resources and maximizing their service to the nation;

(iii) enhances the overall quality of the scientific research and engineering capability of the laboratories, including their ability to recruit and retain top scientists and engineers; and

(iv) maintains as paramount the capabilities required to support the nuclear stockpile stewardship and related nuclear missions.

(B) A recommendation as to which, if any, other laboratories associated with any national security agency should be included in the new governance structure.

(C) Options for implementing the new governance structure that minimize disruption of performance and costs to the government while rapidly achieving anticipated gains.

(D) Legislative changes and executive actions that would need to be made in order to implement the new governance structure.

(b) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2014, the designated private entity shall submit to the Administrator and the congressional defense committees a report that contains the findings of the assessment.

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITION.—In this section, the term ''national security laboratory'' has the meaning given that term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

AMENDMENT NO. 139 OFFERED BY MR. LANDRY OF LOUISIANA

Strike section 3503.

AMENDMENT NO. 141 OFFERED BY MR. YOUNG OF ALASKA

At the end of title XXXV, add the following new section:

SEC. 35___. DEPARTMENT OF DEFENSE NATIONAL STRATEGIC PORTS STUDY AND COMPTROLLER GENERAL STUDIES AND REPORTS ON STRATEGIC PORTS.

(a) SENSE OF CONGRESS ON COMPLETION OF DOD REPORT.—It is the sense of Congress that the Secretary of Defense should expedite completion of the study of strategic ports in the United States called for in the conference report to accompany the National Defense Authorization Act for Fiscal Year 2012 (Conference Report 112–329) so that it can be submitted to Congress before September 30, 2012.

(b) SUBMISSION OF REPORT TO COMPTROLLER GENERAL.—In addition to submitting the report referred to in subsection (a) to Congress, the Secretary of Defense shall submit the report to the Comptroller General of the United States for consideration under subsection (c).

(c) COMPTROLLER GENERAL STUDIES AND REPORTS ON STRATEGIC PORTS.—

(1) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after receipt of the report referred to in subsection (a), the Comptroller General shall conduct an assessment of the report and submit to the congressional defense committees a report of such assessment.

(2) COMPTROLLER GENERAL STUDY AND REPORT.—Not later than 270 days after the enactment of this Act, the Comptroller General of the United States shall conduct a study of the Department of Defense's programs and efforts related to the state of strategic ports with respect to the Department's operational and readiness requirements, and report to the congressional defense committees on the findings of such study. The report should include an assessment of—

(A) the extent to which the facilities at strategic ports meet the Department of Defense's requirements;

(B) the extent to which the Department has identified gaps in the ability of existing strategic ports to meet its needs and identified and undertaken efforts to address any gaps; and

(C) the Department's ability to oversee, coordinate, and provide security for military deployments through strategic ports.

(d) STRATEGIC SEAPORT DEFINED.—In this section, the term ''strategic port'' means a United States port designated by the Secretary of Defense as a significant transportation hub important to the readiness and cargo throughput capacity of the Department of Defense.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the committee to adopt the amendments en bloc, all of which have been considered by both the majority and the minority.

I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK), my friend and colleague.

Mr. FITZPATRICK. Mr. Chairman, I rise today to offer an amendment that will help get our Nation's veterans back to work.

According to a Department of Labor report from June of 2011, 1 million veterans were unemployed. The brave men and women who serve and have served our great Nation deserve every effort from this body to give them the tools they need to provide for themselves and their families.

The amendment I have offered today to the National Defense Authorization Act would help provide veterans with opportunities by giving a leg up to veteran-owned small businesses. Our government has in place policies that give businesses owned by certain classes of individuals an advantage in receiving government contracts, and this amendment does nothing to change that.

My amendment simply levels the playing field by giving veterans and veteran-owned small businesses the exact same preference that is being given to others. It also preserves the ability to give service-disabled veteran-owned businesses a preference above all others. This is the exact same amendment that was agreed to by voice vote during the debate on last year's Military Construction and Veterans Affairs appropriations bill.

I appreciate the continued strong bipartisan support for this policy. I think that it shows that we, as a Congress, are united in supporting employment and business opportunities for the men and women who have served in our military.

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of two amendments I am offering in this bloc, both of which seek to ensure Pakistan demonstrates its commitment to counterterrorism operations and the dismantling of improvised explosive device networks.

According to news reports, the majority of IEDs in Afghanistan share a common ingredient, calcium ammonium nitrate, which is illegal in Afghanistan but completely legal in Pakistan. When asked about what the Pentagon is doing to put pressure on Pakistan's distribution network of ammonium nitrate at his Senate Armed Services Committee hearing, Secretary Panetta said:

We've urged them, the Pakistanis, to take steps. In some cases, they have. In some cases, they wind up there too late. But we're continuing to impress upon them that they have got to be part of the answer to dealing with this issue.

That's why I have offered amendment 121, which would tie the funding of the Pakistan counterinsurgency fund to a certification requirement by the Secretary of Defense, in consultation with the Secretary of State, that Pakistan is making significant effort in implementing a strategy to counter improvised explosive devices, IEDs. Too many American soldiers have been killed or wounded as a result of IEDs.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield the gentleman from Rhode Island an additional 20 seconds.

Mr. CICILLINE. I thank the gentleman.

We are also considering amendment 118 in this bloc. This amendment would require that, before providing reimbursement to Pakistan for its efforts in support of Operation Enduring Freedom, the Secretary of Defense must certify Pakistan is taking ''demonstrable steps'' to support counterterrorism operations against terrorist organizations, dismantle IED networks, prevent the proliferation of nuclear-related material and expertise, and issue visas in a timely manner for United States Government personnel supporting counterterrorism efforts and assistance programs in Pakistan.

These are commonsense amendments.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. LANKFORD), my friend and colleague.

Mr. LANKFORD. I rise in support today of a simple way to be able to fix a problem that we have been trying to pursue for years on it.

Despite a zero-tolerance policy, the Commission on Wartime Contracting released their final report last November, highlighting contractors and subcontractors in Iraq and Afghanistan who have engaged in the practice of human trafficking. Despite numerous laws, numerous policies and attempts to do this, we have not been able to resolve this. Today I am putting forward an amendment to try to resolve this issue.

According to various accounts before my subcommittee, third-country nationals are hired by prime and subprime contractors holding U.S. Government contracts. They are recruited by brokers who lure them into these positions under false pretenses. Many arrive having been robbed of wages, injured without compensation, subjected to sexual assaults, or held in deplorable conditions resembling indentured servitude by their subcontractor bosses. Using taxpayer bosses to support these conditions is immoral, inappropriate, and un-American. This is something we have worked to fix.

This amendment brings clarity to the issues to make sure it's absolutely clear to these subcontractors, which are often foreign companies that bring in laborers to work for our military, that we never, ever violate our basic American principle of life, liberty, and the pursuit of happiness.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentlelady from California (Ms. RICHARDSON).

Ms. RICHARDSON. I thank the gentleman for allowing me to speak in support of the Young-Richardson amendment, No. 141, that we have before us. I would like to thank Chairman MCKEON and also Ranking Member SMITH and their staff for all of their hard work on this very important bill.

The Young-Richardson amendment calls for the expedited completion of the study of the Nation's strategic ports called for in the National Defense Authorization Act. As a representative of a district that serves the largest port complex in the Nation and the fifth largest in the world, it is important that we always remember that in times of war, the role of ports is to protect our forts.

This amendment directs the Department of Defense to provide a copy of the report to the GAO for additional review of the extent to which the facilities and infrastructure serving our strategic seaports meet the demands of the Department of Defense. The completion of this report is vital in its assessment of the structural integrity, the deficiencies and, most importantly, the report will identify potential funding sources to undertake these needed improvements.

I thank the House Armed Services Committee for including this Young-Richardson amendment in the en bloc, and I also applaud Mr. YOUNG on his long-standing leadership.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlelady from California an additional 15 seconds.

Ms. RICHARDSON. I would like to thank the ranking member, Mr. SMITH, and Chairman MCKEON for including this amendment en bloc.

Mr. MCKEON. I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong support of the Young Amendment #141 to H.R. 4310 that was included as part of En Bloc Amendment #6. I commend my colleague from Alaska for his leadership on this issue, and like him, I agree that the Secretary of Defense should expedite completion of the study of our nation's strategic ports in last year's National Defense Authorization Act.

One of the ports that is included in this study is the Port of Savannah in my home State of Georgia. The Port of Savannah is the nation's fastest-growing and fourth-busiest port. It serves as the most important infrastructure target in Georgia and the single-largest economic development issue for the state.

The economic impact that this port has is astounding. The Port of Savannah alone accounted for $9.5 billion in shipments to the Metro Atlanta region in 2011. Furthermore, the effect of both the Port of Savannah and the Port of Brunswick have on Georgia's economy are staggering. According to a recent University of Georgia study, these two ports support more than 350,000 jobs—which is 1 out of every 12 jobs across the state.

Mr. Chair, simply put, the Port of Savannah has is critical for economic development, not only in my home state, but throughout the southeast region. I am pleased that it was included on the list to study by DoD, and I believe this study needs to be completed this fiscal year.

I urge my colleagues to support the Young Amendment.

Ms. MCCOLLUM. Mr. Chair, over the past four years, the Department of Defense has spent $1.55 billion for its 150 military bands and more than 5,000 full-time, professional military musicians. In FY 2013, from funds authorized in this bill, the Pentagon plans to spend another $388 million for military bands.

My amendment is very simple. It caps spending on military bands in this bill at $200 million.

I was raised in a military family, Mr. Chair, and I understand the important role that bands have in our nation's proud military tradition. That's why my amendment provides $200 million for the Pentagon to continue this tradition. But as families and communities across this country see critical services reduced or eliminated because of Republican budget cuts, I think it's time we ask the Pentagon to make a small sacrifice in its musical budget.

Just last week, 218 of my Republican colleagues voted to eliminate health coverage for at least 300,000 children by cutting the Children's Health Insurance Program (CHIP). Today, I urge my colleagues to cut funding for military bands with the same sense of urgency that they cut care for poor kids.

In passing H.R. 5652, the Sequester Replacement Reconciliation Act of 2012, House Republicans voted to shield the Pentagon from the automatic spending cuts agreed to in the Budget Control Act. They did it by cutting over $300 billion from domestic programs for our most vulnerable citizens.

In order to protect the Pentagon from sequestration—including military bands—and actually increase defense spending, the House voted to:

Cut nutrition assistance for low-income seniors, people with disabilities, and families.

Eliminate funding for Meals On Wheels for seniors.

Slash child care services for working parents, and protective services for abused children.

Deny school lunches to more than 200,000 children.

Repeal the Prevention and Public Health Fund, which supports breast cancer screenings for women, immunizations for children, and community education efforts.

Repeal funding for state health insurance exchanges, which will make it easier for families to find affordable health insurance.

Those were cuts that will have a real, severe impact on families in Minnesota and throughout the United States.

For my 218 Republican colleagues who voted last week to replace the defense sequester cuts by slashing domestic programs, this should be an easy vote.

Surely, no one in this body can claim that funding for the Air Force Wild Blue Country Band, or the Navy Crescent Brass Quintet Band, or the Army String Band, or the Navy Show band, or the Air Force Singing Sergeants is more important than funding programs critical to our nation's children, seniors, and working families.

One of our primary duties as Members of Congress is to provide the resources and policy guidance necessary to protect our nation. We must make certain that every dollar in this bill contributes to our national defense.

In a fiscal crisis, $200 million must be enough for the Department of Defense to continue its time-honored musical tradition.

If House Republicans are asking low income families, seniors, and disabled Americans to go without the services they rely on, it's time the Pentagon makes do with $200 million for military bands.

It's time we ask the Army to do with fewer than 100 bands.

It's time we ask the Air Force to scale back its Country Western band.

It's time we ask the Pentagon to share some of the sacrifice that American families are being asked to bear.

And with $200 million, the military music will surely continue to grace our nation's parades and ceremonies, and provide comfort to our military families at funerals.

Mr. Chair, this exact amendment was adopted unanimously by voice vote and passed by

the full House of Representatives in last year's National Defense Authorization bill, H.R. 1540. Why? Because in this time of fiscal crisis and deep cuts to discretionary spending, it makes no sense to borrow nearly $400 million from Communist China to pay for military bands.

I urge my colleagues to support this amendment.

Mr. GENE GREEN of Texas. Mr. Chair, as one of the cosponsors, I rise in strong support of Amendment #139. This amendment would strike Section 3503 of the legislation, which allows the Maritime Administration to exempt itself from the Federal Acquisition Regulations, the Competition in Contracting Act and Federal Property Management laws, and thus dispose of obsolete vessels in the National Defense Reserve Fleet using less than full and open competition and a transparent process.

This amendment should be adopted because it will help ensure competition in contracting for ship disposal by the Maritime Administration. If this amendment is not adopted, MARAD will be permitted to enter into contracts to dispose of their ships without competition or transparency. This puts American jobs and industry at risk.

MARAD has expressed an interest in sending decommissioned ships to China to be scrapped. China wants this steel because it is stronger and better than what they produce. This will result in us buying inferior steel from China and China buying our steel at depressed rates because of no competition. Our firms have to be able to compete on an equal playing field and our own government should be encouraging it. We should be encouraging the recycling of superior American made steel to be used here.

Instead, Section 3503 stacks the deck against competition and against domestic firms. Why should we give China superior products in a sweetheart deal? If they want better steel they can pay fair market price or make it themselves.

President Obama in his memorandum for the Heads of the Executive Departments and Agencies from March 2009, on Government Contracting, said that, ''the Federal Government has an overriding obligation to American taxpayers. It should perform its function efficiently and effectively while ensuring that its actions result in the best value for taxpayers . . . Excessive reliance by agencies on sole source contracts . . . creates a risk that taxpayer funds will be spent on contracts that are wasteful, inefficient, subject to misuse or otherwise not well designed to serve the needs of the Federal Government of the interest of the American taxpayer.''

The President was right and this amendment holds MARAD to this standard.

Mr. CONNOLLY of Virginia. Mr. Chair, I rise to support the bipartisan Lankford/Connolly amendment to combat human trafficking by federal subcontractors. Mr. LANKFORD, Mr. CUMMINGS, Mr. ISSA and I worked with Senators BLUMENTHAL, FRANKEN, COLLINS, and others to develop the bicameral legislation that is the basis of this amendment. It will combat human trafficking and has the support of both federal contractors and human rights advocates. The Subcommittee on Technology and Procurement, of which Mr. LANKFORD and I are Chairman and Ranking Member, respectively, held two hearings on human trafficking by federal contractors. We heard testimony from human rights advocates that trafficking is widespread and rarely if ever punished. Typically logistics subcontractors, generally based in a country other than the United States, hire labor recruiters who mislead Third Country National (TCN) laborers into what can best be described as human slavery. The victims of human trafficking frequently are victims of both labor and sexual exploitation. Their oppressors generally steal passports, withhold pay, and frequently fail to return them to their home country even when their work is complete. Sadly, these abuses have occurred on federal DOD, Department of State, and USAID projects.

We have succeeding in motivating agencies to expand efforts to combat trafficking. The Department of State is conducting more on-site investigations to identify indices of trafficking, such as sub-human housing conditions, stolen passports, and withheld wages. Secretary Clinton issued a memo reminding State Department staff about the federal government's zero tolerance policy with respect to trafficking, which in the past was enforced in the breach. In the House and Senate we crafted bipartisan legislation to address the trafficking problems identified in the Subcommittee. This legislation will:

Requires every contract to have a clause allowing contract termination in the event of human trafficking and appropriate penalties for contractors who engage in trafficking.

Lists indices of trafficking, such as revocation of passports and high recruiting fees, which require agency investigations and corrective action.

Requires large overseas contracts to have compliance plans to prevent trafficking.

Requires agency investigation of trafficking complaints or evidence of trafficking.

Expands fraud in foreign labor contracting penalties to work performed outside of the US on federal contracts.

These provisions directly address real world challenges in prosecuting trafficking that we learned about in our subcommittee's hearing. In addition to improving agency efforts to combat trafficking, this legislation is necessary to ensure federal dollars never are used to support human slavery.

I hope my colleagues will join the Chairman and Ranking Member in voting for this amendment and greatly appreciate the support of Lynn Williams and other HASC staff. As is the Committee's standard practice, HASC has worked in a collaborative, bipartisan manner to support this amendment, and I greatly appreciate the staff's professionalism and the Chairman and Ranking Members' bipartisan leadership of the committee.

Mr. HARPER. Mr. Chair, I rise today in support of my amendment, numbered 105, to the National Defense Authorization Act. This straight forward amendment requests a review and study by the Secretary of the Air Force on the decision to cancel or consolidate the Air National Guard Component Numbered Air Force Augmentation Force in Fiscal Year 2013.

This Air National Guard Augmentation Force enhances Active Duty Air and Space Operations Centers, or AOCs, across the Continental U.S. and across the globe on a regular basis. They support each AOC's respective mission and provide a rapid and familiar response to ensure mission success. Many AOCs have stated bluntly that their work would be greatly degraded if their Augmentation Force went away.

This amendment quite simply requests a review of the United States Air Force's decision to consolidate and cancel some of these Groups in the FY13 budget to ensure this decision is indeed cost effective and does not harm national security. The Air Force's Total Force Integration Phase IV Memo recognized the need for additional augmentation units, I now question how and if that need has subsided, and if it has, what has diminished it. I would like to thank our troops at home and abroad for their service in keeping this country safe. I would also like to thank the Chairman and Ranking Member of the House Armed Services Committee for their hard work on this year's Defense Authorization bill.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

AMENDMENT NO. 59 OFFERED BY MR. REHBERG

The Acting CHAIR. It is now in order to consider amendment No. 59 printed in House Report 112–485.

Mr. REHBERG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title X, add the following new section:

SEC. 1065A. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF STRATEGIC DELIVERY SYSTEMS.

(a) LIMITATION.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following:

''§ 498. Commensurate strategic delivery system reductions

''(a) LIMITATION ON NEW START REDUCTIONS.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system pursuant to the levels set forth for such systems under the New START Treaty unless the President certifies to the congressional defense committees that—

''(1) the Russian Federation must make a commensurate reduction, conversion, or decommissioning pursuant to the levels set forth under such treaty; and

''(2) the Russian Federation is not developing or deploying a strategic delivery system that is—

''(A) not covered under the limits set forth under such treaty; and

''(B) capable of reaching the United States.

''(b) LIMITATION ON TRIAD REDUCTIONS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system if such reduction, conversion, or decommissioning would eliminate a leg of the nuclear triad.

''(c) DEFINITIONS.—In this section:

''(1) The term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

''(2) The term 'strategic delivery system' means the following delivery platforms for nuclear weapons:

''(A) Land-based intercontinental ballistic missiles.

''(B) Submarine-launched ballistic missiles and associated ballistic missile submarines.

''(C) Nuclear-certified strategic bombers.

''(3) The term 'triad' means the nuclear deterrent capabilities of the United States composed of the strategic delivery systems.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 497 the following new item:

''498. Commensurate strategic delivery system reductions.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Montana (Mr. REHBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

□ 1110

Mr. REHBERG. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I have the honor to represent the city of Great Falls, home to Malmstrom Air Force Base and the 341st ICBM Missile Wing. The men and women stationed there are the best in the world. They understand the critical role they play in America's security. They also understand the vital role they have in the Great Falls community and the economy.

Unfortunately, there are those that see their contributions as obsolete. They watched the Cold War end and failed to grasp that our unsurmountable nuclear deterrent is what is keeping the peace that we all cherish.

President Obama promised deep and reckless cuts to our nuclear arsenal. It's been reported that the National Security Council has developed a plan to cut our nuclear force by up to 80 percent, slashing it to a level not seen since the early 1950s. To that end, the New START Treaty with Russia will go down as one of the worst, most one-sided deals in our country's history. If two countries sign a nuclear arms reduction treaty, shouldn't both sides have to reduce their nuclear arms to meet agreed-upon targets?

That's not what happened. The Russians, it turns out, were already well under the quota for nuclear weapons established by the treaty. So the first thing they did was increase their nuclear warheads to above the treaty limit. You heard that right: Russia increased the number of warheads they had before reducing them. And as the United States unilaterally disarms, the primary mission at Malmstrom in Great Falls is at risk.

The administration refuses to reveal its reduction plans, but one proposal that has surfaced is to simply eliminate an entire wing of the ICBM missiles like the ones in Great Falls. The President promises that won't happen, just like he promised New START was a good deal. And some of the same Senators who rubber-stamped the New START Treaty are buying into those empty promises again. They assure us that our nuclear triad is safe, and so is Malmstrom. I would think more skepticism is in order.

Just a few weeks ago, President Obama was caught on an open mike promising the Russians that he would have more flexibility once he didn't need to worry about reelection. Given recent history and the New START Treaty, it's hard to imagine how much worse it could get, but I'm not willing to wait around and find out.

This amendment is simple. It says that the United States shouldn't be unilaterally disarming itself. I hope my colleagues join me in passing this amendment which will help clean up the mess the President and the Senate got us into.

I reserve the balance of my time.

Mr. LARSEN of Washington. I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I'm going to ask my colleagues to oppose this amendment. The amendment puts constraints that would recklessly weaken our national security by preventing nuclear reductions that the U.S. and Russia have already agreed to. The provision would de facto prevent any reduction in the number of nuclear delivery vehicles because Russia is already below the New START limits and does not need to make further reductions to comply with the treaty. Thus, it would essentially require Russia to build up its arsenal to allow the U.S. to implement its New START obligations. In other words, it would fully stop the implementation of the mutually agreed upon treaty in its tracks. This is highly destabilizing.

It would also risk terminating the treaty if the U.S. cannot comply with its obligations. Even during the Cold War, the U.S. negotiated with Russia to limit the number of nuclear weapons. Without New START, the U.S. would lose all verification rights, thereby losing insight into Russia's nuclear arsenal. These limitations would require the U.S. to maintain the current numbers of nuclear delivery vehicles and placing artificial limits on our arsenal and make reductions subject to Russian actions, in effect, outsourcing national security to Russia.

Mr. Chairman, I would ask my colleagues to consider these facts when they consider voting on this amendment. I would ask my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. REHBERG. I yield the balance of my time to the gentlewoman from Wyoming (Mrs. LUMMIS).

The Acting CHAIR. The gentlewoman is recognized for 2½ minutes.

Mrs. LUMMIS. I want to thank the gentleman from Montana for working with me on this amendment, which will prevent the United States from unilaterally disarming its nuclear arsenal.

The brave men and women of the 90th Missile Wing in Cheyenne, Wyoming, work tirelessly in keeping our land-based nuclear missiles on nearly 100 percent alert. This work is tremendously important because the notion that the U.S., by unilaterally disarming itself, will somehow convince aggressors to follow suit is dangerous thinking. It is precisely this kind of thinking that seeped into the New START Treaty.

I'm still trying to determine what the U.S. got out of the deal. We all know what Russia got. Russia got to bind us to a cap on our nuclear arsenal. But Russia can still expand its strategic arsenal. Russia can stack their bombers to the hilt with warheads and call it a single-delivery vehicle. Russia can deploy an unlimited number of tactical nuclear weapons that are constantly pointed at our allies in Europe. Russia can develop new long-range nuclear-tipped cruise missiles. That's right, new nuclear platforms, including those capable of reaching the United States from the air and sea, don't ''count'' under the New START Treaty. The only things that ''count'' under the New START Treaty are the platforms on which the United States has a strategic advantage.

New START is a terrible deal for the United States—a mess that we're trying to clean up with our amendment. If the United States keeps making bad deals like this, we risk losing the faith of our allies who rely on our nuclear umbrella. Those who have been content with our protection might think twice about whether it might be in their interest to have nuclear arms of their own. Nations who a few years ago would never imagine being able to compete with the United States might start thinking about trying to compete with us.

This is the reality. This is the danger of unilateral disarmament. And this is why you should vote for our amendment.

I thank, again, the gentleman from Montana for working with us on this.

Mr. LARSEN of Washington. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I think I have finally found the content of the secret agreement between the President and the Russians we keep hearing about. I want to read you what I have heard:

My goal is the total elimination of nuclear weapons. If we can get these fellows, the Russians, back to the table and get them to start down that road of mutual reduction, then they might find out what common sense it would mean to eliminate them.

These are the secret words that were said. But they weren't said by Barack Obama. They were said by Ronald Reagan in 1983.

The careful elimination of nuclear weapons has been a bipartisan and wise goal of this country for three decades. We have the capability to destroy the world 24 times over. We are rationally and systematically negotiating with Russia to try to reduce the risk of accident, theft, or rogue-state behavior while maintaining our sacred sovereign duty to defend ourselves at all times.

This amendment interferes with that wise and bipartisan process. It sends this President, or any President, into negotiations with a set of preconceived notions which limit his or her ability to make the best deal on behalf of the United States—a deal which, of course, would have to be ratified by the United States Senate if it were to make material changes in the START agreement.

From Reagan through Bush through Clinton through George W. Bush and now through President Obama, a wise bipartisan plan to protect our country but reduce the risk of nuclear holocaust. This amendment stands in the way of that wise bipartisan tradition—and it should be defeated.

Mr. LARSEN of Washington. I would just ask my colleagues to oppose this amendment. We would ask our colleagues here in the House to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Montana (Mr. REHBERG).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. REHBERG. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Montana will be postponed.

□ 1120

AMENDMENT NO. 77 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 77 printed in House Report 112–485.

Mr. HUNTER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle F of title V, add the following new section:

SEC. 5____. REPORT ON NAVY REVIEW, FINDINGS, AND ACTIONS PERTAINING TO MEDAL OF HONOR NOMINATION OF MARINE CORPS SERGEANT RAFAEL PERALTA.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and House of Representatives a report describing the Navy review, findings, and actions pertaining to the Medal of Honor nomination of Marine Corps Sergeant Rafael Peralta. The report shall account for all evidence submitted with regard to the case.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, the war in Iraq has come to a close. And while the Iraq mission is over, countless examples of combat heroism performed by our military over nearly a decade of operations are both an inspiration and a reminder of the service and sacrifice of so many marines, sailors, soldiers, and airmen.

For Iraq, there have been hundreds of Silver Stars awarded. There have been 21 Navy Crosses and 15 Distinguished Service Crosses. The Nation's highest award for combat valor—the Medal of Honor—was presented on only four occasions. Each was awarded posthumously, three for action that involved smothering a grenade to save others.

One marine, Sergeant Rafael Peralta, who was posthumously nominated for the Medal of Honor deserves to be part of this distinguished group of heroes. But he's not. He was denied that honor when his nomination was wrongly downgraded to the Navy Cross.

The incident leading to the nomination occurred in 2004 during combat in Fallujah, Iraq. He and several marines entered a room and came into immediate contact with the enemy. A firefight erupted, and Peralta was hit in the back of the head with a fragment of a ricocheted bullet. While Peralta was on the floor, a grenade was thrown and landed within his reach. He scooped up the grenade and pulled it into his body, saving the lives of his fellow marines.

Seven marines confirmed his actions. So did the medical evidence. And the Marine Corps, after conducting its own review, nominated Peralta for the Medal of Honor. The Navy agreed with the Marine Corps and sent the nomination to former Secretary of Defense Robert Gates. That's where the nomination was downgraded, 4 years after Peralta's death.

Secretary Gates came to this conclusion after taking the unprecedented step of forming a scientific panel to review the evidence. Contrary to the eyewitness accounts, the evidence submitted, and the recommendation of the Marine Corps and the Navy, Secretary Gates determined Peralta could not have consciously pulled the grenade to his body. And if he did, it was involuntary, according to Secretary Gates. His judgment also concluded that the grenade detonated 1 to 3 feet from Peralta's left knee, not underneath his body.

Yet the Navy Cross citation reads and exactly parallels the Medal of Honor citation:

> Without hesitation and with complete disregard for his own personal safety, Sergeant Peralta reached out and pulled the grenade to his body, absorbing the brunt of the blast and shielding his fellow marines only feet away.

That's an indisputable statement. And the Navy Cross citation was awarded. According to this citation, Peralta did exactly what Secretary Gates said he didn't or couldn't have done. Now, more than 8 years after Peralta's death, new evidence is currently under review by the Navy, evidence found by my office and by Joe Casper on my staff, in particular, along with the History Channel—evidence that the Navy never even saw. We gave this evidence to the Navy, and it validates the eyewitness accounts that led to the Medal of Honor nomination.

I also have a report from a renowned forensic pathologist. The report, which accounts for the condition of the body armor, autopsy findings, and the pathologist's own experience with head wounds, concludes Peralta was not immediately incapacitated by the brain injury and, in fact, reached for the grenade and pulled it under his body. I have seen this video evidence.

Earlier this year, the Navy took a major step in recognizing Sergeant Peralta and named a destroyer in his honor—a great honor. The Navy and Secretary Ray Mabus in particular deserve to be commended for their decision, as well as their commitment to honoring Sergeant Peralta's sacrifice.

The new evidence was submitted to the Navy months ago, and I did receive confirmation from Secretary Mabus that the evidence is being reviewed in the hope of resubmitting the Medal of Honor nomination. And based on the evidence, I'm confident in the Navy's ability to make the right decision.

But even so, this process doesn't stop with the Navy. Resubmitting the nomination will still require the approval of the Secretary of Defense. And knowing the extent of the information before the Navy, prompting its initial decision and any subsequent decision will be valuable to ensuring the error in judgment that denied Peralta the Medal of Honor is corrected once and for all.

I know that I speak for my colleagues in saying we look forward to the Navy's decision.

And with that, I yield back the balance of my time.

SAN ANTONIO, TX,
January 27, 2010.

Re: Medal of Honor Recommendation: Case of Sgt. Rafael Peralta.

GEORGE M. SABGA, Jr.,
Attorney at Law,
San Diego. CA.

DEAR MR. SABGA: As requested, I have reviewed the following materials in regard to the death of Sgt. Peralta:

1. Investigative Documents generated by the Marine Corp including witness interviews and floor plans
2. the opinions of the neurologist and two neurosurgeons
3. photographs of the scene
4. the autopsy report: photographs of the injuries: x-rays of the body and the opinion of the forensic pathologist

On November 15th, 2004, Sgt. Rafael Peralta, deployed to Iraq as a Scout Team Leader assigned to Company A, 1st Battalion, 3rd Marine Regiment, along with his team was ordered to clear houses in the Battle of Fallujah. After clearing three houses, he entered a fourth house with his team. The first two rooms were empty. As Peralta opened the third door, insurgents in the room opened fire on the marines. Sgt. Peralta, hit in the head by friendly fire, dropped to the floor, severely wounded. The insurgents then threw a grenade at the marines, with the grenade coming to rest near Sgt. Peralta. The other marines in the room with Sgt. Peralta were unable to get out. Despite his wounds. Sgt. Peralta was described as reaching for the grenade and pulling it under his body. absorbing the majority of the lethal blast and shrapnel. The Sgt. died at the scene.

Eleven witnesses to the circumstances of Sgt. Peralta's death were interviewed. Four saw Sgt. Peralta gather the grenade to himself with his right arm: a fifth stated he used his left arm and two didn't mention which arm was used. Two stated the Sgt. had his left cheek on the ground and three that he had his right cheek. The divergence in the descriptions as to which arm was used and which way the head was facing is reassuring as such contradictions are what one normally expects in stressful situations such as this. What is most significant. however, is that seven witnesses state that they saw him reach for the grenade and pull it to himself.

Examination of photographs and X-rays of Sgt. Peralta's body reveal four grenade fragments in the left side of the head without penetration into the cranial cavity. In addition, there are multiple grenade fragment wounds of the left shoulder: left upper arm, forearm and hand; right forearm and hand, and the left thigh, calf and foot. There is no evidence of any fragment wounds or blunt trauma injuries in the areas of Sgt. Peralta's body covered by armor. Examination of the body armor revealed numerous shrapnel defects of the left side. densely grouped at the left mid chest region with fewer defects superiorly and inferiorly. A piece of the fuse was recovered from his flak jacket.

Present on the back of the head. behind the left ear, in the left parietal-occipital region is a vertically oriented, gaping wound measuring approximately 4 x 1.5 cm. This wound is level with the left ear. The skin extending outward from the lateral aspect of the wound shows confluent abrasion out to a distance of approximately 3.5 cm. Protruding from this wound are fragments of bone. Present in the right occipital scalp, level with the inferior end of the left sided wound, is an approximate 2 x 1 cm irregular wound.

Photographs of the interior of the cranial cavity show an elongated, ragged edged defect of the occipital bone in the left occipital lobe fossa. This defect runs in a para-coronal plain, extending from the left lambdoidal suture to approximately the midline of the head. The lateral end of the wound shows some internal beveling with the rest of the wound having a sharp edged, punched out appearance. Two secondary fracture lines extend from this defect, one to the nine o'clock position of the foramen magnum and the other diagonally across the right cerebella fossa to approximately the right lambdoidal suture. X-rays of the head show fragmentation of bone at this wound site with a few fine metal fragments. Present in the right cerebral hemisphere, in the area of the right tempero-parietal lobe, is the steel penetrator of a 5.56 x 45 bullet. On review of the autopsy. the penetrator was said to have perforated the left occipital lobe penetrating into the right tempero-parietal lobe.

Based on the aforementioned observation, it appears that Sgt. Peralta was struck in the back of the head by a 5.56 x 45 bullet traveling from his left to right. The bullet struck the head at a tangential angle inflicting a gutter wound, fragmenting bone, depositing a few tiny fragments of metal and breaking up. The 10.1 grain steel penetrator entered the cranial cavity penetrating the brain. The wound in the right occipital scalp may represent the exit side for the rest of the bullet or at least a fragment of the bullet that traveled beneath the scalp. The bullet striking the back of the head may represent a ricochet rather than a primary impact especially in view of the extensive area of abrasion along one margin of the wound.

The bulk of the injury to the left occipital pole of the brain was due to the bone fragments produced by the gutter wound and not by the bullet itself or the penetrator. The 10.1 grain penetrator had minimal velocity and, thus, by virtue of this and its low weight, minimal kinetic energy. This is shown by the fact that the penetrator did not even exit the brain, let alone the head. By virtue of its low kinetic energy, injury from the penetrator would only be confined to the direct penetrator path, which would average approximately 0.181 inches in diameter.

Two senior Naval neurosurgeons, a Captain and a Commander, a senior Naval neurologist, a Captain, from the Naval Medical Center in San Diego, CA, reviewed the autopsy report and witness statements and came to the conclusion that Sgt. Peralta could well have carried out the actions attributed to him, intentional scooping of a hand grenade beneath his body.

The only person to contend that Sgt. Peralta could not have performed the action attributed to him is the pathologist who performed the autopsy. He states that the gunshot wound would have been immediately incapacitating and instantly fatal and that Sgt. Peralta could not have executed any meaningful options. He also states that there were no significant internal injuries from blunt force trauma of the thorax and abdomen, virtually ruling out a grenade explosion beneath his body. He felt that even with body armor, a military grenade would cause blunt force injury of which there was none.

Based on my experience I would have to respectfully disagree with the opinions of the pathologist. The injuries to the brain consist of injury to the left cerebral pole and a thin wound channel running from the left occipital pole to the right temporo-parietal lobe. No vital area such as the brain stem and basal ganglia were injured. I have seen individuals with head trauma who are alert, conscious and talking even though there was extensive injury to the cranial vault and brain and which ''common sense'' would tell you is not possible. This opinion of mine is reinforced by the opinions of the two neurosurgeons and the neurologist. Unless a vital area is injured, one should be extremely careful in giving the opinion that an individual was absolutely unable to perform an action.

In regard to the absence of blunt force trauma from the hand grenade, examination of the vest revealed evidence of numerous shrapnel trauma densely grouped in the left mid chest along with the grenade fuse. The armor obviously absorbed a hand grenade detonation at close range. The force would have been distributed over a large surface area by the armor. This may prevent any evidence of trauma underneath the armor.

In conclusion, we are presented with three factors:

1. Seven witnesses who saw Sgt. Peralta scoop a hand grenade to himself
2. Two neurosurgeons and a neurologist who state that the Sgt. Peralta could have performed this action
3. A physician who states that Sgt. Peralta would have been immediately incapacitated and could not have executed any meaningful actions. He also states that the grenade did not detonate beneath the body despite evidence on the armor that it did

Taking into account the circumstances surrounding the incident; the statements of the witnesses; the condition of the body armor: the autopsy findings; the opinion of the neurosurgeons and neurologist and my own experience with head wounds, it is my opinion that, in all medical probability, Sgt. Peralta was not immediately incapacitated by the brain injury, and in fact reached for the grenade and pulled it under his body.

Sincerely,

VINCENT J.M. DIMAIO, M.D.,
Consultant in Forensic Pathology.

The Acting CHAIR. The question is on the amendment offered by gentleman from California (Mr. HUNTER).

The amendment was agreed to.

AMENDMENT NO. 111 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 111 printed in House Report 112–485.

Mr. PRICE of Georgia. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title X, add the following new section:

SEC. 1084. REQUIREMENT FOR ATTORNEY GENERAL TO INVESTIGATE POSSIBLE VIOLATIONS OF FEDERAL LAW RELATED TO LEAKS OF SENSITIVE INFORMATION INVOLVING THE MILITARY, INTELLIGENCE, AND OPERATIONAL CAPABILITIES OF THE UNITED STATES AND ISRAEL.

(a) INVESTIGATION REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall initiate an investigation into possible violations of Federal law related to leaks of sensitive information involving the military, intelligence, and operational capabilities of the United States and Israel.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the

Attorney General shall submit to Congress a report describing the status and progress of the investigation required under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, for over 60 years, the United States and Israel have forged a very unique relationship. A friendship built upon trust and shared sacrifice and common values. But our relations with Israel, as with a growing number of long-held alliances, seem to be negotiable with this administration.

A stream of highly sensitive information continues to be leaked to the press—information that includes U.S. and Israeli military and intelligence operational capabilities, as well as classified negotiations between Israel and other countries.

On March 20, The New York Times, citing senior administration officials, reported the conclusions of a classified war simulation conducted by the United States that analyzed an Israeli attack on Iranian nuclear facilities.

On March 28, Foreign Policy magazine, quoting four senior diplomats and military intelligence officers, referred to a report that Israel would be granted access to air bases in Azerbaijan as part of an attack on Iran's nuclear facilities, a move clearly designed to undercut cooperation between Azerbaijan and Israel.

Further degrading Israel's ability to defend itself, The Washington Post's David Ignatius on February 3 reported that Secretary of Defense Leon Panetta believes there's a strong likelihood that Israel will strike Iran in April, May, or June, which reportedly sent Iran's air defenses on high alert.

The release of this classified information not only puts at risk fragile negotiations between countries but also the very lives of the men and women called upon to carry out this mission.

I recently traveled to the Middle East, where we met with senior Israeli officials. Their number one concern was that for the first time in our long relationship, United States was releasing classified operational information and capabilities, willfully putting at risk the lives of Israeli people.

Mr. Chairman, our actions are not the actions of a friend or an ally. A couple of weeks ago, I joined with 22 other Members of the House of Representatives and sent a letter to President Obama calling for an investigation into these leaks by senior administration and intelligence officials. We have yet to receive a response.

Now it's no secret that this administration is seeking to dissuade Israel from launching an airstrike on Iranian nuclear facilities, but risking Israeli and American lives and undermining our alliance is unacceptable. The Israeli people should not have to question our support for their security.

So I offer this amendment with Representative PAT MEEHAN and Representative RANDY HULTGREN. Our amendment calls for the Attorney General to investigate these leaks and bring those responsible to justice. Trust and cooperation are vital to securing a strong alliance and a future of peace. The persons responsible for this breach of faith should be held accountable, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, though I'm not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. Mr. Chairman, I too support the amendment, and with that, I yield back the balance of my time.

Mr. PRICE of Georgia. I urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 1130

AMENDMENT NO. 119 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 119 printed in House Report 112–485.

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 559, line 7, strike ''such time as'' and insert ''30 days after the date on which''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, in 2009, the Pakistan Counterinsurgency Fund was established in order to help Pakistan build its counterinsurgency capabilities. The bill before us reauthorizes the Pakistan Counterinsurgency Fund through the year 2013 and contains a special oversight requirement which conditions the use of more than 10 percent of any money appropriated to the fund until the Secretaries of Defense and State submit an updated report reflecting current conditions in Pakistan to Congress. That report will include details on how much money is to be used, metrics for success, a description of Pakistan's efforts to combat terrorist organizations inside the country, and it will have rigorous oversight provisions. I commend the Committee on Armed Services for continuing to do this important oversight.

But the way the law is written, access to 100 percent of the funds appropriated for the Pakistan Counterinsurgency Fund would be granted as soon as that report is submitted, leaving no time for Congress to actually review the report before these funds are obligated. I'm concerned that this report will simply be submitted to Congress, and it will be perfunctory in nature—the report is issued and, boom, the funds are gone before Congress has a chance to actually look at it. This amendment would simply add a requirement that once the Secretaries of Defense and State submit their report, a period of 30 days has to elapse before the money can be fully utilized. The 30-day period will give Congress time to actually review the report and, more importantly, it will give us the option to prevent the expenditure of further funds if necessary.

This last year has shown the tumultuous relationship that we have with Pakistan. Particularly, it's been more strained since the killing of Osama bin Laden in Pakistan just over a year ago. Congress needs this flexibility to better manage the flow of U.S. taxpayer dollars to a country whose support of the U.S. has been anything but consistent. This amendment simply gives Congress that flexibility.

I urge adoption, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, though I'm not opposed to the amendment, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I would just say that I think the gentleman raises excellent points, and I urge the body to support the amendment.

I yield back the balance of my time.

Mr. FLAKE. I urge adoption of the amendment and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

AMENDMENT NO. 133 OFFERED BY MR. MURPHY OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 133 printed in House Report 112–485.

Mr. MURPHY of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XXVII, add the following new section (and make such conforming changes to the table of contents in section 2(b) as may be necessary):

SEC. 2714. NOTIFICATION OF PERMANENT REDUCTION OF SIZABLE NUMBER OF MEMBERS OF THE ARMED FORCES.

Subsection (b) of section 993 of title 10, United States Code, is amended by striking paragraphs (1) through (3) and inserting the following:

''(1) the Secretary of Defense or the Secretary of the military department concerned notifies the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, as part of an annual request for authorization of appropriations to such Committees, of the proposed reduction and the number of personnel assignments affected and submits with the notification an evaluation of the fiscal, local economic, budgetary, environmental, strategic, and operational consequences of such closure or realignment; and

''(2) a period of 30 legislative days or 60 calendar days, whichever is longer, expires following the day on which the notice and evaluation referred to in paragraphs (1) and (2) have been submitted to such committees.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Pennsylvania (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MURPHY of Pennsylvania. Mr. Chairman, I rise in support of this amendment and note that we all share the highest respect and admiration for all our military, from all branches. But the Air Force proposal to retire more than 200 aircraft and eliminate 9,100 positions impacts 149 U.S. installations, but only one base faces cuts so severe that it would be closed, and that is the 911th Air Reserve Station in Pittsburgh.

If the 911th was inefficient, not cost-effective, or served no unique strategic purpose, I would support the Air Force's decision wholeheartedly, but I'm afraid the attempt to close the 911th was misguided, mistaken, and misinformed. That's why I submitted an amendment, along with Representatives DOYLE, CRITZ, and ALTMIRE, to ensure Congress has the ability to review Pentagon decisions and enforce cost and strategic accountability on force reductions.

I'm grateful Mr. YOUNG of Alaska worked to combine our amendment with his and that it was adopted in en bloc No. 6. But first I want to say a few words about why this effort was so critical, not just to the 911th Airlift Wing, but the entire country.

The decision to close the 911th is the present-day tale of the $400 hammer and the $200 toilet seat. When you don't do proper due diligence, haste makes waste.

As my community has witnessed with the Air Force's attempt to close the 911th, the Pentagon is using a loophole to outflank Congress and ignore the intent of the statutes. The Pennsylvania congressional delegation repeatedly sought information about the decision to close our base, but we never received accurate and detailed information about the Air Force's justifications.

As the home of seven C–130 Hercules transport planes, the 1,100-plus reservists at the 911th provide critical mission support for global military logistical operations with an active tempo in Iraq and Afghanistan. The Air Force did not perform a base-by-base cost comparison of the 911th against other Reserve and Guard stations housing C–130s. Instead, it did a plane-by-plane cost comparison, comparing the oldest models with the newer ones. Unfortunately, the 911th now has the oldest models of C 130s because the Air Force recently swapped out the newer ones for active duty operations in Afghanistan.

With four 10,000-foot runways and a control tower, fire, safety, and security support provided at virtually no cost to the Air Force, the 911th is indeed cost-effective, while other bases cost hundreds of millions of dollars over 10 years for similar and even less services.

Since 1976, Congress has insisted on having a voice in Pentagon decisions to close or substantially reduce civilian personnel at military bases. Two statutes have been enacted to prevent base closures from occurring without congressional review. Our crucial amendment prevents the Pentagon from moving forward on a back-door BRAC in violation of congressional intent to review those decisions and ensure base closure attempts are both in the best interest of the taxpayers and our national defense.

And it protects the jurisdiction of the House and Senate Committees on Armed Services by requiring force reduction proposals be submitted as part of the President's budget request. This gives Congress two opportunities to review and reverse base closures if they are not in national strategic interest, both in the annual defense authorization and appropriations bills. Our language protects Congress' ability to review force structure changes and requires the Pentagon to complete a thorough and accurate analysis before moving forward.

But through the support of Chairman MCKEON, Mr. FORBES of Virginia, Ranking Member SMITH, as well as the leadership of the Defense Appropriation Subcommittee, who have worked with us on this issue, the underlying legislation prevents the Air Force from making any aircraft retirements or transfers in the next fiscal year.

With the NDAA and defense appropriations bills, Congress will now have the opportunity to vote on legislation to save the 911th Airlift Wing for the upcoming year and stop the Air Force from making any decision on massive Guard and Reserve cuts that are misguided, mistaken, and misinformed.

Even if both of these bills were enacted, this amendment is still needed, because without it, the executive branch can close any Guard or Reserve base without giving Congress a chance to review the decision.

On behalf of the families of the 1,100-plus military families at the 911th, I ask unanimous consent to withdraw my amendment since the Young-Murphy amendment has already been adopted.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–485 on which further proceedings were postponed, in the following order:

Amendment No. 59 by Mr. REHBERG of Montana.

Amendment No. 111 by Mr. PRICE of Georgia.

The Chair will reduce to 2 minutes the minimum time for the second electronic vote in this series.

AMENDMENT NO. 59 OFFERED BY MR. REHBERG

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Montana (Mr. REHBERG) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 238, noes 162, not voting 31, as follows:

[Roll No. 288]

AYES—238

Adams	Boustany	Cole
Aderholt	Brady (TX)	Conaway
Akin	Brooks	Cooper
Alexander	Broun (GA)	Cravaack
Altmire	Buchanan	Crawford
Austria	Bucshon	Crenshaw
Bachmann	Buerkle	Cuellar
Bachus	Burgess	Culberson
Barletta	Burton (IN)	Davis (KY)
Barrow	Calvert	Denham
Bartlett	Camp	Dent
Barton (TX)	Campbell	DesJarlais
Bass (NH)	Canseco	Diaz-Balart
Benishek	Cantor	Dold
Berg	Capito	Donnelly (IN)
Biggert	Carter	Dreier
Bilbray	Cassidy	Duffy
Bishop (UT)	Chabot	Duncan (SC)
Black	Chaffetz	Duncan (TN)
Blackburn	Chandler	Ellmers
Bonner	Coble	Emerson
Bono Mack	Coffman (CO)	Farenthold

Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Gutierrez
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—162

Ackerman
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Fattah
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Wilson (FL)
Yarmuth

NOT VOTING—31

Amodei
Bilirakis
Braley (IA)
Cardoza
Costa
Costello
Farr
Filner
Frank (MA)
Gingrey (GA)
Gosar
Grimm
Higgins
Johnson (GA)
Labrador
LaTourette
Lewis (CA)
Nunnelee
Olver
Pascrell
Rokita
Sanchez, Loretta
Schilling
Schock
Slaughter
Speier
Sullivan
Tonko
Waxman
Welch
Woolsey

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1201

Messrs. CONNOLLY of Virginia, HONDA, and CRITZ changed their vote from ''aye'' to ''no.''

Messrs. HURT and SOUTHERLAND changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GINGREY. Mr. Chair, on rollcall No. 288 on adoption of the Rehberg Amendment No. 59 to H.R. 4310, I am not recorded because I was unavoidably detained. Had I been present, I would have voted ''aye.''

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 288, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

Mr. TONKO. Mr. Chair, on rollcall no. 288, I was absent for legislative business with constituents. Had I been present, I would have voted ''no.''

Ms. WOOLSEY. Mr. Chair, on May 18, 2012, I was unavoidably detained and was unable to record my vote for rollcall No. 288. Had I been present I would have voted:

Rollcall No. 288: ''no''—Rehberg of Montana Amendment No. 59.

AMENDMENT NO. 111 OFFERED BY PRICE OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 379, noes 38, not voting 14, as follows:

[Roll No. 289]

AYES—379

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano

Neal	Rogers (MI)	Smith (TX)
Neugebauer	Rohrabacher	Smith (WA)
Noem	Rokita	Southerland
Nugent	Rooney	Stearns
Nunes	Ros-Lehtinen	Stivers
Nunnelee	Roskam	Stutzman
Olson	Ross (AR)	Sutton
Owens	Ross (FL)	Terry
Palazzo	Rothman (NJ)	Thompson (CA)
Pallone	Roybal-Allard	Thompson (PA)
Pastor (AZ)	Royce	Thornberry
Paulsen	Runyan	Tiberi
Pearce	Ruppersberger	Tierney
Pelosi	Rush	Tipton
Pence	Ryan (OH)	Tonko
Perlmutter	Ryan (WI)	Tsongas
Peters	Sánchez, Linda T.	Turner (NY)
Petri	Sarbanes	Turner (OH)
Pingree (ME)	Scalise	Upton
Pitts	Schakowsky	Van Hollen
Platts	Schiff	Velázquez
Poe (TX)	Schilling	Visclosky
Polis	Schmidt	Walberg
Pompeo	Schock	Walden
Posey	Schrader	Walsh (IL)
Price (GA)	Schwartz	Walz (MN)
Price (NC)	Schweikert	Waxman
Quayle	Scott (SC)	Webster
Quigley	Scott (VA)	Welch
Reed	Scott, Austin	West
Rehberg	Scott, David	Westmoreland
Reichert	Sensenbrenner	Whitfield
Renacci	Serrano	Wilson (FL)
Reyes	Sessions	Wilson (SC)
Ribble	Sewell	Wittman
Richardson	Shimkus	Womack
Richmond	Shuler	Woodall
Rigell	Shuster	Woolsey
Rivera	Simpson	Yarmuth
Roby	Sires	Yoder
Roe (TN)	Smith (NE)	Young (FL)
Rogers (AL)	Smith (NJ)	Young (IN)
Rogers (KY)		

NOES—38

Ackerman	DeFazio	Paul
Andrews	Edwards	Peterson
Bass (CA)	Ellison	Rahall
Becerra	Fudge	Rangel
Berman	Grijalva	Sherman
Blumenauer	Holt	Stark
Bonamici	Honda	Thompson (MS)
Brown (FL)	Johnson (GA)	Towns
Butterfield	Kucinich	Wasserman Schultz
Carson (IN)	Lee (CA)	
Clarke (NY)	Lewis (GA)	Waters
Clyburn	McCollum	Watt
Cooper	Olver	Young (AK)

NOT VOTING—14

Amodei	Frank (MA)	Slaughter
Braley (IA)	Gosar	Speier
Cardoza	Lewis (CA)	Sullivan
Costello	Pascrell	Wolf
Filner	Sanchez, Loretta	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1207

Mses. BONAMICI, and WASSERMAN SCHULTZ, and Mr. HOLT changed their vote from ''aye'' to ''no.''

Mr. DAVIS of Illinois changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 289, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. BIGGERT) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, and, pursuant to House Resolution 661, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1210

MOTION TO RECOMMIT

Mr. GARAMENDI. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GARAMENDI. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Garamendi moves to recommit the bill H.R. 4310 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendments:

Strike section 343.

At the end of subtitle C of title X, add the following new section:

SEC. 1023. REPAIRING U.S. SHIPS IN AMERICAN PORTS TO CREATE JOBS.

Section 7310 of title 10, United States Code, is amended to read as follows:

''§ 7310 Overhaul, repair, etc. of vessels in foreign shipyards: restrictions

''(a) DOMESTIC SHIPYARDS.—Except as provided in subsection (b), each naval vessel and each United States-flagged vessel that is providing services to the Federal Government may not be overhauled, repaired, or maintained in a shipyard outside the United States or Guam, other than in the case of voyage repairs.

''(b) WAIVER.—The Secretary of Defense may waive the requirement in subsection (a) if the Secretary—

''(1) determines that such waiver—

''(A) is necessary for purposes of national security; or

''(B) is in response to urgent repair; and

''(2) notifies the congressional defense committees of such waiver by not later than two days after issuing such waiver.''.

PARLIAMENTARY INQUIRY

Mr. GARAMENDI. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his inquiry.

Mr. GARAMENDI. Is it not the case that if my amendment is adopted, we would immediately vote on the final passage of the bill, as amended?

The SPEAKER pro tempore. As the Chair stated on February 27, 2002, May 10, 2012, and May 16, 2012, if a motion to recommit with forthwith instructions is adopted, the amendment is reported by the chair of the committee and is immediately before the House.

The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Madam Speaker, this is a very simple amendment. This is about a four-letter word, ''jobs,'' American jobs. This is about jobs for American men and women. We know there is plenty of unemployment. We've heard repeatedly, as the amendments have been put forth on this floor, that the National Defense Authorization Act is about jobs.

Well, we think there ought to be a few more jobs, and we think those jobs ought to be in American ports, at American shipyards, for the men and women that work in the shipyards of America. Whether those shipyards are in Guam or those shipyards are here on the continent, American workers want to go to work, and they can.

With this amendment, my colleagues, with this amendment, American workers in our ports, at American shipyards will have more jobs. There are few enough already. I cannot understand why anybody in this House would vote against a jobs bill, particularly one that doesn't cost us any more money than is already going to be spent.

The question here is, Where will the jobs be? Are the jobs going to be in a foreign port, such as Hong Kong? Are the jobs going to be in Singapore? Are they going to be in Dubai? Or are they going to be in America?

Ladies and gentlemen, my colleagues, we want jobs in America. We want it made in America. We want it repaired in America. And we want Americans to have jobs. That's what this amendment is about.

Is there anyone here that would disagree with that? Is there anyone on this floor that would disagree with the men and women that work in our shipyards having an opportunity to repair American military vessels? Where are you? Which one among you is going to vote against a man or a woman here in the United States repairing an American vessel?

And it's not just the Navy. This is about the merchant marines. This is about those American flagged ships that provide service to our military. Where will they be repaired? In some foreign port? Or are they going to be

repaired by Americans in American ports?

This is about American jobs—not millions of jobs, but tens of thousands of jobs.

Those of you that represent those ports where there are ship repair facilities, pay attention to this one. Pay attention to this because these are jobs for your constituents. These are jobs repairing American naval vessels. This is about your job in your district. This is about your job in your district and your work and my work to make sure that we have American jobs repairing American naval vessels.

Now if there's an emergency, that's another matter. That's waived, and that's not included in here.

This is about your job protecting your people in your district, those men and women in your district that are at the ports, that are at the ship repair facilities, that are hungering for the jobs. They want to bring the bread back home. They want to bring food to their table. They want to pay their mortgage. And this bill provides them with an opportunity to continue to work to repair American naval vessels here in American ports, American men and women working to keep our ships on the line, on the seas operating. And for those ships that are American flagships across this world, delivering the supplies to our men and women wherever they happen to be, those ships too will be repaired in American ports.

This is a jobs bill. This is a simple vote for your people in your home districts, whether they will have the opportunity or whether the job will be in a foreign port, with foreign workers repairing American naval vessels.

There's also a small national security issue here. Many of these ships are ships of the line that provide very important services. For example, the USS *Samuel Roberts*, a guided missile frigate, repaired in Italy. I don't have a problem with the Italians. But I want those Italians to be in America working on the USS *Samuel Roberts*. The USS *Blue Ridge*, a command and control ship, $16 million of work, repaired in Japan, when it could have just as easily been done in Guam or Hawaii or another American port.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARAMENDI. I ask for your ''aye'' vote. I ask for American jobs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to others in the second person.

□ 1220

Mr. MCKEON. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Colleagues, we've had a good couple of weeks. We've had some late nights. We've addressed hundreds of amendments in committee and in the House.

This is a joke. For them to come down to the floor and talk about jobs, when they're cutting defense to this degree, taking all of the jobs out of the military, I don't even know where to begin.

So what I'm going to say is thank you for your help and for your support. Let's go home and go to work in our districts.

I oppose this motion to recommit, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. GARAMENDI. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; the motion to instruct by Mr. BARROW of Georgia; and the motion to instruct by Mr. RAHALL of West Virginia.

The vote was taken by electronic device, and there were—ayes 182, noes 236, not voting 13, as follows:

[Roll No. 290]

AYES—182

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—236

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson

Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Amodei
Braley (IA)
Cardoza
Costello
Farr
Filner
Gosar
Pascrell
Ryan (OH)
Sanchez, Loretta
Slaughter
Speier
Sullivan

□ 1238

Mr. COHEN changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FARR. Mr. Speaker, on rollcall No. 290, I was caught in traffic. Had I been present, I would have voted ''aye.''

Mr. FILNER. Mr. Chair, on rollcall 290, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

The SPEAKER pro tempore (Mr. WOMACK). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SMITH of Washington. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 299, noes 120, not voting 12, as follows:

[Roll No. 291]

AYES—299

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carnahan
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Chu
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Hinojosa
Hirono
Hochul
Holden
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Langevin
Lankford
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—120

Amash
Baldwin
Bass (CA)
Becerra
Blumenauer
Bonamici
Burgess
Butterfield
Campbell
Capps
Capuano
Carson (IN)
Castor (FL)
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hastings (FL)
Himes
Hinchey
Holt
Honda
Huelskamp
Jackson (IL)
Johnson (GA)
Johnson (IL)
Jones
Keating
Kind
Kucinich
Labrador
Larsen (WA)
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Nugent
Olver
Pallone
Paul
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roe (TN)
Rothman (NJ)
Roybal-Allard
Royce
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schrader
Schwartz
Schweikert
Scott (VA)
Serrano
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—12

Amodei
Braley (IA)
Cardoza
Costello
Filner
Gosar
Pascrell
Ryan (OH)
Sanchez, Loretta
Slaughter
Speier
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1246

Mr. CARSON of Indiana changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 291, I was away from the Capitol due to prior commitments to my constitutents. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. RYAN of Ohio. Mr. Speaker, on Friday, May 18, 2012, I missed rollcall votes No. 290 (Democratic Motion-to-Recommit) and 291 (Final Passage of H.R. 4310, ''FY13 National Defense Authorization Act'').

Had I been present, I would have voted ''aye'' on rollcall No. 290 (Democratic Motion-to-Recommit) and ''no'' on rollcall No. 291 (Final Passage of H.R. 4310).

MOTIONS TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 4348 offered by the gentleman from Georgia (Mr. BARROW) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 152, not voting 18, as follows:

[Roll No. 292]

YEAS—261

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—152

Ackerman
Andrews
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capps
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—18

Amodei
Bishop (UT)
Braley (IA)
Capuano
Cardoza
Costa
Costello
Cummings
Filner
Gosar
Kaptur
Landry
Pascrell
Sanchez, Loretta
Slaughter
Speier
Sullivan
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1253

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 292, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 4348 offered by the gentleman from West Virginia (Mr. RAHALL) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 245, nays 169, not voting 17, as follows:

[Roll No. 293]

YEAS—245

Ackerman
Adams
Aderholt
Altmire
Andrews
Baca
Bachus
Baldwin
Barrow
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Brooks
Brown (FL)
Burgess
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fortenberry
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Goodlatte
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hunter
Hurt
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHenry
McIntyre
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Price (NC)
Rahall
Rangel
Renacci
Reyes
Richardson
Richmond
Rivera
Rogers (KY)
Rooney
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schmidt
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (WA)
Stark
Stearns
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Woolsey
Yarmuth
Yoder
Young (FL)

NAYS—169

Akin
Alexander
Amash
Austria
Bachmann
Barletta
Bartlett
Bass (NH)
Benishek

Berg
Biggert
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chaffetz
Coffman (CO)
Cole
Conaway
Crawford
Crenshaw
Davis (KY)
Dreier
Duncan (SC)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Issa
Jenkins
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kline
Labrador
Lamborn
Lance
Lankford
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
Miller (FL)
Miller, Gary
Mulvaney
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (NE)
Smith (TX)
Southerland
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Womack
Woodall
Young (AK)
Young (IN)

NOT VOTING—17

Amodei
Braley (IA)
Cardoza
Costello
Cummings
Filner
Gohmert
Gosar
Johnson (IL)
Landry
Pascrell
Quigley
Sanchez, Loretta
Slaughter
Speier
Sullivan
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1300

Ms. WATERS changed her vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 293, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. BRALEY of Iowa. Mr. Speaker, I regret missing floor votes on Friday, May 18, 2012 due to a visit to a wounded Iowa warrior at Walter Reed National Military Medical Center in Bethesda, MD.

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, on May 18, 2012, I missed several rollcall votes due to a longstanding commitment to give the commencement address at Passaic County Community College, in my district.

Had I been present I would have voted:

''Aye''—Smith (WA)/Amash Amendment (No. 46)—Eliminates indefinite military detention of any person detained under AUMF authority in US, territories or possessions by providing immediate transfer to trial and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court.

''Nay''—Gohmert Amendment (No. 45)—Clarifies that the FY 2012 National Defense Authorization Act and the 2001 Authorization for Use of Military Force (UAMF) do not deny the writ of habeas corpus or deny any Constitutional rights for persons detained in the United States under the AUMF who are entitled to such rights.

''Nay''—Coffman Amendment (No. 17)—Repeals the moratorium on A 76 procedures, which prohibits the outsourcing of U.S. military jobs to private contractors.

''Aye''—Keating Amendment (No. 18)—Freezes the transfer, reduction or elimination of Air National Guard units supporting an Air and Space Operations Center or an Air Force Forces Staff until the impact of the unit's loss and alternative plans to support the augmented Air Force missions are provided to.

''Aye''—Broun Amendment (No. 19)—Eliminates the maximum age limitation for individuals seeking to enlist in the U.S. military, provided they meet all of the other current qualifications for enlistment.

''Aye''—Carson Amendment (No. 20)—Prohibits military promotion boards from considering any information from official documents, word of mouth, or in writing on the pursuit of treatment or counseling for mental health or addiction issues, unless the service member is found unfit for duty or a danger to themselves or others. Would require the information on this prohibition to be promulgated to current service members.

''Aye''—Cummings Amendment (No. 26)—Expands the mortgage protections under the Servicemembers Civil Relief Act (SCRA) to include servicemembers serving in a contingency operation, surviving spouses of servicemembers whose deaths are service-connected, and veterans who are totally disabled at the time of discharge. The amendment also repeals the sunset provision that is set to expire at the end of this year and increases fines for violations of the SCRA.

''Nay''—Sablan Amendment (No. 29)—Includes the Northern Mariana Islands as an eligible location, in addition to the United States and Guam, for the overhaul, repair and maintenance of naval vessels and other vessels under the jurisdiction of the Secretary of the Navy.

''Aye''—Johnson (GA) Amendment (No. 30)—Includes a finding stating that the deployment of tactical nuclear weapons to South Korea would destabilize the Western Pacific region and would not be in the national security interests of the United States.

''Aye''—Johnson (GA) Amendment (No. 31)—Requires the Secretary of Defense and the Chairman of the Joint Chiefs to report to Congress regarding whether nuclear weapons reductions pursuant to the New START Treaty are in the national security interests of the United States.

''Nay''—Price (GA) Amendment (No. 32)—Prohibits the President from making unilateral reductions to U.S. nuclear forces.

''Nay''—Rigell Amendment (No. 38)—Replaces the pending sequester of discretionary spending for FY 2013 and replaces it by reducing the discretionary spending limit for that year so that it conforms with the Republican/Ryan budget levels deemed in force in the House, but this replacement is contingent upon the enactment of spending reductions over five years of at least the amount of the sequester it supplants. Also requires a detailed report on the impact of the sequestration of funds authorized and appropriated for FY 2013 for the Department of Defense.

''Aye''—Lee Amendment (No. 42)—Limits Defense funding to the amount consistent with the Budget Control act. The resulting $8 billion reduction in the underlying bill's authorization would come from programs selected by the President in consultation with the Defense Secretary, with military pay and health care exempt.

''Nay''—Duncan amendment (No. 47)—Limits funds authorized to be appropriated by this Act to any institution or organization established by the Convention on the Law of the Sea, including the International Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf.

''Aye''—Coffman Amendment (No. 48)—Authorizes the President to remove all Brigade Combat Teams that are permanently stationed in Europe and replace them with a rotational force.

''Nay''—Lee Amendment (No. 49)—Appoints a Special Envoy for Iran to ensure that all diplomatic avenues are pursued to avoid a war with Iran and to prevent Iran from acquiring a nuclear weapon.

''Nay''—Franks Amendment (No. 54)—Limits the availability of funds for nuclear nonproliferation activities with the Russian Federation until Russia is no longer providing support to the government of Syria's suppression of the Syrian people or transferring to Iran, North Korea or Syria equipment and technology that could be used to make weapons of mass destruction.

''Nay''—Pearce Amendment (No. 55)—Strikes provisions in the bill that authorize $150 million for DOE to support the U.S. Enrichment Corporation (USEC) development of domestic uranium enrichment capacity.

''Nay''—Rehberg Amendment (No. 59)—Bans any reductions to the strategic nuclear triad unless the Secretary of Defense certifies that: 1) further reductions in the Russia Federation's arsenal are needed for compliance with New START limits; and 2) Russia is not developing or deploying nuclear delivery systems not covered by New START limits. Would also protect all three legs of the nuclear triad from elimination.

''Aye''—Price Amendment (No. 111)—Requires the Department of Justice to order an investigation into the possible violation of U.S. law regarding numerous leaks of sensitive information involving U.S. and Israeli military, intelligence, and operational capabilities. Would

provide the Administration with 30 days after bill becomes law to begin its investigation and 60 days after enactment to report to Congress.

"Aye"—Democratic Motion to Recommit H.R. 4310.

"Nay"—Final Passage of H.R. 4310—National Defense Authorization Act for Fiscal Year 2013.

"Aye"—Democratic Motion to Instruct Conferees on H.R. 4348—Offered by Mr. BARROW of Georgia.

"Aye"—Democratic Motion to Instruct Conferees on H.R. 4348—Offered by Mr. RAHALL of West Virginia.

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 4310.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4310, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

SEQUOIA AND KING CANYON NATIONAL PARKS BACKCOUNTRY ACCESS ACT

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4849) to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sequoia and King Canyon National Parks Backcountry Access Act''.

SEC. 2. COMMERCIAL SERVICES AUTHORIZATIONS IN WILDERNESS WITHIN THE SEQUOIA AND KINGS CANYON NATIONAL PARKS.

(a) CONTINUATION OF AUTHORITY.—Until the date on which the Secretary of the Interior (referred to in this Act as the ''Secretary'') completes any analysis and determination required under the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary shall continue to issue authorizations to provide commercial services for commercial stock operations (including commercial use authorizations and concession contracts) within any area designated as wilderness in the Sequoia and Kings Canyon National Parks (referred to in this section as the ''Parks)'' at use levels determined by the Secretary to be appropriate and subject to any terms and conditions that the Secretary determines to be appropriate.

(b) WILDERNESS STEWARDSHIP PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary shall complete a wilderness stewardship plan with respect to the Parks.

(c) TERMINATION OF AUTHORITY.—The authority of the Secretary to issue authorizations under subsection (a) shall terminate on the earlier of—

(1) the date on which the Secretary begins to issue authorizations to provide commercial services for commercial stock operations within any areas designated as wilderness in the Parks, as provided in a record of decision issued in accordance with a wilderness stewardship plan completed under subsection (b); or

(2) the date that is 4 years after the date of enactment of this Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

ADJOURNMENT TO TUESDAY, MAY 22, 2012

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, May 22, 2012; when the House adjourns on that day, it adjourn to meet at 10 a.m. on Friday, May 25, 2012; when the House adjourns on that day, it adjourn to meet at 2 p.m. on Tuesday, May 29, 2012; and when the House adjourns on that day, it adjourn to meet at 2 p.m. on Wednesday, May 30, 2012.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

PERSONAL EXPLANATION

Mr. ELLISON. Mr. Speaker, on rollcall No. 270, the Smith of Washington amendment, I voted incorrectly. I am recorded as a ''no.'' My intent and purpose was to vote ''yes,'' but I voted mistakenly.

APPOINTMENT OF MEMBERS TO THE BRITISH-AMERICAN INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore (Mr. FARENTHOLD). The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276L, and the order of the House of January 5, 2011, of the following Members of the House to the British-American Interparliamentary Group:

Mr. PETRI, Wisconsin

Mr. CRENSHAW, Florida

Mr. LATTA, Ohio

Mr. ADERHOLT, Alabama

REAPPOINTMENT AS MEMBER TO THE PUBLIC INTEREST DECLASSIFICATION BOARD

The SPEAKER pro tempore. The Chair announces the Speaker's reappointment, pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C. 435 note), and the order of the House of January 5, 2011, of the following member on the part of the House to the Public Interest Declassification Board for a term of 3 years:

Admiral William O. Studeman, Great Falls, Virginia

THE U.S. SENATE HAS FAILED TO PASS A BUDGET

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. For the last 1,115 days, the United States Senate has failed to pass a budget. If any business, big or small, were to operate in this very fashion, I submit it would be out of business in a matter of months. Yet the United States Senate refuses to pass a budget blueprint to address what I would consider are the very serious challenges facing our Nation today. This is just unacceptable.

The American people are frustrated; and, frankly, I'm frustrated as well. With a skyrocketing debt of over $15.5 trillion and with trillion-dollar deficits happening year after year, we must come together to address the spending problem here in Washington, D.C. This is something we simply cannot ignore. We need to work in a bipartisan fashion to find common ground and to put people before politics and progress before partisanship.

Mr. Speaker, I supported the only bipartisan budget to hit the floor in decades because it took a step forward to adjust the problems facing our Nation. I would encourage the Senate to do the same.

SERGEANT MAXWELL DORLEY, A HERO TO THE CITY OF PROVIDENCE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, today, as our Nation recognizes National Police Week, I rise to honor Sergeant Maxwell Dorley of the Providence Police Department.

Sergeant Dorley is a hero to the city of Providence, a city he gave his life protecting last month. Sergeant Dorley was responding to a call for assistance from a fellow officer when his police cruiser veered into a telephone pole. Sergeant Dorley was later pronounced dead at Rhode Island Hospital.

He leaves behind a wife and two children who have remained in my thoughts and prayers since the day of his passing and in the thoughts and prayers of our entire community.

At the time of his death, Sergeant Dorley was working to build a new home in Georgia where he planned to one day retire with his family. A 15-year veteran of the Providence Police Department, Sergeant Dorley was known for his popularity with his fellow officers. The department honored his memory by posthumously promoting him to the rank of ''sergeant'' following his death—an honor that he well-deserved.

We keep him and his family in our thoughts and prayers.

□ 1310

LET'S GET RID OF THE WASTE IN GOVERNMENT

(Mr. DENHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHAM. Mr. Speaker, as chair on the Committee on Economic Development, Emergency Management and Public Buildings, we recently passed a bill to sell off 200 acres in Tracy at fair market value. This is one property amongst many. Recently, the President signed that into law. If we can do this once a day, it will take us 40 years to liquidate the 14,000 properties that the Federal Government has already declared surplus and excess.

It's not about Republican politics or Democrat politics. This is about American jobs, a chance for us to come together and sell the things that we just don't need.

Let's get rid of the waste in government. This is one small step. We have 14,000 more steps to go.

FIRE POLICE CAPTAIN DAVID WINTZ

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor the life of Fire Police Captain David Wintz. David has served Bucks County, Pennsylvania, as a member of the fire service for 50 years, and he's a hero to the Bristol Fire Company and the entire Bucks County community.

David joined the fire service as a young man and exhibited a passion for public service that eventually led him to be appointed fire police captain. A long-time resident of Bristol, he was a model citizen and an invaluable asset to our community. He volunteered at every community event and borough festival and was known to everyone in town. He was a mentor to the fire service crew and role model to everyone who knew him.

David passed away of a heart attack that he suffered in connection with his duties on the scene of a chemical fire at the Dow Chemical Plant in Bristol just 2 days ago. Although tragic, his noble death was befitting of his heroic life. The untimely loss of Captain Wintz is only the third line-of-duty death experienced by the Bristol Fire Company in 157 years of its existence.

David Wintz spent his entire life in service of his beloved Bucks County community. He's a hero to everyone, including myself. I join everyone in the Eighth District of Pennsylvania in thanking Mr. Wintz and his family for a lifetime of service. We will never forget what you've done for us.

DETECTIVE JOHN FALCONE

(Ms. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HAYWORTH. Mr. Speaker, a little over a year ago, I attended the funeral of Detective John Falcone, who was killed in the line of duty on February 18, 2011, while responding to a case of domestic violence.

Detective Falcone was a respected and beloved member of the police force of the City of Poughkeepsie. Hundreds of men and women lined up for his funeral in his hometown of Carmel, New York. They were honoring his service.

During his 18 years on the force, he was commended many times, including six awards for exceptional police duty, two awards for meritorious duty, and an award for lifesaving. Detective Falcone's actions on the day of his death helped to save the life of a 3-year-old child.

Mr. Speaker, this week is National Police Week, and what better inspiration could we have than the legacy of dedication to duty provided by Detective John Falcone, whom I am privileged to remember and honor today.

BRINGING IT HOME

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from New York (Mrs. MALONEY) is recognized for 60 minutes as the designee of the minority leader.

Mrs. MALONEY. Mr. Speaker, according to a report produced by the Urban Land Institute, the United States has been conspicuously underfunding infrastructure spending for the past 30 years. The report estimates that there is at least $2 trillion in funding needed just to rebuild and repair our crumbling infrastructure and our aging networks that are operating well beyond their planned life cycles. These systems include roads and bridges, waterlines and treatment plants, dams and tunnels, and mass transit that serve our Nation's vital economic centers. But we just have not had the political will to face the problem, we have not had the funds available to fix the problem, and we have not even had a bipartisan consensus that there is a problem.

While at the same time, according to data compiled by Bloomberg News, U.S. companies have stockpiled approximately $1.2 trillion overseas in untaxed profits. As things stand now, that is money that is not likely to be brought back to the United States because large corporations find that it's far more profitable to just leave the money where it is and borrow any cash they need back home. There is just no economic incentive for them to repatriate the money. So we need some fresh ideas about how we can create incentives for corporations to bring home some of that $2 trillion and put it to work, helping to put more Americans back to work.

Our Republican colleagues have proposed another tax holiday for repatriating offshore profits, similar to the one they crafted back in 2004. Back in 2004, companies that brought back profits earned abroad were taxed at roughly 5 percent instead of the top 35 percent corporate rate. They were also obligated to use the money they saved on taxes to create new jobs.

But there were a number of problems with that 2004 program, the biggest one being that it didn't work to create jobs. In fact, it did the opposite.

The program brought corporate profits home all right, but according to a report prepared by the Democratic staff of the Senate Permanent Subcommittee on Investigations last year, the 15 companies that benefited the most from the 2004 tax break actually cut a net of 2,000 jobs between 2004 and 2007. The companies also decreased the pace of their spending on research and development. But the top 15 repatriating companies did accelerate their spending on some things, such as stock buybacks and executive compensation. Those are not exactly the kinds of results we were looking for in that program.

Democrats, on the other hand, have suggested an infrastructure bank with

$60 billion in seed money from the Federal Government, but our Republican friends have let us know that that is not going to happen.

The good folks over at Citizens for Tax Justice have suggested a totally different approach to dealing with all of that money sitting overseas. They suggest that the best approach is to flat out repeal the tax rule that indefinitely exempts offshore profits from United States corporate income tax. But I can simply look across the aisle at the faces of any of my Republican colleagues when I even say something like that out loud, and I know very well that the chance of that proposal becoming law is probably at zero.

So let's try something a little bit different, something with a little bipartisan flavor to it, something that just might actually work.

What if we took the incentive idea of a tax holiday for repatriated profits and tied it into helping to fix the infrastructure problem? Let's tell corporations that they will get the tax break they want if they bring that overseas money home. It will be taxed at just 5 percent instead of the full corporate rate of 35 percent, but all of the money that they save on the taxes on those profits will need to be invested in municipal bonds that are tied to approved infrastructure projects in our States, our cities, and rural areas across America. The bonds would typically be issued for terms of 50 years, paying 4 percent interest, and taxable to the corporations. There would also need to be a minimum holding period, perhaps 5 years before they could sell those bonds. For instance, Corporation X can save $10 million in taxes, but then it must put that $10 million to work putting Americans back to work rebuilding our highways and repairing our schools and bridges.

Think of the virtuous cycle this creates. The corporate money comes home from overseas. The corporation knows the tax ramifications with total certainty. Their profits are then safely invested in municipal bonds, which are then used to tax and fix our infrastructure, which then creates jobs that can't be sent overseas.

□ 1320

Those newly hired people will pay taxes on their wages and increase their spending on products and services, creating more jobs, and on and on and on. It is the road to a bipartisan recovery, thanks to a bipartisan solution.

Let's face it, Americans are tired of our squabbling. They are tired of our inaction. They are tired of the politics of division. Let's stop this ''all or nothing,'' this ''my way or the highway'' approach, and let's just fix the infrastructure of our country. Let's bring that money home. Let's put it to work here at home where it belongs.

I yield back the balance of my time.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE STABILIZATION OF IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112 111)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication continuing the national emergency with respect to the stabilization of Iraq. This notice states that the national emergency with respect to the stabilization of Iraq declared in Executive Order 13303 of May 22, 2003, as modified in scope and relied upon for additional steps taken in Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004, Executive Order 13364 of November 29, 2004, and Executive Order 13438 of July 17, 2007, is to continue in effect beyond May 22, 2012.

Obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to this threat and maintain in force the measures taken to deal with that national emergency.

Recognizing positive developments in Iraq, my Administration will continue to evaluate Iraq's progress in resolving outstanding debts and claims arising from actions of the previous regime, so that I may determine whether to further continue the prohibitions contained in Executive Order 13303 of May 22, 2003, as amended by Executive Order 13364 of November 29, 2004, on any attachment, judgment, decree, lien, execution, garnishment, or other judicial process with respect to the Development Fund for Iraq, the accounts, assets, and property held by the Central Bank of Iraq, and Iraqi petroleum-related products, which are in addition to the sovereign immunity accorded Iraq under otherwise applicable law.

BARACK OBAMA.

THE WHITE HOUSE, *May 18, 2012.*

AUTHORIZATION FOR USE OF MILITARY FORCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it's been quite an interesting day. Apparently it's already been misinterpreted by some in the media. I hope that, though so many publications have had to cut their research budgets and cut their staffing budgets, I hope that those that still are blessed to work for journalistic institutions will do their proper homework and have a better understanding about the Gohmert-Landry-Rigell amendment that passed today and the effect that it has on the underlying NDAA and, more particularly, the Authorization for Use of Military Force that was passed after 9/11 by both houses of Congress.

I wasn't here, nor were any of the five cosponsors. Let's see: Mr. DUNCAN, freshman; Mr. BARLETTA, freshman. They weren't here, nor were Mr. LANDRY or Mr. RIGELL. So besides me, we had four freshmen on the Gohmert-Landry-Rigell-Duncan-Barletta amendment.

I felt compelled to make my amendment to deal with an issue that was raised—not in the National Defense Authorization Act that was passed some months back. Some people failed to understand, really, the NDAA that was passed previously did not give the President the power to indefinitely detain American citizens. And as we understand, a judge has ruled recently that any interpretation that it gave the President that power was unconstitutional. I don't know how that will come out.

But I do know that after we were attacked in the worst attack on American soil ever, the country—I recall, I was a judge at the time—the country was in a great deal of chaos. Planes were ordered not to take off all over the country. Those that were coming in couldn't come in. We had American citizens stranded at airports around the world.

But what's worse, we had over 3,000 Americans who were dead, done by people who believed their radical interpretation of Islam dictated that they should go about killing innocent Americans and others who happened to be on American soil at the time. It didn't seem to bother them. Some of them could have even been Muslim. It didn't seem to bother them because they had this sordid belief that they would end up in paradise with dozens of virgins. Thank God most Muslims don't believe that. But the trouble is, there are radical Islamists that do.

So the Congress, on September 18—a week after the worst attack on American soil—passed a joint resolution,

Public Law 107–40. And it was to be cited, as it says in section 1, as the ''Authorization for Use of Military Force.''

Mr. Speaker, I'm going to go to the trouble to read section 2(a) because sometimes there are reporters who don't do their homework. They think that reporting means, rather than digging through, reading things for yourself, and getting the clear meaning of legislation for yourself, that that's not nearly as effective as lazily asking somebody, What do you think this does?

So we get polls; we get surveys; we get opinions. But having been a judge and a chief justice, you didn't do that as a judge. You didn't do that as a justice on an appellate court. You had to look at the law and say, What does it say? And what do other laws, in which this may be in context, cause it to mean?

□ 1330

And look at it for yourself. Most of these folks, they're educated, and so I hope they will take a look for themselves. Those that were most concerned months ago that the NDAA gave unbridled power to the President, what really concerned me as a former judge and chief justice was reading section 2(a), authorization for use of the United States Armed Forces.

Again, it's hard to fault folks because it was a week after this horrible attack, and we weren't even sure who attacked us and why they attacked us. We had gotten a pretty good idea early on.

So one week after September 11, 2001, this joint resolution is passed into law. Section 2(a) says, in general, that the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.

Now as I understand—I haven't read the opinion this week from the district court. The district court is not like it carries the weight of the Supreme Court or even a court of appeals. But Congress really appears to have given the President unbridled, unlimited, indefinite authority to just detain, arrest, do whatever had to be done to protect America from further attacks. And as we know from history, it's after such horrible attacks or incidents in other times in history when there is a temptation to overreact and to give too much power to one body or one person, and later on, when things are calmed down and the people are caught that perpetrated the horrible acts, we realize we lost a lot of our rights, we lost a lot of our powers because we placed them in one person.

And this is what this section 2(a) did. That's the way it struck me when I first saw that after I got to Congress. And that was a matter of concern. And it wasn't until the NDAA—I'm not on Armed Services—it wasn't until the NDAA came up that I really started researching and seeing exactly what this said and did.

I'm sure Speaker BOEHNER would be the first to tell people that he and I often do not see eye to eye; but he gave me the assurance that if the NDAA passed, he would let me come back with an amendment that would fix the AUMF so that a President did not have the power—unlimited power indefinitely—to detain American citizens on American soil.

So that was the impetus for trying to prepare a proper amendment that would deal with the main problem, the unlimited power of the AUMF, but also dispel concerns that people may have with the National Defense Authorization Act, because that was going to have to be replaced, redone, reauthorized. And I'm glad to say the Speaker kept his word and we were allowed to bring forward a fix.

My friend JUSTIN AMASH and I have many times in his year-and-a-quarter-or-so of being here have consoled each other as being one of only two, three, four, five who voted for or against a bill. And we're kind of out there by ourselves. So I was not surprised to see that JUSTIN AMASH was trying to work on an amendment that would fix this same concern that he and I had. I think his concern—and he can speak more accurately toward this—but I think his concern was more with the NDAA. Mine was more with the AUMF. This grant of power was far too unbridled. It needed restraint.

We are blessed here in Congress to have people who have served in so many walks of life. We've been blessed in a number of different ways. And it's great to have such diversity—not just race, creed, religion, gender—but actually differences of opinions and divergent backgrounds.

We have a prayer breakfast every Thursday morning on Capitol Hill, and it's really a blessing to hear other Members' stories, Democrats and Republicans. We take turns speaking at prayer breakfasts—one from the Democratic Party, one from the Republican Party—each week. And it is just incredible the way God has moved in lives and taken people, whether it's being a school teacher or being a ditch digger, all kinds of things, to propel them in life and ultimately land them here in Congress.

It just happens that I have been blessed not with extraordinary intelligence but with having been around people with extraordinary intelligence, including brilliant people who have tremendous intellect and insight into our Constitution.

I never expected to be in Congress. I just liked history and knew I owed the Army 4 years from a scholarship at Texas A&M, and I had the luxury of majoring in history. So I got to study under some incredible historians who gave a different perspective on our Constitution. Rather than a legal perspective, a historical perspective. And brilliant people on policy throughout the history of man.

But when one reads this and one does not understand the Constitution and the powers that are granted to Congress under the Constitution, one can get the wrong impression. I have heard friends that I think a tremendous amount of here in Congress who have said such things publicly as ''every American citizen.'' Every person. The Bill of Rights talks about persons. Yes, in some places it does. But they have the idea it refers to persons in every place—it doesn't—every person in America is entitled to go through an article III court.

And I appreciate and understand that misinterpretation. But when one reads article III, section 1, what it says is:

> The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish.

□ 1340

So the Congress has the authority never to even create a Federal district court. The Congress has the power to eliminate every Federal district court if it so chose. I am very grateful that Congress has not chosen to eliminate every Federal district court. But, nonetheless, the power is there to create or not create Federal district courts.

The Supreme Court has even spoken on this issue before and has made clear that the power is entirely in Congress's hands. As my former constitutional law professor, David Guinn at Baylor Law School, used to say, there's only one court in the United States that owes its origin to the Constitution, and that is the Supreme Court. Every other court in the country that is a Federal court or tribunal or commission owes its existence to the Congress.

Now, I have tremendous regard for President George W. Bush. He is a brilliant man, despite what some people think and jokes that were made at his expense. He's a brilliant man, and one of the wittiest people that you can be around privately and just a real joy to be around, but he got some bad advice. He had people who were lawyers who told him, Hey, Mr. President, let's just have the executive branch set up a military tribunal and let the military tribunal try terrorists, whether American citizens or whatever. Let's set up tribunals here in the executive branch.

Well, they had failed to notice that in article I, section 8 of our Constitution, it says that Congress shall have

power to lay and collect taxes, and it says, ''to constitute tribunals inferior to the Supreme Court.'' So really, you could arguably have a Federal district court that is set up inferior to the Supreme Court under article I, section 8 just as you could under article III. I know there are some that say, no, those are article III courts. Well, article I, section 8 really seems to indicate you could call them Federal district tribunals. You could establish those inferior courts under the Supreme Court under article I, section 8.

Congress is also immediately given the power, shall have the power, it says, ''to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations; to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.''

We've got the power to make those rules of anybody who's captured on land or water, the power to create the court. We've got the power, we shall have it, to establish uniform rules of naturalization. We have the power to dictate policy here in Congress by our legislation with regard to immigration. We have the power, under this Constitution, it's been determined over and over again, that we can say to immigrants, legally and illegally in this country, You don't get a hearing in front of a Federal district court. You must go to the court we have set up over here that's inferior to the Supreme Court, but we're calling it an immigration court.

In other cases, somebody's broke, we're given the power to set up bankruptcy courts. And it's a sad testimonial for our country that a man that's sometimes referred to as the Revolution's financier—there are actually a few different sources. One was France. One was a Jewish gentleman without whom many say we could not have afforded the Revolution, and another one was a man from Philadelphia named Morris.

Morris, if one goes down the hall to the Rotunda and looks up, one of the drawings, one of the paintings that's painted into the plaster, 189 feet up there at the top of the dome, is supposed to be a depiction of Morris with a money bag, depicting him loaning money to the Revolution to keep things going.

Mr. Morris ended up, after the Revolution, doing well, worked out great for him. But because things were going so well in the country, it looked like they were going to—he had bought a lot of land and a lot of land in Virginia and up around this area, around where the District of Columbia would ultimately be, and he had gotten overextended and he was broke and he couldn't pay his bills. And so he ended up in a debtors' prison in Philadelphia, a man to whom we owe so much for having a successful Revolution so people, as our Founders said, for truly the first time would actually be able to govern themselves. And a principal financier ends up in debtors' prison in Philadelphia.

And yet the Constitution, itself, it said Congress would have the power to create uniform laws on the subject of bankruptcies throughout the United States. But it wasn't until after Morris got thrown in debtors' prison and he had been in there for long enough that it destroyed his health, it ruined him as a man, that he ended up believing all was lost, dejected, when someone in Congress realized, wait a minute, our Constitution gives us the power to create bankruptcy courts. Maybe we ought to do that. They created the bankruptcy system, and Mr. Morris was released from jail, but he was in such poor health he never really enjoyed the freedoms that he had financed.

There are so many powers in this given to the Congress—creating courts, not creating courts; creating tribunals, not creating tribunals—and that's why, and I know there were friends of mine that were in the Bush administration that disagree with me, but I believe the Supreme Court got it totally right when they told the Bush administration, You don't have the right to create tribunals, to try terrorists; you don't.

The Constitution, article I, section 8 says that the Congress shall have the power to constitute tribunals inferior to the Supreme Court, not the President. That's not in article II under the executive powers. It's not in article III under judiciary power. The power to do that is in article I, section 8—You don't have it. So until Congress comes with military commissions or tribunals, they're not constitutional.

And so in 2006, not long after I got here, people prepared, through our Judiciary Committee, prepared the Military Commission Act that was constitutional because Congress did this.

My dear friend, and I mean that very sincerely, JOHN CULBERSON from Houston, Texas, is here on the floor with me. Mr. Speaker, I would yield to Mr. CULBERSON.

Mr. CULBERSON. Thank you, very much, Mr. GOHMERT, my good friend from Texas. We share great passion for the 10th Amendment, for the restoration of individual liberty and putting our government back in their box; and I appreciate so much the time that you've spent on the floor, Congressman GOHMERT, focusing the attention of the Congress and the country on the fact that this is a government of limited powers, and most powers are reserved to individuals or to State and local government, and we, as a constitutional conservative majority, are working every day to do all we can to do much more than just control spending. It's much more than balancing the budget. We are determined to restore the 10th Amendment and individual liberty and put the Federal Government back in its box, let Texans run Texas and get the government out of our lives, out of our pockets, out of our way, and off our backs. I support you in that effort, and I appreciate very much you yielding to me for a minute.

I had a very brief housekeeping matter to take care of, as well as to be here to support your work in the restoration of the 10th Amendment, Mr. GOHMERT.

□ 1350

The gentleman from Texas (Mr. GOHMERT) has been a leader in the effort to restore the 10th Amendment, and he has focused the attention of the country and the Congress on the uncontrolled spending that we have seen in recent years. The level of debt and deficit has reached a level unseen in our history. I deeply appreciate your commitment, Congressman GOHMERT, to work to do all that we can from our perspective in the House, even though we're outnumbered—we've got a liberal Senate, a liberal President. We control only one-third of the government, but we have put the brakes on the spending by this President. We've put the brakes on the uncontrolled spending that we've seen since he took office, and we're going to continue to do that.

But it is bigger than that. It's bigger than spending. It's bigger than a balanced budget, because the fundamental root of the problem is that the Federal Government has gone so far beyond its limited bounds that they have now intruded themselves into every aspect of our lives.

We, as a constitutional conservative majority, are committed to restoring the checks and balances in the Constitution, the separation of powers, and to remind people every day until we are back in control of the Senate and we've got a Republican President. Once we've got a Republican House, Mr. GOHMERT, I know we'll be working arm in arm to pass legislation to return power to the States, to restore individual liberty. As Thomas Jefferson said, if you apply the core principles of the Constitution to any problem, the knot will always untie itself.

So I deeply appreciate your commitment, Congressman GOHMERT, to focusing on the core principles of the Constitution, and know that we are, all of us, every day that we're here, working hard to restore the 10th Amendment and individual liberty. I thank you for your leadership in that effort, sir.

Mr. GOHMERT. Thank you.

And reclaiming my time, let me just say I'm awfully glad we have a conservative person who believes in the 10th Amendment as strongly as I do and States' rights as strongly as I do, and have you on the Appropriations Committee. I mean, what better place for a conservative, limited-Federal-power person to be than on the Appropriations Committee? Thank you. I'm

grateful for the work of JOHN CULBERSON there on our behalf.

It is supposed to be a government limited. As I note, the President said previously—talking about that people interpret this Constitution as a bunch of negative powers, things the Congress can't do or the government can't do. We ought to focus on all they can do. Well, I like the fact that all that Congress, all that the Presidency, all that judiciary is supposed to be able to do is specified. Everything else, as my friend Mr. CULBERSON pointed out, is resolved to the States and the people.

Congress has this power to create the courts, Federal courts. States take care of their own State system. It's one of the reasons, though, that I voted against a couple of bills recently, because medical malpractice reform was being dictated from here in Congress for every State in the country.

I love what Texas did with medical malpractice reform in its State court system, but it's a State court system. I also know that if the Congress decides we need to start dictating to every State what their State court system can or can't do, then when a far more liberal Congress comes in they will be able to say, Look, you so-called ''conservative'' Republicans dictated to the States what their State tort law should be, so now we're going to dictate to the States what we think it should be, and it ends up being a Federal takeover of something that is entirely a State system.

When it comes to the States' tort system, the State court system, it's none of our business unless there is an adequate Federal nexus. That's guided a couple of votes that may have surprised people that I made, but I simply could not support Federal takeover of State tort law.

Here is a Supreme Court decision from 1922, never been overruled. In that, the Court said—it's at 260 U.S. 226, Klein v. Burke Construction Company. It says:

> Only the jurisdiction of the Supreme Court is derived directly from the Constitution. Every other court created by the general government derives its jurisdiction wholly from the authority of Congress. That body may give, withhold, or restrict such jurisdiction at its discretion, provided it be not extended beyond the boundaries fixed by the Constitution.

That's exactly what the Constitution intended. Congress can create Federal district courts, Federal commissions—whatever, drug court, immigration court, whatever we feel appropriate as an inferior court to the U.S. Supreme Court. We can do it under article I, section 8, or article III.

In my amendment, to give people adequate feeling of protection, we wanted to ensure that people's rights would be adequately protected, and no President—whether it would be the prior Republican President, this Democratic President, or the next President—would have the power that should not be his were it not for an overyielding United States Congress.

The amendment, the Gohmert-Landry original amendment—originally, the Landry original amendment—just said: Nothing in the authorization for use of military force or in the National Defense Authorization Act shall be construed to deny the availability of the writ of habeas corpus. That was what came from the committee.

I was very grateful to JEFF LANDRY and SCOTT RIGELL for allowing me to discuss and negotiate and work with them, but that's what went to committee. I wasn't comfortable that that protected Americans' rights because we still had the provision in the authorized use of military force from September 18, 2001, that said the President still had all this power and he could detain people indefinitely. That is a reasonable interpretation of this AUMF—not the NDAA but the AUMF. That was a reasonable interpretation of the 2001 AUMF.

And so to simply say someone would have the right to a writ of habeas corpus in a hearing on that habeas corpus proceeding was not adequate for me to gather back to the American people the rights that should be theirs if it were not for the AUMF. So the proceeding, without further amendment to that language, could have gone like this:

An American citizen is ordered detained by the President of the United States. He is taken to military detention; he is placed therein. He would get a writ of habeas corpus hearing—habeas corpus meaning to surrender the body. You've got to bring the body forward. I've had writ of habeas corpus hearings as a judge many times. You have to determine: Is there sufficient evidence more likely than not that this person committed acts that justify the detention and the retaining of his body in that detention?

If the courts give proper credence to the 2001 AUMF, then the court would have that hearing and say, okay, there is evidence that makes it more likely than not that this person, the writ applicant, committed acts that authorize the President, under the 2001 act, to place him in indefinite detention in a military facility. So there he would have had his writ hearing, but he's still in indefinite detention in a military facility. In my 4 years in the Army, I became very familiar with those military facilities.

So I began checking with constitutional scholars I respected. I even got back with my old con law professor.

□ 1400

I started running different language by. How about if we say this? How about if we say that? And others would make suggestions, and we would tweak the language. This has been going on for weeks. Well, let's change this word. Well, what if we add this phrase and that phrase. Well, that doesn't really do it because you've still got this problem. And so it was great talking with people who are really thinking and trying hard to come up with a solution.

And the goal that I had, and in talking with Mr. LANDRY, Mr. RIGELL, Mr. DUNCAN, and Mr. BARLETTA, the goal is very simple. The authorization for the use of military force from September 18, 2001, gave the President unbridled discretion in confining, detaining American citizens and others. We wanted to put American citizens—we wanted to put people who were lawfully in the United States in the same situation they were in before the unlimited gift of power from the legislative branch to the executive branch.

I wasn't here, but I'm sure a week after 9/11, while we were still reeling, and those of us in other places had just been out on our courthouse square, holding hands, singing hymns, praying together, hoping, praying that our country would not be attacked again and so many people's lives lost, destroyed, so many losing hope, crushed to know they'd never see their family member, never even be able to have a legitimate funeral with their loved ones' remains.

I'm sure, I know that people meant to do the best they could to protect the country. But 10 years later, 11 years later, almost, we can look back and we could restrain that power once again.

So that was the goal. Let's get people back to the position they were in the day before this incredible extension of power to the President was given.

So the language that, with the help of others smarter than I, we were able to put together to get us to that day before this incredible grant of power to the President, was that nothing in the Authorized Use of Military Force Act from 2001, nothing in the NDAA from months ago, nothing from the NDAA that we're taking up now, nothing was going to be construed to deny the availability of writ of habeas corpus, which were the Landry/Rigell words. And then here's the additional language: or to deny any constitutional rights in a court ordained or established by or under Article III of the Constitution for any person who is lawfully in the United States when detained pursuant to the Authorized Use of Military Force Act.

And actually, and we looked at this a number of different ways, a lot of scholars. Just by referencing the Authorized Use of Military Force Act from 2001, it actually includes the subsequent amendment to that AUMF by the NDAA some months back, or the amendment that we voted on today. The NDAA is actually an amendment to the AUMF.

Some had asked, LOUIE, why did you say, deny any constitutional rights in

a court ordained or established under Article III constitute for any person—why didn't you just say American citizens? That's who we're most concerned about.

And again, I come back to this: I wanted to get back to where we were before this incredible extension of power to the President occurred for people who were lawfully in the United States.

I don't have any sympathy for people who may be sneaking across the board as we speak, through tunnels or over fences or through openings in fences or across rivers. I've got no sympathy for people coming in who want to destroy our way of life and are sneaking in illegally to destroy this life we have and the freedoms and liberties we have. So those who are not lawfully in the United States, who are trying to do us harm, killing Americans, destroying people, this is not for them.

But for anyone who is lawfully in the United States, we want to return them to the same position of liberty they had before the unbridled extension of power to the President September 18, 2001. To do that, though—there are people who were lawfully here in the United States, not U.S. citizens, but people who were lawfully here, who committed acts, whether of violence or other things, who, before this extension of power to the President in 2001, had no right to go into a Federal district court. They had the right to go to an immigration court, and that's it. No right to go before an Article III court.

And so we wanted to make sure that for those people who did not have a right to get a full jury trial—immigrants do not have that right. They're subject to the immigration courts. If they're going to be deported, they go to the immigration court. They don't have a right to go have a Federal trial in a United States district court over whether or not they get to stay in the United States. That's been ruled on many times. They don't get that kind of court.

So we've added the language at the end of subparagraph A, ''who is otherwise entitled to the availability of such writ or such rights.'' So, we reestablished in the Gohmert/Landry/Rigell amendment, and Duncan and Barletta as well, in that amendment we reestablish that for any—not just any American citizen, but anybody lawfully in the United States that is entitled to these rights before September 18 of 2001, you're entitled to them again. And nothing in the AUMF, nothing in the NDAA from months ago, nothing in the NDAA today, all amending the AUMF, nothing in this shall be construed to deny those rights to an individual.

Now, my good friend, JUSTIN AMASH, he wanted to fix things. But actually his fix extended new rights that did not exist prior to September 18 of 2001. And I understand his intentions.

And although I did not appreciate my friend Mr. SMITH alluding to a smokescreen, you don't spend hours and hours and hours trying to perfect language to create a smokescreen. You do that to fix legislation. And that's what I believe we did. That's what I believe we've done today here on the House floor.

But, having been in the military, and having continued, as a Member of Congress, to go to each funeral of people who, as Lincoln said, gave the last full measure of devotion for their country, having attended all of those in my district over the last 7 years, I know the price our military pays. I know the rights that you give up when you go into the military.

And so people, without realizing the full scope of the different types of rights to different types of people in the Constitution, who say everybody's entitled to constitutional rights under the Bill of Rights, under the Constitution, yeah, but they're different rights and you're in the military. You don't have a right to freedom of speech.

So we had a young man, a devoted member of the United States military, who said some very bad things about our President, unflattering things. Whether or not they're truthful is not the issue for a member of the military.

□ 1410

It is under a matter of the Uniform Code of Military Justice that was created by Congress because Congress has that power under article I, section 8 to create that court system and to not give members of the military all of the rights that everybody else in America has. There were some mornings at 5 a.m. that I would love to have had the freedom of assembly and that I would have loved to have had the freedom of speech to tell my commander where he could go with his assembly at 5 a.m. and with the 25-mile march that was going to follow that.

That was a time when we were not at war. Nonetheless, you have to have discipline in the military.

Even though I may have totally agreed with the comments—I don't know what all of them were, but this individual is in the military—when you're in the military, you do not have the right to criticize anyone in the chain of command. And it has to be that way.

In my heart, I was so deeply offended by the way in which President Carter was failing to do anything about our hostages and about the act of war that was perpetrated against our Embassy. Under everybody's interpretation of international law, an attack on a country's embassy is an act of war against that country. It should have provoked a response from this country that made so clear to all of those radical Islamists that attacked our Embassy in 1979 that when you attack the United States of America—in our Embassy or on our home soil, either one—they're both acts of war, and we will respond. You will not get away with an act of war like that against us.

Because we failed to respond in any measurable manner, other than for so long just basically begging them to give us our people back, we appeared to be a paper tiger. We appeared to be a country that didn't have the guts to step up and protect itself. That fact is still being used to recruit people around the world to these radicalized groups of Islamists.

Though I felt strongly about the impropriety of the way the President was handling those things in 1979 and 1980, it was not appropriate for a member of the military to publicly ever criticize a commander in his chain of command. That's what the Commander in Chief is. So whether or not any of us agrees with the soldier who criticized President Obama, you have to have discipline in the military, and that's not appropriate.

So why shouldn't he have had the right to come before an article III court and say, Hey, I'm a member of the military. What happened to my freedom of speech rights?

Under the Constitution, Congress has the power to set up the rules and the rights for the military, and you don't have that right because we've got to have a disciplined military.

For immigrants, many have said, Why don't I have the right to go get a jury trial and prove my case? Why, your country should be forced to allow me to stay here.

It's because you don't have that right under our Constitution. The right you have under our Constitution is to go to an immigration court. There are exceptions, of course, but that's the main right.

We have the authorization and the power under the Constitution to create those systems; and as my friend Mr. CULBERSON pointed out, they're limited to what is prescribed in the Constitution.

So that subparagraph (a) was the extent of the Gohmert-Landry-Rigell amendment originally, but there were others who were concerned—but look, look. What if the President does detain somebody? Even though he doesn't have the power to detain, if this subparagraph (a) passes and becomes part of the law, then the President won't have the power to detain an American citizen or an American lawfully in this court who he didn't have the power to detain before September 18 of 2001. But what if he does that anyway?

And it has happened. People abuse their power. We know that. So what if it happens that a President abuses the power that he does not have?

Let's get that right to a writ of habeas corpus hearing so that you can come forward and establish and bring

out the Gohmert-Landry-Rigell amendment and say, Look, that authorized use of military force in 2001 that gave the President the power to just detain people indefinitely, including in a military confinement, got changed today in the House in 2012; therefore, at the writ hearing, that would be granted under subparagraph (c). The judge would have to say, You're right. I see that Gohmert-Landry-Rigell amendment. The President doesn't have the right to do that anymore, so we're going to have to let you go.

But the key would be to get a writ hearing in order to advocate the proper position of the law as changed in subparagraph (a), because if you can't come before a judge, then nobody is going to have the power to order you released. So, I could understand that. Since I know extremely well that I sure don't have a corner on the market of best language, I realize—and our friend BOB GOODLATTE was pushing this issue, and I know BOB to be a brilliant lawyer, just a great American patriot. I know, whether we agree or not on every issue, when BOB GOODLATTE talks about an issue, I ought to listen because he's a smart, caring man. I realize he has got a point, which is that (a) does fix the problem, according to the people that I worked with and checked with, and we worked the language together to get it to work.

But he's right, what if the President does detain somebody against what the law says in (a)? How do you get that heard?

Okay. We added subparagraph (b) that says:

> Not later than 48 hours after the date on which a person who is lawfully in the United States is detained pursuant to the Authorization for Use of Military Force, the President shall notify Congress of the detention of such person.

So the President, if he does detain somebody against the law in section 103, subparagraph (a), has got to notify us. Then I'm sure there would be a lot of people on both sides of the aisle who would come forward and say, Hey, we've changed the law. The President can't do that. Under subparagraph (a), you don't have that power anymore. We took that away from you the way you had it since September 18 of 2001. That has changed. Now that you've notified us, we are going to help that person file for a writ of habeas corpus hearing in court as specified in subparagraph (a). It will be an article III U.S. Federal district court, and we know we will have a proper hearing.

That's why subparagraph (c) says:

> A person who is lawfully in the United States when detained pursuant to the Authorization for Use of Military Force shall be allowed to file an application for habeas corpus relief in an appropriate district court—not in an immigration court, not in a military tribunal, but in a Federal district court—not later than 30 days after the date on which the person is placed in military custody.

Now, there are some who've tried to say in the last couple of days that, actually, this Gohmert-Landry-Rigell amendment restricted the right of writs of habeas corpus. Hopefully, they meant well; but the truth is we're aware of writs of habeas corpus that happen long after 30 days. There is no requirement that if there is ever going to be a writ of habeas corpus hearing that it has to be within 30 days.

So what we were doing was not restricting the right of writs of habeas corpus. We were actually making them stronger so that the President, unless he is going to break the law and act illegally by not notifying Congress within 48 hours—well, guess what? Things have a way of working the truth out.

□ 1420

And if the President were to violate this kind of law, it might be the basis for an impeachment proceeding. To go around and to intentionally violate the law? This is serious stuff. We knew by putting it in the law, it would give that kind of ability to Congress, to enforce what we've done.

With regard to my friend JUSTIN AMASH and ADAM SMITH's amendment, it appeared to be a choice. With their amendment, it was going to give new rights to terrorists that would be greater than any member of our United States military has; or under the Gohmert-Landry-Rigell amendment, it would return the power to people that they had before September 18, 2001, this unlimited ability of the President to detain people indefinitely in potentially a military detention facility.

I appreciated the bipartisan support for our amendment today. We had Democrats that voted with us on this issue, people that care very deeply about this issue. We had Republicans that did not vote with us. I think 19 Republicans didn't vote with us, but I believe 243 people from both sides of the aisle voted for this amendment to fix this power. We needed to rein in the power of the Presidency, and we did that.

I'm very grateful to Heritage for embracing the concept that was pursued here rather than a concept that would extend greater rights to terrorists on American soil than our own American soldiers would have.

I think it's a good day. I think it's a good day. People have heard me, Mr. Speaker, talk about how we have messed up what's going on in Afghanistan. The Taliban was defeated; they were routed. We had less than 1,500 Americans in Afghanistan when the Taliban was defeated. And so many Americans have forgotten, but for so much of the Iraq war people were saying—now, the way the Taliban was defeated in Afghanistan, that's the way to fight a war on foreign soil. You empower the enemy of our enemy, give them support. We gave them aerial support, we gave them embedded Special Ops and intelligence people that were a tremendous help. I've heard that personally.

The biggest hero of those battles, General Dostum, I met with again just last month. That was over in Afghanistan. They're our allies. For those that say you Republicans are a bunch of xenophobes or Islamaphobes, these are Muslim friends. They buried family and friends while Americans were burying family and friends because they had fought together. They initially defeated the Taliban, and they did it very effectively. Then we began to add troops by the tens of thousands, and we became occupiers in Afghanistan. We began to pour billions and billions and billions of dollars into Afghanistan. Then Pakistan began supporting the Taliban, and they continue to support the Taliban and we're continuing to support Pakistan.

Another good thing today was amendments that said, Hey, Pakistan, if you're going to keep funding our enemies and helping our enemies, we're not going to keep giving you any funds. That was another good measure that got bipartisan support today. That was a good measure.

But as long as we've got troops—I don't think President Obama has handled this very well in Afghanistan. I think he's gotten some bad advice. I think President Bush got some bad advice. But as long as we have troops on foreign soil, we should never again do what was done to our military in Vietnam, yank their feet out from under them and leave our allies to be killed.

With that, Mr. Speaker, I yield back the balance of my time.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3308

Mr. CULBERSON (during the Special Order of Mr. GOHMERT). Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3308. My name was inadvertently added.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

UNDERSTANDING THE PLACE OF THE DISTRICT OF COLUMBIA IN OUR STRUCTURE

The SPEAKER pro tempore (Mr. BROOKS). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Mr. Speaker, I come to the floor this afternoon as part of my series of talks designed to help Members of the House and Senate understand the place of the District of Columbia in our structure. It is an anomalous place. And when Members come

to the House of Representatives, they must find it very peculiar that anything having to do with a local jurisdiction comes here at all.

The most important thing to remember as I speak this afternoon is that that anomaly got to be too much for the Congress, and 39 years ago the Congress sent back to the District the power to legislate for the District of Columbia. So if you hear Members say Congress can legislate for the District of Columbia, you must point them to the Home Rule Act of 1973.

It is true that on some matters the District cannot legislate for itself. Those matters involve things like imposing a commuter tax or changing the limits on how high buildings can be in the District, because we don't want to obscure the great monuments. But I assure you that the enumerated congressional powers over the District are quite small, and that none of what I have to say this afternoon is among those areas where Congress has said, only Congress itself should be able to legislate.

Yet my good friends on the other side insist upon imposing their own views on the District of Columbia quite undemocratically against our will. Even if you assumed that Congress could enact laws for the District of Columbia, no one would assume that Congress could—without any democratic accountability—enact laws that went counter to the laws the District had enacted.

Where are the small-government Tea Party members, the ones who are trying to teach the House of Representatives a lesson about pulling back even from Federal matters? You cross the line very seriously when you involve yourself in local matters where you yourself cannot be held accountable. Do you believe in democracy or not? It seems to me that the entire notion of passing a law and imposing it on people who have no say about it is a kind of authoritarianism that we ourselves criticize on this floor every single day in one fashion or another.

Twice this week, Republican Members disregarded their own basic principles and sought to interfere with the local government of the District of Columbia and its citizens against their will in the most undemocratic fashion. There was no respect for democracy, no respect for federalism, no respect for their own principles. They moved forward to say that this was the way we would like it, no matter what you would like.

As you might expect, we took exception. I am very pleased with the outpouring of support we have received from all over the country regarding the way the District was treated in the attempt by Representative TRENT FRANKS to impose his views on reproductive choice for the women and physicians of the District of Columbia. And I appreciate the support I have received when many were shocked that I was not granted the courtesy of testifying at his hearing on his bill, which affects only my district.

□ 1430

Let me say a word about that bill. Representative TRENT FRANKS is from Arizona. The sponsor of this same bill in the Senate—a bill to impose a 20-week limit on abortions for women in the District of Columbia—is from at least as far away, Senator MIKE LEE of Utah.

Senator LEE had hardly hit the ground—I think had filed all of nine bills when he filed a bill that would impose a 20-week limit on abortions in the District of Columbia. Not on Utah, but on the District of Columbia. Representative FRANKS' bill wouldn't impose this on Arizona. It's only on the District of Columbia.

There is nobody in this House that would not have taken umbrage at such undemocratic audacity, and so we did.

As for Senator MIKE LEE, he realized what he was doing wasn't exactly kosher because he introduced the bill, and though he is a new Member—and every new Member puts out a press release about what he's done—he didn't put out a release on this bill. So we outed him. We put out a release on his bill. And then his newspapers began to talk, and so then he put out a release.

I think what I am talking about will be understood when you see how this occurred. One thing that most Americans have learned to do is respect the differences on very controversial issues. And one of the most controversial is abortion, an issue that really turns off Independents in this country but captures the verve of the right wing to this day, even though the right of women to reproductive choice was declared decades ago in Roe v. Wade. And, of course, when they come at women, Democrats respond.

Under Roe v. Wade, a woman is entitled to seek an abortion at 20 weeks of pregnancy. In fact, the Supreme Court was at pains to say that it would not put a time limit on the number of weeks, that that's a matter of viability and a matter between the woman and her physician. Yet Senator MIKE LEE and Representative TRENT FRANKS sought to set the number of weeks on their own—in violation, of course, of the constitutional mandate in Roe v. Wade.

What are we supposed to do, sit down and take it?

I asked to testify at the hearing on Rep. TRENT FRANKS' bill. Representative TRENT FRANKS, as chairman of the subcommittee, denied me the right to testify, even though the bill related only to my district. He said that it was because the rules say that Democrats could have only one witness, and that they had chosen a woman, whom we had recommended, Professor Christy Zink, who had an abortion in the District of Columbia at 21 weeks on the recommendation of her physicians and her family when the fetus was discovered to be hopelessly deformed.

Of course we would want the committee to hear from such a person. And the rules may well be what Representative FRANKS says they are. But he clearly has no sense of common courtesy or comity, of congressional courtesy, where, as a matter of right, any such rule would be waived, particularly if the Member's own district were implicated.

It's bad enough to introduce a bill that has to do with somebody else's district, where nobody—not the physicians who are implicated, not the women and families who are implicated—can reach you because they can't vote for you. Hardly an act of courage.

If this is so important—and I have to believe it is to them—why wouldn't Senator LEE and Representative FRANKS introduce a 20-week bill for all the Nation? Why does their courage stop at the District line? This should be a matter of principle. How could you possibly want to stop abortions after 20 weeks only in one district?

Of course Representative FRANKS is in the habit of denying me the opportunity to testify when his subcommittee considers bills that affect only my district. He considered a bill that passed here in the House but was stopped in the Senate that would have permanently kept the District of Columbia, alone from spending its own local taxpayer funds on abortions for low-income women. What in the world does a Member from Arizona have to do with how we, in the District of Columbia, spend money that he had nothing to do with raising?

Having been denied the right to testify on that bill, no wonder I was denied again yesterday. Except this time, it went viral. And all over the United States, they are talking about how a Member introduces a bill relating to another Member's district, and she doesn't even get a waiver so that she can say something on behalf of her own constituents on the bill he has introduced, which will only affect those constituents and not his own.

And I'm supposed to like it? Well, I don't like it. And I'm not going to sit still for it.

I went to the hearing yesterday, and everyone was polite. Representative FRANKS invited me to sit on the all-male Member panel, but without being able to speak, to hear about how women in the District of Columbia should have their right to reproductive choice cut off by him. I didn't give him the opportunity for that optic, to have me on the panel, unable to say anything. Invite the Member from the District to sit on the panel, to integrate it

so that there is at least one woman, and tell her to keep her mouth shut while they talk about her district, hear from one of her constituents, and talk about denying the women and families in her district what women and families are entitled to everywhere in the United States. No, sir, thank you.

What I want is the same rights everybody else has. I grew up as a second-class citizen in this town twice over—second class because we didn't have a Member of Congress until the 1970s, and second class because I was an African American and, therefore, as a child had to go to segregated schools.

□ 1440

And I'm not going to have my constituents, now that I am a Member of Congress, treated any differently from the way Representative TRENT FRANKS' constituents are treated or Senator MIKE LEE's constituents are treated.

We are free and equal Americans. We pay Federal income taxes just like everybody else. And yet we have no vote on the House floor. The nerve of Members introducing a bill that they expect to go to the House floor, and I would not even be able to vote on the bill. And yet it would apply only to my constituents.

Where is the sense of decency? There is none. I don't know about a war on women, but when you keep coming at the District of Columbia women, that's a war on them. And if you want to declare war, I'm here to do the best I can to fight back.

First, it was our low-income women, by barring D.C. from spending its local funds on abortions. They have succeeded in getting that rider re-embedded in our local budget. Now they want to do that on a permanent basis. And now they want to go to a 20-week limit, and no woman—low-income, high-income—no woman in the District of Columbia could get an abortion. And our physicians who care for women from all over this region and all over the country, who found what Professor Zink's physician found, which is that she should not carry that fetus to full term, would have to somehow ask her to find someone outside of the District of Columbia to perform an abortion under such tragic circumstances,—a woman who had a child and wanted another child. Who would put somebody through that?

It is an insatiable hunger that the small-government Tea Party Republicans are showing for interfering with the democratic rights of the people I represent. And I'm going to call them out. You're not going to get away with doing it in private. You're not going to get away with not having me testify. We're going to shout it to the hilltops that all you talk about—small government and that the Federal Government should get out of everybody's lives—and now you're hopping over those principles into the lives of 600,000 Americans who you are not accountable to, after the Congress said in 1973 that governing for the District of Columbia now 1973 belongs to the Mayor and the council of the District of Columbia only. No. We're not going to stand for it. You're going to hear from us.

The bill is patently unconstitutional. These very courageous Republicans gotten it passed in seven conservative States. They want a Federal imprimatur on this bill. So they say, Let's get the District of Columbia. What kind of courage do they lack? Do you believe in it? Introduce it. Introduce it for the women of America. What are you afraid of? Where's your spine? Do you only have a spine when it comes to 600,000 people who have a representative who you continue to disempower by denying her a vote on the House floor, including a vote on her own appropriation and a vote on the very bill that you've introduced to take away rights guaranteed under the Constitution that her citizens are entitled to?

The bill is patently unconstitutional. Roe v. Wade indicates that women are entitled to abortion care until viability. But do you know what else the bill is? It's a violation of our 14th Amendment right, because you are treating our women and our physicians differently than women and physicians are treated elsewhere in the United States.

Don't come at us with unequal protection and expect the people I represent to say, Okay, Mr. Congressman, just do whatever you like.

Keep doing it and we will keep calling you out. We will never let you get away with a cost-free undemocratic intrusion into our lives.

Last night, here comes Representative PHIL GINGREY with a resolution, nonbinding, saying that active duty military personnel in the District of Columbia on personal time should not have to abide by the gun laws of the District of Columbia. Here we go again with our gun laws. We have stricer gun laws than some. So be it. Some States have strict gun laws, too. Are we less American than others that enact their own laws? At whose altar am I supposed to kneel? Who are my constituents supposed to bow down to? Nobody in this House or Senate.

Well, I opposed that resolution because if Representative GINGREY of Georgia thinks that active duty military personnel in their private capacities should not have to obey the gun laws in D.C, then he ought to wank it for every State in the Union.

You're not going to put on us bills for the District of Columbia that clearly have nationwide import in order to make your ideological points in a cheap and cynical way. Because that's what it is. It's on the cheap. It's a defiance of democracy, and it expects us to just let it go. On the contrary, it gets our dander up to be treated as less than full American citizens. It gets our dander up.

Sure, the resolution passed. It was nonbinding. But the fact is that, if you want to do a nonbinding resolution that says that gun laws shouldn't be applicable to active duty personnel in their personal capacities, there is no possible reason to limit that to one jurisdiction.

We will not have it. We are not vehicles, pawns, or instruments to be used at will. We are full-fledged American citizens who fought and died in every American war, including the war that created the United States of America. We are the only taxpaying citizens of the United States of America who have no voting representation in this House and none at all in the Senate.

Get off of your high, undemocratic horses. It's bad enough that you allowed that kind of a situation to go on for 200 years, but when you pile on and want to enact legislation that you don't have the nerve or the guts to enact for the entire country, but do such bills only for the District of Columbia, expect the District of Columbia to come back at you.

We may be only one jurisdiction, but we will never allow ourselves and our citizenship to be degraded, and we will not allow ourselves to be demeaned as the Franks-Lee bill did and as the Gingrey bill did. Go home and make your own constituents understand why you are legislating for somebody else's district and you tell me whether your Tea Party friends will say, Well done. I doubt it.

Mr. Speaker, this was a week when twice in the same week Republicans tried to roll over the District of Columbia. Once was too much; twice, I simply could not abide. So I issue fair warning. It's only me here. I can't hurt anybody. I can't even vote against you. But I can tell you this much: I'm not going to allow the unequal treatment of the taxpaying citizens I represent to go unaddressed ever, not for one single moment.

I yield back the balance of my time.

□ 1450

GOVERNMENT SPENDING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 30 minutes.

Mr. WOODALL. I thank you, Mr. Speaker. I appreciate you staying late on a Friday afternoon so that the gentlelady from the District of Columbia can have her time; and I can have a little time, too.

I know folks often think, Mr. Speaker, that votes have ended at the end of the day and folks have left the Chamber, and you wonder what in the

world's going on there in Congress. Why are those guys still down there on the floor of the House talking after everybody else has gone back to their offices? Well, there's a lot of good reasons for that.

As the gentlelady from the District of Columbia said, folks don't always get their say in the hustle and bustle of voting on those amendments. It moves fast. It's limited to 2 and 3 and 10 minutes of debate at the time. And so you need some additional time at the end of the day.

But more importantly, I guess this is just one of the wonderful facets of modern-day life, Mr. Speaker. You and I are both freshmen here in the House, but they pipe this back into our offices. I always thought when I was growing up, and I suspect you did, too, Mr. Speaker, when you're at home and you turn on C–SPAN or it's on the college campus or what have you and you look and the Chamber is empty, you think, What's going on? You don't realize that it's piped through the closed circuit and it's sitting on everybody's television back at home.

Because when I got up here as a freshman, Mr. Speaker, I got so busy I couldn't afford to sit down here on the House floor and spend my days here. I had to be back in the office meeting with constituents and going through the paperwork, doing all those things we have to do each day. And what a wonderful thing that is—lousy because it sends the wrong impression to America as it shows up on C SPAN—but wonderful that folks are able to both serve their constituents back in their offices as well as keep track of what is going on on the floor.

And what I brought down to the floor today, Mr. Speaker, and you can't see it from your chair, but you have these numbers committed to memory, just as I do. I've got the pie chart here of the spending in this country.

You know, spending comes in two parts. It comes in the parts that unless the Members of Congress act each and every year, the spending goes away. They call that discretionary spending, as you know, Mr. Speaker. You have to affirmatively act in Congress or else the spending goes away.

The other part of spending is called mandatory spending, and that's the part of spending that goes out the door whether Congress shows up to work or not. The President can take the year off. Congress can take the year off, that money is going to go out the door. That's our parents' and grandparents' Social Security checks. Congress doesn't have to affirmatively act to give you Social Security, Medicare. If you're 65 years old, you've worked the required amount of time, you show up at the Medicare office, you just get Medicare. And then we have to figure out how to pay for it. That's called the mandatory spending side of the ledger.

And as you know, Mr. Speaker, the discretionary spending side of the ledger, the part that we have to affirmatively act on each year represents about one-third of all Federal dollars. That's automatic spending, Mr. Speaker. That's spending that goes out the door whether Congress shows up or not, and it represents two-thirds of everything we spend.

You know, as I do, Mr. Speaker, that when we actually talk about spending money, about 40 cents out of every dollar that this Chamber spends, that this Nation spends, is borrowed from the next generation of Americans; 40 cents out of every dollar, Mr. Speaker, is money we don't have, but we borrow from our children and grandchildren. That's why the spending decisions we make are so important, why you and I are working so hard to try to restrain that spending.

I'll give you an example, Mr. Speaker. If you started a government on the day Jesus Christ was born, and you borrowed $1 million a day to fund your government from the day Jesus Christ was born until today, 7 days a week you're borrowing that money through today, you would have to continue to borrow $1 million a day every day, 7 days a week for another 700 years to borrow your first $1 trillion. Your first $1 trillion, Mr. Speaker.

You know how much we borrow from our children and our grandchildren—and by ''we,'' I mean folks who've come from both parties, generations before us, and still today—$15.5 trillion with no end in sight. No end in sight.

Now, I don't want to be about doom and gloom, Mr. Speaker, you know me. We're part of this freshman class. When one of us falls, there are another 99 to pick him up and set him back on track.

I brought down a chart today to talk about our successes because we've really have had some successes.

Now, as I listened to the gentlelady from the District of Columbia talk before, it sounded like this is a very partisan place to work. And I know when I pick up the newspaper, that's what I read, too. But it's not true. You can't do anything up here as a party. It's not about party. It's about the 900,000 people I represent back home.

I am a Southern Republican, Mr. Speaker. I'm a hard-core right winger. I have more in common with a Democrat from Tennessee than I do with Republicans from California. This isn't about party; this is about American. And the only things that get done get done working together. Why? Because we have a Republican House. We have a Democratic Senate. We have a Democrat in the White House, and we have a constituency. We have an America that is divided about what to do. But I don't think there's anybody out there—well, with the exception of the President, Mr. Speaker—who believes that the problem is that we're not spending enough. I think a lot of folks think Washington is wasting the money that it's spending and that we can do better.

And let's talk about those successes, Mr. Speaker, because I have them right here. I've got a bar chart, Mr. Speaker. I'm showing FY 2010. That was before you and I got here—$1.28 trillion in discretionary spending.

Now, there's a lot of funny math in Washington, D.C., as you and I have learned, Mr. Speaker. A lot of funny math. But when I say $1.28 trillion, I just mean that—$1.28 trillion. No rates of growth. No inflation. No time value of money. No index dollars. Just real money like it sits in your wallet, if your wallet could hold $1.28 trillion.

Fiscal year 2011, Mr. Speaker, the year you and I showed up to this institution, we were still working on the FY 2011 budget in 2012 because the folks who left the body before us didn't get it done. We actually reduced spending—it doesn't happen often in America—but we reduced discretionary spending in real dollars, actual dollars, from what we were spending in 2010 to what we spent in 2011. But that wasn't enough for this freshman class, Mr. Speaker. You know it wasn't.

In 2012, we reduced spending again. Again, not rates of growth, not funny math, actual dollars going out the door. Fewer dollars went out the door in discretionary spending in 2012. We're in the middle of 2012—2012 ends on September 30, as you know, Mr. Speaker. Fewer dollars will go out the door in 2012 than went out in 2011. And, of course, fewer dollars went out in 2011 than in 2010; 2 years in a row, the first time since World War II, Mr. Speaker, we reduced spending in this country by focusing on the priorities that our voters back home have asked us to focus on. And we're doing it again for 2013. That process is going on right now.

We've begun the process of appropriating dollars for the 2013 fiscal year, that fiscal year that'll start this October, October 1, having those debates, open debates, allowing amendments from all parties here, Mr. Speaker; and we are on track to spend less in 2013 than we're spending right now in 2012.

Budget my office, Mr. Speaker, one of those things we actually have control over. The budget for the Seventh District of Georgia, Mr. Speaker, lower in 2012 than it was in 2008 because we have this new Congress that said thrift has to begin at home. If I'm going to look at other programs to cut, let's start with our own office budgets. So we're having some successes. It's not all about arguing up here. It's not all about fussing at one another. It's about trying to come together and finding those opportunities that we can agree on.

And when I talk about the way spending has actually gone down, I'm not talking about our vision of how it should go down, Mr. Speaker. I'm talking about bills that have been signed

into law by the President of the United States, guaranteed savings that cannot be taken away.

That's the kind of work we've gotten done here in 16 months, Mr. Speaker. I'm proud to have worked with you on it. This chart, though, shows the challenges that we're facing.

□ 1500

I see some folks sitting in the back of the room, Mr. Speaker, so I'm going to hold this one up, if you don't mind, just to make sure everybody can see it.

I've got two lines here, Mr. Speaker. I've got the red line that shows spending in this country, the red line that shows where spending is headed in this country. Now, this chart goes, as you know, Mr. Speaker, from 1947, the end of World War II, as America was coming out of World War II, it begins to track spending in this country, tracks it with a red line. Here we are right here in today's dollars, Mr. Speaker. So the red line tracks spending going back to World War II.

The green line tracks taxes going back to World War II—as a percent of the economy, right, because a dollar is not the same dollar today it was in 1947. Your parents probably tell you like my parents tell me, Mr. Speaker, Oh, ROB, I used to go to the movies for a nickel and I had money left over that I could buy a Coke and popcorn with. Do you get that same story, Mr. Speaker? The dollar is not the same dollar today as it was then.

So we track this as a percentage of GDP, a percentage of our entire economy. Now, I want you to look, Mr. Speaker, at how level this green line is. The green line is taxes, taxes that the American people are willing to pay. It doesn't matter whether the income tax rate has been 90 percent, as it was in the Carter years, or whether the income tax rate is 28 percent, as it was in the Reagan years. Taxes, as a percentage of the size of our economy, have remained relatively stable. That's the flat green line.

The red line is the spending that this Congress, this Senate, other Presidents have chosen to associate with America. Now, you tell me, Mr. Speaker, do we have a taxation problem in this country or do we have a spending problem in this country? You need to look no further than a relatively level tax line and an incredibly exploding spending line. Spending is the challenge, and that's what you and I are focused on here in this body, Mr. Speaker.

But all spending is not created equal. The United States Constitution gives us responsibilities, gives us responsibilities to defend this country, gives us responsibilities to regulate trade. There are responsibilities that the Constitution says, Congress, you need to raise money and you need to spend money on these priorities.

But this chart, Mr. Speaker, tracks, going back to 1965 through today, that discretionary part of the spending pie that I showed earlier, that part that we actually have to affirmatively act on every year, and the mandatory part, that part that just goes out the door automatically. Again, Mr. Speaker, what you see is discretionary spending, in terms of real dollars, is staying relatively flat. What pushes the line up is this growth in mandatory spending.

Why does mandatory spending grow? Because it's automatic, because you and I, Mr. Speaker, don't have an opportunity each and every year to try to rein that in and do oversight on it. It requires action by the Senate and by the President and by this House to change the laws about the automatic spending to stop it. If we can't agree on how to stop it, it just keeps going. That distinguishes it from discretionary spending where we have to affirmatively vote ''yes'' or ''no'' each year. That's the spending we've been so successful at controlling.

Mr. Speaker, this chart just shows it a little differently. I've got the blue line representing mandatory spending and the red line representing discretionary spending. What you see here is that between 1962 and 2012, the last 50 years, discretionary spending—which used to be most of what Congress does—has gotten smaller and smaller and smaller and smaller as a piece of the pie, and mandatory spending, that that goes out the door automatically, is getting larger and larger and larger and larger.

So I say to you, Mr. Speaker, and I say to the young people who are in your district, if you're worried about your economic future, should you focus on your discretionary spending? Absolutely, you should. But should you concern yourself with mandatory spending more? The answer is yes. That's where the growth is. That's where the inability to constrain it is. And that's now where the big, big dollars are. It's mandatory spending, Mr. Speaker. And it's getting worse.

I told you I would bring you some good news, Mr. Speaker, and I've got more good news to bring you, but we need to be honest about the nature of the challenge. Because I talk to folks back home and they say, ROB, it can't be as bad as you say that it is. It can't be as bad.

I was just looking at the Federal Government books about 4 years ago and things looked like they were sustainable. Well, Mr. Speaker, you know the world's changed a lot in the last 4 years—and that's not a political statement. It started changing under the watch of President George Bush. It continued changing under the watch of President Barack Obama.

I remember growing up in the 1980s, Mr. Speaker. Ronald Reagan was President. We used to talk about the deficits we were running, worried that the American economy might not survive—got to get those deficits under control. Those deficits, Mr. Speaker, those deficits are a page relative to the deficits we're running today, which look like a book—trillion dollar deficits every year. The public debt, the debt that our young people owe, Mr. Speaker, has increased 50 percent in the last 4 years.

Now, change doesn't usually happen in America that fast. Change is usually slow. It was designed to be slow. You know, my gripe with the United States Senate, Mr. Speaker—a lot of folks say, Doggone that Senate, they haven't passed a budget in the last 3 years. Well, I share that frustration. But the truth is I'm not frustrated with the Senate that they're moving too slowly. The Constitution designed the Senate to move slowly. I'm disturbed that over the last 3 years the Senate has been moving so fast. It was supposed to play a deliberative role, but instead it passed stimulus bill after stimulus bill, health care bill after health care bill, regulatory bill after regulatory bill, and did not slow the process down the way that our Founding Fathers designed the Senate to operate.

What you get—you can see it here on this chart, Mr. Speaker. This red line is tracking Federal revenue; the blue line is tracking Federal spending. They move in concert right up until 2007, into 2008, into 2009, into 2010, where those lines diverge, Mr. Speaker. These trillion dollar deficits, it's not sustainable. It's not sustainable. We've taken steps to do it, but there's more that we have to do, and it's not easy to get it done.

This shows the chart differently, Mr. Speaker. There are some folks out there, because I go home and I ask people in my district, Mr. Speaker, I say, Now, of the $800 billion that the Federal Government spent in the stimulus package—$800 billion—there are about 154 million families in this country, right? So that's about $6 for every billion, eight times six. That's about $4,800, Mr. Speaker. I ask them, Did you get your $4,800? Did you feel it? When the Federal Government borrowed $800 billion from your children and your grandchildren, did you feel the additional money in your pocket? And the answer is, No, ROB, I don't know where that money went, but it didn't come to me and my family.

Look what's happened with spending, Mr. Speaker. This is spending as a percent of GDP in inflation-adjusted dollars. Here we go.

From 1970 to 2010, the average household income in this country, Mr. Speaker, increased by 25 percent in inflation-adjusted dollars. The buying power of the average American family rose about 25 percent over the last 40 years—40 years, 25 percent growth in spending power of the average American family. The red line represents Federal spending, Mr. Speaker. Over those same 40 years, Federal spending

has increased 290 percent. You and your family have an additional 25 percent to spend; we, the Federal Government, have increased our spending 290 percent.

You know, I learned something up here, Mr. Speaker, during freshman orientation. It turns out there's no secret drawer that we dig into here to get money to spend. The only place we can get money is to either take it from American families in taxes or borrow it from American children in future obligations. Those are the only two places we can get money. That's what we've done, to the tune of 290 percent, while households in this country only saw an increase of about 24 percent.

Going back to the good news, Mr. Speaker, it's not as if there aren't places that we can reduce spending. And we can agree on both sides of the aisle, Mr. Speaker, of those areas to reduce spending.

This is a chart of the 10-year Federal program growth rates, Mr. Speaker, 10 years. This is what has happened to spending over the last 10 years in Federal dollar terms. Won't surprise many people, Mr. Speaker, energy conservation is at the top of the list. In 2002, we spent almost $1 billion a year on energy conservation spending, $1 billion in 2002. Today, we spend almost $10 billion, a 975 percent increase in spending over 10 years.

Our food stamp program, Mr. Speaker. Now, I know families are hurting these days and we're trying our best to minister to the needs of those families. Over the last 10 years, food stamp spending in this country has increased 267 percent.

□ 1510

We had a debate on the floor of this House last week. You remember that, Mr. Speaker. The debate was should you actually have to qualify for food stamps to get food stamps, or should you just be able to get food stamps anyway because you're involved in a number of other programs? And it was a contentious debate.

We could not even agree, Mr. Speaker, that the only folks who should get foods stamps are those who qualify for food stamps. There was a sense that we need to put food stamps into more families' homes.

I get that folks want to legislate with their heart in this body, Mr. Speaker. But don't ask me to spend other people's money with my heart. Ask me to dig into my own wallet to legislate with my heart.

When I come to Washington, D.C., I've got to legislate with my head. And I will tell you, the bill that we put forward last week, instead of increasing food stamp spending 270 percent, as is the law of the land, we wanted to increase food stamp spending by only 260 percent. Hear that, Mr. Speaker. Instead of 270 percent, we wanted it to be 260 percent. And it turned into a knock down, drag out, brouhaha here on the House floor.

I've got to tell you, Mr. Speaker, folks need to go home and talk to the young people in their district. Talk to those folks who are going to pay back that money that's been—the debt that's been increased by 50 percent over the past 4 years. Ask them if they think, in the $3.8 trillion dollars that go out the door in Washington, D.C., do they think we might be able to reduce the rate of growth of some spending programs from 270 percent down to just 260 percent. I don't think that's unreasonable.

Education spending, Mr. Speaker, up 239 percent; unemployment spending, up 100 percent; Medicaid spending, up 86 percent; housing assistance, up 79 percent; community development, up 76 percent; ground transportation, up 62 percent; Federal employment retired, up 53 percent. The American economy, up 16 percent.

That's the only place we have to get money, folks paying taxes. Folks don't pay taxes unless they're making some money. The American economy has grown 16 percent, while the kind of spending that's happened in Washington, D.C., is growing in the triple digits.

Mr. Speaker, GDP is up 16 percent, but family income in this country, over these same 10 years, down 4 percent.

It's not free money in Washington, D.C., Mr. Speaker. Every dollar that goes out the door is either borrowed from foreign creditors like China, or it's taken from American families that would have spent that on something else like food or education or housing or possibly even a summer vacation, Mr. Speaker, if they're fortunate.

Median income down 4 percent, Mr. Speaker. Spending in the Federal Government, up almost 1,000 percent in some categories.

Well, we're taking action, Mr. Speaker. That's the take-home message here. So many folks talk and talk and talk and talk and nothing ever gets done. And candidly, when I read the newspaper and they describe what's happening here, Mr. Speaker, it sounds like they're describing people talking and talking and talking and nothing getting done. But it is getting done.

I showed you that chart already of how the discretionary spending was coming down, not how we wanted it to come down but how it was actually coming down.

What I have here is a chart about the Budget Control Act, Mr. Speaker, the Budget Control Act that begins to go after some of that mandatory spending I talked about earlier. It goes after some more discretionary spending, trying to bring spending down in a responsible way.

But folks need to know, in terms of where we're saving money in sequestration, part of that Budget Control Act, about 14.6 percent of the savings, are in interest. By reducing what we're spending we're going to save about 14.6 percent of our goal by not having to borrow more money and not having to pay interest on it. And you see net interest as a size of the spending today. You see it as a size of savings down below. That's going to be a good chunk.

Over here, this giant square, Mr. Speaker, that's the entitlement spending. That's that mandatory spending that we're talking about. The little bitty square down here, about 14.8 percent, is how much we're going to save out of that pie.

Now, folks, I've just got to tell you, and I think honesty is one of the things that we lack. Nobody likes to deliver bad news. This big square is where the dollars are. We've got to get into that big square if we're going to put our fiscal path on track.

I'm in my forties, Mr. Speaker. We have to come to folks who are in their forties and tell them today, ROB, you are not going to get the Social Security and Medicare benefits your parents got, because I'm not. We've got to come to people today and give them the bad news. ROB, you are going to continue paying the highest payroll taxes in the history of this country to go into the Medicare and Social Security Trust Fund, but when you retire, you will not get the kind of medical and Social Security benefits that your parents got.

We've got to deliver that bad news because I'm not, and other folks in their forties aren't, and folks in their thirties aren't, and their twenties aren't, and their teens aren't.

We overpromised, Mr. Speaker. If you don't believe we overpromised, I want you to go back, you can look it up on the Internet, Mr. Speaker. In fact, it's on the Social Security Web page.

A young woman named Ida Mae Fuller. You may not know who Ida Mae Fuller is, but she was the very first American to retire under the Social Security program. The very first monthly check that she received, Mr. Speaker, returned every penny that she'd paid in in taxes over her lifetime. Hear that. The first monthly check that she received returned to her every penny that she'd paid into Social Security taxes over her lifetime, and she continued to receive a check of that size every month for the next almost 30 years until she died in the early nineties.

Well, Mr. Speaker, when you're handing out money like that, you have to know that system's not going to sustain itself. In those days there were about 30 American workers paying in for every one retiree, and so we could be generous. Today there are about two American workers paying in for every one retiree, and the American workers can't afford that.

I don't want to pull the rug out from under today's seniors, Mr. Speaker. We've made promises, and we need to keep those promises. Folks have lived their entire life banking on those promises, and I think we owe it to folks to come through. They did everything they were supposed to do. They paid their taxes, they played by the rules. I think we owe it to them to come through for them.

But for folks in their forties, for folks in their thirties, for folks in their twenties, we need to deliver the bad news today that that train has come to a stop. And we'll tell you what the new plan's going to be, we'll tell you what the new dollars are going to be, and you'll be able to plan for your future accordingly. But know that we have to deliver that kind of candid bad news.

Take-home message from this chart right here, Mr. Speaker, is that defense spending in this country, over an 8-year period, is about $5.3 trillion. But sequestration is going to find about 42 percent of the savings out of the entire bill out of the defense side of the budget.

Now, I'm one of those folks who says we've been spending on wars for the last decade. Do we have waste in the Defense Department just like we have waste in the Ag Department and waste in the National Park Service and waste in the Judiciary, and on and on? Of course we do. You can't be in the Federal Government business spending other people's money without getting careless from time to time, which is why we need to push that money back to the State level.

We can find savings in the Defense Department. But we're coming to a point where the President's Secretary of Defense tells us we are about to begin to undermine national security, our troops, and their families.

Now, if you don't know, the Secretary of Defense today is Leon Panetta. He was once the Democratic chairman of the Budget Committee right here in this House. He was once the OMB director, the Office of Management and Budget. That's the budget office for the President. He was once the OMB Director for President Clinton. He was once President Clinton's Chief of Staff. He understands everything that's happening in this town. He understands the challenges in Congress. He understands the challenges in the White House. And as Secretary of Defense, he understands the challenges of defending a Nation. And he says we're on the verge, if we keep targeting defense, of undermining national security, our troops, and their families.

Now, that's not to say, Mr. Speaker, that defense gets a free pass. It absolutely doesn't. I have a chart right here that shows defense spending, Mr. Speaker. It starts in FY 2009. It goes out to 2021. It's in constant dollars.

□ 1520

It's a downward slope.

If we do absolutely nothing more than what we've already done, Mr. Speaker, we're going to reduce defense spending year, after year, after year in a responsible way that protects our national security, that protects our troops and that protects their families. But if we leave in place this sequester—it's represented by the light blue line down here at the bottom—you're going to see defense spending cut almost in half.

I challenge you, Mr. Speaker, and I challenge you to challenge your constituents: go and find the men and women in uniform in your communities. Go and find them, and ask them if there is waste, fraud and abuse in their particular parts of the Defense Department. I promise you they're going to tell you yes. I want you to ask them if there is 50 percent waste, fraud and abuse, and the answer is going to be no.

We can absolutely reduce defense spending, Mr. Speaker. You and I together, with our colleagues on the Democratic side of the aisle, have absolutely reduced defense spending; but it has to be done in a responsible way.

Mr. Speaker, I appreciate your being with me down here today, and I appreciate your partnership in these successes. I yield back the balance of my time.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4045. An act to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Tuesday, May 22, 2012, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6069. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Golden Nematode; Removal of Regulated Areas [Docket No.: APHIS-2011-0036] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6070. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Karnal Bunt; Regulated Areas in California [Docket No.: APHIS-2011-0074] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6071. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (City of Gulf Shores, Baldwin County, Alabama et al.) [Docket ID: FEMA-2012-0003] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6072. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Town of Barton, Tioga County, New York, et al.) [Internal Agency Docket No.: FEMA-8225] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6073. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations (Mobile County, Alabama, et al.) [Internal Agency Docket No.: FEMA-B-1248] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6074. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations (Yavapail County, Arizona, et al.) [Docket ID: FEMA-2011-0002] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6075. A letter from the Solicitor of Labor, Department of Labor, transmitting the Department's final rule — Administrative Claims Under the Federal Tort Claims Act and Related Statutes (RIN: 1290-AA25) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6076. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 [CG Docket No.: 02-278] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6077. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Interpretations; Removal of Part 8 [NRC-2011-0180] (RIN: 3150-AJ02) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6078. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Reintegration of Security into the Reactor Oversight Process Assessment Program received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6079. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Department's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-58; Introduction [Docket: FAR 2012-0080, Sequence 3] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6080. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Standards: Professional, Technical, and Scientific Services (RIN: 3245-AG07) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6081. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Jobs Act: Implementation of Conforming and Technical Amendments (RIN: 3245-AG15) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6082. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Payment or Reimbursement for Emergency Services for Nonservice-Connected Conditions in Non-VA Facilities (RIN: 2900-AN86) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6083. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Rules Governing Hearings Before the Agency of Original Jurisdiction and the Board of Veterans' Appeals; Repeal of Prior Rule Change (RIN: 2900-AO43) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 4114. A bill to increase, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes (Rept. 112–486). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3670. A bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act (Rept. 112–487 Pt. 1). Ordered to be printed.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 4201. A bill to amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces (Rept. 112–488). Referred to the Committee of the Whole House on the state of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than June 29, 2012.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Ms. EDWARDS):

H.R. 5826. A bill to implement a National Water Research and Development Initiative to ensure clean and reliable water for future generations, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Ms. EDWARDS):

H.R. 5827. A bill to ensure consideration of water intensity in the Department of Energy's energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources; to the Committee on Science, Space, and Technology.

By Mrs. MALONEY (for herself, Mr. GONZALEZ, and Mr. HONDA):

H.R. 5828. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to permit an absentee ballot application submitted by an absent uniformed services voter or overseas voter with respect to an election for Federal office to serve as an absentee ballot application for each subsequent election for Federal office held in the State through the next regularly scheduled general election for Federal office; to the Committee on House Administration.

By Mrs. LUMMIS (for herself and Ms. TSONGAS):

H.R. 5829. A bill to amend the Small Business Act to permit agencies to count certain contracts toward contracting goals; to the Committee on Small Business.

By Mr. REICHERT (for himself and Mr. WALZ of Minnesota):

H.R. 5830. A bill to amend title 38, United States Code, to enable certain non-profit organizations that serve homeless veterans to participate in the Grants and Per Diem Program of the Department of Veterans Affairs to provide transitional housing or other facilities for homeless veterans; to the Committee on Veterans' Affairs.

By Ms. MATSUI (for herself, Mr. GARAMENDI, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. DANIEL E. LUNGREN of California, Mr. GARY G. MILLER of California, Mr. CALVERT, Ms. ZOE LOFGREN of California, Ms. SPEIER, Mrs. CAPPS, Mr. THOMPSON of California, Mr. WAXMAN, Mr. HONDA, Ms. ESHOO, Ms. HAHN, Ms. CHU, Ms. WOOLSEY, Mr. MCNERNEY, Mr. BACA, Ms. LINDA T. SÁNCHEZ of California, Ms. ROYBAL-ALLARD, Mr. CARDOZA, Mr. COSTA, Ms. LEE of California, Mr. BERMAN, Mr. FARR, Mr. SCHIFF, Ms. BASS of California, Mr. STARK, Mrs. DAVIS of California, and Ms. LORETTA SANCHEZ of California):

H.R. 5831. A bill to direct the Secretary of the Army to undertake a comprehensive review of the Corps of Engineers policy guidelines on vegetation management for levees, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BACA:

H.R. 5832. A bill to facilitate the transfer or sale of the LA/Ontario International Airport from the city of Los Angeles, California, back to the city of Ontario, California; to the Committee on Transportation and Infrastructure.

By Ms. BERKLEY:

H.R. 5833. A bill to amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOSWELL:

H.R. 5834. A bill to require each State receiving assistance under the Higher Education Act of 1965 to charge in-State tuition rates at public institutions of higher education in the State to the dependent children of individuals who have served on active duty for at least 15 years and whose domicile is in the State; to the Committee on Education and the Workforce.

By Mr. BOSWELL:

H.R. 5835. A bill to amend the Small Business Act and the Small Business Investment Act of 1958 to provide for additional loan programs for veteran-owned small businesses, and for other purposes; to the Committee on Small Business.

By Mr. BOSWELL:

H.R. 5836. A bill to prohibit institutions of higher education that have a cohort default rate of 30 percent or more from receiving veterans' education benefits, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BUERKLE (for herself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. CROWLEY, Mr. TURNER of New York, Mr. TOWNS, Ms. CLARKE of New York, Ms. VELÁZQUEZ, Mr. GRIMM, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Ms. HAYWORTH, Mr. GIBSON, Mr. TONKO, Mr. HINCHEY, Mr. OWENS, Mr. HANNA, Ms. HOCHUL, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. REED):

H.R. 5837. A bill to designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville, New York, as the ''Corporal Kyle Schneider Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. CONYERS:

H.R. 5838. A bill to prohibit anti-competitive activities and to provide that health insurance issuers and medical malpractice insurance issuers are subject to the antitrust laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DAVIS of Kentucky (for himself and Mr. DIAZ-BALART):

H.R. 5839. A bill to amend the Internal Revenue Code of 1986 to provide a business tax credit for resilient construction; to the Committee on Ways and Means.

By Mr. DUNCAN of Tennessee (for himself and Ms. KAPTUR):

H.R. 5840. A bill to provide for the issuance of coins to commemorate the 100th anniversary of the establishment of the National Park Service, and for other purposes; to the Committee on Financial Services.

By Ms. FUDGE (for herself, Mrs. CHRISTENSEN, Ms. HANABUSA, Ms. LEE of California, Ms. WILSON of Florida, Mr. RANGEL, and Ms. NORTON):

H.R. 5841. A bill to implement demonstration projects at federally qualified community health centers to promote universal access to family centered, evidence-based behavioral health interventions that prevent child maltreatment and promote family well-being by addressing parenting practices and skills for families from diverse socioeconomic, cultural, racial, ethnic, and other backgrounds, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JENKINS (for herself, Mr. PAULSEN, and Mr. REICHERT):

H.R. 5842. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California:

H.R. 5843. A bill to amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility; to the Committee on Homeland Security.

By Mr. MEEHAN (for himself, Mr. CARNEY, Mrs. EMERSON, Mr. BRADY of Pennsylvania, Mr. ISSA, and Mr. PLATTS):

H.R. 5844. A bill to amend the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to provide further clarity for institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. POE of Texas (for himself, Mr. CARNAHAN, and Ms. BUERKLE):

H.R. 5845. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity tax credit for veterans and to allow an exemption from an employer's employment taxes in an amount equivalent to the value of such credit; to the Committee on Ways and Means.

By Mr. QUAYLE (for himself and Mr. REHBERG):

H.R. 5846. A bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens; to the Committee on Foreign Affairs.

By Ms. RICHARDSON:

H.R. 5847. A bill to establish an interagency working group to improve coordination of grants authorized under sections 2002 and 2003 of the Homeland Security Act of 2002 and other Federal preparedness grants, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROTHMAN of New Jersey:

H.R. 5848. A bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity; to the Committee on the Judiciary.

By Mr. SCHILLING:

H.R. 5849. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for charity care provided by physicians; to the Committee on Ways and Means.

By Mr. SHERMAN (for himself, Mr. POE of Texas, Ms. ROS-LEHTINEN, Mr. TOWNS, Mr. RANGEL, Mr. ENGEL, Mr. ROTHMAN of New Jersey, Mr. PASCRELL, Ms. BERKLEY, Mr. SCHOCK, Ms. HIRONO, Mr. HOLT, Mr. GRIMM, and Mr. DOLD):

H.R. 5850. A bill to provide for the inclusion of Israel in the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. TIERNEY (for himself, Mr. CARNAHAN, Mr. CICILLINE, Mr. DOGGETT, Mr. LARSEN of Washington, Mr. MARKEY, Mr. MCGOVERN, Ms. NORTON, Mr. OLVER, Mr. RANGEL, Mr. SARBANES, Ms. SCHAKOWSKY, and Mr. TONKO):

H.R. 5851. A bill to increase small business lending, and for other purposes; to the Committee on Small Business.

By Mr. TOWNS:

H.R. 5852. A bill to amend title 5, United States Code, to provide that spouses and widows or widowers of certain veterans and members of the armed forces receive preference with respect to employment in the competitive service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CROWLEY (for himself and Mr. KING of New York):

H.J. Res. 109. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; to the Committee on Ways and Means.

By Mr. LARSEN of Washington (for himself and Mr. MCDERMOTT):

H. Con. Res. 125. Concurrent resolution celebrating the centennial of the birth of Senator Henry M. ''Scoop'' Jackson; to the Committee on House Administration.

By Ms. RICHARDSON (for herself, Ms. BORDALLO, Mr. AUSTRIA, Mr. FALEOMAVAEGA, Ms. HANABUSA, Mr. AL GREEN of Texas, Ms. JACKSON LEE of Texas, Ms. SPEIER, Mr. FILNER, Mr. FARR, and Mr. SHERMAN):

H. Res. 665. A resolution honoring the 114th anniversary of the independence of the Philippines; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGELL:

H. Res. 666. A resolution expressing the sense of the House of Representatives that, as part of any agreement on Medicare reform, Medicare should not be changed for any citizens of the United States over the age of 55; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 5826.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 5827.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mrs. MALONEY:

H.R. 5828.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1, The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but Congress may at any time make or alter such Regulations, except as to the Place of chusing Senators.

By Mrs. LUMMIS:

H.R. 5829.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause I: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

And,

Article 1, Section 8, Clause 18: The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. REICHERT:

H.R. 5830.

Congress has the power to enact this legislation pursuant to the following:

''The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

By Ms. MATSUI:

H.R. 5831.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. BACA:

H.R. 5832.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 & 18

By Ms. BERKLEY:

H.R. 5833.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. BOSWELL:

H.R. 5834.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States of America.

By Mr. BOSWELL:

H.R. 5835.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States of America.

By Mr. BOSWELL:

H.R. 5836.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States of America.

By Ms. BUERKLE:

H.R. 5837.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. CONYERS:

H.R. 5838.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. DAVIS of Kentucky:

H.R. 5839.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. DUNCAN of Tennessee:

H.R. 5840.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 6, which states ''The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the standard of Weights and Measures.''

By Ms. FUDGE:

H.R. 5841.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. JENKINS:

H.R. 5842.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DANIEL E. LUNGREN of California:

H.R. 5843.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. MEEHAN:

H.R. 5844.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, which reads: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 5845.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 12

By Mr. QUAYLE:

H.R. 5846.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and the Second Amendment to the United States Constitution.

By Ms. RICHARDSON:

H.R. 5847.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. ROTHMAN of New Jersey:

H.R. 5848.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SCHILLING:

H.R. 5849.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8. Clause 1. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

By Mr. SHERMAN:

H.R. 5850.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. TIERNEY:

H.R. 5851.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. TOWNS:

H.R. 5852.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CROWLEY:

H.J. Res. 109.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. LoBIONDO.

H.R. 139: Ms. BASS of California.

H.R. 178: Mr. YOUNG of Alaska and Mr. GARY G. MILLER of California.

H.R. 300: Mr. PETERS.

H.R. 321: Mr. HOLT.

H.R. 436: Mr. OWENS and Mr. WITTMAN.

H.R. 459: Mr. JOHNSON of Ohio.

H.R. 531: Ms. MCCOLLUM, Mr. HOLDEN, and Mrs. MCCARTHY of New York.

H.R. 631: Ms. DELAURO, Ms. SCHAKOWSKY, and Mrs. NAPOLITANO.

H.R. 769: Mr. BERMAN.

H.R. 860: Mr. BOSWELL.

H.R. 890: Mr. CARTER.

H.R. 1206: Mr. HASTINGS of Washington, Mr. BRADY of Texas, and Mr. SIMPSON.

H.R. 1265: Mr. DAVIS of Illinois, Mr. POMPEO, and Mr. GUINTA.

H.R. 1327: Mr. MEEHAN, Mrs. MALONEY, Mr. DAVIS of Illinois, and Mr. MILLER of North Carolina.

H.R. 1370: Mr. KISSELL.

H.R. 1418: Mr. THOMPSON of Mississippi and Mr. DINGELL.

H.R. 1449: Mr. COSTELLO.

H.R. 1489: Mr. MARKEY and Ms. BASS of California.

H.R. 1543: Mr. CLARKE of Michigan.

H.R. 1561: Mr. PASCRELL.

H.R. 1589: Mr. ANDREWS.

H.R. 1639: Mrs. LUMMIS.

H.R. 1666: Mr. BISHOP of New York and Mr. DAVIS of Illinois.

H.R. 1672: Mrs. CAPITO, Mr. CULBERSON, Mrs. NAPOLITANO, Mr. OLVER, and Mr. MCGOVERN.

H.R. 1675: Mr. SESSIONS and Mr. JOHNSON of Ohio.

H.R. 1711: Mr. CLAY.

H.R. 1789: Mr. JONES.

H.R. 1802: Mr. BOUSTANY.

H.R. 1936: Mr. LUETKEMEYER.

H.R. 1955: Mr. DAVID SCOTT of Georgia.

H.R. 1956: Mr. REED.

H.R. 1996: Mr. WESTMORELAND.

H.R. 2077: Mr. SESSIONS.

H.R. 2088: Mrs. CAPPS.

H.R. 2108: Mr. GUINTA and Mr. CRENSHAW.

H.R. 2139: Mr. HARRIS and Mr. REHBERG.

H.R. 2168: Mr. POLIS and Ms. CHU.

H.R. 2245: Mr. LARSEN of Washington.

H.R. 2256: Mr. GERLACH and Mr. GUTIERREZ.

H.R. 2335: Mr. LABRADOR.

H.R. 2353: Mr. MCINTYRE.

H.R. 2469: Mr. CARNAHAN.

H.R. 2637: Ms. LEE of California.

H.R. 2697: Mr. CAMPBELL.

H.R. 2962: Mr. CAPUANO and Mr. SCHILLING.

H.R. 2966: Mr. COOPER.

H.R. 3057: Mr. JONES and Mr. RANGEL.

H.R. 3062: Mr. LUJÁN.

H.R. 3145: Mr. COURTNEY.

H.R. 3173: Mr. SCHRADER.

H.R. 3242: Mr. KUCINICH.

H.R. 3266: Mr. ROTHMAN of New Jersey, Mr. MCDERMOTT, Mrs. MALONEY, Mr. GRIJALVA, Mr. JACKSON of Illinois, Mr. CARNAHAN, Mr. RANGEL, Ms. SPEIER, Mr. CICILLINE, Mr. FILNER, Mr. RYAN of Ohio, and Mr. LANCE.

H.R. 3395: Mr. HARPER.

H.R. 3405: Ms. ROYBAL-ALLARD.

H.R. 3444: Mr. GRAVES of Georgia.

H.R. 3481: Mr. LANDRY.

H.R. 3506: Mr. RYAN of Ohio.

H.R. 3522: Ms. TSONGAS, Mrs. LOWEY, Mrs. MALONEY, and Mr. NADLER.

H.R. 3526: Mr. CONYERS and Mr. CARNAHAN.

H.R. 3591: Mr. LARSEN of Washington, Mr. BISHOP of New York, and Mr. SERRANO.

H.R. 3618: Mr. PASCRELL.

H.R. 3658: Mr. SCHIFF.

H.R. 3661: Mr. LOEBSACK and Mr. WATT.

H.R. 3665: Mr. TOWNS, Ms. SPEIER, and Mr. DEUTCH.

H.R. 3728: Mr. SESSIONS.

H.R. 3773: Mr. MATHESON.

H.R. 3798: Mr. CARDOZA.

H.R. 3803: Mr. GARY G. MILLER of California, Mr. YOUNG of Alaska, and Mr. REHBERG.

H.R. 3993: Mr. GRIJALVA.

H.R. 4066: Mr. PETRI and Mr. HEINRICH.

H.R. 4070: Mr. WILSON of South Carolina and Mr. PASCRELL.

H.R. 4091: Mr. SIMPSON.

H.R. 4120: Ms. WOOLSEY, Ms. MCCOLLUM, and Mr. CONNOLLY of Virginia.

H.R. 4154: Mr. MCHENRY.

H.R. 4174: Mr. GRIMM.

H.R. 4202: Ms. JACKSON LEE of Texas, Mr. COURTNEY, Ms. ESHOO, and Mr. MCGOVERN.

H.R. 4235: Mr. GIBSON.

H.R. 4256: Mr. STIVERS.

H.R. 4259: Mr. FORTENBERRY.

H.R. 4273: Mr. GINGREY of Georgia.

H.R. 4278: Mr. COSTA and Mr. GARY G. MILLER of California.

H.R. 4330: Mr. ROONEY.

H.R. 4345: Mr. WILSON of South Carolina, Mr. JONES, and Mr. COLE.

H.R. 4366: Mr. CARNAHAN, Mr. TOWNS, and Mr. HOLT.

H.R. 4367: Mr. ROSS of Arkansas, Mrs. ELLMERS, Mr. OWENS, Mr. WEBSTER, and Mr. GOODLATTE.

H.R. 4378: Mr. NEAL, Ms. LINDA T. SÁNCHEZ of California, Mr. LARSON of Connecticut, Mr. HINCHEY, Mr. RUPPERSBERGER, Mr. HARPER, Mr. POSEY, and Mr. NUNES.

H.R. 4385: Mr. LAMBORN, Mr. CANSECO, Mr. FLEISCHMANN, Mr. CALVERT, Mr. HARPER, and Mr. NUGENT.

H.R. 4388: Mr. AMODEI.
H.R. 4405: Mr. CALVERT.
H.R. 4454: Mr. GRIMM.
H.R. 4470: Mr. ELLISON, Mr. COHEN, Ms. JACKSON LEE of Texas, Mr. CONYERS, Mr. KUCINICH, Mr. CICILLINE, Mr. CLAY, Mr. SCHIFF, and Mr. CARNAHAN.
H.R. 4471: Mrs. BLACKBURN, Mr. UPTON, Mr. MURPHY of Pennsylvania, Mr. WALDEN, Mr. BARTON of Texas, and Mr. SCALISE.
H.R. 4965: Mr. COLE, Mr. HECK, Mr. STEARNS, Mr. WOMACK, Mr. HASTINGS of Washington, and Mrs. MILLER of Michigan.
H.R. 4972: Ms. PINGREE of Maine.
H.R. 5186: Ms. SPEIER.
H.R. 5647: Mr. STARK and Mr. MCNERNEY.
H.R. 5684: Mr. JACKSON of Illinois and Ms. LORETTA SANCHEZ of California.
H.R. 5731: Mr. CRAVAACK, Mr. CALVERT, Mr. SCHILLING, Mr. LATTA, Mr. HALL, Mr. GINGREY of Georgia, Mr. FORTENBERRY, and Mr. FORBES.
H.R. 5738: Mr. AMASH.
H.R. 5741: Mr. GRIMM.
H.R. 5746: Mr. MCDERMOTT.
H.R. 5789: Mr. ENGEL, Mr. MORAN, Mr. RANGEL, and Ms. WOOLSEY.
H.R. 5799: Mr. ACKERMAN, Mr. POLIS, Mrs. LOWEY, Mr. THOMPSON of California, and Mr. YARMUTH.
H.R. 5823: Mr. GALLEGLY.
H. J. Res. 104: Mr. JONES and Mr. COBLE.
H. Con. Res. 116: Mr. MARCHANT.
H. Res. 608: Mr. HANNA.
H. Res. 647: Mr. ROTHMAN of New Jersey, Mr. COHEN, Ms. SCHWARTZ, and Mr. MCDERMOTT.
H. Res. 660: Mr. TOWNS.
H. Res. 663: Mr. DEUTCH and Ms. BERKLEY.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3308: Mr. CULBERSON.

EXTENSIONS OF REMARKS

RECOGNIZING THE REPUBLIC OF CHINA (TAIWAN) ON THEIR MAY 20, 2012 PRESIDENTIAL INAUGURATION

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. CRENSHAW. Mr. Speaker, I rise today to congratulate The Republic of China, Taiwan, on its presidential inauguration, which is taking place on May 20, 2012. President Ma Ying-jeou of the Chinese Nationalist Party was re-elected to a second term on January 14, 2012. That day marked another successful election for the people of Taiwan and the many accomplishments of President Ma over the last four years.

Under President Ma's leadership, Taiwan has become a true economic success story. Unemployment has remained low at 5.3 percent. At the same time, salary, wages, and well-paid jobs have risen. Taiwan is currently the world's 18th largest economy with a GDP of U.S. $501.7 billion. In addition, on April 29, 2009 the World Health Organization invited Taiwan as an observer at the World Health Assembly; which is a significant step forward for Taiwan's international standing and the health of the people of the East-Asian and Pacific region.

Over the past four years, President Ma has strived for Cross-strait peace, stability, and improved relations between Taiwan and China. Today, there are direct flights, postal services, and new shipping routes between Taiwan and China. In addition, a landmark free trade agreement with China has slashed tariffs on hundreds of goods and produced numerous job opportunities for both Taiwan and China.

Equally important, Taiwan has worked hard to maintain a longstanding U.S. security partnership. The Taiwan Relations Act has been instrumental in maintaining peace, security, and stability in the Taiwan Straits and the Western Pacific since its enactment in 1979.

Mr. Speaker, I look forward to working closely with our allies to find solutions for ensuring Taiwan's long-term security, and to deepen our dialogue with the people of Taiwan. I applaud President Ma's dedication to maintaining peace and stability for Taiwan and his support for our shared democratic values; and I look forward to working with him during his second term.

HONORING ROCK SPRING CONGREGATIONAL UNITED CHURCH OF CHRIST'S 100TH ANNIVERSARY

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. MORAN. Mr. Speaker, I rise today to recognize Rock Spring Congregational United Church of Christ in Arlington on the celebration of its 100th anniversary on May 20, 2012. Founded a century ago by a group of neighbors gathered at a home near a stop on the Old Dominion trolley line, from its humble beginnings this church congregation has grown tremendously, and along the way has become a bedrock of the Arlington community and beyond.

In the 1930s, Rock Spring's women formed Arlington's first library, Rohrer Children's Library, which is now the oldest public library in Arlington. Today it holds over 5,000 books and remains open to the community, serving as an invaluable resource.

The County's population grew after World War II, yet there were no kindergartens in Arlington. To help meet the need, Rock Spring's women became the driving force behind the 1944 opening of the still-thriving Rock Spring Cooperative Pre-School, which operates on church property.

In the 1950s and 60s, Rock Spring's congregation and individual members supported and actively worked for the desegregation of the Arlington Public Schools and other public places.

The church and its members have supported and led movements to create social service and volunteer organizations in Arlington and Northern Virginia including: Hospice of Northern Virginia (now Capital Caring), Meals on Wheels, FISH (For Immediate Sympathetic Help), the Arlington Food Assistance Center (AFAC), AMEN (Arlingtonians Meeting Emergency Needs) and the Arlington Housing Corporation.

Numerous Rock Spring members, including the late Virginia Delegate Mary Marshall, and long serving Arlington County Board members Ellen Bozman and Jim Hunter, have served as public office holders and on local, regional and state boards and commissions.

Looking towards the future, Rock Spring members have declared their church to be a ''Just Peace'' and ''open and affirming'' congregation, and a place where a welcome is extended to all. They continue the church's tradition of activism and charitable work through activities such as the ''Fifth Sunday'' initiative, gardening for AFAC, and youth mission trips to build houses.

I would like to ask my colleagues in the House to join me in commending the Rock Spring Congregational United Church of Christ for its 100 years of commitment of service to Arlington, Northern Virginia, and the wider world, and to encourage their congregation to continue its faithful activism for the next century. I send my sincere thanks for their unwavering service to Northern Virginia.

REMEMBERING MR. LEON LYNCH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great sadness and profound respect that I take this time to remember one of Northwest Indiana's most valued citizens, and a true champion of workers' rights, Mr. Leon Lynch. Mr. Lynch dedicated his life to serving the needs of the United Steelworkers (USW), and he was tremendously successful in his efforts to improve the quality of life for workers in Northwest Indiana and across the nation. Mr. Lynch passed away on Friday, May 4, 2012, but his legacy will forever be remembered in the hearts and minds of the many people whose lives he touched.

Throughout his extraordinary career, Leon Lynch accomplished many visionary goals. In 1956, he joined USW Local 1011 while working at the Youngstown Sheet & Tube Company mill in East Chicago, Indiana. Over the years, Mr. Lynch served in many capacities, and because of his strong leadership skills and willingness to take initiative, his career continued to flourish. In 1968, he was named a USW staff representative and later became an international representative. In 1976, Leon was appointed the International Vice President of Human Affairs for the USW, making him the first African American to serve as a vice president for a major labor union, and he was re-elected to this position a remarkable six times. Recognizing the impact he had on behalf of his union membership, Leon was appointed by President Bill Clinton to the Advisory Council on Unemployment Compensation in 1994 and to the Air Traffic Service Board of the Federal Aviation Administration in 2000. In 1995, Mr. Lynch was elected to serve as a member of the American Federation of Labor and Congress of Industrial Organizations (AFL–CIO) Executive Council.

Mr. Lynch retired from his position as the International Vice President of Human Affairs for the USW in 2006. He is remembered as a great leader who will leave a lasting impact on generations of union workers to come. In 2005, having recognized the tremendous contributions he made to its members, USW Local 1011 dedicated its career development facility, the Leon Lynch Learning Center, in his honor. This outstanding facility offers guidance for steelworkers to prepare for employment opportunities.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Lynch also gave much of his time to many organizations and committees throughout his life. Leon was a member of the Democratic National Committee, the Labor Roundtable of the National Black Caucus of State Legislators, the A. Philip Randolph Institute, the National Endowment for Democracy, and the Workers Defense League.

Leon leaves behind a loving family. He is survived by his wife, Doris Tindal-Lynch; his adoring daughters: Tina, Tammy, Sheila, and Maxine; and five beloved grandchildren. He also leaves to cherish his memory many dear friends and family members, as well as a saddened but grateful community and nation.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in remembering the great life of Mr. Leon Lynch. His remarkable contributions to the Labor Movement, both locally and across the nation, are most worthy of our admiration. His life of service is to be commended, and his legacy serves as an inspiration to us all.

RECOGNIZING THE ACHIEVEMENTS OF MR. CHRISTOPHER DORSEY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. HASTINGS of Florida. Mr. Speaker, it is my esteemed privilege to recognize the achievements of Mr. Christopher Dorsey, who serves as the director of the Dillard Center for the Arts Jazz Ensemble. He is the recipient of the 2011 ''Jazzonian'' Excellence in Jazz Education Award.

Mr. Dorsey has been leading the Dillard High Jazz Ensemble to the sweet sounds of success in recent years. The Jazz Ensemble took first prize at the ''Swing Central'' jazz competition in Savannah, Georgia in both 2010 and 2011. Also in 2010, they took 2nd place at the ''Essentially Ellington'' Jazz Band Competition. In 2011 and 2012, the Dillard Jazz Ensemble was awarded back-to-back first prize honors at the ''Essentially Ellington'' Jazz Band Competition at Lincoln Center in New York City.

Mr. Speaker, I am extremely proud of the success that both Christopher Dorsey and the Dillard Jazz Ensemble have attained under his leadership. I wish him and the program much continued success.

HONORING ARMY SPECIALIST JASON K. EDENS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mrs. BLACKBURN. Mr. Speaker, the greatest acts of true and chosen service require sacrifice. From time to time, these acts of sacrifice are small and yet noble. Then there are the moments where the act is total and complete, ultimate in its finality and lasting in its devotion. I rise today to honor Army Specialist Jason K. Edens for his fidelity to freedom and freedom's cause.

Spc. Edens was a 2007 graduate of Franklin High School. Determined to join the Tennessee Bureau of Investigation, he joined the Army to improve the chances of achieving his dream. He was deployed in the Global War on Terror and assigned to the 1st Squadron, 13th Calvary Regiment, 3rd Brigade Combat Team, 1st Armored Division in Fort Bliss, Texas. He was wounded in an enemy attack in Laghaman province in Afghanistan and died at Walter Reed Hospital in Maryland.

A beloved member of the Williamson County community, Specialist Edens will be greatly missed by his wife, Ashley, his parents, his family, and all who knew him. I ask my colleagues to join with me in honoring Spc. Edens as we remember all those who have given the ultimate act of sacrifice for their country.

TRIBUTE TO DR. KENT L. BECHLER

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to communities of Corona and Norco are exceptional. Our area has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Dr. Kent Bechler is one of these individuals. At a retirement reception on May 23, 2012, Kent will be honored for his work as the Corona-Norco Unified School District Superintendent.

For the last five years, Dr. Kent Bechler has been the superintendent of the Corona-Norco Unified School District (CNUSD), the ninth largest school district in California serving more than 54,000 students. Prior to heading the Corona-Norco Unified School District, he served as superintendent in Walnut Valley Unified and Duarte Unified School Districts. Dr. Bechler has served K–12 education for 32 years.

Since assuming the CNUSD Superintendent position, he has guided the district through many challenges and many accomplishments. With collaboration and problem solving, the district has survived the state budget crisis by successfully implementing a retirement incentive program that eliminated the need to impose layoffs. To address overcrowding, the district opened two new elementary schools, and began expansion of campus facilities as six schools through modernization projects.

Under his leadership, the district has experienced a steady increase in academic scores for students, the development of a planned systemic professional development program, gains in technology including 13 grants, collaborative labor agreements that have not only maintained but enhanced the district fiscally, and leadership development and professional collaboration time.

In March, Corona-Norco Unified School District was named one of four American school districts selected as a 2012 finalist for the one million dollar Broad Prize for Urban Education. The Broad Prize for Urban Education is the largest education prize in the country, honoring school districts that demonstrate the greatest overall performance and improvement in student achievement, while reducing achievement gaps among poor and minority students.

Dr. Bechler has extensive training experience in management, leadership, systems, policies and procedures, strategic planning, labor relations and developing collaboration and teamwork within organizations. He is well known for developing trusting relationships, team building and resolving organizational conflict. His academic work includes teaching adjunct classes at the university level and consulting with educational institutions, business and other organizations. He was recently named the 2012 California State Superintendent of the Year by the Association of California School Administrators.

Dr. Bechler received a Bachelor's Degree in social work from Azusa Pacific University, a Master's Degree in Educational Administration from California State University, Los Angeles and his Doctorate of Education from Claremont Graduate University.

Dr. Bechler was born in Saginaw, Michigan and raised in South Central Los Angeles. He has traveled extensively throughout South America, New Zealand, Australia, and Mainland China playing basketball. He resides in Upland with his wife Karen and together they have three children and two grandchildren.

In light of all Kent Bechler has done for the students, parents and communities of Corona and Norco, it is only fitting that he be honored as he retires from the School District. Dr. Bechler's tireless passion for education and public service has contributed immensely to the betterment of our communities and I am proud to call him a fellow community member, American and friend. I know that many community members are grateful for his service and salute him as he retires and moves onto the next phase of his life.

HONORING THE 100TH ANNIVERSARY OF CREAL SPRINGS SCHOOL IN CREAL SPRINGS, ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Creal Springs School, in Creal Springs, Illinois, on the occasion of their 100th Anniversary.

Creal Springs was first named Eau Mineral by the French settlers in Southern Illinois who were drawn to the natural springs found in the area. As the town grew, its name was changed to Sulphur Springs and later, Creal Springs, after one of the prominent landowners.

As legend of the curative powers of the sulphur spring waters spread, Creal Springs developed into a thriving resort destination in the late 19th Century.

As the community grew, schools were developed. The Creal Springs Seminary was

chartered in 1884 as a college and conservatory of music and was the first college in Williamson County. In 1912–1913, the Creal Springs school building was constructed to provide educational facilities for students from kindergarten to 11th grade.

Initially, there were two grades per classroom on the building's main level while the upper grades were located on the upper level. The upper level also contained an auditorium, complete with a stage and changing areas. The basement contained two merry-go-rounds as well as a wood shop.

As the community and the needs of the school evolved, there would be a number of changes. A new gymnasium was added in 1939 and a new addition for grades K–1 was constructed in 1954. Creal Springs School would become part of Marion Community Unit School District #2 in 1953 and, in the 1970's, community pressure would prevail in keeping the school as grades K through 8.

Through the years, Creal Springs School has received many awards, recognizing its excellence in education. In 1939 it was placed on a list of ''Recognized Elementary Schools in Williamson County'' and the high school was rated the ''Highest 3 year High School of Williamson County.'' In more recent years the school received the Golden Spike Award and the Academic Improvement Award from the Illinois State Board of Education and, most recently, Creal Springs School won the 2011 Disney's Planet Challenge grand prize for middle schools.

After 100 years of educating the youth of Creal Springs, a new school building has been built and will be ready to welcome the students for the 2012–2013 school year.

Mr. Speaker, I ask my colleagues to join me in congratulating the administration, faculty, staff and students of Creal Springs School as they celebrate their 100th Anniversary.

HONORING THE THREE YEAR ANNIVERSARY OF THE END OF THE 26-YEAR-LONG CIVIL WAR IN SRI LANKA

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. GRIMM. Mr. Speaker, today I rise to honor the three year anniversary of the end of the 26-year-long civil war in Sri Lanka.

Although this war ended three years ago, and a United Nations panel of experts found evidence of war crimes and the Government-established Lessons Learnt and Reconciliation Commission called for an inquiry into the events surrounding February 21, 2002 to May 19, 2009, a credible plan of action has yet to be determined.

Evidence of child soldiers, the killing of captives and combatants seeking to surrender, large-scale shelling of ''No Fire Zones,'' and the rape and torture of civilians fleeing the conflict zone are extremely serious. Serious crimes such as these—committed against civilians on such a large scale during war—must be investigated and those responsible held accountable. Accountability is important for the benefit of the victims and their families—for the trust necessary for reconciliation in Sri Lanka to be established and for the entire structure of the rules of war on which our soldiers and all innocent civilians depend.

A resolution recently adopted in March by the United Nations Human Rights Commission ''calls upon the Government of Sri Lanka to implement the constructive recommendations made in the report of the Lessons Learnt and Reconciliation Commission and to take all necessary additional a steps to fulfill its relevant legal obligations and commitment to initiate credible and independent actions to ensure justice, equity, accountability and reconciliation for all Sri Lankans.'' Furthermore the UNHRC Resolution ''requests the Government of Sri Lanka to present, as expeditiously as possible, a comprehensive action plan detailing the steps that the Government has taken and will take to implement the recommendations made in the Commission's report, and also to address alleged violations of international law.''

Mr. Speaker, the government of Sri Lanka needs to take concrete action that brings accountability and reconciliation and puts forth an implementation plan if the people of Sri Lanka are to move forward.

I urge all of my colleagues to join me and co-sponsor House Resolution 177 commending the international community in pressuring the government of Sri Lanka to acknowledge their crimes against humanity and to move forward with a reconciliation process.

PERSONAL EXPLANATION

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. CUELLAR. Mr. Speaker, on May 17th, I was unable to vote on rollcall 263, to H.R. 4310, the National Defense Authorization Act of FY13. This was Representative ROHRABACHER's amendment, prohibiting the availability of funds for assistance to Pakistan in Fiscal Year 2013. I wish to have the RECORD show I would have opposed this amendment.

CELEBRATING THE 100TH ANNIVERSARY OF ST. LUKE UNITED LUTHERAN CHURCH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I stand before you today to congratulate Saint Luke United Lutheran Church on its 100th anniversary. In honor of this momentous milestone, a celebratory reception will be held on May 19, 2012, at The Senior Center in Michigan City, Indiana. For 100 years, Saint Luke United Lutheran Church has been committed to providing spiritual guidance as well as charitable contributions to numerous organizations and individuals.

In 1912, Saint Luke English Lutheran Church was founded in Michigan City, Indiana, under Reverend Dobberstein. At the time, the people living in the area saw the need for an English-speaking Lutheran Church, so Saint Luke's began holding services at the local YMCA, as well as in one of the Sunday school classrooms at Saint Paul's Church. In 1915, the congregation, consisting of twenty families, witnessed the construction of their first church building. Later, in 1969, to accommodate the needs of the growing congregation, the current church building was erected on Coolspring Avenue in Michigan City. In 2002, Lutheran Church of the Dunes joined parishes with Saint Luke, and the church became the Saint Luke United Lutheran Church. Today, the church has an impressive membership of 112 families.

Saint Luke United Lutheran Church, under the leadership of Reverend John Mikenas, provides much support to charity organizations and has built an outstanding community outreach program. The congregation has been dedicated to serving those in need and has focused its charitable efforts in many ways including: assisting soup kitchens throughout the Michigan City area, organizing a food and warm clothing drive for the Salvation Army, and supporting the men's homeless shelter in Michigan City. Saint Luke's has also created a program for families in need of assistance with utility and medical bills, as well as another program that provides homemade soup and fruit baskets to the homebound. In addition, Saint Luke's is dedicated to the youth of the community and runs a vacation bible school during the summer months. The Saint Luke Youth Group also participates in mission trips and assists the elderly in the community.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring the congregation at Saint Luke United Lutheran Church for its exceptional community service ministry and in congratulating the parish on its 100th anniversary. The great work of this truly admirable congregation continues to touch the lives of countless individuals, and for their selfless service, the leadership and members at Saint Luke's are worthy of the highest praise.

THE LIFE AND LEGACY OF LOWELL MILLER

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PENCE. Mr. Speaker, I rise today to honor the life and legacy of Mr. Lowell Miller of Hope, Ind. Mr. Miller was the owner of Hope Hardwoods Inc. and a partner in Hope Warehouse. He passed away on March 14, 2012, following a tragic logging accident.

He was a former president of the Indiana Forestry Council and past board member of the Indiana Hardwood Lumberman's Association (IHLA). Mr. Miller earned the prestigious Legacy Award from the IHLA.

Mr. Miller was an active member of the St. Louis Crossing Baptist Church. He also was dedicated to his community, serving as treasurer of the Hope Lions Club, president of the Hope Town Council, and a member of Hope

Economic Development Board. He was a founding donor of the Hawcreek-Flat Rock Area Endowment Fund.

He loved spending time with his family and friends, and he leaves behind a wonderful wife, Kim, loving children, grandchildren, and great-grandchildren. He enjoyed camping and four-wheeling, reading history books, and riding his motorcycle.

Mr. Lowell Miller's involvement in the Hope community and his generosity will not be forgotten. I offer my most sincere condolences to his wife and family as they mourn his passing.

HONORING THE SERVICE AND DEDICATION OF MS. CYNTHIA BERRY OF LONG BEACH, CALIFORNIA

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. RICHARDSON. Mr. Speaker, today I rise to recognize the service and dedication of one of my own constituents, Ms. Cynthia Berry. For almost five years now Ms. Berry has been an essential part of the Long Beach foster care program.

Ms. Berry's story is simple but inspiring. She graduated from college and took in her first foster children in her early 20's, ready to open her heart and home to try and give those less fortunate the warm and happy childhood she had experienced. When she went on to nursing school it was too time consuming to give the children everything they deserved, so she took a break from the foster care system.

After becoming a single parent and raising her daughter, Ms. Berry decided it was time once again to become a foster parent. Over the past five years she has selflessly brought 20 children through her home, and showed them a type of love and nurture their own families were not able to provide.

At 50 years old she is showing no signs of slowing down, and is currently in the process of adopting her three most recent children who are all under the age of five. In California there are over 80,000 children in the foster care system, the majority of whom are placed there as a result of parental abuse or neglect.

As a member of the Congressional Caucus of Foster Youth I am amazed by the way Ms. Berry works with the families of her children to help them become better parents. This way they will hopefully have the opportunity to return to a safe and happier home.

Most of the children that pass through her home are able to go back to their own families after being cleared by the state, but when they are unable to they continue in the system until they are 18. From there they are pretty much on their own with limited financial support from the state. Their only real hope is people like Ms. Berry, who get them out of the system.

In 2008, there was an average of 123,000 children waiting to be adopted. Over the course of the year only 55,000 of these children managed to be adopted.

It is vital that these foster homes are warm and nurturing places a child feels safe in. These children have already experienced so much pain in their lives, and this might be their first experience of having a caring parent watching out for them. Ms. Berry provides them with that love and security.

For all her work and dedication Ms. Berry is being honored at an open house reception put on by Aspiranet, the agency that she works with. She will share her story and experiences with all the children she has helped over the years. Since May is National Foster Care Month it seems fitting that a woman of her caliber should represent the Long Beach foster care system.

Mr. Speaker, Ms. Berry is the type of woman we should all look to for inspiration. She is hardworking, selfless and above all, a caring mother to all her children, biological or not. When we are feeling overwhelmed, overworked or just unhappy about our own lives, we should look to Ms. Berry, who does it all with a smile, and asks for nothing in return except the future success of the kids she loves so much.

HONORING BILL HOUSLEY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish today to honor one of the kindest men I have ever Known.

Bill Housley passed away recently at the age of 78. He was longtime friend of mine who touched the lives of everyone he knew in many positive ways.

Bill spent many years in service to my District, serving as Director of Sales for the Knoxville Convention and Visitors Bureau, a member of the Knox County School Board for 12 years, and a volunteer to many community causes.

He also had a deep faith in God, and was an active member of Smithwood Baptist Church.

My District is home to the University of Tennessee, and I have always said the colors orange and white are just as patriotic in East Tennessee as the colors red, white, and blue.

Bill was a graduate of the University of Tennessee and one of the biggest Tennessee fans I knew. Bobby Denton, known by almost every Tennessee fan as the Voice of Neyland Stadium, was also very close to Bill. Bobby said on the news of Bill's passing, ''He loved East Tennessee, loved his family, and loved a good joke. Any time he came in the room he would light it up with laughter.''

Bill showed great courage during his illness and would try to cheer up people who came to see him even in his final days.

I too will always remember Bill fondly for his sense of humor and devotion to family and friends. He was a very patriotic American who loved his country and always showed great compassion to others.

Mr. Speaker, I offer my condolences to his wife, Carolyn; children, Dan and Cindy; and four grandchildren.

I urge my Colleagues and other readers of the RECORD to join me in celebrating the life Bill Housley. Our Nation is a better place because of his service.

RECOGNIZING NATIONAL FOSTER CARE MONTH

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in recognition of National Foster Care Month, which is observed each May to raise awareness about the challenges that are faced by children in the foster care system.

Every year, nearly 30,000 young adults leave the foster care system at the age of 18 without the support of a permanent family. As these young people transition out of the system, they are at a higher risk for unemployment, poor educational opportunities, health issues, increased rates of incarceration, and homelessness.

I am honored to be involved in recognizing the tireless efforts of individuals working to improve the foster care system and in shedding light on the needs of foster youth.

Approximately 400,000 American children are in need of safe and permanent homes because their own families are facing a crisis and are unable to care for them. The issues faced by young people in the foster care system and those coming out of it deeply concern me. This is why I have been continually involved in raising awareness of issues facing the child welfare system for a number of years.

Last month, I was proud to host a stop of the Congressional Caucus on Foster Youths nationwide listening tour where we learned first-hand about the challenges and successes of Florida's child welfare system from government officials, child welfare advocates, as well as current and former foster youth. My membership in the caucus, along with my work with programs such as Angels in Adoption, have made me better aware of not only the problems facing the foster care system, but also the many people who have dedicated their lives to making it better.

Mr. Speaker, I am truly proud of the work that is being done in my congressional district, and applaud the efforts of the countless individuals across the Nation working to give foster youth a voice.

COLLEGE GRADUATES NEED JOBS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. WILSON of South Carolina. Mr. Speaker, in Wednesday's Politico, Karen Agness, the director of academic programs at the American Enterprise Institute, wrote a column regarding recent college graduates and their search to find a job. Agness writes, ''Government data last year found that 53.6 percent of people under age twenty-five with a bachelor's degree—about 1.5 million people—were unemployed or underemployed. It is the highest percentage in more than a decade, reflecting just how far the economy is from recovery.''

Although last month's jobs report claims our unemployment rate has declined, people still

do not have jobs. College graduates across the Nation are disappointed by the lack of job availability and frustrated with the Administration's failed policies. House Republicans have passed dozens of job creating bills and have a plan for America's Job Creators. I encourage the Senate to pass take up these pieces of legislation and help every college graduate find what they are looking for: a job.

In conclusion, God Bless our troops and we will never forget September 11th in the Global War on Terrorism.

IN CELEBRATION OF MERRILL JOHNSON'S 100TH BIRTHDAY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PENCE. Mr. Speaker, I rise today to celebrate Mr. Merrill Johnson's upcoming 100th birthday on May 24, 2012. Mr. Johnson lives in my hometown of Columbus, Ind., with his beloved wife of 73 years, Irene. Together they have three children: Edward, Merrillyn, and Douglas, all of whom still reside in the Hoosier state.

Mr. Johnson was born near Clayton, Ind., in Hendricks County. He attended grade school in the area, and in 1935 he met his wife at the local Christian Church where her brother was serving as minister.

Mr. Johnson worked for Noblitt-Sparks (later Arvin Industries) for 33 years, retiring in 1977 as the Director of Labor Relations. Prior to working at Arvin, he worked for both Bridgeport Brass in Indianapolis and Link-Belt Company. After he started working, Mr. Johnson studied accounting, labor law and psychology through an extension program of the collection of Indiana University, Purdue University, Butler University, Indianapolis Central University (now University of Indianapolis), and Franklin College.

An avid writer and photography lover, Mr. Johnson regularly contributes a two-page column, ''Four Seasons Musings'' to his retirement community's monthly newspaper.

Throughout his 100 years, Mr. Merrill Johnson has been dedicated to his family and friends, and I am grateful for his contributions to our great state. I am honored to commemorate a life of integrity and service to his family and his community.

RECOGNIZING FOX CHAPEL AREA HIGH SCHOOL

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. ALTMIRE. Mr. Speaker, it is my privilege to recognize the students, faculty, and administration of Fox Chapel Area High School in Pittsburgh, PA, for their participation in the Library of Congress' Veterans History Project. On March 16, 2012, the students of Mrs. Jen Klein's Advanced Placement Government class hosted local veterans to be interviewed about their service in the military.

Nine veterans visited Fox Chapel Area High School where students collected first-hand accounts of their experiences serving in the military, including World War I, World War II, and the Korean War. These stories will become a part of the permanent collection at the American Folklife Center at the Library of Congress. Along with the veterans' biographical data, their personal stories will be preserved so that future generations can understand the sacrifice and commitment they made for our country.

The Veterans History Project of the Library of Congress American Folklife Center was created by Congress and signed into law in 2000. To date, over 74,000 records have been collected from veterans across the country. As the largest oral history program in United States history, this program relies on volunteers throughout the nation to collect and preserve the first-hand interviews of America's wartime veterans. Because of their participation, the students of Fox Chapel Area High School's names and interviews will be a part of the permanent collection.

The Veterans History Project gives our servicemen and women the opportunity to share their stories of service to our country in a way that no one else can. As the future leaders of America, these students exemplify the best that our schools have to offer. For their outstanding work and dedication to this project, I would like to commend and thank the following students of Fox Chapel Area High School:

Alexander Carlier, Ishan Chatterjee, Zachary Ferguson, Ben Freeman, Alexander Fox, Alexander Goodwin, Sarah Henry, Steven Ho, Loteta Lee, Johnny Lou, Jack Millard, Minu Nagashunmugam, Cristian Nicolescu, Sarah Ogren, Erin Ross, Nicole Segall, Ryan Shymansky, Andrew Tabas, Carly Trakofler, Connor Whelan, Samantha Wiley, Hannah Davis Leizerowski, Emily Owens, Tanner Patsko, Morgan Tucker, Emma Thompson, Josh Norkevicus, Erin Zoller, Ana Roc Martinez, Graydon Leonard, Gisselle Manson, Benjamin Klaas, Chloe Artice, Jacob Snyder.

HONORING JOHN F. MURPHY HOMES

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize John F. Murphy Homes of Auburn, Maine, on the occasion of its 35th anniversary.

John F. Murphy was one of Maine's foremost advocates on behalf of the developmentally disabled. In 1954, Mr. Murphy used his standing on the Lewiston Board of Finance to open the Garcelon School as an educational facility for mentally retarded children. After his passing in February of 1976, members of the Lewiston Auburn Association for the Mentally Retarded formed a foundation in Mr. Murphy's honor to continue his work.

On May 18, 1977, the John F. Murphy Foundation for the Mentally Retarded was officially established with the mission to provide housing for individuals with developmental disabilities. In March of 1978, they opened their first home at 23 Pleasant Street in Lewiston for six people. Today, the agency provides direct support to hundreds of Mainers and their families, employs more than 700 people in the greater Lewiston-Auburn area, and generates millions of dollars in local economic activity.

John F. Murphy Homes has helped to raise awareness about intellectual disabilities and the need for group care facilities. The organization's remarkable success is owed to the outstanding vision of its founders and the tireless work of its employees.

Mr. Speaker, please join me in congratulating John F. Murphy Homes on achieving 35 years of exemplary service to the Lewiston-Auburn community.

REMEMBERING THE THIRD ANNIVERSARY OF THE END OF THE CIVIL WAR IN SRI LANKA

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mrs. SCHMIDT. Mr. Speaker, I rise today to remember the third anniversary of the end of the civil war in Sri Lanka.

Although the war ended on May 19, 2009, 90,000 Tamil war widows in the north and east continue to struggle to resume their lives without their husbands.

Many have not been able to return to their original homes and must cope with disabilities, both their own and their children's, caused by shelling and the lack of medicine and intentional starvation at the end of the war.

They have returned to a devastated land in which there is little remaining infrastructure and few jobs and which is occupied by a military force whose soldiers do not speak their language.

Making a return to normal life even more difficult is the lack of accountability for their husbands' deaths and the horrors these women and their children underwent at the end of the war, including physical, sexual, and gender-based violence.

Sri Lanka's Lessons Learned and Reconciliation Commission did not adequately deal with accountability by its armed forces.

At its March, 2012 session, the U.N. Human Rights Council called on Sri Lanka to ''take all necessary additional steps to fulfill its relevant legal obligations and commitment to initiate credible and independent actions to ensure justice, equity, accountability and reconciliation for all Sri Lankans.''

If Sri Lanka does not take up this task immediately, there must be international action to provide accountability.

This is why, Mr. Speaker, I am a co-sponsor of H. Res. 177, which calls for an international investigation into what occurred in Sri Lanka at the end of its civil war.

I urge all my colleagues to support this resolution.

THE DEATH OF DC LEGEND CHUCK BROWN

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. BROWN of Florida. Mr. Speaker, it is with great sadness that I say goodbye to a great artist, consummate professional and my friend, Chuck Brown. Chuck dedicated over 50 years to filling the hearts and spirits of both young and old with the infectious sound of his soulful music. No man, woman or child could remain seated when Chuck took the stage, as he played his signature brand of music that he coined ''Go-Go.'' While my friendship with Chuck only began 6 years ago, the ''Godfather'' as he is affectionately known by DC natives, has been rockin' and rollin' since the early 60s.

He was deeply loved and he will be sorely missed. My heart goes out to his family, loved ones and Washington, DC. We truly lost a legend yesterday.

IN TRIBUTE TO DAVID HADLEY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to David Hadley, who is the quintessence of a community volunteer—and a lifelong friend.

I have known Dave since we were boys. Dave, his brother, Peter, and I were in the Sea Explorers together. Their dad, ''Skipper'' Al Hadley, was our Explorer advisor. Skipper instilled in us, and our fellow Scouts, the values of patriotism and public service.

Dave took his father's teachings to heart.

In addition to making his mark in girls softball for the past 35 years—to the extent that the Boys & Girls Club baseball field in Fallbrook, California, is named the Dave Hadley Field in recognition of his longtime dedication to youth sports—Dave has been active in his church and has been advisor to the San Diego County Board of Supervisors.

During his 35 years of coaching youth softball, Dave has also helped organize youth softball leagues with administrative positions, organized local and traveling teams, and coached ''Smurf'' softball programs for kindergarten girls. And, like his dad, Dave also taught his players the value of giving back. His former players have gone on to play and coach in the National Pro Fast Pitch League and at numerous high schools, community colleges and colleges.

Also in keeping with his dad's example, Dave's daughters, Heather and Holly, also were recipients of Dave's coaching and example. He also is providing guidance, direction and coaching to his seven grandchildren: Amber, Hunter, Kai, Shea, Mackynley, Ben and David.

Dave's dedication to youth expands beyond the softball field. He has been a Confraternity of Christine Doctrine (CCD) teacher at St. Peter's Catholic Church for 20 years and an executive board member and past president of the Boys & Girls Club of Fallbrook for 22 years.

In addition, Dave served for five years as an Advisory Board member from San Diego County Service Area 81, providing community input to county supervisors. Somehow he also found the time to be an entrepreneur, owning and operating S–K Specialties, a full-service machine shop, for 35 years.

Mr. Speaker, Dave is to be rightly honored for his service to his community. I know my colleagues join Fallbrook, California, and me in thanking Dave for his decades of dedication and in recognizing not only his accomplishments, but in recognizing the accomplishments of those he has mentored and has passed on the values of patriotism and public service.

Well done, my friend.

IN SUPPORT OF THE PEOPLE OF TIBET

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. TOWNS. Mr. Speaker, I rise today to express my support for the people of Tibet and to thank groups like Students for a Free Tibet for all the work they do to raise awareness on this issue. For too long, the Tibetan people have suffered numerous human rights violations at the hands of the People's Republic of China. In the fight for Tibetan freedom, 35 Tibetans have set fire to themselves since February 2009 to protest China's occupation of their land. At least 23 of them have died. Their sacrifice should not go unnoticed. They have given their lives to show the world the suffering the Tibetan people endure at the hands of Chinese government.

Additionally, there are numerous Tibetans who have been arrested for speaking out against the government and advocating for the freedom of Tibet. These political prisoners need to be set free. Their only crime is standing up for the rights of the Tibetan people. While China continues to enforce policies that encroach on the freedoms of Tibetans, the people continue to conduct peaceful demonstrations. It is our responsibility to support the Tibetan people both politically and financially.

As a body, we should carry on our support for the Tibetan people by continuing to fund areas such as development, refugee programs, and Radio Free Asia and Voice of America. By supporting programs such as these, we encourage Tibetan livelihood and culture. U.S. assistance has supported sustainable development, environmental conservation, and cultural preservation in Tibet since 2000. Let us continue this support to contribute to a better future for Tibet.

We should also continue to support the Dalai Lama's efforts to negotiate a peaceful solution for Tibet with the Chinese government. The Tibetan people are a peaceful people and we should support their belief system in finding a peaceful solution to this problem. Let us lend our support to the people of Tibet so that they can continue their fight for freedom.

I urge my colleagues on both sides of the aisle to support the people of Tibet.

RECOGNIZING HIGH PERFORMANCE BUILDING WEEK

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. LIPINSKI. Mr. Speaker, I rise to recognize America's engineers, architects, and skilled workforce who construct our new state-of-the-art new buildings and to speak in support of H.R. 2866, the Mechanical Insulation Installation Incentive Act.

Next week is High-Performance Building Week, and America's leading trade groups will come together to promote their efforts to design, build, and maintain buildings to a higher level of performance. Throughout the week, the High-Performance Building Congressional Caucus Coalition—a diverse group of building professionals—will hold a number of briefings on high-performance basics and new technological breakthroughs, conduct tours of local green roofs, and offer other outreach opportunities. These activities will remind attendees that these buildings are not only attainable, but can improve the quality of our lives.

High-performance buildings have eight specific attributes that ensure that the buildings are designed for the people they serve and the environment they impact. These buildings should be accessible, cost-effective, functional, productive, safe, sustainable, aesthetically pleasing, and mindful of historic preservation.

While all of the attributes of high-performance buildings are important, efficiency and cost-effectiveness are increasingly vital given the rising costs of energy. H.R. 2866, the Mechanical Insulation Installation Incentive Act, will help alleviate these rising costs, promoting the construction of truly high-performance buildings. H.R. 2866 will create tax incentives to encourage commercial and industrial entities to go beyond current minimum building requirements—as set by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers—in new construction or retrofit projects, and to also keep up with regular and timely maintenance of their mechanical insulation systems.

Over a five-year period, these incentives have the potential to save American companies $35 billion in energy costs and reduce our CO_2 emissions by 170 million metric tons. In addition, this bill will not only help building owners save money and use less resources, it will also create jobs. It is estimated that this initiative could support the development of more than 89,000 sustainable jobs for skilled craft personnel to install and maintain mechanical insulation systems.

H.R. 2866 is just one step this body can take to help achieve all these goals and make our country more competitive. During High-Performance Building Week, I encourage my colleagues to learn more about the work of

building professionals and join me in supporting this measure. Our residential, commercial and industrial buildings are more than just places where we live, work, and shop. They can inspire us and reflect our values, and be engines for energy independence and job creation.

ONE LAPTOP PER CHILD

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. DOYLE. Mr. Speaker, I rise today to congratulate Ketaki Desai, Elizabeth Cullinan, Tim Kelly, and Reginald Cox, four graduate students from Carnegie Mellon's Heinz School of Public Policy and Management, for their first place finish at the Hult Global Case Challenge.

Their innovative program, One Laptop Per Child, seeks to provide durable, low energy laptops for children in third world countries with limited educational resources. This idea garnered the top prize at the Hult Challenge, where these CMU grad students were awarded $333,000 to encourage and further their initiative.

The Hult Global Case Challenge, now in its third year, is focused on bringing some of the brightest minds in the world together to find ways to solve key social challenges. This year, the three categories—education, energy, and housing—had hundreds of entrants from over 130 countries around the world. Such luminaries as Muhammad Yunus, winner of the Nobel Peace Prize judged the final round; and President Bill Clinton handed out the top awards for each category. CMU's Ketaki Desai, Elizabeth Cullinan, Tim Kelly, and Reginald Cox won first place in the education category.

One Laptop Per Child seeks to provide greater educational resources for children ages 6 through 12 in impoverished areas of the world. OLPC has designed laptops with several key features geared towards helping these children. They cost significantly less to manufacture than the standard laptops we use here in the U.S.; they are pre-loaded with lots of educational software, and have wireless internet built in; they are low energy, ensuring that even children in communities without electricity can use them, then recharge the laptops using solar energy; the laptops' screens can be read in sunlight—an important feature because so many of these children go to school outside; and, perhaps most importantly, these laptops are extremely durable and rugged, because, let's face it, kids are going to be kids, no matter where they are in the world.

By providing children with these laptops, One Laptop Per Child hopes to broaden children's worldview, and enrich their educational experiences, because, as they see it, education is the foundation for the other solutions to problems like a lack of shelter or running water. Their goal is to donate and distribute 20 million laptops to poor children throughout the world over the next 5 years.

This is just one more example of the innovative work that's being done in Pittsburgh, and I am proud to be their representative. Congratulations to these grad students and to all the bright minds in Pittsburgh working so hard to solve the world's problems. I thank them for their dedication.

INTRODUCTION OF CLEAN WATER RESEARCH BILLS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to describe two bills I am introducing regarding clean water research—H.R. 5826, The Coordinating Water Research for a Clean Water Future Act of 2012, and H.R. 5827 the Energy and Water Research Integration Act of 2012. These two bills will help focus the Federal government's research efforts on clean water, a critical natural resource that we too often take for granted.

As a Representative from the great state of Texas, I know how important water is to public health, the economy, and the environment. Moreover, Texans certainly are not alone. Whether facing unpredictable and extreme weather conditions in places like Idaho where increasingly difficult dam and reservoir management is making it harder to protect property and lives; the drawdown of aquifers in the Powder River Basin from coal-bed methane operations; or the billions of taxpayer dollars spent to upgrade water infrastructure in the East, water is an ever-present topic of dinner conversation and political tension across the country.

As of last week, in Texas alone more than a thousand community water systems were forced to limit water use in order to avoid shortages. According to the U.S. Geological Survey, the 12-month period between October 2010 and September 2011 was the driest in Texas since 1895. The dry conditions have been so severe that large portions of the State are categorized as being in ''an exceptional state of drought,'' the worst condition on the Federal government's drought monitor scale.

Throughout my career I have fought to ensure that future generations have access to clean water. My introduction of these two bills builds on the accomplishments of the former Chairman of the House Science, Space, and Technology Committee, Bart Gordon, who introduced similar legislation that moved through the House of Representatives in the 111th Congress.

The first bill, H.R. 5826, will authorize coordination of water research activities to ensure a future where clean water is abundant, affordable, and accessible for generations to come. To do this, the country needs to better coordinate federal research among agencies which oversee and protect this natural resource. The bill elevates the importance of ensuring clean and reliable water supplies through the implementation of a National Water Research and Development Initiative at the Office of Science and Technology Policy of the White House. The Initiative will improve the Federal government's role in coordinating federal water research activities that identify, characterize, and address changes in U.S. clean water use, quality, supply, and demand.

H.R. 5826 is drafted based on a range of expert recommendations, including those from the 2004 National Research Council report, ''Confronting the Nations' Water Problems; the Role of Research,'' and the 2007 Office of Science and Technology Policy report ''A Strategy for Federal Science and Technology to Support Water Availability and Quality in the United States.''

The second bill, H.R. 5827, ''The Energy and Water Research Integration Act'' focuses attention on the energy-water nexus, a term used to describe the energy required to provide reliable water supplies and the water required to provide reliable energy supplies. The bill directs the Secretary of Energy to integrate water considerations into the Department of Energy's energy research. The bill requires the Secretary to seek to advance energy technologies and practices that would minimize freshwater withdrawal and consumption, increase water use efficiency, and utilize nontraditional water sources with efforts to improve water quality.

H.R. 5827 is based on hearings held in the 110th and 111th Congress when the Science and Technology Committee reviewed federal research related to water, with particular attention on the energy-water nexus. At the request of the Committee, the Government Accountability Office conducted five studies on the energy-water nexus. As GAO has aptly pointed out in its reports on this issue, energy and water are two critical resources that are intrinsically and reciprocally linked. For example, the energy sector is the fastest-growing consumer of water right now and will account for 85% of the growth in domestic water consumption in the United States between 2005 and 2030. The GAO's reports showed that very substantial quantities of water are needed to produce energy from a wide range of resources, such as for cooling thermoelectric power plants, growing and converting feedstocks into biofuels; and extracting oil shale and natural gas. GAO's work also demonstrated that the development of oil and gas sources often results in the production of large volumes of wastewater that must be managed or treated. Furthermore, GAO's work has also shown that significant amounts of energy are needed to extract, transport, treat, and use water in urban environments.

In many ways, these seminal reports confirmed what we already knew, and that is that water availability and quality are essential for public health and a strong economy, but demands for, and threats to, these resources are growing. We can no longer afford to take it for granted. Whether it is billions of dollars in lost revenue for our agricultural sector, or reduced electric reliability due to low cooling water supplies for power plants, the country is already feeling the impacts of reduced water availability and quality.

That is why communities and businesses across the country want to see more water research and better coordination. The bills are supported by small businesses like NanoH_20, who see the need for innovative technologies in the water sector, as well as national organizations like Alliance for Water Efficiency, the

Water Innovation Alliance, the International Association of Plumbing and Mechanical Officials (IAPMO), and the Water Research Foundation. The Water Environment Research Foundation also supports the Energy and Water Research Integration Act.

Given this diverse base of support and the passage of similar bills through the House in the 111th Congress, I hope that the Science, Space, and Technology Committee and the House will be quick to take up these pieces of legislation and move them expeditiously.

PERSONAL EXPLANATION

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mrs. BIGGERT. Mr. Speaker, on rollcall Nos. 263, 264, 265, 266, 267, 268, 269: 263—''nay'', 264—''nay'', 265—''yea'', 266—''yea'', 267—''nay'', 268—''nay'', 269—''nay''.

Had I been present, I would have voted as above.

IN TRIBUTE TO JUDGE MARY THOMASINE GRAYSON MASON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. WILSON of South Carolina. Mr. Speaker, South Carolinans are grateful to pay tribute to Judge Mary Thomasine Grayson Mason who is an inspiration for achieving the distinction of being the Southern Lady who makes a difference. Her extraordinary talents were recognized by her dear friend, U.S. Senator Strom Thurmond, who recommended her appointment in 1971 by President Richard M. Nixon as Federal Administrative Law Judge. Over the years during her residency in West Columbia she became a beloved friend of the Wilson family.

Upon her death this month the following obituary was published in the Post and Courier of Charleston, South Carolina.

JUDGE THOMASINE MASON

SUMMERTON, SC.—Judge Mary Thomasine Grayson Mason, widow of Edgar Fleming Mason, died Friday, May 4, 2012, at her homeplace in Summerton, South Carolina.

Born November 7, 1917, in the St. Paul community near Summerton, she was the daughter of James Fulton Grayson and Anne Gentry Grayson.

She graduated Summerton High School and attended the University of South Carolina. She completed her undergraduate degree in three years, graduating with honors from the University of South Carolina in 1938.

Because her father did not consider the study of law a proper career for a young lady, Judge Mason taught school in West Columbia for one year. In 1940, she enrolled in law school at the University of South Carolina, one of the first two women to attend.

With war having broken out in Europe and fearing she may not get to finish law school, Judge Mason sat for and passed the bar exam during her junior year of law school. She was admitted to the South Carolina Bar on June 12, 1941, and graduated from law school June 1, 1942.

During World War II, she worked as a Civil Service Representative assigned in Atlanta, Athens, and Charleston.

After the war and with her father's health failing, she returned to Summerton and worked with her brother operating the family farm, cotton gin, seed processing, and grain elevator.

She continued her studies at North Carolina State College earning a degree in Cotton Classing and leading to her work as a cotton merchant. She later practiced law in Manning and served as a trial attorney with the Civil Division of the United States Department of Justice in Washington, DC.

Judge Mason was elected to the South Carolina Senate in 1966 representing Clarendon and Sumter Counties. She was the second woman to serve in the South Carolina Senate, and on February 22, 1967, she was called to preside over a session of the Senate becoming the first woman to preside in that body.

In 1960, she served as a delegate to the Democratic National Convention in Los Angeles and attended the Democratic National Convention in Atlantic City in 1968.

She served the Clarendon County Democratic Party as a party precinct secretary for more than a decade.

In 1971, she was appointed as a Federal Administrative Law Judge for the Social Security Administration's Office of Disability Adjudication and Review.

During her tenure, she was the first Administrative Law Judge to sit on the Appeals Council as an Acting Member of the Council, and she served as Hearing Office Chief Administrative Law Judge for 17 years.

A proud South Carolinian she has served her state and community in numerous volunteer positions, including the Board of Trustees of Clarendon Memorial Hospital for 16 years, the South Carolina State Mother of the Year Search Committee, the Alumni Council of the University of South Carolina Alumni Association, and the American Red Cross as an Area Director for Clarendon County. She was a member of Summerton Baptist Church, the Daughters of the American Revolution, several garden clubs, and Alpha Delta Pi sorority.

A member of the American Legion Auxiliary for over 60 years, she worked with Palmetto Girls State, serving as director for more than ten years and as a counselor, committee member, or legislative leader for more than 40 years.

In her professional life, Judge Mason was a member of the South Carolina Bar Association, the Richland County Bar Association, the American Bar Association, and the Federal Executive Council.

In 2008 in recognition of her distinguished career as a public servant and community leader, Judge Mason was awarded the Order of the Palmetto by Governor Mark Sanford.

Active in sports and recreational activities throughout her life, Judge Mason loved the outdoors and enjoyed spending time on Lake Marion. At the age of 79, she decided she could no longer continue to water ski, so she learned to drive a jet ski.

She is survived by loving and devoted nieces, MaryAnne Grayson Moore and her husband Nebraska Edward Moore, II, of Summerton and Cora Gene ''Cookie'' Grayson Culbertson of Lawrenceville, Georgia; great nephews, Nebraska Edward Moore III and his wife Stephanie Faltus Moore of Summerville, Mason Palmer Bethea Moore and his wife Jodi Woods Moore of Belgrade, Montana, and James Fulton Grayson, IV and his wife Susan Walton Grayson of Grayson, Georgia; a great niece, Elisabeth Grayson Mills and her husband Alan Mills of Gainesville, Georgia; and several great, great nieces and nephews. Judge Mason was preceded in death by her brother, James Fulton Grayson, Jr.; and her nephew, James Fulton Grayson, III. The family extends grateful appreciation and acknowledgment to caregivers Roberta, Tee, Willene and Maggie and to Southern Care of Florence, SC.

Graveside services will be held on Sunday, May 6, 2012, at 3:00 p.m. at the Summerton Evergreen Cemetery with the Rev. Brent Hutsell and Rev. Bob Ashba officiating. Pallbearers are Thomas H. Gentry, Alton Truesdale, Nebraska Edward Moore III, James Fulton Grayson, IV, Eugene A. Failmezger and R.P. Felder, Jr. Following the services, the family will receive visitors at the home located at 1664 Jack Touchberry Road, Summerton.

In lieu of flowers, memorials may be made to Summerton Evergreen Cemetery, c/o Ellen Ardis, PO Box 366, Summerton, SC 29148. Stephens Funeral Home & Crematory, 304 N. Church St., Manning, is in charge of arrangements, (803) 435–2179. www.stephensfuneralhome.org. Visit our guestbook at www.legacy.com/obituaries/charleston.

HONORING FR. THOMAS BERNAS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Fr. Thomas Bernas, Pastor of St. Richard Catholic Church in Chicago, Illinois, for his 15 years of dedicated service to the parish.

Born in 1958 in Evergreen Park, Illinois, Fr. Tom has spent his life in service to the local community. Attending St. Pancratius Grammar School and then Quigley Preparatory Seminary South, Fr. Tom started his Catholic education at an early age. Graduating from high school in 1976, he enrolled at the Loyola University of Chicago, completing his degree at the university in 1980.

Fr. Tom entered seminary in 1989 at the St. Mary of the Lake Seminary in Mundelein, Illinois. Ordained in 1994 at Holy Name Cathedral, seat of the Archdiocese of Chicago, by Cardinal Bernardin, Fr. Tom was assigned to St. Richard Catholic Church in 1997 as an administrator; his conscientious and tireless work for the parish resulted in his appointment as pastor in 1999.

Throughout his 13 year tenure as pastor, Fr. Tom devoted his time and energy to improving the community of St. Richard Catholic Church and the surrounding area. Through prudent financial practice, he overhauled the parish's finances, paying off its debt and keeping it debt-free. Upon becoming pastor of St. Richard's, Fr. Tom completed several renovation projects initiated by his predecessor that included re-painting the church, replacing the organ, and installing an elevator to facilitate handicapped access. He also oversaw the construction of the St. Richard Parish Center

that now houses all parish offices and a gymnasium used by the St. Richard Grammar School children as well as many community groups. Additionally, he supervised a complete renovation of the priest's residence and further transformed the health of the church with a recent building renovation and floor plan reconfiguration to enrich the spiritual experience of all worshippers.

Fr. Tom has continued to engage in all aspects of community life far beyond his expected duties. Each year he has hosted the Archer Heights Civic Association Halloween Party for community children in the church hall and an annual blessing of Chicago firefghters, paramedics, and police officers.

Through a diligent and caring approach, Fr. Thomas Bernas has transformed the fortunes of St. Richard Catholic Church and touched the lives of many members of the local community. Please join me in celebrating the accomplishments of Fr. Tom, a model citizen and an inspiration to us all. I thank him for his service and wish him the best as he starts his new assignment at St. Rene Goupil Parish.

COMMENDING A MAJOR ADVANCEMENT IN THE FIGHT AGAINST HIV/AIDS

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. DENT. Mr. Speaker, I am pleased to advise my colleagues of an important decision issued earlier this week by the Food and Drug Administration's (FDA) Blood Products Advisory Committee (BPAC) that will revolutionize HIV testing and the fight against AIDS. The 17-member advisory panel unanimously recommended approval of the first over-the-counter HIV test. The OraQuick In-Home HIV test detects the presence of HIV antibodies in roughly 20 minutes after a simple oral swab.

OraSure Technologies, a company in my congressional district, has been at the forefront of HIV/AIDS diagnostics for over a decade. If the FDA follows the recommendation of the advisory panel and approves OraSure's In-Home HIV test, it will be the first oral fluid rapid test made commercially available over-the-counter.

BPAC's decision represents a significant milestone in the nation's fight against the HIV/AIDS epidemic. Disease status awareness enables individuals to protect their health and the health of others. Over-the-counter testing will provide an option for individuals to get tested in the privacy of their own home and importantly, is expected to reach traditionally underserved communities. According to an FDA analysis, the OraQuick test is predicted to lead to 45,000 new positive HIV/AIDS diagnoses and avert more than 4,000 HIV transmissions within the first year of deployment.

Nearly 50,000 Americans become infected with HIV each year and some 240,000 are unaware of their status. The availability of an over-the-counter test will lead to greater testing, increased diagnoses, reduced transmissions, earlier treatment and saved lives.

It is my honor to commend OraSure in leading the way in transforming diagnostic testing through innovative new technologies, and I am proud of the company's dedication and accomplishments in making HIV/AIDS testing more accessible.

HONORING THE LIFE OF DR. ALFREDO GUTIERREZ JR.

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. CANSECO. Mr. Speaker, I rise today to honor the life of Dr. Alfredo Gutierrez Jr. Dr. Gutierrez was a beloved and trusted doctor and dedicated former mayor of Del Rio, Texas. On April 24, 2012, at the age of 80, Dr. Gutierrez passed away from heart failure. He is survived by his wife of 56 years, Olga Hernandez Gutierrez, seven children, seventeen grandchildren, and five great-grandchildren.

Dr. Gutierrez was a leader and role model in the Del Rio community. His passion and love for Del Rio was most exemplified through his work as a doctor and leadership as mayor. Dr. Gutierrez served for 20 years as Del Rio's mayor, earning the title ''dean of Del Rio's mayors.'' He was also as equally dedicated to serving the community through his medical practice, delivering nearly 5,000 babies over a career that spanned five decades. Only after suffering a heart attack in 2010 did he decide to close his practice.

While Del Rio has lost an icon and hero, Dr. Gutierrez's impact and passion for the community will certainly live on.

TAIWAN PRESIDENT MA YING-JEOU'S SECOND INAUGURATION

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. LUETKEMEYER. Mr. Speaker, Ma Ying-jeou will be sworn in for a second term on May 20, 2012, as Taiwan's president. It's worth saluting President Ma on this special occasion, as the United States has a no better friend or ally than Taiwan. For decades, Taiwan has been of significant security, economic and political interest to the United States. Today, Taiwan's 23 million people enjoy self-governance with free elections, and Taiwan's economy is the 17th largest in the world—and growing. Taiwan is the ninth-largest U.S. trading partner, including the sixth-largest market for U.S. agricultural exports, a significant economic consideration for my district.

Going back to the onset of the Cold War, Taiwan and the United States have stood beside one another in some of our countries' darkest hours and most challenging times. Taiwan was an indispensable link in America's Korean War effort. U.S. General Douglas MacArthur rightly labeled Taiwan ''an unsinkable aircraft carrier in the Pacific'' when speaking of the joint U.S.-Taiwan Korean War effort. Taiwan ground troops fought side by side with U.S. forces in the fierce battles at, below and above the 38th Parallel. The Washington-Taipei alliance was later institutionalized in the Sino-American Mutual Defense Treaty and Formosa Resolution of 1955. Taiwan was also a key base, and intelligence-gathering source, for U.S. forces in the Vietnam War. Under President Ma's leadership, our relationship has remained strong, as he has sought U.S. support for his policies, including U.S. arms sales, to ensure Taiwan is in a strong position to continue cross-strait talks.

The United States has stood by Taiwan as it has faced challenges from across the strait over the last 62 years. And while travel, trade and investment flourish across the strait today, threats remain, as Beijing refuses to renounce its right to use force against Taiwan. And yet, Taiwan has shown that a strong democracy can thrive even in the face of continued threats.

Mr. Speaker, I urge all my colleagues to join me in congratulating President Ma on his second inauguration. I also would ask my colleagues to remain mindful of the promise we made to the people of Taiwan almost 33 years ago under the Taiwan Relations Act (TRA) of 1979, the cornerstone of our two nations' bilateral relationship. Ties or tension across the Taiwan Strait affect global peace and stability, and a more stable East Asia is not only in the best interest of Taiwan, but also in the best interest of the United States.

HONORING SOUTH GIBSON HIGH SCHOOL

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. FINCHER. Mr. Speaker, it is my privilege to rise today to honor the first ever graduating class of South Gibson High School, located in Medina, Tennessee.

Undoubtedly the work of starting a brand new high school is extremely difficult but today's graduation offers the opportunity to celebrate in a job well done. Congratulations to Principal Phil Rogers and his dedicated team of teachers and staff in preparing the young minds of the Class of 2012 to enter their next phase of life.

The vision of South Gibson High School is to create a community of empowered learners. Although today ends their journey in high school; the ever-changing demands of the 21st century economy requires them to always be thinking, challenging, and innovating. And it's that kind of life-long learning that will keep America's place, as President Ronald Reagan said, ''a shining city on the hill.''

Please join me in honoring the first graduating class in the history of South Gibson County High School.

KIPP BALTIMORE'S BRAD NORNHOLD WINS BALTIMORE CITY ''TEACHER OF THE YEAR''

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. ROGERS of Michigan. Mr. Speaker, Bradley Nornhold was a founding teacher at KIPP Ujima Village Academy when the public charter school opened in 2002. In the past ten years, Brad has been a transformational force in the lives of the students in Northwest Baltimore. As a middle school math teacher, his results speak for themselves. In 2011, his seventh grade students produced the highest math test scores in the city as measured by the Maryland School Assessment. Brad makes no excuses and leaves no child behind. One hundred percent of his students passed the test. The advanced scores were the fourth highest in the State of Maryland.

But test scores do not tell the whole story. Brad's students embrace the work that it takes to produce such results, and believe that the work they do will pay off in the future. KIPP Ujima Village Academy serves a student population where 87 percent of the students live below the poverty line, as measured by free or reduced priced lunch applications. The school's mission is preparing these students for college by giving them the academic and personal skills necessary to succeed in the most rigorous college preparatory high schools. Brad makes that mission a reality every day. Because of the work ethic and focus he has taught them, all of his current eighth graders have gained acceptance to private or public college preparatory schools with admission requirements. Every one of them will be going to a high school in which they had to earn admission. And most of his students will be starting their freshmen year in sophomore geometry. Of his 78 eighth graders, 51 have already taken and passed the High School Assessment for freshmen algebra.

Brad's efforts for his students do not end with eighth grade graduation. His former students visit on a weekly, if not daily, basis. They come back to see their teacher, talk about math, and inspire his current students to follow their path to college. The students of KIPP Ujima Village Academy have been privileged to call Mr. Nornhold their teacher. For many of them, their life paths will be forever changed because of the time they spent in his classroom.

LUIS QUINTANA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Luis Quintiana for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Luis Quintana is a 12th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Luis Quintana is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Luis Quintana for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

TRIBUTE TO BRIAN MOORE

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to southern California are exceptional. Southern California has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Brian Moore is one of these individuals. At a luncheon on May 31, 2012, Brian will be honored for his work as the original Deputy District Engineer for Project Management in the Corps of Engineers Los Angeles District. After 35 years of service with the Corps of Engineers, Brian will be retiring.

As the Deputy District Engineer for Project Management, Brian serves as Deputy to the Commander and Senior Civilian in the District and directs the Programs and Project Management Division. The Division is responsible for management of all the District's major programs and projects. The Los Angeles District covers projects for civil works, military, and environmental programs in Southern California, Southern Nevada, and Arizona and has a workload of more than a billion dollars in fiscal year 2009. The Programs and Project Management Division has nearly 100 project managers, schedulers, and budget analysts assigned to the management of more than 400 projects in navigation, flood control, environmental restoration, military construction, and environmental cleanup.

The Division also manages more than $300 million in projects for other agencies such as Department of Homeland Security, the Veterans Administration, the Environmental Protection Agency, and others. Mr. Moore has over 35 years of experience with the Corps of Engineers in planning, construction, and project management. He is a graduate of the University of California at Berkeley with a Bachelors of Science Degree in Civil Engineering and holds a Master Degree in Water Resources Systems from Cornell University. He is a licensed professional engineer in the State of California.

I have come to know Brian well through many years working together on a variety of public projects in southern California. I can personally attest to Brian's incredible work ethic, professionalism, and positive attitude. Brian is married to Dr. Nancy Moore who is a research engineer at Rand Corporation in Santa Monica. Both he and Nancy are avid skiers and Mr. Moore also enjoys golf.

In light of all Brian Moore has done for southern California, it is only fitting that he be honored as he retires from the Army Corps of Engineers. Brian's tireless passion for public service has contributed immensely to the betterment of our region and the state and I am proud to call him a fellow community member, American and friend. I know that many community members are grateful for his service and salute him as he retires and moves onto the next phase of his life.

BURMA SANCTIONS

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PITTS. Mr. Speaker, I address the Congress today with deep concern over the Administration's lifting of sanctions against the dictatorship of Burma.

We are working to get support, assistance and even proposing the transfer of weapons to the opposition in Syria, but yet, in Burma—a place where there are at least 500,000 displaced people in one area and some report over 70,000 new displaced people due to attacks against the Kachin perpetrated by the actions of dictators—this Administration is rewarding the regime and their brutality.

Why do our policies give value to the lives of the opposition in Syria while denying the value of the lives of ethnic minorities and democratic activists in Burma?

The Administration's actions expose a shameful approach—one that allows U.S. businesses to invest in a land still drenched in bloodshed and where some prosper through the oppression of others. We should not be lifting any sanctions against dictators in Burma until they prove over time that they will stick to their word and they actually end their attacks against the people of Burma.

It is absurd to be lifting sanctions while a well-known brutal dictatorship continues to attack, displace, and even kill the people within its country.

REP. BARROW MOTION TO INSTRUCT CONFEREES ON H.R. 4348

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. DEFAZIO. Mr. Speaker, now is not the time to delay or jeopardize the renewal of a job-creating national transportation program by insisting on a deal-breaking provision already rejected by the U.S. Senate. This motion to instruct needlessly puts millions of private sector transportation, manufacturing, engineering, and construction jobs at risk.

We desperately need long-term investments in our decrepit and failing transportation system. We need to bring certainty to states and

the private sector in transportation project planning. But the continued temporary extensions of transportation authorities as passed by the House of Representatives are costing us jobs.

We are getting substantiated reports from the 50 states that they are delaying or even canceling transportation investments and projects for this construction season because of the uncertainty in federal funding. According to AASHTO, seven states will forgo at least 60,000 private sector jobs this construction season. I am certain the number would be more than a 100,000 forgone jobs if all 50 states were considered.

And remember, with strong buy American provisions in the bill, these are not just construction jobs. These are manufacturing jobs and sophisticated engineering jobs—jobs we need to keep and continue to create in this country.

Unlike the House transportation bill that would keep us limping along with 60-day and 90-day extensions, the Senate transportation bill would provide two years of funding. Instead of forgoing hundreds of thousands of jobs for this construction season alone, the Senate bill would maintain or create millions of jobs and begin making the investments we need to address the 150,000 bridges in need of repair or replacement and the 42 percent of the National Highway System pavement in fair or poor condition—to say nothing of the needed investments to move our transportation system into the 21st Century.

The Senate transportation bill also includes a desperately needed one-year extension of the Secure Rural Schools and Community Self-Determination Act. This program provides an essential lifeline for more than 700 rural federally forested communities and 9 million schoolchildren across the nation. For Oregon, these payments may mean the difference between keeping criminals in our jails and sheriffs on the road or financial insolvency and the dissolution of county governments.

Congress can debate the XL pipeline any day of the week. And we should. Let's have a debate about the route, expedited approval, and environmental reviews. Let's have a debate on energy policies to reduce America's dependence on foreign oil, bring down the price of gas for American consumers, and lead to a more secure energy future. But it's telling that Republican leadership has refused to bring a clean XL pipeline bill to the floor of this House. Instead, they insist on attaching it to must-pass legislation to score political points and to try to embarrass the President—these are not serious efforts to legislate.

With the national unemployment rate still hovering around 8 percent and the real unemployment rate closer to 15 percent it is absolutely unacceptable that Congress would take any risk of jeopardizing what should be a bipartisan effort to maintain or create millions of private-sector American jobs.

I urge my colleagues to reject this motion and to quickly pass a conferenced transportation bill that makes desperately needed investments in our transportation system, creates jobs, and helps ensure rural counties across the nation are able to offer basic government services.

NATIONAL FOSTER CARE MONTH

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mrs. BLACKBURN. Mr. Speaker, at this moment, there are more than 400,000 young Americans in the foster care system. They face both enormous chances of hope and opportunity, but also hardship. Like all children, they need guidance and they need an advocate.

During National Foster Care Month, we work to improve the reality of our Nation's foster youth and especially honor the dedicated foster families who care for these youth. All children deserve loving, safe, and stable homes. Each year there are thousands of foster youth who age out of the system without a permanent family. Studies show that these youth are more likely to end up homeless, commit to a life of crime, or suffer from undiagnosed or untreated mental health challenges. Within the foster care system, there are bright stars of help and hope.

Today I'd like to share a story of one such extraordinary foster parent: Mrs. Eula Gardner Dowdy. Over the years, Eula Gardner Dowdy of Clarksville and her late husband have brought more than 100 children into their home as foster children. The Dowdy house became a home to children regardless of age, race, creed, or ability. Backgrounds changing, the one constant for these children was their need for love and caring, and Eula's willingness to welcome them into her family. The 2006 Tennessee Foster Parent of the Year, Eula has received many deserving accolades for her contributions to the Clarksville community.

There are countless Eula Gardner Dowdys in our great country whose love enriches the children that enter their homes. I rise today to thank all those who bring foster children into their hearts and make a lasting and powerful difference in lives of those children. During National Foster Care Month, I ask my colleagues to rise with me in thanksgiving for the many foster parents who are wonderful examples of devotion to the youth of today so that they may have hope for a better tomorrow.

MALLISYN BRUCE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mallisyn Bruce for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Mallisyn Bruce is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mallisyn Bruce is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mallisyn Bruce for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

SECOND INAUGURATION OF PRESIDENT MA YING-JEOU

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. GARDNER. Mr. Speaker, Mr. Ma Ying-jeou will be inaugurated as President of the Republic of China (Taiwan) on May 20, 2012. On January 14, 2012, he won reelection and I sincerely congratulate him for his achievement.

I would like to applaud the effort that President Ma and his people have put forth to develop a strong democracy that promotes freedom, liberty, and the rule of law. To people around the world, Taiwan is a beacon of democracy and it is an honor to recognize their continued commitment to this distinguished ideal.

The United States and Taiwan have a long history of economic cooperation and friendship over the years. As a friend of Taiwan in the United States Congress, I would like to add that many of my colleagues and I strongly support our commitments to Taiwan under the Taiwan Relations Act. This partnership between the United States and Taiwan is invaluable and we look forward to continuing to work together in the future. We also support Taiwan's meaningful participation in international organizations such as the International Civil Aviation Organization.

Again, on the occasion of Mr. Ma's inauguration, we wish Mr. Ma and his people continued success in all their endeavors.

RECOGNIZING THE SERVICE OF PETER VALENCIA

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. LUJÁN. Mr. Speaker, it is my honor to recognize the career achievements of Peter Joseph Valencia, Jr. who recently celebrated his 70th birthday while in service to the third Congressional District of New Mexico. Mr. Valencia was born and raised in Farmington, New Mexico and received his B.A. in Economics from Fort Lewis College and his M.A. in Business Education from Adams State College. He then served in the U.S. Navy in the 1960s on the Flag Allowance Staff of Rear Admiral Monroe in San Diego, California.

After his time in the military, Mr. Valencia worked in Employee Relations for El Paso Natural Gas Company in Farmington and was later appointed by two New Mexican Governors to serve as the Deputy Commissioner

for the New Mexico Motor Transportation Department. In 1981, he returned to Farmington to run his family's business; however, when then-U.S. Congressman TOM UDALL opened a new district field office in Farmington in 1999, Mr. Valencia was a perfect fit for a position that he continues to hold to this day.

Mr. Valencia has devoted his life to public service and is proud to be able to continue to serve the people of San Juan County at the age of 70. He is a staple of San Juan County and has developed a sterling reputation while partnering with the Navajo Nation, Jicarilla Apache and neighboring Chapter Houses. As a Field Representative, Mr. Valencia has maintained a level of excellence and diligence in helping all people of Northwest New Mexico.

Along with his service to New Mexico's third Congressional District, Mr. Valencia is a dedicated family man. He has been married to his wife Lynda Valencia, a retired public school teacher and administrator, for over 40 years and has three children—DeAnza Sapien, Peter Valencia III and Felix Valencia—and a granddaughter, Miranda Sapien.

Mr. Speaker, it is with great appreciation that I ask my colleagues to stand with me in thanking Mr. Peter Joseph Valencia for his leadership and excellent service to the people of San Juan County, the surrounding communities of New Mexico, and this country. Please join me today in recognizing his remarkable achievements and wishing him many more years of success.

HONORING FIRST BOOK

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring First Book on the occasion of their twentieth anniversary and in celebrating their work on behalf of children in need, here in the District of Columbia and across the country.

First Book is a nonprofit organization that provides brand-new books and educational resources to schools and community programs that work with children from low-income families. Since 1992 it has distributed over 90 million new books to children in need.

First Book was founded in Washington, DC, twenty years ago this week, by Peter Gold, Elizabeth Arky, and Kyle Zimmer, who recognized the critical need for books among the children of the city's poorest neighborhoods, and how this limits children's futures. The children of the District of Columbia were the first beneficiaries of First Book's work, and D.C. children have been a special focus of the organization over the years, even as it expanded to every state in the union and Canada. In the past two years alone, First Book has provided more than 300,000 brand-new books to children across this city.

Ms. Zimmer continues to lead the organization today, and her vision and passion have enabled First Book to grow into a world-class social enterprise with an unsurpassed record of success.

First Book's commitment to the children, teachers, and local community leaders they serve is realized through the organization's groundbreaking business models. Reflecting the best of social sector and private sector partnerships, First Book works with the publishing industry to create new and innovative ways to get books and other educational resources to children who would otherwise go without them. By providing access to a steady stream of new and quality books, First Book is elevating the quality of education, giving teachers the resources they need to help their students become more successful in school and in life.

I ask the House to join me in honoring Kyle Zimmer and her colleagues at First Book, and further ask the members to introduce First Book to teachers in their home districts. The more schools and community programs join First Book's network, the closer we will come to achieving equity in education for all children.

KYLER MCGEHEE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kyler McGehee for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kyler McGehee is a 12th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kyler McGehee is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kyler McGehee for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING THE VETERANS OF THE LITTLE ROCK ROTARY CLUB

HON. TIM GRIFFIN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today in honor of the Rotary Club of Little Rock and their members who have served in our nation's Armed Forces.

The Little Rock Rotary Club was organized in 1913 and chartered as the 99th club in 1914.

As well as being Arkansas's oldest civic organization, with its more than 450 members, it is also the largest.

The main objective of Rotarians is serving their community, and the Little Rock Rotary Club carries this out through their numerous community projects.

For example, they support youth and educational opportunities through international student exchange programs, and, each year, they award eight different scholarships to Arkansas's college students.

Along with serving our community, many members of the Little Rock Rotary Club have bravely served in our nation's Armed Forces.

They will be recognized next week in Little Rock, and I want to take this opportunity to thank them for their bravery and their service to our nation and preserving our freedoms.

THE ROTARY CLUB OF LITTLE ROCK VETERANS

Dan G. Beranek, Tom Bonner, Harvey F. Brown III, Sam L. Chaffin, James B. Conner, Samuel D. Cummings Jr., Eugene G. Eberle Jr., Victor A. Fleming, Irving B. Goldberg, Wayne A. Gruber, Thomas Harding Jr., James T. Harvey, Richard B. Homard Ph.D., Gerald K. Johnson D.D.S., J. Floyd Kyser, Aaron Lubin, Maxwell J. Lyons II, Jack R. McCray, George E. McLeod, Carleton McMullin, Patrick D. Miller, Marc Oudin, Prosper F. Paul, Eugene M. Pfeifer III, Ashley S. Ross Jr., Ted L. Snider, William Boyd Ward, E. Grainger Williams, George G. Worthen, Calvin D. Biggers, Ralph G. Brodie, Robert A. Callans, Joseph Thomas Clements III, Reggie A. Corbitt, Steve Michael Daugherty, John A. Festa, James F. Gadberry, William C. Goolsby, Lynn Ray Hamilton, James E. Harris, Richard F. Hatfield, Barry D. Hyde, Greg M. Joslin, Beverly J. Lambert III, Robert M. Lyford, William Aubert Martin, Bob G. McKuin, Roger McMennamy, David F. Miller Ph.D., Walter W. Nixon III, James J. Pappas M.D., Arthur J. Pfeifer, Carl S. Rosenbaum, Elwood W. Smith, Arthur E. Squire Jr., Alfred L. Williams, and Jerry C. Wilson.

SECOND INAUGURATION OF PRESIDENT MA YING-JEOU

HON. ANN MARIE BUERKLE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. BUERKLE. Mr. Speaker, I rise today to congratulate Taiwan on the second inauguration of President Ma Ying-jeou. In so many respects, Taiwan has come a long way in its progress. Taiwan has become one of the world's leading economic forces, despite enormous pressure and obstacles.

As a close ally and friend of Taiwan, we celebrate the rapid advancement of the island nation. Given our close ties with Taiwan—ties that include our common defense and economic cooperation—their progress as a nation is vital for American interests. I am proud to be a member of the Congressional Taiwan Caucus, which celebrates its 10th anniversary this year.

A basic element of our common economic well-being is trade. Taiwan is a major trading partner of ours and a major importer of one of our largest industries, agriculture. Taiwan imports large amounts of wheat, corn, and soybeans, mostly from the United States. Poultry and pork production is a staple of Taiwan's livestock sector and drives demand for imported corn and soybeans from the United States, Taiwan's prime supplier.

In these trying days of world economic upheaval, it is certainly gratifying to know we not only have a good friend but a good customer in Taiwan. By their continued imports of our products, Taiwan helps to provide American jobs, which is more important than ever for the American people.

Good luck President Ma. We wish you the best in your second term.

REMARKS ON THE 75TH ANNIVERSARY OF THE GOLDEN GATE BRIDGE

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. PELOSI. Mr. Speaker, I rise today to celebrate the 75th anniversary of the Golden Gate Bridge—a great feat of technological and engineering mastery, a San Francisco landmark, and a national treasure. Today, it is my distinct honor and high privilege to mark its 75th birthday on the floor of the House of Representatives.

Proving that in times of hardship, America has always invested in big things, the Golden Gate Bridge was built in the midst of the Great Depression. San Franciscans were out of work and saw no end to their woes. Yet voters nonetheless approved the construction bonds to build the bridge. As collateral, San Franciscans were willing to risk their homes, their farms and their businesses—their very livelihoods, in the hope that the toll dollars would help pay back the bonds. The Golden Gate Bridge was a symbol of hope and a vision for the future.

Joseph Strauss envisioned the Bridge, which takes its name from the Golden Gateway that links the Pacific Ocean to the San Francisco Bay. It was Irving Morrow who designed the Art Deco styling and its world-famous international orange color that made the Bridge distinct and unique. The many engineers who constructed the Bridge all shared the American spirit that makes our country great. When it opened on May 27, 1937 Strauss shared his poem, ''The mighty the task is done'' which encapsulated all that had been accomplished.

Twenty-five years ago, I had the distinct pleasure of participating in the 50th anniversary celebrations where hundreds of thousands of people crowded onto the Bridge to celebrate. The enormity of the crowd was so unexpected that the Bridge flattened under its weight. Today, the Golden Gate Bridge remains the most graceful and spectacular bridge in the world, beloved by our city and visited annually by millions of people from around the globe. It is a beautiful welcome to the many who flock to America's shores.

Whether as a child first viewing the Golden Gate Bridge being mesmerized by its size, or as a worker whose lifework has kept the bridge strong, or as a traveler who relies on the bridge daily, it is a lasting symbol of San Francisco, of human tenacity and ingenuity, and is resplendent in the Western sun.

With great pride I join all San Franciscans in paying tribute to the Golden Gate Bridge: our constant joy, our faithful companion, and our City's pride.

KYLE QUINTRALL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kyle Quintrall for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kyle Quintrall is a 12th grader at Wheat Ridge High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kyle Quintrall is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kyle Quintrall for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING THE CALVARY BAPTIST CHURCH OF NORTH JERSEY AT GARFIELD

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to honor the Calvary Baptist Church. Since its founding in 1927, the church has provided a sanctuary of worship and service to the faithful of Garfield, New Jersey and the surrounding area, and I extend my sincerest congratulations as the proud congregants celebrate the church's 85th anniversary.

Under the current visionary leadership of Reverend Calvin McKinney, Calvary Baptist Church carries on the strong tradition of faith, service, and fellowship began by its original members. Its reach extends beyond to those who gather weekly within its walls to worship to all those it services through humanitarian efforts, in the North Jersey area and beyond. Its informed congregation, in matters religious, civic, and political, is a model for the community at-large.

Mr. Speaker, today I rise to honor the remarkable Calvary Baptist Church, a venerable house of worship that has touched the lives of the faith community and all who live in the Garfield area. I join with the grateful congregants, and all of my constituents in Northern New Jersey, in celebrating the 85th anniversary of the Calvary Baptist Church of North Jersey at Garfield. I look forward to the opportunity to celebrate many more anniversaries with our friends at Calvary Baptist Church.

IN RECOGNITION OF THE VETERANS OF PIONEER HOUSE

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. MATSUI. Mr. Speaker, I rise today to recognize the Pioneer House of California and its members, as they observe this Memorial Day. The Pioneer House is a non-profit retirement facility that is home to over 22 veterans and two veteran staffers. Each of them has bravely served our country, and dedicated their lives to our freedom. Their service, along with the service of all veterans, has been crucial to maintaining our liberty.

The following men and women are members of the Pioneer House and have bravely served our country: Milo Chun, Jack Cochrane, Helen Lee, George Newhall, George Schmidt, Jeanne Kelly, Arnold Lee, Rod Rasmussen, Thomas McCauley, Nolan Jones, Ted Lochowski, Eddie Rose, Leonard Watson, John Saville, Ninus Harris, Lionel Holmes, Fred O'Shea, John Dierking, James Shields, Lou Adam, Gene Tarr, and George Sleep. Staffers Carolyn Keesor, and David Armstrong not only served our country, but provide key support to the facility. As Memorial Day approaches, I would like to personally thank each and every one of them for their service, commitment, and dedication to our country.

Mr. Speaker, as the members of the Pioneer House gather for Memorial Day to honor their fellow veterans, I ask all my colleagues to join me in saluting these fine individuals for their excellent work and commitment to our nation.

HONORING HARVEY MILK

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. SCHIFF. Mr. Speaker, I rise today to honor the life and legacy of Harvey Milk in recognition of the third annual Harvey Milk Day which will be celebrated on May 22. As we come together, let us remember that this day is not only a celebration of this incredible leader, it is also a day to recognize every American who believes in Harvey's visionary fight for equality in this great nation.

Harvey entered politics late in life, after becoming frustrated with San Francisco politics and widespread discrimination against gay individuals. In 1977, Harvey won a seat on the San Francisco Board of Supervisors, marking the first time an openly gay man had been elected to public office in California. He quickly became one of the world's most high profile openly gay elected officials, and used his influence to encourage and support the LGBT and minority communities around him. Harvey was dedicated to building support for real change, and to ensuring that no group was unrepresented or unheard. Although Harvey was only in office for less than a year, his tenure had a massive and lasting influence on thousands

of lives both inside and outside of San Francisco. His life became an example of the difference one committed individual can make in their community, and Harvey's was a welcome turning point for LGBT individuals in San Francisco and beyond.

Today, we have many more opportunities to follow Harvey's example. But first, we must reaffirm our commitment to LGBT rights, and the right of every American citizen to be a free and equal member of our society.

Recently, we have taken great strides towards this goal. We have increased protection against hate crimes motivated by a person's sexual orientation, fought against employment discrimination against LGBT individuals, increased funding for HIV/AIDS research and prevention, and repealed the discriminatory ''Don't Ask, Don't Tell'' policy. With President Obama's courageous endorsement last week, we are beginning to take small yet certain steps towards the legalization of same-sex marriage. Despite these small victories, there are still many more battles to fight, individuals to inspire and groups to educate.

Anna Kronenberg, Harvey's final campaign manager, wrote ''What set Harvey apart from you or me was that he was a visionary. He imagined a righteous world inside his head and then he set about it to create it for real, for all of us.'' Each one of us has an obligation to finish the work which Harvey started. This struggle for equality is too important to avoid, and too desperately needed to put off any longer. I urge my colleagues and every American to join me in my fight for equality as we honor and remember Harvey Milk.

HONORING LAW ENFORCEMENT OFFICERS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mrs. BLACKBURN. Mr. Speaker, the scriptures tell us there is no greater love than one who would lay down his life for a friend. Each day, our families, friends, colleagues, and neighbors live in safety because there are those willing to lay down their lives to protect their communities. Law enforcement officers not only protect and defend; they are a beacon of light for this country and our towns are made better by their valiant service.

Their service is not without sacrifice. Often their families and friends carry their burdens as the law enforcement officers carry ours. Too often, some who wake every morning in service to their communities do not make it home. This year, there will be five more names added to those who gave the ultimate sacrifice while protecting and defending the great state of Tennessee. I join with those gathered, and the families of those lost, to honor Patrolman II Timothy Warren, Deputy Sheriff Richard Bellar, Trooper Andrew Wall, Captain Ralph Braden, and Sergeant James Tim Chapin.

A senator from ancient Rome wrote that in valor, there is hope. I ask my colleagues to join with me in thanking those who protect the liberties of this great nation. As we pause to mourn the lives of the 177 law enforcement officers lost in the line of duty last year, we give thanks for the dedication and legacy of the five Tennesseans who sacrificed their lives and sacred honor for our great state. May the words from Rome remind us all of our duty to service, and may they offer us a light of gratitude for those whose service does not lead them home.

MARIYA MIKHAYLOVA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mariya Mikhaylova for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Mariya Mikhaylova is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mariya Mikhaylova is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mariya Mikhaylova for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN CELEBRATION OF THE 80TH BIRTHDAY OF AMBASSADOR ANDREW JACKSON YOUNG, JR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a dear friend and a great man, Andrew Jackson Young, Jr. Shakespeare once said that: ''All the world's a stage, And all the men and women merely players; They have their exits and their entrances; And one man in his time plays many parts . . . .'' Ambassador Andrew Young has played many parts in his lifetime including the roles of minister, civil rights activist, Congressman, Ambassador, Mayor and humanitarian.

Ambassador Young will be honored with an 80th birthday celebration on May 20, 2012, in Atlanta, Georgia. This event will be a celebration of Ambassador Young's life and his dedication to uplifting humankind.

Ambassador Young was born on March 12, 1932, to the union of Andrew Jackson Young, Sr., and Daisy Fuller Young. His father was a dentist and his mother was a schoolteacher.

Ambassador Young attended Dillard University in 1947 for one year before transferring to Howard University where he received his Bachelor of Science and pre-med degree in 1951. After graduating from Howard, Ambassador Young originally wanted to follow in his father's footsteps and pursue a career in dentistry. However, a greater calling was in store for him and he entered the ministry. He received a Bachelor of Divinity Degree from Hartford Theological Seminary in Hartford, Connecticut in 1955.

It was while at Hartford Seminary that Ambassador Young was exposed to the teachings of Mohandas Gandhi. He became enamored with Gandhi's philosophy of non-violent social change. Later, while serving as pastor of a church in Thomasville, Georgia, Ambassador Young met a young Baptist preacher from Atlanta by the name of Dr. Martin Luther King, Jr. at an Alpha Phi Alpha program at Talladega College.

In 1960, Ambassador Young joined the Southern Christian Leadership Conference. He moved to Atlanta in 1961 and worked vigorously on voter registration drives. He was a gifted strategist who played a great role in organizing various civil rights campaigns in the 1960s. As we all know, these campaigns resulted in the passage of the 1964 Civil Rights Act and the 1965 Voting Rights Act. Ambassador Young was with Dr. King on that tragic day in Memphis when he was assassinated.

Ambassador Young used his involvement in the Civil Rights Movement to fuel his later endeavors. He was Georgia's first African American to be elected to the Congress since Reconstruction. Additionally, in 1977, President Jimmy Carter appointed him as the First African American United Nations Ambassador.

In 1981, Ambassador Young ran for and was elected Mayor of the city of Atlanta. He served two terms in this post, pushing many initiatives that still have his stamp on them today.

Additionally, in 1996, he served as the Co-Chair of the Committee that was successful in bringing the Olympic Games to his beloved city of Atlanta.

Ambassador Young has always had a humanitarian spirit and in 1996, along with Carlton Masters, he founded Good Works International, a consulting firm that promotes investment in Africa and the Caribbean. Ambassador Young has used this tool to continue his advocacy for civil and human rights around the world.

Dr. King once said, ''Life's most urgent and persistent question is: What are you doing to help others?'' Mr. Speaker, I ask that my colleagues join me in paying tribute to Ambassador Andrew Jackson Young, Jr. for his lifelong legacy of helping others. My wife, Vivian, and I commend him for his service and thank his family for sharing him with the world for the betterment of humankind. As I stated earlier, Ambassador Young has played many rotes during the course of his life. And as the reviews come on the stage of history, there can be no doubt that Andrew Young has been stellar in each and every one.

HONORING OFFICER TIFFANY BISHOP

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. GINGREY of Georgia. Mr. Speaker, I rise today, during National Police Week, to honor Probation Officer Tiffany Bishop. Officer Bishop was fatally wounded August 31, 2011, during a training exercise at the Georgia Diagnostic and Classification Prison in Jackson, Georgia. At the time of her death, she had served the Georgia Department of Corrections with distinction for six months.

Tiffany was born in Waycross, Georgia and attended Union Grove High School, where she was president of the drama club. She graduated with honors from Georgia State College and University, where she earned a bachelor's and Master's degree in criminal justice.

Officer Bishop was recognized this week on the Capitol steps at the 31st Annual Peace Officers' Memorial Service.

Mr. Speaker, I ask my colleagues to join me in honoring this fallen officer, and all those who have died in service to their communities.

RECOGNIZING OLDER AMERICANS DURING THE ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize and celebrate the achievements of Asian and Pacific Americans and their invaluable contributions to the American family.

It is a privilege to represent an extremely diverse district in Orange County, where many Asian Pacific Americans call home. As a Member of the Congressional Asian Pacific American Caucus, CAPAC, I am a proud cosponsor of House Resolution 621, recognizing May as Asian Pacific American Heritage Month. It is also a time to honor the rich traditions and immense contributions Asian and Pacific Islander Americans have made to our nation.

May is also Older Americans Month, a time where we recognize older adults and show our appreciation for their guiding wisdom and commitment to our communities. I would like to take this opportunity to acknowledge an extraordinary APIA community member from Orange County for his distinguished contributions to enhancing the moral fabric of my district, the state of California, and our country.

Mr. Pu Hwi Cho has been an active and dedicated community leader in Orange County for over 30 years. Mr. Cho proudly served during the Korean War and continues to be an active member of the Korean American community by volunteering for a number of nonprofit organizations that assist Korean immigrants through the U.S. citizenship process. Through his tireless efforts, Mr. Cho has encouraged many Korean American seniors to be active members of their community through civic participation.

INTRODUCTION OF LEGISLATION TO HELP ELIMINATE UNCERTAINTY FOR MILITARY AND OVERSEAS VOTERS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mrs. MALONEY. Mr. Speaker, today, I introduce legislation, with my colleagues Representatives CHARLES GONZALEZ and MICHAEL HONDA, which would help eliminate uncertainty for military and overseas voters when they request an absentee ballot this year that they will get ballots for each of the elections for the full year when voting absentee.

The Military and Overseas Voter Empowerment (MOVE) Act of 2009 repealed several subsections of Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), which has caused concern among overseas voting groups that this change may result in a situation in which a military or overseas voter might vote in a primary election but not receive ballots for the general election. This legislation would amend UOCAVA to make clarifications to the law and ensure that voters who request an absentee ballot will receive ballots for each election that occurs during the full election cycle.

The MOVE Act was a major step forward in the reform and modernization of UOCAVA; however, this particular change may have unintended consequences. As we are in the 2012 election cycle, we need to ensure that this does not inadvertently disenfranchise large swaths of our military and overseas voters. This bill proposes simple fixes that will help ensure the votes of every overseas American are counted.

LAWRENCE SALAZAR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lawrence Salazar for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lawrence Salazar is a 10th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lawrence Salazar is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lawrence Salazar for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

WINDPLANNERS OF CAMDEN HILLS REGIONAL HIGH SCHOOL

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. PINGREE of Maine. Mr. Speaker, I would like to highlight the outstanding accomplishments of a group of students in my district.

For the last 8 years, the Windplanners of Camden Hills Regional High School have endeavored to bring a full-size wind turbine to their school. What started out as a vision has now become a reality. After conducting feasibility studies, earning the support of their community, raising a half-million dollars, and clearing bureaucratic hurdles, the students erected a 155-foot turbine at their school this spring.

In the first week of operation alone, the turbine generated enough electricity to power six households for a month. Over the years, this project will save their school thousands of dollars, keep hundreds of tons of carbon emissions out of the air, and stand as a tribute to what a committed group can do—whatever their age may be.

I'm very proud of these students and the teachers and community members who have supported them. They have learned real-world lessons that will serve them well—and have taught us all some important lessons in the process.

RECOGNIZING FOND DU LAC SCHOOL DISTRICT FOR 21ST CENTURY READINESS

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PETRI. Mr. Speaker, in order for our students to be competitive in the global economy, we must do our part to ensure that they are acquiring the knowledge and skills they need for success. The skills needed for success go beyond the basics of reading, writing, and math, however. When surveyed, employers continually emphasize that, in our 21st century economy, students need to be adept at critical thinking and problem solving; communication; collaboration; and creativity and innovation, in addition to being proficient in core subjects.

While it's important to talk about these skills, it's even more important to see and recognize where they are being successfully incorporated into educational curriculums at the local level. Fond du Lac School District, located in Fond du Lac, Wisconsin, in my congressional district, is doing a lot of innovative work to prepare its students for success in the 21st century economy. Along with officials from the Wisconsin Department of Public Instruction and the Partnership for 21st Century Skills, I recently visited the Fond du Lac School District to learn about their efforts firsthand.

The Fond du Lac School District, through the leadership of Superintendent Dr. James

Sebert and John Whitsett, the School District's Coordinator of Curriculum, Instruction, and Assessment, rewrote the school's entire curriculum in 2005 to fully incorporate 21st century skills. This fall, all students will be given Google Chromebooks to help further integrate technology into their education. Also this fall, the Fond du Lac Science, Technology, Engineering, and Mathematics (STEM) Academy will open to many 3rd through 5th graders through lead teacher Sarah Edbauer. The STEM Academy will focus not only on a rigorous STEM curriculum, but it will also place a heavy emphasis on project-based and student-led learning as a method for teaching 21st century skills.

The STEM Academy in Fond du Lac is a good example of how community partnerships can broaden students' educational experience. Mercury Marine, based in Fond du Lac, is a world leader in marine propulsion and technology and a major manufacturer of outboard motors and inboard engines. The company has partnered in the development of the school's STEM Academy because of difficulties it has experienced finding qualified applicants to meet its workforce needs. The company conveyed, as have numerous other employers, that the nature of manufacturing jobs is changing and that successful employees need to be creative, need to be able to problem solve, and need to be able to work collaboratively with other coworkers, amongst other skills. Through the company's partnership with the Fond du Lac STEM Academy, it is hoping to grow a local workforce by getting students engaged in practical, real-world projects that will help them develop the skills they need to be successful when they enter the workforce.

It's important that Congress recognize the work that is being done in communities like Fond du Lac and that we look for ways to support these efforts. For these reasons, Rep. DAVE LOEBSACK and I recently formed the bipartisan Congressional 21st Century Skills Caucus to inform and discuss better ways to promote 21st century skills in our nation's educational system. I invite all of my colleagues to join our efforts.

HONORING MR. LLOYD HAND AND MRS. ANN HAND

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor Mr. Lloyd Hand and his wife, Mrs. Ann Hand, on the occasion of their 60th wedding anniversary. Mr. and Mrs. Hand are a very special couple from Texas who have since established themselves here in Washington, DC. Both have been extremely successful in doing so, as Mr. Hand became involved in law and politics, while Mrs. Hand started her own business designing and selling custom jewelry.

Mr. and Mrs. Hand are just one couple to leave Texas to come to the Potomac. After first meeting at the University of Texas, the couple has been inseparable ever since. Mr. Hand first entered the political realm as assistant to Senate Majority Leader Lyndon B. Johnson, and eventually became U.S. Chief of Protocol once Johnson became President. Mr. Hand has served a long and rewarding career in government, and now serves as a senior counsel at King & Spalding's Government Advocacy and Public Policy Practice Group. Mr. Hand has been able to utilize his decades of experience to provide counsel to Fortune 500 companies and other high-profile clients in this capacity.

Mrs. Hand has also become very successful in her own right. Beginning in 1988, Mrs. Hand started her company, Ann Hand, LLC, out of her home. Her business specialized in custom-made jewelry and design, and through her success she eventually opened a salon in Upper Georgetown. Since then, Mrs. Hand's distinctive pieces have received worldwide acclaim, and many members of Congress have come to value her talent and creativity. Mrs. Hand's pieces are one of a kind, and her business has been commissioned by many different companies and national organizations to design commemorative pieces.

Mr. Speaker, I am so happy to recognize this beloved couple from Texas. Mr. and Mrs. Hand have both made significant contributions to Washington, DC. Mr. and Mrs. Hand have duly represented our state of Texas by making such a worthy impact on the Potomac, and I am pleased to honor their accomplishments today.

HONORING THE LIFE OF DR. EFFIE C. GREAR

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the memory of Dr. Effie C. Grear, who died on May 16, 2012. Dr. Grear, a widely known and greatly beloved figure in her hometown of Belle Glade, Florida and the other communities surrounding Lake Okeechobee, dedicated more than 50 years of her life as an educator. She earned her B.A. in Music Education from West Virginia State University, her M.A. in the same major from The Ohio State University, and her Doctorate in Educational Leadership from Nova Southeastern University.

Highlights of her career included organizing the first bands at Florida A&M University High School in Tallahassee and Smith-Brown High School in Arcadia, Florida. She later became Band Director at Lake Shore High School in Belle Glade and then Assistant Principal at that school. After moving to the Assistant Principal position at Glades Central High School, she eventually became Principal in 1976, a position she held until retiring in 1976.

Dr. Grear had a long record of community involvement as a member of the Advisory Boards of Glades Central High School's Criminal Justice Academy and the Glades Community Development Corporation, the Florida and National Associations of Secondary School Principals, the Palm Beach County Criminal Justice Commission, and the Association of School Curriculum Development. At the time of her passing, she was serving as a Commissioner on the Health Care District of Palm Beach County and its representative to the Glades General Hospital Advisory Board.

Among her many awards and honors are Belle Glade, Florida Chamber of Commerce Citizen of the Year (1982), Martin Luther King, Jr. Humanitarian Award from the Urban League of Palm Beach County (1988), Palm Beach County NAACP Community Service Award (1989), and the Florida Association of Women's Clubs Hattie T. Dorah Woman of the Year Award (1990). In 1991, she was named Florida Secondary School Principal of the Year. The following year, Dr. Grear was honored with the Ida S. Baker Distinguished Black Educator Award by the Governor and the Cabinet in Tallahassee.

In 2000, the Palm Beach County School Board recognized her long record of service to the boys and girls of the Glades area by naming the athletic field at Glades Central High School after her. That same year, I honored her myself with my Educational Leadership Award for Commitment to Boys and Girls in Palm Beach County, Florida. She was recognized again by Palm Beach Community College in 2004, when they gave her their Community Leadership Award during their annual Martin Luther King, Jr. Birthday Observance.

Mr. Speaker, Dr. Grear was married to the late William A. Grear, the first African American to serve as a City Commissioner in Belle Glade, Florida. The couple had two children, Rhonda Grear, a Registered Nurse, and William Grear, Jr., a digital technician with Bell South Corporation and former Belle Glade City Commissioner. Dr. Effie Grear enjoyed enormous respect among everyone in the educational field and all those familiar with her devotion to children and her love for her community. She was a good friend and mentor to many and she will be dearly missed.

KYLE ESTES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kyle Estes for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kyle Estes is a 9th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kyle Estes is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kyle Estes for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 253 I was detained while attempting to reach the House Floor to cast my vote.

Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. GEORGE MILLER of California. Mr. Speaker, on Thursday, May 17, I was unavoidably detained during several rollcall votes, numbers 259, 260, 261, and 262.

Had I been present, I would have voted ''nay'' on rollcall 259 and rollcall 260. The rule providing for consideration of H.R. 4310 denied the House the opportunity to consider a number of key issues of interest to members of the House and our constituents. In particular, the rule denied a vote on my amendment to restore important health and safety protections for workers and residents who live near nuclear weapons facilities that will be undermined by the underlying bill. The rule also did not allow for a vote on the amendment offered by Mr. MCGOVERN to accelerate the redeployment of our troops from Afghanistan that was supported by Armed Services Committee Ranking Democrat ADAM SMITH, Democratic Whip STENY HOYER, Republican Representative WALTER JONES, and others.

Had I been present, I would have voted ''nay'' on rollcall No. 261. I support H. Res. 568's goal of preventing Iran from achieving a nuclear weapons capacity and am on record on numerous occasions supporting legislation to this effect. Yet I do not believe that this resolution is a sensible way to pursue that goal. President Obama has effectively utilized aggressive sanctions and has united the international community diplomatically, which has substantially increased pressure on Iran to agree to a deal to prevent continued uranium enrichment and allow international inspectors to verify that Iran's nuclear program is not being used for military purposes. Congress should encourage that progress to continue but I am concerned that H. Res. 568 could disrupt the progress that is being made through negotiations and could bring the U.S. closer to war unnecessarily.

In addition, had I been present, I would have voted ''aye'' on rollcall No. 262.

KYLE BEDFORD

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kyle Bedford for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kyle Bedford is a 11th grader at Pomona High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kyle Bedford is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kyle Bedford for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. ELLISON. Mr. Speaker, on May 7, 2012, I inadvertently missed rollcall vote 197 on H. Con. Res. 117. Had I been present I would have voted ''yea.''

KRISTEN DUNN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kristen Dunn for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kristen Dunn is an 8th grader at Wheat Ridge 5–8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kristen Dunn is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kristen Dunn for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

RECOGNIZING SHERRIE SLICK OF KETCHIKAN, ALASKA

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. YOUNG of Alaska. Mr. Speaker, I rise today in honor of an incredible person. I do so, on behalf of myself, former Senators Ted Stevens and Frank Murkowski, the Community of Ketchikan, and the State of Alaska. It is my privilege to recognize Sherrie Slick of Ketchikan, Alaska, for her 25 years of dedicated service as staff to the Alaska Congressional Delegation.

Sherrie is a true community leader and has worked hard to represent the Alaska Congressional Delegation in our Ketchikan office. While we are sad to see her go, we wish her the best during her retirement and future endeavors.

The first thing that comes to mind when I think of Sherrie is her unfailing energy. She has been tireless in her dedication to constituents and her service to the Delegation. She is deeply tied to Ketchikan, and residents value her civic leadership. I am impressed at how Sherrie manages to take on so many projects—from charitable events to Delegation visits, and I always say that Sherrie is so involved that she seems to be in several places at once.

The Alaskans who visited Sherrie over the years, in need of assistance or to voice their opinion on legislation, found her to be both knowledgeable and welcoming. In fact, Sherrie was a staunch advocate for her fellow citizens.

Sherrie is also a great storyteller. I always looked forward to hearing from her about local happenings when I visited Ketchikan. There was no better guide than Sherrie when members of the Delegation were in town.

To me, Sherrie is a friend, close advisor, and one of the best staffers I have had the pleasure of working with. I know Sherrie is looking forward to a lively retirement, particularly as a grandmother. I'm sure that she will continue to work hard, just as she has during her time serving the Delegation. Today, we remember Sherrie's accomplishments and know that she will achieve many more in the years to come.

BURMA SANCTIONS SHOULD NOT BE EASED, LIFTED, OR REMOVED

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. FRANKS of Arizona. Mr. Speaker, on March 30, 2012, the Associated Press had an article about the Obama Administration expanding sanctions against the Syrian regime. These new sanctions focused on military and security officials, particularly targeting the Minister of Defense. In a statement, Under Secretary of the Treasury David Cohen said, ''The U.S. and the international community will hold to account those who stand with the Assad regime as it trains the instruments of war against Syrian civilians . . . the time has long since passed for Syrian officials at all levels to turn their backs on this bloody regime.'' The article went on to state that over 9,000 people had been killed in the fighting in Syria.

Jump ahead to today, and reports in the Washington Post that the U.S. is now ''coordinating'' ''more and better weapons'' for the Syrian opposition. Persian Gulf states are funding the weapons.

Also today we hear deeply disturbing news that the Administration is ''easing'' sanctions

against the dictatorship in Burma. This has to raise the question of why Administration officials are actively working—in fact ''coordinating''—the delivery of ''significantly more and better weapons'' for the Syrian opposition, but is literally turning its back on and deliberately ignoring the extreme brutally being carried out on a daily basis by the Burmese dictatorship against the people of Burma, particularly the Kachin people.

Why would the Administration lift sanctions against a brutal dictatorship that has years and years of documented, horrific human rights violations against the people of its nation, when in the Middle East, the Administration is supporting the opposition forces fighting against a different brutal dictatorship? Why is it that one brutal dictatorship has the ire and opposition of the U.S. Government, but another dictatorship, that has yet to prove it will uphold and implement its commitments, is being rewarded for continuing to attack, rape, and kill its people?

What is going on that our nation, which says it stands for the protection of human rights and the upholding and protection of basic human freedoms, would decide to help one group fighting a brutal dictatorship while deliberately ignoring, and now, even supporting a terrible dictatorship on the other side of the world? The Administration needs to strongly reconsider its actions in Burma.

This easing of sanctions against a brutal Burmese regime comes in the face of much opposition from the people of Burma, ethnic leaders, democracy activists, NGOs, ASEAN parliamentarians, and Nobel Peace Prize winner Daw Aung San Suu Kyi, and is disturbing and puzzling to say the least.

What does this Administration expect to gain for itself by easing sanctions against Burma? It certainly can't be anything that will help the people of Burma, since the ethnic leaders and the democracy groups have urged the U.S. not to lift, ease, or remove sanctions.

United to End Genocide says, ''Economic investment is one of the driving forces behind the Burmese army's attacks against civilians in Kachin State. By expediting the rollback of sanctions, President Obama has told Burma's long suffering ethnic nationalities that they aren't part of the equation.''

Democracy leader Aung Din with U.S. Campaign for Burma says, ''The United States will be responsible for generously rewarding the regime if the war in Kachin State and human rights abuses in ethnic areas do not end, hundreds of remaining political prisoners are not released, and political settlements between the regime and ethnic resistance groups are not realized.''

The Vice President of the ASEAN Inter-Parliamentary Myanmar Caucus (AIPMC), urged the U.S. Government to maintain sanctions on business activities in Myanmar, warning that a gold rush in the Southeast Asian nation could fuel further human rights abuses, risk fragile ceasefires and arrest ongoing democratic reforms rather than bolster them.' As everyone with any knowledge on Myanmar will attest, the changes we have seen to date are far from irreversible. It is ludicrous to reward the current government's untested reforms by paving the way for a gold rush. Fighting in Myanmar's ethnic areas continues and many of the ethnic leaders are concerned that these reforms are just a ploy to pave the way for 'development' projects on their lands.''

The Central Executive Committee of the United Nationalities Federal Council, which consists of representatives of all the ethnic minority groups—all of whose people have endured horrific attacks at the hands of the Burmese regime—says, ''It is necessary for the international community to oppose and pressure Bamah [Burma] Tatmadaw for its wrong actions. Accordingly, we would like to request the international community not suspend or lift the remaining political, military, financial and economic sanctions.''

And Nobel Peace Prize winner Daw Aung San Suu Kyi urged great caution in lifting or easing sanctions urging that the American people be allowed to decide whether or not sanctions against Burma should change.

Instead of listening to the people of Burma as well as those outsiders and foreigners working on behalf of the people of Burma, the U.S. Administration has ignored them all. Instead, it has gone the path of cozying up to dictators and believing their promises . . . an odd decision since the dictators have not tended to keep their word in the past. The pattern generally has been that as soon as the dictators have received what they wanted from the West or the international community, they have simply gone back to their old ways while the rest of the world stands by and wrings its hands in consternation. Nothing has been done to hold those dictators to account for their actions.

Now, with the easing of sanctions, the U.S. has given the regime what it wants and has lost any leverage it might have. It is appalling that a country founded on freedom and democracy has taken steps to deliberately undermine democracy and freedom in Burma and instead has chosen to support a dictatorship bent on absolute control of its people.

I wonder if this Administration has read the stacks and stacks of reports detailing the rape, death and destruction of the ethnic minorities and their villages. Has it read its own State Department's report on the dictators' policy of rape of ethnic women? Has it read its own Country Reports over the years that have documented the torture of political prisoners? Has this Administration read reports that have come out in the past month about the 70,000 displaced persons in Kachin State? The latest attacks have all taken place while the regime has allegedly been making ''progress'' towards democracy and openness.

Would this Administration open up to the Assad regime and remove sanctions while its military was involved in deliberately killing the Syrian people? Clearly not.

The Administration has even sent U.S. military advisors and experts to help the Ugandan Government track and capture the brutal warlord Joseph Kony and his cronies. Yet, despite well known and thoroughly documented violence, brutality, and destruction under the orders of the regime in Burma, the U.S. Government has now decided that the people of Burma no longer matter.

I am ashamed of these actions by the U.S. Government. The sanctions should not be eased, and the Administration must re-impose these sanctions and listen to the people of Burma instead of the siren call of the dictators' money, brutal power, and false promises.

To the people of Burma, I say, please know that you are not forgotten and there are many in the West who stand with you and will work to ensure that your freedoms and rights are upheld and protected. Your voice should not be ignored and you should be able to live in peace in your own country. Shame on those, particularly Western officials, who would tell you by their actions that you have no rights and your life is worthless.

KENDRA IRVINE-JOHNSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kendra Irvine-Johnson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kendra Irvine-Johnson is a 12th grader at Pomona High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kendra Irvine-Johnson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kendra Irvine-Johnson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING DR. JAMES DEEGAN FOR HIS 28 YEARS OF SERVICE TO ECKERD COLLEGE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Dr. James Deegan, the Vice President and Dean of Special Programs at Eckerd College, upon his retirement after 28 years of service to the college's students, faculty and staff.

Dr. Deegan is a nationally recognized advocate and expert in the field of lifelong learning and was an architect in developing a unique program called Eckerd College's Senior College. Now known as the Osher Lifelong Learning Institute at Eckerd College, the program has provided a series of noncredit, continuing education courses for our local residents. Senior College was the third program at Eckerd targeted toward retirees, but each offers something different. Elderhostel is marketed nationally and provides short-term residential learning programs for people from all over the country. The Academy of Senior Professionals at Eckerd College (ASPEC)—started in the early 1980s and incorporated into Special Programs in 2002—offers the intense connections

of a close, almost familial, membership group that meets together regularly. ASPEC members are also more integrated into Eckerd's residential program, working with faculty, hosting a freshman picnic, mentoring African American students, and sponsoring lectures for the community. Senior College, in contrast, offers classes, tours, and discussion groups for local residents who come and go according to their interests and schedules. They tend to be younger retirees who want to meet a wide range of people and be more active.

Upon arriving at Eckerd College in June 1984 as the third Dean of Special Programs, Jim has told me that he was immediately impressed with the variety of programs that took seriously the concept of lifelong learning, with programs for young children through retirees. Under Jim's direction, Eckerd's Special Programs now stand out nationally.

Among the other programs developed under Jim's direction is the Leadership Development Institute, which was established in 1980. Its original offering was the intensive, five-day Leadership Development Program in affiliation with the Center for Creative Leadership in Greensboro, North Carolina. This leadership course is offered worldwide by CCL and has probably been attended by more people than any other leadership program.

Special Programs expanded under Jim's leadership with the creation of the Center for Conflict Dynamics. The idea grew out of a request from the Center for Creative Leadership for an original assessment instrument on conflict. Special Programs met the request by contracting with some of Eckerd's psychology faculty to develop the Conflict Development Profile. The successful tool solidified the college's relationship with the Center for Creative Leadership and became the foundation for an expanding range of services for corporations and government agencies seeking to improve their ''conflict competence.'' The Profile has since been translated into multiple languages and is sold worldwide, and the Center for Conflict Dynamics is now working with clients in Germany, Brazil, and China.

The Leadership Development Institute has also expanded its services during Jim's tenure. In addition to the core Leadership Development Program, the institute has added other CCL-affiliated courses, developed original open-enrollment courses, and added customized leadership training taught on-site at companies. Since 1980, LDI has taught more than 450 5-day Leadership Development courses to more than 7,500 students and served another 3,000 students in other courses.

Mr. Speaker, it is a true honor to salute Jim Deegan's contributions to Eckerd College and our community over the past 28 years. Under his stewardship, Eckerd is one of the few undergraduate institutions of its size to have a continuing education program the size of Special Programs. It has generated significant revenue for the college and it has transformed lives—from the graduates who never thought they'd earn a diploma to retirees who needed a sense of belonging, from international students finding their way in a new country to countless Eckerd employees who learned to believe in themselves. I would ask my colleagues to join me in thanking Dr. James Deegan for a job well done and in wishing him all the best in his retirement.

HONORING THE SERVICE OF AMERICA'S VETERANS ON THE 50TH ANNIVERSARY OF THE VIETNAM WAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the 50th Anniversary of the start of the Vietnam War. It is with a profound sense of gratitude that I honor the service and sacrifice of our nation's Vietnam veterans; the commitment and determination of our Armed Forces in the battle for freedom; the unique contributions made on the home front by the people of the United States during the war; and the crucial contributions made by our allies to stem the spread of tyranny.

By the time John F. Kennedy was elected President in 1960, the United States and the Soviet Union had already been locked in a bitter ideological, political and military struggle for more than a decade over the essential question of whether human beings are truly endowed by their Creator with the unalienable rights of life, liberty and the pursuit of happiness. Soviet aggression had already spread across Eastern Europe, Asia and the Middle East; and Soviet Premier Nikita Khrushchev had famously declared to the West, ''We will bury you.'' In his inaugural address, President Kennedy pledged to ''pay any price, bear any burden, meet any hardship, support any friend, and oppose any foe, in order to assure the survival and success of liberty.'' It was in that spirit, in 1962, that the President sent U.S. military advisors to assist the people of South Vietnam to resist the aggression of the communist forces of the North.

Over the course of the next 13 years, more than two-and-a-half million American soldiers, sailors, airmen, Marines and Coast Guardsmen would serve in Vietnam. Allied nations such as South Korea, Australia, New Zealand, the Philippines, and Thailand all contributed forces and materiel to the effort as well. U.S. forces sent to Vietnam were the most educated of all of America's previously deployed military forces. Nearly eighty percent had a high school degree or better when they entered military service. The average infantryman in Vietnam saw about 240 days of combat in one year due to the enhanced mobility made possible by the helicopter. By way of comparison, the average infantryman in the South Pacific during World War II saw about 40 days of combat in four years. Of those who served in Vietnam, over 150,000 were wounded, more than 2,500 would become prisoners of war and over 58,000 would make the ultimate sacrifice for defense of freedom and service to our nation.

On the home front, Americans were, for the first time, able to tune in on their televisions and see the war in living color. This technology allowed newscasters such as Edward R. Murrow and Walter Cronkite to bring daily updates on the war to the American public in their own living rooms. The war became the inspiration for popular music, movies, and novels. America's experience in Vietnam led to the replacement of the military draft with an all-volunteer force, the reduction of the voting age to 18, and the passage of the War Powers Act. Americans developed a more pragmatic view of their relationship with the government, and the war renewed in many Americans a belief in the necessity of active involvement in the political process. In 1962, no one could possibly have predicted the profound cultural impact the war would have on generations of Americans; but Vietnam's lasting legacy on the American psyche cannot be denied.

Mr. Speaker, on behalf of the United States Congress, it is my honor to recognize the service and sacrifice of those Americans who served in our nation's Armed Forces during the Vietnam War. Their dedication to duty, their service to country, and their enormous contribution to halting the spread of tyranny around the world bear testament to the strength of the American spirit. My wife Vicki joins me in saluting our nation's Vietnam War veterans, and we wish them all the best.

IN OPPOSITION TO H.R. 5326 ''COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT FOR FISCAL YEAR 2013''

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. RICHARDSON. Mr. Speaker, I rise in opposition to H.R. 5326, which makes appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013. Although the bill provides adequate funding levels for many programs that I support, they are far outweighed by the unpalatable provisions in the bill. That is why I will vote no on final passage.

Let me list some of the more objectionable provisions of this bill.

DEPARTMENT OF COMMERCE

The bill reduces funding by $93 million for National Oceanic and Atmospheric Administration (NOAA). I also oppose the $92 million reduction from the President's FY2013 Budget request for the Census Bureau. A cut of this magnitude threatens the Bureau's ability to implement Economic Census data collection activities that peak in FY2013, hindering the successful development of critical benchmarks for Gross Domestic Product estimates.

DEPARTMENT OF JUSTICE

I strongly oppose the level of funding provided in the bill as reported by the Committee for the Community Oriented Policing Services Hiring Grants Program, which is $217 million below the President's FY2013 Budget request. This reduced funding level would result in the loss of approximately 1,200 police hires/rehires, including veterans. In addition, some communities seriously impacted by crime would not be able to support enough police officers to effectively respond.

The Regional Information Sharing Systems (RISS) Program offers local, state, federal and tribal law enforcement access to intelligence databases, investigative support and research, equipment loans, training and publications, and field staff support, among other services. RISS is a proven, trusted and cost-effective program that has contributed to 52,350 arrests and yielded $857 million in narcotics, property and case seizures. This represents a 223 percent return on federal investment. Today, state and local law enforcement agencies are experiencing reductions in funding and resources and are turning to RISS to cope. Nevertheless, RISS funding was severely decreased from $45 million in FY2011 to $27 million in FY2012 and a recommended $27 million in FY2013. I requested an additional $18 million for this program to return funding back to $45 million.

Mr. Speaker, the purpose of State Criminal Alien Assistance Program (SCAAP) is to reimburse municipalities for the costs incurred incarcerating undocumented immigrants convicted of crimes. This program is vitally important to my home state of California. In 2009, California received $159 million in SCAAP funds, representing over 40 percent of the funds allocated nationwide. These funds are an important contribution towards California's cost of incarcerating undocumented immigrants, which is over $1 billion annually. The Committee recommended federal funding for SCAAP at $165 million, which is a cut from FY2012 levels by $75 million and which falls below my request by $785 million.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

I also believe strongly that the Committee's funding level for EEOC, which is $7 million less than the FY2013 Budget request is inadequate. As the Administration points out in its Statement of Administration Policy, funding at this level would prevent EEOC from filling critical investigator positions lost through attrition, which would increase EEOC's backlog and weaken its ability to enforce Federal laws that protect individuals from discrimination based on their race, color, religion, sex, national origin, age, disability or genetic information.

LEGAL SERVICES CORPORATION (LSC)

I also strongly oppose the level of funding provided in the bill for the Legal Services Corporation (LSC), which is $74 million below the FY2013 Budget request. At this funding level, tens of thousands of low-income Americans, including many military families and veterans, would be denied assistance with civil legal problems, impacting their ability to receive fair treatment in the courts.

Now Mr. Speaker, as a representative of the 37th Congressional District of California, I understand the importance of supporting emerging businesses and manufacturers. 30,000 of my constituents are employed in the manufacturing sector, and nearly 45 percent of all U.S. imports travel through the district's neighborhoods. The 37th district also includes three universities and five medical facilities, all of which benefit from funding directed at science and research.

The programs covered in this bill have a direct impact on lives across the country, and I am deeply committed to ensuring that commercial, legal and research facilities in my district are able to continue their important work. I would note briefly the provisions in the bill as amended that I do support:

1. U.S. Economic Development Administration (EDA): The EDA is the only federal agency focused on private sector job creation. It provides infrastructure grants, strategic planning assistance, business development capital, and technical assistance in economically distressed areas. The Committee approved funding at $219.5 million, or 92.2 percent of my funding request.

2. Manufacturing Extension Partnership (MEP) Program: MEP is the only public-private program dedicated to providing technical support to small and medium sized manufacturers to improve efficiency, productivity and profitability. In FY2009 alone, MEP projects created or retained 52,948 jobs, generated more than $9.1 billion in sales and provided cost savings of more than $1.41 billion. The Committee met my request for funding at $128 million.

3. Minority Business Development Agency (MBDA): MBDA works to foster the growth and competitiveness of minority-owned U.S. businesses. Minority firms currently provide nearly 5.8 million jobs but have the potential to create 17.5 million jobs, leading to stronger communities and a bolstered economy. The Committee designated $28,689,000 for the agency, 94.2 percent of my request.

4. Department of Justice Youth Mentoring Grants: This account is the sole remaining source of federal funding to support mentoring for at-risk youth. The account provides grants to non-profit organizations that reduce youth interaction with the juvenile justice system, which proves to be a cost-effective method for reducing the likeliness of drug and alcohol use while improving academic performance and family relations. The Committee exceeded my request and FY2012 funding by allocating $90 million.

5. National Science Foundation (NSF): This funding will allow NSF and universities to sustain and expand their vital research and education programs, which range from improving science education to developing multimedia technologies to improve telemedicine. This significant investment will support technological advancement here at home and properly train the country's next generation of scientists and engineers. Funding for FY2013 is $7.3 billion, which is 97 percent of my request.

6. Services, Training, Officers, Prosecutors (STOP) Formula Grant Program: As the cornerstone of VAWA, STOP awards funds to every state and territory to create and sustain coordinated community responses and trainings for law enforcement, prosecutors, judicial personnel, and victim advocates. This coordinated response has been proven effective in helping hundreds of thousands of victims find safety and holds perpetrators accountable for their actions. The Committee recommends funding at $189 million, 92.2 percent of my request.

7. VAWA Transitional Housing Assistance Grants Program: After fleeing dangerous and abusive situations, survivors must rebuild their shattered lives. The VAWA Transitional Housing Program provides an essential continuum between emergency shelter and independent living, helping victims move from crisis to stability. The Committee met my funding request of $25 million.

8. Victims of Trafficking Grant Program: There are currently 40 task forces nationwide that integrate federal, state and local law enforcement with prosecutorial and victim service organizations to prevent and prosecute human trafficking and to protect the victims of trafficking and slavery. I supported the continuation of this task force program, and the Committee has set funding at $13.5 million, 90 percent of my request.

9. Community Relations Services: CRS provides resources and tools to address community conflicts that arise from racial and ethnic tensions. The Committee recommended $11,456,000 for these services, or 95.1 percent of my request.

10. Trade Adjustment Assistance for Firms: The TAAF program is the only trade adjustment assistance program that works with economically distressed U.S. manufacturers impacted by international trade agreements, offering technical assistance to help them remain employers in their communities. Its continuation is critical to the sustainability and growth of domestic manufacturing, and the Committee met my request of $15.8 million.

Mr. Speaker, I appreciate the decision of the Appropriations Committee to fund the programs I have described at a level consistent with my requests and want to express my thanks to Chairman WOLF and Ranking Member FATTAH for their responsiveness. It is my hope that the more problematic provisions of the bill will be corrected as the process goes forward so that the final version of the bill can be signed by the president and worthy of my support.

6TH ANNUAL DC LATINO PRIDE

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing the 6th annual DC Latino Pride, the national capital region's celebration of our Latino lesbian, gay, bisexual and transgender (LGBT) community.

The Washington, DC metropolitan area has had an identifiable Latino LGBT community since the early 1960s. However, the community remained largely invisible until the first LGBT March on Washington in 1987. DC Latino Pride's parent organization, the Latino Gay, Lesbian, Bisexual, and Transgender History Project, began in 2000. The organization grew out of a private archive kept since 1993 by its founder, José Gutierrez, who, in turn, organized the first DC Latino Pride in 2007.

It has been both a pleasure and an inspiration to watch DC Latino Pride grow from a panel discussion held the day before the annual Capital Pride parade to this year's series of events between May 20 and June 7: La Corona, La Plática, La Misa, and La Fiesta. The four events incorporate the elements of DC Latino Pride's 2012 theme: ''History, Celebration, Identity, and Diversity.''

The volunteers who staff the Latino LGBT History Project and who are organizing DC Latino Pride also embody the 2012 theme.

This year's organizers include: David M. Perez, the president of the Latino LGBT History Project and the Director of Development for the League of United Latin American Citizens; José Gutierrez, a member of Mayor Vincent Gray's LGBT Advisory Council and a member of La Clínica del Pueblo community health center; Mannuel Cosme, treasurer of the Latino LGBT History Project and CFO of the U.S. Hispanic Chamber of Commerce; Jorge Andres Sotos, secretary of the Latino LGBT History Project and a civil rights attorney in private practice; Esther Hidalgo, a manager at Leslie Cashen Photography and a Library and Archives Assistant at the Franciscan Monastery of the Holy Land. The 2012 Latino Pride co-chairs are Sergio Lopez and Oskar Moran, who work for, respectively, the People for the American Way and the National Aeronautics and Space Administration's Aeronautics Research Mission Directorate-Aviation Safety Program Office. The 2012 Development Chair, Raul Olivo, is the immediate past co-chair and parade manager, and is a health educator and advocate for Transgender Health Empowerment.

I ask the House to join me in recognizing the 6th annual DC Latino Pride, welcoming all those who will attend, and congratulating the volunteers for work well done.

HONORING THE 100TH ANNIVERSARY OF THE LAKELAND HILLS FAMILY YMCA

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Lakeland Hills Family YMCA, in the Borough of Mountain Lakes, Morris County, New Jersey, which is celebrating its 100th Anniversary in 2012.

The Lakeland Hills Family YMCA, originally called the Boonton Area YMCA, was first formed in the Boonton area in 1865 and occupied several sites throughout the area. However, it was not until 1912 that it filed its official YMCA charter. In 1960, it moved to Cherry Hill Road in Parsippany. Since it was then serving seven different communities, it decided to adopt the name Lakeland Hills YMCA. In 1968, the Lakeland Hills YMCA was able to move to its final location in Mountain Lakes on Fanny Road. To cover the costs of both the move and building of the facility, the Trustees added a Building Fund pledge to the membership, and with the support of its members, the new YMCA was able to open its doors in 1972.

The early years as the combined YMCA, saw the addition of a children's day care, aerobics program, and senior program. The aquatic and physical education programs were expanded and the YMCA sponsored an ''Adult Club'' which offered programs and trips.

Unfortunately, the early years for the Y brought financial difficulties, even as membership continued to grow. These financial difficulties were alleviated by a ''miracle'' donation from Ms. Esther Dutton who was so impressed by the staff and members that she remembered the Y in her will. In 1978, with this new funding, plans to double the size of the center were undertaken to include a gymnasium, racquetball courts, and a running track. The Y has since undergone numerous renovations, including those to add additional childcare classrooms.

Moreover, the Y announced a scholarship for less fortunate children to attend childcare and day camp in 2007. That same year the Lakeland Hills Family YMCA announced the creation of a Kid's Cardio Arcade and began a Kid's Wellness Month program. They also joined the YMCA's national programs of Healthy Kids Day and Activate America.

Today the Lakeland Hills Family YMCA boasts 11,000 members and serves ten different communities in Morris County. It seeks to build strong families, and in doing so, build strong communities. The YMCA currently offers a wide range of programs including a childhood daycare center, educational programs for children, a leadership training program for teens, a series of family programs, and a plethora of fitness options. It also runs an annual Give a Kid the Y campaign to allow underprivileged children to have the ability to participate in programs at the Y. The YMCA has also been proud to host a number of Special Olympics meets over its existence. Its presence in Morris County continues to enrich the lives of its members and the community.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Lakeland Hills Family YMCA as it celebrates its 100th Anniversary.

A TRIBUTE TO MATTHEW T. GIBBONS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Matthew Gibbons of Johnston, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Matthew's project involved designing and completing a courtyard for St. Mary of Nazareth Catholic Church in Des Moines. The work ethic Matthew has shown in his Eagle Project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance which are core Iowa values. It's truly an honor to represent Iowa in the United States Congress and I know that all of my colleagues in the House will join me in congratulating Matthew in obtaining the Eagle Scout ranking. I wish him continued success in his future education and career.

IN HONOR OF WILLIAM CZMYR

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the exemplary accomplishments of William Czmyr. A longtime resident of Jewett City and a Veteran who served in the United States Navy during the Korean War, Mr. Czmyr has recently been named Veteran of the Year of the Jewett City VFW Post 10004. Based on Bill's many years of tireless service to his community, for this award could not have gone to a more worthy recipient.

As President of the Veterans Housing Project in Jewett City, Bill Czmyr has worked tirelessly over the last decade to secure critical resources for his fellow veterans. Earlier this month, Mr. Czmyr was finally able to see the result of his hard work as he walked through the apartments that 18 veterans will soon call home. Not only will these formerly homeless vets have a place to live, but thanks to Bill, they will have also have access to counseling and mental health services.

Mr. Czmyr was also fundamental in securing the funds to make this dream a reality. By coordinating with my office, as well as the Department of Veterans Affairs and the Connecticut Housing Finance Authority, he won vital grants to bring hope and peace of mind for the men and women who are set to move into the apartments this June. I urge my colleagues to join with me in congratulating William Czmyr for being named Veteran of the Year. His patriotism and dedication to veterans inspire us all.

PERSONAL EXPLANATION

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. SPEIER. Mr. Speaker, I was unfortunately unable to cast a vote on rollcall vote 291 on Friday, May 18, 2012 because I was tending to a family matter. H.R. 4310, the National Defense Authorization Act of Fiscal Year 2013 does not sufficiently address the strategic or fiscal realities we are facing and I would have voted ''no'' on its passage. I would not in good conscience have been able to vote for this authorization bill that forces the Pentagon to accept $8 billion that it neither requested, needs, nor wants. Many weapons programs, like upgrades to the Army's ground vehicles, were funded not only above the President's request but the Pentagon's. Some programs, like Block 30 of the Global Hawk, the Pentagon doesn't want at all. Funding for East Coast missile defense dumps money into systems that don't work against a remote, unlikely threat. Lastly, there are not sufficient

safeguards in place to ensure that we are not only funding the right programs, but receiving a fair price for them.

PERSONAL EXPLANATION

HON. ROBERT T. SCHILLING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. SCHILLING. Mr. Speaker, on Thursday, May 18, 2012, during a rapid succession of two-minute votes, I was unable to cast my vote for rollcall Number 288.

Had I been present, I would have voted ''yea'' on the Rehberg Amendment No. 59 to H.R. 4310, which passed with a bipartisan vote of 238–162. Our nuclear deterrent is a vital part of our continued military strength and global presence.

Our nuclear deterrent through our nuclear triad continues to keep the peace, and we must ensure that any reductions that may occur to our nuclear triad are certified by the Secretary of Defense to be needed and in compliance. Congress must exercise its oversight to ensure that our national security is not placed at risk by political ideologies.

The Rehberg Amendment ensures that Congress does have that oversight while still complying with the international agreements we have made as a country. We also need to show Russia that we take their disingenuousness about the number of working missiles and platforms very seriously.

Again, had I not been delayed, I would have voted in support of Rehberg Amendment No. 59 to H.R. 4310.

STUDENT ESSAYS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight, into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Siri Soth is a junior at Austin High School in Fort Bend County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

It is important for the government to play an active role in our lives but to a certain extent. I think it is an important duty of our government to provide us with a strong National Defense and protect our individual rights and freedoms. Our government has an obligation to protect us from powers that we, as a nation, would not be able to adequately protect ourselves from. Our government's number one priority should be to protect its nation from any harm whatsoever. By providing this great nation with the strongest defense possible, our government is instilling faith and pride in the people of this country. It is also the government's duty to protect our rights. Our individual rights are very important to our freedom and if those rights are protected and respected, our nation will be happy. Our rights are given to us at birth, they are not granted by the state and they are not in anyone's control. Our government is there to ensure our rights and make sure that no one can take said rights away from an individual. Life and liberty are magnificent gifts that certainly cannot come from any government official, but can be protected by one. Protecting our rights is necessary for our government to do in order for our nation to feel safe and secure and to know that our rights cannot be taken away by anyone. In my opinion, the government is here to hold people accountable for their actions by making and administering laws for the good and safety of our nation. I also believe it is the role of the government to enforce the separation of church and state. In order to protect our rights, such as freedom of religion, I think it is a must to ensure that church is not associated with government. Because of the mass amount of diversity in our country and the numerous religion and religious values present, intertwining church and state is limiting people's first amendment. People of this nation should never feel uncomfortable about an action of the government because of a religious bias. So in short, our government definitely needs to play an active role in our lives, but under certain circumstances. The government needs to ensure safety in the people of this nation by protecting us from foreign powers and ensuring us with faith in them to respect our rights and keep us secure.

Stephanie Lin is a junior at Clements High School in Fort Bend County, Texas. Her essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country. Stephanie chose the Vietnam War.

The Vietnam War has constantly been referred to as ''The War We Couldn't Win''. From an objective perspective, gazing at the maps of offensives, counterstrikes, and captures, it may seem the case. However, we must also examine the effects within our own domestic issues. Of course, the economic perspective forces us to acknowledge the losses incurred from the soldiers sent . . . and the innocents killed.

More than forty years ago, on the fourth of May, the city of Kent dawned upon a massacre of horrors. The Ohio National Guard, people meant to protect, fired over sixty-seven rounds of bullets in thirteen seconds into a crowd of Kent State University students protesting against Nixon's invasion of Cambodia, killing four students and wounding nine others. Comparatively, the numbers seem small, insignificant even. However, what was killed was not only human lives, but an ideal. The public trusted the government to protect their freedom of expression, and their own people. The Kent State Massacre violated that trust for the public, desecrating and shattering the idealized vision of the youth of America.

Afterwards, the response from the public was astounding. Kent State photojournalism student John Filo captured a fourteen-year old runaway, Mary Ann Vecchio, screaming over the body of the dead student, Jeffrey Miller, who had been brutally shot in the mouth. The photograph earned a Pulitzer.

The public seemed to interpret the photograph as a symbol of the broken faith, cupped in the hands of America's future generation, as they desperately scrambled for some humanity. The event may have seemed small in casualties, but it, in the end, was a ripple, causing a tremendous effect on the public's opinion over the role of government in the Vietnam War.

The shootings represented that America was not only fighting a war in Vietnam, but a war with itself. It caused people to question the roles and responsibilities of the government. The impact it has left on the people of America can be seen with the public's notions about the government now. The protests against big business seem to be lumped in with protests against how the government represses or does not pay attention to the people.

I may not fully understand the impact brought to the public from all these different events more than fifty years ago, but I do understand what it is like to be frustrated when your voice is not only unheard, but also gunned down. This is why I feel the Kent State Shootings are so significant to me. It showed how the people felt violated by the government, yet also taught us authority that abuses control, or senseless violence against protesters, will result in repercussions. We all have the power of voice. If our whispers are swiftly cut, we will swiftly scream for justice.

Today's government understands the role of expression and how wrong it is to rashly repress it. Perhaps Vietnam was The War We Couldn't Win, but we had victories in voice.

Stephanie Tsai is a senior at Foster High School in Fort Bend County, Texas. Her essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country. Stephanie chose *Apollo 11*'s Moon landing.

Below his feet, he felt the fine-grained dust that coated the surface of the moon. Stepping forward, Neil Armstrong uttered some of the most famous words in human history: ''That's one small step for man, one giant leap for mankind.'' In 1969, the *Apollo 11* moon landing brought American exploration and technological capability to new heights, both figuratively and literally. This major achievement was a testimony to our nation's unwavering perseverance in the face of adversity.

For years, humans dreamt of walking on the moon, yet such a task seemed impossible. To many, a moon landing was little more than a dream. But America is and has always been a nation of dreamers. With President Kennedy's challenge to ''[land] a man on the moon and [return] him back safely'' before the end of the decade, a goal which he correctly described as ''important for the long-range exploration of space,'' brought America closer to the realization of a centuries-long ambition. In all human history, there had never been an accomplishment quite like this. The moon landing was the first time human beings had set foot outside the planet earth, and it paved the way for future space exploration.

Americans who witnessed the moon landing undoubtedly rank it among their most unforgettable memories. One of the proudest moments in American history, the moon landing spoke to the tenacity of the American people. It reminded people around the world of America's immense capabilities and the power of American resolve. The moon landing was the product of the cooperation of determined Americans to accomplish the

impossible. It was a triumph for technological innovation and the foundation for countless scientific advancements. To millions, it brought hope for a future in space exploration, for landing a man on the moon proved that there are no limits on the reaches of human imagination. Indeed, Armstrong spoke prophetically about this ''giant leap for mankind.'' The moon landing forever changed our outlook on the world and the possibilities it holds.

The members of the *Apollo 11* mission were pioneers, brave people who dared to push the frontiers of human knowledge and existence. The same adventurous spirit that resulted in the discovery of America, a new world, over five hundred years ago carried American explorers to the moon. In history, Americans have always taken the initiative to boldly navigate the unknown. Today, we look back at the moon landing and marvel at where our dreams were able to take us. In five hundred years, who knows what more we will have accomplished? The possibilities are endless.

So, what does the moon landing mean for America now? Recently, Time magazine reported that over six thousand applications for the next astronaut class were submitted, ''the most since 1978.'' Clearly, American interest in space exploration is as enthusiastic as ever. In today's age of rapid technological improvements, America's continued leadership in space is certainly possible. Together, let's look forward to a future of turning dreams into realities.

Madison Weaver is a senior at Clements High School in Fort Bend County, Texas. His essay topic is: In your opinion, what role should government play in our lives?

Government is defined as the political direction and control exercised over the actions of the members, citizens, or inhabitants of communities, societies, and states. In other words, the government is the ultimate source of authority in our country. However, I believe that this power should be used with restraint. I also believe that government should focus on protecting the people, instead of controlling the people.

Helping secure jobs and keeping companies in business is something the U.S. government has been promoting heavily in the past few years. With the passing of the 'bail-out' bill, numerous corporations, that would have otherwise failed, were saved by the government's decision to give them enough money in order to stay afloat. Consequently, millions of people were able to keep their jobs. But what does that say about our government? Is it humanitarian that our government reacts in order to save those companies and jobs? No, in fact this shows that our government is pushing forth its own agenda of what will be produced in America. The fine line between government protecting and controlling is the difference in outcome. Protecting, will ultimately promote a healthier economy; while controlling, will produce quicker results, yet negative, long-term effects. For instance, by giving money to banks that made numerous bad loans, was essentially saying that it was 'ok' to make bad business decisions. Also, by giving money to the auto industry, was essentially saying that it was 'ok' to make products that people didn't want. Yes, the government was able to save many businesses, and countless jobs; but do we want failed businesses to operate in America? The answer is, 'no'!

Instead of looking at every business failure as a sign of weakness of the government, we need to see to the failures and embrace them too. Without the fear of failure, there is no drive for success. Therefore, we need to have failures, recessions, and yes, even job losses in order to drive people to succeed and make our country better. I believe that the government has done us more harm than good in attempting to control the recession. By stepping back and letting the business cycle run its course, only then can government truly guide our country to a more productive America.

MOTORCYCLES AND SCOOTERS AS TRANSPORTATION OPTIONS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise to call attention to motorcycles and scooters as transportation options for many Americans.

On May 13, President Obama proclaimed May 15th through May 21st as National Transportation Week. In the proclamation the President recognized that our Nation needs a safer transportation network that will provide more transportation choices. As a Member of the Congressional Motorcycle Safety Caucus I would like to highlight one such choice and point out that two-wheeled vehicles can be transportation options for many Americans.

The Motorcycle Industry Council's most recent information estimates that 27 million Americans operated a motorcycle in 2009. Much of this use was primarily recreational; however, more and more Americans are choosing to ride to work, school, or to run errands.

In his proclamation the President called for ''. . . increased transportation options that cut commuting time, ease traffic congestion, reduce oil consumption and lower greenhouse gas emissions. . .'' Motorcycles and scooters are options that can help to meet all of these goals. Motorcycles and scooters also have the advantages of being much cheaper than cars or trucks as well as considerably easier to park—and a lot of fun to ride.

I own a scooter myself and enjoying riding when I have the opportunity to do so. I have also noticed that a majority of riders are in their 40s, 50s, 60s, and even older.

Of course as more Americans choose two wheels we must be ever vigilant in promoting safe and responsible riding. I will take this opportunity once again to encourage all riders to ride responsibly by getting trained and licensed and obeying traffic laws. I would also like to remind all road users to be aware of motorcyclists, particularly as we move into the prime riding season in Tennessee and across the country.

TRIBUTE TO DR. CHARLES LOUIS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the educational community are exceptional. The University of California at Riverside has been fortunate to have dynamic and dedicated leaders who willingly and unselfishly give their time and talent and make their university, and community, a better place to learn, live and work. Charles Louis, Vice Chancellor for Research at UCR, is one of these individuals. After eight years of dedicated service, Charles will be retiring from UCR.

Dr. Louis' biomedical research on the role of calcium as an intracellular signaling molecule, which has been funded by the National Institutes of Health for over 25 years, uses a range of different approaches including cell physiology, molecular biology, biochemistry, cell biology, and biophysics. His current research program focuses on the role of gap junctions in the development of cataracts in the lens of the eye because an elevation in cytosolic calcium concentration which closes these cell-to-cell channels is one of the critical early steps in the development of lens cataract formation. Dr. Louis is Chair of the Executive Committee of the Council of Research Policy and Graduate Education (CRPGE) of the Association of Public and Land-Grant Universities (APLU) serving on the Board of Directors of APLU, and a member of the Board of Directors of the Council on Government Relations (COGR); he has served on many peer-review grant committees as well as the boards of biotech industry associations in both Minnesota and Georgia.

Dr. Louis served as Vice President for Research at Georgia State University from 2000 2004, having previously served on the faculty at the University of Minnesota for over 20 years where he held a number of administrative positions that included Head of the Department of Biochemistry, Molecular Biology and Biophysics from 1998–2000 and Assistant Vice President for Research and Associate Dean of the Graduate School from 1994–1998. He previously held faculty appointments at the University of Connecticut Health Center, and Leeds University in England.

Dr. Louis received his Bachelor of Arts degree in Chemistry from Trinity College, Dublin, Ireland, his Doctorate of Philosophy in Biochemistry from Oxford University, and postdoctoral training at Stanford University.

Dr. Louis' many accomplishments at UCR have included the growth of sponsored funding last year to $115 million, the establishment of a very successful Office of Technology Commercialization, and the management of the ever-increasing compliance demands that have been placed on universities by the federal government. He led the successful accreditation of UCR's human research protection program, and has worked on higher education committees of the Association of Public and Land-Grant Universities and of the Council of Government Relations. We have benefited from his advocacy and strong voice for ensuring that UCR receive its fair share of research funding available from UCOP VP Research, and for his excellent working relationships with many UCR faculty that have included the establishment of a number of very successful collaborative research programs with Chinese research institutions.

In light of all Dr. Louis has done for the science community and education it is only fitting that we take a moment to thank him for his life's work. Dr. Louis' tireless passion for knowledge, science and education has contributed immensely to academia. Dr. Louis' contributions to his field will continue to resonate and I know that many individuals are grateful for his service and salute him as he retires and moves on toward the next phase in his life.

CONGRATULATING PRESIDENT MA YING-JEOU AND THE TAIWANESE PEOPLE

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mrs. SCHMIDT. Mr. Speaker, I rise today to congratulate President Ma Ying-jeou on his re-election to the presidency of the Republic of China (Taiwan) and to wish him well on the auspicious occasion of his second inauguration on May 20, 2012.

I also wish to congratulate the Taiwanese people for the peaceful presidential and parliamentary elections in which they participated on January 14, 2012. The openness, fairness, and transparency with which they conducted their elections are the traditional hallmarks of a mature and democratic country.

Taiwan stands as a beacon of freedom and liberty in East Asia. As one of our closest and most trusted friends in the world, it is my most sincere hope that we never lose sight of our responsibilities to Taiwan under the Taiwanese Relations Act and, additionally, that we always look to the Six Assurances as the proper set of guidelines by which we conduct ourselves in all diplomatic matters relating to the Republic of China.

Again, I wish to express my most heartfelt congratulations to both President Ma and to the Taiwanese people.

HONORING FIRE CHIEF KENNY FOX

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mrs. BLACKBURN. Mr. Speaker, a lasting democracy is built on an active citizenry; a citizenry that serves, leads, and protects for the greater good of their community. I rise today to honor one such citizen whose life was lived in service to his community and whose noble act of bravely is the model of all who seek to protect and defend.

Decaturville Fire Chief Kenny Fox will be remembered for his loving personality, great sense of humor, devotion to his family, and his heroic actions in the last things. The hour of the morning didn't alter Fox's response. Answering the call to duty, Fox rushed to the Oak Hill Café to protect the business from a raging fire. Pushing his brothers in service out of harm's way, Fox lived out the scriptures' definition of the greatest love as he laid down his life for his friends.

Kenny Fox was an outstanding fire chief, a valuable member of his community, and a loving part of his family. I join with his wife, children, family, community, and fellow firefighters in honoring Kenny's service, dedication, and valiant sacrifice. I ask my colleagues to join with me as we remember Chief Fox for his courage and seek to serve our communities with the same sense of allegiance and purpose.

RECOGNIZING THE 22ND ANNUAL D.C. BLACK PRIDE CELEBRATION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to recognize the 22nd annual D.C. Black Pride celebration in Washington DC, which is taking place on Memorial Day weekend, May 24–28.

D.C. Black Pride 2012 is a multi-day festival featuring: an opening reception; community and town hall meetings; a reception at Madame Tussauds; educational workshops; a poetry slam; a film festival; a church service; performances by musicians, dancers, and other artists. D.C. Black Pride culminates with a Health and Wellness Expo at the Francis-Stevens Educational Campus.

D.C. Black Pride is widely considered to be one of the world's preeminent Black Pride celebrations, drawing more than 30,000 people to the Nation's Capital from across the United States as well as from Canada, the Caribbean, South Africa, Great Britain, France, Germany, and the Netherlands.

As the very first-ever Black Pride festival, D.C. Black Pride fostered the beginning of the International Federation of Black Prides, Inc. and the ''Black Pride Movement,'' which now consists of 35 Black Prides on three continents. Black Lesbian and Gay Pride Day, Inc., the celebration's organizing body, chose ''It's A Family Affair'' as this year's theme. The theme reflects the connectedness of the Black lesbian, gay, bisexual, and transgender (LGBT) community and its commitment to fulfilling the mission of D.C. Black Pride, which is to increase awareness of and pride in the diversity of African American LGBT communities. Moreover, the theme expresses the resolve of the African-American LGBT community and its allies to come together to: fight for LGBT equality; celebrate their heritage and culture as members of both the Black and LGBT communities; and promote health and wellness for the community.

D.C. Black Pride is led by a volunteer board of directors, which coordinates the annual event and smaller events throughout the year. The 2012 board consists of: George Birdsong; Max Cheatham, Derrick Dunning, Jimma Elliott-Stevens, Earl Fowlkes, Jr., Kenneth Hopson; Kenya Hutton, Danielle King, Marc Morgan, June Spence; and Andrea Woody-Macko.

I ask the House of Representatives to join me in welcoming all attending the 22nd annual D.C. Black Pride celebration in Washington, DC, and I take this opportunity to remind the celebrants that the United States citizens who reside in Washington, DC are taxed without voting representation in Congress.

RECOGNIZING THE IMPORTANCE OF SMALL BUSINESSES IN NEW YORK'S 25TH DISTRICT AND ACROSS OUR NATION

HON. ANN MARIE BUERKLE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. BUERKLE. Mr. Speaker, today I would like to commend the work that job creators do to provide services and American jobs in New York's 25th District and across our great Nation.

I want to take this opportunity to draw attention to the efforts of Dr. Rick Plympton, the CEO of Optimax, located in my district in Rochester, New York. Optimax provides innovative technology and manufacturing solutions for the production of precision optics. After over 16 years of work with Optimax, Dr. Plympton has been awarded the U.S. Small Business Administration (SBA) 2012 New York State Small Business Person of the Year award.

I want to congratulate Dr. Plympton on his innovation, hard work and leadership. Thank you for all you contribute to our community and Nation.

HONORING DR. CALVIN McKINNEY

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to honor Reverend Calvin McKinney of the Calvary Baptist Church for his unwavering commitment to the development of community and faith in Garfield, New Jersey. I extend my sincerest congratulations to him on the occasion of his June 6, 2012, 40th anniversary of pastoral service to the congregation.

Under the visionary leadership of Pastor McKinney, Calvary has established a reputation for its extraordinary humanitarian efforts. In 1998, the Calvary Community Development Center was established to bridge the economic, social, and political gaps in the community by providing clothing, food, and emergency assistance to those in need. Dr. McKinney's faith further inspired him in 2003 to guide his congregation in the construction of a $10 million, 1,500 seat sanctuary which includes educational, fellowship, and administrative complexes.

While administering an ever-expanding ministry, Rev. McKinney enjoys a full preaching ministry that has taken him throughout this country, as well as the continents of Africa, Europe, Asia, Central America, and the Caribbean Islands. One of the most memorable moments in his career came during the Centennial Session of his beloved National Baptist

Convention, U.S.A. in Birmingham, Alabama where he was honored with the opportunity to preach in 1980.

He served as the youngest Moderator in the history of the North Jersey District Missionary Baptist Association from 1986 to 1990; and served from 1996 through 2000 in an unprecedented tenure as one of the youngest presidents in the history of the 300,000 member General Baptist Convention of New Jersey. Dr. McKinney's exemplary leadership later earned him the title of President Emeritus.

In addition to his role as pastor and a denominational leader in the Baptist Church, Pastor McKinney serves the community in a wide-range of capacities. He presently works on the Governor's staff as Chair of the Commission on Faith-Based Initiatives for the State of New Jersey. He also serves as Chairman of the Board of Trustees of the U.C.C. Day Care Center #100; a trustee of Passaic County Community College; a board member of the Bergen County Urban League, NJ; an executive board member of the Garfield/Lodi Branch of the NAACP, NJ; and a member of Mt. Zion Lodge #50, F. & A.M. (PHA) of Hackensack, NJ.

He and his wife Brendalyn are the proud parents of three children: Terence Lamar, Gina Lynelle, and Calvin James; and the proud grandparents of Terence Laquan, Timothy Lamar and Mason James.

Mr. Speaker, today I rise to honor the remarkable work of Dr. Calvin McKinney, whose tireless efforts have touched the lives of the Calvary Baptist faith community and all who live in the Garfield area. I join with the grateful congregants of the Calvary Baptist Church, and all of my constituents in northern New Jersey, in thanking him for his innumerable contributions to the community.

RECOGNIZING GREEN LAKE SCHOOL DISTRICT FOR 21ST CENTURY READINESS

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. PETRI. Mr. Speaker, in order for our students to be competitive in the global economy, we must do our part to ensure that they are acquiring the knowledge and skills they need for success. The skills needed for success go beyond the basics of reading, writing, and math, however. When surveyed, employers continually emphasize that, in our 21st century economy, students need to be adept at critical thinking and problem solving; communication; collaboration; and creativity and innovation, in addition to being proficient in core subjects.

While it's important to talk about these skills, it's even more important to see and recognize where they are being successfully incorporated into educational curriculums at the local level. Green Lake School District, located in Green Lake, Wisconsin, in my congressional district, is doing a lot of innovative work to prepare its students for success in the 21st century economy. Along with officials from the Wisconsin Department of Public Instruction and the Partnership for 21st Century Skills, I recently visited the Green Lake School District to learn about their efforts firsthand.

The School District is home to the state's first 4K–12 International Baccalaureate World program. It stresses rigorous academic programs connected to relevant real-world project-based learning and skills acquisition. The district also recently opened a Global & Environment Academy Charter middle school focused on critical thinking and problem solving skills in a project-based learning environment. The school's focus on interdisciplinary cooperation, global literacy, and creativity will serve its student's well as they prepare to enter the workforce.

It's important that Congress recognize the work that is being done in communities like Green Lake and that we look for ways to support these efforts. For these reasons, Rep. Dave Loebsack and I recently formed the bipartisan Congressional 21st Century Skills Caucus to inform and discuss better ways to promote 21st century skills in our nation's educational system. I invite all of my colleagues to join our efforts.

CONGRATULATING THE DILLARD CENTER FOR THE ARTS JAZZ ENSEMBLE FOR WINNING THE ESSENTIALLY ELLINGTON JAZZ BAND COMPETITION AND FESTIVAL

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the Dillard Center for the Arts Jazz Ensemble of Fort Lauderdale, Florida for their continued achievements and excellence, in winning of the Essentially Ellington Jazz Band Competition and Festival, for two consecutive years.

In addition to these back-to-back championships, the Jazz Ensemble in 2012 also took second place in the ''Essentially Ellington'' competition. Furthermore, they won first place at the ''Swing Central'' jazz competition in Savannah, Georgia in both 2011 and 2010.

Unlike many other programs which have ample resources and funding, private donations are scarce to Dillard's Jazz Ensemble. Therefore, these students' achievements go beyond their musical talent but also speak to their dedication to perform and compete through fundraising to support their own program.

This resolve proves there are no limits to the creative spirit of Dillard's Jazz Ensemble and there are no limits to the success that these students can achieve. I would like to take this opportunity to honor the 26 members of the band as well as Jazz Ensemble director Christopher Dorsey, all of which have contributed to this program's continued successes. Members of Dillard's Jazz Ensemble are: Liza Honorat, Shanice Richards, Ben Stocker, Christian Cummings, Markus Howell, Demonn Sands, Johnathan Hainsworth, Kirby Fellis, Cameron Fegers, Jordan Davis, Sam Gellerstein, Max Boiko, Christian Dorsey, Anthony Hervey, Bryan McCall, Armando Zamora, Zach Auslander, Anthony Morrison, Zach McKinney, Charlie Steiner, Sydney Henry, Russell Hall, Sean Blair, Jake Ricke, Akeem Green, and Eric German.

Dillard High School was founded in the early twentieth century with funds from noted philanthropist James Hardy Dillard. The music program at Dillard High School gained fame when the legendary Julian ''Cannonball'' Adderley served as an instructor of applied music in the 1940s. To this day, the school still focuses on the performing arts and music, serving as a Performing Arts and Technology magnet school in Fort Lauderdale, Florida. Both Mr. Dillard and Mr. Adderley would be very proud to see the accomplishments of the program today.

Mr. Speaker, I am extremely proud of these young musicians. I wish them all the best in their future endeavors, and wish Dillard's jazz program continued success. It is an honor to give the Dillard Center for the Arts Jazz Ensemble the recognition it rightly deserves.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. GEORGE MILLER of California. Mr. Speaker, on May 8, 2012, I inadvertently voted ''aye'' on rollcall No. 215. I intended to vote ''no,'' and I ask that the RECORD reflect that I oppose the Huizenga Amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act.

IN SUPPORT OF H.R. 5801, THE US LEADS ACT

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Ms. RICHARDSON. Mr. Speaker, the higher education system in the United States is the envy of the world. The universities here are a part of America's backbone, providing young people with the skills and knowledge necessary to succeed in today's global economy.

However, Mr. Speaker, as the value of a college education has risen, so has the cost of tuition at universities across the country. Nowhere is this truer than in public universities in the state of California where budget cuts, furlough days, and tuition increases have become the new normal.

Average in-State tuition and fees at public 4-year institutions of higher education have risen 8.3 percent between the 2010–2011 and 2011–2012 academic years. The tuition hikes at public universities threaten access to higher education for millions of low and middle-income students who have worked hard in high school and deserve to go to college.

As a result of the increase in tuition at public and private universities, student loan debt now exceeds credit card debt (totaling $870 billion) and is expected to reach one trillion

dollars this year. Students graduating from college between 2006 and 2010 had a median student loan debt of $20,000.

I am the proud sponsor of H.R. 5801, the Unshackling Students to Lead, Excel, Act, Develop and Succeed Act, or the ''U.S. LEADS Act,'' which will provide student loan debt relief for recent college graduates searching for employment.

The U.S. LEADS Act, would assist recent college graduates who are entering a difficult job market by allowing them to defer payment on their federal student loans without accruing interest when the national unemployment rate exceeds seven percent, or when the unemployment rate for 21–25 year olds exceeds nine percent.

We know that a college education is one of defining markers in determining an individual's economic security. According to the Bureau of Labor Statistics, the unemployment rate for the civilian population 25 years and over with at least a bachelor's degree is 4.2% while the rate for individuals with only a high school degree is 10.7%.

Helping young Americans pursue higher education provides them with the most secure pathway to the middle class and is an investment in our country's future. Our economy depends on an educated citizenry to out-compete and out-innovate the rest of the world, and maintaining access to a quality and affordable education is central to preserving America's status as the global center for academic research and technological innovation.

If my bill were to pass, it would provide relief to more than 25,000 recent college graduates in my congressional district alone.

Students who have worked hard and played by the rules deserve the peace of mind in knowing that they will not be crushed by the weight of their student loan debt if they are unable to retain gainful employment as soon as they graduate from college.

A TRIBUTE TO MARILYN ADAMS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize the retirement of ''Farm Safety 4 Just Kids'' founder Marilyn Adams, and to express my appreciation for her dedication and commitment in her years of service to the young people of Iowa.

In 1986, Marilyn tragically lost her eleven-year-old son in a farm accident in rural Earlham, Iowa. In dealing with the tragedy, Marilyn saw an opportunity to spare other families from the pain her family had gone through and began Farm Safety 4 Just Kids one year later in 1987. Since founding FS4JK 25 years ago, Marilyn has seen her program educate over six million people across North America on farm safety. Over the course of 25 years, more than 35,600 volunteers have donated over 280,000 hours of their time to protect the lives of children in the farming community.

Today, FS4JK has more than 120 local chapters across both America and Canada that offer farm safety presentations in their communities. Last year alone, Farm Safety 4 Just Kids held more than 1,100 local events for a staggering 170,000 children. What Farm Safety 4 Just Kids has accomplished in the last quarter-century is nothing short of amazing. But those who know Marilyn won't be surprised to hear that she credits the program's remarkable success to the efforts of her family and her support network that have stood behind her since 1987.

Mr. Speaker, I applaud Ms. Adams for her sincere devotion to positively impact the lives of others in her community, state, and country. Marilyn's commitment to a cause greater than herself is a testament to the high-quality character and unwavering work ethic instilled in Iowans. While Marilyn's daily contribution to FS4JK will surely be missed, she leaves behind an organization stronger than ever with a dedicated staff that are committed to its mission. I know I speak for all of my colleagues in the United States House in congratulating Marilyn, thanking her for her noble efforts, and wishing her a long, happy and healthy retirement as she enters this new chapter of her life.

PERSONAL EXPLANATION

HON. ROBERT T. SCHILLING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 18, 2012

Mr. SCHILLING. Mr. Speaker, on Thursday, May 17, 2012, during a rapid succession of two-minute votes, I was unable to cast my vote for Roll Number 265.

Had I been present, I would have voted ''yea'' on the Connolly Amendment No. 6 to H.R. 4310, which passed, by an overwhelming bipartisan vote of 412–1. I believe that our allies should keep their commitments, and Pakistan is no different.

Pakistan has been allowing terrorists to hide out within their borders and has not been meeting the certifications put in place by U.S. aid agreements to receive funds through the Department of Defense. In fact, Pakistan has not received Department of Defense funding since June 2010. This continued disregard for our mutual agreements is disconcerting and the U.S. needs to show Pakistan that we do not take our commitments lightly.

The Connolly Amendment ensures that Pakistan will follow through with its commitments and will force them to reconsider closing their borders. We must encourage them to maintain open Ground Lines of Communication and allow the transportation of NATO supplies.

Again, had I not been delayed, I would have voted in support of Connolly Amendment No. 6 to H.R. 4310.